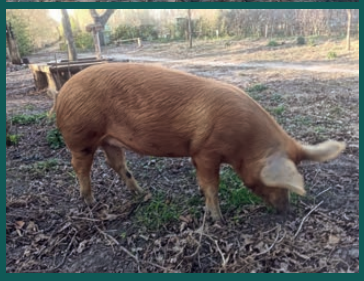
Toward Ritual Purity

An Evolution of the Dietary Laws



CEES STAVLEU

Toward Ritual Purity

Cees Stavleu

Opmaak en geprint door: proefschriftprinten.nl
Illustraties en cover: Bo Adolfsen
Vertaling samenvatting: Sander Kuijken

ISBN: 978-90-835486-3-0

Toward Ritual Purity
An Evolution of the Dietary Laws

Op weg naar rituele reinheid
Een evolutie van de voedselwetten

(Met een samenvatting in het nederlands)

PROEFSCHRIFT

ter verkrijging van de graad van doctor
aan de Protestantse Theologische Universiteit te Utrecht,
op gezag van de rector, prof. dr. K. Spronk,
ingevolge het besluit van het college voor promoties
in het openbaar te verdedigen te Utrecht
op dinsdag 17 juni 2025 om 15.00 uur

door

Cornelis Christiaan Stavleu

geboren op 29 maart 1958 te Leiden

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For Maja

This Publication is made possible by the support of:

Fonds Nuis

Seminarium van de Bond van Vrije Evangelische Gemeenten

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Abbreviation

In this work the standard abbreviations listed in the second edition of the *SBL Handbook of Style*[1] have been used, supplemented by those in IAGT[3].[2] In addition, the following abbreviations have been employed:

BGT	Bijbel in gewone taal
DBY	Darby Translation
GNBD	Groot Nieuws Bijbel (Dutch)
HCSB	Holman Christian Standard Bible
HNV	Hebrew Names Version
HSV	Herziene Statenvertaling
J. Raptor Res.	Journal of Raptor Research
NaB	Naardense Bijbel
NBG	Nederlands Bijbelgenootschap 1951
NBV	Nieuwe Bijbelvertaling
NCBC	New Century Bible Commentary
OJV	Orthodox Jewish Version
RSR	Religious Studies Review
SVD	Statenvertaling Dutch
WEB	Webster's Bible
WV	Willibrordvertaling 1995
YLT	Young's Literal translation

1 B.J. Collins, B. Buller, J.F. Kutsko (2014).
2 S.M. Schwertner (2014).

Acknowledgements

The reasons for authoring this dissertation are threefold. The first reason takes me back to the time when I began as an Old Testament lecturer at the Evangelical Theological University of Applied Sciences (ETH) in Doorn. In 1987, I gave my first lectures on the book of Leviticus. At first, this was challenging, but once I discovered the concepts behind the book, this part of the Bible has inspired me ever since. My understanding of the theological system was further deepened when, in 2004, I wrote a commentary on Leviticus as part of the Study Bible Old Testament series. In this research, I was able to enhance my insight into the complexity of the theological system and gained increasing clarity about the book's significance. In 2015, I began working on this dissertation, and during the research process, I concluded that the text of Leviticus was the result of gradual editorial growth. This conclusion meant that I revised my earlier views on the formation of the text and increasingly interpreted it as a document in which different theological nuances regarding issues such as holiness and purity are incorporated.

The second reason for undertaking this research is linked to my love for archaeology, which dates to my childhood and teenage years. My aspiration was to become an archaeologist, but many people discouraged me due to the limited career prospects. I heeded their advice but never abandoned my interest. This is why, during my theology studies in Leiden, I seized every opportunity to engage with Palestinian archaeology. I wrote my master's thesis on the terracotta figurines of Tell Deir 'Alla and was fortunate to participate in the 1987 excavation season in Deir 'Alla. The excavation took place after I had completed my studies and remains one of the happiest periods of my life. I owe Dr. Gerrit van der Kooij a great debt of gratitude for the way he inspired me. My joy was immense when I was able to rekindle my love for archaeology through this dissertation. Studying the results of archaeozoological research has helped me in dating and further interpreting the redactional stages of the dietary laws of the Old Testament.

A third reason for authoring this dissertation relates to my work as a lecturer at the Christian University of Applied Sciences in Ede. Ede is part of the Food Valley, and the university was challenged to contribute to research projects. I became involved in projects on food and developed various minors on nutrition. It was fascinating to engage in interdisciplinary discussions on food with colleagues from other faculties. In addition to collaborating with specialists in sustainability and health, I was able to explore the cultural and religious aspects of food. Through this collaboration, my research into Old Testament dietary laws was encouraged to be placed within broader contexts.

These three areas of interest have brought this dissertation to fruition. It was a relatively long process, in which I found great joy. I would like to acknowledge those who have guided me

in this endeavour: Professor Dr. Klaas Spronk, Professor Dr. Jürgen Zangenberg, and Professor Dr. René Erwich. Klaas, I am deeply grateful for your patience, wisdom, and stimulating guidance. Your sharp vision, and emphasis on focus enabled me to complete this interdisciplinary research. I will not forget our conversations during our visits to congresses in Prague and San Antonio. Jürgen, your intellectual strength, and clear methodology were invaluable. Your expertise in both text and archaeology helped me to integrate these disciplines responsibly. René, I thank you for your support and methodological guidance. Your approach from practical theology and your involvement in the CHE's research agenda helped to give the dissertation potential for broader connections. Klaas, Jürgen, and René, you have all helped me to develop into a researcher capable of sharper focus. At times, the journey was challenging, but you as supervisors guided me in making clear choices and believing in them.

I would also like to thank all my friends and colleagues who supported me during difficult moments. My special thanks go to my colleague Dr. Marco Rotman. Marco, we have known each other for at least 25 years in various professional settings. We have been able to develop friendship and undergo scientific growth together. You provided immense help in the final phase of the research by thoroughly and critically reviewing the text. I would also like to express my gratitude to Dr. Leo Mietus and Dr. Theo Hettema of the Seminary of the Free Evangelical Congregations for their support. They connected me with Klaas Spronk and thus played a significant role in the initial stages of my research. Furthermore, I thank the Christian University of Applied Sciences in Ede for their assistance in many practical matters. I am also grateful to the Protestant Theological University, which, in collaboration with the Christian University of Applied Sciences in Ede, enabled me to dedicate one day per week to my research for four years. Additionally, I thank drs. Leo van Hoorn, former director of the Academy of Theology at the Christian University of Applied Sciences in Ede, for his efforts in partially freeing up my time for this work.

Words fail me in expressing my gratitude to Maja, the love of my life for 46 years. As a skilled biologist with an archaeological background, she has prevented errors in the research on animal names and in archaeozoological research. She has encouraged me unreservedly and in an exceptionally stimulating manner throughout this process. Maja, for these and many other reasons, I dedicate this dissertation to you. I also thank my two wonderful sons, Jonathan and Vincent. Thank you for your involvement in my journey.

Finally, I give honour to my Lord Jesus Christ, who granted me the ability to complete this dissertation.

1

Introduction

Prohibitions against eating certain kinds of food in Judaism form a complex whole of regulations. P. Gwynne comments in this regard that Judaism is a 'kitchen religion'.[3] One of the literary sources on which this system of food regulations is built is Leviticus 11. Together with Deuteronomy 14:3-21a, this text describes which animals are allowed and which are not. My aim is to study the motives behind the distinction between pure and impure animals in Leviticus 11 and the practical values of the dietary laws. Therefore, I have to determine when Leviticus 11 was composed and what these laws meant for the people at that time. If I can determine the practical values of Leviticus 11 when it was composed, I can raise the question as to what can be known about the period before. Was there textual growth, and, if so, can I date the redactional stages? And if I can date these stages, what did these laws mean for the people from these different periods? Finally, I will ask if it is possible to trace the origins of the dietary laws. If I am able to answer these questions, then I can reconstruct the evolution of the different practical values of the dietary laws from their beginnings in Israelite history until the time Leviticus 11 was written. To answer this last question will be the most important aim of this study. I will not discuss when Leviticus 11 was connected to the system of food regulations which made Judaism[4] the present 'kitchen religion', and I will not discuss how the dietary laws of Leviticus 11 function now.

1.1 Status quaestionis

This section describes two relevant fields of research on the evolution of dietary laws from their beginnings in Israelite history until the time when Leviticus 11 was written. The first question concerns the rationale or motive behind the dietary laws. The overview presented, helps to determine what the dietary laws may have meant for the Israelites. The second question concerns when the dietary laws were accepted and obeyed by a large group of people. An overview of the *status quaestionis* regarding these matters helps determine a chronological framework for the evolution of the dietary laws.

1.1.1 Interpretations of the dietary laws

In this section an overview of the interpretations that scholars have given on the meaning of the dietary laws is provided. The overview begins with separate interpretations (1.1.1.1-1.1.1.6) and concludes with an evolutionary interpretation that describes the development of the meanings of the dietary laws (1.1.1.7). The first six descriptions of the various meanings cover a range from more materialistic interpretations (1.1.1.1-1.1.1.3) to more symbolic ones (1.1.1.4-1.1.1.6). Materialistic interpretations seek the motive for these laws in material causes, where use is made of information from fields like medicine (1.1.1.1), ecology (1.1.1.2), and

3 Gwynne (2018, 195).

4 In this study I use the word Judaism as a religion where life is ordered by the Torah. For the period before Judaism, I will speak about Judaeans / Judaea and Israelites / Israel. I will discuss when Judaism starts in 1.1.2 and will use the term 'Jew' for ancient as well as later forms of Judaism.

economics (1.1.1.3). These laws were intended to solve and regulate practical problems in peoples' everyday lives. The interpretations derive hygienic arguments from medicine, and ecological and economic arguments from disciplines like ecology and economics. The arguments are not usually derived from the biblical text, and the biblical prohibition often functions to prove a particular theory: for example, people think that a certain animal is unhealthy and find this idea supported by the biblical text.

In more symbolic explanations of the dietary laws, the prohibitions against eating impure food represent specific beliefs of a religion.[5] This does not mean that a scholar who argues for a symbolic interpretation denies underlying materialistic motives. There is often an awareness that the laws are rooted in daily life and the daily need for food, but the most important motive is symbolic.[6] In researching Leviticus 11, scholars paid attention to the meaning of the different words and concepts behind the dietary laws in that passage[7] and sometimes discovered traces of older and different symbolic interpretations in that text and Deuteronomy 14:3-21a.[8] It is possible to discern several symbolic interpretations. The first interprets the dietary laws as a way to remember divine characteristics (1.1.1.4); the second interprets them as a stimulus for moral behaviour; the third views the laws as identity markers (1.1.1.5); and the fourth presents the laws as a legal grid that expresses different ideas of purity and contagion (1.1.1.6). The evolutionary interpretation (1.1.1.7) does not deduce the dietary laws from only one motive but describes the developments of the laws.

Finally, regarding the distinction between materialistic and symbolic interpretations, let me remark that it is useful on the one hand and anachronistic and artificial on the other. It is useful because it helps to give some structure to the multitude of interpretations; It is anachronistic because 'symbolic' and 'materialistic' are modern categories that may not be part of ancient cultures since they did not make this distinction. The distinction is artificial because, in reality, concepts and economic, ecological, and hygienic matters are often

5 H. Bürkle (2009, 1154).

6 N. MacDonald (2008a, 34, 35) points to forms of materialistic explanations by M. Douglas and symbolic explanations by M. Harris. W. Houston (1993, 124-179), provides an etic approach to the dietary laws in his chapter 4, 'The Context Surveyed', in which he explores the archaeozoological remains that clarify the diet in the Palestinian area. Houston (1993, 199-200) points out that behind the dietary laws lies the distinction between domesticated and wild animals and indicates the various ambiguities. E. Firmage (1992, 1133-1134) describes the cultural background of the prohibition against pigs in Israel and surrounding cultures and chooses a symbolic interpretation in Firmage (1990, 1992, 1124-1125) and Firmage (1999). His point of view is described by J. Moskala (2000, 138) as the 'Sacrificial Paradigm Explanation'. When MacDonald (2008a, 132) discusses food, he uses Douglas' ideas concerning 'matters out of place', while he argues (2008a, 43-46) for the need to study the ecological, material, and historical context of food production when researching food laws.

7 E.g., Douglas (1966, 54-58) and J. Milgrom (1991, 704-736) on holiness.

8 Important publications are Milgrom (1991, 691-70), C. Nihan (2007, 270-339), and N.S. Meshel (2010).

interwoven.[9] Therefore, I use the distinction between material and symbolic interpretations as a structuring device in this section, but I do not reduce the six interpretation to these main categories.

1.1.1.1 The hygienic explanation

The hygienic interpretation is one that is frequently cited, one in which scholars assert that impure animals are the cause of sickness and disease. Maimonides was the first one to argue for this point of view, and several medieval scholars followed him.[10] Since the nineteenth century, there has been renewed interest in this argument because of the discovery of the harmful tapeworm in pork that causes trichinosis.[11] There are examples in support of the hygienic explanation in the twentieth and twenty-first centuries,[12] but in the last seventy years, scholars have become more critical of this interpretation. They focused on inconsistencies in the argument and pointed to the fact that the biblical text itself is silent about this aspect.[13]

1.1.1.2 Economic interpretation

The second interpretation is the economic one. Adherents of this approach point to the fact that certain animals are impure because the consumption of their meat presupposes an economic context that was inappropriate for the Israelites' way of life. An example of this is J. Simoons, who said that pig breeding was unsuited to the nomadic life the Israelites practised.[14] Harris promoted such an explanation and defended the idea that the selection and rejection of foods are aspects of the struggle for subsistence. Religious institutions are simply an effective means of enforcing

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9 Examples can be found in C.A. Hastorf (2017, 55-80), who describes many archaeological and modern forms of meals in which many aspects like health and social hierarchy are interwoven.

10 For instance, Nachmanides, 136, 140-141.

11 G. Cansdale (1970, 99).

12 W.F. Albright (1968, 177-181) speaks of the dietary laws of Leviticus 11 and Deuteronomy 14 as 'hygienic laws' or 'hygienic regulations'. R.L. Harris (1990, 529-530) argues forcefully that these laws promoted public health. We find a variant of the hygienic explanation in the article by A. Huttermann (1993), who presupposes a high degree of ecological knowledge among the ancient Israelites. In G.F. Hasel (1991, 109-113) we find a defence of the hygienic theory: the dietary laws of Leviticus 11 are universal and non-ceremonial laws, and the meat of impure animals is not hygienic. In recent years, the Dutch biologist B. Hobrink (2014, 82-123) once more emphasised the danger of trichinosis with carnivores like pigs, wild boar, dogs, hyenas, jackals, foxes, lions, leopards, bears, and cats. Pure animals (herbivores!) do not host these parasites. Impure animals that cause other diseases are hares, rats, and bats. Furthermore, the hare is impure because it can be contaminated by a bacillus (*Bacterium tularense*) which causes the oft-fatal disease of tularemia when humans consume them.

13 Simoons (1961, 37) asks why the Jews did not ban chickens if they were concerned about the eating habits of pigs. Like pigs, chickens are aggressive scavengers and will eat just as many things that are repugnant to humans. According to G.J. Wenham (1979, 167-168 and 1981b, 6-7), it is far from clear that all impure animals are harmful to health. Why, if hygiene is the motive, are poisonous plants not classified as impure? The text makes no appeal to health in connection with food regulations.

14 Simoons (1961, 41) presents the hypothesis that the prejudice against pigs and pork had its origin in the negative attitude of nomads towards settled peoples. The pig is unsuited for the nomadic way of life in arid and semi-arid areas and is generally not kept by nomadic peoples in Asia or elsewhere. M. Harris, (1986, 72-74) points out the impossibility of raising pigs in the natural environment of ancient Israel. Hobrink (2014, 90) says that biological equilibrium plays a role.

what economic necessity dictates.[15] Harris points to the benefits of raising cud chewing animals and animals with split hoofs. Cows, sheep, and goats fall into the first category, and these animals thrive best on diets consisting of plants that have a high cellulose content. The problem with pigs is that they are omnivores, not ruminants, and have not adapted to the climate and ecology of the Middle East. The fact that pigs cannot sweat is also problematic. They wallow in the mud to cool down. Mud requires the use of water, however, and when the temperature is too high and there is no mud, pigs become desperate and begin wallowing in faeces and urine. Harris says that raising pigs in the Middle East was and still is much costlier than raising ruminants because pigs need artificial shade and extra water for wallowing. Moreover, their diet needs supplements like grains and other plant foods that humans themselves eat.

Harris gives another kind of materialistic explanation for avoiding hares and hyraxes. These animals live in the wilderness, and it is a waste of time to hunt them. They should concentrate on raising ruminants that are more productive. He also tries to explain the avoidance of a particular group of birds.[16] These are exotic and sea birds that live far from villages, and it is a waste of time to hunt them. Although few people take Harris' argument in as ubiquitous a way as he did, there are many examples of the economic argument among modern scholars who point to an economic background for the theory.[17]

1.1.1.3 Ecological interpretation

The third variant explanation is the ecological one. This interpretation claims that it is better for the human natural environment to keep certain animals alive and to kill others. In this approach, dietary laws find their origin in the need for a biological equilibrium. Some animals that Israelites were not to eat were harmful species like rats, mice, and grasshoppers; these animals also consumed sick and dead animals plus dirt. Rats and mice also eat stored grain and thus form a danger to human food supplies.[18] Huttermann points out that many of the forbidden animals are useful in that they eat carcasses, insects, mice, and rats.[19] Through their rules on the consumption of meat, the priests stimulated a biological equilibrium through specific prohibitions. In the meantime, the priests respected people's need for protein through allowing the consumption of pure animals. E.E. Meyer was critical of this point of view and said that the authors behind Leviticus were not interested in ecotheological matters. He remarks that there is an 'ethic of limitation' and respect for animal life in Leviticus.[20]

15 Harris (1986). For the theoretical basis for his work, see Harris (1979). In his opinion, 'It [e.g., cultural materialism] is based on the simple premise that human social life is a response to the practical problems of earthly existence' (p. IX).
16 Harris (1986, 82).
17 One example is Houston (1993), who acknowledges the role of the economic context while at the same time providing a theological explanation.
18 Hobrink (2014, 107).
19 Huttermann (1993, 149-152).
20 Meyer (2011, 157).

1.1.1.4 Ways to remember God and his works

The fourth approach claims that the application of the commands helps people to remember the character of God and his works. With monographs like *Purity and Danger* (1966) and *Leviticus as Literature* (2000), Douglas is an important representative of this approach. She rejects any explanation which takes the 'do nots' of the Hebrew Bible in piecemeal fashion and holds the view that the only sound approach is to forget practical issues such as hygiene, aesthetics, morals, and intrusive revulsion.[21] J. Milgrom describes Douglas' holistic approach as Durkheimian, whereby the classification of animals reflects society's values.[22] For Douglas, the dietary laws are a ritual expression of a social order. Just as scholars can analyse the grammar of a language, so anthropologists can analyse the grammar of a meal,[23] and she holds the view that it should be possible to discover what symbolic meaning a meal expresses. This means that food choices and habits during meals express concepts. In the search for the symbolic function, Douglas and later scholars did not only study the text but also used theories and data from cultural anthropology.[24] For example, Douglas pointed out that the Israelites have a negative attitude towards other cultures. They reflect this attitude in animal taxonomy when they reject hybrid animals. Cultures with a more positive attitude towards other groups regard unusual animals more positively. A criterium for this interpretation is the physiology of animals:[25] chewing cud, having split hoofs, and having fins and scales.

In her influential book *Purity and Danger* (1966), Douglas connects the dietary laws with the beliefs of the Israelites and formulates the following purpose of the dietary laws:

> If the proposed interpretation of the forbidden animals is correct, the dietary laws would have been like signs which at every turn inspired meditation on the oneness, purity, and completeness of God. By rules of avoidance holiness was given a physical expression in every encounter with the animal kingdom and at every meal.

21 Douglas (1966, 50).

22 Milgrom (1991, 721-722). For Douglas' indebtedness to Durkheim, see, e.g., Douglas (1966, 19-23). Cf. R. Fardon (1999, 35, 40, 43, 87, 88, 90, etc.).

23 Douglas (1972, 61-6). Douglas attempts to describe the grammar of meals and to reconstruct the precoded messages.

24 Douglas (1966, 55-56) is an early example of such a connection. In Douglas (1972), she tries to discover a grammar of meals in modern English life and other ethnographic material. She connects this material with Leviticus 11. In her article called 'Self-evidence' (1975) she writes again about hybrids and animals that have marks of both categories. She argues that, depending on an underlying structure, cultures will place different qualitative valuations on mediating animals and on mediation in general. These structures determine differences in appreciation of ambiguous creatures, such as pigs and camels. Kunin (2004, 31-66) appreciates Douglas' work and wants to go further by seeking the deeper structures behind Leviticus 11. The same tendency we find with Meshel (2008a), who attempts to apply the work of Lévi-Strauss to the text of Leviticus 11. Finally, J.M. Kimuhu (2008, 317-355, 380-381) connects Leviticus 11 with material from Africa where, for example, members of the Kikuyu ethnic group only eat herbivores.

25 This is why M. Price (2020 103) calls Douglas' approach the 'physiological explanation'.

> Observance of the dietary rules would thus have been a meaningful part of the great liturgical act of recognition and worship which culminated in the sacrifice in the Temple.[26]

Douglas interprets the dietary laws as an expression of the holiness of God: they express oneness, purity, and completeness. She considers holiness to be a divine attribute and translates the root קדש, 'holy', as 'set apart' and relates holiness to power and danger.[27] In the Hebrew Bible, blessing is the source of all good things and the withdrawal of such blessing leads to adversity. God's blessing is essential for order that allows human affairs to prosper. In the Hebrew Bible, God creates a universe in which humans prosper by conforming to holiness and perish when they deviate from it. Douglas takes it for granted that holiness means 'separateness' but adds the meanings 'wholeness' and 'completeness.'[28] She points out that many texts in Leviticus speak about the physical perfection that is required of things presented in the temple and the persons who present them. Wholeness also extends to completeness in a social context. Douglas's conclusion is that completeness exemplifies holiness. Holiness requires that individuals conform to the class to which they belong, and that Israelites should not confuse different classes of things.

In other early works, Douglas studied the macrostructure of Leviticus and proposed a specific ring structure in which she connects chapter 11 to chapter 21-22. Chapter 11 is about wholeness and completeness in the animal world, and chapter 21-22 is about the perfection of priests. This analysis strengthens her ideas that the dietary laws express separateness, wholeness, and completeness. She later rejected this analysis and proposed a different structure.[29] Her view of the dietary laws does not seem to have changed. They are expressions of God's compassion and justice.[30]

Another explanation, which concentrates on the adoration of God, can be found in Moskala's dissertation on the dietary laws in Leviticus 11. Moskala presents synchronic research on the biblical text, in which he contends: 'My approach is not anthropomorphic or health-centred or moral-centric, but theocentric: respect for the Creator.'[31] His fundamental categories are the threefold sequence: Creation – Fall – New Creation. The intent of the dietary laws is that God wants to preserve the fundamental elements of his creation like life order, boundaries,

26 Douglas (1966, 58).
27 Douglas (1966, 50-51).
28 Douglas (1966, 52-55).
29 Douglas (1993, 8-20). Douglas (2007, X-XI) says she was wrong in seeking a ring structure and proposes another type of composition, namely, figure poetry. Cf. Douglas (2000, 218-240), where she describes Leviticus as the projection of the tabernacle and where land animals are placed under the covenant. Cf. Douglas (2007, 134-137).
30 Douglas (2000, 174).
31 Moskala (2000, 347).

separation, holiness, and worship. Pure animals reflect the life of the garden, and impure animals reflect the fallen world – degeneration from original harmony, perfection, and holiness. These dietary laws represent God's creation order and a biblical worldview. The laws also provide an important lesson for humanity, that is, respect for the creator. For Moskala, it is important that Christians practise these laws,[32] and, therefore, these laws are still relevant today. One reason why Moskala argues for this idea is his Seventh-day Adventist background, which holds that institutions like the Sabbath and the dietary laws should still be observed today.[33] It is thus more of a theological than a historical approach.

In his commentary on Leviticus, N. Kiuchi emphasises the importance of the account of the Fall (Gen 3) for Leviticus 11.[34] One allusion to the Fall is found in the role of the snake: the prohibition against eating snakes is an implicit reference to the temptation in Genesis 3:1-6. Kiuchi's interpretation is comparable to G.G. Harper's approach which assumes that Leviticus 11 contains allusions to creation, paradise, and the Fall.[35] In the explanations by Kiuchi and Harper, the instructions in the dietary laws symbolically tell the story about major events in the history of the earth.

1.1.1.5 Ways to lead to moral behaviour

The dietary laws have also been interpreted as a means to lead Israelites to moral behaviour. Such an interpretation already existed in ancient times. In the Jewish tradition, this approach is known as an 'arbitrary explanation',[36] an interpretation for which there is no clear rationale. The dietary laws were given to make the Israelites obedient, and therefore this classification could be seen as an ethical rationale. If laws are irrational, humans cannot understand them, and their only function is to make them obedient. Maimonides takes a somewhat similar view, stating that the object of the law is to restrain people from desire, while there is no direct, non-symbolical moral intention in the dietary laws.[37] The so-called moral-symbolic theories are different: here the animals represent specific virtues and vices.[38] In recent times, the search for an ethical rationale is evident; one example of this trend can be found in Milgrom.

32 Moskala (2000, 347-348), Moskala (2011).

33 The interest in the application of Biblical dietary laws in Christian circles is not restricted to Seventh day Adventists. We also find it in groups of Messianic Jews. See https://www.learnreligions.com/beliefs-and-practices-of-messianic-jews-700971 (29-03-2024). We also find it with in the Ethiopian Orthodox church see https://www.persee.fr/doc/ethio_0066-2127_2014_num_29_1_1558 (02-04-2024).

34 Kiuchi (2007, 204-207).

35 Harper (2013).

36 Moskala (2000, 112-115) points to this theory which began with Eleazar Ben Azariah and was supported by many rabbis. Moskala also refers to this explanation with modern scholars like J.H. Tigay (1996).

37 Houston (1993, 75) and Moskala (2000, 60-61). In 1.1.1.1 we saw that Maimonides defended the hygienic explanation. In his work, Maimonides gives different explanations of the dietary laws. Houston (1993, 71) also points at an aesthetic function of dietary laws in the work of Maimonides.

38 We find this explanation in Philo's works. See Houston (1993, 75) and Moskala (2000, 27-31).

In the context of his comprehensive work on P, the Priestly writer of the Pentateuch, Milgrom says that two central convictions characterise P's understanding of the dietary laws.[39] First, their purpose is ethical by teaching respect for life. Second, they are part of a coherent system that appears throughout the Priestly material. According to the Priestly theology, demonic powers do not determine life.[40] Humans themselves bear responsibility for making moral choices and are not determined by the struggle between good and bad angels. Humans are responsible to God alone. The basis for the legislation in P is the dichotomy of life and death: impurity stands for death, and holiness stands for life.[41] The laws in P are a way to express the choice for life and against death.

The fact that in Milgrom's interpretation the dietary laws of Leviticus 11 are an expression of respect for life, leads him to the idea that this ethical purpose of these laws is based on the prohibition against consuming blood and on strict regulations concerning slaughter.[42] The strict prohibition against blood is central in the work of P and is a law for humanity as a whole.[43] The main ethical foundation for the dietary laws is the way P makes 'holiness' the central concept. In Milgrom's reconstruction of P, 'holiness' is essential. He says that holiness is not innate and sees God as the sole source of holiness. All other holiness is the extension of his nature. In Leviticus 11, holiness forms the rationale for the dietary laws.[44] For Milgrom, holiness is not only 'separation from' but also 'separation to', which he formulates as follows:

> That which man is not, nor can even fully be, but that which man is commanded to emulate and approximate, is what the Bible calls *qādôš* 'holy.' Holiness means *Imitatio Dei* – the life of godliness.[45]

Because the emulation of God's holiness occurs with greater frequency and emphasis in food prohibitions than in other commands, Milgrom concludes that those laws on food are the best way to achieve the higher ethical life. He connects the idea about holiness with the dichotomy of life and death: forms of impurity represent death, while holiness represents life.[46] The undergirding rationale of the dietary laws is reverence for life. Because Leviticus 11 is part of P's coherent system, Milgrom connects the laws to the prohibition against blood and the prescribed slaughtering technique. The latter two laws express the same reverence for life.

39 In Milgrom (1963) and Milgrom (1991, 704-742), the author gives his point of view regarding the rationale behind the dietary laws.
40 Milgrom (1991, 42-45).
41 Milgrom (1991, 46-47).
42 Milgrom (1991, 704-718).
43 Milgrom (1991, 705).
44 Milgrom (1991, 729).
45 Milgrom (1991, 731).
46 Milgrom (1991, 732-733). The same idea was already expressed by C. Vonk (1963, 341), who writes: 'Dàt predikt Lev 11. *Pas op voor de dood*!' [This is what Lev 11 preaches. *Beware of death!*].

Firmage – one of Milgrom's students – wrote two articles about dietary laws.[47] Like Milgrom, Firmage says that the rationale is the *Imitatio Dei*: the central value is moral behaviour, and the rationale falls into the category of moral imperatives. The application of dietary laws is a self-conscious attempt on the part of the priest to put a singular tenet of Israelite theology into practice. When the Israelites had to apply this standard of comparison, only those animals which superficially resembled the sacrificial model were allowed. Cattle, sheep, and goats constituted the criteria for selection. The essence of the dietary laws was that the priests had a general notion of good and bad animals and birds. The criteria are morphological and related to sacrificial law. Animal offerings were to be unblemished, and non-sacrificial animals were to express this concept.

1.1.1.6 Ways to distinguish from surrounding peoples

According to another interpretation, the dietary laws are a means to distinguish the Israelites from the surrounding peoples. With this interpretation, the dietary laws are an identity marker, which symbolises the difference between 'them' and 'us'. The Israelites strengthened their identity by eating food that differed from that of their neighbours. The Israelites did not eat impure animals because consuming them was characteristic of the surrounding cultures. Israelites had to avoid eating these foods because they played an important and positive role in the religion of those cultures. The prohibition against pork seems to have functioned as a significant identity marker because there were situations where surrounding cultures did eat pork.[48]

The cultic explanation falls under the idea that the dietary laws are an identity marker. In antiquity, we find this interpretation with Origen, who declared that the Egyptians and others considered impure animals oracular (*mantica*).[49] In modern research, this interpretation can be found with W. R. Smith. Within the Semitic context, he distinguished between the sacrifices of legitimate animals and extraordinary sacrifices, and the flesh of the second category was considered forbidden.[50] According to Smith, the impure animals were strictly prohibited in the Israelite monotheistic belief because of their association with foreign gods. The Israelites incorporated the animals that were considered holy into the category of accepted animals. In the twentieth century, we find the cultic explanation in publications by W. Kornfeld and R. De Vaux, who interpreted the dietary laws as a polemic against the value

47 Firmage (1990) and Firmage (1992).

48 D.M. Freidenreich (2011, 5, 6) distinguishes between the prohibition against eating pork and the prohibition against eating vultures and rock badgers. The former was a significant identity marker because it functioned in historical contexts while the latter was a latent identity marker because of the lack of a context.

49 Origen, *Contra Celsum*, 4.93. cf. Houston (1993, 72).

50 W.R. Smith (1927, 290-294) says that, in the Semitic context, these animals were pigs, dogs, certain species of fish, mice, horses, and doves.

placed on certain animals in foreign cults.[51] We find a similar interpretation with Milgrom, who points to the association between pigs and chthonic rites.[52] According to Simoons, who argued primarily for an economic explanation of the prohibition against pigs, at a certain moment the prohibition became a way for nomadic people to mark themselves as different from the despised sedentary people.[53] The idea that ancient Israelites tried to distinguish themselves from surrounding cultures through obedience to dietary laws can be found in many archaeological publications. There is a tendency to interpret the absence of pig bones in Iron Age I in presumed Israelite sites as an identity marker. Early Israelites would have refrained from the production and consumption of pork in order to distinguish themselves from the pork-eating Philistines[54] and the Judahites would later do from the pork-eating inhabitants of the northern kingdom.[55]

1.1.1.7 Evolutionary interpretation

In the last years we have seen a tendency to explain the taboo against the consumption of impure meat in terms of evolution, which means that scholars attempt to describe its development through time, leading to the moment the taboo was formulated in texts like Deuteronomy 14:2b-21 and Leviticus 11. The first example of this approach is Price's work on the evolution of the taboo against pigs, in which he describes the development of pig husbandry over time, the development of distaste towards pork, which led to the formulation of the taboo.[56] He describes the development of the palaeolithic wild boar to the domestication of pigs during the neolithic, when the pig became a major livestock animal.[57] During the bronze age, the pig became more marginalized.[58] They were scavengers in urban environments, and did not produce secondary products, like sheep and goats do. By the end of the Bronze Age, pigs were banned from some temples, perceived as less valuable livestock, rarely useful in ritual, and often not even eaten in parts of the Near East.[59] In this period the stage was set for a more general and all-encompassing taboo. The formation of the taboo took place during the Iron Age.[60] A pig taboo became a Judaean identity marker toward pig breeding and pig eating Philistines during Iron Age I, and toward pig breeding and pig eating Israelites during Iron Age II. Price dates the moment that the Judaean habit to avoid the consumption of pigs became a taboo during Iron Age II.[61] Price points at the fact that pig

51 Kornfeld (1965, 135-136; 1983, 44); De Vaux (1961, 262).
52 Milgrom (1991, 649-653).
53 Simoons (1961, 42) says the prejudice against pigs arose after 1400 BC.
54 I. Finkelstein (1995, 365); A. Faust (2006, 36-37).
55 L. Sapir Hen, G, Bar-Oz, Y., Gadot, Y., Finkelstein, (2013); Sapir Hen (2016).
56 Price (2020).
57 Price (2020, 27-47)
58 Price (2020, 62-91).
59 Price (2020, 91).
60 Price (2020, 116-141).
61 Price (2020, 127-129).

taboos were not unusual in the Levant.[62] The unique position in the Biblical pig taboo is that the prohibition was obligatory for all Israelites, and not for specific groups in society.

Meshel defends an evolution of the dietary laws through diachronic analysis on Leviticus 11.[63] He points at a development which begins in texts which are older than Leviticus 11. These texts are characterized by inherent purity, which means that there is general awareness of the fact that an animal is pure. Purity is embedded in creation. In the youngest redactional layers of Leviticus 11, we find ritual purity. An animal is pure, because of its connection to the sanctuary. Meshel defends an evolution from inherent purity toward ritual purity.

1.1.1.8 Challenges for the research

The wide range of interpretations leads to the conclusion that it is difficult to determine the meaning of the dietary laws for daily life. We can see that it is impossible to discern one simple motif in Leviticus 11. To determine the meaning of the dietary laws for daily life, different scholarly and scientific disciplines are used. First, scholars study the text of the Hebrew Bible in a synchronic or diachronic way. We find these methods in sections 1.1.1.4-1.1.1.6. Second, scholars make use of information from fields like medicine, ecology, economics, anthropology, and archaeology to understand the dietary laws. We mainly find these approaches in 1.1.1.1-1.1.1.3, and, in case of anthropology, in 1.1.1.4. The first research challenge is to start the discussion with methods based on literary research, which comprises both synchronic and diachronic methods. The second research method is to make a choice between auxiliary disciplines used to understand the dietary laws. It is not possible to use every discipline. The data from disciplines which I choose, will be discussed.

Finally, the evolutionary interpretation (1.1.1.7) makes aware of the fact that food prohibitions may develop through time. Because an aim of this study is to investigate the possibility of a development of the dietary laws from its origin in Israelite society until Leviticus 11, we are challenged to deepen our view on the evolution of the dietary laws. Is it possible to describe the evolution of dietary laws until it's ultimate systemisation in Leviticus 11?

1.1.2 Application of the dietary laws

The investigation of the application of the dietary laws stands in a broader context of scholarly research beginning with nineteenth-century scholars like W.M.L. de Wette, K.H. Graf, and J. Wellhausen. De Wette proposes that the Babylonian exile marks a clear watershed in the religion and culture of the Judaeans. He states that we must view the nation after the exile as a different one, with a different worldview and religion.[64] This statement is made

62 Price (2020, 132).
63 Meshel (2008a); Meshel 2010).
64 De Wette (1831, 48).

more concrete by K.H. Graf, who points out that the ritual legislation found in Exodus, Leviticus, and Numbers is absent from the works of the pre-exilic prophets.[65] Therefore, the law was more recent than the prophets. He points to an important difference between the pre-exilic and post-exilic period: the ritual legislation only appeared during the pre-exilic period, which implies that Leviticus was written after the exile. Wellhausen dates the transition between ancient Israel and Judaism to the Persian period, more precisely to the public reading of the Mosaic Torah, as described in Nehemiah 8.[66] During this period, the Pentateuch was composed in its present form. The dating of the Pentateuch during the Persian period is strengthened by Meyer who contended that the origins of Judaism lie in the Persian Empire's mandate of the Torah as the official laws of the Judaeans living in the province of Yehud. The dating of the beginnings of Judaism during the Persian period was the dominant opinion in the second half of the twentieth century.[67]

A recent development can be found among scholars who date the beginnings of Judaism to the Hasmonaean period. One example is S.J.D. Cohen (1999), who points to the fact that Judaism developed during the Hasmonaean period, which means that, from this time on, people could convert and become a 'Judaean' in the purely religious sense of the word.[68] Collins (2017) describes the second century BCE as a 'halakic turn': prior to this, the Torah was simply an idea held by several generations of Judaean literati.[69] Before the Hasmonaean period, the 'Mosaic Torah' enjoyed a largely iconic status in the sense that it was not necessarily regarded as something that had to be observed in detail. He points out that the biblical books from the Persian period do not show any orientation to the Law.[70]

In 2015, B.G. Kratz distinguished sharply between 'the history of Israel and Judah' and the 'Biblical tradition'. This distinction affirms that the Israel of biblical tradition cannot simply be equated with the history of Israel and Judah.[71] According to Kratz and, at an earlier stage, E.A. Knauf,[72] the reconstruction of Israelite and Judahite history should be based primarily on the epigraphic and archaeological evidence, supplemented with information that may be obtained from the biblical tradition by means of both critical analysis and historical analogy. For Kratz, the history of biblical tradition cannot simply be correlated or even identified with

65 Graf (1866, 1-113). See also C. Houtman (1980, 72-73).
66 Wellhausen (1899, 410-416).
67 For instance, T. C. Vriezen and A.S. van der Woude (1976, 306) date Ezra, Chronicles, and P during the last half of the 4th century BCE. See also Van der Woude (1982, 162-164).
68 Cohen (1999, 105).
69 Collins (2017, 60) says that very few people in Persian Yehud could read and that Ezra's reform appears to have been short-lived., Collins (2017, 67) says that Ben Sira uses the Torah as a source of wisdom rather than law. Cf. Collins (2017, 87, 90, 184).
70 Collins (2017, 44-61).
71 Kratz (2015, 2).
72 Knauf (2001).

the history of Israel and Judah.[73] He describes the first category as biblical Judaism and the second category as non-biblical Judaism. Based on his analysis of epigraphic corpora from the different centres of Judaism (Elephantine, Yāhūdu, Mount Gerizim, and Qumran), he concludes that the change from non-biblical Judaism and biblical Judaism, must be dated to the Hasmonaean revolt.[74] He rejects Wellhausen's idea that biblical Judaism began after the exile. Concerning time before the Hasmonaean period, Kratz acknowledges the very real possibility that the biblical tradition, including the Mosaic Torah, may have existed for several centuries among a small group of literate and well-educated individuals in Judaean society.[75] This implies that a biblical tradition existed before the Hasmonaean period, but that this group was too small to have much effect on daily Judaean life.

Y. Adler published a monograph recently in which he studied the application of Pentateuchal laws, including the dietary laws, and asks at what point in Judaean history one can begin to speak of 'Judaism', i.e., at what time did people begin to follow practices that could be considered 'Jewish'. His purpose is to describe the origins of Judaism and thereby to determine when familiarity with the Torah became commonplace within Jewish society at large and from what period onward we have clear evidence that crucial Torah laws defining Judaism can actually be seen to be practised in daily life.[76] Therefore, he explores material evidence from archaeology as a kind of check about what people really did in everyday life from the Persian period until the first century CE. The aspects he studied are the dietary laws, ritual purity, figural art, *tefillin* and *mezuzot*, miscellaneous practices (like circumcision and feasts like Sabbath and Passover), and finally, the appearance of synagogues.[77] In his research on these subjects, Adler begins with the first century CE, a period when Judaism and obedience to the Torah was commonly accepted among Jews.[78] This moment functions as a starting point for studying texts and archaeological remains, whereby he goes back to the Persian period. His next step is to look for earlier examples of the aspects mentioned before. The method he uses is data-driven analysis,[79] and the data he consults are texts and archaeological remains.[80]

73 Kratz (2015, 106).
74 Kratz (2015, 204).
75 Kratz (2015, 185-186).
76 Adler (2022, 19).
77 Adler (2022, 25-188).
78 Adler (2022, 18-19).
79 Adler (2022, 17-19).
80 Adler (2022, 20-22).

In his introductory chapter, Adler is critical of earlier efforts to date the beginnings of Judaism during the Persian period. He rejects Wellhausen's view that it arose through the public reading of the Mosaic Torah, as described in Nehemiah 8 for two reasons. The first is Wellhausen's naive acceptance of the veracity of Nehemiah 8, and second is the lack of historical proof.[81] He also states that Meyer overstressed the veracity of Ezra 7,[82] a text that describes how Ezra came to Jerusalem and led the Judaeans to obedience to the Law.

Adler's main conclusion is that Judaism only emerged during the second century BCE. This is the earliest date in which he is able to recognise each item of his essential list of 'Jewish' characteristics in the material record. Judaism thus arose under the direction of the powerful Hasmonaean priestly family that turn out to have functioned as founders of 'Judaism'.[83] Adler sees these characteristics fully developed in the first century CE. He does not find proof for the acceptance of the Torah before the second century BCE (possibly single elements but not the whole and not with general acceptance), i.e., at times when the foundational texts are thought to have been written / put in circulation. He researches archaeological, epigraphic, and textual material from the Persian period (539-332 BCE) in Judah, Elephantine, and Babylonia, three areas where Judaeans lived. In Judah, the Judaean deity YHWH was widely venerated, but the archaeological record is largely silent regarding the details of how Judaeans might have worshipped their god at this time and the degree to which popular or official forms of YHWH veneration might have been exclusivist at all.[84] The archaeological remains provide no indication that the cultic and ritual practices associated with YHWH worship during the Persian period resembled those legislated in the Pentateuch. Likewise, there is no indication that the Torah was authoritative among Judaeans in Elephantine and Babylonia during this period.[85] Adler interprets the Ezra-Nehemiah narratives about mass acceptance of the Torah as ideological stories about the past.[86] Regarding the early Hellenistic period (332-167 BCE), Adler remarks that some Judaean literati were familiar with at least parts of the Pentateuch but argues that this cannot be taken as proof of common knowledge or interest in the Torah.[87] Only during the late Hellenistic (Hasmonaean) period (167-63 BCE) did the Pentateuch first come to be known and adopted among the Judaeans at large. This development would have been the result of the proactive backing of the early Hasmonaean leadership.[88]

81 Adler (2022, 11).
82 Adler, (2022, 11).
83 Adler (2022, 234).
84 Adler (2022, 202).
85 Adler (2022, 202-206).
86 Adler (2022, 206-207).
87 Adler (2022, 215-216).
88 Adler (2022, 223-234).

According to Adler, groups of literati were familiar with Torah or at least with parts of it before the Hasmonaean period. These groups followed the Torah, but these law collections were not inherently prescriptive in nature.[89] Adler demonstrates this hypothesis by pointing to how legal texts in ancient Mesopotamia appear to have functioned. Court records like the Code of Hammurabi, Ur-Nammu, and Lipit-Ishtar differ from thousands of legal documents. These differences imply that these court records were not meant to be applied in daily life.[90] The legal collections were compiled as literary exercises and must be viewed in the first instance as royal *apologias* and testaments. Their primary purpose was to give evidence of the king's execution of his divinely ordained mandate.

Prescriptive law codes were not found in ancient Mesopotamia but were Greek inventions which began around the middle of the seventh century BCE.[91] It was the first time that a group of laws was considered 'the law' itself. These laws were made publicly available through prominently placed inscriptions, often on or near temples. The critical place of the written law continued to expand into the Classical period and beyond. This position, articulated by M. Gagarin, is interesting, but it is not entirely undisputed because of uncertainties in his view on Greek legal texts and oral traditions.[92] In the Hellenistic world following the conquests of Alexander the Great, the central role of written laws in the practical regulation of society grew in significance. Concerning the Judaeans, the Hellenistic era presents a plausible *Sitz im Leben* for the Pentateuch to become the authoritative law code. The Greek paradigm of a written law served as a model for the Torah as the prescriptive law of the Judaeans.

Adler offers an interesting new perspective on questions regarding the common knowledge of the Torah by the Judaeans and therefore also about the acceptance of the dietary laws. Based on archaeological finds, he demonstrates that these laws were only to be put into widespread practice, during the first century CE, while their acceptance as an authoritative legal collection began during the second century BCE. His research leads to the conclusion that there was no acceptance of the Torah and the dietary laws during the Persian and early Hellenistic period among the broader population. The Torah existed only among the literati. Concerning Leviticus 11, Adler's view can be compared to that of Meshel's description of this specific legal text, based on a diachronic analysis, as a literary exercise of learned writers, which was never meant to be obeyed.[93] Meshel presents a symbolic interpretation in which he understands the text of Leviticus 11 as a means to make sophisticated distinctions

89 Adler (2022, 217).
90 Adler (2022, 218).
91 Adler (2022, 218-221).
92 Gagarin (1986,132-133, 144-146); Gagarin (2008, 39-66). For instance, G. Thür, https://www.euppublishing.com/doi/full/10.3366/elr.2010.0013 (02-05-2024) has doubts about Gagarin's hypothesis that oral commandments were not binding.
93 Meshel (2008a, 220).

between pure and impure. The basis for his classification is Claude Lévi-Strauss' distinction between nature and culture. He believes that the message of the text lies in the mental act of classification,[94] which implies that the legislator's interest was conceptual rather than normative and that the laws were probably never applied. Meshel distinguishes several redactional layers.[95] Although the text uses older traditions with simpler classifications, it contains an encoded message in its present form.[96] Meshel assumes a complex system of forms of purity and impurity in the animal world. Two points are important here: he points out that Leviticus 11 is speaking mainly about ritual purity, and that Meshel sees a development from inherent impurity toward complex forms of ritual impurity, and, according to Meshel, the Israelites did not apply the laws from Leviticus 11 in the period when the Hebrew Bible was written. We can relate this to his view of the laws, which he interprets as a mental act of classification. He says: '[I]t definitely appears to be an artificial (literary) construction, not common practice in Israel (…). Most likely, the complex system crystallized in Leviticus 11 never took root in Israelite society.'[97]

What Adler and Meshel have in common is that they presume that the dietary laws, as formulated in Leviticus 11, were not meant to be obeyed. Adler says that legal codes were not prescriptive, and Meshel says that Leviticus 11 was never meant to be obeyed. If Leviticus was never really put into practice, as Adler says, then such explanations of the legal codes (and Leviticus 11) would explain why the laws were not put into practice before the Hasmonaean period. It is difficult to prove, however, that the authors of the biblical legal texts did not intend these laws to be applied in daily life. Even if a law code was mainly an *apologia* from a king, this does not necessarily imply that the text does not state some sort of wish expressed by the author. Meshel points to a process of textual growth, but it remains unclear whether there are differences between older and later levels on the application of the dietary laws. Therefore, we should leave open the possibility that the authors of Leviticus wanted their readers to follow the laws they prescribed. We must be aware of the fact that law codes functioned to keep societies together in pre-exilic Israel and Judah as well.[98]

Looking back at the results in the section on the application of the dietary laws (1.1.1), we have seen that the only proof of acceptance of the laws can be found during the Hasmonaean period and that, at later stages of the redaction process of Leviticus 11, the text speaks mainly of a form of ritual impurity. We may also ask whether any role remains for the hygienic, ecological, or ecological explanations. These explanations spring from needs in

94 Meshel (2008a, 205).
95 Meshel (2008a, 223-227), and, more extensively, in Meshel (2010).
96 Meshel (2008a, 228).
97 Meshel (2008a, 220).
98 E. Otto (2023, 306-307).

daily life and are not related to religious motives. And what place do we give to food preferences in Judaean or Israelite culture? Hastorf speaks of the complex process of the development of taste.[99] Could it be possible that we can find reasons for such a development in earlier stages of the redaction process or prior to the earliest redactional layers of Leviticus 11? This question must be answered through a diachronic analysis of Leviticus 11 and through research on food habits.

1.2 The research focus and research question

In this section, I will summarise the challenges that arise from the *status quaestionis* and formulate the research focus. This research focus is the basis for the research questions and four subquestions.

1.2.1 Research focus

As mentioned at the beginning of this chapter, the aim of this study is to reconstruct the evolution of the various practical values of the dietary laws from their beginnings in Israelite history until the time Leviticus 11 was written. To achieve this aim, the *status quaestionis* has given rise to several challenges that provide direction for this study. The overview of six interpretations of the dietary laws made clear that there is no unanimity on the question of what the laws meant for people. To answer this question, literary analysis and many other scientific disciplines are needed. To understand the text of Leviticus 11 and the practical value of the dietary laws, I will use synchronic methods: narrative analysis and structural analysis.

In a way, the answer is simple: the text speaks about holiness (Lev 11:44-45) and, in its broader context, about the need to be distinguished from other nations (Lev 20:24b-26). The challenge these texts pose is twofold: first, what does the text mean by holiness, and second, what motivates the need to distinguish themselves from other nations? The question of what the meaning behind the concept of 'holiness' is will be answered through researching the literary context.

The question what 'being distinguished from other nations' means requires further research both with respect to the biblical text as well as the historical context. Answering these questions may help in turn to answer my main question about the determination of the practical values of the dietary laws. If we take the need to be distinguished from other nations as a point of departure, we may ask how the dietary laws are a reaction to existing food habits. Were the food habits from the Israelites different? If there were differences, what was the reason for that? And if there were no differences, what was the reason behind that fact?

99 Hastorf (2017, 19-42).

To answer these questions, I will bring the biblical text and archaeology into a constructive dialogue (I will describe the methodology for this in section 1.3). The main research focus will be on the literary history of the text, while archaeology and, more specifically, archaeozoology will clarify the historical and social context of the dietary laws.

To provide a deeper understanding of the historical and social context of the dietary laws, I will use information about food habits that we find in data from archaeozoology. To understand archaeozoological data, some information regarding ancient economics and ecology is needed.

Another goal here is to understand the evolution of the practical values of dietary laws. Price's work on pigs demonstrates that there was a development in the practical value of the dietary laws. What began as a general dislike for pigs became a food taboo. We may ask whether there were such developments in connection with other impure animals mentioned in Leviticus 11 and Deuteronomy 14:3-21a. Therefore, we should study the evolution of food habits through archaeozoology. We can also ask whether an evolution in the dietary laws can be discerned in the biblical texts. We already mentioned textual developments in Leviticus 11 and Deuteronomy 14:3-21a in the works of Meshel. A diachronic understanding of these texts can be deepened and connected with data from archaeozoology.

To reconstruct the evolution of the practical value of the dietary laws, we have to be able to date the different stages we reconstruct from the diachronic analysis of the text. If we are able to date the stages, we can determine the historical and social context that is necessary to understand their practical value. The first necessity for dating is to find arguments for a *terminus ad quem*, after which we can build a chronology. To arrive at a *terminus ad quem* in the development of the practical value of the dietary laws, I rely on Adler, whose well-documented reconstruction of the history of Judaism makes it likely that, before the Hasmonaean period, we cannot speak of a general acceptance of ritual purity, *tefillin*, *mezuzot*, and dietary laws among different Judaean groups. Therefore, the Hasmonaean period forms a historical watershed. Only from the second century BCE on can we speak of ancient Judaism. There is no proof that Judaism, including a wide acceptance of the purity laws in the form of the 'Torah', emerged as a religious movement during the Persian or early Hellenistic period. Therefore, Adler's work constitutes a turning point in a development that began with Wellhausen who argued that Judaism began during the Persian period.

For this dissertation, I take Kratz's and Adler's dating of Judaism as a working hypothesis, and this implies that a general acceptance of dietary laws as formulated in Leviticus 11, did not occur before the second century BCE. If we take this conclusion for granted, the question arises as to what role Leviticus 11 or the traditions preserved in it had in the process of the

formation of the 'Torah', so we need to examine the development of Leviticus 11 from a collection of regulations to its status as authoritative Torah. In fact, the Hasmonaean period is a *terminus ad quem*. Part of my research focus is to determine the different stages of the literary history of the dietary laws and to date these stages. I will begin with when Leviticus 11 was written and go back in time by discussing its redaction history.

In my overview of possible motives behind the dietary laws, I also mentioned Price's work in which he describes the evolution of the pig taboo. This publication functions as the basis for my research on the literary history of the dietary laws and describes developments from general (often non-religious) preferences to (food) taboos. The transition from general preferences to food taboos may provide a hypothetical framework for what happened before the ultimate systematisation of the dietary laws in Leviticus 11. In Price's view, there was a marginalisation of pigs in Judaea during the Bronze Age, and the Iron Age saw the development of an aversion to the pork-eating Philistines, which led to the taboo against pigs during Iron Age II. Price's reconstructions need to be compared with the literary history of the dietary laws.

1.2.2 Research question

As mentioned in the previous section, I will focus on the practical value of the dietary laws of Leviticus 11 during and before the composition of the text as it now stands. The practical value of the dietary laws is defined in terms of these regulations functioned in their literary, historical, and social contexts. The research question of this study is as follows:

> What were the practical values of the dietary laws during their literary history until their ultimate systematisation in Leviticus 11?

The first step in answering this research question is to study the text. This begins with the dietary laws of Leviticus 11 in their literary context. With the aid of narrative and structural analysis, I will determine the practical values of the dietary laws in the book of Leviticus. After this literary analysis, I will investigate the literary history of Leviticus 11. My choice for dating the acceptance of the purity laws during the second century BCE leads to a date prior to the Hasmonaean revolt. This period is the *terminus ad quem*. The next step is to determine how far we can go back to determine the date of the composition of the book of Leviticus and Leviticus 11. After arguing for a date of the ultimate systemisation of the dietary laws in Leviticus 11, I will examine earlier stages of the dietary laws through a reconstruction and dating of redactional layers. A final aspect in the research on biblical dietary laws are datable texts that contain dietary laws. Are they post-exilic or do they go back to the pre-exilic period? Through dating the different stages of the literary history, I will take further steps to determine the practical value of the dietary laws through the connection between the stages

of development of the dietary laws and their different historical contexts. To deepen our view on the practical values of the text, I will study Israelite food values through archaeozoological data. Finally, I will describe the historical development of the dietary laws in their practical value from the earliest stages of their literary history until their ultimate systematisation in Leviticus 11. The procedure just described leads to the following subquestions.

1. What were the practical values of the dietary laws of Leviticus 11 in their literary context?
2. What were the practical values of the dietary laws during the literary history of the dietary laws?
3. How does knowledge about Judaean food habits deepen our knowledge of the practical value of the dietary laws?
4. How did the practical values of the dietary laws develop from the beginning of their literary history until their ultimate systemisation in Leviticus 11?

Different sources will be used for answering the four subquestions. To answer subquestion 1, I will concentrate on the meaning of the text of Leviticus 11. As stated earlier, I will concentrate solely on the text, without historical information. To answer subquestion 2, I will make use of diachronic analysis, which consists of source criticism and redaction history, where I will use some historical and archaeological information. I presuppose that the literary history until its final systemisation in Leviticus 11 took place between Iron Age II until the late Persian or early Hellenistic period, but arguments must be given for that dating when I am answering subquestion 2. To answer subquestion 3, I use archaeozoological data from Jerusalem and its vicinity from Iron Age II until the Persian period. This area and this period were where and when the dietary laws developed. To answer subquestion 4, I bring text and archaeozoology into a constructive dialogue. Methodological information about the dialogue between archaeology / archaeozoology and text will be given in the next section.

This study is intended to contribute to the research on the dietary laws in the following ways. First, the views regarding the practical values of the dietary laws will be deepened through archaeozoological research whereby the stratigraphic context helps show how the authors of the dietary laws dealt with food habits. This shows how these authors reacted to their environment. Did they isolate themselves from the surrounding culture, or did they assimilate into it? What is new in my approach is that I investigate stratigraphical contexts in order to understand the social context of food habits. Second, research on the text of Leviticus 11 helps clarify what ideals the author had in mind. Who were the important persons in this idealised society, and how did they exercise their power? And further, what were the practical values of the dietary laws in this idealised society? Third, I present an overview of the evolution of the roles of the dietary laws from their beginning until Leviticus 11 was

composed. In doing so, I lay emphasis on the study of the text, whereas archaeozoology deepens my view on the text. A specific view of the evolution of the practical values of the dietary laws was not studied until now. Like Adler, I argue for the independence of archaeology and text. For Adler, however, archaeology is the main source for answering his research question whereas my main source is the biblical text. The background for this difference will be provided in the next section. My approach can be seen in my concentration on the literary history of the dietary laws until its final systemization in Leviticus 11. Archaeology reinforces my view of the practical values of the dietary laws.

1.3 Methodological remarks

A preliminary remark must be made about the order of this work. In contrast to Adler, I work in reverse: I begin with the text of Leviticus 11 and reconstruct its redaction history. I then look for the context in the material world. Because Adler has already looked into the question of when the dietary laws as found in were applied, I will not spend time doing so. Instead, I want to explore the material context of the dietary laws. For example, was it a reaction to existing food habits or did they affirm them? This research will be done with the aid of archaeozoology whereby I study bone finds in their stratigraphic context.

Text and archaeology: A historical overview

The relation between the Bible and archaeology has been problematic ever since reports of the first material remains from 'biblical lands' hit the desks of biblical scholars. In the heyday of antiquarian Palestinian archaeology between 1880 and 1930/40, archaeology served to illustrate the Bible.[100] During most of the later twentieth century, this tendency was present in the so-called biblical archaeology movement in which Albright was a central figure. Albright defined biblical archaeology as constructing a biblical theory based on archaeology.[101] Although he rejected the fundamentalist idea of the literal interpretation of the Bible, he also rejected Wellhausen's view, which denied any historical basis for the stories in books like Genesis and Joshua. Albright 'proved' the Israelite conquest of Canaan at the beginning of the Iron Age through research into the cities destroyed in this period.[102] He had no positive nor negative evidence for this reconstruction when he formulated his ideas. He presupposed that the biblical text contained historical facts. This reflected a tendency in which the biblical text determined how the archaeological material had to be interpreted. Scholars used archaeology to illustrate and confirm the Bible and often misused archaeology for this purpose.

100 For a historical overview of this period, see C.H.J. de Geus (1981, 94-101) and T.W. Davis (2004).
101 Davis (2004, 85).
102 Davis (2004, 86).

The 1970s formed a turning point in research into Palestinian archaeology:[103] In a shift to the methods of social sciences, archaeologists sought to examine the human realities that lay behind the text.[104] The previous focus was on confirming the Bible, whereas the new focus was on understanding how human interaction with the complex, fragmented natural environment of the land of Israel influenced the development of its unique social system, religion, and spiritual legacy.[105] Through this new approach to archaeology, the gap between archaeology and text widens and forces scholars to reformulate the relation between text and archaeological data.

The present state of the research into text and archaeology underlines the independence of text and archaeology and their respective methods for analysing each source type. It is this approach that I take in this study, which implies that Leviticus 11 and archaeology each tell their own story. While respecting their independence, I will also bring the data of both disciplines into constructive dialogue.[106] To have a constructive dialogue between text and archaeology, we should be aware of problems in integrating them, as formulated by S. Sherratt.[107] First, textual sources are concerned for the most part with the activities and preoccupations of the elite, while more general archaeological material can be produced by all levels of society or by none at all. Second, texts include goods and materials that may be archaeologically visible or invisible. They are of particular interest for reconstructing elite behaviour. Third, in the archaeological record, certain goods and materials are not preserved, except in exceptional circumstances, either because they are perishable or because they are only rarely deposited deliberately. Fourth, any identification of names, places, and groups can be inferred from the written text only when the textual material is very closely tied to an archaeological site. Fifth, archaeological chronologies and historical chronologies work quite differently, and we must ask what exactly we are dating. Sixth, texts often give us a good and reasonably direct view of the ideologies of those who produced these ideologies, but these do not necessarily reflect reality.

Perspectives from the philosophy of science

Many of the above-mentioned observations about the relation between text and archaeology may be summarised by P. Kosso's remarks, made from the perspective of the philosophy of science. Regarding textual evidence he says:

103 Davis (2004, 123-144) describes the collapse of the paradigm of biblical archaeology.
104 J.C.H. Laughlin (2006, 245-246); Finkelstein, N.A. Silbermann (2002, 21).
105 Finkelstein, Silberman (2002, 22).
106 H.J. Eggers (1974, 255-297), chapter V, 'Archäologische These, literarische Antithese, historische Synthese', mentions the possibility of a historical synthesis. This synthesis is not certain because both archaeology and text can tell completely different stories. That is why I choose the concept of 'constructive dialogue.'
107 Sherratt (2011, 7-9); she also speaks of 'textual *and* iconographic sources'. This study only deals with textual sources.

> Textual information is generally initiated by an act of selection by an author. Textual evidence is the product of intentional communication through a medium of meaningful symbols which make direct reference to the objects and events of interest. The crucial steps of informational transmission in the textual case are episodes of purposeful, human interaction.[108]

Regarding archaeological evidence he remarks:

> The information in material evidence, by contrast, depends on a selection process that begins with a largely unintentional deposition and a subsequent natural selection for those materials which endure the environmental degradation. The information in this case is passed and altered through a channel linked by both human and natural interactions and differs significantly from the textual signal in the diminished role of human intentions.[109]

Archaeology and text therefore differ in the way the materials are transmitted. We may apply this distinction to Leviticus 11 and archaeozoological data. Leviticus 11 intends to provide a norm for practice and has a literary purpose; the archaeozoological material does not have that purpose but is subject to other, anonymous mechanisms of selection and transformation. We may conclude that there was purposeful human interaction, but what about the bones that archaeologists find? They are not deposited in a deliberate way, and they could be the bones of animals that died a natural death in the wild or in a settlement. It is difficult to discover something purposeful in the archaeological data. Much depends on how well the archaeological context is documented in the publication.

Another complication is that what is often found is not the whole animal but often only the larger bones. We should be aware that an archaeological record is also the product of circumstances and non-human transmissional processes. Very often, we do not find more fragile bones such as those of birds and fish. We may conclude that there is a significant difference between how the text has been passed on and how archaeozoological material is transmitted.[110] For us, the text as we have it contains a meaningful message, whereas there is a gap between the excavator and the archaeological finds. Archaeological finds can contain information about ways of life in the past, but complicated human and non-human processes destroyed much of the original material containing the information scholars are looking for. This is the complexity that arises from the transmission of the material, but it is also relevant

108 Kosso (1995, 184).
109 Kosso (1995, 184, 185).
110 Kosso (1995, 185) calls this difference between the ways text and archaeological data are transmitted a *transmission-type independence* of text and archaeology.

to speak about the meaning and relevance of the textual and archaeological material.[111] This concerns the meaning of the evidence rather than its development. Archaeological material may be *relevant* for answering specific questions this study raises. Texts are often about people who are literate, while archaeology can be about any group of people. Archaeological evidence concerns long-term, day-to-day processes of the past, with a focus on the functional and cultural aspects of behaviour. With these differences regarding both emphases and perspectives and differences concerning the objects of study, textual and archaeological evidence are independent of each other. The two sources, Leviticus 11 and the archaeozoological data, are both *transmission-type independent* and *reference-type independent*: the data are transmitted to the researcher in different ways, and the objects of research are different.

The constructive dialogue between text and archaeozoology

We are bringing both kinds of data together because both indicate meat consumption in the same area and period, which means we are faced with the challenge of determining what contribution archaeology can make to our understanding of this text and vice versa. Those who composed Leviticus 11 were part of a culture, a historical development, and a natural environment. Archaeology also offers information about this cultural, historical, and natural context. The text of Leviticus 11 concerns what one group in a specific period wanted to see happen; it prohibits a specific group from eating certain kinds of meat. Archaeology helps us form a picture of how meat consumption functioned in the Levant. After the reconstruction of the custom of meat consumption, we may be able to reconstruct how the authors and readers related to their environment. For instance, did the authors try to isolate their readers from their natural environment by prohibiting them from eating meat that was commonly consumed in the area they lived in? Or did they conform to the dietary customs of the time, which might imply that the dietary laws were not identity markers?

After the description of the independence of both fields, we need to determine how text and archaeology can be brought into constructive dialogue. The text is a specific expression of one group, and, in this study, we argue that it is the will of one specific group in Yehud, who used the legislation to strengthen the position of the priest, to keep the people pure, and to mark their identity. These laws were at the same time nothing more than the expression of the will of a specific group, and the text tell us nothing about their application. In chapter 4, I will use archaeological facts to present limited reconstructions of patterns in meat consumption in the Levant during the final redaction of Leviticus and before.

111 Kosso (1995, 186). Kosso (1995, 185) also speaks of *transmission-token independent*, a category of which *transmission-type independence* is a subcategory. This broader category is not useful for my study. The two that I use in the main text are useful for text and archaeology, while *transmission-token independent* also concerns the independence of different texts and different sites.

Archaeological information is relevant because it offers an overview of the ancient Palestinian diet, which is the context for the world in which the dietary laws were formulated.

Adler's prioritisation of archaeology as a main tool for concept formation is related to the aim of his monograph, which he formulates as follows: 'My interest here is decidedly not in the history of *ideas* or *intellectual* history, but rather in *social* history, focused on the behaviour of a society at large.'[112] Because of Adler's interest in social history, he uses archaeology as a main source. My own interest is in the history of ideas or intellectual history, and, for my study, archaeology functions as provider of insight into the practical value of the dietary laws. The first two subquestions mentioned above focus on the investigation of the text and its literary history. In the third subquestion, I use archaeology to understand the ideas behind the text, while in the fourth I bring text and archaeology into constructive dialogue, whereby my aim is to understand the practical value of the laws written down in the texts. Thereby, I remark that the research on the origins of the dietary laws, the period before the redaction history of Leviticus 11 began, will depend mainly on archaeology simply because of a lack of textual material.

Summary

In sum, textual and archaeological analyses need to be conducted independently of each other, but, with respect to our hermeneutical aim to reconstruct past realities, they are interconnected since they represent two (complementary and at the same time conflicting) aspects of reality. We should be careful about the way we use text and archaeology for historical reconstructions. First, we should always use textual data after a historical-critical analysis.[113] Second, we will also use archaeological data critically. At the beginning of chapter 4, we will make specific methodological remarks. After analysing both archaeological and textual data in a critical way, we can start the constructive dialogue between these entirely different sources. What does this approach mean for this specific study? Our purpose is to reconstruct the role of the dietary laws that are written down in texts. The role can be discovered in Leviticus 11 and in older sources of this text. Archaeology helps us reconstruct the material world in which these laws functioned. It provides information about consumption patterns of different social classes and in different rituals. Information about consumption in different social classes can be reconstructed from the context in which animal bones are found. For instance, were certain animal bones found in a palace or in an ordinary house? Knowledge about food which is used or forbidden in ritual can be reconstructed from the presence and absence of certain animal bones in a sacred area. The texts inform about the existence of food prohibitions, while archaeology (archaeozoology)

112 Adler (2022, 3).
113 Adler (2022, 20-22).

provides information about the world in which these people lived. It also tells us about the way these people were related to their environment. More specifically, it indicates whether they accepted the daily habits of their surroundings or reacted to them by rejecting their eating habits.

1.4 Outline of this study

The research question and subquestions we formulated lead to the following main chapters of this study.

Chapter 2: The dietary laws of Leviticus 11 in their literary context
This chapter answers the first subquestion and begins with discussing the translation of the text. The role of the dietary laws is then determined through narrative and structural analyses. The first part presents a narrative analysis of the book of Leviticus, and the second part is a structural analysis of the narrative framework of Leviticus and of the microstructure of Leviticus 11. This information helps clarify the practical values of the dietary laws in Leviticus 11.

Chapter 3 The literary history of the dietary laws
This chapter answers the second subquestion and gives a diachronic overview of the development of Leviticus 11. This chapter consists of the determination of the date of the text, source criticism, and the reconstruction of the redaction history. The description of this history begins with the earliest recognisable sources and ends with the Hebrew text of Leviticus 11. We will describe the context of the stages in the redaction process and the practical values of the dietary laws at these different stages.

Chapter 4 Archaeozoological data
This chapter answers the third subquestion by examining archaeozoological finds from Jerusalem (in part), Ramat Raḥel, and Tel Moẓa. In relation to these assemblages, we investigate and discuss the stratigraphic context, the main results, and the interpretation of the sites themselves. Finally, there is an evaluation of meat consumption at the sites involved in a broader context.

Chapter 5 Conclusions
In this concluding chapter, I answer the fourth subquestion and describe the way the way the dietary laws have developed through time and in different contexts. It begins with the earliest stages of the dietary laws and ends with the final Masoretic Text of Leviticus 11. In this chapter, archaeological data and texts are combined in such a way that the practical values of the dietary laws in their social contexts are clarified. Concerning the origins of the dietary laws, specific attention will be paid to the question how the dietary laws reacted to their

natural and social environments. Were these laws an adaptation to their social and natural environments or a protest against it? Concerning Leviticus 11 as a whole, attention will be paid to the question what kind of society the author had in mind.

2

The dietary laws of Leviticus 11 in their literary context

This chapter studies the practical values of the dietary laws found in Leviticus 11 in their literary context, as formulated in subquestion 1. We concentrate solely on the Hebrew text, with the aim of uncovering the practical value of the dietary laws. The chapter begins with a translation of the text and argumentation for the translation. The practical value of the dietary laws is clarified through narrative and structural analysis. The first part presents a narrative analysis of the book of Leviticus. The second part is a structural analysis of the narrative framework of Leviticus, and of the microstructure of Leviticus 11. Through these analyses, we can determine what kind of community the author had in mind, and we can determine the practical value of the dietary laws in the community described. Which events, places and persons were important, and how did these events, places and persons relate to the dietary laws? Narrative analysis presents basic information about the community aimed at, with emphasis on the practical value of the dietary laws. With the help of structural analysis, I hope to gain a better view of the intended community and the role of the dietary laws within this community. To legitimize narrative and structural research on Leviticus, I will make some preliminary remarks on the question whether Leviticus is a separate book or not. This section precedes the ones on the narrative and structural analysis.

2.1 Translation of Leviticus 11

This section consists of a translation, and in footnotes I mention minor textual problems and translation problems. After the translation, there is a unit discussing complex translation problems, followed by a section about the translation of animal names.

	Hebrew	English
1	וַיְדַבֵּ֥ר יְהוָ֖ה אֶל־מֹשֶׁ֑ה וְאֶל־אַהֲרֹ֕ן לֵאמֹ֖ר אֲלֵהֶֽם׃	And the Lord said to Moses and to Aaron, saying to them:[114]
2	דַּבְּר֥וּ אֶל־בְּנֵ֖י יִשְׂרָאֵ֣ל לֵאמֹ֑ר זֹ֣את הַחַיָּ֗ה אֲשֶׁ֤ר תֹּֽאכְלוּ֙ מִכָּל־הַבְּהֵמָ֔ה אֲשֶׁ֖ר עַל־הָאָֽרֶץ׃	Speak to the Israelites thus: These are the living beings that you may eat of all the four-footed animals living on land:[115] any animal with hoofs,[116]

114 אֲלֵהֶם: The Targum reads להם, and the word is absent in the Septuagint and the Vulgate. W.H. Gispen (1950, 178) remarks that אֲלֵהֶם is strange after לֵאמֹר. He also says that a comparable construction exists in Genesis 23:5, 14. Rashi proposes that Aaron has to tell his sons Eleazar and Ithamar. See https://www.sefaria.org/Rashi_on_Leviticus.11.1?lang=bi (18-02-2021). Rashi points to the fact that Israel is already mentioned in v 2a and that the persons indicated by אֲלֵהֶם must be Eleazar and Ithamar. Although this presupposition cannot be proven, it is attractive because these individuals play a role in chapter 8-10. Although the construction is remarkable, the Masoretic Text reading is possible and can be maintained.

115 הַבְּהֵמָה אֲשֶׁר עַל־הָאָרֶץ: The phrase 'on the land' is probably added to contrast these animals with those in the water (vv 9-12) and in the air (vv 13-23). Milgrom says that בְּהֵמָה by itself means 'quadruped' (26 [contrast to v 27]) or four-legged. Milgrom (1991, 645) also points to Deut 4:17 and 1 Kgs 5:13 to prove that בְּהֵמָה means 'quadruped'. Thus, the translation is 'the quadrupeds that are on the land'.

116 See 2.1.1 concerning complex translation problems (outside animal names).

3	כָּל	מַפְרֶסֶת פַּרְסָה וְשֹׁסַעַת שֶׁסַע פְּרָסֹת מַעֲלַת גֵּרָה בַּבְּהֵמָה אֹתָהּ תֹּאכֵלוּ׃	with clefts completely through the hoofs[117] and that chew the cud,[118] you may eat.[119]
4	אַךְ אֶת־זֶה לֹא תֹאכְלוּ מִמַּעֲלֵי הַגֵּרָה וּמִמַּפְרִסֵי הַפַּרְסָה אֶת־הַגָּמָל כִּי־מַעֲלֵה גֵרָה הוּא וּפַרְסָה אֵינֶנּוּ מַפְרִיס טָמֵא הוּא לָכֶם׃	But of those that chew the cud or have hoofs you shall not eat the following: the camel[120] because it chews the cud but has no hoofs: it is impure for you;
5	וְאֶת־הַשָּׁפָן כִּי־מַעֲלֵה גֵרָה הוּא וּפַרְסָה לֹא יַפְרִיס טָמֵא הוּא לָכֶם׃	the (rock) hyrax[121] because it chews the cud and has no hoofs: it is impure for you;
6	וְאֶת־הָאַרְנֶבֶת כִּי־מַעֲלַת גֵּרָה הִוא וּפַרְסָה לֹא הִפְרִיסָה טְמֵאָה הִוא לָכֶם׃	the hare because it chews the cud but has no hoofs: it is impure for you;
7	וְאֶת־הֶחָזִיר כִּי־מַפְרִיס פַּרְסָה הוּא וְשֹׁסַע שֶׁסַע פַּרְסָה וְהוּא גֵּרָה לֹא־יִגַּר טָמֵא הוּא לָכֶם׃	the pig, though it has hoofs that are cleft completely through, it does not chew[122] the cud: it is impure for you.
8	מִבְּשָׂרָם לֹא תֹאכֵלוּ וּבְנִבְלָתָם לֹא תִגָּעוּ טְמֵאִים הֵם לָכֶם׃	You may not[123] eat of their flesh, and you may not touch their carcasses: they are impure for you.

117 וְשֹׁסַעַת שֶׁסַע פָּרְסֹת. The literal translation is 'and with clefts through the hooves'. The Septuagint, the Samaritan Pentateuch, the Targum, and nine Hebrew manuscripts follow Deuteronomy 14:6 by adding 'two'. This addition is logical but not necessary. Milgrom (1991, 646-547) remarks: 'Because this entire verse is expressed in the singular, where the sing. *parsâ* stands for the pl. "hoofs", the pl. *pĕrāsōt* can only refer to the result of splitting the *parsâ* into two hoofs. Thus, not only is the adjective *štê* 'two' essential or, at least, to be assumed, but the term *pĕrāsōt* must be rendered "hoofs", not "cloven hoofs"'.

118 See 2.1.1 about complex translation problems (outside animal names).

119 בַּבְּהֵמָה … כֹּל: 'all … among the quadrupeds/ animals', a term which is translated as 'any quadruped (that)'. Milgrom remarks that the last word was added at the end of v 3b to make clear that the referent of כֹּל in v 2 is הַבְּהֵמָה, 'the quadrupeds', not הַחַיָּה, 'the creatures'. See Milgrom (1991, 646).

120 הַגָּמָל: the definite article is used to mark out a class. This use is especially common with animals (*IHBS* §13.5.1f.). The same grammatical phenomena occur in the animal names in vv 5, 6, and 7. We might prefer the use of the translation 'dromedary' instead of 'camel' because a dromedary is a word for a one humped animal, while the camel usually has two humps, an animal which is unusual in Palestine. Cf. Cansdale (1970, 64-70). I choose 'camel' as a generic name for both (Bactrian) camels and dromedaries.

121 In the Septuagint this animal is called δασύπους (hare). F. Passow (2004, 589) presents the literal translation *Rauchfuss*, which means *Hase* (hare). Hieke (2014a, 410) points to the fact that an unusual word for hare is used, instead of the normal word λαγῶς, which can be explained by the fact that the LXX translator also had the Ptolemaic rulers ('die Lagiden') and their ancestor Lagos in mind. The fact that the term for this animal is translated as hyrax (*Procavia syriaca* and sometime *Procavia capensis*) can be explained on the basis of Psalm 104:18 and Proverbs 30:26, where the animals are depicted as living on rocky terrain. See *HAL*, 1508: the Arabs usually call it *wbr* or *ṯabsun*. The hyrax can be found among the rocks along wadis and lives in fissures in the cliffs. See H.B. Tristram (1885, 1-2). J. Dan1988, 128) describes the animal as an Ethiopian invader to rocky areas in Israel.

122 יִגַּר: the Masoretic Text 'it chews' has the reciprocal use in the N, while the Samaritan Pentateuch reads יגור as a G impf from an ע״ו root, as in Deuteronomy 14:8. See J.E. Hartley (1992, 149). *BHQ Deuteronomy* 94* points to the possibility that the MT of Deut 14:8 seems corrupted. A definite choice between the two readings cannot be made, and for now we follow the Masoretic Text.

123 The use of the negative לא with an impf has emphatic force, expecting full compliance. See Hartley (1992, 150), *GKC* §107o.

9	אֶת־זֶה֙ תֹּאכְל֔וּ מִכֹּ֖ל אֲשֶׁ֣ר בַּמָּ֑יִם כֹּ֚ל אֲשֶׁר־ל֣וֹ סְנַפִּ֣יר וְקַשְׂקֶ֔שֶׂת בַּמַּ֥יִם בַּיַּמִּ֖ים וּבַנְּחָלִ֑ים אֹתָ֖ם תֹּאכֵֽלוּ׃	Of[124] all creatures living in water you may eat the following: anything in water, the seas, and the rivers, that has fins and scales you may eat.
10	וְכֹל֩ אֲשֶׁ֨ר אֵין־ל֜וֹ סְנַפִּ֣יר וְקַשְׂקֶ֗שֶׂת בַּיַּמִּים֙ וּבַנְּחָלִ֔ים מִכֹּל֙ שֶׁ֣רֶץ הַמַּ֔יִם וּמִכֹּ֖ל נֶ֣פֶשׁ הַחַיָּ֑ה אֲשֶׁ֥ר בַּמָּ֖יִם שֶׁ֥קֶץ הֵ֖ם לָכֶֽם׃	But anything in the seas and rivers that has no fins or scales – all[125] small aquatic animals and all such creatures that live in water – they are an abomination for you,
11	וְשֶׁ֥קֶץ יִהְי֖וּ לָכֶ֑ם מִבְּשָׂרָם֙ לֹ֣א תֹאכֵ֔לוּ וְאֶת־נִבְלָתָ֖ם תְּשַׁקֵּֽצוּ׃	and they shall remain an abomination for you.[126] You shall not[127] eat of their flesh, and you shall detest their carcasses.
12	כֹּ֚ל אֲשֶׁ֣ר אֵין־ל֔וֹ סְנַפִּ֖יר וְקַשְׂקֶ֑שֶׂת בַּמָּ֥יִם שֶׁ֖קֶץ הוּא֙ לָכֶֽם׃	Everything[128] in water that has no fins or scales shall be an abomination for you.
13	וְאֶת־אֵ֨לֶּה֙ תְּשַׁקְּצ֣וּ מִן־הָע֔וֹף לֹ֥א יֵאָכְל֖וּ שֶׁ֣קֶץ הֵ֑ם אֶת־הַנָּ֙שֶׁר֙ וְאֶת־הַפֶּ֣רֶס וְאֵ֔ת הָעָזְנִיָּֽה׃	And you shall detest these species of birds, they shall not be eaten,[129] they are an abomination: the griffon vulture, the Egyptian vulture, the lammergeier,
14	אֶת־הַדָּאָ֖ה וְאֶת־הָאַיָּ֥ה לְמִינָֽהּ׃	the kite, all species of falcons,
15	אֵ֖ת כָּל־עֹרֵ֥ב לְמִינֽוֹ׃	all[130] species of ravens,
16	וְאֵת֙ בַּ֣ת הַיַּעֲנָ֔ה וְאֶת־הַתַּחְמָ֖ס וְאֶת־הַשָּׁ֑חַף וְאֶת־הַנֵּ֖ץ לְמִינֵֽהוּ׃	the eagle owl, the *taḥmās* (species of owl),[131] the long-eared owl, all species of hawks,
17	וְאֶת־הַכּ֖וס וְאֶת־הַשָּׁלָ֑ךְ וְאֶת־הַיַּנְשׁ֖וּף׃	the tawny owl, the cormorant, a species of owl,

124 אֶת־זֶה: the Samaritan Pentateuch, the Septuagint, and the Syriac suggest an original reading: וְאֶת־זֶה. The conjunction in וְאֶת־זֶה could be explained as an accommodation to vv 5-7. Hartley (1992, 149) says the absence of וְ in the Masoretic Text functions as an opening to another section. The objection can be made that וְ exists at the beginning of v 13, the opening of another section. Because the words stand at the beginning of a new section, the Masoretic Text can be maintained, and the reading of the Samaritan Pentateuch, Septuagint, and Syriac is also acceptable as an introduction to the verses that follow.

125 מִכֹּל: The מִן in this word has a partitive function. See Hartley (1992, 150) who points to *GKC* §119, n 2.

126 וְשֶׁקֶץ יִהְיוּ לָכֶם: this phrase is connected to the last three words of v 10, which creates the sentence: 'an abomination are they for you and an abomination they remain for you' (cf. v 35b). Milgrom (1991, 656). says that the repetition is a stylistic device that underscores the urgency to heed the prohibition.

127 For the emphatic character of לא and imperfect, see v 8.

128 A number of Hebrew manuscripts, the Samaritan Pentateuch, and the Syriac add וְ before כֹּל. Because of the great amount of support for the alternative text, this is probably the best choice. The Masoretic Text can be explained as the result of haplography.

129 Instead of יֵאָכְלוּ, 'is to be eaten', the Samaritan Pentateuch reads תאכלו, 'you shall eat'. Hartley (1992, 150) is probably right when he says that the Masoretic Text should be followed as the more difficult and better reading.

130 אֵת: The Samaritan Pentateuch, Septuagint, Syriac, the Targum Pseudo-Jonathan, and the Vulgate add וְ. Although the Masoretic Text could be the more difficult and therefore the better reading, the alternative reading is better because it fits the list of impure birds.

131 The reason why I use the Hebrew is that I do not know how to translate the word. I also add 'species of owl' because this translation is a possibility.

18	וְאֶת־הַתִּנְשֶׁמֶת וְאֶת־הַקָּאָת וְאֶת־ הָרָחָם:	the little owl, *qāʾāṯ* (species of owl),[132] the carrion vulture,
19	וְאֶת־ הַחֲסִידָה הָאֲנָפָה לְמִינָהּ וְאֶת־ הַדּוּכִיפַת וְאֶת־הָעֲטַלֵּף:	the stork, all species of herons, the hoopoe, and the bat.
20	כָּל שֶׁרֶץ הָעוֹף הַהֹלֵךְ עַל־אַרְבַּע שֶׁקֶץ הוּא לָכֶם:	All[133] winged swarming creatures[134] that walk on four (legs),[135] are an abomination for you.
21	אַךְ אֶת־זֶה תֹּאכְלוּ מִכֹּל שֶׁרֶץ הָעוֹף כתיב)הַהֹלֵךְ עַל־אַרְבַּע אֲשֶׁר־לוֹ כְרָעַיִם מִמַּעַל לְרַגְלָיו (אשר־לא לְנַתֵּר בָּהֵן עַל־הָאָרֶץ:	You[136] may eat only the following of the winged swarming creatures that walk on four legs:[137] the ones that have jointed legs above their feet,[138] which allow them to jump on the earth.
22	אֶת־אֶלֶּה מֵהֶם תֹּאכֵלוּ אֶת־הָאַרְבֶּה לְמִינֹו וְאֶת־הַסָּלְעָם לְמִינֵהוּ וְאֶת־ הַחַרְגֹּל לְמִינֵהוּ וְאֶת־הֶחָגָב לְמִינֵהוּ:	Of them, you may eat these: all species of desert locusts(?), all species of bald locusts / katydids(?), all species of crickets, and all species of the *ḥāgāḇ* (kind of locust).[139]
23	וְכֹל שֶׁרֶץ הָעוֹף אֲשֶׁר־לוֹ אַרְבַּע רַגְלָיִם שֶׁקֶץ הוּא לָכֶם:	But all (other) winged swarming creatures that have four legs are an abomination for you.

132 See the remarks on v 16.

133 Some Hebrew manuscripts, the Samaritan Pentateuch, the Septuagint, and the Targum Pseudo-Jonathan have וכל, which accords with the beginning of the previous verses. An argument in favour of the Masoretic Text is the fact that this verse marks the beginning of a new section. See Hartley (1992, 150).

134 שֶׁרֶץ הָעוֹף: literally, this means 'swarming creatures of the wings'. This is not about birds any longer but about other flying animals with more than one pair of legs.

135 הַהֹלֵךְ עַל־עַרְבָּה: literally, this means 'who goes on four'. This phrase distinguishes these animals from the birds (vv 13-19) that have two legs. Maarsingh (1974, 96), Milgrom (1991, 664) say that the number four probably implies a minimum and points to a way of walking that is not upright. Hartley (1992, 160) says that the text could perhaps mean 'darting about', but the problem is that such a translation is based too much on interpretation. The essence seems to be that it introduces a distinction from the animals mentioned just prior and a connection to the four feet of the grasshopper in v 21. The Targum Pseudo-Jonathan cites examples: fly, hornets, and bees.

136 אַךְ: This word, meaning 'surely, only, whatever' is absent from the Targum and manuscripts of the Septuagint. I choose to follow the Masoretic Text because this verse marks a break from the foregoing text and אַךְ helps formulate the idea that an exception to the rule of v 20 is introduced.

137 לוֹ: With the Septuagint and the Vulgate, I follow the Qere לוֹ, because the Ketib makes no sense. Milgrom (1991, 664) points to other examples of this *Ketib-Qereʾ* in Exodus 21:8; Leviticus 25:30.

138 כְּרָעַיִם מִמַּעַל לְרַגְלָיו: כְּרָע* is the (lower) shin and the expression 'shins above their feet' points to the existence of a third pair of long, jointed legs that are attached close to the neck and that appear to be above the other legs. *HAL*, 475. Examples of the use of the word כְּרָע* are Exodus 12:9; 29:17; Leviticus 1:9-13; 4:11; 8:21; 9:14; Amos 3:12. Milgrom (1991, 160) gives arguments for the translation 'shins', which is to say, legs below the knees. He points to texts in Akkadian, Arabic, and Ugaritic, to the salutatory legs of the locust (Lev 11:21) and to Amos 3:12 where the shepherd brings two כְּרָעַיִם of a ravaged animal. Concerning the last argument, Milgrom says: 'Because the upper leg, containing ample meat, would have been eaten by the predator, only the shins would have been left behind'. The text describes the salutatory legs of the creature.

139 See the remarks on v 16.

24	וּלְאֵלֶּה תִּטַּמְּאוּ כָּל־הַנֹּגֵעַ בְּנִבְלָתָם יִטְמָא עַד־הָעָרֶב:	Only the following,[140] however, will make you impure: everyone who touches their carcasses will be impure until the evening.
25	וְכָל־הַנֹּשֵׂא מִנִּבְלָתָם יְכַבֵּס בְּגָדָיו וְטָמֵא עַד־הָעָרֶב:	And everyone who picks up one of their carcasses[141] will wash his clothes,[142] and he will be impure until the evening.
26	לְכָל־הַבְּהֵמָה אֲשֶׁר הִוא מַפְרֶסֶת פַּרְסָה וְשֶׁסַע | אֵינֶנָּה שֹׁסַעַת וְגֵרָה אֵינֶנָּה מַעֲלָה טְמֵאִים הֵם לָכֶם כָּל־ הַנֹּגֵעַ בָּהֶם יִטְמָא:	All four-footed animals that have hoofs but without clefts through the hoofs or do not chew the cud[143] are impure for you; anyone who touches them[144] shall be impure until the evening.
27	וְכֹל | הוֹלֵךְ עַל־כַּפָּיו בְּכָל־הַחַיָּה הַהֹלֶכֶת עַל־אַרְבַּע טְמֵאִים הֵם לָכֶם כָּל־הַנֹּגֵעַ בְּנִבְלָתָם יִטְמָא עַד־הָעָרֶב:	And everything that walks on paws,[145] among all living beings that walk on four legs, are impure for you; anyone who touches their carcasses will be impure until the evening.
28	וְהַנֹּשֵׂא אֶת־נִבְלָתָם יְכַבֵּס בְּגָדָיו וְטָמֵא עַד־הָעָרֶב טְמֵאִים הֵמָּה לָכֶם:	And whoever touches their carcasses will wash his clothes and be impure until the evening – they are impure for you.
29	וְזֶה לָכֶם הַטָּמֵא בַּשֶּׁרֶץ הַשֹּׁרֵץ עַל־ הָאָרֶץ הַחֹלֶד וְהָעַכְבָּר וְהַצָּב לְמִינֵהוּ:	And of the swarming animals that swarm upon the earth, these are impure for you: the weasel, the mouse, all kinds of a species of the lizard,
30	וְהָאֲנָקָה וְהַכֹּחַ וְהַלְּטָאָה וְהַחֹמֶט וְהַתִּנְשָׁמֶת:	the gecko(?), the chameleon(?), a species of the lizard, a species of the lizard, and a species of the lizard.

140 See 2.1.1 about complex translation problems (outside animal names) on 24a and 24b.

141 מִנִּבְלָתָם: The Targum, four manuscripts, and the Syriac read אֶת־נִבְלָתָם. This reading may be inspired by vv 28 and 40, and the Masoretic Text might be evaluated as the more difficult and therefore better reading. Milgrom translates the term as 'any part of their carcasses' and says that part of the carcass conveys impurity in the same way its entirety does (cf. Num 19:16). Milgrom (1991, 667-668) points to the same construction in 'of their flesh' in v 11.

142 The Samaritan Pentateuch contains the addition ורחץ במים, 'and will wash with water', after בְּגָדָיו. The reading of the Samaritan Pentateuch seems to be an addition: there was no need for the Masoretic Text to shorten this text.

143 There are two possible translations and explanations for the first part of the verse. The traditional translation is: 'For every beast which has a hoof or that does not chew the cud', with ו translated as 'or'. This translation produces the problems discussed in v 3. The second possibility is to translate ו as 'and', which presents a specific class of animal: a hoofed animal without split hoofs and does not chew the cud. These are equids (horses, donkeys, mules). See Milgrom (1991, 668).

144 Some manuscripts and the Septuagint read בְּנִבְלָתָם. This reading is in line with the intention of the Masoretic Text, where 'on them' refers to the carcasses of the animals mentioned in v 24. The Masoretic reading can be maintained. See Milgrom (1991, 669).

145 כַּפָּיו: the noun כַּף is 'hand' or 'hollow or flat of the hand and foot' and refers to the palm or sole. See Milgrom (1991, 668, 669). This description has animals like dogs and cats in mind. The Targum and the Qumran text 11QPaleaoLev read עַל גָּחוֹן. This can be regarded as a secondary reading because the Samaritan Pentateuch and the Septuagint accord with the Masoretic Text. See Kiuchi (2007, 192). The reading may be influenced by v 42 and is a secondary reading (*BHQ Leviticus*, 90*).

31	אֵלֶּה הַטְּמֵאִים לָכֶם בְּכָל־הַשֶּׁרֶץ כָּל־הַנֹּגֵעַ בָּהֶם בְּמֹתָם יִטְמָא עַד־הָעָרֶב:	Of[146] all the swarming creatures, these are the impure (ones) for you; everybody who touches them when they are dead shall be impure until the evening.
32	וְכֹל אֲשֶׁר־יִפֹּל־עָלָיו מֵהֶם | בְּמֹתָם יִטְמָא מִכָּל־כְּלִי־עֵץ אוֹ בֶגֶד אוֹ־עוֹר אוֹ שָׂק כָּל־כְּלִי אֲשֶׁר־יֵעָשֶׂה מְלָאכָה בָּהֶם בַּמַּיִם יוּבָא וְטָמֵא עַד־הָעָרֶב וְטָהֵר:	And anything on which one of them falls when they are dead will be impure, be it any article of wood or clothing or skin or sack – any such article that can be used for work shall be immersed[147] in water, and it will be impure until the evening and (then) it will be pure.
33	וְכָל־כְּלִי־חֶרֶשׂ אֲשֶׁר־יִפֹּל מֵהֶם אֶל־תּוֹכוֹ כֹּל אֲשֶׁר בְּתוֹכוֹ יִטְמָא וְאֹתוֹ תִשְׁבֹּר:	And any earthen vessel into which one of them falls – anything that is in it will be impure – and you will break it.
34	מִכָּל־הָאֹכֶל אֲשֶׁר יֵאָכֵל אֲשֶׁר יָבוֹא עָלָיו מַיִם יִטְמָא וְכָל־מַשְׁקֶה אֲשֶׁר יִשָּׁתֶה בְּכָל־כְּלִי יִטְמָא:	If water [from such vessels] falls on food that may be eaten, that food will be impure; and anything that can be drunk from all such vessels will be impure.
35	וְכֹל אֲשֶׁר־יִפֹּל מִנִּבְלָתָם | עָלָיו יִטְמָא תַּנּוּר וְכִירַיִם יֻתָּץ טְמֵאִים הֵם וּטְמֵאִים יִהְיוּ לָכֶם:	And everything on which a part of their carcass falls will be impure. An oven or a stove[148] will be smashed – they are impure, and they will remain impure for you.
36	אַךְ מַעְיָן וּבּוֹר מִקְוֵה־מָיִם יִהְיֶה טָהוֹר וְנֹגֵעַ בְּנִבְלָתָם יִטְמָא:	A spring or cistern in which water has gathered, however, shall remain pure, but someone who touches their carcasses shall be impure.
37	וְכִי יִפֹּל מִנִּבְלָתָם עַל־כָּל־זֶרַע זָרוּעַ אֲשֶׁר יִזָּרֵע טָהוֹר הוּא:	But if (a part of) their carcass falls on seed grain that is to be sown, it will be pure,
38	וְכִי יֻתַּן־מַיִם עַל־זֶרַע וְנָפַל מִנִּבְלָתָם עָלָיו טָמֵא הוּא לָכֶם:	but if water has been put upon the seed and (part of) their carcass falls on it, it is impure for you.
39	וְכִי יָמוּת מִן־הַבְּהֵמָה אֲשֶׁר־הִיא לָכֶם לְאָכְלָה הַנֹּגֵעַ בְּנִבְלָתָהּ יִטְמָא עַד־הָעָרֶב:	And if one of the four-footed animals you may eat dies, anyone who touches it shall be impure until the evening.

146 According to scholars like C.F. Keil (1870, 93) and Gispen (1950, 192), אֵלֶּה refers to the eight animals in the foregoing verses. Kiuchi (2007, 199) has an alternative view and says that, up to v 38, it refers to the rites. This will be discussed in this chapter, when we examine the structure of the text and where we conclude that the word refers to foregoing words.

147 יוּבָא: This is a passive form of בוא that can be interpreted in this context as 'immersed'. Milgrom (1991, 674) points at the fact that immersion as a means of ritual purification is possible in the Hebrew Bible is made clear in Jeremiah 13:1 and Psalm 66:12.

148 תַּנּוּר וְכִירַיִם: 'oven and stove'. The תַּנּוּר is a beehive-like clay construction with a hole on top. See M. Kellermann (1977, 30). וְכִירַיִם is a *hapax legomenon* and probably a word for a small hearth with two holes because the word is a dual form. See *HAL*, 450. Milgrom (1991, 679) says it was frequently used by the rabbis, who claim that this stove contains openings for two pots.

40	וְהָאֹכֵל֙ מִנִּבְלָתָ֔הּ יְכַבֵּ֥ס בְּגָדָ֖יו וְטָמֵ֣א עַד־ הָעָ֑רֶב וְהַנֹּשֵׂ֥א אֶת־נִבְלָתָ֖הּ יְכַבֵּ֣ס בְּגָדָ֑יו וְטָמֵ֖א עַד־הָעָֽרֶב׃	Anyone who eats from its carcass will wash his clothes and be until the evening; anyone who touches the carcass shall wash his clothes and be impure until the evening.
41	וְכָל־הַשֶּׁ֙רֶץ הַשֹּׁרֵ֣ץ עַל־הָאָ֔רֶץ שֶׁ֖קֶץ הוּא֙ לֹ֣א יֵאָכֵֽל׃	And every swarming creature that swarms upon the earth is an abomination, it shall not be eaten.
42	כֹּל֩ הוֹלֵ֨ךְ עַל־גָּח֜וֹן וְכֹ֣ל | הוֹלֵ֣ךְ עַל־ אַרְבַּ֗ע עַד כָּל־מַרְבֵּה֙ רַגְלַ֔יִם לְכֹל־ הַשֶּׁ֖רֶץ הַשֹּׁרֵ֣ץ עַל־הָאָ֑רֶץ לֹ֥א תֹאכְל֖וּם כִּי־שֶׁ֥קֶץ הֵ֖ם׃	Anything that creeps upon its belly[149] and anything that walks on four legs and anything that has many (feet), of all[150] swarming creatures that swarm upon the earth – you shall not eat them because they are an abomination.
43	כֹּל֩ הוֹלֵ֨ךְ עַל־גָּח֜וֹן וְכֹ֣ל | הוֹלֵ֣ךְ עַל־ אַרְבַּ֗ע עַד כָּל־מַרְבֵּה֙ רַגְלַ֔יִם לְכֹל־ הַשֶּׁ֖רֶץ הַשֹּׁרֵ֣ץ עַל־הָאָ֑רֶץ לֹ֥א תֹאכְל֖וּם כִּי־שֶׁ֥קֶץ הֵ֖ם׃	Do not defile yourselves[151] by any creature that swarms and do not make yourselves impure through them and become impure.
44	כִּ֚י אֲנִ֣י יְהוָ֔ה אֱלֹהֵיכֶ֑ם וְהִתְקַדִּשְׁתֶּ֣ם וִֽהְיִיתֶ֔ם קְדֹשִׁ֖ים כִּ֣י קָד֑וֹשׁ אָנִ֔י וְלֹ֤א תְטַמְּאוּ֙ אֶת־נַפְשֹׁתֵיכֶ֔ם בְּכָל־הַשֶּׁ֖רֶץ הָרֹמֵ֥שׂ עַל־הָאָֽרֶץ׃	for I am the Lord your God. You shall sanctify yourselves, and you shall be holy, because I am holy, and you shall not make yourselves impure by any of the swarming creatures that creep upon the earth.
45	כִּ֣י | אֲנִ֣י יְהוָ֔ה הַמַּעֲלֶ֥ה אֶתְכֶ֖ם מֵאֶ֣רֶץ מִצְרַ֑יִם לִֽהְיֹ֥ת לָכֶ֖ם לֵֽאלֹהִ֑ים וִֽהְיִיתֶ֕ם קְדֹשִׁ֖ים כִּ֥י קָד֖וֹשׁ אָֽנִי׃	For I, the Lord God, am the one who brought you from the land of Egypt to be your God; you shall be holy, for I am holy.
46	זֹ֣את תּוֹרַ֗ת הַבְּהֵמָה֙ וְהָע֣וֹף וְכֹל֙ נֶ֣פֶשׁ הַחַיָּ֔ה הָרֹמֶ֖שֶׂת בַּמָּ֑יִם וּלְכֹל־נֶ֖פֶשׁ הַשֹּׁרֶ֥צֶת עַל־הָאָֽרֶץ׃	This is the law concerning the four-footed animals, the birds, and all living beings that swarm in the waters and all living creatures that swarm upon the earth
47	לְהַבְדִּ֔יל בֵּ֥ין הַטָּמֵ֖א וּבֵ֣ין הַטָּהֹ֑ר וּבֵ֣ין הַחַיָּ֔ה הַנֶּאֱכֶ֖לֶת וּבֵ֣ין הַחַיָּ֔ה אֲשֶׁ֥ר לֹ֖א תֵאָכֵֽל׃	to distinguish between the impure and the pure and between living creatures that may be eaten and living creatures that may not be eaten.

149 עַל־גָּחוֹן: The *waw* is larger in many Hebrew manuscripts because it is the middle letter of the Pentateuch, according to the counting based on the Masorah. See *B. Qidd.*30a; Sopherim 9:2.

150 לְ in לְכֹל is probably an expression of a specific relation, translated as 'concerning'. See *HAL*, 484, number 19a. Examples are 1 Kgs 10:23; Ezek 3:3.

151 נַפְשֹׁתֵיכֶם: Milgrom (1991, 674) proposes the translation 'their throats', which may be correct. Hieke (2014a, 413) defends the translation 'yourselves' because the throat is pars pro toto for someone's life or personality. M.J. Paul (2010, 882) points to three marks of the body's function: stereometry, the synthetic use of words, and the referential character of parts of the body. Taking these characteristics of biblical speech about parts of the body into account, the throat refers to someone's personality.

2.1.1 Complex translation problems

3.a כֹּל מַפְרֶסֶת פַּרְסָה: Two alternative translations exist: 'whatever has a hoof'[152] or 'whatever has split hooves'.[153] The latter translates מַפְרֶסֶת as 'split'. This translation finds support in Hebrew words that can be translated as 'to split' or 'to break',[154] and in the Akkadian word *parāsu*[155] and the Septuagint,[156] Targum, and Rashi. This translation is in line with the words about split hoofs that follow, and the two strophes form a tautology. Th. Hieke points to the following three problems with this explanation:[157]

(1) In v 3 and v 7, there is a reduplication of the saying in וְשֹׁסַעַת שֶׁסַע, 'that cleaves a cleavage'. This second part of the sentence seems to introduce a new element.

(2) In v 26, there is a contradiction between 'split hooves, but not really split'. If v 3 and v 7 are a tautology, v 26 is nonsense.[158]

(3) The list of other animals in vv 4-7 speak about the absence of hoofs (also with respect to the camel) and therefore it is not important whether it is split or not.

Because it is also possible to translate פַּרְסָה as 'hoof'[159] and the paronomasia of the verbal root can be translated as 'to have a hoof', we can translate the term 'that grows a hoof'. These arguments by Hieke are convincing, and that is the reason for the translation 'any animal that has a hoof'.

3.b מַעֲלַת גֵּרָה: The literal translation is 'which brings up the cud'. Rashi comments here: 'The animal brings up and regurgitates its food from the intestines back into its mouth, to fragmentize and grind it.'[160] This describes a ruminant, whose stomach has four compartments. Although there is an alternative explanation,[161] the most likely derivation is from the root גָּרַר 'drag'. The text speaks about bringing up the cud (through the throat) and

152 This translation can be found in Milgrom (1991, 643, 646-647), Hieke (2014a, 409), B.A. Levine (1989, 66) and NaB.
153 This translation can be found in Gispen (1950, 178), B. Maarsingh (1974, 273, 274), Wenham (1979, 162), Kiuchi (2007, 190), KJV, NKJV, NLT, NIV, ESV, HCSB, NASB, NET, RSV, ASV, YLY, DBY, WEB, SVD, NBG, NBV, HSV, WV.
154 '*Breaking* for the hungry thy bread' (Isa 58:7); 'neither shall man *tear* themselves' (Jer 16:7).
155 *CAD*, 171.
156 מַפְרֶסֶת: The Septuagint uses the word διχηλέω, which F. Passow (2004, 705) translates as 'gespaltene Klauen haben'.
157 Hieke (2014a, 409); cf Milgrom (1991, 646, 647).
158 Houston (1993, 36).
159 *HAL*, 912 points to Isaiah 5:28; Jeremiah 47:3; Ezekiel 26:11; Micah 4:13.
160 https://www.sefaria.org/Rashi_on_Leviticus.11.1?lang=bi (accessed 18-02-2021).
161 Milgrom (1991, 647) discusses the opinion of Ibn Ezra, who relates the noun to גָּרוֹן 'throat', but also remarks that the derivation from *grr* 'drag' is more likely.

not about eating the faeces, as B. Hobrink proposes.[162] Based on a possible reading of תִּלְעֲמֵ by the Samaritan Pentateuch,[163] the participle might be read as a plural, but this is neither certain nor relevant.

24.a וְלָאֵלֶּה: There is a discussion as to which verses this word refers to[164] – either vv 20-23 (the winged swarming creatures or vv 24-28 (which concern other animals). To choose between these interpretations, it is important to determine the meaning of וְלָאֵלֶּה at the beginning of v 24: Does it mean 'and with the above' or 'with the following'. The word does not present any clues for its translation, and arguments based on the context of the term need to be considered.

In favour of 'and with the above', one can point to the fact that there is a certain literary pattern in vv 26-31: it begins with an enumeration of animals, followed by instructions on how the carcasses of these animals can transfer impurity.[165] If this pattern is applied to vv 20-25, then vv 20-23 (without vv 21-22) describes flying insects, and vv 24-25 contain the rule on transference of impurity. It is remarkable that Wenham defends the unity of vv 20-23 and vv 24-25, while he also argues for a caesura between v 23 and v 24, where he points to the difference between definitions of pure and impure animals on the one hand and pollution by animals and its treatment on the other.[166] This inconsistency is also found with J.E. Hartley.[167]

In favour of 'with the following', Milgrom points to the difference between שֶׁקֶץ, which is used before v 24 and טָמֵא which is used in vv 24-40.[168] Milgrom's choice is related to the idea that animals that are שֶׁקֶץ are forbidden for consumption even though they do not defile those who come in contact with them. The word טָמֵא on the other hand relates to contamination. The most important argument in favour of the translation 'with the following' is that vv 24-38 is clearly a section with different content because it is about contamination. If vv 24-25 concerns the carcasses of flying insects, the regulation would have some strange aspects. In normal daily life, there are numerous dead flies, midges, bees, and other flying insects that average Israelites come into contact with. There are many situations in which they are not aware of the fact that they are in contact with the remains of these tiny insects. The consequence of this regulation would be that Israelites are in a constant state of ritual

162 Hobrink (2014, 102).
163 *BHQ Leviticus* 90*.
164 Milgrom (1991, 667).
165 Vv 26-27a describe the group of animals and vv 27b-28 describes the rule concerning contamination. Verses 29-30 describe the group of animals and vv 31ff. describe the rules concerning contamination.
166 Wenham (1979, 165, 175).
167 Hartley (1993, 152, 161).
168 Milgrom (2014, 667).

impurity. In addition, B. Maarsingh remarks that it is impossible to speak of 'carrying' in the case of such tiny creatures.[169] The best choice is to interpret וּלְאֵלֶּה as 'with the following'.

24.b וּלְאֵלֶּה תִּטַּמְּאוּ: Meshel translates this as 'By *these*, however, you are permitted to become defiled'.[170] He presupposes a juxtaposition between vv 2-8 and vv 24-28. Verses 2-8 describe animals whose carcasses defile those who touch them while vv 24-28 describe animals whose carcasses do not contaminate those who touch them. Meshel's translation is partly based on grammatical arguments. The combination of the *yiqṭōl* form preceded by an indirect object (with לְ) can be found in 21:3, where לָהּ יִטַּמָּא forms an exception to the rules described in the surrounding verses (21:1b, 4b). Although Meshel is correct in his translation of the tense in 21:3, it is not usual, from the perspective of Hebrew grammar, to translate a *yiqṭōl* form preceded by an indirect object (with לְ) as a sort of contradiction.[171] The argument is not strong enough to be fully convincing grammatically, but the diachronic arguments mentioned in this chapter make Meshel' s translation acceptable.

2.1.2 Translation of animal names

The relation between a Hebrew word in Leviticus 11 and the animal it refers to is often problematic: sometimes it is clear, sometimes it is complicated, and sometimes it is impossible to determine precisely which animal it is indicated by the text. In case of complexities, the following aspects demand attention.

1. We look at derivations of verbal roots.
2. We consider the possibility that a name is an expression of the sound the animal makes. This practice is found in traditional cultures around the world.[172]
3. There may be a connection between the behaviour of an animal and its name.
4. The argument is sometimes made that there is a relation between the way a bird moves or flies and the name.
5. An animal name is also derived from cognate words in other Semitic languages.
6. The animal name is not a *hapax legomenon* or a word that only occurs in Leviticus 11 and Deuteronomy 14, then we look at the other occurrences of this name, figuring out how this information enriches our understanding of the meaning of the term.
7. The context in which the animal name is placed often clarifies what category of animal is meant. For instance, it is quite clear that the first five animals in the list of birds represent raptors, while nos. 7-14 are often owls. Eighth,

169 Maarsingh (1974, 97).
170 Meshel (2008a, 217-219).
171 In *IBHS*, 209, there is the example of Genesis 1:29, where a *yiqṭōl* form, preceded by an indirect object (with לְ), is not a contradiction to the preceding verse.
172 B. Berlin (1992, 32) provides examples from traditional societies. Dutch examples are the tjiftjaf and the grotto.

sometimes it is possible to discern certain animals in Egyptian or Mesopotamian iconographic material. In Egyptian material, for instance, it is possible to distinguish a vulture from an eagle. Tenth, we will look at archaeozoological research.

8. The reception history of the word may be relevant.

2.1.2.1 Forbidden birds

This list of translations is presented with a complete awareness of uncertainties. My research revealed that sometimes there were several options, and therefore I present a preferred option and other options in the table below.

No.	Hebrew name	Preferred option	Other options
1.	נֶשֶׁר	griffon vulture[173]	
2.	פֶּרֶס	Egyptian vulture[174]	lammergeier[175]

173 Of this name there are 28 biblical loci, two of which are in biblical Aramaic. There are two suggested identifications of נֶשֶׁר: eagle and vulture. An argument to interpret as vulture is Mic 4:16, which says that the heads of mourning people are bald, like the head of the נֶשֶׁר. If the נֶשֶׁר is only one species, it cannot be an eagle. Another argument is Prov 30:17-19 which describes how the young נֶשֶׁר eats the eyes of the one who disobeys his parents. It is not immediately clear in the text as to whether the bird eats the eyes of a living or a dead person. If the text is speaking about dead bodies, it is more probable that the נֶשֶׁר is a vulture, and although eagles do this as well, they hunt fresh prey more often. See https://www.sonomabirding.com/do-eagles-eat-dead-animals/ (22-10-2022). If it is a vulture, it could be a griffon vulture (*Gyps fulvus*), a lammergeier (*Gypaetus barbatus*), or a (Egyptian) black vulture (*Aegypius monachus*). The griffon vulture is most likely for three reasons. First, the griffon vulture is very common in the Levant, which accords with the regular appearance of the bird in the Hebrew Bible, although their numbers have diminished through deforestation during the twentieth century. See Yom-Tov, Mendelssohn (1988, 529). Second, the association with mourners is obvious in the case of the griffon vulture. Third, it is possible that the פֶּרֶס (no. 2) or the עָזְנִיָּה (no.3) is the lammergeier.

174 The Septuagint translates it as γρύψ, 'vulture'. Because of the meaning of the root פרס 'to break / tear', scholars identify the bird as the lammergeier (*Gypaetus barbatus*), a bird of prey that drops bones from a height onto rocks to break them into pieces. It then eats the marrow from the broken bones. See Gesenius, 660, *KBL*, 778, *HAL*, 912; Gispen (1950, 182), Tristram (1885, 94), Driver (1955, 9, 10), Milgrom (1991, 662), R. Achenbach (2011, 196). Because bird no. 3 could also be identified as Lammergeier, this is the second choice here. If the connection with a verb meaning 'to break' is correct, we might wonder if the word points to the breaking of bones. It could also be an expression of the ability of a bird to break other things. Some birds of prey, like the Egyptian vulture (*Neophron percnoterus*), have developed the remarkable ability to break eggs with a stone. On the Egyptian vulture breaking open ostrich eggs with a stone (*Neophron percnopterus*), see B. Ford (1978, 48). Ford (1978, 41) also mentions the black-breasted buzzard of Australia. See also M. Barcell (2015).

175 For this possibility, see the previous footnote.

3.	עָזְנִיָּה	lammergeier[176]	lappet-faced vulture / black vulture[177]
4.	דָּאָה	kite[178]	
5.	אַיָּה	falcon[179]	
6.	עֹרֵב	raven[180]	crow
7.	בַּת הַיַּעֲנָה	eagle owl[181]	
8.	תַּחְמָס	owl?[182]	
9.	שַׁחַף	long eared owl?[183]	

176 The word עָזְנִיָּה may be derived from the root עזז, 'be strong, have courage'. Driver (1955, 10) derived the word from עֵז, 'goat', and connects it to the beard of a goat, on the basis of which he concludes that it must be the lammergeier. Achenbach (2011, 196) writes: 'Bei der Identifikation der Art des עָזְנִיָּה scheint G.R. Driver auf der richtigen Spur gewesen zu sein, der in Anlehnung an das Akkadische *enzu*, hebr. עֵז, ar *'anzu*, "Ziegenbart" eine Metathesis annahm und dem Namen eine Assoziation unterstellte, die auf den Bartgeier (*gypaetus barbatus*) führt'. Following the association with the goat, Tamulénas (1992, 40-45) proposes the lappet-faced vulture or the black vulture. All these birds have some sort of beard: the lappet-faced vulture and the black vulture have the markings of a beard on their neck and the lammergeier has an actual beard. Because of this, the lammergeier is our first choice, the lappet-faced vulture or black vulture must be seen as secondary options.

177 For these possibilities, see the previous footnote.

178 The Septuagint translates the term as γύψ, 'vulture', and the Vulgate *as* 'kite'. The specific verbal form (G-form) of the root דאה means 'to pounce' or 'to swoop' (Deut 28:49; Jer 48:40; 49:22; Ps18:11). Achenbach (2011, 196) says the choice for the translation is related to the flying technique of the black kite: the bird swoops down on its prey. Favouring its translation as kite is the fact that this bird flies fast, which is a mark of the verb דאה. See Milgrom (1991, 662). If the translation 'kite' is chosen, it should be remarked that it is difficult to choose between the red kite and the black kite. These birds fly in much the same way, and if the name indicates a certain way of flying, either the red kite or the black kite could be meant.

179 Many scholars argue that the name is onomatopoetic. Milgrom (1991, 663) says the name may be onomatopoeic. See Milgrom (1991, 663) Driver (1955, 11), *HAL*, 33, *BDB*, 17. Driver mentions several possible birds of prey whose call refer to the names of the birds. He remarks that the אַיָּה may be confidently taken to be any large falcon because buzzards and harriers and falcons are *falconidae*. The only other mention of the אַיָּה is a reference to its keen sight (Job 28:7), which is a well-known characteristic of all falcons.

180 There is no doubt about the identification of this bird as a raven or crow. Raven, ערב (Orev), Raven, ברע (Orev), Corvus (tau.ac.il) (20-02-2024) mentions two kinds of ravens: The fan-tailed raven (*Corvus rhipidurus*), and the common raven (*Corvus corax*).

181 Ancient translations support the translation as 'ostrich', but there is not very much evidence for this identification. A problem with its identification as ostrich is that this bird does not haunt deserted or ruined cities and does not wail. See Driver (1955, 12, 13). That is what owls do, and therefore many defend the idea that the בַּת הַיַּעֲנָה is an owl. Driver argues that the habits described in the Hebrew Bible are those of the owl and that the most probable option is the eagle owl. Another argument in support of owl is the Syrian translation of בַּת הַיַּעֲנָה in Mic 1:8, where the Syriac speaks of 'daughter of the vomiter', which seems to point to the habit of all owls to regurgitate the indigestible parts of their food in the form of pellets, which can always be found in large quantities beneath their nests.

182 The choice to translate the bird as some kind of owl may have been inspired by the Septuagint reading, γλαύξ, 'owl', and the Vulgate reading, *noctua*, 'night owl, owl'. Linguistically, the term could derive from חמס, 'act violently', and, also Ibn Ezra relates it to 'violence'. The name could point to the violent character of the bird, and Achenbach (2011, 198) says the short-eared owl feeds on mice and has the habit of tearing these animals apart.

183 In the Syriac, we find *'ōdā*, 'owl'. The linguistic basis for this translation can be found in a Hebrew and Arabic root, which means 'being thin'. Gispen (1950, 184) points to Lev 26:16 שַׁחֶפֶת 'tuberculosis', and Driver (1955, 13) points to the Arabic verb. Driver says it is something thin, and that is why it is the long-eared owl (*Asio otus*). This owl is quite plentiful in the wooded area north of the Levant. It might also be some other bird which could have a thin body or thin body parts.

10.	נֵץ	hawk[184]	
11.	כּוֹס	tawny owl[185]	Hume's owl
12.	שָׁלָךְ	cormorant[186]	
13.	יַנְשׁוּף	owl?[187]	
14	תִּנְשֶׁמֶת	little owl[188]	barn owl[189]
15	קָאַת	owl?[190]	

184 The נֵץ appears here, in Deut 14:15, and Job 39:26. In Lev 11:16 and in Deuteronomy 14:15 the name of the bird is generic. In the description of the נֵץ in Job 39:26, the text remarks that 'the נֵץ spreads his wings towards the south' (RSV), which means that the bird migrates to Africa, the Red Sea coast, or Arabia. The Septuagint translates it as ἱέραξ, 'hawk / falcon', the Vulgate as *accipiter*, 'hawk / falcon', and this translation is supported by the Targum and the Syriac. Driver (155, 14) says the word is presumably a generic term for a small hawk, which, in relation to wingspan, is placed between the large and moderate owls and the small owls; it will thus include the kestrel and the small hawk. He points to the fact that many small hawks migrate southward.

185 The כּוֹס appears here, in Deut 14:15, and in Psalm 102:7, where it is a bird living in the desert. Septuagint translates the word as νυκτικόραξ, which literally means 'raven of the night'. It could be any bird that is active at night. Driver (1955, 230) proposes that it could be the rare tawny owl or brown owl (*Strix aluco*). Another owl, not mentioned in the literature, is Hume's owl (*Strix butleri*). This is a typical desert owl that is rarely found in Sinai, southern Israel, and Jordan. The argument that it has a cup-like face also applies to this owl. See Svensson (2009, 230).

186 The translations of שָׁלָךְ are based on the verbal root שלך 'to throw', which may presuppose that it is a bird that swoops down on its prey. The Targum and the Syriac say that the bird takes its prey from the water. According to the Talmud, the bird is 'the one who draws its fishes out of the sea' (b. Ḥulin 63a). The Septuagint translates the term as καταρράκτης, 'a bird that comes down quickly, in order to catch its prey in the water', and the Vulgate translates it as *mergulus*, 'diver'. Probably because of these linguistic choices and because of information from ancient translations, modern translations opt for some kind of water bird: usually the cormorant (*Phalacrocorax carbo*).

187 יַנְשׁוּף appears here, in Deut 14:16, and Isa 34:11. According to an Akkadian text it is a bird with a negative reputation. Salonen, 161 translates the *enšubu* as 'ein Vogel', and he cites an Akkadian text which says: 'falls ein *e*.-Vogel in jemandes Haus eintritt …, warten Verluste in dem Haus des Mannes …'. The bird seems to have some sort of negative influence. The text in Isa 34:11 seems to describe a habitat of ruins and of aridity. Together with the example mentioned by Salonen, who says that this may point at an owl.

188 Driver (1955, 15) proposes the little owl (*Athene noctua glaux*), whose low mewing or wailing note, a plaintive 'kew-kew', is very often heard at sunset. It is one of the most commonly found owls in the Levant. This translation is partly based on a derivation from the Hebrew root נשׁם, 'sniffing'. It is also possible that the barn owl (*Tyto alba*) is meant, a bird that produces a very sharp and sometimes hissing noise. We can conclude that the תִּנְשֶׁמֶת is probably a kind of owl.

189 See the previous footnote.

190 קָאַת appears in this text, Deut 14:17, and in Ps 102:7, Isa 34:11, and Zeph 34:11. In the texts outside the Torah, the bird is associated with deserts, ruins, and deserted places. The texts outside the Torah, in which the קָאַת appears as an inhabitant of deserts and ruins, allow for owl as a good possibility. The name may be onomatopoetic because of the owl's hoot. Driver (1955, 16); Milgrom (1991, 663). The view that it is a scops owl may be possible because of the sharp 'kiu-kiu', which may be related to the shrill sound of this bird. See Achenbach (2014, 412). In the meantime, it is possible to understand קָאַת as 'vomiter' because the owl regurgitates its food.

16.	רָחָם	carrion vulture[191]	
17.	חֲסִידָה	stork[192]	
18.	אֲנָפָה	heron[193]	
19.	דּוּכִיפַת	hoopoe[194]	
20.	עֲטַלֵּף	bat	

Looking at this list, there does seem to be some method here, but the systematic nature should not be overemphasised. It is clear that the first three birds are vultures and that nos. 4-5 are smaller birds of prey, while the raven seems to be in a separate category. Nos. 7-15 are species of owls, while no. 12 is a waterbird. Nos. 17-18 are waterbirds, while nos. 19 and 20 do not belong to any class. Maybe the long tail connects no. 19 with nos. 17-18. On the whole, there is a sequence from larger to smaller birds: the vultures at the beginning (no. 1-3) are quite bigger than the last two birds (nos. 19-20).

2.1.2.2 Identification of pure locusts and crickets

In the midst of all the uncertainty about the identity of the animals mentioned in v 22, there is no doubt about the fact that the insects mentioned in the text are either locusts or a crickets. The description in v 21 confirms its identification as cricket. In biological literature, locusts and crickets are considered distinct from other insects because of three characteristics:

191 This term occurs only here and in Deut 14:17 and is often translated and understood as referring to a carrion vulture (*Neophron percnopterus*). Achenbach (2011, 201) says there is no doubt about its identification as the carrion vulture. The identification is already present in Tristram (1885, 96). An argument in favour of this translation is the term's similarity to the Arabic *raḥamu(n)* 'white carrion vulture'. See Driver (1955, 16), who says the Arabic *raḥamu(n)* means 'thick milk' as well as 'vulture with a white neck and body but black wing tips'. Another argument is the care that the carrion vultures show for their young, and the name could reflect the verb רחם 'to love'. In the Deir 'Alla inscription, a bird with the same name is juxtaposed with the eagle and eagle owl, which favours identifying the bird as a vulture. See Milgrom (1991, 363).

192 In addition to Lev 11:19 and Deut 14:18, the word appears in Jer 8:7, Zech 5:9, and Ps 104:17. These birds build their nests in the tops of cypresses (Ps 104:17). We do not know if the stork nests in cypress trees, but we do know that it could nest in trees. See Driver (1955, 17) and Tristram (1885, 122). Favouring its identification as a stork is the description of the size of its wings. We could also follow the Septuagint and the Vulgate in identifying it as a heron. Driver (1955, 17) defends the idea that there was no awareness in ancient Hebrew of the difference between herons and storks, and Achenbach (2011, 201) quotes the Talmud in connecting the חֲסִידָה with the word that follows. L. Goldschmidt XI (1996, 192) in b. Ḥulin 63a: 'So lehrt R. Jehuda:" Ḥasida ist die weiße Daja, und sie heißt deshalb Ḥasida, weil sie an ihren Gefährtinnen Frömmigkeit [*ḥasiduth*] übt. Anapha is die zankende Daja, und sie heißt deshalb Anapha, weil sie mit ihren Gefährtinnen zankt [*anaph*].' While אֲנָפָה can be understood to be a heron, we see the stork as a larger bird and the heron (according to its kind) as a smaller one.

193 The word occurs only here and in Deut 14:18 and is usually derived from אנף, 'be angry', which might point to an irritable bird – which the heron is said to be. Driver (1955, 18) argues for cormorant and points to the word אַף 'nose'. A cormorant has a hooked beak and is common throughout the Levant. Moreover, the shag (*Pharacrocorax aristotelis*) is also a possibility. See Svensson (2009, 78-79). If we choose 'cormorant' for שָׁלָךְ, then here it must be 'heron', which would fit after 'stork'.

194 Alternatives found in ancient translations are 'wild cock' (Syr.) and 'mountain pecker' (Tg. Onq.; Tg. Ps.-J).

a so-called stridulation apparatus (for singing), an enlarged thigh for jumping, and leatherlike forewings.[195] The group as a whole can be divided between insects with long antennae and those with short antennae. The ones with the long antennae are crickets and locusts from the family of the long-horned grasshoppers, and the ones with the short antennae are the *Tetrigidae* and the *Acrididae*.[196] The distinction between crickets and grasshoppers is considered artificial because these animals are not a homogenous group.

In the Bible, locusts are by far the most important insects; with some 55 mentions in nine different Hebrew words, they appear more often than all other insects together.[197] The importance of the locust is also clear in Akkadian because this language had no less than 18 terms for 'locust'.[198] Despite the fact that these insects often appear in texts from the Hebrew Bible, it is widely recognised that they cannot be properly identified.[199] There is a possibility of identifying some locusts in Egyptian iconography, but it is still difficult to determine what name is connected to the picture.[200] There is also discussion among scholars on the question whether the enumeration of names is a description either of different species or of stages in the development of one insect.[201] The idea that texts describe four different stages of growth comes from Joel 2:25,[202] but it is also possible that v 22 describes four species. Although it is difficult to determine a proper identification of any one of these insects, I will try to find the best option. All four insects have the addition לְ + מִין + pronominal suffix, and in the previous section we argued that this is an indication of a generic name.

195 R. Kleukers, R. Krekels (2004, 11).
196 Kleukers, Krekels (2004, 11).
197 Cansdale (1970, 238).
198 Milgrom (1991, 665).
199 Cansdale (1970, 238), Cansdale (1980, 948), Gispen (1950, 188). The easiest solution for the problems surrounding the identification of these insects might be to present a translation with only the Hebrew words. See SVD, JB, and Houston (1993, 22).
200 J. Boessneck (1988, 148-149) has some pictures of locusts that might be identifiable. We could conclude from E. Douglas van Buren (1939, 109-110) that Mesopotamian pictures of locusts are less identifiable.
201 Milgrom (1991, 665-666). Firmage (1992, VI, 1159) writes: 'Neither the contexts nor the etymologies are sufficient to enable us to identify whether or not we are dealing in each case with separate species or stages of development in one or two species.' See also the overview in J.A. Thompson (1974, 409).
202 Milgrom (1991, 666).

No.	Hebrew Name	Translation[203]
1.	הָאַרְבֶּה	locust: Moroccan locust? or desert locust?[204]
2	הַסֹּלְעָם	Kind of locust?[205]
3.	הַלְּגָרְחָ	cricket?[206]
4.	הַבְּגָזָ	locusts?[207]

2.1.2.3 Identification of impure creeping animals

This list in vv 29b-30 contains a number of animals that creep on the ground. The first animals mentioned are mammals, and the second group are reptiles. The only question that can be solved concerns the size of the animals. The question is whether the criterion for impure animals can be related to v 33, which speaks of animals that make an earthen vessel impure if they fall into it. This context demarcates a limitation of the choices made in the translation because these animals cannot be too big. The other possibility is that v 33 does not have anything to do with the animals in vv 29b-30. If this assumption is correct, then the animals can be bigger, and a large animal like the monitor lizard could be among them.

203 In this table I do not distinguish between preferred translation and other options, because this is the most uncertain category, as shown by the fact that there are only question marks.

204 The most probable derivation is from 'to multiply', a verb that occurs often and might express the great multitude of אַרְבֶּה that devour the crop. The idea that אַרְבֶּה is a common name for locusts in general could be derived from texts like Judg 6:5, 7:12, and Prov 30:27, but in the context of v 22 it must be a specific kind of locust. Because of the great many occurrences in the Hebrew Bible, אַרְבֶּה probably refers to the most common species of locust, and the desert locus and the Moroccan locust are suggested. F.S. Bodenheimer says that the important locusts in the Levant are the Moroccan locust (*Dociostaurus moroccanus*), which appears in great numbers at irregular intervals locally in the northern part of the area, and the desert locust (*Schistocerca gregaria*), which invades the southern part of the area at fairly regular intervals of about 13 years from eastern Sudan or southern Persia. See Bodenheimer (1960, 77). Both kinds of locusts are eaten in the Middle East, and both destroys crops. Because they appear in great numbers, the derivation from רבה, 'to multiply', is acceptable (cf. Exod 10:4-19).

205 סָלְעָם is a *hapax legomenon* with hardly any isoglosses in related languages. *HAL*, 716 mentions a possible Egyptian parallel: *snḥm*. The Septuagint translates it as ἀττάκης, 'a kind of locust' and the Vulgate as *attacus*, also 'a kind of locust' cf. *LSJ*, 273 and Lewis & Short, 193. The translation 'bald locust' seems to be based on the Talmud, which describes the סָלְעָם as an insect with a long head that is bald in the front. Cf. B. Ḥulin 65a in Goldschidt (1996, XI, 197). The ancient translations do not offer any clue, and the argument from the Talmud is uncertain. Because it is a *hapax legomenon*, we cannot say anything conclusive about this locust.

206 This word is once again a *hapax legomenon* and the ancient translations do not offer any clarity here: the Septuagint translates it as ἀκρίς, 'kind of locust', and the Vulgate as *ophiomachus*, also 'kind of locust'. Cf. Passow (2004, 84) and Lewis & Short: 'The literal meaning (derived from Greek) is "fighting with serpents". The reason why translators chose 'cricket' (*Tettigoniidae*) may be because these small insects jump high and often are not able to fly. This characteristic might be related to the cognate Arabic verb for gallop. Although the identification is uncertain, and one could object that the cricket cannot be eaten, the translation 'cricket' is the most probable option. Cf. Hieke (2014a, 412) and Cansdale (1970, 239).

207 The חָגָב also occurs in Num 13:33, 2 Chr 7:13, Eccl 12:5, and Isa 40:22 and the translation is uncertain. Num 13:13 and Isa 40:22 emphasise the small size of the insect, and 2 Chr 7:13 describes the חָגָב as an insect that devours crops. Because of the texts in Numbers and Isaiah, this insect must be very small, which is why it could be identified with the *Dociostaurus moroccanus*, 'Moroccan locust'. חָגָב is sometimes connected to an Arabic root that means 'to hide' or 'to hide the sun'. In that case, the word points to swarms of locusts that blot out the sun. No certainty can be given about the translation, but it is remarkable that, for the rabbis, חָגָב became the generic term for all locusts (*Y. Ḥag.* 1, 80c.).

Vv 29b-30 speak of animals that that must not be touched, while vv 2b-23 and vv 41-42 speak of the prohibition against eating certain animals. This might be a reason not to research the names in vv 29b-30 because our study focuses on dietary laws. On the other hand, it can probably be assumed that the Israelites were not allowed to eat the animals mentioned in vv 29-30 for a number of reasons. The first reason is the contrast between vv 29-30 and vv 39-40. The latter text speaks about the prohibition against touching the carcasses of pure animals that can be eaten (v 39). This contrast between the two groups of animals whose carcasses must not be touched indicates the possibility that the animals from the first category must not be eaten. This possibility is supported by the fact that the animals in vv 29-30 belong to the same category as the animals in vv 41-42 that were not to be eaten: they are called הַשֶּׁרֶץ הַשֹּׁרֵץ עַל־הָאָרֶץ 'the creeping animals that creep upon the earth' (vv 29, 41). Therefore, it is legitimate to interpret these animals as animals that must not be eaten.

List of translations

No.	Hebrew name	Preferred option	Other options
1.	חֹלֶד	weasel[208]	mole, mole-rat
2.	עָכְבָּר	mouse[209]	jerboa
3.	צָב	species of lizard[210]	
4.	אֲנָקָה	gecko?[211]	

208 This word is a *hapax legomenon*, identified in the Septuagint as γαλῆ, 'weasel, marten, cat', and the Vulgate as *mustela*, 'weasel'. Also, the Targum Pseudo-Jonathan and m. Pesaḥ 1, 2 translate the term as 'weasel', and the Talmud as 'mole' (*Y. Ḥag.* 1, 80c.). One reason for the translation 'mole' is the term's derivation from חלד 'to dig'. Cf. *HAL*, 303. The root is חלד II 'to dig'. Nonetheless, there is good reason to translate the term as 'weasel': first, because of the support from the versions and, second, because the Talmud mentions the חוּלְדָה as an animal that eats birds, which could point to a weasel. There seem to be some stronger arguments to translate it as 'weasel', although it could also be a 'mole' or 'mole rat'.

209 There is no doubt that the עָכְבָּר is a mouse, and the ancient translations confirm the translation as 'mouse': the Septuagint has μῦς, and the Vulgate *mus*. The related Akkadian word *akbaru* has been translated, with some reservations, as jerboa, an animal that was actually eaten. Cf. *CAD* 1, A 1, 265 which mentions that the *akbaru* was part of a meal. The safest choice, following many modern scholars, is to regard עָכְבָּר as a generic name for small rodents and all mice. Cf. Hartley (1992, 161-162), Milgrom (1991, 671), Cansdale (1970, 132-134).

210 Translating the *hapax legomenon* צָב as a lizard is based mainly on comparison with cognate Arabic and Egyptian words for lizard. Cansdale (1970, 199-200) argues for this connection. *HAL*, 933, states that *ḍabb* is a lizard. There is also a related Egyptian word for lizard. The Septuagint and the Vulgate point to 'lizard', and the translation 'crocodile' suggests 'great lizard'.

211 אֲנָקָה is a *hapax legomenon* and cannot be compared to isoglosses. The most common translation is 'gecko', and the main argument here is the proposed onomatopoetic character of the name: the animal makes a noise that sounds like 'èè-kèè'. Cf. Cansdale (1970, 200), Milgrom (1991, 671). Another possibility is that the word is derived from the verbal root אנק, 'to groan' whereby the meaning of the noun is thus 'groaner'. If we make this choice, it could also be a lizard that makes a loud noise. An argument in favour of 'lizard' is the placement of אֲנָקָה: it follows another word for lizard and is followed by names of reptiles.

5.	כֹּחַ	species of lizard[212]	chamelion
6.	לְטָאָה	species of lizard[213]	
7.	חֹמֶט	species of lizard[214]	
8.	תִּנְשֶׁמֶת	chamelion[215]	Species of lizard, mole / mole rat

A problem with this list is the fact we have two candidates for chameleon. The best option is to translate no. 6 as 'monitor lizard' and no. 8 as 'chameleon'. This can be confirmed only if we can state that large animals are found in the text, and therefore it is important to determine if the indirect remark about the size of the animals in v 33 is applicable to vv 29-30. If our reconstruction of the list is correct, a certain pattern becomes visible: it begins with two small mammals, followed by six lizards. If the translation 'mole / mole rat' for תִּנְשֶׁמֶת is correct, then we have a list of two mammals, five lizards, and one small mammal.

2.2 Leviticus: A separate book or not?

In most[216] manuscripts of the Hebrew Bible and in all *Versiones*, Leviticus is a separate book, whose main subject is the role and position of the priests, partly reflected in the different

212 The Septuagint translates the *hapax legomenon* כֹּחַ as χαμαιλέων, 'chameleon', the Vulgate as *cameleon*, 'chameleon', the Syriac as salamander, and the Targum Pseudo-Jonathan as spotted lizard. A connection is made in the literature with the noun כֹּחַ, 'strength'. If we follow the Septuagint and Vulgate in their translation of the term as chameleon, the question then arises as to the point of this connection. Cansdale points to the very strong claws of the animal. The translation 'chameleon' seems appropriate, but that choice can and will also be made for the תִּנְשֶׁמֶת.

213 לְטָאָה is a *hapax legomenon* and Ancient translations confirm that it is a kind of lizard: the Septuagint views it as καλαβώτης, 'a kind of lizard', the Vulgate as *stelio*, 'a kind of lizard', and the Syriac as 'salamander'. The noun can be derived from the verb לטא, 'to stick on', and can have something do with the way small lizards climb walls. The best choice is to say it is an unknown species of lizard.

214 The Septuagint and the Vulgate translate it as 'lizard'. The translation 'snail' is based on Rashi and the Talmud. The problem with this identification is Psalm 58:9, where שַׁבְּלוּל is probably the word for snail. Because of the similarity with the Akkadian word *ḫulmittu*, 'lizard' or 'snake' (*CAD* h, 230) and because of the Septuagint and the Vulgate, many translations choose some kind of lizard. The most acceptable possibility, which is also supported by the related Akkadian word, is that it is a lizard that lives on the ground, and therefore I choose 'lizard / sand lizard / skink'.

215 Ancient translations have 'mole': the Septuagint has ἀσπάλαξ and the Vulgate *talpa*. This word already appeared in v 18 among the list of birds but, because of the context here, this must be an animal that crawls on the earth, either a mammal or a reptile. 'Mole' does not fit the category of reptiles, but this counterargument is not convincing because the list of birds does include an animal like the bat. The basis for the commonly accepted translation of chameleon can be found in the proposed derivation from נשם, 'to snort', which indicates the reptile's ability to puff itself up. *HAL*, 1625 points to Ar. *faḫḫāḫ* 'Schnauber'= 'Chamäleon'; cf. also Cansdale (1970, 202), Keil (1870, 93), Gispen (1950, 191), and Milgrom (1991, 672). The animal is found all over the Levant. Despite the support in modern literature in favour of 'chameleon', uncertainty remains, and therefore I mark it with a question mark.

216 An exception is 11QPalLev, which J. Olszowy-Schlanger and D. Stökl Ben Ezra (2022, 386) describe as a large scroll. In this scroll Leviticus is combined with other Biblical books like Exodus and Numbers into one work. Doubt on the argument of scroll length as a reason for subdividing the Pentateuch in five books is raised by Goodfriend in https://www.thetorah.com/article/why-is-the-torah-divided-into-five-books (6-01-2023). For the appearance of scroll, longer than 8-9 metres, the normal length of a book from the Pentateuch, see also Schmid (2023, 10-13).

titles of the book.[217] There are also linguistic and diachronic arguments for seeing Leviticus as an independent book. On the other hand, it is clear that Leviticus is part of the narrative context of the Pentateuch.

Leviticus as part of a larger whole

There has been a tendency recently to point to macrostructures that reach beyond the limitations of the book of Leviticus itself. Scholars try to discover a chiastic structure in Exodus, Leviticus, and Numbers that goes beyond Leviticus alone.[218] It is clear that Leviticus is part of the Pentateuch and even of the Enneateuch.[219] The Pentateuch presents a chain of events that begins with creation and ends just before the Israelites enter the Promised Land. Although these books form a specific framework, the books of Genesis and Deuteronomy are separate from the books in the centre. Genesis ends when the patriarchal family begins its life in Egypt, while Exodus begins when the Israelites are a numerous people living in slavery. The book of Genesis also has its own literary structure with the so-called Toledot formulas.[220] The book of Deuteronomy is also a separate unit, focusing on the renewal of the covenant in the fields of Moab.

The books of Exodus, Leviticus, and Numbers form a clearer narrative unity, which becomes clear in the following schema:

Text	*Theme*
Exod 1:1-6:27	Slavery in Egypt and the preparation of Moses, the liberator
Exod 6:28-18:27	Liberation from Egypt and the journey to Mount Sinai
Exod 19-24	The covenant at Mount Sinai
Exod 25-31	Instructions to Moses to build the tabernacle

217 In the Hebrew Bible, Leviticus is called וַיִּקְרָא, while it is called Λευϊτικόν in the LXX. The MT focuses on the first line of the book, while the LXX focuses on the content. Concerning the name Λευϊτικόν, Levine (1992, 312) and Milgrom (1991, 1) remark that it is probably 'Priestly' in general. It may reflect Deuteronomic usage, since the Israelite priests are denoted in Deut 17:9,18 and 18:1 as 'the Levitical priests'. Malachi (2:6-7) speaks of Levi as the symbol of the Israelite priesthood and refers to 'the covenant of Levi'. Milgrom (1991, 1) says that in Hellenistic times the term 'Levites' meant priests, and this is what the title means. It is equivalent to the rabbinic title תּוֹרַת כֹּהֲנִים, tôrat kōhănîm, i.e., 'the manual of the priests', and that of the Syriac siprā'dĕkăhan,' 'the book of the priests'. The Levites are only mentioned in one small portion of the book (Lev 25:32-34), almost as an afterthought and in a non-cultic context. In Exodus, the texts describe the construction of the cultic implements. In Leviticus, the static picture is transformed into a living cult. The book of Numbers follows with the cultic laws of the camp in motion. Because these activities form the main function of the Levites, it is no accident that all the cultic laws pertaining to the Levites are found in Numbers. Although the focus is on the priests, only a few laws are reserved for them alone. The reason is explained by the context, which concentrates on priestly tasks.

218 An example is H.J. Koorevaar (2013, 131-144) who maintains that the Exodus, Leviticus, and Numbers originally constituted one book. See also Koorevaar (2007).

219 Chr. Levin (2011, 217) refers to Spinoza, who saw Genesis to Kings as one work, written by one author, possibly Ezra. Levin correctly points out that these books do form a narrative unit.

220 Gen 2:4; 5:1; 6:9; 10:1; 11:10, 27; 25:12, 19; 36:1; 37:2. E. Zenger (1999, 54) and Koorevaar (2013, 126) point to the independent position of Genesis through the Toledot formulas.

Exod 32-34	Breaking and renewal of the covenant
Exod 35-40	Building of the tabernacle in which the glory of the Lord comes to dwell
Lev 1-10	Rules for the sacrificial cult, consecration of the priests, the beginning of the sacrificial cult
Lev 11-27	Laws on purity and holiness
Num 1:1-10:10	Israelites still at Mount Sinai, several events, and new laws
Num 10:11-36:13	Further journeys through the desert

This brief overview clarifies that Exodus-Numbers form a unit because the central part of these books describes the stay of the people at Mount Sinai, while the chapters at the beginning and end, describe events that precede and follow and took place elsewhere. The book of Leviticus forms the centre of this unit. Looking at the Pentateuch as a whole, Leviticus is the centre of the collection of five books. The rest of this section describes how the book of Leviticus is related to its surroundings.

Because Leviticus is embedded in the Pentateuch in general and specifically in Exodus 19:1-Numbers 10:10, this study should concentrate on the question whether Leviticus is a separate book or not. Before mentioning arguments supporting the idea that Leviticus is a book, we need to define what a book is. Koorevaar says that a book is an intellectual concept, which is meant to be read as an intellectual whole.[221] This statement implies that the beginning and the end of a book must have a clear demarcation. Koorevaar argues that the books of Exodus, Leviticus, and Numbers form a theological whole and points to arguments in favour of the idea that the demarcations between these books are not clear.[222] He interprets the three biblical books as a unit with a chiastic structure, of which Leviticus 16 is the centre.[223] Koorevaar points out that both Leviticus 1:1 and Numbers 1:1 begin with a *waw consecutive* that is connected to the foregoing texts. In his view, this is clear proof that it is not the beginning of a new book. This claim can be questioned, given that there are other examples of a *waw consecutive* which can be explained as a continuation of events that happened before.[224] In spite of this counterargument, it is clear that Leviticus and Numbers follow from

221 Koorevaar (2013, 125-126) follows J. Barton (1998, 1-14) and says that the concept 'book' includes two aspects: a physical one and a metaphysical one. The physical aspect points to a physical book. The metaphysical aspect points to an intellectual unity, which must be read as an integrated whole. It is possible that a book (a metaphysical book) is inscribed in two or more physical books or that two metaphysical books are written in one book (or scroll).

222 Koorevaar (2013, 125-129).

223 Koorevaar (2013, 141).

224 Koorevaar (2013, 127) points out that וַיְהִי appears at the beginning of Joshua, Judges, Samuel, Ezekiel, Jonah, Ruth, and Esther. He says that this is just the literary start of a new beginning and not a succession of sentences. I doubt whether this statement can be applied to Joshua and Judges, texts that refer to events that occur in the books before the deaths of Moses and Joshua. There is no doubt that these books form an intellectual whole.

prior and continuing events. Koorevaar also points to the double commission: Moses must build the house of YHWH (Exod 25:9) and consecrate the priests (Exod 28:1). The construction of the tabernacle (Exod 35-40) and the consecration of the priesthood (Lev 8-10) were the conditions for entering the tabernacle (Lev 9:24-24). Thus, Exodus 35 to Leviticus 10 forms a narrative unit. Koorevaar also modifies the caesura between Leviticus and Numbers by saying that Leviticus 27:34 is not the end of the whole book of Leviticus but only of chapter 25-27. The saying in Numbers 1:1 that God spoke in the desert of Sinai is not unique because it also occurs in Numbers 3:14 and 9:1. All these arguments are reasons for Koorevaar to blur the boundaries between Exodus, Leviticus, and Numbers and to present a chiastic structure for Exodus-Numbers.

J.W. Watts presents another argument in favour of the connection with the surrounding texts.[225] He compares the books of Exodus and Leviticus with texts from the ancient Near East about covenant making and says that the chapter about blessings and curses form a proper ending to such a text. The beginning of Leviticus does not fit this scheme.

Finally, Levin points to a broader context that can be seen in the cohesion of the Enneateuch.[226] Genesis through Kings form one narrative which begins with creation and ends in the exile. In his article, where he studies this group of texts diachronically, he tries to explain the growth of texts within a coherent historical framework. I will deal with these issues in the next section.

Arguments in favour of Leviticus being a separate book

Until now, the arguments clarify the connection between the second, third, and fourth books of the Pentateuch. Although nobody doubts this connection, scholars point to literary arguments in favour of Leviticus as a separate book. Many of these arguments are supported by the analysis of the narrative framework given below. The arguments for the independence of Leviticus can be described as 'subtle indications'.[227]

- The introductory formula of 1:1 is different from the other 36 and is thus marked as a book opening.[228] It is the only opening with the use of קרא. Except for 16:1-2 and 21:1, the formula is always וַיְדַבֵּר יהוה אֶל.
- In 1:1 and 16:1-2 there are two *verba dicendi*.[229] This gives these two texts a specific place in the whole and can be interpreted as follows: 1:1 is the book opening, and 16:1 introduces the compositional central part of chapters 16-17.
- Leviticus 1:1 also has a specific formula of circumstance (מֵאֹהֶל מוֹעֵד).[230] This

225 J.W. Watts (1999, 36-60).
226 Levin (2011).
227 Watts (2014, 21).
228 Zenger (1999, 56).
229 Zenger (1999, 56).
230 Zenger (1999, 56, 57).

characteristic can also be found in 16:1-2 (time (אַחֲרֵי מוֹת) and 25:1 (place (בְּהַר סִינָי)). Leviticus 25:1 introduces the long divine speech in chapters 25-26.[231] Leviticus 1:1 has a double function: it introduces the first divine speech and opens the book. Another book opening is found in Numbers 1:1, where there is an introductory speech with an indication of place.

- We should be aware of the special position of Leviticus 1:1 and Leviticus 27:34, the beginning and end of Leviticus. Nihan points out that both Leviticus and Numbers are introduced by a note relating to an address by YHWH to Moses and both conclude with a statement that mentions the commandments (מִצְוֹת) given to Moses. These commandments are destined for the Israelites and are followed by a topographical indication (Lev 27:34; Num 36:13).[232]
- The instructions found in Numbers 1-10 are part of a further revelation and are distinct.[233] It is connected to the main theme of that book, namely, Israel's wanderings in the wilderness.
- The separate position of the book of Numbers (with respect to Leviticus) is marked by the introductory formula in Numbers 1:1.[234] The text of Numbers 1:1, with the list in Numbers 1:5-14, corresponds to the list in Exodus 1:1-5. The introductions in Leviticus 1:1 and Numbers 1:1 are distinguished from each other in a twofold way: through an indication of time (missing in Leviticus) and through an indication of place (Numbers: בְּמִדְבַּר סִינָי).
- The book of Leviticus has a specific place within the structure of the Pentateuch.[235] The books of Genesis and Deuteronomy have clear similarities in their endings,[236] and Exodus and Numbers show parallels in the section on the wilderness wanderings and rebellions of the Israelites.[237] Moreover, both books have the same unique language and the same themes in common.
- Aside from these subtle indications, we also have some evidence of another order, namely, the textual tradition. In most manuscripts of the Hebrew Bible and in all *Versiones*, most evidence that exists supports the notion of Leviticus as separate.

As mentioned in the previous section, Levin presents an explanation for the existence of separate books within the cohesive historical framework of the Enneateuch (Genesis-Kings). He postulates that the books of the Enneateuch were the product of gradual redactional

231 One problem is the position of Lev 27, which is often considered to be an appendix. In the structure of the book of Leviticus Lev 25-26 finalise the whole.
232 Nihan (2007, 70).
233 Nihan (2007, 70).
234 Zenger (1999, 58).
235 Nihan (2007, 71).
236 In both books, there is a double ending: the blessings of the twelve tribes (Gen 49 // Deut 33), followed by the deaths of the main characters, Jacob and Moses (Gen 50 // Deut 34).
237 Nihan (2007, 72).

growth, which corresponds to the point of view in research on the Enneateuch, and that the narrative coherence of the material is based on the coherence of the first redactions and that that the framework must have been shorter than the present text.[238] The two redactions – the Yahwistic (Genesis-Numbers) and the Deuteronomistic (Deuteronomy-Kings) redaction[239] – developed gradually and were brought together into one whole. Separate books found their origin in this process of enlargement for a technical reason: the limited size of the scroll, which made the use of more scrolls necessary.[240] Although longer scrolls exist, as we have seen previously, the main part of the scrolls have a fixed length. On the other hand there are some exceptions in which there are more texts from the Torah on one scroll, which relativizes the statement. For Leviticus, Levin defends the specific growth of the text by the Priestly author.[241] Levin presents a theory concerning the origin of the separate books that is based on technical considerations, and therefore it is important. Levin's contribution to the scholarly discussion is twofold: first, he acknowledges the cohesion of the Enneateuch; second, he presents a good explanation for the (relative) independence of the book of Leviticus.

Conclusion

On the one hand, it is clear that Leviticus is embedded in the whole of the Pentateuch (and the Enneateuch) and specifically in the section of Exodus 19:1-Numbers 10:10. On the other hand, it is not necessary to see Exodus-Numbers as one book and to deny the original independence of Leviticus. Arguments in favour of the separate character of Leviticus are based on literary arguments and on tradition. Without denying the strong ties between the second, third, and fourth books of the Pentateuch, there is no decisive reason to abandon the view of Leviticus as a separate book, and therefore it will be approached as a compositional unit. This conclusion is important for our study because it allows a separate narrative and structural analysis of Leviticus. This investigation will be done in the awareness of its connection to the surrounding books.

2.3 Narrative analysis of the narrative framework

The first step in a synchronic reading is to look at the narrative framework, because a clear view on the narrative patterns deepens our insight into the meaning of the book, and thereby on the practical values of the dietary laws. The section begins with a short description of the plot and is followed by a description of the characters involved, whereby special attention is paid to God, the priests (represented by Aaron), and the people.

238 Levin (2001, 131, 152).
239 Levin (2011, 153).
240 Levin (2011, 130-132).
241 Levin (2011, 146-149).

2.3.1 Methodology

In this section we will make some remarks about the genres of Leviticus and about the way they are related to each other, followed by some remarks about the methodology of narrative analysis. The reason for making remarks about the genres of Leviticus is because of the need to determine where we find the narrative parts and finally, to reconstruct the story that Leviticus is telling.

2.3.1.1 The genres of Leviticus

Leviticus contains two genres: (1) narrative texts, which are part of the larger narrative framework of the Pentateuch and (2) divine speeches, which contain legal texts. The divine speeches can be described as the basic units of the book of Leviticus,[242] and the narrative texts form the framework.[243] In addition to the narrative framework and the divine speeches, which are monologues, there is also some dialogue in Leviticus 10.

A good way to start the structural analysis is to explore the narrative framework.[244] After that we will look at the divine speeches because they form the basis for the whole and because they connect the texts of Leviticus with the narrative framework of Exodus and Numbers. We will focus on more important and less important distinctions between the texts within the narrative framework.

Although the priority lies on the narrative framework, the divine speeches and the dialogue in Leviticus 10 must also be taken into consideration. R. Alter comments on the importance of dialogue for understanding narrative texts,[245] pointing to the highly subsidiary role of narration in comparison to direct speech by the characters.[246] This observation implies that, for Leviticus, the focus should be on the interaction between the narrative framework and direct speech, which is present mainly in the divine speeches and to a smaller degree in the dialogue.

2.3.1.2 Narrative analysis

We will subject Leviticus to a narrative analysis and begin with remarks about the specific character of the book. Y. Amit distinguishes between two kinds of narrative texts: narratives as frameworks for other genres and narratives for delivering biblical messages and ideology via the history of the relationship between the Israelites and their God.[247] For the most part, Leviticus contains narrative texts that fall into the first category. These texts mostly consist of short introductory formulas for divine speeches and sometimes of short formulas that are

242 C.R. Smith (1996, 20).
243 A. Ruwe (2007, 171) says: 'Leviticus ist durch und durch Erzähltext'.
244 An example of this approach can be found in Hieke (2014a, 53).
245 Alter (2011, 79-110), chapter 4, 'Between Narration and Dialogue'.
246 Alter (2011, 81).
247 Amit (2009, 223).

placed at the end of a divine speech. The divine speeches are the building blocks of the narrative framework and, as such, they belong to Amit's first category. There are four chapters in Leviticus that consist of larger narrative texts.[248]

A preliminary remark must be made about the appearance of reticence,[249] that is, the soberness of depictions in Hebrew narrative. Hebrew narrative is characterised by soberness and, consequently, the unpredictability of character development. Although we usually apply such characteristics to a long narrative text, they can also be a guide for the text of Leviticus, which mainly consists of small narrative units. This reticence can be seen in how the book of Leviticus connects narrative units to each other. We must therefore obtain a better view of what is happening in the narrative, and this information forms a basis for knowing what other information is missing.

Five items can be distinguished in narrative texts from the Hebrew Bible: plot, characters, narrator, time and space, and functionality.[250] A proper determination of these five elements helps us understand how the author constructs his story. The description of the development of the plot directs the reader to the meaning of the story. In the description of the characters, we will look at the narrator, God, along with superhuman beings and human characters. The third element is time and space, and in Leviticus the emphasis is on time. The period the text refers to can be either long or short.[251] The text skips certain periods and emphasises other periods. When something is important, the author extends the time of telling.[252] The author can achieve this effect through repetition or through the incorporation of dialogue. Deviations from the diachronic time sequence that characterises the descriptions are important. The methods used for this purpose are *analepsis* and *prolepsis*.

2.3.2 Plot

A central issue in Leviticus is the institution of the cult and the priesthood in chapters 8-10. This (mainly) narrative part concerns carrying out the command to begin the tabernacle cult (Exod 40:1-33). When the cult was instituted, it was possible to approach the sanctuary, but this became impossible when the glory of YHWH filled the tabernacle. Even Moses was not able to enter the holy place (Exod 40:34-38) and the distance between God and all Israelites becomes clear in the remark that God spoke from the Tent of Meeting (Lev 1:1). The legislation in the first seven chapters was a necessary instruction for the beginning of the temple cult in chapters 8-10: without a proper sacrificial cult, no cult was possible.

248 Lev 8, 9, 10, 24.
249 Alter (2011, 143-162), chapter 6, 'Characterization and the Art of Reticence'.
250 Amit (2009, 224-225). For a more thorough description, see Amit (2001). Some of these characteristics can also be found in S. Bar-Efrath (1989, 13-196) and J. Fokkelman (1995).
251 On time, see Amit (2001, 103-114).
252 Amit (2001, 108).

The appearance of the glory of the Lord in chapters 8-10 also determines the sections that follow. In 10:1-4, the fire of the Lord devoured Nadab and Abihu who brought strange fire before the Lord. These verses and the rest of chapter 10 emphasise the limitations that were imposed on the priests: they are not allowed to do anything they want. The legal texts that follow chapter 10 find their rationale in the fact that God destroys impurity and unholiness. There are warnings against impurity in chapters 11-15, followed by chapter 16, which speaks of the removal of impurity, and chapter 17, which discusses correct behaviour in sacrificial matters. We can connect chapters 18-25, which speak of holiness regarding the people and the priests, with the need to be aware of the destructive side of the holiness of God, as expressed in chapter 10. The section on blessings and curses (Lev 26) is connected to chapter 10 because the second part of the chapter describes the terrible consequences of disobedience.

2.3.3 Characters

The book of Leviticus has the following main characters: God, the omnipotent supernatural being, and individual human beings and groups. In the analysis of these categories of characters, the following rule of thumb is used: the more God is behind the scenes and the less is known about Him, the more his human messengers and people are revealed. This unit also determines the character and the character development of the persons involved.

In Leviticus, God himself plays a dominant role and speaks almost all the time. The start of this appearance by God can be related to the end of Exodus when the glory of the Lord had entered the tabernacle (Exod 40:35). Nobody could enter the Tent, not even Moses, and that is why God spoke from the Tent of Meeting (1:1). He prescribed the sacrificial laws (1-7), which were preconditions for the functioning of the tabernacle cult. He also commanded priests to be ordained (8:1-3), another precondition for the cult. After a seven-day preparation for this ordination, the sacrifices were brought to the tabernacle. Then God's glory appeared to all the people. Fire came out from before the Lord, and it consumed the sacrifices (9:23-24). This act revealed that God lived in the tabernacle and accompanied its cult. We find another aspect of the character of God in the next chapter, where Nadab and Abihu brought strange fire before the Lord. Fire went out from Him and devoured these two sons of Aaron (10:2). This story reveals two sides of YHWH's personality: from being an accepting God, He turns into someone who does not allow any disobedience. In the later narrative section in Leviticus, God orders the execution of a blasphemer (24:10-14), another example of His unwillingness to accept disobedience. The book of Leviticus shows two sides of God: the one who accepts people who obey and rejects those who disobey. These two sides of God are also emphasised in the text on the blessings and curses of the covenant (26). This aspect of God, as a God who judges and punishes, stimulates the Israelites to obey the laws in Leviticus.

There are several human characters in the book of Leviticus: Moses, Aaron, Aaron's sons Nadab and Abihu (10:1), Uzziel's sons Mishael and Elshaphan (10:4), Aaron's sons Eleazar and Ithamar (10:16), the unnamed blasphemer (24:10-14) and the people of Israel. We may apply the rule of thumb that the development of the human characters is limited when God is dominant as an actor in the narrative.[253] This is the case in Leviticus. Although the role of human character development is limited, some relevant aspects remain.

One prominent human character is Moses; he functions as a mediator between God and the people and as the one who instructs the Israelites and their priests about the divine commands. There is a distance between God and Moses that is illustrated by the fact that God speaks from the Tent (1:1) and continues to speak from that one place.[254] There is no dialogue between Moses and the Lord, and in Leviticus 8:3, he is the one who arranges the ordination of the priests. Until the moment that Aaron and his sons are ordained as priests, Moses performs priestly tasks like offering sacrifices (8:6-30). In Leviticus 9:5, Moses hands these tasks over to Aaron. We come to know more about the inner life of Moses in the only dialogue in Leviticus (10:16-20). At the start of this dialogue, he was angry (10:16) at Eleazar and Ithamar for not eating their part of the purification offering, but he was satisfied (10:20) after their explanation (10:20). In the texts of chapter 8-10, God only appears twice in the form of fire (9:24; 10:2), whereas there is more room sometimes for human deliberation and action. In the dialogue at the end of chapter 10, Moses not only carries out God's will but also makes his own decisions, based on arguments, and accompanied by emotions. From chapter 11 onwards, Aaron is often accompanied by Moses, and both men are commissioned to speak to the Israelites.[255]

The other important human characters are Aaron and his sons. Up until chapter 9, we read of his ordination and that of his sons. He is responsible for the temple cult, and he must distinguish between holy and unholy and between pure and impure (10:10; 11:47). All the priests after Aaron receive these tasks. God speaks to him and Moses several times, mainly in the context of the purity laws (11:1; 13:1; 14:33; 15:1). And Moses must speak to him several times, either alone or to him and others at the same time (16:2; 17; 21:16). A remarkable element is Aaron's reaction to the death of his sons in 10:3. There are different views of the meaning of the narrative: Aaron's attitude is seen either positively or negatively. A negative view of Aaron's role can be found in Hieke and R. Rendtorff.[256] Levine describes it as the acceptance of God's judgment,[257] while Hartley does not specify its function.[258] Milgrom

253 Methodology (2.3.1) and Amit (2009, 224-225).
254 There is no reason to suppose that God speaks from another place. Only in Num 1:1 does the narrator say that He speaks *in* the desert of Sinai.
255 Lev 11:1; 13:1; 14:33; 15:1.
256 Hieke (2014a, 389); Rendtorff (2004, 311-312).
257 Levine (1989, 60).
258 Hartley (1993, 135).

points to Ezekiel 24:17 where a priest is told not to mourn for the dead, and contrasts Aaron's attitude to the shouting of the people which occurred earlier.[259] Watts contrasts his attitude after the death of his sons with the attitude of people like David and Samuel who lost self-control.[260] Aaron's reaction would have been appropriate, in his view, and the context clarifies that his authority is heightened. The reason for these contrasting interpretations must be sought in the scanty information that the text provides. It is not clear what the background of his reaction is. Nor is it possible to say that this passage enhances Aaron's position. In any case, it cannot be proved based on the context.

We cannot establish what the exact function of Aaron's silence in the passage in question means. What is relevant for the determination of the role and personality of Aaron in Leviticus is the only dialogue in Leviticus, where Aaron explains to Moses why his remaining sons did not eat their portion of the sacrifice (10:16-20). When Moses becomes angry at his sons, Aaron defends them by saying that the purification offering was not brought in a proper way because the blood was not sprinkled before the Lord. Aaron says that that is why they were careful, especially after what happened to their brothers. Aaron acts as a mediator who points to the proper sacrificial cult and who acts with care in his position as priest. In this text, interpretive authority is left in the hands of Aaron.[261] It is after this that God begins to speak to him.

There is no development in the description of Aaron's sons or of other people who play minor roles. The only remarkable aspect is the uncertainty of the sons of Aaron in this dialogue (10:16-20). A great deal of emphasis is placed on the task of the priests. When Moses must turn to him and his sons, it concerns their specific position (10:10-11). The role of Mishaal and Elshaphan, the sons of Uzziel (10:4), becomes clear in their removal of the dead bodies of Nathan and Abihu. They are the ones, rather than Eleazar and Ithamar (10:12) (Aaron's other sons), who remove the bodies because they are not priests and are therefore allowed to carry dead bodies.[262]
The role of the Israelite people is mainly that of the final addressees of the divine speeches. This is so because of the dominant role played by God - which limits the role of the people. When God reveals Himself to them, they become frightened (9:24).

2.3.4 Time and space

In this section we will look more at the aspect of time than the aspect of space because most of the events take place at one spot.

259 Milgrom (1991, 604).
260 Watts (2013, 524-525).
261 M. Leuchter (2010, 350) speaks of 'interpretive authority in relation to society'.
262 Kiuchi (2007, 180).

2.3.4.1 Time

This section contains some remarks about the spatial framework of Exodus-Numbers and looks closely at the chronological framework. The purpose is to determine the use of time in Exodus –Numbers, specifically Leviticus.

The Chronology of Leviticus and the surrounding books

Although the books of the Pentateuch present one narrative framework which arranges events chronologically (see 4.3), I will concentrate on Exodus 19:1-Numbers 10:10 because this passage describes the stay of the Israelites at Mount Sinai. In this section, I will limit my remarks to these texts, leaving Exodus 1:1-18:27 and Numbers 10:11-36:13 out of consideration because of the need to concentrate on the place of Leviticus in the chronological framework of the texts on the Israelites' stay near Mount Sinai.

Exodus 19:1-Numbers 10:10 begins with a chronological reference to the departure of the Israelites from Egypt. For now, we will only look at descriptions of when events took place in Exodus 19-Numbers 10:11, which is the period when the Israelites stayed near Mount Sinai. Later on, we will describe the chronology of the book. The dates are as follows, combined with the events described:[263]

Exodus 19:1	*Exodus 40:17*	*Leviticus*	*Numbers 1:1*	*Numbers 10:11*
3rd month of the 1st year of the Exodus	*1st day* of the 1st month of the *2nd year*		*1st day* of the 2nd month of the *2nd year*	20th day of the 2nd month of the 2nd year of the Exodus
Arrival at Sinai	Erection of the sanctuary at MOUNT Sinai	Instructions to Moses from inside the tent of MOUNT Sinai	Instructions to Moses in the WILDERNESS of Sinai	Departure from Sinai

Based on this overview, it is fair to conclude that the whole book of Leviticus takes place within a single month: between the first day of the first month and the first day of the second month of the second year after the Exodus. This information provides a basis for a more

263 Partly based on Nihan (2007, 74) and Hieke (2014a, 52).

precise determination of the chronology of the book. To attain this goal, we ask four questions.

1. What chronological information exists in the book of Leviticus?
2. What is the relation between the end of the book of Exodus and the beginning of Leviticus?
3. How can the remaining chronological notations in the book of Leviticus be interpreted?
4. What are the consequences of the information acquired for outlining the book?

To reconstruct the chronological structure of Leviticus, we will look at Ruwe's discussion. Concerning the first question, Ruwe says that there are narrative temporal details within Leviticus 7:35-38; 9:1; and 16:1.[264] Verses 35, 36, 38 mention בְּיוֹם, and this word points to when God elected the Aaronides as priests. The chronologism בַּיּוֹם הַשְּׁמִינִי in 9:1 speaks of Moses calling Aaron and his sons to him in the context of the institution of the priesthood (Lev 8) and the beginning of the sacrificial service (Lev 9). The Day of Atonement is introduced in chapter 16, and 16:1 indicates the time as after the death of Aaron's two sons. Apart from clear internal chronologisms, Ruwe also mentions the so-called *origo* in the direct speeches in 9:4 and 10:19.[265] An *origo* serves to indicate the different ways of marking the speaker's place in the text. In both texts, the word הַיּוֹם is used to specify that God would appear on that day (9:4) and that the sons of Aaron brought sacrifices on the day that their brothers were killed (10:19). Another passage relevant to the chronological framework is 8:32-36, where Moses orders Aaron and his sons to isolate themselves for seven days. This period of isolation begins after their consecration as priests.

The answer to the second question must be combined with the third one because the first seven chapters of Leviticus offer no information on chronological matters. Looking at the chronologisms, the text in 9:1 is the only chronological notation in Leviticus that mentions a specific day in time. There have been proposals that maintain that בַּיּוֹם הַשְּׁמִינִי is connected to the larger time structure in Exodus – Numbers (Exod 19:1-2; 40:17; Num 1:1; 10:11-12).[266] In that case, the seven-day preparation for the consecration of the priests would have started on the first day of the first month of the second year after the Exodus (Exod 40:17). When 9:1 speaks of the eighth day, it means 'the eighth day of the first month of the second year after the Exodus'. In support of the idea that 9:1 is part of the framework formed by Exodus 19:1, 30:17, and Numbers 1:1, 10:11, it is possible to argue that the text speaks of this date in an abbreviated way in other places.[267] Another explanation holds that 'on the eighth day' in 9:1

264 Ruwe (2003, 60).
265 Ruwe (2003, 60-61).
266 Ruwe (2003, 60).
267 Exodus 19:1 mentions the Exodus from Egypt, as does Numbers 1:1. This is not mentioned in Exodus 40:17 and Numbers 10:11, but it is presupposed in both places.

points to the day after the seven-day purification period from 8:33-35, the text that precedes 9:1. In that case, 'the eighth day' could refer to any time between the eighth day of the first month of the second year until the end of that month.

Another view of the main intent of בַּיּוֹם הַשְּׁמִנִי points primarily to the day after the seven-day period of isolation in 8:33-35. D. Luciani says that it is impossible that YHWH's entrance into the tabernacle (Exod 40) and the ceremony of Leviticus 8 could take place on one day.[268] This point of view may be rejected because the main function of בַּיּוֹם הַשְּׁמִנִי is to indicate that the events described in chapter 9 take place the day after the seven-day period mentioned in 8:33-35. The command for this period is given in 8:33-35, and 8:36 speaks about the execution of the command: the priests isolate themselves for seven days. After this, the consecration can take place on the eighth day (9:1).

Although the main intention of בַּיּוֹם הַשְּׁמִנִי is to underscore that the time described is the day after the purification period, it is probable that the consecration of the priests actually took place on the eighth day of the first week of the second year after the Exodus. The aforementioned suggestion by Luciani that all the events described cannot have taken place on one specific day can be questioned because of the rather strict connection between Exodus 40:17 and Leviticus 1:1. To prove this, Nihan points to the close connection between Exodus 25-40 and Leviticus 1:1.[269] Unlike other books of the Torah, Leviticus lacks a proper heading and begins with וַיִּקְרָא, and this verbal form is a continuation of Exodus 40:35.[270] There is a close connection between the remark in Exodus 40:34-35 and the revelation of the laws on sacrifices in Leviticus 1-7. This textual material is followed immediately by the consecration of the first priests in Leviticus 8.[271] This evidence increases the probability that the author(s) of the biblical texts intended to present Leviticus 1:1-8:35 as a story that took place on the first day of the first month after the Exodus. Leviticus 8:38 describes the priest carrying out the divine commands, whereas Leviticus 9:1 must be dated to the eighth day of the first month of the second year.

Although full support of Ruwe's interpretation בַּיּוֹם הַשְּׁמִינִי of in Leviticus 9:1 is impossible, his analysis is helpful in discovering a refined reconstruction of the chronological framework of Leviticus. I disagree with Ruwe when he states that it is important to realise that the chronological notation in Leviticus 9:1 is the only one in Leviticus that refers back to the larger time structure of the priestly narrative consisting of Exodus 19:1-2; 40:17; Numbers 1:1; 10:11-12.[272] בַּיּוֹם הַשְּׁמִנִי refers primarily to the day after the seven-day period of the priests'

268 Luciani (2005, 351, n. 37).
269 Nihan (2007, 57).
270 Milgrom (1991, 134).
271 Nihan (2007, 74, n. 22).
272 Ruwe (2007, 61).

isolation. Ruwe does overemphasise several matters. First, he says that Moses does not mention the eighth day in 8:33-35. This seems to me an *argumentum e silentio*, and it is not valid to say that there is too much discontinuity between chapters 8 and 9. The matter is quite clear: 8:36 describes how the priests execute the seven-day period of preparation, and 'the eighth day' in 9:1 is what follows after their isolation and preparation.

The first chronologism that has to be dealt with is Leviticus 7:36-38.[273] The phrase בְּיוֹם מָשְׁחוֹ אֹתָם in v 36 refers to the day of the consecration of the sanctuary in Leviticus 8 which connects the institutions about the sacrifices (Lev 1-7) with Leviticus 8. The chronological notes in v 37 and 38b are related to the sacrificial instructions in Leviticus 1-7.[274] All these instructions were given by God מֵאֹהֶל 'from the Tent' (1:1). Leviticus 1-7 as a whole presupposes a situation in which it was still possible to enter the Tent. Because Leviticus 8 is connected to Leviticus 1-7, God could not be approached in the circumstances described in that chapter. Therefore, Leviticus 1-8 is a *preparation* for the revelation of the glory of God in Leviticus 9 which takes place on the eighth day (9:1). The chronological remarks of 9:4 and 10:19 seem to refer to events mentioned in chapters 9 and 10 which take place in a single day.[275] That is why Ruwe draws the conclusion that Leviticus 9 and 10 take place on the same day, namely, the eighth day.

This information leads to the conclusion that there is a temporal caesura between Leviticus 8 and 9 and that Leviticus 1-8 describes the *preparation* for the revelation of the glory of God. The actual revelation of this glory takes place on the eighth day, and this event is described in Leviticus 9 and 10. The consequence of this exegetical choice is that there are two narrative units: Leviticus 1-8 and Leviticus 9-10. Because of the earlier remark that Leviticus 1:1 and Exodus 40:17 are connected to each other, we can conclude that Leviticus 1-8 takes place in the period between the first day and the seventh day of the first month of the second year after the Exodus. Therefore, Leviticus 9-10 takes place on the eighth day of the first month of the second year after the Exodus. In that way, the reader receives the impression that the consecration of the tabernacle, the beginning of the sacrificial service, and the death of Nathan and Abihu all take place on the same day.

The last chronological notation is found in Leviticus 16:1. Here it says that God spoke to Moses after the death of Nadab and Abihu. It not possible to say when this event took place.

273 Ruwe (2003, 62-65).

274 Because of the sacrifices being commanded, 7:37 functions as a summary of 6:1-7:35. Verse 38b seems to refer to the תּוֹרַת הָעֹלָה of 6:2, which introduces Lev 6-7. Ruwe (2003, 62-63) denies this and points out that words in v 38b (לְהַקְרִיב קָרְבְּנֵיהֶם) refer to corresponding terminology in 1:2-3; 2:1; and 3:1. Thus, v 38b refers to Lev 1-5. Ruwe calls v 38b a note of synchrony, emphasising that Lev 1-5 and Lev 6-7 belong together.

275 In 10:19, Aaron says to Moses that he brings חַטאת and עֹלָה on that day (הַיּוֹם); Ruwe (2003, 65-66) remarks that Lev 9 speaks of this event.

It could be on the eighth day, but it could also be later. The function of this remark is to connect the legislation that begins in Leviticus 16 to the events described in Leviticus 9-10, and therefore the narrator gives the impression that the institution of the Day of Atonement also takes place on the eighth day.

The use of time in the narrative

While Exodus and Numbers concerns a longer period, the whole book of Leviticus covers a period of probably less than a month. Strictly speaking, Leviticus covers a period of one month: from the first month of the second year (Exod 40:17) until the second month of the second year (Num 1:1). Because we do not know how much time elapsed before the events recorded in Leviticus 24 took place, we do not know what period Leviticus exactly embraces. We saw above that the main part of Leviticus (Lev 1-16) probably takes place within an eight-day period. If the extension of time is taken to be an indication of the importance of events, we must conclude that the events described in Leviticus play a prominent role in the whole of the Pentateuch.

In this study it is worth investigating how the narrator of Leviticus uses time to emphasise elements in the text. We find the first example of extended narrative time in Leviticus 1-8, a unit which consists of a description of seven chapters with sacrificial laws (1-7) and one chapter on the preparation for the ordination of priests (8). These events probably take place on the same day. The narrated period is extended using divine speeches on the sacrificial laws. In these chapters, there are three sets of laws on the sacrifices: speeches to the Israelites (1:1-5:26), to Aaron and his sons, (6:1-7:21) and to the Israelites (7:22-36). These chapters introduce chapter 8 and underline the importance of events that take place on that day. To emphasise the importance of the day, the narrator uses repetition: the sacrifices are repeated in 6:1-7:21.

The next chronological marker is 16:1, which says that God spoke after the death of Nadab and Abihu, an event that took place in 10:2, on the eighth day. Leviticus 16:1 establishes a connection between the day of the institution of the cult and the giving of the law on the Day of Atonement. The narrator creates the impression that these events took place on one day. There is an extension of narrated time through the laws on purity in chapter 11-15, which implies that these chapters must relate to the preceding and following chapters and even give the impression that what is described in chapters 9-15 took place on one and the same day. The narrator uses the means of repetition for the extension of time. Chapters 11-15 are all laws on the purity of the Israelites. The unique position of these chapters is also emphasised by the fact that most speeches are addressed to Moses and Aaron.[276]

276 See the overview on introductory formulas in 4.3.2.

After the chronological marker in 16:1, there are no more formal indications of time. The impression of a somewhat longer period is given by the story about the blasphemer who is detained (24:12) and stoned later (24:23). It is a new and longer period that is part of the sequence of time. Awareness of a time schedule occurs mainly in the first part of Leviticus and becomes less clear after chapter 17.

2.3.4.2 Place

Following Wenham, the following overview can be given of the places where the events took place:[277]

1) Egypt (Exod 1-12)
a. Journey (Exod 13-18)
2) Sinai (Exod 19-40; Lev; Num 1:1-10:10)
b. Journey (Num 10:11-15)
3) Kadesh (Num 10:11-12:15)
c. Journey (Num 20:22-21:35)
4) Plains of Moab (Num 22-36)

Based on this information, the events in the book of Leviticus take place entirely on Mount Sinai. Almost all events take place between the tabernacle, the place where God is, and a location in the vicinity of the tabernacle. God speaks from the Tent to Moses (1:1), and there is no indication that this location changes in the book. The scene changes in Numbers 1:1: here God speaks in the Sinai desert while His glory fills the tabernacle at the end of Exodus (Exod 40:34). This specific use of place is a factor which makes the book of Leviticus a unified whole. The only deviation from this rule is in the narrative of 24:10-23 which describes a place in the camp where the blasphemer curses (24:10-11), a place where he is temporarily kept in jail (24:12), and a place outside the camp where he is stoned (24:14). Nonetheless, even in this episode the decisive moment in the story is the judgment of God from the sanctuary (24:13).

2.3.4.3 Conclusion

In the book of Leviticus place – and more importantly – time play a role as literary devices to present a chronology that emphasises certain aspects. God remains in one place, and the impression arises that the events described in Leviticus 1-16 took place in a very short period: one day for Leviticus 1-8 and one day for Leviticus 9-16. These literary means stress the importance of the events described.

2.3.5 Functionality

As remarked earlier, the narrative of the Hebrew Bible is markedly functional, while the

277 Wenham (1981a, 18).

various details of texts are designed to serve the story. A number of remarkable aspects of functionality can be deduced from the data we mentioned earlier in this chapter. The first aspect is found in the structure of Leviticus 11. While vv 2b-40 have a somewhat monotonous character with much repetition, the author of Leviticus 11 uses sophisticated literary devices to connect the dietary laws with the holiness of the Israelites. The idea of the Israelites' holiness via the dietary laws reappears in 20:25.

A second aspect is the use of time. Leviticus 11 is part of a text which uses extended time: the author gives the impression that what is described in chapter 8-16 takes place in one day, while the events described in Exodus, Numbers, and probably even Leviticus 17-27 stretch over longer periods. The author probably emphasises the importance of the events through the use of extended time: the events that take place on the eighth day of the first month of the second year are of vital importance in the Pentateuch.

The third aspect is the dual use of the phrase: 'you shall distinguish between pure and impure'. In Leviticus 10:10 this is a law for the priests, and in 11:47 it becomes a law for the Israelites. It is also remarkable that Leviticus 11 is followed by laws in which the priests are responsible for purity (chapters 12-15). Therefore, the Israelites are obliged through the dietary laws to distinguish between pure and impure, and the role of the priest in distinguishing between pure and impure is present in the background. Through these descriptions, the author gives an impression of a community of priests and Israelites who bear responsibility for distinguishing between pure and impure. Within this community, the priests play the main role and are not excluded from the responsibility to control observance of the dietary laws. We might even expect that the priests, as vital persons in the community, play an important role in this observance.

2.3.6 Conclusions

The narrative analysis shows that the text of Leviticus is a unified whole with a specific use of space and time. God remains in one place: He is in the Tent and speaks from the Tent or sends out his fire from the Tent. A study of the chronology demonstrates that there is a caesura between chapters 8 and 9: the first day is a day (1-8) of preparation for the institution of the cult and the eighth day (from chapter 9 and further) is when the cult is instituted. The laws in chapters 1-7 and 11-15 are thus examples of extended narrated time and function to accentuate the importance of the first and the eighth days. Verse 16:1 connects chapter 16 to the eighth day in chapter 9-10.

In Leviticus, the position of God is dominant, and the role of humans is less important. Only in longer narrative texts is there more information about the human characters. Moses is the central human character; he is the mediator and instructor. In chapter 8, he brings sacrifices.

His role becomes a bit less important, however, in chapter 9 when the priesthood is instituted and when the sacrifices are offered by Aaron and his sons. After chapter 9, the role of Aaron and his sons becomes more prominent. They become persons who – within the limitations of the law – can make decisions in the area of holiness and purity. In the only dialogue in the book (10:16-20), Moses respects these decisions. This interpretive role of the priests in matters of purity plays an important role in Leviticus 11-15, although the priests are not mentioned in chapter 11. The specific role of the priest distinguishing pure and impure animals was not studied in other publications and will be investigated further in the sections and chapters that follow.

2.4 Structural analysis

The second step in the synchronic reading of Leviticus is structural analysis. The function of this section is to describe the structure of Leviticus 11 (microstructure) and of Leviticus as a whole (macrostructure). Through structural analysis, we deepen our understanding of the text and, ultimately, of the practical relevance of the dietary laws.

2.4.1 Methodology

One aspect of the search for structure is the determination of divisions between texts and connections between texts. The search for divisions and connections is based as much as possible on formal criteria – which are relatively objective arguments – like repetition of words. We will also look at division markers, which are indications that texts are not connected, and at formal criteria that point to the unity of texts.

Formal criteria in structural analysis

The study of Leviticus concentrates on repetition, which is a distinctive mark of Hebrew narrative literature.[278] D.J.H. Beldman says that repetition is an extremely powerful literary device, and he uses Alter's description of repetition in narrative.[279] Alter discusses five forms of the phenomenon, some of which are relevant for this study.[280] These are the repetition of the *Leitwort*,[281] the repetition of the *motive*, which may be intermittently associated with a *Leitwort*, repetition of a *theme*, repetition in a *sequence of actions* and, repetition in the *type scene*. The use of *Leitwörter* is the clearest form of repetition. We find examples of repetition of the same words or sentences in strategic places in a text. This strategic placwement of *Leitwörter* becomes clear in Alter's remark that these words can be combined with the repetition of scenes or type scenes. In fact, the repetition of *Leitwörter*, words, and sentences are formal indications that a text forms a literary whole. In the analysis of the narrative framework of Leviticus and in the analysis of

278 Alter (2011, 111-142), Fokkelman (1995, 115-125), Bar-Efrath (1989, 211-215).
279 Beldman (2012, 85-86).
280 Alter (2011, 120-121).
281 Alter (2011, 120).

Leviticus 11, this study pays close attention to the presence of *Leitwörter*.

Objective criteria are also helpful in locating division markers. A division marker is a linguistic indication in a text that marks where one section ends, and a new one begins. With Fokkelman, we can point out that we can find well-structured literary units in the biblical text,[282] which may lead to the conclusion that the beginning and end of such literary wholes are division markers. D.J. Baker lists characteristics of division markers, which he applies to the first seven chapters of Leviticus.[283] We will look at three aspects of Baker's characteristics that are relevant for this study:

1. The text contains a different subject than the immediately preceding text.
2. A text indicates a new element of divine speech, in this case instruction, as well as stating the place where the revelation was given.
3. There are no syntactic relationships with the immediate context.

For the purposes of this study, it is necessary to concentrate on the function of introductory formulas as division markers in the text of Leviticus. Zenger remarks that there are significant differences in the introductory formulas of Leviticus, which may lead to further classification and to the discovery of division markers.[284] He mentions introductory formulas with two synonyms instead of one word (the normal formula).[285] Thus, he points to linguistic phenomena that are unusual in the context of comparable phenomena. Hieke follows E. Zenger and points to the importance of introductory formulas as indications of divisions between texts.[286]

2.4.2 Microstructure

At first glance, the microstructure of Leviticus 11 seems quite simple, but the variety of divisions in Bible translations, commentaries, articles, and monographs reveals a complicated structure. This section examines the most probable explanation of the microstructure through an analysis of the content. After a general overview of the text, the proposed divisions and methods used will be evaluated. A separate section presents an overview of the different views on the purpose of the text, followed by the question of the extent to which

282 Fokkelman (2003, 13-14).

283 Baker (1979, 9-12) also mentions other elements like comparisons with division markers in texts from the Levant and specific formulas, but they cannot be viewed as essential criteria. These division markers can be used to discern both redactional layers and important divisions that do not point to redactional layers. For this section of my study, I use the criteria regarding the last purpose. Cf. Baker (1979).

284 My remarks are based on Zenger (1999, 65-68). Zenger responds to M. Noth (1962, 2) who says that the structure of the book of Leviticus is determined solely by the recurring introductory formula 'And YHWH spoke to Moses'.

285 Zenger (1999, 65) mentions a double use of a *verbum dicendi* in 1:1 and 16:1, while other places only show a single use of it.

286 Hieke (2014a, 55-56).

these views help clarify the microstructure.

The first division is based partly on my own interpretation and partly on the observance of modern translations[287] and does not distinguish between important or unimportant caesuras:

Verse	Content
1	Introductory formula a: Actual narrative, where God's action is described
2a	Introductory formula b: commission to speak
2b-8	Land animals
9-12	Aquatic animals
13-19	Birds
20-23	Flying insects
24-25	Contamination from touching and carrying a carcass or a part of it
26-28	Contamination through touching carcasses of certain animals with a different type of foot or that chew the cud[288]
29-30	Eight swarming animals whose carcasses cause contamination
31-38	The ways carcasses can contaminate objects
39-40	Contamination through contact with carcasses of pure animals
41-42	Prohibition against eating animals that creep on the ground and whose bellies touch the ground
43	Prohibition against becoming contaminated
44	Holiness, relating to dietary laws
45	The command to be holy
46	The law concerning all animals: land, sea, air
47	Necessity of distinguishing between what is pure and impure and what may be eaten and what may not be eaten

Based on caesuras that exist in most translations, the following rough division is possible:

- V 1 and v 2a are one introductory sentence;
- Vv 2b-23 are one unit on eating pure of impure animals;
- Vv 24-40 concern contamination from touching carcasses;
- The fragmented passage of vv 41-47 is considered one unit.

287 I only give an overview of vv 34-47, where the divisions are complicated:
(1) A threefold division, i.e., 24-38, 39-40, and 41-47 (NBG, WV, HSV).
(2) A fourfold division, i.e., 24-28, 29-38, 39-40, 41-45, and 46-47 (NBV, RSV, GNB, ASV, ESV, NAS, KJV, DBY, OJV, WEB).
(3) A fivefold division, i.e., 24-28, 29-38, 39-40, 41-43, and 44-47 (BGT).
(4) A sixfold division, i.e., 24-25, 26-28, 29-38, 39-40, 41-45, and 46-47 (NIV).
(5) A fourfold division, i.e., 24-25, 26-28, 29-3, and 39-47 (NET).

288 See chapter 1.1 for textual criticism on v. 26.

This division is based on the most obvious observations, while the basis for the final subdivision lies mainly in the evaluation of the arguments we find in studies of this chapter. The next step is to focus on the formal (linguistic) arguments.

2.4.2.1 Introduction (vv 1-2a)

This part consists of two parts: the message that God speaks to Moses and Aaron (v 1) and the commission to speak to the Israelites (v 2a). Because v 1 is part of the narrative about events that happen and v 2a is part of God's speech, one can argue for a caesura between vv 1 and 2. Hartley splits Leviticus 11 into two main parts: the introductory formula (v 1) and the speech (vv 2-47).[289] Kiuchi describes vv 2-23 as a unit on pure / permitted creatures.[290] He does not pay attention to the fact that v 2a is a separate part about the commission to speak, which itself is given in vv 2b-47. We face the same problem in Wenham,[291] who argues that vv 2-3 are about permitted land creatures. Wenham says that 'this' or 'these' signals the beginning of new sections and that such a beginning can also be found in v 2.[292] The problem is that this word occurs in v 2b. It is clear v 2a was neglected in the divisions proposed by Wenham and Kiuchi. Nonetheless, many scholars connect v 1 with v 2a.[293] Verses 1 and 2a belong together because v 2a is an introduction to all of chapter 11. Another reason to interpret v 1-2a as a literary unit is the fact that such a construction also occurs elsewhere in Leviticus.[294]

Moskala introduces a further nuance concerning the microstructure of these verses; he points to an *inclusio* in vv 1-2a/b[295] and vv 46-47:[296]

Introduction (vv 1-2)	Conclusion (vv 44-47)
יהוה	יהוה
זֹאת	זֹאת
חַיָּה	חַיָּה
תֹּאכְלוּ	תֵּאָכֵל לֹא
זֹאת הַחַיָּה אֲשֶׁר תֹּאכְלוּ	זֹאת ״ הַחַיָּה אֲשֶׁר לֹא תֵאָכֵל

289 Hartley (1992, 151-152).
290 Kiuchi (2007, 193).
291 Wenham (1979, 165).
292 Wenham (1979, 164).
293 Levine (1989, 66), Milgrom (1991, 643), Hieke (2014a, 414), J. Sklar (2014, 165).
294 1:1-2a; 4:1-2a; 6:1-2a, 17-18a; 12:1-2a; 15:1-2; 17:12-2a; 18:1-2a; 19:1-2a20:1-2a; 21:1-2a22:1-2a; 23:1-2a25:1-2a.
295 The problem is that Moskala (2000, 179) points to words that do not belong to the introductory formula. These are the last four sentences mentioned by Moskala. That is why I correct his calling it 1-2a by calling it 1-2a/b instead.
296 Moskala (2000, 179, 184-186).

Based on this *inclusio*, it is possible to interpret the sentence up to the description of animals (beginning at v 3) as a unit. The problem in Moskala's structural analysis is that it is not related to the content: a description of the fact that God speaks plus a divine order to speak form a unit. The command what to eat, belongs to the next verse (v 2b). If the author really used literary devices like the repetition of words to create an *inclusio*, then this *inclusio* is not related to the content. In any case, Moskala does not help us understand what the text wants to communicate.

2.4.2.2 Animals permitted and forbidden for consumption (vv 2b-23)

Most scholars acknowledge the relative simplicity of the structure of this part of the chapter. The verses are divided according to the three areas where animals live: land (vv 2b-8), water (vv 9-12), and sky (vv 13-23). The verses concerning animals in the sky contains a subdivision between birds (vv 13-19) and flying insects (vv 20-23). A complexity arises from the fact that the verses are not only about eating: v 8b speaks about the prohibition against touching the carcasses of camels, hyraxes, hares, and pigs, and v 11 concerns the prohibition against touching the carcasses of impure aquatic animals.

G.A. Rendsburg points to an *inclusio* in Leviticus 11 concerning the place of land animals in the whole of the text. He bases his arguments on the specific verbal form הַמַּעֲלֶה in v 45.[297] All other examples of this verb in the Pentateuch have different verbal forms. Rendsburg says that the specific form chosen in Leviticus 11:45 can be explained by the use of the same verbal form in vv 3, 4, and 5 for 'chewing the cud'. The author of Leviticus 11 used this form to create an *inclusio*. This observation by Rendsburg seems correct because the author of Leviticus 11 uses an unusual verbal form to make connections between parts of the text. Here, a connection is made between pure land animals and the exodus (v 45).

The text of Leviticus 11 is characterised by crucial words like טָמֵא, 'impure', טָהוֹר, 'pure', שֶׁקֶץ, 'abomination', קָדוֹשׁ, 'holy', and אָכַל, 'to eat'.[298] Many of these central concepts appear in the context of short sentences that may have functioned as a refrain in a speech. The text begins with a sentence about the consumption of pure animals in vv 2b-3, which contain a repetition: זֹאת הַחַיָּה אֲשֶׁר תֹּאכְלוּ, 'These are the living beings you may eat', and וּלְכֻאת הִתָּאֹ, 'you may eat'. We find these sentences at the beginning and the end of vv 2b-3. The section about impure four-footed land animals begins with אַךְ אֶת־זֶה לֹא תֹאכְלוּ, 'but this you may not eat', and is followed by the fivefold repetition of טָמֵא הוּא לָכֶם, 'it is impure for you/they are impure for you' (vv 4b-8), at the end of each prohibition. In v 8, the plural טְמֵאִים is used because the text points at the four impure hybrid animals. The section about aquatic animals (vv 9-12) begins with the following repetition at the beginning and the end of v 9: אֶת־זֶה תֹּאכְלוּ, 'these you

297 Rendsburg (1993, 418-419).

298 Moskala (2000, 176-254) points to the importance of these and other words in Leviticus 11.

may eat', and אֹתָם תֹּאכְלוּ, 'you may eat'. In the following verses (vv 10-12), forms of the verbal root שׁקץ dominate: vv 10 and 12 end with שֶׁקֶץ הֵם לָכֶם, 'they are an abomination for you', whereas v 11 presents the following ABA structure:

וְשֶׁקֶץ יִהְיוּ לָכֶם	They are an abomination for you
מִבְּשָׂרָם לֹא תֹאכֵלוּ	You shall not eat of their flesh
וְאֶת־נִבְלָתָם תְּשַׁקֵּצוּ	and you shall detest their carcasses

The section about the birds (vv 13-20) contains an ABA structure only at the beginning:

וְאֶת־אֵלֶּה תְּשַׁקְּצוּ	And you shall detest these types of birds
מִן־הָעוֹף לֹא יֵאָכְלוּ	they shall not be eaten
שֶׁקֶץ הֵם	they are an abomination

The section about other flying animals (vv 20-23), the refrain שֶׁקֶץ הוּא לָכֶם, 'they are an abomination for you', is placed at the end of the first and last sentence (vv 20, 23). The central verses (vv 21-22) begin with אַךְ אֶת־זֶה תֹּאכְלוּ, 'you may eat', and אֶת־אֵלֶּה מֵהֶם תֹּאכֵלוּ, 'you may eat these'.

2.4.2.3 On contamination through contact with carcasses (vv 24-40)

Based on the content, it is obvious that a new section begins with v 24: the text does not speak about food that may or may not be eaten but about contamination.[299] In addition to a change in content, Hartley points to a change in style:

Instead of direct address in the second person, the typical sentence has an imperfect verb with a participial clause as its subject. The style throughout this section then is more impersonal than that of the first section.[300]

The change in the use of words that indicate impurity is remarkable: vv 3-8 and vv 24-40 use טָמֵא, 'impure', while vv 9-23 and v 42 use 'abomination', שֶׁקֶץ.[301] Both words appear in v 43.
The unit of vv 24-38 is distinct from vv 39-40[302] because vv 24-38 speak about contamination from touching carcasses of impure animals, while vv 39-40 speaks about touching and eating carcasses of pure animals. There is also disagreement about the division of vv 24-38. Translations rarely take these verses as a closed unit.[303] Sometimes, vv 24-28 are interpreted

299 Hieke (2014a, 424), M.F. Rooker (2000, 178).
300 Hartley (1992, 154).
301 See the overview in Moskala (2000, 180-181).
302 Bible translations where we find this distinction are the Dutch translations BGT, NBV, RSV, GNBD and the English translations ASV, ESV, NAS, KJV, DBY, OJV, WEB, NET, and NIV. (1983, 47), Milgrom (1991, 671), Gerstenberger (1993, 130), Hartley (1993, 162-163), Rooker (2000, 179), Kiuchi (2007, 193), Hieke (2014a, 428-429), Sklar (2014, 171).
303 NBG, WV, HSV.

as a unit,[304] and sometimes a caesura is inserted between vv 25 and 26.[305] This caesura can be an expression of the idea that vv 24-25 describes a common rule. A separate beginning in v 29 is presupposed because the description of a group of animals begins there.

Several scholars point to the existence of an *inclusio* in vv 24-28. Levine says:
'Again, we have an *inclusio*: Verses 24-25 are virtually repeated in verses 27b-28; what intervenes here in verses 26-27a does not state the exceptions but rather details the rule'.[306]
Milgrom refined Levine's interpretation by pointing to the structure of vv 24-28, which he describes as a palistrophic, introverted structure (A B X B' A').[307] In his reconstruction, the central section is vv 26-27a (A X A') to which v 26b itself is central with the sentence יִטְמָא כָּהֵם כָּל־הַנֹּגֵעַ (X). Milgrom's interpretation was supported by Hieke.[308] Because the unit has many similar words that are arranged chiastically, this interpretation is highly probable. The most important result of the structural analysis is the centrality of v 26b, which points to the importance of the prohibition to touch.

Kiuchi interprets the text of vv 24-28 as a closed unit.[309] His analysis is similar to those by Levine and Milgrom, when they point to the similarity between vv 24b-25 and vv 27b-28. He describes both texts as having to do with 'touching and carrying carcasses'. The central part is defined differently as 'regarding various kinds of quadrupeds that die' (v 26) and as 'various kinds of animals that walk on four legs that die' (v 27a). Kiuchi interprets vv 24-28 as a closed unit on defilement through the death of quadrupeds and describes the whole unit as 'carcasses of *impure* quadrupeds, and their defilement'. In his structural analysis, he views this unit as parallel to vv 39-40, which he describes as concerning 'carcasses of *pure* quadrupeds'.[310] Kiuchi's explanation is disputable because he pays little attention to aspects like word repetition. In any case, there is no obvious case of repetition in the pericopes of vv 24-28 and vv 39-40.
Scholars who argue for a caesura between vv 25 and 26 fall into two groups. In the first interpretation, vv 24-25 is a separate unit that is connected to vv 20-23, the unit about flying insects.[311] In the other interpretation, vv 24-25 is a general statement that introduces the

304 The Dutch translations NBV, RSV, GNBD and the English translations ASV, ESV, NAS, KJV, DBY, OJV, WEB.
305 NIV, NET.
306 Levine (1989, 69).
307 Milgrom (1991, 670).
308 Hieke (2014a, 426-427).
309 Kiuchi (2007, 198).
310 Kiuchi (2007, 193).
311 Wenham (1979, 175) says: 'Verses 24-25 explain how these rules apply to the flying insects in the previous section.' Hartley (1993, 152) calls it 'uncleanness communicated by a flying insect.' Cf. also Keil (1870, 91). According to Milgrom (1991, 667) this point of view can already be found in Ibn Ezra.

following verses.[312] In chapter 2, I chose the translation 'only the following', because it introduces a section with a different content.

The question remains about the specific position of vv 24-25 in vv 24-28: is it a general statement for the whole of vv 24-38 or as part of vv 24-28. An example of the last approach can be found in the poetic structure of vv 24-28 as proposed by Kiuchi: v 24b is repeated in vv 27b-28 and therefore is part of the unit called 'defilement by the death of quadrupeds'.[313] Through this choice, Kiuchi is able to connect vv 24-28 with vv 39-40 and to connect vv 29-38 with vv 40-42 through the following structure:

II *Defilement caused by the death of the quadrupeds and swarming creatures (vv 24-42)*

A Carcasses of *impure* quadrupeds and their defilement (vv 24-28)
B Swarming creatures and defilement by coming into contact with their carcasses (vv 29-38)
A' Carcasses of *pure* quadrupeds (vv 39-40)
B' Swarming creatures with special emphasis on multifooted ones.[314]

The best choice is to interpret vv 24-25 as an introduction to vv 26-40, a passage that talks about direct or indirect contamination through physical contact with carcasses. These verses introduce the text about carcasses of three groups of animals: the ones from vv 26a, 27a, and 29-30.[315] All these three groups end with a warning against contamination and a call for purification (vv 26b, 27b, 28, 31). One may object to this choice, given that there is a chiasm in vv 24-28. I do not support this statement, because a chiastic structure – even if based on a repetition of words and sentences – does not need to point to unity regarding content. The content of vv 24-28, as we have delimited the passage, is as follows: vv 24-25 present the general rule for vv 26-40; vv 26-27 present the specific case of carcasses of one species of quadrupeds; and in vv 27b-28 the rule is repeated and probably applied to the specific case of quadrupeds.

312 Hieke (2014a, 24) calls vv 24-25 the 'Grundsatz für das Folgende'; see also Gispen (1950, 190), Maarsingh (1974, 97); Sklar (2014, 169-170). According to Milgrom (1991, 667), this point of view can be found in Rashi, Rashbam, Ramban. Cf. also *Sipra*, Shemini 4:1ff.
313 Kiuchi (2007, 198).
314 Kiuchi (2007, 193).
315 This division can be found in Houston (1993, 31). Hieke (2014a, 414) presents the following structure:
24-40 Unreinheit durch Kontamination mit Aas
24-25 Grundsatz für das Folgende
26-28 Im Blick auf V 3-8 (Vierfüßer)
29-30 Das Kleingetier auf der Erde (»unrein«)
31-40 Umgang mit Unreinheit durch Kontamination mit Aas
Hieke refers to Houston in his commentary (1993, 29-31).

If we assume that vv 24-25 form an introduction to the laws on contamination that we find in the unit of vv 26-38 and beyond, there is still some question about the interpretation of the word אֵלֶּה in v 31. The first and most accepted interpretation is to connect the word with the animals mentioned in vv 29b-30.[316] An alternative interpretation can be found in Kiuchi, according to whom אלה, 'these', does not refer to the animals listed above but 'to all the rules up to v 38'.[317] An objection to Kiuchi's proposal concerns the use of שֶׁרֶץ. The eight animals mentioned in vv 29b-30 are described as impure through the sentence בַּשֶּׁרֶץ הַשֹּׁרֵץ עַל־הָאָרֶץ וְזֶה לָכֶם הַטְּמֵא, 'And these are, for you, the impure among the swarming animals that swarm upon the earth' in v 29a, while v 31a reads: אֵלֶּה הַטְּמֵאִים לָכֶם בְּכָל־הַשֹּׁרֵץ 'These are the impure (ones) for you among all the swarming creatures'. The Hebrew words for impure (טמע) and creeping animals (שׁרץ) in v 31a seem to refer to the words in verse 29a. If this reconstruction is correct, then vv 31-38 refer to forms of contamination from touching the carcasses of the eight animals mentioned in vv 29b-30.

Based on the discussions on vv 24-38, we can reconstruct the content of vv 24-38: the passage begins with a description of the general rule on contamination through contact with carcasses (vv 24-25), followed by several specific cases:

1. All four-footed animals that have hoofs and without clefts through the hoofs or does not chew the cud (v 26a).
2. Everything that walks on paws among all living beings that walk on four (feet) (v 27a).
3. The eight swarming creatures that swarm upon the earth (vv 29-30).

In the case of all three categories mentioned, the text remarks that touching and, in some cases, carrying the carcasses of these animals, causes impurity. In the case of the third category mentioned, extra rules on contamination are added (vv 31-38). These extra rules are about contact between the carcasses of the eight animals that are mentioned and different kinds of objects.

Because these verses describe the prohibition against touching the carcasses of pure animals, we can reflect on the specific position of this unit within the whole of Leviticus 11. In this chapter we find the following pattern: vv 39-40 connect vv 24-38, the part about contamination through physical contact, with vv 41-43, a unit about impurity through eating. In his commentary, Kiuchi proposes a connection between vv 39-40 and vv 41-42, the unit about the prohibition against eating creatures that swarm.[318] These four verses build to a

316 Milgrom (1991, 672) refers to Ibn Ezra and says that אֵלֶּה הַטְּמֵאִים לָכֶם, 'only these eight', is repeated (see v 29) for emphasis; cf. also Gispen (1950, 1920).
317 Kiuchi (2007, 199).
318 Kiuchi (2007, 200-201).

climax. Verses 39-40 speak about 'eating' and 'carrying' which represent higher degrees of defilement. Kiuchi calls vv 39-40 an expansion of the rule in v 8. He says that what is not mentioned in vv 29-40 is mentioned as an afterthought in vv 41-42. The prohibition against eating these animals is 'mentioned as an ironic statement of the unthinkable'. [319] His reconstruction is based on a structural analysis with specific arguments.[320]

Kiuchi presents a division into four parts that is based primarily on the content of the chapter: pure / may be eaten and impure / may not be eaten creatures (vv 2-23), defilement caused by death of the quadrupeds and swarming creatures (vv 24-42), a summary and purpose of observing the laws (vv 43-45), concluding remarks (vv 46-47). In the third unit, Kiuchi defends an ABAB-structure:

A Carcasses of *impure* quadrupeds, and their defilement (vv 24-28)
B Swarming creatures and defilement by coming into contact with their carcasses (vv 29-38)
A' Carcasses of *pure* quadrupeds (vv 39-40)
B' Swarming creatures with special emphasis on multi-footed ones (vv 41-42)

In his reasons for dividing the chapter as he does, Kiuchi says that the rules in this chapter are arranged with a view to highlighting the defiling power of the swarming creatures. He uses four arguments.

First, Kiuchi says that in vv 2-23 the lawgiver paves the way to what he really wants to stress by mentioning carcasses and the swarming nature of the creatures. It is remarkable that the swarming creatures are introduced in v 29 as a new theme, just after the carcasses of the impure quadrupeds (vv 24-28). Second, vv 20-21, 23, 27 pave the way for some of the reptiles (vv 29-30) by regulating that the four-legged insects are impure. The arrangement is as follows: quadrupeds with divided hoofs (no full contact with the ground) - vv 2-8; four-legged insects - vv 20, 23; quadrupeds that walk on paws (full contact with the ground) - vv 26-27; swarming creatures moving on, or nearly on, their belly - vv 29-30. Thus, there is an unmistakable emphasis on four legs in the flow of the rules, which shows that the impurity of the four-legged creatures lies in the fact that they have close contact with the ground: hoofs may be regarded as preventing full contact with the ground.

Third, it is the legislator's intention to present the materials so as to *focus gradually* on the swarming creatures and their devastating defiling power. This is visible in key terminologies in relation to each of the sections and the way in which new elements such as carcasses and

319 Kiuchi (2007, 201).
320 Kiuchi (2007, 193-195).

touching are introduced. He says that שֶׁקֶץ is stronger than טָמֵא, which occurs more often in the course of the chapter. When we say that some creatures are detestable, it is self-evident that they ought not to be eaten or touched.

Fourth, vv 2-23 only mention eating and touching, whereas the latter part is restricted to *touching the carcasses*. Verses 24-38 mention not only touching the carcasses but also *carrying* them. The apparent indifference of vv 24-38 to the diet of the Israelites and not mentioning the consumption of any swarming creature can be explained partly by the fact that the section concentrates on the defiling power of the swarming creatures and partly by the fact that it is part of the section that eating any swarming creature is completely prohibited. This is clear from v 34, which deals with swarming creatures even defiling food.

The problem with Kiuchi's interpretation is that the reconstruction is based on two kinds of argument: a chiastic structure that is only partially based on linguistic arguments and the idea that vv 41-42 function as a climax with an allusion to the snake in paradise. The absence of word repetition and the absence of remarkable grammatical constructions weaken Kiuchi's case. He points at word plays with שֶׁקֶץ, טָמֵא and שֶׁרֶץ, and says that these words point at the fact that the use of these words work towards a climax in vv 41-42.[321] My problem with the ABAB structure of vv24-42 is that vv 41-42 speak about eating, and not about touching or carrying carcasses. Vv 41-42 rather seem to restart texts on eating, a theme that has stopped after v 23. Another weakness is the fact that the snake is not mentioned in vv 41-42. We will deal with the question of the climax the next section.

2.4.2.4 The final verses (vv 41-47)

Most scholars agree that there is a caesura between vv 45 and 46. Verses 41-45 concern the prohibition against eating several swarming animals with a reference to the call to holiness. Verses 46-47 are a concluding statement about laws concerning animals on land, in the water, and in the air (v 46) and form a structured unit about the command to distinguish between animals (v 47). Hartley[322] points to the following structure in v 47:

A הַטָּמֵא 'the impure'	B' הַחַיָּה הַנֶּאֱכֶלֶת 'living things which may be eaten'
B הַטָּהֹר 'the pure'	A' הַחַיָּה אֲשֶׁר לֹא תֵאָכֵל 'living things which you shall not eat'

Because this AB'BA' structure is based on formal linguistic criteria, we support this analysis. Comparing this passage with Leviticus 7:37-38 – similar verses that conclude the section on the sacrificial laws – clarifies that vv 46-47 are the conclusion of the chapter.[323] The fact that v

321 Kiuchi (2007, 194, 195).
322 Hartley (1993, 155).
323 Hieke (2014a, 432).

46 begins with זאת is also an indication of the beginning of a new unit.[324]

In his commentary Milgrom notices three chiastically structured literary units. The first Milgrom points to is vv 41-42:[325]

A And *every* (כֹּל) swarming creature that swarms upon the earth, it is an *abomination* (שֶׁקֶץ),
B it shall *not be eaten* (יֵאָכֵל לֹא).
C *Anything* (כֹּל) that goes upon its belly and anything (כֹּל) that walks on four (feet) up to *anything* (כֹּל) that has many (feet), concerning all swarming creatures that swarm upon the earth –
B′ you shall *not eat* (תֹּאכְלוּם לֹא) them,

A′ because they are an *abomination* (שֶׁקֶץ).

According to Hieke, Milgrom's overview emphasises that no single swarming animal upon the earth can be eaten.[326] The basis for this statement is probably that the prohibition against eating any of the swarming creatures is the content of the axis of the chiasm (C). It is correct that there are creatures that can be eaten among other kinds of animals: land quadrupeds, fish, birds, and flying insects.[327]

The second chiastic, introverted structure is found in vv 43-44:[328]

A Do not defile (אַל־תְּשַׁקְּצוּ) yourselves (נַפְשֹׁתֵיכֶם) by any creature that swarms (בְּכָל־הַשֶּׁרֶץ הַשֹּׁרֵץ).
B_1 Do not make yourselves impure (וְלֹא תִטַּמְּאוּ) through them and become impure (וְנִטְמֵתֶם),
B_2 For I the Lord am your God (כִּי אֲנִי יְהוָה אֱלֹהֵיכֶם)
B'_1 You shall sanctify yourselves (וְהִתְקַדִּשְׁתֶּם) and be holy (וִהְיִיתֶם קְדֹשִׁים),
B'_2 for I [your God] am holy (כִּי קָדוֹשׁ אֲנִי).
A′ You shall not contaminate (וְלֹא תְטַמְּאוּ) your throats (אֶת־נַפְשֹׁתֵיכֶם) with any swarming creature that moves (בְּכָל־הַשֶּׁרֶץ הָרֹמֵשׂ) upon the earth.

The third chiastic structure Milgrom points to is in v 45:[329]

A Because I am Yhwh (כִּי אֲנִי יְהוָה)
X who brought you from the land of Egypt in order to be your God, you shall be holy,
A′ because holy am I (כִּי קָדוֹשׁ אֲנִי).

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324 Wenham (1979, 164) says: 'The chapter falls into six main sections, each introduced by "this" or "these" (vv 2, 9, 13, 24, 29, 46).'
325 Milgrom (1991, 683).
326 Milgrom (2014, 429).
327 Milgrom (1991, 683), Hieke (2014a, 430).
328 Milgrom (1991, 683-684). I use Milgrom's structure and my own translation.
329 Milgrom (1991, 687). I use Milgrom's structure and my own translation.

Because of the high frequency of repetitions, there is evidence for the two chiasms in vv 43-44 and v 45. The chiasm of vv 41-42 is less convincing, because there are not as many parallel words. Nonetheless, it is possible to see a literary unit in vv 41-45 because of the number of striking word repetitions. These three chiasms show that, towards the end of the chapter, the author uses more sophisticated literary forms than in the earlier verses. In support of this statement, we can also point to the chiasm in v 47, which I mentioned before. For the purpose of subdividing vv 41-45, we can make a distinction between vv 41-42, vv 43-44, and v 45. This information must be related to the content of vv 41-45.

Verses 41-45 contain elements that distinguish them from the surrounding texts and elements that connect it to those texts. The first element that distinguishes it is vv 41-42, which speaks of eating different kinds of swarming creatures, which are classified as שֶׁקֶץ. The use of שֶׁקֶץ contrasts with vv 24-40, which only uses טָמֵא a word that describes impurity caused by touching impure things. Verse 43 commands the Israelites not to defile themselves by eating the swarming creatures that vv 41-42 mention. Here, the use of both שֶׁקֶץ and טָמֵא distinguish this text from the surrounding texts. This is the first time in Leviticus 11 these words are used together. Verse 44 is a call for holiness, based on the declaration that YHWH himself is holy. The command to be holy is combined with the prohibition against eating swarming creatures. The last sentence (v 45) is about the command to be holy, combined with a reference to the exodus.

In addition to the above elements, the text also shows connections to different parts of the verses. In vv 41-42 God says that people are not allowed to eat anything שֶׁקֶץ, and three classes of animals can be distinguished: everything that moves on its belly, everything that walks on four (feet),[330] and everything that has many (feet). Eating these creatures is described as שֶׁקֶץ. The next verse (v 43) continues to speak about creatures that are שֶׁקֶץ and adds the word טָמֵא to שֶׁקֶץ to describe their impurity. It is possible that the use of both words underscores the seriousness of the prohibition.[331] Verse 44 speaks about animals that contaminate (תְּטַמְּאוּ) and adds the command to be holy. The last verse (v 45) picks up the holiness theme mentioned in v 44 and stops speaking about the prohibition against eating שֶׁרֶץ.

The sequence of subjects mentioned in vv 41-45, can be illustrated by an overview based on content and partly on word repetition:

330 Because of the context of vv 41-42, Gispen (1950, 193) thinks of animals like mice and rats.
331 Hieke (2014a, 430).

Verses				
41-42	Do not eat שֶׁרֶץ; use of שֶׁקֶץ			
43	Do not eat שֶׁרֶץ; use of שֶׁקֶץ	טָמֵא added		
44	Do not eat שֶׁרֶץ; use of תִּתַּמְּאוּ		And you will be קְדֹשִׁים, because I am קָדוֹשׁ; use of קדשׁ	
45			And you will be קְדֹשִׁים because I am קָדוֹשׁ; use of קדשׁ	for I the Lord your God, am the one who brought you from the land of Egypt; theme of the Exodus

2.4.2.5 Remarks on the general structure

The divine speech consists of three parts: the reference to animals that could and could not be consumed (2b-23), contamination through contact with carcasses (24-40), eating swarming creatures, and the holiness of the people (41-45). Based on our structural analysis, we already saw that these parts belong together. There is a pattern in the divine speech where certain key words dominate:[332]

A (2b-23) animals that may and may not be eaten (שׁרץ dominant, sometimes טמע)
B (24-40) contamination through contact with carcasses (Only טמע)
A′ (41-45) eating swarming creatures and the holiness of the people (שׁרץ dominant, sometimes טמע)

Eating is the first thing the first unit (vv 2b-23) speaks about, followed by a sudden interruption where attention is drawn to forms of contamination through contact with carcasses (vv 24-40). After this interruption, the speaker brings the hearer back to eating (vv 41-45). The chiastic character is strengthened by the inclusion of the words 'chewing the cud' in vv 3, 4, 5 and הַמַּעֲלֶה in v 45: parts of A and A′ are related by an *inclusio*.

The rhetoric of the text is not explained by simply stating that it is a chiasm whereby A and A′ are equivalent, but we can argue that these units are partial repetitions. To begin with vv 2b-23, we are struck by the list-like character of the text, which is clarified by the way

332 Milgrom (1991, 691), Houston (1993, 28-32) and Sklar (2014, 165-172) have this threefold subdivision but do not speak of a chiasm.

Houston describes the rhetoric of the Priestly writer in the translation of Leviticus 11.[333] I will give an example of this from verse 2b-4:

These are the living beings that you may eat of all the four-footed animals living on land

[a] any animal with hoofs
[a'] and with clefts through the hoofs
[b] and chew the cud
you may eat.

But … you shall not eat the following

[a] of those that chew the cud
[b] or have hoofs:
the camel
because it chews the cud
but has no hoofs:
it is impure for you

These are the living creatures you may eat

In the overview, Houston shows that the text of Leviticus is an enumeration of rules that looks like a list. The repetition of certain commands and descriptions of the good or wrong character of certain animals is remarkable. Verses 2b-23 confronts us with the commands 'you shall not eat' (לֹא תֹאכְלוּ) or 'you shall eat' (תֹּאכְלוּ).[334] These commands run through the whole unit, and the hearers had to be aware of them. At the end of the verses, we always find the message that certain animals are impure or an abomination for the Israelites: impure (טָמֵא) in vv 2b-8 and an abomination (שֶׁקֶץ) in vv 9-23.[335] These words are placed at the end of a sentence that creates emphasis by saying: 'it is impure for you' and 'it is an abomination to you'. The repetition of the same word creates awareness of the wrongness of eating certain animals.

In the section of vv 23-40 repetition of words and sentences appear. Moskala gives an overview of key expressions like 'dead bodies (carcasses)' (נְבֵלָה) and 'impure' (טָמֵא), and 'they make you impure' (יִטְמָא).[336] The word 'dead bodies' is not surprising because the whole text is

333 Houston (1993, 28-32).
334 תֹּאכְלוּ in vv 3,9 (2x), 21,22. לֹא תֹאכְלוּ in vv 4, 8, 11, 12. Moskala (2000, 180) calls these words 'key expressions'.
335 טָמֵא in vv 4, 5, 6, 7, 8 and שֶׁקֶץ in vv 10, 11, 12, 13, 20, 23.
336 Moskala (1998, 180-181).

about carcasses that may not be touched. The use of טָמֵא is different because it refers to ritual impurity through contamination.[337] In this section, verses often end with 'they are impure to you', 'you shall be impure', of 'you shall be impure until the evening'. The danger of contamination is emphasised in this way through repetition of the words and the sentences.

The character of vv 41-45 differs from the earlier sections in that it is less list-like and sophisticated poetic techniques are used. This was shown in the section above on the microstructure. The text begins with the prohibition against eating swarming animals, which is abominable (vv 41-42), and ends with the incitement for the people to live a holy life, which is expressed by not making oneself impure via crawling animals (vv 43-45). We can conclude that the section of vv 41-45 is more than a repetition of vv 2b-23. The element of repetition occurs in the prohibition against eating certain animals. It is present in vv 41-42, but the text shows a specific development by pointing to living a holy life according to the holiness of God (vv 43-45). Therefore, there is a development in the text which leads to strong incitement to live a holy life which Israelites can achieve through obedience to the rules of Leviticus 11.

2.4.2.6 Conclusion

This overview, which is based on the content, can now be combined with the information about structural analyses that we presented earlier in this section. Clear chiasms can be found in vv 43-44 and v 45. If we look at the content of vv 43-44, the texts prohibit the consumption of שֶׁרֶץ. Verse 43 adds טָמֵא and v 44 adds the theme of holiness. It is possible to interpret vv 43-44 as a separate unit which speaks about the prohibition and adds two elements: טָמֵא and the call to holiness. The idea that vv 43-44 belong together is strengthened by the chiastic structure mentioned above. Verse 45 can be seen as a separate unit that is connected to v 44. The idea of the separate character of v 45 is strengthened by the poetic structure mentioned above.

The observation of the sequence of texts shows a development from the prohibition against eating שֶׁרֶץ to the call to holiness. The way the author adds elements demonstrates that this unit does not consist of separate rules. That is why it is difficult to make a strict subdivision: there is a flow in the text that starts with a rule and ends with a general rule plus a statement about salvation history.

The consequence for the subdivision of this section is that we take vv 41-45 as a unit. Because of the content and the structural analysis, we select three subsections: the prohibition against eating swarming creatures (vv 41-42); the prohibition with the motivation to be holy (vv 43-44); the motivation to be holy (v 45).

337 With Milgrom (1991, 654), טמא must be interpreted as ritual impurity.

Finally, we conclude that the microstructure of the divine speech in chapter 11 (2b-45) shows an ABA structure (2b-23, 24-40, 41-45). Verses 2b-23 and 24-40 have a list-like character, while the different literary style of vv 41-45 may imply that these verses form a climax for the chapter.

Outline of Leviticus 11

Given the above discussion, Leviticus 11 can be outlined as follows. This structure can also be found in the translation in chapter 2:

Introduction (1-2a)
Animals that are permitted and not permitted (2b-23)
Land animals (2b-8)
Water animals (9-12)
Sky animals (13-23)
Ritual contamination through contact with carcasses (24-40)
General rules on contamination (24-25): - On touching carcasses (24) - On carrying carcasses (25)
Contamination through contact with carcasses of groups of animals (26-40): - All the quadrupeds that have hoofs but no clefts through the hoofs or that do not chew the cud (26): List of animals (26a) The law on purification for touching carcasses (26b) - Contamination through contact with the carcasses of animals that walk on flat paws, among all living beings that walk on four (legs) (27-28): List of animals (27a) The law on purification for touching or carrying carcasses (27b-28) - Contamination from eight swarming animals (29-38): Animals mentioned (29-30) Laws on purification for touching (31) Laws on contamination and purification of objects, water, and organic material (32-38). - Contamination through contact with the carcasses of pure animals (39-40): A specific case (39) Law on purification (40)
Eating swarming creatures and the holiness of the people (41-45)
Concluding statement (46-47)

2.4.3 Macrostructure

This section researches the macrostructure of Leviticus and studies the narrative parts, which

form the building blocks of Leviticus. The information derived from the introductory formulas contains the following data: first, regarding the verbs used; second, regarding the addressees, and third, regarding the people the addressee must speak to. The next question is what information can be obtained from the concluding statements. The final section explores the larger narrative texts in Leviticus.

2.4.3.7 The narrative framework of Leviticus

This section concentrates on the narrative parts in Leviticus and more specifically on the opening and closing formulas. An overview of these formulas reveals division markers and indications of the unity of the texts. The larger narrative parts will eventually be taken into consideration. We will systematise the character of the opening and closing formulas and combine them. At the end of the section, we will determine the contribution that the information offers on the structure of Leviticus and, more specifically, on the place of Leviticus 11 in its literary context.

Introductory formulas of Divine Speeches

In this overview, I cite several characteristics of these formulas: the verbs used, the addressees and the persons the divine speech is meant for. With regard to the extent of the introductory speeches it has to be noted that the command to speak is often included in the introductory formula and is therefore seen as part of the narrative framework. On strictly formal grounds, however, it is better to make it part of the divine speech itself, although it is always closely connected with the introductory formulas. It must be made clear that only the narrations of God speaking to Moses belong to the narrative framework. The commands to speak are spoken by God and are therefore divine speech. To understand the specific character of the introductory formulas, the list cites the verbs used and the addressees in the narrative framework and the addressees mentioned in the command to speak, which is part of the divine speech.

Text	verb(s)	Addressees	Command to speak to:
1:1-2a	וַיִּדַּבֵּר + וַיִּקְרָא	אֵלָיו + אֶל־מֹשֶׁה	בְּנֵי יִשְׂרָאֵל
4:1-2a	וַיְדַבֵּר	אֶל־מֹשֶׁה	בְּנֵי יִשְׂרָאֵל
5:14	וַיְדַבֵּר	אֶל־מֹשֶׁה	
5:20	וַיְדַבֵּר	אֶל־מֹשֶׁה	
6:1-2a	וַיְדַבֵּר	אֶל־מֹשֶׁה	בָּנָיו + אַהֲרֹן
6:12	וַיְדַבֵּר	אֶל־מֹשֶׁה	
6:17,18a	וַיְדַבֵּר	אֶל־מֹשֶׁה	בָּנָיו + אַהֲרֹן
7:22-23a	וַיְדַבֵּר	אֶל־מֹשֶׁה	בְּנֵי יִשְׂרָאֵל
9:28-29a	וַיְדַבֵּר	אֶל־מֹשֶׁה	בְּנֵי יִשְׂרָאֵל
8:1	וַיְדַבֵּר	אֶל־מֹשֶׁה	

10:8	וַיְדַבֵּר	אֶל־אַהֲרֹן	
11:1-2a	וַיְדַבֵּר	אֶל־מֹשֶׁה וְאֶל־אַהֲרֹן	בְּנֵי יִשְׂרָאֵל
12:1-2a	וַיְדַבֵּר	אֶל־מֹשֶׁה	בְּנֵי יִשְׂרָאֵל
13:1	וַיְדַבֵּר	אֶל־מֹשֶׁה וְאֶל־אַהֲרֹן	
14:1	וַיְדַבֵּר	אֶל־מֹשֶׁה	
14:33	וַיְדַבֵּר	אֶל־מֹשֶׁה וְאֶל־אַהֲרֹן	
15:1-2a	וַיְדַבֵּר	אֶל־מֹשֶׁה וְאֶל־אַהֲרֹן	בְּנֵי יִשְׂרָאֵל
16:1-2a	וַיֹּאמֶר + וַיְדַבֵּר	אֶל־מֹשֶׁה	אַהֲרֹן אָחִיךָ
17:1-2a	וַיְדַבֵּר	אֶל־מֹשֶׁה	בְּנֵי יִשְׂרָאֵל + בָּנָיו + אַהֲרֹן
18:1-2a	וַיְדַבֵּר	אֶל־מֹשֶׁה	בְּנֵי יִשְׂרָאֵל
19:1-2a	וַיְדַבֵּר	אֶל־מֹשֶׁה	כָּל־עֲדַת בְּנֵי־יִשְׂרָאֵל
20:1-2a	וַיְדַבֵּר	אֶל־מֹשֶׁה	בְּנֵי יִשְׂרָאֵל
21:1a	וַיֹּאמֶר	אֶל־מֹשֶׁה	הַכֹּהֲנִים בְּנֵי אַהֲרֹן
21:16-17a	וַיְדַבֵּר	אֶל־מֹשֶׁה	אַהֲרֹן
22:1-2a	וַיְדַבֵּר	אֶל־מֹשֶׁה	בָּנָיו + אַהֲרֹן
22:17-18a	וַיְדַבֵּר	אֶל־מֹשֶׁה	בְּנֵי יִשְׂרָאֵל + בָּנָיו + אַהֲרֹן
22:26	וַיְדַבֵּר	אֶל־מֹשֶׁה	
23:1-2a	וַיְדַבֵּר	אֶל־מֹשֶׁה	בְּנֵי יִשְׂרָאֵל
23:9-10a	וַיְדַבֵּר	אֶל־מֹשֶׁה	בְּנֵי יִשְׂרָאֵל
23:23-24a	וַיְדַבֵּר	אֶל־מֹשֶׁה	בְּנֵי יִשְׂרָאֵל
23:26	וַיְדַבֵּר	אֶל־מֹשֶׁה	
23:33-34a	וַיְדַבֵּר	אֶל־מֹשֶׁה	בְּנֵי יִשְׂרָאֵל
24:1-2a	וַיְדַבֵּר	אֶל־מֹשֶׁה	בְּנֵי יִשְׂרָאֵל
24:13	וַיְדַבֵּר	אֶל־מֹשֶׁה	
25:1-2a	וַיְדַבֵּר	אֶל־מֹשֶׁה	בְּנֵי יִשְׂרָאֵל
27:1-2a	וַיְדַבֵּר	אֶל־מֹשֶׁה	בְּנֵי יִשְׂרָאֵל

Several things are remarkable in this overview. First, there are two *verba dicendi* in 1:1-2a and 16:1-2. Second, וַיִּקְרָא is only used in 1:1, whereas וַיֹּאמֶר is only used in 16:2 and 21:1.[338] Third, in 10:8 God speaks to Aaron, whereas in 11:1 he speaks to both Moses and Aaron. The latter occurs more often in Leviticus 11-15, the part on purity.[339] In Leviticus 1:1-8:1 and Leviticus 16-27 God always speaks to Moses.

338 Zenger (1999, 67).
339 11:1; 13:1; 14:33; 15:1.

The concluding remarks

We find several concluding remarks in the divine speeches. Although some scholars point to certain texts as part of the narrative framework,[340] it is often not possible to determine who is speaking: either the narrator or God.[341] The reason why these texts are studied is because they function as a concluding remark, whether spoken by the narrator or by God. The most important concluding remarks are summaries of the foregoing part and a general statement on keeping the laws. These units begin with 'these are the laws' or 'this is the law' and further refer to the content of the foregoing part or parts. We find these texts in seven places:

Text	starting phrase	Content
7:37-38	זֹאת הַתּוֹרָה	Five kinds of sacrifices
11:46-47	זֹאת תּוֹרָה	Impurities from Lev 11
14:54-57	זֹאת תּוֹרַת	3 impurities from Lev 13-14
15:32-35	זֹאת תּוֹרָה	Impurities of Lev 15
23:37-38	אֵלֶּה מוֹעֲדֵי	Summary of 23:2b-36, followed by appendix (23:39-43)
26:46	אֵלֶּה הַחֻקִּים וְהַמִּשְׁפָּטִים וְהַתּוֹרֹת	General description of laws which are part of the covenant given at Mount Sinai, which Moses presented
27:34	אֵלֶּה הַמִּצְוֹת	General description of laws which God commanded to Moses and the Israelites at Mount Sinai

A distinction can be made between the first four summaries and the last two. The first four refer to texts that precede the summary, all of which make use of a form of the word תּוֹרָה. In the last two summaries, the content of the summary is not specified by references to the content of the foregoing texts: they are general statements. In the last two texts, other words are used to describe the laws.

Apart from these summaries and general statements, I want to point to several texts which describe the execution of the task given in the introductory formulas. This often happens by communicating the message. We find these texts in Leviticus 8:36; 16:34; 21:24; and 23:44. Without doubt, these texts are part of the narrative framework.

340 Zenger (1999, 69-70), Hieke (2014a, 56).

341 An argument that supports attributing a text to the narrative framework is the appearance of the name of YHWH in the third person singular. One example is 7:37-38. It is also possible to connect 7:35-36 with the narrative framework, where the name of God is also mentioned in the third person. In response to this, it should be mentioned that YHWH is also mentioned in unquestioned parts of divine speech like 7:11, 29. I will not attribute concluding remarks to the narrative framework or divine speech but will only point to their function as a summary.

2.4.3.8 Introductory formulas related to the content of the divine speeches

A complication in this list exists in parts which consist mainly of narrative parts (Lev 8-10, 24). These will be analysed in the next section. It is not always clear if the concluding remarks are part of the narrative framework or the divine speeches. One criterion for interpreting these texts as part of the narrative framework is the appearance of the name of YHWH as the subject of the sentence.

Introductory formulas	Concluding remarks	DS	Contents DS
1:1-2a		1:2b-3:17	Three kinds of sacrifices
4:1-2a		4:2b-13	Purification offering
5:14		5:15-19	Reparation offering for inadvertent sins against sacred things
5:20		5:21-26	Reparation offering for desecration of the oath
6:1-2a		6:2b-11	Instruction for priests for two sorts of sacrifices
6:12		6:13-16	Grain offerings for priests
6:17,18a		6:18b-7:21	Regulations on offerings
7:22-23a		7:23b-27	Prohibition against consuming blood
7:38-39a	7:37-38: summary of Lev 1-7 or Lev 6-7[342]	7:29b-38	Part of the peace offering destined for priests
8:1	8:36: execution of tasks in Lev 8	8:2-3	Gathering of the congregation for the ordination of the priests
10:8		10:9-15	Obligations of the priests

342 It is not entirely possible to determine which part of 7:38-39a is a concluding remark. Hieke (2014a, 327) argues that it functions as such for chapters 6-7. A choice in this matter is not relevant for this study.

11:1-2a	11:46-47: summary of Lev 11	11:2b-47	Laws on eating and touching animals
12:1-2a		12:2b-8	Laws on childbirth
13:1		13:2-59	Laws on scale disease
14:1		14:2-32	Purification after scale disease
14:33	14:54-57: summary of Lev 13 and 14	14:34-57	Purification of contaminated buildings
15:1-2a	15:32-34: summary of Lev 15	15:2b-31	Genital discharges
16:1-2a	16:34b: execution of tasks given	16:2b-34	Day of Atonement
17:1-2a		17:2b-16	The slaughter and consumption of meat
18:1-2a		18:2b-30	Illicit sexual practices
19:1-2a		19:2b-37	Ritual and moral holiness
20:1-2a		20:2b-27	Penalties on sacrifice to Molech, sorcery, and illicit sexual practices
21:1a		21:1b-15	Instructions for priests
21:16-17a	21:24: execution of tasks	21:17b-24	Blemished priests
22:1-2a		22:2b-16	Purity of priests
22:17-18a		22:18b-25	Laws on blemished sacrificial animals
22:26		22:32	Extra criteria for sacrificial animals and exhortation
23:1-2a		23:2b-8	Sabbath, festivals, Paschal offering and Unleavened Bread
23:9-10a		23:10b-22	Barley offering and Feast of Weeks offering
23:23-24a		23:24b-25	Feast of Trumpets

23:26		23:27-32	Day of Atonement
23:33-34a	23:37-38 summary of 23:1b-26 and appendix (23:39-43) 23:44: execution of tasks	23:34b-36	Feast of Booths
24:1-2a		24:2b-9	Tabernacle lamps and bread for the tabernacle table
24:13	24:23: execution of tasks	24:14-22	Judgment of a blasphemer and talion laws
25:1-2a	26:46 general summary	24:2b-26:45	Sabbatical year, Year of Jubilee, blessings, and curses and recall of the covenant
27:1-2a	27:34 general summary	27:2b-33	Consecrations and their redemption

Texts in Leviticus with mainly narrative texts

In addition to the introductory formulas, there are larger narrative units in the book of Leviticus. They can be found in Leviticus 8-10 and in Leviticus 24. These texts are distinguished from texts with short introductory formulas, followed by long divine speeches and sometimes finalised by concluding remarks. The structure of the texts is as follows:

1. 8:1-3 Introductory formula (8:1) and divine speech (8:2-3)
2. 8:4-9:2a Narrative section: Preparation for the consecration of the priests on the first day (8:4-36)
3. 9:1-6 Narrative section with speeches
   a. Introductory formula of Moses, speaking to Aaron on the eighth day (9:1-2a)
   b. Speech by Moses to Aaron on the preparation for the consecration of priests (9:2b-4)
   c. Narrative section on execution of instructions (9:5)
   d. Introductory sentences spoken by Moses and speeches on the consecration (9:6)
4. 9:7-24: Narrative section on the consecration, the revelation of the Lord, and the consumption of the sacrifice by the Lord
5. 10:1-5: Narrative section on the death of Nadab and Abihu
6. 9:6-15: Introductory formula of Moses' speech to the Aaronides (10:6a) and speech (10:6b-15)
7. Dialogue between Moses and Aaron on the conduct of Eleazar and Ithamar

This unit is characterised by a short divine speech on the command to consecrate the priests (8:1-3), followed by long narrative sections and speeches by Moses and Aaron. This whole unit is the fulfilment of the command to consecrate priests in Exodus 29. Within the book of Leviticus, the chapters are preceded by instructions on sacrifices (Lev 1-7), followed by laws on purity (Lev 11-15).

The narrative unit in chapter 24 is shorter than that in chapter 8-10 and contains two sections with an introductory formula (24:1-2a, 24:13), followed by a divine speech (2:2b-9; 14-22). There is a longer narrative section about the women who blasphemed (24:10-14), while the implementation of the divine speech is described in 24:23. Chapter 24 is preceded by the festive calendar (Lev 23) and followed by the Sabbatical year and Year of Jubilee (Lev 25).

2.4.3.9 Introductory formulas: Verbs used

The appearance of two *verba dicendi* in 1:1 and 16:1-2 are important markers.[343] In biblical Hebrew, repetition is a device to emphasise sentences or sections. Moreover, וַיֹּאמֶר is only used in 16:2 and 21:1.[344] This information is an indication of divisions at the beginning of 16:1 and 21:1. The use of the verbs in 1:1 is also a marker and affirms the independence of the book of Leviticus.

2.4.3.10 Introductory formulas: Addressees

The introductory formulas up to and including 10:1 are all addressed to Moses, whereas in 10:8 God speaks to Aaron. This text is part of section on the consecration of the priests (Lev 8-10) which contains larger narrative units. A change occurs in chapters 11-15, where the Lord often speaks to both Moses *and* Aaron.[345] In the introductory formulas of chapters 16-27, YHWH always speaks to Moses. Given this, it appears that chapters 11-15 form a separate group.

2.4.3.11 Introductory formulas: people to whom the addressee must speak

In the first five chapters,[346] Moses is enjoined to speak to the Israelites (בְּנֵי יִשְׂרָאֵל) and in chapter 6 and 7 he is told to speak either to Aaron and his sons (בָּנָיו + אַהֲרֹן)[347] or to the Israelites (בְּנֵי יִשְׂרָאֵל).[348] Though no final addressee is mentioned in chapters 8-10, Moses and Aaron are commanded to speak to the Israelites (בְּנֵי יִשְׂרָאֵל) in chapters 11-15.[349] In chapter 16, Moses speaks to his brother Aaron (אַהֲרֹן אָחִיךָ)[350] and in chapter 17, he is told to speak to

343 Hieke (2014a, 55-56).
344 Zenger (1999, 67).
345 Leviticus 11:1; 13:1; 14:33; 15:1.
346 Leviticus 1:2; 4:2.
347 Leviticus 6:2,18.
348 Leviticus 7:23.
349 Leviticus 11:2; 12:2; 15:2.
350 Leviticus 16:2.

Aaron, the sons of Aaron, and the Israelites (בְּנֵי יִשְׂרָאֵל + בָּנָיו + אַהֲרֹן).[351] In chapters 18-20 Moses is ordered to speak to the Israelites (בְּנֵי יִשְׂרָאֵל),[352] whereas in chapters 21-22 the final addressees are Aaron and the group around him.[353] In the remaining chapters, Moses always has to speak to the Israelites.[354] Given this information, we may distinguish the sections as follows: 1-5; 6-7; 8-10; 11-15; 16; 17; 18-20; 21-22; and 23-27.

2.4.3.12 Concluding remarks

The first summary is found at the end of chapter 7. Before that, we find no remarkable closing remarks at all, and it is noteworthy that clear summaries exist in chapter 11-15. These texts are similar. The only other example of a summary is found in 23:37, but the shape of this passage and the words used are different. Beginning with chapter 8, we find messages about the implementation of words that God has commanded (8:36; 16:34; 21:24; 23:44; 24:23). At the end of the book, there are two general summaries (26:46; 27:43). These results will be integrated into the whole of the findings of this chapter at the end of the section on the narrative analysis.

2.4.3.13 The combination of the narrative framework and the divine speeches

Based on the introductory formulas, the addressees, and the concluding remarks we may assume that chapters 11-15 form a clear unity. This observation is affirmed by the content, which concerns the purity of the people. The narrative framework of chapter 11-15 emphasises the importance of Aaron and the priestly family in matters of purity. These chapters are connected to the institution of the priesthood, which we read about in chapters 8-10. Connected with the priesthood is the institution of the sacrificial cult in chapter 1-7, where we find a concluding remark that is similar to the ones in chapter 11-15 (7:38 // 11:46, 14:55, 15:32). The appearance of two *verba dicendi* in 1:1 and 16:1-2 point to a separation between chapters 15 and 16, which makes chapters 1-15 a unit. Chapters 1-15 are connected through their content: chapter 16 speaks about ritual purity, whereas chapters 1-7 speak about the cult and chapter 11-15 about the purity of the people. Chapter 16 takes a special place in the structure as some sort of climax in laws on the purity of the nation (chapter 11-16). The narrative framework of chapter 17-26 is different from what we see earlier in the book.

The most direct literary context of Leviticus 11 is undoubtedly chapters 11-15, but chapters 1-15 form a clear literary unit. Another connection is between the text about holiness in Leviticus 11 (vv 43-45), and chapter 17-26, texts that emphasize holiness. The introductory formulas of chapter 11-15 emphasise the importance of Aaron: God speaks to both Moses

351 Leviticus 17:2.
352 Leviticus 18:2; עעע. In 19:2 כָּל־עֲדַת בְּנֵי־יִשְׂרָאֵל is used.
353 Leviticus 21:1, 17; 22:2. Various groups are mentioned, but Aaron is always present.
354 Leviticus 23:10, 24, 34; 24:2; 25:2; 27:2.

and Aaron, which indicates the importance of the priesthood. The narratives in chapter 8-10 emphasise the importance of the priests.

2.4.3.14 An Outline of Leviticus

Based on the structural analysis, the following subdivision of Leviticus can be reconstructed.

Leviticus 1-7

These chapters begin with two *verba dicendi* and end with a summary about the five sacrifices that begins with זֹאת הַתּוֹרָה. The use of two *verba dicendi* is unusual in the whole, and it is correct to argue that we have a division marker here. In all other introductory formulas (except 16:1, 2), we have one *verbum dicendum* as an introduction. The closing remark in Leviticus 7:37, 38 is a summary of the preceding chapters. These verses constitute a division marker because there is no syntactic relation to the foregoing sentence. Nonetheless, it is beyond the scope of this research to determine whether this concluding remark is either a summary of the first seven chapters or a summary of the last two chapters.[355] Chapters 1-5 and chapters 6-7 are distinct in some ways. In chapters 1-5, the addressee must speak to the Israelites (1:2a; 4:2a), while in chapters 6-7 the addressee must speak twice to Aaron and his sons (6:2a; 6:18a) and once to the Israelites (7:23a). In the first five chapters, God issues general rules for the Israelites on sacrifices, while the last two chapters describe further specifications which are, in part, aimed at the priests. The subject matter of all the seven chapters is the sacrifices. An important element in the sacrificial laws is the sustenance of the priests. I conclude that chapters 1-7 constitute a unified whole, with a caesura between chapters 5 and 6. Chapters 6-7 are partly a repetition of chapters 1-5 because the five sacrifices mentioned in chapters 1-5 return in chapters 6-7 in different functions. Concerning the placement of chapters 1-7 in the whole of Leviticus, the institution of the sacrificial legislation functions to present the conditions for the tabernacle cult.

Leviticus 8-10

These chapters form a distinct unit because of the use of more narrative material than in the surrounding chapters, where the narrative material consists only of introductory formulas and some short concluding remarks. This part contains the only introductory formula that is addressed to Aaron (10:8), which reflects a stronger accent on the role and position of Aaron than before. Our investigation of time and space shows a caesura between chapters 8 and 9. While the events in chapter 8 probably take place on the first day of the second year, the events in chapters 9 and 10 take place on the eighth day of the second year. Chapter 8 is

355 For the discussion on 7:37-38, see Hieke (2014a, 327-328) and Milgrom (1991, 436). We will not make any decision about whether these verses conclude chapters 1-7 or only chapters 6-7 because this is irrelevant for this study.

about the preparation for the consecration of the priests, and chapters 9 and 10 concern the revelation of the כָּבוֹד of YHWH. The central place of Aaron and the priests in chapters 9 and 10 in the cult and in the execution of the laws is important.

Leviticus 11-15

This unit is characterised by two addressees. YHWH speaks not only to Moses or – as in 10:8 – to Aaron alone, but to both. Another aspect that mainly occurs in this text is the appearance of concluding remarks. This phenomenon is similar to Leviticus 7:37-38. After chapter 15, such a concluding remark no longer appears. The chapters with similar introductory formulas and concluding remarks are part of the same subject matter, namely, the laws on purity.

Leviticus 16-17

There is evidence in favour of the idea that 16:1, 2 is a division marker. This indication of time is the first one after chapter 8-10. Remarkable is the fact that the text refers to the events from 10:1-7. Just as in 1:1, we find two *verba dicendi*. Because the text in 1:1 is the beginning of the book, the text in 16:1, 2 must also bear some importance. The person whom Moses must address is also unique in the whole of Leviticus: he must address Aaron his brother (אַהֲרֹן אָחִיךָ). The chapter ends in 16:34 with a narrative text which shows that Moses does what the Lord has commanded. Based on elements from the narrative framework in this chapter, it is possible to conclude that this chapter is a separate unit. This separateness is confirmed by the content: it is the chapter about the important Day of Atonement. Based on the introductory formula used, it is possible to connect chapters 16 and 17. In 16:2, Moses is given the task of speaking to his brother Aaron (אַהֲרֹן אָחִיךָ) and in 17:2b to Aaron, his sons, and the Israelites (אֶל־אַהֲרֹן וְאֶל־בָּנָיו וְאֶל־כׇּל־בְּנֵי־יִשְׂרָאֵל). The content of the texts is similar because they both speak about sacrifice. On the other hand, there are reasons to distinguish chapters 16 and 17 from each other because of the concluding remark by the narrator in 16:34d.

Leviticus 18-20

The introductory formulas of these chapters differ from those in the surrounding chapters because they all speak of the command to speak to the Israelites.[356] The content concerns the task of the Israelites to live their lives in holiness.

356 There is a difference between 18:2 and 20:2, which speak about אֶל־בְּנֵי יִשְׂרָאֵל, on the one hand and 19:2 on the other, which speaks about בְּנֵי־יִשְׂרָאֵל אֶל־כׇּל־עֲדַת.

Leviticus 21-22

In these two chapters, Moses is given the command to speak to Aaron and sometimes to others. In 21:24 there is a concluding remark that is part of the narrative framework, and that is not relevant for the structuring of the text of Leviticus because it is found in a section with similar content. Both chapters concern the obligations of priests.

Leviticus 23

This seems to be a separate unit because God speaks to the Israelites (in contrast to chapters 21-23) and ends with a summary (23:37-38) and an appendix (39-43). The text contains five introductory formulas, whereas the divine speeches all speak about the feasts.

Leviticus 24

This chapter is a separate unit because it contains mainly narrative texts.

Leviticus 25-26

These two chapters only contain one introductory formula in which Moses receives the order to address the Israelites. The text ends with a general summary in 26:46. The content concerns two separate subjects: the Sabbatical year and the Year of Jubilee (Lev 25), plus blessings and curses (Lev 26).

Leviticus 27

In the last chapter of Leviticus, Moses addresses the Israelites. He speaks about consecrations and their redemption and ends with a general summary.

2.5 Conclusion: dietary laws in their literary context

In its present form, the text of Leviticus is intended to consolidate the place of the priests and the cult as the highest authority. The text underscores the authority of the Aaronides and the importance of the cult and the sanctuary. The author attained this end by referring to the legendary tabernacle from which God issued his commands.

Chapter 11 is part of the literary unit of Leviticus 11-16, a text that concerns the avoidance of and cleansing from impurities. Leviticus 11 forms the beginning of a unit on contamination and is not the climax of the text. In the context of chapters 11-16, Leviticus 11 plays a minor role because of the limited role of the priest, which exists only in an implicit way: the priest is

not mentioned but plays a role in the background. Lev 11-16 refer to the interpretive authority of the priests that 10:10-11 formulates, and therefore priests also have the authority to interpret cases not covered by the text during practice: accept or reject sacrificial animals and develop dietary rules further. In my reconstruction, chapter 11 is the beginning of a unit about impurities which finds its climax in chapter 16. The role of the priest in the cleansing of impurities is emphasised.

The question remains as to what conclusions we can draw about the practical values of the dietary laws. The text from Leviticus lays emphasis on holiness in chapter 11, and on the distinction from other people in Leviticus 20:24d-26. The practical value of the dietary laws was to distinguish from other nations. We see a tendency toward exclusivism through the emphasis on being different. Because further reasons for these laws are absent, the laws were seen mainly as calls to be obedient to God, an explanation indicated above as the arbitrary explanation, which leads the Israelites to moral behaviour (1.1.1.5*). The text expresses the wish that the Israelite community lay emphasis on the role of the priest as the central person in matters of the cult and in matters of purity. To obey these laws, the Israelites had to be mindful of their food choices. In this whole process, the priests must have played a role as the ones who possessed and knew the texts and perhaps as persons with zoological knowledge. The priests are responsible for the sacrificial cult, and they are the interpretive authority in matters of daily life within a theocratic society (Lev 10:10-11). Therefore, priests also have the authority to interpret cases not covered by the text during practice: accept or reject sacrificial animals. Leviticus 11-15 further describes the interpretive role of the priest, also on matters of hygiene and medicine (Lev 13-14). Because of the character of the community depicted in Leviticus, it is possible that priests also play a role in maintaining the dietary laws. We accept this idea, in spite of the fact that priests are not mentioned in Leviticus 11: priests and Israelites had to interact in maintaining laws on purity like the dietary laws Based on the literary context, we may assume that the command to follow the rules of Leviticus 11 presupposes a community with a clearly formulated structure, in which the sanctuary, the priesthood, and the members of the community all find their own place. A surprising conclusion is the role of the priest in the distinction between pure and impure animals. This accent on the connection between priests and dietary laws will be studied in the next chapter, where one of the aims is to determine try to find out when connection came into being, and how it developed through time.

3

The literary history of the dietary laws

In the previous chapter we saw that Leviticus 11 described an imagined world, one created by the authors of Leviticus. But what can we say about these authors? What was their historical and social context, and did the authors of Leviticus 11 use older traditions to create their imagined world which we have discovered in the text? To get a better view on the community that Leviticus had in mind and to understand the practical values of the dietary laws within the community, we first need to determine the date of the version we find in the Masoretic Text of Leviticus 11 and thereby its historical and social context. Second, through diachronic research, we will reconstruct the redaction history of the dietary laws. Finally, we determine the practical values of the dietary laws during the different stages of their redactional history, which answers subquestion 2: 'What were the practical values of the dietary laws during their literary history?' We thereby also try to determine in which of these stage(s) did the priest act as a zoological expert, an aspect we discovered in the previous chapter.

3.1 The date and historical context of Leviticus 11

According to Adler, the Torah was first put into practice by large groups of people during the Hasmonaean period. Even if we followed this dating for the application of the laws and for the beginnings of Judaism, we would still have to determine when these commandments were given written form. Several suggestions have been made to date Leviticus and Leviticus 11. In this section, I evaluate two points of view: a pre-exilic and a post-exilic dating. The determination of the date will be followed by a description of the historical and social context and a study of the practical values of the dietary laws within this context.

3.1.1 A pre-exilic dating

Scholarly literature contains two variants of a pre-exilic dating of Leviticus: the second half of the second millennium BCE and the first half of the first millennium BCE. The traditional view, i.e., that Leviticus dates back to the second half of the second millennium BCE, is still defended

in modern research[357] but raises too many difficulties to be accepted.[358] The second view, which dates Leviticus in the first half of the first millennium BCE, is defended by Milgrom. Along with other scholars, he assumes that the Priestly code (P) and the Holiness code (H) predate the Deuteronomist (D). Because the date of D may have been the seventh century BCE, we can date P and H to the eighth century or earlier. Three arguments are used to support this proposed date. First, there are examples of terms in Leviticus that do not appear in the post-exilic period and are found only in the pre-exilic one.[359] One example is the occurrence of עֵדָה, 'gathering' instead of קָהָל. The word עֵדָה does not appear after the ninth century BCE. Second, traces of D do not appear in Leviticus, while P relies on D.[360] One aspect in his argument is the presumed dependence of Leviticus 11 on Deuteronomy 14. Third, in his historical argument, Milgrom points out that similar institutions in the ancient Near East are all very old,[361] and he mentions events that reflect situations from a very early period.[362] One example is Numbers 31:18 – a P text – where Moses permits his soldiers to marry the captive Midianite women (Num 31:18). Such a command was *anathema* in the post-exilic age (e.g., Ezra 9). Milgrom concludes that the material of Leviticus (P and H) must be dated to the period of Hezekiah or earlier and that old material was used.[363] The information supplied by P about the temple and its rituals is based on material from the pre-Hezekian temple or even from the sanctuary in Shiloh.

Milgrom's arguments can be countered. First, regarding the appearance of pre-exilic words, it is also possible that old words remained present as remainders from older documents. Saying that some older words in a text point to an early date for such a text can be evidence of circular reasoning. Second, Milgrom's presumed dependence of Leviticus 11 on

357 Gispen (1950, 9-13), G.Ch. Aalders (1952, 131-132), R.K. Harrison, (1969, 598), Rooker (2000, 38-39), Kiuchi (2003, 523), Kiuchi (2007, 16-18), K.A. Kitchen (1966, 90-102), Kitchen (1977, 79-85), Kitchen (2003, 283-294). Kitchen, who is influential in conservative evangelical circles, compares the overall structure of the Pentateuch to treaties from the third millennium until the first and concludes that the literary pattern of the late second millennium is comparable to the overall structure of Exodus 20-Leviticus 26 and Deuteronomy. Based on these comparisons, he concludes that a proper date for the legal codes from the Pentateuch is between 1400 and 1200 BCE. For his influence, see M.J. Paul, G. van den Brink, J.C. Bette, eds. (2004, 978-981); Paul, Van den Brink, Bette eds. (2005, 770).

358 D.W. Hamilton (2005, 120) points to problems in Kitchen's explanation: the latter superimposes an external pattern on the biblical text. He points to the fact that the text of Deuteronomy cannot be classified simply as a treaty because Deuteronomy 1-11 is marked by a homiletical framework. Another criticism is the position of the historical prologue in the unit Exodus 19-Leviticus 27, a mark of vassal treaties from the second century BCE. In the Sinaitic covenant, this prologue extends only to some minor verses (Exod 19:4; 20:2b). Adler's work (2022) makes this option the least possible one: it is improbable that laws were written in the thirteenth century BCE and accepted only in the second century BCE. Did the laws actually exist for more than a thousand years without being put into practice? What would be the point of passing on these texts for such a long period?

359 For the P material, see Milgrom (1991, 3-8); for the H material, see Milgrom (2000, 1361).

360 Milgrom (1991, 8-10).

361 Milgrom (1991, 3).

362 Milgrom (1991, 10-12).

363 Milgrom (1991, 13-35).

Deuteronomy 14 was criticised by Nihan, who shows that D and P could also have had common sources.[364] Third, with respect to his historical evidence, we presuppose a linear development in this example from a more inclusivist pre-exilic point of view to a more exclusivist post-exilic point of view. But the post-exilic community included both inclusivist and exclusivist traditions.[365] Finally, the date proposed by Milgrom is possible but also raises serious questions, as indicated by Adler's work on the social history of the Judaeans and Israelites. He concludes that there is no proof of obedience to a number of important laws from the Torah before the Hasmonaean period. Therefore, it is improbable that Leviticus in its present form already existed long before laws in the book were applied.

Whatever the date of Leviticus 11 may be, there is proof that dietary laws existed in older texts. First, the flood story mentions pure and impure animals in the non-P texts from Genesis 7:2 and 8:20, texts which biblical scholarship dates to the pre-exilic period.[366] We also notice that this information is more limited than the laws we find in Leviticus 11 and Deuteronomy 14:3-21a. The texts in Genesis only mention the existence of the two categories of animals and do not provide further criteria for establishing these categories. Still, it is remarkable that there was awareness of a distinction between pure and impure at a relatively early period. Second, Hosea 9:3 says that the Israelites will eat impure food in Assyria. We may assume that the book of Hosea is of pre-exilic or exilic origin.[367] In this text, it is not possible to determine the basis for distinguishing between kinds of food.[368] Third, Judges 13:7, in which a messenger of the Lord gives instructions to Samson's mother, speaks about food prohibitions. Samson would be a Nazirite from birth (Judg 13:5), and his mother was not allowed to drink alcoholic beverages nor eat impure food. This text differs from Leviticus 11 and Deuteronomy 14:3-21a in that the dietary law here seems to be limited to the Nazirites, whereas the ones in the Pentateuch are mandatory for all Israelites. It becomes even more complicated because the text in Judges does not say which animals were prohibited.[369] This text is usually dated during the exilic period.[370] What we see in these texts is that dietary laws existed in the pre-exilic or exilic period but possibly had a different shape than in Leviticus and Deuteronomy.

364 Nihan (2007, 283-301).
365 See Dubbink (2021).
366 Wenham (1987, 163, 164).
367 Anderson, Freedman (1980, 56, 57) date the final redaction to the exilic period, while the text contains traces from earlier periods. Cf. also Wolff (1961, XXIII-XXVII).
368 Houston (1993, 147). Anderson, Friedman (1980, 525) suggest that impurity in 9:3 may have something to do with 8:13, but this cannot be proven.
369 Houston (1993, 146) points to the fact that the distinction between pure and impure is of interest to a person associated with the cult or under a religious vow.
370 For the composition during the exilic period as part of the Deuteronomic history, see V.H. Matthews (2008, 440-441). For a later date for Judges, see K. Spronk (2019, 10-25). I favour an early date because of the placement in the Deuteronomistic history, but I realise that an exilic date is uncertain.

The existence of P-like religious feasts during Iron Age II can be found in excavations from Tel Dan. In his dissertation, J. Greer examines biblical texts on the religion of Israel and the excavations at the cultic site of Tel Dan.[371] His main conclusion is that the excavations reveal examples of sacred feasting in the areas belonging to a Yahwistic sanctuary.[372] There are similarities between these practices and Leviticus 1-16 with its emphasis on the sanctuary and sacred meals held in its vicinity.[373] Although there is no proof of dietary laws, it is clear that religious practices, like those we find in Leviticus 1-16, go back to pre-exilic times.

As I will show below, the Torah was not written down during the pre-exilic period. On the other hand, we also assume that parts of the Pentateuchal laws stem from periods before the exile, and we can affirm this for the dietary laws. Although it is uncertain whether they existed in the shape found in Leviticus 11, we may assume that older forms of the dietary laws and also P-like rituals existed during the pre-exilic and exilic periods. For Leviticus 11, Leviticus, and the Pentateuch as a whole, I assume a post-exilic date, and will provide arguments for this view in the next section.

3.1.2 A post-exilic dating

Dating Leviticus to the post-exilic period became dominant during the nineteenth century, with Wellhausen as an important advocate of this view.[374] According to this interpretation, P / H postdates D. The latter is dated to the seventh century and introduces the centralisation of the cult during the reign of Josiah. P / H intensifies the cult and emphasises the central and dominant position of the priesthood and cult and must therefore be later than D. If we date Leviticus to the post-exilic period, there are two possibilities: Leviticus (and the remaining part of the Pentateuch) was composed during the Persian period or during the Hellenistic period. The latest possible date for the composition of the Torah in a form that resembles the Masoretic Text is the Hasmonaean period. As Adler demonstrated, it was from this period onward that archaeological and textual evidence can be found for the acceptance of the Pentateuchal laws.

In this section, I begin with the latest possible date, which is the Hasmonaean period. Kratz and Adler point to the importance of the Hasmonaean period as a watershed period after which Judaism emerged, but they do not claim that the Torah was written in the first half of the second century BCE. Therefore, the Hasmonaean period is a *terminus ad quem* in the chronology, as mentioned in chapter 1 (1.2.1). Both scholars acknowledge that at least parts of the Pentateuch were known to Judaean literati at an earlier stage.[375] But I now raise the

371 Greer, (2013).
372 Greer (2013, 126-136).
373 E.g., the descriptions of sacrificial meals in Leviticus 7:11-21.
374 J. Wellhausen (1899b, 17-165).
375 Adler (2022, 216, 296-297), Kratz (2015, 196).

question as to when exactly Leviticus was written. Kratz remarks that dating the Priestly writings turns out to be supremely risky and is only possible through speculation.[376] Nonetheless, I will attempt it, and the *terminus ad quem* of the second century BCE is my starting point. Based on historical and literary data, I will investigate how much further back it can be dated.

3.1.2.1 The Hellenistic period

There are a number of scholars who support a date in the Hellenistic period, a period when Greek culture became influential in the Southern Levant.[377] Scholars who defend this date often point to similarities between classical Greek literature and the Torah, which justify a date during the Hellenistic period. At first sight, this view seems to be strengthened by the results of Adler's research where he demonstrates that there was only limited knowledge of Pentateuchal laws during the Hasmonaean period. Before the second century BCE, there were only small groups of Judaean literati who wrote and studied the biblical writings. Adler studies Ben Sira's use of the Hebrew word *torah* and concludes two things: first, it is uncertain whether Ben Sira is speaking about the book of the Torah or some sort of universal law; second, even if it is the Mosaic Law that is meant, it is hard to find dynamic, exegetical interaction with the Pentateuch.[378] But what we find in Ben Sira's use of the Torah mainly refers to the fact that reflection on the laws cannot be found and not to the fact that the texts of the Hebrew Torah did not exist. Therefore, texts like Leviticus 11 may have existed in a form as we now have it. Although Adler acknowledges that *torah* existed before the Hasmonaean period, his remarks point out that there is no evidence of the existence of the Torah as a (written) book of law. This demands further reflection.

To determine a date for the Torah, we will begin by testing Adler's arguments. First, we are dealing with an *argumentum e silentio*: the absence of proof does not demonstrate that there was no wish for the application of the laws but only that this 'wish' was not – at least not widely – observed. Second, the books of Ezra and Nehemiah stir an audience to obey the law, which includes Sabbath observance. The latest possible date for these books is the Hasmonaean period,[379] but this is not accepted by all scholars.[380] Third, we may ask who inspired the Hasmonaeans to make the law a legal code to be obeyed. Could there have been

376 Kratz (2015, 119).

377 E.g., N.P. Lemche (1993), R. Gmirkin (2006). Greek material culture was sporadically present in Palestine (e.g. Samaria) already in the late Persian period, but only during the Hellenistic period did Palestine become part of the "Western," Mediterranean trade and culture network. Its overall framework had changed from the western part of an eastern setting to the eastern end of a western oikoumene.

378 Adler (2022, 215). Cf. J.J. Collins (2017, 90)

379 Finkelstein (2018)

380 B. Becking (2017 ,13) says that Nehemiah was written in the Persian period, with some Hellenistic glosses. Adler (2022, 289) gives an overview of recent literature that defends a dating of Ezra-Nehemiah to the Persian period.

groups that stimulated this choice of the Hasmonaean kings? We may think of groups like the Hasidim. Fourth, no archaeological evidence can be given for the so-called miscellaneous practices which Adler indicates in chapter 5 of his work.[381] He discusses matters like circumcision, Sabbath prohibitions, Passover and the Festival of Unleavened Bread, fasting on the Day of Atonement, two central rituals of the Sukkoth Festival (residing in booths and taking 'the four species'), and having a continually burning seven-branched Menorah in the Jerusalem temple. Adler says that there is no proof of these practices before the second century BCE. Fifth, Adler interprets the application of the dietary laws as the result of a measure taken by the Hasmonaeans, which must be restricted to Judaea. But what about the Judaean communities in Alexandria? Adler mentions developments of obedience to the law in the Septuagint and in Aristeas.[382] The question may be raised as to why the Law was obeyed outside the region where the Hasmonaeans lived and ruled.

There are also arguments from textual history which suggest that the Torah existed before the second century or even before the third century BCE. The idea that Leviticus was composed at a date earlier than the Hasmonaean period finds support in early fragments of the Pentateuch, which may date back to the early Hellenistic period.[383] Aitken says that Leviticus belongs to the oldest parts of the Hebrew Bible that were translated into Greek.[384] It must have taken at least some decades for the Torah to gain authority among Egyptian Judaeans before they started translating such an important work into Greek. Therefore, I choose a *terminus ad quem* for the main part of the Torah somewhere before the third century BCE.

These arguments indicate that the Torah existed before the Hasmonaean period. But how long had it existed? Based on the arguments mentioned earlier, we may presume that it existed at least in the third century BCE. But it may have been older because we cannot say much about exact dates. The conclusion from the description of the social context is that those who wrote and defended the Torah were just a small group of Judaean literati, and that may be the reason why we cannot find traces of obedience to the laws and of thorough reflection on them. This brings me to a possible dating of the Torah and of Leviticus somewhere between the late Persian period (fourth century BCE) and the very early Hellenistic period (third century BCE). In the next section, we will try to determine how much further back research on the possibility of a date during the Persian period allows.

381 Adler (2022, 132-169)
382 Adler (2022, 127-129).
383 There is agreement that the translation of the Septuagint began with the Pentateuch. See Tov (2012, 131). E. Ulrich (2009, 537) says that an old Greek beginning of the Torah can be dated in the third century BCE. Tov (2012, 131); Adler (2022, 297-298, n. 103).
384 Voitila (2015, 45).

3.1.2.2 The Persian period

Scholars who date the origin of the Torah further back to the Persian period[385] point out that this does not have to be the biblical text as we now have it.[386] To support this dating, Maarsingh points to the connection to the book of Ezekiel.[387] This argument could be seen as circular because it does not prove which text was earlier: Leviticus or Ezekiel. Still, the similarity between Ezekiel and Leviticus may point to the fact that both books were written more or less during the same period, and we will discuss this matter below in this section. Another argument in favour of this date is the text's use of Late Hebrew, but this is a matter of scholarly discussion and there is no consensus on this point.[388]

The reason why I have chosen to date Leviticus in the Persian period is that the previous section made clear that the third century BCE was a *terminus ad quem* for the composition of the Torah, given the Greek translation. The fact that the Torah must have had authority for at least some decades among groups of Egyptian Jews before it was translated creates an earlier date during the end of the fourth century BCE. I also want to note that a very late Hellenistic date is not excluded because it fits a *terminus ad quem* around 300 BCE. This is not a problem for the description of the historical context of Judaeans from Judaea because the living conditions in Jerusalem were very similar to the ones in the early Hellenistic period.[389] In defence of a date during the Persian period or maybe during the beginnings of the early Hellenistic period, I will explore the issue whether this is a proper historical and social context for Leviticus. I therefore begin with a description of this period in Yehud.

During the post-exilic period, the territories of the former Israelite and Judaean kingdoms were part of the Persian Empire, and there was a Judaean community with a religious centre in Jerusalem. Leviticus expresses this situation as Israel living among the peoples of the world

385 For instance, P. R. Davies (2015), Levine (1989, xxv-xxx), Gerstenberger (1993, 6-9), Houston (1993, 251), Nihan (2007, 383-394, 545-559, 572-575), Watts (2013, 86-133), Hieke (2014a, 68-69).

386 K. Schmid, (2023, 19) says that the substance of the Pentateuch seems to be pre-Hellenistic.

387 Maarsingh (1974, 10). Here, however, Maarsingh does not provide any clear social and religious context for the book.

388 A. Hurvitz (1974, 1982, 2000) makes a further distinction between Early Hebrew and Late Hebrew. The language of Ezekiel can be interpreted as a connection between the two periods. His diachronic approach is challenged by I. Young, R. Rezetko, and M. Ehrensvard (2008) who are more critical of the possibility of dating texts on linguistic grounds. Rezetko (2018, 718) points to the tensions between a more technically rigorous descriptive approach to language variation and change in ancient Hebrew and more conventional approaches. A different approach is presented by D.H. Kim (2013), based on a sociolinguistic grounding.

389 K. Bieberstein (2017, 115) writes: 'At the beginning of the early Hellenistic period, Jerusalem was most likely only a small settlement, grouped around the Temple, … with an overstretched city wall probably barely restored by Nehemiah, and only began to prosper with the advent of the Hellenistic oikumene.' Finkelstein (2010, 46-51) writes that later on, in the early Hellenistic period, the community of Jerusalem and its surroundings grew somewhat, but this does not make any real difference for our purposes: Jerusalem was still a community around the sanctuary in which the high priest played an essential role. Therefore, arguments mentioned in favour of a Persian dating are also valid for an early Hellenistic dating.

without any emphasis on the land.[390] This description reflects the political and social situation of the post-exilic Israelites who consisted of many poor people and some wealthy ones. This group tried to position itself in the Persian Empire as a community centred around a sanctuary and its priestly elite. Nihan points out that a temple community presupposes free citizens. They must have been landowners who had enough income to be economically independent,[391] and they were responsible for the maintenance of a temple cult as reflected in Leviticus 1-10 and 16. The existence of the poor, as mentioned in Nehemiah 5, is reflected in the laws on the Sabbath year and the Year of Jubilee (Lev 23; 25), texts that deal with the problem of debt.[392] The central place of the priesthood and the high priest reflects a situation where the king plays no role. The old tabernacle story serves to promote the rebuilding of the temple.[393] During this period, the last Davidides were no longer important and the high priest was the most important leader among the Judaeans.[394] And by the close of the Persian period, the high priest was the head of the cultic, political, and even military affairs of the nation and as such was in charge of relations with the imperial government.[395] This strong position of the high priest probably continued during the beginning of the Hellenistic period.[396]

If Leviticus was written during the Persian period or at the beginning of the Hellenistic period, the next step is to determine a more precise date in the post-exilic period. A date in the last decades of the sixth century BCE – the period of the rebuilding of the temple – until the early fourth century BCE is possible.[397] The possibility that Leviticus was written in the last period of the sixth century BCE is less probable for the following reasons. First, there are similarities with and differences from Ezekiel. It is remarkable that it can be demonstrated that both P and Ezekiel stem from the same tradition, though Ezekiel does not cite P (= Lev 1-16). Therefore, it is more likely that Leviticus 1-16 is dated after Ezekiel than vice versa.[398] Second, it is improbable that the period 520-515 BCE may have been the one in which Leviticus 1-16 was redacted because this was a time when the Aaronide priests had to share the limelight with Davidides, such as Zerubbabel, who had gubernatorial duties under the protection of the Persian authorities.[399] It would be normal for tensions between the Davidides and the Aaronides to be visible in the text of Leviticus 1-16. As a suggestion in favour of a later dating for Leviticus 1-16, Leuchter argues:

390 Nihan (2007, 557).
391 Nihan (2007, 390-391).
392 Gerstenberger (1993, 7), Nihan (2007, 558).
393 Levine (2003, 23).
394 Nihan (2007, 394).
395 J.C. VanderKam (2004, 84).
396 VanderKam (2004, 124) says that local control may have resided with the high priests.
397 Most scholars choose the beginning of the fourth century BCE as the end of the final redaction of Leviticus. See, for instance, L. Schmidt (2010, 419). Leuchter (2010, 355) points out that the Pentateuch had to have been completed before the Chronicler's time, for the Chronicler (writing in the mid- to late fourth century) presupposes a completed Pentateuch.
398 Leuchter (2010, 352-353).
399 Leuchter (2010, 353-355).

> Malachi's acerbic critique of the Aaronide priesthood through the reworking of important passages within P and his concern with the proper channels of *torah* teaching (Mal 2:3-9) might suggest the first half of the fifth century as the background to the redaction of Leviticus 1-16.[400]

Although these arguments make a late Persian date acceptable, we still have to reflect further on the relation between P / H and Ezekiel. In recent scholarly literature, there has been a great deal of discussion about the question whether P / H and Ezekiel knew each other's work. Lyons gives a good overview of how the texts may have influenced each other.[401] Earlier scholarship defended the idea that Ezekiel predated P / H.[402] At present, there is awareness that H and Ezekiel were both transmitted during the second temple period.[403] Both texts influenced each other as evidenced by literary allusions.

There are similarities between Ezekiel, Leviticus, and the Priestly writer. Ezekiel does not specifically mention dietary laws regarding meat consumption but does present a cultic system which is usually dated to the exilic period.[404] At the beginning of this section, I already mentioned that, although Ezekiel is probably older than Leviticus, the similarities are so striking that both books seem to belong to comparable schools of thought. On the other hand, there are also striking differences.

The similarities are as follows. First, both P and Ezekiel portray a sanctuary with a somewhat comparable subdivision into three parts.[405] Second, in both sanctuaries, God enters the sanctuary and resides in the Holy of Holies. Third, we find the same types of sacrifices. Fourth, in both texts the priests have the responsibility to distinguish between holy and unholy and between pure and impure.[406] But there are also differences between the two accounts. First, the shape of the sanctuary differs in each: in P it is rectangular, and in Ezekiel it is a square. Second, there is a difference in the functions of the cultic personnel and laypeople. For, instance, in Leviticus 1:3-5, the laypeople are very active in bringing the animals for sacrifice. They are even allowed to slaughter the animal. In Ezekiel 44:11, however, slaughtering is the privilege of the Levites. The Levite is a mediator between the laypeople and the priests, and the laypeople have no contact with the priests. These practices differ from Leviticus 1, where the laypeople bring the animal directly to the priest. Third, there are differences in the sacrificial

400 Leuchter (2010, 355).
401 M. Lyons (2016, 1056-1072).
402 Lyons (2016, 1056-1057).
403 Lyons (2016, 1072-1074).
404 L. Boadt (1992, 720) says that the book, including chapters 40-48, was completed well before the end of the Exile. There is a possibility of later additions. See D.I. Block (1997, 235).
405 For an extensive overview of the visionary sanctuary of Leviticus, see Milgrom, Block (2012, 41-131)
406 Leviticus 10:10; Ezekiel 44:23.

system which cannot be resolved.[407] These and other differences lead to the conclusion that there were different views on how the sanctuary had to be built. Therefore, there were also different concepts of the ways in which purity and holiness could be achieved.

We may conclude that, during the Persian period, there were various groups, such as P, with their own views of holiness. These groups existed next to each other and reacted to each other. Because we do not find proof of the application of the ideas expressed in this period, we may conclude that we are confronted with marginal groups. An important conclusion from the comparison of P with Ezekiel is that similar concepts already existed during the exilic period. Another remarkable aspect is that the detailed regulations on impurity through eating and touching impure animals is lacking in Ezekiel. This may be an indication that Leviticus 11 is more recent than Ezekiel. I will take this as a hypothesis which will be elaborated on in the next section.

A date for the final redaction of Leviticus as a whole may be the late fourth century BCE. We will now discuss three indications in the biblical text that support this dating: God's kingship, the position of Aaron and the Aaronide priests, and the role of the people in Leviticus and the Yehud theocracy.

God as king

God is the dominant figure in Leviticus. He speaks from the sanctuary (Lev 1:1), determines everything, and desires obedience to his laws. God is the one who orders the tabernacle to be built (Exod 25-40), who institutes the sacrificial cult (Lev 1-7; 16) and the priesthood (Lev 8-10). He also orders the people of Israel to live pure (Lev 11-15) and holy (Lev 17-20; 23-25) lives. He also commands the priests to be holy (Lev 21-22). Obedience to God's commands results in blessing (Lev 26:1-13), whereas disobedience leads to punishment (Lev 10:1-4; 26:14-43).

This information leads to the conclusion that God is the one who determines everything. He is the absolute sovereign, and the Israelites must obey his will as mediated by the priests. The Song of Moses expresses the kingship of YHWH (Exod 15:18). Watts points to the fact that God acts as a king in the dedication of the sanctuary.[408] Erecting a temple and instituting the cult is one of the most important acts a king could do. A significant difference from the laws of Deuteronomy is the fact that in Leviticus God speaks directly from the sanctuary, whereas in Deuteronomy it is Moses who speaks on behalf of God. In Leviticus, God gives laws with the utmost divine authority, and, in Leviticus 10:10-11, the priests receive authority to teach the Israelites the divine laws.

407 Paul (2014, 996).

408 Watts (2013, 91-97). Watts (2007, 48-49) points out that instructional, legal, and didactic literature in the ancient Near East is more likely to be presented in human voices rather than divine ones.

When we connect the role that God plays in the book of Leviticus with the historical situation in the fifth century BCE, a similarity appears between the authority of God in Leviticus and the structure of the community in Yehud. There were no Davidides in control, but only priests who were connected to the sanctuary, the house of God. Because God must be worshipped and obeyed, the temple and the priests receive a prominent place. Society was strictly theocratic and determined by God-given laws. He gave these laws in a remote and legendary past, which bestows extra authority on the laws. Now we will discuss some comparable elements.

The role of Aaron and the Aaronide priests in Leviticus and Yehud

Aaron and the Aaronide priests play a vital role in Leviticus. This information fits into the context of post-exilic Jerusalem, where there was only one priestly family in the period 535-172 BCE. This family consisted of descendants of Joshua ben Jozadak, who claimed descent from Aaron, the first high priest.[409] The book of Leviticus affirms the central position of this family, and they had authority over every aspect of Judaean life. Nonetheless, there are indications that the predominance of the Aaronides over the city of Jerusalem was disputed. In their study of Leviticus 1-16, Leuchter and Watts argue that the Nehemiah Memoir (Neh 1-7; 11-13) hints at challenges to the Aaronide superstructure.[410] In several places in Nehemiah, Levites perform official tasks in the city, contrary to Leviticus 16 which restricts these tasks to the Aaronides alone. This may clarify part of the focus of Leviticus, which emphasises the authority of the Aaronides against non-priestly officials. The essence is the importance of the Aaronide priests in Yehud. Israel was not an independent nation anymore, and the temple and the priesthood formed the centre of the community. The book of Leviticus emphasises the importance of the sanctuary. When we combine the role of God in Leviticus with the role of the priests, we may conclude that Leviticus had the function of strengthening the position of the priests, who were the only ones who lived so near to God.

The role of the people in Leviticus and Yehud

In the book of Leviticus, the Israelites are obligated to live in purity (11-16) and holiness (17-20). Various rules express this obligation. One aspect of their dedication is the economic support for the sanctuary.[411] This is expressed in the laws on the share of the sacrifices for the priests (e.g., Lev 2:3, 8, 10; 6:9-11, 19; 7:7, 31-35). This information presupposes a community of free farmers and a sanctuary, a situation that existed during the post-exilic period. One purpose of the book of Leviticus is to persuade the farmers in Yehud to bring some of their crops and cattle to the sanctuary: one part is dedicated to YHWH, and one part to the Aaronide priests.

409 Watts (2013, 107) says this claim is based on 1 Chr 6:3-15. For a more extensive overview, see VanderKam, (2004, 1-42).

410 Leuchter (2010, 356-365). Watts (2013, 113-115) calls Ezra and Nehemiah partly 'anti-priestly' but acknowledges that there is little evidence for the influence of Ezra and Nehemiah. He mentions their view of mixed marriages, which we do not find in the Pentateuch.

411 Watts (2013, 207).

A more specific date

The idea that the final redaction of the Pentateuch took place between 450 BC and 350 BCE is partly based on narratives from Nehemiah and Ezra. In Nehemiah 8, Ezra reads the laws, which consist of a nearly finished version of the Pentateuch because it contains allusions to D, H, and P.[412] In scholarly literature, it is usually assumed that the Pentateuch was completed at the end of the fifth and the beginning of the fourth century BCE.[413] The text of Sirach proves that the Pentateuch existed in the second century BCE. One factor in the final redaction of the Pentateuch may have been the authorisation by the Persian Empire, a development whose traces can be found in Ezra 7.[414] This authorisation may imply that different texts like P and D were combined, and this quick redaction may explain inconsistencies in the text of the Pentateuch.[415] The mention of the stricter regulations regarding the obligation for mixed couples to divorce (Neh 9-10) may represent stricter laws included in P.[416] We know that the movement centring around Ezra and Nehemiah was responsible for the redaction of P, but most of the institutions were not entirely new.[417]

3.1.2.3 Evaluation of a date in the (late) Persian period

In this section, I will evaluate arguments favouring a date during the Persian period. The arguments which support a date during the Persian period are as follows. First, there is a trend to connect Ezra-Nehemiah and Leviticus as favouring a date in the Persian period. Therefore, we have to evaluate the historical trustworthiness of Ezra and Nehemiah. Second, there is a tendency to compare Leviticus with Ezekiel, a book dated to the exilic period. Third, there is a tendency to reconstruct a historical situation in late Persian Yehud, in which the temple had a high degree of autonomy under Achaemenid rule. This historical situation created a situation similar to that found in Leviticus. In the end, these three arguments will be evaluated to determine the possibility of a date for Leviticus 11 in the late Persian period.

Leviticus and the historicity of Ezra-Nehemiah

As mentioned in chapter 1, Wellhausen dates the transition between ancient Israel and Judaism to the Persian period, more precisely to the public reading of the Mosaic Torah, as described in Nehemiah 8.[418] This view is still supported in different variations. We may remark that this historical reconstruction presupposes that Ezra-Nehemiah is based on historical facts, an opinion that can be refuted on the basis of a historical analysis of the area involved and historical-critical research.

412 R.W. Klein (2007, 398).
413 R. Albertz (2018, 485). See also the overview of recent views in Weimar / Zenger, Kratz, Blum, Otto in Albertz (2018, 14-25).
414 The idea of imperial authorisation was expressed by P. Frei (2001).
415 J.L. Ska (2001).
416 J. Blenkinsopp (2001).
417 L. Grabbe (2001).
418 Wellhausen (1899, 410-416).

The books of Ezra and Nehemiah give the impression that large numbers of Israelites had returned to their homeland during the Persian period, which resulted in about 100,000 new settlers.[419] Such an impressive demographic development should be visible in the archaeological record and in Persian documents, but recent research concludes that there is no proof of such a dramatic change in population. Lipschits points out that there is no hint in any Persian document that refers to such a mass return,[420] and recent archaeological research contradicts the idea that many people moved to Yehud: the population of Yehud is estimated to have been between 12,000 and 30,000.[421] This small amount of people does not fit the description of mass returns that we find in Ezra and Nehemiah.

There is also uncertainty about the extent of Yehud.[422] We may state that Yehud comprised an area of possibly 1900 square kilometres and can be divided into four major environmental niches. At the western edge of Yehud are the slopes that mark the transition from the central spur of ancient Israel to the Shephelah and the coastal plain. Next is the central spur or Judaean hills, followed by the desert fringe, which leads to the Judaean desert.[423] Geva remarks that the main consideration in determining the size of Yehud has always been the biblical text.[424] Based on the archaeological data and on the idea that biblical information about the district in the book of Nehemiah reflects the Hellenistic period, Finkelstein concludes that Yehud consisted only of the area from Jerusalem to Ramat Raḥel, with a possible extension further north and to Jericho and En Gedi in the east.[425] The largest number of inhabitants lived in the central hill country. Grabbe remarks that Judah was mainly made up of people living in unwalled farming villages, with Jerusalem as the only urban site of any significant size.[426]

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419 Ezra 2:64-65 speaks of 42,360 Judahites with 7,337 slaves plus 200 singers; Nehemiah 8:66-67 reports 42,360 persons plus 7,337 slaves and 245 singers.

420 Lipschits (2012, 149) says that the claimed return of divine images and people actually refer to measures taken on a local scale and has nothing to do with the return of Judahites from Babylon to Jerusalem. Becking (2006, 12) calls the idea of a 'mass return' a historical myth. The historical evidence hints at an ongoing process, with various waves of returnees occurring over more than a century, while there was also a lot of people who decided never to return at all.

421 Grabbe (2004, 355). Grabbe (2004, 201) remarks that the number of 30,000 people represented a decline compared to the 90,000 people in Iron Age II; Finkelstein (2010, 54) estimates 12,000.

422 Grabbe (2004, 201) remarks concerning the extent of Yehud: 'Although the precise borders of the province cannot be delineated from present data, we have a reasonable idea of approximately where they were. Yehud included some of the old territory of Benjamin, with the northern border somewhere around Bethel. The eastern border extended to the Jordan and the Dead Sea, apparently including Jericho and En Gedi. Most of the Shephelah was excluded in the west, with Gezer, Azekah, and Lachish all outside the province. The southern border took in Beth-zur and might have included Hebron (though that site was abandoned throughout the Persian period in any case). We have some indications of a division into districts and even sub-districts, but the precise configuration of these is still a matter of speculation.'

423 Carter (1999, 100-113). Carter (1999, 100) defines an environmental niche as a self-contained area, separated from other niches by features of topography, climate, soil type, rainfall patterns, and geomorphology.

424 Geva (2014, 40).

425 Finkelstein (2010, 40-46, 54).

426 Grabbe (2004, 29).

Nehemiah 3 suggests that Jerusalem must have been a large and fortified city of sixty hectares during the Persian period.[427] Several archaeologists claim, however, that, after a century of Persian rule, Jerusalem was a small town with only 1,000-3,000 inhabitants.[428] In the meantime, archaeologists also acknowledge that scanty evidence means we know very little,[429] and M. Steiner has recently pointed to problems in the determination of the actual size of Jerusalem in the Persian period.[430] The finds of luxurious graves around the city and refined ceramic ware from various potteries may also point to a certain wealth. Despite some uncertainties, most archaeologists say that it is highly improbable that Jerusalem was a large city. Geva says that Jerusalem was an unfortified village during the Persian period, comprising a very limited area of 2-2.5 hectares.[431] Based on archaeological data, Finkelstein even estimates that, during the Persian and Hellenistic periods, Jerusalem was an undefended village with a population of only a few hundred people.[432] Although there is much uncertainty about the exact size and extent of Jerusalem, it is highly probable that Persian Jerusalem was a small city where some wealthy people may have lived.

We may conclude that Yehud must have been a district with a population of between 12,000 and 30,000 inhabitants, and Jerusalem a city of 1,000 to 3,000 inhabitants. The presence of some luxurious goods may point to some wealthy people in Jerusalem. In any case, it is probable that the author lived in an area with a small number of people. This information contradicts the impression given by Ezra-Nehemiah, which implies that they do not describe historical reality. This information is confirmed by scholarly research on Ezra and Nehamiah, which questions the historical accuracy of these books.[433] I support the interpretation of a group of scholars that the books of Ezra and Nehemiah may be an exaggerated representation of reality and can be dated to the third or second century BCE.[434] Based on this information, we may conclude that these books contain an idealised picture of the past, and therefore it is not correct to use all the information of the books to clarify the historical and social context of Leviticus. In the meantime, these books may contain some historical information, and therefore I will proceed using information from Ezra and Nehemiah in the awareness that, while the books are for the most part fictitious, they may contain some historical information. Events like the public reading of the Law during this period probably did not happen, given

427 Based on the description of the city walls in Nehemiah 3:15, 16, Geva (2014, 41) defends this proposal, though she does say that these numbers are contradicted by archaeological data.
428 Lipschits (2006, 32) speaks of 1,500, and Grabbe (2004, 199) of 3,000 at its largest. Geva (2014, 143) estimates that the city's population at its peak, at the end of the Persian period, was no more than 1,000.
429 Lipschits (2012, 151); Bieberstein (2017, 104).
430 Steiner (2021).
431 Geva (2014, 41).
432 Finkelstein (2008, 514).
433 Becking (2017, 12-13) argues that the book is highly fictional, and Klein (2007, 398) states that the historicity of Ezra is highly debated. See also Bieberstein (2017, 93-98).
434 Grabbe (2003, 320). For example, M. Oeming (2022) interprets a text like Nehemiah 13:22-23 as an anti-Hellenistic document and dates it to the second century BCE. See also Finkelstein (2010, 54).

that there is no proof of such practices and such general acceptance of the Law before the Hasmonaean period. Rather, these traditions are evidence that later groups saw their ideological roots in the time of the 'return from exile'.

A Comparison between Leviticus and Late Persian Yehud

To defend dating Leviticus to the Persian period, scholars have researched similarities between Leviticus and the situation in this period. Here, we will take two aspects into consideration which we already discovered. First, ideas like those we find in Leviticus were present in Ezekiel. They were not entirely similar, but they had the same basic concepts. Second, we must be careful in using Ezra and Nehemiah as historical sources, although they may contain some historical information from the Persian period. Taking this information into consideration, I formulate the following question for this section: Does Leviticus portray a society similar to situations during the Late Persian period? To answer this question, we must give a further overview of current research and evaluate these efforts.

Yehud was a small district in a province of the Persian Empire in which power was held by the Achaemenid ruler. We are confronted here with the question how much authority the Persian ruler gave to the priests in the Judaean community.[435] Based on different historical sources,[436] we know that there were dynasties of high priests and priests in Jerusalem. There is unanimity about Joshua as the first post-exilic priest, but there is uncertainty about the chronology of the high priests and the completeness of the different lists of his successors.[437] We cannot state the exact date when Leviticus 11 was written, and therefore it is impossible to determine the identity of the high priest under whom Leviticus 11 was written. Nonetheless, it is necessary to determine if there is any historical information about priestly power during the late Persian period in Yehud. The data should also help in determining to what extent Leviticus' emphasis on the central position of the priesthood reflects historical reality. The author of Leviticus wanted the priests to have power over the community, but did this power reflect, in any way whatsoever, the reality of the time he lived in?

According to Weinberg, Yehud was an autonomous entity that he defines as a *Bürger-Tempel-Gemeinde*, where the priests of Jerusalem were the central authority.[438] Because the priests controlled the bulk of private property in Yehud, they controlled the economic, social, and political structures. Weinberg's reconstruction implies that the Persian government gave the community some self-government. Cataldo rejects the idea of self-governed districts in the

435 For research on the formation of sacred texts in a moral context, see Carr, Conway (2010).
436 VanderKam (2004, VIII-IX) mentions the Hebrew Bible (Haggai, Zechariah, Ezra, Nehemia), Judith, Elephantine, Aristeas, Sirach, Maccabees, Qumran New Testament, rabbinic works, and Josephus.
437 See the discussion in VanderKam (2004, 85-99).
438 Weinberg (1973, 400-414), Weinberg (1992, 92-93).

Persian Empire.[439] He points to the unwillingness of the imperial government to allow Yehud to have a governing structure capable of existing alongside imperial control and politics.[440] The Persian Empire tolerated local cultures and religions as long as the highest priority was to remain loyal to the empire.[441] Based on papyri from Elephantine, Cataldo points out that the position of the governor (appointed by the Persian Empire) continued at least up until 407 BCE.[442] Furthermore, coins that contain possible priestly names do not clearly indicate that priests assumed political control. These extrabiblical data contradict the information from the biblical books describing that period,[443] but we should state that these biblical books may contain a one-sided and rather ideological depiction of events. The view provided by Weinberg and the one from Cataldo represent two extremes. Cataldo is correct to say that the Persian governor was the supreme ruler in the area, but this does not imply there was no collaboration with local elites (such as priests). The Persians were glad to grant various degrees of internal autonomy. Cataldo perhaps overemphasises the evidence for central control, and we may wonder whether the circumstances on Elephantine were similar to those in Yehud.

Although we cannot be certain about the amount of Judaean self-government in Yehud, we do know that the Persians certainly did not reinstate the kingship, and, in that sense, they made clear that the Persian Empire was the ruling power. Nonetheless, it is still possible to describe local power relations with a focus on the position of the priests. They seemed to be powerless, without any influence on daily life. And if the priests did have power, to what extent did they share this power with others? That is why we need to reconstruct the power relations of that time as discussed in recent literature. Historians point to the position of the temple in economic life in Yehud. The economy of Yehud was largely village-based and agrarian, with an important role for the temple (with rotating priestly groups).[444] There was a mixed animal husbandry and agrarian economy, based on the so-called Mediterranean triad of 'grain, wine and oil',[445] and there is evidence of international trade in wine, oil, and even grain, although it is not clear who controlled this trade – either the Persians or the locals.[446] The district was ruled by a governor appointed by Persia,[447] who had a staff of prefects and scribes, plus a garrison. The books of Ezra and Nehemiah affirm that Persian officials were the ones in power, but these books also indicate that the Persian governor ruled with the help of

439 Cataldo (2009, 33-66), chapter 2, 'The Face of the Persian Empire and its Administration'.
440 Cataldo (2009, 67).
441 Cataldo (2009, 65-66).
442 Cataldo (2009, 117). Also, VanderKam (2004, 99-111) points out that there is evidence of the existence of governors in Yehud during the whole Persian period.
443 The most important examples are Ezra and Nehemiah.
444 Carter (1999, 249), Grabbe (2004, 191-192, 195).
445 Carter (1999, 255), Grabbe (2004, 204).
446 Carter (1999, 256-259).
447 Smith (2007, 247) says that he was usually a Jew, but Grabbe (2004, 154) modifies this point.

Yahwist elites.[448] Under the governor, the high priest had almost as much authority as the governor: the Persians accepted and recognised the age-old hierarchy between the high priest and other priestly families at the heart of P's ideology. Perhaps it was just this opportunity to collaborate with the Persians and push out the other Yahwistic elites that triggered the returning priests to draw up the rules that we now find in Leviticus and the rest of the Pentateuch. The intention of Leviticus was to embed purity laws (along with some older ones perhaps) into their distinctly exilic narrative of Israel's identity. Unfortunately, we do not know the alternative and competing narratives by which the non-returnee Yahwists bolstered their claim to rule with the Persians, but Leviticus 11 is clearly part of a wider ideological and sociological struggle for power.

When the Persian period came to an end, the high priest received more political power.[449] Below the priestly families[450] were Levites and other servants of the temple. In addition to the temple personnel, there were laypeople who were either rich landowners or poor people.[451] Most of the people lived an agricultural life[452] and had to pay taxes to the Persians.[453] Moreover, there were also many foreigners who were attracted by the growing wealth of the area. There were enormous class differences in society.[454] Most people lived at the subsistence level; there was no middle class, and only a small group of rich people. It is unknown how much revenue was raised through taxes,[455] and there was not much evidence of specialisation in those days.[456] The temple staff were supported by religious taxes and some artisanship. We can reconstruct the role of the temple in the Yehud economy from Ezra and Nehemiah. The average Israelite was obliged to pay tithes to the temple, a task that was not always obeyed by the Judahites[457] and probably had an informal character.[458]

Despite the many uncertainties, we can conclude that the high priest was not the sole ruler in Yehud. The consequence for our investigation of the text of Leviticus is that the central place of the priestly authority we discovered in our literary study did not reflect the actual power relations in Yehud. It is interesting to note that the place of the priest became stronger over

448 Fried (2006).
449 Kugler (2009, 610-611) and Grabbe (2004, 172).
450 Grabbe (2004, 172).
451 Smith (2007, 248).
452 Grabbe (2004, 172).
453 Grabbe (2004, 195-196) speaks about the 'Asian mode of production', in which an empire is sustained by taxes paid by farmers.
454 Grabbe (2004, 193-194).
455 Grabbe (2004, 207).
456 Grabbe (2004, 204).
457 Grabbe (2004, 207-208). Evidence of disobedience can be found in Nehemiah 13:10 and Malachi 3:8-11. There has also been the suggestion that the temple was an administrative centre where the Persians collected taxes, and Grabbe (2004, 208) and Lipschits (2006, 40) suggest that the construction of the walls of Jerusalem proves that Jerusalem was an administrative centre.
458 Bedford (2015, 348) speaks about the 'informal taxation' of the priesthood by the people, a custom that was usual in the Persian Empire.

time, which could be due to priestly influence. We might interpret Leviticus, with its emphasis on the power of the priests, as primarily an expression of the will of a group of people in Yehud. That does not mean that they acted in a top-down fashion in all instances, but they did carry out a careful investigation regarding matters of purity (chapter 2). If Leviticus does reflect historical reality in any way, it does so only to a limited degree. This reality consists in the presence of the temple and the priesthood, and the author of Leviticus wanted to strengthen the position of the temple and the priests. In the foregoing text we saw that the priest received a great deal of power at the end of the Persian period. This could have been stimulated by late Persian priestly writings, which aimed for this position. On the other hand, we saw that most of their prescriptions were not obeyed until the Hasmonaean period.

General practices or an isolated group?

If a late Persian date is possible for Leviticus, our next question is whether the text reflects general practices in this period or simply those of a group of Judaeans. Therefore, we have to study texts from Ezra and Nehemiah. Although these texts present a highly idealised view they may reflect the presence of different social groups, and it is possible that Leviticus, and more specifically Leviticus 11, was written by one of these groups. Therefore, our question is: Did he/they represent the views of all inhabitants of Yehud, or did he/they belong to one specific group? To answer this question, we need to focus on the possibility of distinguishing different social groups in Yehud. We already hinted in the previous section at possible diversity in society. Such a hint is the remark that strangers came to Yehud because of the wealth of the region. This is an indication that there were foreigners present, but what about the Judaeans? Were they a uniform whole or not? The fact that there were Judaeans who did not obey the obligation to pay tithes gives the impression that the Judaean community in Yehud was not a uniform whole, and this prompts us to look at diverse groups during this period.[459]

If we relate these contrasting regulations in Leviticus 11 to the late Persian period, it is remarkable that a very strict rule on divorcing foreign women (Ezra 10) was not included in the Pentateuch. This may have been an idea held by one separate Yahwistic group which was not followed by the Priestly authors. Another aspect is the inclusion of a very strict law like the one in Leviticus 11:39-40, which implies that Leviticus 11 is a text that probably belonged to an isolationist group from the late Persian or early Hellenistic period. The existence of different legal traditions from the second half of the fifth until the third century BCE is also reflected in a number of inconsistencies that we find in the work of P / H. M. Smith points to

459 Dubbink (2021) points out that in this period there was no single Judaean identity. He points to older studies by Morton Smith and Albertz, who acknowledged the complexity of post-exilic Judaism. See also Hensel (2018) who presupposes that the passages in Ezra about mixed marriages represent a cultic demarcation of the exilic community from all other foreigners.

laws from the D code which contradict the P / H laws.[460] This implies that the authors from that period did not harmonise P / H and D. This was perhaps either because they did not have the opportunity to harmonise them or because the author did not consider it problematic to combine contrasting traditions from diverse groups into one book.

If we discover traces of the existence of contrasting views that may reflect diverse groups, we will look for further evidence of the existence of diverse groups in other historical sources. This happens through a historical overview of Judaean groups in Yehud. Grabbe and others point out that there was no mass immigration during the first fifty years of the Persian period, and a gradual and peaceful infiltration of newcomers in this period is more likely,[461] with new settlers from Babylonia tolerated and absorbed by the locals. Grabbe notices a turning point in the middle of the fifth century when there was a development towards isolationism. This was the period in which Nehemiah and Ezra[462] may have played a role.[463] A striking example of this isolationism is found in the command to separate themselves from the 'population of the land and from foreign wives' (Ezra 10:11). If a man had a foreign wife, he had to divorce her. An indication that there was no general agreement on this instruction is that priests were mentioned by name (Ezra 10:18-44), which Van Wieringen explains as indicating that not everybody obeyed the command.[464] In some texts, we discover a tendency to remove the impurity of the people of the land,[465] and it is clear that the movement that Ezra and Nehemiah represented was isolationist and that the power of the movement existed in the fact that it received support from the Persian authorities.[466] Neither in Yehud nor in other areas where Judahites lived was Judaism one monolithic whole.[467] There were shifts from inclusivism to exclusivism during the period of Ezra and Nehemiah (about 450 BCE) and another inclusivist shift during the fourth century BCE.[468] Although some periods were more inclusivist and others were more exclusivist, we may even assume that in all these periods inclusive and exclusive points of view must have lived side by side: the existence of inclusive books like Jonah and Ruth next to exclusive books like Ezra and Nehemiah underline the existence of

460 Smith (2007, 263).

461 Grabbe (2004, 356) and Becking (2017, 11). Dubbink (2021, 38-39) says that the author of Ezra describes an exclusive group of returnees who did not want to work with any other group in the country. He says that this exclusivism differs from that in Haggai 2:4[2:5], which also speaks about rebuilding the temple and where 'the people of the land' are allowed to join the exiles in their building activities.

462 Becking (2017, 85-86) points to the complexity in identifying the position of Ezra.

463 Grabbe (2004, 256). Smith (2007) speaks of assimilationists and segregationists and tracks these groups throughout history. I follow Grabbe with his less explicit explanation of religious history in the Persian period.

464 Van Wieringen (2021, 91).

465 Grabbe (2004, 268).

466 Kessler (2006, 112).

467 For an overview, see Kessler (2006, 92-98).

468 Kessler (2006, 107-112). Fantalkin, Tal (2012) even explain the canonisations of (parts of) the Pentateuch after 400 BCE on the basis of the fact that Yehud became more important after Egypt split off from the Achaemenid empire. They supported the canonisation of the Pentateuch with its anti-Egyptian tendency.

both groups. This diversity over time and during different periods brings us to the conclusion that Nehemiah and his followers did not represent all the Judaeans in the small district of Yehud with its population of no more than 30,000 people.

We have noted that the books of Nehemiah and Ezra represent an exclusivist group during the late Persian period, which is evident from the text, and these texts help clarify the ideas of isolationist groups within this district. In Ezra-Nehemiah, there is a negative attitude towards the עַם הָאָרֶץ, 'the people of the land', a group whose identity is a matter of discussion and complexity in research.[469] It becomes clear from Ezra 4:4 that there was a controversy between the 'people of the land' and the 'returnees' who are called 'the people of Judah' or 'the people of Judah and Benjamin' during the time of Zerubbabel. The group called 'people of the land' wanted to build the temple together with the returnees, but they are not allowed to do so because they were considered foreigners.[470] Whatever their identity may have been, Ezra 9:1-3 speaks about marriages between the priests, Levites, and Israelites with the surrounding nations who are – in accordance with the book of Ezra – the 'people of the land'. This textual information reveals two groups in Judaism during the late Persian period: an assimilationist group that considered mixed marriage legitimate and a segregationist group that insisted on an end to these mixed marriages through divorce (Ezra 10:1-6). The last group consisted of returnees who had gathered around Nehemiah and Ezra.

The text of Ezra-Nehemiah reveals some practices that are similar to what we find in the book of Leviticus. One aspect is that the holiness of the temple is expanded to include the city of Jerusalem, which implies that there is emphasis on the community.[471] This context is analogous to that of Leviticus: the sanctuary had to be holy, as prescribed in chapters 1-10, and the Israelite community had the obligation to remain pure (chapters 11-15). As demonstrated above, the priests had a responsibility to observe these laws; it was not possible for the people to remain pure without the help of the priests.

The basic traits of Leviticus are present in the work of Ezra-Nehemiah in several aspects. First, if priests could not prove that they were descendants of the priestly line, they were considered impure and were excluded from eating the priestly portion of the sacrifices (Ezra 2:59-63). Second, the returnees were considered 'holy seed' who had to remain separate from the 'people of the land' (Ezra 9:2), a rule that accords with the strict distinction between the purity

469 Fried (2006) translates עַם הָאָרֶץ as 'the rich and land-owning people'. This interpretation was rejected by Thames (2011), who says that the exact identity of the עַם הָאָרֶץ cannot be determined because the focus of Ezra 4:4 is not a precise identification of this group. Thames also rejects the oft-advocated view that there was a fundamental change in the meaning of עַם הָאָרֶץ between the pre-exilic / exilic and post-exilic periods. This point of view was also defended by Healey (1992, 169) and Hagner (2006, 120).

470 Grabbe (1998, 16).

471 Grabbe (1998, 97).

of the Israelites and the impurity of the people outside the Israelite camp in Leviticus. Third, there is an emphasis on purity through the observance of the Sabbath in Nehemiah 13:15-22, when the gates of Jerusalem were closed, and Tyrian traders had to camp far from Jerusalem. The walls functioned to keep Jerusalem holy. This description is analogous to the strict separation between the Israelite camp and the world outside. The dietary laws are not mentioned in Ezra-Nehemiah, but they fit the accent Leviticus places on the separation between the camp and the world. Fourth, there is the emphasis on the role of the priest and the written law during the late Persian period, which accords with the emphasis on the book of the law and the role of the priests in late Persian Yehud.

Conclusion

If we choose to date Leviticus in the late Persian period, then the foregoing arguments lead to the following historical reconstruction. The group that may have consisted of a tiny group in a small Judaean community, in the small settlement of Jerusalem in Yehud, which only consisted of between 12,000 and 30,000 inhabitants. This was a Judean group with isolationist ideas, which tried to build a community around the temple where the priests played a vital role. This group was in direct competition with others who either held power because they collaborated with the Persians and/or clashed with other isolationist Judahite groups over their mutual claims to be the true representatives of the religion of the fathers. Based on information from Ezekiel, we may assume that such groups could have existed since the exile. Based on excavations in Tel Dan, we may assume that P-like practices could have existed during the pre-exilic period.[472]

We also concluded that there is no support for Yehud as an autonomous entity, defined as a *Bürger-Tempel-Gemeinde*, where the priests of Jerusalem were the central authority in a period in which the temple had much influence on daily life. Therefore, it is not possible to find a situation comparable to the one described in Leviticus. We may even ask the question whether the author(s) of Leviticus had the intention to describe situations and practices that they saw because Leviticus could also be a desire that was expressed by its authors.

Given this information, we come to the conclusion that different groups existed in Yehud / Judea in the late Persian period. The consequence of this conclusion is that we have to assume that the Judaeans did not form a unified whole and that the author of Leviticus must be sought in isolationist circles that wanted to strengthen the position of the priests. These groups probably did not represent the majority of Judaean society. This idea is supported by Adler's work, who claims that there is no proof of obedience to purity laws during the Persian period. The strong position of the priest during the late Persian period correlates with the wish of the Priestly writer, which made the priest the highest authority in the community.

472 See the reference to Greer (2013) in 3.1.1.

In this period, however, they never had any real influence on what meat the majority of Judaeans factually consumed.

Much of the argument in favour of dating Leviticus in the (late) Persian period is based on Ezra and Nehemiah.[473] The generally fictitious character of these books, most parts of which are dated to the Hellenistic period, weakens their position as a historical source. On the other hand, codification of the Torah must have occurred somewhere in the third century BCE, when Judaeans in Egypt started translating the Pentateuch. Because there must have been a period of acceptance of the Torah before the translation of the Pentateuch, the last possible date must be 300 BCE. An indication favouring the Persian period is Ezekiel, which was written during the exilic period and shows that P-like ideologies already existed at that time. These conclusions make a date in the late Persian period a probable option, and, therefore, I choose that date.

3.2 Redaction history

In the previous section, we concluded that the most probable date of Leviticus 11 is the late Persian period. Because we want to study the practical values of the dietary laws in Leviticus 11, we raise the question as to whether there was any redactional development before the present text and whether we can discern redactional layers. If these layers exist, we can reconstruct the redaction history and, if possible, determine the historical context of sources and tradents. An important aspect of the diachronic investigation of Leviticus 11 is its relation to Deuteronomy 14:3-21, and I will therefore pay special attention to the relation between these two texts.

Before discussing the redactional layers, let me remark that in chapter 2 we concluded that the microstructure of the divine speech in chapter 11 (2b-45) shows an ABA structure (2b-23, 24-40, 41-45). Verses 2b-23 speak of eating, verses 24-40 of touching carcasses, and vv 41-45 once more of eating. Verses 2b-23 and 24-40 have a list-like character, whereas the different literary style of verses 41-45 may imply that these verses form a climax to the chapter. Although the text has a well-defined structure, we may ask whether it was an original creation by one person, who did not use older literary or oral sources. This section intends to discover the existence of sources and the literary history, but how does that relate to the structure we discovered? The underlying question concerns the mechanisms behind the growth of the biblical texts. Was it just a matter of copying and pasting, without reckoning with meaningful connections of the new text with the older parts? I will not follow such an approach. Recent studies show that additions in the biblical texts are often reactions to other textual traditions.[474]

473 We also notice this tendency to emphasise the importance of Nehemiah as a historical source from the Persian period in Leuchter (2010).
474 An example we find in Otto (2019).

An important clue is that we also should speak of one source (like P) who finalises the biblical text. Levin points to the fact that the Pentateuch brings together different traditions, whereby there is no final authoritative text. He says: The book form of the Torah was not made but grew over time.[475] For the whole of Leviticus 11, we have discovered specific literary techniques in chapter 2. The next step is to determine whether redactional layers are discernible and to determine how the text developed over time.

3.2.1 Redactional layers in the text of Leviticus 11

For this diachronic investigation, it is necessary to make some remarks about the translation and interpretation of the concepts of purity, impurity, and holiness in Leviticus 11. Different words are used for these concepts in Leviticus 11: vv 44-45 speak of קָדוֹשׁ, 'holy': the Israelites must be holy because God is holy. The remaining sections of vv 1-42 and 46-47 use different words relating to purity: the word pair טָהוֹר / טָמֵא, 'pure / impure', and the specific word שֶׁקֶץ, which scholars usually translate as 'abomination'. There is a great deal of scholarly discussion on the interpretation of these words which we will deal with in this section. The discussions on these words are partly diachronic: differences in use may betray various sources. These discussions also concern concepts about the distinction between ritual or moral impurity or the question as to whether holiness was required for the whole people or for the sanctuary alone.

The Hebrew words שֶׁקֶץ and טָמֵא are used to describe the impurity of animals which may not be eaten and whose carcasses may not be touched. The verbal root שׁקץ and its derivatives usually express something detestable.[476] The word is usually translated as 'abominable' and 'detestable'.[477] The derivatives from טמא point to impurity – usually cultic impurity.[478] The text of Leviticus 11 is characterised by variation in the use of both words for impurity: טמא appears in vv 2-8 and in vv 34-40, whereas שׁקץ appears in vv 10-23 and vv 41-42. In vv 43-44 both words are used in combination. Verses 2-8 are mainly concerned with the consumption of impure quadrupeds and vv 24-40 with the impurity conveyed through different forms of contact with carcasses. Verses 10-23 are mainly concerned with the consumption of aquatic animals, birds, and insects, while vv 41-42 speak about the consumption of several kinds of creeping animals. Verses 43-44 speak of impurity contracted from creeping animals on the earth.

The distinction between שֶׁקֶץ and טָמֵא in Leviticus 11 forms a basis for source criticism, for which the following arguments can be adduced. Some scholars interpret vv 24-40 as an addition. Important representatives for this position were Wellhausen in the nineteenth

475 Levin (2022, 26).
476 Gesenius, 862 points to the Judaean Aramaic parallel which means 'verabscheuen, abscheulich machen'. Grisanti (1996, 243) refers to the Akkadic cognate verb *šākāṣu* 'to look with contempt'. Gesenius, 862 translates the Akkadic word by 'greulich'.
477 Grisanti (1996, 243). *HAL*, 1519 translates the Pi'el as 'zum Abscheu machen'. The noun שִׁקּוּץ can be translated as 'detested thing' (Dan 11:31; 12:11; 1 Kgs 11:5).
478 *HAL*, 359, 360. *NIDOTTE*, 2 says that the word refers mainly to ceremonial impurity.

century and Milgrom in the twentieth.[479] Wellhausen regarded vv 24-40 as an addition because the text did not speak about eating but about touching. He also pointed to the use of different words for impurity: שֶׁקֶץ instead of טָמֵא. According to Milgrom the verses interrupt the sequence of vv 2-23 and 41-42 because vv 24-40 speak about purification, whereas vv 2-23 and 41-42 do not stress that aspect.[480] Milgrom pointed to the change in subject matter and to inconsistencies between vv 24-40 and vv 2b-23.[481] An important inconsistency is the difference in the use of בְּהֵמָה in v 2 and vv 24-28: in v 2 it refers to all quadrupeds and in vv 24-28, this term is used in contrast to חַיָּה, 'wild animals', and therefore restricted to one group of animals. The choice to interpret vv 24-38 as an insertion has consequences for the interpretation of שֶׁקֶץ and טָמֵא in Leviticus 11: שֶׁקֶץ refers to eating impure animals and occurs in vv 2b-23 and 41-42, whereas טָמֵא concerns defilement through touch and ingestion and occurs in vv 24-40. Based on these data, Milgrom developed this distinction between שֶׁקֶץ and טָמֵא.[482] A complication is that we also find a form of טָמֵא in vv 4-8, a text that is not part of the inclusion. Verse 8 shows, however, that the word applies to contamination from touching the carcasses.[483] This implies that, in vv 2b-23 and vv 41-42 and in the insertion of vv 24-40, there was an awareness of the difference in meaning between שֶׁקֶץ and טָמֵא.

Using structural analysis, some scholars have criticised the hypothesis that vv 24-40 are an insertion. W. Warning challenges Milgrom's hypothesis of a lack of textual unity through the search for general terminological patterns.[484] He points to word repetitions throughout the whole chapter and also in sections that Milgrom connects with various sources. Kiuchi proposes a structure to the text where the description of the different animals builds up to a climax, namely, the description of swarming animals that creep on their belly or whose belly is close to the ground.[485] Kiuchi refers to subtle references to the snake and to the story of the fall in Genesis 3. This pattern determines the structure of Leviticus 11. M.A. Grisanti points to the combination שֶׁקֶץ and טָמֵא in Leviticus 7:21 and 11:43-45.[486] The word שֶׁקֶץ expresses a higher intensity of impurity because the word forms an *inclusio*. Although scholars like Warning, Kiuchi, and Grisanti present interesting proposals challenging diachronic research, they do not disprove the inconsistencies that Milgrom points out. Answers to questions about the use of שֶׁקֶץ and טָמֵא in vv 43-45, as raised by Grisanti, are presented below in the discussion on vv 43-45.

479 Wellhausen (1899a, 148).
480 Milgrom (1991, 692).
481 Milgrom (1991, 693).
482 Milgrom (1991, 667, 692).
483 Milgrom (1991, 648).
484 Warning (1999, 49-56).
485 Kiuchi (2007, 193-195).
486 Grisanti (1996, 244).

Furthermore, modern research interprets vv 39-40 as an appendix to the purification block in vv 24-38.[487] This assumption is based on inconsistencies in the text of Leviticus 11. Leviticus 5:2; 7:21, 24 permit the Israelites to touch the carcass of a pure animal, while forbidding it in vv 39-40. Moreover, only priests were not allowed to eat a cow that did not die naturally (Lev 7:24; 22:8). This inconsistency is not found in the rest of Leviticus 11, and therefore vv 39-40 is probably an addition to vv 24-38.

Based on the arguments just mentioned, it becomes clear that vv 41-42 form a continuation of vv 2b-23. The text describes swarming creatures that swarm upon the earth, which are described as שֶׁקֶץ, the word for impurity used in vv 2b-23. The Israelites were not allowed to eat the animals listed here, just as they were not allowed to eat the ones listed in vv 41-42. The text does not mention touching, which is the central theme of vv 24-40.

In vv 43-45, furthermore, the warning against contamination by creeping animals relates to the call to holiness. The style of these verses does not fit the chapter and differs from that of the surrounding verses.[488] Milgrom points out that holiness is prescribed here for the whole people (a mark of H), whereas it is limited to the sanctuary and the sancta in texts that he ascribes to P and that exist in other parts of Leviticus. His argument regarding the combination of שֶׁקֶץ and טָמֵא in vv 43-45 is convincing; here they occur together, whereas these words have contrasting functions in the rest of the chapter. We can presuppose that the author of vv 43-45 was not aware of this distinction, a conclusion that has consequences for the reconstruction of the redaction history of Leviticus 11.

Vv 46-47 differ from vv 43-45 because they do not speak of the holiness of the people, and it resembles the endings we find in 7:37, 14:54-57, and 15:32-35. Verse 46 is similar to vv 2b-23 and vv 41-42 because of the enumeration of the various kinds of animals. Verse 47 resembles vv 24-38 because of the occurrence of טמא. Therefore, two different sources can be traced in the final formulation of vv 46-47.

Finally, I make some remarks about the status of v 1. It is clear that this verse is part of the introductory formulas in the whole book of Leviticus, as shown in chapter 2. Therefore, it can be ascribed to P/H. But what about the relation with the different tradents of P? Because P_2 has similarity with chapter 12-15, with its emphasis in ritual purity, we might connect it with P_2. Because of the dissimilarity of chapter 1-7 with P_3, this may be later than v 1. We will deepen our view on textual growth of Leviticus in the next section on the redaction history.

487 Milgrom (1991, 693-694, 681-682), Meshel (2008a, 215), Hieke (2014a, 428-429).

488 Milgrom (1991, 695-696). Meshel (2008a, 430) and Hieke (2014a, 214) also support this interpretation.

The analysis points to the existence of redactional layers in Leviticus 11, and the most valid reason for this point of view is the existence of inconsistencies, which supports the idea that vv 24-38 and vv 39-40 are separate sources. There are also differences in style in vv 43-45, which contain the instruction that the Israelites must be holy. This argument does not offer decisive proof for the existence of sources, but it does support the idea that these verses form a separate source. A division between v 46 (P_1) and v 47 (P_2), plus a connection between these two verses and earlier parts of Leviticus 11 is based on the use of similar words and concepts.

The conclusion that different redactional layers can be discerned in the text of Leviticus 11 has challenged scholars like Milgrom and Meshel to reconstruct its redactional history. The first layers are all about eating pure meat and are called P_1 (vv 2b-23, 41-42, and 46). The layer on contamination is an addition to the text of P_1 and speaks about touching the carcasses of impure animals. This part can be found in vv 24-38, 47 and is called P_2. The layer concerning contamination from touching or carrying a carcass of a pure animal is vv 38-39 and is called P_3. P_3 is the last of the different layers in P because it has the most rigid laws and may be formulated as a radicalisation of P_2. Finally, vv 43-45 is usually viewed as composed by H.[489] Before discussing the redaction history of Leviticus 11, it is important to give a further definition of the sources P and H and of the tradents P_1, P_2, P_3.[490] H is described as a source because of its own specific theological ideas, and because of a specific style.[491]

3.2.2 The redaction history of Leviticus 11

Milgrom suggests a chronological sequence P_1 - P_2 - H - P_3.[492] The first layer in the text comes from the tradent P_1, which he finds in vv 2b-23, 41-42, and 46. This text presents the dietary laws for four kinds of animals (vv 2b-23, 41-42) and a subscript about all these animals (v 46). Tradent P_2 added a text about impurity through contact with the carcasses of a group of impure animals (vv 24-38), plus a general rule about the distinction between pure and impure animals (v 47). We may attribute the third step in the redaction process to H, who admonishes the Israelites to be holy through the observance of the dietary laws (vv 43-45). Finally, there is an interpolation by P_3 on impurity from touching or carrying the carcasses of pure animals (vv 39-40).

489 Except for D.P. Wright (1991, 168) who says that not only vv 43-45, but vv 41-45 is the work of H.

490 A tradent is a person or a group that represent(s) a source and also a development in thinking within that source.

491 The foreword by S. Shectman, J.S. Baden (2009, xi) mentions the tendency that European scholars see H as redactional at some level, while the Israeli and American schools tend to treat H as a discrete element of the pre-redactional priestly material. I am more convinced by the American and Israeli point of view because of descriptions of the theological system as we find it in Milgrom (2000, 1368-1443). A distinctive aspect in the theology of H is a specific view on holiness, which is a responsibility for all Israelites, while in the theology of P, holiness is restricted to certain places, persons, and times.

492 Milgrom (1991, 696).

The reason Milgrom says that the P_2 material in vv 24-38 is an insertion in the P_1 texts between vv 2b-23 and vv 41-42 is the need for a connection between chapter 11 and chapter 12-15 (especially Lev 12, 15).[493] Leviticus 12-15 and Leviticus 11:24-38 both speak of impurity through contact. We explained the connection between vv 24-38 and v 46 above. Milgrom says that the addition of material from H (vv 43-45) must have come after P_1 and P_2 because the text is alien to the whole chapter.[494] It is placed at the end of the chapter and neither adumbrated in the resumptive subscripts (vv 46-47) nor harmonised with them. The main reason to date H after P_1 and P_2 is Milgrom's presupposition that H is the redactor of P, which we can prove by the occurrence of several texts from H in the P material.[495] Finally, the placement of P_3 after P_1 and P_2 is clear: it represents a stricter law on purity and is placed at the end of the P_2 material. Milgrom points out that, according to H, a priest may not eat the carcass of a pure animal (22:8).[496] He thereby presupposes that a priest was allowed to touch such a carcass, whereas, in the P_3 text of vv 38-39, a layperson was not allowed to eat or touch it. Therefore, he considers the P_3 text to be later than the H material. Nonetheless, Milgrom also reckons with the possibility that H can be dated later.[497]

A different point of view can recently be found in the work of Meshel, who proposes the sequence P_1 - H - P_2 - P_3 for the same verses. He points to the disorderly structure in Milgrom's reconstruction of Leviticus 11.[498] Another argument against Milgrom is the lack of evidence for the late dating of H relative to P_2. Lastly, he remarks that the evidence for P_3 as a separate stratum is weak. Meshel rejects Wright's attempt to solve the question of why vv 24-38 (P_2) was inserted at that point.[499] Meshel remarks that Wright's solution is not entirely possible because vv 41-42 include the distinction between שׁקץ and טמא, which is specifically not a mark of H.

Meshel solves the problems in the reconstruction of the redaction history by abandoning the unproven assumption that P_2 antedates H and presents another reconstruction of its redaction history.[500] The text of H (vv 43-45) immediately follows P_1 (vv 2b-23, 41-42). The prohibition in vv 41-42 forms the starting point for the exhortation to holiness (vv 43-45) because both texts have שֶׁקֶץ. The author of H was not aware of the distinction between שׁקץ and טמא that characterises P. The reason was that the unit that dealt with this distinction (P_2 - section 3) had not yet been added, and there was no awareness of this distinction.

493 Milgrom (1991, 693).
494 Milgrom (1991, 695-696).
495 Milgrom (1991, 39-42). Indisputable H interpolations in the P material are Lev 11:43-44 and Lev 16:29-31. Cf. Milgrom (2000, 1319).
496 Milgrom (1991, 694).
497 After giving his arguments on the composition of Lev 11, Milgrom (1991, 696) struggles with the question if P_3 was already added when H composed the final text.
498 Meshel (2010, 3, 10).
499 Meshel (2010, 11).
500 Meshel (2010, 11-14) describes Meshel's solution to the problem.

Meshel says that H did not comment on P_2 since the Priestly texts that were available prior to H did not include P_2.[501] As mentioned in the previous section, this is the moment, where the text of Leviticus 11 was connected to the framework (without P_3).

In the end, P_2 (vv 24-40) was inserted into the material of P_1, which deals with ritual impurity. The reason for this addition was the juxtaposing of vv 2-8 and vv 24-28.[502] The legislators wished to contrast the law concerning the four prohibited quadrupeds (P_1 - vv 4-8) with the law concerning all other quadrupeds permitted for consumption (P_2 - vv 24-28). It is forbidden to touch the carcasses of the former for reasons of impurity (8aβ), whereas the carcasses of the other quadrupeds may be touched at will. The linguistic reason for Meshel's hypothesis is his interpretation of וְלָאֵלֶּה תִּטַּמְּאוּ, which he translates as 'By [touching] *these*, however, you are permitted to become impure'. Meshel follows Wright in his distinction between tolerated and prohibited impurities.[503] To discern this distinction in Leviticus 11, Meshel uses the following criteria:

> Wherever the author supplies instructions for purification from impurity, the impurity in question is 'tolerated;' but where the author does not supply these instructions, the impurity is of the prohibited type. Once this characteristic is acknowledged, it is possible to demonstrate how the authors of Leviticus 11 understood the relation between impurity and prohibition.[504]

In v 8, the text does not cite any instructions for purification from impurity, while vv 24-28 says that the Israelite who touches the carcasses mentioned is impure until the evening. If we combine these data with Meshel's rule of thumb, then it is evident that v 8 describes forbidden impurities, while vv 24-28 speak about tolerated impurities. In vv 4-8 and vv 24-28, the legislator contrasts two sorts of impurity, which supports Meshel's translation of וְלָאֵלֶּה תִּטַּמְּאוּ as 'By [touching] *these*, however, you are permitted to become impure' (v 24). With this argument, Meshel presents reasons for the interpolation of section 3 (P_2). In the end, P_3 added his specific regulations on contamination from carcasses of pure animals.[505] The diachronic development is then as follows: P_1 - H - P_2 - P_3.

The arguments mentioned point to the existence of redactional layers and redactional development in the text of Leviticus as a whole and in the text of Leviticus 11. Because Meshel gives good reasons for the interpolation of P_2, he presents the most orderly

501 Meshel (2010, 14).
502 This point of view is presented extensively in Meshel (2008a, 217-218) and is further defended in Meshel (2010, 5).
503 Wright (1991) and Meshel (2008a, 206).
504 Meshel (2008a, 213).
505 Meshel (2010, 14) is careful in calling P_3 a stratum, while in Meshel (2008a, 224) he was more explicit by talking about 'The third stratum, P_3'.

reconstruction of the redaction history, and we therefore follow the sequence P_1 (vv2b-23, 41-42) - H (vv 43-45) - P_2 (vv 24-38) - P_3 (vv 39-40). We may conclude that there are dissimilar sources, though the connection between שֶׁקֶץ and טָמֵא and specific systems of impurity is not entirely clear. On the other hand, there are uncertainties in the discussions about redaction history. A first problem is the specific use of שֶׁקֶץ and טָמֵא in Leviticus 11. There is uncertainty already because both words are used in vv 43-45, but this may be explained through the hypothesis that H did not know about this distinction. If this hypothesis is true, the consequence is that the final redactor of Leviticus did not remove the inconsistencies.

Another problem lies in the conceptual background of Milgrom's interpretation: an essential issue for his explanation of the development of purity laws is his view on ritual and moral impurity. Ritual impurity appears in chapter 12-15 and is a prerequisite condition for entering the sanctuary.[506] In addition to ritual impurity, there is moral impurity which pollutes the land and does not entail banishment from the sanctuary: people polluted by moral impurity would be expelled from the country but were still allowed to participate in the temple service. Wright proposes that eating impure animals forms a separate category,[507] which illustrates the complexity of connecting dissimilar sources to different and coherent systems of purity and impurity.

Two relevant choices were made in the reconstruction of the historical context of the sources of Leviticus 11: first, the choice of a date for the Masoretic Text in the late fifth or early fourth century BCE, and second, the choice of the sequence P_1 - H - P_2 - P_3. This implies that the text of Leviticus as we know it existed in the Late Persian period, that is, not later than about 330 BCE. Based on the choice for this date, this section presents a reconstruction of the textual development. P_1 (vv 2b-23; 41-42), the oldest source of Leviticus 11, speaks of the prohibition against eating certain kinds of meat. To a large degree, this text is similar to the parallel text in Deuteronomy 14:3-21. We will compare the texts from Leviticus 11:2b-47 and Deuteronomy 14:3-21. Three options are mentioned in literature on the redaction history: first, P/H depends on D; second, D depends on P/H; third, D and P/H use a common source.

To take a position in the discussion on the redactional growth of the dietary laws, I will use the criteria formulated by D.M. Carr and applied by Meyer in his analysis of the parallel text in Leviticus and Deuteronomy.[508] He analyses the work of Nihan, a proponent of the idea of a common source, and Achenbach, the proponent of the idea of the dependence of Deuteronomy 14 on Leviticus 11. Through this study, Meyer studies the two possible explanations: one common source or dependence of one text on the other. He uses three

506 Milgrom (1991, 45-46).
507 Wright (1991, 165-169); cf. J. Klawans (2000, 31-32).
508 Meyer (2014, 78-88).

criteria mentioned by Carr. Speaking of the relation between text A and text B, Carr presents the following criteria for the direction of the dependence, which are relevant for this research:[509]

1. The new text verbally parallels that text and yet includes substantial additions vis-à-vis that text.
2. The new text appears to enrich its parallel (preserves it fairly completely) with fragments from various locations in the Bible (less completely preserved).
3. The new text includes an addition that fills what could have been perceived as an apparent gap in the text.

The first step in the analysis is an (incomplete) overview of similarities and differences between both texts. Through comparison will I determine redaction history and, determine the dates of the two Biblical texts and, the date of a possible common source.

Subject	Leviticus 11:2b-47	Deuteronomy 14:3-21
Quadrupeds	11:2-8	14:4-8
Fish	11:9-12	14:9-10
Birds	11:13-19	14:11-18
Flying insects	11:20-23	14:19-20
Contamination from carcasses	11:24-40	
Selling carcasses		14:21a
Swarming animals and the call to be holy	11:41-45. Swarming animals and the call to be holy: 'be holy because I am holy.'	14:21bα. Holiness as a fact: 'You are a holy nation'
Boiling a kid in its mother's milk		14:21:bβ
Concluding statements	11:46-47	

Both pericopes follow the same categorisation of animals (land - water - sky); the text of Leviticus is longer than the Deuteronomic one; both texts have additions: words and sentences that appear only in one text and are absent in the other. The most important addition in Leviticus 11 is the text on contamination from contact with carcasses (vv. 24-40). Most similarities are present in Leviticus 11:2b-23, a text attributed to P_1. The first step in understanding the relationship between the two texts is to focus on parts which are similar and then to focus on differences between these specific parts:

509 Carr (2001, 126).

Lev 11	Deut 14	Differences
11: 2	14:3-5	Deut 14:3 places תּוֹעֵבָה, 'abhorrence', at the beginning of the introductory sentence, in the second person singular. In the remaining text, both Lev 11 and Deut 14 use the plural. Among the animals that can be eaten are the ox, sheep, goat, deer, gazelle, antelope, ibex, addax, oryx, and mountain sheep.[510]
11:3-6	14:6-7	These verses are almost identical. Deut 14:6 has the logical שׁתי, 'two', with the split hooves. While Lev 11:4-5 mentions criteria covering the camel, the rock badger, and the hare and always declares, 'It is impure for you', Deut 14:7 only presents a short enumeration in a different sequence: camel, hare, rock badger. Deut 14:7 adds השׁסועה 'split (hoof)' as an alternative to ושׁסע שׁסע 'cleft completely through' in Lev 11:7.
11:7-8	14:8	These verses are almost identical.
11:9-12	14:9-10	Lev 11:9-10a and Deut 14:9-10a are almost identical. The repetitions of Lev 11:10b-12 are absent in Deut 14.
11:13-23	14:11-21	Both texts are almost identical. Deut 14:11 has a separate introductory sentence, and birds that may be eaten are called צפור, 'bird.' The word used in Lev 11:13 is עוף, 'winged animal.' Deut 14:19 uses this same only for small winged animals, and it also occurs with the same meaning in Lev 11:21. The list of insects that may be eaten is absent in Deuteronomy.

This overview shows that both Leviticus 11:2b-23 and Deuteronomy 14 contain additions. The Deuteronomic text adds the word תועבה to the introduction, to the list of animals that may be eaten, and adds שתי to vv 6 and 7, the list of animals that may be eaten. The additions in the whole chapter of Leviticus 11 are extensive, including additions in Leviticus 11:2b-21: extra criteria in vv 4-5, repetitions in vv 10b-12, and the list of insects that may be consumed. Aside from the additions in both, there is also a difference between Deuteronomy 14:7 and Leviticus 11:7: the 'split hoof' in Deuteronomy and 'cleft completely through' in Leviticus. Finally, there is the difference in the use of צוף.

Some of the differences between the two parallel texts can be explained by the redactional role of the editors. Here, I will point to places where these influences are clear. The first aspect is the use of תּוֹעֵבָה, 'abhorrence', שֶׁקֶץ, 'abomination', and forms of the root טָמֵא 'be impure'. In the parallel texts, תּוֹעֵבָה only occurs in Deuteronomy and שֶׁקֶץ only in Leviticus, while forms of טָמֵא are found in both texts. תּוֹעֵבָה is derived from the verbal root תעב, and all

510 Translation by Christensen (2001, 284).

derivatives from that root appear often in Deuteronomy and Deuteronomic texts.[511] The noun תּוֹעֵבָה appears in Deuteronomy as an indication of different sorts of sins.[512] In Leviticus, the word is only used by H (Lev 18:22, 26, 29, 30, 27; 20:13) and is related to the sexual sins of the Canaanites, and the word is not found in P. The use of the word תּוֹעֵבָה in the Deuteronomy text is an indication of redactional activity by D. In Leviticus 11, we find what is probably redactional activity by P in the use of שֶׁקֶץ. As noted above, the word was distinct from טָמֵא in this passage, where the term indicates carcasses of animals that are ritually contaminating. שֶׁקֶץ points only to the prohibition against eating impure animals. The word is absent from the parallel texts in Deuteronomy, and that is why it is probably a redactional addition by P.

A second aspect concerns the descriptions of the holiness of the people. In Deuteronomy 14:21, the prohibition against eating animals that are found dead is because Israel is a holy nation for the Lord their God. They are the people of the covenant, and therefore they are holy. Verses 2 and 21 form an *inclusio*,[513] and verse 21bα contains a description of the holiness of the people, which is a characteristic for Deuteronomy. Through this *inclusio*, chapter 14:2-21 is an integral part of the text of Deuteronomy. In this respect, the H text of Leviticus 11:43-45 is different: for H, holiness is an ideal based on the holiness of YHWH. Milgrom remarks that, in the Priestly and Holiness code, only the priests were consecrated (Exod 29; Lev 8), while the people had to 'earn' their consecration by obeying the commands.[514] In Deuteronomy, Israel *is* a holy people by virtue of the covenant. Therefore, we may conclude that D added Deuteronomy 14:21bα and that H added Leviticus 11:43-45.

In addition to the differences, there are also similarities between the parallel texts of Leviticus 11 and Deuteronomy 14:3-21, and the challenge is to interpret these similarities. Did D use and edit the text of P/H into D's text or was it the other way around? If a direct dependence of one text on the other cannot be proved, it is also possible that both texts depend on a common source or sources.

Direct connection

It is possible to derive one text about dietary laws from the other. This is the first possibility, offered by Malul, which he describes as a direct connection. In this approach we have two possibilities: either the text of Leviticus had the text of Deuteronomy as its *Vorlage,* or vice versa. The first option, where the author of Leviticus used the text of Deuteronomy as a

511 Gerstenberger (1976, 1051) and Houston (1993, 59).

512 E.g., idols (Deut 7:25-26), child sacrifice (Deut 12:31), wrong sacrifices (Deut 17:1), and the use of the wages of a harlot (Deut 23:19).

513 Christensen (2001, 288). Verses 2 and 21 are both introduced by כִּי.

514 Milgrom (2007, 854). Milgrom says that P/H follows E. See also Milgrom (1991, 703) and Meyer (2014, 75).

source, finds little support in recent research.[515] Adherents of this theory point to several expansions of the text of Leviticus and to the tendency to systematize matters mentioned in Deuteronomy.

The other possibility is that Deuteronomy was derived from Leviticus 11.[516] The most important defence of the priority of Leviticus in the twentieth century can be found in an article by Milgrom, who presents a considerable number of arguments.[517] He formulates his conclusion at the end of the article:

> The cumulative evidence of this investigation points, without exception in one direction. All of the additions, omissions, protuberances, inconcinnities, and inconsistencies that mark off Deut 14:4-21 from Lev 11 can be explained by the one premise: D had the entire MT of Lev before him, which he copied, altered, and above all abridged to suit his ideological stance and literary style.[518]

The most important argument is as follows: elements in Deuteronomy 14 are missing from Leviticus 11, and this is best explained by the assumption that such passages in Deuteronomy were not yet known by the author of Leviticus. Among the most manifest additions in Deuteronomy 14 he mentions are the list of prohibited animals in Deuteronomy 14:4b-5 and the introduction in Deuteronomy 14:3, which is characterised by the term תּוֹעֵבָה, a word not attested in P.[519] The dependence of D on P/H has more recently, been argued by B. Kilchör.[520] He points out that the dietary laws of P/H and D are similar, though D concentrates on food and not on contamination through touching. Comparable argumentation was given by Otto, who points at Deuteronomy 12 as the hermeneutical key for Deuteronomy and the whole Deuteronomic code (Deut 12-26).[521] Because there is accent on the sacrificial laws on the appointed sanctuary, there is accent on the terrestrial animals in Deuteronomy. Some of these arguments may be correct, and it is even possible that Deuteronomy 14 did rework parts on eating in Leviticus 11 (Lev 11:2b-23). The question is whether there is full dependence of one text on the other.

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515 This was argued at an early stage by A. Kuenen (1884, 85-86), later by Rendtorff (1963, 45, n. 34), and quite recently by T. Veijola (2004, 296-297); cf. the overview given by Nihan (2007, 284).
516 Nihan (2007, 284) points to the work of A. Dillmann and B.D. Eerdmans. This point of view has been defended by Achenbach (2011), who dates P much later than Milgrom did and dates Deut 14 to an extremely late date.
517 'Deut 14:4-21, an Abridgement of Lev 11' in Milgrom (1991, 698-704).
518 Milgrom (1991, 704).
519 Milgrom (1991, 699-700).
520 Kilchör (2015, 97-108).
521 Otto (2019, 181).

Nihan critiques Milgrom's approach, pointing to some fundamental weaknesses:[522]

1. Milgrom never considers the possibility that both texts depend on a common source, and he does not discuss the main traditional observations which prompted the identification of a common source for Leviticus 11 and Deuteronomy 14. If we return to the example just presented (the additions in D), then it is also possible to explain this phenomenon by the existence of a common *Vorlage*.
2. Viewing Deuteronomy 14 as an abridgement of Leviticus 11 raises too many difficulties, for example:
   - Why did Deuteronomy 14:4a shorten the longer formulation of Leviticus 11:2b? Not only is 11:2b more developed, but the use of חַיָּה, 'living creatures', as an inclusive term for the entire animal world, including all animals. בְּהֵמָה, has a parallel in the P story of the flood in Genesis 8:17. It is best explained as a refinement introduced by the P writer in Leviticus 11-15.
   - In Leviticus 11:3 of the Masoretic Text, the absence of the specification שְׁתֵּי before פְּרְסֹת creates a difficulty. Milgrom has to admit that שְׁתֵּי in Deuteronomy 14:6 is original and should also be provided in Leviticus 11:3. How this solution can be reconciled with the view that D had the entire Masoretic Text of Leviticus 11 before him is not obvious.
   - Regarding the aquatic creatures (Deut 14:9-10), Deuteronomy 14 does not simply depend on Leviticus 11. It is shorter and less developed than its parallel in Leviticus 11:9-12. Verses 14:9 and 11:9 are almost identical (except for 11:9b). The section 11:10-12 develops the basic instruction of 14:10. That 11:10-12 is not original is shown by the fact that most of Deuteronomy 14:10 is repeated *twice* in Leviticus 11, in vv 10 and 12, although טָמֵא is replaced by שֶׁקֶץ. In addition, the instruction concluding 14:10a (לֹא תֹאכֵלוּ) is now put at the centre of 11:10-12, i.e., v 11; it is combined there with a new instruction which has no equivalent in D, namely the prohibition against touching the carcasses of aquatic creatures that do not have fins or scales. Elliger says that it is hard to grasp that the author of D could omit the latter instruction, had he had the text of Leviticus 11 as a *Vorlage*.[523]
   - For Milgrom, one reason for antedating P is his view of the age of P: he maintains a pre-exilic date for this source and points to the relative antiquity of the material to support this.[524] The argument for this hypothesis must be discussed later, but it is evident that Milgrom uses external arguments to prove the relative antiquity of Leviticus 11. He is not able to present definitive

522 Nihan (2007, 284-287). See also Nihan (2011, 406-414).
523 Elliger (1966, 144).
524 'The Antiquity of P;' in Milgrom (1991, 3-12).

> evidence from internal arguments. Milgrom's arguments are convincing but cannot be viewed as decisive.

It is impossible, as suggested by Kilchör,[525] to interpret Deuteronomy 14:8 as a summary of Leviticus 11:8, 24-40. The differences between the texts on contracting impurity from carcasses of quadrupeds and ritual impurity from touching the animals in vv 24-28 are too minor. Based on the inconsistencies, the text reveals textual growth that is independent of Deuteronomy 14. Although there is a clear similarity between Leviticus 11:2b-23 and Deuteronomy 14:3-21a, which might even point at some priority of Deuteronomy, the text of Leviticus 11 in its final shape reveals traces of later redaction independent of D.

In spite of a possibility that Deuteronomy 14:3-21a may be dependent on parts of Leviticus 11, there are also indications into the other direction. And there is still the question where the list comes from. There must have been a hypothetical basic common source, where Nihan points at. This source may have been an example for Leviticus and Deuteronomy. In the next section, we will study the character of the common source.

A common source

Because the hypothesis that there is a direct and compete connection between one text and the other cannot be proved, we will investigate the other possibilities mentioned by Malul. A mediated connection is possible but cannot be proved because we have only the two texts (Text A and B) and no third text (Text C). Therefore, the most probable explanation is that there is a common source or a common *Vorlage*, a point of view supported by many scholars.[526] About this explanation Nihan remarks:

> Thus, attempts to derive Deuteronomy 14 from Leviticus 11 or Leviticus 11 from Deuteronomy 14 are too simple to be regarded as satisfactory, and the parallels between the two texts are best explained by the assumption of a common source. Even though in its present form Leviticus 11 tends to be more complete and more systematic than Deuteronomy 14, we actually find in *both* texts pluses vis-à-vis the parallel legislation.[527]

Nihan points out that many additions display the typical language and theology of both the Priestly and Deuteronomic schools. Nonetheless, he also acknowledges that, at a certain stage in the transmission of Leviticus or Deuteronomy, one list was reworked to conform to the other. Nihan elaborates on the possibility that there were not two or three standard texts

525 Kilchör (2015, 97-108).
526 G. von Rad (1968, 72), A.D.H. Mayes (1981, 237), Houston (1993, 63-67), Nihan (2007, 283-301), Nihan (2011), Meshel (2008a, 223), Hieke (2014a, 416-417).
527 Nihan (2007, 288-290).

(D, P, and a common source) but several other texts in the transmission of documents in the pre-D and pre-P period, the period of P and D, and the period afterwards.[528] The Masoretic Text of Leviticus 11 and Deuteronomy 14:3-21 stands at the end of a long process of harmonisation. Although we cannot say much about this, there are small indications favouring the hypothesis of the existence of a greater number of texts in the list of birds in Deuteronomy: The Septuagint tradition of Deuteronomy contains some variation, which may be evidence of a process of redaction history. This process may point to the existence of a common tradition that we do not know much about now. More specifically, it has existed, but we only know that it must be dated before 300 BCE, the *terminus ante quem* of Leviticus 11.

Application of Carr's criteria

In this section, we return to Carr's criteria and apply them to our texts. The first of Carr's criteria concerns the interpretation of substantial additions. These additions are not only about quantity but also about everything that matters in the text. Our overview shows that both Leviticus and Deuteronomy contain such additions, and this might point to a common source: D and P reworked the material of an original source. Meyer criticises Nihan's extensive defence of a common source,[529] rejecting Nihan's argument that the additions in the text of Deuteronomy 14 prove the existence of a third text and that Leviticus 11 did not expand the text of Deuteronomy 14. Meyer remarks that Nihan does not mention that the authors of Deuteronomy could have made these additions after they shortened Leviticus 11. Meyer emphasises the impossibility of determining the procedure through the interpretation of 'authoritative' additions:[530] both Leviticus and Deuteronomy differ from each other in too many specifics.

The second criterion concerns the enrichment of a parallel text with fragments from various locations in the Bible. Both Leviticus and Deuteronomy added material to the text that fit their own literary context.[531] In spite of this legitimate argumentation, it is still possible to explain the redaction history in different ways: both Deuteronomy 14:3-21a and Leviticus 11 could have used one source, but it is also possible that one of the texts (either Deuteronomy or Leviticus) copied the other text and adapted it into their own literary and historical context. The third criterion holds that a text 'includes an addition that fills what could have been perceived as an apparent gap in its parallel'. We stated before that there was a common source, which was the basis for the parallel texts. In the redaction process of Leviticus 11 and Deuteronomy 13:3-21a, both may have added which is absent in the parallel text. Meyer points to the ten animals added in Deuteronomy, which could be interpreted as filling the

528 Nihan (2007, 288-290).
529 Meyer (2014, 81).
530 Meyer (2014, 85).
531 Meyer (2014, 86).

gaps in Leviticus 11.[532] On the other hand, the second half of Leviticus 11 can be seen as an extension of something that was briefer in the Deuteronomy text. In my analysis I do not pay much attention to the mutual influencing of Leviticus 11 an Deuteronomy 14:3-21a, but I acknowledge that it is possible. In the previous part did focus on an analysis, whereby both D and P / H wrote down addition which reflected specific ideas.

The other three of Carr's criteria are not relevant for our discussion here. The data renders it impossible to make a definitive choice between the various possibilities. All alternatives are possible, and diachronic research cannot answer this issue definitively. But there is probably a common source, and there is some dependence of one text on the other. The safest solution is to presuppose that both texts fit their literary and historical contexts and adapted to it. It is still possible that a basic source for the two parallel texts could have existed, which consists mainly of animal names. The exact date and shape of this source is unknown. Was it a literary source or an oral source or a combination of these two? For now, nothing can be said with any certainty.

The choice for the independence of Deuteronomy 14 and for a common source has consequences for our view of the text. Given that there is dependence on Leviticus 11, I need to formulate the specific function found in Deuteronomy 14:3-21. The text is part of the unit of vv 1-21.[533] The first two verses speak of holiness with respect to pagan mourning customs, and verse 21b speaks of holiness with respect to the prohibition against boiling a kid in its mother's milk. As noted, the text contains specific marks of Deuteronomic theology. This can be seen in the fact that, in several places, the author remarks that the Israelites are a holy people (vv 2, 21b) and sons of YHWH (v 1a). While P / H says that the Israelites are to be holy because YHWH is holy, D takes it for granted that the Israelites are holy.[534] For D, holiness is inherent in the Israelites' biological nature.

Important for the search for practical values is the fact that D describes the consumption of impure animals as an תועבה, an 'abomination.' Houston and Meshel remark that it is a secular concept, rather than a ritual or theological one.[535] All self-respecting people, regardless of their religious allegiance, will not eat such meat. Because the Israelites are holy, they will not eat something that is so despicable. This has consequences for understanding the terms טמא,

532 Meyer (2014, 86).

533 Based on the work of Driver, P.C. Craigie (1967 ,228-229) argues that vv 1-29 form a unit mainly because of the frequent occurrence of the verb אכל. More recent publications defend the unity of vv 1-21 because of the clear structure of that pericope. Cf. C.J. Labuschagne (1990, 59-62), Christensen (2001, 286-290).

534 Milgrom (2007, 850-852) says that P restricts holiness to certain spaces, persons, and times, while H relates it to all Israelites. Milgrom 2007, 853) remarks that Israel is holy by virtue of the covenant. D agrees with P on the issue of Israel's holiness, whereas in H, holiness is an ideal.

535 Houston (1993, 243); Meshel (2008a, 210).

'pure', and טהור, 'impure', in Deuteronomy 14. Because of the lack of ritual, which is characterised by a period and / or procedure of purification, we are confronted here with a simple dichotomy.[536] The more complicated patterns of natural impurity versus ritual impurity found in Leviticus 11 are absent here.

To conclude, we presuppose that Deuteronomy 14:3-21a and Leviticus 11 use a common source, which, in any case, must have consisted of lists of impure (hybrid) quadrupeds, birds, and other animals. It also consisted of a list of characteristics of pure and impure animals. Further, we follow Meshel and choose the following sequence for the redaction history of Leviticus 11: common source – P_1 – H – P_2 – P_3.

Some final remarks must be made about the question when and how the lists, which originated in the common source, found their place within the whole of Leviticus. More specifically, when was v 1 inserted during the redaction history? We have seen that the H part (vv 43-45) was inserted after P_1. We may assume that the H part was already connected to the chapter from H, which begins with Leviticus 17. This implies that an important part of Leviticus was already written. Therefore, I assume that v 1 already existed when the H part was added to the text. But we can go one step further by arguing that v 1 was part of P_1. Because of the differences that we have seen between the narrative framework of the P parts in chapter 1-16 and the H parts after chapter 17, I assume that there was already a narrative framework encompassing chapters 1-16. Consequently, P_2 and P_3 were added after the narrative framework of Leviticus existed. In section 3.3, we will describe the practical values of the different dietary laws contained in these layers.

3.2.3 Leviticus 11 and the redaction of Leviticus

An important conclusion is that we acknowledge the existence of a common source. We can state that there is a development from the Common Source[537] until Leviticus 11, which must be dated to the late Persian period. Between the Common Source and Leviticus 11, the following development existed: P_1 – H – P_2 – P_3. The goal is to date these different stages, which we will do in the next section. To reach this aim, we have to place the redaction history in the broader context of the textual growth of Leviticus.

In the introduction to this section, I remarked that the text of Leviticus grew through time, and that added texts often formed a reaction to earlier texts. There are additions, which Otto calls *Fortscheibungen*,[538] that were added gradually, without older texts with different theological views being removed. Contradictory traditions existed next to each other, and

536 Meshel (2008a, 224).
537 Now that I have chosen for the existence of a (hypothetical) common source, I will use the name 'Common Source' (with capitals!) from now on.
538 Otto (2022, 168) speaks of the post-exilic *Fortscheibungen* of the Priestly writing and Deuteronomy.

there was not a time when one tradition became dominant and cancelled other traditions. Levin remarks about the end of the redactional process: 'The final form is the result of the literary stream of tradition gradually running dry and not of a conscious decision.'[539] To get a broader view of these traditions, we must connect the sources and tradents of Leviticus 11 with the redactional growth of Leviticus.

Scholarly research has shown that Leviticus may be interpreted as post-exilic additions of late exilic parts of P (P^S).[540] This dating affirms the post-exilic date we have chosen in 3.1.2, where P^S ends with Leviticus 16.[541] The caesura between chapters 16 and 17 is something we already noticed in our synchronic research (2.5). After a process of growth in Leviticus 1-9, Leviticus 10 is a new stage in the redaction history.[542] Leviticus 10 is later than Leviticus 8-9 because, in vv 1-7 of chapter 10, no priest is allowed to mourn for his brothers, while in Leviticus 21:11 this commandment only applies to the high priest.[543] Consequently, Leviticus 10 is later than H. Leviticus 10:10-11 introduces the purity laws of chapters 11-15 as part of the regulations that priests are to teach concerning the distinction between pure and impure. Because of the connection between chapter 10 and chapters 11-15, we may conclude that Leviticus 11 postdates H. The overview of redaction history in the previous section has made clear that the text had several tradents who provided additions. Therefore, we may conclude that late additions to Leviticus 11 (P_2 and P_3) can be dated late in the composition of Leviticus as a whole. They could be dated to the end of the Persian period, around 340 BCE, but a somewhat later dating in the beginning of the early Hellenistic period cannot be excluded.

3.3 The practical values of the dietary laws in the literary strata

In the previous section, we concluded that it is possible to discern a number of redactional strata in the Masoretic Text of Leviticus 11. It may be attractive to view Leviticus 11 as the most recent text, but the possibility exists that texts like Deuteronomy 3-21a or texts from Isaiah (Isa 65:3-5; 66:3; 66:17) are more recent. But we do know that our text has a complicated literary history. We discern older layers in Leviticus 11: first, P_1 – H – P_2; second, P_1 – H; third, P_1, a text which resembles the *Vorlage*. The Common Source is comparable with the text in Deuteronomy 14:3-21a, and, at a later stage, D adds his own theological framework to the text and supplied the names of some additional pure quadrupeds. We also assume that legal texts were written during the late Persian period and that we have to date these texts somewhere during this period. But what about the Common Source? What we know is that there are exilic and pre-exilic non-P texts that mention dietary laws. Because of space

539 Levin (2022, 26).
540 T. Pola (1995, 51-108) locates the end of the *Grundschrift* of P (P^G) in Exodus 40:16-17 because it forms an *inclusio* with Genesis 2:1. The post-exilic additions (P^S) are part of Leviticus. Cf. Otto (2022, 169-171).
541 Otto (2022, 171).
542 Otto (2022, 171-172).
543 Otto (2022, 173).

constraints, I will concentrate on the texts on dietary laws in the flood narrative (Gen 7:2, 8-9; 8:20). The literary strata will be dealt with in chronological order: first, non-P texts; second, the Vorlage; third, earlier redactional levels of Leviticus 11 and Deuteronomy 14:3-21a; and fourth, earlier non-P texts. For all these texts, I will determine the practical values of the dietary laws in different literary, historical, and social contexts.

In the search for the practical value of the dietary laws, I use two different possibilities to describe pure and impure animals. First, some animals are inherently impure, which means that impurity is embedded in creation. I underline that inherent impurity is a cultural point of view, which means that it is not impurity in an absolute sense. Second, impurity can have a ritual character because it is related to the cult. This distinction plays an important role in publications on dietary laws. The kind of impurity may be of importance in determining practical values. If animals are inherently impure, there may be natural reasons for their impurity. We may assume that, in such cases, the practical value may be deduced from general causes like distaste for kinds of food or from economic reasons for rejecting certain kinds of food. When impurity has a ritual character, then the reason for its impurity is that it belongs to a species that does not fit the sacrificial cult. For instance, it is not a ritually pure, sacrificial animal and has characteristics that are contrary to sacrificial animals. After the determination of the practical values of dietary laws in the different redactional layers, I will investigate where inherent and ritual impurity can be found and determine their historical and social context.

3.3.1 An older non-P text

There are older texts that speak of dietary laws, and here I make some remarks about a group of them and about the way dietary laws were interpreted in these texts. I will select the texts on dietary laws in the flood narrative. My reason for this choice is that this text contains a connection between dietary laws and sacrifices. We find this same phenomenon in Leviticus (Lev 1-7, 11, 16). We will look for similarities and differences between the P / H texts in Leviticus and the ones in the flood narrative.

The text in the flood narrative mentions pure and impure animals in the non-P texts from Genesis 7:2 and 8:20,[544] texts which biblical scholarship dates to the pre-exilic period. We notice that this information is more limited than the laws found in Leviticus 11 and Deuteronomy 14:3-21a. The texts in Genesis simply mention the existence of the two categories of animals and do not provide any criteria for establishing these categories. The texts show similarities to the P text of Leviticus through the connection between dietary laws and the sacrificial cult. The reason why seven pairs (and not just one) of pure animals are

544 This text is generally interpreted as a text written by the Jahwist (J). Cf. Wenham (1987, 163, 164), Von Rad (1976, 88-90), Westermann (1974, 574-576, 606-608).

mentioned in Genesis 7:2 is that some of these animals are used as sacrifices in Genesis 8:20.[545] This information is in accordance with Leviticus, where the sacrificial cult (Lev 1-7) is connected with dietary laws (Lev 11), and with Deuteronomy 12 and 14:3-21a. Sacrificial animals like cows, sheep, goats, and doves are a subset of the collection of pure animals.[546] This similarity confronts the reader with a difficulty: in P, only a small subset of the pure animals may be used for sacrifice, while the non-P text does not seem to make any distinction between pure animals and sacrificial animals. This information may point to different laws on sacrifice, which would imply that there is a development from early non-P texts to a later and more detailed P text. What is clear from the text is that the non-P text presents the distinction between pure and impure animals as something which is not an innovation of Israelite religion but was recognised in antediluvian times. Since Noah is intuitively familiar with it, God has no need to explain the distinction between the pure and impure species.[547]

The idea that, in the non-P text, Noah intuitively knows that the distinction between pure and impure reflects a specific view of these animals, whereby an animal is inherently pure or impure. In fact, it is a matter of good taste to call an animal pure, and therefore it was also a matter of general knowledge. Because people knew which animals were pure, they also knew which animals were suitable for sacrifice. This was a view of the dietary laws in a non-P text which we may date to the pre-exilic period. According to Adler, there was no textual or archaeological evidence for the existence of dietary restrictions before the Hasmonaean period.[548] Although his research does not speak of a period earlier than the Persian one, it is clear that these laws in the shape in which they are present in Leviticus and Deuteronomy were not applied during the exilic or pre-exilic period. Nonetheless, it is possible that there were already taboos on animals like pigs.[549] Because of the limited amount of information from the Genesis texts, we can even doubt whether these texts refer to the same animals as the ones we find in Leviticus 11 (and Deuteronomy 14:3-21a). Because the text does reflect the idea that the dietary laws were generally known, we might say something about the practical value of these laws. There must have been a general rejection of impure animals during this period. We might point to the minor role pigs played in Judaea and the surrounding cultures during Iron Age I-II.[550] This may imply that, in this stage, there is no sophisticated system of dietary laws but rather something shared by Judeans and non-Judaean peoples. What we may assume is that the impure animals mentioned are impure by

545 Wenham (1987, 189). Wenham (1987, 177) points to the fact that the relation between sacrificial animals and pure animals could possibly be the influence of P on the J text. This is a matter of further research, but specific characteristics of P, as noticed in the main text, remain.
546 Altmann (2019, 59).
547 Meshel (2008a, 209).
548 Adler (2023, 49). For consumption of pork as an identity marker which appeared during the Greco-Roman period, see Darshan (2022).
549 See Price (2020, 27-47).
550 More information follows in chapter 4.

nature and therefore their impurity is a matter of their created status. Although the text refers to sacrifice (Gen 8:2), the basis for the distinction between pure and impure is rooted in creation.

The information from dietary laws in the flood narrative makes clear that the older laws differed from the ones we find in the torot in Leviticus 11 and Deuteronomy 14:3-21a. We do not know whether older and other texts regarded the same animals as impure or not. The only information we have is from the texts from Isaiah about mice and pigs (Isa 65:3-5; 66:3; 66:17). Differences are also visible in the possibly later text on unclean food in Judges (Judg 13:5), where dietary laws were valid for one specific group. This text gives the impression that these laws were not valid for all Israelites.

3.3.2 The Common Source and Deuteronomy 14:3-21a

After reflecting on this older and separate tradition in Genesis, we will now turn to Deuteronomy 14:3-21a, Leviticus 11, and their redaction history. In the previous section, we argued for the following chronological order: first, the Common Source; second, D and P_1; and third, H, P_2 and P_3. Based on the preference for a Common Source, we will now reflect on the question as to which text was closer to this hypothetical Common Source: Deuteronomy 14:2b-21 or the P_1 text. We prefer the text in Deuteronomy because of the system of categorisation presented by Meshel.[551] The exact date of Deuteronomy and Deuteronomy 14:2b-21 is a separate matter that goes beyond the scope of this dissertation, but suggestions vary between the seventh and fifth centuries BCE.[552] Even if the Deuteronomy text dates from the fifth century BCE, we can assume that the Common Source was an already existing list of dietary prohibitions. In the overview of texts from the Hebrew Bible in 3.1.1, we discovered that the distinction between pure and impure animals already existed in the pre-exilic or exilic text of Hosea 9:3. On the other hand, the distinction between pure and impure animals as found in Deuteronomy 14:2b-21 and Leviticus 11 cannot be proven to exist in these early stages. Therefore, there was awareness of the distinction between pure and impure animals in the early (pre-exilic) periods, but it is uncertain when the list, which formed the Common Source of the texts from Leviticus and Deuteronomy, came into existence. Meshel points out that D uses a simple division between animals that are permitted and those prohibited for consumption.[553] This traditional dichotomy also exists in the H text of Leviticus 20:25. The relation between the H text and the D text clarifies the historical context of the D text: because H belonged to priestly circles, Deuteronomy 14 may have to be dated as rather late, possibly somewhere in the fifth century BCE.

551 Meshel, (2008a), Meshel (2008b).
552 J.W. Rogerson (2003, 153).
553 Meshel (2008a, 211).

In this section, I look at Deuteronomy and the Common Source together and begin with reconstructing the Common Source. We cannot say when the Common Source was written, but because, as I argue, it must be dated before the D and P / H texts, it is in any case older than these texts, and because Leviticus 11 is dated in the late Persian or the early Hellenistic period, we might opt for a date in the early Persian period or earlier. On the other hand, we may wonder about a very early date for the Common Source, which consists of very specific zoological information, while the earlier texts are not specific about the identity of the animals. We do not know whether it was originally one list or separate lists of quadrupeds, fish, birds, and flying insects, which were brought together at a later stage. It is also possible that these lists only existed in oral form.[554] Because of these reasons, I tend to choose a post-exilic date for the Common Source, but parts of it may have existed in oral or literary form at earlier stages.

Whatever the date is, we can say something about the Common Source, when we remove typical elements from D and P / H, such as the presence of specific words in P like שֶׁקֶץ and in D words like תּוֹעֵבָה, and the additions mentioned in 3.2.2. The list of animals in the Common Source in any case consisted of information about animals which were not allowed to be eaten: quadrupeds, fish, birds, and insects. Looking at the earlier texts about the dietary laws, as we saw above (3.3.1), it is highly probable that the prohibition against eating certain animals was still generally acknowledged and was not related to a specific theological system.

But what about the text in Deuteronomy 14:3-21b? How did this text view the dietary laws, and what can be said about the practical values of these laws? Meshel points to the opening statement of the passage (14:3) which indicates that the legislator is not attempting to define what is abominable and what is not.[555] This is simply a distinction between species permitted for consumption (vv 4, 6, 9, 11) and those prohibited for consumption (vv 7,8, 10, 12, 21). The terms טָמֵא and טָהוֹר are used in Genesis 7:2 and 8, Leviticus 27:11, and Numbers 18:15, where they refer to specimens, which are not considered ritually defiling. D does not deny the existence of ritual impurity[556] because a prescription was added regarding four exceptional species mentioned in Deuteronomy 14:7-8 that prohibited contact with their carcasses. We have to keep in mind, however, that the main focus is eating.

3.3.3 P_1 and H

Regarding P_1, it is clear that it consisted of vv 2b-23 and vv 40-41, but it is not clear whether it was an entirely independent text or a text to which the introduction (vv 1-2a) and subscript (vv. 46-47) were already added. Meshel points out that vv 1-2a and 46 forms an *inclusio* for

554 Houston (1993, 64) says that, as priestly *torah*, the Common Source was originally transmitted orally and could have been written down in a number of different forms, closely related to each other.
555 Meshel (2008a, 210).
556 Meshel (2008a, 211) points to the command 'and their carcasses you shall not touch' in v 8.

the P_1 text, enumerating the animals mentioned in that source.[557] In that case, P_1 would be part of the larger narrative text, but it may also have been a text that contained an unrelated list. Meshel notices a relevant difference between P and the D texts, which might clarify the date and context of P_1. The D text mentions only the dichotomy between animals that may be eaten and animals that may not be eaten and uses the words pure (טָהוֹר) or impure (טָמֵא) here. In the D text, there is a lack of interest in ritual purity and impurity.[558] While the D text probably resembled the Vorlage because of its simple dichotomy, the earliest Priestly stratum, P_1, was a reworking of this *Vorlage*.[559] P_1 argued that not all animals that were prohibited for consumption were ritually defiling, and the author of this stratum coined a new technical use for the term שֶׁקֶץ, in which he claimed that only the prohibited large four-footed land animals were ritually impure, whereas the prohibited aquatic animals and birds were ritually pure. The four-footed animals are טָמֵא, are prohibited for consumption, and are ritually defiling because it involved eating and touching the carcasses.[560] Meshel points out that this categorisation by P_1 creates more complex legislation that includes ritual purity and impurity. For instance, a crow is prohibited for consumption and is ritually pure, whereas a camel is both forbidden for consumption and is ritually impure.[561]

The priestly legislators also sought to sever the link between impurity, which was a biological trait they assumed to be present in specific species since creation, and prohibition, which was a religious category. The status of an animal as permitted or prohibited for consumption or contact was independent of its status as pure or impure. According to the lawgiver, permission and prohibition are divine decrees God imposed upon the natural order and are not derived from creation. Our view of the date and historical context is that P_1 introduced a further development beyond the Common Source and D. The author of P_1 must have stood in a tradition that laid more emphasis on ritual purity. We may assume that P_1 was already part of the narrative framework of Leviticus 1-16 because, as we saw in 2.2.3, Leviticus 11-15 are late additions.

The next step in the redaction process is the addition of H (vv 43-45), which supplemented the list of pure and impure animals with an appeal to the Israelites to be holy. Verses bearing marks of the holiness code connect the P_1 and H parts of Leviticus 11 to the holiness code in Leviticus 17-25, which suggests that the text of Leviticus 11 was already connected to chapter 17-25. We may assume that large parts of the P text of Leviticus 1-16 were connected to Leviticus 17-25. We have already seen that these verses from H did not include the distinction between טָמֵא and שֶׁקֶץ because both words were used simultaneously in Leviticus 11:43-45

557 Meshel (2010, 13).
558 Meshel (2008a, 212).
559 Meshel (2008a, 223-224).
560 Milgrom (1991, 648).
561 Meshel (2008a, 216).

and in Leviticus 20:25, which is part of Leviticus 20:24d-26.[562] What we can conclude about the H text is that the author did not know about the distinctions that existed in the priestly circle of P_1. Because the author of P_1 lived somewhere in the post-exilic period and because H was added to P_1, H must also be dated to the post-exilic period.

3.3.4 P_2, P_3

The addition of P_2 (vv 24-40) to P_1/H was an extension of the P_1 parts and more specifically a reaction to the text about the large quadrupeds in vv 2b-8. Meshel points out that vv 24-28 describe quadrupeds that lack both criteria of purity.[563] Contrary to the animals mentioned in vv 2b-8, touching these animals causes ritual impurity, which would last only a short time. Touching the animals listed in vv 2-8 is entirely forbidden. A complex system of ritual impurity is added to the P_1 text, betraying a growing accent on ritual impurity. In vv 24-38, there is a distinction between impure animals whose carcasses one may touch and become ritually contaminated by, and other impure animals whose carcasses must be avoided.[564] Furthermore, this author noted that eight of the animals that swarm on the earth, and those eight alone, are ritually impure and that it is permissible to touch their (ritually contaminating) carcasses. The tradent of P_3 (vv 39-40) made the regulations on ritual impurity stricter through the command that the carcasses of pure animals could not even be touched, a prohibition that is contrary to other P texts (Lev 5:2; 7:21).[565]

The characteristics of P_2 and P_3 are obvious. First, they must have belonged to groups that laid more emphasis on the ritual impurity of animals. In earlier periods, impurity was part of nature: certain animals were inherently impure. Impurity was now more of a characteristic that animals received through their relation to the Israelite cult. Second, the texts of P_2 and P_3 seem to represent openness in interpreting the animal world. These two tradents represented different views of impurity, which may point to a culture in which matters on purity were under dispute.

It is remarkable that between the first redactional phases during the fifth century BCE and the late fourth century BCE, there was a rapid evolution of the dietary laws. In the last phases, the laws were meant to strengthen the position of the cult, the sanctuary, and the priesthood. The position of the priesthood as a guardian of purity became dominant in different fields,

562 Hieke (2014b, 806-808) sees these verses as a separate unit on Israel's distinctness from other nations.

563 Meshel (2008a, 216-220).

564 Milgrom (1991, 681-682), Meshel (2008a, 224), Meshel (2010, 8-9).

565 Meshel (2008a, 224) says: 'With the interpolation of this injunction, the legislator elegantly achieved complete symmetry pertaining to contact as well as consumption.' He illustrates this by means of a diagram. I neither follow nor discuss this conclusion, which is based on the ideas of Lévi-Strauss. The reason for excluding this is that my research focus is to describe trends through time, and Meshel's work is helpful in reconstructing them.

also with respect to eating. The legislation erected a system which gave the priests legitimacy. This last stage is partly expressed in the central position of the high priest during the late Persian period.

3.3.5 Leviticus 11 as a whole

In the synchronic part (2.4.2), we noted that Leviticus 11 contains a structured speech consisting of three main parts (vv 2b-23, 24-39, 40-45), which uses literary techniques that suggest that it is a textual unit. The diachronic analysis has shown that this speech also includes different sources and the work of different tradents. We are faced with the question what the intention of this text was. In the previous section we saw that the Common Source the text uses, speaks of forms of inherent purity and impurity and that the later sources and tradents speak of forms of ritual purity and impurity. Therefore, the text contains forms of both purity and impurity. We also saw that the text contains an increase in extremism on purity and impurity: P_3 even says that touching the carcasses of pure animals leads to ritual impurity. The consequences for our view of the text are twofold. First, the text seems to be more of an intellectual exercise performed by a literary elite because there are too many contradictions in Leviticus 11 and in relation to other P parts. Second, we may ask if Leviticus 11 was ever meant to be fully applied to daily life. Judaeans, who lived nearer to nature than we do, would be so often in contact with animal carcasses that they would be in a condition of constant ritual impurity.[566] This leads Meshel to the following conclusion: 'It definitely appears to be an artificial (literary) construction, not common practice in Israel (…). Most likely, the complex system crystallized in Leviticus 11 never took root in Israelite society.'[567]

Leviticus 11 must have been written by a small elite who lived in the late Persian period, who brought different traditions together and show a growing tendency toward systems of ritual purity. The broader context of Leviticus has shown that this purity was connected to a world whose centre was the temple and where priests held the highest human authority. Because proof that the purity laws were accepted can be found during the Hasmonaean period, these laws were possibly never part of temple instructions before that period. But that does not mean that they were not read aloud, given that the structure could point to rhetorical techniques.[568] We cannot exactly say where and when it was exactly written, but it must have been in the late Persian period. Even the oldest literary strata are definitely post-exilic. In fact, the whole process of textual growth took place in a relatively short period during the late Persian period. Below, I will deepen our knowledge of the historical social context of the authors of the dietary laws of Leviticus 11 through further research on the context of the literary sources and determine the different practical values of these laws.

566 Meshel (2008a, 220).
567 Meshel (2008a, 220).
568 Watts (2023, 24-27)

3.3.6 The social and historical contexts and practical values

Now that we have determined the different redactional layers of the dietary laws and their specific characters, we will describe the practical values of these laws in their historical and social contexts. We have seen that the Hebrew Bible shows development from dietary laws which speak of inherent purity and impurity and dietary laws which speak of ritual purity and impurity. With respect to dietary laws, ritual impurity is a later development, although it is possible that forms of inherent impurity also existed in later stages – for, instance, if Deuteronomy 14:3-21a is more recent than Leviticus 11. For the dietary laws, I will discuss inherent and ritual impurity.

It is necessary to make some remarks about the chronological framework we have thus far indicated. The date for Leviticus 11 that we have chosen is the late Persian period. This is the date when the main part of Leviticus was written, and we also assume that the last additions to Leviticus 11 are among the most recent parts of Leviticus. It is possible that additions like P_2 and P_3 were added later, during the very early Hellenistic period. Some texts, which express inherent purity, are older. But it is also possible that texts about inherent impurity existed next to forms of ritual purity, because the Judaeans were not a monolithic group during the late Persian and early Hellenistic period.[569]

3.3.6.1 Inherent dietary laws

The texts about dietary laws in the flood stories, the Common Source, and Deuteronomy 14:3-21a have shown that the emphasis in the earliest strata lies on inherent impurity. The reason for impurity lies in creation itself, and there is some general agreement that one should not eat certain animals. The identity of these animals is not mentioned, and it is possible that the identity given in older texts differs from the animals of land, sea, and sky, mentioned in the P / H text from Leviticus 11 and also from the D text in Deuteronomy 14:3-21a. Such uncertainties also exist in the texts we did not investigate further, such as the ones in Hosea and Judges. In 2.1, we saw that there is uncertainty about the identity of the forbidden animals, and the text in Judges 13:5 demonstrates the general picture that dietary laws were not the same among all Judaeans and Israelites: sometimes they were a law for all people, and sometimes they were only obligatory for one specific group in society.

In the awareness that there were different forms of the dietary laws, and that these laws were expressions of inherent impurity, I will explore the social and historical contexts which begin during the pre-exilic period. Because we remarked that the exact identity of the impure animals in dietary laws, other than the ones in Leviticus 11 and Deuteronomy 14:3-21a, is unknown, we have to concentrate on the animals for which we do have information. First, we find descriptions of the sacrifices and the unspecified cultic consumption of pigs

569 Kratz (2015, 137-196), Dubbink (2021).

and other impure animals (Isa 65:3-5; 66:3; 66:17).[570] These texts from Isaiah must be dated somewhere in the post-exilic period.[571] Second, the texts about the flood story (Gen 7:8, 8:20) speak about pure animals and birds. The texts from Genesis are hardly specific, aside from listing pure birds and animals, and the Isaiah texts speak about pigs and mice, which are impure animals. There is no proof that the texts from Genesis strengthen the position of the priest, although there is a relation between dietary laws and sacrifice.

My aim is to study the use of pigs in ancient Israel during this period and before. I will work out these elements in the archaeological section in the next chapter (4.5.2), where we investigate the question whether there was a general tendency to avoid the consumption of pigs. For now, let me remark that recent archaeozoological research shows that the avoidance of pig consumption is not an identity marker through which Israelites distinguished themselves from Philistines.[572] There is also textual evidence that the pig taboo in the ancient Near East continued over a long period of time.[573] There is not necessarily any correspondence between group identity and the consumption or non-consumption of pork during the Iron Age. The connection between cultic practices and the consumption of animals like pigs and mice is evident and at the same time confusing because the exact context is unclear.[574] There is also textual evidence for two possible explanations for pig avoidance: a general rejection of pork during the pre-exilic period and a connection between pigs and mice during the post-exilic period.

We may conclude that, though dietary habits did exist during pre-exilic times, these laws differed from the post-exilic P text. Impure animals were seen as inherently impure, and their impurity was probably shared by some other groups and not always specifically Judaean or Israelite. This aspect will be studied in chapter 4, in the section on archaeozoology, where we will research food habits from Iron Age II until the Persian period and explore how people may have reacted to these habits through the formulation of dietary laws.

3.3.6.2 Leviticus 11: The emphasis on ritual purity and impurity

Although the Masoretic Text also contains forms of inherent impurity, Leviticus 11 mainly reveals forms of ritual impurity. We have seen that the text was probably written during the late Persian period by a very small group of Judaean literati. In any case, there is no evidence that the dietary laws were generally followed before the Hasmonaean period. But even if only a minority of Judaeans actually followed the laws that had been written down, the text

570 The character of the cult is unclear. For an overview of the discussion, see G.V. Smith (2009, 703) who shows how complicated the identification of the cults involved is.
571 Darshan (2022, 6-7), W.A.M. Beuken (1989, 8-10).
572 For a recent overview, see G. Darshan (2022, 2-4).
573 Darshan (2022, 4-6), Price (2020, 77-80).
574 This complexity is illustrated in, e.g., Houston (1993, 165-168).

reflects demands regarding food consumption. In chapter 2, we have reconstructed the desired practice that Leviticus 11, and Leviticus as a whole, expressed. We saw that Leviticus 11 constructs a society centred around the sanctuary, the place where God resides. Because the priests considered themselves servants of God and his sanctuary and had the proper knowledge and expertise to structure the world, they claimed the vital role in the community: they brought sacrifices, taught, made decisions concerning purity and impurity, and were qualified to say which animals were permitted for use in the cult as offerings to God and which were allowed for human consumption. Therefore, members of the community brought their sacrifices to them. They also sought their advice in matters of purity and impurity. In the specific case of the dietary laws, the members of this Judean community had a personal responsibility to remain pure. They fulfilled this obligation as part of the community led by priests, and therefore we assume that the priests also played a role in the application of the dietary laws. Leviticus 20:25 made it clear that the dietary laws functioned to distinguish the Israelite community from other groups that were by that program in turn defined as non-Judean.

3.3.6.3 The role of the priest as a specialist in Leviticus 11

I add this section because we discovered the specific role of the priests in determining the dietary laws. Here, we ask how the ideas that the authors expressed are related to their historical and social contexts. Therefore, we will investigate two aspects. First, we will connect the list of forbidden animals to the Palestinian fauna. With this information, we can determine which of the animals were forbidden. This analysis helps us determine what the dietary prescriptions meant for daily life. Were Israelites allowed to eat only a very small portion of the animals available, or were most animals allowed? Here we will also ask how much zoological expertise was needed to determine the difference between forbidden and allowed. Second, we ask what other texts from the Hebrew Bible say about the role of the priest as zoological specialist. This information may clarify the hypothesis that the author(s) of Leviticus 11 wanted the priests to play a role in the food choices of Israelites. This idea is not expressed in Leviticus 11 but can be presumed on the basis of the literary context. Could it also be deduced from other texts in the Hebrew Bible?

Ratio between forbidden and allowed meat

Despite all uncertainties about the translation of some animal names, there is enough clarity about the identity of banned animals. Sometimes, the forbidden animals are not mentioned, but their identity can be deduced from the characteristics that the text describes: the criteria given in the list of land animals (v 3), aquatic animals (v 9), and the animals that creep upon the earth (vv 41-42). These criteria help determine which prohibited animals are included here in addition to those mentioned by name. The purpose here is to determine which animals were forbidden for consumption. Answers to this question are related to two other aims: first, to determine how limited the Israelites were in their food choices, and second,

to determine how much specialist zoological knowledge was needed to distinguish pure and impure meat. We will begin with a short enumeration and evaluation of forbidden and permitted meat, followed by a determination of the zoological knowledge needed. If a great deal of zoological knowledge is necessary, this may point to the need for the expertise of the priest.

We begin with domesticated quadrupeds. Pigs and camels are usually domesticated animals, while hares and hyraxes are wild. In addition to the impure domesticated animals, there is a category of pure domesticated animals: caprovines (sheep and goats) and cattle, animals that play a dominant role in animal husbandry.[575] The pig was only intended for meat production and was eaten in different periods in ancient Israel.[576] Nonetheless, it was never a very dominant species.[577] The beasts of burden are the camel, donkey, horse, and mule:[578] the camel has one mark of impurity, and the other three have two marks of impurity.

Based on the information provided, we may draw the conclusion that forbidden animals were both domesticated and wild animals. The forbidden domesticated animals were either beasts of burden or a typical meat producer like the pig. People were allowed to eat the most extensive groups of domestic animals, namely caprovines and cattle, but they were not allowed to eat pigs, an animal that was never very dominant in the area. Nor were they allowed to eat any of the beasts of burden.

While land animals and flying animals have specific names, there are no specific names for the different kinds of fish. There is only the generic term דָּג (m) or דָּגָה (f). Leviticus 11:9 only speaks about 'everything that is in the water', which includes both animals in the sea and in the rivers (v 10). A distinction is made between animals with fins[579] and scales[580] and those without. Those with fins and scales are pure and those without are impure. In this text, the animals in the water must also include small animals like shrimp and other small aquatic creatures because שֶׁרֶץ can be translated as small animals. This points to an unspecified whole

575 Firmage (1992, 1117-1124); MacDonald (2008[b], 65-71).

576 Sapir Hen, Bar-Oz, Gadot, Finkelstein (2013); MacDonald (2008b, 65-71).

577 For the Iron Age, Sapir Hen (2013, 4-6) mentions high percentages of pig husbandry in Ekron during the Early Iron Age I (1330-1050 BCE) with 19.46% pig bones, and Gath (Tell es-Safi) during Iron Age IIB (780-680 BCE) with 15.78%. At all other sites, the percentages are much lower. In any case, this data implies that pig husbandry was never extremely dominant in the Levant.

578 Cansdale (1970, 64-80).

579 The etymology of סְנַפִּיר is unknown, but the meaning 'fins' is clear. The word occurs only in Leviticus 11:9,10,12 and Deut 14:9, 10. Milgrom (1991, 655) relates the word to Akkadian *s/šappartu* 'shaggy skin' and Arabic *surf* 'eyelashes'.

580 The etymology of קַשְׂקֶשֶׂת is unknown, but the meaning 'scales' is clear. Milgrom (1991, 655) points to Ezekiel 29:4, where the king of Egypt is compared to the dragon in the sea. The term is also found in reference to a warrior's armour (1 Sam 17:5). *Tg. Onq.* reads *qalpîn* (from the root *qālap*), which implies the rabbinic definition of scales as 'that which can be peeled off'.

of small animals on land or in the water.[581] Based on the word שֶׁרֶץ, the category in vv 9-11 includes all the animals that live in the water.

The fact that not a single species of fish is mentioned by name in the Bible leads Firmage to conclude that the Israelites lacked first-hand knowledge of fish and that the Israelite diet in most places was poor in fish.[582] He points to the fact that the Israelites lived inland and that the primary sources were the Jordan River and the Sea of Galilee, areas that produced only small quantities of fish and that were both outside of late Persian Yehud. The views of fish consumption have recently been changing. First, there is archaeozoological evidence that fish was traded throughout the whole Levant in the biblical period.[583] Second, no fish bones had been identified because earlier excavations had not been subjected to the practice of sieving,[584] which led to the notion that the Israelites did not eat fish at all. In recent times, however, there is a growing awareness that at least some Israelites did consume fish in some periods.[585] This recent information is supported by biblical information which points to the consumption of fish.[586] There has been research on the preservation methods of fish in the Mediterranean which made it possible for fish to be traded.[587] Although fish was traded all over the Levant, it was not accessible to all, because it was too expensive for people from lower social classes. The aspect of the relation between fish consumption and social class will be studied in chapter 4.

Now that we know that Israelites consumed fish, we can give an overview of pure and impure aquatic creatures. Pure animals can be found only in the category we know as fish. There were fish with fins and scales like the Galilean sprat or sardine and two kinds of tilapia, the babel, and other species.[588] But there were also fish without fins and scales, like the catfish, a fish we now know was traded and consumed within and outside ancient Israel.[589] Besides the catfish, there were also other fish like eels and many smaller aquatic creatures like shrimp. Various marine shellfish must also have been impure. This incomplete overview demonstrates that the Israelites were only allowed to eat a limited number of aquatic animals.

Although there is uncertainty about the identification of the birds, there is a degree of probability in this list. In any case, it constitutes a basis for the next step: reflection on the

581 Hieke (2014a, 237, 410).
582 Firmage (1992, 1147).
583 W. van Neer, O. Lernau, R. Friedman, G. Mumford, J. Poblome, and M. Waelkens (2004).
584 We do not find examples of sieving in excavation reports before 1980.
585 MacDonald (2008b, 37) says that one of the most surprising discoveries from recent archaeological excavations in the Levant is the extensive evidence for the consumption of fish.
586 Zephaniah 1:10, Nehemiah 3:3, and 12:39 speak about the fish gate in Jerusalem, which points to the fish trade in an inland city like Jerusalem. Nehemiah 13:16 speaks about the sale of fish in Jerusalem.
587 I. Zohar, M. Artzy (2019).
588 Firmage (1992, 1146); Cansdale (1970, 216).
589 Van Neer, Lernau, Friedman, Mumford, Poblome, and Waelkens (2004, 108).

identity of the birds that the Israelites were allowed to eat. The parallel text in Deuteronomy 14:11, 20 mentions animals that were allowed.[590] To illustrate, G. Eideval estimates that there were about 300-400 kinds of birds in the Levant,[591] which is much more than the twenty banned birds or banned bird categories mentioned in the Bible. Therefore, it can be argued that the Priestly and Deuteronomic writers allowed the Israelites to eat most of the birds that lived in the area.

A general overview of the forbidden birds allows us to determine which birds the Israelites could eat and which ones they could not. The following birds of prey were probably always forbidden: owls, vultures, kites, falcons, and hawks. This implies that not all birds of prey were forbidden because there were many kinds of eagles, buzzards, and harriers in ancient Israel.[592] It is also clear that they were not allowed to eat bats and hoopoes. It is not entirely clear as to whether only the raven was forbidden: we do not know whether the crow and jackdaw were forbidden or not. The only forbidden birds that live near the water and feed from the water are the heron and the cormorant, which implies that a great number of these animals were permitted for consumption. There are birds like ducks, geese, pelicans, plovers, terns, gulls, gannets, and many other species that the Israelites could eat. The stork remains prohibited in this list. Many birds that did not live close to the seas and rivers were allowed.

While the Israelites were allowed to eat the majority of birds, this was not the case with respect to flying insects. They were not allowed to eat any of the 'winged swarming creatures that walk on four legs'. Exceptions here were the four kinds of locusts that the text describes as having shins above their feet that enable them to jump on the earth. The consumption of locusts was well known in the ancient Near East and during the late Second Temple period.[593] The complicated list of small animals in vv 29-30 includes בַּשֶּׁרֶץ הַשֹּׁרֵץ עַל־הָאָרֶץ, 'of the swarming animals that swarm upon the earth'. All these small land animals are impure because they do not chew the cud and have split hoofs (cf. v 3). In vv 41-42 the writer of Leviticus speaks again of the animals he talked about in v 29a: וְכָל־הַשֶּׁרֶץ הַשֹּׁרֵץ עַל־הָאָרֶץ, 'the swarming animals that swarm upon the earth'. He reiterates the prohibition against consuming swarming animals with four or more legs and about animals that crawl on their belly. These animals include reptiles, amphibians, insects, and all other land animals without the characteristics mentioned in v 3.

590 V 11 says that the Israelites could eat כָּל־צִפּוֹר טְהֹרָה, 'every pure bird' and v 20 says that they could eat כָּל־עוֹף טָהוֹר 'all pure fowl/birds'. Altmann (2019, 11-13, 19- 20) says that עוֹף indicates the broadest term for 'flying animals', going beyond 'birds' and including insects. צִפּוֹר limits the category to something like the sparrow, but it may also point to a broader group. In v 20, צִפּוֹר probably indicates the broader category.

591 Eideval (2006, 468). His statement is based on Tristram and Bodenheimer.

592 Tristram (1885, 98-101) mentions eight kinds of eagles, four kinds of buzzards (1885, 98, 103), and four kinds of harriers (1885, 97-98).

593 For the significance of eating locusts in the ancient Near East, see J.A. Kelhoffer (2004, 46-49). For the late Second Temple period, see Kelhoffer (2004, 51-54).

To identify these animals, specialist knowledge could have been necessary mainly regarding fish, birds, and insects. Fish were often traded, and therefore it is not always possible to see whether they had fins or scales. Specific knowledge of the twenty forbidden birds and four kinds of allowed insects demands knowledge of the literary sources, and therefore the expertise of the priest could have been necessary. In the next section, I will speak about the specific roles of the priests and Israelites in a broader literary context.

Role of priests, Israelites, and sanctuary

In the previous section we saw that there is reason to suppose that the priests played a role in distinguishing between pure and impure animals. A central role for the priest can be connected to the results of chapter 2, where we demonstrated that the author emphasised the importance of the Aaronide priesthood and the central place of the sanctuary in Jerusalem. The Aaronide priest not only brought sacrifices but also bore responsibility for the purity of the community, as expressed in Leviticus 10:10 and in Leviticus 12-15. For this latter responsibility, the priests needed to have medical knowledge (Lev 13-14). Although obedience to the dietary laws was primarily the responsibility of the laypeople, they worked with the priests to build a society where laws on purity were obeyed. Both priests and laypeople must have had zoological knowledge since it was a community of priests and laypeople who both served God and dealt with the issue of purity. The zoological information in the previous section shows that the author of Leviticus 11 had forbidden the consumption of many water animals and land animals, while most birds were allowed. This limitation seems to point to a rather isolationist point of view. The idea that the dietary laws from Leviticus 11 tried to isolate the Israelites from the surrounding people is confirmed by the H text in Leviticus 20:25, which says that the Israelites could differentiate themselves from their surroundings through these laws.

The research focus on the dietary laws in the historical and social context of Leviticus 11 leads to some observations. In general, we can say that Ezra and Nehemiah, texts which describe the late Persian period in Yehud and Jerusalem, do not mention restrictions on eating. As a text from exclusivist circles in Yehud in the late Persian or early Hellenistic period, Leviticus 11 must reflect the circumstances of that time. We noted that it was a small and exclusivist group that was probably related to the exile group connected with Nehemiah, a text which probably dates to the Hellenistic period and reflects the existence of such exclusivist groups. The analysis of Leviticus 11 has shown that this group wanted a closed community centred around the priests and the sanctuary. Research on the literary context demonstrated the role of the priest in the determination of the distinctions between holy and profane and pure and impure. That the priests played a role in the application of the dietary laws is a possibility, but there is no direct proof. The challenge for research is to show how data from biblical texts in the Persian period form a proper context for Leviticus 11. We will determine the historical context through a comparison of texts.

One priestly task is described in Leviticus 10:10: וּלְהַבְדִּיל בֵּין הַקֹּדֶשׁ וּבֵין הַחֹל וּבֵין הַטָּמֵא וּבֵין הַטָּהוֹר 'and to distinguish between holy and profane and between impure and pure'. This verse implies that the priests had an obligation[594] to distinguish between what is pure and what is impure. The verbal root בדל used here also plays a role in the P account of creation, where it is God who divides (Gen 1:4, 6, 7, 14, 18).[595] The command for the priests in Leviticus 10:10 is closely connected to the prohibition against drinking wine or intoxicants (Lev 10:9)[596] and the widely attested priestly task[597] to teach the Israelites the commands of YHWH (Lev 10:11). This connection implies that the teaching role of the priests demanded sobriety in their task as teachers and in their responsibility to make distinctions. Isaiah 28:7 points to priests who do not have clear judgment because of alcohol, and this reflects bad practices among the Israelites. In Leviticus 11:47, the command to distinguish between pure and impure is expanded to the people, who need to observe the dietary laws through distinguishing (בדל) between pure and impure. As mentioned in the literary analysis, the text of Leviticus 11 implies that the priests and the people work together in distinguishing between pure and impure.[598] The people's task of distinguishing (בדל) between pure and impure food returns in the H text of Leviticus 20:25, where it is connected to the Israelite task of distinguishing themselves from those who live in the land of Canaan. Such diction may be anachronistic, and "people of Canaan" may be a label for those Yahwists who did not follow Leviticus' priestly laws.

These textual data raise two relevant questions for this study. First, where do we find other examples from the Persian or a later period where the root בדל is used in connection with priests or Israelites distinguishing between pure and impure? Second, can we compare the attitude towards non-Israelites in Leviticus with the attitude towards foreigners in these texts from the Persian period? The book of Ezra contains some examples which are probably late Persian or Hellenistic,[599] in which בדל is used for the distinction between pure and impure. Above, we came to the conclusion that many of these texts were propagandistic in character and used exaggeration. We also said that it contained some historical data, and therefore, I use the information from these books. The first example is Ezra 6:21, which speaks of the celebration of the first Passover, where some of the participants are those who separated themselves from the people of the land (וְכֹל הַנִּבְדָּל מְטֻמְאַת גּוֹיֵי־הָאָרֶץ, 'and everyone who separated themselves from the people of the land'). They eat together with the purified

594 Based on *GKC* §114l, Milgrom (1991, 615) says that the infinitive can convey the sense of obligation, which brings him to the translation 'you must distinguish' for לְהַבְדִּיל.

595 Milgrom (1991, 689-690) connects God's act of division in creation with the task of the priest to distinguish, followed by the H parts in which the people of Israel had this task.

596 Watts (2013, 538) follows Levine in his refutation of Milgrom's translation 'and beer' for וְשֵׁכָר.

597 See Watts (2013, 517-520), 'History and Interpretation of Priests as Teachers of Torah'.

598 The background of the difference between the emphasis on the priest in 10:10 and the emphasis on the holiness of the people in 11:47 and 20:25 lies in the specific view of holiness in P and H: for P only specific parts of Israel are holy, while for H, all Israel must be holy. This synchronic study connects both traditions.

599 See 3.1.2.3.

priests and Levites and with 'the sons of Israel that returned from exile'. Remarkably, the text does not mention the purification of the returnees from exile.[600] The next verse is Ezra 8:24, where the priest Ezra says that he set apart (וָאַבְדִּילָה) twelve of the leaders of the priests so they could carry the holy treasures of the temple. The act of separation may be classified as a dedicating people to a special task for the sanctuary.

The other places in the book of Ezra where בדל is used are found in the last two chapters, which speak of the command to send away foreign wives and their children. The first text is Ezra 9:1-3, where a group of officers, who were probably in Persian service,[601] tell Ezra that the people of Israel, including the priests and Levites, did not separate (לֹא־נִבְדָּלוּ) themselves from the people of the land, which was a group of eight nations. The problem is that these Israelite people were married to women from these nations, which polluted the holy seed. Becking interprets this text about 'mixed marriages' as an expression of a deeper conflict in Yehud, namely, between the returnees from exile and the ones who stayed in the country.[602] The background of the conflict between these groups concerns the purity of religion, boundaries and identities, and control over the area and over the temple. Another place where בדל is used is Ezra 10:11, where Ezra points out that the increase of Israel's guilt described in verse 10 is connected to mixed marriages. Milgrom points out that the words used here reflect sacrilege.[603] In this text, the sacrilege of mixed marriages can be removed by divorce.

The last question concerns the role of the priest in society. In Leviticus we have seen that the priest's role surpasses temple service only because he is also responsible for medical affairs (Lev 13-14). We will compare this information with data from biblical texts which describe situations during the exilic and Persian period. To get a broader view of the role of the priest, prophetic books from the exilic and post-exilic periods will also be taken into consideration. The book of Ezra mentions specific oracular functions through the use of the *urim* and *tummim* (Ezra 2:63).[604] And there are descriptions of priests who were skilled in the law (Ezra 7:6), read the law aloud (Neh 8:1-6), and explained it (Neh 8:8).[605] They are able to decide in matters of purity and holiness (Ezek 22:26; 44:23)[606] and to teach the people (Mal 2:6,7; cf. Jer 18:18).[607] Josephus mentions later on that priests also taught and interpreted the laws and

600 Becking (2017, 82).
601 Becking (2017, 117) interprets הַשָּׂרִים in Ezra 9:2 as 'rulers of a district' or 'provincial governors'.
602 Becking (2021, 11).
603 Milgrom (1991, 320, 345, 346) points out that מַעַל in v 10 refers to an act of sacrilege, which can be removed by an אָשָׁם offering.
604 Becking (2017, 44) describes the *urim* and *tummim* as remnants of a mantic way of thinking.
605 See the explanation of Becking (2017, 198-199).
606 Block 1997, 726-726) points to the direct connection with Leviticus 10:11 and Leviticus 11-15.
607 Verhoef (1987, 247) describes the task of teaching as one of the main responsibilities of priests.

were scribal and judicial authorities,[608] which demonstrates such practices in a later period. This more extensive role of the priest also existed outside Israel: the priestly office in the ancient Near East and in the Greco-Roman world included sacrifice, divination, medicine, and teaching.[609]

The information demonstrates that the priest played a role in public life that went beyond sacrificial duties only: they were teachers, medical specialists, and judges whose task was to take care of the purity of the people. Priests played a crucial role in the city that was to be sanctified for God. This idea is clarified by Oeming, who points out that God's dwelling is only complete when it has walls.[610] He says that the completion of the walls in Nehemiah 7 symbolises the firm establishment of the Temple community and the grounding of their identity. God lives in the midst of this community, and purity is therefore very important. In Nehemiah 11, Jerusalem is called a holy city twice (vv 1, 18), while the Levites living there had to purify themselves (Neh 12:27-30). An expression of purity is the observance of the Sabbath found in Nehemiah 13:15-30. Phoenician merchants lived in Jerusalem and sold fish and other merchandise on the Sabbath (Neh 13:15-16). Nehemiah decided to close the gates before the Sabbath so that the merchants had to stay outside. The community the priests led had the responsibility to keep the city pure and holy. We do not find any trace of the observance of dietary laws. For the Persian period, we just found evidence that the sabbath was presumably more important than dietary prohibitions.

It is clear that the author of Leviticus 11 also wanted the dietary laws to be observed, and perhaps the priests wanted to use their knowledge of animals for the observance of dietary laws. In their sacrificial service, they had knowledge of animal anatomy,[611] a knowledge that priests in other parts of the ancient Near East also had.[612] Priests in the ancient Near East were experts in fields like astronomy,[613] knowledge which we also find among priests in Israel in relation to their responsibility for the festival calendars (Lev 23, 25). The priest could also perhaps have had the capacity to control the people in their obedience regarding the application of the dietary laws. It was part of their task to distinguish between pure and impure (Lev 10:11).

608 *C. Ap*. 2, 189: 'But this charge further embraced a strict superintendence of the Law and of the pursuits of everyday life; for the appointed duties of the priests included general supervision, the trial of cases of litigation, and the punishment of condemned persons.'
609 Kugler, 2006, 598.
610 Oeming (2012, 148-149).
611 For example, the ability to separate certain parts of the intestines from the rest of the animal (Lev 3:3-4; 9-10). Milgrom (1991, 205-209) describes this process.
612 For priests as experts on animals in Egypt, see Quack (2003, 315).
613 For an example of the role of the temple in astrology / astronomy in the Mesopotamian world, see L. Dirven (2019).

The books of Ezra and Nehemiah only partially reflect the political reality at that time, but texts reveal common trends in Judah. What existed was the idea of a community revolving around the sanctuary and priests which was obliged to follow the rules of the cult. This idea reflects power relations in which the priests, as God's functionaries, held power over the community. An authoritative text, ascribed to Moses, legitimises this idea. But in reality, the priests were not the ones in power in Yehud, and the Persian empire actually determined everything. There was also the Jerusalemite temple surrounded by a community with a substantial group of Judeans. This group included an exclusivist group that lived among a more inclusivist group and possibly among groups that were even more exclusivist. This more exclusivist group may have been the group that commanded the Judahites to divorce their foreign wives in Ezra 9-10.

Now that we have studied the historical and social context of the dietary laws of Leviticus 11, we have deepened our knowledge of the practical value of the dietary laws. We have seen that distinguishing between / dividing pure and impure animals must have been a complex process for the people had to perform. Because of the complexity, it must have been the task of the priest with his zoological knowledge to perform this task. He had to teach the people in these matters and must have functioned as an advisor. Therefore, the role of the dietary laws must have contributed to strengthening the position of the priest. They were authoritative experts, who felt responsible for keeping the people distinguished from other nations though controlling the meat that they consumed.

3.4 Conclusions

We may conclude that Leviticus 11 was written during the late Persian or maybe the (very) early Hellenistic period (333-300 BCE). The text must have been produced by a very small group of literati, who lived in Yehud, a district with a population between only 12,000 and 30,000 people. The laws were not accepted as binding by the Judaeans. The text is the result of a process of redaction history, which shows a development from inherent purity toward ritual purity. This means that, in older texts, the impurity was something some animals inherently had as part of their created nature, while in later texts, purity is determined by the relation toward the sanctuary. The text itself represents a collection of different and sometimes contradicting rules on purity. Perhaps they were not meant to be obeyed in their entirety, but there are reasons to suppose that the authors did indeed intend the Judaeans to eat only the meat that was allowed. The analysis of the dietary laws also clarifies that many animals were forbidden, which underlines the exclusivist character of the laws. An overview of literary information outside the one we used in chapter 2, strengthens the idea that the priest played a role in the distinction between pure and impure animals. This conclusion underlines the idea that the authors wanted a society led by the priests.

Based on the data examined, we may discern different kinds of practical values for the dietary laws. The first one we find in the older texts and redactional layers of the dietary laws in which these laws are inherently pure. This kind of purity is rooted in creation and generally acknowledged. The priestly food laws may have affirmed existing food habits, but intensified and re-contextualized them. This implies that there is general awareness of the impurity of kinds of meat among Judaeans, Israelites, and maybe even among non-Judaean and non-Israelite groups. Reasons for this general awareness will be examined in the next chapter, where food taboos will be related to existing food habits. The second kind of practical values can be found in later forms of the dietary laws, whereby we mainly have to think of the Masoretic Text of Leviticus 11. We have seen that old dietary laws are connected to forms of ritual purity. A characteristic trait of the dietary laws is the connection to the sanctuary and the cult. The practical value of the dietary laws is to build up the community around the temple. The purpose of these laws is to make a distinction between the community and the surrounding world. We can say that the dietary laws of Leviticus 11 in its present form is a building stone and identity marker for the temple community and for ancient Judaism, which starts appearing during the Hasmonaean period.

4

Archaeozoological data

This chapter answers the third sub-question in which we ask how knowledge about Judaean food habits deepens our knowledge of the practical values of the dietary laws. This happens through an examination of archaeozoological finds from Jerusalem (in part), Ramat Raḥel, and Tel Moẓa, sites dating to the late Iron Age II and Persian periods and therefore roughly contemporaneous to the textual evidence. In relation to these assemblages, we investigate and discuss the stratigraphic context, the main results, and the interpretation of the sites themselves. Finally, there is an evaluation of meat consumption at the sites involved in a broader context.

In the previous chapter we cautiously concluded that the dietary laws of Leviticus 11 were related to the beliefs and practices of a small and exclusivist group of people in Yehud during the late Persians period. Through their use of purity laws, they expressed the desire to distinguish themselves from 'impure meat eaters' who lived right next *to* the priestly Judaeans. These groups also wanted a society, where the priests played a vital role as scientific experts. They lived in a natural context with specific eating habits, and archaeozoology should provide information about the meat that the author's contemporaries ate. As mentioned in chapter 1, we will focus on archaeozoological data from three sites, namely Jerusalem, Ramat Raḥel, and Tel Moẓa which produced finds from Iron Age II up until the Persian period. The main reason for choosing these three sites is that they represent a coherent area of animal economy.[614] We know that the area east of Jerusalem was used for grazing, while in the areas west and southwest of Jerusalem were more favourable to crops as the wadi beds held rich alluvium soil that could be exploited for dry farming.[615] This western area functioned as the food basket for Jerusalem.[616] These sites cohere because of the fact that Jerusalem is the regional centre, while Ramat Raḥel and Tel Moẓa are two sites in its immediate environment: Ramat Raḥel is about four kilometres south of Jerusalem, and Tel Moza about six kilometres west of Jerusalem. Gadot points out that, from the eighth century BCE until the Persian era, the Soreq valley (where Moẓa is located) and the Repha'im Valley (where Ramat Raḥel is found) developed a specific settlement system which formed an economic and political unity with Jerusalem.[617] During this period, Ramat Raḥel was an important regional centre. The reason to concentrate this survey on Jerusalem and its vicinity is that this is the region where the authors and readers of Leviticus 11 were most likely located and active: priestly circles. For reasons of limitation, this study will not examine all faunal data in their stratigraphic context, and only large settlements are studied.[618] This implies that this overview is not comprehensive, but it is indicative for Leviticus 11.

614 This was demonstrated by Sapir-Hen, Gadot, Finkelstein (2016).
615 Gadot (2015, 5).
616 Gibson, Edelstein (1985).
617 Gadot (2015, 21-22).
618 Sapir-Hen, Gadot, Finkelstein (2016, 104-105) mention the economic hierarchy in the region around Jerusalem, whereby they also mention villages, farmsteads, isolated wine presses, olive presses, and tumuli.

4.1 Methodology

As already mentioned in the methodological section of chapter 1 (1.3), chapter 2 and 3 mainly described the history of ideas. Chapter 2 described the imagined world of the authors of Leviticus 11, and chapter 3 determined the evolution of the dietary laws. Chapter 3 describes a history of ideas, where dietary laws develop from inherent purity toward ritual purity. The purpose of this chapter is to deepen our view on the history of ideas through information from archaeozoology, which describes what actually happened 'on the ground'. Archaeozoology is an effective way to reconstruct ancient patterns of meat consumption and of the evolution of social complexity,[619] but we should be aware of problems and uncertainties in archaeozoological research. Before we describe these problems, we will first provide a geographical-chronological demarcation, followed by a description of the problems in the reconstruction of diets through archaeozoological data, and finally a description of the method and format chosen.

Geography and chronology

Because the final redaction of Leviticus 11 probably took place in Yehud during the late Persian or early Hellenistic period, one might expect that our research focus is entirely on that area and period. There are three reasons why this will not be the case. First, the dietary laws only represent the position of the author(s) of Leviticus 11 who lived in the late Persian or early Hellenistic period and did not necessarily represent the practice of all inhabitants of Yehud or competing elites (such as pro-Persians). Second, my purpose in this chapter is to uncover consumption patterns regardless of textual norms. Third, we remarked above in the overview of biblical texts on dietary laws, that there are older relevant texts which can be dated to the pre-exilic period. This implies that some sort of written or unwritten dietary regulations already existed in earlier periods. For these reasons, it would be best to analyse a more extended region over a longer period. Because of the limitations of this chapter, I will concentrate on Jerusalem, Ramat Raḥel, and Tel Moẓa. These three places are close to each other and are, as mentioned earlier, economically interrelated. Also, the question is whether the authority of the priestly elite from Yehud reached far beyond the region delineated by these sites.

The periods researched range from Iron Age II until the Persian period. Although we mentioned in the previous chapter that the early Hellenistic period might be a possible date for Leviticus, we will not study this period because of limited archaeozoological data during this period for the period involved.[620] We could choose a detailed chronological sequence, but the problem is that different excavation reports use different chronological subdivisions.

619 Sapir-Hen (2023, 735-736).

620 See Adler (2022, 43) for scanty evidence for pig remains, and Adler (2022, 48) for absence of research on fish remains from the Hellenistic until the end of the first millennium BCE. Also, Bieberstein (2017, 115).

That is why we choose a simpler subdivision which consists of three periods: Iron Age I (1200-1000), Iron Age II (1000-539) and the Persian period (539-332). In discussing the excavation reports used, we will sometimes mention more refined subdivisions. We will of course describe developments within separate periods and demarcate the period from Iron Age I until the Persian period, because it forms the context of an important part of the Old Testament.

Problems in the reconstruction of meat consumption

Our purpose is to reconstruct meat consumption, based on non-verbal archaeological data. Animal bones are the main archaeological evidence for meat consumption because, in addition to teeth, bones are among the most durable parts of the body. It is possible that the inhabitants of a site ate the meat of the animal, but it is also possible that the animal died a natural death. Whatever may have happened, some bones remain and are a challenge for interpretation: archaeologists need methods to determine whether the animals whose bones are left were included in the diet of the inhabitants or not. The most important evidence of human consumption is the presence of cut marks on the bones. Another type of evidence is the presence of burn marks, which may indicate cooking, and boiling can sometimes also be detected. With the aid of specialised knowledge,[621] archaeozoologists can interpret the different stages of food preparation through research on animal bones.[622] Profiles of age and sex may help reconstruct the system of hunting or agriculture practised.[623] There may also be fishhooks and net sinkers.[624] There may be baskets or other materials used for meat processing and storage. Bones collected in dump piles can be important as examples of clean-up and discard.[625] The problems we just described may be schematised as follows:

Data transmission = data formation

Any reconstruction of diet based on osteological data is complicated because there are natural processes that influence the preservation of bones.[626] The mineral element in bones can survive well in alkaline soils such as sand and gravel. Acid soils usually dissolve everything but burnt bone. Waterlogged, arid and frozen sites provide the best preservation. Larger bones and teeth also survive longer than small bones. Rarely do we find tiny fish and bird

621 For examples of the complexity of the interpretation of butchering and burning marks on bones and of the need for specialised knowledge, see T. O'Connor (2000, 45-47).

622 Hastorf (2017, 81-141) distinguishes between food production and procurement, food processing, food storage, food preparation (cooking), food serving, food consumption (eating), food clean-up and discard.

623 J. Grant, S. Gorin, N. Fleming (2015, 110) and Hastorf (2017, 90).

624 Galling (1977, 84).

625 Hastorf (2017, 138).

626 Grant, Gorin, Fleming (2015, 106) and O'Connor (2000, 25) point to the vast number of uncertainties. O'Connor points to the need for controlled experimental circumstances, which are often lacking in osteological publications. He recognises that bone preservation is good in well-drained acidic environments.

bones. Therefore, we may conclude that natural circumstances make it impossible to get a complete picture of the animals that existed in a certain area because certain bones simply disappear. The assemblage might therefore not be complete and thus does not give a representative picture of the entire meat consumption pattern at a given site.

Data retrieval

There are also limitations related to data retrieval, specifically concerning the excavations in Palestine. Earlier excavations paid no or little attention to faunal remains.[627] Instead, they often concentrated on items like ceramics, graves, and various kinds of buildings. This implies that the systematic research of faunal remains did not play an important role in older excavations. Data are blurred and unreliable – if extant at all. Only in the last three decades have animal bones received more attention. Even in more recent periods we may wonder whether excavators looked for tiny bones through sieving. The excavation reports on Hesban are exemplary, with a complete overview of all the animals present.[628] More recently, many excavations have been conducted with more attention being paid to faunal remains. But a critical approach is required here. Although sieving (either dry sieving or wet sieving) is common in excavations nowadays, it does not usually happen in a comprehensive way. No standard exists, and therefore comparison is difficult. Digs usually mandate sieving as a random sampling technique. This lack of comprehensive sieving biases the collection toward larger species – for example, sheep, goats, cattle, deer, pig, etc. – and significantly underrepresents smaller species that may be present in a particular sample.[629] Even with comprehensive sieving, the samples cannot be used to calculate percentages of species, due to the inevitable loss through natural taphonomic processes. Greer also points to the problem of volunteer excavators and sometimes to the absence of professional archaeozoologists, which may lead to all sorts of misinterpretations.[630]

627 The summaries of excavations in *EAEHL* from 1975 do not mention bones because, at that early time, bones were not studied much in Palestinian archaeology. It is not only the absence of archaeozoological data in *EAEHL*. In general, I found no research on archaeozoological collections in older excavation reports.

628 Ø.S. LaBianca and A. von den Driesch (1995).

629 Greer (2019, 7).

630 Greer (2009, 7-8).

An overview of recent excavations from the last 15 years demonstrates differences in quantification methods. NISP[631] is used in Aphek,[632] Beth-Shan,[633] Ekron,[634] Tel es-Safi,[635] and Khirbet Qeiyafa;[636] NISP and RF in Tel Dor;[637] NISP, MNI, and RF in Ramat Raḥel;[638] NISP, MNI, RF, MAU, %MAU, and MNE in Megiddo.[639] To a lesser degree, there are differences in the determination of the age of animals when they were slaughtered: most of the reports mention bone fusion, tooth eruption, and tooth wear patterning,[640] while Beth-Shan[641] and Tel Dor[642] only mention bone fusion. These examples show that that there is no uniformity in the research on archaeozoological data. The consequences of these different methods may be that there is no single overarching approach to the age of animals in all sites.

Data processing and publication

The information mentioned above demonstrates that there are many differences between the reports of individual sites, which makes comparison difficult. Sometimes, scholars show a specific research interest, such as an interest in animal husbandry or hunting and trapping, which influences data processing. We also saw that there are natural circumstances through which certain bones have disappeared and that older excavators have neglected faunal remains. These specific interests may influence data processing and, finally, the publication. Based on all these limitations, it seems difficult to reconstruct meat consumption in the area and period we are researching. Therefore, there must always be the awareness that archaeology presents a limited impression of faunal life. It is specifically difficult with the reconstruction of meat consumption. Because excavators have paid so little attention to the nature of the bones, we have often little knowledge of slaughtering and consumption. This is also due to problems with data transmission. We may conclude that the problems are major: based on osteological materials, it is difficult to reconstruct the Palestinian diet. Because excavators did not examine bone finds thoroughly, it is exceedingly difficult to discover for what the bones were used before they were disposed at a site. This means that:

631 Common methods for counting are NISP (the number of identified specimens [bone fragments] present), MNI (Minimum number of individuals), RF (relative frequency), MAU (minimal animal units), %MAU (standardised MAU value, calculated by dividing all observed MAU values by the greatest observed MAU value and multiplying it by 100 to scale the values between 0 and 100) and MNE (Minimum number of elements).

632 L.K. Horwitz (2009, 526).

633 Horwitz (2006, 689).

634 J.S.E. Lev-Tov (2000, 69-73).

635 Lev-Tov (2012, 590).

636 R. Kehati (2009, 201, 203, 205, 206, 207).

637 Sapir-Hen (2014, 86).

638 D.N. Fulton et al. (2015, 34).

639 Sasson (2013, 1131).

640 On Aphek see Horwitz (2009, 526); on BerSheva, see Sasson (2005, 89); on Ekron see Lev-Tov (2000, 67), on Megiddo Sasson (2013, 1133); on Tel es-Safi see Sasson (2013, 1133); on Khirbet Qeiyafah see Kehati (2009, 203).

641 Horwitz (2006, 690).

642 Sapir-Hen, Bar-Oz, Sharon, Gilboa, Dayan (2014, 86).

- On the level of description / inventory: we can only describe individual sites and it is difficult to generalise them to create a regional picture because of the fragmented and inconsistent data.
- On the level of comparison: What will we gain if we subject incomplete sets of data to diachronic and trans-regional comparison? How close will the results of such a comparison get to a past 'reality'?
- On the level of interpretation: How dependable will our interpretations of such an incomplete and distorted dataset be? Is there only one explanation or are there more? How can we decide?

All these methodological remarks imply that we must check excavation reports to know how excavators observed bones. In any event, it should make us cautious in our conclusions.

Interpretation of archaeozoological materials

In the previous sections we noted the uncertainties and limitations we have to take into account. A central question is how to interpret archaeozoological materials like animal bones in a proper way. What has been found are bones in a certain context, and what we need is a description of the bones themselves and of the context. We can distinguish between an immediate and a broader context: the direct context is the archaeological site where the bones are found and the broader context of geographical region, the social and political circumstances, and the historical circumstances. I want to observe the bones with the aim of reconstructing meat consumption.

The bones themselves are the first item. We should be attentive to the research on cut marks, which can be evidence of slaughter by humans. Cut marks near the joints may indicate butchery for meat, and the mid-section of long bones being smashed suggests marrow extraction.[643] Angled cut marks on animal bones may indicate skinning.[644] The age and sex of the animals[645] represented in the bone assemblage is also essential. For example, the sex ratio and age structure in dairy herds are different from beef herds. The examination of cut marks can help reconstruct the system of farming or agriculture practised.[646] Another aspect is the way the bones are arranged. Assemblages comprising meat-bearing bones possibly indicate storage.[647] In general, we must know that animals may have been used for several reasons: as a source of food such as meat, fat, or marrow, as a source of secondary food products like leather for artefacts, and some as a means of traction and transport.

643 Grant, Gorin, Fleming (2015, 295).
644 Grant, Gorin, Fleming (2015, 296).
645 For an overview of the determination of age see O'Connor (2000, 80-97).
646 Grant, Gorin, Fleming (2015, 110, 294-296).
647 Grant, Gorin, Fleming (2015, 296).

Context

The direct context of the bones is the position in the excavation site. Was it a refuse area? Was it a sacred place? Was it a grave, or was it something else? A connection to a palace may provide information about the diet of higher social classes, while a connection to a simple farm may give information about lower social classes. If bones were found in a sacred place like a temple, it may give an indication of the kinds of sacrifices or sacred meals. If found in a grave, they may be an indication of grave offerings. On the other hand, we should always be cautious in formulating conclusions. For example, a connection to a palace does not need to point to food remains from a higher social class because the remains could also have been connected to servants with a low social position.

The broader context of osteological finds goes beyond a specific site. In his conclusions on the diet of the Israelites, MacDonald points to some relevant aspects.[648] First, there is geographical variation. The numerous ecological niches resulted in varying subsistence strategies. There is important variation between seminomadic pastoralism and a settled mixed agriculture. Another relevant aspect is the difference between people living in remote areas and people living near trading routes. Second, MacDonald points to temporal variations. He indicates that chicken became part of the diet sometime in the first millennium BCE. During periods of oppression by foreign empires (like the Assyrian period), many animals played a role as tribute,[649] which had consequences for the daily diet of the inhabitants of Palestine. Differences in animal husbandry may exist between a tribal society, as we find it in Iron Age I, and a more centralised kingdom, as we find in later periods. Third, dietary variation occurred along social lines. The elites could obtain traded foodstuffs, such as fish, meat, and vegetables / fruit.

Strategies of animal husbandry

Because animal husbandry plays a key role in the provision of meat for consumption, I will look at farming and herding in Palestine, which affects the interpretation of animal bones. The animals that occur most frequently are caprovines, a term expressing the fact that it is often difficult to distinguish between sheep and goats.[650] MacDonald remarks that the goals of herders can be perceived where the difference between these two animals is clear.[651] Sheep are used for wool and for milk, while goats are better suited for more arid environments.[652] Goats provide more milk than sheep and for a longer period. In the last fifty years, scholars have developed growing insight into patterns behind sheep and goat husbandry in the area.

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648 MacDonald (2008b, 92-93).
649 MacDonald (2008b, 69, 78), cf. Boessneck (1969).
650 S.J.M. Davis (1987, 32-33).
651 MacDonald (2008b, 62).
652 O. Borowski (1998, 61). Firmage (1992, 1127-1128) says that sheep begin producing milk during February or March, and this continues for three to four months, whereas goats lactate for seven to eight months.

In 1973, S. Payne described strategies of goatherds and shepherds, in which he discerned different kill off patterns for wool production, dairy production, and meat production.[653] With wool production, a substantial proportion of the animals survive into adulthood. Selective culling may take place to maximise the use of pasture, but, for the rest, animals are culled only when annual wool production begins to diminish. For dairy herds, many of the male animals are culled, while the females and a few males are kept alive. In the case of meat production, animals are killed at a young age. After Payne, there were further modifications on culling patterns, which MacDonald enumerates.[654] First, there is the importance of the herd as a long-term investment not only for the herder but for his entire family. The consequence is that short-term gains were subordinate to long-term maintenance. This implies that flock growth relied on herding strategies. Second, the producers (the shepherds) were not always the consumers. Often, sheep or goats are sent to markets, which affects finds at archaeological sites. MacDonald remarks:

> In particular, kill off patterns will differ markedly depending on whether a site is oriented toward the production of animals or their consumption. An urban society that is primarily involved in consumption rather than production will be evidenced by a reduced selection of cuts and a bias toward animals at particular ages. Conversely, a production economy will have an absence of animals at a prime age.[655]

While in our world cattle to a large extent have the function of being milk and meat producers, they had a different function in the area and period I am researching.[656] The first was traction. They were the principal draught animals in ancient agriculture. Because of their size, their second function was that of contributor of meat. Although there were more caprovines in the Iron Age, cattle probably produced more meat. Based on the age of cattle, we know how they were utilised. A high rate of survival into adulthood suggests traction, while culling at the age of three and a half years indicates the use of meat.

Reconstruction of diets through archaeozoology

The consequences of the information about the interpretation of archaeozoological collections is as follows. First, the problems in data transmission, retrieval, and processing should make us aware of the limitations and uncertainties in the reconstruction of diets in ancient Palestine. Therefore, each excavation report should be studied critically, and deficiencies in the research must be looked at. Second, the stratigraphic context demands critical reflection. Third, supportive information about animal husbandry should be considered in the interpretation of the data. We may conclude that the reconstruction of

653 Payne (1983); cf. MacDonald (2008b, 62-63).
654 MacDonald (2008b, 63).
655 MacDonald (2008b, 63).
656 MacDonald (2008b, 63-64); Firmage (1992, 1129-1130).

diets should be performed with many reservations and with the awareness of limitations in the research.

Research plan

In evaluating the excavation reports, we will investigate the thoroughness of the research. For instance, did excavators pay attention to cut marks on bones, and did excavators sieve to discover remains of fragile bird and fish bones? I will also look at the place where bones were found in the site. For instance, was it inside a house, in a grave, a sacred place, or a refuse site? I will also investigate how the archaeologists interpreted their data. Did they connect the bones to animal husbandry, and how did they do that? If archaeologists connected bird bones to hunting, what evidence do they offer? If they connected fish bones to fishing, what evidence did they offer? Did they find remains of fishing implements? If excavators connect fish bones to fish transportation and fish trade, what kind of evidence do they offer and what is the validity of this hypothesis? Based on the information gathered, I will formulate patterns regarding the consumption of meat. In the field of animal husbandry, I will formulate the patterns behind the husbandry of cows, goats, sheep, pigs, poultry, dogs, horses, and donkeys, plus patterns in game and fishing. The same will be done with forms of fish transport and, if possible, the transport of other kinds of meat.

A final remark concerns the format of this study. In my examination of excavation reports on faunal remains, the following procedure was what I usually found: the motivation of the researcher; a description of the places and strata, plus the dating of the strata; methodology with quantification methods, methods for determining the age of animals, comparison of the bones found with standard collections, sieving techniques etc.; results, discussion, and conclusions, often related to the broader context of surrounding sites. When we look at Jerusalem, Ramat Raḥel and Tel Moẓa, we will use ingredients of the methodology commonly employed, and the format used is roughly as follows:

Description of the site: this part contains the name of site, location, brief characteristics of the chronological range, function (harbour, fortress, village, etc.), and cultural profile (Egyptian, Philistine, etc.) in diachronic perspective;

The kind of publication (article, monograph), written on the basis of what finds (anything missing?) and with what methods the excavators worked. This part reconstructs the motivation of the excavators and their methodology;

Main results / data the publication provides;

The final part is the analysis, which is always written with the purpose of supplying data for answering my research question. Thereby, the results of the site will be contextualised in other relevant Palestinian bone finds.

Despite the limitations of this study, the previous section has shown that research on the archaeozoological data of archaeological sites helps to gather information about food habits in ancient Palestine (again, this only refers to the theoretical potential, it has yet not been demonstrated that it might also affect my research and how it might do so). It also deepens our view on the *Sitz im Leben* of the dietary laws and will be answered by sub-question 4 which asks how animal consumption patterns as reconstructed on the basis of archaeozoological data relate to the dietary laws from their beginnings to their ultimate systemization in Leviticus 11. The main purpose of this chapter is to reconstruct food habits through archaeozoological research, and the results of that research will provide some information about the consumption of non-kosher meat relevant for contextualizing and interpreting our textual evidence.

4.2 Jerusalem

Jerusalem has a long history of excavations, dating from the nineteenth century CE onwards.[657] The city was established a few hundred metres to the east of the watershed in the hill country between the Mediterranean Sea and the Jordan River.[658] The site was removed from long-distance trading routes in the southern Levant. This somewhat remote position in the hill country had the benefit of being less exposed and thus less at risk in times of military threat. The city was also located close to the intersection of two regional trade routes, which explains its regional role as one of the most important cities in the west Jordanian hill country. Jerusalem began as a small unfortified settlement during the Early Bronze Age,[659] and after a settlement gap between ca. 2500 and 1930 BCE,[660] it continued to be inhabited until present times.[661] In this section, we will focus on data from the Ophel, the City of David, and the vicinity of Gihon Spring,[662] during Iron Age II (1000-539 BCE) and the settlement from the Persian period (539-332 BCE). During Iron Age II, the city expanded towards the southwest under Hezekiah.[663] Because of the limitations of this study, I will not use all the material from the Jerusalem excavations.[664]

The first place to be examined is the site on the Ophel, which is located at the foot of the southern wall and southwestern corner of the enclosure of the Temple Mount. The site was

657 For an overview, see Steiner (2014) and Bieberstein (2017, 8-18).
658 Bieberstein (2017, 1).
659 Bieberstein (2017, 20-22).
660 Bieberstein (2017, 24-24).
661 Overview is based on Bieberstein (2017, 20-134).
662 Because of the political problems between Israel and the Palestinians, the excavations in East Jerusalem are not undisputed. I am critical of possible political motifs but appreciate the quality of the archaeozoological work.
663 Bieberstein (2017, 59-78). Finkelstein (2011) points out that Jerusalem was a small regional centre at the beginning of Iron Age II, and that the city expanded during this period.
664 Adler, Lernau (2021) mention more fish finds. Their results will also be used in the analysis. Because of the limitations imposed by this study, I will not look at the Western Wall Plaza, which is described in Sapir-Hen, Gadot, Finkelstein (2016).

first excavated over a ten-year period (1968-1978) by B. Mazar and covered an area of approximately eight acres. Renewed excavations on the Ophel were carried out by E. Mazar during the 'New Ophel excavations' of 2009-2013.[665] The excavators see the area as a refuse site, perhaps from an upper floor from inside an administrative building adjacent to the Temple Mount.[666]

The second place we will examine is Area G in the City of David in Jerusalem, located on the eastern side of the Dome of the Rock.[667] The site is at a distance from the Ophel excavations and mainly included stratified refuse sites dating from the end of Iron Age II to the Persian period. The cultural profile of this location is Israelite/ Judahite. Based on Shiloh's and Mazar's excavations, the stratigraphic sequence of relevant data in Area G is as follows:[668]

Stratum	Period	Dating	Additional remarks
9A	Late Persian	5th -4th centuries BCE	
9B	Early Persian	6th -5th centuries BCE	
9/10	Babylonian	6th centuries BCE	
10A-1 (Layers 1-3)	Late Iron 11B	6th centuries BCE	Removal of destruction debris from conquest of 586 BCE
10A-2 (Layer 3)	Late Iron Age IIB	6th century BCE	Poor construction directly above 586 BCE destruction layer
10 B/C (Layer 4-5)	Late Iron age IIB	2nd half of 7th century-586 BCE	Destruction layer of 586 BCE (I0C subdivision evident only in Area G of Shiloh's excavations)

This study will concentrate on faunal remains in Area G, part of the summit of the City of David, lying near the large stone structure.[669]

Third, we will look at a site in the vicinity of the Gihon Spring. First, there are excavations from a rock-cut pool near the Pool of Siloam and, during Iron Age II, it must have been outside the city walls. The rock-cut pool captured the spring waters of the Siloam tunnel.[670] The place

665 Mazar (2018). The excavation report consists of finds from the Herodian period, Iron Age IIB, and in Iron Age IIAl-2. Reports on faunal remains concern Iron Age 11B, described in Mazar (2018, 175-314). See also Horwitz, Lernau (2018, 289).
666 This concerns L421b and L431a. See Horwitz, Lernau (2018, 289).
667 Lernau (2015); Bieberstein (2017, 82) describes it as *Eilat Area G*.
668 This is a part of the more extensive table in Mazar (2015[2], 17).
669 Mazar (2015[2], 1, plan 1).
670 R. Reich, E. Shukron, Lernau (2007, 153).

was used in an early period and abandoned for a lengthy period. In the eighth century BCE, new settlers constructed a private dwelling, and they must have decided to raise the floor by about three metres. Consequently, large stones were thrown into the empty space, and an extremely large amount of debris was dug or scraped off the areas close to the perimeter and dumped into it. Finally, this debris was packed hard to form a flat, level floor of beaten earth.[671] The debris beneath the floor contained many artefacts and fish bones that were obtained by wet sifting.[672] Second, there is Area U, a trench west of the Gihon Spring, which contains a number of structures dating from the eighth century BCE to the destruction of Jerusalem in 586 BCE (IA II-III).[673]

4.2.1 Ophel – Area A2009

Publication and methodology

In a report on Iron Age IIB faunal remains from the Ophel, Area A2009, Horwitz and Lernau[674] discuss material from three Iron Age IIB (ninth-eighth centuries BCE) loci, all three in Area A2009: L09-14, L09-421b and L09-431a. All materials were wet sieved, resulting in the recovery of small bones and tooth fragments. Methods used for counting were MNI and NISP. The determination of the age of mammalian remains was based on the state of bone fusion and tooth eruption. For fish, estimates of the minimum number of individuals (MNI) were based on counts of the most common skeletal element in a locus, taking into consideration the frequency of a specific element in the skeleton of a taxon of fish and the estimated sizes of the fish. The standard lengths (SL) or total lengths (TL) were based on bone measurements to one-tenth of a millimetre.

Main results

From Ophel Area A2009, archaeozoologists examined 3,964 animal remains from three loci. Of these, 66.8% (NISP = 2,649) represented unidentified remains and only 33.2% (NISP = 1,315) could be identified as a skeletal element and/or species,[675] which implies that we have only a small sample. In all three loci, the number of caprovines is over 50%: L09-14 51,8%, L09-421 61.3%, L09-431 66.6%. Based on the long bone fusion data,[676] we know that most animals were slaughtered at a young age (majority in the 6–12-month range), which implies that they were used for meat consumption. Among the identifiable caprovines there were also more goats than sheep. The amount of cattle is low relative to caprines, a pattern evident in archaeozoological assemblages recovered from both recent and earlier excavations on the

671 Reich, Shukron, Lernau (2007, 154).
672 Reich, Shukron, Lernau (2007, 157-160).
673 Sapir-Hen, Uziel, Chalaf (2021).
674 Horwitz, Lernau, 2018.
675 Horwitz, Lernau (2018, 291).
676 Horwitz, Lernau (2018, 293).

Ophel, at the City of David, and the Western Wall Plaza.[677] This may reflect less involvement in agriculture and ploughing in Jerusalem. There is a low frequency of pigs, 2.1% in total, apart from 10.6% in L09-14.[678] The excavation report is not specific about the place where the bones were found. Finally, there are thirty bones of a single, noticeably young canine which was found in a deposit.[679] There is no evidence of dog burial.

About 16% of the bones comes from birds, of which the majority could not be identified. The few bones that could be identified were from geese, the chukar partridge, and Passeriformes.[680] No modifications were seen on the bones of the first two groups, and the third category must have died a natural death, which implies that there is not enough evidence of consumption, although we must not exclude this possibility.

There are altogether 529 fish bones, and of the identifiable bones four are freshwater families (*Clariidae*, *Centropomidae*, *Cichlidae*, *Cyprinidae*), making up 36.2% (105 bones); and five marine families (*Sparidae*, *Mugilidae*, *Sciaenidae*, *Serranidae*, rays and skates), which comprise the bulk (63.8%; 185 bones).[681] Most of the fish were imported and came from rivers, the Sea of Galilee, Lake Huleh, the Mediterranean, or from Egypt.[682] The small size of all the species leads to the conclusion that the animals were probably transported.[683] Molluscs in L09-421b come from the Mediterranean and the eastern Atlantic, which is also evidence of trade connections with the Mediterranean. This information proves that there was fish consumption, but, in comparison with the caprines, fish formed a small part of the meat that was consumed. The presence of molluscs is remarkable. The excavation report does not state whether these animals were eaten or not. Research elsewhere shows that marine molluscs were actually eaten in numbers,[684] and it might be possible that the people on the Ophel also ate them and did not only use the shells for ornamental purposes. Molluscs were found at food refuse sites in Egypt.[685] Apparently, these animals were kept alive during transport. If they were transported and consumed in Jerusalem, it would be proof that they were food for the elite classes.

677 Horwitz, Lernau (2018, 292).
678 Horwitz, Lernau (2018, 291-293).
679 Horwitz, Lernau (2018, 293).
680 Horwitz, Lernau (2018, 295-296).
681 Horwitz, Lernau (2018, 296).
682 Horwitz, Lernau (2018, 297-299). Cf. Faust (2006, 50).
683 Horwitz, Lernau (2018, 297-299).
684 N. Morand (2020) mentions examples of marine molluscs that were transported from the sea to the city, and he has evidence that they were consumed.
685 Morand (2020,5).

4.2.2 City of David – Area G

Publication and methodology

In the final reports on Area G of the excavations from 2005-2008, Lernau wrote a chapter on faunal remains from a refuse site. He writes that all the soil from the excavation was wet sifted through a mesh of 4x4 mm.[686] Layers and sublayers were dated by their findings into three major strata, ranging from the last days of the Judaean kingdom and the destruction by the Babylonians (stratum 10, layers 1-10), the Babylonian occupation I (Stratum 9/10, layers 1-3), and the Persian period (Stratum 9, layers 1-8). The fish bones were compared to Lernau's private reference collection. The measurement of the bones allowed estimates to be made of the standard lengths (SL) or total lengths (TL).

In the same excavation report on Area G, there is also an article with a zooarchaeological analysis of the faunal remains, written by K. Tamar and G. Bar-Oz.[687] This assemblage from all of Area G was collected from Iron Age III contexts (second half of the seventh century-586 BCE) and to a lesser extent from the Babylonian (586-late sixth century BCE) and Persian contexts (end of the sixth-fourth century BCE). Methodologically,[688] all the bones were collected by hand and some locations were wet sifted. Bones from places that were poorly defined stratigraphically or mixed chronologically were excluded from the analysis. Relative abundance was based on MNE and MNI, while NISP was used as a basic measure of taxonomic abundance. Age and mortality profiles were reconstructed using epiphysial closure, tooth eruption, and wear profiles.

Main results

The collection of faunal remains from Area G contains 3,647 bones, of which the majority belong to Iron Age III contexts (NISP= 2401), followed by Babylonian (NISP = 663) and Persian (NISP = 583) contexts.[689] The overview of the results concentrates on a limited amount of data, limited to caprovines, cattle, deer, and dogs:[690]

Name	Iron Age III	Babylonian	Persian
Capra hircus (goat)	NISP= 45;5; %NISP =2	NISP = 9; %NISP=1	NISP = 20; %NISP=4

686 Lernau (2015, 525).
687 Tamar, Bar-Oz (2015).
688 Described in Tamar, Bar-Oz (2015, 497-498).
689 Tamar, Bar-Oz (2015, 498).
690 Tamar, Bar-Oz (2015, 499). Other species like different birds, small mammals, and the tortoise are mentioned in the publication but not here because of the focus of this study and because their numbers are small. It is mainly animals that were consumed that are mentioned. Dogs are mentioned because of the discussion about possible dog burials.

Ovis aries (sheep)	NISP = 59; %NISP = 3	NISP = 13; %NISP=2	NISP = 22; %NISP=4
Capra/Ovis (sheep/ goat)	NISP = 1981; %NISP=86	NISP = 547; %NISP=89	NISP = 439; %NISP=84
Bos taurus (cattle)	NISP = 165; %NISP=7	NISP = 32; %NISP=5	NISP = 25; %NISP=5
Gazella gazella (mountain gazelle)	NISP = 3; %NISP=0	NISP = 1; %NISP=0	NISP = 1; %NISP=0
Dama mesopotamica (Mesopotamian fallow deer)	NISP = 19; %NISP=1	NISP = 4; %NISP=1	NISP = 3; %NISP=1
Canis sp. (dog)	NISP = 9; %NISP=0	NISP = 1; %NISP=0	NISP = 8; %NISP=2

In this overview, caprovines dominate in all periods, followed by cattle. The caprovines' dominant representation indicates their economic importance and their role as the primary source of meat. About 53% of the Iron Age III and Babylonian caprovines and 19% of the Persian ones were slaughtered after the age of 3 years.[691] Based on the dental wear rate, only 53.5% of the caprovines survived past the first year of life, and 44% survived past the third year in Iron Age III. This implies that the caprovine's age of slaughter was delayed to beyond the first year in all periods, which means that they were used for meat production and secondary products like milk.[692] Because the Persian period had a relatively low percentage of adult animals, this implies that caprovines were slaughtered mainly for meat. Cattle were slaughtered in adulthood when they were more than three years old.[693] No young cattle (0-1 yrs.) were slaughtered. This relatively low representation of young cattle may imply their use for labour,[694] and they were used for meat at a later age than caprovines.

The presence of wild deer in the assemblage suggests that the surrounding areas of the site also featured woodland, open landscape, and bushland, which indicates the utilisation and exploitation of the natural environment by hunting and trapping.[695] The dog finds will not be analysed further because there is no evidence dogs were consumed.[696] Notably, no pig bones were found in this assemblage.

691 Tamar, Bar-Oz (2015, 500, 501, Table 13.2). Based on the dental wear rate, only 53.5% of the caprovines survived past the first year of life and 44% survived past the third year.
692 Tamar, Bar-Oz (2015, 508).
693 Tamar, Bar-Oz (2015, 500, 501, Table 13.4).
694 Tamar, Bar-Oz (2015, 508).
695 Tamar, Bar-Oz (2015, 499, 508, Table 13.1).
696 The fact that we find evidence of dog burial, as demonstrated in Raban-Gerstel, Agha, Sapir-Hen, and Bar-Oz (2015) is interesting. This is the first example of a dog burial in the area.

4.2.3 The Vicinity of Gihon Spring

Publication and methodology

We will look at two archaeozoological publications on sites in the vicinity of Gihon Spring. First, there is a short article by Sapir-Hen, Uziel and Chalaf about the excavation in Area U, which includes data on faunal remains.[697] Although there is no specific description of the methodology, the study used NISP as a quantification method and epiphysial fusion for determining age. The researchers described skeletal elements and cut marks on caprines and deer. The assemblage is dated to the eighth century BCE (Iron Age II). Second, there is a preliminary report about fish bones in a rock-cut pool near the Pool of Siloam and outside Area U.[698] The rock-cut pool captured the spring waters of the Siloam tunnel.[699] In the eighth century BCE, a private dwelling was constructed on this spot, and the floor was raised by about three metres. The debris beneath the floor contained many artefacts and fish bones, which were obtained by wet sift.[700] Unfortunately, the methodology is not specified in this article.

Main results

From Area U, the large majority of faunal material consists of sheep and goat remains, and when the bones are identified, they contain sheep (caprines 80%), while a smaller percentage consists of cattle (7%).[701] Only 40% of the caprines were older than four years, and their survival rate decreased slowly, which implies that they were exploited primarily for meat. There is evidence that the bones had been burnt, which may be the result of cooking. In addition, several remains of birds (waterfowl and chicken), and house mice (*Mus musculus*) were also found in the room (table 1), as well as several fish remains. Next to these animals, excavators found the remains of a complete pig, and they wrote as follows about the find:

> Wedged between the smashed vessels, the complete skeleton of a small pig was discovered in full articulation. The pig was found in an upright position, signifying it was not intentionally interred in this location; rather it had found its demise while stuck between the vessels.[702]

This information implies that we do not exactly know why the pig was at the spot where it was found. The publication states that activities of local preparation for consumption were carried out in the same room where the pig was found when the building was destroyed. The excavators remark that the pig itself had not been slaughtered (yet), which in fact means

697 Sapir-Hen, Uziel, Chalaf (2021, 112-117).
698 Reich, Shukron, Lernau (2007). Cf. Reich 2011 (206-219).
699 Reich, Shukron, Lernau (2007, 153).
700 Reich, Shukron, Lernau (2007, 157-160).
701 Sapir-Hen, Uziel, Chalaf (2021, 113): of 192 NISP, 92 are sheep or goat and ten are sheep; ten NISP are cattle.
702 Sapir-Hen, Uziel, Chalaf (2021, 112).

that we do not know if the pig was there to be slaughtered or that it just happened to be there and was killed when the room collapsed. The excavators also point out that the prevalence of sheep is not common in an Iron Age building, and that caprines are represented equally by sheep *and* goats in other places in Jerusalem. The prevalence of sheep meat indicates access to more expensive meat, and thus to the higher economic status of the inhabitants. This conclusion is strengthened by other archaeological finds that are an indication of the high economic status of the people who lived in the building.[703] The reason why the pig was found in the building is probably related to its proximity to Gihon Spring. It is possible that the animal was semi-wild and scavenging household garbage. It is surprising that the pig was found in an Iron Age building that reflected a high socioeconomic level because from the 2nd millennium BCE wealthy people in the Middle East did not consider pigs a source of wealth since these animals did not produce secondary products.[704]

We have a rather large collection: out of 10,600 fish remains from the fish bone finds at the Iron Age II site from the rock cut pool, 5,414 bones (61%) can be classified into taxa.[705] A total of fourteen different fish families were identified, with almost 85% belonging to the *Sparidae* and *Mugilidae* families. More than 90% of the fish are marine fish, which seem to have originated from the Mediterranean Sea. Porgies are in the majority by 71%, followed by mullets at 19.3%. There are also small amounts of *Clarias gariepinus* (3.9%), *Anguilla anguilla* 0.05%) and Bagrid catfish (0.02%). All the fish bones came from a single heap of debris that was dumped into the rock-cut pool. Because the fish came from the Mediterranean Sea, traders must have brought them from a distance, and conservation took place through drying, smoking, or salting. Most of the fish are kosher because they have scales and fins, but various kinds of catfish are unclean. There are signs of elite presence at this spot because the large number of seals point to commercial and administrative activity,[706] and it is remarkable to find some species of non-kosher fish.

4.3 Ramat Raḥel

Ramat Raḥel is located on a prominent hill 818 metres above sea level halfway between Jerusalem and Bethlehem, one of the highest peaks in the area south of Jerusalem and part of the ridge that surrounds the Rephaim Valley from the east.[707] The location offered different

703 Sapir-Hen, Uziel, Chalaf (2021, 113).
704 Sapir-Hen, Uziel, Chalaf (2021, 114). Price (2021, 62-90) affirms the idea presented by Sapir-Hen, Uziel, and Chalaf, by pointing to this development in the southern Levant.
705 Reich, Shukron, Lernau (2007, 158).
706 Reich, Shukron, Lernau (2007, 161-163).
707 Lipschits, Gadot, B. Arubas, Oeming (2011, 2).

strategic and commercial advantages,[708] which was the reason a settlement was built on that spot. The biblical name of the location is still unknown, but recent suggestions are Beit Ha-Kerem or Ba'al Perizim.[709] The oldest stratum, Stratum V, begins at the end of the eighth or the beginning of the seventh century BCE and lasts until the end of the fourth century BCE.[710] It was built on natural soil, while the builders made terraces on top of the hill.[711] This stratum contains three building phases: Building Phase I (Stratum Vb) dates from late eighth / early seventh century B.C.E. to the second half of the seventh century BCE (Iron Age II); Building Phase II (Stratum Va) dates from the second half of the seventh century BCE to the fourth century BCE (Iron Age II-Persian). Building Phases I and II contain a royal administrative centre under imperial hegemony. Building Phase III is an expanding construction during the Persian period (late sixth / early fifth century BCE to the second half of the fourth century BCE). Stratum Va ends with a destruction and robbery of the walls. Strata IVb to Stratum I date from the Hellenistic period (second century BCE) to the eleventh century CE. The following table clarifies the relevant data of the stratigraphy of Ramat Raḥel:[712]

Building Phase	*Stratum*	*Period*	*From*	*To*
Building Phase I: Royal Administrative centre under Imperial hegemony	Vb	Iron II	Late 8th or early 7th century BCE	Second half of 7th century BCE
Building Phase II: Royal administrative centre under Imperial hegemony, enclosed by garden	Va	Iron II-Persian	Second half of 7th century BCE	Late 4th century BCE
Building Phase III: Extended construction		Persian	Late 6th or early 5th century BCE	Late 4th century BCE
Building Phase IV: Imperial administrative centre?	IVb	Early Hellenistic	3rd century BCE	2nd century BCE

708 Lipschits, Gadot, Arubas, Oeming (2011, 3-4) mention three advantages. First were security and control: the site gave a clear view over the Jerusalem highlands and controlled of two of the main roads that connect Jerusalem with other parts of the regions. Second were commerce and economics: it was near the prosperous agricultural area of the Rephaim Valley, and its proximity to the two main roads mentioned earlier was economically advantageous. Visibility and politics were third: palatial architecture on this high hilltop was an active symbol of political power.

709 Lipschits, Gadot, Arubas, Oeming (2011, 4) also endorse this identification and suggest that the site may have been called Ba'al Perizim before the palace was built at the end of the eighth century BCE.

710 See the overview in Lipschits, Gadot, Arubas, Oeming (2011, 9). The names of the strata were given by Aharoni; see also Fulton (2015, 30-31) and, more recently, O. Lipschitz and N. Na'aman (2020) who prefer Baäl-Perizim.

711 N. Kedem, Gadot, Lipschits (2020, 450-454) give an overview of the processes of terracing.

712 Lipschits, Gadot, Oeming (2021, 9). After Stratum IVB, the site was destroyed, followed by the Late Hellenistic-Early Roman Stratum IVA.

Lipschitz et al. interpret Building Phase I as a tower fortress, situated on the hill for all to see, controlling the main road at its base, looking out at and watching over all who passed by.[713] The tower belonged to the array of fortresses built around Jerusalem in the late Iron Age[714] and defended Ramat Raḥel on the vulnerable East side. During the seventh century BCE, Ramat Raḥel was a strategic hilltop palatial complex, situated between Jerusalem and Bethlehem with ceremonial courtyards, living quarters, and a tower, which was labelled Stratum Va.[715] Because of the stamp impressions, the 'palatial' characteristics and the architecture with 'proto-Aeolic' capitals, Stratum Va is classified as an administrative centre.[716] Its importance lies in its unparalleled architecture.[717] During Building Phases II and III, Ramat Raḥel continued to be a royal administrative centre, with a grandeur unknown elsewhere in Judah and was characterised by thorough planning.[718] During this building phase, there was a lavish royal garden and aesthetic water installations,[719] being the earliest known archaeological evidence in Judah for the conspicuous consumption of water in a pleasure garden.[720] Because Ramat Raḥel does not have natural water sources, water was transported by a system of covered tunnels which was connected to pools in Building Phase II.[721]

There are reasons to assume that Phases II and III were built by the Assyrians and served as a means to control Jerusalem.[722] Na'aman, who introduced this idea, points out that Ramat Raḥel was inhabited by local Judaeans because this is how the Assyrians ruled the empire with its vassal states.[723] Therefore, the number of Assyrian officials could have been very small. This explains why there are no cuneiform texts found, only jars with Judaean stamps. Another option is that it was a palace, specifically built by Judaean kings and for Judaeans.[724] Whatever Ramat Raḥel may have been in those days, a palace for the Judaean king or an Assyrian palace, the site gives information about the regional / Judaean elite, because many wealthy Judaeans lived there.[725]

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713 Lipschits, Gadot, Arubas, Oeming (2011,11). Lipschits, Gadot, Oemig (2021, 10) state that the edifice from Building Phase 1 was of unparalleled beauty in the Kingdom of Judah.

714 Lipschits, Gadot, Arubas, Oeming (2011,11-12) point to similar citadels in Binyam Ha'uma and the fortress on the outskirts of Zur Bagher.

715 https://www.tau.ac.il/~rmtrachl/archaeology%20of%20site.htm (12-05-2024).

716 Lipschits, Gadot, Arubas, Oeming (2011, 19).

717 Lipschits, Gadot, Arubas, Oeming (2011, 20).

718 Lipschits, Gadot, Arubas, Oeming (2011, 20-23).

719 Gross, Gadot, Lipschitz (2020), cf. Lipschits, Gadot, Arubas, Oeming (2011, 23-31).

720 Gross, Gadot, Lipschitz (2020, 466).

721 Lipschits, Gadot, Arubas, Oeming (2011,23-29). The water source is unknown.

722 Na'aman (2001, 273) points out that the reason for constructing the centre at Ramat Raḥel was to be able to have oversight over Jerusalem, the capital city of Judah. Based on comparison with other Assyrian commercial centres, Na'aman concludes that Ramat Raḥel was an Assyrian residence. He points out (2001, 274) that many of these fortresses in the Assyrian empire were built in vassal states. Hays (2019) argues that 'the city' in Isaiah 24-27 is the Assyrian fortress of Ramat Raḥel.

723 Na'aman (2001, 274).

724 This option was not specifically discussed, but it is plausible.

725 D.N. Fulton (2015, 30-31) calls the place an administrative centre where relations between Assyria and Judaea were regulated.

Recent research on stratigraphic data concludes that the structure from Iron Age II continued to be used during the Persian period.[726] The main extension was a large and sturdy new structure on the northwestern side of the second phase of the palace complex.[727] Rectangular in shape, the walls were 20 x 30 metres, and it covered and area of about 600 square meters. At an earlier stage, the building was part of the garden and functioned as an extension of the fortress tower that extended west of the line of the site which was in use in earlier stages. The garden was still thriving, although its layout had changed. The new building was constructed on a level lower than the tower and would have been as high as the tower. The deep foundation trenches of the outer walls are remarkable. Palynological research on the garden shows that it flourished during the Persian period and housed imported trees from distant lands, aromatic plants, and fruit trees, together with aesthetic architectural features. All these features symbolised the power and affluence of the Persian period rulers.[728]

Publication and methodology

There are two publications that speak about faunal data from Ramat Raḥel. The first is Fulton's final report of the faunal remains from Area D1 on the southeastern side of the palatial complex, which was a large Babylonian-Persian pit (Final Locus 13174).[729] It is a refuse pit from the Persian period that utilised the lowered rock surface of a subterranean room,[730] and the faunal collection dates from the Persian period.[731] The report mentions NISP as the method used for counting the bones. In the case of unidentified bones, the excavators distinguished between large (LM), medium (MM), and small (SM) mammalian bones. With respect to the MM category (sheep / goats or sheep and goats)[732] and the LM category (cattle), research has been done on cut marks with the aim of reconstructing consumption patterns.[733] Here, Fulton lists bone parts from the head, the axial skeleton, forelimbs and hind limbs, wrists and ankles, and toes and she investigates the various ages of the teeth in the sheep/ goat samples from Locus 13174.[734]

The second publication is an article written by Fulton, Gadot, Kleiman, Freud, Lernau, and Lipschits, which describes remains of feasts from the Iron Age palace of Ramat Raḥel and their implications. The excavators found animal bones in Area D3, which is the centre of the palatial complex.[735] At Locus 14109, excavators uncovered a pit with the bones of mammals,

726 Lipschitz, Gadot, D. Langgut (2012, 69-76); they reject Aharoni' s earlier theory that the structure had been destroyed before the Persian period.
727 Lipschitz, Gadot, Langgut (2012, 69-70).
728 Lipschitz, Gadot, Langgut (2012, 71-72).
729 Fulton (2021).
730 E. Bocher, Gadot, Lipschits (2021).
731 Fulton (2021, 142).
732 It is often difficult to distinguish between the bones of sheep and goats.
733 Fulton (2021, 145-146).
734 Fulton (2021, 146).
735 For the location and photographs in the Area report, see I. Koch (2020, 245-248) for Locus 14109.

birds, and fish. This pit belongs to Building Phase 2 (late seventh-early sixth century BCE)[736] and is part of Area D3, located in the southern part of the palace.[737] Pottery and bones were placed in it, and the pit was sealed afterwards. For a quantitative analysis of the bones, archaeozoologists used RF, MNI and NISP. The entire pit contents were systematically dry sifted using a 1 cm mesh. A sample of the earth was wet sifted using a 0.5 mm mesh. The second pit was found at Locus 477, north of the central square. No animal remains were recorded in this pit, but there were many vessels found here. The reason for no bones being recorded was probably that animal bones were not systematically studied in the excavations of Aharoni.[738] In their interpretation, Fulton et al. are responding to an earlier interpretation of pits in Ramat Raḥel:

> During Aharoni's excavations at the site (1954, 1959-1962), another ritual pit with even larger numbers of pottery vessels and figurines was uncovered but misinterpreted; we interpret both as favissae. These favissae are evidence of diacritical feasting that took place at the administrative center of Ramat Raḥel. The feasting events are significant because they are the only examples of elite feasting found in a palace or administrative context in Iron Age Judah.[739]

Fulton et al. defend the hypothesis that these finds provide insight into the consumption of food in Judah among the elite.

Main results

Fulton mentions the following percentages of the major taxa (based on NISP) from Locus 14109, the Babylonian Persian pit (area D1, late eighth-early fifth century BCE) in chronological order:[740]

	Iron IIBC (Building Phase I)	**Iron IIC** (Building Phase II)	**Iron IIC** Locus 14109 (Building Phase II)	**Persian Period** The Babylonian-Persian Pit (Building Phase III)
Sheep/ goats	88%	78%	63%	81%
Cattle	11%	11%	8%	15%
Birds	0%	11%	29%	2%
Pigs	0%	0%	0%	2%

736 Fulton, Gadot, Kleiman, Freud, Lernau, Lipschits (2015, 31-33).
737 See the list of loci in Lipschits, Oeming, Gadot (2021, 515).
738 Fulton, Gadot, Kleiman, Freud, Lernau, Lipschits (2015, 39).
739 Fulton, Gadot, Kleiman, Freud, Lernau, Lipschits (2015, 29).
740 Fulton (2021, 144). For the dates, see Lipschits, Gadot, Oeming (2021, 9).

This publication on the small collection of faunal remains from the Babylonian-Persian pit (Locus 13174) mentions many unidentifiable bones, and a category of identifiable bones.[741] The most abundant identifiable species is sheep/goats (25%), whereby no distinction is made between the two. At 5%, cattle are a distant second and dogs represent 2% (for the Persian period). Animals that constitute 1% or less of the collection are pigs, foxes, equids, gazelles, ibexes, camels, and rodents.

The results from research on cut marks shows that the highest percentage of MM cuts are on the long bones of the forelimbs and hind limbs, and this indicates that the remains are from meals and not from primary butchering activities, which would include more head and lower limb bones.[742] Fulton remarks that a further breakdown shows that there is a 1:1.9 ratio of forelimbs to hind limbs. The hind limbs are represented by innominate (hip) bones and proximal femurs, which reflect the meaty portions of the animal. Within the lower limb category, a *few phalan*x 3 were found, which supports the conclusion that this pit does not reflect the detritus of primary butchering. The LM category reveals that the highest percentage of bones are long bones,[743] while more lower limbs are represented in the MM category. These bone elements have little to no food value and may reflect skinning activities. The percentages of tooth-age stages in sheep / goat samples from Locus 13174 provides information concerning the animal economy.[744] Culling took place between the ages of six months to three years,[745] which reflects prime-age animals. Combined with the fact that meaty parts were found, slaughtering these prime-age animals points to meat provisioning at Ramat Raḥel. This information brings Fulton to the following conclusion about animal economy at the site:

> outside pastoralists supplied animals to Ramat Raḥel as part of an organized meat and secondary-products economy.[746]

The uniqueness of the bone assemblage in Locus 14109 stands out compared with the faunal evidence from Building Phases I and II in Ramat Raḥel (late eighth-second half of seventh century BCE).[747] The complete animal bone assemblage ration to Phase I consisted of sheep, goats, cattle, and a few examples of fish, which is a typical Iron Age II Judaean highland diet. In Building Phase II, there is a difference between Locus 14109 and the other places in the site where bones were found: the latter category consists of sheep and goats, while the pits from

741 For the results, see Fulton (2021, 142-143).
742 Fulton (2021, 145).
743 Fulton (2021, 146).
744 Fulton (2021, 146).
745 Fulton (2021, 146), fig. 12.4 mentions 20% for animals 6-12 months old, 20% for animals 12-24 months old, and 60% for animals 24-36 months old.
746 Fulton (2021, 146).
747 Fulton, Gadot, Kleiman, Freud, Lernau, Lipschits (2015, 37).

Locus 14109 contain many fish and bird bones – indeed, a surprising number of bird and fish bones were found there. Almost half of the fish were Nile catfish that lived in the Jordan River. There might even be a hypothetical possibility that the catfish were brought to Ramat Rahal alive, where they were kept in the pool.[748] The second largest group belongs to porgies (17 bones), followed by the gilthead seabreams (12 bones). Fish bones are rare at Ramat Raḥel in all other periods.[749] These bones were buried quickly after butchering. The consequence is that there was no damaging taphonomic process. The bones were buried with pottery, which implies that the pit contains remains of a meal. The pit was found at Locus 477, and no animal remains were recorded here.

From the available data, we can reconstruct the following food habits in Ramat Raḥel: Both during Iron Age II and the Persian period, the main part of the diet consisted of caprovines. These habits accord well with the area surrounding Jerusalem and with all of Palestine. In addition to caprovines, the inhabitants of the site ate cattle beef, which is also in accordance with the surroundings. Although there is evidence of dogs and pigs in the Persian period, there is no evidence that these animals were consumed at Ramat Raḥel. This implied that the inhabitants of Ramat Raḥel followed the Judaean tendency to avoid pork. Birds were consumed, many of them partridges. Finally, there is evidence of fish being consumed during Iron Age II (late eighth-second half of seventh century BCE), which was usually imported. While fish consumption was a general phenomenon in Palestine, we should remark that transport to Jerusalem must have been difficult and costly, which may imply that only wealthy people could have afforded it. Consequently, the fish found in Ramat Raḥel was elite food because the site served as palatial complex from the late eighth century until the second century BCE.[750] Especially remarkable for this period is the appearance of catfish which may have been imported or kept alive in one of the pools. This would imply that the inhabitants kept, raised and very likely also ate impure animals.

In all periods examined, caprovines dominate in Ramat Raḥel, and there is evidence of meat production. Unfortunately, recent excavations did not differentiate between sheep and goats, a matter which would have given additional insight into the economy of nearby Jerusalem and Tel Moẓa.[751] The relatively low percentage of cattle is remarkable and indicates a meat economy that was not dependant on cattle. We should remark here that, in ancient Palestine, these animals primarily provided traction for ploughing fields and only secondarily served as a source of meat, whereas milk production from cows was perhaps even less

748 Fulton, Gadot, Kleiman, Freud, Lernau, Lipschits (2015, 42).
749 This implies that, although we may classify catfish as elite food in Ramat Raḥel, there is no proof it was consumed in all periods. Still, there is enough evidence to interpret catfish as elite food at this site.
750 Lipschits, Gadot, Oeming (2021, 9).
751 See Sapir-Hen, Gadot, Finkelstein (2016, 112-114).

important.[752] Fulton points out that Persian Ramat Raḥel followed similar patterns of cattle consumption like sites such as the late Iron Age II Western Plaza in Jerusalem and late Iron Age II Ramat Raḥel.[753]

The presence of dog remains in Locus 13174 raises the question whether these animals were eaten or just kept in homes and buried after their death. Fulton points out that dogs appear in the faunal record at Ramat Raḥel for the first time in the Persian period.[754] Dog consumption was not common in the Persian period, and there are no butcher marks, indications of cooking or trauma on the dog bones at Ramat Raḥel. There is no trace of deliberate dog burial at Ramat Raḥel either, as it was discovered at sites like Ashkelon and Dor. The bones are not part of individual interments but rather part of the random pit contents. These dogs were possibly half wild (maybe scavengers) and dumped rather than buried after they died.

Pig bones are entirely absent in Ramat Raḥel during Iron Age IIB-C, and pig bones constitute 2% of animal remains in the Babylonian Persian pit during the Persian period. This information also fits into the general picture of the southern highlands during Iron Age II (950-586), where excavators found almost no pig bones during Iron Age II,[755] which implies that there was no pig husbandry in this area.

The number of birds found in Phase II can be attributed to the changing environment in all contexts of this phase.[756] The well-watered garden attracted birds, and it was an excellent environment for keeping birds, such as geese and partridges. The secondary function of the birds may have been the production of dung. It is also possible that Ramat Raḥel, with its lush gardens, would have been an ideal stop for migrant birds. Because of the presence of these birds in Locus 14109, we may assume that these birds, which included many partridges, were eaten.

A remarkable number of fish bones were found in Locus 14109, to which Locus 477 is connected. There are reasons why both pits are not understood to be ordinary refuse sites

752 MacDonald (2008², 63) says that milk production from cows was not as important in the ancient Near East as in our culture. But Borowski (1998, 73-76) presents a more documented argumentation to prove that milk production was important during the Iron Age.
753 Fulton (2021, 144) and Sapir-Hen, Gadot, Finkelstein (2016).
754 Fulton (2021, 142-143).
755 Sapir-Hen et al. (2013, 5-7, 10-13). During Early Iron Age less than 1% were found in Beersheba / *Tell es Seba* VII (0,82%), *Tel Masos* II-I (0.62%). There are no pig remains in Lachish V and in the Negev forts. During Late Iron Age IIA (870-780), the pig remains of *Tell es-Seba* II (0%) and Lachish IV (0.37%) were almost nothing. During Iron Age IIB (780-680) there were negligible amounts at Moẓa V (0.49%), Jerusalem Western Wall (0.17%), Beersheba / *Tell es-Seba'* II (0.15%), *Tell Ḥālīf* VIB (0%) and Lachish III (0.77%). Sapir-Hen et al. (2013, 6) point to an exception in Aroer with 3.07% of pig bones during Iron Age IIB (780-680). At this site, there seems to be a continuation of patterns of pig husbandry, which were also present in Iron Age I.
756 Fulton (2015, 42, 43).

but as *favissae*, pits where ritual objects are hidden.[757] These objects were connected with feasts. First, specialised vessels for drinking, such as a decanter, jugs, and juglets that were probably used for serving liquids, were found.[758] Second, the special location of the pit – the courtyard of a royal administrative centre – signalled a specific event. Third, the kind of food remains found in the *favissae* (unlike the other bones found at Ramat Raḥel) also indicate a special event. Fourth, there were associated prestige items such as incense vessels and figurines. Finally, the bones were not exposed but immediately placed in the pit after consumption, which differs from the other faunal finds from Ramat Raḥel. Because of the condition of the bones, excavators assume that they were buried immediately. The authors argue that Pit 14109 bears the traces of distinctive feasts in the ancient Near East that were centred on large quantities of sumptuous food that was meant to 'symbolize the supreme status of the host'.[759] This understanding of the pit as remains from a feast is supported by comparison with Assyrian iconography, which depicts the king in front of what are presumably elite people at a feast.[760] Finally, it is important to remark that Pit 14109 was located centrally, south of the palatial palace, which leads Fulton et al. to the conclusion that this meal was an event that was held for the elite and was closed to people from the lower classes. Based on spatial analysis, Fulton et al. conclude that this pit site reflects the diet of the elite in Judaea.

Because of the archaeological arguments and comparative material, we may conclude that the pits contain remains of a special feast for the elite. In favour of the view of Fulton et al., we may point out that there are many examples of archaeological remains of feasts that function to underline the position of a political leader.[761] Here we have enough evidence to say that the contents of the pits were part of a meal held for the elite. This meal consisted of great numbers of Nile catfish (*Clarias gariepinus*), a fish that was possibly raised in the pools in the garden at Ramat Raḥel.[762] Porgies live in the Mediterranean and were probably brought to Ramat Raḥel from there.

4.4 Tel Moẓa

Tel Moẓa is located approximately seven kilometres northwest of ancient Jerusalem. It is situated on the bottom of a slope on a saddle surrounded by springs and agricultural lands and dominates the 'gateway' to Jerusalem along the ancient road leading from the lowlands

757 Fulton, Gadot, Kleiman, Freud, Lernau, Lipschits (2015, 43).
758 Fulton, Gadot, Kleiman, Freud, Lernau, Lipschits (2015, 34).
759 Fulton, Gadot, Kleiman, Freud, Lernau, Lipschits (2015, 43).
760 Fulton, Gadot, Kleiman, Freud, Lernau, Lipschits (2015, 43-44).
761 Hastorf (2017 203-204) points to so-called competitive feasts.
762 With the caveat that it is hypothetical, Fulton, Gadot, Kleiman, Freud, Lernau, Lipschits (2015, 42) propose that young catfish were brought to the Judaean hills and were raised in the pools, presumably for special occasions.

(Coastal Plain and Shephelah) into the central hill country.[763] The Soreq and Moẓa/Arza valleys converge at the base of the slope and form a wide basin known for its fertile soil and seasonal water flow. The identification with biblical Mozah (Josh 18:25) is possible but uncertain.[764] Settlement along with crop cultivation dominated this area since the Neolithic Period (PPNB), and the site was occupied throughout most of history since then[765] Tel Moẓa was occupied continuously from the tenth century BCE until the Babylonian conquest and the destruction of the temple in Jerusalem in the early sixth century BCE.[766] During the Iron Age, it was an administrative and economic centre, and there was even a temple there during Iron Age IIA.[767] Based on comparison with other sites, Kisilevitz and Lipschitz point out that the cultic function of Tel Moẓa began as a subsidiary to its economic role as a central storage and distribution centre, leading to the formation of a political, economic, and religious elite.[768] This Iron Age site is remarkable for the presence of many grain silos and storage buildings, which indicate it functioned as a centre of grain production, partly for the cultic staff and partly for nearby Jerusalem. It may not have been a residential site.[769]

Based on the preliminary report,[770] here is the following overview of relevant strata:

Kind of location	Stratum	Period
Agricultural settlement with temple (building 500); several silos were found	VI	Iron Age IIA; 9th century BCE.
Developing agricultural settlement. Continuation of 'building 500'as temple is uncertain.[771]	V	Iron Age IIB; 8th century BCE.
Growth of the settlement.	IV	Late Iron Age IIB; 7th-6th centuries BCE.
Only a tomb built of fieldstone was found.	III	Persian period

763 https://www.telmoza.org/ (4-3-2022).
764 https://www.telmoza.org/ confirms this identification, but Mullins (1992, 925) and Tinklenberg Devega (2009, 163) question it. See also Greenhut (2009, 3) and H. Khalaily, A. Re'em, J. Vardi, I. Milevski (2020, 9).
765 See the preliminary report in S. Kisilevitz, A. Eirikh-Rose, Khalaily, Greenhut (2014), who mention the occupation of the site during PPNB, MB, LB, IAIIA, IAIIB, Late IAIIB, the Persian period, the Late Roman-Early Byzantine, Ottoman period, and the time of the British mandate. For an earlier overview, see Khalaily, Re'em, Vardi, Milevski (2020).
766 Z. Greenhut and A. de Groot (2009, 217).
767 Kisilevitz (2015, 149) speaks of the presence of a temple in one specific period, while Kisilevitz and Lipschitz (2020) describe the site as an economic and cultic centre, also during the whole of Iron Age II.
768 Kisilevitz and Lipschitz (2020, 306).
769 Kisilevitz and Lipschitz (2020, 307).
770 Kisilevitz, Eirikh-Rose, Khalaily, Greenhut (2014).
771 Kisilevitz (2015, 149-150).

Publications and methodology

There are two publications about the archaeozoological finds in Tel Moẓa. The first is a chapter in the excavation report.[772] This publication presents an overview of results from Strata IX (EB IA), VIII (MBIIB), VII (IA I-IIA, tenth century BCE), VI (IA IIA, ninth century BCE), S V (IA IIB, eighth century BCE), and V (IA IIB, seventh- beginning of sixth century BCE). M. Sade uses MNI and does not distinguish between sheep and goats. The article only consists of lists with limited specification. The archaeozoological data are interpreted by Greenhut and De Groot at the end of the excavation report.[773] These data are integrated into the discussions about the profile of the site, with emphasis on grain production during the Iron Age.[774]

The entire faunal assemblage was re-identified and re-examined in a second article written by Sapir-Hen, Gadot and Finkelstein.[775] This article describes the animal economy in a temple city and its environments and focuses on Iron Age Jerusalem as a case study. It describes the archaeozoological data from Tel Moẓa and the Western Wall Plaza in Jerusalem. The same protocol for recording and analysing was used at both sites.[776] The number of identified specimens (NISP) was used as a basic measure of taxonomic abundance, and the relative abundance of skeletal elements was quantified using the minimum number of elements (MNE), calculated on the basis of the most abundant element zone. The presence of body parts was determined by dividing the MNE into the upper versus lower limbs, which allows a comparison between high and medium/low value. The age of death was based on epiphysial closure. The sex ratio in the caprine herd was determined by measurements of the distal humeri. For the results, I will use the data from the article written by Sapir-Hen, Gadot, and Finkelstein because their examination has a clearer methodological basis.

Main results

The results from the article of Sapir-Hen, Gadot and Finkelstein concern the Iron Age IIB strata IV and V, the period from the eighth until the sixth century BCE. The Tel Moẓa assemblage includes 2,262 NISP of livestock and wild game remains, 942 of which are attributed to Stratum IV and 1,320 to Stratum V. At Tel Moẓa, cattle constitute approximately 30% of the assemblage in each stratum, with approximately 68% caprines and 1% pigs.[777] The eighth-century Stratum V has equal frequencies of sheep and goats (55% to 45%), and this frequency shifts in the seventh-century Stratum IV in favour of goats (68% goats). The age profile shows that 85% of the herd were still alive at the age of 18 months, while the survivorship dropped to 70% by the age of 48 months, which is an exploitation that fits the use of secondary

772 Sade (2009).
773 Greenhut and De Groot (2009).
774 Greenhut and De Groot (2009, 217-227) is relevant for this present study.
775 Sapir-Hen, Gadot, Finkelstein (2016).
776 Sapir-Hen, Gadot, Finkelstein (2016, 106).
777 Sapir-Hen, Gadot, Finkelstein (2016, 106-107).

products. Stratum V features high culling at a younger age. The high percentage of cattle exploitation (30%) is remarkable, and the age profile, with 85% of the herd surviving to the age of 2 years and 65-70% to 3.5 years explains why. This pattern fits secondary exploitation – most probably as plough animals.[778] The abundance of cattle is explained by the intensive grain economy at Tel Moẓa, where these animals were necessary for ploughing.[779] The publications do not mention any other animals like dogs, birds, or fish, animals that might be interesting for our study.

4.5 Analysis

As stated above, this analysis consists of two parts: first, an analysis of the eating habits at the sites examined above and, second, the placement of these data in a broader context.

4.5.1 Jerusalem, Ramat Raḥel and Tel Moẓa

This analysis focuses on animals that were eaten in the area in question. This choice excludes other research on animals whose bones were found and of which there is no evidence of consumption, such as mice, dogs, and songbirds. We will concentrate on caprovines, cattle, pigs, fish, and some birds and deer.

The main group: Caprovines and cattle

The data mentioned above gives information about the consumption of caprovines from the Late Iron Age until the Persian period, whereby most information comes from the first period. Although sheep and goats are not often distinguished, we sometimes find some information about the ratios. On the Ophel and at Tel Moẓa Stratum V, there are more goats than sheep. At Jerusalem Area U, there are more sheep, which probably indicates a higher standard of living. There are differences in the use of caprovines: on the Ophel and at Area U there is specifically meat production, and at other places we find a combination of meat production and the use of secondary products. The small amount of data from the Persian period seems to indicate the same as Ramat Raḥel and the City of David. Excavations in Palestine have shown that caprovines were the dominant species.[780] Using different strategies of food production and procurement, people raised these animals for wool, milk, and meat.

Cattle bones were found at most of the sites studied. The relatively low percentage of cattle in Jerusalem and Ramat Raḥel is remarkable, pointing to a meat economy that was not dependant on cattle. We should remark here that, in ancient Palestine, these animals primarily

778 Sapir-Hen, Gadot, Finkelstein (2016, 108, 111, 112).
779 Sapir-Hen, Gadot, Finkelstein (2016, 108).
780 MacDonald (2008a, 62). Table 17.1 from B. Hesse and P. Wapnish (2002, 457-491) demonstrates the dominance of sheep and goats from PPNB until the Roman period. Hesse and Wapnish (2002, 467-468) give explanations for differences between the different periods. These explanations are related to subsistence strategies in settlements. The study of such issues lies beyond the purpose of this study.

provided traction for ploughing fields and were secondarily used as a source of meat, while milk production from cows was not very important.[781] Fulton points out that in the Persian period Ramat Raḥel followed patterns of cattle consumption similar to those found at sites such as the Late Iron Age II Western Plaza in Jerusalem and Late Iron II Ramat Raḥel. These low numbers differ from nearby Tel Moẓa, where 30% of the bones were cattle bones,[782] which is high compared to the 8% found at Western Plaza Jerusalem and somewhat more at Ramat Raḥel. Fulton argues that there is a difference between Tel Moẓa on the one hand and Jerusalem and Ramat Raḥel on the other: the first settlement was part of a plough-based economy, which explains the high percentage of cattle, while the other two did not have that kind of economy.[783] Tel Moẓa was dependent on the plough-based economy of the Soreq valley. Jerusalem had a vine and tree agriculture – grapes and olives. Ramat Raḥel was also dependent on the olive oil and/or wine industry of the Rephaim valley, which is evident in the hundreds of jar handles uncovered.[784]

Pigs

The number of pig bones in Jerusalem is very low, and sometimes there are no traces of any pigs at all. A remarkable exception is a complete pig found in Area U near Gihon Spring. The animal was found near a spring, which is a favourable environment for a pig, because of the presence of water, and it was found in what was probably a wealthy environment. Pig bones are entirely absent in Ramat Raḥel in Iron Age II B-C, and pig bones make up 2% of the animal bones in the Babylonian Persian pit during the Persian period and 1% of the animal bones in Tel Moẓa. We may conclude that there were not many pigs in the area, but they were not entirely absent either. There must have been isolated examples of pig breeding, and the pig near Gihon Spring shows that these animals must have been present in areas with enough water and mud.

Fish

Remains of fish were found in Jerusalem and Ramat Raḥel. There is a small collection from Ramat Raḥel and a large collection from the rock-cut pool near Gihon Spring. There is also a large collection connected to Iron Age II feast remains at Ramat Raḥel. Most of these animals were imported and include scaleless and finless aquatic animals, which are considered unclean in Leviticus 11. In a recent article, Adler and Lernau point to more examples of scaleless aquatic animals in Jerusalem in the Iron Age II and Persian period.[785] The fact that these animals were usually imported may point to a higher economic status of their

781 Fulton (2021, 144); Sapir-Hen, Gadot, Finkelstein (2016).
782 Sapir-Hen, Gadot, Finkelstein (2016); R. Welton (2023, 264) points at the fact that cattle was kept in low numbers as they required large amounts of fodder and water, and that they were vital for preparing the ground for plant crops.
783 Fulton (2021, 144-145) who uses the interpretation by Sapir-Hen, Gadot, and Finkelstein (2016).
784 Fulton (2021, 145), cf. Sapir-Hen, Gadot, Finkelstein (2016, 145).
785 Adler and Lernau (2021, 14-17).

consumers. There are two other reasons that support this: first, fish at the palatial complex at Ramat Raḥel had to have been elite food, and second, the rock-cut pool near Gihon Spring reflects a context of luxury.

Molluscs
Although we are not certain about their function in the diet, it is possible that molluscs were transported to the Ophel.

Deer
Only in Jerusalem Area G (City of David) do we find deer bones, which indicates hunting and trapping. It is only a small part of the finds, which implies that it played a very small role in meat consumption. The periods in question are Iron Age III, the Babylonian period, and the Persian period. It is not clear what social classes are to be connected to these hunting or trapping activities.

Birds
Bones from the chukar partridge and geese have been found at the Ophel in Jerusalem and in Ramat Raḥel. These animals are fit for human consumption but are based on the archaeological record from the sites researched, there is no extensive proof that these animals were consumed. At Ramat Raḥel these birds were possibly attracted by the pools and the lushy vegetation.

4.5.2 Jerusalem, Ramat Raḥel and Tel Moẓa in the broader Palestinian context

After our detailed analysis of individual key sites, we can now draw some more general conclusions:

The main group: Caprovines and cattle
Excavations in Palestine have shown that caprovines were the dominant animals.[786] Using different strategies of food production and procurement,[787] people raised these animals for wool, milk, and meat. In Palestine, cattle were used primarily for ploughing the fields and only secondarily as a source of meat.[788] This pattern is recognisable in the three sites studied: there was more cattle in Tel Moẓa than in Jerusalem and Ramat Raḥel because it was necessary for ploughing in Tel Moẓa.

786 MacDonald (2008b, 62). Table 17.1 in Hesse and Wapnish (2002, 457-491) demonstrates the dominance of sheep and goats from PPNB until the Roman period. Hesse and Wapnish (2002, 467-468) give explanations for differences between different periods. These explanations are related to subsistence strategies in settlements. This issue goes beyond the purpose of this study.
787 A concise description of these strategies can be found in MacDonald (2008b, 62-63).
788 MacDonald (2008b, 63).

Pigs

The information discussed fits the general picture of the southern highlands during Iron Age II (950-586), where excavators found almost no pig bones during that period.[789] This implies that there is no evidence that pigs were kept domestically in this area. An exception is Aroer with 3.07% of pig bones during Iron Age IIB (780-680). There seems to be a continuation of patterns of pig husbandry at this site, which were also present during Iron Age I.[790] There seems to be a continuation of patterns of pig husbandry which also existed during Iron Age I and before. There were hardly any pig bones found in the southern central highland sites of Iron Age IIC (680-586).[791] There is a remarkable increase of pig husbandry in the north, whereas pig remains are nearly absent from Iron IIB sites in the southern kingdom of Judah. The neighbouring sites, with Phoenician and Aramean material culture, display no interest in pig husbandry.[792] The explanation which Sapir-Hen et al. give for the relatively high amount of pig bones in Iron Age IIB in the Northern Kingdom and for the smaller amount of pig bones in Iron Age IIA, lies in settlement and demographic processes that took place in the Northern Kingdom.[793] They describe these processes as follows:

> This process brought about shrinkage of the open areas that are important for sheep/goat husbandry and could have forced the Iron Age IIB population to a shift in meat production, breeding smaller herds of sheep and goats and concentrating more on pigs, which could supply large and immediate sources of meat.[794]

The situation in Judah during Iron Age IIB was less dramatic because the population was smaller than that of Israel. Therefore, they did not need to engage in activities like raising pigs. This development, which was based on economic necessity, may have created a controversy regarding dietary habits between Judah and Israel. The southerners stuck to the Iron Age I habit of pig avoidance, which was, to a large extent, characteristic of highland tribes, while the northerners developed new habits or continued older, Bronze Age habits that are still prevalent in the North. Sapir-Hen et al. say that pig husbandry very likely

789 Sapir-Hen, Bar-Oz, Gadot, Finkelstein (2013, 5-7, 10-13). During Early Iron Age, less than 1% of the remains found in Beersheba / *Tell es Seba* VII and Tel Masos 11-1 were those of pigs (0.82%; 0.62% respectively). There are no pig remains in Lachish V and in the Negev forts. During Late Iron Age IIA (870-780), the pig remains were almost nothing in Tell es-Seba II (0%) and Lachish IV (0.37%). During Iron Age 118 (780-680) there were negligible amounts at Beersheba / Tell es-Seba' II (0.15%), Tell Ḥālīf VIB (0%), and Lachish III (0.77%).

790 Sapir-Hen, Bar-Oz, Gadot, Finkelstein (2013, 6) point to an exception in Aroer with 3.07% of pig bones during Iron Age IIB (780-680 BCE).

791 Sapir-Hen, Bar-Oz, Gadot, Finkelstein (2013, 7, 11) mention the percentages of pig bones of two typical Judaean sites: Aroer IIb (2%) and Lachish II (1.65%). This implies that the pigs continued to be absent in Judah.

792 Sapir-Hen (2016, 43).

793 Sapir-Hen, Bar-Oz, Gadot, Finkelstein (2013, 12-13).

794 Sapir-Hen, Bar-Oz, Gadot, Finkelstein (2013, 13).

continued after the collapse of the Northern Kingdom in 722 BCE.[795]

To avoid premature conclusions, however, this picture must be placed in a wider context. In his recent monograph on the evolution of the pork taboo, Price places the tendency to avoid pork in a broader historical context.[796] In the first part of his monograph, he describes the place of pigs in the Levant. The domestication of the pig started during the Neolithic period during which pigs were an important part of domesticated animals.[797] Pig husbandry decreased during the Bronze Age: societies became more complex, and there was a preference for caprovines and cattle because these animals produced secondary products.[798] Caprovines produced milk and wool, and cattle was important for ploughing, whereas pigs did not produce any secondary products. Pigs gradually became associated with the lower social classes.[799] We discover this tendency in rituals: pigs disappeared from the sacrificial cult in temples, while they remained popular in fertility cults outside temple worship.[800] That is why pig husbandry became less popular among the better-off groups in society. Because of these developments, pigs were gradually excluded from diets in the region. As seen above, this exclusion is not a general rule because pork consumption continued to exist in some parts of society, like Iron Age I Philistine and sections of the Northern Kingdom of Israel during Iron Age II. The pig taboo in the Pentateuch could have been an expression of a historical development with a distaste for pig consumption. Therefore, an older habit was continued in the Judaean kingdom.

Fish

The source for archaeozoological research on fish consumption are fish bones which excavators found and recorded from different archaeological contexts, either in pits or other places.[801] The inhabitants of ancient Palestine obtained fish through two sources: first, through local fishing[802] and, second, through trade.[803] Traded fish were processed by smoking,

795 Sapir-Hen, Bar-Oz, Gadot, Finkelstein (2013, 13).
796 Price (2021).
797 Price (2021, 43-54).
798 Price in 'Urban Swine and Ritual Pigs in the Bronze Age' (2021, 62-91).
799 Price (2021, 58).
800 Price (2021, 91).
801 For example, R. Hakola (2017) proves that the production and trade of fish was an important source of economic growth in Galilee during the first century CE.
802 Borowski (1998, 170-171). Matthews (2007, 459) says that without ready access to the sea, fishing must have taken place land inward.
803 Borowski (1998, 174,175) also speaks of the Yarkon River and any of the other rivers on the coastal plain, whereas marine fish originated in the Mediterranean. No fish from the Red Sea were found, although Borowski does point to fish trade with Egypt. Van Neer, Lernau, Friedman, Mumford, Poblome, Waelkens (2004, 101) present more evidence of former trade connections and other contacts in distant areas. They claim that the fish trade can be illustrated via the animal remains of species that did not appear in the vicinity of an archaeological site. The authors demonstrate that many fish were imported from the Red Sea and Egypt. For further data on the Eastern Mediterranean, see Van Neer and R. Ervynck (2004). For the role of fish trade in urban centres in ancient Israel, see Welton 2023, 266.

drying, and salting,[804] and this trade formed an important basis for economic growth.[805] Because we have obtained much new archaeological data about fish bones in the last decades, we have a clearer picture of fish consumption. MacDonald remarks that the extensive evidence for fish consumption is one of the most surprising discoveries in recent archaeological excavations in Palestine.[806] The 'unclean' fish found most often is the catfish. This fish is unclean because of the absence of fins and scales. Although there are many species of catfish worldwide,[807] we find the (North) African catfish (*Clarias gariepinis*) for the most part, as well as a small number of other species, in Palestine.[808] Excavators found the animal in Palestine[809] and abroad. People are usually positive about the quality of the meat.[810]

The catfish is partly air breathing and therefore lives in low muddy water and is partly amphibious. Already in prehistory, the catfish was important meat for Egyptians,[811] and this pattern continued in later periods. We see this fish regularly in Egyptian art.[812] In addition to the Nile perch and other species, traders exported the catfish from Egypt in a salted or dry form. W. van Neer et al. reconstructed the Middle Eastern fish trade in an article from 2004. In addition to the data from this article, I will also use information that is more recent plus information about catfish that were locally caught and consumed. These data are presented on a chronological way, and I will begin with the Middle Bronze period up until the Roman period. This lengthy period gives a general impression of fish consumption over time.

During Middle Bronze Age, there was import of catfish at sites in the northern and southern parts of the country: remains of imported catfish species *Clarias gariepinis* were found in the northern sites of Sasa and Tell el Oreime[813] and in the southern site of Lachish.[814] There are also Middle Bronze sites without catfish.[815] Excavators also found Late Bronze remains of

804 Borowski (1998, 171,172,181,182). Hastorf (2017, 95-97) refers to the techniques categorised by C. Leví-Strauss: drying, pickling, and rotting as means of conservation. The methods of drying and pickling must have been used In Palestine.
805 Hastorf (2017).
806 MacDonald (2008b, 37).
807 T.J. Storer, R.L. Usinger, R.C. Stebbins, J.W. Nybakken (1972, 687) mentions more than 2,000 species.
808 For an overview, see Adler and Lernau (2021, 10-11).
809 Tristram (1885, 169) finds the *Clarias magricanthus* (synonym for *Clarias gariepinis*) in Palestine and remarks that it is known in lower Egypt as the *Clarias anguilaris*.
810 Tristram (1885, 170) says that the meat is excellent and that it can be compared to eel. Cansdale (1970, 216) remarks that it is reckoned good eating today. J. Lepiskaar (1995, 177) refers to Bodenheimer who states, however, that the meat 'tastes insipid'. There seems to be a difference in interpretation, but it is clearly edible.
811 Brewer (2002, 430) says that catfish forms 66% of all animal remains in Lake Qarun in the Fayum during late Palaeolithic and Neolithic.
812 Houlihan (2002, 141) mentions seven examples.
813 Van Neer, Lernau, Friedman, Mumford, Poblome, Waelkens (2004, 114, 116).
814 Van Neer, Lernau, Friedman, Mumford, Poblome, Waelkens (2004, 113).
815 Van Neer, Lernau, Friedman, Mumford, Poblome, Waelkens (2004, 112, 115) mentions Jerusalem (City of David), Tel Dor and Tel el-Wawayat.

imported *Clarias gariepinis* species in Lachish, Tel Akko and Timna,[816] whereas this fish is absent at some other sites.[817]

During Iron Age I, excavators found bones from imported catfish only in Timna, Tel Dor, and Tell el-Oreime,[818] three sites that are not part of the area where – according to some scholars[819] – early Israelites may have lived. At eight sites, remains of imported fish are missing, but none of these sites belongs to the areas some scholars presume to be Israelite.[820] During Iron Age II, excavators found many remains of catfish,[821] also in areas where Israelites and Judaeans lived. Excavators found imported catfish in Israel (Horvat Rosh Zayit, Megiddo, Tell el-Oreime, Tell Hamid) and in Judah (Jerusalem [Ophel and the City of David], Lachish, Tell el Hesi).[822] Borowski remarks about the remains of consumed fish in Jerusalem: '[I]t is very interesting how popular it was among Iron Age II Jerusalemites.'[823]

Information from the Persian period is limited.[824] Van Neer et al. point to examples of finds from Lachish and Tel Akko.[825] Recently, excavators also found many catfish bones in Jerusalem from the Persian and early Hellenistic period, whereby we may point to data already mentioned in 6.2 and 6.3, and to catfish found at the Giv'ati Parking Lot.[826] Van Neer et al. also show that, during the Hellenistic and Roman periods, people imported fish at four different

816 Van Neer, Lernau, Friedman, Mumford, Poblome, Waelkens (2004, 113, 116). The *Clarias gariepinis* was found at the three sites and excavators also found the *Bagrus* species in Lachish. Cf. Adler and Lernau (2021, 12-13).

817 Van Neer Lernau, Friedman, Mumford, Poblome, Waelkens (2004,111, 114, 115, 116) do not mention catfish in Haruvit, Neve Yarak, Tel Abu-Hawam, Tel Dor, and Tel-el-Wawayit. Adler and Lernau (2021, 13) mention the absence of scaleless marine life at Tel Reḥov (Strata D-11-8).

818 Van Neer, Lernau, Friedman, Mumford, Poblome, Waelkens (2004, 116) mention *Clarias gariepinus*. The remains of imported requiem sharks (*Carcharhinidae*) were found at Timna. Although a shark has scales, they are so small that the animal is usually not considered kosher. The *Bagrus* sp. is also cited at Tell Dor.

819 See, for instance, Finkelstein (1996) and Finkelstein and Silbermann (2002).

820 Van Neer, Lernau, Friedman, Mumford, Poblome, Waelkens (2004, 111-116) mention Ashdod, Ein Hagit, Jerusalem, the City of David, Tel Akko, Tel Ashkelon, Tel el-Wawayit, Tel Qasile and Tel Reḥov.

821 A recent overview can be found in Adler, Lernau (2021, 14-16).

822 On Horvat Rosh Zayit see Van Neer, Lernau, Friedman, Mumford, Poblome, Waelkens (2004, 112, 126); on Megiddo see Van Neer et al. (eds.) (2004), 113, 126; on Tell el Oreime cf. Van Neer et al. (2004, 116, 126) and so on;); Tel Hamid, Van Neer, Lernau, Friedman, Mumford, Poblome, Waelkens (2004, 115, 126); Jerusalem, Van Neer, Lernau, Friedman, Mumford, Poblome, Waelkens (2004, 112, 113, 126); Lachish, Van Neer Lernau, Friedman, Mumford, Poblome, Waelkens (2004, 113, 126); Tell el-Hesi, Van Neer Lernau, Friedman, Mumford, Poblome, Waelkens (2004, 116, 126). Borowski (1998, 174) remarks that the fish consumed at the City of David usually belong to the same kind as the ones consumed on the Ophel.

823 Borowski (1998, 174).

824 MacDonald (2008², 71) points to the obscure character of the finds.

825 Van Neer, Lernau, Friedman, Mumford, Poblome, Waelkens (2004, 113, 114) speak of finds in Lachish and Tel Akko.

826 Van Neer, Lernau, Friedman, Mumford, Poblome, Waelkens (2004, 113-115) mention that in the City of David in Jerusalem only the clean *Sparus aurata* (gilthead seabream) was found and in Tel Ashkelon and Tel Harassim the clean *Lates Niloticus* (Nile perch) was found. The statement about Jerusalem is refuted in Adler, Lernau (2021, 16, 17). They point at three specimens of catfish from the early Hellenistic period.

places. The bones found were only of pure fish.[827] During the Roman period, excavators found remains of imported catfish all over Palestine.[828] Van Neer et al. do not mention catfish in Jerusalem during this period.

Our available data on catfish imply that in all parts of Palestine, from the Middle Bronze Age until the Roman period, traders transported catfish and inhabitants of the area consumed this fish. If we focus on the catfish, which – according to Leviticus 11 – is unclean, we must notice that, even in Iron Age II and Persian Jerusalem, consumption was widespread and that there is no archaeological evidence of the exclusion of unclean fish. The tendency not to avoid unclean fish is therefore a continuation of earlier habits, as is the case with the avoidance of pork. Because the consumption of catfish was so common in Palestine, it was possibly consumed by different economic and ethnic groups because the consumption of traded fish does not always point to a high status.[829] Because it was found in Ramat Raḥel, we may assume that it was also food for the elite. The data also clarify that catfish was eaten all over Palestine, but, because this fish was traded, we may assume that a certain standard of living was required to be able to buy it or that it demonstrated a certain standard of living.

Conclusions relevant for interpreting Leviticus 11

The data from the region researched shows developments that are relevant for this study of the dietary laws as prescribed in Leviticus 11. First, the preference for caprovines and cattle is part of a broader positive view of these animals throughout the region and therefore provides a stable basis for any new accent of expression identity by modifying existing practices with different backgrounds, which may include economic and ecological reasons and sometimes the need to distinguish oneself from other social or ethnic groups. Second, there is limited evidence of hunting or trapping deer and birds. The examples found may be classified as clean, but the assemblages we have looked at are small, and there is no evidence of widespread consumption of wild animals. The small number of pigs in the diet during Iron Age II Juda and Persian Yehud points to a general regional tendency to exclude pork from consumption. Part of this older tradition may have been a tendency to distinguish one's group from those who ate pork. Although pigs were almost absent in the area surrounding Jerusalem, we must underscore that they were not entirely absent, which means that keeping pigs was never entirely forbidden in that area. Third, the many attested fish bones offer

827 Van Neer, Lernau, Friedman, Mumford, Poblome, Waelkens. (2004,113-117) mention the *Lates niloticus* (Nile perch) at Apolonia, Tel Akko and Yavneh-Yam, and the remains of *Sparus aurata* (gilthead seabream) in City of David of Jerusalem in Bar-Oz et al. (2007, 5).

828 Van Neer, Lernau, Friedman, Mumford, Poblome, Waelkens (2004, 113-115) mention the appearance of catfish in En-Gedi (*C. gariepinus* – either Roman or Byzantine), Gamla (*C. gariepinus* – Early Roman) Tamara (*C. gariepinus* – Late Roman-Early Byzantine), Tell Malhata, (*Bagrus* sp. Roman / Byzantine), Zippori (*Bagrus* sp., *C. gariepinus*).

829 Van Neer and Ervynck (2004, 211-212) conclude that traded fish is not always an indication of status.

important information about the diet of the inhabitants of Jerusalem and its vicinity. Because most of the fish consumed were imported, they might have been reserved for higher social groups. Catfish constituted a substantial portion of the fish that the (probably wealthy) people from the area ate. An unclean animal, catfish was eaten in Iron Age II, the Persian period, and in earlier periods, which points to the fact that this fish was not excluded. Finally, the consumption of molluscs, which are also considered unclean in Leviticus 11, may also be evidence that at least some people from Jerusalem and its surroundings did not follow the dietary laws as we find them in Leviticus 11. As a whole, archaeological material contemporaneous to the codification of Lev 11 demonstrates that this text was not (yet) consensual or common Judean practice when it was written.

A synthesis between text and archaeozoology

The next chapter will combine data from this chapter and the previous chapters. As mentioned in chapter 1 (1.3), my interest is in the history of ideas, while archaeozoology helps to deepen our view of the evolution of the practical values of the dietary laws. Chapter 3 has shown that there are two kinds of dietary laws: the oldest redactional layers of Leviticus 11, Deuteronomy 14:3:21b, and the Common Source of Leviticus / Deuteronomy speak mainly of dietary laws as forms of inherent purity, while Leviticus 11 speaks about dietary laws as forms of ritual purity. Inherent purity is part of a general rejection of this type of food and is therefore not exclusively Israelite. One reason is that we notice that biblical texts assume that these laws are shared by other people. Ritual impurity is a form of impurity which concerns the position of a specific animal toward the sanctuary. We can say that inherent impurity is more related to the fact that they were unacceptable to more peoples than just the Israelites. But we must be aware of one important distinction: there is a difference between a general dislike of certain animals, which can be deduced from material factors, and prohibitions of food which are motivated by religion. Whether biblical dietary laws are forms of inherent purity, or forms of ritual purity, both are motivated by religion. This brings us to an important difference between archaeological data and the texts we studied. The archaeological data from chapter 4 tell us only about the social and economic backgrounds and effects of food habits. The textual data from chapters 2 and 3 inform us about the religious background of certain food habits. Now we must bring archaeological and textual data into a constructive dialogue, whereby we need to be aware of the limitations of both data groups.

5

Conclusions

In this final chapter, we look at how archaeological data help to deepen our knowledge of the practical values of the dietary laws through a constructive dialogue between archaeology and the biblical text. To reconstruct the evolution of food habits and dietary laws, I distinguish between three layers. First is the period when the laws on meat consumption came into being. The choices to avoid the consumption of certain kinds of animals, may have been caused by factors found in the data explored in chapter 4. The archaeozoological data range from the pre-exilic until the post-exilic period. The forbidden animals we have information on are pigs, catfish, and molluscs. Based on archaeozoological data, we will ask why these animals were forbidden. Second, I study the earlier layers of the dietary laws contained in Leviticus and other texts (Gen 7:2,8; 8:20; Deut 14:3-21a Isa 65:3-5; 66:3; 66:17; Hos 9:3) containing dietary laws in their literary and historical contexts. We will begin with other and older texts than those in Leviticus 11 and then look at the different redactional layers of Leviticus 11. The redactional layers of Leviticus 11 are post-exilic, and the other texts are pre-exilic, exilic, or post-exilic. Third, we will examine Leviticus 11 in its literary and historical contexts. The historical context of this third part is late Persian Yehud of around 400-333 BCE.

5.1 Origins of the dietary laws

This section discusses the period when the oldest parts of the dietary laws came into being. We do not know exactly when the selection of impure animals came into being. It may have been during the formulation of the Common Source, but it may also have happened at an earlier stage. The results from chapter 4 present explanations regarding pigs, catfish, and molluscs, and these animals will be investigated in light of results from text and archaeozoology.

5.1.1 Pigs

The prohibition against eating pigs already appears in Leviticus 11, Deuteronomy 14:3-21b, and in the Common Source. It also appears in texts about unspecified cults mentioned in Isaiah 65:3-5; 66:3; 66:17. The archaeozoological data from the region researched shows relevant developments for researching the dietary laws as prescribed in Leviticus 11. The preference for caprovines and cattle is part of a broader positive view of these animals and therefore reflects existing practices. The small number of pigs included in the diet during Iron Age II in Judaea and Persian Yehud points to a general regional tendency to exclude pork from one's diet. We have seen that the tendency to avoid pork stands in a broader historical context. The domestication of the pig in the Levant started during the Neolithic period, during which pigs were important animals among the livestock. Pig husbandry decreased during the Bronze Age as societies became more complex, and there was a preference for caprovines and cattle because these animals produced secondary products. Pigs gradually became associated with the lower social classes. We discover this tendency in rituals: pigs disappeared from the sacrificial cult in temples, while they remained popular in fertility cults

outside temple worship. That is why pig husbandry became less popular. Because of these developments, pigs were gradually excluded from diets in the region. This exclusion is not a general rule because pork consumption continued to exist in some parts of society, like Iron Age I Philistine and sections of the Northern Kingdom of Israel during Iron Age II.

Part of this older tradition may already have been a result of the desire to distinguish themselves from cultural groups in the country that ate pork, but the habit might originally date to earlier periods and have had societal rather than cultic implications. Furthermore, although pigs had already been almost completely absent from the area surrounding Jerusalem, we must emphasise that there were still pigs present in the region.

If we compare the archaeozoological data with the text of the oldest list of the dietary laws, we may assume that the prohibition against eating pigs already existed at an early stage. A stimulus for this prohibition may have been the desire to distinguish oneself from other groups. We do not know exactly what groups the Israelites and Judaeans wanted to distinguish themselves from: it may have been Philistines from Iron Age I or Israelites during Iron Age II. It could also have been encouraged by cultic practices involving pigs which we find addressed in much later texts like Isaiah 65 and 66. In all these cases, there may have been a need to distinguish the ingroup from other groups.

5.1.2 Water animals

The Common Source of Leviticus 11:9-11 and Deuteronomy 9-10 prohibits the consumption of fish without fins or scales. Impure aquatic animals form a large category of water creatures. Only a limited group of fish may be eaten, and all other water animals like molluscs and shrimps are forbidden.

Archaeozoological research has shown that non-kosher aquatic animals like catfish and possibly molluscs were consumed. The available data on catfish imply that, in all parts of Palestine, traders transported catfish and that inhabitants of the area consumed this fish from the Middle Bronze Age until the Roman period. If we focus on catfish, which – according to Leviticus 11 – are impure, we should note that, even in Iron Age II and Persian Jerusalem, consumption was widespread, and there is no archaeological evidence of the exclusion of impure fish. The tendency not to avoid impure fish was therefore a continuation of earlier habits, as was the case with the avoidance of pork. Because the consumption of catfish was so common in Palestine, it was consumed by different economic and ethnic groups because the consumption of traded fish does not always point to a high status. Because fish remains were found in Ramat Raḥel, we may assume that it was also food for the elite. The data also clarify that catfish were eaten all over Palestine, but – because this fish was an item for trade – we may assume that a certain standard of living was required to be able to buy it or that it

demonstrated a certain standard of living. Finally, regarding molluscs, there is the possibility that they were consumed in Jerusalem and its surroundings. The fact that they were transported may point to a connection to more luxurious classes.

Although fish without fins and/or scales were forbidden, they were consumed in Jerusalem up until the Roman period.[830] If the prohibition against them was a way to demarcate groups from others, then it is possible that those who formulated this prohibition wanted to distinguish themselves from elites who did continue to eat them. Archaeological data mentioned in 4.2.3 and 4.3 may point to a connection between catfish (and molluscs) and the wealthy classes. This may imply that a small group of Judaeans did react to consumption habits of the elites, but that did not have effect on the majority of inhabitants of Jerusalem and its surroundings. The behaviour of the consumers of molluscs, who were possibly the elites of the population, led the very small priestly groups to formulate a prohibition against these animals, as written in a (post-exilic) Common Source of Deuteronomy 14:3-21b and Leviticus 11. One difference from the origin of the prohibition against pork was that there was no tradition of avoiding catfish, while the tendency to avoid consuming pigs had already existed for a long time.

5.1.3 Concluding remarks about the origin of dietary laws

The dialogue between text and archaeology allows us to formulate some reasons for instituting taboos against food. First, the prohibition against pork was a continuation of the regional habit in animal husbandry. Farmers kept cattle and caprovines, and they did not hold pigs. One reason to strengthen this habit may have been the need to distinguish themselves (the Israelites) from other groups like the Iron Age I Philistines, or the Iron Age II Israelites. Price dates the transformation of the Judaean habit of avoiding pigs into the taboo against consuming pigs during Iron Age II, the period when the Israelites started pig husbandry.[831] If we choose this date, this does not mean that it was codified at that moment, given that the Common Source is probably from a much later date. Second, the prohibition against eating fish without fins and/or scales can be a result of the need for certain groups who had no visible impact on Judaean society to distinguish themselves from the elites. It is difficult to determine a date for the formulation of the laws on aquatic animals, but Iron Age II or the Persian period may be a possibility. In both periods small groups may have reacted to the eating habits of the elites, which implies that it could have started as a way to distinguish themselves from the higher social ranks and to criticise them.

830 Adler (2022, 46). See also Adler, Lernau (2021).
831 Price (2020, 127-129).

5.2 The Redactional layers of Leviticus 11 and other biblical texts

Chapter 3 has shown that older and other laws than Leviticus 11 existed, and we may point to the following characteristics. First, these laws concerned animals that are inherently pure and impure, but the earlier redactional layers of the P texts (P_1, P_2) saw an increase in the use of the category of ritual purity. Second, in texts other than Leviticus 11 and Deuteronomy 14:3-21a, we do not know exactly which animals were impure. In the Common Source of these two parallel texts and, in later redactional layers, we do know the identity of animals forbidden for consumption. Third, in some cases, it may be possible that dietary laws were destined for specific groups and not for the whole community. This phenomenon occurs everywhere else in the ancient Levant.[832] Based on this information, I assume that the texts about dietary laws that we studied have inherent impurity in common. We also assume that dietary laws were not a uniform whole in the class explored in this section, and that we may discern two categories: one in which the identity of the animals is not clear and whose identity may differ from the one in Leviticus 11 and Deuteronomy 14:3-21a; and one with the forbidden animals as listed in Leviticus 11 and Deuteronomy 14:3-21a. It is possible that there were different groups of impure animals, but there is no evidence available. The date of the Common Source is unknown, but it is possible that it was composed in an oral or written form during the Persian period or earlier. In this section, I combine the content of the Common Source with the data we studied in the previous chapter.

5.2.1 Other and older texts

The texts other than Leviticus 11 and Deuteronomy 14:3-21a do not exactly mention which animals were impure. In the Common Source of these two parallel texts and in later redactional layers, however, we know the identity of animals that were forbidden for consumption. In some cases, it may be possible that dietary laws were destined for specific groups and not for the whole community. As mentioned earlier, this phenomenon occurs in other parts of Egypt and the Levant. Dietary laws for one specific group appear in Judges 13:5. The non-P texts of the flood narrative (Gen 7:8, 8:20) leave room for the possibility that the list of animals mentioned are different from those in Leviticus and Deuteronomy. It is also very remarkable that pure animals were sacrificial animals, a feature that differs from Leviticus 1-16 where the sacrificial animals are a subset of pure animals. We may conclude that dietary laws may have existed in pre-exilic times in different forms. They were sometimes destined for specific groups and not for the whole community, and there is uncertainty about the question as to which animals were considered impure. The impure animals were inherently impure, which means that their purty was considered as embedded in creation. Everybody understood that you should not eat such an impure animal.

832 Firmage (1993, 1126).

5.2.2 The common source

The Common Source consisted of lists which existed in oral or written form. These lists determined what meat was forbidden and what was allowed, and they also determined different categories. First, pure land animals had split hooves and chewed the cud. This categorisation excluded many animals who had neither of these characteristics. They also excluded pigs, camels, hares, and hyraxes because these hybrid animals had only one mark of purity. These four animals are the only hybrid animals in the region. The pig occurs most frequently and is also included among the livestock. In the previous section, we noticed that the prohibition against pigs was part of existing food preferences and may have functioned as an identity marker. It is remarkable that the majority of the livestock in the region, namely, caprovines and cattle, had both marks of purity. An etic explanation for this categorisation may be the need to express specific group values. Perhaps Douglas is right in saying that rejecting hybrid animals is a mark of an exclusive society.[833] We know that later redactional layers of Leviticus 11, and Leviticus 11 itself, were written by exclusive groups, but we do not know much about those who composed the Common Source. That those who composed this work were exclusivist can only be said because of Douglas: she points to evidence from cultural anthropology where it is a mark of inclusivist tribes to eat hybrid animals. The composers of the common list would be exclusivist because of their rejection of hybrid animals.

Second, pure water animals had fins and scales. We have seen in 3.3.6.3 that a large majority of these animals were forbidden and that some zoological expertise is necessary to distinguish between pure and impure animals here. This may point to a tendency to legitimise the role of the priest in matters of food during the period in which the Common Source was formulated. But we do not know when this categorisation arose, although the post-exilic period is a serious possibility. We do know that specialised knowledge about fish is necessary, because the meat of these animals was often transported in a dried or salted form. We have not explored the exact reason for this categorisation, and it is a matter for further investigation. Third, only twenty out of five or six hundred birds were forbidden, and only four species of insects were allowed. For now, we can only say that some specialist knowledge was needed to determine the identity of these animals.

The diachronic analysis of Leviticus 11 has shown that pure animals in the Common Source were inherently pure. This means that we have not reached a stage in which purity is determined by its proximity to a sanctuary but by creation. Because there is no proof of the acceptance of these laws before the Hasmonaean period, they must have been formulated by small groups of Judaeans. The lists must have been variations of other Judaean or Israelite dietary laws. Because we do not find traces of these lists in other texts, they may have been formulated at a late stage, either in the Persian period or the early Hellenistic period.

833 See 1.1.1.4.

5.2.3 P_1

The Common Source was not necessarily connected to a larger narrative framework. At a certain time, it must have been incorporated into earlier forms of the text of Leviticus by P_1. These authors connected the texts with the narrative framework of chapters 1-16. To resume, the text consisted of the introduction (vv 1-2a), texts about land, sea, and sky animals (vv 2b-23; vv 41-42), and a subscript (v 46). Most of these dietary laws were forms of inherent purity, as expressed in the Common Source. But there are also beginning forms of ritual purity, which implies that the connection to the sanctuary became more important. I described it as follows:

> P_1 argued that not all animals that were prohibited for consumption were ritually defiling, and the author of this stratum coined a new technical use for the term שֶׁקֶץ, in which he claimed that only the prohibited large four-footed land animals were ritually impure, whereas the prohibited aquatic animals and birds were ritually pure. The four-footed animals are טָמֵא, are prohibited for consumption, and are ritually defiling because it was a question of eating and touching the carcasses.[834]

The connection between P_1 and the whole of Leviticus 1-16 supports the idea that the laws were connected to the sanctuary and the priesthood. At this time, the priests who were experts on purity (Lev 10:10, 11) became important as zoological specialists. There is no proof that the priests really acted as specialists in the days of P_1, but these authors must have wanted to make the priests zoological specialists.

We may conclude that P_1 was a desired reality of a small Judaean group. When they lived in the late Persian period, then they must have been a small group. An important reason why it was a small group lies in the relativisation of the historical accuracy of Ezra-Nehemiah as a source for our knowledge of post-exilic Judaea. Ezra-Nehemiah suggests that there was a mass return of exiles from Babylon to Jerusalem and that the area was controlled by a large Jewish population. One of the conclusions of this study is that there was no mass return and that a uniform Jewish community did not exist. The population of Yehud is estimated to have been between 12,000 and 30,000 inhabitants, and Jerusalem was a small town whose population is estimated to have been between 1,000 and 3,000 inhabitants. The area consisted of different Jewish groups with various views, both inclusivist and exclusivist, which makes it impossible to speak about one monolithic Jewish identity. These exegetical and archaeological data lead us to conclude that Ezra and Nehemiah do not present an accurate report of historical reality, but rather an idealised view of history designed by a small group of literati. Consequently, the authors of Leviticus 11 were a very small group with little influence. The visible influence can be the strengthened position of the priesthood in Yehud,

834 See 3.3.3.

but the authors of Leviticus 11 do not have to be the ones who brought about this strengthening. It could be a reflection of reality and a desire to make the priestly role even greater. It is clear that we cannot discover their influence on the field of obedience to *torot*.

The following stage in the redaction process belongs to H and consists of vv 43-45. We have already seen that these verses from H did not contain the distinction between טָמֵא and שֶׁקֶץ because both words were used in Leviticus 11:43-45 and in Leviticus 20:24d-26. The author of the H text did not know about the distinctions that existed in the priestly circle of P_1. We have concluded that this is when H became part of the narrative framework of Leviticus. For H, the dietary laws were probably forms of inherent purity and not of ritual purity. Through the connection with Leviticus 20:25, the dietary laws became explicit identity markers. Vv 43-45 only speak of holiness, and Leviticus 20:25 interprets holiness as a need to be distinguished from other groups. We can see that H provided the dietary laws with a rationale: it was a way to distinguish the post-exilic Judaeans from other groups. A contribution of H to the dietary laws is a different concept of holiness then the one we find in P. For the priestly writers, holiness was something static: holy people (the priests), and holy places (the sanctuary) were holy, and the people and places outside cannot become holy. For H, the Israelites can become holy by obedience to the dietary laws.

Structural analysis has shown that the H part of Leviticus 11 has a more sophisticated structure than the list like texts from P. At this stage, we only have P_1 and H. P_1 consists mainly of a list with texts on eating. The addition already creates a climax, which stirs Israelites to become holy and to distinguish themselves from non-Israelites. The authors of H lived somewhere during the late Persian period as a tiny group in Judaea. They saw the need to separate the Judaeans from other groups through obedience to laws like those we find in the holiness code (Lev 18-20). For them, the dietary laws must have been a means to achieve this purpose because of Leviticus 20:24d-26 and because of their addition to Leviticus 11. We may assume that this was also a small and inclusivist group of Judaean literati. Their inclusivist views reflect ideas of Judaean groups that we find in Ezra-Nehemiah (3.1.2.3). These groups lived during the late Persian period. As we have seen earlier, the Judaeans did not start obeying these laws until the Hasmonaean period.

5.2.4 The additions of P_2 and P_3

P_2 contains texts about contagion through touching carcasses of impure animals (vv 24-38) and a concluding remark (v 47). Vv 24-38 are an extension of vv 2b-8 and create a complex system of ritual impurity. Because of comparable concluding statements, we can assume that the purity laws of chapters 12-15 were already added when the P_1 part of Leviticus 11 was written.[835] Therefore, vv 24-38 may also be an adaptation to already existing texts about ritual

835 See 3.3.6. In 11:46 and 15:32 we find זֹאת תּוֹרָה, and in 14:54 we find זֹאת הַתּוֹרָה.

purity found in chapters 12-15. The addition of vv 24-38 also demonstrates a growing ritualisation. A group of priestly authors focused on the existing text about the dietary laws and made the system more complex. With the addition of vv 24-38, the text received its typical ABA structure which we discovered in our structural analysis (2.4.2).

The final addition to the text (vv 39-40) is the work of P_3 and describes ritual impurity through touching impure animals. This prohibition contradicts other priestly writers (7:24; 22:8) and represents the ideas of a very rigid group. This text once more demonstrates the existence of various Judaean groups with an inclusivist attitude during the late Persian and early Hellenistic period. Their focus on ritual purity also betrays a growing emphasis on the temple cult because this kind of purity is about how people relate to the sanctuary.

5.3 Leviticus 11 as a whole

In the second chapter of this study, we concluded that the text of Leviticus 11 in what we know as the Masoretic Text was intended to consolidate the place of the priests and the cult as the highest authority. The text underscores the authority of the Aaronides and the importance of the cult and the sanctuary. The author attained this end by referring to the legendary tabernacle from which God issued his commands. Chapter 11 is part of the literary unit of Leviticus 11-16, a text that concerns the avoidance of and cleansing from impurities. Leviticus 11 forms the beginning of a unit on contamination and is not the climax of the text. In the context of chapters 11-16, Leviticus 11 plays a minor role because of the limited role of the priest, which is only implicit: the priest is not mentioned but plays a role in the background. Leviticus 11-16 refer to the interpretive authority of the priests that 10:10-11 formulate, and therefore priests also have the authority to interpret cases not covered by the text: to accept or reject sacrificial animals and develop dietary rules beyond what is stated in the law. In my reconstruction, chapter 11 is the beginning of a unit about impurities which finds its climax in chapter 16. The role of the priest in the cleansing of impurities is emphasised.

The question remains as to what conclusions we can draw about the practical values of the dietary laws. The text from Leviticus lays emphasis on holiness in chapter 11 and on the distinction from other people in Leviticus 20:24d-26. The practical value of the dietary laws was to distinguish the Judaeans and Israelites from other nations. We see a tendency toward exclusivism through the emphasis on being different. Because further reasons for these laws are absent, the laws were seen as calls to be obedient to God, an explanation indicated above to be arbitrary. The text expresses the wish that the Israelite community laid emphasis on the role of the priest as the central authority in matters of the cult and in matters of purity. To obey these laws, the Israelites had to be mindful of their food choices. In this whole process, the priests must have played a role as the ones who possessed and knew the texts and perhaps as persons with zoological knowledge. Based on the literary context, we may

assume that the command to follow the laws of Leviticus 11 presupposes a community with a clearly formulated structure, in which the sanctuary, the priesthood, and the members of the community all find their own place.

Based on the information from Ezra-Nehemiah, it is tempting to believe that the community in Judaea had a certain degree of independence in the Persian Empire or possibly in the Ptolemaic Empire, but there is no historical basis for such an idea. The Persians held power in Yehud, and they did not grant any independence to Yehud. Still, there was a temple and priests in Jerusalem. They were important for the exclusivist Jewish exiles who wrote Ezra-Nehemiah and Leviticus. These groups wanted to achieve isolation from other groups, and they emphasised the centrality of the cult and the power of the priests. The task of the priests was to transcend the cult: they were teachers and made decisions for the people with respect to purity, and, therefore, they had the responsibility to keep the community separate from other groups. The tendency to draw lines between the community and other groups is evident in the theological background of Nehemiah's rebuilding of the walls. It was a way to make Jerusalem holy and to close the fish market on the Sabbath. Although the idea is hypothetical, it may be possible that there was also a desire to control the fish trade in the city, and here priests or other representatives functioned as inspectors with knowledge of pure and impure fish. Using God's desire to bring order to chaos in creation and to the old desert encampment to justify their actions, exclusivist groups behind Ezra-Nehemiah and Leviticus drew boundaries between the in-group and out-groups.

The dietary laws and meat consumption

The comparison of pure and impure animals with Palestinian fauna in chapter 3 gives new insight into the impact of the dietary laws on patterns of consumption. Our investigation of the animal names contributes to the research because we now know more about the identity of the forbidden animals. Because of this more precise view of the animals' identity, we have a better idea of which animals could be eaten and which could not. To get a clearer answer to the question which animals were forbidden, and which were not, we follow the categorisation of the three groups mentioned in the text: land, aquatic, and flying animals. We can divide land animals into domesticated and wild species. The pure land animals have two characteristics: they chew the cud and have split hoofs. The pure domesticated ones are caprovines (sheep and goats) and cattle, and the wild pure animals are species like the ones listed in Deuteronomy 14:5. The impure land animals lack one of the above-mentioned two characteristics. This is an extensive category in the world of land animals. Pure animals are always quadrupeds. Land animals with more than or less than four legs are always impure. This information implies that a vast number of animals were forbidden.

An aquatic animal is pure if it has fins and scales, which implies that only a limited number of fish can be eaten, while all others are forbidden. The category of the flying animals is further divided between birds and swarming creatures, which are flying insects. The Israelites could eat the majority in the first subcategory: there are only twenty birds they were not allowed to eat. Based on our systems of zoological classification, it is difficult to find one single category for these forbidden birds, and it is possible that there were pure and impure birds of prey. Pure flying insects had to have 'shins' above their feet that allowed them to jump on the earth. The evaluation of the Palestinian fauna clarifies that most insects were forbidden, except for four species of locusts or grasshoppers.

The data reveals some remarkable tendencies. Most of the domesticated quadrupeds could be eaten, except for some animals like pigs that were not widely consumed in Palestine. Of the wild quadrupeds, a representative selection could be eaten, while many birds of prey were forbidden. All land animals without four feet ware forbidden. While a vast majority of maritime animals and most insects were forbidden, only a small selection of birds were prohibited. This survey raises many new research questions. For instance, why were most birds allowed and most insects not?

If we connect this information about the detailed animal lists with the place and role of the priest in Yehud, some conclusions can be drawn. The zoological classification may have been too complicated and beyond average Israelites to keep, although we do not know what knowledge of animal species common people had. Another question was whether they could remember all these names. This could be possible in an agrarian culture where people lived nearer to nature than most people do today. Another possibility is that it forced the Israelites to consult the experts who had the correct information. This last possibility was defended and affirmed in different ways in this study. Although more research can be carried out on this issue, we can affirm the hypothesis that priests claimed to be experts and were obviously also seen by many to have expert knowledge of zoology and that they used it.

The archaeozoological information in chapter 4 gives further information about the context of the dietary laws in their origin and in their later development. The data from the region researched shows relevant developments for research into the dietary laws as prescribed in Leviticus 11. First, the preference for caprovines and cattle is part of a broader positive view of these animals and therefore reflects existing practices. Second, there is limited proof of hunting or trapping deer and birds. The examples that archaeologists found may be classified as pure, but the list we have studied is small, and there is no extensive evidence of consumption. The small number of pigs included in the diet during Iron Age II in Judaea and Persian Yehud points to a general regional tendency to exclude pork from the diet. Part of this older tradition may already have been a tendency to distinguish themselves from cultural

groups in the country that ate pork, but the habit might date originally to earlier periods and have societal rather than cultic implications. While the ban on pigs might be old and simply continued by the group behind Leviticus 11, this does not explain the great effort Leviticus takes to classify the entire fauna. Nor do we understand the ban on so many other animals. If Leviticus 11 takes up older habits, it does so because they converge with its own interests *and* expands and intensifies them. Furthermore, although pigs were already almost completely absent from the area surrounding Jerusalem when Leviticus 11 was composed, there were still pigs present. Finally, the excavation of fish bones provides important information about the diet of the inhabitants of Jerusalem and its vicinity. Because fish were often imported, they could have been consumed by higher social groups.

The groups behind Leviticus 11 certainly had some impact on society, but they were not able to control everybody and everything. Catfish formed a substantial part of the fish that the (probably) wealthy people in the area ate. The catfish, an impure animal, was eaten during Iron Age II, the Persian period, and during earlier periods, which indicates that there was no exclusion of this fish from the Judaean diet (yet). This conclusion underlines that the dietary laws were written by small groups who did not have any influence on how Judaeans consumed their meat. Molluscs, which were also considered impure, were also imported and obviously eaten in Jerusalem. If they were imported for consumption in the small urban center of Jerusalem, then it may have been food for the elite.

We may conclude that the author or authors of the dietary laws of Leviticus 11 intended to demarcate the Jewish inhabitants of late Persian Yehud from other groups. This isolation had to happen through the creation of a society that revolved around the temple. In this community, the priests were the officials of the temple and played a vital role in teaching and in matters of purity. An important conclusion is that they also played a role in the determination of the purity or impurity of an animal. In the natural environment of Yehud, the dietary laws exclude a small number of domesticated quadrupeds, namely, only pigs and camels. The prohibition against eating pigs was in accordance with general trend in the Judaean highlands. Because catfish were imported and eaten in all periods and because it was food for the higher classes, it is possible that the prohibition against eating fish without fins and scales was a way for these groups to distinguish themselves from the elite. Priests were not the elite, only part of it. The noted points of friction between priestly rules and actual practice only demonstrates that priests were unable to control all layers of society.

5.4 Summary

This study shows that a number of practical values of dietary laws existed, which may be summarised as follows. First, the origins of the dietary laws may have been continuations of existing practices of animal husbandry and meat consumption. This is evident concerning

the absence of pig breeding. The origins of the dietary laws also existed in the need to distinguish themselves from other groups. This tendency also exists in the consumption of pigs: the Judaeans may have been reacting to pork-eating Philistines during Iron Age I or to Israelites during Iron Age II. This tendency to distinguish a group from certain other social groups also may have existed in case of the consumption of scaleless and finless fish. Because catfish, and maybe molluscs, were food for the elite in Jerusalem and its vicinity, the prohibition against water animals may have been a reaction to higher social classes. The dietary laws emerged through these social mechanisms like accepting existing habits or the need to distinguish one's own habits from other habits. These processes started during the pre-exilic period. We do not know whether there was a specific list of impure animals during this time, and we do not know whether it was a religious rule or simply a habit for large groups (in the case of pigs) or hardly any people (in the case of catfish). Based on archaeozoological data, it is possible to say that the rejection of catfish developed only during the post-exilic period because the Common Source was probably post-exilic.

Second, older forms of dietary laws differed from the ones we find in Leviticus 11 and Deuteronomy 14:3-21a. They were an obligation for specific groups, and not for the whole community, as we see in Judges. There is also uncertainty about the identity of the animals when texts speak about impure animals. In the flood narrative (Gen 7:2,8; 8:20), we see the remarkable phenomenon that pure animals are sacrificial animals and that the sacrificial animals are not a subset of pure animals. These data demonstrate the great amount of variety in the dietary laws.

Third, in the Common Source and in Deuteronomy 14:3-21a, we find examples of inherent purity. The same kind of purity we find in the texts about the flood, mentioned in the previous paragraph. In P_1 we mainly find inherent purity with some forms of ritual impurity. We may conclude that, in older texts, we find inherent impurity as a form of impurity that is considered to be embedded in creation.

Fourth, H emphasises the need to be distinguished from other nations through observance of the dietary laws. This text must be dated in the late Persian period. This was when the main part of Leviticus (including the narrative framework) was finished. It must have been the work of a small group within a densely populated district with a Judaean majority. The text is the product of an inclusivist group that wanted to emphasise the role of the priests as zoological experts. They were responsible for the purity of the community. Regarding the dietary laws, this group differed from the priestly writers (P_1) with respect to the beginning forms of ritual purity in their text on meat consumption.

Fifth, the redactional layers P_2 and P_3 are additions of Leviticus 11 that reflect forms of ritual purity. It is certain that P_3 was added when (most of) Leviticus was written, and for P_2 it is a probability. A growing amount of ritual purity underlines the growing importance of the temple cult. These last layers can be dated during late Persian period or perhaps the early Hellenistic period. Both literary layers betray the work of small groups of literati.

After the completion of Leviticus 11, these texts must have been handed over for more than a century. After more than 150 years, there was an acceptance of these laws and of other laws on purity during the second century BCE. This was the beginning of a new period when ancient Judaism started and when the dietary laws became an important identity marker for Jews. This conclusion affirms historical reconstructions performed by scholars like Kratz and Adler.

The research question as formulated in 1.2.1 is as follows: 'What were the practical values of the dietary laws during their literary history until their ultimate systematisation in Leviticus 11?'. The five stages of the evolution of the dietary laws demonstrate an evolution of different values of the dietary laws through time. We have seen that there was a development from inherent impurity toward ritual impurity. In the earlier stages of this evolution, there was sometimes a rejection of existing Judaean practices (catfish) and sometimes an affirmation of these practices (pigs). The ultimate systemisation of Leviticus 11 during the late Persian period describes an imagined world in which the priest is the highest human authority. A part of his authority was derived from his competence as a zoological expert.

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Summary in Dutch

Hoofdstuk 1 vormt de inleiding op een studie die zich richt op de praktische waarden van de voedselwetten in het oud-Israël. Deze wetten bepalen welke dieren als rein of onrein worden beschouwd, en dus zijn toegestaan of verboden voor consumptie. Het hoofdstuk plaatst het onderzoek binnen een breder wetenschappelijk kader en formuleert de onderzoeksvragen, methodologie en opbouw van de studie. Het hoofddoel is de reconstructie van de ontwikkeling van de praktische waarden van de Bijbelse voedselwetten vanaf hun oorsprong in de Israëlitische samenleving tot aan hun uiteindelijke systematisering in Leviticus 11. "Praktische waarde" wordt hierbij gedefinieerd in termen van de functie van de wetten binnen hun literaire, historische en sociale contexten.

Het onderzoek naar de status quaestionis met betrekking tot de interpretatie van de voedselwetten is tweeledig: enerzijds gaat het om specifieke interpretaties, anderzijds om het moment waarop deze wetten werden toegepast in het oude Israël. Wat betreft de eerste kwestie worden zes specifieke interpretaties onderscheiden. Ten eerste de hygiënische interpretatie, gebaseerd op medische overwegingen, waarbij onreine dieren (zoals varkens) worden gezien als dragers van ziektes. Ten tweede de economische: aanhangers hiervan menen dat de wetten voortkomen uit praktische overlevingsstrategieën. Varkens zijn bijvoorbeeld ongeschikt voor het droge klimaat van het Midden-Oosten. Ten derde de ecologische: deze benadering beschouwt de wetten als middelen om het ecologisch evenwicht te behouden; sommige verboden dieren (zoals aaseters) voorkomen dat overal rottend vlees ligt en dat ziekten worden verspreid. Ten vierde als uitdrukking van heiligheid en heelheid, en als symbolische bevestiging van Gods orde. Deze opvatting is vooral verwoord door Douglas Ten vijfde als morele stimulans: de wetten bevorderen gehoorzaamheid en ethisch gedrag. Milgrom stelt bijvoorbeeld dat zij eerbied voor het leven uitdrukken en het wereldbeeld van de priesterlijke traditie versterken. Ten zesde als identitymarkers: voedselwetten dienden om Israëlieten te onderscheiden van omringende volkeren. Het vermijden van varkensvlees onderscheidde Judeeërs bijvoorbeeld van Filistijnen of Israëlieten uit het Noordelijke rijk. Los hiervan staat een evolutionaire benadering van de voedselwetten. Deze vormt een belangrijk uitgangspunt van dit onderzoek, omdat zo een kader wordt gegeven voor de ontwikkeling van hun praktische waarden van voedselwetten.

Het moment van de toepassing van de Israëlitische wetgeving is in de loop van de tijd onderwerp van discussie geweest, die met name betrekking heeft op de vraag wanneer de wetten uit de Pentateuch voor het eerst werden toegepast. In een vroeg stadium stelde Wellhausen dat het Jodendom als door de Wet bepaalde godsdienst, pas ontstond in de Perzische periode. Moderne onderzoekers, zoals Kratz en Adler, stellen echter dat het

Jodendom, als een religie die is gebaseerd op naleving van de Thora, pas begon in de Hasmonese periode (2e eeuw v.Chr.). Daarvoor circuleerde de Thora mogelijk in elitaire kringen, maar werd zij niet breed toegepast. De op historische en archeologische data gebaseerde benadering van Adler is hierbij van belang. Hij toont aan dat materiële aanwijzingen voor daadwerkelijke naleving van de Thora – waaronder de voedselwetten – pas zichtbaar worden vanaf de Hasmonese periode.

Deze gegevens uit de status quaestionis leiden tot de volgende onderzoeksfocus. De zes verklaringen van de voedselwetten ondersteunen het onderzoek naar de praktische waarden ervan. De evolutionaire benadering wordt toegepast op de tekst en haar context. De gegevens over de toepassing van de wetten helpen bij het bepalen van een terminus ante quem voor het dateren van Leviticus 11. Deze focus leidt tot de volgende hoofdonderzoeksvraag:

Wat waren de praktische waarden van de voedselwetten tijdens hun literaire geschiedenis tot aan hun uiteindelijke systematisering in Leviticus 11?
Uit deze vraag komen vier deelvragen voort:

1. Wat waren de praktische waarden van de voedselwetten van Leviticus binnen hun literaire context?
2. Wat waren de praktische waarden van de voedselwetten tijdens hun literaire geschiedenis?
3. Hoe verdiept kennis over Judese voedselgewoonten onze kennis van de praktische waarden van de voedselwetten?
4. Hoe ontwikkelden de praktische waarden van de voedselwetten zich vanaf het begin van hun literaire geschiedenis tot aan hun ultieme systematisering van Leviticus 11?

De eerste twee deelvragen richten zich op synchrone en diachrone tekstanalyse. De derde deelvraag maakt gebruik van zoöarcheologische gegevens, terwijl de laatste de literaire gegevens en archeologie in een constructieve dialoog brengt. De methodologische verantwoording benadrukt het onderscheid tussen tekst en archeologie: de tekst weerspiegelt een geïdealiseerde realiteit, vaak geformuleerd door een elite, terwijl archeologie inzicht geeft in het dagelijks leven. Voor dit onderzoek geldt dat archeologie helpt om de context van de verschillende evolutionaire stadia van de uit de tekst gereconstrueerde ideeëngeschiedenis te begrijpen. Hierdoor kunnen we de verschillende praktische waarden van de voedselwetten beter begrijpen.

Hoofdstuk 2 beantwoordt de eerste deelvraag door de literaire context van Leviticus 11 en de daar achterliggende praktische waarden te onderzoeken. Door middel van narratieve en structurele analyse probeer ik te begrijpen hoe deze wetten functioneerden binnen de

beoogde gemeenschap. Het hoofdstuk begint met een uitleg van de gehanteerde methode: een combinatie van narratieve en structurele analyse. Ook bevat het een volledige vertaling van Leviticus 11, voorzien van kritische aantekeningen over vertaalproblemen.

Hoewel Leviticus deel uitmaakt van een groter geheel (de Pentateuch en Enneateuch), kan het toch als een eenheid worden opgevat, wat een gerichte analyse van de interne structuur van de tekst mogelijk maakt. Hoewel Leviticus onderdeel is van een narratieve eenheid (Exodus–Leviticus–Numeri), wijzen literaire markeringen en bewijzen uit de tekstoverlevering op een zelfstandige literaire identiteit.

Narratieve en structurele analyses van Leviticus leiden tot de conclusie dat de rol van de priester centraal staat. Dit geldt vooral voor de eerste zestien hoofdstukken van het Bijbelboek. De focus van deze hoofdstukken ligt op de vestiging van het priesterschap en de rol van de priester. Priesters dragen grote verantwoordelijkheid tegenover God en hebben een zekere autonomie bij het bepalen van wat rein en heilig is. Leviticus 10:10–11 kent aan priesters de taak toe om onderscheid te maken tussen heilig, rein en onrein. Deze rol komt ook naar voren in de reinheidswetten (Lev. 12–16). Hoewel Leviticus 11 de priester niet expliciet noemt, impliceert de context een leidende rol in het vaststellen of een dier wel of niet rein is. De priester, als leider van het volk dat geroepen is onderscheid te maken tussen rein en onrein (Lev. 11:47), zou geraadpleegd zijn vanwege zijn vertrouwdheid met de tekst en de dierenlijst. Als degene die verantwoordelijk was voor dierenoffers, beschikte hij bovendien over zoölogische kennis. Ten slotte legt de microstructuur van Leviticus 11 de nadruk op de heiligheid van het volk (Lev. 11:43–45). De tekst volgt een ABA-structuur (vv. 2b–23, 24–40, 41–45), waarbij het eerste en laatste deel gaan over consumptie, terwijl het centrale deel gaat over vormen van aanraking. De eerste twee delen bestaan vooral uit lijsten, terwijl het laatste deel een meer poëtische structuur heeft en fungeert als climax.

Wat betreft de praktische waarde van de voedselwetten in Leviticus 11 concludeer ik dat ze functioneren als middel tot het onderscheiden van Israël van andere volken. De herhaling van termen als "onrein" en "gruwel" benadrukt deze grensstellende functie. De gedetailleerde classificaties van dieren versterken het priesterlijk gezag en de positie van het heiligdom.

Hoofdstuk 3 beantwoordt de tweede deelvraag en onderzoekt de historische ontwikkeling en redactionele geschiedenis van de voedselwetten in Leviticus 11. Er wordt voortgebouwd op de conclusie uit het vorige hoofdstuk dat de tekst een denkbeeldige wereld weerspiegelt waarin de priester een centrale rol speelt. Dit hoofdstuk richt zich op de historische datering, de sociaal-politieke context en de praktische waarden van de voedselwetten. Hier maak ik gebruik gemaakt van een diachrone benadering, waarbij ik onderzoek hoe de wetten zich in de loop van de tijd ontwikkelden.

Na de vertaling van Leviticus 11 volgt een bespreking van de datering. De terminus ante quem is de Hasmonese periode, wanneer de reinheidswetten zichtbaar worden in het dagelijks leven. De vraag is hoeveel eerder Leviticus 11 werd gecomponeerd. Een pre-exilische datering wordt verworpen omdat het onwaarschijnlijk is dat de wetten eeuwenlang bestonden zonder daadwerkelijk toegepast te worden. Daarom kies ik voor een post-exilische datering. Hierbij wordt voorkeur gegeven voor een datering aan het einde van de Perzische periode. Deze keuze wordt ondersteund door het feit dat de vroegste Septuaginta-handschriften van Leviticus uit de derde eeuw v.Chr. stammen. Er moet een periode van voorafgaande erkenning aan deze vertaling als gezaghebbende bron zijn geweest, waardoor de datering van het grootste deel van de Thora rond het einde van de vierde eeuw v.Chr. wordt geplaatst.

Leviticus schetst een beeld van een gemeenschap, waarin de priester de leider is. Dit beeld komt niet overeen met de feitelijke situatie in de Perzische periode, waarin de macht voornamelijk bij de Perzische overheersers lag. Dit Perzische gezag bleef bestaan, ondanks het feit dat er aanwijzingen bestaan dat de hogepriester geleidelijk aan invloed kan hebben gewonnen binnen de Judese gemeenschap. Leviticus laat dan ook een gewenste realiteit zien, die geconstrueerd door een kleine geletterde elite in Yehud. Een vergelijking met Ezechiël toont aan dat er in deze periode verschillende visies op religieus leven bestonden. Ezra-Nehemia getuigt eveneens van religieuze diversiteit in Yehud. Wat uit de inhoud van de Bijbeltekst duidelijk wordt, is dat de auteurs van Leviticus behoorden tot een meer isolationistische minderheidsgroep.

De redactionele geschiedenis van Leviticus 11, gebaseerd op het model van Meshel, is als volgt. Ten eerste de oudste laag P_1 (vv. 2b–23, 41–42, 46), die zich richt op de vraag welke dieren gegeten mogen worden en die nadruk legt op reinheid via het dieet. Ten tweede H (vv. 43–45), die de voedselwetten verbindt met een bredere heiligheidsagenda en heel het volk – niet enkel de priesters – oproept tot heiligheid. Ten derde P_2 (vv. 24–38, 47), die rituele onreinheid introduceert door aanraking met kadavers van onreine dieren, en die zuiveringsprocedures benadrukt. P_2 vormt met zijn beschrijvingen van rituele reinheid en onreinheid, een verbinding met de reinheidswetten in Leviticus 12–15. Ten slotte P_3 (vv. 39–40), die de regelgeving aanscherpt: zelfs reine dieren veroorzaken door aanraking onreinheid als ze niet op rituele wijze zijn geslacht. Deze redactielaag weerspiegelt een radicalisering van de zorgen over reinheid. Een belangrijke ontwikkeling in deze redactiegeschiedenis is de verschuiving van inherente naar rituele onreinheid.

Met betrekking tot de verhouding tussen Leviticus 11 en Deuteronomium 14:3–21a, wordt aangenomen dat beide teksten teruggaan op een gemeenschappelijke bron. Deze bron is door P en D aangepast aan hun respectieve theologische kaders. In Deuteronomium worden

onreine dieren als inherent onrein beschouwd, wat betekent dat hun onreinheid is ingebed in de schepping. Redactielaag P_1 daarentegen begint reinheid en onreinheid in verband te brengen met het heiligdom.

Andere oudtestamentische teksten dragen bij aan het begrip van de praktische waarden van de voedselwetten. Twee niet-P verzen uit het zondvloedverhaal (Gen. 7:2; 8:2) zijn opmerkelijk, omdat Noach reine dieren offert zonder zich te beperken tot de offerdieren zoals opgesomd in P. Dit geeft ook aan dat de auteur van Genesis veronderstelt dat de voedselwetten voorafgaan aan de het ontstaan van Israël en zelfs vóór de zondvloed bekend waren.

Deze teksten, samen met die uit Deuteronomium en Leviticus, schetsen de ontwikkeling van de voedselwetten. Van een eenvoudige tweedeling in Deuteronomium tot de toenemende ritualisering in P_1, H, P_2 en P_3 zien we een evolutie in de praktische waarden van de wetten. De uiteindelijke vorm van Leviticus 11 werd geschreven door een kleine elite. De door hen geformuleerde regels kregen pas bredere erkenning tijdens de Hasmonese periode.

De rol van priesters en volk in Leviticus is als volgt. God wordt voorgesteld als de absolute heerser, die rechtstreeks spreekt vanuit het heiligdom; Aäron en het Aäronitische priesterschap zijn centrale figuren; het volk Israël moet in reinheid en heiligheid leven en het heiligdom economisch en ritueel ondersteunen. De vraag komt op of deze literaire constructie werkelijk een afspiegeling is van de post-exilische theocratische gemeenschap waarin priesters tussenpersonen zijn tussen God en volk. Vanwege archeologische en literaire gegevens, moeten we concluderen dat het eerder gaat om een normatief visioen dan om een exacte historische weergave.

We kunnen ons afvragen welke Judese groep de auteurs van Leviticus precies vertegenwoordigden. De voedselwetten in Leviticus 11 vinden hun oorsprong in een kleine, isolationistische priesterlijke groep en niet in de breedte van de Judese gemeenschap. Deze groep pleitte voor priesterlijke suprematie en strikte reinheidswetten. Zij vormden één van de vele groepen in Yehud. Bewijs voor religieuze diversiteit komt onder andere uit Ezra-Nehemia, dat een exclusivistisch beleid toont (zoals het bevel tot scheiding van buitenlandse vrouwen in Ezra 10), en uit boeken als Jona en Ruth, die inclusieve perspectieven vertegenwoordigen, wat wijst op het naast elkaar bestaan van rivaliserende ideologieën. Leviticus 11 representeert daarmee één van verschillende concurrerende visies op Judese identiteit in de laat-Perzische periode. Dat er in deze periode meerdere systemen bestonden die nadruk legden op priesterlijke superioriteit en reinheid, blijkt ook uit het boek Ezechiël.

Het is duidelijk dat Leviticus 11 niet in één keer is ontstaan, maar is gevormd door verschillende schrijvers, elk met hun eigen theologische accenten. De volgende redactielagen zijn

geïdentificeerd: ten eerste de oudste laag P_1 (vv. 2b–23, 41–42), die zich richt op eetbare dieren en reinheid via voeding benadrukt. Ten tweede H (vv. 43–45), die de voedselwetten verbindt met een bredere agenda van heiligheid en die het hele volk oproept tot heiligheid. Ten derde P_2 (vv. 24–38), die rituele onreinheid introduceert bij aanraking met karkassen van onreine dieren en die zuiveringsprocedures beklemtoont. P_2 vormt een verbinding met Leviticus 12–15. Ten slotte P_3 (vv. 39–40), die de regelgeving aanscherpt: zelfs reine dieren die niet correct geslacht zijn, maken onrein. Deze laatste redactielaag weerspiegelt een radicalisering van de standpunten over rituele reinheid.

Hoofdstuk 4 beantwoordt de derde deelvraag en verankert het onderzoek in materieel bewijs om te bepalen wat Judeeërs aten. Dit hoofdstuk bouwt voort op de eerder besproken ideeëngeschiedenis en tekstanalyse, en richt zich op de analyse van zoöarcheologische gegevens. Toch zijn er diverse beperkingen die de betrouwbaarheid van dit soort data beïnvloeden: natuurlijke tafonomische processen (zoals verschil in bodemzuurgraad), vroege opgravingsmethoden die faunaresten negeerden, het ontbreken van uitgebreide zeeftechnieken, en variatie in kwantificatiemethoden (zoals NISP, MNI). Ondanks deze problemen beoogt het hoofdstuk consumptiepatronen te reconstrueren en strategieën in veehouderij te onderzoeken. Dit gebeurt om de sociaaleconomische en culturele dynamiek te achterhalen.

Opgravingen in Jeruzalem (Ophel, area G en de omgeving van de Gihonbron) laten een dominante consumptie van kleinvee (schapen/geiten) zien, gevolgd door runderen. De meeste schapen en geiten werden jong geslacht, wat duidt op vleesproductie. Runderen werden vaak tot aan de volwassenheid gehouden, wat wijst op hun gebruik als trekdieren. Varkensresten waren zeldzaam, al werd in area U een volledig varkensskelet gevonden dat vermoedelijk niet bedoeld was voor consumptie. Ook werden resten van meervallen gevonden, meestal geïmporteerd uit het Middellandse Zeegebied of Egypte, wat duidt op consumptie door de elite. Dat deze onreine meervallen voedsel waren voor hogere sociale klassen, blijkt ook uit stratigrafische contexten. Er zijn ook schelpen aangetroffen, mogelijk een indicatie van handel, wat er eveneens op wijst dat dit waarschijnlijk voedsel voor de elite was.

Ramat Raḥel, een belangrijk administratief centrum tussen de late 8e en 4e eeuw v.Chr., vertoont een vergelijkbaar consumptiepatroon van het vlees van kleinvee. Ook hier werden de meeste dieren gehouden voor vleesproductie. Vis en gevogelte werden eveneens geconsumeerd, vooral in elitaire contexten. Plekken zoals Locus 14109 lijken favissae te zijn—rituele afvalputten—met resten van elitaire feesten, waaronder vis en patrijzen. De aanwezigheid van onreine soorten (zoals meervallen) wijst erop dat het dieet van elitegroepen afweek van priesterlijke voorschriften. De luxueuze tuin en architecturale kenmerken ondersteunen deze interpretatie van hoge status.

Ten noordwesten van Jeruzalem lag Tel Moẓa, een belangrijk agrarisch en administratief centrum met een tempel uit de IJzertijd en met grote graansilo's. De dierlijke resten bestaan hier voor 68% uit kleinvee en voor 30% uit runderen, met zeer weinig varkens. In tegenstelling tot Jeruzalem en Ramat Raḥel waren runderen hier belangrijker. Dit hangt samen met het gebruik van de ploeg in deze site. Schapen en geiten werden gehouden voor zowel vlees als secundaire producten zoals melk en wol, en leeftijds- en geslachtsprofielen wijzen op een gevarieerde veeteelt.

Op alle drie de locaties domineert kleinvee de verzamelingen van dierbotten. Dit is in lijn met bredere patronen in het Palestina. Schapen kwamen vaker voor in rijkere contexten (zoals gebied U), terwijl geiten meer voorkwamen in drogere streken. Runderen werden vooral ingezet voor arbeid en pas in tweede instantie voor vlees. Het hoge percentage runderen in Tel Moẓa hangt samen met de graaneconomie, in tegenstelling tot de wijn- en olijfeconomie van Jeruzalem en Ramat Raḥel.

Varkens kwamen nauwelijks voor, wat de theorie van varkensmijding onder Judese gemeenschappen ondersteunt. Deze trend, geworteld in economische, ecologische en sociale factoren, ging vooraf aan Leviticus 11 en kan verband houden met elitaire of priesterlijke identiteit. Toch wijzen incidentele vondsten van varkens—zoals het exemplaar bij de Gihonbron—op sporadische aanwezigheid.

Visresten, waaronder onreine soorten zoals meervallen, stellen de veronderstelling van wijdverbreide naleving van voedselwetten ter discussie. Hun aanwezigheid in elitaire contexten suggereert dat deze gerechten luxeproducten waren. De aanwezigheid van maritieme weekdieren en geïmporteerde vis wijst op complexe handelsnetwerken en sociale differentiatie. Incidentele vondsten wijzen op incidentele jacht, terwijl vogels mogelijk gehouden werden voor vlees of andere doeleinden, maar archeologisch gezien zijn deze dieren ondervertegenwoordigd.

Zoöarcheologisch bewijs biedt inzicht in het daadwerkelijke eetgedrag in het oude Juda en toont zowel overeenstemming als afwijking van de voedselwetten in Leviticus. Hoewel kleinvee en runderen vaak voorkwamen, verschenen vissoorten af en toe in het dieet. We zien dit vooral bij de elite. Varkens kwamen slechts in zeer beperkte mate voor. Deze bevindingen benadrukken het contextuele karakter van voedselgewoonten en suggereren dat priesterlijke normen niet altijd overeenkwamen met bredere consumptiepraktijken.

Hoofdstuk 5 beantwoordt de vierde deelvraag en onderzoekt de oorsprong, ontwikkeling en praktische waarden van de oude Judese voedselwetten door Bijbelse teksten te integreren met zoöarcheologische gegevens. Dit is het moment van de constructieve dialoog tussen

tekst en archeologie. De studie onderscheidt vijf fasen in de historische ontwikkeling van deze wetten, met als eindpunt hun systematisering in Leviticus 11. De oorsprong van de voedselwetten blijft onzeker maar archeologisch en tekstueel bewijs suggereert dat ze zich geleidelijk ontwikkelden via maatschappelijke en religieuze processen. Het verbod op het eten van varkens komt voor in Leviticus 11, Deuteronomium 14 en profetische teksten zoals Jesaja 65-66. Zoöarcheologische gegevens tonen aan dat varkens al sinds het Neolithicum werden gedomesticeerd, maar dat hun consumptie afnam om economische en sociale redenen. Tegen de tijd van de IJzertijd II en de Perzische periode was de varkensconsumptie in Juda minimaal, wellicht mede vanuit de wens om zich als Judeeërs te onderscheiden van andere groepen zoals de Filistijnen en het Noordelijke rijk.

Evenzo werd het verbod op meervallen en schelpen ingevoerd, ondanks hun wijdverspreide consumptie in Palestina. Deze beperking kan zijn vastgesteld door kleine groepen Judeeërs die zich wilden onderscheiden van de rest van de bevolking, in het bijzonder van de elite die geïmporteerde vis en schelpen consumeerde. In tegenstelling tot varkens – die al door het merendeel van de bevolking werden gemeden – lijkt het verbod op bepaalde waterdieren een latere ontwikkeling te zijn.

Wat betreft de literaire geschiedenis concluderen we dat de voedselwetten zich ontwikkelden in verschillende redactionele lagen en evolueerden van impliciete culturele gewoonten naar regels die verband hielden met de verbinding tot het heiligdom. De oudste verwijzingen naar voedselwetten vinden we in niet-priesterlijke teksten zoals Genesis 7–8 en Richteren 13. Beide teksten laten zien de beschreven gewoonten afwijken van Leviticus 11 en Deuteronomium 14. De tekst uit Richteren 13 maakt duidelijk dat voedselrestricties eerder op specifieke groepen van toepassing waren en niet op de gehele gemeenschap. In de loop der tijd ontwikkelden deze bepalingen zich en werden ze gecodificeerd in Leviticus 11 en Deuteronomium 14. Daarin zijn de volgende fasen te onderscheiden:

1. De gemeenschappelijke bron – een vroege mondelinge of schriftelijke traditie die dieren categoriseerde als rein of onrein op basis van inherente eigenschappen en niet vanuit rituele onreinheid. De vaststelling van de lijsten van reine en onreine dieren, diende mogelijk als identitymarker voor de Judese gemeenschap.
2. P_1 – een redactielaag uit de laat-Perzische periode die de voedselwetten begon te verbinden aan het heiligdom en het priesterschap, en die rituele reinheid introduceerde. Bepaalde verboden dieren werden niet alleen als onrein beschouwd, maar ook als ritueel verontreinigend bij aanraking. Het priesterschap werd gepositioneerd als autoriteit inzake reinheidswetten, waarmee hun religieuze en sociale leiderschap werd versterkt.
3. H – een bron uit de late Perzische periode die de voedselwetten herformuleerde als middel tot afscheiding van andere volken. Leviticus 11:43–45 wordt verbonden met

Leviticus 20:24–26, dat de voedselwetten expliciet koppelt aan Judese heiligheid en het belang van onderscheid benadrukt.

4. P_2 en P_3 – redactielagen uit de late Perzische tot vroege Hellenistische periode die de rituele reinheidswetten uitbreidden met gedetailleerde regels over aanraking van kadavers en verdere verontreinigingsbepalingen. De groeiende nadruk op rituele reinheid duidt op een toenemende focus op de tempelcultus en op de rol van priesters als handhavers van de reinheidswetten.

Ondanks deze vroegere tekstuele getuigenissen over de wens van een literaire elite, tonen zoöarcheologische gegevens aan dat de voedselwetten pas breed werden nageleefd vanaf de Hasmonese periode (2e eeuw v.Chr.). De uiteindelijke systematisering van Leviticus 11 tijdens de late Perzische periode weerspiegelt dus een voorgestelde religieuze orde, waarin priesters als hoogste gezagsdragers optreden in de interpretatie van de voedselwetten.

We kunnen stellen dat in de loop der tijd de wetten meerdere doelen dienden:

1. Het voortzetten van bestaande praktijken: het verbod op varkensvlees versterkte al bestaande regionale praktijken op het terrein van veeteelt. Wellicht konden ze zich hiermee onderscheiden van Filistijnen en van inwoners van het Noordelijke rijk.
2. Het onderscheiden van sociale groepen: wetten over zeedieren hielpen bepaalde Judeeërs zich te onderscheiden van rijke elites.
3. Het creëren van religieuze identiteit: de wetten groeiden geleidelijk uit tot identitymarkers voor Judeeërs, vooral na hun brede aanvaarding in de Hasmonese periode.
4. Het versterken van de positie van het heiligdom en van het priesterlijke gezag: priesters positioneerden zichzelf als experts op het gebied van reinheid en zoölogie, en verstevigden daarmee hun religieuze leiderschap.

Curriculum Vitae

Cees Stavleu (Leiden, 1958) completed his secondary education at the Christelijk Lyceum Alphen aan den Rijn in 1977. He studied theology at Leiden University, where he also took courses in Semitic languages and Palestinian archaeology. In 1986, he obtained his master's degree from Leiden University, majoring in Old Testament studies, with Palestinian archaeology and the religions of antiquity as minors. His master's thesis was a technological, iconographic, and literary research on the anthropomorphic terracotta figurines of Tell Deir 'Alla. In early 1987, he joined the excavations of the Iron Age layers at Tell Deir 'Alla. In 1983, he completed his studies in religious education at the teacher training course at Leiden University. In 1987, he completed his studies at the Baptist Seminary in Bosch en Duin, and in 2005, he passed an additional exam at the Seminary of the Free Evangelical Churches in Utrecht.

As a minister of the Union of Baptist Churches, Cees has served local congregations in Spijkenisse (1987–1989) and Lelystad (1992–1997). As a minister of the Free Evangelical Churches, he served as minister of the congregation in Bennekom (2005–2010) and as moderator in Scherpenzeel (2007–present). He was a lecturer in Old Testament studies (1983–1989), Vice-President and Academic Dean (1989–1999), and General Director (1999–2003) at the Evangelical Theological University of Applied Sciences (ETH) in Doorn/Veenendaal. He was a co-author and member of the editorial board of the Studiebijbel Oude Testament, a Dutch Bible commentary in 12 volumes (2003–2015). Since 2007, he works as a lecturer in Old Testament studies at the Christian University of Applied Sciences in Ede (CHE).

Cees is married to Maja. They live in Veenendaal and have two sons.