

Foreign Lands – Multiple Perspectives:  
Foreign Land Impurity in the Hebrew Bible, its Context, and its Ideological  
Underpinnings

By  
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A dissertation submitted in partial fulfillment  
Of the requirements for the  
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## **PREFACE AND ACKNOWLEDGMENTS**

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<sup>1</sup> Excepting Josh 22:19 and Amos 7:17, which are treated separately.

## INTRODUCTION

The concept of land is both rich and complex in biblical literature. The land of Israel was tied up with Israelite<sup>2</sup> identity and religious observance, and it is mentioned frequently in biblical texts, in a variety of ways. Foreign lands, too, were a concern for biblical authors, both because foreign nations, dominating the geo-political world of Israel for most of its existence, had the power to exert influence within Israelite territory, and because the threat of exile to foreign places was a genuine possibility and a source of anxiety for biblical authors, especially after the destruction of the northern kingdom in 720 BCE. Foreign lands the locus of a variety of different, and sometimes conflicting, ideologies in the Hebrew Bible, seen in narrative texts, in prophetic passages, and in Priestly regulations.

I would like to say a bit regarding my terminological choices. In this study, I use terms such as “impurity,” “pollution,” “defilement,” and “unclean” to reflect synonymous or nearly synonymous concepts. I also use terms such as “pure,” “clean,” and “cleansed” nearly synonymously. Each of these words has slightly different connotations in English, but in what follows, I use them specifically with reference to concepts articulated in ancient texts from the ancient Near East Hebrew, which use terminology specific to their own linguistic and cultural settings. As I reference texts from Israel, Mesopotamia, Anatolia, and Egypt, I have had to make some choices regarding the terminology I chose to use to translate the various terms used to articulate ideas relating to purity and

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<sup>2</sup> I generally use the ethnonym “Israelite” in this study, though I do prefer the term “Judean” in two contexts: first, when contrasting the inhabitants of the Southern Kingdom of Judah during the monarchic period before 720 BCE, and second, when referring to persons claiming Israelite descent in a postexilic context. Context makes clear when the term “Israelites” refers to occupants of the northern kingdom before 720 BCE. Wherever the term “Jews” or “Judaism” is used, the association is with rabbinic Judaism. See also note 869 in Chapter 4.3.

impurity, and other choices regarding the terms I use when speaking in general or analytical terms about the concepts reflected in these ancient texts. To be clear: I am not using the English terms in static ways, attempting to articulate a one-to-one correlation between any specific English word and a corresponding Hebrew, Akkadan, Hittite, or Egyptian term. Instead, I translate and discuss these concepts using a specific, limited set of English terms in order to allow myself the flexibility to attempt to articulate best the meanings of the texts I work with, as I understand them. I have specific sections dedicated to terminological issues in Chapters 2 and 3, which go into further depth; here it must suffice to say that I use terms such as “pollution,” “defilement,” etc. in flexible, non-static ways to present the best case for understanding how these concepts operated in an ancient context.

Another terminological issue that must be clarified is my use of terms such as “purity tradition” or “impurity traditions” to describe organizations of texts relating to pollution and purification in the Hebrew Bible. I eschew use of terms such as “purity system” or “impurity system,” even though these terms are commonly found in scholarship speaking about different purity regulations in the biblical texts. I believe that labeling these groups as “systems” implies a more ordered, bounded, and exclusively categorized method of organization than is suggested by the texts themselves. While it has become common to refer to two or three “systems” of impurity in biblical texts, labeling these “systems” as ritual vs. moral, permitted vs. prohibited, or ritual-physical vs. moral-behavioral, among others, I argue that there is a significant degree of slippage and overlap between these categories of impurity, and that calling them “systems” suggests that the categories are closed and impermeable in ways that I do not believe they

are. I choose to use terms such as “impurity tradition” or “impurity conception,” because these terms suggest a more flexible, fluid, and developing relationship between categories of impurity than does over-systematizing language. Where I do use the standard terms, I place them in quotation marks (e.g., purity “systems”) in order to problematize the use of this terminology. Tracy Lemos has recently suggested the term “purity construction” in addition to using “purity conception,”<sup>3</sup> which is also useful in the way that it emphasizes the externally-imposed nature of the boundaries placed on purity conceptions both within biblical texts and scholarly treatment of these texts. I prefer the term “tradition” for this study, as my main concern is the ways in which purity traditions interacted in various biblical texts, and the ways such interaction shed light on other aspects of Israelite culture and literature. Chapter 1 interrogates the meaning of these purity traditions and deconstructs the notion of purity “systems” in more depth.

Several important studies have been conducted on the subject of how biblical texts deal with people classed as foreign, focusing especially on issues of purity or impurity.<sup>4</sup> Purity concerns are also present in several biblical passages dealing with foreign lands, such as Josh 19:22 and Amos 7:17, which refer to specific foreign lands as impure (טמא). Some biblical texts, especially the Holiness Code (Lev 17-26), draw parallels between the conduct of human inhabitants of the land of Israel and the status of the land itself, holding that severe sins pollute the perpetrator who commits these acts,

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<sup>3</sup> See Tracy Lemos, “Where There is Dirt, is There System?: Revisiting Biblical Purity Constructions.” *JSOT* 37.3 (2013): 265-294.

<sup>4</sup> See especially Jonathan Klawans, “Notions of Gentile Impurity in Ancient Judaism,” *The Association for Jewish Studies Review* 20, no. 2 (1995): 285-312, Klawans *Impurity and Sin in Ancient Judaism* (New York: Oxford University Press, 2000), Christine E. Hayes, *Gentile Impurities and Jewish Identities: Intermarriage and Conversion from the Bible to the Talmud* (New York: Oxford University Press, 2002), and Saul M. Olyan, “Purity Ideology in Ezra-Nehemiah as a Tool to Reconstitute the Community,” *Journal for the Study of Judaism* 35, no. 1 (2004): 1-16.

and the land upon which these acts were committed.<sup>5</sup> Lev 18:24-30 draws clear connections between committing certain crimes, the pollution of both people and the land of Israel, and resulting exile from the land, described as the land “vomiting” up (קִי"א) its inhabitants.<sup>6</sup> The awareness of such connections, combined with a recent trend to try and systematize Israelite purity traditions into relatively clear-cut and mutually exclusive categories, has led some scholars to presume foreign land impurity operates in precisely the same way as the land impurity referenced in Lev 18:24-30. Christine Hayes states: “The impurity that accrues to land—all land—is without exception moral impurity that derives from the impurity of idols, idolatrous worship and immoral and defiling acts understood by the Bible to be attendant upon idolatrous worship.”<sup>7</sup> Hayes presumes that since Israelite land is most often polluted through “immoral” actions, foreign lands must also be. However, this is not explicit in texts which refer to foreign land impurity, nor is every case of *domestic* land pollution unequivocally “moral” in nature, as in some cases, metaphors, terms, or images drawn from the “ritual” impurity tradition are invoked in passages dealing with land impurity.

This study will carefully survey biblical depictions of foreign lands and will

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<sup>5</sup> Klawans, in his description of what he calls “moral impurity,” states that this type of impurity also defiles the sanctuary of Yhwh, citing Lev 20:3 and Ezek 5:11 (*Impurity and Sin*, p. 26). In this, he is following Jacob Milgrom, who argued that grave sin defiles the sanctuary (not the sinner) like a Priestly *Picture of Dorian Gray*. Milgrom’s argument is developed in *Leviticus 1-16: A New Translation with Introduction and Commentary* (AB 3; New York: Doubleday, 1991), 253-292. Klawans suggests that sins defile both the sinner and the sanctuary, which differs slightly from Milgrom’s portrayal of how sin defiles the sanctuary from afar (and not the sinner). Klawans does adopt and build on Milgrom’s image of sin polluting the sanctuary (Milgrom argues that *all* impurity has the power to pollute the sanctuary from afar, given time. See *Leviticus 1-16*, p. 262. The issue of whether “moral” impurity affects the sanctuary of Yhwh will be raised below).

<sup>6</sup> Sexual and cultic violations are listed in the verses leading up to this passage. These verses argue that the former occupants of the land (the “Canaanites”) defiled themselves (טָמְאוּ in the *niphal*) in these ways, and “thus the land became defiled.” Yhwh’s punishment is characterized by the land expelling its inhabitants, and this passage exhorts all inhabitants of the land (natives and resident aliens [גֵּר] alike) to keep Yhwh’s rules and avoid a similar fate.

<sup>7</sup> Hayes, *Gentile Impurities and Jewish Identities*, 43.

demonstrate that there were several different types of rhetoric employed in texts relating to foreign lands. Foreign lands could be portrayed as either inside or outside of Yhwh's effective sphere of power; they could be pure, even holy, or they could be cast as impure. When lands were deemed impure, terms and ideas drawn from different purity traditions could be brought to bear, not merely from "moral" impurity; in other words, the purity dimension of foreign lands is more complex than previously thought.

When addressing these issues, it is important to differentiate at the outset the putative impurity of foreign *people* and that of foreign *lands*. In studies of biblical literature and early rabbinic Judaism, much work has been done on purity issues as they related to foreign persons, both resident aliens and foreigners abroad. Relatively little work has been done on these issues as they relate to foreign lands, especially within the Hebrew Bible. The issue of how biblical authors regarded foreign lands is certainly related to the issue of how they regarded foreigners, but these issues are not identical. First, there are times when foreigners are not *in* foreign lands. Aside from the resident aliens (גרים), who dwell on Israelite soil and are sometimes beholden to specific biblical laws (Lev 18:26 implies that the resident alien can defile the land of Israel through specific misdeeds), there are other occasions when either hostile or friendly foreigners come onto Israelite soil, and sometimes these encroachments are viewed to have purity ramifications. In Ps 79:1, "the nations" which enter Yhwh's inheritance are said to both set Jerusalem in ruins and defile the temple. In Neh 13:4-9, the presence of Tobiah the Ammonite in the Temple seems to raise concerns about purity, as Nehemiah has rooms purified (טהר in the *piel*) after evicting Tobiah and his belongings. Additionally, in Isa 52:1, Jerusalem is told to clothe herself in strength and beautiful garments "because the

uncircumcised (ערל) and impure (וטמא)<sup>8</sup> will no longer enter you.”<sup>9</sup> The case of Naaman in 2 Kgs 5 is particularly interesting, because it speaks of a foreigner who came to Israel to be cured of a defiling skin condition, and who took some Israelite earth with him upon his departure. In these cases, it should be remembered that the land in question is that of Israel; these texts should be treated in the context of how foreigners affect the purity of Israelite land, and how Israelite land is viewed in a domestic and foreign context.

Second, there are texts which deal with the impurity (or purity) of foreign lands with no indication that foreigners are involved in the classifications (for example Lev 14:40-45; Lev 4:12). It should not be *presumed* that foreign lands, if defiled, are defiled because of the conduct of foreigners dwelling in them, based solely on the analogy that Israelite land is sometimes conceived of as polluted due to the conduct of *its* inhabitants. Indeed, I contend that the pollution of foreign lands seems to have nothing to do with the conduct of the (foreign) people living in those lands.

Another concern that must be addressed in a study of foreign and domestic land impurity is the issue of what constitutes land itself. Certain texts refer to land as a bounded territory (i.e., the “land of Israel” or the “land of Egypt,” using the term ארץ). Other texts use the same term, but with a seemingly less bounded sense, referring to the “earth” as a larger whole (e.g. in 2 Kgs 5:15, Naaman exclaims that he knows “there is no

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<sup>8</sup> This could be read as a hendiadys: Nah 2:1 [Eng. Nah 1:15], upon which Isa 52:1 is based has only a single subject, בליעל. On the dependence of Isa 52:1 on Nah 2:1, see Benjamin D. Sommer, *A Prophet Reads Scripture: Allusion in Isaiah 40-66* (Stanford, CA: Standord University Press, 1998), 82, 92, 155.

<sup>9</sup> Changing garments, it should be noted, is an activity sometimes done after a change in purity status. See, for example Zech 3:4, Gen 35:2; Laundering garments is seen in a variety of purification rituals: see Exod 19:10, 14; Lev 11:25, 28, 40; 13:6, 34; 14:8-9, 47; 15:5-8, 10-11, 13, 21-22, 27; 16:26, 28; 17:15; Num 8:7, 21; 19:7-8, 10, 19, 21; 31:24.

god in all the earth [הָאָרֶץ] except in Israel”).<sup>10</sup> Still other texts use a different term (אדמה) to refer to land as a specific location (e.g., Exod 3:5 [הַמָּקוֹם אֲשֶׁר אַתָּה עֹמֵד עָלָיו אֲדַמַּת-קֹדֶשׁ] [הוא]) or even as the material of dirt or dust (e.g., 2 Kgs 5:17 [מִשְׁאֵל צִמָּד-פְּרָדִים אֲדָמָה], Ezek 17:5, 8, 26:4, and even Gen 2:7). “Land” itself can have multi-valences (in both English and in Hebrew),<sup>11</sup> and it must be clarified what is meant in a given context: in Lev 18:24-30, is the “land” which vomits out its vile inhabitants the bounded territory of Israel, the material ground itself, or both? When Naaman asks for a quantity of “land” to be exported, or when the priest uses dust from the temple floor in a ritual for determining guilt (and impurity) or innocence in Num 5:17, what is envisioned as inhering in these material substances? Such issues are relevant for understanding how land, in all its valences, is construed in biblical texts.

Keeping these basic distinctions in mind, this study will investigate the different ways in which foreign lands are depicted in biblical texts. In Chapter 1, I begin with a survey of the relevant literature on purity and impurity in the Hebrew Bible, and proceed with a thorough reevaluation of purity ideologies and traditions as they relate to foreign lands, responding primarily to the highly influential work of Jonathan Klawans, and the subsequent work of Christine Hayes. I interact extensively with Klawans’s assertions throughout this study for two reasons: first, his conclusions regarding “ritual” and “moral” purity systems (built on nearly a century of scholarship investigating the organization of biblical purity laws) have become accepted by many scholars in recent decades; and second, his systemization hinges on the focal point of this study: land

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<sup>10</sup> Cf. Exod 9:14. Other general uses of “earth” as opposed to “water” or “sky” abound (see, for example Lev 11:2). The use of “הָאָרֶץ” to represent the earth as a whole is, of course, common in biblical literature. See, for example, Gen 1-2, 6-11, *passim*.

<sup>11</sup> A treatment of the different terms that are used to describe what may be translated as “land” (i.e., אֶרֶץ, אדמה, עפר) is included in Chapters 3 and 4, as different texts, which used different terms, are analyzed.

impurity. Klawans concludes that land can only be polluted by one type of impurity, “moral” impurity, and this conclusion is of critical importance, as it serves as a major criterion in his categorization of biblical purity laws into one or the other system. In terms of his larger project, the topic of *foreign* land impurity is a relatively small issue. Because I use this specifically (as well as that of land impurity more generally) as the lens through which I investigate biblical purity traditions, I dwell at some length on issues that receive only cursory attention in his treatment, and I arrive at some very different conclusions. Ultimately, although I often disagree with Klawans’s analysis, I am quite indebted to his work, which so clearly lays out the tensions in biblical purity laws, and articulately argues his case for a bifurcated system of purity ideologies in Israelite religion. Chapter 2 situates the biblical articulations of purity (especially land purity) in a broader context. I focus on the question of how the phenomenon of (land) impurity manifested in other areas of the ancient Near East, especially those areas that had contact with and influence on Israelites, such as Egypt, Mesopotamia, and Anatolia. I address issues of comparative study and methodology, terminology and categorization, and the issues of the source and nature of impurity in texts from outside the land of Israel in order to frame the discussion of conceptions of purity and impurity within the Hebrew Bible within a broader socio-historical context, without attempting to conflate or overly contrast ancient cultures. Chapters 3 and 4 address the issue of foreign lands as they are variously treated in the biblical texts, with Chapter 3 focusing on the issue of “moral” impurity as it relates to the land of Israel and foreign lands, and Chapter 4 investigating the variety of approaches taken to discussing foreign land in biblical texts. The issue of foreign land impurity, usually treated as an afterthought in larger works dedicated to

issues of impurity in Israelite religion, has been understudied and oversimplified in the past. By analyzing various kinds of evidence relating to Israelite conceptions of foreign lands in their ancient Near Eastern context, it is possible to demonstrate that there was a multi-vocal discourse present—Israelite ideas about foreign lands were not uniform, but rather there were several conflicting ideologies in use, and ideas from different purity traditions could be utilized to support these ideologies.<sup>12</sup>

Only after problematizing the “ritual/moral” impurity dichotomy as it relates to foreign lands, examining the cultural context in which biblical discourse on foreign lands and purity issues were produced, and dealing systematically with a variety of biblical texts that deal with foreign lands, do I draw conclusions regarding authorial motivations in Chapter 5. I agree with Talmon that any feature of the Bible must be investigated and interpreted in the light of its own context, and only after this is completed may

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<sup>12</sup> There are other examples of conflicting ideologies in the Hebrew Bible. For example, P considers only priests to be “holy.” In Num 16:1-17:5, Korah and his supporters argue that *all* of “the congregation” is holy, and Yhwh is in their midst (יהוה כלם קדשים ובתוכם יהוה) (16:3). It should be noted that the characters shift between sources: Korah and his Levites are in P; the J verses include Korah, Dathan, and Aviram. Vv. 30-33 state that Yhwh innovated a new punishment in response to this infraction, that “the earth (ארץ) opened its mouth and swallowed” Korah, Dathan, and Abiram, their families, and their belongings—they went alive to Sheol (v. 33). While Milgrom and others suggest that in H, the people are only “commanded to be holy,” which necessitates that their holiness is potential, rather than effectuated (Milgrom *Leviticus 1-16*, 686-687, I concur with Olyan that H does indeed imply that all Israel is holy (including a mix of indicative and imperative sanctification idioms), though it does preserve a hierarchy between ordinary Israelites and priests in a similar way to the Priestly Writers. On the issue of how holiness in H functioned similarly and differently from holiness in P, see Saul M. Olyan, *Rites and Rank: Hierarchy in Biblical Representations of Cult*. (Princeton, NJ: Princeton University Press, 2000), 121-122. D also at times specifically states that all Israel is Holy (see, for example, Deut 7:6; 14:2, 21). Different texts also seem to demonstrate different views on who should be expelled from the community. In Lev 13, P states that the person with skin disease (הצרוע) 13:46 is expelled from the camp, but Num 5 (H) lists not only the צרוע, but also the זכ (one with an abnormal genital discharge), and one with corpse impurity (טמא לנפש) as expelled from the camp, so they do not defile (טמא) their camp, where Yhwh dwells (Num 5:2). It is true that Lev 13 deals specifically with someone with צרעת, and might not be expected to include a comprehensive list of those who would be excluded from the camp; however, nowhere in P are persons with genital discharges or those with corpse impurity segregated *outside* the community. These examples show that there were conflicting ideologies, even among priestly circles. The issue of foreign lands may be another of these cases—there are different ideologies about foreign lands expressed in different texts.

comparative study be undertaken.<sup>13</sup> In this final analysis, Klawans's assertion that one of the primary functions of purity systems was to "demarcate external religious and cultural boundaries," necessitating that any one culture's purity system would need to differ markedly from those of the cultures with which the first had contact,<sup>14</sup> may be examined in light of comparative data drawn from both Israel and her neighbors. I conclude that if biblical authors did take steps attempting to systematize impurity along the lines of "ritual" and "moral" types, then this was an innovative endeavor, and one that was not entirely successful in disentangling and demarcating a bifurcated purity system.

Issues relating to power dynamics, cultic centralization, and Israelite ideology in the face of foreign imperial power will also be addressed in the analysis in Chapter 5. This work is informed by contributions of postcolonial theory to understanding power-dynamics reflected in literature. It will also help inform theory by demonstrating how biblical discourse on foreigners and foreign lands gives perspective on Israelite reactions to (and experiences of) imperialism, insulation, exile, and cultural assimilation. Postcolonial theory is often contextually dependant on a specific set of circumstances that apply to the ways in which power, religion, and knowledge were performed and propagated in a specifically modern, Western, post-industrial context. I endeavor to show that power dynamics in ancient Western Asia were sometimes similar (though clearly not identical) with those examined in Postcolonial thought. Assertion of power was accomplished in a variety of ways, both by economically and militarily potent polities, and by smaller, vassal or colonized polities. Using the lens of how biblical authors treat the topic of exile and foreign lands, I attempt to show how the contributions

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<sup>13</sup> S. Talmon, "The 'Comparative Method' in Biblical Interpretation—Principles and Problems," *Vetus Testamentum Supplemental Series* 29 (1978), pp. 320-356.

<sup>14</sup> Klawans, *Impurity and Sin*, pp. 19-20.

of postcolonial theory to the understanding of the diverse and dynamic interchanges and assertions of power (and how power was defined in different contexts) is helpful to understanding the political, cultural, and literary expressions of ancient Western Asia generally, and the Hebrew Bible, specifically. I also attempt to show certain continuities of expression, which benefit from an analysis informed by Postcolonial theory, persist in both postexilic and a pre-exilic biblical literature. While some biblical scholars have cogently utilized postcolonial theory to help interpret very late biblical literature, penned after the destruction of the Israelite and the Judean monarchies and the establishment of the region as a province under foreign jurisdiction, I contend that pre-exilic texts also yield patterns of expression which are elucidated by such a theory, especially texts that ponder the topics of national defeat, exile, and the consequences of living in foreign lands. I suggest that the manner in which biblical authors treated the topic of foreign lands was historically and socially conditioned. Some texts are tolerant, or amiable about foreign lands, which seem to reflect a social situation in which the threat of national exile was not pressing. Some texts speak with warning or with anxiety about the idea that being in a foreign land cuts Israelites off from the national god, and these seem to reflect if not the reality, then at least the palpable threat, of national exile. Such expressions would naturally differ from postexilic expressions, in which national exile is a lived reality, and must be mediated as such, but they also show the ways in which a less-powerful national literature could reflect upon power dynamics and how they played out on an international stage. With these considerations in mind, the only two texts in the Hebrew Bible that explicitly call foreign lands impure (Amos 7:17 and Josh 22:19), may be understood as specific expressions of a wider discourse involving considerations of

nationalism, homeland, and exile, which also involve a wider discourse of pollution and purification.

Chapter 6 synthesizes the arguments of the previous chapters, provides concluding remarks, and suggests some avenues for future research that follow from my observations. I suggest that the topic of foreign land impurity serves as an intersection between two larger issues: pollution and purification on the one hand, and domestic and foreign land on the other. Examining the ways in which these two discourses are broached, and the means by which they may be drawn together, provides a lens which helps elucidate the wider complex of ideas underpinning the diverse traditions. By examining not only how such notions potentially reflect “systems” of ideas, but also how these systems could bleed together, overlap, and could be purposefully rearranged, opens up new avenues of inquiry about biblical expressions of homeland, exile, sin, pollution, and purification.

## **CHAPTER 1: Deconstructing Purity “Systems”**

In this chapter, I evaluate the scholarship that has been done on purity “systems” in the Hebrew Bible, and I critique the notion that there were two (or three) clearly defined, mutually exclusive “systems” of impurity reflected in biblical texts. It should be observed that nearly all scholars who speak of two “systems” of purity or impurity observe some degree of overlap between these categories, but recent scholarship, especially that of Klawans and Hayes, has emphasized the differences between these “systems” of impurity for heuristic reasons. I agree that there is some value to recognizing that there seem to have been different traditions regarding how impurity was conceived to be contracted, resolved, and how it affected the persons it affected. I do not contest that there existed at least two traditions regarding impurity (which may be referred to as “ritual” and “moral” impurity), and that there is utility to recognizing and differentiating between different impurity traditions reflected in the biblical texts. Where I diverge, however, is that I emphasize points of overlap and interchange between the different purity traditions through the lens of the specific issue of how land was perceived to fit into the constellation of ideas surrounding “purity.” Using this lens, I critique the notion of a bifurcated “system” of impurity as articulated in recent scholarship, because I believe that while there were a variety of extant purity and impurity traditions, I hold that they were more fluid, flexible, and context-conditioned than a clearly bifurcated “system” allows. When scholars label certain texts as belonging to the “ritual” impurity “system,” and others to the “moral” impurity “system,” they implicitly presume that these categories are clearly demarcated, mutually exclusive, and characterized by impermeable boundaries. It is these presumptions which I attempt to problematize.

The concepts of “purity” and “impurity” in ancient Israelite religion have been foci of much discussion in recent scholarship. Especially since the 1966 publication of Mary Douglas’s *Purity and Danger: An Analysis of Concepts of Pollution and Taboo*, in which she defined “impurity” as a boundary-breaking “dirt” that threatened social order, the subject of “purity” and “impurity” has been the subject of philological, historical, anthropological, and sociological debate. Even before Douglas made the issue of impurity a cross-disciplinary concern, however, it was recognized that different biblical texts seem to reflect different understandings about the causes of impurity, its effects and means of removal, and its connection to perceived sinful behavior.<sup>15</sup>

Several scholars have posited that there were two distinct types of defilement reflected in biblical texts. In 1927, Adolph Büchler distinguished between “levitical” defilement (reflected in the purity laws of Lev 11-15 and Num 19) and “religious” or “spiritual” defilement (which results from certain sinful acts and affects the land of Israel).<sup>16</sup> Jacob Neusner asserted that there were two “ideas” about impurity: purity and impurity were “cultic matters” for ancient Israelites on the one hand, yet “they may serve as metaphors for moral and religious behavior” on the other hand.<sup>17</sup> Baruch A. Levine similarly holds the impurity in Lev 18 to be “figurative,”<sup>18</sup> and he suggests that ritual impurity was later modified and applied to new contexts in his commentary on the Book

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<sup>15</sup> See Jonathan Klawans, *Impurity and Sin*, 4-19 for a detailed description of the development of idea of purity “systems.”

<sup>16</sup> Adolph Büchler, *Studies in Sin and Atonement in the Rabbinic Literature of the First Century* (London: Oxford University Press, 1928). See also “The Levitical Impurity of the Gentile in Palestine Before the Year 70,” *Jewish Quarterly Review* n. s. 17 (1926-1927): 1-81. On *Studies in Sin*, ix, Büchler observed that “idols, bloodshed, incest and adultery, and the Caananite enormities” defile the land of Israel “not levitically, but religiously” because the land of Israel is the property of Yhwh.

<sup>17</sup> Jacob Neusner, *The Idea of Purity in Ancient Judaism* (Leiden: E. J. Brill, 1973), 108.

<sup>18</sup> Baruch A. Levine, *The JPS Torah Commentary: Leviticus* (Philadelphia: The Jewish Publication Society, 1989), 134.

of Numbers.<sup>19</sup> David Zvi Hoffman, distinguishing between defilement that stands in opposition to purity (טומאת הגיות) and defilement that stands in opposition to holiness (טומאת הקדושות), clearly articulates the idea that there were two distinct “systems” of impurity in the Pentateuch.<sup>20</sup> Jacob Milgrom observed that “spiritual impurities” that result from sin (and defile the sanctuary in stages, depending on the severity of the sin and the intention of the sinner) are distinct from “physical” impurities described elsewhere in Leviticus, which defile the person and are resolved by rites of purification.<sup>21</sup> Tikva Frymer-Kensky made what Klawans called “without a doubt the most successful recent attempt at systematizing the various types of purity.”<sup>22</sup> Frymer-Kensky distinguished between “contagious pollutions” that were not dangerous unless they came into contact with “the sacred,” and “danger beliefs” in which she builds on the work of Milgrom, acknowledging that the defiling force of sin can pollute the sanctuary, though she goes further by focusing on the defilement of land by sexual sins, bloodshed, and “idolatry.”<sup>23</sup> David P. Wright built on the work of Büchler and Milgrom and likewise divided purity laws into two major categories, which he called “permitted” (later

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<sup>19</sup> Ibid. *Numbers 1-20* (AB; New York: Doubleday, 1993), 207.

<sup>20</sup> David Z. Hoffmann, *Das Buch Leviticus* (2 vols.; Berlin: M. Poppelauer, 1905-1906), see especially 1:303-304. See also Klawans’s treatment of his work on *Sin and Sanction*, 13-14.

<sup>21</sup> Jacob Milgrom, *Leviticus 1-16: A New Translation with Introduction and Commentary* (Anchor Bible 3; New York: Doubleday, 1991), 254-258. Milgrom’s category of “physical” impurity was roughly analogous to what Büchler called “levitical” impurity. On his distinction between “physical” impurity and “spiritual” impurity, see especially page 254. Milgrom made an influential analogy when he termed the impurity that resulted from sin “the Priestly *Picture of Dorian Gray*” in which sin may not leave a mark on the sinner, but it marked the “face of the sanctuary” and caused divine departure if not expunged. See *Leviticus 1-16*, 260 and “Israel’s Sanctuary: The Priestly ‘Picture of Dorian Gray,’” *Revue Biblique* 83 (1976): 390-399.

<sup>22</sup> Klawans, *Impurity and Sin*, 15. Tikva Frymer-Kensky, “Pollution, Purification, and Purgation in Biblical Israel,” in *The Word of the Lord Shall Go Forth: Essays in Honor of David Noel Freedman in Celebration of His Sixtieth Birthday* (ed. Carol L. Meyers and M. O’Connor; Winona Lake, IN: Eisenbrauns, 1983), 399-410.

<sup>23</sup> Frymer-Kensky, “Pollution, Purification, and Purgation,” 408.

“tolerated”) and “prohibited” impurities.<sup>24</sup>

The most important recent studies done on these purity traditions are those of Jonathan Klawans and Christine Hayes. Klawans, building on the work of Frymer-Kensky, Milgrom, Hoffman, and Wright, has produced the most fully articulated discussion of the distinction between what he calls “moral” and “ritual” impurity in his book *Impurity and Sin in Ancient Judaism*.<sup>25</sup> Klawans uses the terms “ritual impurity” and “moral impurity” to describe what he views as two “systems of defilement” operative in the Pentateuch and the Hebrew Bible as a whole. “Ritual” impurity, at issue in Lev 11-15 and Num 19, the result of natural and unavoidable causes, is generally impermanent (save potentially for skin disease), and it is not sinful (meaning meaning a negatively valenced behavior) to contract these impurities, though failure to take the steps necessary to resolve the impurity is a transgression, so being ritually impure can *lead* to sin. “Moral impurity,” on the other hand, seen in the Holiness Code and other texts, such as Ezekiel, “results from committing certain acts so heinous as to be considered defiling.”<sup>26</sup> Klawans lists five distinctions between “ritual” and “moral” impurity: (1) Commission of “morally” defiling acts is forbidden, and violations are punishable, often by death or the extirpation of lineage (כרת)<sup>27</sup> (that is, “moral” impurity is a direct

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<sup>24</sup> David P. Wright, “The Spectrum of Priestly Impurity,” in *Priesthood and Cult in Ancient Israel* (ed. Gary A. Anderson and Saul M. Olyan; JSOTSup 125; Sheffield: Sheffield Academic Press, 1991), 150-181 and “Unclean and Clean” in *The Anchor Bible Dictionary* (ed. David Noel Freedman; 6 vols.; New York: Doubleday, 1992), 6:729-741.

<sup>25</sup> Also important was his earlier article, “Notions of Gentile Impurity in Ancient Judaism,” in which he developed his ideas about the two purity “systems” in the context of Israelite discourse about foreigners.

<sup>26</sup> Klawans, “Notions of Gentile Impurity in Ancient Judaism,” 298. Sexual and cultic acts in H result in moral impurity. In Ezek, murder defiles (Ezek 33:25-26). See page 298 n. 21 for more instances and vv. in prophets and psalms, etc.

<sup>27</sup> On the issue of what כרת denotes in biblical texts, see Milgrom, *Leviticus 1-16*, 457-460, where he catalogues the possibilities and ultimately concludes that כרת must signify a punishment meted out by the deity, and that the most likely possibilities are extirpation of lineage, deprivation of an afterlife, or some combination of the two. Consideration of Ps 109:13, Mal 2:12, and Ruth 4:10 suggests the former, while references such as Lev 20:2-3 could be interpreted in either way. I ultimately believe that extirpation of

consequence of grave sin)<sup>28</sup>; (2) there is no contact-contagion associated with “moral” impurity; (3) while “ritual” impurity is construed as impermanent, “moral” impurity “leads to a long-lasting, if not permanent, degradation of the sinner, and, eventually, of the land of Israel;”<sup>29</sup> (4) there are no purification rites that can remove “moral” impurity; and (5) there are some terminological distinctions (although the term “impure” [טמא] is used in both contexts, certain terms seem to be used only in the context of “moral” impurity, e.g., “abomination” [תועבה] and “pollute” [תנף]). Klawans also observes that

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lineage is best supported by biblical evidence, which is reflected in the translation I choose. On this interpretation of the idiom, see especially D. J. Wold, “The Meaning of the Biblical Penalty of *Kareth*” (Ph.D. diss., University of California at Berkeley, 1978); Idem, “The *Kareth* Penalty: Rationale and Cases,” *SBLSP* 1 (1970): 1-45.

<sup>28</sup> Ibid., *Sin and Sanction*, 26.

<sup>29</sup> Ibid. One problem with Klawans’s terminology and framing is the issue of agency. He acknowledges the idea that certain “sins” (specifically sexual offenses) have the power to pollute “women who have, wittingly or unwittingly, been partner to a sexual offense or have been in relations with a foreigner” (*Impurity and Sin*, 29). He cites Gen 34:5-31 (see esp. vv. 13, 27), Num 5:13-31, and Deut 24:1-4 as examples. Purity language is invoked in each of these cases, but it should be observed that neither Gen 34:5-31 nor Deut 24:1-4 suggests any wrongdoing on the part of the women who are called “defiled.” In Gen 34:5, it is stated that Shechem defiled Dinah (טמא in the Piel with the direct object marker את). In Deut 24:1-4, the woman is described as “defiled” (הטמאה), and the emphasis of the verse is the fact that the original husband may not remarry the twice divorced woman “after she has been defiled.” Klawans emphasizes that certain sexual sins result in degradation of status, using this as an example, but there is nothing in this text that implicates the woman in sin. It is undeniable that purity terminology here is employed to indicate that these women have been debased in some manner. Whether these verses may be taken as evidence of a “sin” committed by these women who have therefore “defiled” themselves is much less clear. Indeed, it might be fruitful to compare these instances with two other texts in the Hebrew Bible dealing with the debasement of women, without the employment of purity terminology. In Lev 19:29, there is a command not to profane (חלל) one’s daughter through prostitution, and remarkably, this command is linked with prostitution of the land, and filling it with wickedness (זמה). Both the daughter and the land are said to be “profaned” in this verse. It is possible here that a meaning of “defile” may be intended for חלל rather than “profane.” Milgrom (*Leviticus 1-16*, 37) identified Lev 21:12 and 22:9 as examples of where חלל is used where טמא is expected. To these examples, Olyan (*Rites and Rank*, 49, 148 n. 54) adds Lev 21:4 and Ezek 23:39 as “clear examples,” as well as Ezek 7:22, 24; 24:21 and Lev 21:7, 14 as probable cases, and Gen 49:4; 1 Chr 5:1 and Dan 11:31 as texts in which this seems also to be the case. While the case of Lev 19:29 is not clearly an example in which טמא is expected rather than חלל, it is possible that a sense of impurity, like that seen in texts such as Gen 34, is in mind. Additionally, the case of 2 Sam 13 may be instructive as well. There is no clear allusion to impurity in this passage, though the language of hatred is employed when Amnon rejects Tamar after raping her, and Tamar herself uses terminology of shame (חרפה). Interesting for our purposes also is the plea of Tamar that “such is not done in Israel” (לא-יעשה כן בישראל). It is clear that there are social ramifications to Tamar’s rape, especially in evidence in v. 16, and in v. 19. In none of these cases is the woman implicated in wrongdoing, much less “morally” sinful behavior. It is true that in these cases, there is a clear debasement of the women involved, and in some instances, it is stated that defilement (or possibly profanation) is a result of such a violation. I believe it is an oversimplification, however, to suggest that these women were unwitting partners in the sin, and therefore fall under the rubric of “sinner, land, and sanctuary” as the objects of “moral” defilement. I will say more about how these issues relate to land defilement and “moral” impurity below.

“moral” impurity can be conveyed afar because these acts defile the land of Israel (Lev 18:25, Ezek 36:17) and the sanctuary (Lev 20:3; Ezek 5:11). Christine Hayes contributes to the discussion by developing Klawans’ theory as it pertains to gentiles and adds a new category to the discussion—that of “genealogical purity.”<sup>30</sup>

Klawans’s major contributions to earlier scholarship about purity “systems” are both terminological and methodological. While Klawans concedes that the labels “moral” and “ritual” impurity are not without flaw, he argues that both their pliability (having both adjectival and adverbial forms) and their simplicity work in their favor.<sup>31</sup> Klawans has a valid point when he argues that scholars should adopt an etic terminology to describe the trends and meanings of ancient texts; however, it is problematic to assume that narrowly defined non-native terminology, especially terminology chosen for its very simplicity, is best suited to describe the complex situation of purity and impurity in various biblical texts. By labeling certain texts as “ritual” impurity and others as “moral” impurity, Klawans precludes from the outset the possibility that these two “categories” overlap, despite the fact that he acknowledges that the Hebrew terminology *does* overlap to some extent. Furthermore, Klawans’s preference for his own terms over those used by

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<sup>30</sup> In addition to her book *Gentile Impurities and Jewish Identities*, see also her article “Intermarriage and Impurity in Ancient Jewish Sources” *The Harvard Theological Review* 92. 1 (1999): 3-36.

<sup>31</sup> Klawans explains his choice of these particular adjectives on pp. 22-23 of *Impurity and Sin*. The weaknesses he observes in these terms are: (1) They do not appear in the text; (2) Neither term “is a category as such in biblical or postbiblical Jewish literature”; (3) There is a danger in privileging things associated with the “moral” category over the “ritual” category, based on the evaluation of the terms themselves; and (4) rituals have roles in both systems. He notes that the fact that the terms are non-native is not problematic, because “scholars of ancient texts ought to articulate the meanings and messages of ancient texts in modern scholarly terms, and he notes that “ritual” impurity is a particularly apt term because it affects the ritual status of an individual, inhibiting one from participation in certain ritual acts and barring access from certain places until the impurity is resolved. Klawans’s main point about the application of these terms is that “The biblical texts use the same terminology of defilement to describe two distinct phenomena, and so unless we supply our own descriptive terminology, confusion about the nature of the relationship between impurity and sin will continue” (*Impurity and Sin*, 22). He does hold that there is some terminology applied only to “moral” impurity, but he acknowledges that there is a great deal of terminological overlap, including the base Hebrew words for defilement, which is why he applies outside descriptive categories: “ritual” and “moral.”

David Wright (permitted/tolerated vs. prohibited impurity) is, as he puts it, one of facility. He states, “I believe that the distinction drawn between ritual and moral defilements is simpler and will therefore prove more useful, especially for the description of ancient Judaism. The difference between the two systems of categorization is essentially this: While Wright’s schema is based on the abstract categories of permission and prohibition, the categorization suggested in this work focuses on the ability of certain sins to defile the land and bring about exile.”<sup>32</sup>

There are several problems with these grounds for his categorization. First, the application of more “simple,” concrete terminology does not necessarily reflect the evidence better than more “abstract” categories. While there is certainly some utility in attempting to streamline the categorization process of complex texts, one must be careful that facility of terminology does not take precedence over proper accounting for all of the disparate phenomena in the evidence. Additionally, Klawans draws his distinction between “moral” and “ritual” pollution precisely along the demarcation line of land pollution. While specific sins are indeed linked with the defilement of a specific land and with exile, the idea that *all* cases of land pollution should be pigeon-holed within the “moral” impurity “system” is one of the main points that this study disputes.

Methodologically, Klawans and Hayes both help to streamline various texts referencing impurity into easily recognizable categories. Their work builds on nearly a century of scholarship<sup>33</sup> identifying the fact that there are (at least) two ways in which

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<sup>32</sup> Klawans, *Sin and Sanction*, 17.

<sup>33</sup> To briefly underscore the shared and divergent assumptions among Klawans, Hayes, and those upon whose work they build, it will be useful to reiterate what distinguishes Klawans’s conclusions specifically, as his work marks the new standard from which much recent discussion proceeds. As noted above, Klawans’s differences from Wright are both terminological and organizational (Klawans frames his categories around whether the land was perceived as defiled). Wright included prohibitions related to the regulations of Lev 11-15 and Num 19 in his “prohibited” categorization, while Klawans does not allow for

biblical texts approach the issue of impurity: one can become impure by doing authorized, even required actions, such as licit sexual intercourse (Lev 15:16-18) or burying the dead (Num 19:10-22), and this type of impurity seems to be free of any condemnatory aspect; on the other hand, one can become impure through misbehavior, and Klawans is certainly correct that this type of impurity should not be dismissed as “metaphoric,”<sup>34</sup> because it seems to have real, concrete consequences both for the individual (for instance, Num 5:12-31) and for all of Israel (if the pollution of the land ultimately results in exile of all of Israel).

The idea of two rigidly construed purity systems, however, has serious drawbacks, one of which is the very assumption that the various purity regulations *were* systematic. Klawans observed that a “lasting achievement” of Douglas’s *Purity and Danger* is “Douglas’s recognition of the systemic nature of any given culture’s conceptions of defilement.”<sup>35</sup> As Douglas put it, “where there is dirt, there is system,”<sup>36</sup> by which she meant that conceptions of purity and impurity entail a symbolic system

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this. Klawans likewise holds that he is distinguished from the work of Frymer-Kensky by both the terminology he employs and the accuracy of his conclusions. He stresses that there is “danger” in both categories (he regards failure to purify and prohibitions related to the regulations of “ritual” purity in P as inhering in the category of “ritual” impurity [Frymer-Kensky’s “contagious pollutions”]). He also objects to Frymer-Kensky’s application of the term “belief” only to the category having to do with sin. From Milgrom, Klawans adopts the idea that sin not only has a distinctive defiling force, but that it can pollute the sanctuary of Yhwh (various types of sin defiling a holy place in different stages). From Hoffmann, he draws not only the impetus to differentiate two systems of impurity based on *what* the impurity affects (both contend that the body of the sinner is affected differently by the different categories of impurity), but Klawans also uses Hoffmann to make a point that *contra* Neusner: moral impurity is not to be dismissed as metaphoric or symbolic. Hoffmann suggested that it was, indeed, the טומאת הגויות category that was symbolic. Since different scholars could make good arguments that either category was symbolic, Klawans suggests that neither is, in fact, any less concrete than the other. This is a valuable observation, which, I will argue, more accurately reflects not only the biblical evidence, but also that from extra-biblical sources in the ancient Near East. Hayes’s major contribution is to observe the distinctive character of purity discourse in Ezra-Nehemiah, which she explains by adding a third “system” of impurity—that of genealogical impurity.

<sup>34</sup> Klawans, *Sin and Sanction*, 32-36.

<sup>35</sup> Ibid, 8.

<sup>36</sup> Mary Douglas, *Purity and Danger: An Analysis of Concepts of Pollution and Taboo*. (London: Routledge, 1966), 36.

underlying and generating them. Klawans adopts the idea that defilement is “a *structure*, whose individual components are not to be analyzed as if they were freestanding.”<sup>37</sup> While Klawans rejects the idea of one symbolic system underlying *all* purity regulations in the Hebrew Bible, he does insist that “systems of defilement” are operative, and must be studied as such.<sup>38</sup> In a recent paper, Tracy Lemos observes that the most serious threat to the project of finding one unifying rationale for Israelite purity ideas is, in fact, the concept, variously articulated, of “moral” impurity.<sup>39</sup> Previous scholarship had contended that the purity regulations in H were secondary and metaphoric, while those in Lev 11-15 and Num 19 were normative (and could be explained with a unified rationale). Lemos notes that the insistence that the “moral” purity regulations reflected real, though different, kinds of impurities, combined with the fact that the system of “moral” defilement identified by scholars such as Frymer-Kensky, Wright, and Klawans did not precisely overlap, ultimately destabilizes the idea that a clear rationale for biblical impurity can be found.<sup>40</sup> Klawans believed that the “system” of moral impurity was neither metaphoric nor secondary, and that the bifurcated systems of “ritual” and “moral” impurity could account for nearly every biblical text with purity language, though he treated dietary laws separately because, for reasons that will be expanded below, these laws do not fit neatly into either of Klawans’s systems. Walter Houston noted that rather than bracketing out these laws, Klawans might have reflected on “their potential to undermine the neat distinction which he is engaged in drawing.”<sup>41</sup> Lemos observes that

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<sup>37</sup> Klawans, *Sin and Sanction*, 8.

<sup>38</sup> *Ibid.*

<sup>39</sup> Tracy Lemos, “Where There is Dirt, is There System?: Revisiting Biblical Purity Constructions.” *JSOT* 37.3 (2013): 265-294.

<sup>40</sup> *Ibid.*, 274-278.

<sup>41</sup> Walter J. Houston, review of *Impurity and Sin in Ancient Judaism* by Jonathan Klawans, *JTS* 52. 2 (2001): 722–25 [724]. Also instructive is the Lemos’s critique that while Klawans himself recognizes that

while Klawans himself recognizes that his schema (and those like it) highlight the problems with attempting to find a single symbolic system for all purity laws, his own method of attempting to force all purity laws into two rigidly defined categories suffers from the same weakness, as does Christine Hayes's work, which simply adds *another* category to account for the situation in Ezra-Nehemiah.<sup>42</sup> Lemos correctly observes that recent proposals call into question the very utility of attempts at schematization, as such attempts require adding new categories and criteria continuously to understand how defilement is constructed in different texts.<sup>43</sup> Her call to take seriously the contradictions between various texts utilizing purity language is tremendously valuable. This study will avoid using the term "purity system" because of the tendency in recent scholarship to overemphasize the attempt to streamline, simplify, and schematize all purity regulations into neat, mutually exclusive categories labeled "systems." When applicable, however, I do use the terms "purity tradition" or "type of impurity," to indicate that different Israelites may have utilized purity language for a variety of purposes and in a variety of ways.

As a point of both theory and method, it is important to understand the context of biblical discourse on impurity, and then investigate the different biblical texts which deal with foreign lands and try to determine how purity language functions (or does not function) in the different texts. Only after this, should one reach conclusions about the reasons for the differences among the various texts. This method, distinct from that of

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his schema highlights the problems with attempting to find a single symbolic system to explain all the purity laws, his own method of attempting to force all purity laws into two rigidly defined categories suffers from the same weakness. See "Where There is Dirt," 279.

<sup>42</sup> Lemos, "Where There is Dirt," 279-280.

<sup>43</sup> Ibid., 280. She cogently asks "whether or not it makes sense to group the particular constructions of impurity found in these texts under a new label, rather than exploring instead how conceptions of impurity, gender, and shame intersect in each of these passages and how individual texts and authors draw upon and manipulate these conceptions."

Klawans and Hayes (who sought to demonstrate how different biblical texts “fit” into one of their purity “systems”) has the advantage that it avoids distorting the evidence to fit the theory.

While Klawans and Hayes both engaged in a diachronic study of purity concerns from ancient Israelite religion reflected in early biblical texts through rabbinic purity discourse, my study focuses on the discussion of the biblical discourse on foreign lands and its context in the ancient Near East. The reason for this is that while having a diachronic outlook can help to highlight general changes over time, in the case of purity, it can lead to homogenizing and oversimplifying the biblical evidence (which is itself internally inconsistent and diachronic) in order to demonstrate a contrast with what came later.

In conversation about the notion of “gentile” impurity chiefly with scholars such as Gedalyahu Alon, who contended that there was an early (biblical) precedent for the rabbinic idea that foreign people were “ritually” impure,<sup>44</sup> Klawans and Hayes both trace a clear diachronic development in the application of categories “moral” and “ritual” impurity to non-Judeans or (later) non-Jews. The latter, they argue, appears *first* in the rabbinic sources, as a conscious departure from biblical precedent, while all “Gentile impurity” before the Tannaim is strictly moral or derived from moral impurity (which is how Hayes construes “genealogical” impurity). While diachronic development should always be a consideration in studies that span time periods as do theirs, the development

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<sup>44</sup> Gedalyahu Alon, *Jews, Judaism and the Classical World: Studies in Jewish History in the Times of the Second Temple and Talmud* (Trans. Israel Abrahams; Jerusalem: The Magnes Press, The Hebrew University, 1977), 180-186.

they trace oversimplifies the evidence.<sup>45</sup> Because they are invested in refuting Alon and demonstrating that “ritual” impurity of foreigners (and their lands) was a rabbinic innovation, elements of biblical texts that point to “ritual” purity elements in texts dealing with foreigners have a tendency to be glossed over or their significance minimized in the work of Klawans and Hayes.<sup>46</sup> The various methods biblical texts use to address foreign lands demonstrate the multi-vocal nature of purity discourse in the Hebrew Bible. Ultimately, whether or not every instance of biblical impurity regulations may be fit into one of two categories,<sup>47</sup> the orientation of boundary-crossing impurities, and whether later biblical writers could “play” with these categories, combining them in innovative ways for polemical effect, is a matter of ongoing discussion,<sup>48</sup> and highly pertinent to the study of foreign land impurity specifically.

The fact that there are problems with the neatly separated “ritual” and “moral” purity traditions is hardly a new observation. Klawans himself observed that “ritual” impurity and sin are connected in some ways.<sup>49</sup> He states that ritual impurity can *lead* to sin if one fails to purify oneself. Num 19:13 and 19:20 hold that refusal to purify oneself from corpse impurity is forbidden, it can lead to defiling the sanctuary, and it is

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<sup>45</sup> For instance, the case of Tobiah the Ammonite in Neh 13 calls into question the idea that there was no concept of “gentile ritual impurity” in the Hebrew Bible, as the quarters where Tobiah was housed in the Temple complex were ritually cleansed after his eviction. On this point, see Saul M. Olyan’s article, “Purity Ideology as a Tool to Reconstitute the Community” in *JSJ* 35.1 (2004): 1-16, where he differentiates between hypothetical various sources in Ezra-Nehemiah and traces the impurity ideas found in each. See also Olyan, “Stigmatizing Associations: The Alien, Things Alien, and Practices Associated with Aliens in Biblical Classification Schemas,” in *The Foreigner and the Law: Perspectives from the Hebrew Bible and the Ancient Near East* (ed. R. Achenbach, eR. Albertz, and J. Wohrle; BZABR 16; Wiesbaden: Harrassowitz Verlag, 2011), 21-22.

<sup>46</sup> While they both acknowledge that different 2<sup>nd</sup> temple groups dealt with purity in different ways, they homogenize the biblical evidence, suggesting that it is univocal on the issue of foreigners and foreign lands. The same discourses and disagreements that they trace in later periods, however, are extant in earlier evidence as well. It should also be remembered that the biblical evidence was compiled over centuries. One should adopt a diachronic (or at least a multi-perspective) view of biblical texts themselves.

<sup>47</sup> And this seems unlikely, as argued above.

<sup>48</sup> See, for example, Saul Olyan, “Purity Ideology in Ezra-Nehemiah.”

<sup>49</sup> Klawans, *Impurity and Sin*, 25.

punishable by כרת, all elements connected with “moral” impurity, as Klawans frames it. A second connection between “ritual” impurity and sin that Klawans observes is that entering the sanctum or touching holy foods while ritually impure is forbidden, can cause the sanctuary to become defiled, and leaves the offender subject to כרת.<sup>50</sup> Similarly, Klawans suggests, if those who are banned from admission to the Israelite camp while “ritually” defiled (by corpses, skin disease, or abnormal genital flows [Num 5:1-4]) ignore the ban, they too might be subject to כרת, though this is never specified. Klawans concludes these observations, however, with the statement, “Despite these prohibitions related to ritual impurity, there is still nothing inherently sinful about being ritually impure.”<sup>51</sup> Consistently glossing over and minimizing contradictions between the “systems” of impurity *as he has grouped them*, Klawans does not acknowledge the problem this kind of overlap poses for the entire enterprise of schematization. Klawans is emphatic that the broad strokes of the two purity “systems” are internally consistent, but the fact that there is slippage between the categories (in terms of the nature of prohibition, the consequences of various impurities, and even the idea of contaminating the sanctuary from afar; that is, without explicit reference to coming into physical contact with the sancta) presents obstacles for a streamlined, systematic view of these regulations that Klawans does not acknowledge.

In her highly insightful article,<sup>52</sup> Lemos outlines four “points of contradiction” between the “moral” and “ritual” impurity “systems.” The first is dietary laws;<sup>53</sup> the second is the case of Ezra-Nehemiah, which is certainly distinct from the rest of biblical

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<sup>50</sup> Lev 7:20-21; 15:31; 22:3-7.

<sup>51</sup> Klawans, *Impurity and Sin*, 25.

<sup>52</sup> Lemos, “Where There is Dirt,” 283-289.

<sup>53</sup> See section 1.1 below for treatment of this issue through the lens of land impurity.

literature and defies placement in any one purity “system;”<sup>54</sup> the third is whether human excrement is defiling, as some biblical texts construe fecal matter as ritually defiling, while P does not;<sup>55</sup> and the fourth is the issue of gendered defilement, because some texts, such as Lev 11-15, are generally even-handed in their approach to male and female impurities, while others, such as Ezekiel, are seemingly more concerned with the defilement of women. Lemos’s analysis is subtle, and her point is that “there is not one, but rather several, purity systems in the Hebrew Bible. While there are, of course, areas of agreement between these systems, there are also many areas of disagreement and even areas of internal inconsistency.”<sup>56</sup> Indeed, Lemos’s observation that finding points of contradiction or overlap between the two purity systems can help to deconstruct the rigidly bifurcated system that has taken root in recent scholarship is salient, and this method is explored below as these issues relate to the perceived impurity of foreign lands.

There are at least six phenomena that complicate the systems of impurity as articulated in *Impurity and Sin*: (1) dietary laws; (2) the scapegoat ritual in Leviticus 16; (3) the phenomenon of skin disease and its role as a punitive impurity; (4) the fact that metaphors related to female menstruation and corpses, both drawn from the system of “ritual” impurity, have been found to be applied in “moral” impurity contexts; (5) that terminology used to describe “idols” and “idol” worship (central to Klawans’ system of “moral” impurity) is sometimes that of “ritual” impurity; and (6) the observation that later authors, such as that of Ezra-Nehemiah, seem to have been able to draw from *both* the “ritual” and the “moral” impurity systems to create innovative polemics.

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<sup>54</sup> See section 1.6 below.

<sup>55</sup> This issue is explored in section 1.5 below.

<sup>56</sup> *Ibid.*, p. 17.

The categories of “ritual” and “moral” impurity are not stark, impermeable, or unchanging. The boundaries were sometimes blurred, and certain phenomena were not made to “fit” cleanly into one of two clearly established purity systems; indeed, some biblical writers actively drew on multiple impurity ideologies for specific purposes. The impression gained from an examination of biblical texts is that impurity traditions were dynamic, context-conditioned, and fluid. Moreover, each of these six points of complication potentially affects the discussion of foreign land impurity and its alleged situation only in the category of “moral” impurity. What follows comprises a critique of the distinction of “moral” and “ritual” impurity “systems” as reified concepts through the lens of foreign land impurity as each of the phenomena addressed both cross the boundaries of the bifurcated system and is relevant to a discussion of how lands are viewed as polluted or polluting.

### 1.1 Dietary Laws

It is acknowledged, even by proponents of a two-system view of biblical purity regulations, that dietary laws present a problem for the division of “ritual” and “moral” impurity because they involve issues of purity through contact (ingestion), but eating certain foods is *prohibited*.<sup>57</sup> This is problematic because “moral” impurity supposedly does not involve defilement through contact, and “ritual” impurity supposedly does not involve prohibitions. Most attempts to explain dietary laws treat them separately because

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<sup>57</sup> On the issue of eating or touching some impure carcasses, see Lev 11:4-8 (on land animals), 10-12 (on sea life), 13-20, 23 (on birds and unclean winged insects), 24-39 (on the impurity of touching the carcasses of certain unclean and clean animals), 40 (on eating, as well as handling, the carcass), 41-45 (on creeping things, with the justification that Israelites should not defile themselves because Yhwh is holy and they should be holy), 46-47 (statement about differentiating between unclean and clean, those living animals that may be eaten and those that may not); 22:8 (injunction not to eat [and thus become defiled by] an animal that died on its own or an animal that was torn by predators [not slaughtered]).

impurity language of dietary laws is particular, making it difficult to incorporate this body of material into a larger “systematic” view of biblical purity. Yet, while dietary laws pose a problem for an overly schematic view of biblical purity traditions, it has been observed that these laws are internally consistent, so the problem is not with the dietary laws, but with the schematization.<sup>58</sup> This has not prevented scholars from attempting to situate these laws in one of two rigidly defined categories of defilement, however.<sup>59</sup>

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<sup>58</sup> On this point, see Lemos, “Where There is Dirt,” 12-13. She observes that there is basic agreement between Lev 11 and Deut 14 on what animals are prohibited and what is considered defiling, and that non-Pentateuchal texts which do mention dietary restrictions do not tend to disagree with Lev 11 and Deut 14. It should be noted that dietary laws are rooted in several different biblical sources. Deut 14 is attributed to D, the first laws in Lev 11 are P, and the latter part of Lev 11 is attributed to H (as can be seen by the characteristic H language, such as that seen in Lev 11:44: “Be holy because I am holy.” While different sources may focus on different aspects at different points (touching corpses, eating, etc.), the general agreement between these sources suggests that one should exercise caution before suggesting that these different sources imported different “purity ideologies” into dietary regulations. The issue of sources has primacy in discussions of “moral” and “ritual” impurity generally, because most of the texts attributed to the “moral” system are located in H passages, which has led to increased speculation about the dating and redaction of the texts as well as the various purity ideologies. With regard to food laws specifically, the use of the term *ʾabominate* complicates the situation somewhat, as it seems to be utilized differently in P and H contexts. Lev 11:11, 13, use this verb to refer to the prohibited food products, and Milgrom suggests that P utilizes the verb “abominate” specifically to connote the prohibition against ingestion (*Leviticus 1-16*, 656-657, 695). Lev 11:43-45, regarded as an H text, uses the root *ʾabominate* with reference to the person, and as a synonym for defilement. Milgrom suggests that this distinct usage of the terminology is a hallmark of the seams between P and H in Lev 11 (*Leviticus 1-16*, 691-696, esp. 695). Even the use of the verb “to abominate,” therefore does not suggest a more “moral” resonance to the dietary laws reflected in H over those reflected in P, as the verb is used in various places in Lev 11. While one might suggest that the use of this term to refer to pollution of self is more indicative of a “moral”-type impurity employed in H’s consideration, the evidence is too limited to press that argument.

<sup>59</sup> Klawans follows Milgrom’s contention that most dietary restrictions are not, strictly speaking, purity laws, though they are juxtaposed with the bulk of Leviticus’s purity laws in Lev 12-15, and defilement is involved in certain cases, especially the defilement conveyed by carcasses of certain impure creatures (Lev 11:24-45; see Klawans, *Impurity and Sin*, 31). Both Klawans and Milgrom minimize the extent of purity concerns in dietary laws, however, citing that certain carcasses (prohibited fish and birds) are not considered “ritually defiling”—that is, there is no explicit statement that the carcasses of forbidden fish and birds defile through physical contact—yet it is still prohibited to eat these animals. Milgrom develops a complex suggestion of a two-tiered classification of carcass impurity, suggesting that animals labeled “detestable/despicable” (*ʾabominate*) do not contaminate, while animals in the “category” of “impure” (*ṭemē*) defile by touch as well as by ingestion (*Leviticus 1-16*, pp. 656-659). His differentiation between “touching” and “eating” impure food (the first being defiling, the latter not) is at times overdrawn (see, for example, his statement: “The eating of forbidden animals is not defiling, while touching is defiling only if the carcass is that of a quadruped (11:8, 24-28) or one of the named eight nonquadrupeds (11:29-31)” (*Ibid.*, pp. 425-426). In order to make his case, he must suggest that the ritual purification action prescribed for one who eats from an impure carcass in Lev 11:40 (like one who touches or carries it, he launders his clothes and is defiled until the evening) is not because the person *eats* the carcass, but “because it is assumed that, while eating some of the food dropped or dripped on his clothes or because eating generates a more intensive impurity than touching” (*Ibid.*, p. 424). One ought to be careful not to draw the distinction between

Wright includes dietary laws in his category of “tolerated” impurity, analogous to Klawans’ “ritual” impurity, because violations of dietary restrictions are never explicitly said to defile the sanctuary, nor is a violator of these prohibitions required to bring a *חטאת* sacrifice or be subject to having one’s lineage cut off (*כרת*).<sup>60</sup> Klawans adds that the fact that this violation is not said to defile the land of Israel in Lev 20 is something that militates against including dietary laws in the category of “moral” impurity.<sup>61</sup> Hoffmann, on the other hand, includes dietary restrictions in his more serious category of *טומאת הקדושות*, analogous to Klawans’s “moral impurity,” because ingestion of these foods is not just defiling, but forbidden.<sup>62</sup> Additionally, there is no specified purification process laid out in the text for the impurity incurred through eating forbidden foods.<sup>63</sup> Klawans also notes that eating forbidden foods has a harmful effect on the violator of these restrictions,

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touching and eating too starkly, especially in view of the fact that internalizing food through consumption is an intimate act of contact. In Deut 14:8, for example, the text notes that pigs are impure, and forbids both touching and eating them for this reason. Lev 22:8 explicitly calls *eating* a *נבלה* or a *טרפה* defiling. Note also that in Lev 7:19, it is prohibited to eat impure (sacrificial) meat; it is burned. Milgrom notes that this is likely due to the fact that severe impurities were imagined to be in the meat. Both Lev 7:19, which forbids consumption of an offering that was contaminated through *contact* with a (ritually) impure thing (והבשר אשר יגע בכל-טמא לא יאכל) and the numerous prohibitions restricting ritually impure *people* from touching or consuming sacred food (e.g., Lev 7:20-21—note that the punishment for eating the sacred food while in a state of ritual impurity is *כרת*) highlight the fact that food is vulnerable to “ritual” pollutions, spread through touch. And the purity concerns work in both directions—food contaminated by external sources of ritual impurity may not be eaten, and pure, sacred food may not be eaten by those who are ritually defiled. This suggests the possibility that food is not only susceptible to becoming contaminated (ritually), but that impurity contracted through eating defiled food may be viewed in some contexts as “ritual” impurity (the specific cases of Hos 9:3-4 and Ezek 4:13 are treated below).

<sup>60</sup> Wright, “The Spectrum of Priestly Impurity,” 165-169; “Unclean and Clean,” 730-731. It is true, however, that dietary laws involving contact between defiled persons and sacred foods do involve the penalty of *כרת*.

<sup>61</sup> Klawans, *Impurity and Sin*, 31. His case is that dietary laws are not mentioned among the laws listed as explicitly defiling the land in Leviticus 20. He is attempting to make an argument from a contrapositive syllogism: (1) if something is morally impure, then it will defile the land; therefore (2) if the land is not defiled, it is not moral impurity. It is Klawans, however, who defined “moral” impurity in terms of land defilement, and it is problematic to exclude dietary laws from consideration under this rubric simply on the basis that they do not fit the scholar’s criteria—the reasoning is circular. That purity laws are mentioned in conjunction with exile in this same chapter indicates a problem with Klawans’s suggestion.

<sup>62</sup> See, for example, Lev 11:4. Hoffmann, *Leviticus Vol. I*, 303-304; 340.

<sup>63</sup> Ibid., See also Klawans *Impurity and Sin*, 31. Note, however, the case of Lev 11:40. Lemos observes that there *are* ritual means for purifying from *touching* unclean foods such as pork (“Where There is Dirt,” 278), and it must be stated that passages such as Deut 14:8 and Lev 11:40 militate in favor of viewing eating and touching on the same spectrum of contamination through food.

calling attention to the wording in Lev 11:43 and 20:25 “אלֹא-תשקצו את-נפשותיכם” (“Do not make yourselves detestable..”) and that this effect is in opposition to holiness (Lev 11:45, 20:26), usually seen with the “moral” impurity laws of the Holiness Code.<sup>64</sup>

Ultimately, he views the link between the violation of these taboos with the expulsion of the people from the land of Israel in Lev 20:22-26 as the best evidence that these dietary laws are more akin to “moral” than “ritual” impurity regulations, even as he acknowledges, “The food laws are a problematic aspect of purity.”<sup>65</sup> He suggests that these laws ought to be treated separately “since they are so exceptional” and thus avoids dealing with them in his systematic coverage of “ritual” and “moral” impurity;<sup>66</sup> however, the very fact that dietary laws cannot be incorporated into a bifurcated schematization of biblical purity regulations signals the problematic nature of the endeavor to impose narrowly-defined “systems” onto the various biblical texts dealing with purity.<sup>67</sup>

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<sup>64</sup> Both of these texts are attributed to H; P is less explicit about the harmful effects of eating forbidden foods, though these actions are prohibited.

<sup>65</sup> Klawans, *Impurity and Sin*, 32.

<sup>66</sup> Ibid., 31-32. It is ironic that even though Klawans observes that the dietary laws are “between ‘ritual’ and ‘moral’” (p. 31), he still has such a detailed discussion in which he concludes that they *should* be included among “moral” impurities, because “The outright prohibitions of eating certain foods function more like a moral defilement than a ritual one” (p. 32). His efforts to force dietary laws into one of his purity “systems,” despite the fact that they demonstrate features from *both* “systems” (contact contagion, and purification rituals on the one hand, and prohibition, exile and כרת on the other) demonstrate the problems with trying to *force* the evidence into externally-conceived rubrics. Ultimately, it is only the difference in the severity of the sin between violation of food laws and the offences that he observes comprise “moral” impurity that keeps him from committing these laws to one or the other category (*Impurity and Sin*, p. 32: “It certainly cannot be said that the dietary laws function on a par with sexual, idolatrous, and murderous sins, which bring about much more severe consequences”). This glosses over the fact that dietary laws have affinities with both categories, and this is the real problem they pose, not the fact that they are not as “severe” as other “moral” violations.

<sup>67</sup> This is in agreement with Lemos and with Houston. Wright’s suggestion that the Priestly dietary laws were derived from a pre-Priestly, independent source and were not originally a part of the impurity “system” does not overcome the problem. These laws cannot simply be ejected because they do not “fit” with an externally conceived “systematic” approach. As stated above, the problem is with the system, not the texts. The suggestion that if these laws were “pre-Priestly,” they would not be expected to fit properly into Priestly impurity “systems” is insufficient as well, because these laws *are* incorporated into Priestly purity discourse, and therefore cannot be ejected from the discussion of Priestly purity ideologies.

The issue of how dietary laws feature in a discussion of land impurity (domestic and foreign) also highlights the inefficacy of a “two system” approach to biblical purity, because it foregrounds the fact that dietary laws straddle the types of impurity delineated in the scholarship of Hoffmann, Wright, and Klawans. The key text in this regard is Lev 20:22-26. Lev 20:25 speaks of differentiating between clean and unclean animals, and not making oneself “detestable” (ולא-תשקצו את-נפשתיכם) though animals, birds, or creeping things that Yhwh distinguished as unclean. The larger context of the verse references the land ejecting the Israelites as a consequence of violating the laws in this chapter. While Klawans is correct that the land itself is not explicitly said to be defiled by violation of dietary laws, the suggestion that exile is a punishment for such violation, and even more tellingly, that the land *itself* will “vomit” Israel out makes the implication plausible that the impurity of Israelite land was implied in this instance.<sup>68</sup> It should also be observed that, unlike Lev 18:24-30, Lev 20 does not explicitly state that *any* of the “moral” sins described defile the land, though it does use purity language<sup>69</sup> and, like Lev 18, states that the land vomits (קיא in both cases) up those who aggrieve it through

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<sup>68</sup> Sinful actions “polluting” the land and causing the expulsion of the Israelites is a motif in “moral” impurity passages. Indeed, this is the criterion that distinguishes Klawans’s conception of “moral” defilement from that of other scholars who likewise advocate a two-fold purity systemization, such as Wright. Compare Lev 18:24-30, esp. v. 28: “Otherwise the land will vomit you out for defiling it, as it vomited out the nation that was before you.” On the idea of dietary laws being read in this manner (disregarding food laws will cause the land itself to vomit the Israelites out), Lev 20:22 may be read in context of what precedes *and* follows it. V. 22 asks that the people observe Yhwh’s statutes and ordinances, so that the land will not vomit them out. It appears at the end of an accounting of various “moral” infractions (cultic and sexual misdeeds included), but also precedes Lev 20:25, in which Israelites are told to observe specific dietary laws, after reiterating that they should not do what the former occupants did, earning Yhwh’s abhorrence, in v. 23. V. 22 is placed in a context which suggests that not only the “moral” sins of improper cultic or sexual practices merit the land vomiting the Israelites out, but they must also observe dietary laws in order to avoid Yhwh’s wrath (and expulsion from the land). Vv. 23-7 have a bit of a disjointed flow, but their present juxtaposition with v. 22 is interesting; the implication of the present collection of prohibitions and justifications implies that violation of dietary laws (v. 25) are construed as a potential cause of exile (v. 22).

<sup>69</sup> In this chapter, the idea that “moral” impurity can affect the sanctuary is referenced. For example, Lev 20:1-3 states that molech-offerings defile (טמא) the sanctuary and profane (חלל) the holy name of Yhwh. Lev 18:21 states that such offerings profane (חלל) the name of Yhwh, and v. 25 raises the issue of land defilement.

specific actions.<sup>70</sup> Lev 18 and Lev 20 are the key sources for the features of “moral” impurity, as Klawans framed it, so they are both critical here, even though specific key aspects of the “moral system” of impurity are not represented in one or the other text.<sup>71</sup>

Another connection between food laws and the issue of land impurity is that several texts seem to demonstrate concern with eating food in an impure, foreign context. Eating food is an important act in biblical literature. The very complexity of dietary

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<sup>70</sup> One suggestion may be made at this point about biblical “play” with ideas of “moral” and “ritual” impurity as it relates to the defilement of the land of Israel. Observing how dietary laws straddle “ritual” and “moral” impurity, incorporating elements of both “ritual” impurity (defilement through contact with a substance, few regulations on removal of impurity, etc.) and “moral” impurity (consuming certain foods is prohibited, and in Lev 20:25, it is implied that violation of dietary laws can contribute to exile), it is intriguing to note that food imagery is used to discuss the relationship between Israel and the land. Of course the land is viewed as the source of all food, and Israelite land in particular is viewed as the source of a particularly good fare (“flowing with milk and honey” in Exod 3:8 and passim); however, the Israelites are at times depicted almost like food for the land. There are points when sinners are said to be swallowed by the land itself (Num 16:30-33), and H suggests that the rejection of the Israelites in exile is like the land “vomiting” out its inhabitants (Lev 18:28). *If* (and this is speculative) the Israelites are like food, then when they are “pure,” they may abide in the land; however, if they are impure, they must be spurned, just as an impure animal would be. Whether or not one may presume to suggest that the land vomiting out “morally” impure Israelites is at all related to the idea of shunning impure food, the land’s part in ejecting the “impure” Israelites who defiled it graphically demonstrates the idea of revulsion associated with “moral” impurity, which is seen in the imagery and language of hatred and rejection used in “moral” impurity contexts (note also that Deut 14 describes an unclean animal as “תועבה” [14:3]). It must be observed that nowhere are the Israelites referred to *as* food, or described as being “morally” impure like impure food (though “morally” impure objects are sometimes called שקוצים, recalling Lev 11). Additionally, the imagery of the land as a devouring agent needs further refinement; after all, the “sinful” Korah is swallowed while the “sinful” Israelites are vomited. It may be significant that Korah is not said to be buried in the earth, but that the ground opens its mouth, and the leaders of the rebellion and their families are taken straight into Sheol (perhaps bypassing the earth/land, which may be conceived of in a more surface-oriented manner [note that burying the dead removes the source of corpse impurity from the earth, as does burying fecal matter in Deut 23:13-15, and burying the corpses of hanged persons in Deut 21:22-23]). Note also Gen 4:11.

<sup>71</sup> Lev 18 and 20 yield the ideas that improper cultic activity (what Klawans generalizes as “idolatry”) and illicit sexual activities are forbidden. The idea that murder or bloodshed completes the triad of “deadly sins” is culled from places such as Ps 106:34-41 and Num 35:33-34 (See Klawans p. 28-29). He draws the idea that “moral” impurity defiles the sinner from Lev 18:24, that it defiles the land from Lev 18:25, and that it defiles the sanctuary in Lev 20:3 and Ezek 5:11. The connection between this type of impurity and exile is drawn from Lev 18:28 and Ezek 36:19. The fact that the dietary laws are not said to defile the land in Lev 20 is not probative, because land defilement is not referenced in this chapter. Certainly, had dietary laws been included in Chapter 18, the connection to land defilement would be unambiguous, but the juxtaposition of dietary restrictions among other crimes (such as improper cultic activity and improper sexual relations) which appear in both Lev 18 and 20, and the fact that the land regurgitating its inhabitants is likewise seen in both Lev 18 and 20 (and in Lev 18, this is explicitly stated to be related to land impurity), suggests that violation of dietary laws was conceptually related not only to exile, but to the defilement of the land of Israel that preceded it, at least in the current form of Lev 20. Whether or not the dietary laws were added secondarily, it is significant that *some* biblical author saw fit to link food laws with laws about cultic and sexual practices.

restrictions demonstrates the care that was given to food preparation and consumption. Numerous biblical texts deal with eating as a social, religious, or symbolic act.<sup>72</sup> Some biblical texts indicate that eating in inappropriate *places* can be problematic, even catastrophic. Ezek 18 repeatedly refers to the idea that “eating on the mountains” (אֵל-הָהָרִים אֵכֵל) is forbidden, listing this alongside several other cultic, social, and sexual crimes.

1 Kgs 13 is an interesting text, which brings together the concerns of eating and of spatial/land awareness. In this chapter, a man from Judah issues a prophecy against the altar in Bethel, but is commanded not to eat or drink “in this place” (בַּמָּקוֹם הַזֶּה). The exact nature of the prohibition is unclear. One possibility is that the text means that the man was not allowed to eat or drink in the northern kingdom at all. This being a Deuteronomistic text specifically prophesying about the centralizing cult reforms of Josiah, it is certainly possible that “this place” refers to the northern kingdom of Israel; however, it is also possible that the prohibition of eating concerns the city of Bethel specifically. Jeroboam’s (refused) invitation to dine occurs in Bethel, and the prophet who tricks the man into eating lives in Bethel (v. 11). Why the man is told not to eat in this land (or this specific place) is not made explicit, but the consequences for the man himself, after he is tricked into eating, are severe. He is killed on the road, and his body

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<sup>72</sup> Consuming food has multiple valences in biblical texts, and just a few of the ways eating is used include: eating of the fruit from the tree of the knowledge of good and evil in Gen 3; the idea of the consumption of food by the deity in texts such as Lev 3:11 (also note references to the altar as Yhwh’s table in Ezek 41:22 and Mal 1:7); Ezekiel eating the scroll in Ezek 2:8-3:3; the cultic implications of Israelites eating in the presence of Yhwh (e.g., Deut 12:7, 18; 27:7); the image of being satiated as a sign of well-being or reward (and the opposite—eating without being satisfied is a curse); and the very idea of Israel as a land flowing with milk and honey (in numerous places, first in Exod 3:8). Eating at the king’s (or queen’s) table is a high honor (e.g., 2Sam 9:10, 10; 19:28; 1 Kgs 2:7; 18:19) while being eaten by dogs or birds (rather than being properly buried) is the pinnacle of disgrace (see 1 Kgs 14:11; 16:4; 21:23-24; 2 Kgs 9:10, 36). Eating together is a sign of fellowship, eating excrement and drinking urine (even more so, cannibalism) is a sign of severe distress (e.g., 2 Kgs 18:27; Deut 28:53; 2 Kgs 6:28-29; Ezek 5:10), and refusing to eat is a sign of mourning (of different sorts) (e.g., 1 Sam 28:23; 2 Sam 3:35; 12:17; Ezra 10:6; Est 4:16).

is not returned to his ancestral tomb, but is instead buried in the tomb of the prophet who tricked him.<sup>73</sup> At least three possibilities may be suggested about why the man was enjoined not to eat or drink “in this place.” If “this place” refers to the entire northern kingdom, one may suggest that this passage implies difficulties with eating food outside the land of the prophet’s Judean homeland. Alternatively, if “this place” refers specifically to the town of Bethel, which housed the altar against which the man prophesied, then there might be something problematic about the place of Bethel itself, *because* of the altar. That is, perhaps the altar was seen as a source of contamination (“moral” defilement) that rendered Bethel an unfit place to consume food, for some reason. Indeed, the use of the term “מקום” to refer to “sanctuaries” elsewhere could indeed indicate some play in the language forbidding the prophet to eat “in this place,” with reference to Bethel and its famous sanctuary.<sup>74</sup> I will suggest that issues of purity and space factored into discourse about eating food in foreign lands; perhaps Bethel is “impure” because of this altar, and this is the reason that the man is told not to consume in the city. This would be highly speculative, however, as there is no rhetoric of impurity in this text itself. A third possibility is that the man is using fasting as a means to separate himself from the people in Bethel. By refusing “table fellowship” with his hosts,

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<sup>73</sup> This is an honorable burial, though not as honorable as being buried in the family tomb. See Saul M. Olyan, “Some Neglected Aspects of Israelite Internment Ideology,” *JBL* 124.4 (2005): 601-616 [see esp. 605-606]. It is interesting that the prophet refers to the man from Judah as “my brother” in v. 30. It is not clear why the man feels such kinship (the text states that the northern prophet ordered that his own remains be buried with those of the man from Judah, because of the accuracy of his prophecy)—when deceiving the southern prophet, his northern counterpart appealed to him as a fellow prophet with a divine message, so perhaps the kinship is conceived as professional. Another possibility is that the act of sharing food and drink bonded the men in some way; the relationship of the northern man toward the southern man changes dramatically after the meal (from deceitful to extremely solicitous, even taking the trouble to bury the man in his own tomb).

<sup>74</sup> For this use of מקום, see, for example the polemic in Deut 12:2, as well as the reference in 1 Kgs 8:30. Other references to מקום as a holy place or a place or a divine place exist, including Hos 5:15, and Gen 22:3. It is also interesting that Gen 28:19 refers specifically to Bethel as מקום ההוא, “that place” when Jacob names it “Bethel.” Gen 28:19’s similarity to 1 Kgs 13:8 makes the suggestion of a literary allusion intriguing, but this is conjectural.

he would disassociate himself from the community in Bethel in a fundamental way. The passage itself is opaque: no rationale is proffered for the injunction. There is no application of impurity language—the man from Judah does not say that he cannot eat in the North because it is “impure.” Nonetheless, the connection in this passage between a specific, reviled space and the idea that eating food there is problematic is intriguing, given the fact that other texts use purity language when speaking of consuming food in foreign lands.

Hos 9:3 and Ezek 4:13, on the other hand, both use the language of impurity when speaking of eating in foreign lands.<sup>75</sup> I contend that these texts assuredly demonstrate the problems inherent in assigning such cases involving food consumption to either “ritual” or “moral” impurity systems. Hayes treats these texts briefly, interpreting Hos 9:3 as referring only to the fact that “the Israelites will consume impure food such as pork or reptiles,” and Ezek 4:13 as using “impure” in reference to the Israelites, not the food or the land. She observes that this verse “could well reflect the fact that outside of Israel, lacking a sacrificial cult, the Israelites cannot acquire cleansing from or expiation for their (ritual) impurities.”<sup>76</sup> The verses are ambiguous: in neither is the clear antecedent of

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<sup>75</sup> Not all biblical texts evince a concern about eating foreign food. Compare the books of Esther (which has no concern about food in either the Hebrew or the Greek versions, though it is true that eating is a key aspect at several points in the story, as Esther and the Judeans engage in a petitionary fast, and Esther invites the king and Haman to a feast which she hosts) and Daniel (which suggests that some foreign foods may be consumed, and others ought to be avoided).

<sup>76</sup> Hayes, *Gentile Impurities*, 44. The lack of any discussion of these verses in Klawans’ *Impurity and Sin and Purity, Sacrifice, and the Temple: Symbolism and Supersessionism in the Study of Ancient Judaism* is surprising. In “Notions of Gentile Impurity in Ancient Judaism” *AJS Review*, 20.2 (1995): 285-312, Klawans likewise does not address food laws and how they pertain to “gentile impurity” in the Hebrew Bible, but he does mention the topic in his discussion of the Greco-Roman period, where he argues that there is no inherent, ritual impurity even in the *Letter of Aristeas* which references pollution through mingling with other nations and food purifications (132, 142), or in *Joseph and Aseneth*, which references the idea that the unclean food that is eaten by foreigners is polluting. Klawans argues that gentile impurity is linked with “idolatry,” and food laws are designed to keep Israelites from defiling gentile *practices* (moral impurity), and not from other types of impurity (see pp. 293-297). The reason he does not address

the adjective טמא “unclean” apparent. It is possible that it is a substantive, “unclean (food),” or that it refers to the status of the Israelites themselves in exile as being impure, “they will eat their food, unclean,” or possibly indicates the pollution of the foreign land itself, “in unclean Assyria they will eat” (Hos 9:3). The very ambiguity in these passages should caution against attempting to “force” these texts into any particular system of impurity, because they could belong to several conceptual frameworks. In both passages, the sinful actions of the Israelites causing their exile are a focal point. Ezek 4:4-5 references the עון of Israel and Judah, and Hos 9:1-2 speak of the unfaithfulness of the Israelite cult to Yhwh in terms of food. This text enjoins Israel not to “rejoice” [שמ"ח—cultic language] because it has strayed from God [זנ"ה—literally “acted as a prostitute”] on every grain threshing floor; as a consequence, the threshing floor and the wine vat shall not feed them, and the new wine shall fail to appear. As a result of this (v. 3), “They will not dwell in the land of Yhwh, but Ephraim will return to Egypt,<sup>77</sup> and in Assyria they will eat unclean (טמא יאכלו).” In this case, it seems that the contrast is between the pure food that would come from the wine vat and the threshing floor of Israel and the impure food that one may find abroad. This passage does not make explicit the connection between the land, the purity status of the food, and the reasons that domestic and foreign foods seem to be different. There is no explicit statement about *why* the Israelites would have to eat “impure” in Assyria, though it seems insufficient to assume, with Hayes, that this passage simply means that Israelites will eat prohibited

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these verses in the biblical material may be due to his eschewing the question of Levitical dietary laws in the schema of impurity.

<sup>77</sup> Returning to Egypt is itself highly problematic. Texts such as Num 14:4-5 indicate that this is the very *last* thing the Israelites should do; that this is part of the text highlights the fact that this is a highly undesirable situation. Compare also Hos 8:13. Eating “impure,” also, should be understood in this light.

foods “such as pork or reptiles” once they are outside the land of Israel.<sup>78</sup> More seems to be at stake than simply the voluntary rejection of dietary laws in a foreign land. One interesting dimension that needs further explication is Hos 9:4-5, which raises the concern that the cult of Yhwh cannot operate in foreign lands. To this discussion it adds a purity dimension: Hos 9:4 indicates that sacrificial worship of Yhwh is unclean in foreign lands like mourners’ bread, and all who eat of it are defiled (טמא). The thematic connection of food runs throughout: in Israel, food will be denied to the people (v. 2); in Assyria, they will eat “unclean” (v. 3), and if they attempt to offer sacrifices to the Yhwh (to feed him with libation offerings or food sacrifices), such offerings are themselves unclean like “mourners’ bread,” which defiles those who consume it, presumably “ritually” (v. 4). Ultimately, the Hosea reference to eating “impure” in Assyria has several different planes of reference: “moral” impurity is involved, demonstrated by the continual references to Israelite worship of other gods, cast in the sexualized language of זנות; dietary laws—a notoriously difficult category to locate in a restricted schematization of purity laws such as Klawans’ bifurcated system—are invoked through the juxtaposition of clean foods which will be denied and unclean foods which the Israelites will consume and offer to Yhwh. That sacrifice in a foreign land is compared to “mourners’ bread,” connects this passage to the “ritual” impurity system, even though such action is prohibited, a trait of the “moral” system. The constellation of associations makes it difficult to definitively state what the reference to eating “impure” in Assyria is about, and this passage will be addressed again in the course of analyzing various biblical references to foreign lands.

At this point, what must be emphasized is that this passage demonstrates features

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<sup>78</sup> Hayes, *Gentile Impurities*, 44.

that seem to be drawn from different conceptions of purity, as they have been delineated in recent scholarship—the fact that eating food is at the heart of this passage perhaps facilitates, and certainly emphasizes, that this purity discourse should not be cubby-holed into either “moral” or “ritual” purity “systems.” Also significant is the observation that the reference to impurity in Assyria here has nothing to do with “idolatrous” acts by the Assyrians themselves. If this verse implies that the foreign land is itself polluted (and it at least suggests that the food grown on foreign land is polluted), it draws on *both* the “moral” and “ritual” traditions to make this point.

Ezek 4:13 likewise draws on aspects of both “moral” and “ritual” purity systems when it states that Israelites will eat food, impure, among the nations to which they are driven. In Ezekiel, the exile is depicted as the result of sinful actions polluting the land of Israel, as in Ezek 36:17-19. In this chapter, the *עון* of the Israelites is mentioned as the cause of the destruction and deportation of Israel and of Judah. The reference to eating bread, “unclean” (*טמא*), however, has aspects of “ritual” impurity. In v. 12, Yhwh asks the prophet to bake a symbolic cake over human excrement, with the figurative force of representing how the people will eat their bread “impure” among the nations. In this passage, human excrement is construed as ritually defiling.<sup>79</sup> Moreover, the reason that Ezekiel’s cake is impure is because of the environment in which it was made: being baked over human excrement would defile the cake just as food eaten “among the nations” is defiled, because in both cases, the sustenance is made in a ritually polluted environment. Hayes argues that it is the Israelites themselves who are impure in this verse—that is, they will eat bread *while* impure in foreign lands, cut off from cultic

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<sup>79</sup> See also Deut 23:13-15; Zech 3:3-5. More will be said about the idea of excrement as “ritually” polluting below, in the section dealing with terminology applied to “idols” and condemned worship practices.

means of purifying themselves from natural ritual impurities.<sup>80</sup> While the state of exile did impair cultic ability to remove ritual impurity, demonstrated also in Hos 9, it is the food itself and the environment in which it is made (the foreign lands being like the human excrement), which is represented by this symbolic action.<sup>81</sup> This passage may indeed refer to foreign lands as a source of impurity, and the comparison to human excrement suggests an affinity with the “ritual” system of impurity, rather than the “moral” one, though issues of sin and exile are still involved. It must be emphasized, however, that the only sin involved is that of the Israelites, which polluted the land of Israel; not the presumed “idolatry” of foreign peoples which would allegedly pollute their own lands.

The above discussion has shown that not only are dietary laws classically (and rightfully) difficult to place into a strictly bifurcated conception of “biblical impurity,” but they are of great concern in texts dealing with the impurity of foreign lands. The connection between food and land is clear in many biblical texts—food is grown on the land. Land producing an abundance of food is a sign of divine favor,<sup>82</sup> while a lack of produce signals divine displeasure.<sup>83</sup> It was seen above that food can contract ritual impurity through contact with ritually impure substances or persons. If food is said to be impure in foreign lands, then, one must ask whether the contamination is ritual, and perhaps environmental; that is, perhaps the foreign lands themselves are conceived of as “ritually” impure (like fecal matter in Ezek 4:13). References such as Ezek 4:13 and Hos 9:3 cannot be dismissed as easily as they have been in the past, but they must be

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<sup>80</sup> Hayes, *Gentile Impurities*, 44.

<sup>81</sup> Ezekiel’s protest in v. 14 (that he has never polluted himself through consuming *בשר פגול* or *נבלה טרפה*) likewise suggests that it is the food which causes pollution in exile in this text.

<sup>82</sup> See, for example, Deut 8:9-19; 11:16-17.

<sup>83</sup> See, for example, Deut 11:16-17.

considered in the context of foreign land impurity, and especially in the context of multi-dimensional purity discourse.

## **1.2 The Day of Atonement Ritual and Similar Breaches of the Ritual/Moral Boundary**

Day of Atonement practices are another case that demonstrates the deficiencies of a dichotomized theory of impurity. The scapegoat ritual in Lev 16 is one of the texts most often compared with Mesopotamian and Hittite purification rituals. It is relevant to the discussion of Israel's purity systems and their relationship to other cultures of the ancient Near East both because aspects of the ritual of the Day of Atonement lend themselves to comparison with ritual practices outside the land of Israel, and because this ritual complicates the neat division of "moral" and "ritual" impurity by suggesting that there was at least some kind of ritual apparatus envisioned as being capable of removing the defilement brought about by grave, intentional sin.<sup>84</sup> The problem this chapter poses has to do with what is imagined being purified, and the purposes of the sacrifices, which seem to have expiatory powers. Wright observes that the Day of Atonement ritual described in Lev 16 has two parts, and the two goats function differently in the different parts of the ceremony.<sup>85</sup> The first part of the ritual purifies the sanctuary "from the impurities of the Israelites and from their transgressions, all of their sins."<sup>86</sup> In this stage, blood from חטאת offerings is used to clean all major areas of the Tabernacle, including

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<sup>84</sup> For a systematic list and description of possible Hittite and Mesopotamian parallels to the scapegoat ritual, see David P. Wright, *The Disposal of Impurity: Elimination Rites in the Bible and in Hittite and Mesopotamian Literature* (Atlanta, GA: Scholars Press, 1984), 15-74. For very different approaches to the question of how Lev 16 related to its ANE environs, see Calum Carmichael, "The Origin of the Scapegoat Ritual" *VT* 50.2 (April, 2000): 167-182 and Ida Zatelli, "The Origin of the Biblical Scapegoat Ritual: The Evidence of Two Eblaite Texts" in *VT* 48.2 (1998): 254-263.

<sup>85</sup> Wright, *The Disposal of Impurity*, 16-17.

<sup>86</sup> Lev 16:16: "מטמאת בני ישראל ומפשעיהם לכל-חטאתם."

the adytum in v. 14. Blood from both a bull (for Aaron's and his household's benefit) and from a goat brought for the people are used. In the second part of the ritual, a second goat, designated "for Azazel" is dispatched into the desert, after Aaron lays his hands on its head and confesses over it "all the iniquities (עוֹנוֹת) of the people of Israel, and all their transgressions, all of their sins," using the same phrase as v. 16.

Wright and Klawans have similar interpretations about how purification functions in this chapter. Wright states that the first part of the ritual removes the *impurity* which affects the sanctuary in the wake of certain prohibited actions, such as failure to purify from corpse contamination (Num 19:13, 20), certain sexual actions (Lev 15:31), and offering molech-sacrifices (Lev 20:3). He argues that the second part of the ritual, involving the scapegoat, removes the *sins* which cause this impurity: "The blood rite removes the sins themselves—the cause of the impurity. The two evils belong naturally together, and, consequently, the two parts of the rite belong together."<sup>87</sup> Wright believes the phrase "their transgressions, all of their sins" is added in both v. 16 and in v. 21, tying the two parts of the ceremony together, though they would originally have been perceived as two rites. This linkage emphasizes the fact that they work together.<sup>88</sup> Because Wright conceives of impurity as belonging to categories of tolerance and prohibition (meaning impurities that are tolerated to contract and those that are forbidden), and because he includes the impurity that results from failure to purify from ritual/tolerated impurity among the prohibited grouping, his description of the processes of the Day of Atonement coheres well with his overall understanding of impurity regulations.<sup>89</sup>

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<sup>87</sup> Wright, *The Disposal of Impurity*, 19. See also Milgrom, *Leviticus 1-16*, 1043.

<sup>88</sup> Ibid, 15.

<sup>89</sup> Wright emphasizes that the *sin* requiring a חטאת sacrifice in the case of corpse contamination is delaying the purification. Corpse contamination itself, of course, is not sinful to contract, because burial of the dead

For his part, Klawans emphasizes that while the sanctuary is purified through ritual means, the people and the land are not.<sup>90</sup> He stresses that while “the impurities” (טמאות) of the Israelites are said to be removed in v. 16, a verse dealing with the purification of the sanctuary, this phraseology is not present in v. 21, which deals with the Israelites specifically, and in which the term “iniquities” (עוונות) appears instead. He holds that it is “possible, but not certain that ‘impurity’ in Lev 16:16 refers to the purification of the sanctuary from the moral defilement of grave sinners” but remains convinced that there is no means in this chapter for “individuals to atone for moral impurity they themselves may have contracted from the commission of grave sin.”<sup>91</sup> That is, while the Day of Atonement is explicitly said to have procedures of purgation of sinful activities, and v. 16 seems to imply that the sanctuary itself is purified from the pollution of moral sin, Klawans is adamant that this does not disrupt his distinction between “moral” and “ritual” impurity. The fact that Lev 16:20-22, describing the purification of the Israelites, is in many ways parallel to vv. 11-19, describing the purgation of the tabernacle, militates in favor of reading the former as a description in which the “moral” impurities of the Israelites can be removed by rites of purification. Even if one does not grant this parallelism, vv. 11-19 themselves demonstrate that “moral” impurity can be removed from objects and places without anyone getting killed.<sup>92</sup> This in itself proves problematic to Klawans’ assertion that moral impurity is distinct and separate from ritual impurity

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is not only necessary, but commanded. See Wright, *The Disposal of Impurity*, 19 for his description of how sins related to ritual impurities function in the context of Lev 16.

<sup>90</sup> Klawans, *Impurity and Sin*, 30.

<sup>91</sup> Ibid., 174, n. 64.

<sup>92</sup> Contrast Num 35:33 “...and no expiation can be made for the land (ולא יכפר—לא-יכפר in the Pual), for the blood that is shed in it, except by the blood of the one who shed it.”

because only the latter can be removed by purification rites.<sup>93</sup> The summary statement in Lev 16:30 also complicates the argument that the Israelites are themselves not the objects of the purification rites of the Day of Atonement. This verse states, “On this day, he will make propitiation (יכפר) for you, to cleanse (לטהר) you of all your sins; before Yhwh you will be pure (תטהרו).”<sup>94</sup> Stated in the second person masculine plural, this verse is addressed to the Israelites and uses the language of propitiation (כפר) and purification (טהר) to describe the efficacies of the scapegoat ritual. Klawans mentions this verse in his treatment of the Tannaitic material relating to impurity, acknowledging that this verse juxtaposes purification with atonement,<sup>95</sup> but he does not mention the fact that the language of purification, utilized in this verse with reference to the people of Israel, is at variance with his suggestion that “moral” impurity may be cleansed from the sanctuary in this case alone, but not from the Israelites or the land.

One other verse that proves problematic for the schematization of purity laws as articulated by Klawans and Hayes is v. 26. Here, it is indicated that the individual who leads away the goat “for Azazel” becomes impure and must undergo ablutions. Wright

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<sup>93</sup> Klawans repeatedly stresses that there are no “rites of purification” for moral impurity but rather “moral purity is achieved by punishment, atonement, or, best of all, refraining from committing morally impure acts in the first place” (*Impurity and Sin*, 26). On this point, it is important to emphasize that “atonement” (or expiation) (כפר) is not simply an internalization of remorse in biblical texts, but it is in itself, a “ritual” through which wrongdoings are paid back or amends are made. Num 35:33 states the means by which the land defiled by blood can be “cleansed” (כפר), in this case, through retribution—the death of the murderer makes expiation for the defiling blood of a murder victim. The term implies a ritual of propitiation specifically geared to rid a community of the impurity associated with grave sin. Lev 16 describes a different way by which a specific space, the sanctuary, and the people receive expiation of their sins (see v. 30). One must be careful not to suggest that “atonement” is not as “real” a ritual means of undoing impurity as other ritual actions, such as ablutions or sacrifice. The ostensible relationship between Hebrew כפר and Akkadian *kuppuru* will be treated in the second chapter, dealing with comparative extra-Israelite evidence.

<sup>94</sup> The agent who makes atonement/propitiation for the people is the priest. Note in vv. 32-33, it is stated that the priest will make atonement for the sanctuary, the tent of meeting and the altar, the priests, and for all the people of the assembly.”

<sup>95</sup> Klawans, *Impurity and Sin*, 116.

correctly observes that this verse shows the “relation of sin and impurity,”<sup>96</sup> but it must be emphasized here that what is envisioned in this verse is a “ritual” impurity, which can be removed by ablutions. Klawans addresses adjacent verses in the context of “ritual” impurity contracted “as a by-product of certain purificatory procedures.”<sup>97</sup> It is true that vv. 23-28 describe specific purification rites performed by the participants in the Day of Atonement rituals; however the language of propitiation is involved as well (כַּפָּר in v. 24, and a חַטָּאת offering is mentioned in v. 25). Additionally, the individual in v. 26 is not engaged in burning of the remains of the sacrificial animal, which is the source of impurity in Lev 16:28 and Num 19:8. This individual is not said to be a priest or have any function except the loosing (שָׁלַח in the piel) of the scapegoat. Like Lev 16:28, this is a “ritual” impurity, and it can be cleansed through bathing, but remarkably, it seems to have been contracted by handling (that is, through physical contact with) the goat that bore the sins of the Israelites. This verse suggests more interplay between concepts of sin and “ritual”-style impurity than is allowed in a systemization of purity regulations that assigns all impurities to one of two mutually exclusive groups. In terms of land impurity, two points are of import with the case of Lev 16. One is the idea that “moral” impurity of specific spaces can indeed be subject to ritual purification. The case of the sanctuary and the land of Israel should not be conflated, and this chapter does not state that the *land* is purified, but it does outline the purification of the sanctuary and the people, which are usually deemed to be irredeemably defiled in a ritual/moral impurity dichotomy.<sup>98</sup> It should also be acknowledged that while the sanctuary is a particular kind of “space” in the Hebrew Bible, just as temples are a special case elsewhere in the ancient

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<sup>96</sup> Wright, *The Disposal of Impurity*, 19.

<sup>97</sup> Klawans, *Impurity and Sin*, 23, referring to Lev 16:28; see also his example of Num 19:8.

<sup>98</sup> *Ibid.*, 30.

Mediterranean, the idea of sacred space in the context of a sanctuary cannot be completely divorced from the idea of land. In the case of Lev 16, the purification of Israelite “land” as a whole may not be intended or implied, but the purification of the most sacred Israelite territory—the sanctuary of Yhwh—is critical. A second point of interest here is the location to which the goat “for Azazel” is sent. The goat is not explicitly said to be taken out of the land of Israel, but it is sent outside the “camp,” which in the narrative of Leviticus functions as the bounded territory of the Israelites. Thus, the sins of the Israelites are sent outside Israelite territory, into the foreign, barren space of the desert.<sup>99</sup>

The Day of Atonement ritual is sometimes held to be an exception to the usual situation that the impurity that results from severe crimes cannot be removed through ritual means, as can “ritual” impurities such as those contracted by genital discharges, contact with corpses, or the performance of certain cultic procedures.<sup>100</sup> Lev 16, however, is not the only occasion in which ritual means are depicted as removing “moral” impurity. The possibility of removing “moral” impurity is envisioned in passages such as Ezek 36:25<sup>101</sup> and 37:23,<sup>102</sup> Isaiah 1:16-17,<sup>103</sup> Jer 2:22,<sup>104</sup> and 4:14,<sup>105</sup>

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<sup>99</sup> The term *אֶל-אֶרֶץ גִּזְרָה* emphasizes the uncivilized or unfertile, even “cut off” aspect of the land. While there are two deserts within the territory of Israel, the term “desert” in the Hebrew Bible is usually used not with the connotation of a specific landform, but with the idea of an uninhabited (perhaps one might even suggest an “uncivilized” or a “chaotic”) place.

<sup>100</sup> See Hoffmann, *Leviticus*, 1: 315; Leviticus 16:16. This is generally how Klawans treats this material, though in *Impurity and Sin*, on page 143, he clarifies this, emphasizing that “the main way in which atonement is ritually effected in the Hebrew Bible is through sacrificial rituals of atonement, like those described in Leviticus 16.” He does not mention the fact that *חַטָּאת* sacrifices are also performed for a variety of purposes other than (unintentional) sin, including cases Klawans would class under “ritual” impurity (for example Num 6:14; Lev 12:6-7, 14:22, 15:15, 15:30). Even if one were to grant that Lev 16 demonstrates that the impurity of “grave” sin can only be purified through sacrificial means, rather than rituals such as ablutions, this does not mitigate the underlying problem that Klawans seeks to minimize: there are *ritual* means for dealing with “moral” impurity—this is problematic for a strictly separated view of two purity “systems.”

<sup>101</sup> “I will sprinkle pure/clean water on you (masc. pl.) and you will be pure from all of your impurities and from all your ‘idols’ (גִּלּוּלִים) I will purify you.”

Ps 51:4-5, 7-9 (Eng. 2-3, 5-7),<sup>106</sup> and 73:13.<sup>107</sup> Such instances show that the theory that “moral” impurity cannot be removed by ritual means, completely unlike “ritual” impurity, needs to be readdressed. In each of these cases, ritual purification is used in the context of removing so-called “moral” impurity, and Klawans suggests that the meaning in these cases is merely figurative. Ezekiel 36 and Psalm 51, he explains, only demonstrate that it is God *alone* who can effect atonement,<sup>108</sup> while Jeremiah 2:22 and 4:14 and Psalm 73:13 argue that Israelites need to purify themselves from their sins. Klawans argues that each of these passages only use the “imagery of ritual purification” in a “broader sense, as a metaphorical illustration” of Yhwh’s or the people’s ability to bring about atonement from moral sin.<sup>109</sup> He ultimately dismisses all of these cases by stating, “These passages comprise an odd lot—no one explanation can account for them all—but one thing about them is clear. In the Hebrew Bible, water rituals were not used

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<sup>102</sup> They will never again defile themselves with their “idols” (בגליליהם) and their detestable things (שק"ץ), or with any of their transgressions (פשעיהם). I will save them from all of the settlements (מושבתייהם) in which they sinned (חטאו), and will purify (טהר) them. Then they shall be my people, and I will be their god.”

<sup>103</sup> “Wash yourselves (רח"ץ); make yourselves clean (זכה); remove the evil (רע) of your deeds from before my eyes; cease doing evil...”

<sup>104</sup> “Even though you wash yourself (כב"ס) with lye and use much soap, the stain of your guilt is still before me, says the lord Yhwh.” This passage could be interpreted to mean that bathing is not effective in removing “moral” impurity, but the very fact that this practice is refuted suggests that the possibility was envisioned as potentially effective.

<sup>105</sup> “Wash (כב"ס) your heart from evil, O Jerusalem!”

<sup>106</sup> “Wash me (כב"ס) thoroughly from my iniquity and purify (טהר) me of my sin; I know my transgressions, and my sin is always before me...Indeed, I was born in iniquity, a sinner when my mother conceived me...Purge me (חט"א in the piel) with hyssop, and I shall be pure (טהר); wash me (כב"ס), and I shall be whiter than snow. Let me hear joy and gladness; let the bones that you have crushed rejoice. Hide your face from my sins (מחטאי), and blot out all my iniquities (וכל-עונתי מחה).”

<sup>107</sup> “Indeed in vain I have cleansed (זכה) my heart and bathed (רח"ץ) my hands with innocence (בנקיון).”

<sup>108</sup> In the case of Ezek 36, he argues that the passage constructs a metaphor based on the status of a menstruous woman (see v. 17) in order to demonstrate the ease with which God can purify Israel from sin, but he asseverates that this is merely figurative, and that “defilement of sinners and the land by grave sin is, for all practical purposes, permanent” (p. 31). In Ps. 51:4-9, he argues that the concern is not with the “morally defiling force of grave sin, but rather with personal atonement from sin in general.” He states “the image of purification is used figuratively to illustrate that atonement” (pp. 35-36). See his summary treatment on p. 143.

<sup>109</sup> Klawans, *Impurity and Sin*, 30-31, 142-143.

for the removal of moral impurity strictly speaking.”<sup>110</sup> He disregards Ezek 39:14-16, which describes a process of purifying the land, because it is part of an eschatological vision.<sup>111</sup> The same mixing of ideas from the “ritual” impurity system with the ideas of sin and atonement are also found elsewhere, e.g. Gen 35:2, Jer 33:8, Prov 20:9, and Job 4:17.<sup>112</sup>

Klawans is aware of all of these texts, and he does acknowledge that “there are a good number of passages in the Hebrew Bible that speak of ritual purification in contexts of atonement,”<sup>113</sup> using especially the language of washing to describe the removal of sins, though he is adamant that all of these usages are merely metaphorical; he stresses, “What these passages do not state is that ritual purification can serve as a means of removing the defiling force of grave sin.”<sup>114</sup> It is true that there are no ablutions prescribed for specific crimes in biblical passages, but it is significant that such a noteworthy number of passages scattered throughout the Hebrew Bible employs the imagery of purification, *especially* purification through water or ablutions, as a means of removing sins and/or “moral” impurity. Some of these passages suggest that *only* the deity may cleanse the impurity of sin, a fact which Klawans emphasizes because he believes this demonstrates that humans have no such ability; other passages, however,

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<sup>110</sup> Ibid, 143.

<sup>111</sup> Ibid., 31. Klawans concludes, “Thus in the end the Holiness Code and Ezekiel converge: the defilement of sinners and the land by grave sin is, for all practical purposes, permanent” (p. 31). Interestingly, in this passage, dealing with land defiled by blood, there is also indication of human bones that are a source of land defilement. Compare 2 Chron 34:3-8 (esp. v. 8) for a description of land purification during Josiah’s time.

<sup>112</sup> Gen 35:2 suggests a means of ritual purification (changing clothes) and invokes purity terminology (טה"ר) after referencing the rejection of the “foreign gods” (אלהי הנכר) that are among you. Jer 33:8 states “I will purify them from all their iniquity which they sinned against me, and I will forgive all their iniquities which they sinned against me and through which they rebelled against me.” Prov 20:9 states “Who can say ‘I have cleansed (ה"ז in the piel) my heart; I have been purified (טה"ר) from sin’?” Job 4:17 puts purity in parallel construction with righteousness, asking “Can a human be righteous (צד"ק) before God [or: more righteous than God]? Can a man be pure (טה"ר) before his maker [or: more pure than his maker]?”

<sup>113</sup> Klawans, *Impurity and Sin*, 142.

<sup>114</sup> Ibid., 36.

such as Isa 1:16-17, argue that Israelites may purify themselves from sins, and Jer 2:22 and 4:14 as well as Ps 73:13 suggest that while humans may not always be successful in expunging “moral” impurity through self-cleaning, the idea is not inconceivable.<sup>115</sup> The very fact that the deity is represented as purifying in this manner, that Israelites can imagine themselves using ritual means to purify themselves from the deleterious effects of sin, or that an eschatological vision *can* employ this imagery, as well as the fact that there are so many instances of this motif in different biblical sources, are all significant indicators that there was some conceptual slippage between these two “types” of impurity. The use of the metaphor of ablution as a means of purifying pollution caused by sin deserves serious consideration and demonstrates that the lines between “ritual” and “moral” impurity were not impermeable in the imaginations of the authors of these texts. Neither, then, should the scholars who study purity ideologies delimit categories that are impermeable or mutually exclusive. While “moral” impurity is serious, it *can* be purified through the usual means of purifying “ritual” impurity, at least in theory; therefore, it is not wholly different from that type of pollution.<sup>116</sup>

Both the case of the scapegoat ritual in Lev 16 and the texts considered above demonstrate that the categories of “moral” and “ritual” impurity were connected in the Israelite conception.<sup>117</sup> These phenomena are also involved in the concept of land

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<sup>115</sup> Compare the case of Ezek 24:13, in which Yhwh’s own cleansing efforts are said to be unsuccessful until his wrath is satisfied.

<sup>116</sup> It does seem to be significant that there are no clear cases where such ritual means of cleansing sins are put into practice in the Hebrew Bible. The above discussion does not demonstrate that there were no differences in purity ideologies or in the methods in which different cases of impurity were resolved in the Hebrew Bible. The conceptual overlap demonstrated above, however, does seem to show that the idea of impurity was not cleanly divided in biblical authors’ conceptions into completely mutually exclusive categories and conceptions. That is, there seems to be slippage and overlap of concepts, language, and imagery between what is often thought to be distinct systems of impurity.

<sup>117</sup> Klawans examined the possibility that the two “systems” of impurity were connected, treating mainly with the work of Wright. He concluded that while there is overlap between the “systems,” they are more

defilement, as Lev 16 outlines a ritual procedure under which at least *some* space and instruments are purified of defilement caused by severe sin, and passages such as Ezek 39:14-16 and 2 Chron 34:3-8 suggest that there is a connection between purification from “moral” impurity and purification of the land. The location of the disposal of the scapegoat in Lev 16 is also intriguing, if one presumes that the “wilderness” outside the camp is analogous to “foreign” space outside the land of Israel. The relationship of the “camp” and the territory of “Israel” will be further explored through the examination of texts about land impurity in the following chapters. At this point, it is sufficient to state that the location of the scapegoat’s dispatch suggests that the sins of the Israelites (and perhaps, though never explicitly stated, the impurities associated with those sins) were expected to be removed from the environs of Israelite territory and left in a land depicted as barren and deserted.

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different than similar. He argues that the terminological distinctions, the fact that there is no method for removing defilement from land, that ablutions do not remove the impurity brought about by sin, and the fact that there is no single system called for by the text are all objections to the idea of a “single symbolic system” (*Impurity and Sin*, 36-38). He states that the *חטאת* sacrifice is “one similarity among many differences” (p. 37). Some of these issues have been addressed above. Ultimately, while Klawans states that “There can be no doubt, of course, that the two systems overlap in various ways,” he argues that the overlap between “ritual” and “moral” impurity is no more significant than the overlap between “ritual” impurity and the larger sacrificial system, or the overlap between prohibitions in the “moral” impurity system and the larger system of law and order, or the overlap between the purity systems and the dietary laws (separated here in his analysis, as he suggested). He argues that the purity systems should neither be associated too closely nor removed from their greater context (p. 38). It is surely overstating the case to suggest that the various purity traditions have no more in common than purity regulations and the justice system or sacrificial system as a whole—that is to say, no “symbolic” or “systemic” connection, but some “overlap”. Purity rhetoric, whatever differences there might be, do share certain fundamental ideas in common, especially the conceptual anchors of the binary of defilement (*טמא*) and purity (*טהור*). Klawans strains the evidence by advocating for a “two system” idea of purity, where the systems are imagined as entirely ideologically distinct despite the occasional overlap.

### 1.3 Skin Disease

The case of skin disease<sup>118</sup> also crosses the boundaries of “moral” and “ritual” impurity, because while it is located under the rubric of “ritual” impurity, it has two features which are unlike other “ritual” pollutions: its potentially lengthy, even permanent duration, and its connection to sin. Lev 13 casts skin disease as a “ritual” impurity, without mentioning this condition to be a result of sinful behavior. Indeed, like the case of abnormal genital flow, it is depicted simply as a condition that may occur which affects not only a person’s health, but his or her purity status. In narrative texts, on the other hand, skin disease is sometimes understood to be the result of “sinful” actions. Such texts include: Num 12:10, the case of Miriam; 2 Chron 26:19-21 (cf. 2 Kgs 15:5), in which King Uzziah is afflicted with skin disease that *permanently* affects him cultically and socially; 2 Kgs 5:27, in which Gezahi and his progeny are cursed to be permanently afflicted with the skin disease of Naaman (צִרְעָת נַעֲמָן); and 2 Sam 3:29, in which the House of Joab, among other misfortunes, is cursed to perpetually have a member with skin disease, as well as one with a genital discharge (זֶבֶח), also a “ritually” defiling condition.

The resolution of the condition of skin disease involves a ritual in Lev 14 that has been compared to Mesopotamian release rituals for impurities.<sup>119</sup> This ritual takes place *outside* the camp (Lev 14:3), because the person with skin disease is sequestered from contact with the community during his affliction (see Lev 13:46, Num 12:14, and Num 5:2 [which also states that the זֶבֶח and one with corpse impurity is also sent from the

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<sup>118</sup> The condition called “צִרְעָת” in the Hebrew Bible is rendered here as “skin disease” to avoid any confusion with the medical condition now identified as Leprosy (Hansen’s Disease), while still maintaining the idea that צִרְעָת in the biblical literature is characterized as an illness that manifested in the skin.

<sup>119</sup> Wright, *The Disposal of Impurity*, 75-86.

camp—compare Deut 23:10-12 dealing with a nocturnal emission]).<sup>120</sup> In this ritual, after the priest declares the person to be cured (רפ"א) of the skin disease (v. 3), two birds are taken, one is killed, and the other (together with cedarwood, some crimson thread, and hyssop), is dipped into the blood of the sacrificed bird, which had been poured in a clay vessel over “living waters,” and this blood is then sprinkled seven times over the person cured from skin disease (here identified as “the one being purified from the צרעת” or “the one purifying himself from the צרעת [המטהר—a hitpael participle]). The individual is pronounced clean (טה"ר, see also vv. 8, 9), and the bird is released over the open field (על-פני השדה). After this, there are other purification rituals, including bathing, shaving, and laundering before the person may reenter the camp, and then a seven day exclusion from his house, followed by another round of shaving, bathing, and laundering, before he may reenter his home.<sup>121</sup> Also involved are a reparation offering (אשם), a purification offering (חטאת), and a burnt-offering (עולה). The language of atonement and reparation is repeatedly utilized throughout this ritual, though Lev 13 gave no indication that contracting skin disease was, in itself, sinful, nor is it necessarily a sign of sinful behavior.<sup>122</sup>

For Wright, the removal of skin disease (what he refers to as “leprosy”) is the removal of the *remnant* of impurity after the disease is cured, not the removal of the disease or of the sin that it punishes.<sup>123</sup> Wright sets up a contrast between biblical rites on the one hand and Mesopotamian and Hittite rites on the other, stating that while the latter

<sup>120</sup> It was observed above that H includes more categories for those expelled than P (which only suggests that those with skin disease must be expelled). See p. 8, n. 9.

<sup>121</sup> See Olyan, *Rites and Rank*, 46-47 for a description of the “stages in the transition from pollution and separation from the community to purity and aggregation.”

<sup>122</sup> See, for example 2 Kgs 5:1, in which the Aramean general Naaman is said to be afflicted with skin disease for no apparent reason. Evaluation of his character in 2 Kgs 5 is wholly positive, and his skin disease is not said to be the result of sinful behavior or divine punishment.

<sup>123</sup> See Wright, *The Disposal of Impurity*, 84-86.

rites can remove sin, the biblical rite (though skin disease may be considered a punishment for sin) does not remove the sin, but only the residual impurity. He suggests that the distinction is the result of a Priestly reinterpretation of the earlier rituals and a limitation of their scope that is not envisioned in extrabiblical texts.<sup>124</sup> Wright argues that the ritual of the scapegoat is the *only* instance in which sin is the object of purification rituals, and insists that the ritual for removing the impurity associated with skin disease has nothing to do with “moral” impurity, even though sin may have been the cause of the affliction.<sup>125</sup> Instances such as the bird rites of Leviticus 14 might seem to blur the categories, he acknowledges, but this is only because these rituals “have not been fully reinterpreted by and adapted to the Priestly system.”<sup>126</sup> Positing that rites such as Lev 14 and Lev 16 are vestigial rituals, incorporated into Priestly texts more-or less wholesale, is problematic.<sup>127</sup> One ought not to assume that “non-Priestly” elements in biblical texts are necessarily “pre-Priestly” or even “pre-Israelite,” only included in Priestly documents to appease lay Israelites who shared religious affinities with Mesopotamia that the priests

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<sup>124</sup> He observes, “The biblical rite is not a healing rite,” unlike other rituals involving purification rituals in connection with illness from elsewhere in the ANE (p. 84). In this observation, he is correct, as the patient is called “cured” in v. 3. The impurity is an attendant circumstance to the disease in need of its own rites of purification, after the physical symptoms of the illness have subsided.

<sup>125</sup> Ibid., 84-85. He argues that in the limitation of the scope of ritual purification to non-moral impurity is “almost certainly a result of the influence of the Priestly system which, except for the sins of the Israelites placed on the scapegoat, only perceives cultic impurity, not moral impurity (= sins) or disease, to be the object of purification in its purgation rituals” (85).

<sup>126</sup> Ibid., 86. He sees the stamp of the Priestly authors in the communal force of the passages dealing with elimination rites and in the limiting of the purification to the “residual impurity” rather than the illness itself or the sin that caused it. Wright’s suggestion that the bird rite related to purification from skin disease is not completely incorporated into the “Priestly” purity system follows Milgrom, who likewise suggested that this is not, in fact, a ritual of purification from the disease, but instead the ritual is only employed after the fact to resolve any residual impurity. See Milgrom, *Leviticus 1-16*, 834-35.

<sup>127</sup> See Wright, chapters 1 and 2 for this view, and Milgrom *Leviticus 1-16*, 833-835, 1042-43, 1071-79. Milgrom and Wright suggest that the bird dispatch rite in Lev 14 was integrated more-or-less intact from an earlier (Milgrom says “pagan,” see page 834) model. In contrast, Lev 16 has been incorporated into the Priestly schema in a more thoroughgoing way, “tailored to fit into the Israelite sacrificial system” (Milgrom, *Leviticus 1-16*, 834).

did not.<sup>128</sup> Non-Priestly does not necessarily mean pre-Israelite, and it must always be remembered that, no matter the origin of various rites, their incorporation into Priestly texts means that these are now “Priestly” in their articulation.

The relationship between Akkadian medical texts and biblical texts such as Lev 14 is interesting, as is the comparison between Hebrew צרעת and Akkadian *saḥaršubbû*, and the connection of each to divine sanction.<sup>129</sup> The condition of *saḥaršubbû*, attested in Akkadian texts and often rendered as “leprosy” (like צרעת), is a skin disease that had three major features in common with צרעת: (1) one who suffered from *saḥaršubbû* was considered impure, and (2), this disease was “almost always” regarded as an indication of divine punishment,<sup>130</sup> and (3) *saḥaršubbû* was a condition that resulted in social isolation. Van der Toorn argues that the disease aroused “repugnance,” and those who suffered from it were ostracized, and “were often reduced to a life in colonies in the neighbourhood of a necropolis.”<sup>131</sup> At this point, it is not necessary to draw on all of the parallels between the Akkadian and Hebrew evidence about “skin disease,” but because Wright’s treatment of the Priestly evidence of the ritual of bird dispatch calls upon its ostensible relationship with rituals in the ancient Near East, some preliminary words may be offered about the relationship between Israelite ideas about “skin disease” and similar ideas throughout the region. The ideas of sin, divine sanction, illness, and impurity were

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<sup>128</sup> See Milgrom, *Leviticus 1-16*, 833-35; Wright, *The Disposal of Impurity*, 72-74.

<sup>129</sup> Avalos and van der Toorn have explored these issues in some depth. See Hector Avalos, *Illness and Health Care in the Ancient Near East: The Role of the Temple in Greece, Mesopotamia, and Israel* (Atlanta, GA: Scholars Press, 1995), pp. 132-133 and Karl Van der Toorn, *Sin and Sanction in Israel and Mesopotamia: A Comparative Study*. (Assen: Van Gorcum, 1985). How these issues relate to a study of Israelite conceptions of impurity, especially land impurity, will be raised in more detail when the extra-biblical evidence is examined in chapter 2. See also Saul M. Olyan, *Disability in the Hebrew Bible: Interpreting Mental and Physical Differences*, (New York: Cambridge University Press, 2008), 53-56.

<sup>130</sup> Avalos, 129. While many illnesses are sometimes regarded as divine sanctions in Akkadian texts, the case of *saḥaršubbû* is particular because of this illness’s *particular* significance as a positive indicator of divine displeasure.

<sup>131</sup> Van der Toorn, *Sin and Sanction*, 73. Van der Toorn cites an Old Babylonian omen: “that man has been rejected by his god and by mankind” (73, *AFO* 18 [1957-58] 66:44f).

bound up together in complex ways in Akkadian texts, and the illness *saḥaršubbû* is particularly connected to the idea of divine punishment. The concept of צרעת, which is the chief example of illness being used as a punishment from the deity (though abnormal genital flux is as well in 2 Sam 3:29), demonstrates some affinity with concepts such as *saḥaršubbû*, and points to the utility of Mesopotamian evidence for understanding Israelite concepts of impurity, or at least their larger social context.

Klawans takes a different interpretive route than Wright, asserting, “It is important to keep in mind that viewing defiling afflictions as possible punishments for certain sins is very different from seeing sin in itself as a ritual defilement.”<sup>132</sup> He observes the cases in which narratives show a type of ritual defilement as a form of punishment for moral sins, but agrees with Frymer-Kensky and Douglas that the legal traditions do not justify viewing skin disease as a positive sign of transgression, and he contends that “As far as P and H are concerned, the leper is ritually impure, but the leper is not guilty.”<sup>133</sup> His point is well taken: as was mentioned above, the P texts dealing with skin disease do not construe it as a punishment for crimes, and skin disease was not always an indicator of sin. The real problem that skin disease poses for a “ritual”/ “moral” impurity dichotomy, however, is not whether all cases of skin disease may be

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<sup>132</sup> Klawans, *Impurity and Sin*, 101.

<sup>133</sup> Ibid., 25. See also Hyam MacCoby, *Ritual and Morality: The Ritual Purity System and its Place in Judaism*. (Cambridge, New York; Cambridge University Press, 1999), 120. MacCoby suggests that the “outward humiliation and shame” of skin disease may “account for the fact that it is the only ritual impurity that is regarded as a punishment for sin” (120). This is an intriguing argument, especially as shame language is used in Num 12:14 (כָּלִים), and there is an element of public disgrace in accounts like that of Gehazi in 2 Kgs 5:27, who got his “just deserts” when he meddled with the Naaman affair. It has been seen, however, that genital flows can also be administered for punishment (e.g. 2 Sam 3:29), and these are presumably not as outwardly apparent as skin disease. It is not possible here to say specifically *why* a “ritual” impurity is employed as a punishment in some cases, but it is true that skin disease, as a particular kind of ritual pollution that severely hindered access to both the cult apparatus and to the community as a whole, was an effective punishment. The issue here is the fact that a ritual impurity is applied as a recompense for crimes, while the idea of the deleterious effects of sinful actions are believed by some to exist only within the realm of “moral” impurity.

taken as an indication of sin, but the very fact that it is a “ritual” impurity that results from a “moral” contamination. This is especially apparent in Wright’s analysis, where he suggests that once the sins are removed and the disease is cured, the residual impurity left behind may be cleansed through ritual means. “Moral” impurity (i.e., the impurity brought about by severe crimes) is usually defined as corporate, and as deleterious to the land and the sanctuary. The narrative cases of skin disease demonstrate an ideology of individual responsibility, and do not suggest that the land itself is polluted, though a contact contagion seems to be implied in the sequestering of the afflicted individual outside the camp. The crux of all this is that in some cases, a moral action is punished through an illness that leaves behind a ritual impurity, demonstrating that the purity traditions were certainly not mutually exclusive. At stake here is the punishment, which *includes* a “ritual” impurity aspect, rather than the idea that there is a one-to-one correspondence of the type of impurity and the instigation. The very fact that punitive conditions can include a “ritual” impurity dimension demonstrates that sin and “ritual” impurity were not wholly unconnected.

The case of skin disease also weakens the argument that “ritual” impurity is temporary and curable, while “moral” impurity is persistent.<sup>134</sup> In 2 Kings 5:27 Gehazi is the object of a curse in which the skin disease of Naaman is mustered to cleave to Gehazi *and to his offspring forever*. In 2 Kgs 15:5, King Uzziah is reported as being stricken with skin disease “until the day of his death.” In a related phenomenon, in 2 Sam 3:29, the house of Joab is cursed for all successive generations, and included in the curse is the intergenerational persistence of genital flow or skin disease, both “ritual” impurities. The instance of Uzziah demonstrates a case of permanent “ritual” impurity for an individual,

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<sup>134</sup> Klawans, *Impurity and Sin*, 25-26. An example raised for this idea is Ezek 24:13.

and those of Gehazi and Joab use the vehicle of a curse to suggest that the punitive impurity will be permanent and intergenerational. Klawans acknowledges that the text about Uzziah<sup>135</sup> is “the exception” to “ritual” impurity’s otherwise prevailing “paradigm ... of eventual inclusion, not permanent exclusion.”<sup>136</sup> However, even granting only Uzziah as an “exception” (and 2 Kgs 15:5 is not a solitary occurrence), this text demonstrates that the time-based criterion for a distinction between ritual “systems” is problematic.<sup>137</sup> The length of a ritual impurity varies depending on the type of impurity and the circumstances under which it was contracted.

Skin disease, difficult to situate in the “moral”/“ritual” bifurcated purity ideology is important to a study of foreign land impurity for four reasons. First, it is integral in comparing Mesopotamian and Israelite conceptions of impurity as a sign of divine sanction. Additionally, it is linked to multi-generational impurity cases (at issue with the idea of foreign impurity), such as that of Gehazi and the house of Joab. Third, skin disease is central in 2 Kgs 5, a text with particular significance to understanding the significance of Israelite land as a transportable substance. Finally, the location of the rituals surrounding skin disease mark it as an essential factor in this discussion. The removal of certain ritually impure people from the “camp” of Israel is well documented. The issue at stake seems to be the perception that the condition of impurity is communicable, and could spread throughout the Israelite settlement, and even infect the sanctuary. The ritual of the bird dispatch in Lev 14 is remarkable in that it takes place outside the camp, and thus demonstrates that certain cultic rites were believed to have efficacy outside of Israelite territory, strictly defined. The location to which the bird is

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<sup>135</sup> He does not address the house of Joab or the case of Gehazi in this context.

<sup>136</sup> Klawans, *Impurity and Sin*, 26, 174 n. 23.

<sup>137</sup> See critique in Olyan “Purity Ideology in Ezra-Nehemiah,” 9 n. 26.

sent is also interesting. The bird that is released alive is loosed “into the open country/field” (על-פני השדה).<sup>138</sup> Wright observes that this phrase “expresses the desire to remove the evil not only from the individual, but from the habitation, in order to keep the community pure and the sanctuary and its sancta holy.”<sup>139</sup> Milgrom likewise stressed that the function of the birds “is to carry off the impurity as far as possible” similar to the scapegoat, which was dispatched into the deserted place.<sup>140</sup> Both the scapegoat ritual in Lev 16 (used to purify the Israelites of their “iniquities”), and the bird ritual in Lev 14 (used to purify a person cured of skin disease, sometimes cast as a punishment for sin), demonstrate that impurity must be removed from Israel’s habitat. While the pollution of the physical *land* (i.e., the ground upon which Israelites dwell) is not described in either passage, the idea of Israel as a bounded territory is at the heart of the desire to remove impurity from the Israelite sphere (the “city and the camp”) and deposit it beyond Israelite borders, in the “wilderness” or the “country,” or even, in the case of Zech 5:11, in a specifically designated foreign land. There is a clear impetus expressed in texts such as these to remove impurity of various kinds, origins, and circumstances not only from the sanctuary and its environs, but from the whole of Israelite-controlled territory.

#### **1.4 Images drawn from the “ritual” impurity tradition used to describe “moral” impurity**

One interesting phenomenon that complicates a neatly bifurcated schematization

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<sup>138</sup> In v. 53, dealing with the purification of a house, the bird is released “outside the city to the open country/field.”

<sup>139</sup> Wright, *The Disposal of Impurity*, 85-86.

<sup>140</sup> Milgrom, *Leviticus 1-16*, 834, 840. Milgrom elaborates that the birds cannot be domesticated, lest they return. The birds are “wild” (his rendering of חיות—see p. 832) to ensure that they do not return “home,” but rather carry the impurity away from Israel. Milgrom and Wright both also refer to the case of Zech 5:9 (in which a basket of “wickedness” [רשעה] is carried off to Babylon (v. 11) by two winged women) as a parallel to the dispatch of birds, because the women in this vision have the wings of a heron (see Milgrom, *Leviticus 1-16*, 834, Wright, *The Disposal of Impurity*, 86, n. 43).

of “ritual” and “moral” impurities is that certain texts draw on language and images from the “ritual” impurity tradition to describe the impurity that results from committing unsanctioned acts. Menstruation and contact with human corpses are both “ritually” defiling. The impurity that results from them is portrayed as having a finite duration, there are rituals of purification to cleanse a person so defiled, and these impurities are deemed to be contagious through physical contact.<sup>141</sup> Priestly texts dealing with menstruation do not impose a negative judgment on the condition; menstruation in Lev 15 (P) is treated as a regular phenomenon with clear guidelines. Even intercourse with a menstruating woman is only addressed in “ritual” impurity terms: v. 24 states that if a man has intercourse with a menstruating woman, her menstrual impurity (*niddah*—נדה) will fall on him, and he will be impure (טמ"א) for seven days. In Lev 18 and 20, however (H), intercourse with such a woman is specifically prohibited, and Lev 20:18 prescribes a punishment of כרת for both participants in this type of intercourse. It is therefore a sin to have intercourse with a menstruating woman according to H. Consequently, it can be seen that the case of menstruation is treated differently in the different priestly sources. Like dietary laws, there is an overlap between the “ritual” and “moral” impurity traditions demonstrated in the book of Leviticus, at least in H’s treatment.

Also upsetting the classification is terminology. There are several exilic or postexilic passages which use the term נדה (used in Priestly texts to refer specifically to the impurity of a menstruous woman) in contexts which clearly relate to prohibited cultic objects or moral crimes. The book of Ezekiel contains metaphorical uses of this term, in which the noun is meant to convey a severe impurity, though the context is unconnected with literal menstruation. In Ezek 36:17, the deity states, “Man, while the house of Israel

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<sup>141</sup> On menstrual impurity, see Lev 15:19-24. On corpse impurity, see Num 19.

dwelt on their soil they defiled it by their ways and their deeds; to me their ways were like the impurity of a menstruous woman (כַּטְמַאֲת הַנְּדָה).”<sup>142</sup> In this verse, the impurity of menstruation is an image for the sins of Israel.<sup>143</sup> There has been some debate about the reason that the language of the impurity of menstruation has been imported into this passage dealing with “moral” defilement.<sup>144</sup> Tarja S. Philip draws a connection between Ezekiel and *both* the P and H sources of Leviticus (which she imagines having fundamentally different conceptions of impurity, one “real” and the other “abstract”), and suggests that these codes have been reinterpreted “against the reality of the lives of the exiles.”<sup>145</sup> Greenberg made similar observations. He accepts Milgrom’s conclusions that, “In the priestly law...the menstruant is in an untouchable state of separation from society. In nonlegal biblical texts menstrual impurity is ‘a metaphor for extreme pollution, ultimate revulsion.’”<sup>146</sup> Greenberg notes that in the context of Ezek 36, “the defiling inhabitants will be expelled from the holy land (vs. 19). The *ndh*-state of a given population (incurred by their evildoing) is communicated to their land; e.g., Canaan prior to its takeover by Israel was ‘a *ndh*-land because of the *ndh* of the peoples of the lands’

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<sup>142</sup> This translation is Greenberg’s, *Ezekiel 21-37*, 726. See pp. 726-728.

<sup>143</sup> Tarja S. Philip, *Menstruation and Childbirth in the Bible: Fertility and Impurity* (New York: Peter Lang, 2006), suggests that there are two meanings for the phrase in this verse “the metaphorical and abstract impurity caused by the moral and cultic sins (shedding blood and worshipping idols, v. 18), and the abstract impurity compared to the real impurity of menstruation.” She follows the argument of scholars such as Neusner and MacCoby, who argue that “moral” impurity is not “real” while “ritual” impurity is, and against whom Klawans (rightly) argues. See Philip, *Menstruation and Childbirth*, 64.

<sup>144</sup> Philip suggests that the abstract meaning is reflective of the conception of impurity in the Holiness Code, while the “real” impurity of menstruation belongs to the cultic impurity of P. She affirms, however, that this verse’s conception of the impurity of menstruation is not identical with the concept of impurity in P, because in Lev 15 it is not a sin, and the impurity is removed in a relatively simple process after menstruation; in Ezek 36:17, however, “the impurity of menstruation is a sin,” just as in Ezek 22:10 menstrual intercourse is a sin (64).

<sup>145</sup> *Ibid.*

<sup>146</sup> Moshe Greenberg, *Ezekiel 21-37* (New York, London: The Anchor Bible, Doubleday, 1997), 727. He draws on Milgrom’s analysis of Lev 15:19-24 (Milgrom, *Leviticus 1-16*, 934-941).

(Ezra 9:11).”<sup>147</sup> The arguments of Philip and Greenberg connect the use of the term נדה in Ezekiel to menstruation regulations in both P and H. A solely “ritual” impurity in P was connected to forbidden actions in H, and, as Philip observes, the term for this impurity seems to be used more frequently in later<sup>148</sup> texts in a “metaphorical” sense as a synonym for impurity. The question is what it means for an idea of relatively independent “systems” of impurity to be connected through the metaphorical use of a “ritual” impurity to describe “moral” pollution.<sup>149</sup>

Ezek 7:19-20 contain two more uses of the term נדה relevant here. In v. 19, one of the reactions to the (impending) destruction of Israel is that the people will throw their silver and their gold into the streets, and their gold will “be as an unclean thing” (וזהבם יהיה). Ezek 7:20<sup>150</sup> juxtaposes the term נדה with the term תועבה, associated with “moral” impurity<sup>151</sup> and with the term שקרן, evidently a euphemism for “idols,” calling them “detestable” things (using a term that calls to mind the impurity associated with

<sup>147</sup> Greenberg, *Ezekiel 21-37*, 728.

<sup>148</sup> It is interesting that P does not use this term in this way. Without entering into a debate about the date of the Priestly Source or its relationship as a source or receiver of the text of Ezekiel, it will suffice here to note that P consistently uses the term נדה in its technical sense (“menstrual impurity”), which may perhaps be explained by P’s interest in clearly articulating rituals related to impurity and purification. There would be neither place for P to use נדה in the “metaphorical” sense described here, and if it was, such a use could potentially obfuscate its use in a technical sense.

<sup>149</sup> It was observed above the Klawans suggests that the “metaphorical” use of the “image of ritual purification” in texts such as Ezek 36:16-18, 22-25 was either “figurative” describing the ease with which the deity can change a person’s status, or literally implied that *only* the deity could do so, but his emphasis is on the fact that there is no ritual purification process prescribed in Ezekiel for the removal of the “moral” impurity, despite the fact that it uses the language of a “ritual” defilement, menstruation. See *Impurity and Sin*, 31. The problem still persists, however, that if images can be drawn from one “system” and applied to *describe* the impurity of another “system,” then this argues against viewing the “systems” as separate. The claim that this “moral” impurity is *like* menstrual impurity must be taken seriously. Greenberg may be correct that the issue is one of repulsion or disgust. It is possible that certain “ritual” impurities (female menstruation, corpse impurity) invoked a sense of revulsion in certain authors, and that their use of such language and images in the context of “moral” impurity is meant to convey that sense of disgust. At this point, this is speculative.

<sup>150</sup> “From their beautiful ornament, in which they took pride, they made their abominable images (צלמי תועבתם), their detestable things (שקוציהם); I will make of it an unclean thing (נדה) to them. See Greenberg, *Ezekiel 21-37*, 144, 155 for his discussion.

<sup>151</sup> According to Klawans, see *Impurity and Sin*, 26.

prohibited seafood, birds, and swarming insects in Lev 11).<sup>152</sup> Most commentators believe that the use of נדה in this section is a metaphor for a reaction of extreme disgust and repulsion. Greenberg states, “*nidda* refers specifically to menstrual impurity—of a high degree according to the system of impurity...It serves as an image for that which is shunned in abhorrence.”<sup>153</sup> In the book of Ezekiel, the noun נדה is connected to impurity: it relates both to menstruation and to a differently construed impurity, resulting from cultic, sexual, and moral sins.<sup>154</sup> While Philip argues that in Ezekiel 7:19-20, נדה “is a synonym for impurity,” this seems to be understating the case. Menstrual impurity does not seem to simply stand for “impurity” in a general sense, or as a kind of synecdoche (one term for impurity representing the rest), but rather נדה in Ezekiel stands for the *worst* kinds of impurity: “idolatry,” sexual immorality, and utter repugnance. It is in this sense that the term seems to be used in non-priestly prophetic texts, and it is for this reason that the fact that this term, drawn from the rhetoric of “ritual” impurity, complicates a neatly bifurcated purity schematization.

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<sup>152</sup> See also Isa 30:22, where menstruation (דוה) is used as a simile for the impurity of idols. Isa 64:5 uses the image of menstruation in contrast to “righteous actions.” Similarly, in 2 Chron 29:5, נדה is constructed as the opposite of “sanctify” (קדש), and the term may refer to objects of “idolatry” because it seems to be imaged as something physical. While Tarja S. Philip suggests in *Menstruation and Childbirth in the Bible: Fertility and Impurity* (New York: Peter Lang, 2006), 27 that the term נדה “has lost its original meaning of menstruation” and has no connection to “anything that was exclusively unique to women” and is rather a synonym for impurity generally, the fact that this term can be applied to both men and women in certain texts does not mean that it is no longer associated with menstruation, as texts such as Lam 1:9 demonstrates.

<sup>153</sup> *Ibid.*, 152. For his statement that menstrual impurity is a “high degree” of impurity, he cites Lev 15:19 and following, 18:19, and Ezek 22:10. He notes that “excision is the penalty for disregarding it.” While his combination of the three different references to menstrual impurity lacks finesse, he is correct in suggesting that the kind of impurity which menstruation represents has become, in the book of Ezekiel, a symbol for all that must be shunned or “thrown into the streets.”

<sup>154</sup> See Philip, 66. Philip consistently argues that “moral” impurity is more “abstract.” This does not need to be assumed for her case that the language of menstruation is used differently in different sources to still have force. Philip contends that the “abstract” concept of impurity in Ezekiel is due to the influence of the Holiness Code, which was adapted to serve in an exilic context, for example, by situating commandments from the Holiness Code into a framework of individual retribution. This is an interesting kind of historical reconstruction, in which she presumes H to be pre-exilic.

Menstruation appears as an image of impurity in Isaiah, and in Lamentations, and in Zechariah, Ezra, and 2 Chronicles, the noun נדה appears with the connotation of “impurity,” even in contexts disassociated with menstruation in a literal sense. Each of these uses is unique, but they each indicate that menstruation in these late books is associated with impurity, *especially* impurity caused by sins. While some scholars, such as Philip, believe it is possible to divorce these verses from the extreme negative view they have on this singularly female-gendered phenomenon,<sup>155</sup> it seems that the simultaneous use of the term נדה in a technical sense *and* the use of other terminology which is definitively used to refer to menstruation indicates that menstruation has not lost its “genderedness,” even in these later usages. Neither, then, has it lost its connection to the “ritual” purity system to become a mere synonym for *any* type of impurity; rather, this term demonstrates terminological and ideological slippage between purity ideologies.

In the book of Isaiah, two prophecies use menstruation to refer to something impure. In 30:22, דוה appears as a simile for the impurity of “idols.” The verse states that Israel will “defile” or “reject as unclean” (טמא in the piel) its silver-coated images and molten images plated with gold.<sup>156</sup> The next sentence, reading “תזרם כמו דוה” has some textual issues. The standard translation takes the verb תזרם to be from the root זר”ה “to scatter,” so the verse states: “You will scatter them like דוה, like an “unclean thing.” The verb could potentially also come from the root זר”ר, “to be a stranger,” or “to be repulsive/loathsome.”<sup>157</sup> Philip’s translation assumes the root זר”ר for the verb תזרם:

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<sup>155</sup> See Philip, 37.

<sup>156</sup> Joseph Blenkinsopp, *Isaiah 1-39: A New Translation with Introduction and Commentary* (New York, London: The Anchor Bible, Doubleday, 1964), 419.

<sup>157</sup> The LXX (and the Syriac) reads the verb as “scatter,” and seems to read כמי “like water” instead of כמו “like,” so the verse reads: “ἀλλοιῶσιν ὡς ὕδωρ ἀποκαθημένης αὐτῆς καὶ ὡς κόπρον ὥσεις αὐτά,” “you shall scatter them as the water of her that sits apart and like ordure you shall remove them.” Philip, on the other hand, notes that while the phrase מי דוה (reflected in the Greek) resembles the idiom מי נדה, which appears in

“And you will defile the silver overlaying of your idols and the gold covering of your images; they will repulse you like a menstruant; go out you’ll say to it.”<sup>158</sup> In either case, the association between “idolatry” and the repulsion of menstruation remains. The fact that the term *דוה* appears here demonstrates that it is menstruation itself which has become a metaphor for vile impurity, *not* simply the term *נדה*, in an abstract sense.

Isaiah 64:5 demonstrates further that menstruation has become associated with generalized sin: “And all of us have become impure, and all of our righteousness is like a menstruant’s cloth (וכבגד עדים כל צדקתינו), and we will all wither like a leaf, and our sins will take us away like the wind.” One of the meanings of the root *עד"ה* is “menstruation,”<sup>159</sup> and the Aramaic translation of *בגד עדים* is *לבוש מרחק*, which Philip recognizes as “the cloth of menstruation.”<sup>160</sup> This may refer to a cloth or other sanitary napkin, or alternatively, to a garment worn specifically to mark a menstruant (as in the case of *בגדי אבל*, which marks a mourner in 2 Sam 14:2).<sup>161</sup> Philip argues for the second interpretation, and asserts that this garment has confessional force, hence, it is not merely an item of repulsion, but of shame. She states that the writer seems “to have chosen a

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Numbers, this specific formulation (*מי דוה*) never appears in the Hebrew Bible. Furthermore, she does not believe that the Numbers use is connected to menstruation, making the link to a putative *מי דוה* even more tenuous.

<sup>158</sup> Philip, 28-30. The issue here is her choice of the translation “they will repulse you” rather than “you will scatter them.” Note the possible etymology of *נדה* as having to do with being “separated” or “expelled.” Milgrom notes that both possible roots for *נדה*, *ndd* and *ndh*, have the meaning “chase away, expel.” He therefore traces an original meaning of *נדה* as “discharge,” which came to be associated with the discharge of menstrual blood. The Aramaic term for menstruation, *רחק*, connotes removal. This speaks to the meaning of *נדה* as well. Milgrom’s argument is that *נדה*’s original meaning was more general than the idea of menstruation, and it is this original meaning that is taken up in later prophetic uses, not the idea of menstruation (Milgrom *Leviticus 1-16*, 744-745). Whether or not the original meaning of the root of this term had a more general meaning, it must be remembered that in the majority of biblical literature, *נדה* refers specifically to menstruation, and not to a general sense of “expel.” The argument that the verifiable associations between *נדה* and menstruation are not involved in later “metaphorical” uses of this term to connote impurity is vitiated by the fact that other technical menstruation terms, such as *דו"ה*, can also be used metaphorically in similar ways to *נדה*.

<sup>159</sup> A.A. McIntosh, “A Third Root for *עדה* in Biblical Hebrew?” *VT* 24.4 (1974): 454-473; see also Brown, Driver, & Briggs, 723.

<sup>160</sup> Philip, 30.

<sup>161</sup> *Ibid.*

simile that would reflect not only the immediate connection between menstruation and purity, but also the great shame that the men felt towards their sins.”<sup>162</sup> Whether or not this supposition can be proven, there is a clear identification in this verse between impurity, sinful deeds (the opposite of צדק), and menstruation. The fact that a menstrual *cloth* is used here indicates that this is a concrete association between these highly negatively charged moral and cultic offenses and the menstrual flow itself. The associations with menstruation are not only in effect, but they drive the simile: a garment of menstruation is an item of disgust and repulsion, and of extreme (ritual) impurity. There are striking differences between the severe treatment of the concept of menstruation here and that found in Lev 15, where menstruation is merely one of several “regular” genital flows. Menstruation is treated not as merely “another” impurity, but one that can be used as a metaphor for abhorrent practices. It is possible that ideas of disgust attached to the phenomenon of menstruation are the reason that this “ritual” impurity is imported into texts dealing with practices and objects that the authors found (morally) repugnant.

In Lamentations 1, an impure woman is the symbol of destroyed Jerusalem. There are several hints that the impurity involved is menstrual impurity, used in this context with reference to an entire city.<sup>163</sup> V. 9 states “טמאתה בשוליה,” “her impurity is in her hems.” The woman is pictured in the shameful position where her menstrual blood has stained her clothing in full sight of any who look at her.<sup>164</sup> In vv. 13 and 22, the root

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<sup>162</sup> *Ibid.*

<sup>163</sup> While a city is not equivalent to the “land,” the idea of a “ritual” impurity adhering to a specific place (not the sanctuary) is intriguing.

<sup>164</sup> Philip, 31. Compare to Lam 4:14-15, where those who are polluted by blood so that they cannot touch their garments cry “turn aside, unclean (טמא). Turn aside, turn aside!” This evokes Lev 13:45, where one afflicted with skin disease must cry out to warn of his condition “unclean, unclean (טמא).” This is an image of public defilement, and (at least in Lam 1:9), this has a component of shame.

נדה appears, connoting in this case deep emotional distress. It has been demonstrated that this term is associated with menstruation in Lev 12:2, 15:33, and 20:18. Though the verbal usage here does not *necessarily* refer specifically to menstruation, the word choice in the context of female pollution is evocative. In v. 17, Jerusalem is described as נדה among enemies (היתה ירושלם לנדה ביניהם). Some scholars believe this should be taken literally: Jerusalem is like a menstruant; others translate it metaphorically, as a synonym to impurity or an object of scorn.<sup>165</sup> Philip astutely notes that both uses are possible, given the context of the passage.<sup>166</sup> In either case, it seems clear that the force of the passage draws on associations with female (menstrual) impurity. In v. 8, a *hapax* has given rise to debate about the image of menstruation in this chapter. The verse states, “חטא חטאה ירושלם על-כן לנידה היתה,” “Jerusalem has greatly sinned [Lit: sinned a sin], therefore she has become נידה.” Some commentators believe the term נידה to be equivalent to נדה, a menstruant. This is the reading reflected in Aquila, Symmachus, and the Syriac version.<sup>167</sup> Others hold this noun to be derived from the root ניד, which has meanings of “wander around” or “shake/wag.”<sup>168</sup> In this case, the city would be said to be an object of scorn: people “shake their heads at her.”<sup>169</sup> One cogent possibility is that suggested by Robert Gordis, who proposes that the term נידה was chosen in order to

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<sup>165</sup> See Delbert R. Hillers, *Lamentations: A New Translation with Introduction and Commentary* 2nd ed. (New York, London: The Anchor Bible, Doubleday, 1992), 63, 76. He suggests that the translation “unclean thing” for נדה, and states, “*Unclean*. In other words, menstuous, hence ceremonially impure,” and he compares this verse to other “metaphoric” uses of the noun, such as Isa 30:22 and 64:5 (76).

<sup>166</sup> Philip, 32.

<sup>167</sup> Hillers, 70.

<sup>168</sup> See similar noun construction in Lam 3:63, where the noun קימה is derived from the root קימ. This is Hillers’ preferred rendering (Ibid.).

<sup>169</sup> Hillers’ translation, see p. 70. He does not believe נדה to be a likely reading because it calls for a textual emendation, and he believes that the prevalence of this interpretation is a result of נדה being a much more common word than the rare נידה. Tarja Philip has a detailed discussion and a survey of different scholars’ positions on this term (page 31).

articulate the ambiguity that Jerusalem was *both* impure and mocked.<sup>170</sup> In the context of this lament, which evokes images of (shameful) menstrual impurity and juxtaposes these with emotional pain and a sense of defilement and humiliation before enemies, the kind of purposeful ambiguity suggested by Gordis is a likely possibility. In the context of v. 8 itself, it is significant that the state of being impure *or* mocked is a result of sin. If this verse has anything to do with menstrual impurity, then this type of impurity is connected in this passage with sin, and this is consistent with a trend that has been observed that sin is increasingly connected with menstrual defilement in the later biblical texts.

Three references to menstruation in late biblical books deserve comment in this context. Zech 13:1, 2 Chron 29:5, and Ezra 9:11 each demonstrate that the noun נדה has become synonymous with the worst forms of impurity. Zech 13:1 states, “In that day, a fountain will be opened to the house of David and for the inhabitants of Jerusalem for חטאת and for נדה.” The relationship between חטאת, usually translated “sin” and נדה has aroused much discussion. Some have tried to draw a moral/cultic distinction between the terms, or stated that חטאת is “sin” while נדה is “impurity,” but this does not hold in the context of this verse or the broader uses of these words.<sup>171</sup> Milgrom suggested that the terms were synonymous, as in the pair מי חטאת (Num 8:7) and מי נדה (Num 19:13, 20), derived from the *pi’el* stem, conveying purgation from uncleanness. Significant here is the fact that the term does not seem to be connected directly to female menstruation, but to a more general sense of defilement. The use of the term נדה in other passages demonstrates that some prophetic authors perceived this type of impurity as linked in some way to menstrual impurity; however, Zech 13:1 does not make this connection

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<sup>170</sup> Robert Gordis, *The Song of Songs and Lamentations* (New York: KTAV Publishing House, 1978), 155.

<sup>171</sup> See Philip, 33-34 for detailed discussion.

explicit. In order to suggest that Zech 13:1 demonstrates a similar connection between “sinful” impurity and menstruation, as was seen in Lam 1, this verse would have to be read in light of the others. There is, however, another indication of overlap between “ritual” and “moral” impurity traditions in this verse: the idea that “moral” impurity can be purified through washing with water. Though no explicit language of washing or of purification is stated in this verse, purification is at stake in v. 2 (in which Yhwh says he will remove the “prophets” and the “impure spirit” [רוח הטמאה] from the land [הארץ]), and the presence of the fountain (מקור) in this verse “for” sin and נדה suggests that the removal of these (impure) things through the use of water.<sup>172</sup> Thus, Zech 13:1 demonstrates a confluence of “ritual” and “moral” impurity through the suggested use of ablutions to wash away sin, and through a possible reference to the “ritual” impurity of menstruation.

2 Chron 29:5, describing the cultic reforms of Hezekiah, includes instruction to the Levites to “sanctify yourselves and sanctify the house of Yhwh, the god of your fathers, and remove the impurity (הנדה) from the holy place.” In this case, נדה is constructed as the opposite of “sanctify” (קד"ש). Additionally, in the context, and because the נדה seems to be imagined as something physical, it seems that the term refers here to objects of “idolatry.”<sup>173</sup> Verses 15-16, which record the activities of the Levites, use the term הטמאה in place of נדה, suggesting that these two terms are synonymous. Verses 18-19 also recount the actions, using both the roots קד"ש (v. 19) and טה"ר (v. 18) to describe the process of sanctification and purification, placing these two verbs as

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<sup>172</sup> Compare the gendered language of Isa 4:4, in which Yhwh is said to wash away the “filth” (צאֵה) of the daughters of Zion.

<sup>173</sup> Compare 2 Kgs 18:4-6. See Philip, 36. See also Jacob M. Myers, *II Chronicles: Translation and Notes* (Garden City, New York: Doubleday & Company, Inc., 1965), 173, 176.

opposites of נדה of v. 5. Philip asserts that this passage indicates the blurring of previously distinct categories “holy/profane, pure/impure.” The basis of her argument is the use of טה"ר (pure) and קד"ש (holy) as synonyms in vv. 18-19, as well as the fact that נדה and טמ"א, both connote impurity rather than “profane” status.<sup>174</sup> She suggests that נדה has become a synonym for impurity, which itself has become a more expansive category. Philip asserts, however, that the term “has lost its original meaning of menstruation,” declaring that because both men and women can be said to have נדה impurity in later biblical books, the term has lost its connection to “anything that was exclusively unique to women.”<sup>175</sup> This is a spurious argument. Just because “one kind of impurity, the impurity of menstruation, now represents impurity itself”<sup>176</sup> (that is, just because the term נדה can be used as a synecdoche for all ritual impurities) does not mean that the term itself, *or* the type of impurity, is no longer associated with women. Indeed, it has been demonstrated through the use of other terminology that also denotes menstruation that it is not the *term* נדה which conveys the sense of “moral” illegality in these later texts, but menstruation itself. It is the fact that menstruation, a “ritual” impurity, becomes associated with prohibited actions in H, and then becomes an image of “moral” impurity in later biblical works that is at issue.

One final text demonstrates that not only does the image of menstruation infiltrate the discourse on “moral” impurity, it is also involved with the “moral” impurity of land. In Ezra 9:11, the land of Israel is said to be an “impure land” (ארץ נדה). The context is in a speech about the illegality of intermarriage. The blame for this pollution of the land

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<sup>174</sup> The terminology for the different binaries “pure/impure” and “holy/profane” have also been blurred by occurrences of חל"ל where טמ"א is expected. See Milgrom *Leviticus 1-16*, 37 and Olyan *Rites and Rank*, 49, 148 n. 54.

<sup>175</sup> Philip, 37.

<sup>176</sup> *Ibid.*

falls on the other nations: “With the impurity of the peoples of the lands (בגדת עמי הארצות) with their abominations (בתועבתיהם) with which they have filled it from one end to the other with their impurity (בטמאתם).” In this verse, the term נדה is connected with the type of impurity which defiles the land, as in Lev 18 and 20. It is also connected to the idea of menstrual impurity through the twice-repeated term נדה. Klawans emphasizes that the use of the term נדה in prophetic texts is figurative, and presumes that “figurative” uses of “ritual” impurities in “moral” impurity contexts does not upset a neat distinction between “moral” and “ritual” impurity.<sup>177</sup> Whether or not these various passages intended to imply a literal or a figurative usage of the pollution associated with menstruation, the very fact that the term נדה (and other terms relating to menstruation) are utilized in contexts where sinfulness or “idolatrous” objects are the target of a purity-charged critique demonstrates that there was conceptual overlap between the “ritual” impurity of menstruation and the polluting power of sin and unsanctioned objects. That the images and terms from different purity “systems” are juxtaposed and intertwined in these passages threatens the integrity of a strict two-system view of purity in ancient Israel.<sup>178</sup>

The idea of corpse impurity was mentioned above as being of special importance

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<sup>177</sup> See Klawans, *Impurity and Sin*, 35-36, 113-114, 175-176, n. 90-91. He states, “These passages, by virtue of the juxtaposition of ritual impurity with sinfulness, or ritual purity with righteousness and atonement, are indeed figurative in nature” (36). The reason that he suggests that these are “figurative” is the very fact that these passages juxtapose the terminology of the two systems; however, this juxtaposition should rather demonstrate the instability of the “systems” construed as mutually exclusive. Klawans emphasizes that there is no form of purification in these passages, because “no form of impurity has been contracted or conveyed” (36); however, it was seen that ritual purification *is* in the perceptual frame of reference at least in texts such as Zech 13:1.

<sup>178</sup> Klawans observes that rabbinic interpretation of passages such as Isa 30:22 demonstrate that the Tannaim at times considered “idolatrous” objects, at least, to be “ritually” defiling. He does not elaborate, however, on how the biblical justification of the Tannaitic rulings suggests similar conceptions in ancient Israelite religion. The thrust of his “metaphorical” passage is to argue against the idea proposed by scholars such as Neusner that all “moral” impurity was figurative; however, his description of the “metaphorical” uses of “ritual” impurity in the context of “moral” sins does not recognize that these very uses upset the idea that “moral” and “ritual” impurity were no more related than other “systems” in the Hebrew Bible.

to the study of land impurity, because failure to purify from corpse impurity is prohibited, and punishable by כרת, and because H suggests that those with corpse impurity are sequestered outside the camp. In addition, corpse impurity, like menstruation, is a feature of “ritual” impurity which is at times drawn into the discussion of “moral” impurity. Deut 21:22-23 states that the corpses of hanged individuals must not be left on the tree all night, but must be buried on that same day. The reason for this is that “anyone hung on a tree is under God’s curse (קללת אלהים). You must not defile (טמ"א) your land (אדמתך) that Yhwh, your god is giving you as an inheritance” (v. 23). Klawans interprets this passage as evidence of “the defiling force of sin.”<sup>179</sup> The passage does not seem to suggest that the “sinful” behavior involved is that of neglecting to properly care for the corpse of the hanged individual, because the emphasis is on the fact that the hanged person is under Yhwh’s “curse,” and this is the reason the corpse must be buried speedily. This verse, rather, seems to suggest that it is the body of the hanged individual itself which is defiling. One may compare Ezek 39:14-16 where the bodies of invaders who are left on the land (על-פני הארץ) are said to defile it, and burying those bodies (in this verse the term נבלה is not used; found instead is עצם אדם) is said to purify (טה"ר) the land.

These texts suggest a combination of “ritual” and “moral” impurity motifs. These verses in Ezek 39 and Deut 21 seem to be related to corpse impurity, as it is the corpses of specific (vilified) individuals that are said to be polluting. It is also interesting that the pollution seems to be spread through contact with the exposed ground (Ezek 39:14 and Deut 21:23 are both explicit that the corpse must be *buried*—that is, not left above

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<sup>179</sup> Klawans, *Impurity and Sin*, 34-35.

ground).<sup>180</sup> Corpse impurity is spread through contact, and it is a possibility that this particular form of defilement is perceived to spread from the corpses in a kind of contact contagion. Distinct from discussions of corpse impurity in P, however, the corpses of these individuals are specifically said to pollute the land (ארץ in Ezek 39, אדמה in Deut 21), which is a feature tied to “moral” defilement in Lev 18. A sinful element is also involved in these passages: the sin is on the part of the deceased invaders or criminals. The ideology expressed in these passages seems to be different from that seen in Num 35:33, in which the death of a murderer is said to make propitiation for the blood that was spilled on the land, defiling it.<sup>181</sup> In the cases of Deut 21:23 and Ezek 39:14, the body of a reviled person is said to act as an agent of land-pollution even (perhaps especially) after death. The combination of elements from “moral” impurity (the idea that impurity results from sin and pollutes the land) and from “ritual” impurity (the idea that corpses are defiling and pollute through contact) demonstrates that ideas from different impurity traditions could be fruitfully brought together.

These passages seem to suggest the particularly defiling force of those who sin (or transgress against Israel, in the case of Ezek 39)—this is not just an abstract notion that sinful actions pollute remotely, but a literally *embodied* sense of sin as polluting; the idea of corpses contaminating the ground upon which they lie might be an extension of the idea of corpse impurity’s contact contagion, imported here to describe exactly *how* the

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<sup>180</sup> Note that in Ezek 43:7-9 human actions are said to defile (טמא) the place of Yhwh’s throne (i.e., the sanctuary, or perhaps Jerusalem—see Jeremiah 3:16-17), and the place for the soles of Yhwh’s feet (the holy of holies, or the ark). Yhwh’s residence is, in this passage, defiled by the people’s and the kings’ worship of other gods and by the “corpses (or: stelae, “פגרים” is ambiguous) of their kings at their death (or: “on their high places, “במותם”).” If one of the issues involved is the contamination of Jerusalem through corpse impurity (and this is not certain), the juxtaposition of this corpse impurity with that of the moral sin of improper worship demonstrates the fluidity of the categories of “moral” and “ritual” pollution.

<sup>181</sup> Note that this verse does not include the terminology טמא/ר, but rather כפר/חנף. It seems that defilement and removal of defilement is still involved, however. Note that חנף is the usual term referring to land defilement. It is parallel to טמא in v. 34.

land might be defiled, though this is speculation.

It is interesting that the corpses of particularly disliked people are repeatedly depicted as lying on the ground or otherwise not regularly buried in biblical literature, though not always (or even usually) accompanied by the idea that they defile the land.<sup>182</sup> The case of Jezebel provides an interesting comparison: she is cursed to be left unburied and eaten by dogs (2 Kgs 9:10, 36), and there is no explicit mention that her corpse defiles the land; however, there is mention in 2 Kgs 9:37 that her “corpse will be like dung on the field” (נבלת איזבל כדמן על-פני השדה). The reference to dung here is not necessarily a suggestion that her corpse was ritually defiling; indeed, it is likely a reference intended to elicit disgust, rather than invoke the idea of impurity.<sup>183</sup> For this reason, the parallels to Ezek 39:14-16 and Deut 21:22-23 should not be overdrawn. The idea of how different texts treat the corpses of villains, however, is interesting and diverse: corpses left lying on the surface of the ground to be eaten by animals can be a curse, or such unburied corpses can be a source of land defilement, and something to be avoided.<sup>184</sup> In either case, texts such as Deut 21:22-23 and Ezek 39:14-16 suggest that certain elements of “ritual” corpse impurity are drawn into discussion of “moral”

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<sup>182</sup> In 1 Kgs 13, the body of the man is left lying on the road, until it is buried not in his own family tomb, but that of the prophet from Bethel. 1 Kgs 14:11; 16:4; 21:23-24; 2 Kgs 9:10, and 36 suggest that specific people, rather than being properly buried, will be consumed by wild animals. There is no notion here that the bodies of these people defile the ground because they are not properly buried.

<sup>183</sup> It cannot be dismissed that the two ideas—dung as defiling and dung as disgusting—could both be included here. Disgust could factor into purity discourse, as was seen in the case of how menstruation was incorporated into the “moral” impurity discourse. The idea of impurities (“ritual” or “moral”) as something that is revolting cannot be dismissed. In the case of Jezebel’s corpse, however, as there is no impurity language involved, and because having one’s corpse mistreated functions as a curse without any special case of impurity being invoked, the idea of dung as being viewed as a defiling in the case of 2 Kgs 9:37 should not be pressed.

<sup>184</sup> It might be interesting to read the account of the treatment of the corpse in 1 Kgs 13 in the light of the idea that corpses of sinners were in some texts viewed as defiling. This is purely speculative, however, especially because no example from 1 or 2 Kings suggests that improperly cared for corpses are a source of defilement of any sort, unless one reads 2 Kgs 9:37 through the lens of texts such as Deut 23:13-15, which suggest that dung is defiling (it must also be buried in the ground according to this text).

impurity, perhaps with particular polemical intent (of further ostracizing people cast as enemies so that even their corpses are sources of a defilement that can pollute the land itself, which ordinary corpses are not said to do).

Haggai 2:13-14 uses the analogy of corpse impurity to suggest *how* “moral” impurity functions. This passage suggests that sinful activities pollute in a manner similar to corpse impurity, and interestingly, the analogy goes further to suggest that this impurity is communicable in the same way the “ritual” impurity of corpse contact is. The passage sets up a comparison in dialogical form: asked if a priest who carries consecrated meat on his person conveys holiness to food he touches, the answer is “no,” but asked if a person contaminated through contact with a corpse conveys impurity to these items, the answer is “yes.” The culmination of the indictment is found in v. 14, where the judgment is pronounced: “So it is with this people, and with this nation before me, says Yhwh, and so with every work of their hands, and what they offer there is unclean (טמא).” In this passage, offerings made in a state of “moral” impurity are contaminated by contact with polluted individuals, in the same way that corpse impurity is a contact-contagion. This changes the nature of “moral” impurity, as delimited by Klawans, who argued against the cultic implications of “moral” defilement vis-à-vis “ritual.” Indeed, Klawans convincingly demonstrates that in the case of the suspected adulteress (Num 5:11-31) and in the case of murderers (e.g. Exod 21:14), these individuals were not said to defile the sanctuary by contact; rather, the ritual to adjudicate the truth about the suspected adulteress takes place *in the sanctuary*, and murderers sought sanctuary there. Klawans suggests that this means that “morally” impure individuals were not barred from the cult; their pollution of the sanctuary was not through contact, but “even from afar, in its own

way”<sup>185</sup> Hag 2:13-14, then, demonstrates that the idea of how “moral” impurity is transmitted is not handled consistently in the texts. At the very least, this suggests that purity ideologies were varied, and that biblical texts preserve extant inconsistencies of thought related to the application and implications of such ideas as impurity caused by misbehavior. To push the evidence slightly further, however, I suggest that Hag 2:13-14, contrasted with texts such as Num 5 and Exod 21, demonstrates that purity ideologies were themselves inherently flexible and adaptable. The authors of the text in Hag 2 were free to draw from a constellation of ideas about impurity with specific rhetorical purposes, just as other biblical authors discussed in this study are seen to use purity ideologies in different ways to suit specific polemical or dialectical purposes.

The idea that corpse impurity is connected specifically to “idols” or “idolatry” in several texts is also relevant. Some texts suggest that corpses have the power to defile “idols” or unsanctioned altars through contact. In Ezek 6:4-5, Yhwh issues judgment against Israel for improper worship practices, including the prophecy that he will lay your “slain” (חלליכם) down before the “your ‘idols’” (גלוליכם). V. 5 elaborates, “I will lay the corpses of the people of Israel (פגרי בני ישראל) in front of their “idols” (גלוליהם); and I will scatter your bones around your altars.” This passage seems to have a double force: a death sentence is placed upon those deemed guilty; additionally, the corpses being scattered around the altar presumably would have defiled it and made it unfit for cultic use.<sup>186</sup> Still other texts seem to compare “idols” themselves to corpses, for example Ps 106:28 (in which “the dead” [מתים] is used in parallel structure with “Baal of Peor”), Gen 35:4 (Jacob buries the foreign gods [אלהי הנכר] of his household), Lev 26:30 (which

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<sup>185</sup> Klawans, *Impurity and Sin*, 29.

<sup>186</sup> Compare 1 Kgs 13:2, 2 Kgs 23:14.

combines the notion of putting the corpses of people onto “idols” and the idea that “idols” themselves are corpses, and refers to the “corpses of the ‘idols’ [פגרי גלולים], Ezek 36:25 (for which I and others suggest that the “sprinkling” of water that cleanses the Israelites from the impurity of their “idols” is reminiscent of the purificatory procedure from corpse impurity in Num 19), and Jer 16:18 (which refers to “idols” as “carcasses of their detestable things” [נבלת שקוציהם] which defile the land [חל—literally “profane” though one might expect טמא], and “their abominations” [תועבותיהם]).<sup>187</sup>

Hayes dismisses the notion that the use of these metaphors does anything to disrupt the category of “moral” impurity as completely separate from “ritual” impurity, arguing that in both these cases and in postbiblical literature which has similar phenomena, “the strong association drawn between idols, death, and corpses is rhetorical and connotes no ritual impurity.”<sup>188</sup> In the rabbinic context, in which interpreters explicitly *did* connect the impurity of idols, foreigners, and foreign lands to “ritual” defilement, Hayes states that the metaphorical uses in the biblical literature “were available for ‘literalization’ by later readers, and they fueled rabbinic controversies over the type and degree of ritual impurity that attaches to idols.”<sup>189</sup> All of this demonstrates Hayes’ commitment to the idea that *all* cases of impurity in the biblical literature clearly belong to one of three systems (moral, ritual, genealogical) featuring strong delineation between these categories, cast by Hayes as mutually exclusive. She must presume that the original authors did not mean these metaphors “literally,” but later interpreters did.

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<sup>187</sup> See Hayes, *Gentile Impurities*, 235 n. 64. Hayes, like Klawans, treats features drawn from “the realm of ritual impurity” into that of “moral” impurity as “metaphors” and therefore not “literal.” Like Klawans, she does not imply that these instances of cross-over between “ritual” and “moral” impurity in terms of terminology, imagery, and even modes of transmission complicate the idea of a neatly differentiated purity ideology.

<sup>188</sup> Ibid, 54.

<sup>189</sup> Ibid, 43.

This argument has not yet been demonstrated sufficiently. The cases mentioned above, especially Hag 2:13-14, would seem rather to indicate that the metaphorical uses of “ritual” impurity images in the description of “moral” sin *did* at times involve a blurring of the distinctions between Klawans’ monolithic categories.

All of these connections between corpses and corpse impurity and the conceptual framework of “moral” impurity demonstrate, like menstrual impurity, that ideas drawn from the “ritual” impurity tradition could be employed, without difficulty and in a variety of texts, in a “moral” impurity context.<sup>190</sup> Interestingly enough, the reverse does not seem to be true. There are no texts that describe a corpse or a menstruous woman as “impure like an ‘idol.’”<sup>191</sup> There are several possible explanations for this. Possibly, the idea of “moral” impurity was more amorphous in ancient Israel—Klawans has admirably shown that “moral” impurity cannot be dismissed as “abstract” or “metaphorical;” however, it must be remembered that while all scholars who speak of purity systems exhibit general agreement on the texts and features of “ritual” impurity, it is “moral” impurity that remains contested. It is possible that ideas from a better-articulated purity tradition were utilized to describe “moral” impurity simply because there was general agreement about how corpse impurity or menstrual impurity functioned, but the idea of how bad behavior acted as a defiling agent was less concrete. An alternative explanation

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<sup>190</sup> The idea of land being cast as a mourner and its possible connection to corpse impurity may be mentioned briefly. Certain passages suggest that Jerusalem herself is a mourner after the exile, and that she has no comforters (Lam 1:4, 9). The mourning here seems not to be about death, but calamity, however, and the image of Jerusalem as lacking comforters points more to her shame and revilement among the nations than it does to her purity status. The case of Jer 31:15 is interesting, as the voice of Rachel is said to be heard in Ramah weeping for her children, and she is said to refuse comforted for her children because “they are gone.” In this passage, it seems that weeping and mourning has a stronger connection to the idea of actual mourning for death; however, again, no purity language is in use, and “Rachel” is not synonymous with the land, though the personification here is interesting. The idea that mourners are ritually defiling is involved in Hos 9:4, which states that mourners’ bread pollutes those who eat it; however, it is difficult to read this idea into any of the passages which cast the land of Israel herself as a mourner. The image conveyed in these passages is one of disconsolation, not impurity.

<sup>191</sup> Though note unclean animals referred to as “תועבה” in Deut 14:3.

for this situation is that the idea of disgust or repulsion drove the incorporation of specific highly-charged “ritual” impurities into texts dealing with “morally” reprehensible actions and objects. Menstrual impurity, which seems to have been regarded as a particularly foul and even shameful impurity in some texts (Lam 1), and impurity contracted through contact with the dead (and which was regarded as a particularly serious form of impurity in certain texts), lend themselves to use in contexts where disgusting things are being addressed. “Idols” could be described as corpses both because this robbed them of life and agency, and because corpses were a particularly serious source of impurity.<sup>192</sup> By using ideas from the universe of “ritual” impurity, certain ideas of repugnance and defilement can be effectively communicated about the “moral” situation being described. There would be less reason to import ideas and images from the “moral” impurity tradition to describe actual “ritual” impurities, which would be value-neutral. Ultimately, there is more ideological freight communicated when mixing “idols” with corpses or menstruation than there would be in the reverse. The idea, for example, that a זכ would be impure “like a murderer” or “like an ‘idol’” would simply not be intelligible, because having an abnormal genital flux was not considered sinful, while on the contrary, touching an “idol” would be considered “disgusting.”

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<sup>192</sup> In “The Ascription of Physical Disability as a Stigmatizing Strategy in Biblical Iconic Polemics,” *The Journal of Hebrew Scriptures*, 9.14 (2009): 2-15, Saul Olyan observes that ascribing “idols” the power to pollute and describing them as dysfunctional are both ways that “idols” are stigmatized in biblical texts. Calling them dysfunctional points to their inferiority, and impurity is antithetical to the realm of the divine. By calling “idols” corpses, they are effectively robbed of all agency that “living” deities should have; moreover, they themselves are a source of pollution, which gods should not be.

### 1.5 “Ritual” Impurity Terms used to describe “idolatry”

Similar to the phenomenon where metaphors and images are drawn from the “ritual” impurity tradition and employed to *describe* “moral” impurity are the cases in which “morally” impure objects and phenomena are renamed in “ritual” impurity terms. This is the case in several texts which seem refer to “idols” as “corpses” or “the dead,” listed above. The very terms used idiomatically to refer to “idols” demonstrate the fluidity of the language, concepts, and images associated with the different purity ideologies.

In addition to the use of terms and images such as נדה, which tie “moral” impurity to the idea of menstruation, as well as the texts that connect the ideas of sin, death, and “idolatry,” as well to land pollution, two additional terms used to refer to unsanctioned cult icons deserve comment: the use of שק"ץ and related terms, and the idea of “idols” as גלולים, “dung balls.” The root שק"ץ (“to detest”) appears multiple times in contexts dealing with dietary restrictions (Lev 7:21; 11:10-13, 20, 23, 41-42; 20:25). In these contexts, what is “שק"ץ” is deemed impure (e.g., Lev 7:21 “בכל-שק"ץ טמא”), and violating dietary laws can make one “detestable” (Lev 11:43 and 20:25 use the phrase “אל-לא-תשקצו אלהיכם”), which in context refers to polluting oneself. In addition to dietary laws, שק"ץ appears in contexts that unambiguously refer to “morally” impure objects or actions. Sometimes, the term is used in conjunction with other hate/abhor vocabulary, such as in the case of Ezek 7:20 (mentioned above) which juxtaposes נדה and תועבה with the term שק"ץ. In this passage, the “abominable things” and the “detestable things” refer to unsanctioned cult images (demonstrated by the use of the term צלם). Ps 22:24 uses שק"ץ in conjunction with yet another term signifying rejection, בז"ה.

Other passages use these terms to refer to “idols” without the use of terms such as צלם. Deut 7:26 enjoins Israelites to “utterly detest” (שקץ תשקצנו) and “utterly abhor” (ותעב תתעבנו) the “abominable thing” (תועבה).<sup>193</sup> 2 Kgs 23:24, about Josiah’s cult reforms, notes that he removed (among other unsanctioned cult practices and objects) the teraphim, the “idols” (הגללים) and “all of the detestable things (כל-שקצים) that were seen in the land (בארץ) of Judah and in Jerusalem.” Juxtaposed with teraphim, it is clear that “הגללים” and “שקצים” refer to cult icons, called here by disrespectful names to stigmatize them.<sup>194</sup> Similar uses appear in Deut 29:16 (גלליהם שקוציהם paired with שקוצים) and Jer 7:30 (in which the שקוצים that the Israelites put in Yhwh’s “house” are said to defile it). This last example depicts “detestable” “idols” as defiling the sanctuary through their very presence inside it, which demonstrates an affinity with “ritual”-type contact contagion.<sup>195</sup> The term is also used of a foreign deity in 1 Kgs 11:7, where the text calls Kemosh שקץ מואב, “the detestable thing of Moab” (and also calls “Molech” the “detestable thing of the Ammonites”).<sup>196</sup> What all of these passages demonstrate is that the insulting term “detestable thing,” drawn from the language of dietary laws, may be applied to “idols” and foreign deities for polemical reasons. The use of this term complicates the idea of “ritual”/ “moral” impurity not only because of its association with dietary laws (the one category of regulations that *everyone* agrees seems to straddle the divide), but also

<sup>193</sup> The larger context of the passage makes it clear that cult images are implied; however the terminology used here to refer to prohibited icons is presumed to be understood without explanation.

<sup>194</sup> Olyan, “The Ascription of Physical Disability,” 6-7 demonstrates that the use of “insulting epithets” is a means of denigrating icons, and that two epithets are often paired.

<sup>195</sup> Above was noted Klawans’s salient point that certain types of “moral” impurity do not seem to pollute the sanctuary, even when they are inside it (i.e., the suspected adulteress and the murderer). Hag 2:13-14 was held up as an example of an instance where “moral” impurity is said to pollute the sacrifices through contact. In Jer 7:30, unlike Num 5:11-31 and Exod 21:14, the presence of the “שקץ” defiles the sanctuary from inside.

<sup>196</sup> Compare 2 Kgs 23:13, in which Kemosh is called the “detestable thing” of Moab, and Milkom is called the abominable thing (תועבה) of the Ammonites.

because of passages such as Jer 7:30, which suggest that these “detestable” cult images, presumed by Klawans and Hayes to be firmly situated in the “moral” impurity “system,” seem to spread defilement like a “ritual” impurity, that is, through contact. The fact that it is the *space* of the sanctuary of Yhwh (“the house that is called by my name”) that is so contaminated, raises the issue of land impurity, both because it is a specific locus that is defiled, and because this pollution results in the land being laid waste in Jer 7:34. The image of the razing of the land and the decimation of its inhabitants is, of course, present in much discourse about divine punishment of the disobedient Israelites; the connection with impurity of the temple in v. 30, however, is specifically reminiscent the idea of “moral” impurity polluting the sanctuary in Lev 20:3, and the connection between land impurity and exile in Lev 18:24-30.

The fact that “idols” are frequently called גלולים, “dung balls”<sup>197</sup> is a particularly interesting case for the demonstration of “ritual” impurity terms applied in a “moral” impurity context with polemical intent. This term is idiomatically applied to unsanctioned cult icons, and is often paired with terms evoking one or both of the so-called purity “systems,” such as שקוץ and תועבה.<sup>198</sup> Referring to icons as “dung balls” is, on its face, a disparaging epithet which associates such icons with a foul substance. Indeed, using such insulting terms that draw on the language of hatred, rejection, and repulsion, as euphemisms for “idols,” stigmatizes the icons in question, whether or not ideas of impurity are incorporated. Sometimes, such insulting terms are even paired

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<sup>197</sup> On the connection between גלולים and excrement, see H. D. Preuss, “*gillûlîm*,” *Theological Dictionary of the Old Testament* 3:1-5. The term *gillûlîm* seems to be derived from the root גלל “to roll,” with the vowels of a word such as *šiqqûšîm*. The use of this term is especially seen in Ezekiel, though it also appears in Leviticus (26:30), Deuteronomy (29:16), 1 Kings (15:12, 21:26), 2 Kings (17:12, 21:11, 21:21, 23:24), and Jeremiah (50:2).

<sup>198</sup> For example, this term is paired with שקוצים in Deut 29:16, with תועבות in Ezek 16:36 (below).

“producing a doubly denigrating combination epithet” such as גלולי תועבותיך, “your dung ball abominations” in Ezek 16:36.<sup>199</sup>

The force of calling “idols” “dung balls,” however, goes beyond the mere idea of fecal matter as a foul substance, because, as was the case with שק”ץ, there are ideas of purity bound up in this choice of terminology. Angelika Berlejung has observed that calling “idols” גלולים reverses the conception of icons in the ancient Near East as absolutely pure (with rituals to ensure that purity) by casting them instead as “Mistdinger,” and associating them with “ritual” impurity or, as she calls it, “personifizierte Unreinheit,” (“personified impurity”).<sup>200</sup> In certain biblical texts, human excrement is said to be defiling. This is apparent in Deut 23:13-15, in which Israelites are enjoined to defecate outside the camp, and to bury their excrement (צאה) “because Yhwh your god travels in the midst of your camp, to save you and to give over your enemies to you; therefore your camp [must be] holy, so that he may not see anything indecent (ערות דבר—‘the nakedness of a thing’) among you and turn away from you” (v. 15). This is also the case in Zech 3:3-5, in which the process of changing clothes is depicted as accompanying a change in purity status. In this passage, the high priest Joshua is described as wearing “excrement-covered clothes” (בגדים צואים),<sup>201</sup> which symbolizes his iniquity (עון). The clothes that replace these are situated to his high status, and also “pure” (טהור), demonstrating that the excrement-covered clothes were indeed

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<sup>199</sup> Olyan, “The Ascription of Physical Disability,” 6.

<sup>200</sup> Angelika Berlejung, *Die Theologie der Bilder: Herstellung und Einweihung von Kultbildern in Mesopotamien und die alttestamentliche Bilderpolemik* (Freiburg: Universitätsverlag; Göttingen: Vandenhoeck & Ruprecht, 1998), 350-351, 405, and 418. On the “absolute purity” of Mesopotamian icons, see pages 350, 405.

<sup>201</sup> The adjective here (צאי) refers to his clothes being befouled by excrement.

viewed as “defiled.”<sup>202</sup> Additionally, Ezek 4:12-15 suggests that human excrement is “ritually” defiling, because the prophet disdains the idea of eating food prepared over human dung, on the grounds that he has never before violated the dietary restrictions. Ezekiel suggests then, that human excrement is (ritually) defiling, even more so than cow dung. This can be inferred from the fact that Yhwh accommodates Ezekiel’s sensibility, altering his command to eat food prepared over human excrement (גללי צאת האדם or גללי האדם) to an order that it be prepared over cow dung (צפועי הבקר).

It seems, given that excrement is considered defiling in some biblical texts (including Ezekiel, where uses of the term גלולים are focused), that calling “idols” גלולים implies not only that they are (morally) disgusting and fit to be described in the basest terms, but that they are also characterized as “ritually” defiling.<sup>203</sup> This suggestion is at variance with Klawans’s assertion that “it appears that *all* acts of idolatry were viewed as morally defiling in ancient Israel” and that “there is no indication” that “idolatry—or even idols—defile ritually.”<sup>204</sup> Klawans’s assertion is based on the fact that “idolatrous” actions are said to defile the sinner, the sanctuary, and the land, with no contact-contagion involved.<sup>205</sup> Klawans, like Wright and Hayes, takes seriously the rabbinic suggestion that a “ritual” impurity being ascribed to “idols” was a rabbinic innovation, and they contrast this view with a presumed absence of any sense of “ritual” impurity

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<sup>202</sup> This passage is of course interesting because it combines elements from different purity traditions. The idea of changing clothes as part of a purification process is drawn from the idea of “ritual” impurity, as is the idea that excrement is defiling. The image of removing excrement as a metaphor for removing “iniquity,” however, connects this passage to the conceptual world of “moral” impurity.

<sup>203</sup> See Olyan, “The Ascription of Physical Disability,” 5 n. 8; 6.

<sup>204</sup> Klawans, *Impurity and Sin*, 28. See also Büchler, 212-214. Wright likewise suggests that because the impurity of idols is not mentioned in Leviticus, they “were not actually impure in the levitical sense” but that the “rabbinic system of impurities” is what adapted the “idol” and its accoutrements “to the Priestly system of impurity” (*The Disposal of Impurity*, 283-285).

<sup>205</sup> Klawans, *Impurity and Sin*, 28.

being attributed to “idols” in the biblical texts.<sup>206</sup> The fact that “idols” are associated with corpses and are called by terms that evoke a sense of “ritual” impurity are generally dismissed as merely figurative by these scholars; however, if one takes seriously the fact that “idols” were called by terms connoting “ritual” impurity, then it seems that texts such as Ezekiel drew from different purity traditions to heighten the polemic against unsanctioned cult icons. When Ezek 16:36 refers to “your dung ball abominations,” it is possible that the text means to evoke a sense of impurity drawn from both a “ritual” and “moral” impurity ideologies, combining the traditions to heighten the force of the polemic.

The idea of the potential “ritual” connections to the impurity of “idols” is important for a study of land impurity, because “idolatrous behavior” is one of the three focal points of “moral” impurity as articulated by Klawans and Hayes. It is clear in certain texts that “idols” were said to defile the land (e.g., Ezek 36:18). The issue here is whether that defilement is uniformly cast as “moral.” Berlejung raises an interesting point about Ezek 22:3f, where she states that the image of the “idol,” called a “dung ball” reverses broader ancient Near Eastern ideas about cult icons and purity. She observes *not only* that the term גלולים connotes a sense of (ritual) impurity, which is antithetical to the Mesopotamian idea of an icon as consummately pure, but she also suggests that the text reverses the direction of impurity contamination from expected norms. Whereas in most cases, an icon would have to be protected from defilement *by* a city, in Ezek 22:3f, it is the “idol” which threatens the city with pollution.<sup>207</sup> This passage deals with both the pollution of land through blood (innocent blood shed through murderous acts) and

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<sup>206</sup> See M. Shabbat 9:1; B. Sabbat 83b. See Klawans, *Impurity and Sin*, 28, Wright, *The Disposal of Impurity*, 285, and Hayes, *Gentile Impurities*, 42.

<sup>207</sup> Berlejung, 350-351.

through “idols.” If Berlejung is correct that there is a “ritual” element of impurity implied through the very use of the term גלולים, and if this passage is in discourse with Mesopotamian ideas about the purity of cult statues, and the relationship of this purity to its environs (the city), then this suggests at least the possibility that this land defilement has resonances with both the idea of “moral” and “ritual” impurity ideologies.<sup>208</sup> The defilement of land is complex, and it has been demonstrated that land defilement can be tied up with images of corpses, menstruation, and excrement, which are all “ritually” defiling.<sup>209</sup> What is at stake when a cult image is actually *named* a “corpse” or a “detestable thing” (like the creeping insects in Lev 11) or a “dung ball” is even more pointed than when similes and metaphors of comparison are used to bring the phenomena together. When a “dung ball” icon is said to pollute the land, the idea of land defilement as a purely “moral” impurity phenomenon must be reexamined.

### **1.6 Texts that draw on both purity “systems” to create innovative polemics**

Olyan has argued that Ezra-Nehemiah is innovative in its use of impurity, drawing from both “moral” and “ritual” impurity traditions and using purity ideology as a tool for social formation by recasting insiders and outsiders to the Judean community.<sup>210</sup> One of the types of defilement Olyan observes being employed in the purity discourse of Ezra-Nehemiah involves the depiction of Tobiah as a perpetual polluter in “ritual” terms.<sup>211</sup> Tobiah had been given space in the Temple by Eliashib, but after his expulsion

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<sup>208</sup> It should be noted that language of shame is used in Ezek 22:4-5. This is similar to the shameful position of a menstruous woman in Lam 1, and to Joshua in Zech 3. The image of dung or menstrual blood seems to have been used in certain contexts to elicit a shame-response for Israelite actions (see Lam 1:8).

<sup>209</sup> Though, of course, it must be acknowledged that human excrement is not construed as “ritually” defiling in all texts.

<sup>210</sup> Olyan, “Purity Ideology in Ezra-Nehemiah,” 1-16.

<sup>211</sup> Ibid., 4, 10-12.

and the removal of his (and his household's) belongings from the Temple precinct, his chambers must be purified, which suggests a ritual dimension to the pollution. Because there seems to have been nothing objectionable about Tobiah's behavior in the Temple or his observance of purity rules while in the Temple complex,<sup>212</sup> Tobiah himself is the most "likely source of 'ritual impurity' motivating Nehemiah's purifying actions."<sup>213</sup> Due to the fact that the pollution seems to have been caused by Tobiah's foreignness, and the fact that it spread to his chamber (and its items) in the manner of a "ritual" defilement, Olyan asserts, "The text implies that Tobiah is a perpetual polluter, a threat to the holiness of the sanctuary, requiring expulsion from the temple and presumably, the community."<sup>214</sup> Olyan's case for the system of "ritual" impurity being brought to bear on the situation of Tobiah in Neh 13:4-9, as well as traces of the ritual impurity system incorporated in the pollution of the Priestly lineage and the covenants of the priests and Levites in Neh 13:29-30<sup>215</sup> strongly argues against Klawans's and Hayes's contention that there is no trace in the entire Hebrew Bible of "ritual" impurity linked with foreigners.<sup>216</sup> Olyan traces a complex, three pronged attack on aliens and on intermarriage, which is articulated differently in the different hypothetical sources of Ezra-Nehemiah. Both "ritual" and "moral" impurity traditions are wielded by the authors

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<sup>212</sup> Indeed, there is every indication that the tellingly-named Tobiah was himself a Yhwh worshipper, disqualifying any suggestion that (morally) defiling foreign religious practice is involved in the impurity of this passage.

<sup>213</sup> Olyan, 11.

<sup>214</sup> Ibid., 12.

<sup>215</sup> Neh 13:28-30 is said by Olyan to draw on traditions of "moral" as well as "ritual" impurity. He suggests that the text reads the sexual transgressions of H (Lev 18 and 20) together with Ezek 44:22, which proscribes priestly intermarriages ("Purity Ideology," 7). The nature of the lineage defilement described in vv. 19-20, however, draws also on ideas from the "ritual" impurity tradition insofar as it is seen as communicable (page 9).

<sup>216</sup> Olyan refers to hypothetical sources in Ezra-Nehemiah, such as The Nehemiah Memoir (Neh 13:4-31), the Nehemiah third person narrative (Neh 13:1-3), Neh 7:5-10:40, the Ezra Memoir (Ezra 9:1-15), the Ezra third person narrative (Ezra 10), and Ezra 1-6. He compares and contrasts how these sources refer to foreigners and intermarriage.

of these texts, in slightly different ways, with a common anti-foreign ideology. This kind of attention to sources and settings is instructive when pursuing the discussion of foreign land impurity. Not all biblical authors necessarily had the same agenda when speaking about foreign places; attempting to determine *why* foreign lands were described in the manner they were in different sources is important. This will prove critical in Chapters 4 and 5. Ezra-Nehemiah relate directly to the subject of land impurity through Ezra 9:11, which refers to the land of Israel *אֶרֶץ*, and because of the discourse on how foreign persons are said to contaminate sacred spaces “ritually.” Olyan’s analysis of how authors could draw from different purity traditions for specific reasons helps to clarify texts examined above, which likewise seem to draw from both “moral” and “ritual” impurity traditions in order to heighten their own rhetoric. Texts such as Ezek 39:14-16 and Deut 21:22-23 combine elements of “ritual” defilement (such as the idea of corpse contact contagion) and elements of “moral” defilement (such as the idea that impurity results from sin and defiles the land) in a highly descriptive manner. Language drawn from the realm of “ritual” impurity, such as menstruation or human excrement, has been seen to heighten or clarify the nature of impurity caused by human misbehavior in texts such as Lam 1:9, Zech 3:3, and Ezek 16:36. The fruitful combination of elements from multiple purity traditions provided innovative ways for biblical authors to concretize their disgust regarding certain behaviors, heighten their polemic, or further expound on the nature of pollution resulting from various causes.

### **1.7 Summary**

I attempted to demonstrate that several features in purity discourse are not definitively placed in one “purity system” or another. In Chapters 3 and 4 below, I chart

verses referring to land impurity, and investigate the kinds of ideas that might be imported from the realm of “ritual” impurity into discussion about how Israelite and foreign land may be defiled, and why. I conclude utilizing ideas and terminology from multiple kinds of impurity rhetoric served to either strengthen (Ezek 16:36, Lam 1:9) or clarify (Hag 2:13-14) the kind of impurity imagined when Israelites discussed the “defiling force of sin.”

The incorporation of images and terms drawn from the rhetoric of “ritual” impurity (corpse impurity and corpses themselves, menstruation and menstrual blood, and human excrement) may be explained by the supposition that they evoked a similar sense of disgust in ancient Israel. Impurity incurred from sin was presumably less obviously manifested in the body of an individual than specific “ritual” impurities (unless a person was afflicted with skin disease as a punishment). By incorporating more easily identifiable, outwardly noticeable impurities (such as menstrual blood or excrement on a person’s clothing [Lam 1:9, Zech 3:3]), “moral” impurity could be concretized and also stigmatized for its shamefulness. This *does not* mean that such uses of “ritual” impurity in the discourse about “moral” impurity were necessarily figurative or metaphorical. The ideology of casting impure Jerusalem as a menstruant, or casting “idols” as corpses could be used to *add* polemical force because such objects were literally untouchable (unlike a murderer, for example).

I also suggested that the idea of revulsion may facilitate the incorporation of specific “ritual” impurities into “moral” impurity contexts, and that this may suggest the reason this overlap seems to be unidirectional. There is a benefit to bringing “disgusting” imagery into the discourse of “moral” impurity—it imports this sense of disgust to the

treatment of objects and actions that the text considers reprehensible. Even the case of skin disease may be understood in this light—viewing such a physically manifest condition as a sign of divine sanction has rhetorical clout. The author of a text can *use* the “ritual” impurity of Uzziah or Gehazi to make a point: their behavior is reprehensible; divine sanction is written on their very bodies. Because treatment of impurities that were not considered sinful would not be enhanced by incorporating images and verbiage of “sinful” pollutions, there would be no reason to import ideas from “moral” impurity into “ritual” impurity contexts.

There has been a century of study on the ideas of impurity in the Hebrew Bible and how they do or do not relate to sinful behavior. Especially since the publication of Douglas’s *Purity and Danger*, there have been attempts to reconstruct a functioning “system” behind biblical discourse on impurity. The preceding discussion has attempted to show, however, that attempting to impose a strictly bifurcated system onto biblical impurity traditions does not fit the evidence. The fact that certain categories, such as dietary laws, defy all attempts to classify them into one of two rigidly defined categories; that certain phenomena, such as the scapegoat ritual in Lev 16 and the phenomenon of skin disease show a more intimate connection between the mechanisms and expressions of “ritual” impurity and sin than has often been acknowledged; that images and metaphors drawn from the realm of “ritual” impurity, such as menstruation, corpse impurity, and the impurity of excrement, can be (very easily) imported and used to describe the impurity that accompanies prohibited objects and behaviors; and the fact that certain texts, such as Ezra-Nehemiah seem to innovate by drawing on multiple purity traditions for specific reasons (in this case, for polemical clout), all show that “impurity”

is a multifaceted, fluid, and context-conditioned phenomenon. Purity discourse was shaped not only by a distinction between polluting substances and polluting crimes, but also by notions of disgust and shame, ideas of how impurities could be compared and contrasted, and the specific agendas of the authors of various texts. The issue of land impurity, considered to be the focal point of “moral” impurity in recent scholarship,<sup>217</sup> has been shown to be more complex than has previously been assumed. Because descriptions of how land is defiled often call on the very points of friction or overlap between the “categories” of impurity listed above, all cases of land impurity cannot be assumed to be unambiguously “moral” in nature. Because most cases of land impurity described in the biblical literature refer specifically to the land of Israel, proposals about how foreign lands may (or may not) be considered defiled must be especially cautious, investigating the context, assumptions, and purposes for each text ascribing impurity to foreign lands. The case of foreign land impurity demonstrates that purity discourse cannot (and should not) be forced into one side of rigidly-defined bifurcated system of impurity, but should be regarded as a complex and shifting set of assumptions and ascriptions about what it means to be “polluted” in the first place.

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<sup>217</sup> Especially Klawans’s *Impurity and Sin*, see above.

## **CHAPTER 2: Conceptions of Purity and Pollution in Mesopotamia, Anatolia, and Egypt**

The issue of how purity ideologies are reflected in discourse about land, especially foreign land, has usually been addressed within an entirely Israelite context. Alon, Klawans, and Hayes, all address the issue of how ideology of impurity changed and developed in Jewish circles over time, but do not discuss how biblical ideas about impurity were situated within the wider literary context of the ancient Near East. It is true that there has been a substantial body of scholarly research dedicated to comparing Israelite and extra-Israelite purity regulations and practices. Indeed, there has been considerable interest in comparing and contrasting biblical literature with other ritual texts from the ancient Near East, especially Mesopotamia, since the 19<sup>th</sup> century. None of these studies, however, has focused extensively on the issue of land and how it relates to purity, though several issues critical to this study have been addressed in previous scholarship, including the connection of sin, divine agency, illness, and impurity, and the issue of the geographic location of purity and impurity.

In this chapter, several topics require attention. First, I make some observations and comments about the methodology that underlies the comparative drive of this study and similar studies that have been undertaken in the past. I conclude that methods that overly conflate the similarities among literatures from different areas around the ancient Near East in an effort to “fill the gaps” in our understanding of biblical purity regulations are speculative at best, and misguided at worst. On the other hand, drawing overly harsh distinctions between the purity ideologies in literatures from different areas of the ancient Near East is also problematic, as an overly contrastive methodology can lead scholars to

essentialize the differences among diverse cultures' literary expressions, and can distort our understanding of ancient Near Eastern purity ideologies by glossing over what aspects different cultures may have held in common, and where overlap in thought and literary expression may be detected. I conclude that analyzing each body of literature in its own context is an essential first step, being attentive to genre, preservation, and audience. After this, I do suggest that some tentative comparisons may be broached, by comparing different bodies of literature and attempting to articulate both common features among them as well as aspects which mark each group of texts as distinct. In the second section, I make some observations about the terminology and categorization of information with respect to how impurity functioned in other areas in the ancient Near East, especially Mesopotamia and Egypt, the major international powers of the millennia before the common era. I suggest that the terminology found in different texts is a key aspect to understanding purity conceptions in each respective body of literature. I attempt to demonstrate that while in Mesopotamian, Hittite, and Egyptian literature, a concern for purity is integral for the functioning of the cult; however, the distinctions pure/impure and holy/profane did not exist and function in the same way in each culture. Each corpus of texts examined exhibits an internal logic and regulations aimed to protect the purity of the cult, with features that are specific and endemic to the culture that produced the literature. In each case as well, both behavioral and physical concerns factored into the culture's conception of ritual purity. In the third section, I address the topic of the source and nature of impurity in the ancient Near East, and I raise the issues of icon spoliation and divine abandonment (both personal and national) as factors linked with both impurity and the conception of divine agency abroad in cuneiform texts. In this

section, I continue to compare and contrast information available about different cultures, reflected in different literatures from the ancient Near East. By comparing the raw data concerning not only the terms, but also the ideology, nature, source, and deposition of impurity in these different cultures, I hope it is possible to make some informed observations about how purity ideologies and “systems” may have operated in Israelite religion. After this, in the fourth section, I explore some specific texts that have resonance with the issue of how purity and land intersected in Mesopotamia. By again using the lens of “land” to provide a specific avenue through which to examine purity ideologies more broadly, I turn to the discussion of some specific biblical texts that may be illuminated by specific parallel examination of Mesopotamian and Egyptian texts.

## **2.1 Issues in Comparative Interpretation**

There have several different scholarly approaches to the comparative enterprise as it relates to biblical literature. At times, the concern of biblical scholars to make sense of specific texts may have caused them to approach data drawn from other cultures in ways that distort the available evidence. David P. Wright provides a useful, succinct discussion of some of the methods applied in comparative study.<sup>218</sup> One method, which he calls “interpretive comparison,” is when scholars presume the similar expressions, rituals, or beliefs in different cultures have similar causes or functions. The problem with this assumption is that scholars proceed to use phenomena that are more clearly articulated in one culture to explain similar, but more obscure phenomena in other cultures.<sup>219</sup> It will be seen below that Mesopotamian texts are often used to “explain”

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<sup>218</sup> Wright, *The Disposal of Impurity*, 6-9.

<sup>219</sup> Ibid., 6.

biblical texts on the presumption that the ritual practices of the different ancient Near Eastern peoples had a great deal of conceptual overlap. Wright's critique of this method, based on the faulty reasoning underlying its core premise, is well-stated. He also rightly observes that while such an approach originated in anthropological circles, anthropologists no longer use this methodology, which should at least suggest that scholars in other fields carefully assess its merits before relying on it.<sup>220</sup> Wright himself does acknowledge, however, that even while this type of comparison is "based on unsound anthropological theory," it is "at times a necessary risk" when one is faced with a dearth of clear information from primary sources.<sup>221</sup> Both Wright's critique and caveat should be taken into consideration, but it must be stated that Wright's willingness to use data for interpretive comparison from cultures that are widely dispersed in geography and time stretches the limits of what can credibly be claimed for interpretive endeavor.<sup>222</sup> Another method he discusses is what he calls "historical reconstruction," in which one compares geographically and temporally proximal cultures, and attempts to deduce cultural connections. Here, his treatment is correct to emphasize that scattered, isolated data that seem to indicate points of cultural contact must be treated in a cautious fashion, especially where the evidence is limited.<sup>223</sup> Wright credits Talmon with offering a "welcome method" to the discussion of comparative studies, which can be discerned not only in *The Disposal of Impurity*, but other important comparative endeavors, such as van der Toorn's *Sin and Sanction*. Talmon proposed that any feature of the Bible must be

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<sup>220</sup> Ibid, 6-7.

<sup>221</sup> Ibid., 8.

<sup>222</sup> Ibid., 9, 107-113, where he uses data from India to help interpret the disposal of earthenware vessels in biblical literature.

<sup>223</sup> Ibid., 8.

interpreted first in light of its own context, before any comparative study is done.<sup>224</sup> The observation that data should be examined in their own cultural contexts first has led to greater care in scholarship. Scholars have recently been reflective and vigilant to analyze their data before interpreting them through outside lenses. Wright examines biblical, Hittite, and Mesopotamian data in separate sections before synthesizing his analysis, and van der Toorn does not engage in comparative analysis until the final stages of his work. The method that Wright himself espouses is a “contrastive comparison,” in which details of different cultures are examined separately, and then compared in such a way that one may speculate as to the nature and reasons for cultural differences.<sup>225</sup> This method, unfortunately, like the “interpretive method,” is open to specific critiques, because it emphasizes finding points of divergence, which can lead to cultures being essentialized for contrastive purposes. For example, Wright, following Milgrom, emphasizes a purported fundamental difference between Israelite religion and other ancient Near Eastern religions regarding how they viewed the supernatural: whereas various ancient Near Eastern cultures, especially Mesopotamia, emphasized the role of demons and sorcerers, Israelite religion, it is said, does not acknowledge the potency of these forces, and even putative references to demons in the Hebrew Bible are taken to be vestigial, defanged, or even falsely concocted. The impact of this for the study of impurity is significant. Two primary issues of concern for the study of how Mesopotamian data can illuminate a discussion of impurity and its connection to land in the Hebrew Bible are the issue of demons in Israelite and other ancient West Asian religions (and their role in

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<sup>224</sup> Shermayahu Talmon. “The ‘Comparative Method’ in Biblical Interpretation—Principles and Problems,” in *Congress Volume: Göttingen 1977* (VTSup 29; Leiden: Brill, 1978): 320-56. See discussion on Wright, *The Disposal of Impurity*, 7-8.

<sup>225</sup> Wright, *The Disposal of Impurity*, 8-9.

impurity); and the issue of the purification ritual in Lev 16 and its link with Mesopotamian and Hittite rituals.

In Chapter 1, I argued that the scapegoat ritual in Lev 16 breaches the putative dichotomy of “ritual” and “moral” impurity traditions by depicting a ritual that not only removes “moral” impurity, but cleanses a specific tract of land—the temple—of this “moral” defilement. Responsibly articulating the possible resonances of this ritual with extra-Israelite practices can potentially help illuminate how Israelite articulations of purification related to how purity was addressed in a wider cultural setting. Because the case of demons has been understood as a way to mark Israelite religion’s “uniqueness” vis-à-vis other religions of the region, and because demons have a material role in Mesopotamian literature about impurity and illness,<sup>226</sup> the methodology employed in comparing demonology in Israelite and Mesopotamian texts about impurity ought to be critically examined.

Since much of Wright’s work focuses on the fact that all impurity is essentially demonic in origin, it will prove illustrative of his method to devote some attention to demons as they relate to the study of impurity in Mesopotamia. Hayim Tawil argued that demons’ natural habitat was the “desolated places of the netherworld,” and that they escaped through cracks in the ground.<sup>227</sup> He held that demonic forces send illnesses and illnesses *are* demonic forces: “Headache (demon) has sprung up from the bosom of the netherworld, evil Cough has come forth from its subterranean deep, the Irresistible Ghost

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<sup>226</sup> Impurity and illness are demonstrated to be closely related, even intertwined concepts in Mesopotamian literature. Healing involved rites of purification. The interconnectedness of illness, healing, and divine censure as reflected in biblical accounts of skin disease was addressed in chapter 1. Here, it will suffice to also note that 2 Kgs 5:14 connects ritual cleansing with water, healing from skin disease, and purification.

<sup>227</sup> Hayim Tawil, “Azazel The Prince of the Steepe [*sic*]: A Comparative Study,” *ZAW* 92 (1980):43-59 [48].

has come out from the netherworld.”<sup>228</sup> Tawil, who was mainly interested in the role of demons in the biblical reference to the figure of Azazel (mentioned in the scapegoat ritual of Leviticus 16, where the goat was sent לעזאזל) concluded, like Baruch Levine, that Azazel was a supernatural being. Levine suggested, following Roland de Vaux, that this being was connected with demons.<sup>229</sup> Tawil suggested that ‘Azazel—whose “original” name he reconstructed as meaning “the fierce god,” with the aleph transposed in the biblical literature for pietistic reasons—was indeed Môt, the Canaanite god of the underworld, demoted from a god to a “devil” in the biblical text “because of the monotheistic consciousness of the Israelites.”<sup>230</sup> Tawil ultimately suggested that the scapegoat in Lev 19, “exactly as the *mašhultuppu* goat, *šalmu* ‘figurine’ and demons bearing diseases, was likewise dispatched לעזאזל ‘to the fierce god’ (= Akkadian *ana eršeti/eršet lā târi/Namtar ašri Ereškigali* and the like) an epithet of Môt which may also signify the location of his domain, the netherworld itself.”<sup>231</sup> One of the most significant problems with Tawil’s essay is its overly simplistic equation of Canaanite (Ugaritic), Israelite and Mesopotamian religion and terms. Tawil presumes that the scapegoat had a one-to-one correspondence with the *mašhultuppû* goat of the Mesopotamian *utukkū lemnūtu* text, which was slaughtered, received the illness from the body of the sick, and was dispatched to the open country (which Tawil presumes means the netherworld).<sup>232</sup> To make his case, Tawil utilizes sources from both later (even medieval) Judaism as well

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<sup>228</sup> Citing *BWL* (Babylonian Wisdom Literature) 40:52-54 (*Ludlul*). See “Azazel The Prince of the Steepe,” 49.

<sup>229</sup> See, for instance, his article “Kippurim” in *Eretz Israel* 9 (1969): 94, n. 42 (Hebrew), cited by Tawil on p. 43. See also Roland de Vaux, *Les Sacrifices de L’Ancien Testament*, (Paris: J. Gabalda, 1964), 88-91.

<sup>230</sup> Tawil, “‘Azazel’” 59.

<sup>231</sup> Ibid.

<sup>232</sup> Ibid., 51.

as different regions of ancient West Asia without any attempt to articulate his comparative methodology, and this weakens his case significantly.

The case of Tawil's article, "'Azazel, The Prince of the Steepe: A Comparative Study' [sic] raises issues that are dealt with more explicitly in Wright's *The Disposal of Impurity*, inspired by the former work. By beginning his study with a discussion about comparative methodology, Wright addresses problems inherent in Tawil's article. By articulating his reasons for dismissing some methods, and explaining his reasoning for choosing what he calls a "contrastive comparison," Wright is forthright in his methodology. In "contrastive comparison," he asserts, "Differences between the phenomena in the two cultures are observed and questions about the nature of these differences and why they exist are asked."<sup>233</sup> This method is heuristic, and he argues it is "methodologically sound because it does not seek to import meaning from one culture to another."<sup>234</sup> Wright uses Hittite and Mesopotamian examples contrastively in treating the biblical scapegoat from Leviticus 16, the bird ritual for purifying the impurity of skin disease, and the "place" of impurity.

Wright's contention is that in non-biblical traditions, "mankind and its concerns are perceived as being frequently beset by many types of evils: plague caused by angry deities, witchcraft, sorcery, sickness, demons who cause evils, and the like." The Priestly literature, on the other hand, limits the frequency and types of purification rites because "this corpus' conception of evils is limited. The object of purification rites is always ritual impurity except for sins in the scapegoat rite. We never find the wrath of angry deities, demonic attack, witchcraft, sorcery, and sickness as objects of purification in

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<sup>233</sup> Wright, *The Disposal of Impurity*, 8.

<sup>234</sup> Ibid., 9.

P.<sup>235</sup> Wright also distinguishes between biblical and non-biblical places of disposal: “some nonbiblical rites show the idea of disposing impurity into the netherworld, but in the biblical scapegoat rite, it is only about removing the impurity from the sanctuary and habitation.”<sup>236</sup> The scapegoat rite and that of purification from skin disease are two of the most important biblical passages for contrastive comparison for Wright. The former is often compared to Mesopotamian rituals such as rite performed on the fifth day of the *akītu* festival. The latter is sometimes thought to be a case of cleansing a person from a divinely given disease, not unlike what one finds in Mesopotamian therapeutic medical texts.

In the case of the scapegoat, Wright concedes that Azazel is a demon, but cautions that one should not presume that he functions like demons in non-biblical ancient West Asian literature.<sup>237</sup> He suggests that “the disparaging way in which *šē’îrîm* is used in Lev 17 and the general silence about demons in the Priestly literature lead to the surmise that there is little or no room for active demons in Priestly theology.”<sup>238</sup> While Azazel should be viewed as a demon, as the etymology of his name suggests (עזז אל – ‘fierce god’), Wright contends that he had no real role in the biblical scapegoat rite. Furthermore, he criticizes the comparative methodology of Tawil, for uncritically using documents from other cultures to interpret Israelite evidence, and for relying too heavily on later texts from within the same culture. Both of these critiques of Tawil are valid. In response, Wright concludes, *contra* Tawil that “the Bible does not give decisive evidence of the connection of the wilderness and the nether world, of the connection of impurity with the

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<sup>235</sup> Ibid., 73.

<sup>236</sup> Ibid.

<sup>237</sup> Ibid., 21-22.

<sup>238</sup> Ibid., 23.

nether world, nor of the connection of demons with the nether world. It only gives evidence of the connection of demons with the wilderness.”<sup>239</sup> He contends, “To say that the biblical scapegoat rite is a disposal of evils in the nether world is going beyond the expressed thought of the Israelite religion and must be rejected.”<sup>240</sup> Insofar as the biblical evidence is concerned, Wright concludes that the purpose of the biblical scapegoat was to “rid the community of the sins which are the cause of impurity in the sanctuary.”<sup>241</sup> He argues that the goat was not an offering to Azazel, but merely a vehicle for transporting sins. Azazel himself, Wright asseverates, is “not an active personality. He is simply a ritual ‘place holder,’ denoting the goal of impurity.”<sup>242</sup> All of these conclusions are based on Wright’s contrasting Israelite religious literature with that from other ancient West Asian cultures in *The Disposal of Impurity* (an early work of Wright’s).

For comparative purposes, Wright analyzes a number of potential Hittite parallels to the biblical scapegoat ritual. It should be observed that while he examines texts in sections separated by cultural groups, Wright specifically chooses the texts to analyze based on their comparative value regarding Lev 16. While any comparative study requires choosing texts that address the questions of the researcher, Wright’s method takes the biblical text as a starting point, and selects comparative data for specifically contrastive purposes, which is potentially problematic. Ultimately, Wright finds that methods of transfer (of guilt), substitution, entreaty and appeasement factored into Hittite and Mesopotamian rites, as they did not in biblical literature. For parallels, Wright draws on the fifth day of the *akītu* festival, a ritual from the *Utukkī Lemnūti* series, a ritual from

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<sup>239</sup> Ibid., 29

<sup>240</sup> Ibid.

<sup>241</sup> Ibid., p. 30.

<sup>242</sup> Ibid.

the *Asakkī Marṣūti* series, a ritual from the *Šurpu* series, and a *namburbi* ritual for the evil portended by a dog. For the *akītu* festival purification ceremony, in which the Ezida cella of the god Nabû is cleansed in the Esagil temple, Wright concludes that there are similarities with the scapegoat ritual: the only means of purification are transfer and disposal (the carcass of a ram is wiped over the evils, absorbing them, and is then disposed of); however, Wright concludes that because this act of purification is not the climax of the *akītu* festival, it is inappropriate to consider it on the same order as Lev 16's Day of Atonement, which is presented as a cultic climax.<sup>243</sup> This is a rather flimsy reason to discard the parallel, though there are stronger grounds to object to the identification of these two rituals, based on the terminology of Akkadian *kuppuru* and Hebrew *kippēr*, discussed below. Wright suggests that the ritual from the *Utukkī Lemnūti* be contrasted with the biblical ritual because the former refers to removing demonic afflictions, as a long list of demons in lines 119-23 indicates.<sup>244</sup> Regarding the ritual from the *Asakkī Marṣūti* series, he finds the contrasts to be along the same lines as those in the *Utukkī Lemnūti* text and does not discuss it further.<sup>245</sup> Citing *Šurpu* VII 53-70, Wright finds more in common with the biblical scapegoat ritual. Transfer of evil is effected by wiping the patient with bread and having the patient spit on the bread, after which the bread is

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<sup>243</sup> Ibid., 65.

<sup>244</sup> Ibid., 67. The text he addresses is edited and translated by O. Gurney, "Babylonian Prophylactic Figures and their Rituals," *AAA* 22 (1935): 86-89. This should be compared with the recent edition made by M. J. Geller, *Evil Demons: Canonical Utukkū Lemnūtu Incantation* (SAA 5; Helsinki: The Neo-Assyrian Text Corpus Project, 2007). Especially relevant here is the section Geller calls "The demons and illnesses" in his translation (Tablet 2 lines 62-80), though important lists of demons are also found on Tablet 3, lines 1-6 (disease-causing demons) and 28-53 (descriptions of demons). Types of demons are listed on Tablet 5, lines 21-44, which are adjured in lines 45-75. Demons as bringers of disease are described on lines 124-141 of Tablet 5. As Geller describes, Tablet 6 involves identifying the "Evil Utukku," forbidding demons to approach, listing diseases (lines 55-63, key to compare to Gurney's text, above), describing demons and sorcery, the havoc demons wreak, and the smashing of demons and sorcery. As Geller observes, demons play an integral role in this incantation series at every step, though key for consideration here are the correlation of demons and illness as well as the lists of demons/illnesses on Tablet 2, ll. 62-80, and Tablet 6, ll. 55-63.

<sup>245</sup> Ibid., 67-68. The text is in *CT* 17.10-11: 68-87 (= *DES* 2.32-35), cited in n. 150.

deposited in the wilderness. Wright finds contrast in the fact that there is mention of the deities of the steppe and animals to which the impurity is delivered in the *Šurpu* text, whereas he perceives no active agent in the wilderness in the biblical text, not even Azazel.<sup>246</sup> Finally, comparing the *namburbi* against the evil of a dog, which attempts to avert the evil omen of a dog barking in a house or urinating on a man, Wright suggests that the cases are dissimilar because the model dog made in the ritual is not just an object of transfer of impurity, but a substitute to be destroyed in the patient's stead. He contends, "This rite significantly differs from the scapegoat rite because it has a number of motifs foreign to the latter: substitution, entreaty and appeasement, analogy, concretization, annulment, and prevention. Though the general schemes of the rites are similar, they are conceptually far apart."<sup>247</sup> Wright argues for a "definite conceptual gap" between Hittite and Mesopotamian rites on the one hand, and the Israelite rite of the scapegoat on the other. He argues that Israelite religion had no concept of "substitution" or "appeasement" as demonstrated in Lev 16 because Azazel was not, in fact, a functioning demon. He proposes that Azazel's presence "suggests there was a preexisting rite that involved this kind of figure, which was reformulated to leave the personality depersonalized."<sup>248</sup>

Based on a contrastive analysis with similar bird rites from Mesopotamia and Anatolia, Wright suggests that the dispatch of birds in Lev 14 is based on an earlier ritual, which has not been incorporated into the Priestly rite of the purification of צרעת (skin disease). He holds that this is not a healing rite (unlike its non-Israelite counterparts), observing correctly that the ritual is only performed after the person has already

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<sup>246</sup> Ibid., 67-69.

<sup>247</sup> Ibid., 72.

<sup>248</sup> Ibid., 73-74.

recovered from skin disease and the house has been cleansed and renovated.<sup>249</sup> Akkadian incantations using the bird release motif mention various kinds of evil (*arnu* and *māmītu* are just two; others include headache, impurity, bloody deeds, and more), which Wright contrasts with the biblical case, in which the only evil released by the bird rite is the “residual impurity” of צִרְעָה.<sup>250</sup> Additionally, Wright states that there was a contrast in the degree of removal of the impurities between biblical and non-biblical rituals: in the biblical rite, there is a “desire to remove the evil not only from the individual, but from the habitation, in order to keep the community pure and the sanctuary and its sancta holy. The nonbiblical rites do not have this broad goal. This feature again shows adaptation of the rite to the Priestly system of purification.”<sup>251</sup> Wright’s method of contrastive comparison causes him to emphasize the differences between rites divided along cultural lines, and to suggest that these differences are caused by fundamental differences in the conceptual frameworks of the cultures he examines. In the case of the bird release ritual, those elements that do not fit into his conception of “Israelite” rituals are presumed to be “residual” or external rites that have failed to be fully “incorporated” into the Priestly system. The problem with this method is that essentializing the differences between cultures early in the process can lead one to erroneously reject data that does not fit into a pre-conceived “Israelite/non-Israelite” scheme as extraneous or residual. By essentializing “the Priestly system” in biblical literature, Wright contends that elements that seem ill-suited to that system are, in fact, non-Israelite.

One important point that Wright makes about the locations of the deposition of impure items in Mesopotamian religion is that these sites correspond to places where

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<sup>249</sup> Ibid., 84.

<sup>250</sup> Ibid.

<sup>251</sup> Ibid., 86.

demons live or places connected with their habitations.<sup>252</sup> He notes that the river is the most usual place for disposal—the ram’s carcass that was used to clean Nabû’s cella for the *akītu* festival is deposited in the river, and a *namburbi* ritual suggests that “the evil of bad omens may be disposed of by sweeping the affected house and throwing the sweepings into the river,”<sup>253</sup> as can bread used in wiping rites and model tongues used in “anti-witchcraft” literature.<sup>254</sup> Bathing in the river is addressed as a means of disposing of impurities there as well. Wright notes that it is asked in the *Lipšur* Litanies that impurity be stripped from the penitent’s body with water, and that the river carry it down to its bottom.<sup>255</sup> In a calendrical text, there is reference made to a person with skin disease who was immersed in the river, ostensibly for purification.<sup>256</sup> The steppe (*šēru*) and related places are also used for disposal.<sup>257</sup> Wright notes one Mesopotamian case in which, as in Hittite texts, evil may be deposited in an enemy country. In *RAcc* 7:24-25, the shaved hair of the king is deposited in a vessel and left at the border of the enemy.<sup>258</sup> Wright compares this to an incantation in a *namburbi* text, in which evil is said to be blown to a foreign country like a wind.<sup>259</sup> The salient issue in these cases is whether the

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<sup>252</sup> Ibid., 252.

<sup>253</sup> Ibid. See Caplice, “Namburbi Texts in the British Museum, V,” *Orientalia* 40 (1971): 168:4, and Wright, *The Disposal of Impurity*, 252, n. 72. A more recent study of *namburbi* texts has been undertaken by Maul. See Stefan M. Maul, *Zukunftsbewältigung : eine Untersuchung altorientalischen Denkens anhand der babylonisch-assyrischen Löserituale (Namburbi)*; Baghdader Forschungen 18; Mainz am Rhein: Verlag Philipp von Zabern, 1994.

<sup>254</sup> Wright, Ibid., 252-254.

<sup>255</sup> Erica Reiner, “Lipšur Litanies” *Journal of the Near East*, 15.3 (1956): 129-149 [138-139; 101-102]. See Wright, *The Disposal of Impurity*, 253-254, n.74.

<sup>256</sup> Erich Ebeling, *Tod und Leben nach den Vorstellungen der Babylonier* (Berlin und Leipzig: Walter de Gruyter & Co., 1931), p. 39 (line 16). See Wright, *The Disposal of Impurity*, 235, n. 74.

<sup>257</sup> Wright, Ibid., 255-256.

<sup>258</sup> Franacois Thureau-Dangin, *Rituel Accadiens* (Paris: Ernest Levous, 1921) 7:24-25. See discussion on Wright, *The Disposal of Impurity*, 256.

<sup>259</sup> Caplice, “Namburbi Texts, III” *Or* 36 (1967): 296:8. In addition, Landsberger suggested a Tell Halaf inscription (Tel Halaf 5:13) should be interpreted in this light, *takpirtu bīt nakarkāni liškunū* “let them place the dirt wherever your enemy be!” See Benno Landsberger, *The Date Palm and its By-Products According to Cuneiform Sources (AfO Beiheft 17; Gratz: Ernst Weidner, 1967)*, 32-33 n. 103. The meaning of the key term, *nakarkānu*, however, is uncertain. Landsberger bases his translation on the meaning of the

enemy land is viewed as a place of impurity, like the underworld to which the river takes evils, or the wild steppe, or whether this is an effort, like that seen in “anti-witchcraft” incantations, to redirect the evil of impurity towards one’s enemies. The *akītu* festival, compared in Babylonian and Assyrian contexts by Beate Pongratz-Leisten, may shed light on the matter. She observes that “by his procession from his temple Esagila to the *akītu*-house outside the city walls of Babylon the god Marduk gains anew every year control over the part of the cosmos that symbolizes the anti-order.”<sup>260</sup> She distinguishes between a “centripetal” movement in the Babylonian *akītu* festival, culminating in the reinforcement of the legitimacy of the king in Babylon, and a “centrifugal” movement in the Assyrian *akītu* festival. In Assyria, she contends, “the procession of the city-gods in the respective military garrisons serves to visualize the presence of the king in this peripheral region, even if it occurs only symbolically through his garments.”<sup>261</sup> Furthermore, she observes, “Carved image and religious festival are codes symbolizing the constant presence and control of the Assyrian king over the space of the anti-order at the command of the gods. Hence, for the Assyrian kings, the very meaning of the *akītu*-festival is not that of legitimizing power but of visualizing and enacting his territorial claim of controlling the universe.”<sup>262</sup> If, in Mesopotamia, order and chaos are conceived to be bound to territorial claims, then depositing impurity in foreign lands could

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verb *nakāru*, “to become hostile; to become an enemy,” but it should be observed that the *CAD* states the meaning of *nakarkānu* is “unknown,” and renders the relevant line of text “let them carry out the purification ritual of the *n*-house.” See A. L. Oppenheim, et. al, eds., *The Assyrian Dictionary of the Oriental Institute of the University of Chicago (CAD)* Vol 11; N Part 1 (Chicago: The Oriental Institute, 1980), 159.; Wright, *The Disposal of Impurity*, 256 n. 85. Additionally, some sorceresses are designated as Gutians, Elamites, and citizens of Hanigalbat in *Maqlû* III 78; IV 105-107, and the *lamaštu* demon is designated as a foreigner. Wright’s collection of these references is exceedingly useful as a tool for the study of impurity as it relates to foreigners (especially foreign enemies) and foreign (enemy) land.

<sup>260</sup> Beate Pongratz-Leisten, “The Interplay of Military Strategy and Cultic Practice in Assyrian Politics,” *Assyria 1995* (S. Parpola and R.M. Whiting, Eds; Helsinki: The Neo-Assyrian Text Corpus Project, 1997), 251.

<sup>261</sup> *Ibid.*, 252.

<sup>262</sup> *Ibid.*

potentially be perceived as depositing the impurity in the realm of chaos, not dissimilar to sending it to the abyss via the river or disposing of impurity in the *ṣēru*. This is merely conjectural, however, and more work must be done before the conception of impurity as it applies to foreign lands can be understood.

Wright summarizes his treatment of Mesopotamian ritual texts and how they reflect the locus of depositing impurity by emphasizing that “Mesopotamian religion shows an interest in separating demonic impurities from the human sphere.”<sup>263</sup> He argues that demons originate apart from human habitation, and that it is only “due to a person’s sin or witchcraft” that the demonic “mingles with the human” causing human suffering. Rites are then necessary to return the evil to its place of origin.<sup>264</sup> Therefore, disposal of impure materials resulting from these rites is typically carried out in places that correspond with the territory of demons: “the steppe, wilderness, river, enemy land, or the ground.”<sup>265</sup> He contrasts this situation with that found in biblical texts, which, he says, are “quite limited in their means of disposing of impurity.” He also states, “Another and perhaps the most important contrast is the lack of demonic and underworld mythology in the Priestly disposal rites. The evil removed by these rites is not caused by the agency of demons.”<sup>266</sup> The case of Azazel is exceptional, but Wright avers: “It is clear that the position and function of Azazel has been greatly downplayed in this ritual. Therefore, the apparent connection exhibited here between impurity and the demon

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<sup>263</sup> Wright, 260.

<sup>264</sup> Ibid., 261.

<sup>265</sup> Ibid.

<sup>266</sup> Ibid., 273.

should also be downplayed and not be taken as indicative of a belief that impurities are sent to demons or demonic places.”<sup>267</sup>

While Wright’s treatment of impurity and its deposition is detailed and highly insightful in most respects, and while he is self-reflective about his comparative methodology, there are some inherent problems with his contrastive technique. This is seen particularly with his treatment of “demonic” forces as a conceptual divide between Israelite (or at least Priestly) religion and that of the rest of ancient West Asia. First, Wright characterizes Priestly literature as “Israelite religion” in its most developed cultic form, and uses this body of literature as his litmus test for what characterizes “Israelite” religion in contradistinction from non-Israelite practice and belief. It must be reiterated that the Priestly writers’ conceptual system was not necessarily shared by common Israelites. Wright seems to draw a distinction between Hittite and Mesopotamian “demonic-focused” religion on the one hand and Israelite “non-demonic” religion on the other. The issue may not only be one of different cultures, but one of intra-Israelite discourse. The very fact that Azazel persists in biblical literature at all is significant. If the Priestly writers went to such lengths to depict this demon as impotent or a residual artifact, as Wright suggests, then the question must be asked why he was not simply excised from the ritual entirely. The possibility remains that the “pre-Priestly” articulation of the ritual was indeed an appeasement and substitution rite. Because “pre-Priestly” does not necessarily mean “pre-Israelite,” the changes in the biblical text may not be an issue of Israel consciously differentiating itself from its West Asian neighbors,

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<sup>267</sup> Ibid, 273-274.

but of intra-Israelite religious conflicts and developments.<sup>268</sup> Another problem with Wright's contrastive comparative method is that it has led him to minimize similarities between Israel and other civilizations, emphasizing only the points of difference. While he is correct that this method will avoid the pitfalls of what he terms "interpretive comparison," where a phenomenon in one society is sometimes uncritically interpreted by means of a similar phenomenon in another, it can lead to an overly rigid and oppositional view of cultures that did, after all, inhabit the same region at the same time, and potentially had similar cultural traits and theological underpinnings in common. Even though Wright restricts himself to one substantive use of "interpretive comparison," that one case demonstrates the weaknesses of that method, as Wright incorporates evidence from India to interpret the disposal of earthenware in ancient Israel. Perhaps the best comparative method is one that takes seriously Talmon's contribution to the enterprise of comparative studies by investigating biblical features (and features from the literatures of other cultures) in the light of their own context before undertaking comparative study. While Wright does indeed shape his work with reference to the idea that biblical, Hittite, and Mesopotamian texts should be examined in isolation before comparing them, in reality, his examples, theories, and interpretations of the "isolated" texts are influenced by his contrastive goal from the outset. Talmon's method is better demonstrated in van der Toorn's *Sin and Sanction*, where a wealth of information is gathered and proposed without judgment about whether it will prove to demonstrate points of similarity or contrast between Israel and Mesopotamia. Only in the final pages of his work does van der Toorn attempt to synthesize his findings, arriving at conclusions

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<sup>268</sup> Wright himself notes that he cannot attend to the views of the "general populace" in this book, which is focused on the Priestly literature, but this lack leads him at times to over-generalize about Israelite religion.

about the comparison between Israel and Mesopotamia. His ultimate conclusions are that the data show vast similarities between these cultures in terms of ethical demands, yet strong dissimilarities in theological framework.

Another scholar who engages in the project of comparative analysis, Ida Zatelli, remarks that the Mesopotamian New Year Festival (*akītu*) deserves “special consideration” because it is comparable to the biblical scapegoat ritual of יום הכפרים as well as the ritual for purgation of the mausoleum of NE-naš in the Ebla texts.<sup>269</sup> After briefly outlining the Eblaite and the Mesopotamian cases, Zatelli states, “We will now deal with certain points in the biblical text which may be placed in a clearer light by comparing them with the older texts mentioned. This type of comparison is extremely delicate and complex. It is still necessary to reflect in depth before reaching any firm conclusions.”<sup>270</sup> Zatelli limits herself to “outlining some substantial aspects” of the similarities. Her method is that which Wright would call “interpretive comparison,” because she essentially uses texts from other cultures to illuminate and fill in perceived gaps in the biblical ritual. As Wright has observed, the presumption that texts from different times and geographic regions can answer questions that the native categories could not is fraught with problems. Zatelli, to her credit, is appropriately cautious about her speculative effort, and states at the end of her article, “I have not the slightest intention to establish a preferential link between Ebla and the Bible. I think one may simply say that certain cultural factors and certain traditions covered a wider area than many had thought.”<sup>271</sup> This conclusion speaks to a higher degree of cultural diffusion

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<sup>269</sup> Ida Zatelli, “The Origin of the Biblical Scapegoat Ritual: The Evidence of Two Eblaite Texts” in *Vetus Testamentum*, Vol. 48, Fasc. 2 (Apr., 1998), pp. 254-63.

<sup>270</sup> Ibid., 260.

<sup>271</sup> Ibid., 263.

than had been previously considered, which is a reasonable supposition, though the temporal divide between the Eblaite and biblical evidence is more serious than she concedes. While her final ruminations are cautious, however, in some sections of her article Zatelli shows a highly expectant attitude towards the similarities between the disparate cultures, minimizing differences and highlighting points of congruence, quite the opposite of Wright's method. For example, she glosses over the differences between the Ebla texts and the biblical literature (e.g., the former genre is descriptive and the latter, prescriptive), as insignificant.<sup>272</sup> On the basis of comparative evidence, she suggests that Azazel did exist as an agent, but was removed from certain places of the biblical text for pietistic reasons.<sup>273</sup> Ultimately, she argues that the original traditions of the Syro-Palestinian area entailed an elimination rite, but that elements of a blood rite, either drawn from or mediated by Hurro-Hittite traditions, were grafted onto the original ritual, creating a binary text. She suggests that the original elements of the elimination rite were still articulated, though the latter elements (the blood rite) had cultic superiority. This is an interesting way to explain the tradition, and the theory that textual doublets have separate origins is, of course, well-established in biblical scholarship. Her argument would be strengthened, however, if she developed the idea of *how* these traditions interacted and overlapped. She does not explore the idea of how the different traditions were known, perceived, and incorporated in the later text. Zatelli's work also runs the risk of violating the tenets of what Wright called the "historical reconstruction" method of comparison, which seeks to deduce cultural connections by examining

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<sup>272</sup> Ibid, 261.

<sup>273</sup> Ibid., 262. She suggests, regarding Azazel: "Probably, it was originally a kind of Canaanite demon—which developed in the Hebrew tradition—connected with the chthonian power expressed by goats. The wilderness is a symbol of the netherworld" (pp. 262-263). Her arguments in this respect are much in line with Tawil's.

phenomenological similarities. Wright stresses that the two societies must be in temporal and geographical proximity, and therein lies the problem with Zatelli's argument: the Eblaite texts are too far removed from the biblical texts to make their value in reconstructing "the origin of the biblical scapegoat ritual" probative. The issue seems to have led to some confusion. Kenton L. Sparks suggests "an older substrate of native Israelite ritual is still visible in the text. It appears in the scapegoat, an elimination rite that finds its closest parallels in Eblaite and Hittite sources from the late third and second millennia."<sup>274</sup> He cites Zatelli's article on this point, and notes that Wright has "disagreed" on Sparks's early dating of Lev 16. Sparks, it seems, has accepted Zatelli's analysis as a historical reconstructive comparison, and suggested that Lev 16's earliest strata are indeed extremely old—so old that they justify a comparison to late 3<sup>rd</sup> and 2<sup>nd</sup> millennium texts as their closest analogues. This argument cannot be substantiated, as there is not enough temporally proximate data to make the reconstruction plausible.

Carmichael critiques comparative techniques such as Zatelli's and also those similar to Wright's. He states, "The one major assumption that these and other scholars make in studying the biblical ritual is that it has a long and complicated history."<sup>275</sup> He critiques Zatelli, as well as Martin Noth, who held that Lev 16 "doubtless represents a very ancient rite,"<sup>276</sup> observing that neither "delineates in any detail how the supposed precedents led to the biblical rite."<sup>277</sup> Carmichael's critique of others' comparative approach is insightful: his caution against presuming that a text such as Lev 16 had a long tradition history is merited, and his observation that those who, like Wright, draw upon

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<sup>274</sup> Kenton L. Sparks, "'Enūma Elish' and Priestly Mimesis: Elite Empulation in Nascent Judaism" in the *JBL*, 126.4 (2007): 635.

<sup>275</sup> Calum Carmichael, "The Origin of the Scapegoat Ritual" *VT*, 50.2 (2000): 167.

<sup>276</sup> *Ibid.*, 168..

<sup>277</sup> *Ibid.*

too many disparate cultures to make their case are presumptuous when they conclude that Lev 16's ritual is a modification of an early one is an interesting corrective to the previous consensus of scholarship. His own conclusions, however, about the dependence of Lev 16 on the Joseph narrative, with the supposition that the "levitical lawgiver" *invented* not only a false ancient ritual, but also the "demon" Azazel, is itself at times overdrawn. His analysis depends too much on his own conclusions, rather than objective evidence to support his claims.

Another scholar who engaged in extensive comparative analysis is Milgrom, whose work influenced Wright's study. In his article about the red cow paradox, Milgrom is not upfront about his comparative method, and his analysis has certain weaknesses due to this lapse. He argues that the sprinkling of the *ḥaṭṭā't* (חטאת) ashes on the body of a corpse contaminated person "constitutes a vestige of the ritual's pre-Israelitic antecedents."<sup>278</sup> For comparative purposes, Milgrom cites *Šurpu* texts, and also observes that the purification rituals performed on the body of the afflicted person were common even in R. Zakkai's day. Neither of these comparisons help to demonstrate his case that there are vestiges of a "pre-Israelite" antecedent in the ritual. The method he uses to choose and highlight parallels between the Mesopotamian evidence and the Israelite texts is not clear. While his method needs further clarification in his own study, Milgrom's influence on Wright's own interpretation of comparative data is clear.

Another area which has received much comparative attention is the role and symbolism of blood and sacrifice. In his treatment of the issue, McCarthy thoroughly dismantles a presumed scholarly consensus that the meaning of blood in ritual is the same for the entire ancient Near East, depending on a primitive understanding of blood as

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<sup>278</sup> Jacob Milgrom, "The Paradox of the Red Cow (Num. XIX)" *VT*, 31.1 (1981): 62-72 [68].

divine and linked to life.<sup>279</sup> The conceptions about blood and its significance against which McCarthy argues are seen clearly in the influential work of Milgrom, among others. McCarthy makes his case well when he demonstrates that blood manipulation, the purifying effects of such manipulation, and the equation of blood with life were not as ubiquitous as might be assumed. Like Wright, however, there is evidence that, due to his highly contrastive approach, McCarthy at times minimizes extra-biblical evidence that does seem to suggest cases in which blood was used in similar ways to Israelite cultic practices. Ultimately, however, his caution against uncritical comparisons and analogies being made cross-culturally is a good critique of some scholarship both before and after his article was published. Especially valid is his implication that non-Israelite texts should not be read through the lens of biblical texts, because this interpretive comparison prejudices the evidence and warps analysis.

In what follows, I interact with the work of Hector Avalos, who provides a detailed study of illness and healthcare in the ancient Near East, and attendant purity issues.<sup>280</sup> While Avalos does not deal extensively with comparative analysis, but rather separates his evidence into sections dedicated to different cultures and geographic regions, he does make some general comparisons across cultural lines. For example, he states, “Cross-cultural studies of illnesses show that the same patient may often consult different healers at different stages of an illness, and that availability and access to consultants can play significant roles in the selection.”<sup>281</sup> This awareness helped Avalos in his internal examination of the evidence within Mesopotamian literature, and prompted

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<sup>279</sup> Dennis J. McCarthy, “The Symbolism of Blood and Sacrifice,” *JBL* 88.2 (1969): 166-176.

<sup>280</sup> Hector Avalos, *Illness and Health Care in the Ancient Near East: The Role of the Temple in Greece, Mesopotamia, and Israel* (Atlanta, GA: Scholars Press, 1995).

<sup>281</sup> Avalos, 158

him to “draw distinctions between the *āšipu* and the *asû* when each is working alone,” which was of importance to his project.<sup>282</sup> This ability to draw general observations through analysis of phenomena from a culture, and allow these observations to spark new questions for the study of another culture, is a good use of comparative methodology. Avalos does not overly emphasize the comparison of Greek, Mesopotamian, and Israelite healthcare in his individual treatments of each culture, but he allows observations from the one to lead to new questions about the others, which is useful.

Van der Toorn, as noted above, utilized a style of descriptive analysis and comparison that allowed him to form judicious conclusions about the concepts of sin and sanction in Israel and Mesopotamia. In addition, van der Toorn correctly observed some of the trends in scholarship regarding comparisons between the Bible and other literatures, which is helpful in this analysis of comparative methodology. With the growth of the field of Assyriology, he maintained, “The new possibilities of investigating the relations between Babylonia and the Bible were, broadly speaking, exploited in two ways. Scholars either stressed the similarities or insisted on the contrasts.”<sup>283</sup> He observed that the “pioneers in this field, a little dazed by the recent discoveries, tended to emphasize the features that Mesopotamia had in common with the Old Testament. Some were even willing to maintain the inferiority of the latter and its dependence on the former.”<sup>284</sup> Later, however, “Under the influence of the stress laid on the *Eigenbegrifflichkeit* of the ancient cultures by such eminent scholars as B. Landsberger and Th. Jacobsen, the interest shifted towards the distinctive elements of each

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<sup>282</sup> Ibid.

<sup>283</sup> Van der Toorn, *Sin and Sanction*, 2. I have also stressed this point by comparing the methods of scholars such as Zatelli and Wright.

<sup>284</sup> Ibid.

civilization.”<sup>285</sup> Van der Toorn’s observations hone in on the changes in scholarship over the course of the last half century.<sup>286</sup> Over the course of the last thirty years, more scholars have attempted to emphasize that each culture has a specific combination of features that make it unique, but no culture stands in isolation from its temporal and geographic surroundings. Van der Toorn’s own work demonstrates the trend to view different bodies of literature on their own merits, but still critically analyze their similarities or dissimilarities, and to investigate what new information these nuances can yield.

One of the most cited confluences between Israelite and Akkadian purification rituals is that of the Akkadian term for the “wiping” ritual on the fifth day of the *akītu* festival (*kuppuru*), and the Hebrew term for making propitiation, (כפר—*kippēr*), which is reflected in the very name of the day on which the scapegoat ritual is performed, יום הכפרים. The relationship of these two terms provides a microcosmic view of the broader issues of comparative methodology, and this fraught terminological question requires specific consideration. Feder neatly summarizes the situation: “The discovery of Mesopotamian ritual texts employing the term *kuppuru* (‘rub, wipe’) has been a major turning point in the semantic analysis of Hebrew *kippēr*. It is now commonplace to find

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<sup>285</sup> Ibid.

<sup>286</sup> An interesting similar pattern can be discerned in biblical scholarship over the last several decades as well. Noting similarities between Israelite religion and that of her ancient Near Eastern neighbors is not new, as scholars such as Wellhausen were doing so in the 19<sup>th</sup> century. Until the past few decades, however, it was usually held that Israel was unique (and superior) in the ancient world. Forty years ago, it was common to suggest that Israelite religion was further along an evolutionary track than others, especially vis-à-vis “monotheism” and “aniconism.” Over the last several decades, the field investigating Israelite religion has experienced a series of changes. Like a pendulum, biblical scholars’ opinions have swung from the idea that Israelite religion, culture, and literature was fundamentally distinct (and superior) to all others of the day, to the opposite idea that Israelite religion was absolutely indistinguishable from its cultural neighbors. The approach now is taken to be more moderate, assessing the different combinations of similar elements that mark each culture in the region as distinct.

the Hebrew term interpreted in light of the concrete sense of the Akkadian, yielding the notion of ‘wiping away’ sin.”<sup>287</sup>

Indeed, the relationship between כפר and *kuppuru* is often taken as a matter of course, presumed, rather than argued, taking the relationship between the terms as a given and proceeding from that reference point. For examples, Sparks suggests that not only were the terms related, but that any distinctions between the two were intentional, a matter of Israelite postcolonial “elite emulation.” Sparks’s starting point is that *kuppuru* and *kippēr* (כפר) are related etymologically and morphologically, having the same root and D verbal stem. He does engage in a certain degree of contrastive comparison, as he contends that the Akkadian D-stem of the root is “reserved exclusively for ritual contexts,” while in Hebrew, the root is employed differently in Priestly and non-P Text.<sup>288</sup> In non-priestly texts, he contends, “כפר is not a formal ritual act but points directly to the appeasing or assuaging of anger, both divine and human.”<sup>289</sup> In P, Ezek 40-48, and Chronicles, however, he states that “כפר is always a ritual act performed by a priest, and in at least some cases its function is to remove ritual uncleanness.”<sup>290</sup> Sparks lists the objects cleaned in this manner as including the altar, the sanctuary, the temple, the land, houses, and human beings as individuals or groups. For Sparks, the priestly כפר rites “are close to the Mesopotamian conception of *kuppuru* in ways that non-priestly uses of כפר are not” and he explains this phenomenon with the suggestion that “Mesopotamian practice has to some extent influenced P’s use of כפר.”<sup>291</sup> During the

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<sup>287</sup> Yitzhaq Feder, “On *kuppuru*, *kippēr* and Etymological Sins that Cannot be Wiped Away” *VT* 60 (2010):535-545 [535].

<sup>288</sup> Sparks, *Enūma Elish’ and Priestly Mimesis*,” 634.

<sup>289</sup> *Ibid.*

<sup>290</sup> *Ibid.*

<sup>291</sup> *Ibid.*

*akītu* festival, he observes that “Mesopotamian kings in the *kuppuru* rite proclaimed innocence, while Israelite priests confessed the sins of Israel in Lev 16:21. The *kuppuru* cleansed the temple of demonic presence, but the Hebrew כפר “atoned for the sins of Israel itself”<sup>292</sup> Sparks concludes, “These facts strongly suggest that P knew Mesopotamian temple ritual intimately and adopted its forms to bestow upon Israel, and upon Israel’s religion, that air of cultural antiquity and authority that was attached to all things Mesopotamian.”<sup>293</sup> His theory of priestly mimesis is interesting in certain cases, but at this point, he stretches the evidence too far. The relationship between כפר and *kuppuru* is not as simple as Israelite borrowing and altering of Akkadian terminology and ritual, because it is clear that the term has resonances in Hebrew literature absent from Akkadian texts. Additionally, Spark’s thesis presumes that the concept of כפר as elite emulation of the exalted Mesopotamian culture would depend on Lev 16 dating to a time in which Israelite authors would have had much exposure to Babylonian practices, and a time in which Israelites would wish to write postcolonial reinterpretations of such practices. This would mean that Lev 16 would date to a period in which Israel had extensive contact with Mesopotamia. Indeed, such a theory, in which Mesopotamian ritual and terminology were not only intimately known, but also a subject of reverence, would seem to best be situated in an exilic, or postexilic context. Sparks himself, however, as seen above, suggests an extremely early date for this text, at least in its earliest forms. Dating such Priestly mimesis and elite emulation to the early days of the Israelite and Judean monarchies seems out of place, as both Mesopotamian and Egyptian imperial reach was less extended during the early years of the monarchic period. If

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<sup>292</sup> Ibid., 634.

<sup>293</sup> Ibid.

Swanson's analysis of royal iconography is correct, then there is at least some material evidence that Mesopotamian cultural influence in Israel increased during the reign of Hezekiah in the late 8<sup>th</sup> and early 7<sup>th</sup> centuries BCE.<sup>294</sup> Dating the textual material is notoriously difficult, but if one were to grant Sparks's proposal that P's use of כפר suggests a positive adoption of well-known Mesopotamian motifs, then this would be suggestive of a later date for the ritual than he allows. This inconsistency poses a problem for Sparks's interpretation.

Zatelli, like Sparks, takes the comparison of the *kuppuru* rite done on the fifth day of the *akītu* festival and Hebrew for granted. Her commentary on the topic is minimal, consisting of the statement, "The performing of purgation is called *kuppuru* very probably linked with the Hebrew *kipper*."<sup>295</sup> Milgrom, in his article on the red cow, compares Israelite purification rituals to those found in Hittite texts and to *Šurpu* VII, 69-63. Regarding this issue, he states, "The lexical congruence with Hebrew *kipper*, the exclusive term for "purge" used with the *ḥaṭṭā't*, needs no additional verification."<sup>296</sup> The extra-Israelite comparative texts he references prescribe that the impure person is wiped with loaves of bread, that he spits on the loaves, that a "spell" is cast on the bread, and that the loaves, having absorbed the impurity, are taken out "to the plain, the pure place."<sup>297</sup> The fact that the open place in the country where the impurity is deposited is described here as "pure; holy" (KÙ = *ellu*) is significant, and would militate against the idea that the lands and places in which impurity is deposited are impure by their nature,

<sup>294</sup> Kristin A. Swanson, Kristin A., "A Reassessment of Hezekiah's Reform in Light of Jar Handles and Iconographic Evidence." *CBQ* 64.3 (2002): 460-469. Swanson suggests that during the reign of Hezekiah, Egyptian royal iconography was replaced with Mesopotamian symbols, including the Hittite rosette, adopted as a symbol of Assyrian royal power beginning in the 9<sup>th</sup> century (pp. 466-467).

<sup>295</sup> Zatelli, "The Origin of the Biblical Scapegoat Ritual," 260.

<sup>296</sup> Milgrom, "The Paradox of the Red Cow," p. 64.

<sup>297</sup> Reiner, *Šurpu: A Collection of Sumerian and Akkadian Incantations* AfOB 11 (Osnabrück: Biblio-Verl, 1970 [original publication Graz: 1958]), 37-38.

despite Wright's contention that impurity in Mesopotamian religion is disposed in the "haunts" of demons.

In his treatment, McCarthy is more suspicious about linking these terms. He observes that "it is sometimes said that there was a special purificatory power in blood" because the Akkadian and Hebrew verbs both meant "purify with blood."<sup>298</sup> Regarding this, he is responding to Kümmel, who was addressing the Babylonian *akītu* ritual text, including the component "where a slaughtered sheep is used to purify the temple."<sup>299</sup> McCarthy observes several points of contrast between the rituals especially regarding how blood is used. He notes that according to line 354 of the Babylonian *akītu* ritual text, it is through the corpse of the sheep (*ina pagri*) that purification is achieved; the corpse, not its blood, is the agent of purification. He also argues that even the sheep's body "does not confer purity like the blood in Lev 16. Rather it absorbs impurities, becoming so contaminated that it and the men who handled it were cast out of the holy precincts, carrying away impurity."<sup>300</sup>

Wright gives special treatment to this comparative fulcrum in Appendix 2 of *The Disposal of Impurity*. He notes that the verb *kuppuru* may be rendered "to wipe, rub, purify by wiping" with a basic meaning "rub."<sup>301</sup> In some instances of the verb he observes that there seems to be "an abstraction of the literal meaning yielding 'purify, purge' without indication of actual wiping."<sup>302</sup> Additionally, he contends, there are some

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<sup>298</sup> McCarthy, "The Symbolism of Blood and Sacrifice," 169.

<sup>299</sup> Hans Martin Kümmel, *Ersatzrituale für den hethitischen König*. (Studien zu den Boğazköy-Texten 3; Wiesbaden, 1967), 193. McCarthy, *ibid*.

<sup>300</sup> McCarthy, *Ibid*. The contamination of the handlers is not dissimilar to Milgrom's discussion of the "paradox" of the ashes of the red cow, which purify the impure person and defile the pure person.

<sup>301</sup> Wright, *The Disposal of Impurity*, 291.

<sup>302</sup> *Ibid*., 292.

cases “where the meaning ‘wiping rite’ seems to be the only one possible.”<sup>303</sup>

Ultimately, he concludes that *kuppuru* and its related nouns “signify is a purification rite performed by wiping. The meaning of *kuppuru* and the nouns should therefore never be abstracted to mean simply ‘purify’ and ‘purification rite.’”<sup>304</sup> In terms of usage, he observes, “The overwhelming majority of cases shows that this wiping rite was eliminatory in purpose: wiping materials which have contracted the impurity are thrown away.”<sup>305</sup>

It should be noted that the *CAD* translates *kuppuru* as “to wipe off, to clean object, to rub, to purify magically.”<sup>306</sup> Regarding the meaning “to purify magically,” this dictionary lists texts which refer to the objects of such purification including individuals such as the king, a temple, a house, and even land or a field.<sup>307</sup> *CAD* refers to the meanings of wiping, rubbing, and smearing having to do with this root, but it does not state that the purification uses must always be linked to the notion of rubbing. Wright’s analysis is dependent on contrasting the biblical usage of כפר with the similar Akkadian D-stem *kuppuru*. His conclusion that the Akkadian term should never be “abstracted” to refer to simple “purification” absent a wiping ritual, *contra* the biblical evidence, is an interesting one, though hardly intuitive. He does acknowledge the uses of the verb with reference to purifying large spaces, such as houses, cities, or fields, and he notes that “the abstract meaning ‘purify’ without reference to actual wiping might recommend itself,” though he ultimately offers evidence to suggest a similar case in which the ritual included

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<sup>303</sup> Ibid., 297.

<sup>304</sup> Ibid., 298.

<sup>305</sup> Ibid.

<sup>306</sup> A. L. Oppenheim, et. al, eds., *The Assyrian Dictionary of the Oriental Institute of the University of Chicago (CAD)* Vol 8; K (Chicago: The Oriental Institute, 1971), 179. This usage is drawn from *kapāru* A, treated on pp. 178-180.

<sup>307</sup> Ibid. Note the occurrence in Tell Halaf No. 5:9, *bikia sarrira mātkunu ugākunu ka-pi-ra* cited in section 2’. The text is found in *AfO* Beiheft 6, 13-14, #5: 7-9.

disposal of wiping material, indicating an actual wiping rite took place (in the case of a purification rite for city and a house).<sup>308</sup> Wright does not specifically address how wide open spaces such as a field would be purified in this manner, though he ventures to suggest that there may have been some similarities between the “wiping” rite and other “touching” rites, and concludes that however the actual ritual was enacted, “these examples show that we should always look for an actual wiping act in rituals that use the verb *kuppuru*.”<sup>309</sup> Wright does indeed make a strong case that there is often a physical wiping implied in the ritual uses of this verb, especially when he shows examples where the object wiped is in the accusative, sometimes with the preposition *ina* signaling instrumental usage.<sup>310</sup> His evidence suggesting that the “abstracted” uses of *kuppuru* certainly should be interpreted in this manner, however, is not ultimately probative, because not all such cases refer to disposal of wiping materials or to the object being wiped in the accusative in this manner. Indeed, one final case complicates the picture even further when it refers to a purification ritual in a field or street, among other unlikely locations for a specific wiping ritual.<sup>311</sup> Wright acknowledges this “perplexing case” of a Neo-Babylonian law, and observes that Landsberger and *CAD* have understood the term here “in the ritual sense” (as opposed to an alternate interpretation involving “cutting” or “removing” proffered by Driver and Miles);<sup>312</sup> however, he does not deal with the passage in the body of the appendix due to its “opaque” nature. He does conclude that a “wiping ritual” is implied, though it would be helpful if he clarified the rationale for his

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<sup>308</sup> Wright, *The Disposal of Impurity*, 292-293.

<sup>309</sup> *Ibid.*, 294.

<sup>310</sup> *Ibid.*, 295.

<sup>311</sup> See SPAW 1918 285 ii 29 and 31 (cited as such on *CAD* 179-180). G. R. Driver and J. C. Miles, *The Babylonian Laws* (2 vols; Oxford: Clarendon, 1952-55) 2:338-339 ii 24-41 includes the text. See also Landsberger, *The Date Palm*, 33, and Marta T. Roth, *Law Collections from Mesopotamia and Asia Minor* (Atlanta: Scholars Press, 1995), 143-149.

<sup>312</sup> Wright, *The Disposal of Impurity* 298, n. 47.

reasoning beyond his previously stated conclusion that *kuppuru* must always refer to such a physical ritual, even in unclear or inexplicit cases where a more abstracted meaning might seem feasible.

McCarthy and Wright demonstrate a more suspicious attitude towards the simplistic equation of the Hebrew usage of *kipper* and the Akkadian occurrences of *kuppuru* than scholars such as Sparks and Zatelli. The most sustained critique of the common scholarly presumption about these terms is found in the wryly titled article by Yitzhaq Feder, “On *kuppuru*, *kipper* and Etymological Sins that Cannot be Wiped Away.” Feder acknowledges it is “understandable that Mesopotamian purification rituals featuring the ostensibly cognate term *kuppuru* continue to attract much interest, long after their initial discovery and publication at the turn of the twentieth century,” given the importance of the concept of כפר in Jewish tradition and the fact that *kuppuru* appears with the verb *salāhu*, further inviting one to view these two terms as cognates for Hebrew כפר and *sālah* (סלה), which appear together in biblical “sin offering” rituals.<sup>313</sup> Feder critiques the common proposals regarding the relationship between the Akkadian and Hebrew terms on the grounds of lack of rigor in clarifying the lexical data of each language, failure to address the nature of the reconstructed historical context in which the terms are said to be related, and failure to heed the warning of Barr regarding uncritical use of etymology as a guide to meaning.<sup>314</sup> Feder provides a lexical analysis in which he, like Wright, concludes that *kuppuru* can be used to describe “a wiping rite in which a wiping material, such as dough, bread, cloth and sometimes an animal, is used to absorb

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<sup>313</sup> Feder, “On *kuppuru*, *kipper* and Etymological Sins that Cannot be Wiped Away,” 535. Feder does not cite the “sin offering” [*sic*] rituals which use the term סלה, but see, e.g., Lev 4:20. The term in Lev 16 is כפר.

<sup>314</sup> Ibid., 356. See James Barr, *The Semantics of Biblical Language* (London: Wipf & Stock, 1961), 117-119.

dangerous forces such as sickness and impurity. The wiping material (*takpertu*) is then carried off to an innocuous location for disposal. In these contexts *kuppuru* denotes either the literal sense ‘to wipe, rub’ or the more general ‘to perform a wiping rite’.<sup>315</sup> Comparing the terms from the different languages, Feder suggests that “*kuppuru* usually refers to the physical act, and occasionally of the rite of wiping as a whole” and never as a general term “to purify,”<sup>316</sup> much as Wright had previously argued. Feder contends that unlike *kuppuru*, כפר is used in “goal formulas” expressing the function of the rite. This term, he argues, means “to expiate” or “to purify” and does not connote any specific act such as rubbing or smearing.<sup>317</sup> Furthermore, Feder argues that since nearly all cultic uses of כפר refer to the sin offering/purification offering, of which the central act is the manipulation of blood, this rite is different from the wiping rites described by Akkadian *kuppuru*.<sup>318</sup> Feder maintains that כפר refers to the “abstract effects of the ritual” in both cultic and non-cultic uses. This is in contrast with Sparks, who suggested a fundamental difference between Priestly and non-Priestly uses of the term, with the former used to denote a “ritual act” and the latter not having this meaning. Feder holds that P and non-P texts are not essentially different, and even in the Priestly texts, the meaning of כפר does not have to do with a specific “ritual act” but refers to the goals or effects of that ritual.<sup>319</sup> He suggests that uses of the term כפר in non-Priestly texts refer to placating anger, expiating sin, and (in a “distinct subgroup” of the latter category), expiation of blood guilt.<sup>320</sup> The main uses, appeasement of anger and compensation for guilt, show “the

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<sup>315</sup> Ibid., 537.

<sup>316</sup> Ibid., 538.

<sup>317</sup> Ibid. See Lev 4:20, 26, 31, 35; 5:6, 10.

<sup>318</sup> Ibid., 538.

<sup>319</sup> Ibid. See, for example, Gen 32:21; Ex 32:30; Num 25:13; 2Sa 3:13, and Prov 16:14.

<sup>320</sup> On uses including placating anger, see Gen 32:21[Eng 20]; Exod 32:30; Num 25:13; Prov 16:14; on expiation of sin, see for example 1 Sam 3:14 and Isa 6:7; and on expiation of blood guilt, some examples

semantic continuity which connects these forms with cultic *kipper*”<sup>321</sup> Both the cultic and non-cultic sources demonstrate that the biblical term “refers to the abstract effects of a person’s actions (‘to appease’, ‘to expiate’), not a concrete action such as that described by *kuppuru* (‘to rub, wipe’).”<sup>322</sup> All of this, Feder contends, makes it unlikely that the Israelite cultic terminology depended directly on either Assyrian or Babylonian influence, *contra* Sparks.

Complicating Feder’s supposition of two clearly differentiated types of terms reflected in כפר and *kuppuru* is the fact that there are, indeed, specific cases that suggest a link between the Akkadian and Hebrew terms. The first is Gen 32:21 [Eng. 20], which includes the phrase “אכפרה פניו במנחה ההלכת לפני ואחרי-כן אראה פניו ישא פני” “I will appease him [lit: I will כפר (piel, 1<sup>st</sup> person singular cohortative) his face] with the offering that is going ahead of me, and afterwards, I will see his face. Perhaps he will accept me [lit: lift my face].” Feder notes that the use of the Hebrew verb with an object, “face” has led some scholars to suggest a more concrete usage of the term, “wiping” as in “wiping the wrath” off of his countenance. Levine and Weinfeld have noted that the Akkadian idiom *kuppuru pānē* is attested in omen texts.<sup>323</sup> Feder responds that the Akkadian usage is a literal one, of a baby wiping his face, not an idiomatic meaning of forgiveness as is ostensibly found in Gen 32:21. He derides the fact that this theory is debated in secondary literature “as scholars desperately attempt to salvage this flailing

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are Exod 21:30; Num 35:33; and Deut 32:43. These last two references refer to purification of the land of Israel from blood.

<sup>321</sup> Feder, “On *kuppuru*, *kippēr* and Etymological Sins that Cannot be Wiped Away,” 538.

<sup>322</sup> Ibid.

<sup>323</sup> Baruch A. Levine, *In the Presence of the Lord: A Study of Cult and Some Cultic Terms in Ancient Israel* (Leiden: Brill, 1974), 60, citing CT 28 29:8. See Feder, “On *kuppuru*, *kippēr* and Etymological Sins that Cannot be Wiped Away,” 539.

etymological theory.”<sup>324</sup> Feder also addresses the issue of cases in which there are uses of the Hebrew term that converge with uses of the Akkadian term: both can signify “to purify” or “to perform an expiation rite.” One example of such a confluence is in the Neo-Babylonian *akītu* rite, where texts refer to purification of the temple with the carcass of a sheep,<sup>325</sup> which has been the subject of so much comparative effort by scholars. Feder suggests that the *akītu* text refers specifically to a wiping rite, but does concede that there are cases where the Akkadian verb *kuppuru* was sometimes used to refer to the ritual as a whole, rather than the specific act of wiping.<sup>326</sup> On the other side of the comparison, biblical texts such as Lev 7:7 suggest that the Hebrew verb כָּפַר could also sometimes refer to the performance of the rite as a whole.<sup>327</sup> Feder argues that the syntactic and conceptual overlap sometimes displayed between these two terms is “clearly the result of opposite processes of intralinguistic semantic development,” that is, the concrete meaning of *kuppuru* developed a more general sense of “to perform a wiping rite,” whereas the more abstract term *kippēr* developed a more concrete sense “to perform an expiatory rite.”<sup>328</sup> Ultimately, he does not dismiss the idea of examining cognates for the terms involved, but he maintains that “the evidence seems to indicate that this parallelism is the result of independent semantic developments.”<sup>329</sup>

The different cases examining the relationship between Lev 16 and the Babylonian *akītu* festival, the specific terminological issue of כָּפַר/*kuppuru*, and the role of demons in Israelite and Mesopotamian religion serve to demonstrate specific examples

<sup>324</sup> Feder, “On *kuppuru*, *kippēr* and Etymological Sins that Cannot be Wiped Away,” 540.

<sup>325</sup> See the text on M. J. H. Linssen, *The Cults of Uruk and Babylon. The Temple Ritual Texts as Evidence for Hellenistic Cult Practice* (Leiden-Boston, 2004), 221, 230. Lines 345-354 form the core of the salient passage. See treatment by Feder on pp. 235-236, 540 of his article.

<sup>326</sup> Feder, “On *kuppuru*, *kippēr* and Etymological Sins that Cannot be Wiped Away,” 540.

<sup>327</sup> Ibid., 541.

<sup>328</sup> Ibid.

<sup>329</sup> Ibid., 544.

of the general difficulties of the comparative enterprise. Attempting to use one set of data to help explain or fill in the gaps of another is problematic, and can lead to insupportable conclusions. On the other hand, approaching data seeking only divergence can lead one to reify the differences between cultures, and to potentially privilege one group over another, as with the implication of Israelite religion being beyond the idea of demons, unlike the religion of her neighbors, in which demons are linked inextricably with impurity and suffering. Texts must be examined first in their own context, as Talmon has argued and as van der Toorn has demonstrated. Only after this is done may such texts be compared with texts from other cultures. Attempting to use a foreign body of literature to fill in gaps in another is tenuous and highly speculative at best, and extremely misguided at worst. In what follows, data regarding Mesopotamian, Anatolian, and Egyptian conceptions of impurity will be discussed within their own contexts before comparing them to biblical data.

## **2.2 Impurity in Extra-Israelite Sources: Issues of Terminology and General Categorization**

Having briefly illustrated some of the difficulties involved in comparative analysis, it will be helpful to address the meaning of purity and impurity in the cultures of the most formidable imperial powers of the ancient Near East. There are several issues involved in terminology that affect the discussion of impurity and its effects. Articulating the conception of purity and impurity, purity “systems,” and, how these affect the issue of land impurity can help elucidate the broader cultural context in which biblical discourse about purity took place. The following discussion delves into the cuneiform sources from Mesopotamia, especially ritual texts dealing with the ramifications and remedies of

illness and impurity. Hittite and Egyptian evidence is also relevant to this discussion, and will be included as well.

“Purity” is often defined through negatives; that is, “purity/cleanness” is thought not to be an absolute category, but is determined within a culture through differentiation from its opposite “impurity/uncleanness.”<sup>330</sup> Sallaberger notes that cuneiform literature, especially incantations, use almost interchangeable terms for “pure” and “clean,” citing the Sumerian terms **kù**, **sikil**, **dadag**, **luḥ(-ḥa)**, **na de<sub>5</sub>-(ga)** and the Akkadian terms *ellu*, *ebbu*, *qašdu*.<sup>331</sup> He suggests that the non-ritual use of these terms for “purity” can better illustrate the concept in Mesopotamia than the occurrences in ritual contexts, and uses **kù** as his example. This term, Sallaberger shows, had a basic meaning in Sumerian of “precious metal” or “silver” which led to extended meanings of “bright,” “shiny,” “pure,” and “holy.” In this way, one can arrive at both a positive definition for “purity” as something that is “clean” or (in a cultic context) “holy,” and can understand its natural opposite as “unclean/dirty.” Sallaberger observes that **kù** is often a literary term, and is found in the names, places of worship, and rites, while the normal verb for ritual cleaning is **sikil**.<sup>332</sup> He notes that the Akkadian term *ellu* is not as widespread as the Sumerian **kù**, nor is it as concentrated in the religious world. The term has a wide variety of meaning and contexts.<sup>333</sup> In Akkadian, Sallaberger notes, the root *qdš* denotes ritual purification of the body, cult objects, and clay quarries (similar to Sumerian **sikil**), but it is not used in literature.<sup>334</sup> Sallaberger suggests that there are literary distinctions between common

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<sup>330</sup> W. Sallaberger, “Reinheit A,” *RIA* 11 (Berlin : W. de Gruyter, 2006-2008): 295. This point is especially emphasized by Alice Mouton, in her treatment of Purity in a Hittite context in “Reinheit B” *ibid.*, pp. 299-300.

<sup>331</sup> *Ibid.*

<sup>332</sup> *Ibid.*, 295. Note the usage of “pure place,” **ki sikil**.

<sup>333</sup> *Ibid.*

<sup>334</sup> *Ibid.*

and cultic uses of terms, such that one can distinguish “clean” from “pure,” though he does not similarly distinguish between the concepts of “pure” and “holy,” because cultic purity connotes not only an absence of imperfection, but a brightness or shine, indicative of the divine realm. Indeed, cultic purity aims toward the ideals that distinguish the divine from the common.<sup>335</sup> Sallaberger is influenced by Mary Douglas’s portrayal of impurity as boundary-breaking phenomena. He casts impurity in Mesopotamia in terms of the dissolution of normal order, and notes that there are rules both for the body and for social conduct that hinge upon purity; violating either (by eating prohibited food at proscribed times, or by breaking rules of social order), can result in impurity and curse.<sup>336</sup>

E. Jan Wilson, like Sallaberger, is careful to differentiate the various terms used in purity contexts.<sup>337</sup> She painstakingly distinguishes between Sumerian **kù**, the Akkadian *ellu*, and the Hebrew terms *qadēš* and *qōdeš*.<sup>338</sup> Her contention is that **kù** “probably *always* has some connotation of belonging to the realm of the divine, and because of that, corresponds more closely to English ‘holy’ (which also maintains at least some connotation of divinity or otherworldliness) than to ‘pure’, since the latter word can have uses which are completely non-religious.”<sup>339</sup> The Akkadian term *ellu* is often used to translate (or read) KÙ, as well as SIKIL, GÚB, ŠEN, DALLA, GIRIN, and MAŠ.<sup>340</sup> Wilson argues that *ellu*, unlike **kù**, is also used in contexts that have no connection with the realm of the divine, and can even be “used to describe metals, water, snow, and even laundry after washing!”<sup>341</sup> Drawing a strict divide between religious and non-religious

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<sup>335</sup> Ibid., 296.

<sup>336</sup> Ibid., 296-297.

<sup>337</sup> E. Jan Wilson, *“Holiness” and “Purity” in Mesopotamia* (Kevelaer: Verlag Butzon & Bercker; 1994).

<sup>338</sup> Ibid., 5-65.

<sup>339</sup> Ibid., 40.

<sup>340</sup> Ibid., 67.

<sup>341</sup> Ibid.

connotations and terminology is potentially problematic in this context, and Wilson's contention is slightly at variance with van der Toorn's observation that "purity" is a vague concept "probably because of its many connotations."<sup>342</sup> He notes Akkadian terminology includes *ellu*, *ebbu*, *namru*, and *zakû*, along with their related verbs, and states: "*Ellu* basically denotes cleanliness and only secondarily holiness."<sup>343</sup> He distinguishes between the Akkadian terms similarly to Sallaberger (indeed, Sallaberger's work depends upon van der Toorn's). Van der Toorn observes that the cleanness of *ellu* is not only conceived "negatively as the absence of dirt," but also "positively as brilliance and luminosity."<sup>344</sup> Comparing this term to other Akkadian terms for "pure," van der Toorn states, "Like *ebbu*, *ellu* is often used as a qualification of glittering precious stones, like lapis lazuli. It never refers to physical cleanliness, while *ebbu* can only have the secular meaning 'clean' in connection with clothes."<sup>345</sup> He also notes that "*namru* and *zakû* share the connotation of radiance, as is apparent from a quotation in a Neo-Assyrian letter where they are contrasted with *ešû*, 'gloomy, dull', and *dalhu*, 'blurred, muddy'."<sup>346</sup> Thus, van der Toorn shows, *pace* Sallaberger and Mouton, that it is possible to have a positive definition of purity.

The cultic and non-cultic use of different terms is complex. Wilson draws a sharp distinction between "religious" and "non-religious"<sup>347</sup> uses of terms, similar to both van der Toorn and Sallaberger, who both seek outside cultic usages to apprehend the varied

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<sup>342</sup> Van der Toorn, *Sin and Sanction*, p. 27. Note that Wilson cites van der Toorn extensively, and quotes his work in part.

<sup>343</sup> *Ibid.*, 27.

<sup>344</sup> *Ibid.*

<sup>345</sup> *Ibid.*, 27-28.

<sup>346</sup> *Ibid.*, 28.

<sup>347</sup> Wilson's religious/secular discussion is highly problematic. Terms such as "cultic" and "non-cultic" are preferable, as they do not presume a "non-religious" or "secular" aspect to life in these specific ancient cultures. See below.

applications of the terminology; however, Wilson draws the categories too starkly. She argues that KÙ must, as a rule, be translated with the English word “holiness” while *ellu* must be rendered “purity,” based on the respective English uses of the terms. She argues that KÙ never appears in a “non-religious” context while *ellu* can appear in both “religious” and “secular” uses, which makes it more akin to English “purity” which can also have non-religious connotations denoting “cleanness.” She further argues that the Hebrew root קד"ש, usually rendered with versions of the English term “holy” is entirely unrelated to the idea of holiness represented by Sumerian *kù*, and that Akkadian shows no concept of “holiness” as such, but more one of “purity.”<sup>348</sup> She then uses these distinctions to suggest that Sumerian, Akkadian, and Hebrew-speaking peoples all had fundamentally different outlooks on these terms. Her argument is weakened by her lack of attention to the Hebrew word generally used to denote purity (especially in a cultic sense)—טהור. Additionally, her overly restricted understanding of the Hebrew root קד"ש, and her insistence that the English translation “purity” be restricted for ancient words that had both “religious” and “non-religious” uses is too severe a position. Translations should be flexible enough to suit the textual context, rather than woodenly applied formulas. Wilson’s argument also depends upon an anachronistic “religious/secular” divide. While Wilson, Sallaberger, and van der Toorn all isolate terms that occur primarily in cultic contexts from those that can refer to “clean” in a hygienic but not cultic sense, Wilson’s argument stretches the case too far, and also does not allow for the existence of terms that signified primarily or solely cultic purity, such as Akkadian *qadāšu*.<sup>349</sup> Furthermore, she seems not to consider what Sallaberger identified as the

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<sup>348</sup> Wilson, 85-91.

<sup>349</sup> Or Hebrew טהור.

basic meaning of **kù**—precious metal or silver, which is also the earliest clear meaning of the term. This kind of meaning does indeed lend itself to the extended meanings “shining” “bright” for **kù** that van der Toorn observed for Akkadian terms for purity. Wilson’s interpretation of the data is influenced by her own (negative) definition of purity as “free from pollutants”<sup>350</sup> Van der Toorn, on the other hand, gives a more nuanced interpretation. He acknowledges that “holy” is indeed often a correct translation for the late Akkadian words for “pure.” He further notes that the most likely semantic equivalent for the Hebrew קדש is Akkadian *ellu*. Even though Akkadian language does possess a rarely used verb *qadāšu*, with related adjectives *qašdu* and *quddušu*, it has a principle meaning of “purity,” referring specifically to “the restricted sense of ritual purity” and “in the intensive stem it refers to purification of objects or individuals prior to the performance of a religious ceremony like taking an oath.”<sup>351</sup> Wilson’s argument seems to be influenced by her highly contrastive method. In the case of terminology, it has led her to reify the differences not only between biblical and Akkadian roots, but also to create possibly overly impermeable boundaries within Akkadian (and Sumerian) linguistic systems, and to insist upon translation schema that force a one-to-one correspondence between English and these ancient languages.

In Hittite texts, ritual purity is of great importance.<sup>352</sup> Mouton observes that purity (*parkui*) seems largely defined as a “negative” in these texts; that is, purity is that which is removed from what is impure (*papratar*). Hutter similarly observes that the adjective *parkui* also means “‘free of’, i.e., ‘pure’ is defined by the absence of the

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<sup>350</sup> Wilson, 93.

<sup>351</sup> Van der Toorn, *Sin and Sanction*, pp. 28-29.

<sup>352</sup> Mouton, “Reinheit B,” 299.

contrary.”<sup>353</sup> Mouton does observe that defining the term precisely is difficult, because it depends on the convergence of physical cleanliness (which also includes absence of illness, because demonic attacks often result in disease), the absence of fault, and the implementation of a conditioning ritual.<sup>354</sup> The issue of purity in Hittite cultic texts primarily concerns mortals, because purity is a prerequisite for any contact between man and deity. In a Hittite context, impurity is viewed as dangerously contagious: it can affect people, places (such as the temple where the gods are importuned), and even the gods themselves can become contaminated.<sup>355</sup> Impurity upsets the delicate balance governing relations between gods and mankind.<sup>356</sup> Therefore, it is of special concerns for anyone who has a special relationship with the divine, including priests and the king (who is a representative of the entire nation, yet whose purity depends on a good relationship between himself and the gods).<sup>357</sup> Mouton suggests that it is difficult to remain in a state of desired purity, but for mortals who are in frequent contact with the gods to remain in a state of impurity means to be deprived of divine protection, and to be vulnerable to many kinds of evil entities.<sup>358</sup> Thus it can be inferred that similar to Akkadian texts, in Hittite texts, there is an intertwining of the concepts of purity and holiness—one is necessary for the other, and there are also both physical and behavioral components of purity. The fact that the gods themselves are susceptible to the contamination of impurity is certainly intriguing, and calls into question whether the concepts of deity and impurity were mutually exclusive in Hittite conception.

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<sup>353</sup> Manfred Hutter, “Concepts of Purity in Anatolian Religions,” *Purity and the Forming of Religious Traditions in the Ancient Mediterranean World and Ancient Judaism* (Christian Frevel and Christophe Nihan, eds.; Leiden: Brill, 2013), 160.

<sup>354</sup> Mouton, “Reinheit B,” 299-300.

<sup>355</sup> Ibid., 299.

<sup>356</sup> Ibid., 299-300.

<sup>357</sup> Ibid., 299.

<sup>358</sup> Ibid.

Purity and holiness as distinct yet connected categories can pose some terminological problems. Wilson states that Mary Douglas “gives us information of the nature of pollution, and thus defines something which logically appears to be a polar opposite to holiness in at least one respect.”<sup>359</sup> The issue of holiness and its relationship with purity is potentially problematic for a study seeking to compare Israelite religion with other ancient West Asian religions. This topic has received much comment with regard to Israelite religion, and therefore needs to be clarified both in this context, and in a broader terminological sense, so comparative analysis can proceed. In Israelite religion, two sets of binaries, pure/impure and holy/profane were related, but not equated. The “holy/common; pure/impure” distinction was famously articulated by Milgrom in his commentary on Leviticus.<sup>360</sup> While purity is a prerequisite for approaching holy places or engaging with the holy,<sup>361</sup> holiness and purity are not strictly synonymous. Wilson is correct to critique those who suggest that purity and holiness are virtually identical, especially in Israelite religion.<sup>362</sup> Wilson is also correct to critique Wright’s framing of this binary in his 1992 article. In this article, Wright observed that the two pairs of concepts (holy/profane and pure/impure) interacted in cultically important ways in the

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<sup>359</sup> Wilson, 65.

<sup>360</sup> Milgrom, *Leviticus 1-16*, 732. Milgrom did have a specific way of viewing “holy” and “impure” as opposites, even though these terms are parts of separate dyads. The concern here is to clarify the distinction between the two sets of binaries, and to determine whether such a distinction is viable for the different sets of cultural data. The way in which Milgrom illustrates the relationship between the two dyads is helpful. He states, “The holy may never become impure. These two categories are antagonistic, totally opposite. They are antonyms. Moreover, they are dynamic: they seek to extend their influence and control over the other two categories, the common and the pure. In contrast to the former, the latter two categories are static. They cannot transfer their state; there is no contagious purity or contagious commonness. Indeed, they are, in effect, secondary categories. They take their identity from their antonyms. Purity is the absence of impurity; commonness is the absence of holiness” (p. 732). This negative definition of purity and commonness can help us to understand how while holiness and impurity exist on separate dyads, they are conceived as mutually exclusive in Israelite religion.

<sup>361</sup> See Olyan, *Rites and Rank*, 17.

<sup>362</sup> She singles out Jacob Neusner out specifically, see pp. 85-86. See Jacob Neusner, *The Idea of Purity in Ancient Judaism* With a critique and a commentary by Mary Douglas (Leiden: Brill, 1973).

Hebrew Bible. The contention to which that Wilson objects is that any of four combinations of these two pairs are possible, including the combination of holy and impure. With Wenham, she notes that because purity is a prerequisite for holiness, impurity and holiness cannot be combined.<sup>363</sup> Wilson follows Jensen, who argued that “holiness (and its opposite, the profane) represents the divine relation to the ordered world, and the clean (with its opposite, the unclean) embraces the normal state of human existence in the earthy realm.”<sup>364</sup> Jensen is surely correct, however, that “these two points of view overlap in a complex way.”<sup>365</sup> Wilson suggests that Jensen’s analysis is correct in most ways, but she herself states that there is a different connotation between the nominal and adjectival forms of the root קדש in Hebrew, without significant overlap between their semantic ranges.<sup>366</sup> Her conclusion that while “holy” and “holiness” are related concepts in English, but different in Hebrew is not supported by her evidence for the semantic differences between these parts of speech. What is critical here is to observe the semantic overlap between the concepts of “holiness” and “purity.” This overlap is not insignificant: holy places can be pure, or purified. Additionally, the multiple connotations of purity, and the fact that, depending on the situation, Akkadian terms may be translated as “purity” or “holiness” suggest the need for caution.

While it is necessary to keep the ideas of “purity” and “holiness” distinct with respect to the biblical literature, there may be a greater degree of overlap between these categories in texts from outside Israel. I suggested that the fact that gods can be polluted

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<sup>363</sup> Wilson, p. 86. See Gordon J. Wenham, *The Book of Leviticus* (NICOT; Grand Rapids: Eerdmans, 1979), 10. See also Milgrom, *Leviticus 1-16*, 732 who made the point that holiness and impurity could not be combined.

<sup>364</sup> Philip Peter Jensen, *Graded Holiness: A Key to the Priestly Conception of the World in Journal for the Study of the Old Testament*, Supplement Series 106 (1992), 47-48. Cited on Wilson, pp. 86-87.

<sup>365</sup> Jensen, 48.

<sup>366</sup> Wilson, 87.

in a Hittite context suggests holiness and impurity may not have been mutually exclusive concepts in Hittite religion. The issue of “purity” and “holiness” seems to have been construed differently in Hittite texts than in biblical literature, which can help to illuminate how different ancient West Asian cultures had distinct organizational principles with regard to purity, and the ways in which the categories in these organizational schemes interacted. Two terms in Hittite literature, *parkui* and *šuppi* have at times been depicted as having a hierarchical relationship, wherein *parkui* means “pure,” while *šuppi* means “sacred” or “holy.” The fact that these terms are distinct is reflected in their juxtaposition in specific texts, such as a prayer of Mursili to the Sun-Goddess of Arinna, in which festivals are referred to as both *parkui* and *šuppi*.<sup>367</sup> In 1933, Götze stated, “Darum sehe ich in *šuppi* einen höheren Grad von Reinheit, den ich durch die Übersetzung ‘heilig, sakrosankt’ am besten zu treffen glaube,”<sup>368</sup> and in 1998, Hoffner similarly suggested that while not all societies differentiate between “pure” and “holy,” Hittite certainly does, indicated by the terms *parkui* and *šuppi*.<sup>369</sup> Hutter rejects a hierarchical view of these two terms. He cites Gernot Wilhelm, who argues that the terms are not differentiated by degree.<sup>370</sup> The problem with labeling the terms in this way, Hutter contends, is precisely that it suggests a dual system of dyads, as is suggested

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<sup>367</sup> KUB 24:3+, quoted in Hutter, 164. See also Itamar Singer, *Hittite Prayers*, (Writings from the Ancient World 11; Atlanta: Scholars Press, 2002), 51. Compare the prayer to Telipinu (KUB 24:2 obv. 18-19), in Singer, 55.

<sup>368</sup> Albrecht Götze, ed. *Die Annalen des Muršiliš* (Mitteilungen der Vorderasiatisch-Ägyptischen Gesellschaft 38; Leipzig: Hinrichs, 1933), 233. In a similar vein, though not directly contrasting the term with *parkui*, Taggar-Cohen suggests that “*šuppi*- means ‘holy, sacred, consecrated’ as well as ‘pure’.” See Ada Taggar-Cohen, *Hittite Priesthood* (Heidelberg: Universitätsverlag Winter, 2006), 148.

<sup>369</sup> Harry A. Hoffner, “Agricultural Perspectives on Hittite Laws § 167-169,” in *Acts of the IIIrd International Congress of Hittitology*, S. Alp and A. Süel, eds. (Ankara: Hizmet Aralik, 1998), 319-330 (324).

<sup>370</sup> Hutter, “Concepts of Purity in Anatolian Religions,” 165. See Gernot Wilhelm, “Reinheit und Heiligkeit: Zur Vorstellungswelt altanatolischer Ritualistik,” in *Levitikus als Buch* (Bonner Biblische Beiträge 119; H. J. Fabry and H. W. Jüngling, eds.; Berlin: Philo Verlagsgesellschaft, 1999), 197-217 (203).

in the biblical evidence; by suggesting that *šuppi* should be translated “sacred” or “holy,” “the concept of numinousness, which is contrasted at the same time with a ‘profane’ scope” is introduced.<sup>371</sup> Wilhelm has maintained that “eine Begrifflichkeit, die dem Oppositionspaar ‘heilig vs. profan’ entspricht, ist anscheinend nicht entwickelt worden, vielmehr ist das altanatolische Denken ganz von den Kategorien ‘rein vs. unrein’ beherrscht.”<sup>372</sup> This observation, that the systemization of the Hittite religion was predicated on the binary of pure/impure rather than on interrelated binaries of pure/impure and holy/profane, allows Hutter to suggest that the true distinction between *parkui* and *šuppi* is not one of hierarchy or sacredness, but of two categories of the same concern: purity. Hutter translates *parkui* as “pure,” and *šuppi* as “pure (in a cultic sense).”<sup>373</sup> He suggests that many purification rituals, which address cultic offenses, interpersonal behavior (e.g., including disputes, sexual behavior, and murder), unfavorable omens, and the purity of the king “serve to maintain balance within society.”<sup>374</sup> His conception of the social function of purity is influenced by Mary Douglas’s *Purity and Danger*, which allows him to conceptually frame the overarching concern with purity and impurity in Hittite texts. When the type of purity outlined above is achieved, he states, “the participant in everyday Hittite life is ‘pure’ (*parkui*).”<sup>375</sup> The adjective *šuppi* is associated with a “special category of purity” that is “only required for specific activities in the cult or in dealing with the gods.”<sup>376</sup> This category of purity is not “a hierarchically higher purity,” but only one that concerns an important “subsystem of

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<sup>371</sup> Hutter, “Concepts of Purity in Anatolian Religions,” 165.

<sup>372</sup> Wilhelm, 204-205, quoted also by Hutter on p. 165, n. 34.

<sup>373</sup> Hutter, 161, 164-166.

<sup>374</sup> Ibid., 166.

<sup>375</sup> Ibid.

<sup>376</sup> Ibid.

Hittite culture, namely the cult, whereas *parkui* is essential for the entire cultural system.”<sup>377</sup> This depiction of how Hittite religion schematized purity issues is instructive for this study, as it allows for some interesting (general) comparative statements to be made with regard to the biblical material. Similar concerns about purity are in view in Hittite texts, insofar as “ritual” purity is necessary for specific cultic practices, and there are general rules of purity which the entire population is expected to abide. The fact that both behavioral concerns and physical concerns play a role in Hittite conceptions of purity also seems to be a widespread phenomenon in the region of ancient West Asia. The distinction that while Israelite texts reflect the pure/impure dyad working concomitantly and overlapping with the holy/profane dyad, Hittite texts reflect an organizational scheme revolving solely around a pure/impure dyad is helpful here for two reasons. First, this provides an illustrative case in which presuming similarities across cultures can lead to errors in interpreting the evidence (such as presuming that *parkui* could be translated as “pure” while *šuppi* signified the adjective “holy”). Additionally, this provides an example of how similar concerns and phenomena could have significant overlap among cultures, yet still have specific differences in organizational schema reflective of their own cultural situation. When comparing Israelite articulations of purity with those found elsewhere in the ancient Near East, being able to distinguish these traces of confluence and differentiation among cultures will be critical, and is at the center of the approach outlined here, in which data are presented first in their own cultural context rather than compared at the outset.

One consequence of the relationship between purity and holiness is that religious practitioners often had especially stringent purity requirements. Literature from different

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<sup>377</sup> Ibid.

places in the ancient West Asia reflects the fact that religious specialists often had to demonstrate the highest standards of purity. Another requirement of cultic officials seems to have been physical wholeness and health. Physical wholeness is a different concept than “ritual” purity,<sup>378</sup> though it is another important qualification for access to certain aspects of the cult in different ancient Near Eastern contexts, and therefore must be addressed briefly. Van der Toorn suggests that the “ancient Mesopotamian custom, quite early abandoned, of priests performing the rituals naked, may have been inspired by a desire to display the wholeness of their bodies to the gods.”<sup>379</sup> The qualifications for priests of Israel are articulated in Leviticus 21. Any priest who has a blemish (מום) is prohibited from “drawing near” to make sacrifices to the deity. Defects may include blindness, paralysis, uneven limbs, injured face, hand or foot, crushed testicles, or skin disease, among others.<sup>380</sup> Though the biblical list is more extensive than Mesopotamian prescriptions, there are also physical requirements for Babylonian diviners. In addition to qualifications of bathing in clean water and putting on clean clothes (purification rites seen in many rituals), the *bārû*-priest had to come from “the right family” as only families from Nippur, Sippar and Babylon are qualified according to the Enmeduranki text Lambert assembles and analyzes.<sup>381</sup> It should be noted that in Israel, also, only members of certain family lines could serve as priests (members of the tribe of Levi), and only very specific families qualified to be high priest (according to many texts [e.g., Deut, Jer] members of the Aaronid line; according to others [e.g., P, Chron] those who

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<sup>378</sup> On the dyad whole/blemished and its role in generating distinctions relevant to the cult in the Hebrew Bible, see Olyan, *Rites and Rank*, 103-114.

<sup>379</sup> Van der Toorn, *Sin and Sanction*, p. 29.

<sup>380</sup> See van der Toorn, *Sin and Sanction*, p. 30, and W. G. Lambert, “The Qualifications of Babylonian Diviners,” *Festschrift für Rykle Borger zu seinem 65. Geburtstag am 24. Mai 1994: tikip santakki mala bašmu*. Stefan M. Maul, Ed. (Groningen: Styx, 1998): 141-158.

<sup>381</sup> Lambert, “The Qualifications of Babylonian Diviners,” 142.

traced lineage to the figure of Zadok). Lambert observes that “after correct parentage, a healthy-defect-free body was an equally essential qualification, as stated both positively and negatively in lines 28 and 30-33 of the Enmeduranki text,”<sup>382</sup> and he lists several physical disqualifications of *bārû* priests, two of which were in common with Israelite priestly prescriptions: “either one or two eye defects and a damaged testicle.”<sup>383</sup> Van der Toorn also observes that the *bārû* has to be “‘perfect as to his appearance and his limbs’. A person who is ‘cross-eyed’ or who has ‘chipped teeth’ is not allowed to approach ‘the place of the (divine) judgment’.”<sup>384</sup> In both Israel and Mesopotamia, “persons suffering from an allegedly defiling disease, like the leper (*malē saḥaršubbē*), are refused admittance to the sacral office.”<sup>385</sup> The comparison is intriguing, and Lambert observes, “Obviously there is no direct connection between *Leviticus* and the Babylonian *bārû* rituals, but the possibility of their both sharing in a common religious tradition exists. The post-Old Babylonian products of Mesopotamian religion, such as *Šurpu* and the Erra Myth, have long been noted to be more closely related to aspects of Hebrew religion than earlier phenomena.”<sup>386</sup> In Israelite religion, “perfection” is also required of sacrificial animals. They must be תמים “perfect” or “whole” and without a מום.<sup>387</sup> While whole/blemished stands as a distinct dyad from pure/impure in Israelite religion, it should be observed that physical health *is* related to purity in Mesopotamian and Hittite texts. Both purity and wholeness are required for living things to approach the divine in the ancient Near East.

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<sup>382</sup> Lambert, “The Qualifications of Babylonian Diviners,” 143-144.

<sup>383</sup> Ibid., 147.

<sup>384</sup> Van der Toorn, *Sin and Sanction*, p. 29. Cites BBR1-20:4, 5; 24:30-31.

<sup>385</sup> Ibid.

<sup>386</sup> Lambert, “The Qualifications of Babylonian Diviners,” 148.

<sup>387</sup> Lev 22:19, 21; See van der Toorn, p. 30, where he translates תמים as “blameless.”

It has already been observed that Hittite priests, due to their close relationship with the divine, had to be particularly careful with issues of purity.<sup>388</sup> Specific instructions for the ritual purification of priests and temple personnel are found in the Hittite cultural area, from which Hutter observes “we may say that the concept of ‘purity’ among the Hittites starts with ‘material dirt’; therefore, ‘purification’ consists of ‘exemption from, being free of’ such substances, which have to be washed off, combed off, or removed by using incense, etc.”<sup>389</sup> A purification ritual for an AZU priest clarifies the purifying properties of water,<sup>390</sup> and an instruction for the purification of temple functionaries lists not only washing, but the removal of hair and fingernails, and dressing in clean clothes as part of the procedure.<sup>391</sup>

In Egypt, priests were similarly held to a high level of “ritual” purity. Gee has shown that there were both physical and behavioral requirements that factored into this ritual purity.<sup>392</sup> Priests who failed to abide by strictures were removed from office,<sup>393</sup> which necessitated a relatively large percentage of the population who could be rotated into priestly service. Gee notes that the priestly class became more restricted in Egypt after the Libyan invasion, such that genealogical descent became more critical.<sup>394</sup> Through the changes in the makeup of the priesthood, however, one constant in all

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<sup>388</sup> See Mouton, “Reinheit B,” 299. See also Stefano de Martino, “Purità dei sacerdoti e dei luoghi di culto nell’Anatolia ittita,” *Orientalia* 73,4 (2004):348-62, as well as Ada Taggar-Cohen, *Hittite Priesthood*, esp. 1-5, 148.

<sup>389</sup> Hutter, “Concepts of Purity in Anatolian Religions,” 161.

<sup>390</sup> KUB 43:58 I 40ff, translated in Hutter, p. 160.

<sup>391</sup> Hutter, 160. See also Martino, “Purità,” 349.

<sup>392</sup> John Gee, *The Requirements of Ritual Purity in Ancient Egypt* (Doctoral Dissertation; New Haven, CT: Yale University, 1998).

<sup>393</sup> *Ibid.*, 68.

<sup>394</sup> *Ibid.*, 69. See Alan B. Lloyd, “The Late Period, 664-323 B.C.” in *Ancient Egypt: A Social History* (Cambridge: Cambridge University Press, 1983):278-348 [303]. Gee observes, “Priesthoods in New Kingdom times are granted because of one’s qualifications; priesthoods in Persian times and later are granted in part because of genealogical ties” (p. 69, n. 294).

periods was an emphasis on ritual purity.<sup>395</sup> The fact that priests were subject to specific rules of purification is implied in the normal word for priest, *w‘b*, which is a derivation of the root *w‘b*, “to be pure.”<sup>396</sup> Robins has suggested that the increasing prevalence of depictions of Egyptian priests with shaved heads could be associated with ritual purity, as “a shaven head guaranteed cleanliness.”<sup>397</sup> Quack similarly suggests that the prevalence of depictions of priests with shaven heads in the New Kingdom “could be a sign that purity restrictions had become stricter at this time, or at least that more value was attached to demonstrating them visibly to the outside.”<sup>398</sup>

The discussion of terminological and categorical concerns demonstrates some key features about purity in ancient West Asia. In Mesopotamian, Hittite, and Egyptian literature, a concern for purity is integral for the functioning of the cult. The distinctions pure/impure and holy/profane did not exist and function in the same way in every culture, though each corpus of texts examined exhibits internal systems to protect the purity of the cult. In each case as well, both behavioral and physical concerns factored into the culture’s conception of ritual purity.

### **2.3 Impurity in Extra-Israelite Sources: Issues of the Source and Nature of Impurity**

Guichard and Marti observe, “For reasons inherent to our occidental culture, studies preoccupied [with the notions of purity and impurity] readily compare the biblical

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<sup>395</sup> Gee, 69. See Gwyn J. Griffiths, *The Divine Verdict: A Study of Divine Judgment in Ancient Religions* (Studies in the History of Religions 52 (Leiden: Brill, 1991), 223.

<sup>396</sup> Joachim Friedrich Quack, “Conceptions of Purity in Egyptian Religion,” in *Purity and the Forming of Religious Traditions*, 115-158 (122).

<sup>397</sup> Gay Robins, “Hair and the Construction of Identity in Ancient Egypt, c. 1480-1350 B.C.” *Journal of the American Research Center in Egypt* 36 (1999):55-69 [61].

<sup>398</sup> Quack, 127.

idea with those of the Ancient Near East.”<sup>399</sup> They caution, however, that “although the assyriological information on this material is plentiful and varied, it is difficult to reconcile with the Hebraic documentation, since Mesopotamia has bequeathed to us neither a systematic ‘discourse on purity’ nor sources that would allow us to theorize in this field with certainty.”<sup>400</sup> Guichard and Marti presume that there existed in Mesopotamia a “systematic presentation of behavioral rules or of moral codes” that was transmitted orally, but there is no complete, systematic presentation of what causes, constitutes, and remedies impurity, such as may be found in different places in the Hebrew Bible, most notably the Book of Leviticus.<sup>401</sup> The absence of a treatise on impurity does not preclude the fact that there are multiple sources dealing with impurity in a Mesopotamian context, but Guichard and Mari observe that the very diversity of the written sources “itself is an object of confusion.”<sup>402</sup> They express approbation about the fact that van der Toorn was able to detect an underlying principle regarding a Mesopotamian “system,” but caution against basing too much on sweeping generalizations about cultural convergences. These supposed convergences, they suggest, are themselves are founded on “‘preconceptions of the Orient’ such as the scope of the supposed ban on pork in ancient societies.”<sup>403</sup> Because the evidence from Mesopotamia and also from Anatolia and Egypt is presented in a different manner than the discourse on impurity presented in the Hebrew Bible, adducing the causes and nature of impurity in these different cultures will be approached on a phenomenological basis.

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<sup>399</sup> Michaël Guichard and Lionel Marti, “Purity in Ancient Mesopotamia: The Paleo-Babylonian and Neo-Assyrian Periods,” in *Purity and the Forming of Religious Traditions*, 47-113 (47).

<sup>400</sup> Ibid., 47.

<sup>401</sup> Ibid.

<sup>402</sup> Ibid., 49.

<sup>403</sup> Ibid., 48.

The cause of impurity is a complex issue. In Chapter 1, I laid out the discussion of impurity in Israelite religion, especially with regard to the difficulties inherent in separating purity concerns into two mutually exclusive categories of “ritual” and “moral” impurity. It has been widely observed that in Israel, a person could contract impurity as a matter of course, even while fulfilling cultic functions.<sup>404</sup> On the other hand, Israelite sources also recognize that it is possible to become contaminated because of sinful behavior. Murder, non-Yhwhistic worship, and illicit sexual relations are all portrayed in biblical texts as defiling to the individual, and, ultimately the land itself. These actions were believed to anger the god Yhwh, and to incite him to ultimately abandon his temple and his land, inviting Israel’s national destruction at the hands of foreign nations. This well-known motif in biblical literature connects sinful behavior, divine wrath, and impurity. Additionally, the problem of theodicy is a trope seen in biblical psalms and wisdom literature, especially the Book of Job, and is treated at some length in van der Toorn’s *Sin and Sanction*.

Two aspects of biblical purity discourse that have not yet been remarked upon are the defiling nature of blood spilled in violence as represented in some texts and the role,

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<sup>404</sup> For example, the ashes of the red cow in Num 19, which are used to purify one who has contracted corpse contamination, defile those who are involved in the preparation and administration of the ritual, a “paradox” about which Milgrom says the following: “the ashes of the Red Cow purify those whom they sprinkle, yet defile those who do the sprinkling and those who handle and prepare them.” He summarizes the case: “This paradox is neatly captured in the rabbinic apothegm: they purify the defiled and defile the pure.” (Jacob Milgrom, “The Paradox of the Red Cow (Num. XIX)” *VT* 31.1 [1981]: 63). See Num 19:19, 21. In this case, the priest has done nothing to displease the deity, nor does he suffer unduly from his impurity, yet he is still ineligible to function as a priest again until he is deemed ritually pure. Similarly, the person who has contracted corpse impurity is impure until he has been sprinkled by the ashes of the red cow, even if he has contracted the impurity by doing the legally mandated practice of burying an immediate family member. There is no judgment involved, yet he is still “ritually” impure. Note that because priests are held to a higher standard of purity, there are restrictions on their mourning practices. Regular priests may only touch the corpse of a first degree relative, and high priests are forbidden to become impure in this way. See van der Toorn, *Sin and Sanction*, pp. 36-37 on corpse impurity, and its comparison to Mesopotamian evidence, where van der Toorn states there is no real evidence for the idea of corpse impurity.

if any, of “witchcraft” or sorcery play in biblical discussions of purity. Briefly addressing these two phenomena helps to usher in an examination of purity discourse in extra-Israelite textual sources. First, there are biblical texts which stipulate that purification is necessary after blood has been spilled. Num 31:19 stipulates that after a battle, Israelite soldiers and captive alike who have killed another person or have touched a corpse must remain outside the camp for one week, and undergo purification rites on the third and seventh day, before being readmitted to the community’s territory.<sup>405</sup> It has been observed that blood played a different role in Israelite ritual practice than it did in other places in ancient West Asia;<sup>406</sup> but there is perhaps some degree of parallel analysis possible regarding violently spilled blood as a defiling substance.<sup>407</sup> Van der Toorn has observed that Akkadian sources also contain the concept of bloodshed being defiling. People, implements, and even chariots are defiled by bloodshed.<sup>408</sup> In *Šurpu* II 49; cf. 93f; III 34, bloodshed is listed as one of the offences which releases a divine curse.<sup>409</sup> Van der Toorn has also suggested that the well-known *topos* of the triumphant king who washes his weapons in the waters of the Mediterranean Sea after victory attested, in

<sup>405</sup> See van der Toorn, *Sin and Sanction*, p. 16.

<sup>406</sup> See, for example, McCarthy, “The Symbolism of Blood and Sacrifice,” and Olyan, “Cult,” *OEANE* (1997): 2:79-86 [83].

<sup>407</sup> In addition to the references to the “moral” impurity brought about by murder, there are other texts that specifically suggest that the blood itself pollutes or diminishes in some way. Gen 4:10, in which Yhwh tells Cain that his brother’s blood is crying out to him from the ground, represents a well-known example of the accusatory power of a murder victim’s blood soaking the ground. Compare also Gen 37:26 (“What profit is it if we kill our brother and conceal his blood?”). Neither of these texts utilizes purity language: the blood is not construed here as polluting, but the substance itself stands as witness of the murder committed.

<sup>408</sup> On terminology, see van der Toorn *Sin and Sanction*, 159 n. 49. Note the phrases *dāmū lapit*. The term *lapit* comes from the verb *lapātu*, often having to do with smearing, or wetting, but also carrying the connotation of pollution or defilement in cases. See *CAD* Vol 9; L (1973), 82-83. Note also *ina dāmī ballu*, with a similar connotation (see *CAD* Vol 2; B (1965), 39). Van der Toorn also compares the phrase *šarrum damē ētašma kussū la taqnat* “The king committed bloodshed; therefore his throne is blemished” seen in CCT 4:30a:13 (an Old Assyrian letter), see *CAD* Vol 3; D (1959), 79. On this last phrase, compare also *CAD* Vol 18; T (2006), 198a “the king has shed blood and his throne is now insecure.” By this translation in *CAD*, there would be no purity connotations involved in this reference.

<sup>409</sup> Note also that in the Annals of Assurbanipal, bloodshed is called an abomination (*asakku*). See van der Toorn, *Sin and Sanction*, 16.

Mesopotamian texts from the 2<sup>nd</sup> half of the third millennium on, refers to a rite of purification.<sup>410</sup>

Additionally, the role of “witchcraft,”<sup>411</sup> which is prevalent in Akkadian incantation texts as one source of impurity, deserves brief comment as a parallel phenomenon in biblical literature. The Hebrew Bible proscribes a variety of activities that are considered the purview of sorcerers, mediums, and similar practitioners in favor of specific cultic professionals including priests and prophets.<sup>412</sup> Interestingly, however, most biblical texts railing against the activities of these practitioners do not use the language of impurity to denounce them. One text of note, Lev 19:31, states that people are defiled through their solicitation of mediums (אֹבֵדִים) and sorcerers (יִדְעֹנִים), in a chapter

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<sup>410</sup> Van der Toorn, *Sin and Sanction*, pp. 15-16. Compare to Mesopotamian practice of washing blood off of chariots, attested in the Hebrew Bible in 1Kgs 22:38, which has Ahab wash his own chariot in an (apparently unsuccessful) purification ritual (ibid., p. 36).

<sup>411</sup> It must be observed that the term “witchcraft” is highly problematic. In a 20<sup>th</sup> century, Western context, the term has centuries of baggage irrelevant for the use of this term in an ancient Near Eastern context. Sarah Iles Johnston defines “witchcraft” as “magic deployed for injurious purposes” in *Religions of the Ancient World: A Guide* (Cambridge, MA: The Belknap Press of Harvard University Press, 2004), 139-152 [149]. Schmitt has done extensive work on the concept of “magic,” and ultimately concludes, “Magie ist eine ritualsymbolische Handlung, die durchgeführt in einer adäquaten Situation, durch Nutzung bestimmter göttlich enthüllter Medien (Symbol, Wort, und Handlung) und kosmischen Wissens, ein bestimmtes Ergebnis vermittelt symbolischer Antizipation der göttlichen Intervention erzielt.” See *Magie im Alten Testament* (Münster: Ugarit Verlag, 2004), 90-93 *ad passim* (quotation on pp. 92-93). See also the discussion “Terminologische Grundfragen” in Daniel Schwemer, *Abwehrzauber und Behexung: Studien zum Schadenzauberglauben im alten Mesopotamien* (Weisbaden, Harrossowitz Verlag, 2007), 5-21, esp. p. 7. Both “magic” and “witchcraft” (also “sorcery” and other related terms) have English connotations attached to them that make their use problematic; however, these terms are commonly used in scholarship about the texts from the ancient Near East, and are used in this restricted, scholarly sense here. “Witchcraft,” in the way I use it, connotes the use of ritual actions to cause harm to another individual. I use the terms “witchcraft” and “anti-witchcraft literature” chiefly because they are the terms commonly used by experts on this topic, including Tzvi Abusch and Daniel Schwemer, who edited *Corpus of Mesopotamian Anti-Witchcraft Rituals* Vol. 1 (Leiden; Boston: Brill, 2011). A preferable term might perhaps be “ritual malfeasance” (coined in cooperation with Saul Olyan), though I restrict the use of this neologism for the sake of clarity. On the translation of Akkadian terms for “witchcraft,” see Schmitt, *Idem*, 77-80, 107-108 and Abusch and Schwemer (who also include Sumerian data), *Idem*, 2-4. Above, I isolate the terms “witchcraft” and “anti-witchcraft” in quotation marks to problematize their usage, except for occasions where I am quoting the work of others.

<sup>412</sup> See, for example, Exod 22:18, Lev 19:26, Lev 19:31, Lev 20:6, Lev 20:27, Deut 18:9-14, 1 Sam 15:23, 1 Sam 28:3-25 (Saul and the medium of Endor), 2 Kgs 9:22, 2 Kgs 21:6, 2 Kgs 23:24 (called “abominations”), Mic 5:12, Isa 8:19, Isa 44:25, Prov 5:1-10, 1 Chron 10:13-14, 2 Chron 33:6. See also Schmitt’s *Magie im Alten Testament* for in-depth discussion.

that lists a variety of causes of “moral” impurity. Absent is the implication that a person could use “ritual malfeasance”<sup>413</sup> to anger another person’s personal god or intentionally afflict that person with impurity and/or illness. This is not the case in Mesopotamian literature, in which many texts suppose that a person’s illness and concomitant impurity could have been inflicted by personal enemies through “witchcraft.” These two phenomena, bloodshed and “witchcraft,” demonstrate the value of comparing phenomena in different cultures in a parallel fashion, without presuming either confluence or extreme contrast. It can be observed that certain concepts could resonate in different social, ritual, and cultic contexts in the ancient Near East, yet still have distinct cultural valences. While violent bloodshed is polluting in both Israel and Mesopotamia, the cultic contexts and remedies for this condition differed, and blood functioned in a very different way in the cult of Israel than it did among its neighbors. Biblical texts decry the activities of specific specialists who engage in practices that the authors of specific biblical texts deemed illegitimate. At least in some cases, people who sought the aid of these individuals are said to have been polluted. The role of “witchcraft” in impurity discourse is, however, different in Mesopotamia.

In Mesopotamia, the causes, signs, and remedies for impurity are complex. The idea of individual retribution, in which the suffering of an individual is taken to be a sign of divine displeasure, is prevalent in certain types of literature relating to impurity and its attendant symptoms (especially the physical manifestation of divine sanction represented by sickness). In his treatment of illness,<sup>414</sup> Hector Avalos observes that illness and

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<sup>413</sup> My alternative to the fraught English term “witchcraft,” used here sparingly.

<sup>414</sup> Hector Avalos, *Illness and Health Care in the Ancient Near East*, *ad passim*.

impurity are closely linked.<sup>415</sup> When one is cured of the impurity, the illness is cured, and when the illness is cured, the gods have been successfully petitioned to remove the sign of their displeasure—the impurity. Impurity did not have to be a manifest illness, however. Omens could signal to an individual that a god had decreed an unpleasant fate for him, and such a person might well undertake measures to send the evil back to the harbinger<sup>416</sup> and seek reconciliation with the god involved. The harbinger served both as the agent/cause of impurity, and also the indicator of impurity, which may be discerned from the role the harbinger takes in the *namburbi* rituals as witness and adversary. *Namburbi* texts record such proceedings, and in his description of *namburbi* rituals, Maul states that impurity “was thought of as a fine film of dirt” which was washed from the body with water.<sup>417</sup> Indeed, washing oneself over (or pouring one’s own ablution water over) a representation of a harbinger of an evil fate was in some cases believed to have relocated the impurity from the patient to the one who was deemed to be his enemy.<sup>418</sup> The case is similar in *ušburruda* incantations, a form of “anti-witchcraft” text. Schwemer observes that in most “anti-witchcraft” texts, the patient’s illness is conceptualized being bound (in an impure state), hence “the therapy, again a ubiquitous feature of anti-witchcraft rituals, consists in the patient washing himself over substituted figurines of

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<sup>415</sup> A note on medical texts: Tablets containing directions for healing rituals have been excavated at several sites in Mesopotamia, among the best known are Assur, Nineveh, Uruk, Sultantepe and Nippur. Some texts found in Hattuša/ Boğazköy show the scope of dissemination. Sumerian texts and Old Babylonian copies show the antiquity of the genre. See van der Toorn, *Sin and Sanction*, 58.

<sup>416</sup> “A person or thing that announces or signals the approach of another;” in this case, the harbinger is that which signals to an individual the the problem/impurity/divine decree that must be rectified.

<sup>417</sup> Stefan M. Maul, “How the Babylonians Protected Themselves against Calamities Announced by Omens” *Mesopotamian Magic: Textual, Historical, and Interpretative Perspectives*. (Tzvi Abusch and Karel van der Toorn, eds.; Groningen: Styx Publications, 1999), 127.

<sup>418</sup> *Ibid.*, 127-128.

warlock and witch thereby transferring his miasma back onto his evildoers.”<sup>419</sup> In the bilingual Sumerian/Akkadian text he is addressing, *BM 47451* (81-11-3, 156), lines 1-2 refer to “witchcraft” as the “binder of men” (*mukassû amīlūti* in the Akkadian text). Lines 17-27 refer to the forming of figurines and the washing of the affected person over these figurines. Schwemer’s translation of the Akkadian version reads:

Take clay from the Subterranean Ocean, and [make] a figurine of warlock and sorceress, of a man and [of a woman]. [*Purify him*] with the water of [Ea’s] incantation, [*wash*] the man, the son of his god, with the water over these figurines. The wash water of that man... [*Let*] this water [...] over the evil[doer]. May he be released from his bound state and [ri]se from ha[rdship]! May Ea’s word change with regard to the witchcraft, the magic (and) the [*evi*]l sorti-[leges], let this man [become] as pure as gold!<sup>420</sup>

The Sumerian version asks that Enki’s word be changed, and that Nammu, the lady of the pure lustration water, make this man as pure as gold.<sup>421</sup>

This text illustrates three facets of the discussion: first, the idea that the evil impurity is transferable. Just as a sorcerer or a harbinger can bring evil impurity to a man, so too may he attempt through ritual means to send it back. Second, this text indicates the relationship between impurity and illness, as lines 1-2 state that the cause of the problem is evil sorcery, the “binder of men,” and lines 3-9 enumerate the effects,

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<sup>419</sup> Daniel Schwemer, “Washing, Defiling, and Burning: Two Bilingual Anti-Witchcraft Incantations” *Orientalia Nova Series*, 78.1 (2009): 49.

<sup>420</sup> *Ibid.*, 52-53.

<sup>421</sup> See Sumerian transliteration on Schwemer “Washing, Defiling, and Burning,” 51, with Schwemer’s translation on p. 53.

including a variety of symptoms of illness and hardship.<sup>422</sup> Third, the role of divine agency in the implementation and removal of the impure illness is clear in this incantation. The plea is for the deity's word to "change" with regard to the "witchcraft," so that the individual may recover and become pure (ll. 25-27), which indicates both that the impurity ultimately comes at the assent of the deity, and can be removed if that deity can be prevailed upon to change his decree.

Ablutions were often a part of purification in both Israel and Mesopotamia, but it is important not to view impurity in an overly hygienic sense as *actual* dirt. While in Akkadian "anti-witchcraft" literature, "The witchcraft affecting the patient was often conceived of as a foul substance that could be washed off like dirt or stripped off like a soiled garment"<sup>423</sup> "witchcraft" (Akkadian *kišpū*), "was a transferable quality or substance" which is "implied in the ubiquitous motif of returning the witchcraft to those who performed it; the similar theme of the witch sending her witchcraft against the patient sometimes presupposes the same concept, though this theme is often associated with concrete embodiments of evil omens sent by the witch to her victim"<sup>424</sup> Therefore impurity was both similar to and dissimilar to "dirt." Because *kišpū* designated both the evil actions of a witch and the resulting evil which possessed a patient, what is being considered here is a transfer of impurity and its consequences.<sup>425</sup> In both *ušburrudas* combating "witchcraft," and in *namburbis* seeking to rectify the situation portended by an

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<sup>422</sup> See Schwemer, "Washing, Defiling, and Burning: Two Bilingual Anti-Witchcraft Incantations," 50-52.

<sup>423</sup> Tzvi Abusch and Daniel Schwemer, *Corpus of Mesopotamian Anti-Witchcraft Rituals*, 2-3. See also Daniel Schwemer, *Abwehrzauber und Behexung: Studien zum Schadenzauberglauben im alten Mesopotamien*, 5.

<sup>424</sup> Abusch and Schwemer, *Corpus of Mesopotamian Anti-Witchcraft Rituals*, 3a.

<sup>425</sup> *Ibid.*, 2b.

evil harbinger,<sup>426</sup> the idea of sending evil/impurity to one's enemy, perceived to be the source of his or her distress, is an important thematic component. While the evil omen may originate ultimately with an angry deity who has sent the harbinger, the person involved may construe the harbinger as his opponent in a setting similar to a trial (*dīnu*). Maul observes that in *namburbi* texts, one had to obtain the harbinger (in his paradigmatic case, a dog) before the ritual started, or at least make a clay image of it. In this way, the person's fears could be "concretized" and he would be able to go "before the highest judge Šamaš together with one's opponent, the harbinger or its image, which was formally considered to have the same rights as the person."<sup>427</sup> The presumption in this instance is that the gods themselves have sent the omen, so there is no doubt regarding the divine will, but rather the petitioner attempts to effect a revision of the judgment by casting blame on his accuser, the harbinger. In what is essentially a trial, the "person attempts to renegotiate the gods' disadvantageous decision regarding his future."<sup>428</sup> The offended deity may be a personal or a household god, but by appealing to Šamaš, the petitioner knows that if the decision is reversed, other gods will have to defer to this judgment.

The trial was enacted on land that was itself purified, and "under no circumstances may he again insult the gods by befouling the hallowed ground upon which they had taken their meal and upon which they were supposed to render judgment anew."<sup>429</sup> The petitioner's contact with the land was carefully regulated and mediated to

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<sup>426</sup> Though note that Caplice observes that there is some overlap in the genres—some *Namburbis* serve as "anti-witchcraft" rituals. See Caplice, Richard. *The Akkadian Namburbi Texts: An Introduction* [Sources from the Ancient Near East Vol. 1 Fasc. 1.], (Los Angeles: Undena Publications, 1974), 9.

<sup>427</sup> Maul, "How the Babylonians Protected Themselves," 125.

<sup>428</sup> Ibid., 126.

<sup>429</sup> Ibid., 127.

maintain purity and the goodwill of the gods. He was led to the appropriate place by the religious specialist and stood upon a “carpet” of purifying plants, which had the purpose of channeling his impurity into the ground after Šamaš had rendered judgment.<sup>430</sup> In contrast to the petitioner’s conscientiousness for properly channeling impurity into the ground, in this trial setting, the harbinger was made to be as impure and odious to the divine judge as possible by being placed unprotected on the ground before Šamaš in an impure state in order to offend the gods. Maul observes, “in some rituals it was even set down on pigs’ dung so that it would with absolute certainty provoke the god to wrath.”<sup>431</sup> These rituals demonstrate that the impurity of evil omens was linked to divine wrath—the wrath of a god could bring it upon a person, and the decision of another god could remove it or redistribute it. Purity considerations were critical, as the petitioner found himself in an impure state due to the evil omen, and sought to importune the judge of the gods to change the portent, while channeling his own impurity into the ground and exposing the harbinger during the trial in an impure fashion. This ritual not only demonstrates the importance of purity and impurity to interpreting and mediating divine actions, but it also depicts a kind of purity politics involved, where purity is contracted, transferred, and reversed onto the original harbinger in order to attempt to change divine will and aid the concerned party.

Figurines were sometimes used as substitutes for the patients which could be destroyed during a ritual. Wright argues that this is the function of the clay dog in the *Namburbi* ritual discussed above.<sup>432</sup> Burning and burying were the most common ways

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<sup>430</sup> Ibid. See also Idem, *Zukunftsbewältigung*, 66.

<sup>431</sup> Maul, “How the Babylonians Protected Themselves,” 127.

<sup>432</sup> Wright argues, “This is not just a transfer of evil to the dog, but it also makes the model a substitute for the patient” (*Disposal of Impurity*, 72).

of destroying figurines and “ritually killing the sorcerers represented by them.”<sup>433</sup>

Indeed, the term *Maqlû*, the name of a series of “anti-witchcraft” incantations, means “burning,” referring to the fact that “wax or wooden figurines of the sorcerer or—more often—the sorceress who bewitched the supplicant are melted or burnt in the fire, and the conjurations that compose *Maqlû* addresses, with very few exceptions, either these sorcerers—in effigy—or the fire-god who is to destroy them.”<sup>434</sup> Abusch observes, “The notion of treating suffering by focusing on and destroying an enemy who is regarded as the force that activates evil and harmful agencies is given concrete form in the ‘burning of the witch.’”<sup>435</sup> He observes that this theme occurs in almost every incantation of *Maqlû* I 73-IV, in different “permutations and elaborations.”<sup>436</sup> While *šurpu* also means “burning,” the burning does not have the same place in the *Šurpu* series of incantations, designed to combat the curse of broken oaths and other sins, as it does in *Maqlû*. As Reiner observes, “Contrary to what we would expect from its title, burning plays a very small role in the series *Šurpu*. With the exception of Tablet V-VI ... none of the prayers or incantations have anything to do with the magical operation the title suggests.”<sup>437</sup> One interesting type of medical text examined by Barbara Böck deserves brief comment as well, as it brings together medical, divine, and demonic issues.<sup>438</sup> Böck examines the so-called *Muššu’u* ritual tablet, in order make an argument regarding whether or not the *Muššu’u* series (which is characterized by a mixture of formulations from different types

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<sup>433</sup> Abusch and Schwemer, 23a.

<sup>434</sup> Erica Reiner, *Šurpu: A Collection of Sumerian and Akkadian Incantations* Archiv für Orientforschung Beiheft 11. (Osnabrück: Biblio-Verl, 1970) (original publication Graz: 1958), pp. 2-3.

<sup>435</sup> T. Abusch, “Maqlû” in *RLA* Vol 7. (Berlin: W. de Gruyter, 1987-1990): 348.

<sup>436</sup> Ibid.

<sup>437</sup> Ibid.

<sup>438</sup> Barbara Böck, “‘When You Perform the Ritual of ‘Rubbing’’: On Medicine and Magic in Ancient Mesopotamia,” *JNES* 62.1 (2003): 1-16. See also Idem, *Das Handbuch Muššu’u “Einreibung”: Eine Serie sumerischer und akkadischer Beschwörungen aus dem 1. Jt. vor Chr* (Madrid: Consejo Superior de Investigaciones Científicas, 2007).

of incantation ceremonies [e.g., *namerimburruda* incantations], as well as from medical compendia involving ailments of both limbs and head) constituted a distinct ceremony. Intriguing is her observation that a variety of treatment options are invoked, including both healing balms and apotropaic measures (she speaks of a juxtaposition of “nonmagical and magical elements”).<sup>439</sup> The parallels she draws between *Muššu’u* and other ritual texts provide the opportunity to make some more general statements about a variety of healing rites. She demonstrates that a medical environment existed in Mesopotamia that attributed physical disease to sources outside the body, and sought to address illness through a variety of ways, involving prophylactic and apotropaic measures, incantations against “witchcraft,” warding against demons, and appeals to personal gods for healing and reconciliation, as well as the topical application and rubbing of ointments and balms.

Incantation texts demonstrate that in a Mesopotamian context, impurity was often conceived to be of “supernatural” origin (by which I mean “outside of human experience”) which is a different idea than pollution being construed as an expected *de facto* aspect of ordinary life. This is not to say that impurity was never the result of unavoidable, ritual, origins. As stated above, McCarthy observes that during the *akītu* festival, in which the impurity of the Ezida cella of the god Nabu in Marduk’s larger temple, Esagil is absorbed with the corpse (*ina pagri*) of a sheep, that the sheep becomes so contaminated that the men who handle the corpse are “cast out” of the holy environs in order to carry away their impurity.<sup>440</sup> This may be compared with Milgrom’s treatment of biblical *חטאת* sacrifices, which render those who handle and perform the rite impure in

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<sup>439</sup> I am not as convinced that this latter distinction is probative, however.

<sup>440</sup> McCarthy, “The Symbolism of Blood and Sacrifice,” 169.

texts such as Num 19:6-10, 19, and 21.<sup>441</sup> Most of the Mesopotamian texts involving purification rites, however, seem to be concerned with portents, illnesses, and other signs of impurity that indicate that a god has become displeased, and therefore left a person vulnerable to attacks by “witchcraft” or demons that can result in such a situation of impurity. Sinful action, such as oath-breaking, also involves impurity through divine sanction, though there is some evidence perhaps for the auto-efficiency of the consequences<sup>442</sup> for certain kinds of sinful behavior, as opposed to divine agency, as will be mentioned below.

The “supernatural” origins of impurity can be seen quite clearly in the case of petitionary prayers in which a person confesses his sins (or professes his ignorance about the nature of his sins) in an effort to propitiate the gods and have them remove the illness or omen afflicting him. Wright’s purpose in *The Disposal of Impurity* is not chiefly to theorize about the nature of purity and impurity, though he does ultimately conclude that “impurity in Mesopotamian religion is characterized by its essentially demonic nature.”<sup>443</sup> He ties all occasions of impurity in Mesopotamia to the idea that demons are ultimately responsible, stating, “When a person sins or suffers the spell of a sorcerer, the person becomes susceptible to an onslaught of demons...which cause mental distress or physical disease. Consequently, the main goal of numerous rituals is to exorcise these demons, to cast them out, and send them back to their proper abode.”<sup>444</sup> He extends this reasoning to deal with “anti-witchcraft” literature when he states, “The Maqlu series is

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<sup>441</sup> See Milgrom’s treatment in “The Paradox of the Red Cow.”

<sup>442</sup> The idea that the consequences happen automatically upon certain behaviors, without direct divine intervention.

<sup>443</sup> Wright, *The Disposal of Impurity*, 248.

<sup>444</sup> Ibid, 248-249.

concerned with annulling the effects of sorcery.”<sup>445</sup> He notes that the series deals at length with destroying sorcerers and returning their sorcery to their own heads, but notes “there is also a concern with demonic attack arising from their sorcery. See I 135-143 where models of various demons are burned.”<sup>446</sup> He makes his case starkly that Mesopotamian religion envisions “demonic” sources of impurity because his goal is to establish a contrast between this presumed demonic outlook and that of the Priestly writers in the biblical literature, where, he states, there are no demons. The problematic nature of the contrastive method of comparison was discussed above as regards Israelite religion (the idea that there was no conception of the demonic in Israelite religion, based on select Priestly texts, is spurious); however, the supposed “demonic” focus of Mesopotamian impurity is also more complicated than Wright postulates.

While disease is sometimes indicative of divine censure or demonic attack, the role of gods, demons, sin, and natural happenstance in sickness and impurity is rather complicated. Avalos states, “In Mesopotamia illness was often, if not normally, viewed as ultimately rooted in the will of the gods. There were illnesses, notably *saḫaršubbû*, that almost always were regarded as definite indications of divine punishment.”<sup>447</sup> This view is much in line with that of Karel van der Toorn, though the latter acknowledges that not all illness in Mesopotamia was viewed as a sign of divine wrath. Van der Toorn quotes a letter to the Neo-Assyrian king Esarhaddon from the scholar Ištar-šumu-ēreš: “The king, my lord, should not worry about this illness: it is a disease of the season, all the people who have been sick (with it) have got well. Moreover, the king, my lord, who is a god-fearing man and prays to the gods day and night—could anything possibly

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<sup>445</sup> Ibid., 249, n. 40.

<sup>446</sup> Ibid.

<sup>447</sup> Avalos, *Illness and Health Care in the Ancient Near East*, 129.

happen to the king, my lord, and his seed?”<sup>448</sup> This letter, Van der Toorn contends, suggests that “the ancients did not treat all diseases alike; they distinguished between ‘ominous’ and ‘innocent’ diseases, even if this distinction occasionally caused some confusion.”<sup>449</sup> While Avalos takes this assertion to mean that van der Toorn “argues that most illnesses were not viewed as divine punishment,”<sup>450</sup> van der Toorn himself largely lets the issue drop. The subject of his treatment was the concept of sin and divine retribution, and while he alluded to the idea that Mesopotamians allowed for the possibility of non-punitive illness, what he emphasized about this letter to Esarhaddon was the fact that the presumption of divine sanction was so common that it was expected that the king would assume his illness was due to the gods’ displeasure.

To further probe the relationship between divine agency, sin, and illness, both van der Toorn and Avalos consult the medical diagnostic series SA.GIG.<sup>451</sup> Diagnoses are made in a protasis/apodosis structure, and van der Toorn observes that many apodoses interpret the symptoms as the “hand” of a god. The construction *qāt* DN becomes a major point in his analysis of divine agency in sin.<sup>452</sup> He concedes that it is “tempting” to interpret this construction “on the understanding that it expresses at the same time the idea of punishment,”<sup>453</sup> but he argues against this facile equation, observing that it does not work for many non-omen texts. Divergent symptoms can all lead to the same

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<sup>448</sup> Van der Toorn, *Sin and Sanction*, p. 67. He cites the letter, *RMA* 257, noting its transcription and translation are in *LAS* II, p. 174.

<sup>449</sup> *Ibid.*

<sup>450</sup> Avalos, p. 129.

<sup>451</sup> On diagnostic texts, see René Labat, *Traité akkadien de diagnostics et pronostics médicaux* 2 vols. (Paris: Académie internationale d'histoire de sciences, 1951) and Nils P. Heeßel *Babylonisch-assyrische Diagnostik* (Münster: Ugarit-Verlag, 2000).

<sup>452</sup> On this construction and the relationship between disease names diagnostic texts, see Nils P. Heeßel, “The Hands of the Gods: Disease Names, and Divine Anger” in *Disease in Babylonia* (eds. Irving L. Finkel and Markham J. Geller; Leiden: Brill, 2007), 120-130.

<sup>453</sup> Van der Toorn, *Sin and Sanction*, 78.

apodosis, requiring other interventions to determine the reasons behind the illness. Most strongly, van der Toorn argues, “The recognition of a supernatural involvement in a disease had to be supplemented by further explanations; it certainly did not coincide with an indictment of sin.”<sup>454</sup> He notes that causal apodoses, which mention the desire of the deity under whose “hand” the patient suffers, or the cause of his illness (sometimes sin), are rare.<sup>455</sup> Often, the connection between symptoms and the cause is opaque. Ultimately, he concludes “The study of the diagnostic tablets leads us to distinguish two levels in the interpretation of illness. Besides the general recognition of a few conspicuously ominous diseases whose significance was evident to the non-initiated, there exists a complex system in which the more enigmatic and ambiguous symptoms are analysed by the expert in a scientific fashion.”<sup>456</sup> These “conspicuously ominous diseases” include, most clearly, skin disease often rendered “leprosy”—Hebrew צרעת and Akkadian *saḫaršubbû*, both of which van der Toorn identifies as evidence of divine sanction. Avalos, on the other hand, attempts to further develop van der Toorn’s observation. He states, “Although K. van der Toorn is sound in arguing that *qāt DN* should not always be viewed as punishment, he may mislead the reader into thinking that Mesopotamians did not view *qāt DN* as more than simply a reference to ‘the source of the signs,’”<sup>457</sup> and he critiques van der Toorn’s use of *KTS* 24—a case of illness because of lack of repayment of a loan, which according to van der Toorn shows that not all *qāt DN* cases indicate sin. Avalos suggests that even in this case, the illness could still have been sent to motivate: “Although such an illness may not be punitive in the strict sense, the

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<sup>454</sup> Ibid., 79.

<sup>455</sup> Ibid.

<sup>456</sup> Ibid., 80.

<sup>457</sup> Avalos, *Illness and Health Care in the Ancient Near East*, 132.

case simply reinforces the notion that supernatural beings could send illnesses for a wide variety of reasons, even if the patient did not do anything wrong...Indeed, the patient would be more prone to find out how he had displeased the deity responsible for the illness.”<sup>458</sup> For Avalos, the *qāt* DN construction is intended to help the patient localize the source of the signs, rather than answer questions about the etiology of the disease.<sup>459</sup> This is a fair critique, and not incompatible with van der Toorn’s view. For Avalos, a critical point in treatment of any illness is deducing which deity one should petition for its removal. He notes that a “maximal” strategy, seen in texts such as *Šurpu* 2: 129-192, which list many gods, and seem intended to appease large numbers of divinities, may work in cases when a person does not know the identity of what Avalos calls the “sender/controller,” the deity at whose hand the patient suffers. A “minimal” strategy, appealing only to the one god known to be the agent of the illness, is possible only occasionally.<sup>460</sup> Because the “maximal” strategy was presumably not available to everyone, Avalos suggests that a function of the healing goddess Gula/Ninisina was to act as an intermediary. Sick individuals could petition her, and be assured that she would entreat the other gods to withhold their anger from the suppliant.<sup>461</sup> This is not unlike the function of Šamaš in the *namburbi* ritual mentioned above, and indeed, it is similar to what Barbara Porter suggested was a function of the personal god: “The phenomenon of the personal god ... suggests the Assyrians’ desire to *approach* the divine at least at times

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<sup>458</sup> Ibid., 133.

<sup>459</sup> The impact of this distinction is perhaps overdrawn in his argument.

<sup>460</sup> Ibid., 139-142.

<sup>461</sup> Ibid., 189.

as a singular, involving a single god as one's personal point of approach to a dauntingly multiple divine world."<sup>462</sup>

Ultimately, what van der Toorn and Avalos have both demonstrated is that in Mesopotamia, disease and the impurity connected with it are generally perceived to come from the gods. The issue is complicated slightly by the phenomenon of what van der Toorn refers to as "the autonomous curse." He asks if the curse is "a weapon in the hands of the gods or a power inherent in proscribed objects and actions."<sup>463</sup> The term *māmītu* "usually refers to the oath and the consequences of perjury, but occasionally to a demonized and deified power."<sup>464</sup> There is a relationship between this oath/curse and sin, "suggested by a Standard Babylonian physiognomic text which gives the apodosis *mūt māmīti imât*, 'he will die from the *māmītu*', with the variant reading *arni* for *māmīti*."<sup>465</sup> As van der Toorn observes, *arnu* (Sumerian NAM.TAG.GA) may refer to a "sin" as well as to its "punishment" because in Mesopotamian conception, "crime, guilt, and punishment were logically connected."<sup>466</sup> Additionally, the expression *itê etêqu*, "to trespass the limits" suggests a relationship between sin and oath/curse, with the notion that the *māmītu* was a line not to be crossed.<sup>467</sup> The avenue van der Toorn explores in this respect is whether the *māmītu*-curse has auto-efficiency, or whether it was released through the agency of the gods. Erica Reiner, with reference to *Šurpu* Tablet III, states,

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<sup>462</sup> Barbara Porter, "The Anxiety of Multiplicity: Concepts of Divinity as One and Many in Ancient Assyria," in *One God or Many?: Concepts of Divinity in the Ancient World*, B.N. Porter, Ed. (Chebeague Island, Maine: Casco Bay Assyriological Institute, 2000): 256.

<sup>463</sup> Van der Toorn, *Sin and Sanction*, 53.

<sup>464</sup> Ibid.

<sup>465</sup> Ibid., 52. Note, however, that the same text has variants "water" and "oath" in the next line. See Barbara Böck, *Die Babylonisch-Assyrische Morphoskopie* (Archiv für Orientforschung Beiheft 27; Vienna: Institut für Orientalistik der Universität Wien, 2000), 114.

<sup>466</sup> Van der Toorn, *Sin and Sanction*, 52.

<sup>467</sup> Ibid., 53.

“In its other occurrences in *Šurpu*, as in religious texts in general, *māmītu* means something evil. This meaning can be defined more closely precisely from this tablet which lists various actions and objects known to be connected with taking an oath.”<sup>468</sup> Reiner thus suggests that *māmītus* were symbols connected with oath procedures, and observes, “It was feared, it appears from this tablet, that the numen inherent in these [*māmītus*], once invoked, would stay unbound and afflict the persons who had sworn the oath.”<sup>469</sup> Van der Toorn objects that not all of the entries can be thus explained, as the *Šurpu* series “mentions the *māmītu* of a stove, a bed, a cup, a table and various other items.”<sup>470</sup> He instead suggests, “In the Mesopotamian conception all things created had a circumscribed function and purpose”<sup>471</sup> and “if the objects were employed in a way contrary to their nature, it could not be without consequence. The *Šurpu* series seems to indicate that if anything was wrongly used the *māmītu* would be released.”<sup>472</sup> The *māmītu* was immanent in the object, similar, he argues, to how the curse of the “bitter waters” in the Sotah ritual of Numbers 5 was originally thought to be auto-efficient. This idea of autonomous curses which take effect instantaneously, without divine intervention is at variance with the scheme that van der Toorn outlined in which the Mesopotamian gods had both a judicial (impartial) outlook of supervision and also a personal interest in moral behavior, and acted to sanction human activity. Van der Toorn suggests that this variance stood within the culture itself: “the tension between their role and the corrective function of the immanent *māmītu* was indeed never completely resolved by the Mesopotamians. In their theological speculations the gods remained in some way subject

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<sup>468</sup> Reiner, *Šurpu*, 55 [*sic*].

<sup>469</sup> Ibid.

<sup>470</sup> Van der Toorn, *Sin and Sanction*, 54. These are listed on *Šurpu* III.

<sup>471</sup> Sumerian ME. Akkadian *paršu*, English ‘nature.’

<sup>472</sup> Van der Toorn, *Sin and Sanction*, 54.

to the general cosmic laws of which the *māmītu* seems to represent one aspect.”<sup>473</sup> Geller offers another interpretation when he compares the *Šurpu* passages to a *namerimburruda* incantation, which had the purpose of averting the effect of the curse that automatically results from breaking an oath.<sup>474</sup> He contends that “the patient has somehow misused his oath and is thus liable to a curse.”<sup>475</sup> Prevarication or error when swearing oaths (such as if a person swore he saw treachery, when there was none, or misrepresented the time or place of an event he swore he witnessed), was a severe judicial problem, which necessitated severe repercussions. Geller suggests that both the *Šurpu* and *namerimburruda* incantations sought to determine if the patient had (either intentionally or inadvertently) sworn falsely, so that the patient might confess and undo the evil effects of the curse.<sup>476</sup> Mention of inanimate and seemingly inconsequential objects are interpreted as part of the process of determining the detail that may have been false in the oath. Geller contends, *contra* Reiner and van der Toorn, “The references to such inanimate objects in oaths have nothing to do with intrinsic magical properties of the objects themselves, but whether the patient swore falsely concerning them.”<sup>477</sup> The *namerimburruda* Geller presents, BM 50658, is “typical” of the genre: the second column enumerates the patient’s sins against his personal god, with themes resonant with the *Šurpu* series, though no direct overlap;<sup>478</sup> the third section calls for the curse to be neutralized with the help of deities (or natural forces, such as the four cardinal winds and four main rivers), “which can carry off the evil to distant lands or open country, or to

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<sup>473</sup> Ibid.

<sup>474</sup> Markham J. Geller, “An Incantation against Curses” in *Festschrift für Rykle Borger zu seinem 65. Geburtstag am 24. Mai 1994: tikip santakki mala bašmu*. (Stefan M. Maul, ed.; Groningen: Styx, 1998), 127-140 (127).

<sup>475</sup> Ibid.

<sup>476</sup> Ibid., 127-128.

<sup>477</sup> Ibid., 128.

<sup>478</sup> Ibid.

another city.”<sup>479</sup> The curse could also be released in sanctuaries through ritual purification, or with specific plants, as well as altars and ritual vessels. The fourth section recounts the patient’s sins which the gods are asked to erase, and the ailments which the incantation seeks to heal so the patient can return to good health. Geller’s article not only provides a cogent alternative interpretation for the *māmītu*, but also neatly encapsulates the main themes outlined here regarding the nature of disease and impurity. The *namerimburruda*’s short, concise form and Geller’s presentation highlights the presumed connection between sinful behavior (though the sin may be unknown to the penitent and may have been done unintentionally), divine abandonment and censure, resultant illness, and purification rites that seek to nullify the sin, remove the evil impurity far away from the petitioner, appease the appropriate deities, and restore the person to good health.

Thus, the question of where impurity, illnesses, and curses come from is a complex one. Because recovery from illness and from a curse require purification, it is necessary to view these afflictions as intimately related to, indeed inextricable from, the idea of impurity. It has been seen that the gods were often depicted as the ultimate controllers of impurities in the form of illness or ill-favored omens, but it has also been seen that the case of the *māmītu*-curse potentially complicates the idea that the gods were the ultimate controllers of all ills. The question remains about the relationship these other explanations for impurity have to demons in Mesopotamian religion. Wright, in his analysis of impurity, argued that impurity was perceived as fundamentally demonic in Mesopotamia, and does not delve deeply into the idea of the role of gods in impurity, except insofar as divine abandonment left a person particularly vulnerable to demonic

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<sup>479</sup> Ibid.

forces. Similarly, Hayim Tawil argued that demons were “the source of all evil, destruction and desolation, iniquities and sins, diseases and sicknesses,” and that they were “children of the netherworld.”<sup>480</sup>

The role of demons in causing misfortune is critical. As Wright observes, in a Mesopotamian context, “many demons are sickness and vice versa.”<sup>481</sup> Demonic attack is seen in some of the genres already mentioned. The *Šurpu* series has a “maximal” approach, not only for dealing with the gods who may be involved, as Avalos observes,<sup>482</sup> but also for listing the sins which may be the cause of the evil, and the demons involved. The reason for the inclusion of an extensive list of demonic forces potentially responsible for causing misfortune is slightly different from the “cover-all-bases” approach seen by listing all of the sinful actions that may lead to divine displeasure and abandonment.<sup>483</sup> Wright frames the issue as one of causation: “Because of sin, demonic influence is present and must be exorcised.”<sup>484</sup> *Šurpu* IV 45-55 lists

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<sup>480</sup> Hayim Tawil, “Azazel The Prince of the Steepe,” 48.

<sup>481</sup> Wright, *The Disposal of Impurity*, 249 n. 46

<sup>482</sup> Hector Avalos, *Illness and Health Care in the Ancient Near East*, 139-142. The idea that this series includes a comprehensive list of trespasses that result in sickness or curse (and concomitantly, impurity) is important. Van der Toorn details how a Mesopotamian suppliant may seek information about the nature of his sin from the gods, or may seek to mitigate the severity of his circumstances by reminding the angry deity that all humans err, and that transgressions committed in youth ought not to weigh one down in older age. But, he observes, when the nature of the actual sin still eluded the penitent after investigation, he was mostly reduced to a “general confession of guilt” (van der Toorn, *Sin and Sanction*, 97). He notes, “The desire to include all possible wrongdoings in the confession eventually led to the use of exhaustive lists of trespass. Such catalogues, among which the second tablet of *Šurpu* ranks as the most famous, have sometimes been understood as checklists, which the priests could go over to discover the secret sin of his client” (ibid.). Van der Toorn’s proposal is that these “checklists” were stated in their entirety by the penitent. Additionally, among the dingir.ša.dib.ba incantations and the *Lipšur* litanies such sections of detailed confessions are to be found. See, for example, lines 81-95 of the “type I” litany edited by Reiner in her article, “Lipšur Litanies,” 136. See also lines 154-156 on pp. 282-283 of Wilfred G. Lambert, “Dingir. Ša. Dib. ba Incantations,” *JNES*, 33.3 (1974): 267-270, 272-322. This list is explicitly in the context of a penitent who claims he has no idea what his offence is. According to van der Toorn, these may be related to the catalogues of possible *māmītus*. (*Sin and Sanction*, 97).

<sup>483</sup> The “chain of causation” (Wright’s term, *The Disposal of Impurity* 248 n. 39) involved in several incantations is that a person sinned, which led him to be abandoned by his personal gods. This state of abandonment left him vulnerable to attack by demons.

<sup>484</sup> Wright, *The Disposal of Impurity*, 248 n. 39.

affective demons in an incantation to release a patient from evil.<sup>485</sup> Wright emphasizes the instigation of sin in demonic attack when he argues, “A good example of the chain of causation involved in sinning and ensuing demonic attack is found elsewhere in *Šurpu*. Demons are said to encounter ‘the man from whom his god has withdrawn and covered him like a cloak’ (vii 19/20). Sin may estrange one’s protective personal god and thus leave him open to attack.”<sup>486</sup> Here, Wright believes, he has found the link between demonic attack and divine will. When a person errs, it can cause his personal god to become angry enough to abandon him. Divine abandonment leaves a person vulnerable to ills such as demon-affected maladies.<sup>487</sup> In the *Maqlû* series, there is also a concern with demonic attack, which can arise from sorcery. In this regard, Wright specifically highlights *Maqlû* I 135-143 in which models of demons are burned.<sup>488</sup>

In the foregoing discussion, I have attempted to demonstrate that the concepts of impurity, sin, “witchcraft,” divine agency, demonic activities, and illness are intricately related in Mesopotamian texts. Divine agency and demonic activities often presupposed each other—anger, or worse, abandonment by the gods, could cause one to suffer at the hands of demons. Similarly, those who were victims of “witchcraft” could be beset by

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<sup>485</sup> See Erica Reiner, *Šurpu: A Collection of Sumerian and Akkadian Incantations*, Archiv für Orientforschung Beiheft 11; (Osnabrück: Biblio-Verl, 1970 [original publication Graz: 1958]), 26.

<sup>486</sup> Wright, p. 248, n. 39. See Reiner, *Šurpu*, p. 36.

<sup>487</sup> Wright does stretch his case slightly when he uses Lambert’s “Dingir. Šà. Dib. ba Incantations” and the incantation published by Knudsen in *Iraq* in 1959. (See Lambert, “Dingir. Šà. Dib. ba Incantations” and E. E. Knudsen, “An Incantation Tablet from Nimrud,” *Iraq*, 21.1 [1959]: 54-61). Lambert makes no connection between divine abandonment and susceptibility to demons, but he does note that divine anger is certainly presumed to be the cause of human misfortune (Lambert, “Dingir. Šà. Dib. ba Incantations,” 270). The incantation tablet published by Knudsen, which has strong resemblance, and possibly even excerpts, of the *Utukkū lemnūtu* series, states in lines 13/14 “...they have turned against him who has no god.” Knudsen’s translation is based on the Sumerian version, because the Akkadian reads “he who has no god has turned against them, and the line is broken” (Knudsen, “An Incantation Tablet from Nimrud,” 58-59, 61. There does seem to be some indication, however, of a personal god who has abandoned his charge, and there is a list of demonic forces following this statement in lines 15-23, and earlier in obv 44-rev. 12. Though Wright perhaps stretches the evidence too far in his statement that this “divine abandonment” was the result of sin in each case, the correspondences are interesting.

<sup>488</sup> Wright, *The Disposal of Impurity*, 249, n. 40.

demonic forces and need to take their case to the gods, while attempting to return the evil to its source. Many demons *were* sickness, and vice versa, therefore some medical texts may be read in this light as well. The idea of impurity was intertwined throughout. Purification rites could be geared to take away impurity itself, illness, or even sin, because these concepts were interrelated and codependent. Wright calls attention to the *Lipšur Litanies*, where a patient asks that his sin (*arnu*) be removed far away, similar to how impurity is to be removed far away from a patient in other texts. There are requests in the litanies for sin to be removed in various ways. This is the focus of ll. 7'-22' of a text Reiner examines, where the patient requests that his sin is to be taken into the sky or down into the water, with the section concluding "may a bird take my sin up to the sky, may a fish take my sin down to the abyss!"<sup>489</sup> The next section of text makes similar requests of the curse (*māmītu*), concluding "may a bird take the curse up to the sky, may a fish take the curse down to the abyss!"<sup>490</sup> Wright himself observes in his study that birds and waterways are intended to remove impurity far from the contaminated person, and indeed, far from human habitation.<sup>491</sup>

There has been much attention given to the fact that impurity ideology was related to divine sanction, insofar as sinful behavior could cause one's personal god to abandon one, and leave one vulnerable to a variety of kinds of evils and attendant impurity. Wright, Avalos, and van der Toorn's arguments hinge on this idea. Guichard and Marti, too, highlight this phenomenon. They state, "Very often, impurity or sin had its first manifestation in the fact of provoking the wrath and then the departure of" a person's

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<sup>489</sup> Reiner, "Lipšur Litanies," 141.

<sup>490</sup> Ibid., 140, 142, lines 23'-37' (Reiner's translation of line 37' is on p. 143).

<sup>491</sup> Wright, Chapter 2:2, Part three, and *passim*.

personal god.<sup>492</sup> This departure “left that person with no defense against either natural or supernatural attacks. Thus, catastrophes that descended upon someone could be the sign of the personal divinity’s wrath, either because of a transgression or because of a spell.”<sup>493</sup> They observe that sickness, bad luck, and external attacks such as insect bites were interpreted as indicative of this type of abandonment, and launched investigations to determine if one had “unknowingly become impure.”<sup>494</sup> Thus they succinctly point out that impurity was linked with divine wrath and abandonment, and misfortunes were indicative of this abandonment, and these precipitated efforts to identify and rectify the impurity through a variety of methods, as demonstrated above. Guichard and Marti observe that the effects of abandonment of one’s personal god are described in the text *Ludlul bēl nēmeqi*.<sup>495</sup> A passage of this text relates how the character deduced from his symptoms that he was impure due to divine wrath, and sought to ascertain the source of this wrath from different specialists through different means. The character’s inability to determine the source of the divine wrath is a recurrent motif in Mesopotamian literature.<sup>496</sup> Sometimes, even the gods are depicted as powerless, adrift in similar situations.<sup>497</sup> Ultimately, the inscrutable source of suffering (where it is difficult to

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<sup>492</sup> Guichard and Marti, “Purity in Ancient Mesopotamia,” 91.

<sup>493</sup> Ibid.

<sup>494</sup> Ibid.

<sup>495</sup> See Amar Annus and Alan Lenzi, *Ludlul bēl nēmeqi. The Standard Babylonian Poem of the Righteous Sufferer* (SAACT 7; Winona Lake: Eisenbrauns, 2010), 43-120. See treatment also in Guichard and Marti, “Purity in Ancient Mesopotamia,” 91-93.

<sup>496</sup> On this issue, see Alan Lenzi, “The Curious Case of Failed Revelation in *Ludlul Bēl Nēmeqi*: A New Suggestion for the Poem’s Scholarly Purpose,” in *Mediating Between Heaven and Earth: Communication with the Divine in the Ancient Near East*, (*Library of Hebrew Bible/Old Testament Studies* 566; eds. C. L. Crouch, et. al; New York: T&T Clark International, 2012), 36-66.

<sup>497</sup> Guichard and Marti, “Purity in Ancient Mesopotamia,” 92. Note that *Šurpu* contains such an account. See Reiner, *Šurpu*, 30 (Tablet V-VI, ll 1-34), where Marduk appeals to Ea for understanding of the situation of the petitioner.

ascertain the putative sin that caused it) became a literary motif of the first millennium, seen not only in biblical books such as Job, but also in the “Theodicy.”<sup>498</sup>

The theme of divine abandonment is also sometimes played out on a national scale, where the national god of a polity departs his or her homeland or city for a time, leaving it vulnerable to attack and conquest by foreign armies. The issue of divine abandonment on a national scale will be examined in more depth in Chapter 4, but here it must suffice to say that a wide range of literary contexts spanning millennia in the ancient Near East develop the theme of gods who abandon their abodes for a variety of reasons. Examples of this motif are included in such diverse works as Sumerian City Laments, the Curse of Agade, the Middle Babylonian compositions called the Marduk Prophecy and the Seed of Kingship, the Poem of Erra, the Middle Assyrian Tukulti Ninurta Epic, and the Mesha Stele from Moab. The departure of the gods from their places of residence is depicted in different ways in different literary, historical, and authorial contexts, as conquered and conquerors alike wrestle with the ideas of victory and defeat in an environment that links these historical realities with the concepts of divine agency, icon spoliation, and the preferential attitudes of gods toward particular locations. While the idea of divine abandonment is certainly related to the notion of “moral” land impurity in the Hebrew Bible, demonstrated by the use of the motif in such contexts as Ezekiel 8-10, this issue is less explicitly related to personal (and even national) purity in Mesopotamian texts.

Purity was also an integral aspect of Egyptian religion, though, like the situation in Mesopotamia, no set of basic rules governing the states of purity and impurity are

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<sup>498</sup> See discussion of the “Theodicy” on Guichard and Marti, “Purity in Ancient Mesopotamia,” 93. See recent translation of this text in Benjamin Foster’s *Before the Muses: An Anthology of Akkadian Literature*. 3<sup>rd</sup> ed. (Bethesda, MD: CDL Press, 2005), 914-922.

extant. Quack contends that they did exist, and that fragments of such texts are preserved, but the major reconstruction of Egyptian conceptions of purity must be made by piecing together isolated traces.<sup>499</sup> Quack examines purification rituals in different contexts (e.g., purification rituals associated with the temple, those for the priest, those for the king and the palace, those for members of the elite, those for ordinary people, those for tombs, and those for the dead), and from discrete examples of these rituals, he draws conclusions about the general conception of purity in Egyptian religion. This technique allows him to draw general guiding principles from fragmentary evidence, and some of his observations are highly cogent. Several rituals, including the so-called “Daily Temple Ritual,”<sup>500</sup> the “Ritual of Amenophis,”<sup>501</sup> and the “Ritual of Opening the Mouth,”<sup>502</sup> have to do with purity in Egyptian rituals for deities. By examining these examples, Quack discerns a general structure of how purification rites are organized in these contexts.<sup>503</sup> Scenes of purification are concentrated at the beginning of the ritual “in order to define the place, persons and objects involved as being pure.”<sup>504</sup> Additionally, purification plays a role when serving the food offering is concerned—Quack relates this phenomenon to a waiter cleaning the table when a new guest arrives, and observes “such daily, routine aspects should not be considered irrelevant.”<sup>505</sup> Quack bases one intriguing observation on linguistic grounds: the typical closing phrase “a king’s offering: I am pure” suggests that there are some physical properties associated

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<sup>499</sup> Quack, “Conceptions of Purity in Egyptian Religion,” 115.

<sup>500</sup> This is a ritual of morning purification and clothing of a cult statue. See reference in *Ibid.*, n. 5.

<sup>501</sup> This is an offering ritual attested several times from the New Kingdom onward, and which includes purification scenes at the beginning and when food offerings are being prepared. See pp. 116-117 of Quack.

<sup>502</sup> This ritual involves the consecration of divine statues and involves purification scenes with water and incense concentrated at the beginning of the ritual.

<sup>503</sup> *Ibid.*, 116-118.

<sup>504</sup> *Ibid.*, 117.

<sup>505</sup> *Ibid.*

with the idea of purity. Quack notes that the expression “a king’s offering” is rather common, but always introduces material objects (especially food or cutlery, ointment or clothing), so using this phrase to introduce “I am pure” suggests to Quack “that purity has a quasi-material quality.”<sup>506</sup> These texts demonstrate that purification substances were most commonly water, incense, and natron, though gold was also potentially viewed as a purifying substance, as some substances said to be “purified with gold” have been found in archaeological contexts mounted in a gold setting.<sup>507</sup>

In the Egyptian temple, a system of zones existed in which access was increasingly limited by classes of purity required for entrance and classes of priests.<sup>508</sup> This spatial dimension of access to the temple is consistent with the nature of purity as necessary for contact with the divine, as mentioned previously. One interesting aspect of this is the severe consequence for violating the rules of access. Quack observes that the Osirian part of the temple had particularly strict regulations for access, with only a few ritual specialists admitted. Osiris is “the endangered god,” and there was a risk of abuse with regard to the figurines deposited in Osirian areas, which “have considerable power as they are a god’s substance.”<sup>509</sup> An unauthorized person caught in such an area was treated as someone who had blasphemed the king, meaning he was executed and placed on the fire altar.<sup>510</sup> Quack observes that it is debatable whether the issue here is solely purity, or if there were “other factors at play,” but such a stipulation demonstrates that purity was at least a factor in mediating access to the divine, which was seen as

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<sup>506</sup> Ibid., 117.

<sup>507</sup> Quack cites evidence from the Greek period. See “Conceptions of Purity in Egyptian Religion,” 118.

<sup>508</sup> Ibid., 118. The Book of the Temple presents rule of access and lays out the spatial zones into which the temple is divided. See p. 119 and n. 18.

<sup>509</sup> Ibid., 119.

<sup>510</sup> Ibid.

potentially dangerous and important to protect. An inscription in the temple of Esna demonstrates that issues of purification and abstinence were both involved in accessing the temple,<sup>511</sup> and an inscription from Philae, addressed to doorkeepers, announces, among other things, specific plants and animals a person is prohibited to eat if he wishes to enter the temple.<sup>512</sup> The requirements for purity were also important for Egyptian priests, as was stated above. Gee observes that there were behavioral and physical strictures encoded in the requirements for “ritual purity” for Egyptian priests (Gee uses the term “ritual purity:” to refer to a state of purity necessary to perform rituals).<sup>513</sup> In addition to temple access texts listing the purity requirements for admittance, Quack also observes that purity regulations for priests can be deduced from instances in which they were not kept, including the “so-called Elephantine scandal,” dating to the 20<sup>th</sup> century, denouncing a priest for several offences, including drinking natron for only four days before accessing the god’s statue, rather than the mandated ten days.<sup>514</sup> The increasing prevalence of depicting priests with shaved heads from the Ramesside period onward has already been mentioned as a possible indication that purity regulations for priests became increasingly strict, or at least that outward demonstrations of purity were increasingly important for priests.<sup>515</sup> Thus, various data from different Egyptian periods demonstrate that purity concerns were important for those who engaged in temple functions; therefore, both access to temples and qualifications to perform specific rituals necessitated specific purification processes and abstinence from specific substances viewed as polluting.

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<sup>511</sup> Ibid., 120-121.

<sup>512</sup> Ibid., 121. Note that food restrictions are part of purity regulations for specific times in Mesopotamian contexts, and dietary restrictions play a major role in Israelite conceptions of purity.

<sup>513</sup> Gee, *The Requirements of Ritual Purity in Ancient Egypt*.

<sup>514</sup> Quack, “Conceptions of Purity in Egyptian Religion,” 122.

<sup>515</sup> See Ibid., 127.

Another concern with purity in ancient Egypt specifically involved the king and the palace.<sup>516</sup> “The person of the king was strongly connected to purity concerns in Egypt,” Quack notes, and there exists a royal ritual focused on purification rites.<sup>517</sup> There is some uncertainty if these were actually applied to a pharaoh, or if they were adapted for priests, because all extant papyri of this ritual date to Roman times, but sections of the ritual are recorded in other, earlier sources, including the Book of the Dead in the New Kingdom and Efdū, from Ptolemaic times.<sup>518</sup> Quack observes that there are some depictions and fragmentary cases relating to the purification of the king from the Old and Middle Kingdoms, though the earliest complete attestation is from the beginning of the 18<sup>th</sup> dynasty. He notes that “from the New Kingdom until the Greco-Roman period, the motif of the king being purified by two or four gods is quite well attested”<sup>519</sup> Images of water are used, and the positive effects are linked with “life” and “dominion.” The scene of the purification is the entry to the temple, and “thus they are mostly engraved in the outer passageways of a temple.”<sup>520</sup> There is some evidence that the king’s palace was an area that had restricted access on the basis of purity, which Quack observes is best attested in a case concerning a foreigner, the Nubian king Piye. The Piye-Stela, erected in memory of victorious fights in Egypt, reports how Lower Egyptian people attended the new ruler, but only one, King Nemelt, could enter the king’s palace because he was pure and had not eaten fish, but the others were positioned “like women” insofar as they could not enter the king’s palace because “they were ‘*m*’ and had eaten fish. This is the taboo

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<sup>516</sup> Ibid., 128-138.

<sup>517</sup> Ibid., 128.

<sup>518</sup> Ibid. Quack supposes that the ritual was long-standing, and reconstructs the ritual text in as full a form as possible in his article.

<sup>519</sup> Ibid., 135.

<sup>520</sup> Ibid., 136.

of the king's house."<sup>521</sup> Quack suggests that 'm' should be understood "as a kind of sexual activity," rather than the previously thought "uncircumcised," and observes that such combinations of food and sexual taboos "correspond especially to the performance instructions in the Book of the Dead and to core issues of purity in later magical texts."<sup>522</sup> Given the link between kingship and the gods in Egyptian religion, the relationship between purity and kingship, as well as the palace, is comprehensible.

Quack notes that purification rituals relating to the elite in the Egyptian court (in situations of antagonistic tensions) show that "the effectuation of private purity, in which the gods are utilized, goes hand in hand with overcoming opponents and rivals."<sup>523</sup> He suggests that the connotations of the word *w'b* "to be pure" demonstrates a possible connection between the issues of purity and legal conflicts, especially in earlier periods, as the term had the legal meaning "to be free of claims."<sup>524</sup> Quack contrasts the concerns of the "ordinary people" with those depicted in purity texts, and notes that purity regulations could not have been enforced in daily life, because the restrictions on sexual activity would not have allowed for procreation, and the dietary restrictions on fish, pigs, and small livestock mentioned in relevant texts do not correlate with the fact that they seem to have been eaten in ancient Egypt.<sup>525</sup> Quack notes that the valuation of ordinary impurity was not "neutral," however, but was negatively viewed, as is indicated in texts which describe the advantages of the scribal profession compared to others, stressing that

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<sup>521</sup> Piye Stela, ll. 150-151. See Nicolas Grimal, *La stèle triomphale de Pi('ankh)y au Musée du Caire: JE 48862 et 4708647089*. Mémoires publiés par l'Institut Française d'Archéologie Orientale 105 (Cairo: Institut française d'archéologie orientale, 1981), 130 and 136 n. 402, cited in Quack, "Conceptions of Purity in Egyptian Religion," 136 and 136 n. 66.

<sup>522</sup> Quack, "Conceptions of Purity in Egyptian Religion," 136.

<sup>523</sup> Ibid., 139.

<sup>524</sup> Ibid., 140.

<sup>525</sup> Ibid.

other professions are dirty.<sup>526</sup> There are some indications that purity was an issue with relating to foreign persons, but such notions are generally inexplicit and incomplete.<sup>527</sup> Gen 43:32 states that Egyptians did not eat with Hebrews, and Herodotus suggest that Egyptians did not kiss Greeks or use Greek kitchenware because the Egyptians did not slaughter cows, but only male cattle.<sup>528</sup> Herodotus speaks at some length about the purity concerns of Egyptians, observing practices such as washing, shaving, circumcising, dietary habits, and clothing restrictions as they relate to purity.<sup>529</sup> There is also some evidence from certain demotic contracts that menstruating women may have restricted themselves to certain rooms, but Quack stresses that the evidence does not stipulate that the women *must* remain in these rooms, and the evidence itself is limited to a relatively small number of contracts, demonstrating that it was “obviously not a comprehensive phenomenon” but perhaps limited to specific regional nomes.<sup>530</sup> There is some evidence that women underwent a purification process after childbirth in P. Westcar, but Quack believes that the postulation that there existed “childbed arbors” for birthing with purity is not substantiated by the existing evidence.<sup>531</sup>

Purification is also a critical concern around death and dying in Egyptian conception. Entering a tomb also requires special purity considerations, as “having eaten food by which a glorified being is disgusted and having had sexual intercourse with women before entering a tomb appear in an inscription of the Old Kingdom as reasons for a complaint being lodged in front of the gods’ court.”<sup>532</sup> There are also indications

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<sup>526</sup> Ibid., 141.

<sup>527</sup> Ibid., 142.

<sup>528</sup> See treatment on Ibid., 141-142.

<sup>529</sup> Ibid.

<sup>530</sup> Ibid., 142.

<sup>531</sup> Ibid., 143.

<sup>532</sup> Ibid.

that purification in the context of mummification was important, and there are wall reliefs even in Old Kingdom tombs that show the “purification tent,” as well as purification scenes in funereal contexts, especially depicted in front of tombs.<sup>533</sup> Mourning rites in Egyptian practice involved a suspension of normal purity, most clearly seen in the practice of allowing one’s hair to grow out during mourning, whereas, as has been stated, a shaven head signified purity. Indeed, Quack observes that ending the period of mourning was referred to as a process of purification, and the Egyptian phrase *sw ‘b snm.t* “to purify the mourning hairstyle” corresponds to the Greek του πένθους ἀπόλυσις, “to dissolve grief” in a third century text.<sup>534</sup> A purification scene at the end of the Book of the Death of Gatseschni from the 21<sup>st</sup> dynasty includes the note “The evil shall be to the earth as a mourning hairstyle,” which is suggestive of the impurity associated with that specific hairstyle.<sup>535</sup> This impure status associated with the process of mourning is resolved with purification “to reenter the usual state of purity.”<sup>536</sup> Quack refers to the change in purity status as not one of willful pollution, nor does he suggest that impurity is a result of contact with the deceased, or a *de facto* state of mourners, but rather that through abstaining from the ordinary practices of purification (such as keeping one’s hair shaved off), impurity is contracted, intended to show “personal pain and sympathy, accepting impurity as a mortification,” which can then be transitioned to a state of purity after mourning is complete. Though comparative mourning rites are beyond the scope of this study, it is worth stating that transitioning between states of mourning and (ritual)

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<sup>533</sup> Ibid., 144.

<sup>534</sup> The text is the decree of Canopus (238 BCE), see citation in Quack, “Conceptions of Purity in Egyptian Religion,” 144 and Stefan Pfeiffer, *Das Dekret von Kanopus (238 v. Chr.): Kommentar und historische Auswertung eines dreisprachigen Synodaldekretes der Ägyptischen Priester zu Ehren Ptolemaios’ III. und seiner Familie*. Archiv für Papyrusforschung Beiheft 18 (Munich: K. G. Saur, 2004), 144-148, 163-167.

<sup>535</sup> Quack, “Conceptions of Purity in Egyptian Religion,” 144.

<sup>536</sup> Ibid.

rejoicing are also demonstrated within Israelite religion.<sup>537</sup> Further examination of how purity motifs regarding mourning may be compared cross culturally may prove insightful.

To summarize the situation regarding the conception of purity and pollution in an ancient Egyptian context, it can be observed that purity served a “delimiting function,” which allowed access to certain places only by certain people who had undergone the appropriate purification procedures.<sup>538</sup> Purity, however, was limited in certain ways, as purity regulations only applied to certain situations, and did not have to be kept permanently. In terms of a “ritual” and “moral” impurity distinction, it should be observed that Gee proposed that *both* behavioral and physical components were entailed in “ritual” purity, which casts doubt on the possibility of distinguishing separate purity “systems” along these lines in an Egyptian context. Quack has succinctly stated regarding this issue, “A possible differentiation of purity in the physical and the moral sense hardly seems possible. Normally, in the text of a ritual, the physical aspect is more strongly emphasized, but the material presented here demonstrates well that the moral aspect is attached seamlessly.”<sup>539</sup>

The situation in an Anatolian context demonstrates conceptual overlap, as well as differentiation, along lines of purity and pollution. Hutter observes that in Hittite society, pollution (*papratar*) was perceived as one type of negative force, and that daily life required purity, which protected one from negative forces.<sup>540</sup> The nature and source of impurity in a Hittite context differs from that represented in the diverse Mesopotamian

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<sup>537</sup> See Saul M. Olyan, *Biblical Mourning: Ritual and Social Dimensions*, (Oxford and New York: Oxford University Press, 2004).

<sup>538</sup> Quack, “Conceptions of Purity in Egyptian Religion,” 152.

<sup>539</sup> Ibid. See also Robert Meyer, “Magical Asceticism and Moral Purity in Ancient Egypt,” *Transformations of the Inner Self in Ancient Religions*. Studies in the History of Religions 83. (J. Assmann and G. G. Stroumsa, eds.; Leiden: Brill, 1999): 45-64.

<sup>540</sup> Hutter, “Conceptions of Purity in Anatolian Religions,” 166.

and Egyptian texts examined above. Wright contrasts both Hittite and Mesopotamian ideas with Israelite conceptions of impurity, but he also distinguishes between these two cultures' ideologies regarding the nature of impurity itself. His contention that Mesopotamian ideas of impurity were essentially demonic has already been observed, but he also states, "In contrast to Mesopotamian rituals, evils disposed of in Hittite rituals are generally nondemonic."<sup>541</sup> He notes that there are some exceptions to this tendency, especially if one defines (as he does) "demonic evil" as "an unfavorable condition caused, exacerbated, or attended by malevolent supernatural beings as opposed to nondemonic evil where such beings are not present."<sup>542</sup> These exceptions include plagues, which were viewed as a god (DINGIR) attacking human flesh, sicknesses personified as minor deities, and malevolent ghosts of the dead, especially murder victims.<sup>543</sup> While he contends that the nature of impurity is generally "nondemonic" in Hittite religion, these cases, he observes, draw similarities to the supernatural origins of impurity in Mesopotamian conception.

Impurity, which could come from sources such as "witchcraft" in Hittite conception, or could emanate from materials used by a person in the process of purification, was depicted as dangerous to all around it in Hittite texts. A law (Hittite laws § 44b, also KBo 6.2) states that if a person performs a purification ritual on someone, he must dispose of the remains of the ritual in the proper location, but if he disposes of them in a person's house, it is deemed sorcery and is a criminal case.<sup>544</sup>

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<sup>541</sup> Wright, *The Disposal of Impurity*, 261. See also O. R. Gurney, "The Hittite Ritual of Tunnawi," *JRAS* (1941): 58-59 and Idem, *Some Aspects of Hittite Religion* (Oxford: Oxford University for the British Academy, 1977), 46-47, as well as J. C. Moyer, "The Concept of Ritual Purity Among the Hittites," (Ph.D. dissertation, Brandeis University, 1969), 140-141.

<sup>542</sup> Wright, *The Disposal of Impurity*, 262.

<sup>543</sup> Ibid., 262-263.

<sup>544</sup> See Hutter, "Conceptions of Purity in Anatolian Religions," 166-167.

Wright emphasizes that the place of disposal of impurity in Hittite conception is the underworld (the Dark Earth), similar to the situation seen in Mesopotamian texts.<sup>545</sup> In the Telepinu myth, wrath, anger, sin, and rage are implored to go to the underworld;<sup>546</sup> additionally, the myth of the weather god Lihzina contains a variation in which kettles of evil are deposited at sea,<sup>547</sup> and also, House Purification III 6-12 calls upon the chthonic deities to take and fix impurities in the underworld.<sup>548</sup> He also observes that deposition in the underworld is also achieved by burying evils, or, in the case of impure water, by spilling it onto the ground, and that disposal of materials in rivers or the use of river mud in rituals of purification seems likewise to connote removal of impurity to the netherworld.<sup>549</sup> Wright also notes the disposal of impurities in places not traditionally conceived as the underworld, but certainly removed from human habitation generally, and the patient in particular. In this context, he observes that an *ukturi-* seems to have been a place where evils such as impure materials from purification rites and corpses could be disposed, either by having them dumped there, burned there, or placed in iron containers with lead lids and deposited there, located apart from human habitation for the protection of human fields or houses.<sup>550</sup> Additionally, impurity could be deposited in mountain areas, open plains, and meadows, as is seen in the Ambazzi ritual and a birth ritual, or pollution could be rendered harmless by burning materials that are impure or sealing them in containers.

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<sup>545</sup> See also Ibid., 167, where the underworld is one of several disposal sites mentioned, though Hutter focuses most on the deserted aspect of disposal sites, rather than their connection to the underworld.

<sup>546</sup> Wright, *The Disposal of Impurity*, 263.

<sup>547</sup> Ibid., 264.

<sup>548</sup> Ibid., 264-265.

<sup>549</sup> Ibid., 265-266.

<sup>550</sup> Ibid., 267-268.

Hutter observes that purity was a critical concern for Hittite society, and that “in principle, this danger threatens everybody.”<sup>551</sup> It is even more critical for the king’s purity to remain unthreatened, however, because he is “representative of Hittite society and guarantor of the continued existence of this society.”<sup>552</sup> Therefore, anyone who causes pollution for the king, intentionally or inadvertently, forfeits his life. Hutter uses this example to highlight the distinction between *parkui* and *šuppi*—regular purity (*parkui*) is an aspect of everyday life: it is a “basic component of Hittite thought, so that the king in particular should be permanently pure.” There are purification rituals that engender a higher purity status (*šuppi*), but “the king—as with every Hittite, in principle—only has to adopt the status of *šuppi*- for specific cultic functions.”<sup>553</sup> He demonstrates that the categories of pure and polluted “establish an organizing scheme that helps deal with everyday life and provides orientation—or disorientation—within society.”<sup>554</sup> He observes that the various rituals detailing purification processes of different kinds serve “to bring ‘order’ to society and to regulate the place of individual persons within the community, but also to re-integrate persons into society who were excluded (or had excluded themselves) from society due to ‘pollution’.”<sup>555</sup> These mechanisms kept the society functional as opposed to a state of “living in constant fear of pollution, which would have paralyzed any activity,” Hutter suggests.<sup>556</sup> These observations about the nature of impurity and the importance of purity for Hittite culture illustrate the need for disposal sites in the underworld, the sea, rivers, and far away

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<sup>551</sup> Hutter, “Concepts of Purity in Anatolian Religions,” 168.

<sup>552</sup> Ibid.

<sup>553</sup> Ibid.

<sup>554</sup> Ibid., 171.

<sup>555</sup> Ibid., 172.

<sup>556</sup> Ibid.

wastelands in Hittite texts. The point in all these rituals seems to be to remove the impurity far away from the patient, and render it incapable of affecting the people of Hatti.<sup>557</sup> Pollutions could also, intriguingly, be deposited in enemy land. In the Pulisa II. 20-21, Ashella II. 26-27, and Uhhamuwa, II. 23, 32-33, the bearers of impurity carry plague back to enemy lands. Wright also observes Plague Ritual II 6-9, in which the offerer asks the angry deity to return to the foreign land from which he came, and that returning evils to enemy lands is a common theme in plague prayers.<sup>558</sup> His observation that Mesopotamian texts also contained the deposition of impurity in enemy lands (e.g., *RAcc* 7:24-25) was noted above, but Wright makes a different argument about what the disposal sites in Hittite ritual practice signify than he does in the Mesopotamian case. Whereas he argued that Mesopotamian impurity was conceived as fundamentally demonic, and therefore the places of disposal of impurity were the “haunts” of demons, he suggests that Hittite conception of impurity was essentially nondemonic (though he admits there are exceptions to this generalization), and therefore he suggests that Hittite places of disposal were chosen due to their remote status and/or connection to the underworld, which was the “proper” location for impurity and evil. He observes a great deal of overlap between Mesopotamian and Hittite conceptions and disposal sites, and he also observes some overlap in ideology underpinning them;<sup>559</sup> however, it should be noted that his method is twofold: he compares and contrasts Mesopotamian and Hittite practices (emphasizing the differences regarding the demonic/nondemonic nature of impurity), but then contrasts *both* Mesopotamian and Hittite purity ideology with that expressed in the Priestly texts of the Hebrew Bible. His contrastive method was critiqued

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<sup>557</sup> Wright, *The Disposal of Impurity*, 268-271.

<sup>558</sup> *Ibid.*, 269.

<sup>559</sup> See especially p. 271.

above; in this case, it can be seen that he on the one hand over-essentializes the differences between Mesopotamian and Hittite conceptions of impurity, and on the other hand, he flattens the distinctions between them in order to contrast both cultures with the biblical literature (which did, after all, contain instances demonstrating impurity connected with demons as well). The places of disposal find parallels in certain biblical texts, such as Deut 21:1-9, which contains a ritual for the transfer of murder pollution to an uninhabited area.<sup>560</sup> Mic 7:19 refers to sins being cast into the sea, and Zech 5:5-11 contains a reference to evil (represented by a woman) being sealed in a container with a lead lid and carried to the foreign territory of Babylon. These correspondences in places of disposal can help demonstrate cultural convergence and divergence among religions in ancient Western Asia vis-à-vis purity concerns, but one must be careful to allow for convergence and overlap, as well as divergence and difference. By comparing the raw data concerning the terms, ideology, nature, source, and deposition of impurity in these different cultures, it may be possible to make some more informed observations about how purity ideologies and “systems” may have operated in Israelite religion.

## **2.4: Purity and Land: Overtures in Comparing Cultures**

Taking into consideration the fact that comparative studies must be done carefully, the various terms and categories used in defining purity and impurity in ancient Western Asian cultural contexts, and the nature of purity and impurity in different

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<sup>560</sup> See Wright, *The Disposal of Impurity*, 5. This ritual involves breaking a heifer’s neck in a wadi and having townspeople wash their hands over its corpse, denying that they were at fault in killing a person whose body was found with no known murderer. This is done to remove the impurity associated with the crime of murder (a “moral” impurity) using washing with water over the receptacle of the impurity (similar to the figurines discussed above). This mix of ritual and moral aspects is similar to that seen in Mesopotamian, Hittite, and Egyptian texts regarding impurity (especially impurity of an unknown source).

societies, it is possible to outline some of the specific issues relating to land impurity, and how the data can help in the endeavor of interpreting biblical purity “systems.”

One aspect of how impurity factors into a discussion of foreign land is the occurrence of texts that depict impurities being sent across the borders into foreign territories. Both Hittite and Mesopotamian texts contain this motif, and there are biblical parallels. The Hittite practice of sealing impurities in jars for deposition in enemy lands is paralleled by the Akkadian case of *RAcc* 7:24-25, in which the king’s impure shavings were deposited at the enemy border. Zech 5:5-11 provides a dream vision with similar themes: In this dream vision, the prophet sees a container with a lead lid approaching, with a woman inside representing evil. The woman is cast into the container, the lid is set on top of it, and two winged women come to bear the container to Shinar (Babylonia). Wright argues that “this prophetic image appears to derive from Near Eastern (specifically Hittite or North Syrian?) methods of disposing of evils in sealed containers” and he is quite correct that this is an unusual text in the biblical literature.<sup>561</sup> Interestingly, exactly what the disposal of impurity in enemy lands signified for the conception of impurity itself is somewhat unclear. In the Hittite texts, where a distinctive concern of the preserved texts suggests that maintenance of purity is a social imperative, sending impurity to enemy lands effects a dual benefit of taking the impurity far away from the patient, and putting it at the doorstep of one’s foes, bringing its destructive forces to an enemy society. In the case of Mesopotamian instances of this type of disposal, there are two possibilities. On the one hand, these texts perhaps depict a situation of transferring evil from oneself to one’s enemies, as is the case in *namburbi* and *ušburruda* texts, and as seems to be the motivation of the Hittite occurrences. On the

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<sup>561</sup> Ibid., 273, n. 150.

other hand, it is possible that the Mesopotamian instances envision foreign lands as the proper locus of evils, similar to the underworld or the wilderness. This is also a possible interpretation of the Hittite instances, because Hittite texts also speak of transferring evil to its natural locus in the underworld; however, the fact that there is less emphasis in general displayed in Hittite texts about the supernatural origins of impurity, and because of the common thread in disposal texts emphasizing distance from the patient, both militate in favor of the first interpretation. Because Mesopotamian texts focus more explicitly on the supernatural origins of impurity, and on impurities breaking out of the underworld, the idea that foreign lands could possibly be conceived as outside the realm of order, akin to the netherworld, must be at least posited. Pongratz-Leisten has observed the *akītu* in Babylonian and Assyrian context signifies the establishment of order over chaos. For the Assyrian kings especially, the festival symbolized the enactment of his territorial claim of controlling the universe.<sup>562</sup> As suggested above, if in Mesopotamian conception order and chaos are bound to territorial claims, then depositing impurity in foreign lands could potentially be perceived as depositing the impurity in the realm of chaos, not dissimilar to sending it to the abyss via the river or disposing of impurity in the *ṣēru*. The national/territorial conception of order and chaos is also seen in Egyptian conception of the “black land” and the “red land.” Therefore at least two sets of signifiers must be taken into consideration when interpreting verses relating to the disposal of impure materials in foreign lands: the cosmic ideas of order and chaos, or of ordered life and the underworld; and the practice of turning evils aside from oneself and onto one’s enemies.

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<sup>562</sup> Pongratz-Leisten, “The Interplay of Military Strategy and Cultic Practice,” 252.

One unusual case involving impurity and its consequences on the land is taken up in the *Šurpu* series. The seventh tablet provides an interesting instance in which the earth itself is harmed by the escape of demons from the underworld. Lines 5/6 uses plant imagery, and seem to describe the demons' deleterious effect on the land. Knudsen renders the text as: "Like grass the *aḥḥāzu* demons are crushing the land,"<sup>563</sup> while Reiner translates: "(and) the *Aḥḥāzu*(-demon) was breaking through the ground like weed."<sup>564</sup> The CAD favors Reiner's interpretation,<sup>565</sup> though the line must be reconstructed in part. The text is reconstructed in *CAD* on the basis of K.16346<sup>566</sup> as: *dù ú-šim-gin<sub>7</sub> ki-a mu-un-d[ar]: aḥḥāzu kīma urqīti erṣeta ipeṣṣa*. The verb at the end (*i-pe-e[š<sup>?</sup>-x]*) is rendered *i-pi-š[i]* by Reiner in 1958, and *i-pi-iš-šu* by Knudsen in 1957; the *CAD*'s reconstruction was published in 1964, and perhaps constitutes a revision of Reiner's reconstruction, as she was on the editorial board. The connotation of crushing or breaking through is implied in the verb form, and the comparison of this action to a plant suggests that the *Aḥḥāzu*, the demonic manifestation of jaundice, has broken through the earth like a weed in this verse. This not only confirms the natural dwelling place of such demons is under ground in the netherworld, but it is interesting that this breach is depicted as coming through the earth in a destructive way. The emphasis here is not on the effect this impure force has on the earth, but it is interesting that weed-like properties here have the collateral effect of harming vegetative soil. Reiner's reading suggests a situation in which the demons are breaking out of their habitat, the underworld, to afflict the penitent; Knudsen's reading emphasizes the surprising idea that

<sup>563</sup> Knudsen, "A Version of the Seventh Tablet of *Šurpu*, from Nimrud," *Iraq*, 19.1 (1957): 50-54 [52].

<sup>564</sup> Reiner, *Šurpu*, 36.

<sup>565</sup> *CAD* Vol 1; A1, 185 under *aḥḥāzu*. Cf *CAD* Vol 20; U-W (2010), 238b under *urqītu*; Vol 12; P (2005), 1b under *pa'āšu*.

<sup>566</sup> A new fragment of Reiner's source A.

the ground itself may be oppressed by impurity. In either case, it must be noted that the impure illness in view is an “evil” force that should not be above ground. Its escape from the underworld was destructive to the environment and to the afflicted mortal.

A related issue regarding land and impurity is the fact that the earth was seen as a proper disposal site for impurity. Various Mesopotamian texts speak of channeling impurity into the ground. Line 57 of the Dingir.šà.dib.ba incantations in section one of Lambert’s article reads “May the earth, which received (it), draw my fear to the Apsû.”<sup>567</sup> The ground itself, like rivers or streams, is portrayed as a gateway to the underworld. Hittite rituals that prescribe items to be deposited in the sea or rivers, or to be buried in the earth, may be interpreted in a similar fashion. Maul, as mentioned above, suggests that the purpose of the “carpet” of pure plants upon which the petitioner stands during a *namburbi* ritual is to channel “one’s impurity into the ground after the merciful Sun God had rendered judgment.”<sup>568</sup> The contrast between this idea of a pure buffer of plants for the petitioner in the *namburbi*, while the harbinger is rendered odious to the gods by placing it unprotected on the ground before Šamaš in an impure state, even putting it on a bed of pigs’ dung to render it utterly vile and offensive to the gods, is instructive about the nature of the earth in the geography of impurity. While the pure plants help to channel any impurity from the suppliant directly into the ground, below the surface, and into the underworld (from where it likely could not return), placing the harbinger or its likeness directly onto the ground in an impure state blocks this impurity from returning to the underworld. In contrast, the impurity is exposed before the gods, which implies that it remains above ground, on the earth itself. This observation can help to illuminate the

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<sup>567</sup> Lambert, “Dingir.Šà.Dib.Ba Incantations,” 277.

<sup>568</sup> Maul, “How the Babylonians Protected Themselves,” 127.

way that land and purity intersected in Mesopotamian conception: land impurity was problematic insofar as impurities lying on the surface of the land were offensive to the deities. Similar to impurities being introduced into a pure place, impurities spreading out over the surface of the land, especially in a trial context before the gods, was intolerable to the sensibilities of the divine. In contrast, the land below the surface of the earth was the proper place for impurity. Whenever it might have broken through the ground, like a weed, it released evils onto the land and the people dwelling there. If a person wished to appease the gods and effect his own purification in a *namburbi*, he could, through a pure buffer, redirect and channel his own impurity through the surface of the ground and directly into the underworld where it belonged, taking it away from its improper place above ground and presenting oneself as blameless before the deities.

In the broader scope of the proper place of impurity, Geller, addressing a *namerimburruda*, observes that “the main idea” is for a curse to be released to distant lands, another city, or the open country.<sup>569</sup> The place of impurity is far away from the petitioner. Thus, when impurity is transferred into the ground in the *namburbi*, one may presume that the surface of the ground itself does not become impure, but the impurity is taken down into the underworld. Indeed, Wright argues that evil’s place of origin is the underworld, and that is where it is returned. Statements such as “let all evil return to the earth” are read in this light. In this context, the earth, he argues, is to be understood as the underworld.<sup>570</sup> The question remains whether sending impurity to a *foreign* land was also conceived of as returning it to its place of origin as was the case with the ground, the steppe, the wilderness, and the river.

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<sup>569</sup> Geller, “An Incantation Against Curses,” 128.

<sup>570</sup> Wright, *The Disposal of Impurity* 257, 269.

Certain texts suggest that land itself can be purified for cultic activity. This is true for each of the cultures examined. Egyptians, Hittites, and Mesopotamians had ritual procedures for purifying spaces such as temple, palaces, or tombs. In a Mesopotamian *namburbi* ritual, the place of the “trial” must be purified before the ceremony. Maul, listing preparatory deeds performed by the religious practitioner before the trial of the *namburbi* ritual, notes that the specialist cleansed the space (located in a place of difficult access) by sweeping it and sprinkling it with consecrated water.<sup>571</sup> Note also that Enki is said to have purified and cleansed a dwelling place in a text examined by Avalos.<sup>572</sup> Finally, *namburbi* text #8 examined by Caplice in his introductory work also mentions the cleansing of the ground in line 19.<sup>573</sup> If the ground can be cleansed, this implies that the ground was conceived as either impure or perhaps of dubious purity before the ritual took place. It is also possible that there may have been gradations of purity in view. In a Hittite context, as Hutter has suggested, there was a distinction between everyday purity and purity in a cultic sense.<sup>574</sup>

The phenomenon seen in some Mesopotamian texts of transporting land, especially dust or dirt, has interesting implications regarding the transportation of qualities inherent in the places from which that dust originates. There are some cases in which dust or dirt are used for ritual means in biblical texts, including the case of Naaman in 2 Kgs 5:17, in which the foreign general asks for two mule-loads of earth from the land of Israel to take back with him to his homeland (presuming that Yhwh

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<sup>571</sup> Maul, “How the Babylonians Protected themselves against Calamities Announced by Omens,” 125.

<sup>572</sup> Avalos, *Illness and Health Care in the Ancient Near East*, 44.

<sup>573</sup> Caplice, *The Akkadian Namburbi Texts*, 18. Maul observes that this is a “universal” *namburbi*, and discusses it on *Zukunftsbewältigung*, pp. 300-303. The line in question is his line 20, and the text is CT 38, version Hama, 6 A 343 (bab.).

<sup>574</sup> Hutter, “Conceptions of Purity in Anatolian Religions.”

could only be worshiped on Israelite soil), the case of the Sotah in Num 5, who is made to drink the “bitter waters” including, in part, dust from the temple floor (the liquid bears the “curse” which activates upon the suspected adulteress’ guilt), and Exod 32:20, in which Moses crushes the Golden Calf into powder, throws the ground up bits into water, and makes the Israelites drink the water. “Land” as a substance that can be transported to different places (as dirt or dust), bringing with it properties of its place of origin, is an important aspect of how land and purity issues intersect.

There are intriguing instances in Mesopotamian texts which involve the use of dust or earth for ritual purposes. Avalos notes that, among other materials, dust from the temple might be an item required for healing.<sup>575</sup> Wright notes that in a *namburbi* ritual, impurity in the form of dust may be placed upon a fish.<sup>576</sup> Caplice’s tenth *namburbi* text is a “ritual for the evil of dust from an evil place.” The problem in view seems to be that dust from a place of mourning is an ill omen.<sup>577</sup> In his prayer, the petitioner asks that the sun god avert “the evil of the dust from a place of mourning.” He states that he has unknowingly been put at enmity with his associates and superiors, and asks, “May I be clean as pure water, that I may publish your greatness, that I may sing your praise!”<sup>578</sup> This text thus presumes that the “impure” dust has caused the petitioner measurable harm, in both the physical and social spheres. Another example is the final *namburbi* Caplice examines, a ritual to secure brisk trade. In this text, dust from a number of places, including from the door of the Ishtar temple, from a prostitute’s house, a city gate, a quai, a bridge, and a tavern-keeper’s house, are all gathered and mixed with water. The

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<sup>575</sup> Avalos, *Illness and Health Care in the Ancient Near East*, 192.

<sup>576</sup> Wright, *The Disposal of Impurity*, 252-253.

<sup>577</sup> The connections to corpse impurity as articulated in the biblical literature are intriguing, but need not be detailed here.

<sup>578</sup> Caplice, *The Akkadian Namburbi Texts*, 19.

mixture is used to wash the door of the house.<sup>579</sup> Interestingly, the places chosen represent areas of high trade. This ritual demonstrates that the properties of the land from which dust is gathered are thought to be communicated in some way through the dust itself. Dust from temples can bring healing, dust from places of mourning bring death impurity, and dust from places of high traffic or trade can be used to help secure brisk trade. This also means that the qualities of purity or impurity associated with specific places or phenomena are transmitted through the dust of those locales, as is seen in the *namburbi* texts. This understanding of place and land being communicable through the physical substance of earth can help to interpret the meaning of Naaman's request for Israelite dirt. The text seems to presume that national god can only be worshipped on Israelite soil, so the transportation of Israelite dirt could have been thought to carry this property of Yhwh-accessibility with the physical land of Israel. The territorial dimension of worship of the national god is addressed further in Chapter 4; however, here, it is sufficient to observe that there are aspects of nationalism in the purity discourse of each of the corpora discussed.<sup>580</sup> The *akītu* festival in Mesopotamian literature, while manifestly different in Babylonian and Assyrian contexts,<sup>581</sup> displays an interest in signifying the triumph of order within an imperial framework over chaos, the habitat of impurity, and includes aspects of purification of temple areas, linking spatial dimensions with purity concerns. The concepts of space and purity are also present within Egyptian religion, which not only contains the concept of the black and the red land, but also mandates specific purity standards for entrance into a variety of locations, such as

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<sup>579</sup> Ibid., 23-24.

<sup>580</sup> On the issue of nationalism and purity, see, for example, Conor Cruise O'Brien, *God Land: Reflections on Religion and Nationism* (Cambridge, MA: Harvard University Press, 1988), esp. 2-11

<sup>581</sup> Pongratz-Leisten, "The Interplay of Military Strategy and Cultic Practice."

temples, tombs, and even the king's palace. In Anatolia, it has been seen that purity was a high concern, enforced especially for priests and kings for the safeguarding of the community. The Hittite prayer of Mursili to the Sun-Goddess of Arinna emphasizes the territorial dimensions of her worship, stating, "To you, my goddess, there are revered temples in Hatti, but in no other land are there any such for you. Only in Hatti they provide for pure and holy festivals and rituals for you, but in no other land do they provide any such for you. Lofty temples adorned with silver and gold you have only in Hatti, and in no other land is there anything for you."<sup>582</sup> The two terms translated as "pure and holy" in this quotation are *parkui* and *šuppi*, which Hutter has cogently argued refer not to a distinction between purity and holiness, but between two types of purity.<sup>583</sup> This prayer, then, provides evidence for a territorial dimension of deity worship that is concomitant with purity concerns.

## 2.5 Summary and Conclusion

The issues of purity and impurity in the ancient Near East are fraught with problems, including methodological issues involving how one may responsibly use cross-cultural data to reinterpret primary texts in biblical literature, issues of terminology and categorization, and issues involving the nature, source, and disposal of impurity in different cultural contexts. Wright's book has been very influential in the study of the disposal of impurity, and his contributions to the study of demons in the land of Israel are significant. His discussion of various methods of comparative analysis is also valuable,

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<sup>582</sup> KUB 24.3+, Cited in Hutter, "Concepts of Purity in Anatolian Religions," 164.

<sup>583</sup> See discussion on Ibid., 164-166 on this issue. This text is his paradigmatic example for a distinction between these two terms, and he treats earlier interpretations of this prayer to adjudicate the nature of that difference as one of category and sub-category rather than a hierarchical distinction between purity and holiness.

though his own contrastive method at times overdetermines his interpretations about the relationship between Israel and her neighbors. Karel van der Toorn's discussion of the different ways deity, the curse, sin, and impurity interrelate in Mesopotamia and Israel is impressive, as is his analysis of a vast amount of data.

One issue that has not been discussed in depth in these studies is the relationship between so-called "ritual" and "moral" impurity in different cultures of the ancient Near East. It has already been seen that the rigid contrast of "ritual" and "moral" impurity has been challenged in some recent biblical studies. The present interest in this topic is seen in the fact that addressing issues of "physical, cultic, moral-ethical, or genealogical purity," including if and how these categories were distinguished or mutually influenced each other was one of the "leading questions" guiding the contributions to the recent volume *Purity and the Forming of Religious Traditions in the Ancient Mediterranean World and Ancient Judaism*.<sup>584</sup> The different ways in which the cultures of Mesopotamia, Egypt, and Anatolia organized and schematized issues of purity has been addressed, but it is worth observing that there is a remarkable absence of a "ritual/moral" or a "physical/behavioral" divide in the basic conception of impurity in each of these places. As in Israelite literature, texts from around the ancient Near East suppose that one can become impure through a physical contaminant (or an external force, such as an ominous harbinger or "witchcraft"), or through one's own misbehavior, which causes divine retribution, with concomitant impurity. Absent from each of the texts above is a schematized effort to distinguish "types" of impurities along these lines. While impurity is viewed to have many potential causes, and determining the cause is an important step towards restoring an individual to a state of purity, various texts examined demonstrate

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<sup>584</sup> Edited by Christian Freval and Christoph Nihan; Leiden: Brill, 2013.

impurities caused by sin are not *fundamentally* different from impurities caused by physical causes. In an Egyptian context, one must be both physically and behaviorally pure in order to enter certain spaces or perform certain rituals.<sup>585</sup> The fact that both physical and moral purity are necessary to enter certain spaces demonstrates not only that there wasn't a clear distinction in the conception of the *type* of impurity contracted through different causes, but also demonstrates the spatial dimension of both: impurity contracted through misbehavior disqualified one to enter pure spaces just as did impurity contracted through physical means. In Anatolia, it can be observed that impurity was caused by physical conditions, and could be ameliorated by physical cleansing procedures, such as washing, removing hair and fingernails, and being clothed in clean clothes.<sup>586</sup> A purification ritual of an AZU-priest demonstrates the juxtaposition of what would be considered "ritual" and "moral" impurities in biblical discourse, as it prescribes the use of water to purify anything from any kind of impurity, including, "from the evil word, from oath, from curse, from bloodshed, from tears and from everything (else). And the ritual client shall be pure in front of you [gods.]"<sup>587</sup> Thus, while categories such as pure/impure have meaning in various contexts, sometimes with the additional resonances of pure/holy or pure/pure (in a cultic sense) in different cultures, and while there is an awareness demonstrated that impurity can be caused by sinful and non-sinful means, none of these ancient cultures demonstrates an attempt to systematically differentiate between the impurities caused by sin and those that are not morally valenced, except insofar as determining the source of the impurity can help one to

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<sup>585</sup> See Gee, *The Requirements of Ritual Purity in Ancient Egypt*, and Quack, "Conceptions of Purity in Egyptian Religion," 123-128.

<sup>586</sup> See, for example, an instruction for temple personnel that recommends these measures, cited in Hutter, "Concepts of Purity in Anatolian Religions," 160, and de Martino, "Purità," 349.

<sup>587</sup> KUB 43.58 I 40ff. Cited on Hutter, "Concepts of Purity in Anatolian Religions," 160.

correctly petition the gods to remove it. The effects and manifestations of impurity caused by different means substantially overlap in the form of illness and other misfortunes. There is no indication that land, specifically, is affected more (or differently) by impurity caused by misbehavior than by impurity that has another source. Indeed, physical and moral concerns overlap with the spatial dimension of purity in each of the religious contexts examined. If the Israelites truly did attempt to systematize purity along “moral” and “ritual” lines, this is a distinction in their conception of impurity from that of the surrounding cultures. Given that this approach would be innovative among the Israelites, however, and given the fact that Israelite religion does share facets of purity ideology with the cultures around it (such as viewing impurity as antithetical to the divine, noting that it can be caused by various precipitating factors, occasionally linking it with illness and with divine censure, connecting it with the demonic in some instances, and viewing it as affecting temples and the land itself), it would be understandable if “moral” and “ritual” impurities were not entirely differentiated in Israelite religion, as I have argued. Furthermore, given the way in which purity is discussed in various texts around the ancient Near East, and understanding the way in which categories shifted and overlapped, it would be conceivable that attempting to create a purity discourse that differentiated not only the sources of impurity, but the physical manifestations of that impurity, the consequences, and the means of purification, as many have suggested is seen in the biblical texts, would be fraught with difficulties.

### **CHAPTER 3: “Moral” Land Pollution in the Hebrew Bible and its Ideational Context**

The way in which land is said to be affected by sinful behavior is perhaps less straightforward than is often articulated. I have argued that how purity ideology was utilized in the discussion of land impurity is more complex than can be contained in the category of “moral” impurity. To make the case that “moral” and “ritual” impurity “systems” are insufficient constructs to explain various uses of impurity in the Hebrew Bible, I have highlighted the existence of six phenomena which either resist or transgress categorization in a bifurcated “system” of impurity: the dietary laws, the scapegoat ritual in Leviticus 16, skin disease and its role as a punitive impurity, the use of metaphors related to “ritual impurities” (such as female menstruation and corpses) in “moral” impurity contexts, the use of terminology drawn from the tradition of “ritual” impurity used to describe “idols” and “idol” worship, and the observation that biblical authors, such as Ezra-Nehemiah, seem to have been able to draw from *both* the “ritual” and the “moral” impurity systems to create innovative polemics. I have described the fact that purity ideologies were varied among different cultures in the ancient Near East, but that the idea of an impurity being differentiated along the lines of “moral” and “ritual” systems does not suit the evidence from Mesopotamia, Anatolia, or Egypt. Rather, it seems that while issues of the source of impurity, the nature of its expression, and its remedy were all interrelated in sometimes complex ways, separating impurity into categories based on “ritual” (or “physical”) and “moral” transgresses the available data. The issues of divine sanction, demons, and illness all complicate the picture of what impurity entailed in the cultural environs of ancient Israel. It does become clear that an

observable impurity resulting from sinful behavior (“moral” impurity) is an idea expressed in a variety of ancient texts, and therefore “moral” impurity cannot be treated as a secondary or metaphorical development of a primary category of “ritual” impurity.<sup>588</sup> Rather, I have attempted to demonstrate that various purity traditions existed within the ancient Near East, and that attempting to reconstruct a simple, overarching “system” that explains and neatly categorizes all iterations of pollution in the Hebrew Bible distorts the data and obscures the fact that biblical authors demonstrated a great deal of flexibility in how they utilized purity ideologies.

The issue of land and spatial impurity has been a touchstone for the preceding two chapters, which have laid the groundwork for examining the various ways in which land and purity intersect in the Hebrew Bible. I will here attempt to demonstrate that the issues of how land is construed both terminologically and ideologically in biblical texts, as well as how different lands are perceived to be affected by sin or by the presence of Yhwh, are complicated. An overview of the terms used to refer to “land” and the terms used to describe land as “defiled” or “corrupted” through human actions will help to situate the discussion of land impurity, and this is the topic of the first section. Following this overview, in the second section, it will be possible to examine the biblical verses that specifically link land impurity to human sinfulness. I will argue that the idea of land as “morally” polluted, while a common motif in the Hebrew Bible, is limited in application to the land of Israel itself, Yhwh’s personal territory, which is leased to the Israelites. References to foreign lands as “impure” do not explicitly suggest that this pollution is in any way related to sin, and certainly do not say that foreign peoples, by worshipping their

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<sup>588</sup> This is in agreement with both Klawans and Büchler, and *contra* Neusner. See Klawans, *Impurity and Sin*, 10-11.

own national gods, have polluted their own lands through sinful behavior. In the third section, I attempt to situate the discussion of land impurity within a wider context of how deity, people, and land were perceived to interact. I suggest that the most important observation for this study is that there were a variety of ways in which divine sanction could be acted out using the vehicle of the land. Land could be “impure,” but it could also be cursed, or it could lose its ability to sustain people through agriculture, becoming barren. I suggest that the ideology of “moral” land impurity operated as one specific articulation of a wider complex of ideas, and perhaps can be illuminated by understanding it in this context. This specific ideology seems to originate in priestly circles, and it seems to have been understood as a phenomenon that took place solely within Canaan/Israel, linked to the idea of that territory being Yhwh’s dwelling place. Other articulations of divine sanction played out upon the land (e.g., curse, famine) are not limited to the land of Israel in this way. Even though domestic “moral” land impurity is a recurrent motif in the Hebrew Bible, I can find no text that calls a foreign land “impure” which explicitly links this impurity to any sinful behavior on the part of the foreigners who live there.

### **3.1 The Terminology of Land Impurity**

There are several Hebrew words utilized by biblical authors in the discussion of purity and sin that may be translated as “land.” These terms also cover a range of meanings in relevant passages. The terms ארץ and אדמה, especially, are relevant to this discussion, and while each term has its own conceptual range, there is overlap in the

semantic meanings each term conveys. Both terms are used, sometimes interchangeably, when referring to land impurity.

The term ארץ is the most frequently used word for “land” in the Hebrew Bible, appearing 2,504 times. This term has several different nuances of meaning,<sup>589</sup> including “earth” in a cosmic sense, as opposed to the “heavens,”<sup>590</sup> “land” as opposed to “sea,”<sup>591</sup> the “ground” upon which people live and from which crops grow,<sup>592</sup> and “land,” conceived as a specific territory.<sup>593</sup>

The term “ארץ ישראל” is relatively infrequent, appearing as a name for the entire land in 1 Sam 13:19; Ezek 40:2; 47:18; 1 Chr 22:2; 2 Chr 2:16[17]; 23:7, and referring to the Northern Kingdom in 2 Kgs 5:2, 4; 6:23; Ezek 27:17; 2 Chr 30:25. The term is, however, used to designate the territory of specific tribes within Israel.<sup>594</sup> The phrase “the land (ארץ) of Judah” also appears, sometimes designating the allotment of the tribe of Judah (e.g., Deut 32:4; Ruth 1:7) and sometimes referring more broadly to the southern territory (e.g., 2 Kgs 23:24; 2 Kgs 25:22; 2 Chr 9:11; Neh 5:14; Isa 26:1; Amos 7:12; Zech 1:26, and nine uses in the Book of Jeremiah).

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<sup>589</sup> See M. Ottosson, “ארץ ’erets,” in *Theological Dictionary of the Old Testament* (ed. G. Johannes Botterweck and Helmer Ringgren; trans. John T. Willis; Grand Rapids: Eerdmans, 1974), 1:393-405 for a thorough overview of these nuances.

<sup>590</sup> E.g., Gen 1:1; 14:19, 22; 24:3; Ps 89:12[English v. 11]; Isa 66:1.

<sup>591</sup> E.g., Gen 1:10; Exod 20:4, which include the tripartite division of the cosmos.

<sup>592</sup> E.g., Gen 27:28; Lev 26:4, 20; Judg 6:4; Ezek 34:37; Hag 1:10; Zech 8:12; Ps 67:7[6]; 85:13[12]; Num 13:20, 26; Deut 1:25; Isa 4:2; 2:7; Isa 61:11; Lev 23:39; Josh 5:12; Ps 104:14; Job 28:5; 1 Sam 26:8, 20; 2 Sam 14:11.

<sup>593</sup> E.g., Jer 3:18; 16:15; Gen 24:62; Num 13:29; Judg 1:15 (with reference to a land in a specific direction); Josh 17:16; Jer 48:21 (with topographic descriptors); Gen 31:3 (with reference to a specific group); Exod 13:5, 11; Deut 1:7; Amos 3:17; 13:5; Num 21:31; Josh 24:8; Judg 10:8; 11:21; Deut 2:19 (the land of a specific people that lives there). Additionally, a “land” could be defined by the name of a city or ruler, as in Josh 17:8; Gen 47:11; Josh 11:3; Deut 4:46) or with reference to a specific mountain (Gen 22:2; 2 Kgs 19:37; Isa 37:38).

<sup>594</sup> Ottosson suggests that the term ארץ perhaps denoted the territory of a tribe, though this conclusion is not necessary to explain the evidence, especially given that it can be used in a more encompassing sense, albeit infrequently. An example in favor of his argument is 1 Chr 13:2, which refers to “all of the lands” of Israel.

While the term ארץ refers to the earth in a cosmic sense, to the dry land, to the ground upon which people dwell, and to specific territories, it does not extend to the sense of “earth” as a substance; that is, ארץ does not seem to include the meaning of “dirt, soil, dust, or ash.”

The term אדמה covers some of the same semantic field as ארץ, though it has its own range of nuances. The term is derived from the root אד"ם, meaning “to be red,” and perhaps referred to the “red earth” or to “red, plowed land;”<sup>595</sup> and it appears 225 times in the Hebrew Bible.<sup>596</sup> The term can refer to arable land, to the surface of the earth where people live, or to the material substance that makes up that surface, the dirt.<sup>597</sup> Plöger categorizes four distinct uses in the Hebrew Bible: a substance; cultivated land; property; and a dwelling place, which covers much the same conceptual ground. The land (אדמה) is used with several different adjectives, including שמנה, “rich” (Neh 9:25), טובה, “good” (Josh 23:13, 15; 1 Kgs 14:15), and (once) טמאה, “impure” (Amos 7:17, compare Josh 22:19, in which ארץ is used). Ps 137:4 uses the phrase “אדמת נכר” (foreign land), Isa 14:2 refers to “אדמת יהוה” (Yhwh’s land), while 32:13 uses “אדמת עמי” (my people’s soil). In Exod 3:5, the phrase “אדמת-קדש” refers to “holy ground” upon which Moses stands, and in Zech 2:16[12], Yhwh is said to take possession of Judah as his portion on “אדמת הקדש,” the “holy land” (cp. Exod 23:30, in which the verb “נח"ל” to “take possession” is used with reference to land; in this case “ארץ” is the object, rather than Judah, as in Zech 12). Interestingly, these are the only two references to “holy land” in the Hebrew Bible, and one of these pertains to a land outside of Israel.<sup>598</sup>

<sup>595</sup> J. G. Plöger, “אדמה” *dhāmā* TDOT 1:88-98 (88).

<sup>596</sup> A. Even-Shoshan, ed. *A New Concordance of the Bible* (Jerusalem, 1997, 1983), 16-17.

<sup>597</sup> Ibid, p. 16.

<sup>598</sup> See also Josh 5:15 (מקום).

The term *אדמה* refers to a substance in several ways that *ארץ* does not. It can refer to loose earth, as in 2 Kgs 5:17 (cp. 2 Kgs 5:15, in which *ארץ* is used in a broader territorial sense: there is no god in all the “earth” [*ארץ*] except in Israel, therefore Naaman asks for two mule loads of soil [*אדמה*] to be given to him so he may worship Yhwh outside of Israel proper). *אדמה* is said to be the substance from which earthen vessels (Isa 45:9) or molds for metals (1 Kgs 7:46; 2 Ch 4:17) can be made. There is a fair degree of overlap between this use of *אדמה* and the word *עפר*, “dust.” These terms are found in parallel structure in Gen 3:19; and Job 5:6.<sup>599</sup> Like *עפר* and *אפר*, *אדמה* is sometimes said to be sprinkled on the head as a sign of mourning (1 Sam 4:12; 2 Sam 1:2; 15:32; Neh 9:1).<sup>600</sup> In Gen 2:7, *עפר* and *אדמה* are distinguished: humankind is made of “dust from the ground” (*עפר מן-האדמה*), though in Gen 3:19, returning to the “ground” (*אדמה*) is parallel with returning to “dust” (*עפר*). What can be seen here is that the material sense of the these three terms may overlap, though *עפר* tends to mean “loose earth/dust,” *ארץ* in a material sense tends to refer to the solid ground, conceived in distinction with the sky or water, and *אדמה* may refer to the solid ground or to portable soil.

The term *אדמה* may also refer to cultivated, or at least arable, land, or the substance on which people may dwell. This usage has affinity with the semantic range of *שדה*, “field,” and may be distinguished from the uninhabitable realm, the *מדבר*, or desert.<sup>601</sup> The *אדמה* in this sense often means the “land” which yields crops or produce,

<sup>599</sup> The term *ארץ* is also sometimes parallel to *עפר*. See Isa 29:4;34:7; Job 14:8. In these cases, the term *ארץ* denotes not loose earth or dirt, but solid ground, in a meaning more commonly ascribed to *אדמה* or *ארץ*. One use that possibly allows these ideas to intersect is that of earth covering blood spilt (see Job 16:18 [*ארץ*], Ezek 24:7 [blood is poured on the *ארץ* and covered with *עפר*], and Gen 4:10 [blood cries out from the *אדמה*]. See Plöger, p. 90 and Wächter, “*עפר*,” in *TDOT* [eds. Botterweck, Ringgren and Fabry; trans. David E. Green] 11:259).

<sup>600</sup> See Josh 7:6; Ezek 27:30; Lam 2:10; Job 2:12; 16:15 (*עפר*), and 2 Sam 13:19; Esth 4:1 (*אפר*).

<sup>601</sup> Plöger, *TDOT* 1:90-92.

and in this it intersects with one of the uses of the term ארץ.<sup>602</sup> The term also extends, as does ארץ, to refer to property. Plöger observes that the “property” connotation of אדמה reflects the fact that cultivated land is the basis of economy; it is “the available, defined...portion of the entire cultivated land (as distinguished from the wilderness), which could be acquired by purchase, donation, or military conquest...or could be claimed legally by calling [one’s] name over it.”<sup>603</sup>

Both אדמה and עפר could be used in a more universal sense (referring to the entire world), e.g., עפר in Job 41:25[33] and אדמה in Gen 12:3; 28:14; Exod 33:16; Deut 7:6; 14:2; Isa 23:17; 24:21 (the host of the high place in the high place [מרום] is contrasted with the kings of earth on earth [האדמה]); Jer 25:26 (“...all of the kingdoms of the world which are upon the face of the earth” [כל-הממלכות הארץ אשר על-פני האדמה]). The more expansive uses of אדמה (and certainly of עפר), taking on a universalistic character, seem to be extensions of the nuance of these terms meaning the surface of the world upon which people dwell. These are not as common as the similarly extended sense of ארץ.

Like ארץ, אדמה can be used to designate specific places where people live. Multiple verses suggest that the אדמה is where all people live (e.g., Gen 6:1, 7; Num 12:3, see also above), though Plöger makes an interesting case that while this term can be connected intimately with a people or several tribes, “it never has a *political meaning*.”<sup>604</sup> A state’s territory, he suggests, includes both cultivated and wilderness areas, while the term אדמה refers only to the productive, cultivated land of a state.<sup>605</sup> The term is the

<sup>602</sup> See above, note 4. For use of אדמה as the substance from which crops grow, see Gen 19:25; Gen 4:3; Deut 7:13; 26:2, 10; 28:4, 11, 18, 33, 42, 51; 30:9; Jer 7:20; Mal 3:11; Ps 105:35; Lev 26:4, 20; Deut 11:17; Isa 30:23. See Gen 2:9, which states that every tree grows from the אדמה.

<sup>603</sup> Plöger, *TDOT* 1:92.

<sup>604</sup> *Ibid.*, 1:93.

<sup>605</sup> *Ibid.*, 1:93-94.

*nomen regens* for Egypt in Gen 47:20, 26, in which Joseph buys the land of Egypt (with the exception of the priests' land in vv. 22, 26) in order to equip Egypt to deal with the coming famine. As Plöger observes, in this case, the "land" seems to refer specifically to the cultivated land which produces sustenance, clarified by the use of שדה in v. 20. This land is property, rather than a polity.

Though the term אדמת יהודה "the land of Judah" appears only in Isa 19:17, it is more difficult to divorce this instance from the idea of Judah as a political entity than Plöger suggests, because the context (an oracle against Egypt) suggests a political connotation: In v. 13, the political leaders of the country are impaired so that the country will flounder (vv. 14-16), and it is then that "the land of Judah" will become a terror for Egypt, five Egyptian cities will speak "the language of Canaan" (שפת כנען) and swear an oath to Yhwh, and an altar to Yhwh will be erected in Egypt (vv. 17-19). The passage emphasizes that Egypt, Assyria and Israel will all eventually worship Yhwh together, but the political notion of "the land of Judah" is in view in the imposition of language as well as the fact that the political apparatus of Egypt is what is said to be demolished before "the land of Judah" will be recognized as a terror to Egypt. The phrase "the land of Israel" (אדמת ישראל) is found only in the Book of Ezekiel, where it appears 17 times. Plöger makes the case that this term, for Ezekiel, makes use of the idea that אדמה "probably comes close to the emotion-filled idea of 'home,'" in that it "sums up in a single expression the qualification of the incomparable land given by Yahweh, which is laid down especially in Deuteronomy (→ ארץ 'erets)."<sup>606</sup> Ultimately, while the term אדמה certainly can be found to relate to specific locations, and even the bounded territory upon

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<sup>606</sup> Ibid., 1:93. See also Walther Zimmerli, *Ezekiel*, (BKAT 13; Neukirchen-Vluyn: Neukirchener Verlag, 1955-69), 146-48.

which specific people live, it does seem to hold true that this term, unlike ארץ, does not lend itself often to be used as a marker of the territory of a state.<sup>607</sup>

To briefly recapitulate, the terms ארץ and אדמה (as well as עפר), like the terms “earth,” “land,” “ground,” and “soil” in English, exhibit a certain degree of conceptual interchangeability. Each of the terms can refer to the ground upon which people stand. ארץ and אדמה, especially, can both be used to designate the territory of a specific people, particularly the land of Israel. Though the term “the land of Israel” (אדמת/ארץ ישראל) is uncommon, both ארץ and אדמה are often used without the proper noun to designate the territory occupied by the ancient Israelites. ארץ can signify Earth in a cosmic sense, the ground that yields produce, or a circumscribed territory. אדמה denotes perhaps most fundamentally the arable ground which yields produce, but through an extension of this sense, can be suggestive of the entire world upon which humanity dwells; furthermore, it can denote dirt or soil which can be picked up and moved.

Not only are there several terms for “land” in play in the discussion of land impurity, but there are (at least) two words to consider that are used to refer to the denigrated status of the land itself. Two verbs (חנ"ף and טמ"א) are used in the Hebrew Bible to describe the land as “defiled” by human behavior, though there are many more texts that suggest that the land is adversely affected by human sin without bringing the language of purity to bear.

Verbal forms from the root חנ"ף appear eleven times in the Hebrew Bible,<sup>608</sup> the corresponding adjective appears thirteen times,<sup>609</sup> and masculine and feminine noun

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<sup>607</sup> In contrast, see the wide range of such usage for ארץ in Ottosson, *TDOT* 1:400-401.

<sup>608</sup> Five of these occurrences are in the Book of Jeremiah: Jer 3:1 (twice, once as a finite verb and once as an infinitive absolute); Jer 3:2, 9; and 23:11. The verb also appears in Num 35:33 (twice); Isa 24:5; Mic 4:11; Ps 106:38; and Dan 11:32.

forms appear only once each.<sup>610</sup> The meaning of the root is difficult to determine, though it has been defined in various ways.<sup>611</sup> Seybold traces the meaning of חָנַף (as it relates to land) to the “concept and figurative meaning ‘make dirty,’ ‘pollute,’ hence ‘desecrate.’”<sup>612</sup> Problematically, this definition conflates the issue of pollution with illegitimate profanation.<sup>613</sup> The BDB similarly conflates these phenomena when it translates the verb as “be polluted, profane,” drawing from the Arabic cognate meaning “incline, decline,” hence “inclining away from right, irreligion, profaneness.”<sup>614</sup> The adjective is rendered “profane, irreligious,” the masculine noun, “profaneness,” and the feminine noun, “profaneness, pollution,” all of which further highlight the failure to differentiate profanation from pollution.<sup>615</sup> Not all attempts to define this root appeal

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<sup>609</sup> These are: Isa 9:16; 10:6; 33:14; Prov 11:9; Ps 35:16; and eight times in the Book of Job: Job 8:13; 13:16; 15:34; 17:8; 20:5; 27:8; 34:30; and 36:13.

<sup>610</sup> חָנַף appears in Isa 32:6 and חֲנֻפָּה, in Jer 23:15.

<sup>611</sup> For a recapitulation of the definitions forwarded by various scholars, see K. Seybold, “חָנַף *hānēp*; חֲנֻפָּה *hōnep*; חֲנֻפָּה *hānuppā*,” in *TDOT* (eds. Botterweck and Ringgren; trans. David E. Green; Grand Rapids: Eerdmans, 1986) 5:37-38.

<sup>612</sup> Seybold, *TDOT*, 5:38.

<sup>613</sup> On the relationship between holy, profane, pure or impure, see Milgrom, *Leviticus 1-16*, 616, 731-732, who diagrams the relationship between two antitheses (sacred and common, and pure and impure) as existing parallel to and overlapping with to each other. What is common (or profane) may be either pure or impure, but what is sacred (or holy) may be pure, but *not* impure. He argues that the antonym of “holy” is not, in fact “profane,” but rather “impure.” Ringgren also states that “In the OT, holiness and uncleanness are absolutely antithetical,” citing occasions in Isaiah where impurity is forbidden to come into contact with what is holy. See Ringgren, “חֲנֻפָּה *tāmē*; חֲנֻפָּה *tum’ā*” in *TDOT* 5:331. This kind of argument occasionally goes too far; as Milgrom himself acknowledges (*Leviticus 1-16*, 731), biblical texts usually set up “profane” as the antonym of “holy,” not “impure” (See Lev 10:10; Ezek 44:23, [each of which contrasts קֹדֶשׁ with חֵל, and טָמֵא with טָהוֹר, but not קֹדֶשׁ with טָמֵא]). His point is that the holy may be legitimately desacralized, but may never legally become impure, which means that “holy” and “impure” are completely antithetical, and hence opposite. It is true that legitimate profanation exists (see Lev 27) while pollution of holy things is never sanctioned. Indeed, as texts such as Isa 6:3-5; 35:8; 52:1, 11 show, impurity is viewed as incompatible with the holiness. It does not follow, however, that “holy” and “impure” are more direct oppositions than “holy” and profane.” See discussion in Olyan, *Rites and Rank*, 15-27, esp. 26.

<sup>614</sup> Francis Brown, S.R. Driver, and Charles A. Briggs, *The Brown-Driver-Briggs Hebrew and English Lexicon: With an Appendix Containing the Biblical Aramaic* (Boston: Houghton, Mifflin and Company, 1907. Reprint, Peabody, MA: Hendrickson Publishers, 2003), 337.

<sup>615</sup> *Ibid*, 338. The differences between the BDB’s rendering of the masculine noun form from the feminine noun form are predicated on context. Isa 32:6 refers to *doing* “חָנַף,” and the surrounding text does not seem to refer to impurity. The feminine form, appearing in Jer 23:15, is more ambiguous, and refers to the status of both people and land, which perhaps influenced the inclusion of the term “pollution” in this definition.

equally to the language of pollution and profanation: Joüon defines the adjective as “pervers, dépravé,” and the verb “corrompre, souiller (mais non ‘profaner’ ...).”<sup>616</sup> Averbeck avoids using the term “profane” but employs the similarly imprecise term “godless” in his definition.<sup>617</sup> The translations of the verb all suggest a negative meaning of this verb, because, as Seybold states, there is a “negative accent” in all biblical occurrences of this root,<sup>618</sup> but it seems that the negative ideas of defilement and illegitimate profanation have at times been uncritically applied to explain this negative valence, though these concepts are not synonymous in the Hebrew Bible.

Deciphering what this root connotes when describing a process that happens to land is complicated because the root is used with reference to both human subjects and the land, and reconciling all of the various occurrences of this root in the Hebrew Bible into a simple definition is exceedingly difficult. Attempting to streamline all usages of the root into a two-word definition may ultimately be less useful than examining the different uses of this word, isolating those that are relevant to land impurity, and then examining what this term means in context.

The distribution of this root in passages with a human referent and those with land (always ארץ) as a referent is interesting. With the exception of Jer 23:11 and Dan 11:32, all texts in which a verbal form of the root הניף appear use this term in relation to the

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<sup>616</sup> See citation on Seybold, *TDOT*, 5:37.

<sup>617</sup> Richard E. Averbeck, “הניף” in the *New International Dictionary of Old Testament Theology & Exegesis* (ed. Willem A. VanGemeren; Grand Rapids, MI: Zondervan Publishing House, 1997), 2:206-209. Averbeck renders the verb (qal) as “be godless, defiled” and (hiphil) “defile, ruin.” He translates the adjectival form as “godless, perverse, defiant,” and the noun forms as “godlessness, ungodliness, perversity” (p. 206). He does acknowledge that “ungodliness” as a translation is “debatable,” and cites Seybold’s case that the root meaning of the term was “twisted,” which later developed the semantic meanings of “polluted, wicked, godless; ungodliness” (p. 207).

<sup>618</sup> Seybold, *TDOT*, 5:38.

land, specifically, referring to the deleterious effect of sin upon the land.<sup>619</sup> On the other hand, of the multiple occurrences of the root using nominal forms, none of these has land as a referent; that is, occurrences of this root are divided fairly neatly along the lines of lexical category: passages with land as a referent use verbal forms, and passages with human subjects use (primarily) nominal forms.

The usage of the root with human referents is varied, and while uniformly negative, it is at times difficult to discern a particular semantic nuance, though in most cases, impurity (either moral or ritual) does not seem to be in view. It will be sufficient to briefly survey these human-oriented occurrences of this root, in order to compare them with the land-oriented uses. As observed, Jer 23:11 and Dan 11:32 use verbal forms of this root with human referents. The former passage states that “both prophet and priest “חנפּוּ,” clarified by the statement that even in his house, Yhwh has found their “wickedness/wicked thing (רעתם).” Dan 11:32 suggests that Antiochus IV Epiphanes will “חנף בהלקות” those who violate the covenant, using the causative stem. The BDB

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<sup>619</sup> There is some confusion about whether Jer 3:1 also refers to the pollution of the *land*, or to pollution of the divorced woman. While the MT uses an infinitive absolute + qal imperfect 3 f.s. to emphatically state that the land “ארץ” is defiled, the LXX renders the relevant phrase “ἐτι οὐ μαινομένη μαινήσεται ἡ γυνὴ ἀεινῶν” “will not that woman be completely defiled?” Seybold suggest that Jer 3:1 refers to a human subject of this verb, emending the Hebrew on the basis of the LXX and the Vulgate. His contention is that the Jeremiah verse, referring to the law in Deut 24:4, which states that such a divorced woman is defiled (טמא, using a unique hothpael conjugation), also holds that it is the *woman* who is denigrated, and that the ארץ (land) only came into this verse by the influence of Jer 3:2, 9 (TDOT 5:40). Averbeck observes that “this textual confusion is perfectly understandable” both because of the connection between טמא and חנף and the possibility that the Greek terms for “the woman” and “the land” (“ἡ γυνή” and “ἡ γῆ,” respectively) may have been confused (NIDOTTE, 2:207; see also the textual note in BHS). Additionally, the remote demonstrative pronoun הִיא, while agreeing with ארץ in number and gender, has a clearer antecedent in the אשה mentioned earlier in the verse, and is unexpected if the reference is to land pollution. If the woman is taken to be the subject, then this connects the use of the root חנף in Jer 3:1 with the root טמא in Deut 24:4, a parallel found elsewhere. Ultimately, Averbeck is correct in his assertion that Jer 3:2 and 9, using the hipil of חנף, make it “clear that the concern here was the pollution of the land by the man retaking his defiled former wife.” The link between Deut 24:4 and Jer 3:1-9 is conceptual: the defilement of the land expressed in Jer 3:2, 9 (and potentially 3:1) as analogous to the clause in Deut 24:4 suggesting that the “abomination of Yhwh” (that is, remarrying the divorced woman) brings guilt or sin (חטא in the hipil) to the land (literally: it makes the land that Yhwh gave as an inheritance err). Ultimately, Jer 3:1-10 connects the defilement of the land of Israel with the defilement of human subjects (both an adulterous woman and a divorced woman).

suggests that this usage be translated “make profane, godless.” Other translations of this verse infer from context that the term has to do with flattery, intrigue, or deceit.<sup>620</sup> Seybold uses this verse to suggest that this term means “dissemble,” and he connects this meaning to usages of this root in other Semitic languages<sup>621</sup> and in biblical wisdom literature, especially Job. The Book of Job seems to have a very particular connotation for the nominal adjective “חנף.” This book uses this term more than all other biblical texts combined (the adjective appears eight times in Job, and outside of Job, only in Isa 9:16; 10:6; 33:14; Ps 35:16; and Prov 11:9), Job always uses the term with a human referent, and this book connects these people with wickedness, anger, bribery, those who forget Yhwh, and in opposition to the upright or the innocent. The connection of this term with sinful behavior, including sinful behavior that affects others, is clear in Job, but this book does not seem to ever explicitly connect this term with impurity. Ps 35:16 has the phrase “בחנפי לעגי,” apparently describing a group of people mocking in a manner described by this root. Prov 11:9 states that the חנף will “corrupt” (שח"ת) his fellow with his mouth, similar to the Job uses. Isa 9:16 uses the nominal adjective in apposition to an “evildoer” (מרע), and subsequently elaborates that every mouth speaks “גבלה,” linking these ideas together. Isa 33:14 uses the term parallel with “sinners” (חטאים). Seybold is correct that it is difficult to penetrate the meaning of the nominal forms of this root “because of problems of synonymy.”<sup>622</sup> The previous examples show that the nominal

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<sup>620</sup> John Collins translates the pertinent phrase “he will seduce the violators of the covenant with flattery,” using the Greek as a touchstone. See John J. Collins, *Daniel: A Commentary on the Book of Daniel* (Minneapolis: Fortress Press, 1993), 367, 385. Koehler & Baumgartner suggest that this verse is a possible use of meaning of the root “to ruin,” though alternatively, they cite “to flatter.” See *The Hebrew and Aramaic Lexicon of the Old Testament* (revised by W. Baumgartner and Johann Jakob Stamm; Study Edition; Leiden: Brill, 2001), 1:335. See also NRSV, KJV, NIV, TNK, among others. YLT, on the other hand, renders the term “defile.”

<sup>621</sup> For example, EA 162, 74., cited on Seybold, *TDOT*, 5:41 (See also his discussion of cognates on p. 37).

<sup>622</sup> Seybold, *TDOT*, 5:39.

form is used in conjunction with a number of other negative epithets. Isa 32:6 demonstrates this best, as the נבל is said to speak נבלה (“senselessness,” or even, given Isa 9:16 and Gen 34:7, perhaps “sacrilege”), he plots to do און (“injustice”), to commit חנף, to speak תועה (“error”) about Yhwh, and to do the injustice of depriving the hungry and thirsty. Seybold observes, “In such company the word exhibits the crude and blurred colors of a pejorative term: ‘base, filthy, perfidious.’” He is correct that the various usages of the nominal forms of the root all exhibit a negative valence, though it is difficult to recover the specific nuance of this term, both because there is little explanation of what exactly the term connotes, and because it is used in conjunction with a large number of other (negative, but distinct) terms.

The uses of the nominal form of the root חנף (as noted, all occurrences refer to human subjects) are difficult to connect to the verb. Seybold observes that for Hebrew, the relationship between the verb and noun is an “unresolved” problem.<sup>623</sup> In the majority of the uses of the verb, the context refers to the effect of sinful behavior upon the land. Jer 3:1, 2, and 9 state that worship of other deities (couched in terms of adultery) pollutes (חנף) the land of Israel and Judah.<sup>624</sup> Jer 3:3 elaborates a bit on what this means: “Therefore the showers have been withheld, and the late rains did not come.” Isa 24:5-6 shows a similar progression of ideas. Isa 24:5 states that the ארץ is polluted<sup>625</sup> under its inhabitants, because they transgressed the laws, violated the statute, and broke the ancient covenant. Verse 6 elaborates, “Because of this, a curse devoured the land (אכלה ארץ), and those who live on it incurred guilt. Therefore, the inhabitants of the earth

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<sup>623</sup> Ibid., 37.

<sup>624</sup> Jer 3:1 and 3:9 use a qal form of the verb, while Jer 3:2 uses a hiphil, and explicitly states, “you (f.s.) have defiled (תחניפי) the land (ארץ) with your prostitution/unfaithfulness (זנות) and your evil (רעה).”

<sup>625</sup> The verb used is חנפה, the qal perf., 3<sup>rd</sup> f. s.

were scorched, and few men remain.” Like Jer 3:2-3, the effect of חנ"ף upon the land is expressed in terms of the land being oppressed and the inhabitants suffering as a result. Jer 3:3 further expresses that the deleterious effect on the land is meant to induce a change in the sinful behavior that defiled the land in the first place.

The nuance of what the root חנ"ף connotes with land as a subject is more straightforward and easier to determine than the nominal forms used with human referents. Up to this point, the terms “pollute” and “defile” have been used to translate the term in this context, because there is evidence that חנ"ף and טמ"א are synonymous in their use to describe the effect of sin on land. Ps 106:38 disparages the fact that the Israelites spilled “innocent” blood and sacrificed to the “idols” (עצבים) of Canaan, stating that “the land was polluted with blood” (ותחנף הארץ בדמים). The next verse reiterates that the Israelites themselves are polluted by their actions, using the verb טמ"א, and that they have prostituted themselves (זנ"ה) with their practices. Context suggests that in Ps 106:38-39, חנ"ף is similar to טמ"א and זנ"ה; however, the change of subject from the land to human beings, and the fact that two different terms are used in v. 39 complicate the idea of a one-to-one correspondence between חנ"ף and טמ"א as “pollution” of land. Better evidence of this synonymous usage comes from Num 35:33-34. Num 35:33 enjoins, “Do not pollute the land where you are” (ולא תחניפו את-הארץ אשר אתם בה) with blood, and Num 35:34 similarly states “Do not defile the land where you live” (ולא תטמא את-הארץ אשר אתם בה). The parallel structure in this instance suggests synonymy.<sup>626</sup> Unlike pollution, there is no direct evidence that verbal forms of the root חנ"ף ever refer to illegitimate

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<sup>626</sup> See James Kugel, *The Idea of Biblical Poetry: Parallelism and Its History* (New Haven, CT: Yale University Press, 1981), 8, on the idea of how parallelism functioned as rhetoric. He argued that the second, parallel half verse often particularized, defined, or expanded the meaning of the first component of the first parallel half verse, rather than indicating an exact equation between terms.

profanation. The root is neither used in parallel structure to a verb referring to profanation, nor does the context of any particular verse militate in favor of such a definition. There is no reason, therefore, to presume that this root *ever* means “profane” in context with land. Presumably, the reason that such a definition is so popular is because of the idea of a “holy land” ideology in ancient Judaism. As noted above, however, the expression “holy land” itself is exceedingly rare, and while there are instances of part of all of Israel being described as holy, or associated with Yhwh, who is holy,<sup>627</sup> presuming that such an ideology was widespread, and even more, suggesting that this root refers to the profanation of the holy land, goes well beyond the available evidence. How the ideology of a “holy” land might have influenced the idea of land pollution cannot be determined at present. It can, however, be asserted with some confidence that the verb חנ"ף, utilized most frequently to describe the effect of sin upon land, is used in juxtaposition with the verb טמ"א, and is therefore linked with the idea of impurity. It cannot be demonstrated that this verb is connected with the idea of illegitimate profanation.

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<sup>627</sup> The expression “holy land” appears only in Zech 2:16 in a territorial sense. Exod 3:5 uses the same expression referring to the specific ground upon which Moses was standing, and Josh 5:15, parallel to the Moses story, refers to a “holy place” upon which Joshua was standing. None of these verses uses the term ארץ, which is the more common term referring to land impurity (though אדמה is sometimes used, as in Amos 7:17). The term “holy mountain” appears sixteen times in the Hebrew Bible, in the books of Isaiah, Ezekiel, Daniel, Joel, Obadiah, Zephaniah, and Zechariah. Joel 3:17 is particularly interesting, because it first calls Zion Yhwh’s “holy mountain” then suggests that Jerusalem will become holy, and strangers (זרים) will not pass through it at that time. Certain sections of the land of Israel are specified as holy or separated, as seen in the eschatological vision in Ezek 45:1-9; 48:12, 14. The holiness of any particular tract of land is to be considered in relation to Yhwh’s own holiness. Yhwh is referred to as the “holy one” multiple times, especially in the book of Isaiah. Yhwh’s name is often referred to as holy (e.g., Lev 20:3; 22:2, 32; 1 Chron 16:10, 35; 29:16; Ps 33:21; 99:3; 103:106:47; Ezek 20:39; Ezek 36:20; 36:21; 39:7, 25; 43:7, 8; Amos 2:7), and either profaning or polluting it is prohibited (cp., for example, Ezek 36:20, 21 with 43:7, 8). The idea of Yhwh’s dwelling as a holy place provides the framework for later developments on this theme (e.g., Isa 57:15; Deut 26:15). On the use of the term “holy land” in Second Temple period writings, see W. D. Davies, *The Territorial Dimension of Judaism* (Berkeley: University of California Press, 1982), 29.

Because of the separation of the uses of this root, in term of both lexical form and subject, the occurrences of הָנִיף referring to land pollution, and those used to describe human misdeeds seem, for the most part, to be disconnected. Indeed, it is possible to treat instances of the verbal form, used explicitly with reference to land, in isolation from uses with human referents; however, several verses militate against completely disassociating these two uses. The reference in Mic 4:11, according to Seybold, refers to a human, individual subject,<sup>628</sup> but the context presents a slightly different scenario. Following a reference to exile and return, this verse states that “many nations” have been gathered against “you”<sup>629</sup> saying “let her become הָנִיף, and let our eyes gaze upon Zion” (תִּהְיֶה וְהָזוּ בְצִיּוֹן עֵינֵינוּ).<sup>630</sup> While this verse deals with a *personified* Zion, the connection to a specific stretch of land becoming הָנִיף seems to be what is at stake, with the understanding that this transformation is somehow shameful, and publicly visible.<sup>631</sup> This verse may then be dealt with in conjunction with other texts utilizing this verb with reference to land. As already observed, Jer 3:1-2 connects a case of individual defilement (seen also in Deut 24:4) with land defilement. Ps 106:38-39 likewise draw a parallel between human defilement (in this case, expressed through טָמָא) and land impurity.

Jer 23:11-15 shows a connection which sheds light on how the author viewed the relationship between human misconduct and land pollution. Jer 23:11 states that “both the prophet and the priest are הָנִיף,”<sup>632</sup> and characterizes their evil as existing in the

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<sup>628</sup> Seybold, *TDOT*, 5:40.

<sup>629</sup> 2<sup>nd</sup> f.s.

<sup>630</sup> The NRSV translates the verb in this case as “profane” (“let her be profaned”) while the KJV renders “defiled.”

<sup>631</sup> Isa 10:6 uses the phrase גִּי הָנִיף, and while the idea is similar to Mic 4:11, there does not seem to be the same connection to a territorial sense in Isa 10:6. In this verse, the idea is more focused on corporate peoplehood, though the case may be made that since the conquering of Judah is what is at stake in Isa 10:5-11, the idea of the land of Judah is implied.

<sup>632</sup> Using a verbal form: qal perf. 3<sup>rd</sup> pl.

temple. In what follows, the ramifications of this situation are elaborated: Yhwh metes out their punishment (v. 12). A comparison is made with the prophets of Samaria, who prophesied by Baal and led the people of Israel astray, whereas in Jerusalem, v. 14 contends, Yhwh has seen a horrible thing (שַׁעֲרוּרָה): adultery and walking in deception. The prophets, it is said, do not merely lead the people astray, but they actively “strengthen the hands of evildoers so that no one turns back from his wickedness.” The prophets and inhabitants of the city are compared to Sodom and Gomorrah. In v. 15, the deity states that he will make the prophets eat wormwood and drink poisonous water *because* “from the prophets of Jerusalem חֲנָפָה has gone out to all the land.” This is the sole occurrence of the feminine noun form of this root, and it is interesting that it links the actions of individual humans to an effect on the entire אֶרֶץ of Judah. It is intriguing that both occurrences of a noun formed from this root (the other being Isa 32:6) are concerned with the fact that the actions of certain individuals adversely affect others. In context, it is clear that v. 15 is concerned with the effect of the prophet’s actions on the broader populace in and around Jerusalem (not only does v. 14 stress this, but vv. 16-40 go into depth about the problem of false prophecy). Nonetheless, this verse hints about the way in which the idea of חֲנָפָה may have been conceived. It is possible that חֲנָפָה may have been perceived to originate in human deeds, and then spread out and affect the land. The interconnectedness of people and the space upon which they dwell is recalled again in v. 39, in which the deity states that he will forsake the people *and* the city that he gave to them, with the implication of exile. It must be stated that Jer 23:15 does not draw any explicit connection between the use of this root to describe land impurity and its use to describe reviled human behavior; however, the idea that חֲנָפָה goes out *from* human beings

to the land is suggestive of the kind of relationship human sin and land were believed to have. The fact that the term ארץ is used (which is always the land term used in conjunction with the root חנ"ף) rather than a term such as עם (which would more unambiguously identify human recipients), leaves open the possibility that the use of the root חנ"ף to describe humans and their behavior was not completely divorced from the use of this root to describe land impurity, resulting from human misdeeds. Ultimately, it is not possible to reconstruct the nuance of what the root חנ"ף connotes with human subjects. When used with land as a referent, the connotation of the verb is clearer—use of the verb חנ"ף juxtaposed with the verb טמ"א, combined with the fact that the land is itself said to become defiled using the verb טמ"א in other passages, indicates that the latter verb, like its synonym, has to do with land defilement. The connection between the different forms of the verb (and its uses with human subjects and the land) is not certain, but there does seem to be a connection between human and land defilement drawn in texts such as Ps 106:38-39 and Jer 23:15.

The root טמ"א is the most common way of referring to impurity in the Hebrew Bible. The verb appears 155 times, and the noun, 136 times.<sup>633</sup> It was observed in the first chapter that this root is used to refer to impurity of all types, with no terminological differentiation between a “ritual” or “permitted” type of impurity or a “moral,” “metaphorical,” or “prohibited” type of impurity.<sup>634</sup> Generally, when this root is used with reference to unsanctioned behavior, the Israelites or other inhabitants of Canaan are

<sup>633</sup> G. André, “טמא *tāmē* ; טמא *tum 'ā*” in *TDOT* 5:330-342 (330).

<sup>634</sup> André’s article includes a useful, concise accounting of uses of this verb, broken down into categories of unclean animals, the dead, “leprosy,” “other forms of human uncleanness” (including sexual intercourse, childbirth, and genital emissions), cultic unfit (observing that impure individuals are excluded from the cult), and “metaphorical usage: idolatry and sin” (in which he, like Neusner, postulates that any connection between sin and impurity is secondary and metaphorical).

said to defile themselves through their actions.<sup>635</sup> The defilement of the land is seen as a result of this in passages such as Lev 18:24-25 and Deut 21:23, without the Israelites actually being said to actively pollute the land, though other passages state more explicitly that the Israelites not only were responsible for the defilement, but were the agents of it (e.g., Jer 2:7 and Ezek 36:17). As seen above, the general usage of the root ט"מ as a technical term for impurity is useful in determining that the verbal uses of the root ה"ן, with reference to the land, connote pollution. The main distinction between these two words seems to be that whereas ט"מ *does* come into general use for all types of impurity, the root ה"ן can only be demonstrated to refer to impurity with regard to land impurity. It seems to have a more specialized connotation, especially in its verbal form, than does ט"מ. Klawans is correct to observe that ה"ן is never used to describe “ritual” impurity.<sup>636</sup> One interesting observation about ט"מ is made by André, who notes, “Non-Israelites are rarely the subject of *tāmē*.”<sup>637</sup> Most texts that mention foreigners as being impure do so in the context of foreigners operating within the land of Israel, or coming into contact with holy objects within Israelite territory.<sup>638</sup> When foreign people are mentioned in the context of impurity, it is rarely explicit that a solely “moral” conception of impurity is in view. More frequently, the concern is that the presence of “impure”

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<sup>635</sup> See, for example, Ezek 14:11; Lev 18:24.

<sup>636</sup> Klawans, *Impurity and Sin*, 28. See also Büchler, *Studies in Sin and Atonement*, 218-219.

<sup>637</sup> André, *TDOT* 5:340.

<sup>638</sup> Lev 18:6-25 states that the previous occupants of Canaan performed prohibited sexual acts and defiled themselves so that the land vomited them out. Ezra 9:10-15 is concerned with intermarriage with unsanctioned groups within the land of Israel. Isa 35:8 may reflect a concern with foreigners with its statement that unclean people shall not go on the holy way. Isa 52:1 probably has a concern with foreign persons’ purity status when it forbids uncircumcised people from entering Jerusalem. Note also that Isa 30:22 seems to be a part of this conceptual spectrum when it states that people holding “idols” will defile them and cast them aside like a menstruous cloth. Neh 13:4-9 seems to be concerned with the impurity conveyed to a temple chamber by Tobiah. In Chapter 1, I argued that these passages do not unambiguously represent the idea of “moral” impurity. Here, it is important to underscore that “foreign” impurity is not conceived as a problem in foreign lands. Those texts that do seem to refer to foreign people as impure do not refer to foreign *lands* as impure, and their impurity can hardly be generalized as “moral” impurity, when the overarching concern in these texts seems to be about contact contagion.

people can contaminate holy items or places, which shows an affinity with the “ritual” impurity idea of impurity conveyed through contact. The text that seems to present the clearest conception of non-Israelites causing “moral” impurity that affects the land is Lev 18:24-25, which accuses the previous occupants of Canaan of defiling the land and entreats the Israelites not to repeat their sins.

The overlap of nuances associated with terms for defilement and for land is significant because both sets of terms are used in contexts of land impurity. The root טמ"א is used in in the key passage Lev 18:25-28 (with regard to both people and land), as well as Deut 21:23; Josh 22:19; Jer 2:7; and Ezek 36:17-18. The root חנ"ף is used in Isa 24:5; Jer 3:1, 2, 9; 23:15; and Mic 4:11 (and, perhaps, Isa 10:6). Ps 106:38-39 uses the root חנ"ף to refer to land defilement, juxtaposed with the root טמ"א, used to refer to the defilement of people, and Num 35:33-34 uses both roots to enjoin Israelites not to pollute the land through their behavior. Jer 16:18 seems to draw from both purity discourses: this verse likely uses the root חל"ל as a synonym for טמ"א, given that the land is supposed to be polluted with the “corpses” of their “detestable things,” terms both drawn from the “ritual” impurity tradition (compare also the use of this root in Lev 19:29, where the defilement of a daughter is parallel to filling the land with wickedness).

The term “ארץ” is the most commonly used word for “land” when referring to its impurity. This is the term used with every occurrence of the root חנ"ף, as already observed.<sup>639</sup> It is also used in Lev 18:25, 27, 28; Num 35:34; Josh 22:19; Jer 2:7; and 16:18. Ezek 39:14-16 also uses the term ארץ in the context of purity, in this case speaking of the land being purified (טה"ר) from the pollution of unburied bones of those killed in battle. The term אדמה, on the other hand, is used with reference to land impurity

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<sup>639</sup> Including Num 35:33; Jer 3:1, 2, 7; Isa 10:6; 24:5; Jer 23:11, 15; Mic 4:11; and Ps 106:38.

in Deut 21:23 and Amos 7:17. Ezek 36:17-25 provides an example of how the terms ארץ and אדמה may be used interchangeably. The passage begins by stating that when the House of Israel dwelt in their own land (אדמה), they defiled it (טמ"א) through their deeds (v. 17), and Yhwh poured out his wrath because of the blood which was shed on the land (ארץ), and because of the “idols” with which they had defiled (טמ"א) it (v. 18). Verses 17-18 thus show these two terms as apparently interchangeable in their usage. As a result of this defilement, v. 19 states, Yhwh scattered the people among the nations (גוים) and dispersed them among (other) countries (ארצות), where they profaned Yhwh’s name, and where others observed them as Yhwh’s people who had gone out from Yhwh’s land (ארץ) (v. 20). Yhwh, in order to redeem his name and display his holiness to the nations (גוים) (v. 23), gathered his people from among the nations and lands (using both גוים and ארצות), and brought them back into their own land (אדמתכם, interestingly marking the land as the Israelites’, not Yhwh’s in v. 24). V. 25 uses the language of ritual purification for the people, though the land is not referenced. Plöger’s argument that the term “אדמה” imports an emotional sense of homeland, especially an idealized concept of such in Ezekiel,<sup>640</sup> is not supported by this passage, because v. 18 uses the term ארץ in lieu of אדמה; however, it is intriguing that the term ארץ alone is used in juxtaposition with other national entities, while the exile and return to Israelite territory is articulated with the word אדמה, framing this episode. It is perhaps also significant that Ezekiel, as it has been stated, uses “אדמה” in unusual ways (i.e., “אדמת ישראל,” which surely has a territorial, if not political valence). The fact that Amos 7:17 and Deut 21:23 also use the term אדמה rather than ארץ when describing the defiled state of the land as a result of Israelite misconduct demonstrates that this is not a mere peculiarity of Ezekiel, and the

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<sup>640</sup> Plöger, *TDOT*, 1:93.

interchange of terms in Ezek 36:17-24 demonstrates that the conceptual overlap between ארץ and אדמה was in play when speaking of land impurity and the exile of the people that results from it.

The terminological interchangeability observed, in both this set of terms and טמ"א/חג"ף must be acknowledged, but not overstated. Other terms also come into view when referring to the effect of human conduct on land. Jer 2:7, emphasizing Yhwh's ownership of the land, states that Yhwh brought the Israelites to it to enjoy its fruit and good things; however, the deity observes, when the Israelites came, they "defiled (טמ"א) my land" and "made my inheritance an abomination," setting up as parallel the terms ארץ and נחלה, and the concepts of defilement and making something an "abomination" (תועבה).<sup>641</sup> Other texts describe the land as deleteriously affected by human behavior without the use of the language of impurity. An example is Gen 6:11, which uses the root שח"ת to signify that the land (ארץ) has been corrupted. I will argue below that while this "corruption" does not connote pollution, *per se*, it does exist within the same ideational milieu, and the lack of pollution language is itself a clue about the Israel-focused nature of "moral" land pollution. Ultimately, the description of land as being "polluted" by sin exists within a larger complex of ideas about how humans affect the land they inhabit.

Another issue that comes to light through the examination of the terminology involved in land pollution are the implications of the different uses of the terms for

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<sup>641</sup> Compare Ps 94:5, in which they "afflict [Yhwh's] heritage." Jer 12:15 sets ארץ and נחלה as synonymous, while Jer 17:4 contrasts the idea of the heritage (נחלה), which the Israelites received from Yhwh, and which they will lose through their own actions, and the term ארץ, used to refer to another, less choice place, to which they will be sent. In contrast, texts such as Joel 3:2 state that it is the people, and not the land, that are the heritage of Yhwh. It is interesting to compare Joel 2:17 with Mic 4:11; both speak of the idea that the nation, punished by its deity, is an object of scorn. Joel uses the language of Yhwh's inheritance as an object of reproach, while Micah uses the language of defilement, possibly even land defilement.

“land” itself in purity discourse. “Land” in different contexts signifies an ideological construct, a geopolitical territory that can be distinguished from other, foreign polities. In other contexts, “land” signifies the physical ground upon which one stands or lives, or even the portable substance of dirt or dust. I have suggested that biblical writers drew on both “ritual” and “moral” purity traditions in various texts, and I continue this argument below with specific reference to the pollution that affects the land of Israel. The dual-usage of “land” lends itself to this discussion in specific ways, because land (as a bounded territory) is used extensively within texts relating to the effects of “moral” pollution, but the idea of land (as a substance) is also utilized, and lends itself to elements drawn specifically from the realm of “ritual” pollution. The idea of the national territory of Israel becoming “morally” polluted is a pronounced theme, and images of national exile are facilitated by this understanding of “land” as a national area. Some texts, on the other hand, seem to suggest that land is actually susceptible to pollution transmitted by *contact* with blood or corpses. These ideas resonate with the traditions of “ritual” impurity, but are used with specific force in texts describing the defiling nature of sinful behavior within the national borders of Israel. I will address these issues below.

### **3.2 “Moral” Land Impurity in the Hebrew Bible**

There is a significant tradition in biblical literature that land can be subject to defilement based on the crimes of its inhabitants. Passages in the Holiness Code, Psalms, Ezekiel, Jeremiah, and Isaiah describe land as deleteriously affected by specific sins. Different terminology is sometimes in view, and different crimes are sometimes depicted as the precipitating cause of land defilement. Multiple texts demonstrate that degradation

of the land resulting from improper conduct upon it can incur additional punishment, especially exile. Significantly, all texts that explicitly refer to “moral” land impurity locate the phenomenon within the land of Israel; i.e., it seems that in the Hebrew Bible, the only land that is explicitly said to be polluted “morally” is Israel itself.

As a preface to dealing with texts that explicitly denote land as “morally” defiled, it is important to reiterate that the spatial dimension of purity discourse is not confined to the system of “moral” impurity. It has been observed that certain texts, such as Lev 14:3, 13:46, Num 5:1-4, 12:14, and Deut 23:10-12, exclude specific “ritually” defiled people from the Israelite camp. While the idea of isolation of such “ritually” defiled persons from other *individuals* in the community is inherent in these texts (see, for example, Lev 13:46, which stresses the idea of isolation or solitude), it is significant that the injunction is not made merely to separate such people from “ritually” pure individuals, but to physically remove them from within the borders of the camp (that is, the community).<sup>642</sup> That a priest is able to be close enough to examine the status of an individual with skin disease (Lev 14) suggests that the concern is not solely that a person living in proximity with others may spread impurity. On the contrary, there seems to be an interest in these texts that impurity be removed from the bounded territory of the camp; that is, that there are spatial ramifications to “ritual” impurities. Deut 23:14[15], for example, reiterates the special status of the camp, due to Yhwh’s presence, as a reason to keep it separate from the (presumably “ritually” defiling) presence of human excrement. While Büchler insists that there is a “marked difference in the underlying principles” between these passages concerned with the quarantine of “ritual” (what he calls “levitical”)

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<sup>642</sup> On the significance of living “alone” outside the camp/city, or as I am suggesting, the community, see Milgrom, *Leviticus 1-16*, 805-806.

defilement,<sup>643</sup> there is a connection in the idea that impurity (of various kinds) is antithetical to Yhwh's presence, and should be excluded from within the borders of the Israelite community. One important feature shared by these texts is that the concern is with the purity status of Israelite territory only. There is no concern that the impurity at issue may spread outside the camp of the Israelites, nor are any specific foreign lands or people in view; rather, these texts are solely occupied with maintaining the purity status of the specific sphere of the camp, within which Yhwh abides.

It should also be recalled that the spatial concern with "moral" impurity is not limited to the land, but includes the sanctuary as well. Lev 20:3 links the defilement of the sanctuary to the crime of illegitimate cultic activity, specifically child sacrifice, which is said both to pollute Yhwh's sanctuary and profane his name. Ezek 5:11 also states that the Israelites have defiled the sanctuary with their "detestable things" and their "abominations" (את-מקדשי טמאת בכל-שקוציך ובכל-תועבתך). Ezek 43:6-8 connects corpse impurity and זנות with the defilement of the sanctuary<sup>644</sup> (where Yhwh set his throne and the soles of his feet, and where he dwells among the Israelites). This text describes the introduction of corpse impurity as an "abomination," linking the "ritual" impurity of corpses, transmitted through contact, with the defilement of the sanctuary, and with the

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<sup>643</sup> Büchler, *Studies in Sin and Atonement*, 220.

<sup>644</sup> Comparing Ezek 43:6-8, to Jeremiah 3:16-17, it is possible to conjecture that the entire city of Jerusalem is in mind in the Ezekiel passage, and not just the Temple. Here, the decision has been made to treat these verses among others referring to the pollution of the Temple of Yhwh, because vv. 5-6 situate the speech as coming from within the "house" (בית), because the temple is the focus of this passage (see v. 10), and because the references to thresholds, doorposts, and walls in v. 8 seem more indicative of a temple structure than the city itself. Yhwh's residence is, in this passage, defiled by the people's and the kings' (cultic) unfaithfulness (זנות) and by the "corpses (or: stelae, "פגר" is ambiguous) of their kings at their death (or: "on their high places, "במותם")" (v. 7). Juxtaposing the impurity of corpses with that of sexual sins (זנות) as both defiling the space Yhwh inhabits demonstrates the potential difficulty in separating "ritual" and "moral" impurity traditions. Ezek 9:7 contains a similar juxtaposition of defiling the temple and corpses to that of Ezek 43:7-8, but is distinguished by context; in Ezek 9:7, Yhwh's presence is said to have already left the temple, and the defilement of the sanctuary is a first step in the destruction of the city by the will of the deity.

system of forbidden “moral” impurities both through the language of prohibition and through terminology (תועבה in v. 8). Milgrom and Klawans stress that the way in which sin defiles the sanctuary (or the tabernacle, as seen in Lev 16:11-19) is distinct from that of “ritual” impurity (or “physical” impurity to use Milgrom’s term). The sanctuary can, of course, be polluted by “ritual” impurity as well, if an individual who was ritually impure entered it, and I observed in the first chapter that this type of defilement showed connections between “ritual” and “moral” impurity, because such defilement through contact is expressly forbidden.<sup>645</sup> Klawans connects these proscriptions to those forbidding certain “ritually” impure people from entering the camp, but argues that while some prohibitions are related to ritual impurity, “there is still nothing inherently sinful about being ritually impure.”<sup>646</sup> He observes that sinners, unlike “ritually” impure people, are not barred from the sanctuary, and suggests that this means there is no contact contagion associated with “moral” impurity. It is true that the suspected adulteress in Num 5:11-31 and the murderer in Exod 21:14 are envisioned as being in the temple,<sup>647</sup> though an attitude of caution must be adopted before presuming that sinners are welcomed in the sanctuary. Num 5:11-31 deals with the *suspected* adulteress, who may or may not be impure. In Exod 21:14, 1 Kgs 1:50-52, and 1 Kgs 2:28-30, the murderer who seeks safety in the sanctuary is *denied* this right and removed from the horns of the altar by force. While it is never explicitly stated that these individuals contaminate the sanctuary, nor that purification rites are required to remove any defilement that may have

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<sup>645</sup> On proscribed contact between “ritually” defiled individuals and holy food and the sanctuary, see Lev 7:20-21; 15:31; 22:3-7. Note that Num 16:26 commands, “Depart from the tents of wicked men, and don’t touch anything that is theirs, lest you be swept away by their sins.” This passage shows an instance in which the stain of sin is communicated through touch (though this passage does not explicitly state that any impurity attributed to these “wicked men” is communicated through touch).

<sup>646</sup> Klawans, *Impurity and Sin*, 25.

<sup>647</sup> To these examples may be added 1 Kgs 1:50-52 and 1 Kgs 2:28-30. For discussion, see Büchler, *Studies in Sin and Atonement*, 235.

been caused by their presence there, it does not seem to be the case that sinners, especially murderers, conducted normal business in the sanctuary; indeed, murderers seeking refuge are *removed* from the sanctuary, rather than granted asylum there. Also, though the suspected adulteress is not yet proven guilty, she is still potentially “morally” polluted, and is permitted inside the sanctuary, where someone with corpse impurity would not be.

I have also observed that specific items connected with the idea of “moral” impurity, such as proscribed cult items, *were* viewed as sources of defilement for the sanctuary through contact contagion not unlike “ritual” impurity. The connection between the “ritual” impurity-like phenomenon of transmitting impurity through physical contact also intersects with the “moral” impurity tradition in texts that describe specific unsanctioned cult icons as sources of impurity that defile the sanctuary through their mere presence, necessitating their removal and the subsequent cleansing of the holy space. Jer 7:30 and 32:34 states that when the Israelites put their “detestable things” (שקוציהם) in Yhwh’s house, they defiled it, using language evoking dietary regulations. Ezek 8:9-10 makes this connection more strongly when it states that depictions of creeping animals (רמש), detestable animals (בהמה שקיץ), and all of the “idols” (using the term גלולים), constitute the “evil abominations” (התועבות הרעות), which the Israelites perpetrate in the temple. It has already been argued that connections made to dietary laws, as well as the pejorative term “גלולים” for “idols” connect forbidden actions to both “ritual” and “moral” impurity traditions, which, in these cases, are shown to defile a specific space, i.e., Yhwh’s house in Israel, the sanctuary. Ezek 5:11 perhaps refers to the same phenomenon, rather than the idea that the Israelites have polluted the temple

from afar with their “moral” impurity. 1 Chron 22:8 is intriguing, because it states that David was not able to build the temple because he shed too much blood before Yhwh on the earth (or land—“ארצה”). While the language of impurity is not in this verse, it has been linked with the “moral” impurity idea of the defiling force of murder,<sup>648</sup> because illegitimate bloodshed is seen in texts dealing with “moral” impurity. David’s wars, however, are not openly criticized here (the Chronicler in general portrays David’s character more positively than do the books of Samuel), but rather, the reason that David cannot build the temple is because he has simply shed *too much* blood. The substance of blood itself seems to affect the ground, and condemn the one who shed it. This may be compared with Gen 4:10-11, in which Abel’s murderously spilled blood is said to call to Yhwh from the ground, leading to Cain being “cursed from the ground” (ועתה ארור אתה (מן-האדמה)).<sup>649</sup> The fact that the substance of blood is the catalyst leading to consequences for both David and Cain suggests a connection with the “ritual” impurity schema, and its conception of contact contagion. 2 Chron 29:5 uses the term נדה, drawn from the realm of “ritual” impurity to describe objects removed from the temple in order to sanctify it (קד"ש in a piel imperative). 2 Chron 29:16 continues by stating that when the priests removed all of the impurity (טמאה)<sup>650</sup> from the temple, they proceeded to take it to the

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<sup>648</sup> Klawans, *Impurity and Sin*, 173 n. 44.

<sup>649</sup> On the land bearing witness, compare Job 31:38-40.

<sup>650</sup> Interestingly, 2 Chron 29 is not explicit about what constitutes the “impurity” that was removed from the temple, focusing instead on the purification of specific areas, and the resumption of proper sacrifice. 2 Kgs 18:4 credits Hezekiah with removing high places (במות), breaking down pillars (מצבת), and cutting down the asherah. It also states that he broke the bronze serpent Nehushtan into pieces. The Wadi Kidron is seen as a disposal site for unsanctioned cult items utilized by Asa in 1 Kgs 15:13 (the “abominable thing” that Maacah made for Asherah was deposited there), and Josiah in 2 Kgs 23:6 (in which he destroyed the asherah in that Wadi and cast its dust upon graves). 2 Kgs 23:12 also states that Josiah broke specific unsanctioned altars into pieces and threw the rubble into the Wadi Kidron. 2 Kgs 23:4 states that Josiah burned vessels taken from the temple and dedicated for use in the worship of Baal and the host of heaven in the “fields” of Kidron. Given these data, the reference to the Wadi Kidron as a disposal site for “impurity” removed from the temple by Hezekiah suggests that the “impurity” deposited there consisted of unsanctioned cult materials or tools, or the remains of these items.

Wadi Kidron, connecting water as a purifying agent and bodies of water as places for the disposal of impurities to the items purged from the temple, which likewise links ideas of “moral” and “ritual” impurity in the specific spatial case of the temple of Yhwh in Jerusalem. Klawans observes that “idolatry defiles the sanctuary itself, especially when the sin takes place within or in close proximity with the sanctuary,” but he maintains that there is no evidence that “idolatry” or “idols” defile “ritually.”<sup>651</sup> The use of “ritual” impurity terminology, the implementation of purification rites to resolve the temple’s defilement, and the idea that “idolatrous” objects can defile through their mere presence in the sanctuary, however, all suggest that for this space, sin and impurity are not entirely divorced from the “ritual” impurity realm. In addition, the vulnerability of the sanctuary to this kind of defilement is tied to its status as Yhwh’s house among the Israelites. It should be noted that this concern is limited to an Israelite, Yhwhistic context; there are no texts that suggest that foreign sanctuaries are polluted through the presence of corpses in their vicinity, or through the presence of allegedly non-Yhwhistic cultic objects. This type of discourse is localized within the territory of Israel itself, and is not applied as a polemic against foreign lands.

Klawans is correct to observe that passages that describe the pollution of land are often linked, not to any permissible, finite, and contact-initiated form of defilement, but to “moral” pollution. That is to say, “moral” pollution of the land is an observable tradition in the Hebrew Bible, which seems to be caused by a relatively limited number of crimes.<sup>652</sup> Forbidden sexual acts, proscribed worship construed as “foreign” or

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<sup>651</sup> Klawans, *Impurity and Sin*, 28; 173 n. 41.

<sup>652</sup> Recall that while the idea of “moral” impurity affecting individuals is connected with the idea of “moral” impurity affecting the land, not all texts combine such ideas. Texts referring specifically to the

“idolatrous,” and illegitimate bloodshed are the catalysts for land defilement.<sup>653</sup> The texts that explicitly cite human misconduct as a cause of land pollution are all concerned with the pollution of the land of Israel by those who live upon it. Thus, transporting the idea of “moral” land impurity abroad is more complicated than is usually recognized.

Lev 18:24-30 is, as Klawans observes, the passage which “most clearly” articulates the idea of moral impurity, shedding light on its source, effect, and ultimate result, if left unchecked, as it links specific crimes, pollution of the land of Israel, and exile. This chapter begins with the statement that the Israelites are not to follow either the practices of the Egyptians or the Canaanites, but the statutes and ordinances of Yhwh.<sup>654</sup> Lev 18:6-23 gives a detailed accounting of forbidden sexual relations, except for v. 21, which intrudes to forbid the sacrifice of offspring to “Molech,” stating that this “profanes” the name of Yhwh. Following these statutes, vv. 24-25 state, “Do not defile (טמא) yourselves in any of these ways, for it is by all these that the nations that I am casting out before you defiled themselves. Thus the land became defiled (וַתִּטְמָא הָאֲרֶץ); so I punished it for its iniquity (וַאֲפָקֵד עֲוֹנָהּ עָלֶיהָ), and the land vomited out its inhabitants.”

The ascription of agency is interesting in this chapter. Lev 18:24 states that these sins

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pollution of individuals through sin (either their own, or another’s) include: Gen 34:5; Lev 18:24; 19:31; Num 5:13-31; Deut 24:1-4; Jer 2:23; Hos 6:10 (in a national sense); Ezek 20:7, 30-31; and 37:23.

<sup>653</sup> No text about land defilement treats all three together. Interestingly, the medium which conveys the pollution in each case is something which has parallels in the category of “ritual” pollution: blood, “idols” (associated with “dung” and contact contagion), and sexual intercourse. (Although all sexual intercourse is “ritually” polluting, unsanctioned sexual intercourse, especially זנות, is associated with “moral” impurity.) In the wrongful (or excessive) spilling of blood, forbidden sexual acts, or the worship of “idols,” however, these three become conveyers of “moral,” impurity, and permanently denigrate the land on which the offenses took place.

<sup>654</sup> Lev 18:1-5. Lev 18 is broken into different textual sections. 18:1-5 is a different frame than vv. 24-30. Vv 1-5 implore the Israelites to follow the statutes (חֻקִּים) and ordinances (מִשְׁפָּטִים) of Yhwh, and not to follow the practices of Egypt (where they are leaving) or of Canaan (where they are entering) so that they may “live” (“וַיִּשְׁמְרֵם אֶת-חֻקֵּי וְאֶת-מִשְׁפָּטֵי אֲשֶׁר יַעֲשֶׂה אִתְּם הָאֱלֹהִים וְחַי בָּהֶם”). V. 24-28 introduce the language of defilement, absent from vv. 1-5, and also the term “abomination” (תועבה). V. 26 states that Israelites should observe the statutes and ordinances of Yhwh, (recalling vv. 1-5), and it clarifies that the Israelites (both natives and resident aliens) must avoid these “abominations.” It is only in the last section that the idea of land defilement, and its link with exile, is raised. See below.

defile *people*—it enjoins the Israelites not to defile themselves, as had the Canaanites, and implies that the reason that Yhwh is about to cast out these nations before the Israelites is because they committed these crimes. Vv. 29-30 reiterate this idea, assigning the penalty of כרת to anyone who commits these “abominations” (תועבות).<sup>655</sup> Between these two descriptions of how these sexual sins affect people (one communal, one individual), vv. 25-28 describe how land defilement factors in this situation. After the inhabitants pollute the land through their actions, Yhwh initiates the punitive action, by calling *the land* to account for *its* iniquities. The land, in turn, responds by vomiting out its inhabitants for polluting it. The connection between the land being viewed as “iniquitous” and “polluted” is difficult to determine from context, but it is intriguing that this passage depicts the deity as punishing the land for its pollution, which in turn leads the land to punish its inhabitants. This is not dissimilar from passages describing the land as “cursed” by Yhwh into not bearing produce, which in turn affects the inhabitants, who face starvation. The broader concept of how land, inhabitants, and sin interact will be

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<sup>655</sup> Compare this passage to Lev 20, which also gives commandments that the Israelites are to keep because Yhwh is their god. Lev 20:1-3, like Lev 18:21, proscribes offering one’s progeny to “Molech.” Verse 3 states that this defiles Yhwh’s sanctuary and profanes his holy name. Like Lev 18:24-30, there is both a personal and a spatial dimension to this. The space of the sanctuary is defiled through sin, and this merits grave consequences. This chapter begins with a more individual examination of the crime. Like Lev 18, both natives and resident aliens are enjoined to follow this law. If it is broken, they are to be put to death (v. 2). There is a two-part structure to the punishment: Yhwh “sets his face” against that man, cutting him off (כרת) from among his people (v. 3), and the people are responsible for putting him to death by stoning. If the people of the land do not do their part and execute the one who sacrifices his children to “Molech,” Yhwh’s actions become more communal, setting his face against the man, his family, and all who follow him. Thus, this passage seems to demonstrate how “moral” impurity could have been understood to expand in a community, from an individual, to his family, and then to any who might follow him, forcing Yhwh to take action on a community-wide scale. While the language of contact contagion is not used in this chapter, it is interesting that the pollution, unchecked, is seen to affect more people than the initial perpetrator. V. 3 implores the Israelites to cut the perpetrator off “from among his people,” emphasizing the isolation of the sinner from the rest of the community (compare also v. 6). V. 5 makes explicit that if the people do not do the deed themselves, then Yhwh will intercede, and cut off the one who sacrifices to Molech and all who follow him and “whore” after Molech (ראת כל-הזנים אחריו לזנות אחרי המלך). The crime itself is viewed as communicable, and the perpetrators must be cut out like a cancer to avoid the spread of the sinful disease. While there is no language of contact-contagion and impurity is not utilized, the situation is evocative of a similar phenomenon.

discussed below. At this point, it suffices to observe that the deity initiates punishment by enacting some kind of reckoning on the land, which results in the inhabitants of that land feeling the effects.

The parallelism between the human sin and the land's degradation is quite explicit in Lev 19:29. This verse, found among a list of regulations, states, "Do not profane (or "pollute"—חל"ל)<sup>656</sup> your daughter by making her a prostitute, that the land not become prostituted and full of depravity." While the land is not itself said to be defiled in this passage, the juxtaposition of the degradation of a daughter through prostitution and the degradation of the land through the same cause sets up the parallel system of human/land affliction through "moral" crimes. There is little in the context of this verse that can yield further insight on "moral" land pollution, though it should be noted that the regulations<sup>657</sup> in this passage are specifically issued to the Israelites in the name of Yhwh, and the "land" that is in danger of being degraded is ostensibly the land of Israel, where Yhwh lives.

According to the Holiness Source in Lev 18:24-30, "moral" pollution affects not only persons who sin, but the land in which they live and, in Israel's case, leads to exile from the land and from Yhwh. It is significant that not only Israelites are subject to exile from the land as a result of "morally" defiling it, but so too are the previous occupants of

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<sup>656</sup> The verbal forms of the root (חל"ל) usually mean "to profane," and are found most commonly in H and Ezekiel. There are times, however, where the verb of חל"ל seems to mean "to pollute" instead. On this issue, see Milgrom, *Leviticus 1-16*, 37; Olyan, *Rites and Rank* 49, 148 n. 54. Milgrom observes potentially cases are Lev 21:12 and 22:9, and Olyan adds that Lev 21:4 and Ezek 23:39 are also "clear" examples. He observes "Several other texts of varying provenance also appear to know this meaning of חל"ל (e.g., Gen 49:4; 1 Chr 5:1; Dan 11:31)." Lev 19:29 is not a clear example, but it is potentially applying the same usage of the verb חל"ל. While it is clear that some type of degradation of the land is referenced in the use of חל"ל, it is not definite that this refers to land *pollution*, rather than *profanation*, but it seems likely that this is the case, given both the proximity of similar uses in Lev 21:4, 12; 22:9, and also the notion of land pollution seen elsewhere in H.

<sup>657</sup> The broader context of this verse brings in concepts of dietary and Sabbath laws, restrictions of mourning rites, produce regulations, and prohibitions against consulting mediums and spirits.

the land, the Canaanite nations that Yhwh dispossessed in favor of the Israelites.

Additionally, it is not only the Israelites who are expected to keep these statutes once they take possession of the land, but v. 26 enjoins both native and resident alien to avoid doing the abominations described, because these sins defile the land. Thus, this text implies that it is the land which has a special status, not the people.<sup>658</sup> The Israelites are given a specific set of laws by the deity Yhwh, with the implication that these are injunctions that (all) inhabitants of the land of Israel must follow. If they are broken, the land (of Israel) is defiled and the residents (be they Canaanites, Israelites, or resident aliens) are evicted.<sup>659</sup>

Murder as a polluting sin draws attention in Numbers 35:33-34. This chapter deals with cases of intentional murder and manslaughter, and stipulates the construction of six cities of refuge where a person who unintentionally kills another may live without fear of reprisal from the relatives of the victim (literally, the “avenger” or “redeemer” of blood: גֹּאֵל הַדָּם). Following a list of specific cases that constitute intentional and unintentional acts of homicide, Num 35:33 states, “You shall not pollute (תִּחַנֶּה) the land in which you live; because blood pollutes (יִחַנֶּה) the land, and no expiation (כִּפּוּר) can be made for the land, because of the blood that is shed in it, except by the blood of the one who shed it.” The reason the Israelites are given not to pollute the land this way in v. 34

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<sup>658</sup> This is remarkable in view of the call to be holy found in numerous places in H (for example, Lev 19:2; 20:7, 26, *ad passim*). The land itself is not called holy in this passage, yet its special status is presumed in the way in which laws are presumed to operate within it.

<sup>659</sup> Lev 18:24-30 seems to have a different type of focus than that seen elsewhere in H. As noted above, the call to be holy is made to the Israelite *people* at numerous points in H, but it is entirely absent from 18:24-30. Lev 20:22-27 articulates similar sentiments to Lev 18:24-30, insofar as it beseeches the Israelite not to follow in the ways of the nations whom Yhwh is dispossessing before them, but rather to keep Yhwh’s statutes and ordinances so the land will not vomit them out. Distinguishing between pure and impure is a key issue in these verses, and the justification is “you shall be holy to me, for I, Yhwh, am holy, and I have separated you from the peoples to become mine” (v. 26). One must be cautious not to presume too much about what the *absence* of this idea in Lev 18 signifies, however, because the main idea of land defilement is similarly expressed in these two passages, though the different framing of the directives in Chapters 18 and 20 is interesting.

is that this is *also* the land where Yhwh lives among the Israelites. The cities of refuge are an interesting phenomenon, because they are treated as distinct from the rest of the land of Israel. The cities of refuge act as places of sanctuary for those who have unintentionally killed another person, but they also constitute a place of *exile* for such persons, until the current high priest dies, and presumably atones for the victim's blood with his death.<sup>660</sup> Cities of refuge are also described in Josh 20:1-9, providing more detail about the six locations that were chosen for this purpose, three on each side of the Jordan. 1 Kgs 2:36-46 provides an interesting case for comparison. In this, Shimei, who had thrown stones and cursed David as a “bloody” man (אִישׁ דָּמִים) in 2 Sam 16:5-14, receives his final judgment from Solomon. David had promised not to kill Shimei in 2 Sam 19:16-23, but on his deathbed, he urged Solomon to do the deed (1 Kgs 2:8-9). In 1 Kgs 2:36-46, Solomon puts Shimei under house arrest in Jerusalem, and warns that if he passes over the Wadi Kidron, his “blood will be on [his own] head” (v. 37). When Shimei violates the terms of his house arrest, Solomon declares his life forfeit, even though he returned to Jerusalem, and pronounces that Yhwh will bring Shimei's “evil” (רָעָה) back upon his own head. The connection between blood and retribution is utilized in this passage in a manner similar to the way it is used in descriptions of the cities of refuge. Although it is the blood of the victim which is imagined as polluting the land,<sup>661</sup> in the case of the cities of refuge (like the case of Shimei's house arrest), if the killer steps outside these locations, the pollution of the homicide is “released,” and his death is justified—it seemingly removes the source of the pollution, as Num 35:33 suggests. In this case, it seems that moral pollution can be staved off by sequestering the offender

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<sup>660</sup> Jo Ann Hackett, in her Commentary on the Book of Numbers, *The HarperCollins Study Bible: New Revised Standard Version* (New York: HarperCollinsPublishers, 1993), 264.

<sup>661</sup> Cf. Gen 4:10-11 and 1 Chron 22:8, addressed above.

(though only in certain cases—intentional murderers are executed; they are not allowed to return to the cities of refuge). If a killer leaves a city of refuge before the blood of the victim has been expunged (through the death of the high priest, if not the killer),<sup>662</sup> then he releases the pollution which had been held in abeyance by his “exile” to the city of refuge. In this way, the killer himself is a transmitter of “moral” impurity, which he conveys through *contact* with the land itself. It may be fruitful ultimately to compare this idea with the tradition that the land of Israel, if contaminated through “moral” impurity, expels its inhabitants through exile. In both cases, those who pollute the land of Israel are not allowed to live on it, and are either sequestered in special locations designated to contain their presence (murderers), or ejected from the land entirely (sinful Israelites, more generally).

Interestingly, the idea of cities of refuge and blood pollution of the land seems to apply only to the land of Israel itself. These regulations are described as only coming into effect upon the Israelites’ taking possession of the land from the Canaanites; there is no comparable system prescribed for any Israelite community existing outside land of Israel. Num 35:10-11 states that the designation of cities of refuge takes place “when you cross over the Jordan into the land of Canaan.” Num 35:13-14 and Josh 20:7-8 state that

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<sup>662</sup> It is perhaps significant that blood is the agent of purification in the context of the homicide, as it is in cases of ritual purification. In the Hebrew Bible, blood is both a substance that conveys ritual impurity, and a means of purification. For example, the sacrificial blood can pollute clothing in Lev 6:20, and the blood of the *חטאת* sacrifice must be poured out at the base of the altar (see Wright, *The Disposal of Impurity*, 147-159 on the disposal of *ḥaṭṭā’*t blood). Blood can, however, also act as a “detergent” (to use Wright’s term), which washes away impurities. This is seen, for example, in Lev 16 with the Day of Atonement, in Lev 14, dealing with skin disease, and in extrabiblical evidence, such as Hittite rites, which use detergents to remove impurity, including blood, water, wine, clay, plants, flours, salt, fire, and various mixtures (see Wright, 35-36). On the issue of blood as an agent of purification, see William K. Gilders, *Blood Ritual in the Hebrew Bible: Meaning and Power* (Baltimore, MD: Johns Hopkins University Press, 2004), 109-41 (esp. 129-39). See also Idem, “Blood as Purificant in Priestly Torah: What Do We Know and How Do We Know It?” in *Perspectives on Purity and Purification in the Bible* (eds. Baruch J. Schwartz, David P. Wright, Jeffrey Stackert, and Naphtali S. Meshel; New York: T&T Clark, 2008), 77-83 (esp. 82-83).

these six cities covered the areas both in the Transjordan and the Cisjordanian Israelite territories. Josh 20:9 and Num 35:15 state that the cities of refuge function in the same way for both Israelites and for non-native Israelites living among them.<sup>663</sup> The issue at stake is how murder pollutes *the land of Israel*, only. All those who reside in Israelite territory, on both sides of the Jordan river, are subject to the laws described in this text. While Num 35:29 contains the clause “in all your dwellings,” this verse (referring to the following laws governing capital cases) does not negate the fact that the passage about cities of refuge is not concerned with Israelites dwelling outside the land of Israel. There is no thought that foreign land is polluted by the blood of murder victims, nor that Israelites should establish cities of refuge, should they travel beyond the borders of Israelite territory. According to the narratives, there were no places of refuge established in the desert, after all, but the cities are said to be designated only after Israelites gain possession of Canaan. The inclusion of resident aliens in the regulations suggests that the concern is more territorial than ethnic, as well. The idea of this “moral” pollution is situated, by definition, within the confines of the land of Israel, where Yhwh dwells among the Israelites. It is this land that the Israelites are enjoined to keep pure from the pollution of spilled blood. The text does not include provisions that apply if the blood avenger forgives the offender, or if the avenger dies, because the issue is not merely about protecting the killer from the victim’s family, but about protecting the land from

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<sup>663</sup> Josh 20:9 expresses this by stating that the cities of refuge are for “all Israelites and the resident alien who resides (ולגר הגר) among them.” It goes further to state that the purpose of the cities is so that *anyone* who unintentionally kills someone (כל-מכה-נפש בשגגה) may be safe from reprisal. Num 35:15 uses the same phrase to state that anyone who commits manslaughter may flee there, but adds the term “תושב” to the terms “בני ישראל” and “גר.” Whether or not the תושב is regarded as another class of foreign person living within the borders of Israel different from the גר (note that Lev 12:45 and Lev 12:49 suggest a distinction between these two terms, while Gen 23:4 does not), the import of this passage is that *anyone* living in the land who is accused of murder may flee to a city of refuge until his trial, and may return to that city if found guilty of manslaughter, rather than intentional murder.

the pollution that would be released, should the killer walk free in the land of Israel.<sup>664</sup>

Only the blood of the murderer can atone for the pollution that bloodshed causes the land of Israel, and only the death of the high priest can free one who committed manslaughter from his exile in a city of refuge. Num 35:32 makes this clear when it says that no ransom can be paid to allow such an individual to “return to dwell *in the land* (לשבת בארץ) until the death of the priest.” Like Num 35:28 (which states that after the death of the high priest, the individual may return to his land holding [ארץ אהוזתו]), this verse stipulates the death of the high priest before the killer may return home, but the general use of the term ארץ here suggests that it is the land itself which is being protected by the cities of refuge. These localities serve as places of exile and containment, protecting Israel as a whole, where Yhwh dwells, from being “morally” defiled. It is worth noting that even in this passage, which clearly deals with an impurity brought about by sinful behavior, the idea of contact contagion is in view in the transmission of impurity. Blood defiles the land through contact—being spilled upon it—and a murderer defiles the land by living upon it.

I have already shown the combination of elements from the “ritual” spectrum of pollution with “moral” impurity in Deut 21:22-23.<sup>665</sup> This passage is particularly interesting, because it states that the corpse of a hanged individual pollutes the land. While this is generally presumed to be a case of “moral” pollution<sup>666</sup> both because the hanged individual is a criminal and because leaving the body hanging overnight is forbidden, lest it defile the land, I have argued that the connection with corpse impurity

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<sup>664</sup> The issue is not about the perpetrator being caught outside the city of refuge, any more than Solomon in 1 Kgs 2 is concerned with catching Shimei outside his Jerusalem home. The issue is about what the guilty party’s departure from his place of isolation connotes.

<sup>665</sup> See Chapter 1, pages 64-67.

<sup>666</sup> Klawans, *Impurity and Sin*, 35, 51.

and the idea that the impurity is spread to the land like a contact contagion, that is eliminated only when the corpse is buried *beneath* the earth, suggests a connection to “ritual” impurity as well. I compared this text with Ezek 39:10-16, which demonstrates a concern with burying the corpses from the battle with Gog, and thereby “cleansing” (טהור) the land. While noting the caveat that these passages are not to be categorically defined as “moral” land pollution, the connection between forbidden behavior and land pollution makes it reasonable to include mention of Deut 21:23 (and, implicitly, Ezek 39:10-16), in this list of passages evoking the idea of “moral” land pollution. Ezek 39:10-16 does not actually state that the land was defiled *by* the corpses, or because the corpses were not properly handled. The assertion that burying the bones purified the land suggests that the corpses were viewed as defiling the land. It should be observed that this passage is concerned specifically with the land of Israel. In Ezek 39:11, Yhwh states “I will give to Gog a burial place in Israel.” While there is some uncertainty about the location referenced in this verse,<sup>667</sup> the idea that the corpses will be laid to rest in Israelite territory is secure. Therefore, there does not seem to be a concern that the bodies of the slain soldiers are polluting to a foreign battlefield, because the concern is that the “house of Israel” and the “people of the land” will bury those who remain “on the face of the land” (in Israel) and thereby “cleanse” the land. The law in Deut 21:23 is also specific to the land of Israel, as it states “Do not defile your land (אדמתך), which Yhwh your god is giving to you as an inheritance (נחלה).” This verse is found among a collection of laws, all said to be operative *in the land* that Yhwh is giving to the people.<sup>668</sup> In short, there is

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<sup>667</sup> See Walther Zimmerli, *Ezekiel 2: A Commentary on the Book of the Prophet Ezekiel Chapters 25-48* (ed. Paul D. Hanson; trans. James D. Martin; Hermeneia; Philadelphia: Fortress Press, 1983), 317.

<sup>668</sup> See, for example, Deut 19:1, 14; 21:1, which situate these laws as operating when Israel occupies the land of Canaan.

no explicit statement in any text that corpses defile land outside of Israel, whether they are properly buried or not; however, there is a pressing concern that corpses can, in certain conditions, be polluting to the land of Israel, and must therefore be dealt with in prescribed ways.

Outside the Pentateuch, the link between “moral” impurity and the defilement of the land is present once in Psalms, and is found in a significant number of prophetic texts. Ezekiel is noted for having a particularly close affinity with the Holiness Source,<sup>669</sup> so it is not surprising to find the idea of “moral” impurity polluting the land of Israel within this prophet’s work. This book is most concerned with bloodshed and “idolatry” as sins which pollute the land. Angelika Berlejung’s observations that Ezek 22:3-4 both casts the pollution of “idols” in “ritual” terms (evoking the idea of the impurity of excrement to describe these “morally” repugnant objects) and reverses an expected direction of pollution when it observes that “idols” threaten to pollute the city and not vice versa were mentioned above.<sup>670</sup> These cogent points are not the only signs of both “ritual” and “moral” ideas of impurity at work in Ezek 22, which utilizes notions of pollution, profanation, shame, land pollution, and exile in its condemnation of the city of Jerusalem. I suggest that while Ezek 22 is more firmly established in the “moral” impurity tradition, and shares affinity with H conceptions of moral land pollution, this text also implicitly suggests elements drawn from the “ritual” impurity tradition, including the *image* of female menstruation and the idea of contact contagion. This chapter highlights the

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<sup>669</sup> This has been observed since the 19<sup>th</sup> century (see, for example, Lewis B. Paton, “The Holiness-Code and Ezekiel,” *The Presbyterian and Reformed Review* 26 (1896), 98-115). See also Michael A. Lyons, *From Law to Prophecy: Ezekiel’s Use of the Holiness Code* (Library of Hebrew Bible/Old Testament Studies 507; MI: T & T Clark, 2009), 76-110, and Klawans, *Impurity and Sin*, 30.

<sup>670</sup> Berlejung, 350-351. See page 75 of Chapter 1.

abominations (תועבות) of this “bloody city” (עיר הדמים).<sup>671</sup> Ezek 22:3 states that Jerusalem is a city “shedding blood within herself” and that she “makes ‘idols’ to defile herself.”<sup>672</sup> The following verse reiterates this idea, informing Jerusalem, “You have become guilty (אשמת) with the blood that you have shed, and have defiled yourself (טמאת) with the idols that you have made.” Restating the idea from v. 3 that the time has come for retribution, v. 4 states, “I have made you a disgrace (חרפה) before the nations, and a mockery (קלסה) to all the lands (ארצות),” and v. 5 underscores that both those nearby and those far away will mock Jerusalem, whose reputation itself is unclean (טמאת השם). Impurity as a source of shame deserves comment. The idea of shedding blood “within herself” in v. 3 evokes an image of shame similar to that depicted in Lam 1:8-9, which emphasizes the shame of Jerusalem, whose “uncleanness” (טמאה) is on her skirts; furthermore, the combination of shame with defilement by “idols,” euphemistically called “dung-balls” evokes an image of shame similar to that in Zech 3:3, in which Joshua’s clothes are befouled with excrement. The blood in view in Ezek 22, with its condemnation of the “bloody city” is not menstrual blood,<sup>673</sup> the impurity is not purely “ritual,” but a result of shameful *deeds*; however, the city personified as a woman, shedding blood within herself and thereby becoming an object of shame to other lands, calls mind a visceral image that relates to the “ritual” impurity of menstruation as well, possibly for the effect of evoking disgust. The

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<sup>671</sup> Ezek 22:2.

<sup>672</sup> The translation here uses the feminine singular “she” and “herself” rather than the English gender-neutral “it” and “itself” to render the personified image of the city seen in this passage. Verse 2 and following express a judgment on the city, personified as a woman polluting herself through blood and feces (“idols”).

<sup>673</sup> Ezek 22:10 refers to women unclean through menstruation, but the condemnation is about sexual intercourse with a woman so defiled. The bloodshed in this chapter refers, rather, to violence and social inequity, not menstruation. The idiom in the verse, “שפך דם,” (to shed blood) used in v. 3 is suggestive of “moral” impurity, as this is not a common expression applied to menstruation. My suggestion that this is reminiscent of the image of a menstruous woman is made on the use of the highly descriptive (and explicitly gendered) image in v. 3 of “a city shedding blood within herself” (עיר שפכת דם בתוכה), and on the basis of comparison with texts such as Lam 1:9, which also combines the idea of menstrual blood with violence.

“shame” in this passage is implicit, but is suggested by Ezek 22:4, in which the terms “disgrace” (חרפה) and “mockery” (קלסה) indicate shame in the view of the other nations of the world, similar to Lam 1. I have suggested that menstrual impurity potentially lent itself to use as an image describing “moral” impurity in part because of the visible nature of being so polluted, explicit in Lam 1:9, and perhaps implicit in Ezek 22:3-4. It must be reiterated that this passage is certainly situated within the context of a “moral” impurity; the tentative suggestions made above that there are ideas drawn from the “ritual” impurity tradition do not alter this. I do think that there are hints in these verses of elements drawn “ritual” impurity tradition (menstruation and the contact contagion associated with “idols” and human excrement, which is evoked in the use of the epithet גלולים). It is possible that these elements were utilized in this text to increase the image of shame or disgust associated with both specific “ritual” impurities.

While only the “idols” are explicitly said to be a source of defilement of the city of Jerusalem (which is contrasted with other “lands” [ארצות] in v. 4), the repeated idea of shedding blood within the city<sup>674</sup> recalls that blood is said to defile the land of Israel “morally” in Num 35 and elsewhere. That land pollution is in view is demonstrated in v. 24: “Mortal, say to her: You are a land that is not cleansed (טהר), not rained upon in the day of indignation.”<sup>675</sup> The eventual consequence for the deeds listed<sup>676</sup> is destruction<sup>677</sup>

<sup>674</sup> See also vv. 6, 9, 12, 13, and 27. Other references to violence are in v. 25, and v. 26 (with violence done to Yhwh’s teaching).

<sup>675</sup> Observe that this verse combines ideas of land impurity with cleansing by water (in this case rain), thereby drawing on purification rituals from the constellation of “ritual” impurity to ostensibly deal with the “moral” impurity that has affected the land. While the cleansing is not said to be effected at this point, the idea that it *could* be done is significant, especially that it would be cleaned with water. See also v. 15, in which Yhwh says he will purge, or finish off (תמ"ח) the nation’s impurity (טמאה).

<sup>676</sup> There are a wide variety of sins listed, some directed against specific groups, including prophets, priests, and the people of the land, some directed against the city of Jerusalem, and some directed against the entire house of Israel. The focus of the treatment here is “idolatry” and bloodshed, because these are linked with land pollution. Also listed in this chapter: profaning Yhwh before the nations, usury and other forms of

or exile<sup>678</sup> which is in general accord with passages dealing with sins that defile the land of Israel.

One interesting aspect of the concluding verses of the chapter is the land as a recipient of punishment, in need of someone to defend it. In v.30, the deity states that he sought someone who would “build a wall” and “stand in the breach” before Yhwh “on behalf of the land (בעד הארץ), so that I would not destroy it.”<sup>679</sup> This concluding remark is meant to show that the deity’s failure to find someone to “stand in the breach” on this occasion and prevent the destruction means that Yhwh’s wrath will indeed be “poured out” against Israel (using שפך, the same verb utilized for the “spilling” of blood repeatedly in this chapter). What is significant is the place of the “land” as the focus in this verse. Just as the chapter began with a description of personified Jerusalem’s sins and defilement, it concludes with a consequence being wrought against the land itself. As in Lev 18:25, the deity is said to punish the land itself for “its” iniquity, and as in Lev 18:25, 28, Ezek 22:15 also cites the consequence of exile for sins committed in Israel, stating that Yhwh will scatter the people among the nations and lands (using the same

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social injustice, profaning the Sabbath, illicit sexual acts, oppressing the resident foreigner, eating “upon the mountains,” profaning Yhwh’s holy things, not distinguishing properly between holy and profane and pure and impure, false prophecy, robbery, and other crimes, though these are not explicitly tied with land pollution here.

<sup>677</sup> Vv. 18-22 use the image of melting metal to describe the fate of the house of Israel, which has become “dross,” and will be melted down (presumably for refinement) by Yhwh’s anger. This metaphor is not carried throughout the chapter.

<sup>678</sup> Compare Ezek 33:25-26, in which the survivors of Judah are admonished for presuming that their possession of the land is assured. Rhetorically, they are asked, “You eat flesh with the blood and lift up your eyes to your “idols” (גלולים), and shed blood; shall you possess the land? You depend on your swords, you commit abominations (תועבה), and each of you defiles (טמאתם) his neighbor’s wife; shall you then possess the land?” The offenses are not identical with those listed in Ezek 22, but there is overlap, especially concerning condemned bloodshed. Ezek 33:27 promises death to those living in various places. These passages both assert that possessing the land is antithetical to committing these crimes upon it: death or removal of the perpetrators from the land are the envisioned divine solutions. See also Ezek 39:23-24, which states that Yhwh will hide his face from the people, implying that this means national defeat and exile, exhibiting concern for both Israel and the other nations of the world to see Yhwh’s power (39:21-22).

<sup>679</sup> Compare Ezek 13:5 (on the prophets, who have not gone into the breaches or built a wall for the house of Israel), Ps 106:23 (in which Moses is said to have “stood in the breach” before Yhwh to turn the deity’s anger away from destroying Israel), and Jer 5:1 (on the search for one in Jerusalem who acts rightly).

terms as those polities before which Jerusalem was said to be a source of derision in v. 4). Ezek 22:3-4, with its focus on Jerusalem as the place which has been polluted through the foul “idols,”<sup>680</sup> like the passages dealing with “moral” impurity in Leviticus and Numbers, deals solely with the defilement of the land of Israel. This chapter focuses on Yhwh’s place among the Israelites; Yhwh’s name being profaned among the nations and Israel shaming itself before other lands through its bad conduct are both castigated. Consequently, the kind of defilement in view in this passage does not seem to be universally applicable, but restricted to the land of Israel.

Ezekiel 36:16-38 contains a detailed account of land defilement, its causes, its consequences, and a conceived rectification of the relationship between Yhwh and his people. Parallel ideas and concerns to those expressed in this passage have been discerned in Deutero-Isaiah, Haggai, and Zechariah, and the tone of the passage suggests an exilic setting, in which the author not only wrestles with the reasons for exile, but also has cause to hope for a return to the land of Israel and a re-fructification of the land.<sup>681</sup> This passage begins in vv. 17-19 with the idea of land defilement as the cause of exile. Ezek 36:17 states, “Mortal, when the house of Israel lived on their (own) land (על-אדמתם), they defiled it (טמ"א) with their ways and their deeds; their conduct before me (or: in my presence) was like the impurity of a woman in her menstrual period (כטמאת הנדה).” Vv. 18-19 state the consequences of this pollution: Yhwh, judging the people according to their deeds, “poured out (שפ"ך) his wrath upon them because of the blood they had shed (שפ"ך) upon the land (ארץ), and for the “idols” (גלולים) with which they had defiled (טמ"א)

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<sup>680</sup> The city is perhaps implicitly polluted through bloodshed as well, though the text only states that this has “shamed” the city.

<sup>681</sup> See Zimmerli, *Ezekiel* 2, 245-246.

it, and scattered them among the nations and lands.<sup>682</sup> I argued in the first chapter that the connection of land impurity to the image of menstrual impurity signals slippage between the categories of “moral” and “ritual” land impurity and cautions against treating “land impurity” as a purely “moral” phenomenon. Another feature of this text that suggests a possible connection to the idea of “ritual” impurity is the fact that the land is contaminated through contact. The Israelites are said to pollute the land of Israel with impurity “like” menstrual impurity when they live *on* it (בית ישראל יושבים על-אדמתם ויטמאו) (אזותה). This is perhaps similar to the idea that a menstruating woman renders whatever she sits upon impure, as in Lev 15:20 (וכל אשר-תשב עליו יטמא).<sup>683</sup> Stating that the Israelites’ “ways and deeds,” which are impure like נדה, polluted the land of Israel upon which they were “dwelling” concretizes the idea of land impurity as subject to a contact contagion that has been hinted in Ezek 22:3-4.

Like other passages in Ezekiel, this passage is most concerned with bloodshed and “idolatry” as a source of impurity that defiles the land and provokes the deity to exile his people. In this way, Ezek 36:17 is a clear case in which the sins of the Israelites are said to pollute the very land upon which they dwell. The offended party is the deity who gave them this homeland, and it is he who effects judgment, in the form of emptying the

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<sup>682</sup> The phrase in Ezek 36:19 is nearly identical with that found in Ezek 20:23. The latter uses infinitive construct forms while the passage here uses finite forms, and this passage lacks the 2<sup>nd</sup> direct object marker “אותם,” which is found in Ezek 20:23. The “nations and the lands (or ‘countries’)” (ארצות וגוים) is a pairing of terms particular to Ezekiel. It appears at numerous points in this book, and is generally employed to emphasize the difference between a particular country and those surrounding it. These two terms are found in Ezek 5:5, 6; 6:8; 11:16; 12:15; 20:23, 32, 41; 22:4, 15; 25:7, 36:19, 24. In Ezek 29:12; 30:26, and 32:9, this pairing appears in divine speech not to Israel, but to Egypt, about its own destruction. In Ezek 35:10, the phrase “the two nations and the two lands” is used with reference to Israel itself, when Edom is castigated for presuming to try and own the Northern and Southern Kingdoms (cf. Ezek 37:22, referring to the two nations [גוים] and the two kingdoms [ממלכות]), and Isa 8:14, referring to the “two houses of Israel”).

<sup>683</sup> This interpretation clearly takes advantage of the fact that the root ישב means both “dwell” and “sit,” but it does not stretch the evidence too far. The physical sense of the term “dwell” in Hebrew is articulated through its complementary meaning “sit;” both contexts involve the idea of being present *on* a space. The idiom used in both Ezek 36:17 and Lev 15:20 is “ישב על,” to sit/dwell *on*.

land of occupants and scattering the offending Israelites among other nations. The solution of exile is not perfect, however, because it results in additional shame for the deity. Ezek 36:20-23 states that Yhwh's name was profaned "among the nations" to which the Israelites were scattered, and that as a result, Yhwh will act to demonstrate his status and (re)sanctify his name.<sup>684</sup> Yhwh's reputation as a powerful deity is at stake. It is for this reason, it is stressed, not for the sake of the Israelites, that Yhwh will gather the people once more and bring them back to their land.<sup>685</sup> Once there, Yhwh will purify the people from all their "impurities" (טמאות) and all their "idols" (גלולים) with water, once again evoking ideas and images from the realm of "ritual" impurity, imported here to describe the resolution of the "moral" impurity that affected both people and land.<sup>686</sup> Vv. 24-28 stress that only *after* the people are "purified" from their "moral" impurity, and they are given a new spirit (רוח) which will ensure they observe Yhwh's statutes and ordinances, are they granted leave to remain "in the land which I gave to your ancestors" and enjoy the reciprocal relationship of people and national god with Yhwh. This section of text links Yhwh's status as Israel's god with Israel's possession of the land, and the idea that "moral" purity must be preserved in order for the Israelites to remain living in the land. Once again, the connection between "moral" impurity and the land is localized within the land of Israel itself. There is no suggestion that any of the "nations" or "lands" to which the Israelites are scattered is "defiled" by blood or "idols." As in other passages dealing with Israelite land impurity, the concern is for Israel as Yhwh's special land that

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<sup>684</sup> The idea of Yhwh's name being profaned is of particular concern in the Book of Ezekiel in passages dealing with the consequences of exile. On Yhwh's concern about his name being profaned abroad, see also Ezek 20:9, 14, 22; 22:16, 26; 39:7.

<sup>685</sup> Ezek 36:32 emphasizes once again that it is not for the Israelites' sake that Yhwh acts, and demands that the people "be ashamed and humiliated" because of their ways. The suggestion is that it is the Israelites, not the deity, who should feel shame because of their actions.

<sup>686</sup> Note that v. 33 again evokes the imagery of ritual cleansing, when the deity states that he will repopulate the cities "on the day when I purify (טהר) you of all your iniquities (עוונותיכם)."

cannot tolerate certain behaviors perpetrated upon it. If the land is defiled, the deity must take action against the perpetrators, even if it results in his own name being profaned among the nations. For the sake of his reputation, however, Yhwh will act to reinstate the Israelites in their land—with the proviso that they will no longer be *able* to defile the land “morally” again.

One final dynamic of this passage that deserves comment is how the productivity of the land is related to the situation of defilement, exile, and return. This passage bears witness to a motif seen elsewhere that famine or the land becoming barren are linked with divine punishment, and that a fruitful land is viewed as a manifestation of divine approval or blessing. Zimmerli observes that this passage is one which demonstrates how, in postexilic literature “inner obedience to the divine command and the external condition of the country are considered together.”<sup>687</sup> Connections between the growth of food or the lifting of a famine and a renewal of positive relations between Yhwh and his people are seen in passages such as Hos 2:23-25 and Hag 2:18-19. The broader implications of the interrelationship between land fertility and human action will be discussed below, but this passage is particularly compelling in this regard because it links “deliverance” from impurity with growth of produce and the cessation of famine and desert conditions.<sup>688</sup> V. 29 states, “I will deliver (יִשְׁע) you from all your uncleanness (or impurities, טִמְאוֹתֵיכֶם); I will summon the grain and make it abundant and lay no famine upon you.” The following verse continues this idea, as Yhwh promises to make the fruit of the trees and

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<sup>687</sup> Zimmerli, *Ezekiel* 2, 249.

<sup>688</sup> It may be observed that there are two conceptual ideas at work. One traces the status of the land as a food-producing body, in which a fruitful land is indicative of blessing, and lack of produce, indicative of divine displeasure. Another traces the status of the land as an occupied space, within which an abundance of people-filled cities indicates positive status, and exile, and the reduction of cities to ruins or deserted spaces is indicative of divine sanction.

the produce of the fields abundant, so that the Israelites will no longer feel the shame, or reproach, of a famine among the nations. This underscores the idea that, like exile, famine is conceived as a sign of divine sanction visible to surrounding nations, and thereby a source of shame for the Israelites. After a brief reiteration of Israel's fault in their suffering, and that Yhwh's restorative actions are not for the people's sake, v. 33 states that on the day Yhwh purifies Israel, the ruins of the cities will be rebuilt and inhabited, and vv. 34-36 continue this theme of the repopulation of the country and the land becoming like the "Garden of Eden." The multiplication of the population (v. 37), rebuilding and replanting (v. 36) are all depicted as visible demonstrations of divine beneficence, in contrast to famine and destruction, visible sources of shame. The parallel ideas of the fruitfulness of people and fruitfulness of the land, linked with divine approbation even in Gen 1:22, are here connected to the idea of purification from "moral" impurity. While purification of the land itself is not mentioned in this passage, only purification of people (cf. Ezek 37:23), the connection between the ideas of "moral" purity, the welfare of the land, and the situation of the inhabitants of the land of Israel, are depicted as interrelated in this text. To recapitulate, this passage draws on ideas from both the "moral" and "ritual" impurity traditions to articulate the effect of human sin upon the land. The land of Israel specifically is viewed to be defiled by violation of Yhwh's laws, especially concerning violence and "idolatry," and famine and exile result. These sanctions, however, not only shame the people, but result in the profanation of Yhwh's name abroad, and provoke Yhwh to repopulate the deserted cities of Israel and make the land itself fruitful once more, demonstrating Yhwh's power among the nations.

The message of the text hinges on the idea of the peculiarity of the land of Israel as a focal point for Yhwh's honor.

Another text that states that bloodshed and improper cultic activity defile the land is Ps 106:34-41, esp. vv. 38-39. This passage is central to Klawans's treatment of the "defiling force" of murder,<sup>689</sup> and it was observed above that vv. 38-39 hint at the synonymy of חנ"ף and טמ"א in cases of "moral" pollution, albeit with a change in subject from land to people. Ps 106:34-38 states a familiar message that the Israelites did not destroy the Canaanite nations that Yhwh had commanded them to obliterate, but instead mixed (עב"ר) with them and learned to do as they did. Specifically, they are said to have worshipped the Canaanites' icons (עצבים), and to have spilled innocent blood by sacrificing their children to demons (שדים), cast as parallel to the icons of Canaan. These actions have led the land to become polluted with blood. V. 39 switches the focus of the pollution from the land to the people, stating that they are polluted "by their acts" (במעשיהם, the same term used in v. 35 with reference to the Canaanites' actions that the Israelites learned, linking together the Israelites' polluting actions with their source, the Canaanites) and "debauched" (זנ"ה, used to refer to illicit sexual activity) by their deeds. These verses thus link pollution of the land and people with bloodshed, "idolatry," and sexual misconduct (speaking metaphorically of infidelity to the cult of Yhwh), the three apparent causes of "moral" pollution. The consequence of this "moral" defilement of both land and people is that the deity "became angry with his people, and he abhorred his inheritance (ויתעב את-נחלתו)" and gave "them" into the power of the nations (גוים), so that they would be ruled over by those who hated them (vv. 40-41). The term "נחלה" could refer to either the land of Israel or the Israelites, but in this passage, juxtaposing the

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<sup>689</sup> Klawans, *Impurity and Sin*, 28.

masculine plural suffix to the objects of v. 41<sup>690</sup> suggests that the object of Yhwh's abhorrence is the Israelites themselves. The consequence of land (and personal) defilement through sinful behavior, in this passage as in others, is exile from the land which Yhwh gave to the people. This passage is conceptually linked with Lev 18:24-30, because it traces the source of these sinful acts to the previous occupants of the land of Canaan. Ps 106 does not state that the Canaanites also defiled this land through their actions (unlike Lev 18:24-25, 28), but it is clear that these practices, ostensibly learned from the Canaanites, are conceived as having ramifications not only for the practitioners, but for the land itself, and necessitating national exile. In this respect, Ps 106:34-41 demonstrates affinity with Lev 18:1-5. The idea of the avoiding learning the "practices" or "actions" (מעשים) of specific foreign peoples is seen in both Ps 106:35 (the Canaanites), and Lev 18:3 (the Egyptians and the Canaanites are both mentioned) is instrumental in remaining in favor with Yhwh in both passages. Ps 106:38, unlike Lev 18:1-5 and more like Lev 18:24-30, however, adds the idea of "moral" land defilement and exile to the rhetoric of avoiding the practices of those who dwelt in Canaan before. It is important to stress that the concerns in this passage are solely about the actions of the Israelites, and the consequences of their misdeeds. This passage too, then, suggests that the idea of "moral" land was operative for the land of Israel; there is no indication that such an idea was in view for foreign lands.

Three passages in the Book of Jeremiah portray a situation of "moral" impurity polluting the land. The first is found in Jer 2, a chapter which indicts the Israelites for worshipping other gods and for making political alliances with Assyria and Egypt. In v. 7, Yhwh states that the Israelites defiled his land (ותטמאו את-ארצי) and made his

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<sup>690</sup> He gave "them" into the power of the nations, so that those who hated "them" would rule over "them."

inheritance an abomination (ונהלתי שמתם לתועבה). These phrases suggest a parallel between the נהלה of Yhwh and the *land* of Israel, and between the idea of defilement (טמ"א) and the act of making something abominable or abhorrent. Infidelity to Yhwh is portrayed in graphic sexual terms in vv. 20 and 33, in agricultural terms in v. 21, and in political terms in v. 11 *ad passim*. The rulers (the priests, those who handle the law, and the prophets) are specifically blamed for transgressing against Yhwh and worshipping Baal. Also particularly condemned are any protestations of innocence. V. 23 states, “How can you say, ‘I am not defiled; I have not gone after the Baals?’” and v. 22 argues that though the people may try to purify themselves with ablutions, in this case, the stain of their wrongful deeds remains. The interplay of the status of the land and the people is interesting in this chapter of Jeremiah. The contrast between the desert that Yhwh led the Israelites out of and the fruitful land of Israel is especially vivid in vv. 6-7. The land through which Yhwh brought the people is described as “a land of deserts and pits,” “a land of drought and shadow,” and “a land that no one passes through, where no one lives” (v. 6). Israel, in contrast, is “the plentiful land” (ארץ הכרמל), to which the Israelites are brought “to eat its fruit and its good things” (v. 7). The statement that the Israelites defiled this land, juxtaposed with this vivid description of the bounty, suggests that the defilement was antithetical to the very produce of Yhwh—v. 7 evokes the image of defilement like a poison that turns fruitful land into something abhorrent (perhaps barren?). V. 15 again utilizes the language of desolation, when it states that the land of Israel has been laid waste, and that its cities are in ruins “without inhabitant” (מבלי ישב). The fault of this situation is laid firmly on the Israelites, not on any conquering nation (v. 17). It must be emphasized that Jer 2 *does not* explicitly state that the defilement of the

land of Israel resulted in a situation of drought or famine; however, the description of Israel as a fruitful land of plenty, and the adversative situation of land “defilement” is suggestive of the idea that land defilement was itself related to a decline in land in an agricultural sense. Land turned into an abomination seems to suggest the opposite of the productive “garden land.” The land defilement in view in Jer 2:7 is certainly “moral,” in the sense that it is viewed to stem from the actions of the people who were brought into the land by Yhwh.<sup>691</sup> The concern of this passage is explicitly, and emphatically, with Israel as the נחלה of Yhwh, and the defilement of this land through sinful behavior is deemed reprehensible precisely because this “land of orchards” is the inheritance of Yhwh, which the Israelites defiled despite Yhwh’s great deeds on their behalf. In this way, Jer 2:7 is consistent with other passages relating to land impurity in the Hebrew Bible—it is restricted, even endemic to the land of Israel itself.

Jer 16:18 similarly views the land of Israel as polluted through human actions (using the root חל"ל rather than חנ"ף or טמ"א).<sup>692</sup> In this text, the impurity is said to be caused by the “corpses” (גבלה) of the Israelites’ detestable things (idols) (שקוציהם). Like other passages, the depiction of “moral” impurity in Jer 16:18 draws on elements from the “ritual” impurity tradition to help describe the type of impurity that results from sin. In this case, terms drawn from dietary laws and sacrificial laws complicate the view of “moral” impurity as wholly separate from “ritual,”<sup>693</sup> but this passage *does* certainly

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<sup>691</sup> Elements drawn from the spectrum of “ritual” impurity are visible as well, such as the Israelites’ (in this case mistaken) notion that washing might remove the stain of impurity.

<sup>692</sup> חל"ל occasionally seems to suggest pollution, rather than profanation, as in Lev 19:29. See above.

<sup>693</sup> The term “their detestable things” (שקוציהם) is reminiscent of dietary laws, as the root שק"ץ is seen extensively in Lev 11 (though it also appears in other texts dealing with “moral” impurity ascribed to “idols,” as mentioned above). The language of “carcasses/corpses” (גבלה) has a dual resonance with impurity. Corpses are an additional category of uncleanness, but dietary laws in Lev 11 mention the contact pollution caused by the carcasses of unclean animals (see, for example Lev 11:35), and also even the carcasses of clean animals (see Lev 11:39). By combining the terms in the phrase “גבלת שקוציהם,” the

demonstrate that human sin is viewed as polluting in specific circumstances. Like Jer 2:7, the crime in view is that of improper worship practices. As was the case in Lev 18 and Ezek 36, the punishment of exile is directly tied with the notion of land defilement. Jer 16:14-21 deals with Yhwh's restoration of Israel. The deity observes that the Israelites' deeds are not hidden, and he will "doubly" repay Israel for their sins, *because* they polluted the land. The Israelites and the nations are both given signs of Yhwh's divine power; the Israelites through their punishment, and the nations, through Yhwh's restoration of the Israelites to their land. Again, the land that is viewed as defiled through sin is that of Israel itself; exile is a natural consequence of sin that defiles the land of Israel, and this passage, like others examined above, shows that Yhwh uses both exile and return as tools to show divine power to the Israelites and the nations.

Jer 3:1-10 uses the metaphor of marriage to describe Israel's relationship with Yhwh, and, comparing this to human marriage and divorce, utilizes the concept of land pollution.<sup>694</sup> The connection between Jer 3:1-2 and Deut 24:4 has already been addressed. The idea of individual defilement being related to land defilement has been observed elsewhere, e.g., Ps 106:38-39 and Lev 18:24-25. Just as a divorced woman being taken back by her first husband is unconscionable according to this text, so too is the idea that Yhwh should allow the Israelites to commit adultery by following other gods and remain married to Yhwh. Vv. 6-11 explores this scenario, as it casts Israel and Judah

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idea of corpse impurity and dietary impurity are combined in a way not found in Lev 11, which in this case identifies "idols" as doubly impure—drawing on the "ritual" pollution tradition of dietary, corpse, and contact contagions to elucidate the nature of this "moral" pollution.

<sup>694</sup> In a similar vein, Hos 5:3 and 6:10 state that "Israel is defiled" (נטמא ישראל) through improper cultic activity, construed as sexual misconduct. In this case, it is difficult to determine whether "Israel" is characterized here as a *land* that is rendered impure through such sinful behavior, or if the metaphor of Israel as a promiscuous woman suggests that this pollution is like that of a human woman who commits adultery (cf. Num 5:13-14, which also uses טמא in the Niphal). Indeed, it is possible that the ambiguity is intentional, and that both interpretations may stand simultaneously.

as sisters: Israel was unfaithful to Yhwh (v. 6), and was therefore “divorced” (v. 8).

Judah witnessed this situation with Israel, but did not learn from the northern kingdom’s mistakes, and it too committed adultery “with stone and tree,” and thereby polluted the land. Ultimately, Israel is deemed less guilty than Judah (v. 11). The “divorce” that Judah witnessed was the destruction and exile of the northern kingdom at the hands of the Assyrians, linking the consequence of exile with the phenomenon of defilement of the land.

Two parallel phenomena are said to pollute the land in Jer 3:1-10. V. 1 states that a twice-married woman may not return to her first husband or it would “pollute the land.” The idea of land pollution is not in view in the similar case of Deut 24:4, which only calls the woman herself polluted, but it serves a specific purpose here, because vv. 2 and 9 state that Israel’s infidelity to Yhwh pollutes the land of Israel. Israel is cast as a wanton prostitute in v. 2, which states that she has “polluted the land with your whoring and evil (רעה and זנות).” The first two verses of this chapter link worship of other deities to illicit sexual activities by casting Israel as a profligate spouse and recalling a specific forbidden sexual union that underscores that wives who have had intercourse with other men should not be taken back. V. 9 makes it explicit that “idolatry” is in view when it accuses Judah of “adultery” with “stone and tree.”<sup>695</sup> There is a hint about what the defilement of the land connotes in v. 3, which states that because the land is polluted, the rains are withheld. Therefore, drought seems to be a consequence of land pollution in this passage. The land in view is once again the land of Israel, or (more specifically), the land of Judah, which did not learn from Israel’s mistakes and is therefore even more

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<sup>695</sup> This is an allusion to Jer 2:27. By linking sexual immorality with cultic infidelity, this passage is similar to Ps 106:39. Another recurrent motif appearing in this passage is shame: the Israelites *should* feel shame because of their actions, but they refuse to do so (v. 3).

negatively evaluated than her northern counterpart, which is given a message of mercy, and hope to return “to Zion” if they acknowledge their fault in vv. 12-14. This text is focused on Israel to the point that the other nations are not mentioned at all, and even exile abroad is only suggested, not stated explicitly.

There are other texts that, like Ezek 36:17-19, compare the sinful activities which defile land to the pollution of a menstruant. In Ezek 36, the ways which corrupt land and result in exile are “כַּטְמַאת הַנְּדָה.” In Lamentation 1:17, the pollution of the land itself is compared to menstrual impurity: deserted Jerusalem is like (or “became”) a menstruous woman (הִי־תֵהָ יִירוּשָׁלַם לְנִדָּה בִּינִיָּהּ). In this passage, the emphasis is on the city’s isolation and shame before her enemies. Similarly, Ezra 9:11 makes use of the menstruation metaphor. It has been observed that Ezra 9 exhibits influence by traditions of “moral” impurity,<sup>696</sup> with its resonances with Lev 18 and Ezek 36. This passage reflects a link between the notion of the “moral” impurity of foreigners and texts such as Deut. 7:1-3, which proscribe forms of intermarriage, but do not associate those prohibitions with the polluting actions of foreigners.<sup>697</sup> Ezra 9 also draws a connection to so-called “ritual” impurity in v. 11. The uncleanness of foreigners, which is certainly to be understood as the pollution caused by their abhorrent actions, is called “נִדָּה,” connecting this “moral” pollution with that of menstruation: “...The land that you are entering to possess is a land polluted (אֶרֶץ נִדָּה) with the pollution of the people of the lands (בְּנִדַת עַמֵּי הָאֲרָצוֹת), with their abominations (בְּתוֹעֵבָתֵיהֶם) which have filled it from end to end with their uncleanness (בְּכַטְמָתָם).” The vocabulary here brings together terminology from both traditions of impurity: the sinful actions are “abominations,” and the land itself is

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<sup>696</sup> See Büchler, *Studies in Sin*, 215; Klawans, *Impurity and Sin*, 44; Hayes, *Gentile Impurities*, 23, 236 n. 65.

<sup>697</sup> See Olyan, “Purity Ideology in Ezra-Nehemia,” 5.

“impure” (like a menstruous woman). The use of all three terms in Ezra 9:11, תועבה, נדה, and טמאה, shows that the vocabulary of “ritual” impurity was definitely accessible to talk about “morally” defiled lands. Interestingly, Ezra 9:11 speaks of the pollution of the land of Israel from an outside perspective. Just as Lev 18:24-25 suggests that the land was polluted by the Canaanites who lived there when the Israelites originally took possession of it, Ezra 9:11 suggests that this land is polluted “from end to end” by the Canaanites, as the returning Israelite exile population prepares to take possession of the land. As in H, this text admonishes Israel to avoid replicating the earlier inhabitants’ crimes. Casting the land of Israel as a foreign nation,<sup>698</sup> peopled by “Canaanites,” in a chapter dealing with issues of national identity and intermarriage in the wake of exile and return, presents an interesting corollary to texts such as Lev 18 and Deut 7. Ultimately, Ezra 9:11 demonstrates both the fluidity of terminology between “ritual” and “moral” impurity traditions, and further emphasizes that the land which is perceived as “defiled” by the actions of its inhabitants is the land of Israel itself. There is no mention in this passage that the land the Israelites are coming *from* was defiled by its inhabitants, even though Ezra himself was leading returnees from Babylon itself.

One final passage must be considered to provide a representative accounting of land pollution in the Hebrew Bible. Isa 24:5-6 is in several ways similar to the texts examined above, but it also breaks the established patterns in some respects. The theme of the Isaiah Apocalypse, of which these verses are a part, is world judgment, announcing Yhwh’s judgment to the nations.<sup>699</sup> Vv. 1-13 concern the judgment on the earth, with

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<sup>698</sup> Travel is directed *towards* Israel, beginning from Babylonia. In this case, Israel, as the destination of travel, rather than the locus of the original setting, is itself a foreign land.

<sup>699</sup> Hans Wildberger, *Isaiah 13-27: A Continental Commentary* (Trans. Thomas H. Trapp; Minneapolis, MN: Fortress Press, 1997), 452, 459.

vv. 3-6 describing the devastation of the earth and the reasons for it. V. 3 states that the earth (ארץ) shall be utterly laid waste and utterly despoiled. Isa 24:4 states “the earth (ארץ) dries up (or mourns) and withers, the world (תבל) languishes and withers; the heavens languish together with the earth (ארץ and מרום).” The use of the term תבל and the pairing of the heavens and the earth in this verse demonstrate that there is a more universal view utilized in this passage than was seen in the passages treated above. The following verse states, “The earth is polluted under its inhabitants (והארץ חנפה תחת) (ישביה);<sup>700</sup> for they have transgressed laws, violated the statutes, broken the everlasting covenant.” V. 6 further explains, “Therefore a curse devours the earth (ארץ), and its inhabitants suffer for their guilt; therefore the inhabitants of the earth dwindled, and few people are left.”

Certain aspects of this passage are very similar to other texts dealing with land defilement. The context of revealing the land defilement is one of divine punishment, involving not only razing the land but scattering the inhabitants. The land is viewed to be

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<sup>700</sup> I am translating the term תחת in this sentence as “under” in a physical sense, though the verse does not necessarily force this meaning. The basic meaning of the term תחת is “under, beneath,” and this is often used in a physical sense in the Hebrew Bible, utilized in such phrases as “under the heavens” (Gen 7:19; Deut 2:25; 4:19; Job 28:24; 37:3; 41:3 [Eng. v. 11]; Dan 9:12), “under the tree/shrub” (Gen 18:4; 21:15), “under my thigh” (Gen 24:2, indicating physical contact as well), “under the crash” (Job 30:14), “under the sun” (Ecc 1:3 *ad passim*). It is true that the term can connote subjugation, which suggests that Isa 24:5 may legitimately be read to mean that the earth is polluted “under the control of” its inhabitants or “under the sway of” its inhabitants. BDB notes that some uses of תחת to connote “subjugation” include Ps 18:40, 48 [Eng. 39, 47]; 45:6 [5]; 144:2; Job 9:13. It is used in this sense to suggest a woman under her husband’s authority in Num 5:19, 20, 29 by simply stating that the woman is “under” her husband. BDB suggests that the sense of Isa 24:5 is similar, as the earth is “burdened or oppressed under” (p. 1065), and it lists similar occurrences in Prov 30:21-23. This is also similar to the idea of being under authority or control with the noun יד in Gen 41:35, Judg 3:30; Ps 106:42; Isa 3:6, and to connote subjugation with the noun רגל in Ps 8:7 [6]; 18:39 [38]; 47:4 [3]; Lam 3:34. Interestingly, however, the term תחת is used with the prepositional meaning “under” (and touching) in “ritual” impurity contexts in such cases as Lev 15:10, which states that anything “under” a זכ is contaminated with contact impurity, and transmits impurity through contact to others. The terms תחת and תחת does not seem to be used specifically in cases dealing with menstrual impurity, though the case there is similar to a זכ, in which items upon which a menstruous woman sits are considered polluted. It is in consideration of the use of תחת in Lev 15:10, coupled with the lack of added nouns connoting subjugation or influence (i.e., יד or רגל) in Isa 24:5 that suggest to me that the prepositional sense of being *physically* under could be implied or deliberately incorporated in Isa 24:5, which states that the earth is contaminated by those who dwell/sit upon it (recall Lev 15:23, as well).

polluted “under” its inhabitants because of the crimes they committed against the deity while occupying it. There are features of this passage that mark it as distinct from any other biblical text dealing with land pollution. The first consideration is the list of offences that spark divine judgment on the land and its people. Violating statutes and laws are a frequent complaint of Israel’s deity against his disobedient people, and the breach of covenant is a significant detail. Indeed, the Hebrew Bible contains a wide and varied discourse about the nature of the covenant between Yhwh and Israel, and the specific issues of what happens to the relationship between the deity and his people if the covenant is breached, or what happens to the covenant if the people are exiled from the land of Israel due to their sins, is a pressing concern expressed in a significant number of biblical texts. These charges, however, are nonspecific when compared with other texts dealing with land defilement, which specify, as Klawans observed, particular offences which defile the land, including bloodshed or murder, “idolatry,” or proscribed sexual acts. None of these specific offences is listed in the Isaiah passage, but rather, a more general complaint against those who polluted the earth through breaking laws, statutes, and “the covenant.” Another peculiarity of this passage involves the fact that this text does not limit land pollution to the specific territory of Israel, but globalizes the issue. In this instance, when the “ארץ” is said to be defiled, the context makes it clear that the term refers not only to the specific ארץ of Israel, but to the whole world, confirmed by the use of the term תבל in parallel structure with ארץ in the proximate v. 4.

It might be suggested that Isa 24:5-6 shows that “moral” land pollution was *not*, in fact, a phenomenon depicted within the land of Israel, but rather could be attributed to foreign lands, or even the entire world. This contention, however, ought to be set aside.

Isa 24:5-6 is rather the exception which proves the rule that within the corpus of biblical texts, the pollution of land through human misconduct was viewed as an Israelite phenomenon that occurred within the land of Israel, as a matter of course. Wildberger has observed that within the Isaiah Apocalypse, “it is not hard to recognize that types of material which were first used to depict the judgment against Israel are now reused without any significant changes when the worldwide judgment is portrayed.”<sup>701</sup> That is, concepts that elsewhere in biblical literature are specific to Israel and Israelites are globalized in these chapters, and applied to the world as a whole. Wildberger, in his treatment of v. 5, observes that land being defiled beneath its inhabitants “is a common viewpoint throughout the OT,” and he refers to several of the verses examined above, including Jer 3:1,2,9, Ps 106:38, and Num 35:33.<sup>702</sup> He links Isa 24:5-6 with this tradition, and observes that in this case, as in others, the pollution of land is tied with a dissolution of the land as a source of sustenance. The curse in Isa 24:6, he states, signifies that the earth “is no longer a blessed land and no longer will be able to offer its inhabitants what they need for their daily existence.”<sup>703</sup> He further posits that the sinful behavior that defiled the land was viewed to disrupt “the order of the cosmos, which a human being must trust to continue to function well if life is to go smoothly.”<sup>704</sup> While a cosmological explanation (where human behavior and the curse it can release can set the entire universe off balance) is not necessarily in view in other texts dealing with “moral” land defilement, this type of idea being applied to older traditions about land defilement

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<sup>701</sup> Wildberger, *Isaiah 13-27*, 478. For example, Isa 24:4 and Jer 4:23-28 share enough features that there is debate about whether the Isaiah passage is dependent on the Jeremiah verses. Wildberger suggests that this passage in Isaiah could be an independent effort to develop “the old concepts that described judgment so that these images would apply to a worldwide judgment.”

<sup>702</sup> Ibid., 479.

<sup>703</sup> Ibid.

<sup>704</sup> Ibid.

can help account for the image of global catastrophe in view in Isa 24. What is significant here is that there is a difference between Isa 24:5-6 and the other passages which describe human activities as defiling the land upon which humans dwell. As Wildberger observes, Jer 3:1-9; Ps 106:38, and Num 35:33 (as well as all of the other passages of land impurity surveyed above) “describe Israel as having desecrated the land; once again, the author of the apocalypse has taken a common description and transferred it so that it applies to the ארץ, with reference to the whole ‘earth.’”<sup>705</sup> Similarly, the charges leveled to justify the destruction “are accusations that have been directed against Israel from time to time; here, however, they apply to all the inhabitants of the earth.”<sup>706</sup> The salient point is that the motifs observed regarding land pollution are generally directed at the Israelites and concerned only with the land of Israel. This text has generalized the divine complaint<sup>707</sup> and universalized both the responsibility and the judgment.

That “moral” land impurity is usually invoked in a particularly Israelite context is not a new observation. Büchler himself observes that there are few passages that refer to places outside the “land” or “soil of Palestine” that are said to be defiled “by idolatry or immorality.”<sup>708</sup> It is clear that there is a strong tradition that ties “moral” impurity to the contamination of lands—because foreign peoples worship foreign gods, the logical argument proceeds that foreign lands are subject to “*moral*” impurity, but it does not

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<sup>705</sup> Ibid.

<sup>706</sup> Ibid.

<sup>707</sup> Wildberger makes an interesting observation about how this passage’s charge of breaking an “everlasting covenant” draws from different biblical traditions. He observes that “It has normally been assumed that the author is thinking here about the covenant with Noah, in the Priestly writing, which is identified specifically as an ‘eternal covenant’ (Gen. 9:16; cf. also 9:12)” (p. 479). He does say that this passage formulates the covenant in a “surprising way” that is the result of “mixing of the concepts connected with the covenant with Noah, which is an eternal covenant, and that from Sinai, which could be broken, since the premise there is that a relationship exists between partners” (p. 480).

<sup>708</sup> See Büchler, *Studies in Sin and Atonement*, 216-218.

follow that this is the only tradition about the impurity of foreign lands in the Hebrew Bible. As has been adumbrated above, even in these texts, the break between “moral” and “ritual” impurity is not absolute. Tying the defilement of lands to substances such as blood and to objects such as “idols” (גלולים) suggests connections to the tradition of “ritual” impurity, even in texts that are certainly about sinful actions and the pollution they bring. One might go so far as to postulate that while “ritual” impurity can be divorced almost entirely from the notion of “immorality,” “moral” impurity does not have the same autonomous existence: notions of the ritual system repeatedly find their way into passages ostensibly about “moral” impurity.

Ultimately, two critical assumptions found in works such as *Impurity and Sin in Ancient Judaism* are open to question: First, the presumption that when land is defiled, the pollution is completely “moral,” and therefore unrelated to the concept of “ritual” impurity, must be questioned. Passages describing land defilement seem to draw on ideas and images from the realm of “ritual” impurity when describing the defiling force of sin. Second, the presumption that when *foreign* lands are called “defiled,” as in Amos 7:17 and Josh 22:19, this is the same phenomenon as when Israel is called “polluted” must also be challenged. The problem with this second presumption is that neither of these texts labeling foreign lands as “impure” explicitly states that the impurity has anything to do with sin, much less that “other countries which serve idols and are, on account of that, impure, because they are owned and ruled by idolaters.”<sup>709</sup> On the contrary, every passage, with the exception of Isa 24:5, which explicitly labels a land as

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<sup>709</sup> Büchler, *Studies in Sin and Atonement*, 217. See also Hayes, *Gentile Impurities*, 43, where she states, “The impurity that accrues to land—all land—is without exception moral impurity that derives from the impurity of idols, idolatrous worship and immoral and defiling acts understood by the Bible to be attendant upon idolatrous worship.”

polluted because of sinful behavior (such as murder, “idolatry,” or sexual deviance) locates this pollution specifically within the land of Israel. Usually, it is the land of Israel’s perceived status as the dwelling place of Yhwh that is seen to make it vulnerable to this “moral” pollution, caused as it is by actions contrary to Yhwh’s edicts. While the case of Isa 24:5 expands the realm of “moral” land pollution beyond the borders of Israel to encompass the entire “earth” (using the term ארץ, not תבל, in the passage referring to the pollution itself), this does not negate the fact that this “moral” land impurity is perceived as a phenomenon native to the land of Israel, because Isa 24:1-16 has been demonstrated to take concepts that are traditionally Israelite and apply them to an image of worldwide destruction. Isa 24:5, therefore, does not disprove that this is an Israelite peculiarity in the biblical texts, but only offers additional evidence that it *was* perceived as an Israelite concern which would be purposefully universalized, against the trend of tradition, in this eschatological passage. Because the idea of land pollution is more complex than a simply bifurcated system, where *all* cases of land defilement exist purely (and solely) within the realm of “moral” impurity,<sup>710</sup> and because those instances which call foreign lands impure *do not* explicitly state that their impurity results from the actions of the inhabitants of those lands,<sup>711</sup> one must be careful not to presume that foreign land impurity is identical with the type of impurity seen to effect the land of Israel in passages such as Lev 18:24-30.

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<sup>710</sup> There are elements of contact contagion involved in several passages, and the relationship of “ritual” impurity images such as menstruation to passages dealing with land defilement have been discussed.

<sup>711</sup> This is unlike those passages which label the land of Israel as defiled, because these texts are explicit about the causes of the impurity, itemizing the sins that have defiled the land of Israel.

### 3.3 The Relationship between Humans, the Land, and the Deity—Reflecting on the Broader Context of “Moral” Land Impurity

The idea of sin defiling the land of Israel exists within a much broader complex of traditions about how the people and the land interacted. The effect that human sinful behavior has on Israelite land is complicated by the fact that different texts describe the effects of human behavior on land in different ways. One central issue in multiple passages is that the land of Israel belongs to the god Yhwh. It is referred to as Yhwh’s inalienable possession (נַחֲלָה) in 1 Sam 26:19; 2 Sam 14:6; Jer 2:7; 16:18; 50:11; Ps 68:10[9]; 79:1, as “the land of Yhwh” (אֲדֹמַת יְהוָה) in Isa 14:2, “my land” in 2 Chr 7:20, and the “holding of Yhwh” (אֶחֱזַת יְהוָה) in Josh 22:19 (referring to the land west of the Jordan River, though Ps 60:9[7] and 108:9[8] record Yhwh claiming possession of Gilead, east of the Jordan, as well). Lev 25:23 states that the Israelites are forbidden to sell the land (אֶרֶץ), because it belongs to Yhwh, and the Israelites are merely (foreign) residents or tenants (גֵּרִים וְתוֹשְׁבִים).<sup>712</sup> When the Israelites are cast as mere “tenants” in a land of which Yhwh is the true “lord,” any maltreatment of that space may be depicted as grounds for the expulsion from that land, or exile. Another assumption which is often depicted, which is likewise related to the land and Israel’s ability to flourish there, is that the productivity of the land is tied to the approbation of Yhwh: If one offends the deity, the land may be affected in such a way that the inhabitants lose access to food and/or water. The land itself may be cursed so as to penalize those who depend on it to live.

The issue under consideration is what it *means* when the land is said to be “defiled” through human action. Some passages I have considered in this chapter hint

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<sup>712</sup> The use of these terms emphasize Israel’s mere residency, not ownership of the land. The term גֵּר is usually reserved for resident aliens, and the term תוֹשֵׁב is often used likewise (Gen 23:4; Num 35:15). On the different ways in which Israelite relationship with the land is cast in biblical texts, see also Davies, *The Territorial Dimension of Judaism*, 1-52.

that land defilement results in exile, or with a curse that devours the produce of the land, while others are opaque regarding what “defilement” signifies in a practical sense. Those passages that link land pollution with exile or a curse demonstrate that the concept of the earth being “defiled” by the actions of the Israelites dwelling upon it exists within a much larger ideational milieu. Numerous passages connect the land to divine reward and punishment without reference to the language of purity. Land “defilement” is thus merely one possible expression of how humans, the land, and the deity interact and affect each other. Describing some of the broader concepts of how these interactions are treated in the Hebrew Bible may help explain how the phenomenon of land pollution was conceived to function in specific biblical texts. Providing a brief overview of how exile and the idea of a curse that affected the land function both in texts relating to and removed from the concept of land impurity will demonstrate that land defilement was one possible (and perhaps a very specific) articulation of divine sanction realized “on the ground.”

The ability of the Israelites to live and work the land of Israel is perceived as a gift from the deity in numerous texts. The covenant that the Israelites have with Yhwh is bolstered by the threat of curses which accompanies the covenant formula in Lev 26 and Deut 28. Exile is one of the curses listed among the covenant curses in Lev 26:33, and in Deut 28:36, 41, and 64. In order to remain in the land, one must be a “good tenant”—even in passages that do not invoke purity language, the crimes of “idolatry,” violation of food laws, forbidden sexual acts, and bloodshed are viewed as reasons for expulsion from the land of Israel, as is the case in Ezek 33:25-26. Exile because of sinful behavior is sometimes used to explain the dispossession of the Canaanites in favor of the Israelites

(e.g., Deut 9:5; 18:9-12). Given these details, and recalling the role of exile as a result of land impurity discussed above, it is apparent that defilement of land fits into a larger framework of how exile as a form of divine punishment can operate. The crimes of “idolatry,” sexual misconduct, and murder, perceived as reasons for exile in Ezek 33, are the principal causes of land pollution. That such pollution is given as a reason for both the Israelites’ and the Canaanites’ expulsion from the land is conceptually related to other texts utilizing exile as a warning or a judgment. The application of the language of impurity may perhaps have had a dual effect. On the one hand, utilizing purity ideology could have been a way of bolstering the argument that sinful behavior merited exile, on analogy with the idea that certain (“ritually”) impure people are to be excluded from the camp of the Israelites.<sup>713</sup> On the other hand, the application of purity ideology could have added rhetorical force to the condemnation of such activities, or a degree of disgust, especially in priestly circles, where texts about land pollution are most commonly found.<sup>714</sup> One idea that is perhaps facilitated by the attribution of impurity to the land of Israel is that the land itself may play a role in expelling a rebellious population, as seen in Lev 18:24-30 and 20:22-23. The image of a land so appalled by its own defilement that it “vomits” the offending parties out of its borders is a vivid one. These suggestions about the reasons that purity language may have been utilized on occasion in texts discussing divine punishment (alongside other passages dealing with the same punitive measures but devoid of purity ideology) are purely speculative. What is important to note is that the

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<sup>713</sup> See Lev 14:3; 13:46; Num 5:1-4; Deut 23:10-12. Num 12:14 is also particularly relevant in this context, because it conceives of being shut out of the camp for a period of time as a punitive measure for one who bears “shame” because she has committed an offence against her father.

<sup>714</sup> H and Ezekiel, for example. I use the term “priestly” here rather than “Priestly,” which refers to a P-only context, rather than P, H, and other potential priestly literary endeavors.

idea of “land defilement” does not exist in a vacuum, but is rather one formulation of the issue of how sinful behavior may result in national punishment in biblical texts.

Another strain of tradition commonly used in discussions about the curses that Israelites are subject to, should they violate Yhwh’s laws, relates to the land directly as the source of food and water, which its occupants depend upon for survival. This tradition finds expression both within the discussion of land “impurity” and also independent of it, similar to the utilization of Israel as a bounded territory (in which the Israelites are allowed to stay so long as they obey Yhwh and from which they are expelled if they disobey), which also found expression both using purity language and sometimes lacking it. Many of the blessings and curses in texts such as Deut 28 and Lev 26 reflect the idea that if the occupants of a land are favored, then they will have ease in the procurement of sustenance, while disobedience brings a curse, or a plague, or some other destructive force that reduces the arable land to a barren wasteland and deprives inhabitants of food.

The idea that the relationship between the people and the land is guided by divine approbation occurs in a biblical text placed near the beginning of the Pentateuch. Gen 3:17-19 states that “the ground is cursed (אֲרֻרָה הָאֲדָמָה)” because of Adam’s misdeed, meaning that he will have to toil in order to eat from it for all the days of his life, in contrast to the ease with which food was procured in Eden<sup>715</sup> Moreover, the ground will make it especially difficult by bearing nonedible plants, such as thorns and thistles (v. 18). V. 19 stresses the symbiotic relationship between Adam and the earth from which he was formed, as well as the difficult relationship between them after his sin, when it states, “By the sweat of your face you will eat bread until you return to the ground (אֲדָמָה),

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<sup>715</sup> One may compare the state of being expelled from Eden to national exile, but only in general terms.

for out of it you were taken; you are dust, and to dust you will return.” This passage demonstrates that the concept of cursing the land and raising the specter of hunger was conceived as a key indicator of divine displeasure, placed in the primeval history and thereby applied to humanity as a whole.

Other passages draw on the image of a “curse” affecting the land and thereby harming the Israelites as a punitive act of Yhwh.<sup>716</sup> Ottosson is correct that “the Deuteronomistic view in particular is that the transformation of the earth is a consequence of the curse that comes on the land because of disobedience,”<sup>717</sup> though this view is not confined to Deuteronomistic literature. Deut 8:6-20 intersperses admonitions to follow Yhwh’s commands and keep the covenant with him with descriptions of the reward for doing so—vv. 7-10 provides a particularly expressive account of the bountiful land that Yhwh is giving to Israel, and the fact that (should they keep Yhwh’s ways) Israelites will eat to satiation and never experience scarcity of food and drink. Deut 11:13-21, incorporated into later Jewish tradition as the second paragraph of the Shema, clearly articulates that if the Israelites follow the commands of Yhwh, rain will come regularly, and the crops will flourish, but if the Israelites worship other gods, Yhwh, in his anger, will stop the rain so that the land will yield no produce, and the people will “perish quickly from the good land” which Yhwh is giving to them. Deut 28:23-24 contains a similar warning: One of the curses of the covenant is that Yhwh will turn the sky to bronze, the earth to iron, and the rain to dust until the people are destroyed (contrast Deut 28:12). The curses listed in Deut 28 are, to a great extent, focused on the idea of extreme famine and hardship. When Yhwh withholds the “blessings” of the land,

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<sup>716</sup> See Wildberger, *Isaiah 13-37*, 481 for a brief discussion about how the “curse” tradition relates to land pollution.

<sup>717</sup> Ottosson, *TDOT* 1:398.

the people descend into desperation, disease, and cannibalism. Lev 26:19-20 is similar to Deut 28:23-24, stating that Yhwh will make the sky like iron, and the earth like bronze so that neither the trees nor the land will yield fruit, and vv. 32-33 link the desolation of the land with exile. Even more so, Deut 28:33 states that “people you do not know will eat all the produce of your land (אדמה) and your labor,” which would add insult to an already injurious situation of hunger; Deut 28 is concerned also with the fact that Israel’s destruction is witnessed by other nations.<sup>718</sup> Jer 23:10 states, “For the land is full of adulterers; because of the curse (אלה) the land (ארץ) mourns and the pastures of the wilderness are dried up.” This links the idea of adultery (נא"ף) (which is one of the causes of “moral” land impurity in Jer 3:9) with a curse that ends productivity for the land.<sup>719</sup> Zech 5:3 states that a scroll in the prophet’s vision is “the curse (אלה) that goes out over the face of the whole land (ארץ);” those who steal or swear falsely will be “cut off,” according to this scroll. In this case, the curse that blankets the land does not affect the produce but the people (cf. Jer 11:3; Dan 9:11). 2 Chron 34:24 links punishment of people and place as Yhwh states, “I will indeed bring evil (רעה) upon this place (מקום) and upon its inhabitants, all the curses (אלוה) that are written in the book that was read before the king of Judah.” The curses listed in Deut 28, potentially referenced in this verse, concern depravation of agriculture as well as disease and death. Both the people and the land suffer as a result of Israel’s sins.

There are certain texts that suggest that land defilement was conceptually linked with this idea of the land being cursed by Yhwh in retribution for the Israelites’ sins. Jer 3:2-3 does not use the term “curse,” but v. 3 does state that because the land is defiled,

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<sup>718</sup> The fact that Yhwh’s power is visible to the other nations, and that Israel’s defilement and/or punishment is a source of shame, was discussed in Section 3.2.

<sup>719</sup> Compare Jer 3:3.

the rains have been withheld.<sup>720</sup> Isa 24:5-6 provides a clearer combination of the ideas of curse and defilement. Because the land is defiled by human sin, “a curse devours the earth, and its inhabitants suffer for their guilt” until the population dwindles. Wildberger observes that “human beings can do nothing more on the earth after it has been desecrated because of their transgression, can do nothing but ‘endure the consequences,’”<sup>721</sup> and the passages about the devastation of lands under the curse of Yhwh support this.

I observed above that Isa 24, unlike other passages dealing with land pollution, does not describe this phenomenon as occurring only within Israel. This fact is significant, because the concept of a curse devouring a land populated by wicked people is likewise not limited to the land of Israel, but is applied more broadly in biblical texts. Ps 107:33-34 shows a kind of non-specific location similar to Isa 24:5-6. Jer 51:43, Mal 1:3, and Ezek 35:4, 7, and 9, however, are examples demonstrating that specific foreign places, such as Babylon and Edom, can also be turned into a desolate wilderness on the orders of Yhwh, for perceived evils committed by the inhabitants of those places. The destruction of Sodom and Gomorrah in Gen 19 may be compared with this as well. Neither the language of cursing the land nor of land impurity is in view in this pericope, but it is apparent that this is part of the same conceptual framework that views the destruction of a *place* as related to the conduct of the people who live there.

Another text to be considered in this context is Gen 6:11-12. In this passage, the Priestly writer of the flood story notes that the land was “corrupt” (שח"ת) and full of

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<sup>720</sup> Other references that are similar in Jeremiah, but lack explicit purity language, include Jer 6:8; 12:4, and 11, all of which threaten or promise the desolation of the land due to human misconduct (compare Ezek 12:19, which states that because of their violence, the inhabitants of Jerusalem will eat and drink with trepidation, because the land will be stripped of its “fullness”).

<sup>721</sup> Wildberger, *Isaiah 13-27*, 481.

violence, and this is given as the reason for the flood. Hayes comments, “Though these early stories do not employ the technical terms ‘pure’ and ‘impure’—familiar Priestly terminology (*ḥamaś/ shiḥet*) evokes the purity/defilement model.”<sup>722</sup> Hayes’s observation that this text is in many ways similar to passages dealing with land pollution is accurate, but it should be stressed that pollution itself is not found in this text. One possible reason for why this passage does *not* include the characteristic Priestly terms relating to defilement, but rather merely alludes to this “model” (to use Hayes’s term), might be that this story is set before the occupation of the land of Israel by the Israelites. Gen 6 deals with global issues of sin and retribution, not merely the specific case of Israel. I have argued that Priestly passages that explicitly label any land as “impure” because of the crimes of those who live there are oriented to the land of Israel, specifically. This passage, similar to texts such as Lev 18:24-30 and Num 35:33-34, in some ways is different because it is not dealing with the “pollution” of Yhwh’s specially chosen land, but with the “corruption” of the entire world through sinful activity.

### 3.4 Summary

To recapitulate, the concept of land defilement must be viewed as one small part of a much larger conceptual system. There are numerous texts that attribute the destruction of land and the exile of a land’s occupants to sinful behavior. Some of these texts refer to the land of Israel and its occupants, and some refer to foreign lands, or even the entire world. The idea of land defilement because of sin is related to this larger phenomenon, but stands distinct in certain ways. To elaborate: Some texts dealing with land impurity credit this impurity with a resulting national exile, and some link land

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<sup>722</sup> Hayes, *Gentile Impurities and Jewish Identities*, 43.

impurity with the idea of a divine “curse” that destroys the produce of a land and causes the starvation of the people who live there. Not all texts dealing with land impurity reviewed above connect land defilement with the idea of a curse, or famine, or even exile. Those texts that *do* make such connections provide hints about what land impurity was conceived to mean in a concrete sense, but this does not mean that this (concretized) conception of a defiled land was in view in every case. Some cases of defiled space, such as texts dealing with the defilement of the temple, seem to have a less practical, and more rhetorical implication. That is, the defilement itself is not described as a visible sign through the reality of exile or the dearth of crops, but is applied with rhetorical force to condemn the proscribed behaviors, and encourage the removal of objects that are viewed as defiling through their presence within the sanctuary.

Another feature which separates texts labeling lands as “impure” from the broader discourse about how sin affects land is that of location. While any land could be cursed or destroyed if Yhwh was angry with its inhabitants, it seems that the language of explicitly “moral” land impurity was utilized only in texts about the land of Israel itself. It is possible that the language of impurity was used to describe the land of Israel specifically because of its status as the inheritance of Yhwh, to whom impurity was antithetical. The Holiness Code in particular is invested in the status of the Israelites as Yhwh’s people, who need to emulate his holiness. It is in texts influenced by priestly circles that references to land impurity are most often found, and this could be because Priestly authors are more likely to appeal to concepts of purity, and because priestly circles had a special interest in protecting Yhwh’s geographic sphere from impurity. Conceiving of sin as causing impurity, not only in people, but in the land also helps make

the connection between sin and exile in a different way—not only are Israelites exiled from their land because Yhwh is angry with them, but they *must* be removed from Israel, because they are a polluting influence. In this case, the land itself may vomit them out to protect itself and Yhwh. It is not necessary to make an argument about the order in which these ideas developed. There are several different conceptions about how humans, land, and deity interacted that have been discussed here. One idea is that the national god of Israel reserves the right to scatter his people if they violate his laws. Another is that the deity may make the land uninhabitable, and punish the people for their crimes in this way. Still another idea is that the land may be considered “polluted” by the actions of its inhabitants, which may or may not then result in exile or in the destruction of the land and the deprivation of its produce. These ideas may have developed concomitantly, or the idea of land impurity may have been a secondary development. The most important consideration here is that there were a variety of ways in which divine sanction could be acted out using the vehicle of the land. The case of land impurity itself seems to originate in priestly circles, and it seems to have been understood as an exclusively Israelite phenomenon, dependent on the land of Israel’s status as Yhwh’s dwelling place. No text that explicitly calls a foreign land “impure” explicitly links this impurity to any sinful behavior on the part of the foreigners who live there. Domestic “moral” land impurity is a recurrent motif in the Hebrew Bible, but it should not be presumed that foreign land impurity was understood in the same way.

## CHAPTER 4: Multiple Perspectives about Foreign Lands

Up to this point, I have attempted to evaluate the relationship between the categories of “moral” and “ritual” impurity, examined through the focal point of land impurity. I have surveyed texts that suggest through their rhetoric that “moral” impurity is involved and affecting the land, and have illustrated that this discourse existed within a broader spectrum of divine reward and punishment. I now turn to addressing the several different ways in which *foreign* land is actually discussed in the Hebrew Bible.<sup>723</sup>

There is a great diversity of sentiment reflected in texts with regard to foreign places. Some biblical texts exhibit neither a particular preference for nor a negative judgment on foreign lands, even when Israelites are depicted as living in them, while other texts extol the virtues of specific places located outside the land of Israel, and still others apply curse formulae to specific foreign lands. Some texts suggest that foreign lands can be pure, or even holy, while others call foreign lands “impure,” and still others suggest that exile causes defilement for Israelites in foreign lands. Some biblical texts suggest that foreign lands are outside of Yhwh’s purview, and that leaving the land of Israel requires one to worship other gods, while other texts suggest that Yhwh can be worshipped abroad (either by Israelites or non-Israelites), and still others emphasize the

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<sup>723</sup> For the purposes of this study, I have chosen to use a rather broad definition of “foreign land” as relating to territory outside of Israel’s control. This is consistent with Merriam-Webster’s definition: “1: situated outside a place or country; *esp.*: situated outside one’s own country.” See *Merriam-Webster’s Collegiate Dictionary* (10<sup>th</sup> ed.: Springfield, MA: Merriam-Webster, 1993), 455. I distinguish between two types of land in biblical sources: domestic land (defined as the land of Israel/Canaan *or* Israelite-controlled territory such as the so-called “wilderness camp” which is the literary domestic territory of the Israelites before taking possession of Canaan), and foreign land (defined as space outside the Israelite-controlled sphere). This distinction allows me to examine texts relating to “foreign land” as the abstract idea of “outside Israelite borders” as well as the more politically limited sense of “foreign land” as territory under foreign rule; that is, foreign national lands. I contend that the spatial issues of purity can be better articulated and understood within the context of a perception of territories as Israelite vs. non-Israelite, as opposed to addressing “foreign lands” as limited to those specifically articulated to be under foreign rule. I argue that issues of homeland, exile, and purity related to land in complex and ideologically-laden ways, which also suits my broader definition of “foreign land.”

national god's effective power in foreign places. The correspondence between foreign people and foreign places with regard to impurity is also complicated. The relationship between foreign people as potentially impure and foreign land impurity is not as clear as is often presumed; while the impurity of foreign people may potentially be related to the impurity of foreign lands, they are not synonymous. Sometimes foreign persons are categorized as impure while living within the land of Israel, which is not deemed impure, while on other occasions foreign lands are referred to as impure without any reference to their "foreign" occupants.

In this chapter, I turn my attention from the issue of "moral" land impurity (which I have argued only affects the land of Israel in biblical texts) to foreign lands, cataloguing the various ways in which foreign places are treated in the Hebrew Bible. I argue that there is no text which involves a clear case of "moral" pollution taking place on foreign soil, even though some texts do use the language of impurity when discussing foreign lands. I focus on the issue of the variety of ways biblical authors spoke of foreign lands, and the ways this discourse may have related to purity ideologies, and I discuss the complicated issue of how biblical texts treat foreign *people* only insofar as they relate to biblical views on land and land purity.<sup>724</sup> Through this examination, I raise questions

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<sup>724</sup> The varied ways that biblical texts treat foreign people is beyond the scope of this study. Some works that deal with the issue of foreigners themselves include Hayes, *Gentile Impurities and Jewish Identities*, Olyan, *Rites and Rank*, 63-102, Idem, "Stigmatizing Associations: The Alien, Things Alien, and Practices Associated with Aliens in Biblical Classification Schemas," in *The Foreigner and the Law: Perspectives from the Hebrew Bible and the Ancient Near East*. (ed. R. Achenbach, R. Albertz, and J. Wohrle; BZABR 16; Wiesbaden: Harrassowitz Verlag, 2011), 17-28, and Brian Rainey, "People, Who Are Not People: Religion and Xenophobia in the Bible and Mesopotamia" (Ph.D. diss., The Brown Graduate School, 2013). It is sufficient here to observe that different biblical texts treat foreign persons or persons of foreign descent in different ways, just as there is no uniform depiction of foreign lands across various biblical texts. Gender plays a role in some texts about how foreigners may be accepted into the Israelite community, and these concerns are seen especially in texts dealing with intermarriage; see Christian Frevel, ed., *Mixed Marriages: Intermarriage and Group Identity in the Second Temple Period* (New York: T&T Clark, 2011). Purity concerns are raised in Ezra-Nehemiah, which use both "moral" and "ritual" impurity ideas for polemical purposes; see Olyan "Purity Ideology in Ezra-Nehemiah as a Tool to Reconstitute the

about the reasons that foreign lands are described in the manner in which they are in different texts, and attempt to situate the rare references to foreign land as “impure” within what seems to have been a multi-faceted discourse on the implications of living outside the land of Israel.

#### **4.1 Texts that Suggest Lands outside Israelite Territory Can Be Pure or Even Holy**

Much has been made of biblical texts that refer to foreign places as impure, because it is upon these verses that an argument either in favor or against the idea of an *intrinsic* impurity of foreign lands rests, (and this argument is in the background of Alon’s, Klawans’s, and Hayes’s treatments). It must be emphasized, however, that not all biblical texts that use the language of purity to describe foreign lands portray them as “impure,” intrinsically or otherwise. On the contrary, some biblical texts refer to specific foreign places as pure, or even holy. Both of these attributions are antithetical to the idea of foreign land being “impure.” While holy/profane and pure/impure are distinct binary concepts, it should be recalled that purity status grants or restricts access to what is holy.<sup>725</sup>

Six verses (Lev 4:12; 6:4 [Eng. v. 11]; 14:40, 41, 45; Num 19:9) explicitly refer to specific places outside the mobile Israelite territory in Leviticus and Numbers as either “pure” or “impure.” There are several references to the disposal of cultic refuse in a

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Community.” The case of one particular foreigner, Naaman from Aram in 2 Kgs 5, involves issues of both the impurity of foreign people and the implications of worshipping Yhwh on foreign soil, and will be addressed below.

<sup>725</sup> See Olyan, *Rites and Rank*, 17, 38-62. The two binary pairs, pure/impure and holy/profane are discussed above in Chapter 3, note 25. Note that while Milgrom may go too far to suggest that the true antonym of “holy” is “impure,” rather than “profane” (see his discussion in *Leviticus 1-16*, 616, 731-732), he is correct to note that these two binaries are related to each other, and that “impure” cannot coincide with “holy.”

“pure” place outside the camp, but only one passage (Lev 14) similarly refers to an “impure” place outside the camp where materials with צרעת impurity are to be deposited.

The unused remains of the חטאת offering (the skin, meat, head, legs, entrails, and excrement) are taken outside the camp to the ash dump (שפך הדשן) and burned.<sup>726</sup> Lev 1:16 and 6:3 [Eng. v. 10] state that ashes from burnt offerings are deposited beside the altar (1:16 specifies that the “place of the ashes” (מקום הדשן) is on the east side of the altar), and Lev 6:4 [Eng. v. 11] relates how these ashes are then taken from beside the altar and removed from the camp to a “pure place” (מקום טהור). Lev 4:12 states that the remaining part of the bull<sup>727</sup> “will be taken outside of the camp (אל-מחוץ למחנה), to a pure place (אל-מקום טהור), to the ash dump,” where it will be burned. The “ash dump” in Lev 4:12 presumably refers to the “pure place” outside the camp where the ashes from the altar are said to be deposited in Lev 6:4.<sup>728</sup> Additionally, the ashes of the red cow sacrifice<sup>729</sup> in Num 19:9 are said to be deposited outside the camp in a “pure place,” kept

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<sup>726</sup> Lev 4:11-12. Note that Lev 6:23 refers to the burning process. Exod 29:14; Lev 4:21; 6:23; 8:17; 9:11; 16:27 refer to burning the remains outside the camp. Lev 4:11-12 provides the detail that this place is the ash dump, and that it is pure. See also 1 Kgs 13:3, 5, in which, as a divine sign of the prophet from Judah’s veracity, the altar in Bethel is torn down and the ashes on it are spilled. This presents a different scenario than the Leviticus passages, which all state that the ashes were not left on the altar, but deposited outside the camp, but it also underscores that the ashes themselves are significant, and improper disposal of the ashes (i.e., their being spilt off the upended altar) is problematic. Interestingly, this מזבח seems to be the one upon which (presumably) animal sacrifices were made in 1 Kgs 12:32, but the reason that Jeroboam was at the altar when the prophet from Judah arrived was to offer incense (1 Kgs 12:33; 13:1).

<sup>727</sup> Following Milgrom, “all the bull” (כל-הבקר) refers to “all that remains” after the sacrificial process (*Leviticus 1-16*, 238). See also Lev 4:7; Judg 16:17; 1 Sam 8:5, which use the term כל with the implication of “all (the rest).” Given the list of body parts in Lev 4:11, the fact that this is what is left behind after the sacrificial process is complete is clear.

<sup>728</sup> See Milgrom, *Leviticus 1-16*, 240; Wright, *The Disposal of Impurity*, 134. See also Jer 31:40; Ezek 43:21.

<sup>729</sup> This rite is treated by Milgrom and Wright as a type of חטאת offering, though an anomalous one. See Wright, *The Disposal of Impurity*, 131; Milgrom “The Paradox of the Red Cow (Num. XIX)” *VT* 31:1 (1981): 62-72. Despite the red cow sacrifice being different in many ways, Num 19:9; Lev 4:12 and Lev 6:4 are similar with respect to the disposal of ashes outside the camp, and the fact that the sacrificial process or remains seem to convey impurity.

for later use as part of the *מי נדה*, for purification of corpse impurity.<sup>730</sup> The idea unifying these passages is that there was a location outside the camp, described in some texts as a “pure place,” where the ashes from burnt offerings were deposited, or where the unused remains of sacrificial offerings were burnt.<sup>731</sup>

There is only one pericope in the Pentateuch which refers to an “impure place” outside the Israelite settlement. Lev 14 details the procedures for dealing with *צרעת* impurity, with vv. 40, 41, and 45 describing the manner in which all or part of a house contaminated by *צרעת* is deposited outside the camp in an impure place “אל-מקום טמא.” Like the three references to “pure” areas outside the camp, these three verses use the term *מקום* to refer to a “place” outside the camp, but employ the term “טמא,” the cultic antonym of “טהור” (found in Lev 4:12; 6:4 and Num 19:9). The place referenced in Lev 14, however, cannot be facilely termed the simple opposite of the disposal site of sacrificial ashes—the apparent differences between this passage and those examined above must be analyzed before they can be compared and contrasted. First, the “pure” place or places outside the camp seem to refer to specific locations (e.g., in Lev 4:12 “the ash dump” seems to be a *specific* pure place outside the camp), while the Lev 14 references give no indication of whether or not there was a specific dumping ground for house materials contaminated by *צרעת*.<sup>732</sup> Additionally, this passage referring to an “impure” place uses a different term to refer to the place of Israelite settlement than the verses referring to a “pure” place discussed above. Lev 14:40, 41, and 45 stipulate that

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<sup>730</sup> While the term for the ashes in this verse (*אפר*) is a masculine singular noun, and the verb *היתה*, stating that “it” will be (kept) is a feminine singular *gal*, most translations suggest that this verb refers back to the ashes, which are placed outside the camp. This does seem to be the sense of the verse. See Milgrom, “The Paradox of the Red Cow,” 67.

<sup>731</sup> That this was one location is suggested by Lev 4:12, stating that the remains are burned in the “ash dump,” presumably where the ashes are spilled following their collection from the altar.

<sup>732</sup> Milgrom, *Leviticus 1-16*, 872.

the impurities be deposited outside the עיר (city), rather than outside the מחנה (camp), the term used in Lev 4:12; 6:4; Num 19:9. The reference to putting impurity “outside the city” is unusual in Leviticus, which usually refers to a mobile wilderness camp, rather than settled cities, in its purity regulations. This chapter does use the term מחנה in vv. 3 and 8. The reason for the change in terminology is apparently one of literary setting, rather than ideological significance.<sup>733</sup> This mitigates some of the apparent difference between this passage and those referenced above, and makes it possible to draw some comparisons between these six verses, though it would still be prudent to avoid assuming that the pure and impure dumping grounds are equal and opposite, given that there is no *definite* impure deposition site mentioned, and this is the sole passage which references such a site. Both cultic waste and materials with צרעת impurity seem to have prescribed removal from the environs of the Israelite camp on grounds of purity, though the sites of disposal have opposite purity statuses.

Determining the reasons why specific materials are directed to be deposited in a pure or an impure place is not as simple as one may think, as it is not simply a case that cultic materials are pure, while צרעת materials are impure. That the חטאת carcass and blood were sources of impurity is demonstrated in Lev 6:20 (garments touched by the blood must be laundered), 6:21 (pots in which the meat is boiled must be broken if made of earthenware or scoured and rinsed if made of bronze), Lev 16:27-28 (the one who

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<sup>733</sup> In all six verses under consideration, impurities are placed in pure or impure locations outside the bounded territory of the Israelites. Whether this territory is envisioned as a mobile camp or a settled city is immaterial to the point that these texts are circumscribing the territory of Israel, and demanding that certain impurities be removed from that space. In Lev 14:34, the setting of the prescriptions shifts from the wilderness camp to a settled, urban situation within the land of Canaan. Indeed, the only other reference to a “city” in the context of impurity regulations in Leviticus is in this very chapter, as Lev 14:53 describes a living bird being taken out of the city into the open field and released as part of the purification ritual. Milgrom notes that the words “outside the city” in v. 53 seem to be secondary, introduced “because the scene has shifted from the wilderness camp to the urbanized settlements of Canaan” in v. 34. The same is true for vv. 40, 41, and 45. See also Milgrom, *Leviticus 1-16*, 865-866.

burns the *חטאת* on the Day of Atonement must bathe and launder his clothes, and Num 19:7, 8, 10, 21 (the priest, the burner, the one who gathers the ashes, and the one who uses the ashes in the red cow rite all become impure).<sup>734</sup> The idea that materials such as the ashes from the red cow are used for purification even as they render their handlers impure has already received much comment.<sup>735</sup> What is intriguing here is not specifically the so-called “paradox” of cultic materials being agents of both purification and pollution,<sup>736</sup> but the possible location-specific implications; that is, the apparent tension that while such cultic refuse is a source of contact contagion, it is not said to pollute the pure place in which it is deposited. The pure place remains a pure place despite the fact that items containing impurities transmitted through contact are placed there. Impurity was conceived to be transmitted among people, objects, and places in complex ways,<sup>737</sup> but it can be said that there is a spatial dimension to contact contagion, implied in the removal of certain impurities from holy environs in numerous texts. Given this background, the deposition of polluting substances in a pure place deserves comment, as does what is at stake in distinguishing between the “pure” and the “impure” places of disposal outside the camp.

Milgrom and Wright suggest that the issue at hand is the perceived status of the disposed materials. Milgrom contends that it is necessary to deposit “dangerous” cultic refuse in a “pure place” because this material bears “a holy status, though of a static nature,”<sup>738</sup> and Wright similarly argues “The reason why the ash dump must be a pure

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<sup>734</sup> Wright, *The Disposal of Impurity*, 130-131.

<sup>735</sup> See, for example, Milgrom, “The Paradox of the Red Cow.”

<sup>736</sup> Milgrom phrases the effects of the *חטאת* sacrifice: “it purifies the defiled and defiles the pure” (*Ibid.*, 65).

<sup>737</sup> Contact contagion is a hallmark of the so-called “ritual” impurity system, but some texts regard even close or general proximity as problematic for severe “ritual” impurities, and there is some evidence for a contact-contagion of “moral” impurities, as mentioned in Chapter 1.

<sup>738</sup> Milgrom, *Leviticus 1-16*, 387.

place is obvious. The items discarded there, even though they are refuse, and even though *ḥaṭṭā*’t carcasses are impure, are still holy and must therefore be treated in a manner commensurate with that status.”<sup>739</sup> Materials affected by *צרעת*, on the other hand, “having no connection to the cult, do not require such care.” All of these materials seem to be removed from the camp (or city) “due to the communicable impurity they carry.”<sup>740</sup> Since neither the rationale for depositing items outside the camp, nor the reasons why there were both “pure” and “impure” dump sites are explicit in the text, one should be cautious before asserting that any part of this rationale is “obvious,” as Wright does. It is, however, plausible that he is correct that “the reason for the distinction in pure and impure dumps is... due to the nature of the materials discarded,”<sup>741</sup> that is, the perceived high or low status among different polluting items and substances may have been in view in the regulations regarding their disposal. Additionally, it is possible that the function of discarded cultic materials dictates their deposition in a pure location. In the case of the ashes from the red cow, which were kept for later use, their storage in a pure place might have been perceived as necessary for their future viability (which highlights again the fact that the purity statuses of an object and its location were interrelated). In the case of the ashes from the altar and unburned portions of the *חטאת* sacrifice, it is possible that Milgrom and Wright are correct that their perceived status is the factor that determines their disposal site, given that the materials with *צרעת* impurity, which were deposited outside Israelite territory in Lev 14, both serve no cultic function and also have

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<sup>739</sup> Wright, *The Disposal of Impurity*, 134. See also Milgrom, *Leviticus 1-16*, 239-240, where he states that the refuse “is still treated like a sacrifice; its flesh is holy and must be burned in a pure place.”

<sup>740</sup> Wright, *The Disposal of Impurity*, 89.

<sup>741</sup> Ibid.

contracted a particularly severe—and (at least in some texts) negatively valenced—form of impurity.

Because these conclusions are not as clear as is sometimes assumed, however, it is prudent to observe the tensions involved in these ideas, and proffer some possible explanations. First, simply the fact that building materials infected with *צרעת* do not require the special treatment due to “holy” cultic waste would not intrinsically explain why such materials are relegated to a specifically *impure* place outside the camp, rather than to *any* foreign place or even any place, not specifically designated as “pure.” Because *צרעת* was regarded as a highly communicable impurity, necessitating the removal of infected persons and materials from the camp, the disposal of materials in Lev 14 in an “impure” place could signal the need to quarantine these materials away from normal space, even outside the camp.<sup>742</sup> In other words, these materials are so poorly regarded, that they are not taken to merely *any* place outside the camp, but to a place already determined to be or designated as “impure” in order to contain a highly contagious pollution by not causing new spaces to be polluted. Another possibility would be that it is the placement of impure materials in that specific place which was viewed to contaminate it. This would suggest that there was a specific place outside the camp where materials infected with *צרעת* were placed,<sup>743</sup> and it was *because* this was the dumping ground for *צרעת* materials that this location was considered impure. If correct, then this would mean that this space (that is, the land itself) was rendered impure by the

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<sup>742</sup> It should be observed, however, that the person with *צרעת* in Lev 13 is not expelled to an *unclean* place, but is only enjoined to keep his distance from others. The difference between the situation of the person contaminated with *צרעת* impurity and the treatment of items similarly affected is difficult to reconcile here.

<sup>743</sup> Wright, *Ibid.*, suggests that if these laws were ever practiced, there would be “a precisely defined locale, known and recognized by all, so that it would be avoided and so that people would not use the discarded materials in other building projects.”

“ritual” impurity of the *צרעת* materials deposited there. It is difficult to adjudicate between these possibilities (whether the impure place in Lev 14 was deemed impure before or after the materials were placed there, and whether or not it was the materials that were perceived to render it impure), as the biblical text only states that the materials must be deposited in an impure place and does not indicate *why* this land is impure. It is possible that because the first mention of the place comes with reference to deposition rather than designation, the land was considered impure *before* the materials were placed there, rather than as a result of the location being a *צרעת* dumping ground. Milgrom, on the other hand, argues that this place is called impure because there are impure *items* there. This would mean that the dumping of impure materials in a place precedes and precipitates its designation as an “impure place,” but Milgrom’s position is not the same as the second explanation offered above because he states “the ground itself is not susceptible to impurity,” and he contends that it is not the place, but the items there that carry an impure status.<sup>744</sup> This position seems inconsistent with the fact that the text refers to the *מקום* as impure, not the items left there (though the items are, of course, also impure). Wright has a stronger case in presuming that it is the area that is impure, but there are some problems attendant with his suggestion that the territory outside the camp is “neutral,” and it is the activities done in such a place that determine its purity status (disposal of sacrifices makes a place pure, and disposal of stones, timber, or plaster with *צרעת* renders a place impure).<sup>745</sup> It is, as stated above, possible that Lev 14 may be read as suggesting that a space may be polluted by the materials deposited there, and there are

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<sup>744</sup> Milgrom, *Leviticus 1-16*, 872.

<sup>745</sup> Wright, *The Disposal of Impurity*, 243-244, n. 35.

some texts that suggest that impurity may be communicated between places and objects or people.

The idea that objects (or people) can pollute the places they occupy is found in texts such as 2 Chr 29:5 and 16, which necessitate the removal of impure items<sup>746</sup> from the temple as part of the purification process of that space,<sup>747</sup> and Neh 13:7-9, which describes the removal of Tobiah's belongings from the room in the temple prior to its purification. The idea that an impure place can pollute people who enter it is seen in Lev 14:46-47, which states that people who enter a house quarantined because of צרעת become impure. These texts describe a situation in which impure objects can pollute places, and impure places can pollute people who enter them. All of this suggests that it is possible that the disposal of צרעת materials outside the camp precipitates the designation of that place as impure, though, again, this is conjectural. It may be asserted with some confidence, however, that the spatial impurity in view with regard to this "impure place" is entirely situated within the realm of "ritual" impurity. There is no hint of any human misbehavior in Lev 14, which would lead one to conclude that this location outside Israelite territory is "morally" polluted; rather, the "impure place" seems designed to contain the (in this case) non-morally valenced and contact-transmitted צרעת impurity.

While I have suggested that it is *possible* that these materials are perceived to cause the localized impurity in Lev 14, the texts do not explicate the mechanics of the either the "impure place" or the "pure place" outside the camp designated for different polluting substances, and the suggestion that the extraterritorial "pure place" used as a

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<sup>746</sup> 2 Chr 29:5 refers to sanctifying the holy place, and uses the term נדה to describe the impure objects to be removed, while v. 16 refers to purification of the temple of Yhwh, and uses the term טמאה to describe the impure items removed.

<sup>747</sup> Compare 2 Kgs 23:4, 1 Kgs 15:13; 2 Chr 15:16.

cultic dumping ground receives its purity status *from* the items deposited there is problematic. Altar ash, sacrificial waste, and ashes from the red cow are all said to transmit impurity through contact, and it is difficult to reconcile the impurity of these materials with the purity of the deposition site. On one hand, the practice of depositing cultic refuse in an extraterritorial location is not unique to Israel. Hittite Law § 44b states that materials left over from purifying a person are deposited in an *ukturi*,<sup>748</sup> located away from habitation (if the materials are placed in a person's field or house, the law states, this is a sorcery and a legal matter for the king).<sup>749</sup> A reference from the Akkadian *Šurpu* tablets is even more strikingly similar to the biblical texts under consideration, stating that materials used to wipe and purify an individual are to be taken "to the open country (*ana šēri*) the pure place (*ašri KÙ*)."<sup>750</sup> On the other hand, the multiple references to polluting substances being deposited in a "pure" place outside the camp is perhaps unexpected in the biblical texts, given that the concept of pollution transmitted through contact and proximity is so well developed in Priestly texts, and that objects or persons with contact contagions are sometimes described as being removed from pure or holy places, rather than contained in a pure location.<sup>751</sup> Milgrom and Wright, in suggesting

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<sup>748</sup> See Wright, *The Disposal of Impurity*, 267-269 for discussion about what an *ukturi* dumping ground was.

<sup>749</sup> See J. Friedrich, *Die hethitischen Gesetze* (DMOA 7; Leiden: Brill, 1971) 130-31 and *ANET*, 191. See also brief treatments of this law in Wright, *The Disposal of Impurity*, 267 and Milgrom, "The Paradox of the Red Cow," 64.

<sup>750</sup> *Šurpu* VII 63. See Reiner, *Šurpu*, 38; Wright, *The Disposal of Impurity* 68-69; Milgrom, "The Paradox of the Red Cow," 64.

<sup>751</sup> It should be noted, however, that not all objects with contact contagion are described as removed. The Lev 15 states that anything that a *ṣār* touches or sits upon is made impure. Persons with whom the *ṣār* comes into contact must bathe and launder, and are impure until the evening (Lev 15:7), but there is no clear guideline about how to resolve the impurity of objects, such as a bed or saddle, that the *ṣār* has polluted, other than to state that earthenware vessels must be broken, and wooden vessels must be washed with water (v. 12), and that his clothes must be laundered at the end of his impurity (v. 13). Interestingly, there is a clearer regulation that *anything* made of cloth or skin/leather upon which a seminal emission comes into contact must be washed with water and is impure until evening (v. 17), though this is not necessarily the case with the *ṣār*. Therefore, while it is clear that objects touched by a *ṣār* are believed to be impure, and

that the location of the deposition of cultic materials in a “pure” place is due to their “holy” status, presume a coexistence of holiness and impurity in the case of cultic refuse. Milgrom treats in some depth the apparent “paradox” that the ashes of the red cow purify those contaminated with corpse impurity but defile the pure persons involved in performing the ritual.<sup>752</sup> It seems that there is a similar tension in the fact that the ashes, while apparently a source of impurity (necessitating their removal from the camp), must be retained in a pure place for future use.<sup>753</sup> If, indeed, these ashes convey impurity because a חטאת sacrifice “absorbs the malefic impurity of the object which it has purged,”<sup>754</sup> then it seems problematic that they must be retained in a pure place *for later use*, if they themselves are transmitters of a contact contagion. Because holiness and impurity are apparently antithetical states, it is also difficult to reconcile the idea that if cultic refuse is regarded as holy, it would concomitantly be designated as having a degree of impurity which necessitated its removal from the environs of the camp. Ultimately, while the categories of “holy” and “impure” may stand in tension here,<sup>755</sup> it seems clear

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transmit this impurity through contact, they are apparently not removed from the camp. It does seem to be the case that the impurity *must* be resolved in these objects, however, or they must be discarded from use, as is the case of earthenware vessels, which apparently cannot be ritually purified. The case of the כּוּ, however, does not explicitly state what happens if the person so afflicted has touched belongings in holy places. This person’s impurity excludes his present in holy environs, so the question of whether or not the objects touched by a כּוּ must be removed from pure or holy places is not addressed in these texts.

<sup>752</sup> Milgrom, “The Paradox of the Red Cow,” 62-72. He suggests this is not a paradox, but due to the nature of the חטאת sacrifice.

<sup>753</sup> The interpretation that the ashes are retained for later cases was mentioned above. See Milgrom, “The Paradox of the Red Cow,” 67-69.

<sup>754</sup> Ibid., 64-65.

<sup>755</sup> Milgrom’s point that the incinerated ashes of sacrificial offerings are “still treated like a sacrifice” (*Leviticus 1-16*, 239) can help to alleviate the apparent conflict, recalling that sacrificial animals themselves are not considered impure, but are consumed by priests “in a pure place” (*Lev 10:14*). While there is a belief that materials involved in specific cultic activities can cause a person to enter a state of ritual impurity through contact, the materials themselves are still ultimately deposited (or consumed) in a (ritually) pure place. Milgrom and Wright make a salient point in suggesting that the venerated or denigrated status of the impure object dictates their dumping ground, however, it should be observed that while in some texts צרעת impurity has a negative connotation, it seems to be neutrally portrayed in *Lev 14*—lacking denigrating overtones. In these texts, each case of impurity seems to be described without value judgments (which is, after all, one of Klawans’s criteria for “ritual” impurity), and therefore, the

that the issues involved in these verses, like those Lev 14, are not related to the idea of “moral” impurity. The purity or impurity of these sites outside Israel seems to be located entirely within the realm of “ritual” purity concerns, complete with ideas of contact contagion and a lack of denigrating language about either the “impure” place outside the camp or about the impurities that must be removed from the Israelite sphere.

These six references to depositing specific substances in a pure or impure place outside the camp/city occur within texts attributed to P.<sup>756</sup> It is apparent that in these cases, foreign lands<sup>757</sup> could be construed as either pure or impure. It is interesting that there is only one pericope that mentions an “impure place” outside of Israel in the Priestly texts (Lev 14:40, 41, 45), and that in this text, the discussion revolves around the “ritual” impurity associated with צרעת.<sup>758</sup> Similarly, Lev 4:12, 6:4, and Num 19:9 are evidently concerned with ritual purity when they state that cultic refuse must be deposited in a “pure” place outside of the camp, Num 19:9 making this explicit when it states that the ashes of the red cow are retained there for use as an ingredient in the מי נדה, crucial for the removal of corpse impurity according to Num 19. Additionally, the repeated statements that it must be “pure” persons who are involved in the ritual at various stages

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presumed high status of cultic items and more base status of impure building materials is still conjectural. Also at stake in these passages is the way in which these impurities were perceived to be transmitted to their environs. The key point here is that while the impure substances might be seen to have different statuses, these are certainly not informed by any moral judgment (i.e., it is *not* stated that any particular house has or could contract צרעת impurity due to the sinful actions of its residents, which is then communicated to the dumping ground outside the camp, rendering that foreign land “morally” impure).

<sup>756</sup> None of these Priestly verses is typically attributed to the Holiness Source. See Knohl, *The Sanctuary of Silence: The Priestly Torah and the Holiness School* (Minneapolis, Minn.: Fortress Press, 1995), 110, which situates Num 19:9 in PT (“Priestly Torah”). He includes none of the other five verses under consideration in his discussion, and they are generally attributed to P.

<sup>757</sup> Recall that I define “foreign lands” as “space outside the Israelite-controlled sphere.” In these cases, the Israelite-controlled sphere is the space within which communal purity regulations applied.

<sup>758</sup> While I have argued that this impurity violates the boundaries of the “ritual” and “moral” purity bifurcation, because it is sometimes associated with divine punishment, in this passage, there is no moral dimension present—this articulation of צרעת impurity is firmly ensconced within the “ritual” purity ideology.

(only a pure person may handle the ashes in v. 9, may mix the water and sprinkle it in v. 18, or may sprinkle the affected persons on the third and seventh days in v. 19) all suggest that ritual purity is in view.<sup>759</sup> The only sinful behavior in view in the entire passage is if a person fails to purify himself from corpse impurity. The purity issues surrounding the purification procedure itself are situated within the realm of “ritual” impurity. Similarly, Lev 4:12 and 6:4, describing the deposition of the sacrificial remnants and the altar ashes, are devoid of any connection to “moral” impurity, but are rather an integral part of the ritual system. The remnants and ashes are portrayed conveying impurity through contact, which is a facet of the “ritual” impurity system.

It is perhaps meaningful that there are no H texts referring to pure or impure places outside the land of Israel, comparable to these P texts, which observe that non-Israelite territory may be either clean or unclean. The significance of this observation lies in the fact that it is to the Holiness Source that the idea of “moral” impurity is usually most closely linked, and it is solely “moral” impurity which scholars usually assume affects foreign lands. What these texts imply about the perceived purity status of lands outside Israel suggests a more complicated picture than is sometimes expressed. Wright and Milgrom observe that the area outside Israelite habitation in these texts is “neutral;” that is, it is a mix of pure and impure where “the activities carried out there such as the disposal of sacrifices or the disposal of materials infected with *šāra’at* will determine the quality of a particular locale outside the camp.”<sup>760</sup> Wright cogently makes the case that, contrary to what some scholars, such as Y. Kaufmann and D. Davies assumed, Priestly

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<sup>759</sup> On purification issues here, see Milgrom, “The Paradox of the Red Cow,” 62-72. See Num 19:7, 8, 10, 21-22.

<sup>760</sup> Wright, *The Disposal of Impurity*, 244, n. 35. See also Milgrom, “Two Kings of *Ḥaṭṭā’t*,” VT 26 (1976): 334-335.

texts did not hold that the area outside Israelite habitation was entirely impure.<sup>761</sup> These texts depict the land outside of Israel as potentially pure or impure, and suggest that these designations were either acquired by or determined the nature of the materials deposited in them. The lack of moral referents, the involvement of cultic materials and the phenomenon of *צרעת*, and also the idea of contact contagion in view by the mere fact that the impure materials are removed from the environs of the altar as well as Israelite habitation, all demonstrate that the purity “system” in view is “ritual.”

It is necessary to distinguish between the observation of Wright and the arguments of Klawans and Hayes regarding the status of foreign lands. To recapitulate: Klawans and Hayes, like Wright, argue against the idea that, according to the Hebrew Bible, foreign lands were inherently impure. The scholar to whom they respond, however, is G. Alon, who worked primarily with rabbinic texts, but suggested (on the basis of Josh 22:19 and Amos 7:17) that “the impurity of the Gentile status inhered in Gentile territory,” referring to a ritual-type impurity.<sup>762</sup> Klawans and Hayes, then, beyond simply arguing that foreign lands are not inherently impure, are countering the idea that foreign lands in the biblical material are inherently “*ritually*” impure and suggesting that foreign lands (when they are impure) are “morally” so. Klawans does not treat the texts referring to “pure” and “impure” places outside the camp in this context, but Hayes correctly observes that Lev 4:12 and Num 19:9<sup>763</sup> argue against the idea that

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<sup>761</sup> See note on p. 244 of *The Disposal of Impurity* for full citations. The argument Wright is countering is that in Priestly conception, the sanctuary was “holy,” the Israelite habitation was “pure” and the area outside the camp was “impure.” While the sanctuary represents the holiest location, with descending degrees of holiness outward in Priestly texts, Wright observes that the evidence does not uphold the view that all foreign land was impure. See Joseph Blenkinsopp, “The Structure of P,” in *CBQ* 38 (1976): 275-292, Jenson, *Graded Holiness*, 89-114.

<sup>762</sup> Alon, 183-186 (quotation on p. 186).

<sup>763</sup> She does not mention the similar Lev 6:4 reference.

foreign lands were intrinsically impure in the Hebrew Bible,<sup>764</sup> but she does not treat the references in Lev 14, and therefore comes to the conclusion that there is no instance of “ritual” impurity being likewise ascribed to a place outside of Israelite territory. I stress that while Alon’s argument is thin, Klawans and Hayes oversimplify the biblical data in another way, by stating that *only* “moral” impurity affects land in biblical texts.

Klawans, in an unpublished paper, states, “In the Hebrew Bible, land is defiled by sin *morally* but not *ritually*...there is no reason to assume that only the land of Israel is subject to this moral defilement.”<sup>765</sup> Hayes similarly concludes that the only type of impurity that affects land is “moral” impurity. As I’ve observed, while the Lev 4 and 6 and Num 19 verses do demonstrate that there was no *inherent* “ritual” impurity ascribed to foreign lands in P, Lev 14:40, 41, and 45 demonstrate that there were indeed cases of “ritual” land impurity outside of Israel. Hayes takes the argument about land and purity further than Klawans when she introduces the idea of profaneness. She argues, “As God’s land of residence, Israel is holy, and all other lands are by definition profane but not necessarily impure. The status of these lands as pure or impure derives from the activities of the inhabitants. If a foreign land is the site of immoral and idolatrous activity, it is defiled with a moral impurity. If it is free of such activity, it is pure.”<sup>766</sup> While the idea of foreign land being only susceptible to a “moral” purity or impurity is itself problematic, the argument for land profanation is yet more suspect. Hayes contends

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<sup>764</sup> See Hayes, *Gentile Impurities and Jewish Identities*, 43.

<sup>765</sup> Klawans, “This Hallowed Ground: The Defilement of Land in Ancient Judaism” (paper presented at the Association for Jewish Studies, Boston, Mass., December 21, 1998,) 3-4, quoted in Hayes, *Gentile Impurities and Jewish Identities*, 43. I argue in the previous chapter that there is, indeed, reason to assume that the land of Israel alone was subject to “moral” defilement.

<sup>766</sup> Hayes, *Gentile Impurities and Jewish Identities*, 43.

that there is a “perfect parallelism between Gentiles and Gentile lands” in regard to purity,<sup>767</sup> stating:

To be precise: according to P, priests are holy and lay Israelites are profane, and thus Gentiles, as uncircumcised foreigners, are just *more* profane than lay Israelites. But according to H, all Israel is holy, and thus Gentiles by contrast are profane. The same distinction applies in the case of land. According to P, the sanctuary and immediate surroundings are holy but not the entire land of Israel. Thus, Gentile lands are just *more* profane than the unconsecrated areas of Israel. However, according to H, the entire land of Israel is holy, and foreign lands by contrast are profane.<sup>768</sup>

There are two objections that must be raised to Hayes’s supposition regarding foreign land profaneness and purity status. First, it should be noted that the postulation that P and H conceived of holiness and its dimensions differently (including the idea that P conceived of only the tabernacle and its environs as holy, H construed the entire camp as holy) is fairly common in scholarship, and there is textual support for this idea.<sup>769</sup> Because P only excludes the person with צרעת from the camp, while H, in Num 5:2, also excludes persons polluted by genital discharge or corpses,<sup>770</sup> the argument follows that P

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<sup>767</sup> Ibid.

<sup>768</sup> Ibid., 236 n. 67. Note that not all foreigners in biblical texts are uncircumcised. It seems likely that the foreigners mentioned in Deut 23:4-9 (Eng. 3-8) practiced male circumcision.

<sup>769</sup> On these issues, see Milgrom, *Leviticus 1-16*, 773, 977; Israel Knohl, *Sanctuary of Silence*, 153, 184-186; Olyan, *Rites and Rank*, 51, 149 n. 63; and Hayes, *Gentile Impurities*, 236 n. 67. For a view that similarly perceives the camp as holy, especially the tabernacle, because of Yhwh’s presence there, but does not distinguish between P and H views on the matter, see Frank H. Gorman, Jr., *Leviticus: Divine Presence and Community* (Grand Rapids: Eerdmans, 1997), 10-11; Philip Peter Jenson, *Graded Holiness: A Key to the Priestly Conception of the World* (Sheffield: Sheffield Academic Press, 1992), 130-140, 202.

<sup>770</sup> The fact that several texts exclude specific impurities from the Israelite camp was mentioned above, in chapter one. Recall that P excludes only an individual with צרעת from the camp (Lev 13:46, 14:8). See

and H conceived of the sphere of holiness differently, with P limiting space conceived of as holy to the tabernacle and its environs (and only expelling those with severe, perhaps dangerously communicable impurities from the camp), while H may depict the entire camp as holy, and consequently excludes more types of impurity from the camp itself.<sup>771</sup> The regulations regarding the removal of impure persons from the camp, however, should not be conflated with the idea of depositing cultic refuse and materials infected with צרעת impurity outside the camp. Moreover, issues of holiness and purity ought not to be

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also Num 12:14, where Miriam's skin disease is described as shameful (or at least, compared with a shameful status), and necessitates her expulsion from the camp. Other texts are more expansive. Num 5:2 (H, see Knohl, *Sanctuary of Silence*, 86, 185) excludes from the camp a person with skin disease, a זב, and one with corpse impurity. Note also: Num 31:19-24 states that those who have killed or touched a corpse in battle are impure, and must remain outside the camp, undergoing purification rituals on the third and seventh days before gaining admittance to the camp. Num 19 contains detailed procedures for cleansing one with corpse impurity, but does not explicitly state that one with corpse impurity is expelled from the camp, though the slaughter of the red cow takes place outside of the camp (Num 19:3), and Deut 23:10-12 states that one polluted by an emission of semen is also put out of the camp.

<sup>771</sup> It will be useful to unpack the idea that H universalizes holiness to apply to the entire land (or territory) of Israel, and the consequences this idea poses for the present discussion, because it is possible to overdraw the evidence. It should be noted that the only text that explicitly calls the Israelite-controlled camp in the wilderness "holy" is in Deuteronomy. Deut 23:14-15 [Eng. 13-14], in an unusual description of human excrement as polluting, prohibits defecation within the *war camp*, stating that "Your camp will be [or: must be] holy" (v. 15 [Eng. 14]). The text indicates that Yhwh travels in the midst of the camp, and that if the camp's holiness is breached (by impurity), and Yhwh sees something indecent in it (using the term ערוה) then the deity may turn away, abandoning the camp. See Olyan *Rites and Rank* 127 n. 29 for description of how the war camp shares features in common with cultic contexts. Divine abandonment, implied as a consequence for polluting the holy war camp in this verse, is a major feature of the book of Ezekiel. See Ezek 8-11 and Ezek 43:7-9, in which Yhwh's continued presence is implied to be contingent on his dwelling place being guarded from impurity. There are two factors involved in suggesting that the Holiness Source attributed holiness to entire camp of the Israelites. First, texts attributed to this source certainly enjoin the *people* to be holy because Yhwh is holy (e.g., Lev 11:44, 45 [see Knohl, *Sanctuary of Silence*, 81, 102 n 145, 169 nn. 2 and 3, 182], 19:2; 20:7, 26; Num 15:40-41 [see Knohl, 81]), and this conception of the holiness of Israelites differs from texts attributed to the P, which reserved holiness for priests, and did not ascribe holiness to the entire community (see discussion on Knohl, 152-157). Secondly, the Holiness Source routinely observes that Yhwh dwells within the Israelite camp (Exod 29:45-46; Lev 15:31; 26:11; Num 5:3; 16:3 [see Knohl 99]), which is a similar claim to Deut 23:15, which ascribes holiness to the war camp based on Yhwh's presence there. On the basis of analogy, then, it is perhaps a reasonable assumption that the Holiness Source viewed the wilderness camp as holy, based on Yhwh's presence there and the fact that holiness is broadened to include all Israelites in this source. (The designation of Israelite territory as "holy land" appears explicitly only once in the Hebrew Bible, Zech 2:16 [12]. See above, Chapter 3 pages 3-4. It is possible that the explicit description of the war camp as holy in Deut 23:15 is a later development, making explicit what the implications of divine in-dwelling are). While H calls the people holy, however, nowhere in the Holiness Code is there any explicit mention that the camp itself is holy, nor that Israelite land is holy, in contradistinction with (presumably) profane non-Israelite lands. Israelite territory *may* have been conceived of as holy by the authors of these texts, but it goes beyond the evidence to suggest that "according to H, the entire land of Israel is holy, and foreign lands by contrast are profane."

conflated in these cases. Because the only references to “impure” or “pure” places in Priestly literature stem from those texts involved in depositions of cultic refuse and צרעת building materials, and especially because there are no H texts referencing pure or impure places outside of Israelite territory to compare to these instances in P, one cannot make a general statement about P and H having conceptions of land *purity* based on the available evidence. A second objection involves the idea of gradations of profaneness, which Hayes presumes exists in the Priestly literature. There is no explicit indication that the concept of profaneness or impurity (חל"ל) operated on a graded system comparable to that of holiness. There does not seem to be any textual evidence that foreign people could be “more” profane than profane Israelites, or that foreign land could be “more” profane than profane Israelite land. Given the available evidence, one can claim that foreign land could be pure or impure in P, but one cannot presume that foreign land was considered “more” profane than Israelite land in either P or H. Indeed, even speculating about the general holiness of Israelite land in H, contrasted with P must be done cautiously, and to make generalizations about how foreign lands were viewed in P and H based on the available evidence obfuscates the issue, because while H refers to “moral” land impurity of the land of Israel, it does not have any references to the purity or impurity of foreign lands, comparable to those in P. Ultimately, it must be concluded that the case of foreign land impurity is more complex than either Alon, on the one hand, or Klawans and Hayes, on the other, have acknowledged.

To wrap up analysis of these six verses, it may be noted that these texts, in contrast to some other biblical sources, do not demonstrate a concern about traveling or living in foreign lands, beyond issues of being included or excluded from the camp of the

Israelites. The presumption of a narrative context in which the Israelite habitation is itself a mobile unit, moving through foreign territories, affects discourse on foreign lands. Within this framework, the language of purity is often raised, as there is a demonstrable concern to protect the ritual purity of the Israelite camp. Certain impurities are directed to be removed from the camp, to either pure or impure places outside its boundaries. The concerns in view are wholly intra-Israelite. There are no foreign people in view, and certainly no foreigners in Lev 14 who would have polluted the land outside the Israelite camp with “idols” or “sinful” behavior.<sup>772</sup> It seems unlikely that these P texts use the language of purity while referring to foreign lands in order to negatively judge these places, or to elevate Israel above non-Israelite lands by implying a different degree of holiness or purity within the camp. Rather, the concern is to protect the sanctity of the tabernacle of Yhwh, and to maintain a (ritual) purity status within this specific camp. There is no attempt to generalize about the purity of foreign places; they may be pure or impure, depending on the nature of the place and the items deposited there, but nowhere is “moral” purity or impurity in view.

Other biblical texts presume certain foreign places to be pure or even holy insofar as they depict cultic rites performed outside the land of Israel. In Exod 19:10, 14-15, there is a process by which the Israelites, at the foot of Mt. Sinai are prepared for the theophany. In v. 10, Moses is told to “sanctify” them (קדשם—ש"ק in the Piel)<sup>773</sup> that

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<sup>772</sup> Pace Hayes, 43: “The impurity that accrues to land—all land—is without exception moral impurity that derives from the impurity of idols, idolatrous worship and immoral and defiling acts understood by the Bible to be attendant upon idolatrous worship.”

<sup>773</sup> Childs suggested that in this context, קדשם ought not to be translated as “sanctify,” but “prepare,” but this is unsubstantiated given the context of the passage. See Brevard S. Childs, *The Book of Exodus: A Critical, Theological Commentary* (OTL; Philadelphia, PA: Westminster, 1974), 342-343. He cites Targum Onkelos and the medieval commentators Rashi and Rashbam as support for translating the term “prepare,” synonymous with “ready” in the following verse, stating, “From the context it is clear that Moses did not ‘consecrate’ the people, but had them prepare themselves.” Cf. Meek in the AmTr: ‘go

day and the next, and to have them wash their clothes. The reason is explained in the following verse: they must be “ready” or “prepared” (נכונים)<sup>774</sup> for the third day, when Yhwh will descend on Mt. Sinai in sight of all the people. Because proximity to a specific (holy) place, washing clothing, and abstention from sexual intercourse are all in view, it seems clear that the sanctification involved in this passage hinges on the “ritual” purification of the Israelites. Contact with the divine necessitates consecration on pain of death (vv. 12-13 [performed by the community, at a distance], 21, 22, 24 [with the implication that if even the priests fail to sanctify themselves and/or encroach too far, the deity himself will kill them]). That the mountain is outside of Israelite territory is underscored in two different ways. First, Mt. Sinai is notably outside the bounded territory of the land of Israel, in the wilderness of Sinai (emphasized in vv. 1-2). Furthermore, the site is outside the mobile Israelite territory in the desert; the Israelites must leave their wilderness camp in order to approach the mountain, as is stated in v. 17. That the mountain is itself bounded off as unapproachable to the Israelites is apparent in vv. 12, 21, 23, and 24. All of this underscores that Mt. Sinai is explicitly non-Israelite territory, which is to say that it is foreign space. This passage is significant for this study for two reasons. The fact that cultic rites are depicted as occurring outside the land of Israel is suggestive of the idea that foreign lands may be deemed pure. Additionally, the

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through a period of consecration’, and NJPS: ‘warn them to stay pure’.” Though he observes one would expect a Hitpaël, rather than a Piel form, as occurs in v. 22. The stem can be explained as it is Moses who is directed to do the action to the Israelites, rather than the Israelites who are ordered to do a reflexive action. That the connotation has to do with purification and separation before holiness is taken for granted, even by Childs, given his citation of AmTr and NJPS; therefore, it is preferable to translate this verse retaining that sense, rather than merely “prepare” as does Childs. Milgrom similarly translates the piel as “sanctify” (them) and the hitpaël as “sanctify oneself”, and further contends that this term is “the non-Priestly technical term for purification through bathing in preparation for receiving the presence of the Lord the following day, either in the sanctuary or in a theophany” (*Leviticus 1-16*, 965).

<sup>774</sup> Using the niphāl masc. pl. ptc. Compare the use of the niphāl inv., similarly having the sense of “prepare” in Ezek 38:7.

description of Sinai as a holy place explicitly outside of Israelite territory likewise underscores that not only purity, but even holiness is not restricted to Israelite land, but can be located outside the territorial holding of the Israelites.

The phrase אֲדָמַת-קֹדֶשׁ, which appears in this form only in Exod 3:5, refers to “holy land” or “holy ground” outside the land of Israel.<sup>775</sup> When Moses encounters the burning bush at the foot of Mt. Horeb, he is instructed to remove his sandals because the place (הַמָּקוֹם) on which he is standing is “holy ground.” There has been much speculation about why the holiness of the space necessitated the removal of footwear in both this passage and the similar Josh 5:15 episode (which uses הַמָּקוֹם in lieu of the term אֲדָמָה, but is conceptually identical), and speculation has ranged from the idea that shoes were prohibited in holy places to avoid tracking mud, to the idea that shoes were generally not worn indoors to prevent bad luck, to the idea that purity concerns prohibited wearing leather shoes in holy places.<sup>776</sup> The latter idea, proffered by Milgrom, supposes that shoes made from animal skins were, like animal carcasses, viewed to be ritually impure, but that their impurity was “only in regard to the sacred” and was therefore too slight to affect the wearing of such footwear in profane circumstances.<sup>777</sup> He supports his suggestion that leather footwear is *eo ipso* ritually impure by observing that in ancient Greece at Eresos, no leather garments were brought into the temple, and that women were required to wear non-leather sandals and wool garments while participating in mysteries at Andania, but there is not enough biblical data to make this suggestion secure in an

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<sup>775</sup> Zech 2:16[12], which uses the definite construction אֲדָמַת הַקֹּדֶשׁ, has a slightly different connotation than Exod 3:5. The Zech passage seems to be the singular biblical reference to the “holy land” in the sense that it is commonly used today, referring to the land of Israel, which Yhwh claimed as an inheritance. In this passage, Yhwh takes possession of Judah as his portion “in” or “on” (עַל) *the* holy land. In Exod 3:5, the connotation is not territorial, even though it is spatial.

<sup>776</sup> See William H. C. Propp, *Exodus 1-18: A New Translation with Introduction and Commentary* (AB 2; New York: Doubleday, 1999), 200 for bibliography.

<sup>777</sup> Milgrom, *Leviticus 1-16*, 654.

Israelite context. Whether or not the injunction to remove one's sandals on holy ground can be linked conclusively to biblical purity regulations, this does seem to be a persistent idea in biblical texts (note that Exod 28 does not prescribe footwear for priests, and Exod 30:18-21; 40:30-32 require feet to be washed before entering holy spaces), and there is comparative data that other groups share similar practices, including Muslims and Samaritans.<sup>778</sup> However the injunction to remove footwear when entering holy places is quantified or explained, what is significant here is the fact that the footwear prohibition relates to the holiness of this foreign land (אֶרֶץ קְדֹשׁ). As was the case in Exod 19, the mountain where Yhwh is encountered is holy, and therefore must be approached only with caution and provisions, and is also explicitly outside the land of Israel,<sup>779</sup> demonstrating that in some biblical texts, foreign land may be not only pure, but even holy. There is clearly no overarching notion that foreign lands were viewed as "profane" compared to the land of Israel.

References to building altars and/or sacrificing to Yhwh in foreign places also presumes that the places in which these activities were performed were pure, if not holy.

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<sup>778</sup> See Milgrom, *Leviticus 1-16*, 654 and Propp, *Exodus 1-18*, 200 for selected secondary sources citing these oft-observed cross-cultural examples. Propp also cites rabbinic literature which speculates that priests administered barefoot (*Exod. Rab.* 2:6, and *m. Ber.* 9:5). The probative value of rabbinic texts to illuminate practices in ancient Israel is uncertain in this case, and the cross-cultural examples all come from much later periods, so a standard reasoning cannot be presumed.

<sup>779</sup> The idea that the place of contact with Yhwh is outside the holding of the Israelites is also shown in Exod 33:7, which states twice that the tent where Yhwh could be sought was pitched outside the camp, and adds a third description that it was far removed from the camp. It has been observed that the relationship of Yhwh to the Israelites is a factor in distinguishing between sources. See Propp, *Exodus 19-40: A New Translation with Introduction and Commentary*; (AB 2a; New York: Doubleday, 2006), 370-371, 723-734 for discussion of the documentary hypothesis as it relates to these issues. It should be noted that the documentary hypothesis in general is the subject of much debate. While there is some consensus regarding P and D as "sources," there is exceptional confusion and argument on nearly everything else. There is no consensus between "neo-documentarians" such as B. Schwartz, J. Baden and J. Stackert, and non-documentarians such as Thomas Römer and Konrad Schmid. I do not seek here to enter into this debate, but on this issue, see Thomas Römer, "Zwischen Urkunden, Fragmenten und Ergänzungen: Zum Stand der Pentateuchforschung" in *ZAW* 125 (2013): 2-24. For the purposes of this investigation, it suffices to observe that there exist some texts within the Hebrew Bible that situate Yhwh outside the community, rather than within it, and therefore suggest that the place where the deity could be encountered was outside Israelite territory, and therefore on foreign land.

Exod 3:12 prescribes the worship<sup>780</sup> of Yhwh at Horeb, and 24:4-8 likewise describe this worship, including the detail of the construction of an altar and animal sacrifice explicitly laid out.<sup>781</sup> Exod 20:24, which states that altars of “earth” (אדמה)<sup>782</sup> should be made in every place where Yhwh causes his name to be remembered (בכל-המקום אשר אזכיר את-) שמי<sup>783</sup>, so Yhwh will<sup>784</sup> “come to you and bless you” is sometimes read as similarly reporting on the existence of cult sites in foreign places. There have been several different ways of understanding this verse. It is sometimes presumed Exod 20:24 “is older” than the D or P regulations centralizing worship of Yhwh in one spot, though others observe that this contradictory viewpoint may not predate D or P, but represent a later challenge to the idea of centralization after the people lived in “reduced circumstances.”<sup>785</sup> Ibn Ezra suggested that the law could simply acknowledge “that worship would be conducted in various places—the wilderness, Nob, Shiloh, etc.—before permanently settling in Zion,” but Propp is correct that the context of the verse, with the references to the simplest of altars, “would seem to indicate multiple, rude

<sup>780</sup> The “worship” here involves sacrifice. The verb עבד “serve” often has the connotation of “perform cultic rites” (e.g., Exod 13:5; Num 3:7), but in this context, it seems to specifically connote sacrifice (see also Exod 10:26; 2 Kgs 21:3).

<sup>781</sup> It has been observed that there are similarities between the mountain and the tabernacle, both places at which the deity may be accessed with zones of holiness and approachability. See Nahum Sarna, *Exodus: The Traditional Hebrew Text with the New JPS Translation*; (Philadelphia, PA: Jewish Publication Society, 1991), 105 and William H. C. Propp, *Exodus 19-40*, 300-301.

<sup>782</sup> The earthen altar seems to be distinguished from the altar made from fieldstones in the following verse, and from the silver and gold referenced in the preceding verse. Sarna proposed that the “earth” that Naaman transported in 2 Kgs 5:17 was used to make such an altar in his homeland (Sarna, 116; Propp, *Exodus 19-40*, 182-183).

<sup>783</sup> The phrase בכל-המקום is slightly uncertain. It seems to connote “in all places” or “throughout the land,” though Exod 20:13, Deut 11:24, and Josh 1:3 (without the definite article) suggest reading כל-המקום a “in every place” (Propp, *Exodus 19-40*, 184). The verb אזכיר could connote either remembrance or announcement in the causative. Yhwh could be causing his name to be remembered, announcing it, or causing it to be pronounced. See discussion on Propp, *Ibid*.

<sup>784</sup> The LXX και ἤξω προς σε και εὐλογήσω σε presumes a waw in the translated text, possibly suggesting the *Vorlage* had a cohortative waw. Propp suggests that the waw may have been lost due to haplography, perhaps influenced by the fact that the preceding letter is a yod (*Exodus 19-40*, 117). The cohortative sense seems reasonable here. The other option is to read the phrase simply as “I will come...” though the lack of a marker distinguishing between the clauses would still need to be explained.

<sup>785</sup> Propp, *Exodus 19-40*, 184, with bibliography.

sanctuaries;”<sup>786</sup> additionally, it seems best to preserve the multivocality present in the text, rather than attempt to harmonize this reference with Deuteronomistic centralizing ideology. It is indeed possible, however, that Exod 20:24 does not simply refer to cult sites within the land of Israel. David Frankel suggests that this verse not only condones a “predeuteronomic conception” allowing multiple cult sites for Yhwhistic sacrifice within the land of Israel, but further suggests that such cult sites may be outside the land of Israel, given that the pronouncement is made at Sinai, where an altar is set up and where Yhwh meets with Israel.<sup>787</sup> While this verse does not explicitly state that altars may be erected for the worship of Yhwh outside of Israel, and the law is not usually understood in this manner, Frankel is correct that the setting of the promise in the final clause, and the broader context of this law being issued during the theophany at Sinai, strengthen the claim that Exod 20:24 may be interpreted in this fashion.

A number of texts describe the non-Israelite worship of Yhwh, and some of these texts locate this worship in foreign lands. Erection of altars intended for sacrifice presumes the purity of a site. Isa 19:19-21 is an interesting case in which cultic activities, including the erection of an altar for sacrifice in a foreign land for use by foreigners, is described. Isa 19:16-25 is an oracle concerning Egypt primarily, but with reference to Assyria and Israel as well. After a statement in v. 18 that five cities in the land of Egypt will speak the language of Canaan, v. 19 continues by saying that “on that day, there will be an altar to Yhwh in the midst of the land of Egypt and a pillar (מצבה) to Yhwh at its

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<sup>786</sup> Ibid.

<sup>787</sup> David Frankel, *The Land of Canaan and the Destiny of Israel: Theologies of Territory in the Hebrew Bible* (Winona Lake, IN: Eisenbrauns, 2011), 148. Frankel also observes that the altar that Aaron constructed in Exod 32:5 is never said to be illicit, and he is correct that the polemic in the passage is directed at the calf, rather than the altar itself.

border.” Verse 20 states that it<sup>788</sup> will be a sign and a witness in the land of Egypt, and v. 21 states that Yhwh will be known to the Egyptians, who will serve (ועבדו) him with sacrifice and burnt offering, and will make vows to him and fulfill them. There has been some debate about the historical circumstances which could have prompted these verses. Some have contended that either the temple at Leontopolis or that at Elephantine is in view in this passage. Josephus reports that Onias stated “Our prophet Isaiah foretold that there should be an altar in Egypt to the Lord God” with reference to his own construction of Leontopolis,<sup>789</sup> which has led some to conjecture that this verse was created in the text to justify the existence of this temple in Egypt and others to suppose that Onias used the Isaiah reference to justify his building.<sup>790</sup> Wildberger makes a convincing argument that it is unlikely that Isa 19:19-22 was composed in the 2<sup>nd</sup> century B.C.E. to legitimate the temple at Leontopolis, both because this passage refers to an altar and a standing stone, and *not* to a temple, and because this reading of the text is present in 1QIsa<sup>a</sup> from Qumran,<sup>791</sup> and the Greek translation of Isaiah also mentions both the altar and the standing stone. Wildberger observes that the timeline seems a bit tight for both the introduction and widespread adoption of a non-Deuteronomistic verse in the mid-2<sup>nd</sup> century, when presumably such an idea may have met with at least some resistance, and thus concludes it likely that these verses long predate the Leontopolis temple.<sup>792</sup> The Elephantine case is a bit less certain, but some of the same problems exist, namely, that

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<sup>788</sup> Masculine singular, so while the nearest antecedent is the pillar (feminine), it seems that either the altar or the fact of existence of both the altar and the pillar are in mind.

<sup>789</sup> *Antiquities* 13.3.1. See Hans Wildberger, *Isaiah 13-27: A Continental Commentary* (Trans. Thomas H. Trapp; Minneapolis, MN: Fortress Press, 1997), 273.

<sup>790</sup> Wildberger, 273.

<sup>791</sup> On the dating of IQIsa<sup>a</sup>, see F. M. Cross, “The Development of the Jewish Scripts,” in *The Bible and the Ancient Near East: Essays in Honor of William Foxwell Albright*, (ed. G. E. Wright; Garden City, NY: Doubleday, 1961), 133-202, esp. 138.

<sup>792</sup> *Ibid.*, 273-274.

the Isaiah passage does not mention a temple specifically. Additionally, Elephantine is far to the South, and Isa 19:19's reference to the "border" of Egypt, from a Judean perspective, would be in the North.<sup>793</sup>

It is, of course, entirely possible that there were many more Yhwhistic cult sites in Egypt than just these two temples for which records persist,<sup>794</sup> but it seems apparent that pinning down a precise historical referent for the altar and pillar in this passage is difficult. The ideas here are clearly not Deuteronomistic, not only because of the presence of multiple cult sites for Yhwh, with sacrifice taking place outside of Jerusalem, but also because of the erection of a מצבה. These pillars<sup>795</sup> are condemned in Deut 7:5; 12:3; and 16:22.<sup>796</sup> This does not necessarily mean that Isa 19:19-22 predates the Deuteronomic texts; as discussed below, there is a great deal of debate about the relationship between Deuteronomistic texts and a "cult reform," and about the scope and pervasiveness of such a reform, given the available textual and archaeological evidence. Moreover, the temples at Elephantine and Leontopolis, at least, demonstrate that any presumed Deuteronomistic reform was not universal. Therefore, reference to a foreign altar and pillar<sup>797</sup> in this verse does not necessitate an early date for the passage; as

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<sup>793</sup> Ibid., 274.

<sup>794</sup> Ibid.

<sup>795</sup> Standing stones have been found at multiple sites, including Arad, Beer Sheba, Dan, Hazor, Lachish, and (possibly) Horvat Qitmit and Tirza. See Ziony Zevit, *The Religions of Ancient Israel: A Synthesis of Parallax Approaches*; (London: Continuum, 2001), 143, 146, 146 n. 34, 159 n. 55, 162, 178, 196, 217-218, 238, 240, 240 n. 191, 256-63, 257, 348-349. Also Amihai Mazar, *Archaeology of the Land of the Bible—10,000-586 B.C.E.*; (New York: Doubleday, 1992), 213, 254, 497.

<sup>796</sup> See also Exod 23:24 and 34:13.

<sup>797</sup> Note that in this case, the pillar seems to serve a cultic function, even though they are sometimes shown to mark the border of a country (Gen 31:45). These standing stones appear in various contexts in biblical literature (erected by Jacob at Bethel in Gen 28:18, marking Rachel's grave in Gen 35:20 and by Absalom for his own remembrance in 2 Sam 18:18), though they seem to be particularly associated with altars (see, for example Exod 24:4). They are often listed adjacent or proximate to altars in lists of condemned cult items (Exod 34:13; Deut 7:5; 12:3; 2 Chr 14:2; 31:1; Hos 10:1-2).

Wildberger has demonstrated, it is exceedingly difficult to accurately fix the date of composition of this prophecy.

What Isa 19:19 does demonstrate is that there are biblical verses that conceive of cultic activity to Yhwh taking place in foreign lands. The erection of an altar in Egypt, and the description of sacrifices to Yhwh there, presume a view of foreign lands that is not antithetical to both access and presence of the divine. This foreign land must be deemed pure, if not itself holy. There are other references to sacrifice to Yhwh in foreign lands that will be explored in more depth below. Here, it is useful to note that Jonah 1:16 describes foreigners who sacrifice to Yhwh on foreign soil (compare Ps 107:22), as does Job 1:5 and 42:8. 2 Kgs 5:17 describes the transport of Israelite soil abroad for the purposes of facilitating sacrifice within foreign territory. Frankel observes that these and other biblical passages navigate between different ideologies: on the one hand, there is an established land-oriented dimension of Yhwhistic religion, while on the other, some biblical authors hold the view that at times Yhwh may be petitioned or worshipped outside the borders of Israel. At the same time, the issue of Israelites' and foreigners' ability to access the deity is also contested and mediated differently in different texts.<sup>798</sup>

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<sup>798</sup> Frankel is correct to observe that there are several different ways in which biblical texts characterize and inflect the worship of Yhwh in terms of both people and place (pp. 137-217). He observes that some texts emphasize the "chosen land" as the primary or exclusive place where Yhwh may receive cultic worship, while other texts emphasize the "chosen people," and suggest that Israelites may worship Yhwh in any place. Frankel sets up Deuteronomy (emphasizing the centrality of the land and the holiness of the Israelites) and texts such as Isa 19:19-24 (which does not suggest primacy to either Israelites or to Israelite land) as opposite ends of a spectrum spanning "particularism and universalism" (pp. 145-147), and categorizes other texts as being less "absolute" but rather mixing land and people with different emphases in different context. He observes that some texts suggest that Israel (alone) must worship Yhwh in any land (pp. 147-149), that other texts suggest that any people, whether or not they are Israelite, must worship Yhwh within the borders of Israel (pp. 149-155), that still other texts suggest that *all* nations must worship Yhwh in the "chosen land" (pp. 155-156), while others contend that foreign nations worship Yhwh in foreign places, while Israel worships Yhwh inside of Israel (pp. 156-159). While his arguments about "universalism" applied to biblical texts at times exceed the evidence (indeed, I find it doubtful that "particularism" and "universalism" is a useful binary applied to these texts), his framing of the issues of "chosen people" and "chosen land" as distinct but related concepts that each play a part in different texts, to

It has been observed that describing worship to Yhwh presupposes that the land on which an altar is constructed for sacrifice is pure or holy. The verses that suggest this, in addition to the six extant verses explicitly applying the language of purity and impurity to foreign places, all demonstrate that foreign land has the potential to be pure, even holy, in the Hebrew Bible. This purity status, however, does not seem to hinge on the moral character of the inhabitants dwelling on the lands: there is no “moral” purity at stake, but rather the “ritual” purity necessary for the performance of specific cultic actions. The issue of the territorial dimension of Yhwh-worship and the ways in which this territorial dimension is mediated or violated requires further investigation, and is the topic of the next section.

This table summarizes the above section, which seeks to set up the discussion of biblical texts that refer to foreign lands as pure, impure, or holy. Texts such as Amos 7:17 and Josh 22:19, which explicitly call foreign-controlled territories impure, and also texts such as Ezek 4:13 (compare Hos 9:3), which implicitly make similar claims, will be addressed in sections 4.3 and 4.4 below.

**Table 1.1 – Purity and Impurity in Foreign Places**

|                                                                                                           |                                                                                              |
|-----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| Texts that explicitly label places outside the mobile Israelite territory as “pure”                       | Lev 4:12<br>Lev 6:4 (Eng. 6:11)<br>Num 19:9                                                  |
| Texts that explicitly label places outside the mobile Israelite territory as “impure”                     | Lev 14:40, 41, 45                                                                            |
| Texts that implicitly state that foreign places are pure, with reference to cultic activity by Israelites | Exod 3:12<br>Exod 19:19-25 (esp. vv. 10, 14, 22-23)<br>Exod 20:24 (Possibly?)<br>Exod 24:4-8 |

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different extents, is helpful in articulating the variety of ways in which these issues are played out in the Hebrew Bible.

|                                                                                                               |                                                                                                                 |
|---------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| Texts that implicitly state that foreign places are pure, with reference to cultic activity by non-Israelites | Isa 19:19-21<br>Jonah 1:16 (compare Ps 107:22)<br>Job 1:5<br>Job 42:8<br>2 Kgs 5:17 (Possibly? See section 4.2) |
|---------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|

#### 4.2: Texts that emphasize the territorial dimension of Yhwh worship

There is another group of texts, many of which are found in the Deuteronomistic History (DtrH), that deal with foreign lands differently. These texts do not address the issue of purity, either “moral” or “ritual.” Their concern, rather, is delimiting the geographic borders of Yhwh’s domain and dominion, and pointing toward the cultic consequences of traveling beyond the national borders. What these texts mean for consideration of foreign land impurity has at times been misconstrued. Christine Hayes points out that these texts do not support the contention that foreign land was viewed as *inherently* impure, which is correct; however, she contends that foreign land was viewed as profane, arguing, as noted above, that all gentile lands were viewed as profane (throughout the Hebrew Bible), and could only be polluted “morally” as opposed to “ritually.”<sup>799</sup> The fact that purity is not mentioned with regard to foreign lands in these texts does not entail that foreign lands were regarded as “profane” and not considered to be part of the realm of “ritual” purity and impurity; this would be an argument from silence. Furthermore, even a holy person (a priest) can pollute himself ritually through corpse contact (for a close relative) in Lev 21 (though the high priest may not). The holy/profane issue is not what is at stake with land purity, and certainly not what is at

<sup>799</sup> Hayes, *Gentile Impurities*, 43-44. Note that profane item or persons *can* be polluted ritually. The issue of profane vs. holy does not necessarily factor into whether an item may be polluted “ritually” or “morally.”

stake for land in DtrH. Rather, it should be observed that emphasizing the connection between land and deity leads to a *different kind* of discourse about foreign territory than seen above in the texts describing pure and impure “places” outside the mobile Israelite wilderness camp.

I suggest that the emphasis on both people and land, and the concomitant territorial emphasis of Yhwh’s sphere is, like the so-called “Zion theology” and “royal ideology,” characteristic of DtrH. Many of the texts that treat foreign lands as places where foreign gods must be worshipped (often without a negative valence attached to such worship) are located in the Deuteronomistic History (DtrH).

The book of Deuteronomy itself is known for its particular view of both people and land. Frankel states that Deuteronomy stands at the “particularism” end a “particularism/universalism” spectrum, as it links the “particulars” of chosen people and chosen land. Moshe Weinfeld observes that the land is particular in Deuteronomy insofar as the laws are designated to take effect only after the people enter the land (Deut 12:1).<sup>800</sup> Unlike the Priestly texts, there is no sense that laws were activated for the wilderness camp, but rather, the land is the special place where the laws are enacted. To that effect, Deuteronomy depicts the laws given in the plains of Moab before the people cross the Jordan River and enter the land,<sup>801</sup> and dictates that the laws be inscribed on stones at Mt. Ebal<sup>802</sup> rather than having the inscription of the laws and erection of stone monuments take place at Mt. Sinai (as in Exod 24:4).<sup>803</sup> Weinfeld also observes that the conditional promise of the land in Deuteronomy is at variance with the land being

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<sup>800</sup> Moshe Weinfeld, *Deuteronomy 1-11: A New Translation with Introduction and Commentary* (New York: Doubleday, 1991), 57.

<sup>801</sup> Deut 1:1; 4:45-46; 28:69.

<sup>802</sup> Deut 27:1-8 cf. Josh 8:30-35.

<sup>803</sup> Weinfeld, *Deuteronomy 1-11*, 57-58.

portrayed as an unconditional gift in passages such as Gen 13:5; 17:8; and 48:4. He contends that these promises of the land as a “grant”<sup>804</sup> have a different kind of logic than vassal treaties, insofar as “grant treaties” emphasize the obligation of the suzerain to the vassal, whereas “vassal treaties” emphasize the vassal’s obligation to the suzerain.<sup>805</sup> Weinfeld suggests that the fall of the Northern Kingdom necessitated an explanation, and the solution articulated in Deuteronomy was that the “grant type” covenant was combined with the “vassal type” covenant and cast as dependent on each other. Therefore, the unconditional land grant to the Israelites depended on their obeying the laws given by the deity.<sup>806</sup> It should be observed that viewing exile from the land as a consequence of failure to fulfill the covenant is not unique to Deuteronomy, but is rather a specified punishment in ancient Near Eastern vassal treaties and is stipulated in other texts in the Pentateuch, including the Holiness Code. Weinfeld cites the evidence from non-Israelite vassal treaties and H, but he also suggests that there is a different emphasis in Deuteronomy on “idolatry” as opposed to other sins.<sup>807</sup> He also observes that Deuteronomy expands the sense of the richness and fruitfulness of the land over what is seen in other sources.<sup>808</sup> Given the wide dispersion of texts speaking favorably of the

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<sup>804</sup> See also the promises to David in 2 Sam 7:13, 16; 23:5; and Ps 89:30.

<sup>805</sup> Ibid., 58.

<sup>806</sup> He also notes a similar logical progression in the Davidic covenant, where the divine promise of an eternal dynasty for David which is unconditional in 2 Sam 7:13-15 is seen as conditional upon the fulfillment of the Sinai covenant in 1 Kgs 2:3-4, 8:23-25 (p. 58).

<sup>807</sup> Ibid., 58-59. Weinfeld observes that Lev 26:34-35 states that the land will be desolate and the people will go into exile as a result of failing to keep the Jubilee, but he does not observe that “idolatry” and sexual crimes are also viewed as reasons for exile in H. Deuteronomy’s emphasis on desolation of the land and concomitant death as a result of serving other gods is seen in Deut 11:16-17; 29:23-27; 30:17-18. Deut 4:25-28 contains both the idea that the people will “perish from the land” that they are crossing the Jordan to occupy (which likewise implies the idea that the land will become barren and unable to sustain the human life), and the idea that they will be scattered among the nations (common in the discourse of exile).

<sup>808</sup> He notes that while Exod 3:8, 17; 13:5; 33:3; Lev 20:24; Num 13:27; 14:8 depict the territory as “a land of milk and honey,” while Deut 8:7-9 expounds on the natural resources of the land and Deut 11:10-12 favorably contrasts Israel to Egypt, “in opposition to the other sources of the Pentateuch where Egypt is represented as a most fertile land,” including Gen 13:10; Exod 16:3; Num 16:13 and 20:5. The particular

attributes of the land of Israel, however, Weinfeld perhaps overreaches when he sees an expansive trend in Deuteronomy; rather, it can be said that this book follows a broad tradition of extolling the virtues of the land of Israel, and it does so in a way that is consistent with its source texts and internal ideology. This is not to discount the fact that Deuteronomy assigns particular significance to the land, but rather to understand that various sources perceived of the land of Israel as special, chosen, and privileged, even as Deuteronomy framed the issue of Israelite occupation of the land in its own way. The idea of the special status of land in Deuteronomy is paralleled by a description of the Israelite people as special and holy.<sup>809</sup> While the special status of people and land are not unique to this book, Weinfeld and Frankel are correct that the ways in which these ideas are articulated, and the degree to which both the land and the people are treated as exclusive, are characteristically Deuteronomic. Weinfeld states, “The whole Deuteronomic corpus actually revolves around the fate of the land of Israel,”<sup>810</sup> while Frankel observes that in Deuteronomy, “the God of Israel is to be worshiped almost exclusively by the people of Israel in the land of Israel.”<sup>811</sup>

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status of the land is seen in various texts, including Lev 25:23 and Exod 15:17 in which Yhwh’s ownership of the land is emphasized (on the land as Yhwh’s inheritance, see also 2 Sam 21:3; Jer 2:7; Zech 2:16; on its status as Yhwh’s dwelling place, see also Ps 95:11; 132:14; and on the land of Israel as the most glorious of all lands, see Ezek 20:6).

<sup>809</sup> Ibid., 60-62; Frankel, 146. Weinfeld suggests that the idea of “election” is articulated differently in H, Deuteronomy, and Deutero-Isaiah. In Deuteronomy, he observes, the holiness of the people is presumed, and is concomitant with certain obligations, as opposed to contingent upon fulfilling those obligations. Olyan suggests that holiness in H had biblical antecedents in texts such as the Book of the Covenant, and he interprets the commonly expressed theme of the holiness of Israel in Deuteronomy and materials with a Deuteronomistic background in a similar light. He states, “In addition, biblical materials of varying provenance speak of worshipers sanctifying themselves or being sanctified as a prerequisite to participation in cultic or quasi-cultic rites. Whatever the meaning of this sanctification, these texts indicate that Israel’s holiness in the Holiness Source had biblical antecedents.” See Olyan, *Rites and Rank*, 121-122 (122). See also idem, “‘Ihr sollt mir heilige Menschen sein’: Der wahrscheinliche Einfluss von Ex 22,30 auf spätere Heiligkeitsideologien” forthcoming in *Weg der Freiheit* (Ed. J. Woehrle, et. al.; Zürich: Theologischer Verlag, 2014 or 2015).

<sup>810</sup> Weinfeld, *Deuteronomy 1-11*, 59.

<sup>811</sup> Frankel, *The Land of Canaan and the Destiny of Israel*, 146.

Deuteronomy's particular concern regarding the centrality of the land of Israel and the Israelite people is associated with specific views on foreign people and foreign lands. According to the Deuteronomist, the selection of the Israelites as Yhwh's people and Israel as his land meant that other lands and peoples were assigned to other gods and to "idols." This picture is consistent in early and later Deuteronomy passages.<sup>812</sup> Deut 4:19-20 states that the sun, moon, stars, and all the host of Heaven are not for the Israelites to worship but rather Yhwh "allotted them to all of the peoples under Heaven."<sup>813</sup> While the Israelites are the inheritance of Yhwh, other nations are appointed other deities to worship.<sup>814</sup> Similarly, in Deut 32:8-9, it is stated that when Yhwh divided the nations, he fixed the boundaries of the people according to the number of the gods,<sup>815</sup> implying that other nations were meant, by divine decree, to worship other gods than Yhwh. Deut 18:14-15 presents a similar conception, stating that the nations which Israel dispossesses give heed to soothsayers and diviners, but Israel is not permitted to do so by Yhwh, but will rather heed a prophet appointed by the deity. While "idol worship" or

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<sup>812</sup> Note in the following discussion that Deut 4 seems to be a relatively late passage in Deut, building on Deut 32.

<sup>813</sup> V. 19.

<sup>814</sup> The idea of other nations being appointed other divinities or luminaries recurs in several 2<sup>nd</sup> Temple texts. Jubilees suggests that other peoples are ruled by spirits or angels, whereas Israel is ruled by Yhwh himself (15:31-32); Ben Sira states that other nations have a "prince" while Israel has Yhwh (17:17), and Dan 10:13, 20 also state that Persia and Greece have "princes" (see Weinfeld, *Deuteronomy 1-11*, 206-207).

<sup>815</sup> Reading בני אל, rather than בני ישראל, which is the MT version. There is evidence of this reading from Qumran document 4QDeut<sup>j</sup>, which records a variant reading of [...] בני אל with space following the break. As observed by Patrick W. Skehan, this could potentially be reconstructed as either [בני אל] or as בני אל(והים) as well. See Skehan, "A Fragment of the 'Song of Moses' (Deut. 32) from Qumran," *BASOR* 136 (1954): 12-15. See also Emanuel Tov, *Textual Criticism of the Hebrew Bible* (2<sup>nd</sup> edition; Minneapolis, MN: Augsburg Fortress, 2001), 269; and see also Sidnie White Crawford, Jan Joosten and Eugene Ulrich, "Sample Editions of the Oxford Hebrew Bible: Deuteronomy 32:1-9, 1 Kings 11:1-8, and Jeremiah 27:1-10 (34G)," *JTS* 58 (2008): 357. Both Tov and Crawford suggest that the best original reading might be בני אל, which is reflected in some Greek mss as υιων θεου (i.e., G mss 848 and 106c), and is reconstructed on this basis and on the basis of 4QDeut<sup>j</sup>. Most Greek mss, on the other hand, read "αγγελων θεου," and this is reflected in Aquila. To clarify: one text that suggests that בני אלהים may have been preferred over אל is 4QDeut<sup>j</sup>, which leaves space for more letters after these consonants, reading [...] בני אל. On this, see, for example, Michael S. Heiser, "Deuteronomy 32:8 and the Sons of God," *Bibliotheca Sacra* 158 (2001): 52-74 (58).

contact with other gods is not explicitly mentioned in this passage, it does suggest that the Deuteronomist differentiated between Israel's cultic and divinatory/prophetic practices and those practiced (apparently without judgment) by other peoples.<sup>816</sup> Two other Deuteronomy texts that assume this position are Deut 26:16-19, and 29:24-25. The former enjoins Israelites to keep the commandments of Yhwh not only because they are a holy people, but because Yhwh set Israel above all the nations that he made, in praise, fame, and honor. Deut 29:24-25 [Eng. 25-26], states that later generations and foreigners, who witness the desolation of the land resulting from the enactment of the covenant curses, will realize that the devastation is the result of the people abandoning the covenant with Yhwh and instead worshipping "gods whom they had not known and whom he had not allotted to them." That the declaration of this realization is put in the mouths of "the nations" underscores not only the stubbornness of any Israelites who fail to realize their obligations, even when foreign people understood them, but also offers further evidence that the idea of the allotment of different divinities for different nations is not portrayed in Deuteronomy as a negative valuation of foreign peoples, as much as a statement of the special status of the Israelites. There is no condemnation of the nations for worshipping the gods that Yhwh appoints for them—indeed, this is what they are *supposed* to do. The allotment of different deities for different peoples also has a territorial dimension—different deities are worshipped by different peoples in their respective lands.<sup>817</sup>

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<sup>816</sup> Christine Hayes perhaps oversimplifies the case when she states that this verse means that "Idolatrous worship is the assigned lot of other peoples" (p. 43). On a specific level, worship of icons is not in view, though the practice of listening to "soothsayers" (מעננים) and "diviners" (קסמים) are not approved communication practices with deities according to the Deuteronomist. Additionally, this passage does not condemn the practices of the other peoples, even though it does elevate the status of Israelite accessibility to prophecy over the nations' recourse to soothsayers and diviners.

<sup>817</sup> See esp. Deut 32:8-9.

Attendant to the issue of gods each being assigned to a particular land and people, and Yhwh taking possession of Israel, is the idea that gods must be worshipped in their own land. Yhwh's status as the national god of Israel during the period of the monarchy is regarded as a critical component of Israelite religion,<sup>818</sup> but the idea of national deities necessitates a spatial conception of divinity, or at least divine access, that then must be reconciled with worship across distances, or even across borders. One way in which the issue of deity and distance was addressed was through the construction of shrines in different locations, often dedicated to local manifestations of the national god. Evidence of this is found in the 8<sup>th</sup> century inscriptions from Kuntillet 'Ajrud, which refer to Yhwh of Samaria (Pithos A) and Yhwh of Teiman (Pithos B and elsewhere), two local manifestations of the deity.<sup>819</sup> Additionally, 2 Sam 15:7-8 seems to refer to a local manifestation of Yhwh at Hebron,<sup>820</sup> and, as McCarter suggests, Ps 99:2 seems to refer to a manifestation of Yhwh in Zion.<sup>821</sup>

Another manner in which the issue played out was through the ideology of "cult centralization," a prominent feature of the Book of Deuteronomy and the

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<sup>818</sup> The realization that Yhwh served as a national god for Israel has been long established in scholarship. Wellhausen used the idea that Yhwh was the same type of national deity-protector for the Israelites that Chemosh was for the Moabites to argue that Israelite religion was monolatrous as opposed to monotheistic (see discussion in S.D. Sperling, "Israel's Religion in the Ancient Near East," in *Jewish Spirituality I*, A. Green, ed. (1987): 13). On the issue of Yhwh as Israel's national god, see also Ronald S. Hendel "Israelite Religion" in *Encyclopedia of Religion, Second Edition* (2005): 4743, Baruch Halpern, "'Brisker Pipes than Poetry': The Development of Israelite Monotheism" in *Judaic Perspectives on Ancient Israel*, J. Neusner, B. A. Levine, and E. S. Frerichs, eds. (Philadelphia: Fortress Press, 1981): 84-85, 89-91, and P. Kyle McCarter, Jr., "Aspects of the Religion of the Israelite Monarchy: Biblical and Epigraphic Data" in *Ancient Israelite Religion* (1987): 139-140. On the connection between the national god Yhwh and the ANE idea of a divine council, see Saul M. Olyan "Cult" in *The Oxford Encyclopedia of Archaeology in the Near East* (1997):80. On the connection made between Yhwh as the national god and Yhwh as the patron of the monarchy, and the implications of this connection, see Mark S. Smith, *The Early History of God: Yahweh and the Other Deities in Ancient Israel* 2<sup>nd</sup> Edition (Grand Rapids, Michigan: William B. Eerdmans Publishing Company, 2002), 11, 59, 185-187.

<sup>819</sup> McCarter, "Aspects of the Religion," 139-142; Hendel, "Israelite Religion," 4745; Ziony Zevit, *The Religions of Ancient Israel: A Synthesis of Parallactic Approaches* (London: Continuum, 2001), 370-405, esp. 390-392, 398-399.

<sup>820</sup> See McCarter, "Aspects of Israelite Religion," 140-141 and Hendel, "Israelite Religion," 4745.

<sup>821</sup> McCarter, *Ibid.*, 141.

Deuteronomistic corpus. This is a fundamentally different way in which to reconcile the spatial dimension of deities, leading to alternative ways and degrees of access to the divine as well as a distinct set of issues involved in practical worship, which are different from those of local shrines. McCarter, among others, links the ideology of cult centralization, which in Deut 12 necessitates the destruction of local shrines, altars, and other aspects of Israelite religion, with the ancillary dissolution of the idea of local manifestations of the national deity.<sup>822</sup> The topic of “cult centralization”<sup>823</sup> in the monarchic period has been much contested in scholarship. Issues involving the motivations, the date, the real vs. ideological nature, and the potential scope of the cult reforms attributed in DtrH to Hezekiah and Josiah, including the centralization of cultic sacrifice to Yhwh in the capital city of Jerusalem, are all debated.<sup>824</sup> For our purposes,

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<sup>822</sup> McCarter, “Aspects of Israelite Religion,” 142-143.

<sup>823</sup> On cult centralization and its implications, see Bernard M. Levinson, *Deuteronomy and the Hermeneutics of Legal Innovation* (New York: Oxford University Press, 1998), in which Levinson illustrates the ramifications of the ideology of cult centralization, and the variety of literary and social strategies and innovations that were brought to bear to support such an ideology; Hendel, 4748, Beth Alpert Nakhai *Archaeology and the Religions of Canaan and Israel* (Boston: ASOR, 2001), 62-63, 167, Halpern, “Brisker Pipes than Poetry,” 95-98, McCarter 142-143, Mark S. Smith, *The Early History of God*, 186-189, and Zevit, 658-660. For textual aspects, see Baruch Halpern, “The Centralization Formula in Deuteronomy,” *VT* 31.1 (1981): 20-38, and Ernest Nicholson, “The Centralisation of the Cult in Deuteronomy” *VT* 13.4 (1963): 380-389.

<sup>824</sup> On the historicity of cult centralization in the time of Hezekiah, see Israel Finkelstein and Neil Asher Silberman, “Temple Dynasty: Hezekiah, the Remaking of Judah and the Rise of the Pan-Israelite Ideology,” *JSOT* 30.3 (2006): 259-285 and Diana Edelman’s response to it, “Hezekiah’s Alleged Cultic Centralization,” *JSOT* 32.4 (2008): 395-434. See also Nadav Na’aman, “The Debated Historicity of Hezekiah’s Reform in the Light of Historical and Archaeological Research,” *ZAW* 107 (1995): 179-195. Some scholars who deny the historicity and scope of the cult reform include Herbert Niehr, in his article, “Die Reform des Joschija,” in *Jeremia und die “deuteronomistische Bewegung”* BBB 98 (Walter Gross, ed.; Weinheim: Beltz Athenäum, 1995), 33-55; C. Levin, “Joschija im deuteronomistischen Geschichtswerk” *ZAW* 96 (1984): 351-71; and E. Würthwein, “Die Josianische Reform und das Deuteronomium,” *ZTK* 73 (1976): 395-423. Other scholars believe in the historicity of the cult reform itself, but deny the idea of cult centralization in Jerusalem. On this, see literature cited in Christoph Uehlinger, “Gab es eine joschijanische Kultreform? Plädoyer für ein begründetes Minimum,” in Walter Gross, ed., *Jeremia und die “deuteronomistische Bewegung”*, 57-85, esp. p. 71, n. 64. Moshe Weinfeld, in “Cult Centralization in Israel in the Light of a Neo-Babylonian Analogy,” *JNES*, 23, No. 1 (1964): 202-212, argues that cult centralization happened in the years leading up to Sennacherib’s assault on Judah, in anticipation that outlying cities might fall away due to Assyrian advances, and was intended to assure Hezekiah’s hegemony over the Judean cities by centralizing the cult in Jerusalem (so the outlying cities depended on Jerusalem for their access to the cult, and the deity). Oded Borowski, in “Hezekiah’s Reforms

and the Revolt against Assyria" *The Biblical Archaeologist* 58.3 (1995): 148-155, similarly argues that the reforms were made in advance of 701's events, but he states that Hezekiah centralized the cult in order to gain "control over the economy, something that was badly needed for the success of the revolt" as one of several tactics to ensure the success of his revolt. Lowell K. Handy suggested, (like Weinfeld) that centralizing the cult kept cultic objects out of Assyrian hands, should outlying cities fall, and also held (like Borowski) that there was an economic advantage to centralizing the cult in Jerusalem at this time, as well, in his article "Hezekiah's Unlikely Reform," *ZAW* 100 (1988): 111-115. R. H. Lowrey, in *The Reforming Kings: Cults and Society in First Temple Judah* (JSOTSup 120; Sheffield: Sheffield Academic Press, 1991), 151, argued that diminishing the number of cult sites diminished the number of tithe collection locations, and was an economic attack on Assyria, and H. H. Rowley, in "Hezekiah's Reform and Rebellion," *BJRL* 44 (1962): 395-431, contended that the reforms of Hezekiah rid the temple of Assyrian influences, constituting rebellion, though this idea has less to recommend it. Ernest Nicholson, in "The Centralisation of the Cult in Deuteronomy," found the idea that cult centralization happened in advance of 701 BCE in order to take cult objects out of Assyrian hands attractive, but rather supposed that after the fall of the Northern Kingdom, a movement began with centralizing "tendencies," but it was after the Sennacherib's campaign in 701 BCE that centralization really took hold. He argues that after Sennacherib reapportioned part of Judah's territory and exiled and transplanted some people, that Hezekiah traced all "foreign" influence to the Assyrians, and, in the decade after 701, while Assyria was occupied with uprisings in Babylon, that the king centralized worship in Jerusalem because he wanted to reassert national independence. In a different interpretation of the political climate that may have precipitated cultic change, Kristin A. Swanson, in "A Reassessment of Hezekiah's Reform in Light of Jar Handles and Iconographic Evidence," *CBQ* 64.3 (2002): 460-469, provides an interesting critique of other theories, and suggests that changes in iconography at the end of the 8<sup>th</sup> century suggests not continued rebellion, but utter submission on Hezekiah's part to Assyrian domination, as he relinquished traditional symbols of his royal power in favor of Assyrian royal symbols. Other scholars focus on religious, rather than political motivations for cult centralization, including John McKay, *Religion in Judah under the Assyrians* (SBT 2/26; Naperville, IL: Allenson, 1973), 15-17 and Rainer Albertz, *A History of Israelite Religion in the Old Testament Period* (Louisville: Westminster/John Knix, 1992), 1:180. Eleanore Reuter, in *Kultzentralisation: Entstehung und Theologie von Dtn 12* (Frankfurt am Main: Anton Hain, 1993), suggests that the document "found" by Josiah in 2 Kgs 22 was not a form of the book of Deuteronomy, but the Covenant Code, and she separates the idea of cultic centralization from the cult reforms of Josiah to a large extent, uncoupling the centralization of the cult in Jerusalem from specific, observable historical events (on the relationship between Deut and 2 Kgs 22, see pp. 231-258). Her analysis pushes the composition of Deuteronomy into late Josianic times, after the cult reforms, and pushes the composition of the first edition of DtrH later than that. I find the idea that cult centralization had *something* to do with the broader international political situation compelling, though I would hesitate to pin it to specific historical before 701. I find Nicholson's argument compelling, especially his suggestion that it is after the invasion of 701 that cult centralization truly took hold. It is likely that such reforms happened sporadically and developed over the reigns of both Hezekiah and Josiah.

On the debate over dating, there are several factors in view. One issue is whether to date the impetus to the ostensive cult reforms to Hezekiah or Josiah or before or after these kings reigned. Both Hezekiah and Josiah are described as reforming kings in biblical literature, and Hezekiah's reign in particular is linked with the political entanglements with Assyria, while Josiah's reforms recounted in 2 Kgs 22-23 are often linked particularly with the possible composition of Deuteronomy, as the "book of the law" is sometimes said to be some early version of Deuteronomy itself. In a literary analysis, and concerned with religious rather than political concerns driving any cult reform, Julius Brewer critiqued scholars who argued for an early-monarchic date for the composition of Deuteronomy, especially taking issue with Adam Welch's theory that in its basic form, centralization was not a driving force in Deuteronomy, even in Deut 12:14. See Adam C. Welch, *The Code of Deuteronomy. A New Theory of its Origin* (London: Clark, 1925), critiqued in Julius A. Brewer's article, "The Case for the Early Date of Deuteronomy," *JBL* 47.3/4 (1928): 305-321. More recent debates have focused on whether the implementation of a cult reform can be traced to either Hezekiah or Josiah, eschewing the idea that such centralization may be earlier, and have debated the international political scene as well as domestic Israelite issues that may have influenced cultic change. On the ways in which Josiah's reforms are legitimized, especially utilizing the "discovered" scroll, and placing this within an ancient Near Eastern context and

the significance of cult centralization is that such an ideology heightens the territorial dimension of deity, which was already demonstrated above to be indicative of Deuteronomy and DtrH. Whereas the contingent nature of Israelite occupation of the land is not exclusive to Deuteronomy (recall that H, too, suggests that exile can result from sinful behavior in the land, casting the relationship between Israelites, deity, and land in a tenant/landowner frame), Weinfeld, Frankel, and Clements are correct that Deuteronomy frames the issue of the conditional land grant in particular ways.<sup>825</sup> The

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history of legitimizing cultic reforms, see Nadav Na'aman, "The 'Discovered Book' and the Legitimation of Josiah's Reform," *JBL* 130.1 (2011): 47-62. Because of the link between the "Deuteronomistic reforms" and the biblical kings, the interpretation of what scant archaeological evidence exists pointing to cult centralization becomes a key issue involved in dating the ideology (and potentially the literature regarding) such reforming actions. When he excavated Beer-sheba, Yohanan Aharoni concluded that the site was destroyed in the time of Hezekiah, rather than Josiah (see Yohanan Aharoni, "Excavations at Tel Beer-sheba, Preliminary Report of the Fourth Season, 1972" *Tell Aviv* 1 (1974): 32-42, see also "The Excavations at Arad and the Centralization of the Cult" *Reflections on the Bible: Selected Studies of the Bible Circle in Memory of Yishai Ron*, ed. M. Hevav (Tel Aviv: Am Oved [Hebrew]), 13-31). Yigael Yadin, on the other hand, concluded that there was a high place with an altar (rather than a temple) at the site, and that it was destroyed by Josiah (see "Beer-sheba: The High Place Destroyed by King Josiah" *BASOR* 222 (1976): 5-17). The complex relationship Deuteronomy and DtrH have with the monarchy, as well as a monarchic interest in marrying royal ideology with a theology that proclaims the chosen and inviolable status of the capital city has also sparked comment and debate. On some of these issues, see R. E. Clements, "Deuteronomy and the Jerusalem Cult Tradition," *VT* 15.3 (1965): 300-312, and John H. Hayes, "The Tradition of Zion's Inviolability," *JBL* 82.4 (1963): 419-426. Already in 1956, Maag traced cult centralization to the survival of Jerusalem in 701 BCE (Victor Maag, "Erwägungen zur deuteronomischen Kultzentralisation," *VT* 6 (1956): 10-18, cited and briefly discussed in Clements, 304 n. 2), and Clements observes that centralization seems to have been a royal desire before "the time of Deuteronomy," linked with the idea of election of the royal house (303-306). I find it most feasible to seek a link between the crystallization of the "zion theology," on one hand, and an increasing sense of both "royal ideology" and territorial (and cultic) centrality, on the other, after 701 BCE, though this is not to say that such ideas did not begin prior to this time.

<sup>825</sup> Weinfeld, as observed, above, highlights both the centrality of the land to the Deuteronomic narrative, and the fact that occupation of the land is conditional (*Deuteronomy* 1-11, 57-60) while Frankel observes the particularistic description of the election of the land and the election of the people in Deuteronomy. Clements goes even further than Weinfeld in highlighting the differences between the conception of land in H and Deuteronomy, suggesting that Deuteronomy's framing of the "morally conditioned" occupation of the land is designed specifically to militate against any supposition that there was a special "bond uniting Yahweh and his land, in which the cult served as a mediating link" (308). It is interesting that he observes that there is no "permanent bond" between Yhwh and the land in Deuteronomy, though he goes too far when he suggests that the "morally conditioned" aspect of Israelite dwelling on the land is a feature of Deuteronomy over and against the "Jerusalem cult tradition" represented by H. It has been demonstrated that both texts presume a conditional occupation of the land, necessitating certain moral, legal, and cultic obligations. What does seem to be different is that where H uses cultic language and the language of divine land ownership, Deuteronomy emphasizes the language of inheritance of the land, and the specific

spatial dimensions of divine allocation in Deuteronomy are echoed in several biblical texts that suggest that moving beyond the boundaries of the land of Israel means one must worship other gods. The putative cult centralization, an ideology espoused in Deuteronomy and DtrH, heightens this issue, by rezoning access to the divine in an even smaller area. The issue of multiple cult sites within Israel was problematic for the Deuteronomists; worship outside the land of Israel presented grave problems as well, highlighted by the exclusive territorial emphasis.<sup>826</sup>

Some biblical texts, presuming that the worship of the national god is restricted within the national borders, speak to the problems inherent in traveling outside those borders. This discourse on foreign land does not, generally, employ purity language, and it certainly does not hinge on a belief that foreign places are less desirable because of the moral character of the people who dwell in them. Indeed, this debate does not generally mention foreign *people* at all, but is rather focused on foreign *places* being removed from Yhwh's purview.<sup>827</sup> The first of these texts to consider is Deut 28:36 and 64. These verses appear among a lengthy list of curses enacted by violating the treaty between the deity and the Israelites. As discussed above, several of the curses attack the fruitfulness of the land or the cultivation efforts of the inhabitants.<sup>828</sup> These curses, enacted if the

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obligations necessary for the land grant to persist, concomitant with an ideology of divinity that includes the spatial dimension of different gods being worshipped in different territories.

<sup>826</sup> The fact that there seem to have been operative cult sites outside the land of Israel at Elephantine in the 5<sup>th</sup> century, and Leontopolis in the 2<sup>nd</sup> century BCE presents a counter-voice to Deuteronomistic cult centralization, and will be addressed below.

<sup>827</sup> This has resonance with texts that regard the underworld as outside Yhwh's purview or consideration in texts such as Ps 88:6, among others. This correlation will be addressed below.

<sup>828</sup> See especially vv. 18 (where agriculture is cursed), 21 (stating that pestilence will consume the Israelites from the land they are entering to possess), 22 (describing sicknesses for both people and land), 23-24 (describing the sky and the earth both becoming dry and barren, until the Israelites are destroyed), 33, 51 (saying that others will eat their produce), 38-42 (illustrating that they will receive no sustenance for their cultivating efforts), 52-57 (describing how people will cannibalize their own children, for want of food, which presumes but does not directly state the lack of produce referenced above, though in these verses, siege conditions are in view), and 63 (which raises the specter of both perishing from the land and exile).

Israelites failed to uphold their covenant obligations, naturally deal extensively with the land the Israelites are about to inherit. Straying from their obligations can lead to plagues, famine, death, and, most important here, being conquered by foreign peoples and exiled to distant lands. Interestingly, each explicit reference to exile broaches the idea that this situation results in foreign worship. V. 36 states, “Yhwh will bring you, and the king whom you set over you, to a nation that neither you nor your ancestors have known, and there you will serve other gods, of wood and stone.” Similarly, v. 64 states, “Yhwh will scatter you among all peoples from one end of the earth to the other (מקצה (הארץ ועד-קצה הארץ), and there you will serve other gods, of wood and stone, which neither you nor your ancestors have known.” It is interesting that both verses conceptually reverse the situation in which Abram was chosen by the deity, insofar as when Abram, initially from Ur (Gen 11:31) was in Haran, Yhwh (narratologically, a new and unfamiliar god with reference to these characters) told him to leave his land (ארץ), his kin, and his father’s house for a land that Yhwh will show him (i.e., a land unknown to him).<sup>829</sup> That the exiled population in Deuteronomy would be cursed to go to unknown lands and serve unknown gods suggests the dissolution of the fruition of the promise to Abraham, though this supposition ought not be pressed any further, because this promise is not in Deuteronomy. The two verses have much language in common. Both phrase the statement “there you will serve other gods (ועבדת שם אלהים אחרים), of wood and stone (עץ ואבן)” in the same way, and both include the phrase “which neither you nor your ancestors have known” (אשר לא-ידעת אתה ואבותיך). A conceptual difference between the verses, however, is the unknown element in the curse. Whereas v. 36 states that the

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<sup>829</sup> Though the land of Canaan was ostensibly known to Terah, as that was his original destination in Gen 11:31.

“nation” to which the Israelites and their king will be brought is unknown, v. 64 states that it is the gods of wood and stone that are unfamiliar. In v. 36, the idea that the nation is “unknown” heightens the sense of the land of exile being far away, foreign, and strange. In v. 64, the idea that the gods are “unknown” is added to their description as being constructed from wood and stone, presumably in order to heighten the same sense that these gods are not only “wrong,” but wholly strange. In both cases, stating that neither the people *nor their ancestors* have known the land or the gods has the emotional resonance of highlighting that the situation will be against the established norm, even unnatural (in the same way the verses about cannibalism evoke a sense of reversal of the usual natural order) by emphasizing that the people will be removed from their homeland and that of their ancestors, and removed from their national god, the god of their people. Jer 16:13 presents a very similar idea, when the prophet states that the peoples’ ancestors forsook Yhwh and served other gods, and his audience was even worse, so Yhwh “will hurl you out of his land into a land that neither you nor your ancestors have known, and there you shall serve other gods day and night, for I will show you no favor.” With the exception that the Jeremiah verse is written in a 2<sup>nd</sup> person masculine plural address, it uses almost identical language to describe exile as the Deut 28 verses.<sup>830</sup> One thing that is critical about these verses is that they demonstrate a presumption that leaving the land of Israel necessitates worshipping other gods. This illuminates a religious complication inherent in the Deuteronomic idea that Yhwh allotted different lands to different gods,

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<sup>830</sup> Jeremiah also uses the idea of unfamiliarity with reference to exile in Jer 15:14 and 17:4, by stating that Israel will serve their enemies *in a land they do not know*, though these Jeremiah verses do not similarly refer to serving other gods in these unknown lands. It is perhaps not surprising that Jeremiah shares this linguistic element with Deuteronomy, as Jeremiah has many Deuteronomistic features. See J. Philip Hyatt, “Jeremiah and Deuteronomy,” *JNES* 1.2 (1942): 156-173, and debate in Else Kragelund Holt, “The Chicken and the Egg—Or: Was Jeremiah a Member of the Deuteronomist Party?,” *JSOT* 44 (1989): 109-122.

played out here in the threat of exile. Since Deuteronomy emphasizes the conditional aspect of the covenant between the Israelites and their deity, illustrating the limitations in access to the deity within the geographic borders of the people's allotted land in this case serves a purpose: being exiled from both land and deity is a horrific curse, and a fitting punishment for failure to keep the treaty obligations. Cast in this way, the geographic limitation of worship of Yhwh to the land of Israel is not presented here as a problem; indeed, it is further motivation to follow the commandments of the deity.

While in Deut 28, the idea that other gods were worshiped in their respective lands while Yhwh was apparently unreachable had rhetorical force as a threat introduced to compel compliance with the terms of the covenant, other texts present a more sympathetic view that one might be *forced* from the land of Israel, consequently having to worship the gods of other territories. One such text is 1 Sam 26:19-20. Similar to 1 Sam 23:19-24:23[22], 1 Sam 26:1-25 tells a story of a fugitive David sparing King Saul's life.<sup>831</sup> After demonstrating his blameless moral character to the king by not killing Yhwh's anointed when he had the chance, David demands to know why Saul is pursuing him, asking "What have I done? What evil is on my hands?" (v. 18). He states that if it was Yhwh who stirred up Saul against him, let him smell [and be pleased with] a מנחה, but if mortals provoked him, "may they be cursed before Yhwh, because they have driven me out today from my share in the inheritance of Yhwh (מהסתפח בנחלת יהוה), saying, 'Go, serve other gods' (לך עבד אלהים אחרים)." The idea that the "inheritance of Yhwh" is the territory of Israel (or the kingship of Saul or David) is seen as well in 1 Sam 10:1 (Yhwh

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<sup>831</sup> On the idea that the two pericopes go back to a common tradition, but were transmitted in different circles, see Charles Conroy, *1-2 Samuel, 1-2 Kings with an Excursus on Davidic Dynasty and Holy City Zion* (Wilmington, DE: Michael Glazier, Inc., 1983), 81. Robert Alter suggests the second story is a purposeful literary inversion and manipulation of the first, in *The David Story: A Translation with Commentary of 1 and 2 Samuel* (New York: W. W. Norton & Company, Inc., 1999), 162 n. 1.

anointed Saul as ruler over his inheritance); 2 Sam 14:16 (David's territory is the inheritance of God [אלהים]); 20:19; and 21:3.<sup>832</sup> David appears to be anticipating his need to retreat to Philistine territory in the subsequent chapter, and laments this fact.<sup>833</sup> This text presumes that it is doleful that David is forced beyond the territorial boundaries of the nation of Israel, where he is expected to "serve other gods." Robert Alter is correct when he suggests that in this verse, "the LORD's inheritance clearly refers to the land of Israel. Since every national region had its own cult, David is saying that to be excluded from his own national borders is tantamount to being obliged to worship other gods."<sup>834</sup> Auld makes an interesting point when he observes that for David "'other gods' is terminology he ascribes to others," because it is true that David's character puts the speech "Go, serve other gods" in the mouths of the human provokers; however, I do not agree with Auld's conclusion that "Yahweh is the only divine force recognized by David."<sup>835</sup> While it is true that David's statement puts the mention of other gods into the mouths of others, his anguish over being forced to flee the land presumes that he, too, believes that the territory of Yhwh is circumscribed within the national borders. V. 20 makes this clear, as David states, "Now, do not let my blood fall to the ground, away from the presence of Yhwh (אל-יפל דמי ארצה מנגד פני יהוה)." David's concern is that he will be removed from the presence of Yhwh; his blood falling to the ground (ארץ) in a foreign land is an evocative image that elucidates the character's frustration over this

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<sup>832</sup> See discussion on A. Graeme Auld, *I & II Samuel: A Commentary* (OTL; Louisville, KY: Westminster John Knox Press, 2011), 97, 308, 559. He observes that this exact phrasing of נחלת יהוה occurs only in 1 Sam 26:19; 2 Sam 20:19; 21: 3; and Ps 127:3 (the last reference concerns progeny, not land). See also Robert P. Gordon, *I & II Samuel: A Commentary* (Grand Rapids, MI: Zondervan Publishing House, 1986), 296.

<sup>833</sup> See Alter, *The David Story*, 166 n. 19, where he states, "In fact, his flight from Saul has been mostly within Israelite territory, but he seems to be anticipating that his next move, for his own safety, will have to be into Philistine country."

<sup>834</sup> Ibid.

<sup>835</sup> Auld, *I & II Samuel*, 308.

prospect. The fact that his speech is “reminiscent” of the beginning of the Decalogue is not enough to substantiate Auld’s claim that David recognizes only Yhwh, and no other gods. This passage is not about the instantiation of a radical monotheism over and against the presumption of the existence of other gods in foreign territories; rather, every character in 1 Sam 26 operates on the presumption that Yhwh’s sphere is bounded within the borders of Israel, and that if David flees to the territory of the Philistines, he would then be in the territory of their gods, and have to serve them.

There is no purity language in this passage. Neither “moral” nor “ritual” impurity is in view here as a charge to be leveled against foreign lands; however, there *is* an implicit judgment valuing domestic over foreign residence. The implication is that it is better for an Israelite to be in Israel and worship Yhwh than in foreign lands, cut off from Yhwh and having to serve other gods (even though, one should note, there is no pejorative language against the other gods in this passage, devaluing them as wood and stone [as in Deut 28], referring to them גלולים or any other insulting terminology). This value judgment seems to be what is at stake in the fact that David refers to Yhwh four times in vv. 19-20. It is clear that there are cultic implications to being abroad suggested here, even if these verses do not construct the situation in terms of purity/impurity.<sup>836</sup>

While this point of view is most frequently attested in DtrH, there are examples elsewhere in the biblical literature, which raise concerns similar to 1 Sam 26:19. Ps 137 begins: “By the rivers of Babylon—there we sat down and there we wept when we remembered Zion./ On the willows in her midst we hung up our harps/ For there our

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<sup>836</sup> It is an interesting observation being removed from the ability to engage in the cult of Yhwh is a feature in these texts as it is in texts dealing with *ritual* impurity. In each case, certain states of being mean that one cannot access the deity. Priestly texts are apt to frame this issue in terms of purity, though it seems that access to the deity can also be circumscribed in geographic terms in specific texts. The interests of the authors drive the ways in which they frame the issues.

captors asked us for songs, and our tormentors asked us for cultic joy (שמחה), saying, ‘Sing us one of the songs of Zion!’/ But how can we sing a song of Yhwh in a foreign land (על אדמת נכר)?”<sup>837</sup> V. 4 poignantly articulates the problem of disconnectedness with the land of Israel, where Yhwh’s temple stood and within which Yhwh held dominion. To be exiled from the land of Israel is, according to this text, to be exiled from Yhwh, to be unable to engage in cultic practices which reaffirmed the relationship between deity and devotee, and is hence a cause of great distress.<sup>838</sup> Like Deut 28:36, 64 and 1 Sam 26:19, this separation from Yhwh is viewed as inherently negative. The lament of the psalmist is reminiscent of the frustration of David, upon being forced to leave the kingdom. This passage does not make the statement that the exiled Israelites by the waters of Babylon had to worship the gods of their new territory; however, it is clear that the author perceived of Yhwh’s territory as a bounded area, exclusive of foreign lands. Olyan has suggested that this passage “may not allude only to the pre-exilic tradition restricting Yhwh’s worship to his land, but also to the uncleanness of the land where the exiles find themselves, and therefore the impossibility of cult there.”<sup>839</sup> If foreign lands were conceived of as impure, even implicitly, that would provide another justification for the impossibility of cultic activities there, beyond simply the idea that Yhwh is unreachable outside his own borders. In an exilic and postexilic context, as Israelites (priests and non-priests, Deuteronomists and others) engaged with the implications of being forcibly expelled from Yhwh’s land, the reasons explaining their cultic situation

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<sup>837</sup> Ps 137:1-4.

<sup>838</sup> The issue is also one of being asked for cultic joy (songs of Yhwh) while the Israelites were in a state of mourning (portrayed by the fact that they sat and wept). On this issue, see Gary A. Anderson, *A Time to Mourn, A Time to Dance: The Expression of Grief and Joy in Israelite Religion* (University Park: Pennsylvania State University Press, 1991), 37-45; Olyan, *Biblical Mourning: Ritual and Social Dimensions* (Oxford and New York: Oxford University Press, 2004), 97-104.

<sup>839</sup> Olyan, *Rites and Rank*, 48.

would be compounded, expanded, and further nuanced. Below, I will discuss other possible evidence showing that the ideas of foreign land impurity and the restriction of Yhwh's worship to his land could work in concert.

The case of Num 9:10 possibly relates to similar issues, but the evidence is less clear, and interpretations must be offered cautiously. Num 9:1-14 presents new legislation regarding the Passover sacrifice. Presented as a practical measure raised by concerns from specific people who questioned Moses regarding their inability to keep the Passover on the proper date (the 14<sup>th</sup> day of the first month) because they were ritually impure from handling corpses (vv. 6-12), special provisions are made for these individuals to keep the Passover one month later, on the 14<sup>th</sup> day of the 2<sup>nd</sup> month, instead. Interestingly, Num 9:10 does not only specify that those with corpse impurity keep the Passover on that date, but also those who journey far away (בדרך רחקה). There has been significant discussion regarding this "second Passover."<sup>840</sup> Relevant here is both the *comparison* between far travel and ritual impurity (two conditions entailing an alternative date for the sacrifice)<sup>841</sup> and also the role that distance plays in cultic observance. I believe that Chavel and Levine are right to suppose that the crux of this legislation hinges on the consequences of cultic centralization.<sup>842</sup> Whereas Levine supposes that there is Deuteronomic literary influence on Num 9:1-14, Chavel holds that this text is Priestly, without direct influence by the Deuteronomists, yet deals with the

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<sup>840</sup> See survey and analysis by Simeon Chavel, "The Second Passover, Pilgrimage, and the Centralized Cult" in the *Harvard Theological Review* 102.1 (2009): 1-24.

<sup>841</sup> Ibid., 21-23 and n. 105, above.

<sup>842</sup> Chavel, "The Second Passover," 14-24; Baruch A. Levine, *Numbers 1-20 (AB)*; New York: Doubleday, 1993) 293. See also Levinson, *Deuteronomy and the Hermeneutics of Legal Innovation*, 53-97.

fallout from cultic centralization.<sup>843</sup> Chavel contends that the authors of this text, unwilling to make the observance of the Passover optional, yet also unwilling to compromise regarding the problems involved in creating a mandatory pilgrimage festival in Deut 16:1-7, provide a second date to deal with the real-life situation where the majority of Israelites lived great distances from the temple in Jerusalem. The prescribed consequences for failing to observe the festival are severe: Num 9:13 stipulates that those who are pure and not on a journey are subject to כרת (extirpation of lineage) if they do not offer the Passover sacrifice. Chavel is correct that the language of the passage does not indicate that the person in question is “only temporarily ‘on the road,’” which leads to his conclusion that the people who are in view as being “far” are those who permanently live at a distance from the Temple.<sup>844</sup> The passage, however, is vague enough that the idea of Israelites actually being outside the country must be considered.<sup>845</sup> In fact, it is tempting to suggest that the Second Passover might be the official date on which all those who live outside the land of Israel are expected to offer the Passover Sacrifice, and indeed there is some evidence that Passover observances were held in Egypt in the 2<sup>nd</sup> Temple period.<sup>846</sup>

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<sup>843</sup> Levine, *Ibid.*, Chavel, 20 n. 83. See also Chavel’s concise discussion regarding the variety of difficulties inherent in dating and cross-referencing an ostensive Deuteronomistic cult reform, Priestly literature, the character and development of the Passover sacrifice, etc., pp. 23-24, n. 97.

<sup>844</sup> Chavel, 18.

<sup>845</sup> Chavel cogently critiques setting the genesis of this legislation in the Persian Period on the presumption that there was extensive international travel for trade during that time (pp. 10-14). I agree that the likeliest setting for the origination of Num 9:1-14 is in the wake of centralization, or at least in reaction to an ideology of centralization; however, I contend that cultic centralization in the national capital works in concert with the ideology expressed in passages such as 1 Sam 26:19, involving a strong conception of the national deity being accessible (solely) within the borders of the nation; hence, this legislation would apply equally to one who must travel beyond the borders as for those domestic residents who are “far” from the temple within the national borders.

<sup>846</sup> See the Passover papyrus from Elephantine, published in Bezalel Porten and Ada Yardeni, *Textbook of Aramaic Documents from Ancient Egypt* (4 vols.; 1986-99): 1:54 (*TAD* A4.1). It is tempting to suggest that perhaps the date on which the community at Elephantine observed the Passover was on the 14<sup>th</sup> day of the 2<sup>nd</sup> month (in accord with the Num 9 regulation), especially because every occurrence of the month name

The general setting and legislation of the passage, however, militates against viewing Num 9:1-14 as a sanction for observing the Passover outside the land of Israel. The concern in the passage seems to be that because the Passover *must* be observed in the land, special provisions must be made for those who are far from the (centralized) cult site, because these individuals, as well as those with corpse impurity, would be unable to perform the rites. The descriptions of who may and who may not perform the Passover sacrifice are interesting: in Num 9:14 and Exod 12:19, resident aliens who keep the Passover do so just as Israelites do;<sup>847</sup> in Exod 12:48-49, the injunction is added that resident aliens who would keep the Passover must be circumcised; and in Num 9:1-14, there is special dispensation for those who are ritually impure or far away (ostensibly domestically or abroad, for lack of more specificity within the text) to perform the Passover later, with the presumption that it is critical for *all* Israelites to offer the sacrifice (and the punishment of being cut out of the community for failure to do so). Ultimately, there are two possible interpretations of Num 9:10 with regard to spatial concerns. Either the Passover envisioned in this text was not a geographically restricted ritual, but a cultural one that may be exported at need, and thus performed by Israelites (or their descendants?) abroad, or performed by resident foreigners, so long as they have joined themselves to the Israelite community through the sign of circumcision (though this is only according to Exod 12:43-49), or the Passover in Num 9 is an intensely geographically restricted ritual, in which all those dwelling in the land are expected to take part (Israelite and affiliated resident foreigner alike), and which it is incumbent upon

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“Nisan” is reconstructed in the *TAD*; however, it goes beyond the evidence to suggest an observance in Iyar, as opposed to Nisan, because the text is fragmentary at these points.

<sup>847</sup> Compare Num 15:14—resident aliens sacrifice like the Israelites; there is one statute for the foreigner and the native.

one to perform at a later date if one was distanced from the temple, because it was considered critical that the sacrifice be made *at* the temple in Jerusalem. While there is evidence that the Passover was observed in Elephantine in the 5<sup>th</sup> century, there is no evidence that it was done on the basis of Num 9. It is entirely possible, even likely, that Num 9:1-14 was intended to provide practical consideration for the fallout from cultic centralization, while the Elephantine papyrus was penned by those operating outside a Deuteronomistic conception of cultic centralization. Ultimately, the more likely possibility seems to be that Num 9:10, like 1 Sam 26:19 and Ps 137, presumes that cultic worship of Yhwh is impossible abroad, and prescribes pilgrimage to Jerusalem for the Passover sacrifice. If foreign lands are in view in this passage, they seem to be places outside the purview of the Yhwh cult.

The crisis of exile seems to have caused some Israelites to question not only their ability to worship Yhwh, but also the continuing validity of their covenant with their deity and even whether Yhwh had abandoned or forgotten his people entirely. Olyan has compellingly suggested that the “constellation of beliefs about the dead, their condition in the underworld, and their relationship to Yhwh” is conceptually linked in some documents to the status of exiles, who were similarly divided from Yhwh.<sup>848</sup> He has suggested that this underlies the third element of Ezek 37:11’s saying attributed to the people: “נגזרנו לנו” (“we are utterly cut off”). The *niphal* גז"ר is associated with the dead in texts such as Isa 53:8, Lam 3:54, and Ps 88:6.<sup>849</sup> Ps 88 contains the most detailed account of the implications of the dead being “cut off” from Yhwh, observing that Yhwh does nothing for the dead, who “exist in a realm beyond the bounds of his activity and,

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<sup>848</sup> Saul M. Olyan, ““We are Utterly Cut Off”: Some Possible Nuances of *nigzarnu lanu* in Ezek 37:11,” *CBQ* 65 (2003): 43-51 (51).

<sup>849</sup> *Ibid.*, 45.

perhaps, of his power.”<sup>850</sup> The dead do not speak of Yhwh’s deeds or covenant loyalty, “presumably because they no longer benefit from them and do not remember that they once did.”<sup>851</sup> Another key aspect of the description is that the dead do not offer cultic praise to Yhwh.<sup>852</sup> Texts such as Isa 38:11, 18; Ps 6:6; 28:1; 30:10; 115:17-18; and Sir 17:27-28, Olyan observes, also suggest that the dead are separated from Yhwh and from the living, which shows that there was “a well-represented trajectory of biblical thought epitomized by Psalm 88” in which “the underworld is a sphere separated from Yhwh’s beneficent acts for his people.”<sup>853</sup> The significance of these observations for this study lies in the way in which Olyan connects this trajectory to texts such as Ezek 37:11, which suggest that the exiles are cut off from Yhwh. He proposes that there is more at stake in this reference than merely implying that the exiles are (effectively) dead. Ezek 37:11, beyond this, claims that “the exiles, like the dead, no longer benefit from Yhwh’s salvific, miraculous activity; that they are forgotten by Yhwh; that they will see him no more; that they cannot worship him; that they cannot hope in his faithfulness.”<sup>854</sup> Olyan observes that the loss of the temple would have proved a crisis both for those who supported the Deuteronomistic program of cult centralization, and also those who believed that Yhwh worship was restricted to the land of Israel,<sup>855</sup> groups which I have suggested have a great deal of affinity, and perhaps overlap. Just as the dead could no longer praise Yhwh or serve him in the sanctuary, according to Ps 88, exiled Judeans could similarly not “sing a song of Yhwh” in foreign lands, which Olyan correctly observes is an analogous

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<sup>850</sup> Ibid., 46.

<sup>851</sup> Ibid.

<sup>852</sup> See Ibid., and n. 46 for discussion of how the root  $\pi\pi$ , especially in the hiphil, can refer to cultic praise.

<sup>853</sup> Ibid., 47-48 (48).

<sup>854</sup> Ibid., 48.

<sup>855</sup> Ibid., 48-49.

situation.<sup>856</sup> He reviews biblical texts that suggest that Yhwh had terminated the covenant as a result of Israel's sins, (e.g., Jer 30:22; 31:1, 33; Ezek 36:28; 37:23, 27, which present readoption formulae that presume a prior discontinuation of the covenant), as well as texts such as Gen 17:7 and Deut 4:31, which seem to respond to those who say the covenant has been forgotten (by reaffirming its eternal or unbroken nature).<sup>857</sup> Olyan also observes that there are several texts which suggest that exiles felt abandoned or forsaken by their god, such as Lam 5:20, 22; Isa 42:16; 49:14; 54:7; 62:4; Jer 12:7; and 2 Kgs 21:14. Ultimately, he argues, "Given how widespread the idea of abandonment appears to have been, some Judeans may well have perceived a parallel with the dead, prompting the statement preserved in Ezek 37:11."<sup>858</sup>

It is an exceedingly important observation that there are parallels between the constellation of ideas regarding the dead as cut off from Yhwh, and how some Judean exiles perceived their own situation living in foreign territories. Olyan's observations spark questions about the ways in which some texts considered here, which are predicated on the territorially-limited aspects of Yhwh cultic worship, functioned. Such texts, it seems, often maintain that Yhwh is inaccessible outside his borders, yet still suggest that Yhwh's effective powers extended beyond his borders. The dead in Ps 88, Olyan suggests, are in a "realm" which is certainly beyond the bounds of Yhwh's activity, and possibly, beyond the bounds of his power. The texts I examined above show concern regarding Israelites' ability to worship Yhwh in realms outside the national borders; significantly, there also are several texts which express doubt that Yhwh would act on behalf of his exiled people. I will argue, however, that some texts simultaneously

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<sup>856</sup> Ibid., 49.

<sup>857</sup> Ibid., 49-50.

<sup>858</sup> Ibid., 51.

suggest that Yhwh's own power was not limited to within his national borders (even though his cult was). Whether this is a difference between foreign lands and the underworld cannot be unequivocally stated, as even Ps 88 does not state that Yhwh *could* not exercise his authority in the underworld, but merely that he *does* not.<sup>859</sup> In this way, connecting the idea of exile to this particular constellation of ideas regarding the dead could have provided a poignant way for exiled Judeans to express their anxiety over the implications of their living outside of Yhwh's normal sphere of access and influence.

In addition to the documents treated above, which deal with exiles from the land and their struggles, there are also biblical texts that presume this territorial dimension of Yhwh worship, but apply this logic to the situation of specific *foreign* people, who enter Yhwh's realm in various ways. These cases highlight a situation that is the opposite of that described in 1 Sam 26:19 and Ps 137:4, where Israelites deal with the consequences of being forced out of the land of Israel. As Frankel states, "The corollary to the idea that the Lord can only be worshiped inside his land is the idea that even non-Israelites must worship him when inside his land."<sup>860</sup> Three key texts that deal with the phenomenon of foreigners entering the land are Ruth 1:15-16, 2 Kgs 17:27, and 2 Kgs 5:17. The passages involved explain three different conditions that precipitated foreigners entering into the territory of Yhwh, and the cultic maneuvers they had to make to accommodate the god of the land. My concern here is not how foreign people were incorporated into the Israelite community or into the cult of Yhwh, but rather the land-based (territorially bounded) conception of deity that these passages demonstrate.

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<sup>859</sup> It must be remembered that there are other texts, which Olyan discusses, that presume that Yhwh *does* act for the dead. Such discourse is multivocalic, even as discussion of how Yhwh may or may not operate on behalf of exiled Israelites is multivocalic in biblical texts.

<sup>860</sup> Frankel, *The Land of Canaan and the Destiny of Israel*, 200.

The first chapter of the Book of Ruth is famous for the way in which it depicts the protagonist cleaving to her mother-in-law and forsaking all she knew to stay with and support her. The entire scene in which Naomi attempts to convince her daughters-in-law to return home, rather than returning with her to Judah, and Ruth's response to it, is predicated on an understanding that geographic location affects the gods that one must worship. In Ruth 1:15, Naomi states, "Your sister-in-law has returned to her people and to her gods; return after your sister-in-law." Orpah, who had followed Naomi for a while on her journey back to her homeland, had not only returned to her people, but to her national gods (or god)<sup>861</sup> when she turned back. By leaving Moab, she would have left the cult of her homeland, to follow the cult of Judah. Ruth 1:16 makes the situation even clearer, as the character avows, "Wherever you go, I will go; wherever you lodge, I will lodge; your people will be (or: "are") my people, and your god, my god." By binding herself and her fate to Naomi, Ruth adopts Naomi's home, people, and god, as her own. The fact that two clauses stress the geographic relocation (Ruth will both "go" and "lodge" with Naomi) emphasizes the shift in territory, with the following two changes (people and god) representing the consequences of this decision. It should be observed that Ruth 1 does not presume that Yhwh is *impotent* outside the borders of Israel. Indeed, Naomi references Yhwh's power several times as operating in Moab: in Ruth 1:8-9, Naomi blesses her daughters-in-law in preparation for their leaving, asking that Yhwh deal loyally with them, and give them husbands and security; in 1:13, she states that the "hand of Yhwh" has gone out against her, causing her misfortunes, which presumes that

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<sup>861</sup> The term here is "אלהיה," "her gods," though it is possible that the national god of Moab, Chemosh, is in view here, referred to with the plural form אלהים, as is Yhwh in Israel. On this, see Jack M. Sasson, *Ruth: A New Translation with a Philological Commentary and a Formalist-Folklorist Interpretation* (Sheffield: JSOT Press, 1989), 29-30; and Kristen Nielsen, *Ruth: A Commentary* (OTL; Louisville, KY: Westminster John Knox Press, 1997), 48.

it was by Yhwh's power that her husband and sons died in the foreign land of Moab; and 1:20 expresses a similar sentiment, when Naomi changes her name to Mara, reflecting the fact that she believes that Yhwh (referred to as שדי in this verse) has dealt bitterly with her (in Moab). The critical component of geography seems to have to do with cultic observance in this passage. The point in Ruth 1 is not that Yhwh has no power outside of Israel (indeed, Yhwh's efficacy outside the borders of Israel is a major theme throughout the biblical material, even in Deuteronomy, where it is Yhwh who appoints gods for other lands), but that one's geographic location directly affects the gods one must serve. When Orpah returned to Moab, she returned to the god(s) of that country; when Ruth relocated to Israel, she was obliged to serve the god of that land. It is possible that the restriction of Yhwh worship to the land of Israel is a characteristic of pre-exilic literature,<sup>862</sup> as there would be no need to challenge this traditional concept before the exile (indeed, it provided rhetorical force for Israelites to keep the covenant, as seen in Deut 28:36, 64). It seems likely that 1 Sam 26:19, as well as 2 Kgs 5:17 (see below) are pre-exilic as well. Ps 137:4, however, reflecting the reality of exile, shows a heightened anxiety over the implications of this tradition.<sup>863</sup> The Book of Ruth is sometimes dated to the postexilic period, because it is perceived to be a response to the prohibitions against intermarriage in Ezra-Nehemiah;<sup>864</sup> however, it has been argued that the book is pre-exilic based on its investment in the house of David and the monarchy as something that still seems to exist

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<sup>862</sup> See Olyan, *Rites and Rank*, 147 n. 50.

<sup>863</sup> Some exilic and postexilic biblical texts reevaluate the issue of whether Yhwh can be worshiped abroad in the wake of the exile. See section 4.3, below.

<sup>864</sup> See Agnethe Siquans, "Foreignness and Poverty in the Book of Ruth: A Legal Way for a Poor Foreign Woman to be Integrated into Israel" *JBL* 128.3 (2009): 443-452.

at the time of composition.<sup>865</sup> The way in which this text speaks of geographic location directly affects the gods that one worships is perhaps another piece of evidence that this book predates the exile.<sup>866</sup> In any case, Ruth 1:15, like 1 Sam 26:19, presumes that when people crossed into different territories, they were obliged to serve the gods of the land in which they found themselves. There is no negative valuation of foreign territory in this passage as impure or evil; indeed, the foreign persons in this book are portrayed in a favorable way (especially Ruth) however, there does seem to be a presumption that being in the land of Israel is preferable to being in a foreign territory.

2 Kgs 17:24-41 presents a story about Assyrian transplants to the territory of the former northern kingdom, and their struggles to come to terms with the consequences of failing to properly worship the national god of their new land. According to this text, after the exile of Israelites from the Northern Kingdom, “the king of Assyria brought people from Babylon, Cuthah, Avva, Hamath, and Sepharvaim, and settled them in the cities of Samaria in place of the Israelites; they took possession of Samaria and settled in its cities” (v. 24). Assyrian mass deportations involved complicated systems of moving people around the empire and resettling them elsewhere, and it is probable that the region of Samaria was resettled with people from other places in the Assyrian Empire. There is some evidence for this, though not all Assyrian kings practiced deportation in the same ways.<sup>867</sup> The new colonists encounter problems upon settling in the northern territory in

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<sup>865</sup> See Nielsen, *Ruth*, 28, where she addresses “earlier” beliefs that the book was postexilic, but then argues that it is pre-exilic on the basis of the way that David, the monarchy, and the relationship between north and south are broached.

<sup>866</sup> The text presumes that a god is worshiped in his land, but it also assumes that Yhwh is effective in Moab. The text implies a restriction of worship of deities to within their national borders, rather than a restriction of their effective power.

<sup>867</sup> Some of the relevant biblical texts recounting the multiple destinations of the deportees *from* the region of Samaria are 2 Kings 17:6, 18:11; 1 Chr 5:26. There is some evidence regarding Assyrian resettlement of Israel. One reference to the dispersion of deportees is in Sargon’s description of his seventh regnal year

this chapter. According to v. 25, when they first settled there, they did not “fear Yhwh,” so he sent lions among them, which killed some of the settlers. The king is told that the reason this is happening is because the settlers “do not know the way of the god of the land” (משפט אלהי הארץ). In response, the Assyrian king sends one of the deported Israelite priests *back* to the territory of the former northern kingdom to teach the new settlers how they should worship Yhwh (v. 27). A Samarian priest settles in Bethel and proceeds to instruct on the manner of the god of the land (v. 28). Vv. 29-33 state that the settlers did worship Yhwh, but also maintained the worship of their own gods, from their native lands. Vv. 34-40 is a difficult section of text that has been interpreted in a variety of ways. It mentions a covenant with Yhwh, and reiterates that Yhwh worship should be exclusive, and when v. 41 picks up, it restates the main point of vv. 29-33, that the settlers engaged in worship of *both* Yhwh and their own “idols” (פסיליהם) down through the generations “to this day.”

There are a variety of issues involved in interpreting this passage, including the complicated references to the settlers, the Israelites, and a covenant in vv. 34-40, parsing

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(*palû*), in the Annals from Khorsabad, where he states that he defeated several Arab tribes and deported them to Samaria. (See Nadav Na’aman, “Population Changes in Palestine Following Assyrian Deportation” in *Ancient Israel and Its Neighbors: Interaction and Counteraction* (Vol I; Winona Lake: Eisenbrauns, 2005), 200-219 (Sargon’s inscription is cited on p. 206), reprinted from *Tel Aviv* 20 (1993): 104-124. See also K. Lawson Younger, Jr. “The Deportations of the Israelites” in *JBL* 117.2 (1998): 201-227. Both Na’aman and Younger use information from Assyrian royal inscriptions, especially those of Tiglath-pileser III, Shalmaneser V, and Sargon II (with special consideration given to the Nimrud prism and the Summary Inscription mentioned above), biblical texts, archaeological surveys and population studies to argue that the types of deportation that Tiglath-pileser III conducted in Israel were significantly different than those of Sargon II. The former king engaged in unidirectional deportation that depopulated areas in the northern kingdom without replacing the deported population with others from the Assyrian Empire, while the latter engaged in the more “standard” Assyrian practice of two-way deportation, settling deportees from other areas in the Assyrian kingdom in conquered Samaria. Their interpretation of the differences between Tiglath-pileser III and Sargon II differ slightly: Na’aman suggests that specific areas, such as the Galilee, were not resettled because of their marginality and poor economic potential (p. 202). Younger suggests that the difference between the kings is linked to Assyrian economic and military concerns regarding the Philistine coastal territory and Egypt “over against the separate economic and security concerns of Samaria” (p. 227).

out the meaning of the polemic in the pericope, and conjecturing the historical setting in which the episode was composed.<sup>868</sup> Cogan suggested that vv. 34-40 present a critique of the Israelites in exile, rather than the settlers, and Brettler further suggests that the juxtaposition of this critique with the description of how the settlers worshiped both Yhwh and their own “idols” heightens the polemic against the exiled Israelites, who failed to fear Yhwh at all.<sup>869</sup> Frankel, on the other hand, suggests that the “original core of this material” continued to speak of the foreign settlers, who made a covenant with Yhwh (based in Bethel), and the insertion of the Israelites into these verses was done because an editor could not countenance the idea that foreigners might be able to be chosen and bounded by covenant with Yhwh, thereby even potentially replacing the exiled Israelites in the land, provided that the foreign settlers heeded Yhwh’s imperatives.<sup>870</sup> The story in its current form includes a condemnation of the plural worship of the settlers, but its placement before the description of Josiah’s attack on the Bethel sanctuary in 2 Kgs 23 suggests a possible Deuteronomistic critique of northern Israelite practices for some scholars. Talmon has suggested that 2 Kgs 17:24-41 and Ezra 4:1-5 speak to the same historical situation, in which the Samaritans (who claim to have worshipped Yhwh as the returning exiles do since Esarhaddon settled them there) ask to

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<sup>868</sup> For an in-depth examination of the passage, see Frankel, *The Land of Canaan and the Destiny of Israel*, 200-217.

<sup>869</sup> See Mordechai Cogan, “Israel in Exile—The View of a Josianic Historian,” *JBL* 97.1 (1978):40-44. See also Idem, “Judah under Assyrian Hegemony: A Reexamination of Imperialism and Religion,” *JBL* 112.3 (1993): 403-314 (esp. p. 413, where he argues that 2 Kgs 17 provides a “sound” report of Assyrian practices involving annexed territories, despite the passages “tendentious” nature). See also Marc Zvi Brettler, *The Creation of History in Ancient Israel* (London Routledge, 1995), 128.

<sup>870</sup> Frankel, *The Land of Canaan and the Destiny of Israel*, 204-208 (esp. 206). He suggests the insertion is meant to deprive the inhabitants of Samaria with a unique status before Yhwh, even if they do dwell in the land of Israel.

be involved in rebuilding the temple.<sup>871</sup> Cogan suggests that 2 Kgs 17 is earlier, Deuteronomistic, and sets the stage for Josiah's actions in Bethel and against the high places of Samaria in 2 Kgs 23:15-20.<sup>872</sup> Frankel suggests that the story was crafted to fit into DtrH, but was originally separate, and that its current placement attempts to construe the Israelites against whom Josiah acted as foreigners,<sup>873</sup> but that the original (non-Deuteronomistic) version of the story was a polemic in defense of the colonists, designed to support the author's contemporaries, seen as descendants of the Samaritans in the story.<sup>874</sup> While Frankel's reconstructed history of this text is intriguing, I do not believe that it is probative, especially the suggestion that the "original" story was a favorable account of the colonists (including their making a covenant with Yhwh), twisted to be polemic against them before being inserted into DtrH. It is entirely possible that the "original" story reached the resolution that the colonists maintained sacrifice to Yhwh but also sacrificed to their own gods, as well. Frankel's argument rests on the fact that the lion attacks apparently stopped, which he says would not have happened if the settlers engaged in worshipping "idols" and therefore defiling the land.<sup>875</sup> The thrust of the

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<sup>871</sup> Shemaryahu Talmon, "Polemics and Apology in Biblical Historiography: 2 Kings 17:24-41," *The Creation of Sacred Literature: Composition and Redaction of the Biblical Text* (ed. R. E. Friedman; Berkeley: University of California Press, 1981), 57-68.

<sup>872</sup> Cogan, "Israel in Exile" and also "For We like You Worship Your God: Three Biblical Portrayals of Samaritan Origins," *VT* (1988): 286-292. See discussion on Frankel, *The Land of Canaan and the Destiny of Israel*, 209.

<sup>873</sup> Frankel, *Ibid.*, 211.

<sup>874</sup> *Ibid.*, 212-217. He believes that to the first version of the story was added a concession that the colonists had a covenant with Yhwh, but they ignored it, and that a later redactional layer denied even the covenant happened, adding in the Israelites in vv. 34, 36-38 to suggest that the covenant in view was Israel's covenant. He states that only after the story became a polemic *against* the colonists was it added into DtrH (p. 216).

<sup>875</sup> Frankel presumes that domestic land defilement is in view in this passage (pp. 211, 212). He states, "The 'rule of the God of the land' cannot be limited to mere sacrifice to the Lord. The phrase must also include the basic requirements for preserving the land's purity so that the Lord's presence may remain there. It is thus self-contradictory to refer to a community living on the land that practices idolatry and child sacrifice as 'fearers of the Lord.' Indeed, it is this contradiction that prompted the supplementer of v. 34 to insist that 'they *do not* fear the Lord'" (p. 212, Frankel's emphasis). It must be observed that the language of impurity *does not* come up in this text, neither does the idea of Yhwh's existence in the land as

passage, however, seems to inculcate the settlers regarding Yhwh worship, expected in their new land. That they adopted new practices without practicing exclusive worship of the national god demonstrates their incomplete understanding, but the lack of reference to future lion attacks does not necessarily mean that these settlers “originally” became perfect Yhwh worshippers. The point of the story is that within the land of Israel, the god of the land *must* be served. This spatial conception of deity rests on the same logic that David applied in 1 Sam 26:19, but in this case, the point of view is reversed: just as David would have been expected to “serve other gods” if he went outside Israel, so too are foreigners who *enter* Israel expected to serve the god of the land.

Whether the story is pre-exilic or postexilic is difficult to demonstrate with certainty. It does not seem likely that a Deuteronomistic editor inserted this passage into DtrH with the intention of exonerating Josiah of charges that he unfairly killed his countrymen, by turning the northerners into “syncretistic” foreigners, as Frankel supposes. The actions of Josiah in 2 Kgs 23 are repeatedly said to be against cult sites and objects that former kings (such as Manasseh and Solomon) had erected or imported.<sup>876</sup> Turning his actions from Judah to Israel, and defiling the cult sites erected by Jeroboam, fits within the narrative. The vehemence and violence of these actions is not condemned in chapter 23, and Josiah is evaluated positively in DtrH chiefly because

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dependent on maintaining “moral” land purity. It is certainly true that acts of “idolatry” were believed to pollute the land of Israel in many biblical texts, and it is true that this type of impurity often went hand-in-hand with discourse about exile, but there is no explicit threat here that the Samaritan colonists will be expelled from the land if they do not learn how to properly worship Yhwh. Rather, the punishment for failing to worship the god of the land is death by lion attack. The passage nowhere states that the returning Yhwh priest instructed the settlers *not* to worship their own gods in addition to Yhwh, though the ultimate judgment of the text is that they should have committed to exclusive Yhwh worship. In any case, while it is certainly likely that many Israelites, at least in priestly circles, would have felt that such “idolatrous” action within Israel would have defiled the land, this Deuteronomistic passage does not utilize purity language to make its case, but rather focuses on the territorially-contingent aspect of cultic expectations.

<sup>876</sup> There are repeated references to the “kings of Judah” (e.g., vv. 5, 11, 12) having been culpable in promoting these practices, cast here as non-Yhwhistic. Manasseh is mentioned in v 12, and Solomon, in v. 13.

of his “reforming” actions. It seems unlikely that a Deuteronomistic editor felt the need to recast Josiah’s actions as being against foreigners, rather than Israelites, because the entire thrust of the reform is that he was acting against Israelites following “foreign” practices imported by Israelite kings. It is possible that the historical context for the passage reflects a similar background to Ezra 4:1-5; however, the characterization of the “Samaritans” in the two passages differ (there is no indication in the Ezra verses that the Samaritans worship gods other than Yhwh). The conception of a change in territory necessitating a change in deity is expressed in various pre-exilic texts, and reflects a common ancient Near Eastern conception of national gods. The idea that people transplanted from a variety of places would worship the national god of a territory, but not exclusively, is not inconceivable in a Neo-Assyrian context. Holloway believes it likely that 2 Kgs 17:25-28 is “a post-exilic anti-Samaritan *legendum*,”<sup>877</sup> and he states that its “historical value...for reconstructing Assyrian provincial procedures is nil,”<sup>878</sup> due to the “inconcinnities of the acts of an anonymous Assyrian king” in this narrative, which he believes describes “the origins of Samaritan syncretism” and is linked linguistically, thematically, and theologically with the legend of the man of God in 1 Kgs 13, as well as 2 Kgs 23:15-20. Holloway has, however, written of the Neo-Assyrian imperial practice of cultic patronage, which itself was “inherited” from earlier Mesopotamian empires.<sup>879</sup> His main concern is that one cannot presume the historicity of the return of the Yhwh priest by the unnamed Assyrian king. The general principle of

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<sup>877</sup> Ibid., 90 n. 55.

<sup>878</sup> Ibid., 318 n. 303.

<sup>879</sup> See Steven W. Holloway, *Aššur is king! Aššur is king! : Religion in the Exercise of Power in the Neo-Assyrian Empire* (Leiden; Boston: Brill, 2002), 217-319 (on Assyrian practices of diplomacy in the exercise of empire), and 338-343 (which traces the practice of cultic patronage from the Old Babylonian period, and through the Middle Assyrian practice of showing support, outside the Assyrian heartland, of other gods, and into the Neo-Assyrian “tactic of cultic patronage within set geographic bounds” [338]).

multiple cult practices, however, as well as Assyrian patronage of the national cult (while not adhering to a Yhwh-only practice) is a feasible prospect. This is not to argue for the historical reliability of 2 Kgs 17, but to suggest that the ideas of territorially-contingent worship of a local deity had currency both within Israel and elsewhere in the ancient Near East for a long period of time. If the passage is indeed a postexilic Deuteronomistic composition, then it drew on pre-exilic ideas about residents needing to worship the god of a land in which they lived.

One final passage to consider that deals explicitly with the territorial dimension of the worship of Yhwh, and how this affects the depiction of foreign lands in texts, is 2 Kgs 5. In this narrative, the Aramean general is afflicted with skin disease (צרעת). Informed by a female captive from Israel that he might find a cure there, Naaman travels to Israel and is ultimately referred to Elisha, who directs him to bathe seven times in the Jordan River. At first incensed, Naaman ultimately consents to this procedure, after which his skin is restored and he is clean (טה"ר).<sup>880</sup> At this point, Naaman states, "Now I know that there is no god in all the earth except in Israel (אין אלהים בכל-הארץ כי אם-בישראל)."<sup>881</sup> Frankel states that this passage only acknowledges the existence of the god of Israel (and does not "recognize the reality of other deities outside the land"),<sup>882</sup> but he holds that this assertion must be reconciled with the land-based conception of deity. He misinterprets the issue as being one of a "land centered religion within a monotheistic framework,"<sup>883</sup> in which only Israel *has* a deity and "all other areas are simply godless;"<sup>884</sup> in reality, this

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<sup>880</sup> The idea of ritual cleanness is key in this passage. Purity is mentioned in v. 10, 12, 13, and 14. The impurity reappears in v. 27, clinging to Gehazi.

<sup>881</sup> On the literary device of a powerful foreign official "converting" to worship Yhwh, see also Dan 2:46-47; 3:28; 4:34-37; 6:25-27.

<sup>882</sup> Frankel, *The Land of Canaan and the Destiny of Israel*, 161.

<sup>883</sup> Ibid., 160.

<sup>884</sup> Ibid., 161.

is a bold statement about the potency of Yhwh on an international scale, concomitant with the idea that Yhwh can only be worshiped in his own land. As was the case in Ruth 1, there is an implication in this passage that Yhwh acts outside of Israel; indeed, Yhwh is credited with achieving Naaman's military victories in 2 Kgs 5:1. This passage is adamant, however, that sacrifice to the god Yhwh can only be done on Israelite land. Therefore, Naaman's statement of sole belief in the power of Yhwh and his affirmation that he will offer neither burnt offering (עֹלָה) nor sacrifice (זֶבֶחַ) to any other god except Yhwh requires that accommodations be made for Naaman to worship Yhwh when he returns to his home in Aram. Vv. 17-19 address the mechanics of how the general is to serve Yhwh while living in a foreign land. He requests that two mule-loads of earth (אֲדָמָה) be given to him.<sup>885</sup> Naaman also states that he hopes Yhwh will pardon him if he prostrates himself in the Temple of Rimmon, as his master, leaning on his arm, prostrates himself there (v. 18). Elisha assents, and Naaman leaves. The story concludes with an incident when Elisha's servant, Gehazi attempts to exact payment from the foreign general, and is punished for the presumption by contracting Naaman's skin disease, which will cleave to him and his offspring "forever."

In Chapter 1, I observed that 2 Kgs 5 challenges the neatly bifurcated schematization of purity ideologies in several ways. First, the skin disease in this chapter is a "ritual" impurity.<sup>886</sup> In the case of Gehazi, Naaman's skin disease (צִרְעַת נְעֻמָן) is depicted as a punishment for a crime, which links it also to the "moral" impurity

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<sup>885</sup> It is interesting that Naaman drives the action at this point in the narrative. No request was made of him to renounce all gods except Yhwh, or to sacrifice to Yhwh at home, and no Israelite made any suggestion as to how this might be achieved.

<sup>886</sup> Naaman himself is praised extensively in v. 1, where he is held in esteem by his master and regarded as a mighty warrior, and his conduct in vv. 15-19 is depicted as above reproach: respectful and deferential towards the prophet, reverent of Yhwh, and adopting of Yhwh-exclusive worship.

tradition. Additionally, the fact that the disease is not only permanent, but transgenerational for Gehazi's family, challenges the idea that "ritual" impurities are generally believed to be impermanent. Finally, the idea of two purity "systems" that differ in terms of how impurity or purity was transmitted<sup>887</sup> is challenged by the idea that the purity of the land (or at least, the pure land), seems to be portable and physically connected to the soil itself in this passage.

Frankel addresses this text in a section dealing with "theological accommodations" of Yhwh worship on foreign soil, especially focusing on the distinctions drawn between Israelite and foreigners in such situations.<sup>888</sup> He cogently observes the differences between 2 Kgs 5, Isa 6:3 (which states that the whole earth is filled with Yhwh's glory, while this verse constrains Yhwh [or at least Yhwh worship] to the land of Israel), and Mal 1:11 (which states that offerings are made to Yhwh all over the world, with no mention that there must be special accommodation for foreigners to sacrifice on foreign soil).<sup>889</sup> Jonah 1:16, Ps 107:22, Job 1:5 and 42:8 also describe foreigners worshiping Yhwh on foreign territory, apparently without difficulty or censure. Different still is the reference to foreigners in the prayer of Solomon, in 1 Kgs 8:41-43, which states that foreigners *come* from a distant land to the temple in Jerusalem, due to hearing of Yhwh. As Frankel has observed, some texts apparently distinguish between foreigners and Israelites in terms of who may worship abroad. Some texts limit Israelite worship to the land of Israel, while others show Israelites worshiping Yhwh beyond its borders; some texts insist that foreigners come to Israel to worship Yhwh, while others depict them worshiping Yhwh in their homelands. As noted above, 2 Kgs

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<sup>887</sup> That is, contact vs. far-reaching effects of purity or impurity in the different traditions.

<sup>888</sup> Frankel, *The Land of Canaan and the Destiny of Israel*, 160-177.

<sup>889</sup> Ibid., 161-162.

17 states that foreigners who come to the land of Israel *must* worship the national god, and there seems to be some condemnation of their (presumably expected) behavior of continuing to also worship other gods as well as the god of the land.

2 Kgs 5 resolves the situation in the unique way of suggesting that the land itself is imbued with qualities that make it possible to worship Yhwh, and that these qualities, with the land, can be exported. The 2 Kgs 5 solution seems unique in the Hebrew Bible,<sup>890</sup> but it is predicated on the same kind of land-based conception of Yhwh worship as evidenced in the above texts. What is remarkable about this text is that it ties Yhwh's accessibility as a deity not only to the bordered land of Israel, but to the very earth itself. Presumably, Naaman's purpose in requesting the soil of the land is to build an altar, possibly on the model of the law in Exod 20:24, which prescribes an altar of earth be constructed in "every place" (בכל-המקום) where Yhwh will cause his name to be remembered. Foreign territory, as in 1 Sam 26:19 and Ps 137:4, is viewed as a place where worship of Yhwh is impossible, but this text resolves the issue (at least for the foreign general) by suggesting that the properties that make Israel so particular are carried in the earth itself, and therefore can be taken into foreign places. Frankel is correct to note that there is no mention that such a solution would be acceptable for Israelites<sup>891</sup> (indeed, the Deuteronomists, at least, would presumably have objected to the idea of erecting altars on foreign territory to worship Yhwh). While there is no purity language in this passage, the idea of purity is in view, because an altar to Yhwh would have to be maintained in a state of ritual purity. It is possible that the purity status of the land of Israel is imagined to be carried in the soil taken to Aram, though this supposition

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<sup>890</sup> Though note that Num 5:17 suggests that the dust on the temple floor has specific qualities that enact a curse in the event of adultery.

<sup>891</sup> Frankel, *The Land of Canaan and the Destiny of Israel*, 162.

should not be carried too far. It is important to emphasize that there is *no* conception of “moral” impurity in this passage. There is no indication that Aram is viewed as polluted on account of “idol” worship, or other sinful behavior, leading to its pollution and resultant disconnection from Yhwh; indeed, all foreigners in view in this passage seem morally upright, especially contrasted with Gehazi. Therefore the reason that Naaman would otherwise be unable to worship in his homeland has nothing to do with the behavior of his countrymen or any conception that they polluted their homeland. Instead, in view here are the territorial restrictions placed on Yhwh worshippers, and the different ways in which different biblical authors resolved the issue. In the case of 2 Kgs 5:17, it seems that the territorial concern has been cast as a terrestrial concern, allowing for a solution to the problem of worship abroad through the exportation of Israelite dirt. This text speaks particularly to the issues involved in exilic contexts, and is thus read best in conversation with texts such as Ps 137:4. It is possible that under threat of exile, and especially after the realization of that threat, different biblical authors sought to answer the plaintive question posed in Ps 137:4 “How can we sing a song of Yhwh in a foreign land?” 2 Kgs 5:17 answers that question by mediating the issue through the land itself, though whether this would work for exiled Israelites is less certain. It should be remembered, however, that though the texts above presume Yhwh was not accessible through worship in foreign territories, that does not mean he was viewed as impotent abroad; several of the texts above either presume or explicitly refer to Yhwh’s power to affect human beings beyond the borders of Israel. The following section will explore some of the other ways in which these territorial constraints were pressed or transgressed in biblical literature and 2<sup>nd</sup> temple Judaism.

### 4.3: Texts that complicate the view of accessing Yhwh in foreign lands.

I have shown that the texts (many of which are in DtrH) that prioritize the territory of Israel as the only place in which Yhwh can be worshipped suggest that moving between territories can mean losing the ability to worship Yhwh. In the case of Deut 28, the threat of being forced into the lands of other gods is listed alongside threats of other punishments (such as starvation and destruction) for the rhetorical purpose of exhorting the Israelites to keep the covenant of Yhwh in the way that the Deuteronomic authors envisioned. Other texts, however, raise the prospect that this idea can prove problematic if worthy Israelites should be forced to leave the territory (e.g., David in 1 Sam 26:19), or suffer in exile, wishing to connect with their deity (e.g., Ps 137:4). There exist other biblical texts that challenge the bounded conception of Yhwh worship or the territorial constriction of the national god himself in a variety of ways. Below I will address (a) some specific texts that emphasize Yhwh's effective power outside his own land; (b) texts that suggest that Yhwh himself can travel outside Israel's borders (even going into exile with his people); and (c) texts that deal in different ways with the reality of living in foreign lands, including the biblical books of Esther and Daniel, and evidence from the Judean<sup>892</sup> garrison at Elephantine.

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<sup>892</sup> The issue of what to call the socio-cultural, religious group that traces itself to the Israelites receives little comment in scholarship of the Second Temple Period. It is often the case that the pre-exilic phenomenon is called "Israelite religion." Beginning in the Persian period, while some scholars still use the term "Judean" or "descendent of Judah," the term "Judaism" begins to be more frequently used. Sometimes scholars are aware of the change in terminology, such as Römer is in his book *The So-Called Deuteronomistic History* (London and New York: T & T Clark International, 2005), though even he does not theorize his terminology sufficiently. Sometimes, however, it seems an implicit assumption in scholarship that the Babylonian exile marks the changeover from "Israelite religion" to "Judaism," that "Second Temple Judaism" was a phenomenon that began in 530 or 515, and continued until the destruction of Herod's temple in 70 CE. The problems with linking the practices of Judeans in the 2<sup>nd</sup> half of the 1<sup>st</sup> millennium BCE terminologically to the post-rabbinic practices and beliefs of "Judaism" as practiced a millennium (and more) later are manifold. Among other problems, such an approach implies that "Second Temple Judaism" was homogenous as well as linked directly (through direct and unbroken transmission) with the later forms of "Judaism," while still being distinct from "Israelite religion." The problems of applying such terminology are more explicitly treated by scholars working with the Hellenistic and Roman

Certain biblical texts demonstrate an acknowledgement of other gods, even going so far as to suggest that Yhwh appointed other gods (and sometimes practices) for other nations, keeping Israel for himself.<sup>893</sup> Two important texts in this regard are Deut 32:8-9 and Ps 82.<sup>894</sup> Above, I argued that Deut 32:8-9 is relevant for developing the argument that different gods were assigned different territories. Several scholars have also argued that these verses presume that Yhwh and El are separate gods.<sup>895</sup> Frankel presumes that Deut 32:8-9 should be understood in this way, and argues that Ps 82 should not be read as depicting Yhwh as the head of the council, but rather Yhwh appearing in El's court, and being given the rule of the world in place of the gods by El himself at the end of the psalm.<sup>896</sup> Machinist observes that this is one of two major options debated by scholars

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materials. See Shaye Cohen, "Ioudaios, Judeus, Judean, Jew" in *idem, The Beginnings of Jewishness: Boundaries, Varieties, Uncertainties (Hellenistic Culture and Society)*, (Berkeley, Los Angeles, and London: University of California Press, 1999), 69-106. The problem is acknowledged in this treatment by attempting to use specific, appropriate terms (such as "Judeans" or "exiles of Judean descent) wherever possible. I quote others' use of terms such as "Jews" or "Judaism," but do so aware of their problematic nature.

<sup>893</sup> See, for example, Deut 4:19-20; 18:14-15; 26:16-19; 29:25-26.

<sup>894</sup> Also to be considered are Deut 4:19; 29:25; Josh 24:14-15; Judg 11:24; 1 Sam 26:19; Mic 4:5; Ps 47; 2 Isa 41:21-24; 43:10-13. See discussion and schematization of these verses in Peter Machinist, "How Gods Die, Biblically and Otherwise: A Problem of Cosmic Restructuring," in *Reconsidering the Concept of Revolutionary Monotheism* (Beate Pongratz-Leisten, ed.; Winona Lake, IN: Eisenbrauns, 2011), 189-240, esp. pp. 227-229.

<sup>895</sup> There is debate about this. See the discussion on Smith, *The Early History of God*, 32-34, esp. 32-33, where he observes that Deut 32:8-9 put Yhwh in the role of one of the sons of El, called Elyon in this text. He states, "This passage presents an order in which each deity received its own nation. Israel was the nation that Yahweh received. It suggests that Yahweh, originally a warrior-god from Sinai/Paran/Edom/Teiman, was known separately from El at an early point in early Israel" (p. 32). See literature cited in pp. 32-33 n. 45 on the background and origins of Yhwh. Smith ultimately concludes that Yhwh and El were combined, and later regarded as the same deity, which is not reflected in Deut 32:8-9. See also Michael S. Heiser, "Are Yahweh and El Distinct Deities in Deut 32:8-9 and Psalm 82?" *Hiphil* 3 [http://www.se-j.net/hiphil] (2006). Published October 3, 2006. Viewed November 1, 2013, who argues, *contra* Smith, that Yhwh and El are to be identified in both Deut 32:8-9 and Ps 82. See Frank Moore Cross, *Canaanite Myth and Hebrew Epic: Essays in the History of the Religion of Israel* (Cambridge, MA: Harvard University Press, 1973), 44-75 for a classic statement regarding Yhwh as a manifestation of El.

<sup>896</sup> Frankel, "El as the Speaking Voice in Psalm 82:6-8" *Journal of Hebrew Scriptures* 10 Article 16 (2010): 1-24 (Deut 32:8-9 discussed on p. 4), with thorough notes and treatment of past scholarship on this psalm.

regarding the identity of Elohim (Yhwh)<sup>897</sup> in this psalm.<sup>898</sup> Simon Parker has recently made some compelling arguments similar to Frankel's that Yhwh ascends to take control of the council in the course of Ps 82,<sup>899</sup> though there is by no means general agreement on this point. Machinist argues that Elohim (Yhwh) is head of the council from the very beginning, and that אל and עליון are used only as epithets, rather than to identify a separate god or gods from whom Yhwh assumes control of the council.<sup>900</sup> Each makes tentative, (though not bold) claims about the relationship of Ps 82 to the development of the idea of "monotheism" in ancient Israel.<sup>901</sup> Given that Deut 32:8-9 references both Yhwh and Elyon, and Ps 82:1 refers to the council of El, while v. 6 mentions Elyon, Frankel's suggestion that these references may not depict a specific kind of thoroughgoing monotheism that necessarily conflates El and Yhwh is appropriately cautious, though some, including Machinist, argue that at least in Ps 82, El and Yhwh are the same, while the psalm itself may function as an etiology explaining the grammatical plural of אלהים when referring to the singular "Elohim" (Yhwh).<sup>902</sup> While the psalm is often considered to be of critical importance in discussing Israelite conceptions of "monotheism" or Yhwh's place among the divine council, the Machinist is correct that tracing a linear development of such issues is a difficult, if not misguided process, and he makes a compelling argument that Ps 82 is particularly difficult to date, which complicates the

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<sup>897</sup> The psalm does not call Yhwh by name, but refers 4 times to אלהים. Machinist differentiates between Elohim (referring to Yhwh) and elohim (referring to the gods) in this psalm through capitalization, and suggests a dramatic progression in the psalm transferring from elohim to Elohim "When Gods Die," 192.

<sup>898</sup> See also Heiser, "Are Yahweh and El Distinct Deities," where he takes a position in response to scholars such as Smith (and Frankel), by arguing that in Ps 82 and in Deut 32, Yhwh is not *given* Israel by El as his territorial allotment, but rather takes Israel as his own, as a sovereign act as head of the council.

<sup>899</sup> Simon B. Parker, "The Beginning of the Reign of God: Psalm 82 as Myth and Liturgy," *RB* 102 (1995): 532-59.

<sup>900</sup> Machinist, "How Gods Die," 189-203.

<sup>901</sup> See especially *Ibid.*, 230-232; 235-240 on this issue.

<sup>902</sup> See Frankel, "El as the Speaking Voice," 1-24; Machinist, "When Gods Die," 231..

issue. Frankel suspects that Ps 82 reflects an early, monarchic setting, rather than an exilic one, though his argument is slightly less secure than his analysis of the mythic elements of the passage. He asserts that Ps 82 is “relatively early, and certainly pre-exilic”<sup>903</sup> because there is no mention of Israel as a community in this psalm, the condemnation of the other gods is not due to their countenancing crimes against Israel, but for internal social ills, and there are parallels between Yhwh’s enthronement and the enthronement of the earthly king. Frankel overreaches when he supposes that an exilic or postexilic dating of the psalm “goes hand in hand with the interpretation of the Psalm as monotheistic,”<sup>904</sup> however, because 2<sup>nd</sup> temple compositions did sometimes draw on earlier mythic motifs, without making them “monotheistic” (e.g., Dan 7).<sup>905</sup> One does not have to presume a monotheistic tendency in the psalm to discern that an exilic or postexilic author might have composed an account of Yhwh being presented as high above the gods of the nations that had conquered them.<sup>906</sup> In either case, whether the figures of Yhwh and El have been integrated by the time Ps 82 was composed or not,<sup>907</sup> and whether the psalm is pre-exilic or postexilic, what is key for our discussion is the

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<sup>903</sup> Ibid., “El as the Speaking Voice,” 10-14 (14)

<sup>904</sup> Ibid., 10.

<sup>905</sup> For a contrasting viewpoint to Frankel, see Machinist, 236-240 on the date and setting of the psalm, where he recapitulates his argument that the psalm has not been subject to major editorial work, but that the ideas expressed ranged in time so that scholars have made arguments for dates ranging from the premonarchic period to the early Hasmonean period (p. 237). Machinist focuses on the ideas expressed about Yhwh as the head of the divine council, seen especially in Deuteronomistic literature (e.g., Deut 32), as an anchor for dating, though his conclusions are admittedly speculative and highly tentative. He emphasizes that “in the world of ideas, in short, single developmental trajectories are probably never, for a whole society, completely operative, everyone moving in total intellectual synchronization” (p. 239). He does make a cogent argument that Ps 82 is likely later than Deut 32, but this presumes his own argument about the identification of Yhwh as the head of the council from the onset of the psalm, and is therefore also speculative.

<sup>906</sup> A similar point is made by Levtow. See *Images of Others: Iconic Politics in Ancient Israel*; Winona Lake, IN: Eisenbrauns, 2008), 3-43, 8-9, 43 n. 4 regarding the idea that scholars sometimes trace a linear progression towards the “discovery of monotheism” during the “theological crisis of exile” (p. 3). See especially p. 3-4 n. 9 for bibliography regarding this.

<sup>907</sup> Indeed some, including Cross, would argue that there were never separate. This is certain a separate issue from “monotheism.”

representation of Yhwh as having power over the gods of the other nations, and being in a position to inherit their positions after they are sentenced to death. These features of the psalm are present whether one favors a pre-exilic, dualistic interpretation, a pre-exilic, non-dualistic interpretation, *or* a postexilic, non-dualistic interpretation.<sup>908</sup>

What is key to consider is that Ps 82 presumes the type of theology expressed in Deuteronomy, which posits the existence of other gods who are assigned to the world's nations, and it expounds on this idea to emphatically assert Yhwh's superiority over these other gods. Yhwh is not *merely* a national god, but the most powerful of them all, who (it is hoped) inherits or will inherit the positions of the other gods and effectively rules the world by the end of the psalm. If Machinist is correct and Ps 82 presumes knowledge of Deut 32, then it is possible (though speculative) to interpret Ps 82 in the light of the national-god aspects of Deut 32:8-9. Hence, while a spatial element of deity is in view, this psalm seems to challenge a bounded conception of the Israelite deity, situating Yhwh over gods (possibly over gods of the nations), and asserting his superiority over any other gods (which would have resonated strongly with certain groups during and after the exile).<sup>909</sup> To this passage may be compared Exod 12:12 and Num 33:4, which state that Yhwh executed judgments upon the gods of Egypt. Exod 15:11, which declares Yhwh incomparable among the gods, possibly evokes a similar idea; however, this is when it is interpreted through the lens of Deut 32:8-9, and is, at best, implicit.<sup>910</sup> In each case, the existence of national gods is presumed, which suggests that gods were assigned specific

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<sup>908</sup> It should be noted that Frankel, in *The Land of Canaan and the Destiny of Israel*, 140 n. 10, reads the psalm presuming it is indeed about Yhwh alone, and he debates whether Yhwh had the power to sentence the gods to death or if this was an empty boast.

<sup>909</sup> Levtow, *Images of Others*, 32 *ad passim* for this type of argument with regard to icon politics.

<sup>910</sup> The incomparability of Yhwh seems to be an old idea, found in various pre-exilic texts, which does not, on its own, imply a belief in Yhwh's supremacy over other national gods. See, for example, Ps 89:6-19; Exod 15:11 and discussion in Olyan, "Is Isaiah 40-55 Really Monotheistic?" *Journal of Ancient Near Eastern Religions* 12 (2012): 190-201 (196).

territories over which to rule and within which to be worshiped. These texts suggest that Yhwh's effective realm is not limited to the territory of Israel, but extends abroad, vividly demonstrating not only Yhwh's agency in foreign lands, but ultimate control over history.

Some biblical texts challenge the Deuteronomistic territorialism of Yhwh in a different manner. These passages likewise emphasize Yhwh's agency in foreign places, but do so by describing Yhwh's movements in and out of his own territory. The Ark Narrative in 1 Sam 4-6 and 2 Sam 6,<sup>911</sup> and the account in Ezekiel 8-11, which describes Yhwh's departure from Jerusalem, both demonstrate ways in which the national god of the land of Israel shows his efficacy abroad. Both passages draw on ancient Near Eastern conceptions of divine abandonment and the spoliation of cult icons in innovative ways to depict Yhwh as ultimately superior to the gods of other nations, and the controller of history. The capture, mutilation, deportation, and destruction of cult icons were a part of warfare in the ancient Near East for millennia, and some have argued that narratives about gods traveling or abandoning their lands and their people is likely the literary expression of this practice.<sup>912</sup> As Levtow summarizes, "Cult images of defeated peoples were often abducted by victorious armies, carried off, and deposited in the sanctuaries of the victor's gods. In some cases, conquering armies also mutilated or destroyed the cult images of the people they vanquished."<sup>913</sup> For victors, this was a sign of the triumph of

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<sup>911</sup> The nature and scope of the "Ark Narrative" is a subject of debate. See below.

<sup>912</sup> See Levtow, *Images of Others*, 100-118, Morton Cogan, *Imperialism and Religion: Assyria, Judah and Israel in the Eighth and Seventh Centuries B.C.E.* (Sissoula, MT: The Society of Biblical Literature and Scholars Press, 1974), 5, 9-41, 119-121, Daniel I Block, *The Gods of the Nations: Studies in Ancient Near Eastern National Theology* (Grand Rapids, MI: Baker Academic, 2000), 113-147, Idem., "Divine Abandonment: Ezekiel's Adaptation of an Ancient Near Eastern Motif" in *The Book of Ezekiel: Theological and Anthropological Perspectives*, (Margaret S. Odell and John T. Strong, Eds.; Atlanta: The Society of Biblical Literature, 2000), 15-42, Holloway, *Aššur is king! Aššur is king!*, 54-59 (review of Cogan), 62, 145-150, 284, 369-370, and F. W. Dobbs-Allsopp, *Weep, O Daughter of Zion: A Study of the City-Lament Genre in the Hebrew Bible* (Roma: Editrice Pontificio Istituto Biblico, 1993), pp. 46-48.

<sup>913</sup> Levtow, *Images of Others*, 101.

their gods, and victims of this kind of loss had to justify this prospect, and they did so in a variety of ways.<sup>914</sup>

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<sup>914</sup> It is often presumed that victims of icon spoliation quite frequently suggested that it was their own fault that their gods had abandoned them, positing cultic or national faults that lead to their gods' wrath, and willing departure, and that victors eventually picked up on this literary motif, and adopted it for their own agenda, blaming the victims for their destruction and the abandonment of their gods. On this, see Cogan, *Imperialism and Religion*, 9-21 (esp. p. 11), Holloway, *Aššur is king! Aššur is king!*, 145-146, Peter Machinist, "Literature as Politics: The Tukulti-Ninurta Epic and the Bible" *CBQ* 38 (1976): 462-464, and Levtow, 101-102. I have elsewhere argued that the tendency for victims to blame themselves for divine abandonment is not as prevalent a theme in the literature as is sometimes suspected. Victims often came up with alternative suggestions about why their gods abandoned them. For example, the Sumerian City Laments do not suggest that the gods willingly abandoned their cities to destruction, and the voices of the gods lament their loss. See "Lamentation over the Destruction of Ur," collected from 22 fragments by Samuel Noah Kramer, *Lamentation Over the Destruction of Ur*, Assyriological Studies 12 (Chicago, IL: Chicago University Press, 1940). See also translation by S. N. Kraemer (*ANET*) 455-463 as well as the recent work, Nili Samet. *The Lamentation Over the Destruction of Ur: A Revised Edition* (Ph.D. thesis, submitted to the Senate of Bar-Ilan University, 2009). See also the "Lamentation over the Destruction of Sumer and Ur," published by Piotr Michalowski, *The Lamentation over the Destruction of Sumer and Ur*. Mesopotamian Civilizations 1 (Winona Lake, IN: Eisenbrauns, 1989), translated by S. N. Kramer (*ANET*, 611-619 and also "The Lament for Sumer and Urim," n.p. Electronic Text Corpus of Sumerian Literature translation, (The ETCSL Project, Faculty of Oriental Studies, University of Oxford, updated 12/19/2006). Online: <http://etcsl.orinst.ox.ac.uk/cgi-bin/etcsl.cgi?text=t.2.2.3#>. See also the Eridu Lament is found in M. W. Green, "The Eridu Lament" *Journal of Cuneiform Studies* 30 (1978): 127-167; and the Uruk Lament is found in Idem, "The Uruk Lament" in *JAOS* Vol 104, No. 2 (1984): 253-279. The Middle Babylonian composition the Marduk Prophecy is another example, citing three occasions in which Babylon was sacked and the icon of the god Marduk was apparently deported to the conqueror's land. The author avers that it was by Marduk's own will that he left Babylon, but there is no divine wrath in view; rather, Marduk left for other reasons, including business, and even tourism. See Rykle Borger's edition in "Gott Marduk und Gott-König Šulgi als Propheten: Zwei prophetische Texte," *BiOr* 28 (1971): 3-24, as well as Foster's translation in *Before the Muses*, 388-391. This document is treated by Block in *Gods of the Nations*, 123 and "Divine Abandonment," 22-23. See also John F. Kutsko, *Between Heaven and Earth: Divine Presence and Absence in the Book of Ezekiel* (Winona Lake, IN: Eisenbrauns, 2000), 105; Jerrold S. Cooper in *The Curse of Agade* (Baltimore, MD: The John Hopkins University Press, 1983), 30, and Levtow, *Images of Others*, 112-114). Another Middle Babylonian composition, "The Seed of Kingship," does blame the people for divine wrath and abandonment, but it is not the present audience, but an earlier generation, that is depicted as at fault (See Wilfred G. Lambert, "The Seed of Kingship," in P. Garelli, ed. *Le Palais et royauté (archéologie et civilisation)*. Rencontre Assyriologique Internationale 19 (Paris: Geuthner 1974), 427-440 and Foster, 376-380. There is an earlier translation in Wilfred G. Lambert's "Enmeduranki and Related Matters," *JCS* 21 (1967): 128-31). A similar tactic is seen in the Mesha Stele from Canaan (see R. Dussand, *Les monuments palestiniens et judaïques (Musée du Louvre)*, 1912, 4-22, and translation by W. F. Albright: "The Moabite Stone," (*ANET*), 320-321. The Neo-Babylonian work, The Poem of Erra, depicts Marduk as *tricked* into leaving (See Luigi Cagni, "The Poem of Erra" *SANE* 1.3 [CA: Udena Publications, 1977], Foster, 880-911, and Daniel Bodi, *The Book of Ezekiel and the Poem of Erra* [Freiburg, Schweiz: Universitätsverlag; Göttingen: Vandenhoeck und Ruprecht, 1991], 191-197). The idea that the people or the king are to blame for divine abandonment is seen often in the mouths of conquerors, as is the case, for example, in the Tukulti Ninurta Epic, a historiographic Middle Assyrian composition celebrating the victory of Tukulti-Ninurta I over the Kassite king Kaštiliaš IV, which gave Assyria control of Babylonia for a time. This piece gives a theological reason for Kaštiliaš IV's defeat. See Albert Kirk Grayson, *Assyrian Royal Inscriptions* (Wiesbaden: O. Harrassowitz, 1972), 1:191-134, and also Foster, 298-317, with bibliography on p. 299. Additionally, see Peter Machinist, "The Epic of Tukulti-Ninurta I: A Study in Middle Assyrian Literature" (Ph.D. diss., Yale University, 1978), and Idem, "Literature as Politics," 455-482. There is not space here to fully expound on this, but the material point is that "loser literature" had a

The fact that “the literary motif of divine abandonment was translated into reality by the transfer of the divine images of defeated nations”<sup>915</sup> to the conquering country presented an ideological problem for defeated nationalities that wished to preserve the ideology of the affective power of their gods. One way in which this was done was to suggest that the gods voluntarily abandoned their shrines and *allowed* themselves to be taken to enemy lands. This was the case in the Marduk Prophecy, in which three separate occasions of the capture of Marduk’s cult statue are presented as the voluntary movements of the god to foreign lands to the benefit of Babylon, despite the fact that Babylon suffered tremendously in his absence. In the biblical material, a similar description of the loss of cult icons is found in the Ark Narrative, which has been reinterpreted as an account of the deity’s effective power both at home and in foreign territory.<sup>916</sup> Levtow has stated that the Ark Narrative, which concludes with an

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variety of means to explain the capture of cult icons. It wasn’t a “natural” recourse for ancient Near Eastern peoples to blame *themselves* for provoking their gods’ wrath and abandonment, but this tactic was seen in the mouths of conquerors (note also the speech of the Rab Shakeh in 2 Kings 18:17-37 and Isaiah 36), as well as some biblical texts, which explain Yhwh’s actions in terms of divine wrath and abandonment. Daniel Block has observed that the concept of divine abandonment is well documented in the Hebrew Bible, both with reference to foreign lands and to Israel (“Divine Abandonment,” 15-18). See, for example Isaiah 46:1-2, which Levtow cites as an instance of Israelite literature that dethrones icons (*Images of Others*, 127, n. 158). Jeremiah, a contemporary of Ezekiel, describes Chemosh, the patron deity of the Moabites, going into exile together with his priests and attendants (שריר) in 48:7, and Milkom is described similarly in 49:3. There is biblical evidence for this motif being applied to Yhwh. Yhwh is suggested to be absent in the question, “Where is your/their God?” though it is significant that this question is put in the mouths of foes and foreigners when it appears in Mic 7:10; Joel 2:17; Ps 42:4, 11; 79:10; and 115:2. Block traces “five specific dimensions of Yahweh’s abandonment contemplated in the Old Testament.” Yhwh can be absent from an individual, from his people, from the land of Israel, from Jerusalem/Zion, or from his sanctuary (Block, “Divine Abandonment,” 16-17. See nn. 6-10 for a thorough examination of all such references to divine absence).

<sup>915</sup> Cogan, *Imperialism and Religion*, 111.

<sup>916</sup> The “Ark Narrative” is a hypothetical document within 1 Samuel, though its scope, nature, and date are all debated. Three monographs published in the 1970s articulate the main cruxes of the debate. Franz Schicklberger suggested that 1 Sam 4-6 was a narrative created to explain the catastrophe of the defeat at Ebenezer, and to stress Yhwh’s freedom, which was expanded and developed after the fall of the Northern Kingdom in 720. See his work, *Die Ladeerzählungen des ersten Samuel-Buches, Eine literaturwissenschaftliche und theologiegeschichtliche Untersuchung* (Forschung zur Bible 7; Würzburg: Echter, 1973). Anthony Campbell suggested that the literary unit of 1 Sam 4:1b-7:1 was continued in 2 Sam 6:2-23 in his monograph, *The Ark Narrative (1 Samuel 4-6; 2 Sam 6): A Form-Critical and Tradition-Historical Study* (SBLDS 16; Missoula, MT: SBL and Scholars’ Press, 1975). On this idea, see also

“authoritative tradition of Israelite iconic political discourse that was adopted by the Deuteronomistic Historians” indeed “represents the clearest, if not earliest, attestation of an Israelite tradition of iconic politics.”<sup>917</sup> Miller and Roberts likewise engage in a detailed discussion of the relationship between the Ark Narrative and ancient Near Eastern accounts of icon spoliation and return.<sup>918</sup> The nature of the rhetoric in the passage has led scholars to propose a provenance for the Ark Narrative that spans several centuries. The apologetic nature of the narrative, which emphatically affirms Yhwh’s potency even in the midst of national defeat, seems to suggest that political or military weakness or loss formed the background against which the Ark Narrative was composed. As noted above, several scholars, including McCarter, Miller, and Roberts, have argued that the Ark Narrative reflects a very early date of composition, possibly even early in the 10<sup>th</sup> century. Levton holds that while there may be very early elements, the adaptation of

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Leonhard Rost, *Die Überlieferung von der Thronnachfolge Davids*, (BWANT 111/6; Stuttgart: Kohlhammer, 1926), though Campbell suggests that some sections excised by Rost are, indeed, parts of the original narrative, rather than later additions (see Campbell, 166-168). Campbell argued that the Ark Narrative’s purpose was to mark the transition to David’s rule in Jerusalem, dating the literature very early. Miller and Roberts emphasize that the central feature of the narrative is not the ark, but rather the demonstration of Yhwh’s potency and agency. They connect 1 Sam 4-6 closely with 1 Sam 1-3, regarding the downfall of the house of Eli, and suggest that the narrative ends with the return of the ark to Israelite territory, and therefore do not include 2 Sam 6 in their ultimate analysis. See Patrick D. Miller, Jr. and J. J. M. Roberts, *The Hand of the Lord: A Reassessment of the “Ark Narrative” of 1 Samuel*, (Atlanta: SBL, 2008). With regard to the links between 1 Sam 4-6 and earlier chapters of 1 Samuel, Miller and Roberts draw on John Willis, “An Anti-Elide Narrative Tradition from a Prophetic Circle at the Ramah Sanctuary,” *JBL* 90 (1971): 288-308. They date the composition of the narrative to a time after the military defeat at Ebenezer (which the narrative explains), and before the later victories of David, which “removed the theological problem that created the need for it” (p. 94). P. Kyle McCarter (in *1 Samuel: A New Translation with Introduction, Notes & Commentary* [New York: Doubleday, 1980], 23-26; 102-139) generally follows Miller and Roberts’s conclusions, asserting that the Ark Narrative ends with 1 Sam 7:1, and that it was composed “only a short time after the events it describes” (p. 109), though he does suggest that the ark itself is the chief protagonist of the “Ark Narrative” (p. 107). Levton presumes Campbell’s inclusion of 2 Sam 6 in the Ark Narrative, and he dates the Ark Narrative much later than do scholars such as Miller, Roberts, and McCarter, arguing that while there may be early elements, it was incorporated into DtrH, and adapted in that process, in the late 7<sup>th</sup> or 6<sup>th</sup> centuries BCE (*Images of Others*, 134 n. 8, 143-144 n. 37, and 144 n. 38).

<sup>917</sup> Levton, *Images of Others*, 134 n. 8. Levton’s discussion of the Ark Narrative, pp. 132-143, shows how the narrative was integral to the larger Deuteronomistic historiographic context and also correlated with ancient Near Eastern and Israelite ritual and literary traditions of cult images and political challenges.

<sup>918</sup> Miller and Roberts, *The Hand of the Lord*, 12-26; 95-105.

the story to fit into the DtrH reflects a later redactional history, and he does make a good case for examining the Ark Narrative in light of historical events, politics, and rhetoric of the late 7<sup>th</sup> and 6<sup>th</sup> centuries BCE.<sup>919</sup> Indeed, it is plausible for Israelite authors to profess the power of Yhwh at a historical moment in which Israelites faced political and military defeat at the hands of the Babylonians or the Assyrians.<sup>920</sup> I have observed that the territorial dimensions of Yhwh's domain are stressed repeatedly in DtrH, and it is important to realize that 1 Sam 4-6 does seem to hinge on a territorially confined definition of divinity.

The narrative regarding the capture and return of the ark in 1 Samuel has four major components: the Shiloh priesthood is shown to be unworthy and corrupt in 1 Sam 2:12-19, 22-25. The sons of Eli abused their power as priests and dealt improperly with the sacrifices brought to Shiloh, incurring the disfavor of the deity because "they treated the offerings of Yhwh with contempt."<sup>921</sup> The next component involves the battles between the Israelites and the Philistines in 1 Sam 4:1-22. After a defeat at Ebenezer, the Israelites ask "Why has Yhwh struck us down today before the Philistines? Let us bring the ark of the covenant of Yhwh here from Shiloh, so that he may come among us and save us from the power of our enemies."<sup>922</sup> As Levton observes, this utterance recognizes Yhwh as the power behind the Philistine victory.<sup>923</sup> After the ark is brought from Shiloh to the battlefield, it fails to win the battle for the Israelites, and the ark itself

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<sup>919</sup> Ibid., 134 n. 8, 143-144 n. 37, and 144 n. 38. On Deuteronomistic iconic political discourse, see pp. 143-153.

<sup>920</sup> Note that Schicklberger proposed a later narrative, composed in Jerusalem after the fall of Samaria in 720 BCE (*Ladeerzählungen*, 180), with later developments during Hezekiah's reign (Ibid., 230, 233-234). See critique of this proposal in Miller and Roberts, *The Hand of the Lord*, 6-9. Levton suggests a late date based on the narrative's adaption into DtrH, composed late in the monarchic period and in the exilic period.

<sup>921</sup> 1Sam 2:17 (ר"ט)

<sup>922</sup> 1Sam 4:3

<sup>923</sup> Levton, *Images of Others*, 136. On the meaning of the ark in the narrative context, see also McCarter, *I Samuel*, 108-109.

is captured. Because the beginnings of the Ark Narrative can be traced to Chapter 2, the rhetorical question asked by the elders at Ebenezer resonates with the happenings in Chapter 4 to explain that Yhwh allowed *both* the defeat of the Israelites and his own capture because of the cultic errors of the priests at Shiloh.<sup>924</sup> Psalm 78:56-66 likewise presents Israel's defeat by the Philistines as Yhwh's voluntary abandonment of Shiloh in response to cultic misdemeanors.<sup>925</sup> 1 Sam 4:12-22 describes the reaction in Shiloh to the news that the ark of God (אֲרוֹן הָאֱלֹהִים) had been captured: The entire city cried out, Eli fell and died, and his daughter-in-law went into a disastrous labor. Vv. 21-22 state that she named her son Ichabod (אי-כבוד: "where is glory?") because "the 'glory' was 'exiled' (גִּלְהָ) from Israel" with the capture of the Ark of the Covenant. The calamity of the capture of the ark was severe, and the consequences, immediate.

Levtow, like Miller and Roberts, observes the significance of attributing the victory not to the Philistines' might, but to Yhwh: "This preliminary vindication of the power of Yahweh despite Israel's defeat and its implicit denigration of the power of the enemy anticipates the coming confrontation between the Israelite and Philistine deities in 1 Sam 5:1-4."<sup>926</sup> Indeed, the next component of the Ark Narrative is an account of the suffering of the Philistines and their god while in possession of the ark, and its return to Israel in 1 Sam 5:1-7:1. The ark caused suffering to the Philistines wherever it was taken, and was transported from Ashdod to Gath, and then to Ekron. In Ashdod, the ark was placed in the temple of Dagon, and Yhwh demonstrated superiority by knocking down the statue of Dagon, and then breaking it apart after the statue was righted. The incident is clearly intended to demonstrate Yhwh's potency, even in captivity: the prostrated

<sup>924</sup> Levtow, *Images of Others*, 136, 155. See also Miller and Roberts, *The Hand of the Lord*, 79-82, 87-94.

<sup>925</sup> See Levtow, *Images of Others*, 155.

<sup>926</sup> *Ibid.*, 136.

figure of Dagon symbolically bows before Israel's deity, and when the Philistines find the statue the next morning with its head and hands severed, it represents the obliteration of Dagon's power.<sup>927</sup>

The "driving force" of the narrative is Israel's defeat by the Philistines, the capture of the ark, and the implications this had for the power and presence of the Israelite god domestically and abroad. McCarter observed that with the capture of the Ark of the Covenant, "Yahweh, it seems, has been vanquished, for his ark is lodged in an alien house, discredited and neglected."<sup>928</sup> Concerned with the possibility that these events "signified the defeat and departure of Yahweh,"<sup>929</sup> the Ark Narrative attempts to reverse the implications of Israel's loss of both battle and icon to foreigners.<sup>930</sup> The authors of this narrative argue that while it is true that Yhwh's throne was captured and taken to an enemy temple, this only happened because Yhwh wished it; furthermore, Yhwh maintained control over his (foreign) surroundings and demonstrated his power over the foreign gods by making Dagon prostrate at the foot of the ark while afflicting the Philistines who captured the ark with disease.<sup>931</sup>

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<sup>927</sup> 1 Sam 5:2-5. On the significance of the use of "hand" as a symbol of power in the Ark Narrative in particular, see Miller and Roberts, *The Hand of the Lord*, 86, *ad passim*. They state "While the visible symbol of Yahweh's power and presence here is the ark, the invisible manifestation of that same power and presence is *the hand of Yahweh*" (p. 86, emphasis in original). See also Levtow, *Images of Others*, 140. The "hand" of Yhwh is the symbol of his power in the narrative: it is the Yhwh's hand that the elders seek to help them in battle, and it is the hand of Yhwh that is heavy on the Philistines while the ark is in captivity: (1 Sam 4:3; 5:6-11)

<sup>928</sup> McCarter, *I Samuel*, 125.

<sup>929</sup> Levtow, *Images of Others*, 135.

<sup>930</sup> The ark serves in this narrative in the same way as cult icons were used in other ancient Near Eastern contexts. There was a physical connection between Yhwh and the ark, which served alternately as his dwelling place, his throne, and his symbol. In this cycle, the ark serves as more than a mere symbol of Yhwh's power; it represents the physical presence of the deity, which is why the Israelites processed it into battle on their own behalf. Its capture signified the "glory" of Yhwh departing the land of Israel itself—the god of the land has been taken into enemy territory as a prisoner.

<sup>931</sup> See discussion on Levtow, *Images of Others*, 137, as well as Miller and Roberts, *The Hand of the Lord*, 85-86; 88-94.

Rhetorically, this narrative has much in common with the “victim literature” seen in literary works such as the Marduk Prophecy. In the Babylonian composition, the capture of the statue of Marduk was portrayed as the volitional travels of the deity, who demonstrates his power even in his captive situation by working on commerce and transportation for the sake of Babylon. The Ark Narrative, likewise, presents the movements of Yhwh’s ark as the result of the will of Yhwh, who demonstrates his own power over the Philistines even while held in their cities. Like the Marduk Prophecy, the Ark Narrative betrays the limitations of the deity’s power over his own movements, as the Philistines shuffle the ark from city to city before finally discharging it. Both compositions, however, endeavor to respond to the physical capture of the cult object by asserting that the capture was voluntary, and not a sign of defeat or weakness. Unlike the Marduk Prophecy, the Ark Narrative, in its current setting, contains a critique of human activities as the cause for Yhwh’s allowing his ark to be captured. Following 1 Sam 2, and connecting back to the situation in Shiloh in Chapter 4 through references to Eli’s family, it seems that the cultic errors of the Eliad priesthood are in view as the precipitating factor that causes Yhwh to allow Israelite defeat and his own capture. Interpretations such as the one seen in Psalm 78 further support the assertion that the divine abandonment in 1 Sam 5:1-7:2 was later understood as divine judgment against the Shiloh priests.<sup>932</sup>

The Ark Narrative speaks to two conceptual frameworks: international icon politics and the intranational concern over the geographic location of the national god. Levtow connects the Ark Narrative to an opposition of iconic cult worship by suggesting

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<sup>932</sup> The land is not said to be defiled in this passage, though divine judgment is in view. In this case, the deity has exiled himself from the land in response to the people’s sinful behavior there.

that this narrative, like icon parodies, claims that cult icons are “dead and powerless.” The mutilation of Dagon’s statue is consistent with ancient Near Eastern practices dealing with captured icons, and the Ark Narrative’s description of the dismemberment of Dagon’s statue suggests that “Dagon becomes what the icon parodies claim Babylonian cult images are: dead and powerless.”<sup>933</sup> This narrative, however, seems to react to the actual capture of Yhwh’s central icon: the ark upon which the body-less deity is enthroned.<sup>934</sup> While the empowered aspect of Yhwh in the narrative is his כבוד, the movements of the ark parallel the movements of cult statues in the ancient Near East, and the episode with Dagon’s icon in Ashdod, more than anything else, reads as if Yhwh’s icon vanquished Dagon’s icon. A concomitant concern in the Ark Narrative is connected to the spatial dimension of the deity, expressed elsewhere in DtrH and the Hebrew Bible as restricting worship of the national god (at least for Israelites) within the land of Israel, while simultaneously *requiring* proper cultic worship of the deity while within the national borders. In this case, the situation of the ark is the reverse of David’s situation in 1 Sam 26:19. It is the god who has been taken (though not forced) out of the land, leaving the inhabitants bereft. Without the favor of the national god, the soldiers of Israel could have no military success, but without the כבוד of Yhwh, there was no hope at all for the Israelites. 1 Sam 4:22 implies a lack of access to the deity himself. Another way in which the Ark Narrative adapts the spatial dimension of the deity is by focusing on Yhwh’s ultimate control over his own location and situation, both within the borders of Israel, and in Philistine land. Yhwh’s actions among the Philistines leave the reader with

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<sup>933</sup> Levtow, *Images of Others*, 140.

<sup>934</sup> Levtow also argues that the ark “plays the classic role of a cult image in the ancient West Asian iconic ritual practices and rhetoric of warfare” (p. 159).

no doubt that Yhwh was potent wherever he was located; the iconic nature of the narrative, however, presents physical limitations to that movement.

The Book of Ezekiel contains one of the clearest expressions of divine abandonment found in the biblical corpus. Ezek 8-11 describes the departure of Yhwh from Jerusalem, and his relocation in exile. Like the Ark Narrative, Ezekiel draws on ancient Near Eastern literary motifs, demonstrating a knowledge of contemporary icon politics, but the genre is adapted for specific theological reasons.<sup>935</sup> While the Ark Narrative preserves the correlation between the capture of the cult object and that of the movements of Yhwh, Ezekiel's Yhwh moves about freely, apparently unconnected to a particular icon, even as he *volitionally* goes into exile (compare 1 Sam 4:22, in which Yhwh also seems to choose to leave, though specific individuals believe he has been carted away).<sup>936</sup>

This book is told from the perspective of a Judean from a family of priests who was deported to Babylon with Jehoiachin in 597 BCE.<sup>937</sup> John F. Kutsko has clearly

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<sup>935</sup> On this, see especially Block, "Divine Abandonment: Ezekiel's Adaptation of an Ancient Near Eastern Motif." See also Levtow, *Images of Others*, 153-159.

<sup>936</sup> Levtow has pointed out several ways in which the account of Yhwh's departure from Jerusalem in Ezekiel "recalls both the Ark Narrative and other ancient West Asian literary representations of cult image loss and divine abandonment among defeated peoples," Levtow, *Images of Others*, 154-159 [quotation from p. 154]).

<sup>937</sup> Walther Zimmerli, *Ezekiel 1: A Commentary on the Book of the Prophet Ezekiel, Chapters 1-24*, translated by Ronald E. Clements; (F. M. Cross, et. al, eds.; Philadelphia, PA: Fortress Press, 1969), 9-16 (esp. p. 13). 2 Kings 24:14-16 indicates a general deportation in 597 that affected more than Jehoiachin and his family. Ezekiel's prophecies, dated in the text as ranging from 593-571 B.C.E., thus articulate the point of view of a Judean living in Babylonia, dealing with the repercussions of exile while simultaneously predicting and then witnessing the fall of Jerusalem in 587/6. Rainer Albertz proposes a slightly later date, arguing that the latest date given in the book (574) should serve as the *terminus a quo*, while much of the book must be late exilic, because "the promises of return and reconstruction (34; 36-37) require a later date." *Israel in Exile: The History and Literature of the Sixth Century B.C.E.* Translated by David Green (Atlanta, GA: Society of Biblical Literature, 2003), 352. Albertz states that part of the "unique quality" of the book is connected to Ezekiel's location in exile, and the Babylonian provenance of the prophecies is certainly relevant to the discussion of Ezekiel's use of the divine abandonment motif. The prophet is speaking to a situation of rising political tension which Jerusalem will not survive. His suggestion that Yhwh will abandon his city dovetails with the anti-Zion-theology approach of contemporary prophet Jeremiah, who proclaimed "Do not trust in these deceptive words: 'This is the temple of Yhwh, the temple

delineated some of the pressing issues of Ezekiel's "theology of exile." He observes, "It was one task to find an adequate explanation for defeat and exile: Ezekiel accused Israel of cultic unfaithfulness. It was quite another task, however, to defend Yahweh against an ideology that associated both international loss and victory with the gods."<sup>938</sup> Ezekiel undertook the task of explaining the exile while preserving a sense that Yhwh was the ultimate mover of history. Kutsko has argued that an "effective exilic theology," must first account for the "exilic experience;" that it must maintain Yhwh's "transcendence" so the deity may transgress borders; and finally it must "employ an image of God's proximity whose sentient quality the prophet can communicate to those who have no vision."<sup>939</sup> All three of these goals are framed in the prophet's account of divine abandonment, and hinge on the idea that Yhwh *must* be able to travel to (and be accessible in) foreign lands.

The tangibility or transcendence of Yhwh would have been of critical importance if the Babylonians made any claims to the spoliation of cult icons from the temple in Jerusalem. On the other hand, Ezekiel's critique of Babylonian icons factored into the way in which he presented Yhwh's abandonment, because "idols" were a large part of the reason Yhwh grew angry enough to abandon Jerusalem. Kutsko makes the interesting suggestion that "Ezekiel's attempt to mediate between God's boundlessness and God's

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of Yhwh, the temple of Yhwh" (Jer 7:4). Each prophet seems to be reacting to a theology based in the inviolability of Zion as the dwelling-place of Yhwh, which was perhaps bolstered by Sennacherib's failed siege of the city in 701 B.C.E., despite the boastful words of the Rab-Shakeh. While Jeremiah warns his audience the temple of Yhwh will not provide security from conquest unless the Judeans amend their ways, Ezekiel's approach reflects his Babylonian setting as he applies the traditional divine abandonment motif to Yhwh, claiming that Jerusalem will fall because Yhwh will forsake it. As Block observes, by suggesting that Yhwh abandoned his temple, Ezekiel declares the fate of the city sealed, because "so long as Yahweh remained in his temple the city stood. However, once he had left, neither gods nor humans could prevent the mighty Babylonian conqueror from storming in" (Block "Divine Abandonment," 42).

<sup>938</sup> Kutsko, *Between Heaven and Earth*, 54.

<sup>939</sup> Ibid., 152.

real presence is the theological dilemma that motivates the striking nature of the *kabod*-visions.”<sup>940</sup> This mediation both subverts and hinges on a spatially-contingent view of Yhwh. Ezekiel views Yhwh as *present* in exile, even (and especially after) he makes himself *absent* from his temple in Jerusalem. In this way, Ezekiel transgresses the land-oriented view of Yhwh expressed most frequently in DtrH, but at the same time, this view of divine movement has a sense of locality embedded, as Yhwh is construed to abide in a foreign land.

Ezek 1-3 records the initial vision of the book,<sup>941</sup> in which the כבוד of Yhwh appears to Ezekiel by the Chebar River in Babylon and takes the prophet on a visionary journey to the throne room of Yhwh.<sup>942</sup> There he sees the deity’s wheeled chariot-throne—a mobile device that facilitates Yhwh’s departure from Zion in Chapter 11—and has a vision of Yhwh that is replete with distancing language that seems to resist the anthropomorphism of the deity while being unable to completely escape it.<sup>943</sup> After introducing the “glory” of Yhwh and his mobile chariot in the initial vision, Yhwh’s abandonment of his temple, his city, and his land is found in Ezek 8-11.<sup>944</sup> Chapter 8

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<sup>940</sup> Ibid.

<sup>941</sup> While Ezek 8-11 records the event of divine abandonment, it has been persuasively suggested that this motif is a thread that helps to unify the entire book. See Kutsko, *Between Heaven and Earth*, 101-149; Block, “Divine Abandonment,” 36-41, esp. pp. 40-41; Steven S. Tuell, “Divine Presence and Absence in Ezekiel’s Prophecy” in *The Book of Ezekiel: Theological and Anthropological Perspectives*, 97-116.

<sup>942</sup> The כבוד does not appear in the initial description in Chapter 1, which states that the “word” of Yhwh came to Ezekiel, and the “hand” was upon him, but the tie-in in 3:23 clarifies that the “glory” Ezekiel saw in the valley was the same as (or at least “like” -כ) the “glory” that he had seen by the river Chebar.

<sup>943</sup> Ezek 1:26-28. The prophet sees a figure “something that seemed like a human form” (דמות כמראה אדם) sitting on something resembling (דמות) a throne (not the same as the chariot throne of vv. 15-21). The figure has what appear to be loins/thighs/a midsection (מראה מתניו), above which is something like amber as well as something like fire, and below which is a brightness. The description concludes in v. 28, very evasively, “This was the appearance of the likeness of the glory of Yhwh” (הוא מראה דמות כבוד-יהוה).

<sup>944</sup> The deity’s actual abandonment of Zion and Judah is a protracted affair in the Book of Ezekiel, spanning three chapters and providing more description than any other ancient Near Eastern source about the moment of the deity’s departure. Yhwh’s leaving Jerusalem occurs in several stages. In Ezek 10:4, the כבוד of Yhwh gets up from the cherub (sing.) on which he is enthroned in the temple, and goes to the threshold (the anthropomorphism of this movement is obscured by a cloud that fills the temple as the brightness of the כבוד fills the court, though the vision still relies on some sense of an embodied,

tells in significant detail the various offences that have angered Yhwh so much that he will abandon his city. The prophet is transported in a vision to the city of Jerusalem, where he is witness to various cultic infractions.<sup>945</sup> Ezekiel's contemporaries who remained in Jerusalem after the deportation in 597 B.C.E. regarded Yhwh's continued presence as a sign of divine favor; in contrast to the exiled people who are "far from Yhwh,"<sup>946</sup> they state that the land has been given to them as an inheritance (מורשה). To this Ezekiel replies that while the deportees may be scattered among the nations, the deity will become a sanctuary for them in a small measure (or a small sanctuary, "מקדש מעט") in their place of exile.<sup>947</sup> Tuell has correctly inferred the emphasis in this statement: "Ezekiel 11:16 does not represent a concession to the diminished sanctity of Yhwh in Babylon—quite the contrary! From now on, Ezekiel affirms, it will be among the exiles that Yhwh's presence is manifested at all, albeit in small measure."<sup>948</sup> In one stroke, Ezekiel has denied a line of reasoning that draws security from Yhwh's continued presence in Jerusalem (a key feature of the Deuteronomistic geographic localization of

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geographically-situated god). In vv. 9-11, the cherubim (pl.) appear with the wheeled chariot-throne to take away the "glory" of Yhwh. After describing in detail the appearance of Yhwh's transportation, in Ezek 10:18, the כבוד of Yhwh departs from the threshold of the temple and rests (or "stands"—עמד) on the cherubim, which lift off in v. 19. What follows is an intervening description of judgment and promise. In Ezek 11:1-13, judgment is passed on the "wicked," who, among other things, have false confidence in Zion's invulnerability and assure the people that the city is secure. Ezekiel asserts that they cannot complacently trust in Zion's protection while acting immorally. Chapter 11:14-21 affirms that Yhwh is with his exiled people and will restore them. Finally, in 11:22-25, the narrative of the departure resumes as the cherubim (again) lift off, and the "glory" of Yhwh goes up from residing within the city to rest (or "stand"—עמד) upon the mountain east of the city (the Mount of Olives). It is perhaps significant that the כבוד of Yhwh is already moving to the East. Ezekiel's visionary return to the land of exile concludes his narration of Yhwh's abandonment of Jerusalem.

<sup>945</sup> Nearly all of the crimes which the Judeans are accused of are cultic; however, in 8:17, they are said to have "filled the land with violence," which seems to indicate social injustice. See also Ezek 9:9, where the עון (perhaps here meaning "social iniquity") of Israel and Judah is said to be great, the land is filled with blood, and the city with perverseness. On "moral" impurity in Ezekiel, see Chapter 3, above.

<sup>946</sup> The pointing of רחוק yields an imperative "Go far from Yhwh!" By changing the vocalization, the text would state that Ezekiel's deported compatriots had "gone far" from the deity.

<sup>947</sup> See Block, "Divine Abandonment," 38-39.

<sup>948</sup> Tuell, "Divine Presence and Absence in Ezekiel's Prophecy," in *The Book of Ezekiel: Theological and Anthropological Perspectives*, 109.

deity referenced above), has implied that Yhwh will abandon his city, and has suggested that Yhwh will dwell not in his own land, but rather among the exiles in Babylon, a striking statement to make concurrent with events leading up to the political defeat of Jerusalem.

It must be acknowledged that it is not universally agreed that Ezekiel 8-11 represents a literary allusion to Yhwh's abandonment of Jerusalem. John T. Strong draws a sharp distinction between Yhwh of hosts (יהוה צבאות) and the כבוד. He argues that the כבוד was the hypostasis of the enthroned divine king, Yhwh, and that its domain was the unclean regions<sup>949</sup> of the earth, including the temple, the city of Jerusalem, and the land itself. The duty of the כבוד, he argues, was to fight Chaos. For Ezekiel, he contends, "Yahweh never abandoned his throne."<sup>950</sup> He argues that the scene of movement in Ezekiel 10 is the occasion in which "Yahweh's Glory leaves the base camp in order to battle Chaos and to purify the land."<sup>951</sup> He continues, "Chapter 10 does not, as many commentators argue, present a vision of Yahweh's departure from his throne and the abandonment of the people."<sup>952</sup> Instead, he argues, it is a moment in which Yhwh "sends his *kābôd*" to move in unclean regions and fight the forces of Chaos. Unfortunately, the tradition of Yhwh of Hosts (יהוה צבאות) is not a component of Ezekiel, and Strong's case that the כבוד is a hypostasis, which fights chaos in unclean regions, is not adequately demonstrated. Ultimately, the elaborate description of the departure of Yhwh's "glory" from Jerusalem, structurally paired in Ezekiel with descriptions of Judean cultic and

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<sup>949</sup> Strong argues that Yhwh's domain is the heavens but that of Yhwh's glory is the "unclean world of nations." John T. Strong, "God's *Kābôd*: The Presence of Yahweh in the Book of Ezekiel," in *The Book of Ezekiel: Theological and Anthropological Perspectives*, 81. See also p. 75, where he states, "the domain of Yahweh's Glory is the earth, especially the unclean regions or the 'wilderness.'" See also Ibid; 73.

<sup>950</sup> Ibid., 73. For his discussion of how the כבוד is a hypostasis of Yhwh as an enthroned king, see pp. 72-82.

<sup>951</sup> Ibid., 87.

<sup>952</sup> Ibid.

social crimes sparking Yhwh's anger and divine judgment, seems to be closer to the motif of divine abandonment in the ancient Near East than to the idea that Ezekiel actually emphasizes Yhwh's continued presence on his throne while the כבוד is off doing battle, as Strong concludes. Ezekiel *does* maintain the potency of Yhwh, and would argue against any idea that the deity was "dethroned," but so would the Marduk Prophecy, which is firmly set in the tradition of divine abandonment. Ezekiel builds on a critique of the Zion theology similar to that found in Jeremiah 7:4 to suggest that the temple, Jerusalem, and the land have no special status. Yhwh willingly travels back and forth from Babylon in the Book of Ezekiel, before ultimately forsaking his city, and seems to view the exiled Judeans with more approbation than those still in Jerusalem, who persist in improper cultic practice, revolt, and unfounded claims about the unconditional inviolability of Zion. This is a radically different idea about land and divine presence than is found in works such as 1 Sam 26:19, in which the national god is viewed as more static, located within his national borders, because the deity himself can leave his territory at will. Ezekiel's view of the presence and accessibility of the deity, however, is still bound to the earth. Yhwh, it seems, has simply relocated, and his international travels allow him to remain accessible, at least in some small way, to those Judeans who were exiled from their homeland.<sup>953</sup>

That the text describes Yhwh going into exile, despite all protestations that it was volitional, is remarkable. No matter how "willingly" Yhwh travels to Babylon, this occurrence raises specific issues, even as it answers others. Blenkinsopp has observed, "The writer is therefore giving new meaning to the exile of the *kābôd* ... and in doing so

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<sup>953</sup> The idea that Yhwh follows the exiles into Babylon is not entirely unlike the notion that gods (in the form of cult icons) might go into exile with their peoples.

providing an explanation of how worship is possible in a land polluted with idols, now that Yahweh's presence is manifested in it."<sup>954</sup> The polluting quality of idols is a component of the Book of Ezekiel, demonstrated, in one way, by his use of the term "גלולים," which is a double entendre, referring both to the stone from which idols were made and to excrement, which, at times, is characterized as polluting in Ezekiel.<sup>955</sup> Two caveats must be stated with regard to Blenkinsopp's observation, however. First, the issue is not as simple as viewing foreign lands as polluted by "idols," where the "glory" of Yhwh might ameliorate the situation. Ezek 8-11 is not about the impurity of *foreign* lands, but about the crimes that have made *Israel* intolerable for Yhwh, driving him out of that land. The rhetoric of "moral" land impurity is not invoked with reference to the foreign lands. Additionally, even if Ezekiel *did* conceive of the impurity of "idols" when considering the situation of Israelites living in foreign lands, it must be remembered that the impurity of "idols" is not simply "moral" impurity, but had aspects of contact contamination, part of the "ritual" impurity tradition, also implied through their equation with excrement. *If* Ezekiel viewed foreign lands as impure (see also Ezek 4:13, where the Israelites will eat their bread "unclean" among the nations), then this impurity had shades of both "ritual" and "moral" impurity traditions. Key to our treatment of Ezek 8-11 is the understanding that Ezekiel's conception of foreign land is not merely cast in the mold of purity vs. impurity. Also considered is the nature of Yhwh as a deity who exists and can be accessed in specific geographic locations. Like 1 Sam 26:19 and Ps 137:4, at

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<sup>954</sup> Joseph Blenkinsopp, *A History of Prophecy in Israel* (Louisville: Westminster John Knox Press, 1996), 169.

<sup>955</sup> On excrement as polluting in some biblical texts, see Chapter 1 and discussion on Angelika Berlejung, *Die Theologie der Bilder*, 350-351, 405, and 418. For a thorough accounting of the occurrences of the term גלולים in the text of Ezekiel, see Levitow, *Images of Others*, 155, n. 68.

issue here is how people can have access to Yhwh while living in foreign places.<sup>956</sup>

Unlike these two verses, however, Ezekiel answers the question by reinscribing the movement and presence of the deity himself, and in this way reconciling the reality of exile with the need of the Judeans in Babylon to have access to their god.

There are a few more sources of information regarding how Judeans living outside the land of Israel viewed their relationship with the divine. There is debate about how much (or little) can be known about the communities of Judeans or their descendants living outside of Judea, especially those living in Egypt or Babylonia in the 2<sup>nd</sup> Temple period. Information about these communities is mainly drawn from two sets of documents, one of which was compiled in Nippur in the last half of the 5<sup>th</sup> century BCE called the Murashû family archive, which contains some interesting onomastic data, but unfortunately does not shed much light on religious practices or beliefs of the Judeans living in Mesopotamia. The other is a corpus of texts from Elephantine in Upper Egypt, also from the 5<sup>th</sup> century, written in Aramaic; after this, there is largely a gap of information until the later Hellenistic and the Roman periods. This group of texts is one of the few pieces of evidence indicating worship of Yhwh outside the land of Israel in the 2<sup>nd</sup> Temple period, and as such, has intrinsic value to this study. The archaeological evidence from Elephantine is limited. During the Persian occupation of Egypt (525-404 BCE), Elephantine became a garrison, which consisted at least in part of members of an Aramaic-speaking Judean colony, which apparently had its own temple to Yhwh (called Yhw in the texts) in Elephantine, ostensibly before the Persian period, though there are no archaeological remains from this temple, probably because the (rival) Khnum temple was enlarged during the 30<sup>th</sup> Dynasty (380-342 BCE). The papyri relating to “early

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<sup>956</sup> Additionally, Ezekiel responds to those who say the exiles are “far from Yhwh” (Ezek 11:15).

Judaism” have been recovered from houses “of a non-Egyptian type.”<sup>957</sup> Of vital importance to the discussion of Judean<sup>958</sup> religion in this time are ten papyri in the communal archive of Jedaniah, son of Gemariah.<sup>959</sup> The “Passover letter” by Hananiah in 419/18 BCE, mentioned above, instructs about proper festival observance (*TAD* A4.1).<sup>960</sup> Three letters demonstrate the tension between the followers of Yhw and Khnum (*TAD* A4.2-4),<sup>961</sup> ultimately culminating in the destruction of the Temple of Yhw in Elephantine by Khnum priests (with the Persian governor Vidranga) (*TAD* A4.5-10). There are two drafts of a petition to Bagohi, governor of Judah, and his associates, in 407 BCE, with a copy to the sons of Sanballat, governor of Samaria (*TAD* A7-8) requesting assistance in rebuilding the temple of Yhw, because since it was destroyed “they do not make meal offering, incense, and burnt offering in that temple” (מנחה לבונה ועולה לא עבדן) (באגורה זך (*TAD* A4.8 l. 21). Bagohi and Delaiah, the son of Sanballat, replied in an oral memorandum, giving permission for a limited reconstruction of the temple “on its site as it was formerly,” in order to make meal and incense offerings, but this letter did not include the term “עולה,” seemingly withholding permission to offer animal sacrifices

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<sup>957</sup> Werner Kaiser, “Elephantine” in *The Oxford Encyclopedia of Archaeology in the Near East* (New York and Oxford: Oxford University Press, 1997) 2:234-236. The quotations are placed around “early Judaism” to emphasize that this is the term that Kaiser used.

<sup>958</sup> In this case, “Judean” religion (eschewing the use of the terms “Jewish” or “2<sup>nd</sup> Temple Jewish” religion) connotes the practice of Israelite and their descendants, even though they no longer live in Judah.

<sup>959</sup> Bezalel Porten and Ada Yardeni, *Textbook of Aramaic Documents from Ancient Egypt* (4 volumes; Jerusalem: 1986-99): A4.1-10. This series will hereafter be abbreviated *TAD*. The letter “A” identifies letters. Also recovered were legal documents, two family archives (the Mibtahiah archive and the Anani[ah] archive), literary and historical texts, such as fifteen columns of *Ahiqar*, accounts and lists, around 330 ostraca with letters, lists, accounts, and two abedecaries, jar inscriptions and other sundry inscriptions. See Bezalel Porten, “Egyptian Aramaic Texts” in *The Oxford Encyclopedia of Archaeology in the Near East* (New York and Oxford: Oxford University Press, 1997) 2:213-219. The Mibtahiah and the Ananiah family archives provide valuable information on family life in the region, including information on marriage contracts, slavery, adoption, and inheritance issues, as they record the activities of these two families over several generations, but are less pertinent to the topic at hand.

<sup>960</sup> Treated in Porten “Egyptian Aramaic Texts,” 213, *idem*, “Elephantine Papyri” in *The Anchor Bible Dictionary* (David Noel Freedman, ed.; New York: Doubleday; 1992), 2:445-55 (449).

<sup>961</sup> See Porten, “Elephantine Papyri,” 449.

(*TAD* A4.9 1.9). These texts raise the issue of animal sacrifices being offered outside of the Temple in Jerusalem in the Persian period. It is remarkable that the Temple in Elephantine had apparently been performing sacrifices of multiple kinds (meal, incense, and animal burnt offerings) until it was destroyed at the end of the 5<sup>th</sup> century BCE. The response of Bagohi and Delaiah, by including assent for certain kinds of sacrifice but omitting reference to burnt offerings, indicates that the issue of animal sacrifice may have been the non-negotiable marker for adherence to a “Deuteronomic” legal observance of the primacy of the Temple in Jerusalem. According to these Jerusalem authorities, if the community at Elephantine wanted to rebuild the temple with any aid from Jerusalem, then they could no longer perform animal sacrifices. Porton suggests that the temple was a “handsome structure (cedar roof, stone pillars, five great gateways of hewn stone) wherein animal sacrifices, meal offerings, and incense were regularly offered.”<sup>962</sup> It is interesting that *TAD* A4.7 and perhaps also *TAD* A4.6 rely on Cambyses for the antiquity of the Temple to Yhw, stating that when Cambyses “entered Egypt,” he did not harm this temple, though he destroyed native temples.<sup>963</sup> This is most likely where Porten infers that the Temple of Yhw in Elephantine predated the Persian period in Egypt.<sup>964</sup> *TAD* A4.10 is a letter in which the Judeans in Elephantine, send a petition to “our lord,” (perhaps Arsames) asking his permission to rebuild the temple, which suggests that the Elephantine Judeans have accepted the prohibition of animal sacrifices. In lines 10-11,

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<sup>962</sup> Ibid.

<sup>963</sup> Ibid. See *TAD* A4.7 ll. 13-14. Miller and Hayes, quoting the version of the text in *ANET* 492, likewise notes the statement “when Cambyses came to Egypt he found it built” (see J. Maxwell Miller and John H. Hayes, *A History of Ancient Israel and Judah* 2<sup>nd</sup> Edition (Louisville and London: Westminster John Knox Press, 2006), 526-527). Miller and Hayes treat the destruction of the Temple of Yhw in a more global fashion than does Porten, noting the larger issues of the internal tumult of the “year of the four emperors” after Artaxerxes’s death, and that revolts broke out in Anatolia and Syria, drawing Arsames from Egypt to assist in suppressing them, which led to discontent in his absence from Egypt, in the midst of which the temple was destroyed.

<sup>964</sup> See discussion in “Elephantine Papyri,” 449.

after echoing their hope that the temple will be rebuilt “as it was formerly built,” the authors explicitly state that animal sacrifices will *not* be made there, but only incense and meal offerings. There is no record of the reconstruction of this temple, though the last contract of the Ananiah archive (dated 402 BCE) indicates that no other structure had taken the place of the temple.<sup>965</sup>

The archive of Jedaniah provides unique information about the social and political situation of the Judean garrison and its relationship with those around them. The fact that there was a temple built for the Israelite god, Yhwh, in Egypt speaks to the fact that not all Judeans were “Deuteronomists” in this period, and the permission given by the Jerusalem and Samaritan officials to rebuilt this temple (omitting permission for animal sacrifice) is significant. The presence of an altar on which sacrifices were performed presumes the “ritual” purity of the site.<sup>966</sup> Indeed, the very existence of a sanctuary presumes “ritual” purity. The distinction drawn in these letters between burnt offerings and other types of sacrifice is intriguing. That the officials in Jerusalem condoned a temple in a foreign land offering sacrifices of any type to Yhwh is significant, and clearly the Elephantine community had no problem worshipping Yhwh in a foreign land until their temple was destroyed. This is an idea that runs counter both to the idea of Deuteronomistic centralization, and to the idea that leaving the land of Israel cut off contact with the national god, as was seen in 1 Sam 26:19 and Ps 137:4. Faced with the reality of living in a foreign land, the Egyptian Judean community developed a theology that viewed Yhwh as accessible through worship in any place where they constructed a temple. Destruction of that temple caused a great deal of anxiety in Elephantine, just as

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<sup>965</sup> Porton, “Egyptian Aramaic Texts,” 213.

<sup>966</sup> See Isa 19:20-21, about an altar in Egypt, previously discussed.

the destruction of the Jerusalem temple caused the Judeans anxiety in 587 BCE. The negotiations over how the temple would function if rebuilt show a difference in how the Jerusalem officials and the Elephantine community regarded animal sacrifice in foreign lands. Ultimately, the Elephantine community had to accede to the restrictions placed on their sacrificial practices in order to secure help in rebuilding the temple. There is also evidence for another temple on foreign land in the 2<sup>nd</sup> Temple period, also built in Egypt. Josephus reports on a temple built by Onias IV with the permission of Ptolemy VI Philometer in the 2<sup>nd</sup> century BCE,<sup>967</sup> which was ultimately closed by Vespasian in 71 CE. There is no comparable evidence that the community in Babylonia ever built a temple to Yhwh.<sup>968</sup> Whether the Judean community in Egypt had a different conception about how Yhwh was accessed in foreign lands is not verifiable; however, I have demonstrated that the book of Ezekiel provides some biblical evidence for how Judeans exiled to Babylonia might have resolved this issue.

In addition to Ezekiel, there are several biblical texts that deal with the issue of Judeans who are forced, for a variety of reasons, to live in foreign places. One recurrent theme is the story of Judeans who participate in the political structures of the empire in which they live, demonstrating their worth to the king, and achieving high positions and praise. Often Yhwh is specifically credited with their success, which is another way in which both Yhwh's effective power and his ability to be accessible in some way to his exiled peoples, is demonstrated.

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<sup>967</sup> See Josephus, the *Antiquities* 13, 67.

<sup>968</sup> Some scholars have concluded that alienation from the Temple cult in Jerusalem was one of the “root causes” of sectarianism in the Hellenistic period—though none of these sects (demonstrably) built a temple or performed animal sacrifice outside of Jerusalem.

The cases of Ezra and Nehemiah are relevant because they emphasize the effective power of Yhwh in these foreign lands, though they do not explicitly mention sacrifice. Ezra is said to have been a respected political figure in Babylonia. His introduction in Ezra 7:6 states that the king granted him all he asked “because the hand of Yhwh his god was upon him.” His safe journey to Jerusalem is also credited to Yhwh in v. 9. The letter from the king authorizing Ezra’s activities in Judah is interesting in the way that it authorizes Yhwh worship and praises the national god of the land of Israel. This letter refers to the “god of Israel, whose dwelling is in Jerusalem,”<sup>969</sup> speaks of offerings to the “house of their god” which is in Jerusalem,<sup>970</sup> and states, “Whatever is the judgment of the God of Heaven, let it be done diligently for the house of the God of Heaven, or wrath will come upon the realm [lit: kingdom] of the king and his children.”<sup>971</sup> This verse equates failure to fulfill Yhwh’s desires for his temple with drawing the wrath of this god upon the king and his house, which puts reverence for the effective power of Yhwh outside of Israel, over the Persian Empire and the imperial house, into the mouth of this foreign leader. Regarding Ezra himself, in v. 25 the king states that Ezra’s wisdom is God-given, and he charges Ezra with appointing people who know the laws of “your god” to administer in the province Beyond the River, where Judah was located. This and other references indicate that not only Ezra, but also the imperial power, respected the national god of the land of Israel, both inside and outside his land, and wished that his laws be respected *inside* his land. This is perhaps a significant distinction: while Yhwh is seen to be potent outside the land of Israel, capable of bestowing wisdom or wrath, cultic service of Yhwh is located within the borders of

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<sup>969</sup> V. 15.

<sup>970</sup> V. 16.

<sup>971</sup> V. 23.

Israel. After listing the exiles who returned after the decree of Cyrus in Ch. 2, Ezra 3 recounts how worship was reestablished in Jerusalem, beginning with the construction of an altar and resumption of sacrifices in vv. 2-6. The narrative is constructed to indicate that as soon as the exiles returned, they began to fervently observe sacrificial procedures, even before the temple was rebuilt. Suggested is a conception of sacrifice that limits it both to the land of Israel and to Jerusalem specifically. While the idea that Yhwh's boundaries are limited to his land is violated in this passage through the ascription of certain powers to the deity even in Babylonia, the resumption of sacrifice, and the specific investment in the temple in Jerusalem presumes a Deuteronomistic conception of cult centralization limiting worship of the deity to that site.<sup>972</sup>

The case of Nehemiah is similar, insofar as he is depicted as a highly respected court official (i.e., the cup bearer to the king in Neh 1:11; 2:1), and he is invested specifically in the fate of Jerusalem. Upon hearing that Jerusalem and the recently returned exiles are in desperate straits, Neh 1:4-11 includes Nehemiah's prayer to Yhwh, recalling the covenant with Moses, the threat of exile, and also the promise of being gathered back together afterwards. The next chapter begins by illustrating Nehemiah's position by depicting the king as solicitous after his welfare. After Nehemiah points out the ruins in Judah, the king asks what Nehemiah requests. At this point, Nehemiah states that he prayed again to the God of Heaven,<sup>973</sup> and then requests to be sent to Judah.

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<sup>972</sup> The restoration of the temple and sacrificial worship in Jerusalem is a main theme in Haggai, Zech, and Mal, as well. Hag 1:6-9 speaks of the restoration of "glory" to the temple, exceeding even that of the prior temple. The Book of Zechariah deals both with the legitimacy of the second temple in Jerusalem and also the dissonance regarding its caliber and status, contrasted with the hopes of what it would be. The Book of Malachi also deals extensively with the resumption of sacrificial worship in the Persian period. While these books deal with similar historical and social issues as does Ezra-Nehemiah, they do not seem to similarly challenge the territorially-bounded conception of Yhwh by emphasizing his power outside the boundaries of Israel. Though, see Zech 8:23.

<sup>973</sup> Neh 2:4

Nehemiah attributes the fact that the king granted his request to the fact that “the good hand of my God was upon me,”<sup>974</sup> which recalls Ezra 7:6. Nehemiah, like Ezra, is a high official who credits Yhwh with his success, but is oriented toward restoring Jerusalem. Both men operate within the imperial power structures, and both presume the power of Yhwh to act on their behalf in foreign lands, but prioritize Israel, and especially Jerusalem’s restoration over remaining abroad.

The Book of Esther is remarkable for its lack of reference to Yhwh or his power specifically. Unlike David in the 1 Samuel account, and unlike Daniel, examined below, Esther does not seem to imagine that living in foreign territories comes with inherent difficulties, aside from conflict with political or cultural enemies. Esth 2:9 seems to suggest that Esther ate her portion of the royal food without difficulty (presuming that the term “portion” [מנותה] refers to her share of the food), unlike Daniel and his companions in Dan 1. One thing that is remarkable in this text is the way in which cultural identity is depicted and negotiated. Mordecai is introduced in the text as “a Judean (איש יהודי) in Susa whose name was Mordecai,” and is, throughout the book, repeatedly referred to as “Mordecai the Judean.” Mordecai’s response to inquiries about why he failed to prostrate himself to Haman, which led to great personal and communal problems, was that he was a Judean (יהודי).<sup>975</sup> From this one may presume that there were religious, or *at least* cultural, compunctions that prohibited Mordecai from prostrating himself. One may compare the response of Shadrach, Meshach, and Abed Nego in Dan 3 (who, like

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<sup>974</sup> Neh 2:8.

<sup>975</sup> The term here clearly signifies membership in a community based not solely on geography, but lineage and culture. It is for this reason that most translate Mordecai’s name and title as “Mordecai the Jew” (so NRSV and JPS, among others). The preferable term in this context is still “Judean,” to avoid conflating this culture and religion with the “Judaism” of later periods; however, it is important to recall that what is at stake in the use of the term “Judean” is not merely geographic affiliation.

Mordecai, are referred to as “Judean” men [גְּבֵרֵי יְהוּדָאִין] in Dan 3:12 and elsewhere), whose failure “to fall” and do homage to the golden image results in their being thrown into a furnace of blazing fire. When questioned by the king in the narrative, these three men say that they have no need to present a defense on the matter, but if their god will save them, let him save them, and if not, they will still not serve Nebuchadnezzar’s god or do homage to the image. Similarly in the Esther narrative, Mordecai does not offer a defense of his actions, though he does not include any religious rationale or appeal to Yhwh. The book of Esther thus presents an interesting view of the situation of Judeans living in Babylonia in the Persian period. It seems that Esther and her relative Mordecai are thoroughly incorporated into the political system of Persia; for example, each has a Babylonian name,<sup>976</sup> and each acquires a prominent governmental role. Esther apparently has no difficulties living, eating, and grooming in the manner of her Persian contemporaries. There is no description of sacrifice, or even prayer depicted in the Hebrew version of this book, though there is a geo-political or possibly religious identification among the community of exiled Judeans that precludes them from some behavior, and that in some cases leads to tensions with their neighbors. Unlike certain Deuteronomistic texts examined above, the book of Esther does not exhibit any great anxiety about living in foreign lands, *per se*; indeed, specific people of Judean descent can exist, and even thrive, in foreign political contexts. The “moral of the story” seems to be one of loyalty to the Judean-descended community, and the adherence to certain practices (including not bowing to officials), despite the possibility of political censure.

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<sup>976</sup> Esther derives from Ishtar, and Mordecai, from Marduk. Esther, of course, also has a Hebrew name, “Hadassah,” and the issue of this name-duality is addressed in Chapter 5 below.

The Joseph novella in Genesis is relevant to this discussion because like Ezra, Nehemiah, and Ezekiel, this novella credits Yhwh with a great deal of power to act abroad.<sup>977</sup> Joseph is said to have a “spirit of god,” which even the Egyptian pharaoh recognizes as the source of his ability to interpret dreams in Gen 41:38. Joseph himself credits Yhwh with this ability in Gen 40:8 and 41:16. Joseph’s response to a proposition by Potiphar’s wife in Gen 39:10 is that such actions would be “a sin against God,” which is his reason for refusal. The actions of Yhwh are said in Gen 41:25, 28, 32 to be the cause of the famine that will affect the entire area, which presumes Yhwh’s effective power outside the borders of Israel, though this is not surprising in the novella that sets the stage for the story of the exodus. Also not surprising, given its literary context, is the lack of mention of Yhwhistic sacrifice by Joseph. Characteristic of this genre, Joseph is said to ascend to a high position in the land. Like Mordecai in Esth 10:2-3, Joseph is said to be second only to the ruler of the land himself in Gen 41:39-40. Like Ezra, his wisdom is attributed to god in Gen 41:39, and presented as the reason for his political success.

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<sup>977</sup> The idea of a “novella” comprising Gen 37-50, has been much debated, as has the background, purpose, and date of these chapters. One view of note is that of Hermann Gunkel, who argued for the literary unity of the Joseph story (see *Genesis: Translated and Interpreted by Hermann Gunkel* [3<sup>rd</sup> Edition; Mark E. Biddle, ed. and trans.; Macon, GA: Mercer University Press, 1997]), 387). Another influential argument was made by Gerhard Von Rad, *Josephgeschichte und ältere Chokma*. (VTSup 1; Leiden: Brill, 1953), who argued for both the literary sophistication of the Joseph story, and its status as a Wisdom novella. Both dated the Joseph story very early in the monarchy, though later scholarship dates these chapters later. Donald Redford posits a “Reuben” version from Northern Israel, and a later, “Judah-expansion” seen in Chs 38 and 49, originating in the Southern Kingdom. See *A Study of the Biblical Story of Joseph (Genesis 37-50)* (VTSup 20; Brill, 1970), and see also *Egypt, Canaan, and Israel in Ancient Times* (Princeton, NJ: Princeton University Press 1993), where he argues that the Joseph story “was a novella created sometime during the seventh or sixth century B.C.” (p. 249). Westermann suggests that only the “narrower sense” of the Joseph story shows the hallmarks of literary unity and single authorship, which was inserted into the Jacob story and interwoven with it in Chs 37 and 46-50. See Claus Westermann, *Genesis 37-50: A Commentary* (Minneapolis: Augsburg Publishing House, 1982), 28. Michael V. Fox has contested von Rad’s suggestion that the Joseph story was linked with the Wisdom tradition articulated in works such as Proverbs, though he does suggest that there are Wisdom elements of a different type in the story (such as Yhwh-given dream interpretation), which influenced the composition of the Book of Daniel. See “Wisdom in the Joseph Story,” *VT* 51.1 (2001): 26-41.

The court tales in the Book of Daniel are relevant to this discussion regarding texts that challenge a strictly territorial conception of Yhwhistic religion, and show Yhwh to be potent in foreign lands. Dan 1-6 depict characters living in Babylon (though this section of the book dates to the Persian period)<sup>978</sup> and navigating the political and social world they inhabit. Chapter 1 includes a situation in which food regulations force a negotiated diet for Daniel and his companions, who have been selected to achieve a higher position in the government. Dan 2 and 4 highlight the power of Daniel, like Joseph, to interpret dreams with the power of Yhwh, and Dan 5 similarly shows Daniel to be able to interpret divine signs when no one else is able. Dan 3 and 6 present similar stories of the heroes' lives being jeopardized for their refusal to properly pay reverence to gods or images other than Yhwh. Each of these stories seems to emphasize both the potency of Yhwh's agency to act on behalf of Judeans living abroad, and on the need to adhere to specific types of behavior that signify loyalty to Yhwh, even outside the land of Israel.

Dan 1 includes a brief, enclosed account about Daniel and his companions' selection, their training in the Babylonian court, and their particular skill which earned them the favor of the king. This text demonstrates the motif that Judean exiles often demonstrated extraordinary capabilities that allowed them to advance to high ranking positions within the imperial court. This book explicitly credits Yhwh with the skill that Daniel and his companions exhibit, which demonstrates Yhwh's power, even in exile. According to the text of Dan 1, after the fall of Jerusalem, the king instructs his major

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<sup>978</sup> While the Book of Daniel is set in the time of the Neo-Babylonian Empire, Dan 1-6 seems to reflect a Persian Period context (at the earliest), and the apocalyptic visions of Dan 7-12 are Hellenistic. On the collection of the court tales, see John J. Collins *Daniel: A Commentary on the Book of Daniel* (Hermeneia Series, F.M. Cross, Ed; Minneapolis: Fortress Press, 1993), 35-37.

domo to present “some of the Israelites and some of the royal line and some of the nobility, youths without blemish, handsome, proficient in all wisdom, well-informed, and insightful, who were capable of serving in the palace of the king,”<sup>979</sup> and to educate them in the “literature and language of the Chaldeans,” i.e., Akkadian. According to this chapter, these youths excelled all others, thanks to their deity. Indeed, “on every matter of wisdom and understanding on which the king consulted them, he found them ten times better than the dream interpreters and the exorcists in his whole kingdom, and the king honored them and showed them affairs in his kingdom.”<sup>980</sup> As was the case with Ezra and Joseph, the text here specifically attributes the success of Daniel and his companions to Yhwh. Dan 1:17 states, “To these four young men God gave knowledge and skill in every aspect of literature and wisdom; he also gave Daniel insight into all visions and dreams.” The role of Daniel as a skilled dream and symbol interpreter occurs repeatedly in later chapters, each time with the assertion that Daniel has divine assistance in interpreting such things, which he does better than the Babylonian officials who are charged with the same task, specifically due to his status as a Judean exile favored by his deity. The fact that Daniel is more skilled at specific types of divination than his Babylonian counterparts is significant, as several classes of professionals are listed in Dan 2 and 4, who are unable to interpret the king’s dreams, though Daniel is able to perform this service to the king, just as Joseph was able to perform it for Pharaoh. The reason for Daniel’s skill is because of Yhwh’s power. Dan 4:5-6 states, “Daniel, whose name is Belteshazzar like the name of my god,”<sup>981</sup> and in whom is a spirit of the holy gods

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<sup>979</sup> Dan 1:3-4.

<sup>980</sup> Dan 1:20.

<sup>981</sup> The name seems to have come from the Akkadian *balat-su-ušur* “protect his life” rather than having reference to the name of the god Bel, as is presumed here. See Collins, *Daniel*, 141, 222.

(רוח-אלהין קדישין),<sup>982</sup> entered my presence and I recited the dream to him. Belteshazzar, chief dream interpreter, of whom I know that a spirit of the holy gods is in you and no mystery is too difficult for you, behold the dream that I saw and tell its interpretation” V. 15 reiterates the sentiment that *only* Daniel, because of the “spirit of the holy gods” is able to interpret the king’s dreams, and v. 14 states that the decree was issued by the watchers, who are presumably the heavenly council,<sup>983</sup> and that it was to show that the Most High ruled over the human realm. Daniel’s ability to interpret dreams is repeatedly emphasized, and because this ability is attributed to Yhwh’s divine favor, this brings into relief Yhwh’s agency abroad. The fact that v. 14 attributes Nebuchadnezzar’s coming misfortune to Yhwh also highlights the text’s concern to demonstrate that Yhwh is supreme, even in exile. This message is also the point of Dan 3 and 6, both of which involve the Judean youths finding their lives threatened because of their unwillingness to act in ways that would breach the text’s conception of proper Yhwh observance in exile. Dan 3 states that Daniel’s three companions were imperiled when they refused to prostrate and do homage to a golden statue. Their political opponents are the source of the complaint against them, but the victory is ultimately that of Yhwh, who protects them. The episode concludes with the Babylonian king proclaiming the unmatched power of the Israelite god, and the subsequent promotion of the exiles.<sup>984</sup> Chapter 6 tells a story of court intrigue, wherein Daniel’s foreign political rivals decide that the only way to discredit him would be through the “law of his god” (בדת אלהה). They connive to

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<sup>982</sup> Collins prefers the translation “holy divine spirit” on the basis of  $\theta'$ , which reads “a holy spirit of god” in vv. 5 and 6, “the holy spirit of god” in v. 15, and “spirit of god” in 5:11. The adjective קדישין modifies the term אלהין, not the term רוח, supporting the translation “spirit of the holy gods” in this context. See Collins, *Daniel*, 208, 210, 236.

<sup>983</sup> See *Ibid.*, 228.

<sup>984</sup> Dan 3:29-30.

convince the king that he issue a decree prohibiting petitionary prayer to any god or man aside from the king for thirty days, on pain of death.<sup>985</sup> The text states that Daniel opened the windows of his upper chamber towards Jerusalem, got down on his knees, and prayed three times every day.<sup>986</sup> When Daniel is reported to the king for violating the law, it is his status as “one of the exiles of Judah” that is emphasized in his identification. In v. 17, Daniel was thrown into the lion’s den, even though it frustrated the king to do so. Remarkably, the speech of the king at that moment is reported to be, “May your god, whom you faithfully serve, deliver you!”<sup>987</sup> After Daniel is indeed rescued through the agency of Yhwh, the king again recognizes the power of the Israelite deity, and issues a royal proclamation that everyone should fear Daniel’s god, whose rule is to the end of time.<sup>988</sup> This literary construction firmly renounces the territorially contingent sphere of Yhwh’s power, though it must be acknowledged that certain concessions are made for the Judeans living in exile. There is no sacrifice to Yhwh in this book, as presumably the authors had a Deuteronomistic conception of such matters. This is demonstrated by the way that Daniel faces the city of Jerusalem when he prays. It is significant that the exiled community believed they *did* have access to their deity—through prayer.

Dan 1 also raises the issue of purity concerns in foreign territories through the vehicle of food. Dan 1: 8-21 constitutes a kind of “trial by diet” in which the diaspora Judeans insist upon eating separate food, and win their right to their separate diet in what is essentially a health contest. After Daniel’s requests for a separate diet are rebuffed (because a vegetarian diet was deemed less healthy), he proposes that he and his

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<sup>985</sup> Dan 6:8.

<sup>986</sup> Dan 6:11.

<sup>987</sup> See also v. 21.

<sup>988</sup> Dan 6:27.

compatriots be allowed to eat their vegetarian fare for ten days, and be evaluated for health at the end of that period. If they are as healthy as their Babylonian counterparts who ate the royal food, he suggests that they should be allowed to maintain their separate food practices. In the end, they are judged to be healthier in all respects than the Babylonians, and are once again promoted within the Babylonian power structure with the explicit help of their deity.<sup>989</sup> This text contends that despite the reality of exile, the god of the Israelites is truly in charge, even in the Babylonian court. Not only did Yhwh help them succeed in passing the “trial by diet,” but the chapter concludes that after these young men were admitted to the king’s service, he found them ten times more competent than his other specialists, again thanks to their background and their god.<sup>990</sup>

The issue of food laws was broached previously as a category of regulations that broke the boundaries of “ritual” and “moral” impurity. Hos 9:3 and Ezek 4:13, both of which refer to eating in foreign lands as problematic for purity, have already been discussed. Dan 1 also raises the issue of impurity when speaking of the problems inherent in eating the royal food. V. 8 states, “Daniel resolved that he would not defile himself with the royal food and drink.” The use of the particular verb נָאֵץ for “defile,” which is most often associated with blood (e.g., Isa 59:3; Lam 4:14; and the War Scroll from Qumran 1QM 9:8) suggests that the defilement in view is, perhaps “primarily ritual,”<sup>991</sup> meaning that it was related to dietary prohibitions that called forbidden foods “defiling.”<sup>992</sup> Interestingly, however, neither foreign foods nor wine are specifically

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<sup>989</sup> See Dan 1:15-21

<sup>990</sup> See Dan 1:20.

<sup>991</sup> On this, see Collins, 142.

<sup>992</sup> On this comparatively late term of impurity, see also Neh 13:29; Mal 1:7, 12; Zeph 3:1. Writers such as Josephus and Calvin, as well as some more recent authorities, on the other hand, speculated that this sense of “defilement” was not merely due to concern with specific Pentateuchal laws, but rather with a concern to live with austere temperance.

prohibited in biblical texts, and it is the royal food and drink to which Daniel objects.<sup>993</sup>

Daniel's insistence upon a vegetarian diet implies that the פתבג (the royal food) included meat, and such a diet could be viewed as an attempt to observe dietary laws in Leviticus and Deuteronomy. The concern in this passage is related to biblical dietary laws, but the text goes beyond the specific prohibitions in Lev 11 and Deut 14 and the manner in which this episode is portrayed speaks to fundamental concerns about the relationship between food and identity in the diaspora.<sup>994</sup> Thus, while the authors of the Book of Daniel sanction participation in the power structures of polities in which diaspora communities lived, they also advocate the maintenance of specific cultural boundaries. There are lines which the authors of Daniel would not let Judeans living in foreign places cross: eating foreign food is the field of battle in Dan 1, and in subsequent chapters, the battlefield is the issue of prostrating to foreign deities and symbols of imperial power.

There was a diversity of ways in which biblical texts and Judeans of the 2<sup>nd</sup> Temple period modified or transgressed both the Deuteronomistic idea of cult centralization in Jerusalem and the idea seen elsewhere in DtrH and Ps 137 that once an Israelite left the land of Israel, he was condemned to worship other gods. Texts such as

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<sup>993</sup> While there is a prohibition against wine of the Gentiles in rabbinic literature (*Avodah Zarah*), there is no evidence of such a prohibition in the 2<sup>nd</sup> Temple period, and evidence of wine importation is extensive. See Collins, *Daniel*, 142, n. 137 for rabbinic and 2<sup>nd</sup> Temple referents.

<sup>994</sup> The potential problem of dietary practice in foreign lands becomes an increasingly important issue in late 1<sup>st</sup> millennium BCE and early 1<sup>st</sup> millennium CE. The issue is treated differently in the Hebrew Book of Esther (which has no discussion of dietary constraints) and the Old Greek form of the book (which does evince concern over eating the king's food and wine). The issue is also raised in Tobit 1:10-11, Judith 12, 1 Maccabees 1:61-62, Jubilees 22:16, Joseph and Aseneth, the Testament of Joseph, and the Letter of Aristeas. Not all texts expressed an aversion to eating foreign foods: Jehoiachin is said to eat at the king's table in exile (Jer 52:33), and Nehemiah was the king's cup bearer (Neh 1:11), which required consumption of the king's food. While the idea of a monophagy, or "one food" to signify "one identity" would not fully develop until rabbinic Judaism established itself in contradistinction to Rome and early Christianity (see Jordan Rosenblum, *Food and Identity in Early Rabbinic Judaism* [Cambridge: Cambridge University Press, 2010]), the prevalence of concern about "gentile food" in Second Temple literature suggests that *food* was a particular locus for cultural intersection (and a volatile one). That different Second Temple texts treat consumption of foreign food in different ways speaks against a portrait of a monolithic colonized community of Judeans in the postexilic period.

Ezekiel, Ezra-Nehemiah, and Daniel presume that Yhwh was powerful even in foreign lands, though they make no mention of sacrifice outside the land of Israel. Daniel specifically states that the deity is accessible through prayer in foreign lands, and gives an illustration of how prayer and even dietary laws might have been negotiated by exilic communities of the period. The book of Esther, like the Joseph novella and the Book of Daniel, creates a (literary, at least) path of success for Judeans living in foreign lands; however, it makes no mention of the Israelite god. The concern of this text, rather, is the anxiety of the exile community about specific cultural practices in which they do not participate, marking their identity as distinct in certain ways, though the text expresses no anxiety towards other ways of assimilation. The documents from Elephantine in Egypt demonstrate that a 5<sup>th</sup> century Judean community there was offering sacrifices to Yhwh in a foreign land, until their temple was destroyed. The mediated agreement between the Elephantine community and Jerusalem to allow some sacrifice, but not meat offerings, shows what may have been the fault line of a debate regarding sacrificial worship of Yhwh outside of Jerusalem.

#### **4.4: Texts that explicitly label foreign lands as “impure”**

I have argued that biblical texts exhibit a variety of ways in which they treat the topic of foreign lands. Only two texts, Amos 7:17 and Josh 22:19, explicitly refer to foreign lands as “impure,” and it has generally been assumed that this impurity must have been “moral,” contracted through the sinful or “idolatrous” activities of the foreign inhabitants of those lands.<sup>995</sup> It must be noted, however, that neither Amos 7:17 nor Josh

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<sup>995</sup> These two verses are frequently drawn into the discussion of the impurity of foreign lands, since Alon’s work on the subject in 1977. See Gedalyahu Alon, *Jews, Judaism and the Classical World: Studies in*

22:19 have “foreign” persons in view. Because neither foreigners nor their putative “moral” misbehavior are mentioned in these verses, it is speculative to assume that these texts view foreign lands as impure because of the moral impurity incurred by the foreign inhabitants. These texts, rather, seem to speak to intra-Israelite issues, rather than offer a condemnation of aliens living in their own homelands. What is significant about Amos 7:17 and Josh 22:19 is that they incorporate purity language into the broader biblical discourse on imperialism, divine retribution, and exile. This is potentially because of the context or affiliation of these passages, which deal with issues of interest to priests. Amos 7:17 seems to reflect a “ritual” impurity, rather than a “moral” one, and may be read in light of Hosea, an 8<sup>th</sup> century northern prophet who used issues of purity in exile (in the case of Hos 9:3, eating “impure”) to critique his contemporaries. Josh 22:19 reflects familiar attitudes about the territorial dimension of the god of the land, but incorporates the idea that foreign land is impure, perhaps to further push the case for living in the Cisjordan. These passages seem to be working under the rubric of seeing Israel as Yhwh’s only viable domain, similar to those examined in section 4.2, but like the texts examined in section 4.3, Amos 7 and Josh 22 reinterpret the significance of Yhwh’s territoriality to suit their own needs. Adding the language of purity to a discussion of Yhwh’s effective sphere adds force to the author’s statements, and speaks to a cultic orientation.

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*Jewish History in the Times of the Second Temple and Talmud*. Trans. Israel Abrahams. (Jerusalem: The Magnes Press, The Hebrew University, 1977), 147-148. It is to him that Klawans and Hayes are chiefly responding in their treatment of the biblical texts. For example, Klawans states “Joshua 22:19 suggests that the tribal holdings east of the Jordan River are impure from idolatry” (Klawans, *Impurity and Sin*, 30), and Hayes states that “there is nothing [in Amos 7:17] to suggest that the foreign soil indicated suffers a ritual defilement. The reference to impure soil is best understood as a reference to land defiled by the immoral and idolatrous deeds of its inhabitants, in line with the general principle that lands are defiled morally but not ritually” (Hayes, *Gentile Impurities and Jewish Identities*, 44).

Amos 7:17 includes a condemnation of the priest Amaziah of Bethel, who reported Amos to King Jeroboam and attempted to forbid him from prophesying in Bethel. Amos concludes his condemnation saying, “you yourself [Amaziah] will die in an unclean (טמאה) land, and Israel shall surely go into exile away from its land.” The only immoral activity in this passage is Amaziah’s, and it is for *his* sin that this verse indicates that he and Israel will suffer exile. The putative immoral activity of other lands is not referenced, much less as a cause of their impurity. I have argued that it is the norm for biblical texts to raise the prospect of exile with connection to the impurity of the land of Israel; therefore it is significant that Amos 7:17 addresses exile while referencing the impurity of a foreign land. In a postexilic context, there was a greater need to differentiate Israel from other nations, and the process of boundary formation at times called upon the notion of impurity. In Ezra-Nehemiah, both the traditions of “ritual” and “moral” impurity are drawn upon, and an innovative impurity discourse on gentiles is generated “as a tool to reconstitute the community.”<sup>996</sup> The prophet Amos lived in pre-exilic Israel, but he faced the expansion of the Neo-Assyrian Empire, and the threat of exile was real. Given the connection in the verse between exile and the impurity of foreign lands, one must consider what motivations lie behind this association. In the case of Amos 7:17, there is no reason to presume that the impurity of foreign lands is envisioned as a “moral” impurity brought on by the inhabitants’ “idolatrous” worship. There is nothing in this passage that lends itself to such an interpretation. Instead, this verse presents expulsion from the land as the ultimate misfortune which will befall the priest Amaziah. Other misfortunes listed are the prostitution of Amaziah’s wife, the violent deaths of his children, and the national exile of Israel. For this priest, however,

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<sup>996</sup> See Olyan, “Purity Ideology in Ezra-Nehemiah.”

exile to a *polluted* land has particular force. This concern is similar to that of 1 Sam 26:19 and Ps 137, with the primary difference that Amos 7:17 includes language about the foreign land being impure. This inclusion tailors the curse to its priestly recipient, making the punishment even more onerous.

Thus, this text draws on two types of discourse to state Amaziah's fate. On the one hand, this passage conveys a concern for the potential problems involved in accessing the cult of Yhwh outside the land of Israel, which will be impossible for Amaziah in exile. The idea of exile from the homeland being used as a literary means of castigation is reminiscent of Deut 28:36 and 64, which utilize the idea that each god is worshipped in his or her own homeland to provide extra weight to the covenant curse of exile. Amaziah's exile is certainly punitive, though in this case, the rhetoric differs from Deut 28 with respect to the implications of exile. Unlike the cases of Deut 28 or 1 Sam 26, the plight of Amaziah is *not* simply that he will be exiled to a place where he might have to worship foreign gods, but that he will be exiled to a place that will affect his purity. The possibility of exile affecting his purity status is particularly poignant for a priest, who ostensibly guards his ritual purity carefully (cf. Ezek 4). Therefore, the passage not only interacts with the discourse regarding the territorially circumscribed aspects of the Yhwh cult, but purity is added a key component of this narrative.

Amaziah, who has presumably strived to maintain (ritual) purity in order to function as a priest, is condemned to live out the remainder of his days in a polluted land. Amos 7:17 therefore seems to combine issues of purity with issues of territory for specific polemical reasons. The type of impurity that is likely in mind in this verse is not "moral" impurity, but "ritual" impurity, which has cultic implications that would speak to a Priestly

audience and have serious ramification for a priest such as Amaziah. Because the text does not elaborate about the type of impurity involved, attempts to describe how this pollution functioned are necessarily speculative. In Ezek 4, as the environment of exile seems to be a source of impurity, and I have argued<sup>997</sup> that this passage draws from both the “ritual” and “moral” impurity traditions to make its case that there are elements of living in exile that are impure like the impurity of excrement. Hos 9:3-4 is another passage, which I have argued draws from both “ritual” and “moral” impurity traditions to make a case that living in foreign lands lends one susceptible to impurity (eating impure food is at stake in Hos 9:4, and 9:4 possibly evokes the idea of corpse impurity).<sup>998</sup> Reading Amos 7:17 in light of texts such as Hos 9:4 and Ezek 4:12-15, we can postulate that the foreign environment itself is depicted as polluting, potentially in a way which drew from the “ritual” impurity system. It is tempting to speculate that the polluted (foreign) locus was seen as comparable to a house polluted with corpse impurity, which would be a specific concern for a priest, for whom corpse impurity was specifically avoided.<sup>999</sup> I do not wish to push this idea too far, as the text does not specifically use ideas or images drawn from the “ritual” impurity system to make a simile for how the pollution in Amos 7:17 functioned; however, it seems likely to me, given texts such as Ezek 4, that where individuals with cultic affiliation (priests) were concerned about exile as a polluting environment, that this was understood through a “ritual” impurity lens. To reiterate, the only sinful behavior in view is Amaziah’s, and this is not linked with the idea of impurity here, but rather with the punitive force of *exile*, which will result in a

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<sup>997</sup> See Chapter 1.1 and Chapter 4.3, above, for discussion.

<sup>998</sup> Ibid.

<sup>999</sup> Note that ordinary priests could only contract corpse impurity while mourning close relatives; high priests could not even do that (See Lev 21).

*“ritual”* impurity. Amos 7:17 then, draws together the idea that Yhwh worship is problematic in foreign places and the specific purity concerns that would apply especially to a Priestly audience, in order to describe the desperate fate of Amos’s opponent. It seems that the inclusion of purity language into the discussion of the implications of exile was creative, and was done for the specific reason that it heightened the rhetoric in a specific context that spoke to cultic orientation and the interests of priests.

The case of Josh 22:19 is complex. In Joshua 22, the tribes of the Trans-Jordan return home after the apportionment of the land of Israel among the tribes. They parted from the other Israelites at Shiloh to go to their territory on the other side of the Jordan River (בעבר הירדן) and subsequently built a large altar “by the Jordan” (על הירדן) (v. 10). The other Israelites promptly gather at Shiloh to wage a war against the tribes (v. 12). Phinehas is sent as an envoy, and the Trans-Jordan tribes maintain that the altar was intended to stand as a witness (עד) for future generations, not meant for actual sacrifices, and that it was intended to attest to their connection with the Israelites across the Jordan River. They are ultimately vindicated and war is averted. Of particular concern here is v. 19, which is part of the accusation of the Cisjordanian Israelites against the Trans-Jordan tribes. Afraid that the perceived rebellion of these tribes against Yhwh will bring the deity’s wrath down upon the whole nation, they state, “If the land of your possession is unclean (טמאה), cross over into the land of Yhwh’s possession where Yhwh’s tabernacle now stands, and take for yourselves (an inheritance) among us; only do not rebel against us by building yourselves an altar other than the altar of Yhwh our god.” Hayes interprets the passage briefly, stating that it “refers to the Trans-Jordan as impure because

it is not part of God's holdings and is therefore associated with other gods."<sup>1000</sup> Her observation that the territorial domain of Yhwh is a concern of this text is correct; however, "associated with other gods" does not necessarily imply a state of "moral" impurity due to "idolatrous" worship, as was demonstrated in the passages dealing with the geographic boundaries of Yhwh's cultic sphere. There is not the slightest hint of foreign "idolatry" in the Joshua passage, though the presumption that worship outside Israel must be dedicated to other gods has been shown to be a recurrent theme in DtrH, and seems to underlie the accusation of the Cisjordan Israelites.

There is a literary reference to sexual and cultic sin in the accusation that the Israelites hurl at their Trans-Jordan counterparts, stating that they have had enough of the "sin of Peor," from which they are still not cleansed, and they do not desire these tribes to anger Yhwh further.<sup>1001</sup> It is similarly evocative that the person sent to deal with the situation is Phinehas son of Eleazar, the same figure who acted in Num 25 to avert Yhwh's wrath from the whole community when an Israelite had sexual relations with a Mideanite woman in a scene related to Israelite worship of "Baal of Peor" by killing both the Israelite and the Mideanite. These allusions call "moral impurity" to mind because the sinful behavior in Num 25 is construed as the root of the pollution in question: the Cisjordanian Israelites raise the specter of *similar* pollution for the present circumstances.<sup>1002</sup> The crux of the passage, however, is about *where* the proper worship

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<sup>1000</sup> Hayes, *Gentile Impurities and Jewish Identities*, 44.

<sup>1001</sup> Josh 22:17.

<sup>1002</sup> There is no pollution language in Num 25 itself; this is an interpretation found in Josh 22, as opposed to the Pentateuchal narrative on which it allegedly comments. It should be observed that Num 25 includes a confluence of characteristics that I have suggest inhabit the constellation of ideas in which "moral" impurity is situated (namely, divine reward and sanction on a national scale). The Israelites in question are condemned for specific cultic behaviors. "Idolatry" and sexuality are linked in Num 25 through the image of foreign women bringing allegedly foreign cultic influences into the wilderness camp. The image of Phinehas impaling the Israelite and the Mideanite woman together, while they were together in a tent

of Yhwh can take place. Indeed, Josh 22:19 seems to suggest that the foreign lands are possibly impure, *not* because of their inhabitant's idolatrous practices, but because Yhwh is not present in them. What is at stake is the territory of Yhwh and the nature of inclusion/exclusion from the community.

The defense the Trans-Jordanian tribes offer is that they were afraid of their descendants being denied a portion in Yhwh (חלק ביהודה).<sup>1003</sup> Indeed the very speech of the Cisjordanian Israelites in v. 19, dealing with the foreign-land impurity itself bears out the idea that what is truly at stake is Yhwh's effective territorial domain. The problem with the Trans-Jordanian land does not seem to be the idolatrous worship of its non-Israelite inhabitants, who are not mentioned.<sup>1004</sup> Rather the crux of the problem is that being separated from Israel impairs worship of Yhwh. Worship of Yhwh can only be performed in Israel proper; moreover alternative altars, especially outside Israel, cannot be set up. The tribes of Gad, Manasseh, and Reuben aver that the altar they constructed was of symbolic value, linking them to the Israelites across the river, and would serve no cultic function (the Trans-Jordanian Israelites too, apparently share the Cisjordanians's

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(possibly engaging in sexual intercourse?) graphically links the "moral" sins of unsanctioned sexual practices and unsanctioned cultic practices. Note that v. 1 focuses on sexual intercourse, and v. 2 hinges on unsanctioned worship of the gods of these foreign women. That Yhwh's divine retribution is involved in this situation is explicit in Num 25; a plague runs through the community, killing twenty-four thousand people (v. 9), and Yhwh's anger is explicitly mentioned in vv. 3 and 4 (אף), and 11 (חמה). Phinehas, through his actions, is said to "make atonement" (כפר) for the Israelites in v. 13. Josh 22 seems to be interpreting this event through the lense of pollution, potentially even purposefully evoking the "moral" impurity tradition. Because Num 25:13 seems similar in some respects to Lev 16:34 (which also uses the phrasing "כפר על-בני ישראל"), and Lev 16:30 (which links said atonement with purification from sinful behavior), it is conceivable that the authors of Josh 22 interpreted the Num 25 incident through the lense of "moral" impurity and its subsequent amelioration by a priest.

<sup>1003</sup> Josh 22:25.

<sup>1004</sup> This is despite the reference to the "sin of Peor," which potentially infers improper sexual relations with foreign women causing deviation from the cult of Yhwh. The "sin of Peor" is utilized to bring the idea of "moral" impurity to bear, while linking this impurity to that which is "foreign" (as the altar is cast in the text as if it were foreign).

Deuteronomistic attachment to cultic centralization),<sup>1005</sup> which apparently appeases Phinehas. The message of the pericope, however, seems to be that if one wishes to worship Yhwh, he must cross into “the land where Yhwh’s tabernacle now stands.” Similar to some other texts in DtrH, and Ps 137:4, the concern with foreign land here seems to have more to do with the boundaries of Yhwh’s territory than with “moral” impurity, *especially* with the “moral” impurity of foreigners.

Frankel poses three central questions regarding Josh 22: (1) On which side of the Jordan was the altar built? (2) Wherein rests the presumed offense? (3) Why is the altar finally deemed unobjectionable?<sup>1006</sup> He concludes that Josh 22 has been heavily reworked by a Deuteronomistic editor, actually reversing the “original” narrative on several points.<sup>1007</sup> This text, Frankel argues, has an outlook that is Priestly, and he attributes the material in vv. 9-34 to a Priestly author who was more closely affiliated with the Priestly material in Judges than the book of Joshua. His contention that the Pentateuchal source P can be found in Joshua is problematic, but this classic notion does still have some scholarly supporters.<sup>1008</sup> Nelson distinguishes between P as a Pentateuchal source and “P-like language” and ideas, which “definitely indicate that

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<sup>1005</sup> See Josh 22:22-23.

<sup>1006</sup> Frankel, *The Land of Canaan and the Destiny of Israel*, 178-181.

<sup>1007</sup> Similar to his treatment of 2 Kgs 17, Frankel supposes that Josh 22 was edited by later Deuteronomists to turn an originally pro-foreign worship of Yhwh endorsement into a polemic against foreigners and their claims to admission into Yhwh’s cult. His arguments are very speculative, given the available evidence, and not all of his points are capable of being substantiated. See *Ibid.*, 177-200.

<sup>1008</sup> On this issue, see Richard D. Nelson, *Joshua: A Commentary*, (Louisville, KY: Westminster John Knox Press, 1997), 9. See also E. Cortese, *Joshua 13-21: Ein priesterschriftlicher Abschnitt im deuteronomistischen Geschichtswerk*, OBO 94 (Göttingen: Vandenhoeck & Ruprecht, 1990); John E. Peterson, “Priestly Materials in Joshua 13-22: A Return to the Hexateuch?” *HAR* 4 (1980): 131-45; and Joseph Blenkinsopp, “The Structure of P,” *CBQ* 38 (1976): 275-92. Contrast Martin Noth, *History of Pentateuchal Traditions*, trans. B. W. Anderson (Chicago: Scholars Press, 1981), 8-19, who rejects the idea that P exists in the Book of Joshua, as well as Cross, *Canaanite Myth and Hebrew Epic*, 301-325, who follows Noth in this regard.

priestly redactional interests played a role in the creation of the final form of Joshua.”<sup>1009</sup> In this way, Nelson and Frankel observe similar elements in Josh 22 that are “priestly,” though with slightly different views on the implications of “priestly” elements, and different ways of using the term. In order to avoid confusion, I attempt to limit my use of the word “Priestly” to refer to texts attributed to the Priestly Pentateuchal source, and further clarify issues between P and H as necessary. In contexts such as Josh 22, where Nelson uses the term “priestly” to refer to “P-like” qualities, I prefer to use terms such as “cultic orientation” or to otherwise distinguish textual elements that betray interests that appeal to individuals who were priests from “Priestly” (meaning P) authorship.

The case of Josh 22 is complicated by the fact that certain aspects of the text show a cultic orientation sometimes seen in Priestly settings, while others show an affinity with D. Frankel attributes the first eight verses, as well as v. 19, to a later Deuteronomistic editor, while the core of the episode he suggests is P.<sup>1010</sup> This division of the chapter is fairly common in scholarship. Nelson also argues, “this chapter divides into deuteronomistic and priestly halves along the hinge of vv. 7 and 8,”<sup>1011</sup> where vv. 1-6 are Deuteronomistic in language and ideology, while vv. 9-34 have affinities with language and theology associated with the Priestly author of the Pentateuch, even though “the relationship of this narrative to the Pentateuchal source P is not absolute.”<sup>1012</sup> The observation that the Transjordan was a part of Yhwh’s territory is Deuteronomistic (see Deut 2:31-3:17), though the limiting of Israelite territory to the Cisjordan appears, according to Nelson, to have affinities with “priestly” literature, and is first clearly

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<sup>1009</sup> Nelson, *Joshua*, 9.

<sup>1010</sup> Frankel, *The Land of Canaan and the Destiny of Israel*, 191.

<sup>1011</sup> Nelson, *Joshua*, 247.

<sup>1012</sup> *Ibid.*, 248.

articulated in Ezek 47:13-48:29, a priest-prophet with a specific cultic interest.<sup>1013</sup>

Additionally, references to Phinehas, the way the single central altar at Shiloh is delineated, as well as the idea that the whole community may be implicated by the cultic crimes of a part of it, all show affinities with Priestly literature (see, for example, Lev 10:1-7 and Num 16).<sup>1014</sup> It has been observed, however, that there are elements in vv. 9-34 that “set this narrative apart from the Pentateuchal source,” both in terms of vocabulary and its ideology of sacrifice.<sup>1015</sup>

According to Frankel’s theory, the “earlier form of the text told the story of a controversial altar and its cult outside the land of Canaan, set up by the Transjordanian tribes at the time of the initial conquest. Though the altar and cult were initially suspected of indicating apostasy, the Yahwistic character of the cult was finally recognized.”<sup>1016</sup> Frankel suspects that the “original” story was about an altar erected in land conceived to be foreign (on the eastern side of the Jordan River), which, like that altar in Isa 19:20-21 was a functioning altar, serving as a witness for foreign people to be included in the worship of Yhwh on foreign soil. The Deuteronomistic revisions, he states, reformulate the story to be about an altar on the *western* side of the Jordan River, inside Israelite land, which competed with the altar at Shiloh, violating the idea of Deuteronomistic cult centralization. Frankel suggests that vv. 19-20 were not a part of the earlier stratum, but rather of a “secondary nature...where the issue became the violation of the exclusivity of the tabernacle altar.”<sup>1017</sup> Frankel does well to identify

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<sup>1013</sup> Ibid., 249-250.

<sup>1014</sup> Ibid., 248, 250.

<sup>1015</sup> On this issue, see *ibid.*, 248. See also John S. Kloppenborg, “Joshua 22: The Priestly Editing of an Ancient Tradition,” *Biblica* 62.3 (1981): 347-71 (esp. 366-367).

<sup>1016</sup> Frankel, *The Land of Canaan and the Destiny of Israel*, 192-193.

<sup>1017</sup> Ibid., 189-190.

certain tensions in the text, including the question regarding whether the altar is condemned for being on foreign soil or for violating Deuteronomic centralization ideology. Additionally, the suspicion he casts over the claim in the text that the altar was merely symbolic,<sup>1018</sup> is well founded, and it is an attractive supposition that the text preserves a tradition in which the extra-territorial altar was condoned, allowing the Trans-Jordanians to offer sacrifices on it to Yhwh.<sup>1019</sup> His reconstruction of the text, however, is difficult to prove at key points, especially his treatment of v. 19. Frankel follows Greenberg in suggesting that v. 19 was an explanation for the reason that the Trans-Jordanian tribes built their altar *inside the land of Canaan*.<sup>1020</sup> He argues against the presumption that the purpose of the altar was to *purify* the inherently impure foreign land by observing that altars did not function in that manner, but were rather polluted by impurity. He states that v. 19 is offered as an explanation for the construction of a competing altar within the territory of Israel because the Cisjordanians apparently assumed that “the impossibility of setting up an altar on unclean land was axiomatic, even for them [the Trans-Jordanians].”<sup>1021</sup> The problem is that v. 19 does not seem to assume that the altar *was* constructed on the western side of the Jordan River. The claim of the Israelites is not that these outlying tribes have constructed an altar in their territory, but that they have built an altar in foreign territory, which is presumed to be dedicated to deities other than Yhwh, because it is located on foreign soil. This can be demonstrated by the fact that in v. 19, the Israelites ask the Trans-Jordanians to *cross* the Jordan to worship Yhwh, if their land is impure, which they would not have to do if their own altar

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<sup>1018</sup> Ibid., 181-185.

<sup>1019</sup> Ibid.

<sup>1020</sup> Ibid., 190. See Moshe Greenberg, *On the Bible and Judaism: A Collection of Writings* (Tel Aviv: Am Oved, 1985 [Hebrew]), 115-116.

<sup>1021</sup> Frankel, *The Land of Canaan and the Destiny of Israel*, 190-191.

were already located on the Cisjordan side of the river. Ultimately, the impurity of the foreign land is left unexplained in the text, but the suggestion that it would make cultic activity impossible suggests the likelihood that ritual impurity is in evidence.

Nelson entertains the notion that the altar was not intended for sacrifice, observing that “altars could be built to mark a god’s territory,”<sup>1022</sup> and suggesting this is what is at stake in 1 Kgs 18:30-32 as well as 2 Kgs 5:17. He also compares the altar in Josh 22 to that described in Isa 19:19-21, intended to serve as a sign and witness. Although Nelson notes that in each of these cases, the altar described remains associated with sacrifice, he does suggest that the narrative in Josh 22 eclipses the sacrificial function of the altar with its role as a “witness to participation in sacrifice at the unique central altar.”<sup>1023</sup> This position is untenable, and Frankel’s argument (that the claims that the altar was merely symbolic are suspicious, and possibly secondary) is preferable. Regarding the dating of the narrative, Nelson’s arguments are more generally noncommittal than Frankel’s, though he does observe that while arguments for date have ranged from the time of the pre-monarchic period through the time of the Elephantine temple, two possible settings have more to commend them. First, he observes that there are indications, including the view that the Transjordanian territories presented an ideological problem, that point to the time of Assyria’s provincial system for the composition of this episode.<sup>1024</sup> He then suggests, however, that the reference to “unclean land” in v. 19 as well as the questions regarding participation in the cultic system for Israelites who live outside the territorial boundaries of Israel, both point to a

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<sup>1022</sup> Nelson, *Joshua*, 248.

<sup>1023</sup> Ibid., 249.

<sup>1024</sup> Ibid., 249-250.

postexilic context.<sup>1025</sup> He argues that the issue is about the purity of persons living outside the land of Israel (v. 17) as well the fact that the offerings such foreign-dwellers bring *to the central sanctuary* might be construed as the products of an impure land (v. 19). Nelson concludes that the passage has an aim to “hold fast to national unity in spite of geographic separation and the dangers of diverse viewpoints,” and that the key point of the passage is that all of the characters ultimately agree on the point of exclusive, centralized cultic worship. He argues, “the unity of Yahweh’s people is founded not on geographic proximity, but on shared faith and fidelity in worship.”<sup>1026</sup> While Nelson makes an interesting point regarding the dating of specific geographic elements of the chapter, his conclusions regarding the passage are too facile, and harmonize the tensions inherent within Josh 22 in order to present a single, unified rhetorical message. While the Transjordanian Israelites in the passage allege that their altar was merely symbolic, and while the war in the passage is ultimately averted, it seems to stretch the point too far to suggest that the passage was authored to argue in favor of unity with Israelites living abroad, and to advocate that foreign lands (and sacrifices brought to Jerusalem from foreign lands) were not impure. Rather, the passage seems to articulate tensions between views regarding centralized worship and external cult sites, the borders of the land of Israel as a matter of dispute, and what, if any, purity implications existed when Israelites lived abroad.

Josh 22 seems to have a complex system of references, but the statement about the impurity of foreign lands is situated more naturally in the context of the inability to worship Yhwh in foreign lands, rather than with the allusion to “idolatrous” worship, as

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<sup>1025</sup> Ibid., 250.

<sup>1026</sup> Ibid.

Klawans and Hayes presume. There are ultimately two points to consider. The first is that in order to argue that the impurity of the Trans-Jordan is “moral,” one must suppose that underlying v. 19 is a comparison between Israel, which is pure because it has the tabernacle of Yhwh residing in it, and “foreign” Trans-Jordan, which is unclean because it has cult centers and cult objects of other gods. This is a possible reading of the passage, but again, the text itself is concerned not with foreign cults, but with intra-Israelite debates about the status of the Yhwh cult abroad. The second matter involves the relationship between the impurity of the foreign land and the texts examined above, which discourse on the borders of Yhwh’s realm, but without the pollution vocabulary. The passage suggests that the “impurity” of foreign lands is brought about simply by virtue of their location. This could, in an exilic or post exilic context, potentially point the way toward imagining an *intrinsic* impurity adhering to foreign lands. It must be affirmed, however, that there is no foreign “moral” impurity implied, and the closest analogy within purity discourse seems to be within the realm of “ritual” impurity, as was the case with Amos 7:17. In both of these texts, it seems that the priestly orientation of the texts,<sup>1027</sup> and the cultic concerns of the characters, influence the language with which the authors addressed foreign lands. The traditional idea of Yhwh’s cult operating within his land, but not outside of it, was augmented by the inclusion of the language of purity, for specific rhetorical purposes.

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<sup>1027</sup> I do not necessarily accept a P substrate to the Joshua text in general, but I do see indications in this chapter that there was the authors had specific cultic concerns. Whether or not the authors were “priests,” I do not think it is necessarily to link Josh 22 with P specifically, but I do see some a cultic orientation involved in this discourse. I therefore call this a “priestly orientation” here (rather than a “Priestly orientation,” which I take to infer P authorship or a P layer to the text specifically).

#### 4.5: Summary

To recapitulate, there were a variety of ways in which biblical authors approached the topic of foreign lands. Some of these methods involved the language of purity, while others focused on the issue on the limitations of Yhwh's realm, and the exercise of his powers both at home and abroad. I've also suggested that some texts combined issues of territory and purity, specifically because they were speaking to contexts that were cult-centered or of interest to priests.

Three Priestly texts, Lev 4:12, 6:4, and Num 19:9, refer to "pure" locations outside of Israelite territory. Another three verses P, all from one pericope, Lev 14:40, 41, and 45, refer to "impure" locations outside of Israelite territory. I have also argued that several other texts, including Exod 3:12, 19:19-25, 24:4-8; Isa 19:19-21; Jonah 1:16; and Job 1:5, 42:8, implicitly suggest that foreign lands were pure, because they describe cultic activities taking place there. These texts indicate that some biblical authors viewed foreign lands as pure, or even holy, which militates against any argument regarding an "intrinsic" impurity in foreign lands in the Hebrew Bible.

Other texts, found especially in DtrH, demonstrate a concern for the circumscribed territory of Yhwh, and the implications for traveling outside that territory. Deut 4:19-20, 1 Sam 26:19, Ps 137:4, and 2 Kgs 17:27 all hinge on a territorially-focused conception of deity worship: Yhwh is worshiped within the border of Israel; other gods are worshiped abroad. I have suggested that these texts reflect a different set of assumptions and interests than the Priestly texts examined above, and that they may reflect a different socio-historical situation than texts that evince no concern with how Yhwh worship might have been accomplished in foreign lands.

I have also suggested that some texts which seem to purposefully complicate territorially-constrained view of Yhwh's realm and power. Texts such as Ps 82 and Deut 32:8-9 suggest that Yhwh perhaps had some power over other territories and other gods. Other texts, such as 1 Sam 4-6 and Ezek 8-11, describe Yhwh's movements in and out of his territory in such a way as to highlight the deity's power over his surroundings (in domestic and foreign territory), even while acknowledging the idea that Yhwh's home territory is Israel. Other documents, such as some letters from the Jedaniah Archive at Elephantine, suggest that not all Israelites living abroad subscribed to a Deuteronomistic view of the centralization of Yhwh worship in Jerusalem. Other texts, such as Ezra-Nehemiah the Joseph novella, and the Court Tales in Daniel 1-6, stress the power of Yhwh to act on behalf of Judeans living in foreign places, and suggest paths to political success within foreign power infrastructures. Other texts, such as the Book of Ruth (in the Hebrew text), suggest no hint that living abroad might have presented any specific cultic difficulties for Judeans. I have suggested that these texts which challenge the territorially-dependent view of the Yhwh cult and Yhwh's effective territory seem to reflect an exilic or postexilic situation in which exile has become a reality, and requires specific alterations to the hardline views expressed in pre-exilic texts that Israelites living beyond the borders of Israel were cut off from Yhwh.

Finally, I addressed texts that specifically call foreign lands impure, and made two observations. First, these texts seem to include the language of purity into the already existing discourse regarding Yhwh's effective territory. I have suggested that purity concerns were included because of the specific cultic or priest-centered orientation of the texts in question. Amos 7:17's rhetorical force is bolstered by the inclusion of purity

language, because it is specifically condemning a priest, who has ostensibly strived for ritual purity for his entire life. Josh 22 seems to reflect a concern for cultic issues of interest to priests, even though it is incorporated into DtrH. The reference to foreign land “impurity” in Josh 22:19 could reflect the interests of individuals concerned with cultic centralization as well as ritual purity abroad. My second observation was that neither of these two passages is simply a reflection of “moral” impurity inhering in foreign lands because of the misdeeds of foreign peoples living there. Rather, each case seems to involve issues of “ritual” purity (of concern in a cultic context), as well as the rhetorical devices involved in condemning prohibited practices or denigrated individuals. In the following chapter, I discuss in greater detail the ideologies underpinning how different biblical authors treated foreign lands.

## CHAPTER 5: Purity and Politics: Postcolonialism and the Rhetoric behind Biblical Treatments of Foreign lands

This study proposes two main arguments, both of which intersect in Amos 7:17 and Josh 22:19, the only two biblical references to foreign land impurity. First, I contend that purity ideologies cannot be neatly divided into “moral” and “ritual” categories, and that while Israelite land defilement is sometimes said to be caused by the sins of the land’s occupants, foreign land impurity functioned differently. Second, I argue that the ways in which biblical texts treat foreign lands speak to the religious and historical situation of the authors of those texts. By taking stock of the modes and registers available to biblical authors to discuss foreign land, and by grouping these different approaches together, some statements can be made about how specific texts utilized and developed these approaches in their contexts. After this, it is possible to make observations regarding *why* certain texts discuss foreign land in a neutral, positive, or negative light, and how the language of purity functioned in the broader discourse.

I suggest that Amos 7:17 and Josh 22:19 are excellent examples for these two arguments, because the context of each reference to foreign land impurity is suggestive of something different than simply “moral” impurity, brought about by the sins of the people living in those lands. Klawans’s and Hayes’s interpretations of these verses hinge on their suggestion that “moral” and “ritual” impurity functioned totally differently in Israelite conception, and that only “moral” impurity could affect the land itself.<sup>1028</sup> I attempt to shift the discourse away from one framed in the systemization of purity ideologies. Instead, I propose that the discussion should be oriented toward the several

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<sup>1028</sup> Klawans, *Impurity and Sin*, 30; Hayes, *Gentile Impurities and Jewish Identities*, 43-44.

different ways in which biblical authors could draw on impurity discourse, and I attempt to organize the different approaches biblical authors took to treating land in general, and foreign land specifically. I have argued that the authors of Amos 7:17 and Josh 22:19 used the language of impurity with a specific purpose, and that that purpose was not simply to paint foreign lands with a negative brush on the basis of their presumably sinful foreign inhabitants. Rather, it seems to me that these passages touch on a variety of issues relating to Israelite notions of homeland, exile, and cultic observance, and that the incorporation of purity language adds one more layer, so that these verses' issues also intersect with a cultically oriented concern with purity. Especially in the case of Amos 7:17, the inclusion of purity language heightens the rhetoric of the author against a specific character—the maligned priest Amaziah. The inclusion of purity language in Josh 22:19 speaks to the cultic concerns of the text. Additionally, the context of the reference places the verse within the wider frame of reference—a territorially circumscribed view of Yhwh's domain constituted by ancient Israel. Finally, this reference also evokes the specific case of a past sinful action, which raises the specter of “moral” impurity, even as the issue of the erection of an altar speaks to the “ritual” purity of the site.

In this chapter, I make some tentative observations about how the different rhetorical devices used to discuss foreign lands in biblical texts can be better interpreted by understanding their composition in a postcolonial context. I first introduce and qualify how I utilize postcolonial theory and method in my interpretive endeavors, and then proceed to examine specific texts utilizing observations regarding postcolonial literature advanced over the past century. I approach texts in what may seem like reverse

chronological order, beginning in the second section with what I believe to be later texts, such as Daniel, and then proceeding in section three to texts I argue speak to a pre-exilic context. This is because the postcolonial setting of postexilic texts is more secure, and literary techniques reminiscent of those seen in non-Israelite expressions of postcolonial writings are more developed and prevalent in these later texts. I do argue that preexilic literature also can benefit from an examination informed by the contributions of postcolonial theory, and examine what I believe to be earlier, perhaps more nascent forms of literary techniques reflecting their composition in a setting of foreign imperial threat or domination. In the fourth and fifth sections of this chapter, I attempt to draw some thematic connections between a variety of biblical texts which deal with foreign lands. I suggest that the issues of consuming food and worshiping the national god were key areas where productive literary expression (as a means of social formation and identification) is expressed in the Hebrew Bible.

### **5.1 Introducing postcolonial inquiry to the discussion of foreign land impurity**

I have suggested that the different ways in which biblical texts treat the topic of foreign land are historically and culturally situated. The issues raised in studying these texts relate to how Israelites (and Judeans) conceived of themselves in relation to other nations, how they constructed cultural boundaries in times of political turmoil, how various groups of Judeans and those of or claiming Judean descent addressed pressing religious issues differently in intra-group dialogue, how issues of purity played a crucial role in Israelite religious and social discourse, and how biblical texts may be read as postcolonial literature, and interpreted through ideological criticism to arrive at a deeper

understanding of how they functioned in their original contexts. There are, however, several difficulties involved in unpacking the significance of this corpus of material.

First, pinpointing the exact date and provenance of biblical texts is notoriously problematic, because the Hebrew Bible was composed, compiled, edited and redacted over the course of centuries by many different authors for many different reasons and in different contexts. Some of my interpretation rests on the assertion that specific texts are either pre-exilic or speak to a pre-exilic context, and other texts reflect a postexilic or exilic context, but all of my statements about dating and provenance are, by necessity, cautious, and I have attempted to sufficiently justify these assertions where possible.

Second, Adele Berlin has recently offered a cogent critique of how ideological criticism has at times been misapplied to biblical texts.<sup>1029</sup> She argues that certain postmodern scholars (referring specifically to the so-called “minimalists”) have read their own ideological or political motivations into the text, allowing their own ideology to influence their interpretation not only of the history of ancient Israel (and here she is speaking specifically about the impact of the exile on the people of Judah), but also their view of biblical ideology. She observes that the “minimalists” have, due to their own political views on the modern state of Israel and Zionism, misread the biblical text and therefore concluded that exile was largely an “ideological construct,” which did not affect life in Judah, and that the ideology of exile and return in the Hebrew Bible is the voice of an exclusionist minority of the temple establishment, and should be set aside in favor of recovering the “silenced” voices of the majority repressed by the Jerusalem elite.

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<sup>1029</sup> Adele Berlin, “The Exile: Biblical Ideology and Its Postmodern Ideological Interpretation,” in *Literary Construction of Identity in the Ancient World: Proceedings of the Conference Literary Fiction and the Construction of Identity in Ancient Literatures: Options and Limits of Modern Literary Approaches in the Exegesis of Ancient Texts, Heidelberg, July 10-13, 2006* (eds. Hanna Liss and Manfred Oeming; Winona Lake, IN: Eisenbrauns, 2010), 341-356.

Berlin's work demonstrates that different views about exile are present within the Hebrew Bible itself, and these views seem to reflect different historical situations after the exile. As Berlin suggests, I attempt to unpack the ideology behind different biblical views on foreign lands as they operated within their original historical situations, without reference to current events. I am aware that the project of recovering ancient ideologies is enmeshed with modern concerns and presuppositions; however, I try not to *apply* an ideological framework to the text, but rather to uncover that which is reflected in the texts as honestly as I am able.

It is my contention that the Hebrew Bible, having been composed in a context in which a succession of powerful empires exerted political control or influence over the territory of Israel and Judah, may be fruitfully read in the light of postcolonial criticism. Beth Berkowitz states, "One of the most important contributions of [the postcolonial] perspective is to complicate notions of authority, to see authority not as a force imposed on passive subordinates but rather as a dynamic process constantly being negotiated in all social spaces."<sup>1030</sup> Using postcolonialism as a method of inquiry to investigate the various texts examined above, however, has complications of its own. One difficulty is the problematic place of the Bible in the history of western colonialism. Another problem involves distinguishing ancient empires and their exercise of power from modern notions of colonialism. A third issue is *when* (i.e., during which imperial period) the kind of literature that reflects this dynamic expression of power may first be demonstrated in biblical texts.

It has been observed that the Bible has served as "the textual motor behind the

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<sup>1030</sup> Beth A. Berkowitz, *Execution and Invention: Death Penalty Discourse in Early Rabbinic and Christian Cultures* (New York: Oxford University Press, 2006), 10.

empire,” mobilized for modern imperialism and used to justify imperial claims.<sup>1031</sup>

Writing about biblical literature in an ancient context, one must be careful not to import this baggage into the reading of ancient texts. It is certainly true that there are imperial traditions espoused within the Hebrew Bible itself, and numerous biblical texts present the Israelites as conquering outsiders who founded a vast empire and committed genocide and/or forced relocation of the native populace so that they could gain dominion over the land of Israel and beyond. Over the last half century, however, each aspect of this story of national identity presented in biblical sources has been dismantled. It is important to observe that Israelites did not break onto the scene of the ancient Near East as a conquering powerhouse, but rather, it seems that Israel emerged as a geo-political unit only at a time when both the Egyptian and Mesopotamian influence in the region waned, similar to other Levantine polities such as Ammon, Moab, and Edom.<sup>1032</sup> Therefore, the rhetoric of Israelite conquest must be read in light of those considerations. Additionally, it should be emphasized that Israel and Judah frequently experienced negative consequences related to their location between the major imperial powers of the region, and when Israelites occasionally did attempt to inject themselves into international politics, they were rarely successful. The downfall of the northern kingdom at the end of the third quarter of the 8<sup>th</sup> century, BCE was precipitated by its failed attempt to rally a coalition of local polities against Assyria. The aftermath of the destruction of Israel, the deportation of some of its population, and the resettlement of the northern territories with people drawn from elsewhere in the Neo-Assyrian Empire is reflected in a prevalent motif in the Hebrew Bible. Indeed, this aftermath is integral to several of the texts above,

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<sup>1031</sup> See R. S. Sugirtharajah, in his introduction to *The Postcolonial Biblical Reader* (ed. R. S. Sugirtharajah; MA: Blackwell Publishing, 2006), 1.

<sup>1032</sup> See Miller and Hayes, *A History of Ancient Israel and Judah*, 5.

dealing with domestic and foreign land, as Israelites and Judeans wrestled with the threat, reality, and implications of national exile. Judah experienced the uncomfortable position of being a political pawn between Egypt and Assyria, and Hezekiah's power play in withholding tribute culminated in the invasion of Sennacherib in 701 BCE, which seems to have influenced a variety of biblical texts, including the pairing of Judean royal ideology with the theology of the inviolability of Zion.<sup>1033</sup> King Josiah's death in 609 BCE is another instance of the negative effects of Judean international involvement, as he was apparently killed while attempting to prevent Egyptian assistance from reaching Assyria after Assyria's capital was overthrown by the Babylonians. Egypt briefly exerted political control and imposed tribute on Judah, but soon after 605 BCE, the Neo-Babylonian Empire, having defeated Egypt at the Battle of Carchemish, was the major power in the region. Judah became a vassal state of Babylon, and in 597 BCE, some of the elite of Judah, including King Jehoiachin, were deported to Babylon. In 587 BCE, the city of Jerusalem was conquered a second time by Babylonian armies, King Zedekiah's sons were killed, the king himself was blinded and died in captivity in Babylon, and a portion of the population was deported. Israel's tenuous position among the shifting power structures in the ancient Near East is at variance with the imperial aspirations reflected in biblical texts. Because this study deals with biblical and ancient Near Eastern literature, the modern issues involved in the Bible's role as a colonial document are beyond its scope, though they are pressing in certain postcolonial studies of late modernity. At issue here is biblical literature itself reflecting a historical setting of colonialism and subjugation, rather than these texts being used as a tool in the

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<sup>1033</sup> See Miller and Hayes, *A History of Ancient Israel and Judah*, 410-421 on Hezekiah and Sennacherib.

subjugation of others.<sup>1034</sup>

Bradley L. Crowell has observed that the postcolonial theory utilized in the study of the Hebrew Bible usually focuses on three major areas: first, how colonial empires interpreted biblical texts and how indigenous populations reacted to colonial interpretations; second, how previous colonized populations interpreted biblical texts; and third, the role of empires and reactions to imperialism in the formation of biblical texts.<sup>1035</sup> Only the third area is under consideration here. Most scholars who incorporate postcolonial theory into biblical studies begin with the period of the Achaemenid Persian

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<sup>1034</sup> It should be noted that there are important debates within the field of postcolonial studies that reflect on how the methodologies should be used and how they might potentially be misappropriated and used for colonial purposes. E. San Juan, Jr., for example, critiques many classic postcolonial theorists on the way they engage in discourse and linguistic play, claiming that these theoretical approaches sometimes serve the purpose of the global status quo, and he advocates a more historical, materialist perspective, and appeals to the historical and cultural specificity of cultural processes. See, for example, *Beyond Postcolonial Theory* (New York: St. Martin's, 1998), 6-22, 134, *ad passim*. His approach to postcolonial criticism's inherently modern setting can be inferred from his article "The Limits of Postcolonial Criticism: The Discourse of Edward Said," posted in *Against the Current*, no. 77 n.p. [cited November/December 1998]. Online: <http://www.solidarity-us.org/site/node/1781>, where he states, "I consider *postcolonialism* as the cultural logic of this mixture and multilayering of forms taken as an essential ethos of late modernity, a logic distanced from its grounding in the unsynchronized interaction between colonial powers and colonized subalterns." The very efficacy and vitality of postcolonial theory has recently come into question. The field has been dominated discussion of postcolonial theory with an Anglophone orientation, and only in English Departments. See Editor's Column, "'The End of Postcolonial Theory?' A Roundtable with Sunil Agnani, Fernando Coronil, Gaurav Desai, Mamadou Diouf, Simon Gikandi, Susie Tharu, and Jennifer Wenzel," *PMLA* 122, no. 3 (2007): 633-51. Jean-François Bayart, also recently declared postcolonial theory superfluous in *Les études postcoloniales, un carnaval académique* (Paris: Karthala, 2010). The idea of postcolonial theory's relevance and vitality has been newly advocated by Robert Young, Robert Stam, and Ella Shohat. Robert Young argued that the field was declared deceased prematurely, and observed that postcolonial theory has the capacity to turn critique into renewal, and that as long as remains of colonialism exist, postcolonial critique will contest that legacy (see "Postcolonial Remains," *New Literary History* 43.1 [Winter, 2012]: 19-42). Robert Stam and Ella Shohat respond to Young as well as Dipsh Chakrabarty in "Whence and Whither Postcolonial Theory?" *New Literary History* 43.2 (Spring 2012): 371-390, and seek to provide new directions for postcolonial theory, arguing for "a decentered, multidirectional narrative" to chart both the history and the future possibilities of the postcolonial. It is not my intention to enter into these debates about the efficacy and currency of postcolonial theory. It is also not my intention to address or redress the allegations that postcolonial theory has become too entrenched in the American academy, and is therefore devoid of its initial drive of decentralizing a western epistemological hegemony. Rather, I seek merely to utilize some of the insights gained by a century of scholarship into the literatures of colonized peoples to help shed light on some of the discourses in biblical texts relating specifically to Israelite conceptions of imperialism, homeland, and exile.

<sup>1035</sup> Bradley L. Crowell, "Postcolonial Studies and the Hebrew Bible," *Currents in Biblical Research* (2009): 217-244.

Empire. After Cyrus II conquered the Neo-Babylonian Empire in 539 BCE, Judah (Yehud) became a Persian province and Judeans were allowed to return to Jerusalem and build the Second Temple.<sup>1036</sup> It is certainly true that texts from the Persian and Hellenistic periods are at times actively engaged in a dynamic interplay of power relations with the imperial power of the day, but it is my contention that Israelite and Judean literary reaction to imperial power goes further back, and that investigating biblical texts dealing with the threat, and then the reality, of mass deportation from the homeland as postcolonial documents sheds further light on their meaning. As Crowell observes, “Most biblical literature was composed in the context of imperial rule; yet, the effects of that situation are rarely explored by biblical scholars.”<sup>1037</sup> Those scholars who do focus on these issues do so overwhelmingly in light of postexilic data. While much is written on the Roman context of the composition of the New Testament, and some is written on the role the Persian Empire may or may not have played in the authorization of the law codes in the Hebrew Bible, the earlier periods of imperial domination are less recognized as having impacted biblical literature.<sup>1038</sup> In short, I would like to push the interpretive benefits of postcolonial criticism back to the pre-exilic period. The ideas of exile and impurity are critical in many modern expressions of postcolonialism, and these

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<sup>1036</sup> See, for example, Jon Berquist, “Postcolonialism and Imperial Motives for Canonization,” in *The Postcolonial Biblical Reader*, 78-95. Berquist argues that the canonization of the Hebrew Bible was motivated by the imperial policies of the Persian Empire, and that while the Hebrew Bible’s purpose was to advance the ideology of the empire, there were hints of resistance which could be used against this ideology.

<sup>1037</sup> Crowell, “Postcolonial Studies,” 233.

<sup>1038</sup> Crowell suggests that the fact that scholars of the Hebrew Bible are just beginning to analyze this literature within an imperial context is due perhaps to the Assyrian, Babylonian, and Persian empires being “less intensively studied than Rome” (p. 233), but it is also possible that the hallmarks of “classic” postcolonial expressions, such as the mimicry and hybridity often referenced by Homi Bhabha, are more apparent in later biblical texts. It is true that it is more difficult to argue for a postcolonial reading of biblical texts composed while Israel still operated under a functioning monarchy and maintained its own imperial aspirations, but I believe that literature composed during the time of Assyrian, Babylonian, and even Egyptian domination over Israel must also be read through the lens of external imperial influence, and Israelite response to that influence.

same concerns are reflected in biblical texts from different contexts.

In what follows, I focus on two main issues: first, what was at stake in the territorial dimensions of the god Yhwh, and how this was reflected or resisted in some of the texts about foreign lands; and second, how different texts dealt with the issue of living, eating, and worshipping Yhwh abroad. Considering Amos 7:17 and Josh 22:19 in light of these broader discourses yields information absent from merely considering these texts as instantiations of “moral” impurity, which seems, on the contrary, to have been removed from an international framework.

## **5.2 Developed expressions of postcolonialism in postexilic contexts: The Court Tales of Daniel as a paradigmatic case**

I would like to begin my discussion of postcolonialism as it relates to biblical ideas of foreign land impurity with a relatively late text, because it provides some of the clearest examples of literary strategies specifically geared towards dealing with the realities of existing as a subjugated population within a foreign imperial power system. I have suggested that the court tales in Daniel are remarkable in the ways they depict power structures as constructed and mediated between the colonizing (literary) Persian court and the Judean characters who navigated within it.<sup>1039</sup> These tales contain some of the clearest biblical cases of authority depicted as a dynamic process negotiated in different social locations. In these chapters, Daniel and his associates are shown to be empowered within a particular foreign social and political structure specifically *because* they are Judeans. That is, the colonized people are insinuated into the imperial colonizer’s court in such a way that their very “otherness” is integral to their success.

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<sup>1039</sup> While the Book of Daniel is set in the time of the Neo-Babylonian Empire, Dan 1-6 seems to reflect a Persian Period context (at the earliest), and the apocalyptic visions of Dan 7-12 are Hellenistic.

Dan 1's enclosed account about Daniel and his companions' selection, their training in the Babylonian court, and their particular skill which earned them the favor of the king operates on the premise that their skills were given by Yhwh. It is generally held that the Israelite youths were taken from among the displaced population living in exile in Babylon, and after being selected, they were possibly castrated to become court eunuchs.<sup>1040</sup> Whether or not Judeans served in the Persian court as eunuchs, and whether or not the text itself presumes that Daniel and his companions were castrated, the text does take for granted the ability of the imperial authority to impose itself upon the bodies of the colonized. According to Dan 1, however, these youths excelled all others, thanks to their deity.<sup>1041</sup> The Judean protagonists are explicitly insinuated into the hierarchical structures of the court, in a specialized capacity, and are evaluated as *more* skilled than even their native-born counterparts precisely *because* they are favored by their (foreign, colonized) deity. The manner in which colonial and colonized structures interact here reflects complex power relationships, and an implicit give-and-take between the signifiers of the colonial power structure and that of the colonized people. Going beyond a dichotomy of unidirectional submission or resistance to the colonial ultimatum, the authors of this text re-appropriated the mechanisms at work in the colonial power structures, reversed them, and then infused them with their own religious signifiers to

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<sup>1040</sup> The term for the chief eunuch is רב סריס (*rab sārīs*, literally “great eunuch,” in v. 7: שר הסריסים, *šar has-sārīsīm* “chief of the eunuchs”), likely derived from the Akkadian term *ša rēši* “of the head,” one who stood near the head of an important official. There is debate about whether or not this person was himself a eunuch, though, as Collins notes, it is more likely if one presumes a Persian context (Collins, *Daniel*, 134-136). There are old traditions regarding whether the Judeans were themselves castrated. Josephus says that some of the captives were made eunuchs in *Ant* 10.10.1 § 186, while Jerome is explicit that Daniel, Mishael, and Azaria were eunuchs, connecting this with Isa 39:7. Rabbinic literature, including *b. Sanhedrin* 93b, *Pirke de Rabbi Eliezer*, and *Midrash Megillah* 176 all suggest that the Judeans were eunuchs. There was also a minority dissenting opinion that these youths could not have been castrated because they were “without blemish” (Collins, *Ibid.*, 135).

<sup>1041</sup> Dan 1:20.

inscribe within them power and implicit authority for the speakers of the colonized people.<sup>1042</sup> Specifically, the potency of Yhwh, even in exile, is affirmed in this text, and his ability to act on behalf of Judeans, and even to invoke judgment on the Babylonians, is a powerful message signaling the power of the god of the Israelites. Additionally, by having Yhwh give success to specific Judeans within the power structure of the foreign land, the agency of the colonized people is affirmed because these individuals are helpful (and later in the book, integral) to the colonial court itself—the discourse inhabits the space of cultural contact and exchange, and profits from it. That neither Daniel (nor the composers of the book) seem disturbed by Judean exiles receiving (and excelling) in foreign education speaks to a climate of hybridization<sup>1043</sup> between the colonist and the colonized along specific cultural contact zones, in this case, education and literacy. Daniel is repeatedly said to excel his Babylonian counterparts in dream and symbol interpretation due to his status as a Judean exile, favored by the deity of the Judean exiles. This demonstrates the negotiation of power relations and the re-appropriation of Israelite agency within a foreign epistemological structure. This postexilic work’s method of

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<sup>1042</sup> Chidester addresses the fact that “colonialism represents a complex intercultural encounter between alien intruders and indigenous people in what Mary Louise Pratt (1992) has called ‘contact zones’.” See David Chidester, “Colonialism” in *Guide to the Study of Religion*, (Willi Braun and Russell T. McCutcheon, Eds.; New York: Cassel, 2000), 424-436). When he refers to the “colonial situation,” he speaks specifically about how people found ways to “appropriate foreign religious resources and cast local religious resources” to make sense out of colonial situations. While his examples are of a different sort than listed above, it is reasonable to use this language for the project of the authors of the Book of Daniel.

<sup>1043</sup> The concept of hybridity is theorized by many in Postcolonialism, including Gayatri Spivak, Néstor García Canclini, and Stuart Hall, all responding to the multicultural awareness emerging in the late 20<sup>th</sup> century. The term itself as it is used in postcolonial theory is traced to Homi Bhabha. See Homi K. Bhabha, “Cultural Diversity and Cultural Differences,” *The Post-Colonial Studies Reader*, (B. Ashcroft, G. Griffiths, H. Tiffin, Eds.; Routledge, New York 2006), 155–157. Reacting to binary conceptions of self/other and imperialism/resistance seen in earlier postcolonial works, Bhabha held that culture was actually found in a “Third Space,” and he stated, “For a willingness to descend into that alien territory—where I have led you—may reveal that the theoretical recognition of the split-space of enunciation may open the way to conceptualizing an *international* culture, based not on the exoticism or multiculturalism of the *diversity* of cultures, but on the inscription and articulation of culture’s *hybridity*. To that end we should remember that it is the “inter”—the cutting edge of translation and negotiation, the *in-between*, the space of the *entre* that Derrida has opened up in writing itself—that carries the burden of the meaning of culture” (Ibid., 157).

dealing with the reality of exile was to depict a character who successfully integrated into the power structure of the foreign imperial polity, and to emphasize the fact that his deity continued to support and protect him, even as he lived abroad. I have also argued that Daniel 1, by drawing the cultural barrier around the issue of dietary laws, introduced concepts of purity into the discourse of appropriate and inappropriate ways to assimilate into the dominant foreign culture. Different battlefields were articulated in different portions of the court tales; these battlefields mark the cultural boundary where lines were drawn in the proverbial sand, and hybridity disallowed. In Dan 1, the focus of the conflict is dietary laws, and involves issues of personal purity and the wholeness of the Judean body.<sup>1044</sup> Later chapters take on the issue of Yhwh worship in foreign lands, and define as the battlefield specific acts that signified cultic devotion to foreign gods or rulers. The issue of consuming food in foreign places has been seen to recur in different contexts, often involving the language of purity, and often signaling the difficulties of exile or foreign travel. The specific case of Daniel articulates this motif with specific clarity, which I have suggested is due to the urgency of the author's need to negotiate what the reality of exile entailed for Judean communities living in foreign places. This text is not seeking to threaten or bemoan the situation of exile by suggesting that foreign food is somehow polluting (as can be seen in Ezek 4:13 and Hos 9:3); rather, it presumes this problematic situation and mediates a response that, the text assures, is granted both divine and imperial approbation.

I have attempted to demonstrate that Dan 1 exhibits the characteristics

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<sup>1044</sup> This interpretation resonates with Mary Douglas's observations that the body can be a symbol of society. See *Purity and Danger*, 141-159.

Berkowitz<sup>1045</sup> describes as endemic to the postcolonial concern in two ways: first, by demonstrating the success of the Judean youths in the Babylonian court, and second, by depicting their success in securing a diet specifically negotiated to suit their cultural restrictions. The Babylonian court is certainly presumed to have power over Judeans in this episode. The Judeans are exiled and living under the imperial regime of a foreign land; they can be summoned by the king to the court to serve in specific ways, and it is possible that the text means to imply that the Babylonians even had the power to impose their power on the bodies of Judean males through castration. The emphatic message of the chapter, however, is that the Judean god Yhwh was the ultimate authority, and that specific, negotiated practices could be undertaken to address the requirements of the Babylonians while also maintaining specific cultural practices and boundaries.

Another locus of cultural interchange in Dan 1 is in the adoption of names by—or the imposition of names on—the exiles. In v. 7, the chief of the eunuchs gives them Babylonian names (literally, he “put” שם names on them).<sup>1046</sup> Collins argues against Aage Bentzen’s assertion that the imposition of the names in this passage suggests a tacit critique of the adoption of Hellenistic names in the Maccabean period.<sup>1047</sup> He emphasizes the prevalence of receipt of foreign names in several of the prominent diaspora stories,<sup>1048</sup> and states “Daniel makes no objection to the gentile names, in marked contrast to his resistance to the royal food.”<sup>1049</sup> Collins is correct that the imposition of foreign names does not seem to distress the characters, and there is no

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<sup>1045</sup> Berkowitz, *Execution and Invention*, 10.

<sup>1046</sup> While there is no sense of reciprocity (or even gift giving) in the sense of the verb שם, it would perhaps be stretching the context of this too far to state that the Hebrew itself highlights the forceful *imposition* of these names. This verb can be used with the simple sense of “give/bestow,” however it is unidirectional.

<sup>1047</sup> See Aage Bentzen, *Daniel* (Handbuch zum Alten Testament 19; 2d ed; Tübingen: Mohr, 1952), 21.

<sup>1048</sup> Joseph in Gen 41:45 is named by Pharaoh “Zaphnat-P‘aneakh”; Esther is a Persian name given to a Judean woman known also as Hadassah; “Mordecai” is also a name adopted for the Persian court.

<sup>1049</sup> Collins, *Daniel*, 141.

reason to accept Bentzen's reading of a Maccabean subtext in this passage. There is evidence that prominent Judeans after the exile *did* sometimes have Babylonian names, such as Sheshbazzar in the 6<sup>th</sup> century BCE, a "prince of Judah," appointed as a governor by Cyrus, who returned from exile to lay the foundations of the new Temple, and Zerubbabel, grandson of Jehoiachin, whose name is Akkadian, "seed of Babylon." While Collins gives a fair critique of Bentzen regarding the idea that the adoption of foreign names is viewed as specifically problematic in the Book of Daniel, he does not, however, give sufficient weight to the fact that these foreign names *were* unilaterally imposed upon the exiles in this text. The passage does not explicitly state *resistance* to the foreign names, though it does indicate a fair degree of slippage between the foreign identifiers and the characters' native names. The way that names are used in the course of the narrative provides a clue about the weight given to this identification practice. Hananiah, Mishael and Azariah are referred to by their native names five times in the Book of Daniel, four of which are in this chapter, where they are renamed.<sup>1050</sup> In v. 7, they receive their Babylonian names, yet when the narrator refers to them in vv. 11 and 19, they are called by their Hebrew names.<sup>1051</sup> Indeed, even in proximity with the king, in an official evaluation,<sup>1052</sup> the Hebrew names, rather than the Babylonian ones, are used, as "the king spoke with them, and none of them was found like Daniel, Hananiah, Mishael, and Azariah." Likewise, in Ch. 2, when Daniel informs his compatriots of a crisis at

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<sup>1050</sup> Dan 1:6, 7, 11, 19; 2:17

<sup>1051</sup> The names themselves are interesting. There is no scholarly consensus about the etymology of Shadrach (Hananiah's Babylonian name) or Meshach (a.k.a. Mishael), though it is possible they contain corrupted theophoric elements. Meshach is particularly interesting because it has been linked to an Akkadian derivative *mēšāku*, "I am slighted" (perhaps a subversive element is imbedded in the naming after all!). There is Persian evidence for the name *Mi-iš-ša-āk-qa* (see Collins, *Daniel*, 141). The name Abednego (Azariah's Babylonian name) is commonly held to be a distortion of *Abed-Nabû* (servant of the god Nabu), though it cannot be certain if the distortion is unintentional, or an intentional form of resistance.

<sup>1052</sup> They are perhaps even in view of the king, if a narratological reading of v. 19, can be stretched so far.

court, their Hebrew names are used.<sup>1053</sup> The Babylonian names are used once in Ch. 1, and fourteen times in Ch. 3. It is interesting that the use of the proper names of these characters in Ch. 3 (the tale of the fiery furnace) seems to indicate their name *in a Babylonian context*. The king is the focalizer (to use Mieke Bal's term),<sup>1054</sup> the lens through which the miracle of the narrative is viewed. As such, the use of the Babylonian names, rather than the Hebrew ones, can be viewed as a narrative strategy that sets the events in the perspective of the Babylonian courtiers, who witness and are awed by the power of the Judean deity to save his servants. Because the issue at stake is whether or not they would worship a golden image set up by the Babylonian king, the question of dual identification and divided loyalties (colonized deity opposed to colonizer sovereign) is at the heart of the tale.<sup>1055</sup>

The use of the Hebrew name Daniel in relation to the use of his Babylonian moniker Belteshazzar is even more telling.<sup>1056</sup> "Belteshazzar" occurs ten times in the

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<sup>1053</sup> In this chapter, the king is said to have had a baffling dream. The king demands an interpretation of his dream or he will execute all of the wise men of Babylon (including Daniel, Hananiah, Mishael, and Azariah).

<sup>1054</sup> Mieke Bal, *Narratology: Introduction to the Theory of Narrative* 2<sup>nd</sup> ed. (Toronto: University of Toronto Press, 1985).

<sup>1055</sup> The alternative possibility is that the tales circulated independently before they were brought together by an author/redactor (see Collins, *Daniel*, introduction), and that the episode in chapter 3 is linked to the friends of Daniel seen in chapter 2 by the redactor who stated that they are the same individuals by composing the renaming narrative in chapter 1. Collins suggests that the mention of the companions in chapter 1 allows for the inclusion of chapter 3 into the Book of Daniel, even though Daniel does not play a part in that chapter, by linking these individuals to Daniel here and in a redactional inclusion in chapter 2 (p. 129). He does not suggest that the association of these Babylonian names to these Hebrew-named individuals is secondary. If this *is* true, however, then the use of the Babylonian names in chapter 3 cannot be read in a postcolonial context, as was suggested above. That there is no argument at present to detach the Babylonian-named individuals from the Hebrew-named ones, however, militates against the likelihood of this scenario. To interrogate the text about the reasons for the use of the Babylonian names in chapter three is a worthwhile enterprise.

<sup>1056</sup> Belteshazzar is likely from the Akkadian *balat-su-ušur* "protect his life" or perhaps *balat-šar-ušur* "protect the life of the king." See Collins, *Daniel* 141. Collins notes that the Masoretic vocalization of the name (Bel..., rather than Bal...) introduces the name of the god Bel as a theophoric element of the name and "suggests that the meaning of the name was lost early." One must take care to remember, however, that the Masoretes were not "early," but were rather removed from the composition of this text by perhaps a millennium, so the fact that they vocalized the name with a theophoric element rather than with the

Book of Daniel<sup>1057</sup> (the name “Daniel” appears seventy-five times). The context in which the Babylonian name is used is a key to understanding how the Judean authors of Daniel related to the Babylonian-imposed name. Daniel is repeatedly introduced as “Daniel, who was called Belteshazzar.”<sup>1058</sup> The appearance of the Babylonian name in 4:6, 4:15, and one of the uses in 4:16 all come from reports of direct speech of the king addressing Daniel, who, the narrator assures us, was called Belteshazzar. Thus the name “Belteshazzar” is used in Daniel uniformly with the emphasis that this is simply the name which the *Babylonians* called him, not his “real” name.<sup>1059</sup> After all, the text never calls him “Belteshazzar, who was known as Daniel.”

The issue of naming in the Book of Daniel has been broached for two reasons, even though it does not explicitly deal with the how foreign lands were themselves

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Akkadian meaning is not as significant as Collins suggests. On the other hand, it is interesting that none of the names given to the Israelites represents an uncorrupted theophoric element. Even Abednego seems to be a corrupted form of the name “servant of Nabu” (see above). It is possible that the authors of Daniel did not wish to allow the names of these famous exiles to commemorate foreign gods, even if the names given to them did. The case to be made that they *purposefully* corrupted “Abednego” (and even Shadrach and Meshach as well for the same reason, [see Collins *Ibid*]), however, is speculative and un-provable at present. Other Babylonian or Assyrian names rendered in Hebrew seem equally “corrupt,” for example the name Sheshbazzar (*Sin-ab-ušur*), appearing in the Book of Ezra, seems to obscure the name of the moon god, Sin. In the text of Daniel, in which power dynamics are a constant give and take, such details cannot be ignored; however, there is no way to determine if the names were *intentionally* corrupted or not, so no argument can hinge on this assertion.

<sup>1057</sup> Dan 1:17; 2:26; 4:5 (4:8 in Greek), 4:6 (v. 9 in Greek), 4:15 (v. 18 in Greek), 4:16 (v. 19 in Greek); 5:12; 10:1.

<sup>1058</sup> In Daniel 2:26, 4:5, and 4:16, the name is introduced in the phrase, “Daniel, whose name was Belteshazzar” (in Aramaic). The reference in 10:1 similarly states: “Daniel, whose name was called Belteshazzar” (in Hebrew). In 5:12, the referent has the same meaning, but emphasizes the agency of the *king* in giving this name to Daniel (an even more clearly imperial imposition of a foreign name than in Ch. 1, where the chief eunuch named the Israelites), “...Daniel, whom the king named Belteshazzar” (in Aramaic). How the text of Daniel uses this foreign nomenclature demonstrates that while the king may impose new names on the bodies of exiled Israelites, their people still recognize their native identity in how they reclaim their Hebrew names for their own use.

<sup>1059</sup> Indeed, the *only* time the narrative refers to Daniel as Belteshazzar without either the qualifier that this was simply what the *Babylonians* called Daniel or the moniker coming out of the mouth of the Babylonian king himself is in 4:16, in which the name occurs three times in a single verse: the first appears with qualification: “Daniel, whose name was Belteshazzar;” the second is from a quotation of the king: “The king responded and said, ‘Belteshazzar, let not the dream and its interpretation disturb you;” and the third immediately follows: “Belteshazzar responded and said...” This third use is conditioned by the previous two.

depicted in biblical texts or land and purity. First, naming, similar to diet and the ability to function within the Babylonian court, seems to be an aspect in which the text demonstrates colonial impact upon the lives of Judeans living in a foreign land on one hand, while on the other hand re-inscribing and perhaps even subverting this practice. In short, the issue of native and foreign naming is a key characteristic of interpreting the Book of Daniel as a postcolonial document. The second reason is because the issue of naming provides a key example of a “contact zone” in the Book of Daniel in which existence in a foreign land is depicted as mediated, in which certain cultural identifiers remain intact while the foreign imperial power has the ability to inscribe itself upon exiled Judeans to a limited extent. Unlike eating food in foreign places and worshipping foreign deities, there seems to have been more flexibility present in the acceptance of foreign names being imposed upon Judeans living abroad. The use of names in Daniel seems to have been a means to help reinterpret the power relationships that were imposed through the unilateral naming practices of the Babylonians, and reaffirm the Judean identity of the protagonists. Ultimately, while the text demonstrates that the king had the power to impose a court-name on Daniel, this name was effectively rejected among his peers and in the framing of the text itself. Neither the compatriots of the character Daniel, nor the audience of this text about him, *know* him as Belteshazzar.<sup>1060</sup>

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<sup>1060</sup> The Book of Esther demonstrates the use of foreign names by Judean characters as well, as both Esther and Mordecai not only have foreign names, but theophoric foreign names: Esther refers to Ishtar and Mordecai refers to Marduk. This provides another example of a text accepting foreign names for its protagonists, but there is less indication of *both* Judean and foreign names being maintained by the characters. Esther is referred to as “Hadassah” in Esth 2:7, but not again, and another name is not ascribed to Mordecai. It is intriguing that these two postexilic texts once again seem to demonstrate different levels of comfort with assimilating into a foreign court. Esther has no problems eating the food of the court, and there is famously no mention of Yhwh in the book. I have argued that both books preserve some cultural practices which are deemed non-negotiable, even in exile, while Daniel presents more give-and-take regarding specific appeals to Yhwh and dietary laws. There is not enough onomastic evidence to make a developed case that the authors of the Daniel truly held a different view regarding foreign and endogenous

I have argued that postcolonial theory provides useful insights into texts such as Dan 1-6, because it highlights the dynamic exchanges of power between cultures, especially in the context of one culture exerting political and economic control over another. Postcolonial theory as articulated by Bhabha and Spivak moves beyond a simple reading of imperial power as unilateral control and resistance to that authority, and instead emphasizes the fact that power was negotiated in different ways in different contexts, and that texts could evince resistance, appropriation, negotiation, and compromise in turn in response to specific zones of cultural contact. The issue of the efficacy of this kind of analysis becomes more difficult when it is raised in pre-exilic contexts, in which Judeans and Israelites maintained their own monarchies, and wrote their literatures within a largely intra-Israelite context. In a pre-exilic literary environment, there are fewer literary expressions that can be directly attributed to “classical” postcolonial theory, such as hybridization and dualistic naming practices. This is not surprising, because imperial policies did not affect Israelites in the same ways during the monarchic period as they did in an exilic and postexilic setting. The lack of archetypal postcolonial literary techniques, however, does not mean that the general concerns of postcolonial theory (especially the central issues of the literary and cultural legacies of imperialism), are irrelevant to analysis of these earlier texts. Indeed, understanding the imperial power dynamics at work in different periods of the monarchic period, as well as how biblical texts reflect a reaction to these power dynamics, are critical to understanding how pre-exilic texts discussed foreign lands.

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names than did the authors of Esther, though it is worth noting that these two books explicitly observe a practice in which Judeans living abroad were known by foreign names, while also seeming to maintain endogenous names.

### 5.3 Expanding the paradigm: pre-exilic literary expressions that reflect a colonial outlook

While there has not been much utilization of “postcolonial theory” regarding Israelite literature produced in the 8<sup>th</sup>-6<sup>th</sup> centuries BCE, there has been a fair amount of scholarship interested in the *imperial* practices of the Mesopotamian empires, and specifically, interest in what kind of religious imperialism may have existed in the time of the Neo-Assyrian Empire. I contend that these avenues of inquiry are predicated on the similar questions that drive the discussion of “postcolonialism” in biblical texts from later periods. There have been several shifts in the scholarship investigating the ways in which Assyrian imperialism affected the religious practices and literature of Israelites (and other polities over which the Neo-Assyrian Empire exerted varying degrees of political authority). Cogan’s 1974 monograph, *Imperialism and Religion* reevaluated a prevailing assumption in the field that Assyrians practiced a heavy-handed religious imperial policy, which directly affected the religious policies of Israelite and Judean kings.<sup>1061</sup> It is against the backdrop of this discussion that the fraught issue regarding the internal vs. external nature of the ostensive Deuteronomistic reforms is said to have taken place, as prophetic and Deuteronomistic railings against “foreign” religious influence are at times taken to be signs of resistance to Assyrian religious intervention with the local cult. Cogan contended that there was a distinction between “provinces” and “vassal states” that could be presumed to be fairly static and consistent in Assyrian records, and that while Assyrian cults were established in lands that became “provinces,” annexed into the Assyrian Empire in a substantial way, that “vassal states” such as Israel and Judah

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<sup>1061</sup> He particularly critiques the views of Olmstead, Ostreicher, and Noth, who suggested that Israel and other conquered nations were coerced into adopting Neo-Assyrian cultic practices.

were free to continue their cultic practices without interference or imposition.<sup>1062</sup> While the idea that foreign imperial powers did not exert a great deal of religious control over Israel and Judah proved influential,<sup>1063</sup> the same data utilized by Cogan to argue for a laissez faire attitude on the part of the Assyrians towards local cults on the periphery of their empire was utilized by Hermann Spieckermann to argue rather the reverse: that there was significant religio-political pressure exerted by the Assyrians (from the time of Tiglath-Pileser III until the fall of the Assyrian Empire) on both provinces and vassals alike.<sup>1064</sup> Spieckermann suggested that both vassal states and provinces would have been required to pay various types of taxes, tributes, and corvée, and that failure to “fear” (or “respect”) the Assyrian gods could result in spoliation of local divine images, or even their destruction.<sup>1065</sup> Spieckermann’s observations caused Cogan to reexamine the issue, and in 1993, he concluded that there needed to be “a more nuanced reading of the Assyrian royal inscriptions, as well as the biblical historical texts,”<sup>1066</sup> and he conceded that the issue of “province” and “vassal state” was more complex than he initially supposed, because there was “a wide spectrum of arrangements that developed between the conqueror and the conquered, especially in border and peripheral areas, particularly in the west [*sic*].”<sup>1067</sup> Ultimately, however, Cogan reaffirmed his conclusion that “No

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<sup>1062</sup> Cogan, *Imperialism and Religion*, 60. John McKay independently argued that Assyrian religious imperialism had been overestimated in *Religion in Judah under the Assyrians 732-609 B.C.* (SBT 2/26; London: SCM Press, 1973).

<sup>1063</sup> Though there was some critique, see for example the review of G. W. Ahlström in *Journal of the American Oriental Society* 98.4 (1978): 509-511, in which he argued that the lack of biblical texts explicitly stating that the kingdoms were forced to worship Assur did not prove that this didn’t occur, and observed that the variety within Israelite religion itself regarding Yhwh and other gods complicated an image of a monotheistic Yhwh-centered religion battling with the Assyrian pantheon espoused by Cogan.

<sup>1064</sup> Hermann Spieckermann, *Juda unter Assur in der Sargonidenzeit* (FRLANT 129; Göttingen: Vandenhoeck & Ruprecht, 1982), 307-322.

<sup>1065</sup> *Ibid.*, 369-371.

<sup>1066</sup> Mordechai Cogan, “Judah under Assyrian Hegemony: A Reexamination of Imperialism and Religion,” *JBL* 112.3 (1993): 403-414 [412].

<sup>1067</sup> *Ibid.*, 407.

Assyrian text states or implies that conquered peoples were required to worship the gods of Assyria,”<sup>1068</sup> though the case of Judah was a bit different than the case of Israel, insofar as there was a “cultural wave that inundated Judah from all sides,” which influenced the writings of prophets and Deuteronomists, who favored an exclusionist cultic practice over one that had “syncretistic” aspects appropriated by Judeans themselves in the wake of the new international situation in the ancient Near East.<sup>1069</sup>

A recent contribution to the conversation is Holloway’s *Aššur is king! Aššur is king!*, in which he provides a more expansive definition of religious imperialism, stating, “every element of every victorious Assyrian campaign was an act of religious imperialism, since the entire enterprise of conquest was undertaken at the command of Aššur and the great gods of Assyria.”<sup>1070</sup> Holloway notes that neither Cogan’s nor Spieckermann’s model accounts for “imperial sponsorship of strategic foreign cults, a major component in any historiographically balanced sketch of the functioning of religion as a tool of Assyrian statecraft.”<sup>1071</sup> Holloway’s own treatment of Assyrian imperialism is highly situational, and he accounts for acts of both beneficence and terror on the part of the Assyrians in order to engage foreign polities in specific ways, and because politics and religion were intertwined, he suggests that foreign religious imperialism was a major factor in international politics of the 8<sup>th</sup> and 7<sup>th</sup> centuries.

While there has been an active discussion regarding what kind of imperial pressures were exerted upon Israel and Judah before the destruction of both polities by the Assyrians and the Babylonians, it seems that scholars generally treat the imperial

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<sup>1068</sup> Ibid., 412.

<sup>1069</sup> Ibid., 413.

<sup>1070</sup> Holloway, *Aššur is king! Aššur is king!*, 99.

<sup>1071</sup> Ibid., 64.

influences upon biblical literature before and after the exilic period as distinctly different phenomena. Scholars of postexilic literature speak of imperial “authorization” of biblical texts, and of postcolonial mediations of and resistance to the imperial pressures in the Persian period; however, postcolonial theories regarding literary adaptation and reflections on imperial threat and domination are not generally applied to earlier material. Instead, while earlier material is viewed as reflecting a situation of foreign and internal pressures, there is relatively little discussion of the idea of the strategic employment of the concepts of deity, homeland, and exile in a postcolonial context. There are, however, some interesting observations to be made by being attentive not only to the use of imperial pressure, but also to the *variety* of textual responses to that pressure in biblical texts from early, as well as later periods.

Eating food in foreign places is an illuminating example of the strategic implementation of rhetoric in a colonial context. While texts from the 2<sup>nd</sup> Temple period, such as Dan 1, contain a highly self-conscious negotiation of food consumption in foreign places, due to the fact that this was a present reality for diaspora populations, some of the same concerns are present in earlier texts, demonstrating that purity issues focusing on food consumption even predate the mass deportation of Israel. The Book of Hosea reflects an 8<sup>th</sup> century, northern context, when the Kingdom of Israel was facing destruction by the Neo-Assyrian Empire. Hos 9:1-2 excoriates Israel for being unfaithful to Yhwh, and states that they will not receive sustenance from the threshing floor or the wine vat. V. 3 states, “They will not dwell in the land of Yhwh, but Ephraim will return to Egypt, and in Assyria they will eat unclean (טמא יאכלו).” Hos 9:4-5 raise the concern that the cult of Yhwh cannot operate in foreign lands and adds a purity dimension to this

conundrum: sacrifice to Yhwh is unclean in foreign lands “like mourners’ bread, and all who eat of it are defiled.”<sup>1072</sup> Thus the Israelites will be denied food in Israel,<sup>1073</sup> in Assyria, they will eat “unclean,”<sup>1074</sup> and if they attempt to offer sacrifices to Yhwh (to feed him with libation offerings or food sacrifices), such offerings are themselves unclean like “mourners’ bread,” which (presumably “ritually”) defiles those who consume it.<sup>1075</sup>

The various linguistic and interpretive issues in Hos 9:3 have already been addressed in Chapter 1, but what is important here is that the primary image for living in exile in v.3 is that the Israelites will “eat impure” in Assyria. The issue of eating food in a foreign place is depicted as representative of the entire problematic situation of exile, and is therefore an intra-Israelite expression of postcolonial concerns. I have suggested that different planes of reference are in this passage. “Moral” impurity is in view through references to Israelite worship of other gods, cast in the sexualized and gendered language of זנות. Dietary laws, which defy categorization in a bifurcated purity schematization, are in view in the juxtaposition of clean foods which will be denied and unclean foods which the Israelites will consume and offer to Yhwh. Additionally, the fact that sacrifice in a foreign land is compared to “mourners’ bread,” connects this passage to the “ritual” impurity tradition through the idea of the “ritual” impurity connected with death, even though such sacrifice is prohibited, which is a trait of the “moral” impurity tradition. It is significant that the reference here to impurity in Assyria has nothing to do with any presumed “idolatrous” acts by the Assyrians themselves. If this verse implies that the foreign land is itself polluted (and it at least suggests that the

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<sup>1072</sup> Hos 9:4.

<sup>1073</sup> Hos 9:2.

<sup>1074</sup> Hos 9:3.

<sup>1075</sup> Hos 9:4.

food grown on foreign land is polluted), it draws on *both* the “moral” and “ritual” traditions to make this point. It seems unlikely that the verse is simply suggesting that the Israelites will choose to eat “impure food such as pork or reptiles” while in Assyria, as Christine Hayes has suggested,<sup>1076</sup> because the activity does not seem to be volitional here, but punitive. What seems to be at stake here is the fear that being deported from the land of Israel would remove the possibility of reaching Yhwh through cultic observance and the fear that even daily life would be polluting. This early text<sup>1077</sup> demonstrates none of the compromise or negotiation that is present in Dan 1; rather, Hos 9:3 merely expresses the *threat* of exile, and the difficulties it would pose. It has an exhortatory function, seeking neither a practical resolution to the difficulties exile would pose nor a solace for the Israelites who would cause their own deportation by displeasing their deity. In this context, the standard imperial practices of Assyria, and the specter of Egypt’s military might serve an intra-Israelite discourse, made more forceful because of the historical context in which the prophecy was made. The force of the prophecy relies on the plausibility of the punitive consequences described. In this way, Hos 9:3 demonstrates a creative reinterpretation of colonial imperial power, where the external threat of deportation from the homeland is used to apply internal social pressure.

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<sup>1076</sup> Hayes, *Gentile Impurities and Jewish Identities*, 44.

<sup>1077</sup> On the dating of this passage, see Hans Walter Wolff, *Hosea: A Commentary on the Book of the Prophet Hosea* (Hermeneia Series; Gary Stansell, Transl.; Paul D. Hanson, Ed.; Philadelphia: Fortress Press, 1965), 153, who sees the setting of the scene as taking place in 733 BCE, or in one of the immediately following years, at the autumn festival. On the setting of the book in general, see Idem, p. xxi. I see no reason to suggest that this verse (much less the clause mentioning Assyria) is a late addition to the chapter, and the general setting and force of the curse that Amaziah will be sent to Assyria presumes a fairly early date, and certainly one that is pre-exilic.

#### 5.4 Making connections among strains of tradition: eating food as focal point in dealing with living in foreign lands

Ezek 4:13, like Hos 9:3, draws on aspects of both “moral” and “ritual” purity traditions when it states that Israelites will consume food, impure, in foreign lands. The Book of Ezekiel, which reflects on the events surrounding the mass deportations of Judeans to Babylonia and the destruction of Jerusalem in the early 6<sup>th</sup> century BCE, portrays exile as the result of sinful actions “morally” polluting the land of Israel.<sup>1078</sup> In this chapter, the עון of the Israelites is mentioned as the cause of the destruction and deportation of Israel and of Judah. The reference to eating bread, “unclean” (טמא), however, reflects aspects of “ritual” impurity. In this passage, Yhwh orders the prophet to engage in certain symbolic acts, representing the exile. In v. 12, Yhwh asks the prophet to bake a cake over human excrement, with the figurative force of representing how the people will eat their bread “impure” among the nations. In this passage, as in Deut 23:13-15 and Zech 3:3-5, human excrement is construed as ritually defiling (though it is not in Leviticus). Ezek 4:14-15 presents an intriguing negotiation between the prophet and the deity, as Ezekiel protests the order to bake the cake over human excrement, because he “has never defiled” himself by eating forbidden foods, and Yhwh concedes that the prophet may use cow dung instead. While Hayes argues that it is the Israelites themselves who are impure in Ezek 4:13 (being cut off from cultic means of purifying themselves from natural, “ritual” impurities, they will eat their bread *while* impure)<sup>1079</sup> this seems unlikely, given the narrative of the passage. While the state of exile did curtail the ability of Israelites to remove ritual impurity through cultic ability, demonstrated also in Hos 9, it is the food itself and the environment in which it is made

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<sup>1078</sup> E.g., Ezek 36:17-19.

<sup>1079</sup> Hayes, *Gentile Impurities and Jewish Identities*, 44.

(the foreign lands are analogous to the human excrement in this context), which is represented by this symbolic action. I have therefore suggested that this passage may refer to foreign lands as a source of impurity, and the comparison to human excrement suggests an affinity with the “ritual” system of impurity, rather than the “moral” one, though issues of sin and exile are still in view. It must be emphasized, however, that the only sin involved is that of the Israelites, which polluted the land of Israel; not the presumed “idolatry” of foreign peoples which would pollute their own lands. The case of Ezekiel facing impurity in exile is similar to that of the priest Amaziah in 7:17. Ezekiel is a priest living in the foreign land of Babylon,<sup>1080</sup> just as Amaziah in Amos is a priest threatened with exile to a foreign land. In each case, the force of the pollution seems to reside in the realm of “ritual” purity, because these two men have a vested interest in maintaining a high standard of ritual purity in order to maintain their qualification to serve as priests. That Ezekiel 4:13 suggests that the *environment* in which the food in exile is impure just as excrement is impure provides further support for reading Amos 7:17 as drawing on the realm of “ritual” impurity when it describes the foreign land in which Amaziah will find himself as “impure.” Zech 3:3-5 may also support my reading of Amos 7:17, given that the excrement-polluted garments of the high priest Joshua suggest that there was no possibility of cult in exile due to “ritual” impurity, contracted in exile. Perhaps this “ritual” pollution, too, is perceived to be contracted from the environment, or the land of exile itself, though this is not explicit in the Zech passage. Taken together, it seems plausible to read Ezek 4:13 and Amos 7:17 as drawing on the tradition of “ritual” impurity to describe the polluted state of exile to a foreign land.

Ezek 4:13’s rhetorical use of food in exile has similarities with both the Daniel

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<sup>1080</sup> Ezek 1:3.

and Hosea passages examined above. Like the Hosea passage, Ezek 4 is invested in demonstrating the bleak consequences of exile, rather than in showing how deported Judeans might negotiate the terms of their exile to lessen their own defilement, but like the Daniel passage, there *is* a degree of negotiation present, in this case, with the prophet's god. Baking the cake over animal dung rather than human waste either mitigated or eliminated the purity concerns voiced by Ezekiel in protest to his divine orders. It is tempting to suggest that the cow dung was not perceived as contaminating, because Ezekiel protests that he has never polluted himself, implying that even though Ezekiel lived in exile in Babylon, he was not polluted. This, however, goes against the message of Ezek 4:13, which seems to imply that "eating their food, defiled" (whether it is interpreted as eating their food *while* defiled or eating their defiled food) is an inevitable consequence of exile. If baking the cake over cow dung was viewed to completely eliminate the impurity involved in baking it over human excrement, then the symbolic act would have no force, which is untenable in this context. The element of choice involved may imply that this passage, like Daniel, views some foods eaten abroad to be defiling, while others are not, though it is more likely that Ezekiel was given special dispensation to defile himself to a *lesser degree* through baking the cake on cow dung, while still preserving the symbolic force of act, which is to suggest that exile entails "ritual" pollution. Again, one cannot presume that this means that the people in exile will eat pork or reptiles in the foreign land, because there may be a variant food ideology in play, as there is in Dan 1, but this passage *does* suggest that there was room for negotiation regarding the polluting aspects of eating abroad. This negotiation could be a part of a postcolonial adaptive mentality to the reality of exile, while still maintaining the

polemical force entailed in the rhetoric that exile was inherently polluting.<sup>1081</sup>

One thing common to Dan 1, Hos 9:3, and Ezek 4:13 is the idea that living abroad presents problems, that these problems are couched in terms of purity, and that specifically consuming food while living in foreign territory is potentially, if not certainly, fraught with difficulties. For Hosea, this concern is still theoretical, but presents the prophet with the opportunity to warn his audience about the problems of exile, which was a real, imminent threat. For Ezekiel, situated in the beginning of the Babylonian Exile, the concern about eating food “impure” in a foreign land is no longer theoretical (because consumption of food is a necessary fact of everyday life), though the prophet finds ways to negotiate his situation so he can maintain some aspect or degree of his need as a priest to avoid “defiling himself,” even while his living in exile is predicated on a type of “ritual” defilement connected with his environment and the very food he consumes. The case of Daniel, composed in the 2<sup>nd</sup> Temple period, demonstrates a cultural interplay between the prophet and the imperial court, which allows the Judean to integrate into the political structure of the colonial empire, yet maintain his own dietary distinctiveness, as well as the superiority of his own god over the Babylonian deities, and Daniel himself over his Babylonian contemporaries.

### **5.5 Making connections among strains of tradition: Territorial constraints and the power of the deity at home and abroad**

The territorially bounded conception of Yhwh’s domain and its various iterations have been recapitulated above, but the ideological underpinnings of the proliferation of

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<sup>1081</sup> It is also possible that this passage innovates. The idea of some excrement being *more* polluting than other excrement could reflect a new idea; however, this is impossible to prove at this point, due to lack of evidence.

this idea in DtrH and elsewhere may be clarified against the backdrop of Judah existing as a vassal or client state of the Neo-Babylonian Empire during the time of the first edition of DtrH. I believe that the ideology of cultic centralization in DtrH dovetails with the strong articulation of the chosen people and the chosen land in these texts, as well as the limitation of Yhwh's realm to the borders of Israel. These tenets speak to a colonial environment, in which Israelite political power and cultic practice were articulated in a nationalistic way, and in which the borders between homeland and foreign land became both more defined and more fraught, as the threat of exile had the potential to undermine not only national sovereignty, but also the functioning of the cult.

I have discussed some of the complex issues involved in adjudicating the historicity and parsing out the literature of DtrH in Chapter 4, but some comments here about the dating of DtrH will be helpful to explain my position on how the treatment of foreign land in these texts is indicative of specific historical and cultural situations.<sup>1082</sup> Since Noth published his conclusion that DtrH reflected an exilic context in 1943, there have been three major modifications and critiques of his hypothesis. Frank Moore Cross noted that certain features of DtrH fit more naturally into a pre-exilic context than an exilic one, and he suggested that there was a first edition of the Deuteronomistic History

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<sup>1082</sup> On the major trends in scholarship about the dating and number of editions of DtrH, see Thomas Römer, *The So-Called Deuteronomistic History: A Sociological, Historical and Literary Introduction* (London and New York: T & T Clark International, 2005). Ultimately, most recent debate has been in reaction to the model of DtrH forwarded in 1943 by Martin Noth, who thought of the Deuteronomist (Dtr) as an "honest broker" historian, and contended that DtrH was written during the Neo-Babylonian occupation of Judah, about 560 BCE, in order to explain the catastrophic events of 587 BCE. See Martin Noth, *The Deuteronomistic History* (JSOTSup 15; Sheffield: Sheffield Academic Press, 2<sup>nd</sup> edition, 1991); translation of the first part of Noth's *Überlieferungsgeschichtliche Studien. Die sammelnden und bearbeitenden Geschichtswerke im Alten Testament* (1943) (Darmstadt: Wissenschaftliche Buchgesellschaft, 3<sup>rd</sup> edition 1967); Römer, 22-25.

during the reign of Josiah.<sup>1083</sup> The two themes of the Deuteronomistic History, he argued, were Yhwh's commitment to the Davidic Dynasty and the "sin of Jeroboam," which converged in the account of Josiah's reign.<sup>1084</sup> Cross suggested that there was a second redactor after the fall of Jerusalem who updated the account of Kings by inserting 2 Kgs 23:26-30 and introducing texts that allude to the exile;<sup>1085</sup> his explanation for DtrH is quite different from Noth's understanding of the ideology behind the text.<sup>1086</sup> Cross's double redaction theory became dominant in English-speaking scholarship. Very different conclusions were drawn by Rudolf Smend and what became known as the Göttingen School, which, like Noth, posits an exilic setting, but abandons the idea of an author-redactor in favor of discerning multiple redactional layers in the text.<sup>1087</sup> A third school of thought is what Römer dubs the "Neo-Nothians:" scholars such as John Van Seters and Steven L. McKenzie who advocate, like Noth, a more unified work than is seen especially in the analysis of the Göttingen School.<sup>1088</sup>

Römer suggests that the strength of the Cross School is its highlighting of the fact that some texts fit better within the late pre-exilic period (towards the end of the 7<sup>th</sup> century BCE), at a time when Assyrian hegemony was declining, allowing Judah to have

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<sup>1083</sup> He observed that 2 Sam 7 (Yhwh's covenant with David) does not fit well in the exilic period, that the recurring expression "until this day" (עד היום הזה) (e.g., 1 Kgs 8:8; 9:21) presumes the existence of the monarchy (and therefore likewise does not work in an exilic context), and that the end of the DtrH has no concluding speech or comment. See F. M. Cross, "The Themes of the Book of Kings and the Structure of the Deuteronomistic History" in *Canaanite Myth and Hebrew Epic*, 274-89.

<sup>1084</sup> For example, in 2 Kgs 23:15, Josiah destroys the altar at Bethel and in 2 Kgs 22:2, he is cast as the worthy successor of David. See Römer, 27-28.

<sup>1085</sup> E.g., Deut 28:36-37, 64-68; Josh 23:11-16; 1 Sam 12:25, etc

<sup>1086</sup> Noth viewed the history as a work created to explain the exile, while Cross suggested the exilic references were part of a second edition, and that the purpose of the original text was to serve as propaganda for Josiah.

<sup>1087</sup> See Römer, 29-30.

<sup>1088</sup> Unlike Noth, Van Seters does not see the Deuteronomist as an "honest broker," but as an author who made free use of the documents before him. Van Seters also limits the corpus of the core of the Deuteronomistic History more than did Noth, so that contradictions are explained not as the Deuteronomist's faithful reproduction of his sources, but as later additions. Römer, however, correctly observes that some of these "additions" in this view lack proper contextualization.

some political autonomy, especially under Josiah; but the school's weakness is its failure to account for the numerous allusions to the destruction of Jerusalem and the Babylonian exile which can be found in the Deuteronomistic History—too pervasive to result from simple “updating.”<sup>1089</sup> While this point has merit, it should be remembered that one does not need to posit an exilic origin for all references to exile. It has been demonstrated that the threat of exile was articulated clearly in pre-exilic prophetic books and is a frequent curse in treaties. Indeed, after the destruction of Samaria and the deportations that took place in the kingdom of Israel around 720 BCE (explained in DtrH in terms of the northern kingdom's failings), it might have been natural to use allusion to the possibility of exile as a rhetorical device in a text composed in Judah. This is, of course, not to say that all such references are pre-exilic, but rather to point out that the mere *conception* of deportation and exile does not necessarily arise out of a post-587 BCE context. The Göttingen School does well to emphasize how the disaster of exile permeates DtrH, and to identify three or more redactional layers; this school suggests the possible oversimplification in Cross's two-edition hypothesis, but this school's weakness is its tendency to allow a multiplication of Deuteronomistic layers, to the point where the theory of a “Deuteronomistic History” itself is susceptible to attack.

Römer's own suggestion is for three phases of composition: a Neo-Assyrian edition; an exilic edition; and a Persian period edition. He traces the first literary activity to Josiah (rather than Hezekiah) because it was a time when Assyrians, dealing with internal issues, exerted less pressure on Judah, allowing the small kingdom to seize some autonomy, and he rehearses the argument that links Deuteronomy to Neo-Assyrian

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<sup>1089</sup> Römer, 42.

loyalty oaths (rather than to the older suzerain/vassal treaties, as other scholars posit).<sup>1090</sup> The Neo-Babylonian edition of the Deuteronomistic History shows signs of being “crisis literature” following the “mandarin attitude” of trying to objectivize the crisis and explain the reasons for the social breakdown.<sup>1091</sup> The Persian period, he contends, is when final editing took place. Two topics, Römer asseverates, fit better in a Persian context than an exilic one: (1) texts advocating strict separation of Israelites from other nations; and (2) texts which substitute a “cult of the book” for traditional temple worship.<sup>1092</sup>

I see merit to the position that there were both pre-exilic and postexilic editions or editing made to DtrH, and I find Römer’s analyses of the respective strengths and weaknesses of different positions strong. Cross’s arguments in favor of a pre-exilic layer of DtrH are convincing, and I believe it is likely that there was at least a Josianic edition of DtrH, and possibly an edition from the time of Hezekiah as well. There has been a great deal of debate about the historicity, implementation, and potential extent of the “cult reforms” attributed to Hezekiah and Josiah, which purportedly not only eliminated cult iconography that was cast as non-Yhwhistic, but also centralized worship of Yhwh in Jerusalem, closing local shrines in favor of marrying worship of the national god to the nation’s capital.<sup>1093</sup> Speculation about the motivation behind cult centralization has ranged from historical/political explanations (e.g., suggesting it was an act of rebellion against Assyria or, alternatively, suggesting it was a defensive response to an imminent Assyrian invasion) to religious explanations (e.g., suggesting it was either an effort to

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<sup>1090</sup> Ibid., 67-106.

<sup>1091</sup> Ibid., 111-115.

<sup>1092</sup> Ibid., p. 166.

<sup>1093</sup> See discussion in Chapter 4 of this study. On this specific issue, see, for example, Ernest Nicholson, “The Centralisation of the Cult in Deuteronomy;” Moshe Weinfeld, “Cult Centralization in Israel in the Light of a Neo-Babylonian Analogy;” Baruch Halpern, “The Centralization Formula in Deuteronomy;” Oded Borowski, “Hezekiah’s Reforms and the Revolt against Assyria;” and Kristin A. Swanson, “A Reassessment of Hezekiah’s Reform in Light of Jar Handles and Iconographic Evidence.”

purge Assyrian cultic influences from Judah or, alternatively, it was an intra-Israelite religious reform sparked by the influx of northern refugees after the fall of Samaria).<sup>1094</sup> Swanson critiques the interpretations that affirm the historicity of the reform, taking as her starting point not the cult centralization, but the elimination of the bronze serpent Nehushtan in 2 Kgs 18:4. Using iconographic evidence, she suggests that after the invasion of Sennacherib in 701 BCE, the status of Judah's vassalage shifted, with a concomitant increase in Assyrian intervention in Judah's affairs, which resulted in the elimination of Egyptian iconography (such as Nehushtan) in favor of Assyrian royal iconography (such as the rosette).<sup>1095</sup> Swanson's most cogent observation is that there was a degree of flexibility in Assyrian policy toward vassals. The fact that Hezekiah remained in power after 701 BCE is significant, and it is reasonable to suggest that some of the cultic reforms attributed to him were responding in some way to Judah's relationship with Assyria, as well as internal Israelite religious concerns involving what cultic objects and practices were deemed non-Yhwhistic.

Two factors about DtrH are critical here. The first is the recognition that cultic centralization is an ideology of DtrH, and while both Hezekiah and especially Josiah are credited with implementing a program which centralized worship of Yhwh in Jerusalem, there is limited evidence about how pervasive any such reform was in the 7<sup>th</sup> century BCE. A four-horned altar dismantled and embedded into a wall in Beersheba and an altar in Arad that seems to have been decommissioned and buried in fill are sometimes taken as evidence of centralization of sacrifice in Jerusalem, though it seems that incense altars persisted, as Tell Hālif's incense altar remained intact, and Assyrian reliefs show what

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<sup>1094</sup> See brief survey of previous scholarship on Swanson, 460-462.

<sup>1095</sup> Ibid., 466-469.

seem to be incense altars being removed from Lachish as booty in 701 BCE.<sup>1096</sup> As observed, the evidence for temples in Egypt, including the Persian period temple dedicated to Yhw (Yhwh) at Elephantine and Onias IV's temple at Leontopolis suggest that some diaspora Judean communities were not "Deuteronomistic," but practiced sacrifice to Yhwh not only outside Jerusalem, but outside Israel.

The Deuteronomic code was conceived as a *lex terrae*, operative in the land and enjoined upon all who lived in the land. Deut 12:1 states, "These are the statutes and the ordinances that you must take care to observe in the land (בְּאֶרֶץ) that Yhwh the god of your ancestors has given to you to possess, for as long as you live on the land (עַל-הָאֲדָמָה)." Certain Deuteronomic texts presume that the laws are contingent upon being in the land, as are the consequences for breaking them tied to the land.<sup>1097</sup> The people are selected as special in such a way that is contingent upon keeping the laws in the land.<sup>1098</sup> Like Frankel, Grosby emphasizes the Deuteronomistic connection between the concept of "people" and of "land," and he holds that late in the pre-exilic period, these related concepts helped the image of "ancient Israel as a nation" emerge.<sup>1099</sup> As the concept of Judean nationality emerged, the territory "all the land,"<sup>1100</sup> was conceived as a bounded territory.<sup>1101</sup> Grosby, following Robertson Smith, states, "In antiquity, an element, perhaps the most important element in the constitution of a society, was the deity

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<sup>1096</sup> See the brief description of the archaeological evidence on Borowski, 150-152.

<sup>1097</sup> Deut 11:12-17, 26-28; 12:29-31; 13.

<sup>1098</sup> Deut 26:17-19; 28:9; 29:15-20.

<sup>1099</sup> Steven Grosby, "Kinship, Territory, and the Nation in the Historiography of Ancient Israel" in *Biblical Ideas of Nationality Ancient and Modern* (Winona Lake, IN: Eisenbrauns, 2002), 67.

<sup>1100</sup> Josh 11:16, 23; Deut 19:8.

<sup>1101</sup> Deut 16:4; 19:8. The limits of the land as being from "Dan to Beersheba" is found in Judg 20:1; 1 Sam 3:20; 2 Sam 3:10; 17:11; 24:2, 15. See Grosby, "Sociological Implications of the Distinction between 'Locality' and Extended 'Territory'" in *Biblical Ideas of Nationality*, 69-91.

worshiped in common by that society,”<sup>1102</sup> and he cogently adds that “sympathy” between a people and a land was facilitated by the belief that the power of Yhwh was dispersed through the land and the people, connecting them.<sup>1103</sup> I would like to emphasize that together with these conceptions of the interrelatedness of land, people, and deity was the corollary conception that *outside* the land was outside Yhwh’s effective realm—several texts show a concern that Yhwh is inaccessible to Israelites abroad, as I have suggested. This tradition of restricting Yhwh worship to the land of Israel is seen in several pre-exilic texts,<sup>1104</sup> and it seems to reflect a pre-exilic conception of the national deity. Indeed, the geocentric link between land and cult served specific rhetorical functions in some pre-exilic texts, which indicates that authors could capitalize on the threat of exile in order to add strength to their own arguments. Such rhetoric depends on both the link between land, people, and deity, and *also* upon the historical plausibility of national exile forcibly removing the people from the land. In this way, while the rhetoric is intra-Israelite, it is an ideology that operates only within a historical context of Israel existing as a nation under threat by larger imperial powers. With the reality of exile, the issue of being unable to contact Yhwh reached a critical state, and needed to be reconsidered.

I’ve observed that a number of texts express the idea of national deity as territorially contingent. In Ruth 1:15, Naomi tells her daughter-in-law, “Your sister-in-law has returned to her people and to her gods; return after your sister-in-law.” In the following verse, the character Ruth famously states, “Wherever you go, I will go; wherever you lodge, I will lodge; your people will be my people, and your god, my god.”

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<sup>1102</sup> Ibid., 80.

<sup>1103</sup> Ibid., 83.

<sup>1104</sup> Olyan, *Rites and Rank*, 48, 147 n. 50.

This passage demonstrates that the Moabite gods are presumably worshiped in Moab, while moving to the land of Israel necessitates worship the god of the land, Yhwh. In 1 Sam 26:19, David, on the run from Saul, laments that being driven from Israel is tantamount to being told: “Go, serve other gods.” Ps 137 begins: “By the rivers of Babylon—there we sat down and there we wept when we remembered Zion./ On the willows there we hung up our harps/ For there our captors asked us for songs, and our tormentors asked us for cultic joy (שמחה), saying, ‘Sing us one of the songs of Zion!’/ But how can we sing a song of Yhwh in a foreign land?”<sup>1105</sup> Olyan has suggested that this passage may not allude only to the pre-exilic territorially restricted view of Yhwh, but “also to the uncleanness of the land where the exiles find themselves, and therefore the impossibility of cult there,”<sup>1106</sup> as I observed above, in Chapter 4.2.

I have suggested that Amos 7:17, like passages relating to eating food in foreign places, utilizes the language of impurity in order to speak to the ill effects of exile in language specifically geared to be effective in a context that involves priests. The only other case of a foreign land specifically being called “impure” in the Hebrew Bible, Josh 22:19, likewise imports the language of impurity into a broader discourse about homeland and foreign land, in this case, the issue of the territorially contingent aspect of Yhwh worship inherent in some biblical texts. Josh 22:19, which suggests that foreign lands are impure, and therefore unsuitable for Yhwh worship, is explicitly tied to the territorial dimension of Israel and its deity. “Moral” impurity is raised as a problem in Josh 22 through the allusion to the incident at Peor, with results that still linger, as the Israelites state regarding this, “We have not cleansed ourselves (לא-הטהרנו) from it to this

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<sup>1105</sup> Ps 137:1-4.

<sup>1106</sup> Ibid., 48.

day.”<sup>1107</sup> I have argued, however, that this “moral” impurity does not seem to be what is at stake in the reference to foreign land impurity in v. 19, because this impurity would not affect the ability to worship Yhwh or construct an altar. Indeed, “ritual” purity is at stake in the construction of an altar.<sup>1108</sup> The passage is deeply concerned with the territorial limitations of Yhwh worship: all of the principal characters in this form of the narrative presume a Deuteronomistic attachment to the centralization of Yhwh worship, as even the Trans-Jordanian tribes aver that they did not build the altar to sacrifice on it, but as a visual sign that they are connected to the deity Yhwh, because they felt estranged from the portion of Yhwh, living across the boundary of the Jordan River.<sup>1109</sup> This text (which seems to have both Priestly [or at least cultically oriented] and Deuteronomistic layers)<sup>1110</sup> uses the language of impurity, but seems to have similar concerns to other texts in DtrH and Ps 137:4. In Josh 22:19, impurity is introduced explicitly within the framework of both cult centralization and the territorially bounded limits of Yhwh worship, which suggests that this language was used to heighten the rhetoric of these geographically focused ideologies to suit cultically oriented contexts of interest to priests. It is also possible that the heightened pathos in the chapter, indicated by the drama of the narrative indicating a group of Israelites willing to go to war to protect their specific cultural boundaries and mores, reflects an exilic context, as the emotion of Ps 137 similarly attests. I suggest that the specific notions of homeland articulated in these texts speaks to the specific historical and social environments in which they were composed.

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<sup>1107</sup> Josh 22:17.

<sup>1108</sup> The coexistence of “moral” impurity with the place of worship of Yhwh is demonstrated in passages such as Num 5:16 (the suspected adulteress is brought before Yhwh) and 1 Kgs 1:50-51; 2:28 (in which there is apparent recourse for murderers to seek sanctuary by grasping the horns of the altar of Yhwh).

<sup>1109</sup> Vv. 23-29.

<sup>1110</sup> See Frankel, 177-200.

If DtrH was composed and revised as Judah developed its land-centered theology and ideology, only to have those ideas threatened by exile, such a setting can help to explain the specific territorially-based focus of texts such as 1 Sam 26:19, and the anguish expressed in texts such as Ps 137:4. It is this specific conception of nationalism, in which homeland and cult are inextricably bound together, which cements the Judean religious-cultural boundaries that are then threatened by defeat and mass deportation. I suggest that the development of the territorial aspects of Yhwh worship are a key aspect of Israelite discourse, and demonstrate the postcolonial setting of the composition of some of these texts.

Two texts developed the notion of *lex terrae* in particularly interesting ways. 2 Kgs 17:24-41 recounts the resettlement of Samaria with peoples drawn from other places within the Neo-Assyrian Empire, and emphasizes that they needed to learn “the law of the god of the land” (משפט אלהי הארץ) in order to live in peace in Israel.<sup>1111</sup> The historical situation of this passage is a bit difficult to determine,<sup>1112</sup> but it is intriguing that the “colonists” (as Frankel calls them) receive instruction from a Bethel priest. Like the Court Tales in Daniel, this passage presents a forum in which a deported Israelite is deemed valuable by the king of the imperial power, and proceeds to excel his contemporaries due to his own background. Though the kingdom of Israel was depicted as so thoroughly destroyed, and the mass deportation so thoroughly executed that apparently not a single Israelite priest remained in the land, the newly arrived settlers in

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<sup>1111</sup> Note that it is often seen in Priestly literature that resident aliens assume the same obligations as the Israelites (see Num 15:14-16, 26-31). As stated above, the land is perceived as belonging to Yhwh (Lev 25:23)—even the Israelites are merely tenants—and the law of the god of the land applies to all residents, Israelite, “Canaanite,” resident alien, and newly arrived Assyrian colonist alike. This is mostly seen in Holiness texts. See Olyan, *Rites and Rank*, 70-74.

<sup>1112</sup> See Frankel’s treatment on pp. 200-217 of his book, where he argues again for a postexilic date, though the passage is set in the 8<sup>th</sup> century.

Samaria required the assistance of a deportee in order to stay alive. This framing not only maintains the idea that Yhwh maintained control over the territory of Samaria as the god of the land, even after the fall of the kingdom of Israel, but by including the priest from Bethel as indispensable, this text reads against a unidirectional power dynamic, and proffers instead a reading in which some (small) degree of Israelite authority is yet maintained, at least over and against the colonists.

2 Kgs 5 is a text that develops the idea of the territoriality of Yhwh in a unique way. This unusual story involves both the territorial confinement of Yhwh and purity concerns, as it juxtaposes the ritual impurity of צרעת from which the Aramean Naaman suffers, the same condition with a “moral” impurity dimension inflicted upon Gehazi as a punishment for his sinful actions, and also the bounded idea of Yhwh worship which is resolved through the transportation of land itself abroad. The “ritual” element of Naaman’s pollution is underscored through his cure via a sevenfold bathing in the Jordan River, and the “moral” element of Gehazi’s pollution is underscored by the permanence of his affliction. Naaman’s vow to serve Yhwh alone is itself similar to postexilic tales of foreign elites who recognize the preeminence of the Israelite god.<sup>1113</sup> A truly remarkable aspect of this text however, involves the discourse in vv. 17-19 working out the mechanics of how Naaman could possibly serve Yhwh while living in a foreign land. The solution to overcoming the territorial limits of Yhwh worship proffered for Naaman does not seem to be a systematic or inclusive model that could be adopted by Israelites in exile; it is presented as an accommodation for this particular foreigner to access the deity in this particular situation. It is interesting, however, that this passage begins to negotiate

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<sup>1113</sup> The device of a powerful foreign official “converting” to worship Yhwh is a literary motif seen during and after the Babylonian Exile. See also the court narratives in Daniel: 2:46-47; 3:28; 4:34-37; 6:25-27.

the mechanics of how geographic limitations to Yhwh access can be finessed in certain situations. This text ties Yhwh's potency as a deity not only to the bordered land of Israel, but to the very earth itself. There is a tactile element to the "territory" of Yhwh, which draws on the potential for the term אדמה to refer to either "land" as territory or "land" as earth/soil. There may also be involved a different reading of the idea that the law applies "for as long as you live *on* the land (על-האדמה)." <sup>1114</sup> The conception of Israelite territory (and perhaps its purity status) as being imbued in the soil itself, rather than merely within the land's borders is similar to the usage of dust for rituals or curses elsewhere in the ancient Near East as well as Num 5. It should be noted that what is at stake in Naaman's request does not concern "moral" purity (i.e., there is no indication that Aram is viewed as polluted on account of "idol" worship, causing its disconnection from Yhwh). <sup>1115</sup> This text speaks particularly to the issues involved in exilic contexts, because it asks the question of *how* Yhwh could be worshiped abroad, but with a more positive result than Ps 137:4. This case could be used as a strategic template for how exiled Israelites could maintain their cultic practices, but there is no other evidence for this type of land-transportation elsewhere in the Hebrew Bible.

## 5.6 Summary

The ways in which biblical authors spoke about land (homeland, foreign land, and travel between lands), serves as a useful lens through which to examine a variety of

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<sup>1114</sup> E.g., Deut 12:1.

<sup>1115</sup> The only "moral" impurity element in this episode involves Gehazi, who is afflicted with Naaman's skin disease as a punishment for his own misdeeds. The contrastive use Gehazi's impurity with Naaman's seems actually to underscore Naaman's absence from the influence of "moral" impurity. The only sin involved in the passage that causes "moral" impurity is the sin of a specific Israelite. This serves as yet another datum suggesting that "moral" impurity was envisioned as endemic to Israel itself, rather than as applying to all peoples and all lands commonly.

biblical attitudes. I suggest that postcolonial theory, though potentially problematic, helps to illuminate the ways in which some biblical texts express these attitudes. Some biblical texts capitalize on the anxiety circulating around the possibility of exile for specific rhetorical reasons, while other biblical texts, seeming to reflect a more immediate threat of national defeat and deportation, articulate a pathos that speaks to the real cultural and theological implications of being a relatively minor power on the ancient world stage. I have suggested that postexilic texts, such as the Court Tales in Dan 1-6, show elements that have been key to postcolonial discourse. Such elements include the dynamic interchange of power between the colonizer and the colonized, the image of the body of the colonized individual as representative of the community's situation, and the use of key contact zones (such as diet, naming, and cultic devotion) to articulate specific issues, especially the assertion of a colonized group's agency within a foreign power structure.

I have suggested that it is not merely such late texts, however, that benefit from the insights of postcolonialism. Indeed, colonial conditions begin to converge long before the Babylonian exile as Israelites and Judeans alike experienced successive periods of external pressures and complex international politics as Assyria, Egypt, and Babylon each exerted military and political dominance within Israelite territory at different points. Some pre-exilic texts, such as Hos 9:1-5 and Amos 7:17, exemplify Israelite literary engagement with the potential reality of exile, and I have suggested that the introduction of purity language in such contexts serves specific rhetorical purposes. I have attempted to show that some literary techniques identified in postexilic literature as "postcolonial" in nature begin to emerge, perhaps in a more nascent form, in pre-exilic

contexts. Colonial elements reached a stronger, more developed expression, as the kingdoms of Israel and Judah successively became colonial provinces, though the threat of exile, and the vassal status of these kingdoms before their military defeats, seems to have led to literary techniques that reflect colonial concerns, and form a bridge with later developments of colonial rhetoric, such as the assertion of Yhwh's agency both within the land of Israel and in foreign places.

I have suggested that *living* in foreign places was a particularly difficult proposition for Israelites, whose cult was centered within the borders of Israel. It is for this reason that the territorial dimensions of the Yhwh cult and the problem of consuming food (a crucial activity of daily life) serve as key examples through which biblical authors might discuss the implications of exile. Both aspects intersect with purity considerations in a variety of ways, which adds another dimension to the rhetoric.

## CHAPTER 6: Conclusions

### 6.1 Summary

I began this study by outlining some of the problems inherent in the bifurcated schema of impurity often taken for granted in biblical scholarship and articulated in greatest depth by Jonathan Klawans. I have argued that there are some problems with the schema, which suggests that there were two distinct purity “systems” in the Hebrew Bible: one, “ritual impurity,” which was contracted through natural or cultic means, had no negative valence attached to it, and could be remedied through the performance of specific rituals; and a second system, “moral impurity,” which was contracted through the commission of grave sins (including “idolatry,” adultery, and murder), could not be transmitted through physical contact (unlike “ritual” impurity), permanently degraded both the sinner and, eventually, the land, had no ritual means of removal, and was characterized by specific terminology, including “abomination” (תועבה) and “pollute” (חנף), though derivations of the root טמ"א are used in both “systems”.

In Chapter 1, I highlighted six phenomena that complicate the systems of “ritual” and “moral” impurity as articulated in Klawans’ *Impurity and Sin*: (1) dietary laws; (2) the scapegoat ritual in Leviticus 16; (3) the phenomenon of skin disease and its role as a punitive impurity; (4) the fact that metaphors related to female menstruation and corpses, both drawn from the tradition of “ritual” impurity, have been found to be applied in “moral” impurity contexts; (5) that terminology used to describe “idols” and “idol worship” (central to the tradition of “moral” impurity) is sometimes drawn from the realm of “ritual” impurity; and (6) the observation that later authors seem to have been able to draw from *both* the “ritual” and the “moral” impurity traditions to create

innovative polemics. Each of these phenomena also connects to Israelite conceptions of land and land purity; therefore, I found that examining the areas of overlap between the putative “systems” of impurity through the lens of land impurity focused the analysis and served to highlight the slippage between “moral” and “ritual” impurity as isolated categories. It cannot be denied that there is some utility to examining different types of purity discourse in the Hebrew Bible. Additionally, it is necessary to be sensitive to the fact that biblical texts reflect the idea that impurity could be contracted through different means, some of which were prohibited while some of which were not. These considerations affected the ways in which impurity was detected and dealt with. The problem inherent in some recent scholarship is that it tends to push the categorization of the notions of purity and pollution too far. The argument that “ritual” and “moral” impurity were entirely separate and mutually exclusive ideas does not reflect the evidence.

In Chapter 2, I argued on the basis of both biblical and non-biblical texts that “moral” and “ritual” impurity should not be treated as entirely distinct categories, even though examining the different ways in which impurity is contracted and resolved is critical. With regard to cultures of ancient Western Asia, it can be observed that there was a great deal of concern for purity, and that this state was especially mandated in cultic contexts. While Mesopotamian, Anatolian, and Egyptian religions each had a varied vocabulary relating to these ideas, and distinct ways of categorizing pollution, diagnosing its potential source(s), and returning a patient to a state of purity, it is remarkable that none of the texts observed suggests that there was any attempt to depict “moral” and “ritual” impurity as fundamentally different phenomena. Indeed, certain

texts, such as the Mesopotamian Šurpu series, Maqlû series and other *ušburrudas*, as well as *namburbis* and *dingiršadibba* incantations, demonstrate that distinguishing between “permitted” and “prohibited” impurity, to say nothing of “moral” and “ritual” impurity does not fit the evidence. A key example is the second tablet of the Šurpu series, which contains a list of potential roots of the patient’s pollution. As Reiner observes, this tablet “contains an invocation to gods and goddesses, beseeching them to forgive and release the sick, downcast patient who suffers as a consequence of his moral or cultic offences or of a mere accidental contact with an unclean person.”<sup>1116</sup> It must be acknowledged that this is a comprehensive list of sins; “any such offence may have caused the patient’s plight, the subsequent enumeration endeavors to include every possibility and is therefore rather lengthy.”<sup>1117</sup> The critical consideration here is that while there is a presumption implicit in Tablet II that the plight of the patient is due to some misdeed requiring divine forgiveness, that does not suggest that all of the impurity in the passage was “moral” impurity, such as might be described in specific biblical texts. Indeed, the very fact that this tablet contains a mixture of potential causes of the impurity, including both contact contagions (such as contamination through touching an impure person or sitting on his chair) and also “moral” offenses (such as murder) requires a more nuanced view of impurity than a clearly bifurcated system of “moral” and “ritual” types of pollution. While there was a pervasive idea that impurity could be caused by divine sanction for sinful behavior, Tablet II from the Šurpu series demonstrates that even the idea of sin and divine retribution was not understood in the same way as is assumed in scholarship about

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<sup>1116</sup> Reiner, *Šurpu*, 1.

<sup>1117</sup> Ibid.

“moral” impurity, but could include sources of pollution that both were volitional and involuntary on the part of the patient.

The case of “anti-witchcraft” incantations also clarifies the point that divine anger or abandonment is not always understood to be the fault of the patient in Mesopotamian literature, but could be brought about due to the malicious actions of other persons. The role of the demonic in various types of literature also demonstrates that impurity, even if attended by divine abandonment or sanction, does not always imply that volitional sin was at the heart of the problem. Biblical cases of “moral” impurity, as delineated by Klawans and Hayes, always involve severe, volitional sinful behavior. While there seems to have been a presumption reflected in Mesopotamian literature that misfortune and illness were divine punishments, the letter from Ištar-šumu-ēreš to Esarhaddon indicates, as van der Toorn contends, “the ancients did not treat all diseases alike; they distinguished between ‘ominous’ and ‘innocent’ diseases, even if this distinction occasionally caused some confusion.”<sup>1118</sup> The salient point here is that while impurity was often associated with sin, there is no attempt reflected in Mesopotamian literature to distinguish “types” of impurity along the lines of a “moral” and “ritual” divide. Rather, the emphasis is on properly diagnosing the source of the impurity, be it unresolved sin that has offended a deity, “witchcraft,” demons, unfavorable omen, or mere contact with a polluted object or person. For modern scholars, assessing the source of the impurity, or (if one is unable to deduce the source) trying to cover all bases with a maximal and sweeping apology and renunciation of whatever the cause may be, is a more conducive organizing scheme than making sweeping, categorical statements regarding different “types” of impurity that are believed to be inherently divergent in both cause and effect.

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<sup>1118</sup> *RMA* 257, cited on Van der Toorn, *Sin and Sanction*, 67.

With regard to Egyptian and Anatolian texts, I argued that organizing principles were important for purity discourse, but there seems to be little evidence for a divide of purity ideologies along “moral” and “ritual” lines, as is often posited regarding biblical literature. Both behavioral and physical requirements were seen to be important in Egyptian “ritual” purity, which was necessary for entrance into specific places and the performance of ritual functions. In the case of Anatolia, Hutter has cogently argued that purity was divided into categories, one pertaining to daily life and one for cultic purposes, but he does not suggest that there was a distinction between “moral” and “ritual” impurity. If one posits such a two-system view of impurity in the Hebrew Bible, then it is necessary to account for how such a system developed in the Hebrew Bible, and not in the textual traditions representing the cultures of Israel’s neighbors in Western Asia. Any argument that supposes either “moral” or “ritual” impurity to have had primacy, while the other was a secondary development, is problematic given the evidence that “ritual” impurities (i.e., impurity contracted through physical sources) and “moral” impurities (i.e., impurity contracted as a result of sinful behavior) both coexist comfortably in non-Israelite sources spanning both time and geography.

Several interesting features of impurity described in cuneiform sources, however, do shed light on specific passages in the Hebrew Bible that deal with the purity status of land, conceived as both a bounded territory and a substance (dirt). Some of the features that were compared above include: the practice described in cuneiform literature of depositing impurity outside the realm of human habitation or at least outside the main domestic sphere, which is relevant when considering not only the scapegoat ritual in Lev 16, but also in addressing the removal of certain impurities from the wilderness camp of

the Israelites, conceived of as their traveling territory outside of Israel.<sup>1119</sup> I also treated the practice (seen especially in Hittite but also Mesopotamian sources) of sending impurity to the territory of one's enemies,<sup>1120</sup> which helps with the interpretation of Zech 5:5-11. Additionally, I suggest that references to dust from specific locations conveying attributes of those places, seen in *namburbi* texts, informs the interpretation of texts such as 2 Kgs 5:17 (in which soil [𐎠𐎡𐎴—land/earth] from the land of Israel is depicted as carrying the specific traits of that land),<sup>1121</sup> and Num 5 (in which the “bitter waters” including, in part, dust from the temple floor, bear a curse activated by a suspected adulteress’ guilt).

I treated the issue of land impurity in the Hebrew Bible at length, deliberately separating the issue of “moral” impurity of land in Chapter 3 from the variety of other means utilized to discuss foreign lands in Chapter 4. The reason for this was to highlight the problems inherent in assuming that all cases of foreign land impurity in the Hebrew Bible are “moral” rather than “ritual,” as has sometimes been supposed. Klawans and Hayes have argued that *all* cases of land impurity in the Hebrew Bible refer to “moral” impurity, and that when foreign lands are called impure, it is due to the fact that the inhabitants of those lands worship gods other than Yhwh and/or engage in other unsanctioned behaviors. This generalization hinges on a reified idea of “moral” impurity as wholly distinct from “ritual” impurity in essential qualities, and also on the suggestion

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<sup>1119</sup> See, for example, Lev 13:46; 14:8, 41, 45; Num 5:3; 12:14.

<sup>1120</sup> See *RAcc* 7:24-25 as well as Caplice, “Namburbi Texts, III” *Or* 36 (1967): 296:8, for a *namburbi* which suggests that evil should be carried on a wind to foreign territories, and Hittite texts about the disposal of impurities in foreign territories, such as Pulisa II. 20-21, Ashella II. 26-27, and Uhhamuwa, II. 23, 32-33, discussed on Wright, *The Disposal of Impurity*, 268-271.

<sup>1121</sup> In the case of 2 Kgs 5, the trait that is transported seems to be the possibility of worshipping the national god of the land of Israel upon it.

that domestic and foreign lands were perceived in the same light in all biblical texts. I have argued against both these suppositions.

In the case of the land of Israel itself, Klawans is correct to observe that passages describing the pollution of land are often linked not to any permissible, finite, and contact-initiated form of defilement, but to a pollution caused by a relatively limited number of crimes (forbidden sexual acts, proscribed worship construed as “foreign” or “idolatrous,” and illegitimate bloodshed)—that is to say, to “moral” pollution. The major problem with Klawans’ case is its over-generalization of the evidence, which leads him to conclusions that are too starkly drawn to reflect the varied evidence presented by biblical texts. Regarding land pollution, Klawans errs by insisting that all cases of land defilement, domestic and foreign are, by definition, “moral” impurity.<sup>1122</sup>

It is clear that multiple texts refer to the idea of land being polluted or profaned by unsanctioned human behavior. In Chapter 3, I observed that the land is deleteriously affected by sin in H, Psalms, Ezekiel, Jeremiah, and Isaiah. Texts such as Isa 24:5-6; Jer 2:7; Num 35:33-34; Ezek 37:23; 43:7-8; and Jer 3:1, 2, 9 refer to “moral” land pollution, and passages such as Lev 18:24-28; Ezek 36:17-19; and Ps 106:34-41 explicitly link this type of defilement with national exile. Klawans is correct that Lev 18:24-30 is the seminal passage articulating how “moral” impurity affects the land of Israel, with its vivid description of how outlawed practices were responsible for the expulsion of the

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<sup>1122</sup> As noted in Chapter 4.1, in an unpublished paper, Klawans asserts that land in the Hebrew Bible is only defiled “morally,” rather than “ritually,” and “there is no reason to assume that only the land of Israel is subject to this moral defilement.” See Jonathan Klawans, “This Hallowed Ground: The Defilement of Land in Ancient Judaism” (paper presented at the Association for Jewish Studies, Boston, Mass., December 21, 1998,) 3-4. To be sure, Klawans was logically extending his observations about the moral pollution of domestic land to make a summary conclusion, and it is clear that “moral” land pollution is a strong *topos* in the Hebrew Bible, insofar as it is often said to happen within the land of Israel. My contention is, *pace* Klawans, that there is reason to assume that *only* the land of Israel is subject to this type of pollution, and that there is no corresponding tradition which suggests that foreign lands may also be polluted by the sinful actions of their inhabitants.

previous occupants of the land of Canaan, and its warning that the land itself will vomit out the Israelites if they follow in their predecessors' footsteps and bring the punishment of Yhwh down upon the land by defiling it. I have observed that this passage indicates a dual agency in the expulsion of the Israelites: Yhwh initiates the punitive action, by calling *the land* to account for *its* iniquities. The land, in turn, responds by vomiting out its inhabitants for polluting it. This text is remarkable in how it emphasizes the power of the land to affect its residents; other passages, such as Ezek 36:19 state that it is Yhwh himself who scatters the Israelites among the nations. Ps 106:40-41, like Lev 18, refers to a two-step process involving Yhwh, the land, and the Israelites. I have observed that there is some difficulty in v. 40 regarding whether it is the Israelites or the land that are the inheritance abhorred by Yhwh. There is some justification for an interpretation of the land being the "inheritance" of Yhwh in this passage, rather than the people of Israel, especially in texts dealing with "moral" land contamination, because Israelite land is often the object of such "moral" pollution, which is linked with exile and/or divine abandonment. Jer 2:7 sets up "land" and "inheritance" (נחלה and ארץ) as parallel terms as Yhwh complains that the Israelites "defiled my land" and "made my inheritance an abomination (תועבה)." <sup>1123</sup> Deut 24:4 is also somewhat similar, as it refers to a specific prohibited action as "making the land, which Yhwh gave to you as an inheritance, err." This verse connects human sin (in this case remarrying a woman whom a man has divorced) with the land in a negative way, but the idea that bringing sin to the land causes the land itself to err/sin is reminiscent of Lev 18:25, which ties land pollution to the iniquity of the land itself. I have noted that the use of the 3<sup>rd</sup> person, masculine plural

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<sup>1123</sup> Compare Jer 12:15 (treating ארץ and נחלה as synonymous terms) and Ps 94:5, in which the wicked "afflict [Yhwh's] heritage." Compare also references such as Deut 21:23, in which the land of Israel is said to be a gift to the Israelites as an inheritance.

suffix referring to the Israelites in Ps 106:41, juxtaposed with the reference to the “abhorred inheritance” in v. 40, militates in favor of reading the “inheritance” as referring to the Israelites, rather than to the land, though this is not a definite conclusion. What the ambiguous case of Ps 106, as well as the clearer cases of Jer 2:7 and Deut 24:4, all demonstrate is the idea that “moral” impurity occasionally employs a complex system of agency involving the Israelite people, Yhwh, and even the land itself.

I have suggested that the idea of sin defiling the land of Israel exists within a much broader ideational milieu of how the people and the land interacted. In addition to multiple texts which describe the land of Israel as the property of the national god, and suggest that disobedience to the will of the deity merits expulsion from the land, this milieu also includes references to the land being “cursed” by Yhwh into not bearing produce. This attack on the fructification of land in turn affects the inhabitants, who face starvation as a result. The idea that the land may be considered polluted by the actions of its inhabitants (which may or may not then result in exile or the destruction of the land and the deprivation of its produce) is related to (but at times distinct from) other ways in which divine sanction could be acted out using the vehicle of land. In the Hebrew Bible, a variety of lands are said to be cursed or otherwise punished by Yhwh in response to the crimes of their inhabitants. The motif of cursing a land is widely applied in biblical literature as a way to underscore the national god’s anger at specific peoples for specific reasons. The case of land impurity is a specific iteration of this broader concept, but it seems to be applied more discriminately than the general idea of divine curse or sanction.

I have suggested that the language of impurity applied to land seems to originate in Priestly or in cultically oriented circles, as a focused and characteristic articulation of

the deleterious effect humans' sinful actions have on the land they inhabit. It also seems to be the case that the specific idea of "moral" land impurity was understood as an exclusively Israelite phenomenon, dependent on the land of Israel's status as Yhwh's dwelling place. It is critical to underscore that every text explicitly linking land pollution to sinful behavior portrays this impurity as affecting the land of Israel itself.<sup>1124</sup> Texts that refer to foreign lands as impure never state that they are impure because of the sinful behavior of the foreign peoples living there; therefore it is necessary to investigate the variety of other concerns that affect the description of foreign lands in biblical texts before positing an interpretation of the phenomenon of "foreign land impurity."

In Chapter 4, I explore the various ways in which foreign lands are depicted in biblical literature, and suggest that authorship and historical situations factored heavily into how different texts raised and addressed the possibility of living in foreign places. Concerns such as ritual purity, the territorial dimensions of Israelite religion, and historically contingent attitudes about travel abroad all factor into the manner in which biblical authors treated foreign lands. It is only after considering all texts dealing with "moral" land impurity on the one hand, and texts dealing with foreign lands on the other, that one may be able to posit a cogent argument to explain the use of purity language in the only two biblical verses referring to foreign lands as impure—Amos 7:17 and Josh 22:19.

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<sup>1124</sup> Isa 24:5-6, the *only* instance in which "moral" land impurity is applied outside the land of Israel, is the exception which proves the rule that within the corpus of biblical texts, the pollution of land through human misconduct was viewed as a phenomenon that only occurred *within* the land of Israel/Canaan. The Isaiah Apocalypse, which includes these verses, is noted for taking concepts that elsewhere in biblical literature are specific to Israel and Israelites and applying them to the world as a whole. See Wildberger, *Isaiah 13-27*, 478, and discussion above in Chapter 3.2. Isa 24:5-6, in which the concept of "moral" land impurity is globalized, are not representative of the biblical expression of this phenomenon elsewhere.

The first set of texts examined were those that referred to foreign lands as pure, or even holy (e.g., Exod 3:5), or implied that they were pure by suggesting the legitimacy of Yhwh worship on foreign soil. Six verses refer explicitly to specific areas outside the Israelite wilderness camp as either “pure” or “impure.” Lev 4:12; 6:4 [Eng. v. 11]; and Num 19:19 refer to a “pure” place outside the camp. Lev 14 contains the only references to an “impure” place outside the wilderness camp, as vv. 40, 41, and 45 state that צרעת materials must be deposited in such a place. Determining what makes these places pure or impure is a challenge, because while it is possible that the צרעת materials are perceived to cause the localized impurity in Lev 14, the texts are inexplicit about the origins of that impurity; an alternate possibility would be that the place was designated as impure *before* the materials were deposited there, and they were left there to quarantine a dangerous pollution from the camp. Each prospect presents difficulties, and the text does not explain the mechanics of how the places outside the camp are designated pure and impure. The case is similarly difficult to adjudicate for the cases of “pure” places outside the Israelite camp, namely Lev 4:12, 6:4, and Num 19:19. One feature that is especially difficult to reconcile is the fact that some of the cultic materials mandated to be deposited in a “pure place” outside the camp are themselves sources of contamination to those who handle them, as is the case with the ashes of the red cow in Num 19, and the carcass of the חטאת (see Lev 6:20, 21; 16:27-28; Num 19:7, 8, 10, 21). The fact that the “pure” place outside the camp remains a pure place suggests that the polluting qualities of the cultic refuse do not contaminate the land upon which they are deposited. This perhaps suggests that the “impure” place in Lev 14 was not, in fact, contaminated through contact with the materials deposited there, although it is possible that the manner of pollution in

the two types of disposal sites operated in different ways. It is critical to note that these verses contain references to both pure and impure places outside of Israelite territory that operate within the sphere of a “ritual” purity system. There is no implication of any type of “moral” impurity operating in these Priestly passages. These texts demonstrate the need to avoid totalizing presumptions about how purity operated outside the territory of Israel. Just as Klawans and Hayes are correct to critique Alon, who argued that foreign lands in biblical literature were presumed to be inherently “ritually” impure, it must also be observed that Lev 14 militates against Klawans’s and Hayes’s argument that foreign lands are never said to be “ritually” impure within the Hebrew Bible.

While these six references to pure and impure places outside the Israelite camp are instructive for how Priestly authors conceived of purity operating outside the land of Israel, none of these makes any reference to foreign peoples or foreign governments. These passages address purely intra-Israelite issues, and therefore, the concern of the authors is defining Israelite territory and protecting the sphere of Yhwh from contamination. This leads to a dualism of inside camp/outside camp (or Israelite/non-Israelite) as opposed to a more developed discussion of how purity operated within foreign territories. Therefore, these texts do not speculate about the inherent qualities of foreign places. There are several texts which refer to specific foreign places as pure, or even holy, which are helpful in supplementing the discussion. Exod 19:10, 14-15 describe the process of ritual purification which is necessary for Israelites to encounter the divine before the theophany at Sinai. Sinai is presented as a place totally foreign to the Israelites, bounded off and unapproachable. This passage presumes that purity and holiness could be located outside Israelite territory, and the performance of rituals implies

the purity of the site upon which they are performed. Exod 3:5 contains the only occurrence of the phrase “אֲדָמַת-קֹדֶשׁ” (holy ground) in the Hebrew Bible, referring to a location at the foot of Mt. Horeb, the foreign site where Moses first encountered Yhwh.

References to foreign persons worshipping Yhwh outside the land of Israel, and descriptions of altars built on foreign soil also presume a “ritual” purity inherent in the specified locations. Isa 19:19-21 describes the erection of an altar within Egypt and a pillar (מצבה) at its border, both dedicated to Yhwh. Other texts which presume sacrifice to Yhwh within foreign lands include Mal 1:11, Jonah 1:16, Ps 107:22, Job 1:5 and 42:8. Each of these references describes foreigners worshipping Yhwh abroad with neither difficulty nor censure.<sup>1125</sup> Each case likewise demonstrates that foreign lands were potentially “ritually” pure (which is at stake when worshipping Yhwh), and could even be considered “holy,” but none of them explicitly demonstrates a concern for so-called “moral” purity or impurity in these foreign places.

I have argued that several texts, primarily within the Deuteronomistic History, depict a distinctly territorial dimension to Yhwhistic worship, and emphasize the connection between access to Yhwh and presence in the land of Israel. The emphasis on the localization of the national deity within the national borders results in a characteristic depiction of foreign lands as cut off from Yhwh. This way of portraying foreign lands is distinct from the Priestly passages examined above, and shows a different way in which foreign lands could be treated by biblical authors. This manner of discussing land and territory is critical to interpreting Josh 22:19’s reference to the Transjordanian territory as

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<sup>1125</sup> This is distinct from views of Yhwh worship reflected in other biblical texts. Isa 6:3 suggests the whole world is filled with Yhwh’s glory, though Yhwh worship is restricted to the land of Israel. 1 Kgs 8:41-43 states that foreigners come from a distant land to the temple in Jerusalem. Isa 2:3 and Mic 4:2 may also be viewed in light of these considerations, as they speak of foreigners coming to Zion to learn of Yhwh, though the language of sacrifice is not present.

“impure” land. Deuteronomy’s particular view of the land of Israel is emphasized in a variety of ways. First, laws in D are given with the intent that they are enacted once the people enter and take possession of the land of Israel. Additionally, Weinfeld suggests that the idea of Israel as a land “grant” has been married in Deuteronomy with the model of the vassal treaty (in which land is given only conditionally). The result of this combination is that the granting of the land of Israel is cast as dependent upon the Israelites fulfilling specific obligations to the deity, who is cast as the suzerain counterpart to the Israelite vassals. Deuteronomy’s specific framing of the issue of Israelite occupation of the land of Israel results in an equally characteristic framing of foreign lands as removed from the sphere of Yhwh. Deut 4:19, 18:14-15, and 32:8-9 each suggests that other nations worship other deities, but Israel is to worship Yhwh.<sup>1126</sup> Deut 32:8-9 is explicit about the territorial dimension of the division of the boundaries between the worlds’ peoples according to the number of deities, which pairs the deity with the land in a bounded, ridged fashion.

How the territorial dimension of Yhwh worship affected biblical authors’ portrayal of what it meant to live in foreign lands is critical for this study. I have argued that “moral” land impurity was treated as an intra-Israelite issue in biblical texts; similarly, implications of Yhwh worshipers traveling to foreign lands is also treated as a generally intra-Israelite concern in DtrH, removed from consideration of “foreign” religious practices. The debate about what it means to dwell in foreign territory does not generally mention foreign people, but is focused on the assumption that foreign places are outside of Yhwh’s demesne. Deut 28:36, 64 and Jer 16:13 all suggest that Yhwh’s

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<sup>1126</sup> See also Deut 26:16-19 (in which Israel is set above other nations by Yhwh), and Deut 29:24-25 [Eng. 25-26] (in which even other nations realize that Israel’s desolation is at the hands of its national god, due to their worship of gods not allotted to them).

punishment for a disloyal Israel would include exile, framed in each case as being brought to an unfamiliar place where the Israelites will serve other gods of wood and stone. This presentation of the familiar threat of exile as a covenant curse demonstrates a presumption that leaving the land of Israel necessitates worshipping other gods. These passages utilize the presumed territorial limitations of Yhwh worship to the borders of Israel for rhetorical purposes, to exhort an Israelite audience to follow the commandments of the deity in the manner the authors of these texts deemed proper.

Other texts in the Hebrew Bible report the problems posed by the geographic limitations to access to the national god, and present in a sympathetic manner the plight of Israelites who are forced to dwell abroad. In 1 Sam 26:19-20, David laments that Saul is pursuing him, thereby forcing him out of his share in the inheritance of Yhwh and condemning him to serve other gods. He begs Saul not to allow his blood to fall to the ground away from the presence of Yhwh (מנגד פני יהוה), and the passage's portrayal of David's virtue and mercy contributes to its purpose to evoke the reader's sympathy for the character. Therefore the territorial constraints on Yhwh worship are not used with rhetorical force as a positive motivating factor here, but rather present the sympathetic character with a severe dilemma. The issue of being cut off from Yhwh in this geographic sense has a parallel with biblical references to the dead being cut off from Yhwh in the underworld. Ps 88:6 [Eng. 7] and Ezek 37:11 suggest that those who are dead have no access to Yhwh. Indeed, the speaker in Ps 88 complains that his status is like those who are in Sheol, who have no help (v. 5) and, forgotten by Yhwh, are cut off from his power (v. 6). Each of these cases demonstrates an anxiety that when one leaves the realm of Yhwh, one is cut off from accessing that deity; he can neither reach Yhwh

through worship, nor can he receive help from Yhwh should he need it. The idea of being forced to leave Yhwh's territory while still dwelling alive on earth is a harsh curse in Deuteronomy, and a reason for David's apparent distress.

Other references to the restriction of the Yhwh cult to the land of Israel that I have considered include Ps 137:4, Num 9:10, Ruth 1:15-16, 2 Kgs 17:27, and 2 Kgs 5:7. The first two of these cases deal with Israelites directly, while the other particular cases remarkably deal with persons of foreign birth, each in a manner consistent with the text's literary and ideological setting. Ps 137:4 raises the question of how it would be possible to worship Yhwh in a foreign land, with the implication that such cultic activity is impossible abroad. Similar to 1 Sam 26:19, this verse presumes that Israelites who have passed beyond the borders of Israel are unable to access Yhwh. I have suggested that Num 9:10 possibly operates on the presumption that the Passover must be observed within the land of Israel, and deals with the fallout of cultic centralization by providing recourse for those who are far away from the cult site and those who have contracted corpse impurity, and cannot observe the festival at the usual time. This passage localizes worship of Yhwh within the land of Israel, and goes even further by restricting the observance of the Passover to the city of Jerusalem.

Ruth 1:15-16 articulates a different ramification of the localization of the national god within the national borders: within the land of Israel, even non-Israelites are expected to worship Yhwh. Just as David claimed he would be expected to worship other gods if he was forced to leave Israel, Ruth expects to worship Yhwh if she returns with her mother-in-law to reside in Israel. Interestingly, this passage presumes that Yhwh is active in Moab, and Naomi attributes her misfortunes in Moab to Yhwh's agency, yet

Ruth's declaration that Yhwh will become her god is delivered only upon her resolution to dwell in Yhwh's land of Israel. The language of motion and geography is critical in this entire chapter: Ruth states that she will adopt the place of lodging, the people, and the god of Naomi (v. 16), while Naomi urges her to "return" to her own people and her own gods (v. 15; see also v. 12) as Orpah did.<sup>1127</sup> Ultimately, while this passage presents Yhwh as having potency even in Moab, it does presume that an individual's geolocation directly affects her cultic practice. Ruth will adopt Naomi's god as her own as a direct result of her decision to cleave to Naomi and return to Naomi's homeland, where Yhwh is the national god. 2 Kgs 17:27 portrays a parallel situation to that raised in Ruth 1:16. 2 Kgs 17 is a significant pericope, which depicts Assyrian settlers in the Northern Kingdom being attacked by lions until a priest of Yhwh is sent back from exile in order to teach them the proper way to worship the god of the land. However one interprets the polemic of the text,<sup>1128</sup> the story presumes a spatial conception of national gods, which is predicated on a belief that travel to a new land necessitates the worship of the god of that land. This is presented as a general axiom, accepted by *all* parties involved, including the settlers, the Assyrian king, and the returning priest of Yhwh. Dating the pericope is difficult, but it must be observed that even if the passage is a postexilic Deuteronomistic composition, it does draw on territorially contingent conceptions of deity characteristic of pre-exilic passages. Whether dealing with the problem of Israelites traveling abroad (e.g., 1 Sam 26:19-20, Ps 137:4), or those of foreigners entering the land of Israel (e.g., 2 Kgs 17), the territorially-contingent view of Yhwh worship expressed in these texts presupposes a different set of presumptions and concerns than those underpinning the

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<sup>1127</sup> See also the language of "turning back" and "going" in v. 12.

<sup>1128</sup> Whether or not the polemic is directed against Israelites, foreigners, or postexilic communities vying for legitimacy, the conceptions of land and deity remain the same.

Priestly texts discussed above (e.g., Lev 4:12, 6:4, and Num 19:19), and similarly reflect different understandings regarding the meaning (or significance) of homeland and foreign lands.

2 Kgs 5 is an exceptional passage, which brings together many of the disparate concerns of this study. The story of Naaman proceeds on a dual understanding of “land,” and exploits the portable qualities of land-as-dirt (אדמה in v. 17) to resolve the problem of accessing Yhwh on foreign soil. Naaman exclaims in v. 15, “Now I know that there is no god in all the earth except in Israel (אין אלהים בכל-הארץ כי אם-בישראל),” and in v. 17 he requests a quantity of earth so that he may worship Yhwh in his homeland. Naaman presumes that Yhwh cannot be worshipped outside the land of Israel; his request for Israelite soil is designed to accommodate the construction of a small area of Israelite land within the territory of Aram, so that he might sacrifice to Yhwh there. Indeed, Naaman also renounces other gods, and hopes that Yhwh will forgive him if he prostrates himself in the Temple of Rimmon while aiding his master. I have argued that this passage should not be understood in the context of radical monotheism,<sup>1129</sup> but rather in the light of a tradition of geographic restriction of worship of national gods to their national territory. The fact that Naaman imagines he will be able to worship Yhwh in Aram as long as he does so while located on soil imported from Israel is significant because it suggests that he believes the qualities that constitute the particular status of the land of Israel are transported with the soil itself. It is clear the cultures in ancient Western Asia sometimes held the conception that substances drawn from the ground of a location, especially dust,

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<sup>1129</sup> It is true that Naaman states that there are no gods except for in Israel, and this passage, like Ruth 1, presumes Yhwh is potent outside the land of Israel, but the prophet Elisha does not make any requests of Naaman, and does not mandate that he worship Yhwh exclusively. There is no condemnation of the cult of Rimmon in the text either, except insofar as Naaman has proclaimed his loyalty to Yhwh as his adopted deity, much in the same way that Ruth adopted Yhwh as her god upon moving to Israel.

were possibly imbued with qualities of those places. This is demonstrated in several *namburbi* texts from Mesopotamia, and also seems to be implied in the Sotah ritual in Num 5. In the case of 2 Kgs 5, the implication is that whatever makes it possible to access the national god of Israelite land may be transported with the soil itself.

Significantly, one necessary criterion for Yhwh worship is a “ritually” pure site; therefore it is possible that the “ritual” purity of Israelite soil is one of the qualities that is envisioned as being transported. At the very least, it is pure land, *per se*, that is to be taken to Aram, and the text gives Naaman’s plan tacit approbation through Elisha’s assent.

The issue of “moral” and “ritual” impurity is particularly complex in 2 Kgs 5. On the one hand, the impurity that afflicts Naaman is skin disease, and is described in a way that is purely “ritual” in nature (Naaman is consistently portrayed as upright and moral). The same impurity, however, when transferred to the duplicitous and greedy Gehazi, has a “moral” dimension, as it is the result of his own sinful actions.<sup>1130</sup> In terms of land purity, it is remarkable that the qualities that make it possible to sacrifice to Yhwh on Israelite land, which includes “ritual” purity, can be transported with the land itself, so that the border-restricted conception of deity is expanded into a land-connected conception, allowing one recourse for those who desire to worship Yhwh beyond the borders of Israel itself. This passage develops conceptions of Yhwh worship differently from texts such as Jonah 1:16, Job 1:5 and 42:8, which presume that foreigners *could*

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<sup>1130</sup> It should be observed, however, that one of the ramifications of a “ritual” impurity, like that affecting Naaman, is that it is spreadable. The text, however, only introduces Gehazi into the narrative after Naaman’s impurity is resolved. There is no explicit mention that Gehazi had physical proximity with Naaman while he was impure, though this is not explicitly denied, either. While the fact that the “ritual” impurity of Naaman was a contagious affliction could explain the mechanics of how Gehazi was polluted, it should be observed that the fact that Gehazi is polluted as a punishment shows that there is interchange between the “moral” and “ritual” impurity seen in this passage.

worship Yhwh on their own soil, and also differently from passages such as 1 Sam 26:19 and Ps 137:4, which imagine no such recourse for those forced beyond the borders of Israel. 2 Kgs 5:17 thus depends on both the territorially fixed dimension of Yhwh especially characteristic of DtrH, and also on the tactile, portable nature of earth, which contains physical and ritual characteristics of its place of origin that may be transported with the dirt itself. Thus, this episode not only intersects with and transgresses the conceptions of purity as neatly divided into “moral” and “ritual,” but it also situates the discourse within a broader ancient West Asian context in interesting ways.

I have argued that this emphatic territorially dependent view of access to the national god was used for different rhetorical purposes in different contexts. While Deut 32:8-9 uses the idea that Yhwh gave each nation its own national god to provide motivation to the Israelites to follow Yhwh’s dictates, 1 Sam 26 utilizes this idea to provide additional drama and sympathy for David’s plight, and Ps 137 cites the idea in the expression of the pathos of the situation of exile. I also posit that this particular view of deity was transgressed in a variety of different ways by ancient authors, for historical as well as theological reasons. There is evidence that not all Judeans living in foreign places embraced a Deuteronomistic perspective regarding cult centralization specifically, and the impossibility of Yhwh worship in foreign lands more generally. The Aramaic documents relating to the Judean garrison at Elephantine demonstrate that that site was considered “ritually” pure, as an altar stood there upon which sacrifices were performed. The distinction that seems to be drawn between meat offerings and other types of sacrifices in the correspondence between Elephantine and Jerusalem is highly intriguing. That officials in Jerusalem condoned a temple in a foreign land offering sacrifices to

Yhwh is significant, though it seems that they drew the line at burnt offerings, at least when asked to support the temple's reconstruction. The Judeans living in Elephantine certainly had no qualms about sacrificing to Yhwh outside the land of Israel, and they cited the antiquity of the temple in Egypt in support of their practices. Literary references to the temple built by Onias IV in Leontopolis in the 2<sup>nd</sup> century BCE provides another piece of evidence supporting the variety of opinions Yhwh worshippers had regarding accessing their deity outside the borders of Israel. Clearly, neither group of Judeans living in Egypt perceived themselves as cut off from Yhwh due to their geographic circumstances. The case of Elephantine suggests that Judeans living abroad at times had to negotiate their practices with the Jerusalem officials, in order to gain support for their endeavors.

There seem to have been several ways to interpret how Yhwh could be worshipped by Israelites abroad: Deuteronomists demanded cult centralization not only within the land, but within the capital city, and suggested that travel abroad precluded access to the cult of the national god; at least two groups of Judeans living in Egypt built temples to Yhwh, and there is evidence that the temple at Elephantine practiced various kinds of sacrifices in that foreign land; a third, apparently mediated compromise position seems to have been reached in correspondence between different parties insofar as animal burnt offerings were considered the boundary that could not be crossed, according to the Jerusalem officials, though they apparently allowed some latitude regarding other types of offerings. These cases demonstrate that specific historic circumstances were a concrete factor in how Yhwh was worshipped in different times and places. The Judeans living abroad conceived of Yhwh as accessible in a foreign land, and it can be presumed

that they perceived the foreign land upon which they constructed their temples to be ritually pure. Jerusalem officials, living within the land of Israel, had the ability (perhaps the luxury) to be more prescriptive in their view of centralization. The specific historical circumstances of the destruction of the temple at Elephantine caused great distress for the Judeans living there, presumably because they perceived that their ability to effectively access their deity was compromised. Furthermore, these circumstances gave Jerusalem officials an opportunity to put limits upon cultic practices they did not condone, with the presumption that the Elephantine community would have to accede to their demands.

Several other biblical passages argue for Yhwh's potency, even over other gods and in foreign places. Read in concert with Deut 32:8-9. Ps 82 similarly seems to suggest Yhwh's supremacy as a deity. 1 Sam 4-6 recounts an episode in which the ark of Yhwh was taken into foreign holdings, and explicitly states that Yhwh continued to exercise ultimate control of the situation, engineering the movements of the ark and demonstrating supremacy even within the temple of Dagon by knocking down and breaking off the head and hands of the statue of Dagon. Ezek 8-11 also recounts circumstances in which Yhwh chooses to leave his homeland, again in the context of a national defeat, but repeatedly emphasizes Yhwh's ultimate power. The Book of Ezekiel goes so far as to depict the national deity going into exile with the deported Judeans. Ezek 11:16, though it utilizes diminutive language referring to a sanctuary that Yhwh will become for the exiles, is a key reference to Yhwh's mobility, agency, and accessibility in the foreign land of Babylon. That purity concerns were a factor for Judeans living in exile is represented in Ezek 4:12-15, in which the trials of exile are represented through bread baked in a defiling manner, i.e., over excrement. I have argued that Ezek 4:12-15 contains elements

drawn from both “ritual” and “moral” purity ideologies, as the contamination of food being prepared over excrement draws on the “ritual” purity tradition, while the state of exile as a punishment, and the possible connection to the pollution of foreign “idols,” are suggestive of a pollution on “moral” grounds.<sup>1131</sup> The divine abandonment episode in Ezekiel adds the ideas of national gods and the territorial limitations of Yhwh worship to the discussion of foreign lands. The author perhaps provides the groundwork for an ideology of Yhwh’s accessibility to the exile community, and certainly emphasizes that Yhwh is not constrained to remain within his temple or within his land.

Four final cases, Ezra-Nehemiah, Esther, the Joseph novella, and Daniel, help to demonstrate the wide variety of outlooks regarding Israelites abroad, which in turn sheds light on the variety of attitudes towards foreign lands reflected in biblical texts. These cases serve to highlight that the reality of exile forced Israelite authors to deal with the ramifications of their territorially-contingent constructions of deity in practical, even innovative, ways. Ezra-Nehemiah presumes Yhwh’s efficacy abroad while also holding an orientation toward Jerusalem that presumes a Deuteronomistic conception of cult centralization limiting worship of the deity to that site. Ezra’s wisdom is said to be God-given in Ezra 7:25, and Yhwh is presumed to be active in Babylonia, capable of bestowing wrath or wisdom, though the book focuses on the restoration of worship in Jerusalem by a community of Judeans returning from exile. In Neh 1:4-11, Nehemiah is said to pray to Yhwh while in a foreign land, and Neh 2:8 credits Yhwh with Nehemiah’s success in petitioning the king to grant his request to return to Jerusalem and help restore the city. Ezra-Nehemiah’s orientation is contrasted sharply by the Book of Esther, which does not mention Yhwh at all in the Hebrew version, and which does not have a similar

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<sup>1131</sup> See also recapitulation below.

orientation toward Jerusalem. The Book of Esther is acutely concerned with the welfare of a community of Judeans living in a foreign land, and traces the path to success of specific Judean individuals within the imperial system. There are certainly cultural norms promoted in the text, including a sense of communal solidarity, and support for Mordecai's refusal to prostrate himself to Haman, but this book does not evince the kind of concern with the cult that characterizes Ezra-Nehemiah, even though it similarly portrays Judeans who enter effectively into the power structure of foreign lands. These aspects of the Book of Esther are also found in the Joseph novella in Genesis, which depicts a character's rise to ascendancy within a foreign imperial context, and actually advocates an orientation away from Canaan in favor of the more prosperous Egypt during a time of famine. The stories about Joseph, however, have more explicit reference to Yhwh's power abroad and Yhwh's part in the protagonist's success than do those of the Book of Esther. The Court Tales in the Daniel 1-6 provide a uniquely mediated lifestyle for Judeans living in exile. These stories show characters adopting Babylonian names, integrating into the Babylonian imperial structure, and excelling in their service to the court, but they also suggest that practices of prayer, exclusive devotion to the deity Yhwh, and even dietary practices set the Judeans apart. The Court Tales present a vehement defense of maintaining certain distinct practices that demonstrate fealty to Yhwh, even should these practices cause friction with the foreign peoples among whom the Judeans live, and even should they be threatened with death. Each pericope concludes with the vindication of the Judeans involved, the exaltation of Yhwh, and the elevation of the Judean characters even more into the imperial power structures, precisely because they *did* maintain their specific cultural practices, and Yhwh both protected and

aided them. The success of specific Judeans within foreign political infrastructures is a recurrent theme in these texts; Mordecai in Esther, Joseph in Genesis, and Daniel are all said to rise in power to be second only to the ruler of the foreign polity.

I have argued that the references to foreign lands as impure in Amos 7:17 and Josh 22:19 are best understood against the backdrop of the larger discourse of how living in foreign lands affected the observance of Israelite religion. I have suggested that these passages each hinge on the restricted territorial view of Israel (alone) as Yhwh's domain, where he may be worshipped (similar to texts such as Deut 32:8-9, 1 Sam 26:19 and Ps 137:4), but have interpreted the significance of this restriction to suit the contextually specific needs of the author (as have authors of texts such as 1 Sam 4-6, Ezek 8-11, Dan 1-6). I contend that these passages marry the language of purity with the Deuteronomistic territorially bounded conception of deity in order to add force to the author's statements, and I propose that this joining speaks to a cultic orientation or a focus on interests that concern priests.

Chapter 5 addressed the broader implications of how biblical authors discussed foreign lands and foreign land impurity. I suggest that the rhetoric with which biblical authors broached what it meant for Israelites to be in foreign lands was related to the historical circumstances of the authors, and to their own particular concerns (or lack thereof) regarding foreign polities. I contend that specific contact zones, such as dietary laws and the possibility of cultic observance in foreign places, served to focus the debate over what the implications of exile from the land of Israel could be. Purity considerations were of preeminent concern for at least some biblical authors, and served at different times as a rhetorical tool for castigation (e.g., Amos 7:17), and a poignant concern that

had to be addressed (e.g., Ezek 4:12-15). I discussed the ways in which texts demonstrated a dynamic exchange of power between the colonizing imperial polities and the colonized Israelites, and served to assert the ultimate power and agency of the Israelite god, even (and especially) in foreign places.

## **6.2 Concluding Remarks**

There is a great variety in the ways in which different biblical texts treat the topic of foreign lands. Some biblical texts regard certain foreign lands as pure or even holy, while others regard these lands as outside the scope of Yhwh, which presents a problem for travel abroad and especially for exile. Several texts reflect different attitudes on doing specific daily activities, such as eating, abroad. Only two texts explicitly refer to foreign lands as “impure,” and while it has generally been assumed that this impurity must have been “moral,” contracted through the sinful or “idolatrous” activities of the foreign inhabitants of those lands, it must be noted that neither Amos 7:17 nor Josh 22:19 have “foreign” persons in view. The only land explicitly stated to be “morally” polluted through the sinful actions of its inhabitants is the land of Israel itself. Amos 7:17 and Josh 22:19, like other texts examined above, seem to speak to inner-Israelite issues, rather than offer a condemnation of aliens living in their own homelands. What is significant about these texts is that they incorporate purity language into the broader biblical discourse on homeland, imperialism, divine retribution, and exile. This is potentially because of the priestly context or affiliation of these passages. Amos 7:17 seems to reflect a “ritual” impurity, rather than a “moral” one. This text may be read in light of Hosea, an 8<sup>th</sup> century northern prophet who used issues of purity in exile (in his case,

eating “impure”) to critique his contemporaries. Also shedding light on this text is Ezek 4:12-15, in which a priest-prophet living in Babylon faces the *reality* of exile as a polluting situation, used as a curse in Hos 9:3, but as a cause for lament and reproof of Judeans in Ezekiel. Josh 22:19 reflects familiar attitudes about the territorial dimension of the god of the land, but incorporates the idea that foreign land is impure, perhaps to further push the case for living in the Cisjordan, and potentially as a tool for community formation and boundary marking in a specific historical context. In each of these cases, it seems that purity language or ideology has been introduced into discussions of the territorial dimension of the Yhwh cult in order to speak more directly to concerns of interest to priests, and a cultically oriented focus.

The variety of treatments received by foreign lands seems indicative of a multiplicity of opinions and historical situations for the composition of the texts of the Hebrew Bible. Authors who were unconcerned with the reality of living in foreign places were essentially free to speak of Israel’s “foreign” origins, the holiness of specific foreign locations, and the possibility of access to Yhwh in foreign lands. Authors who emphasized the union of the “chosen” people with the “chosen” land had more of a stake in clearly defining the borders of Yhwh’s realm and the consequences for traveling beyond those borders. Limiting the territory in which Yhwh could be accessed was useful rhetorically and ideologically: Since exile was a treaty curse, explicitly observing that exile from the land of Israel cut the Israelite off from Yhwh was a powerful deterrent to unsanctioned behaviors, and a handy curse to hurl at enemies. The specific incorporation of purity and pollution into discussions of the misfortunes of exile would have been particularly evocative in contexts involving priests or the cult, and this seems

to have been at stake in texts such as Amos 7:17 and Josh 22:19. The reality of exile seems to have caused new evaluations of these ideologies, as the threat was no longer hypothetical, but a lived experience. The ways that different postexilic authors negotiated (or avoided) the problems involved in Judeans living abroad for extended periods likewise suggest different authorial concerns and situations. While postexilic texts such as the Book of Daniel are sometimes viewed as usefully interpreted in light of their innovative display of power negotiations between the imperial powers of the day and the subjugated Judeans, it must also be remembered that using the rhetoric of deportation and exile strategically in pre-exilic texts also reflects an awareness of the tenuous colonial situation in which Israel and Judah found themselves in the 8<sup>th</sup> and 7<sup>th</sup> centuries BCE. Appropriating the idea of mass deportation to suit their own needs, biblical authors claimed the power of the imperial powerhouses of the day for Yhwh, and reinscribed the situation of Israel and Judah for their own purposes. While Israel and Judah, historically, may have been the stomping grounds for the giants of the ancient world, biblical authors recast the situation to reflect a belief that the Israelites themselves, or (perhaps more importantly) their deity Yhwh was in control.<sup>1132</sup> Yhwh was viewed as the preeminent deity and ultimately in control both within his borders and abroad; the Israelites, as Yhwh's people, had the ability to live by Yhwh's dictates and thrive or provoke Yhwh and be obliterated. DtrH especially emphasizes that for the Israelites, their land and status was theirs to seize or lose. This method of reclaiming power for the disempowered colonized country is more innovative than is sometimes recognized,<sup>1133</sup>

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<sup>1132</sup> This tactic, of course, was not limited to biblical literature, but is seen elsewhere, e.g., the Marduk Prophecy.

<sup>1133</sup> I have argued that while there is a tradition of blaming victims for their own losses, the idea of victims actually blaming *themselves* for their situation (as opposed to blaming the whims of the gods or the sins of

even if it proved to complicate the lives of diaspora Judeans in the exilic and postexilic periods. I have made some of the first motions to discern developments in common and diverging strains of tradition by examining texts grouped thematically, paying attention to their context and the ideology they espoused, though more work remains to be done.

### 6.3 Future Research

The above discussion raises several questions for further study. A study of the development of Israelite divine iconography related to postcolonialism and an examination of the reasons behind the ideological development of Israelite purity discourse would be two interesting avenues to explore. Regarding Israelite iconography, I have alluded to the mobility of Yhwh presumed to be an asset in the Book of Ezekiel's presentation of Yhwh's continued power in the exile. Divine mobility and the politics of the movement of icons in the ancient Near East are tied to the literary motif of divine abandonment. I believe that further study remains to be done on how Israelite iconography factored into a postcolonial understanding of the potency of Yhwh after the defeat of Israel and Judah. The flight of the "glory" of Yhwh in Ezekiel perhaps points the way to a fuller understanding of how Israelite authors might have reshaped the idea of icon spoliation to suit their own purposes. The development of "aniconism" in Israel is a topic of much interest, and perhaps a discussion of how Yhwh is perceived to be potent abroad, and the mechanics of Yhwh's divine movement in various biblical texts can help

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their distant ancestors) is not as commonly found in contemporary literature as is sometimes presumed. Indeed "loser literature" from the ancient Near East often takes pains to deflect the blame from the current generation of victims, in contrast to the tactic seen in some biblical texts. By actually resituating the blame upon *themselves*, rather than suggesting that Yhwh merely wanted to travel for commerce (as Marduk does when he travels to Elam in the Marduk Prophecy), or that their ancestors doomed them by their actions (as is the case in "The Seed of Kingship" and the Mesha Stele), Israelites were able to affirm their own sense of agency, even in defeat.

illuminate the development of Israelite divine iconography in specific historical situations. It is possible that the ways in which Yhwh was depicted as moving without being tied to a specific icon in such texts as the Book of Ezekiel allowed the deity to demonstrate a greater degree of freedom and potency in exile; additionally, such a development could be related to the development of Israelite aniconism.

Another issue for future in-depth treatment is the development of the idea of “moral” and “ritual” impurities as distinct categories in some biblical contexts. The above study has taken pains to complicate the notion that Israelite authors operated with an understanding that “moral” and “ritual” impurity were entirely distinct phenomena. I have emphasized that biblical texts demonstrate slippage between these categories, and that texts from around the ancient Near East demonstrate that “sinful” impurities and “physical” impurities were not conceived as inherently different phenomena, *even though* determining the *source* of impurity was held to be an important step in resolving it. These considerations suggest that biblical authors did not conceive of “moral” and “ritual” impurity as mutually exclusive, entirely separated ideas. I have also observed, however, that there is a degree of utility in the scholarly categories of “moral” and “ritual” impurity, as certain texts *do* suggest that impurities caused by sinful behavior affect the Israelite people and the land of Israel in specific ways. It is clear that positing that “moral” impurity was a secondary, metaphoric development from the base concept of “ritual” impurity does not suit the biblical evidence or the evidence from the ancient Near East, which suggest that impurity caused by behavior was not a secondary, later development, but rather concomitant with the idea that impurity could be caused by physical means. If biblical authors did, in fact, attempt to categorize and distinguish the

manifestations of “moral” impurity from those of “ritual” impurity, then this was an innovative effort on their part, and it poses questions regarding the motivations and settings of such ideological developments. There is some biblical evidence that “moral” impurity functioned differently than “ritual” impurity, having different causes and different resolutions, and also different manifestations. If biblical authors attempted to develop the idea that “moral” impurity was inherently different from “ritual” impurity insofar as it was more difficult to remove, more permanent, and more intimately tied to the land of Israel itself and the idea of homeland and exile, then this raises questions regarding how and why they did so. Even if one grants the idea that “moral” and “ritual” impurity are useful categories in specific situations, this does not suggest that biblical authors successfully created neatly bifurcated, mutually exclusive purity “systems.” Indeed, one of the most interesting aspects of certain biblical texts is the way in which they can creatively employ language and imagery drawn from multiple “systems” of impurity for particular rhetorical force. More work remains to be done on exactly how the various ideologies of impurity functioned in different contexts and how different biblical texts could “play” with the “systems” they created.

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