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Andrews University

Seventh-day Adventist Theological Seminary

**THE LAWS OF CLEAN AND UNCLEAN ANIMALS OF LEVITICUS 11
THEIR NATURE, THEOLOGY, AND RATIONALE
(AN INTERTEXTUAL STUDY)**

A Dissertation

Presented in Partial Fulfillment

of the Requirements for the Degree

Doctor of Philosophy

by

Jiří Moskala

November 1998

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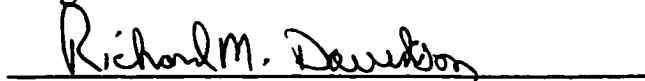
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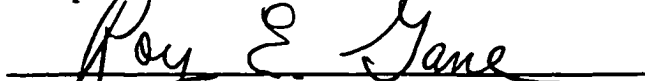
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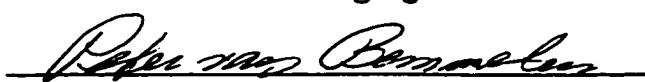
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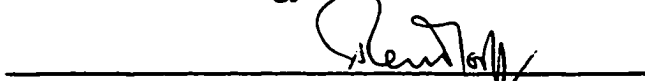
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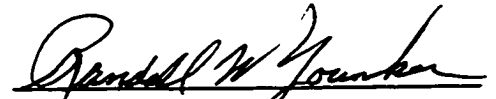
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ABSTRACT

**THE LAWS OF CLEAN AND UNCLEAN ANIMALS OF LEVITICUS 11
THEIR NATURE, THEOLOGY, AND RATIONALE
(AN INTERTEXTUAL STUDY)**

by

Jiří Moskala

Adviser: Jacques B. Doukhan

ABSTRACT OF GRADUATE STUDENT RESEARCH

Dissertation

Andrews University

Seventh-day Adventist Theological Seminary

Title: THE LAWS OF CLEAN AND UNCLEAN ANIMALS OF LEVITICUS 11
THEIR NATURE, THEOLOGY, AND RATIONALE
(AN INTERTEXTUAL STUDY)

Name of researcher: Jiří Moskala

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Date completed: November 1998

The present dissertation attempts to fill the gap in Pentateuchal studies on the Mosaic dietary laws concerning clean and unclean animals by investigating the nature, theology, and rationale of the food regulations.

My study is divided into four chapters. After an introduction (where the problem of the topic, methodology, limits, purpose, and justification of the study are presented) chapter 1 deals with the chronological development of the interpretation of the laws of clean and unclean food. Chapter 2 reviews relevant explanations of these laws topically, analyzes them, and briefly evaluates the different approaches to the Pentateuchal dietary laws. Chapter 3 examines the context and the literary structure of Lev 11 and demonstrates on exegetical grounds various links among key Pentateuchal passages (Gen

1-2, Gen 3, Gen 7-9, Lev 11, and Deut 14:2-21). Chapter 4 describes these dietary regulations in the broader perspective of a theology of eating. The rationale of dietary rules is explored. The final conclusion summarizes the main points of the investigation.

This intertextual study within the canonical text of the Pentateuch demonstrates exegetically that the Mosaic laws of clean and unclean animals are to be taken as dietary laws (Lev 11:1-23, 41-47; Deut 14:2-21). The present thesis differentiates between two basic types of uncleanness: ritual/ceremonial and natural/hereditary. Ritual uncleanness is closely associated with elements of time, and/or isolation, and/or cleansing, and/or sacrifices. On the other hand, natural uncleanness, which is related only to the dietary laws, is permanent, and no rituals are involved. I argue that such a category of uncleanness belongs to universal law.

The Mosaic dietary laws are built on the Genesis creation cosmology. The taxonomy of these laws reflects the categories of animals presented in the creation story. The first creation account stresses concepts of life, habitats, locomotion, separation, limits, different categories of living creatures, the image of God, and holiness. Gen 2 adds the important theological dimension of choice among the trees in the garden of Eden in relationship to eating. The tree of the knowledge of good and evil teaches humans their limits. Gen 3 presents new dietary regulations with the story of original sin. The flood story introduces the concept of clean and unclean animals, and the new creation order as presented in Gen 9 stresses prohibition of blood.

The links between the main Pentateuchal sections related to the dietary laws are firmly established on terminological, conceptual, stylistic, structural, and theological grounds, especially Gen 1-2, Gen 3, Gen 9, and Deut 14:2-21 which are explored in

relationship to Lev 11. This study reveals that there is a definite link between the Mosaic laws and the creation account.

The primary rationale of the Mosaic dietary laws is respect for the Creator. Under this umbrella other important aspects are included: holiness (*imitatio Dei*), natural repulsiveness, a wall against paganism, health, and respect for life.

A model of Creation-Fall-New Creation order is reflected in the formation of the dietary laws. Laws regarding clean animals maintain and sustain life (originally included in the creation order of vegetarian Edenic food prescriptions); this principle of life lies behind the new creation order reflected in the prohibition of blood, and is included in the Mosaic dietary laws. On the other hand, the laws of unclean animals are connected to death: several factors must be integrated in order to explain the uncleanness, such as carnivorous habits of unclean animals, use of some of them in war, unsuitability for human health, etc. Thus the overarching criterion for the laws of clean and unclean animals is Creation itself, which is linked to life, whereas departure from the Creation ideal (the Fall) is tied to death. Any factor which reflects primary concern for the life-death principle is taken seriously in this approach. Because the Creation-Fall-New Creation model lies behind the Pentateuchal dietary regulations, I call my theological interpretation the "Creation-Fall-New Creation pattern theory."

To my beloved wife Eva,
to my three daughters,
Andrea, Marcela, Petra,
and to my two sons,
Daniel and David

and first of all to Him
who strengthens me
to write these things

SOLI DEO GLORIA

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LIST OF ABBREVIATIONS

<i>ABD</i>	<i>Anchor Bible Dictionary</i>
ANF	Ante-Nicene Fathers
BDB	F. Brown, S. R. Driver, and C. A. Briggs <i>Hebrew and English Lexicon of the Old Testament</i>
<i>IDB</i>	<i>Interpreter's Dictionary of the Bible</i>
<i>ISBE</i>	<i>International Standard Bible Encyclopaedia</i>
LCL	Loeb Classical Library
<i>NICNT</i>	<i>New International Commentary to the New Testament</i>
<i>NIDNTT</i>	<i>New International Dictionary of New Testament Theology</i>
<i>NIDOTTE</i>	<i>New International Dictionary of Old Testament Theology and Exegesis</i>
NPNF	Nicene and Post-Nicene Fathers
<i>ODCC</i>	<i>Oxford Dictionary of the Christian Church</i>
<i>TDNT</i>	<i>Theological Dictionary of the New Testament</i>
<i>TDOT</i>	<i>Theological Dictionary to the Old Testament</i>
<i>TWAT</i>	<i>Theologisches Wörterbuch zum Alten Testament</i>
<i>TWOT</i>	<i>Theological Wordbook of the Old Testament</i>
<i>ZPEB</i>	<i>Zondervan Pictorial Encyclopedia of the Bible</i>

*I am the Lord your God; consecrate yourselves
and be holy, because I am holy.*
-Lev 11:44 NIV

*So whether you eat or drink or whatever you
do, do it all for the glory of God.*
-1 Cor 10:31 NIV

Permit me to resist the temptation to explain everything at once.
-Mervin Harris

INTRODUCTION

In the heart of the Pentateuch there are laws that divide all animals into two groups, namely clean and unclean.¹ Clean animals are fit, suitable, and proper for human consumption, but unclean animals are unfit and unsuitable for food. This remarkable taxonomic scheme is distinctive for its comprehensiveness.

Statement of the Problem

There is no consensus among scholars about the nature, rationale, theology, and applicability of the Pentateuchal dietary regulations. This situation has led to various explanations. Jacob Milgrom said aptly that there are as many theories of interpretation of the laws of clean and unclean animals as there are theorists or exegetes.² The Mosaic dietary laws represent "a long-standing hermeneutical puzzle in the interpretation of the Hebrew Scriptures."³

¹Lev 11:1-47 and 20:22-26. In abbreviated form and in a noncultic setting—Deut 14:3-21.

²Jacob Milgrom, "Ethics and Ritual: The Foundations of the Biblical Dietary Laws," in *Religion and Law: Biblical-Judaic and Islamic Perspectives*, ed. Edwin B. Firmage, Bernard G. Weiss, and John W. Welch (Winona Lake, IN: Eisenbrauns, 1990), 159.

³David Smith, "Jesus and the Pharisees in Socio-Anthropological Perspective," *Trinity Journal* 6:2 (Autumn 1985): 151.

The scholarly literature on Lev 11 and Deut 14 is voluminous.¹ These two chapters have been studied from various viewpoints by different schools of interpretation with different conclusions being drawn. It is therefore necessary once again to obtain more information about this pertinent subject by exploring the biblical text.

¹Recent and important commentaries on Leviticus are Baruch A. Levine, *Leviticus* לֵוִיִּיק. The JPS Torah Commentary (Philadelphia, PA: The Jewish Publication Society, 1989); Jacob Milgrom, *Leviticus 1-16*. The Anchor Bible, vol. 5 (New York: Doubleday, 1991); John E. Hartley, *Leviticus*. Word Biblical Commentary, vol. 4 (Dallas, TX: Word Books Publisher, 1992); R. K. Harrison, *Leviticus: An Introduction and Commentary*. Tyndale Old Testament Commentaries (Leicester: Inter-Varsity Press, 1980); G. J. Wenham, *Book of Leviticus*. The New International Commentary on the Old Testament (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1979); René Péter-Contesse, *Lévitique 1-16*, Commentaire de l'Ancien Testament. 3a (Geneva: Éditions Labor & Fides, 1993); Philip J. Budd, *Leviticus*. The New Century Bible Commentary (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1996); Erhard S. Gerstenberger, *Leviticus: A Commentary*. The Old Testament Library, ed. James L. Mays, Carol A. Newsom, and David L. Petersen (Louisville, KY: Westminster John Knox Press, 1996).

Recent and significant commentaries on Deuteronomy are Jeffrey H. Tigay, *Deuteronomy* דִּבְרֵי הַתּוֹרָה, The JPS Torah Commentary (Philadelphia, PA: The Jewish Publication Society, 1996); Peter C. Craigie, *The Book of Deuteronomy*. The New International Commentary on the Old Testament (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1976); John Arthur Thompson, *Deuteronomy: An Introduction and Commentary*, Tyndale Old Testament Commentaries, no. 5 (London: Inter-Varsity Press, 1974); Christopher Wright, *Deuteronomy*, New International Biblical Commentary, Old Testament Series, ed. Robert L. Hubbard, Jr. and Robert K. Johnston, no. 4 (Peabody, MA: Hendrickson Publishers, 1996); Eugene H. Merrill, *Deuteronomy*, The New American Commentary, no. 4 (Nashville, TN: Broadman & Holman Publishers, 1994); A. D. H. Mayes, *Deuteronomy*, The New Century Bible Commentary (London: Marshall, Morgan & Scott, 1979; reprint, Grand Rapids, MI: William B. Eerdmans Publishing Company, 1991).

For the general view of formation of the Old Testament, its theology and background, see especially Rolf Rendtorff, *Canon and Theology*, Overtures to an Old Testament Theology (Minneapolis, MN: Fortress Press, 1993); idem, *The Old Testament: An Introduction* (Philadelphia, PA: Fortress Press, 1986); Gleason L. Archer, *A Survey of Old Testament Introduction*, rev. and exp. ed. (Chicago, IL: Moody Press, 1994).

Traditional Judaism bans the eating of the forbidden food.¹ Some Christians have accepted these dietary rules as an authoritative direction for life.² Most Christians, however, do not consider these regulations binding. They believe that this code was abrogated at the death of Christ on the cross. The minority attitude that takes these laws as valid is criticized and challenged by many authors.³

In order to answer questions regarding the applicability of these dietary laws of edible and inedible food for us today, it is necessary to explain the nature, rationale, and theology of this Mosaic code. The whole discussion about these laws would be in vain without a thorough exegetical work. Once this foundation has been established it is possible to make conclusions about the topic.

¹Harry Rabinowicz, "Dietary Laws," *Encyclopaedia Judaica* (Jerusalem: Encyclopaedia Judaica, 1971-1972), 6:44-45; Samuel H. Dresner, *The Jewish Dietary Laws: Their Meaning for Our Time* (New York: The Burning Bush Press, 1959); Seymour Siegel, *The Jewish Dietary Laws: A Guide to Observance* (New York: The Burning Bush Press, 1959); C. M. Pilkington, *Judaism*, Teach Yourself Books (Lincolnwood, IL: NTC Publishing Group, 1995), 75-84.

²*Seventh-day Adventists Believe . . . A Biblical Exposition of 27 Fundamental Doctrines* (Washington, DC: Ministerial Association, General Conference of Seventh-day Adventists, 1988), 278, 285; Rousas John Rushdoony, *Law and Society: Volume II of the Institutes of Biblical Law* (Vallecito, CA: Ross House Books, 1982), 702; Howard B. Rand, *Digest of the Divine Law* (Merrimac, MA: Destiny Publishers, 1943); Elmer A. Josephson, *God's Key to Health and Happiness*, 3rd ed. (Wichita, KS: Bible Light Publications, 1972).

³For example, Gordon J. Wenham, "The Theology of Unclean Food," *The Evangelical Quarterly* 53 (1981): 6-15; idem, *Book of Leviticus*, 181-185; Walter R. Martin, *The Truth About Seventh-day Adventism* (Grand Rapids, MI: Zondervan Publishing House, 1960), 196-197; John Brunt, "Unclean or Unhealthy? An Adventist Perspective," *Spectrum* 11:3 (1981): 17-23.

Questions arise concerning the nature, theology, and authority of dietary laws in the Pentateuch. When did they originate? Why these two classes of animals? Why could clean food be eaten and why was unclean food to be rejected? What is the rationale behind this legislation? Which texts are linked together? Is the distinction between clean and unclean animals arbitrary, cultic, symbolic, ethical, hygienic, psychological, anthropological, or theological?¹ Are there some clues in the text itself that determine the extent of the applicability of these Mosaic dietary laws? Were these laws valid only for a certain group of people and a certain period of time or do they have a universal character? These questions form part of a larger question, namely the nature and authority of the Pentateuch as a whole.²

¹The question of the rationale of these dietary regulations has been of great interest for more than two thousand years. Valuable theories explaining the reason of these laws are cultic, ethical, anthropologic, symbolic, and hygienic. The review of all major theories is given in the second part of the first chapter. See especially Walter Kornfeld, "Reine und unreine Tiere im Alten Testament," *Kairos* 7 (1965): 134-147; and Walter Houston, *Purity and Monotheism: Clean and Unclean Animals in Biblical Law*. JSOT Supplement Series, no. 140 (Sheffield: JSOT Press, 1993), 68-123.

²The Pentateuch plays the decisive role in the Old Testament. This first, key, and very important part of the Old Testament canon is regarded to be the foundation and authority of all theological discussion. For a discussion about the relation between the Pentateuch or Torah and the New Testament see David L. Baker, *Two Testaments, One Bible: A Study of Some Modern Solutions to the Theological Problem of the Relationship between the Old and New Testaments* (Downers Grove, IL: Inter-Varsity Press, 1977); Walter C. Kaiser, Jr., "The Law as God's Gracious Guidance for the Promotion of Holiness," in *Five Views on Law and Gospel* (Grand Rapids, MI: Zondervan Publishing House, 1996), 177-199; idem, "Response to Douglas Moo," in *Five Views on Law and Gospel* (Grand Rapids, MI: Zondervan Publishing House, 1996), 393-400; idem, "Response to Greg L. Bahnsen," in *Five Views on Law and Gospel* (Grand Rapids, MI: Zondervan Publishing House, 1996), 150-157; idem, "Response to Wayne G. Strickland," in *Five Views on Law and Gospel* (Grand Rapids, MI: Zondervan Publishing House, 1996), 302-308; James H. Charlesworth, "What Has the Old Testament to Do with the New?" in *The Old and the New Testaments: Their Relationship and the*

We must address these pertinent questions if we want to assess the nature, theology, and extent of applicability of the laws on clean and unclean animals/food. It is the purpose of this dissertation to do so.

Methodology

First (chapters 1-2) the literature regarding the clean and unclean animals is surveyed.¹ In this review the chronological method is employed in the first chapter to

"Intertestamental" Literature, ed. James H. Charlesworth and Walter P. Weaver (Valley Forge, PA: Trinity Press International, 1993), 39-87; G. K. Beale, ed., *The Right Doctrine From the Wrong Texts? Essays on the Use of the Old Testament in the New* (Grand Rapids, MI: Baker Books, 1994); John H. Walton, *Covenant: God's Purpose, God's Plan* (Grand Rapids, MI: Zondervan Publishing House, 1994); O. Palmer Robertson, *The Christ of the Covenants* (Phillipsburg, NJ: Presbyterian and Reformed Publishing Company, 1980).

¹In the first part of the first chapter I deal with the chronological development of the various theories offered to explain why there are two groups of clean and unclean animals/food. Among scholars who held pertinent views about these dietary regulations from the end of the nineteenth to the end of the twentieth century are: William Robertson Smith, *Lectures on the Religion of the Semites*, 2nd ed., Burnett Lectures (London: A. & C. Black, 1901 [1st edition, 1894]); Frederick J. Simoons, *Eat Not This Flesh: Food Avoidances in the Old World* (Madison, WI: University of Wisconsin Press, 1961); Martin Noth, *Leviticus: A Commentary*, rev. ed. (Philadelphia, PA: Westminster Press, 1965 [German edition, 1962]), 91-96; Jacob Milgrom, "The Biblical Diet Laws as an Ethical System: Food and Faith," *Interpretation: A Journal of Bible and Theology* 17 (1963): 288-301; Kornfeld, "Reine und unreine Tiere im Alten Testament," 134-147; Mary Douglas, *Purity and Danger: An Analysis of Concepts of Pollution and Taboo* (London: Routledge & Paul, 1966), 38-57; M. P. Carroll, "One More Time: Leviticus Revisited," *Archives Européennes de Sociologie* 19 (1978): 339-346, reprint in *Anthropological Approaches to the Old Testament*, ed. Bernhard Lang, *Issues in Religion and Theology*, no. 8 (Philadelphia, PA: Fortress Press, 1985), 117-126; Marvin Harris, *Cows, Pigs, Wars, and Witches: The Riddles of Culture* (New York: Vintage Books, 1978); Jean Soler, "The Dietary Prohibitions of the Hebrews," *The New York Review of Books* 26, no. 10 (1979): 24-30; Edwin Firmage, "The Biblical Dietary Laws and the Concept of Holiness," in *Studies in the Pentateuch*, ed. J. A. Emerton, *Supplements to Vetus Testamentum*, no. 41, 177-208 (London: E. J. Brill, 1990); and Walter Houston, *Purity and Monotheism: Clean and Unclean Animals in Biblical Law*.

discover the development of thought about the subject, but in the second chapter the thematic approach is used.

The next step (chapter 3) consists of an exegetical and terminological study,¹ which aims to define the idea of uncleanness, investigate in the larger context laws pertaining to the uncleanness of animals, present the differences among various laws of uncleanness in the Pentateuch, and classify them. A deeper look at the relevant passages in the Pentateuch, mainly Gen 1-3; 6-9; Exod 22:31; Lev 11:1-47; 17:13-14; 20:22-26; Deut 12:15-16, 20-25; 14:3-21, helps one to grasp all the significant concepts of the laws of clean and unclean animals. Different answers to the problems relating to the Mosaic

¹About the hermeneutics, methods of exegesis, and exegesis itself, see especially: William W. Klein, Craig L. Blomberg, and Robert L. Hubbard, Jr., *Introduction to Biblical Interpretation* (Dallas, TX: Word Publishing, 1993); Walter C. Kaiser, Jr., *Toward an Exegetical Theology: Biblical Exegesis for Preaching and Teaching* (Grand Rapids, MI: Baker Book House, 1981; reprint, 1996); Lee J. Gugliotto, *Handbook for Bible Study: A Guide to Understanding, Teaching, and Preaching the Word of God* (Hagerstown, MD: Review and Herald Publishing Association, 1995); Odil Hannes Steck, *Old Testament Exegesis: A Guide to the Methodology*, Society of Biblical Literature Resources for Biblical Studies, ed. Marvin A. Sweeney, no. 33 (Atlanta, GA: Scholars Press, 1995); John H. Hayes and Carl R. Holladay, *Biblical Exegesis: A Beginner's Handbook*, rev. ed. (Atlanta, GA: John Knox Press, 1987); Gerhard Maier, *Biblical Hermeneutics* (Wheaton, IL: Crossway Books, 1994); Grant R. Osborne, *The Hermeneutical Spiral: A Comprehensive Introduction to Biblical Interpretation* (Downers Grove, IL: Inter-Varsity Press, 1991); Bruce Corley, Steve Lemke, and Grant Lovejoy, *Biblical Hermeneutics: A Comprehensive Introduction to Interpreting Scripture* (Nashville, TN: Broadman & Holman Publishers, 1996); William J. Larkin, Jr., *Culture and Biblical Hermeneutics: Interpreting and Applying the Authoritative Word in a Relativistic Age* (Grand Rapids, MI: Baker Book House, 1988).

An excellent explanation of Hebrew thought in a nutshell can be found in Jacques B. Doukhan, *Hebrew for Theologians: A Textbook for the Study of Biblical Hebrew in Relation to Hebrew Thinking* (Lanham, MD: University Press of America, 1993), 191-218.

dietary laws are compared with these biblical intertextual data. This exegetical analysis reveals the inner structure of these laws in the larger context of the Pentateuch.

The purpose of this exegetical work is to discover the intent of the Pentateuchal dietary laws by drawing various links between relevant texts on the topic in order to recognize principles which govern their intertextuality, and to understand the origin, nature, rationale, and applicability of the dietary stipulations. With this as a background I explore the theology and rationale of the Mosaic dietary laws in the larger context of the theology of eating/food with special emphasis on God as the Creator and the Holy One (chapter 4).

The present dissertation combines diachronic¹ and topical methods. The exegetical task is done by the inductive method. Examination of the biblical material as the crucial source will be decisive for the discussion. Thus, this method in dealing with the problem of Pentateuchal laws of clean and unclean animals can be described as a combination of the diachronic and the synchronic approaches. The purely synchronic theory of the food laws is not adequate and needs to be combined with the diachronic view in order to see how and why the development of the change in eating and the

¹I use the word diachronic in its basic linguistic sense of discovering how the concept of dietary laws was developed through time, rather than with the historical-critical meaning of reconstructing the biblical text and its composition in order to trace different sources and layers of the text. The investigation of thought development is thus built on the final canonical form of the text. The word synchronic is understood here as a topical syntactical approach to the study of the biblical text in its present form. For a discussion about the diachronic and synchronic reading/study of the Pentateuch, see R. Norman Whybray, *Introduction to the Pentateuch* (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1995), 134-135.

prohibition of certain foods occurs. In this way I intend to enrich the discussion about this significant topic.

Limitations of the Study

It is not the intention of this dissertation to deal with the question of the authorship of the relevant texts under consideration. Many scholars have struggled with this problem. Herbert Wolf correctly writes: "Few subjects have generated more discussion and more disagreement than the question of who wrote the Pentateuch."¹ The present study assumes the basic organic structural unity within the Pentateuch,² it assumes that there was one mind behind the composition of this document. The Pentateuch is a complex literary production. The Mosaic authorship of the Pentateuch³ is taken as

¹Herbert Wolf, *An Introduction to the Old Testament Pentateuch* (Chicago: Moody Press, 1991), 51.

²David J. A. Clines, *The Theme of the Pentateuch*, 2nd ed., Journal for the Study of the Old Testament Supplement Series, no. 10 (Sheffield: Academic Press, 1997), 7: "In this book I am arguing that the Pentateuch is a unity--not in origin, but in its final shape. . . . I have thought it worthwhile to suggest that it is time that we ignored the sources--hypothetical as they are--for a little, and asked what the Pentateuch as a whole is about, that is to say, what is its theme."

³For a recent discussion about the composition of the Pentateuch see Joseph Blenkinsopp, *The Pentateuch: An Introduction to the First Five Books of the Bible*, The Anchor Bible Reference Library (New York: Doubleday, 1992), 1-53; idem, "Introduction to the Pentateuch," *The New Interpreter's Bible* (Nashville, TN: Abingdon Press, 1994), 1:305-318; Rolf Rendtorff, *The Problem of the Process of Transmission in the Pentateuch*, Journal for the Study of the Old Testament Supplement Studies, no. 89 (Sheffield: JSOT Press, 1977); idem, "Directions in Pentateuchal Studies," *Currents in Research: Biblical Studies* 5 (1997): 43-65; R. Norman Whybray, *The Making of the Pentateuch: A Methodological Study*, JSOTSup, no. 53 (Sheffield: Academic Press, 1987); idem, *Introduction to the Pentateuch* (Grand Rapids, MI: W. B. Eerdmans Publishing Company, 1995), 12-28; Richard Elliott Friedman, "Torah (Pentateuch)," *The Anchor Bible Dictionary*, ed. David Noel Freedman (New York: Doubleday, 1992),

6:605-622; G. J. Wenham, *Book of Leviticus*, 8-13; Rolf P. Knierim, *The Task of Old Testament Theology: Method and Cases* (Grand Rapids, MI: W. B. Eerdmans Publishing Company, 1995), 351-379; Hartley, *Leviticus*, xxxv-xliii; Frank Crüsemann, *The Torah: Theology and Social History of Old Testament Law* (Minneapolis, MN: Fortress Press, 1996), 59-107; Terence E. Fretheim, *The Pentateuch*, *Interpreting Biblical Texts*, ed. Gene M. Tucker and Charles B. Cousar (Nashville, TN: Abingdon Press, 1996), 19-43; Thomas W. Mann, *The Book of the Torah: The Narrative Integrity of the Pentateuch* (Atlanta, GA: John Knox Press, 1988), 1-10; Gordon J. Wenham, "Pentateuchal Studies Today," *Themelios* 22:1 (October 1996): 3-13; P. J. van Dyk, "Current Trends in Pentateuch Criticism," *Old Testament Essays* 3 (1990): 191-202; Andrew E. Hill and John H. Walton, *A Survey of the Old Testament* (Grand Rapids, MI: Zondervan Publishing House, 1991), 75-82; Gary W. Demarest, *Leviticus*, *The Communicator's Commentary*, Old Testament, vol. 3 (Dallas, TX: Word Books, Publishers, 1990), 19-23; Friedman, "Torah (Pentateuch)," *ABD* (1992), 6:605-622; Frederick Carl Eiselen, "The Pentateuch--Its Origin and Development," *The Abingdon Bible Commentary* (New York: Abingdon Press, 1929), 134-144; Jacques Bried, "Ouverture du congrès: Lecture du Pentateuque et hypothèse documentaire," in *Le Pentateuque: Débats et recherches*, ed. Pierre Haudebert (Paris: Les Éditions du Cerf, 1992), 9-32; Norbert Lohfink, "Deutéronome et Pentateuque. État de la recherche," in *Le Pentateuque: Débats et recherches*, ed. Pierre Haudebert (Paris: Les Éditions du Cerf, 1992), 35-64.

For the Mosaic authorship of the Pentateuch, see Gerhard F. Hasel, *Biblical Interpretation Today* (Washington, DC: Biblical Research Institute, 1985); Umberto Cassuto, *The Documentary Hypothesis and the Composition of the Pentateuch: Eight Lectures* (Jerusalem: Magnes Press, 1961); Duane A. Garrett, *Rethinking Genesis* (Grand Rapids, MI: Baker Book House, 1991); Harrison, *Leviticus*, 15-25; Archer, 89-189; David L. Petersen, "The Formation of the Pentateuch," in *Old Testament Interpretation: Past, Present, and Future*, ed. James Luther Mays, David L. Petersen, and Kent Harold Richards (Nashville, TN: Abingdon Press, 1995), 31-45; Jeffrey J. Niehaus, *God at Sinai: Covenant and Theophany in the Bible and Ancient Near East* (Grand Rapids, MI: Zondervan Publishing House, 1995), 43-80; Isaac M. Kikawada and Arthur Quinn, *Before Abraham Was: The Unity of Genesis 1-11* (Nashville, TN: Abingdon Press, 1985); M. H. Segal, *The Pentateuch: Its Composition and Its Authorship and Other Biblical Studies* (Jerusalem: Magnes Press, 1967), 1-27; Gordon J. Wenham, *Genesis 1-15*, *Word Biblical Commentary*, vol. 1 (Waco, TX: Word Books Publisher, 1987), xxv-xlv; K. A. Kitchen, *Ancient Orient and Old Testament* (Chicago, IL: Inter-Varsity Press, 1966), 112-138; Walter C. Kaiser, Jr., "The Book of Leviticus: Introduction, Commentary, and Reflections," *The New Interpreters Bible* (Nashville, TN: Abingdon Press, 1994), 1:995-997; R. W. L. Moberly, *The Old Testament of the Old Testament: Patriarchal Narratives and Mosaic Yahvism* (Minneapolis, MN: Fortress Press, 1992); John H. Sailhamer, *The Pentateuch as Narrative: A Biblical-Theological Commentary* (Grand Rapids, MI: Zondervan Publishing House, 1992), 1-33; Merrill, *Deuteronomy*, 22-23; Kenneth A. Mathews, *Genesis 1-11:26*, *The New American Commentary*, no. 1A (Nashville, TN:

foundational.¹ The basic procedure in this study is to allow the Pentateuch to stand as it is and not to elaborate on a hypothetical reconstruction of the *Sitz im Leben*.

The Masoretic text of the Pentateuch is taken in this dissertation as the basis for exegesis. Our concern is the final form of the text, for this is what the theological significance of exegesis is built on.² Brevard Childs and more recently Rolf Rendtorff

Broadman and Holman Publishers, 1996), 68-81; R. K. Harrison, *Numbers: An Exegetical Commentary* (Grand Rapids, MI: Baker Book House, 1992 [first published in 1990 as part of the Wycliffe Exegetical Commentary]), 21-24; Y. T. Radday, H. Shore, M. A. Pollatschek, and D. Wickmann, "Genesis, Wellhausen and the Computer," *Zeitschrift für die alttestamentliche Wissenschaft* 94 (1982): 467-481.

About the date and authorship of the book of Leviticus see particularly R. Laird Harris, *Leviticus*, *The Expositor's Bible Commentary* (Grand Rapids, MI: Zondervan Publishing House, 1990), 2:502-513; Clines, *Theme of the Pentateuch*; Paul N. Benware, *Survey of the Old Testament* (Chicago, IL: Moody Press, 1993), 59: "Moses wrote the book of Leviticus about one year after the exodus from Egypt. Therefore, a date of 1444 B.C. would be fairly accurate."

¹However, this assumption does not deny the work of a later redactor(s). Such editorial work may be seen at the end of the Pentateuch (text about death of Moses--Deut 34:1-12), and in adding and/or updating some information (for example: Num 12:3; Gen 12:6; 14:14; 36:31; Deut 2:10-12). See Wolf, *Introduction to the Old Testament Pentateuch*, 58-60; Hill and Walton, *Survey of the Old Testament*, 75-82; William Sanford LaSor, David Allan Hubbard, and Frederic William Bush, *Old Testament Survey: The Message, Form, and Background of the Old Testament*, 2nd ed. (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1996), 3-14.

²This approach is close to that of Childs. See for example Brevard S. Childs, *Biblical Theology in Crisis* (Philadelphia, PA: Westminster Press, 1970); idem, *Introduction to the Old Testament as Scripture* (Philadelphia, PA: Fortress Press, 1979); idem, "Old Testament Theology," in *Old Testament Interpretation: Past, Present, and Future: Essays in Honor of Gene M. Tucker*, 293-301, ed. James Luther Mays, David L. Petersen, and Kent Harold Richards (Nashville, TN: Abingdon Press, 1995); idem, *Old Testament Theology in a Canonical Context* (Philadelphia, PA: Fortress Press, 1986). Even outside the circle of Childs's canonical theology, there has been an increasing realization that the biblical text must ultimately be understood in terms of its final composition. See Pierre Gibert, "Vers une intelligence nouvelle du Pentateuque?" *Revue des sciences religieuses* 80 (1992): 55-80. Dale Patrick, "The First Commandment in the

strongly support such a move.¹ The main question is not "how" the text emerged and developed, but "what" the biblical text (in our case especially the Pentateuch) in its final form wants to convey about the laws concerning clean and unclean animals/foods. It means we have to ask, What is the message behind such legislation? I therefore take the Pentateuch as a whole, stressing its oneness and assuming its basic unity. The present study therefore will not use such terms as Priestly source or P or Priestly writings.² I have not limited this study to the so-called Priestly texts. The Pentateuch is considered as a narrative.³

The scientific medical approach to our subject goes beyond the scope of the present dissertation. Moreover, a denominational discussion about the dietary laws has been avoided.⁴ This is a biblical-exegetical and theological study.

Structure of the Pentateuch," *Vetus Testamentum* 45 (1995): 108, states: "There is nothing to be gained by breaking the text into sources, for all appear to be complying with these rules. It is possible, of course, that the pattern was imposed at a late stage in the composition of the extant text, but that is a matter of speculation."

¹Rolf Rendtorff, "What We Miss by Taking the Bible Apart," *Bible Review* 14:1 (1998): 42-44.

²On the fine latest discussion about P or Priestly writings or Priestly texts see Rolf Rendtorff, "Two Kinds of P? Some Reflections on the Occasion of the Publishing of Jacob Milgrom's Commentary on Leviticus 1-16," *Journal for the Study of the Old Testament* 60 (1993): 75-81 and Jacob Milgrom, "Response to Rolf Rendtorff," *Journal for the Study of the Old Testament* 60 (1993): 83-85.

³Sailhamer, *Pentateuch as Narrative*.

⁴See Ron Graybill, "The Development of Adventist Thinking on Clean and Unclean Meats," unpublished paper, Ellen G. White Research Center, Andrews University, Manuscript Release 852; idem, "Dietary Advice for Adventists in the 19th Century," unpublished paper, Ellen G. White Research Center, Andrews University, 1978; Roger W. Coon, "EGW's Use of Unclean Flesh," in *Sourcebook of Documents and*

I do not engage in an extensive investigation of the ancient Near Eastern literature to describe the issues of clean and unclean animals.¹ R. K. Harrison concludes that the distinction between clean and unclean animals in the Old Testament is "unique in the ancient Near East."² Also G. F. Hasel agrees by saying that this distinction is "totally

Study Outlines of Selected Issues in Prophetic Guidance (Berrien Springs, MI: Andrews University, 1992), G-3/1-3/2; *The Seventh-day Adventist Encyclopedia*, 1966 ed., s.v. "Diet": *Seventh-day Adventist Church Manual*, 15th ed. (Hagerstown, MD: Review and Herald Publishing Association, 1995), 14, 148-149, 192; *Seventh-day Adventists Answer Questions on Doctrine* (Washington, DC: Review and Herald, 1957), 622-624.

¹About the background of the notions "clean and unclean" see especially "Pureté et impureté" in *Dictionnaire de la Bible: supplément*, ed. L. Pirot, et al. (Paris: Letouzey & Ané, 1979), 9:398-554. The archaeological findings in regard to unclean animals are discussed in Milgrom, *Leviticus 1-16*, 723-724; Houston, *Purity and Monotheism*, 124-180. See also William J. Darby, Paul Ghalioungui, and Louis Grivetti, *Food: The Gift of Osiris*, 2 vols. (London: Academic Press, 1977); Simoons, *Eat Not This Flesh*, 13-22, 52-55, 82-91, 100-111; Theodor H. Gaster, *The Holy and the Profane* (New York: W. Sloane Associates, 1955), 202-206.

The first occurrence of the term "clean" animals in ancient Near East literature can be found in the Epic of Atrahasis. See William W. Hallo and K. Lawson Younger, Jr., *The Context of Scripture: Canonical Compositions from the Biblical World*, vol. 1 (Leiden, New York, Köln: Brill, 1997), 452; W. G. Lambert and A. R. Millard, *Atrahasis: The Babylonian Story of the Flood* (Oxford: Clarendon Press, 1969), 32, 93.

²R. K. Harrison, "Heal," *The International Standard Bible Encyclopedia*, fully revised, edited by Geoffrey W. Bromiley et al. (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1982), 2:644. A Babylonian text describes pigs as filthy and abhorrent to the gods (W. G. Lambert, *Babylonian Wisdom Literature* [Oxford: Clarendon Press, 1960], 215). For eating pigs, reptiles, and mice in pagan rites see Isa 65:4; 66:3; on pork prohibition in ancient cultures, see ANET, 110, 351a; Roland de Vaux, *The Bible and the Ancient Near East* (Garden City, NY: Doubleday, 1971), 252-269; idem, "Les sacrifices de porcs en Palestine et dans l'Ancient Orient," *Beiträge zur Zeitschrift für die alttestamentliche Wissenschaft* 77 (1958): 250-265; Ulrich Hübner, "Schweine, Schweineknochen und ein Speiseverbot im alten Israel," *Vetus Testamentum* 39 (1989): 225-236; David P. Wright, *The Disposal of Impurity: Elimination Rites in the Bible and in Hittite and Mesopotamian Literature* SBL Dissertation Series, no. 101 (Atlanta, GA: Scholars Press, 1987), 115, 200-206; Edwin Firmage, "The Biblical Dietary Laws," 185, 188; Petr Charvát, "Pig, or, on Ethnicity in

unique in the ancient Near East."¹ Indeed, such a list of clean and unclean animals along with the criteria for the distinction between them has not been found outside of Scripture. R. L. Harris unambiguously says that "dietary laws have no known extensive parallel in the surrounding culture."²

This study is written from the Christian standpoint, but is limited mainly to the texts of the Pentateuch. Other Old Testament passages related to the Mosaic dietary laws are not explored.³ New Testament passages dealing with the question of forbidden food⁴ are not discussed. To understand the relation between these two Testaments is of great importance; however, an explanation of the related New Testament verses, along with serious questions about the authority of the Mosaic law in the New Covenant setting, goes beyond the scope of the present study. This weighty subject calls for solid, in-depth treatment in another dissertation. In the final Summary, Conclusions, and Implications I

Archaeology," *Archív Orientální* 62 (1994): 1:1-6; A. Jirku, "Lev. 11.29-33 im Lichte der Ugarit-Forschungen," *ZAW* 84 (1972): 348.

¹Gerhard F. Hasel, "Health and Healing in the Old Testament," *Andrews University Seminary Studies* 21 (1983): 195.

²R. L. Harris, "Leviticus," 2:568. The biblical list of clean and unclean animals is really unique. Edwin Firmage also claims that the Pentateuchal dietary laws have a "classification scheme of singular significance that is without parallel in the ancient Near East" ("Biblical Dietary Laws and the Concept of Holiness," 185).

³I do not deal in this study with the prohibition "Do not cook a young goat in its mother's milk" (Exod 23:19; 34:26; Deut 14:21), nor with texts such as Judg 13:4; Isa 65:4; 66:3, 17; Ezek 4:13; 44:23; Dan 1:8-16; Hos 9:4; Hag 2:11-12.

⁴New Testament texts must be always taken in their context: Matt 15:11, 17-20; Mark 7:19; Acts 10:15; 15:19-21, 28-29; Rom 14:14; 1 Cor 8:8; 10:23-27; Eph 2:15; Col 2:14-16; 1 Tim 4:1-5; Titus 1:15; Heb 9:10; 13:9.

present implications of the present study for the explanation of New Testament texts on the same topic, which should not be overlooked by any serious exegete.

Justification, Purpose, and Scope of the Study

Despite the valuable contributions of many scholars, there is clearly a lack of detailed exegetical-theological study on the laws of clean and unclean animals/food in the larger context of the Pentateuch as a narrative written from the perspective and viewpoint of creation theology and the theology of sin. It seems that the approach toward these dietary regulations also has to be made from the perspective of the new creation order given by God after the flood along with the in-depth investigation of the nature of these laws within the whole system of purity in the Pentateuch. The purpose here is also to discover indicators that will help us determine the extent of the applicability and relevancy of these Mosaic dietary laws.

The present dissertation is written in response to the analysis of a large range of modern current opinion about dietary laws of Lev 11 and Deut 14. On the basis of exegetical and theological studies as well as on the grounds of literary and contextual analysis and structure, I deal with such questions as nature, rationale, theology, and relevance of these laws regarding clean and unclean animals/food. This thesis is primarily an intertextual study on the dietary laws within the Pentateuch from the creation perspective. As is seen at the end of the first chapter on the historical survey of the literature about this subject, there is need for such a study. The project of this dissertation is thus justified.

CHAPTER I

HISTORICAL-CHRONOLOGICAL SURVEY OF LITERATURE
OF THE LAWS CONCERNING CLEAN AND
UNCLEAN ANIMALS/FOOD

There is extensive literature on the laws regarding unclean animals/food, extending from antiquity to the present. Various interpretations have been offered to explain the distinction between clean and unclean animals/food. The classification and evaluation of many theories have been made to a certain extent by some scholars and interpreters of the Hebrew Scripture.¹ This approach to the history of the interpretation of

¹On the history of the exposition of the Book of Leviticus see Hartley, *Leviticus*, xliiii-lvi (prepared by William Yarchin).

The most extensive review of different explanations about the distinction between clean and unclean animals/food can be found in Houston, 68-123; David Bryan, *Cosmos, Chaos and the Kosher Mentality*, Journal for the Study of the Pseudepigrapha, Supplement Series, no. 12 (Sheffield: Sheffield Academic Press, 1995), 144-167; Kornfeld, "Reine und unreine Tiere im Alten Testament," 134-147; and in George Elmer Bryson, "The Various Rationales That People Have Seen for the Distinction Between Clean and Unclean Meats of Leviticus 11," unpublished term paper, Andrews University, 1975, 1-47. See also Gerhard F. Hasel, "The Distinction between Clean and Unclean Animals in Lev 11: Is It Still Relevant?" *Journal of the Adventist Theological Society* 2:2 (1991): 91-125; William H. Shea, "Clean and Unclean Meats," shelf document, unpublished paper, Washington, DC: Biblical Research Institute, 1988, 19-30; Levine, *Leviticus*, 244-248; Rabinowicz, 6:42-46; Kim-Kwong Chan, "You Shall Not Eat These Abominable Things: An Examination of Different Interpretations on Deuteronomy 14:3-20," *East Asia Journal of Theology* 3 (1985): 88-106; Peter Maarten van Bemmelen, "The Nature and Authority of the Law on Clean and Unclean Animals in the Pentateuch," unpublished MS, Andrews University, 1977, 25-54; James Roger Fisher, "A Critique of Rationales for Laws of Clean/Unclean as Applied to Animals in Leviticus 11," unpublished MS, Andrews University, 1982, 11-32; G. J. Wenham, *Book of Leviticus*,

the laws concerning clean and unclean animals/food proceeds in two steps. In the first part of this review of literature the important documents and significant authors who have written about the subject under investigation are examined. Their contributions are summarized and put into historical context and perspective. This historical-chronological development of the interpretation of the Pentateuchal laws of forbidden animals/food is described in the first chapter. Throughout the ages, many attempts have been made to explain the dietary laws.

The second chapter also deals with the review of literature, but focuses on important theories and concepts, and is organized topically according to recurring themes. To this investigation, an evaluation and a critique are added. The nature and the extent of the applicability of the dietary laws are surveyed and five criteria for their validity are established. The unresolved problems are formulated in order to justify this research and

166-171; David P. Wright, "Unclean and Clean (OT)," *ABD* (1992), 6:739-741; W. H. Gispen, "The Distinction between Clean and Unclean," in *Oudtestamentische Studiën*, ed. P. A. H. de Boer (Leiden: E. J. Brill, 1948), 5:190-196; Johannes Döllner, *Die Reinheits- und Speisegesetze des Alten Testaments in religionsgeschichtlicher Beleuchtung*, Alttestamentische Abhandlungen, no. 7:2-3 (Münster: Aschendorff, 1917); Isidor Grunfeld, *The Jewish Dietary Laws* (London: Soncino Press, 1972), 1:3-44, 158-160; S. H. Kellogg, "The Book of Leviticus," *The Expositor's Bible* (New York: A. C. Armstrong & Son, 1908), 2: 277-304; Thomas D. S. Key and Robert M. Allen, "The Levitical Dietary Laws in the Light of Modern Science," *Journal of the American Scientific Affiliation* 26 (June 1974): 61-64; Milgrom, "Biblical Diet Laws as an Ethical System," 288-301; Herold S. Stern, "The Ethics of the Clean and the Unclean," *Judaism* 6 (1957): 319-327; A. Wiener, *Die jüdischen Speisegesetze nach ihren verschiedenen Gesichtspunkten zum ersten Mahle wissenschaftlich-methodisch geordnet und kritisch beleuchtet* (Breslau: S. Schottländer, 1895); Karl Wigand, "Die altisraelitische Vorstellung von unreinen Tieren," *Archiv für Religions-wissenschaft* 17 (1914): 413-436; Bruce E. Nielsen, "Jewish Purity Practices Through the Eyes of the Christian Fathers," in *Proceedings of the Eleventh World Congress of Jewish Studies, Jerusalem, June 22-29, 1993*, Division B, Volume 1, 9-16 (Jerusalem: The World Union of Jewish Studies, 1994).

to aid in the study of the proposed subject. Thus, the purpose of the first part (chapter 1) of the history of literature is descriptive and historical, while the second part (chapter 2) is thematic and evaluative, even though there may be some overlap. This survey of literature is not exhaustive, but serves to reveal major trends of the interpretation of the laws regarding clean and unclean animals/food.

Pseudepigrapha

The Letter of Aristeas (c. 170 B.C.)

The history of the interpretation of the laws concerning clean and unclean animals begins with the *Letter of Aristeas*¹ written by Aristeas, probably an unknown Jewish author from Alexandria² (c. 170 B.C.).³ The purpose of the letter that contains the first

¹R. J. H. Shutt, "Letter of Aristeas: A New Translation and Introduction," in *The Old Testament Pseudepigrapha*, ed. James H. Charlesworth (Garden City, NY: Doubleday, 1983-85), 2:7-34; Robert Henry Charles, ed., *The Apocrypha and Pseudepigrapha of the Old Testament in English* (Oxford: Clarendon Press, 1913), 2:94-122. For the reference to the original Greek text and to the MSS of the Letter of Aristeas see H. St. J. Thackeray, "The Letter of Aristeas," in *Introduction to the Old Testament in Greek*, ed. H. B. Swete (Cambridge: University Press, 1902), 501-574; André Pelletier, *Lettre d'Aristée à Philocrate* (Paris: Éditions du Cerf, 1962); and *Aristeas to Philocrates (Letter of Aristeas)*, ed. and trans. Moses Hadas, Jewish Apocryphal Literature (New York: Harper & Brothers, 1951).

²The name Aristeas could be a pseudonym. It is highly probable that Aristeas was a Jew (even though he pretends to be a Greek) and that he lived in Alexandria. Shutt, 2: 9-10; Pelletier, 56.

³Thus for example Shutt, 2:9; and Sidney Jellicoe, *The Septuagint and Modern Study* (Oxford: Clarendon Press, 1968), 49. The composition of this document must be put between the time of Ptolemy Philadelphus (285-247 B.C.) and that of Flavius Josephus (c. 37-100 A.D.). For the discussion about the dating of the Letter of Aristeas see especially Jellicoe, 47-52; *Aristeas to Philocrates* (trans. Hadas, 3-54); and Shutt, 2:8-9.

known interpretation of the laws of clean and unclean animals is not to give an exposition on the laws regarding prohibited food, but to describe how the Jewish Law was translated from Hebrew into Greek.¹ Thus the interpretation of the Mosaic dietary laws is accidental even though the author writes quite extensively about them.² His explanation of these laws of clean and unclean food given to Philocrates³ reveals how Jews living in Egypt around Alexandria understood this matter.

Each law about forbidden food has its own deep-seated logic. Aristeas holds that the rationale of these dietary laws is not arbitrary. "No ordinances have been made in scriptures without a purpose. . . . In the matter of meats, the unclean reptiles, the beasts, the whole rationale is directed toward righteousness and righteous human relationships."⁴ In this ancient document one can discern three main interpretative emphases—

¹*Letter of Aristeas* is a primary source for understanding the origin of the translation of the Septuagint, the version of the Hebrew Scriptures in Greek. It is also a primary apology for the way of life as founded in the Hebrew Law.

²This document contains a defense of the Pentateuchal dietary laws (*Aristeas to Philocrates* 130-171 [trans. Shutt, 2:12-34]).

³Aristeas is writing to his brother Philocrates about the desire of the Egyptian king Ptolemy II (285-247 B.C.) to collect all the important books of the world. His librarian Demetrius thought that the Hebrew Scriptures should be included in this collection. Many details are told about how the Hebrew Law was translated into Greek by 72 Jewish scholars in the middle of the third century.

⁴*Letter of Aristeas* 168-169 (trans. Shutt, 2:24). Aristeas claims: "In general everything is similarly constituted in regard to natural reasoning, being governed by one supreme power, and in each particular everything has a profound reason for it, both the things from which we abstain in use and those of which we partake. . . . The fact is that everything has been solemnly set in order for unblemished investigation and amendment of life for the sake of righteousness" (ibid., 143-144 [trans. Shutt, 2:22]).

symbolic/allegoric, moral, and separation—the primary one being symbolic or allegorical.¹ He writes:

Everything pertaining to conduct permitted us toward these creatures and toward beasts has been set out symbolically. Thus the cloven hoof, that is the separation of the claws of the hoof, is a sign of setting apart each of our actions for good, because the strength of the whole body with its actions rests upon the shoulders and the legs. The symbolism conveyed by these things compels us to make a distinction in the performance of all our acts, with righteousness as our aim.²

These laws of clean and unclean animals are allegories of virtues and vices. He explains the phenomenon of memory: "Rumination is nothing but the recalling of (the creature's) life and constitution, life being usually constituted by nourishment."³ The characteristic of the clean birds is that they are "all domesticated and of exceptional

¹Philo is usually taken as the father of the allegorical method. Nevertheless we see that Aristeas is using this type of explanation in respect to dietary regulations. It does not mean however that he necessarily invented the allegorical method. Hadas writes: "Philo derived from the same Greek sources from which Aristeas had derived, and he may retain the distinction of having developed it to such great scope and with such a system without claiming credit for its invention." (*Aristeas to Philocrates* [trans. Hadas, 17]). This allegorical type of explanation could be cherished by Alexandrian Jews who were influenced by Platonic philosophy. "As early as the sixth century BCE, Theagenes of Rhegium applied the allegorical method to Homer and as moral sensibilities outstripped Homeric mores the method came to be more and more applied" (ibid.). See also Herold S. Stein, "The Dietary Laws in Rabbinic and Patristic Literature," in *Studia Patristica II*, ed. Kurt Allan and F. L. Cross, *Texte und Untersuchungen*, no. 64 (Berlin: Akademie-Verlag, 1957), 145: "Ever since the sixth century, allegorical methods were applied for the interpretation of Homer. In Hellenistic times, and particularly among the Stoics, allegorical exegesis became an almost regular procedure for the re-adaptation of the legacy of classical antiquity to 'modern' susceptibilities."

²*Letter of Aristeas* 150-51 (trans. Shutt, 2:22-23). Mary Douglas in her latest explanation of the rationale of the Mosaic laws on clean and unclean animals continues in this line of reasoning. The primary purpose of these laws is symbolic, i.e., to teach justice and to manifest God's righteousness. See her article "The Forbidden Animals in Leviticus," *Journal for the Study of the Old Testament* 59 (1993): 3-23.

³*Letter of Aristeas* 154 (trans. Shutt, 2:23).

cleanliness, their food consisting of wheat and pulse. . . . As to the birds which are forbidden, you will find wild and carnivorous kinds."¹ Since Aristeas, the wild character of birds of prey was given as a reason for the prohibition to eat them. Clean birds are fed on plants and "do not exercise a dominion leading to the destruction of their fellow creatures."²

For the author of this document it is an injustice that unclean birds dominate by their strength and that they "find their food at the expense of the aforementioned domesticated birds."³ The moral life of God's people should not degenerate to the level of the unclean birds. The bizarre allegorical explanation can be also demonstrated in the case of the weasel, which is equated with gossip.⁴

Aristeas further explains: "By means of creatures like this the legislator has handed down (the lesson) to be noted by men of wisdom, that they should be righteous and not achieve anything by brute force, nor lord it over others in reliance upon their own strength."⁵ He clearly concludes: "Surely all possible precautions must be taken to prevent (human) morals degenerating to their level."⁶ Thus, dietary laws teach a moral lesson.

¹Ibid., 145-146 (ibid., 2:22).

²Ibid., 147 (ibid.).

³Ibid., 146 (ibid.).

⁴Ibid., 165 (ibid., 2:23).

⁵Ibid., 148 (ibid., 2:22).

⁶Ibid., 149 (ibid.).

Aristeas has nowhere clearly categorized the animals. His main concern while speaking about clean and unclean animals is the rationale behind this prohibition and not the thorough explanation of all details.¹

The motif of separation from Gentiles is also strongly present in this document. The gentle behavior of clean birds should be therefore imitated by the Jews in order to be different from other nations. "To prevent our being to be perverted by contact with others or by mixing with bad influence, he hedged us in on all sides with strict observances connected with meat and drink and touch and hearing and sight after the manner of the Law."² Aristeas adds:

The symbolism conveyed by these things compels us to make a distinction in the performance of all our acts, with righteousness as our aim. This moreover explains why we are distinct from all other men. The majority of other men defile themselves in their relationships. . . . We are quite separated from these practices.³

This kind of explanation will find an echo and be elaborated in modern times.⁴

¹Aristeas mentions beasts and birds. He speaks also about mice, but not about reptiles overall even though he once mentions the phrase "the unclean reptiles." No word about fish. He further explains that only domestic animals were sacrificed.

²*Letter of Aristeas* 142 (trans. Shutt, 2:22).

³*Ibid.*, 151-152 (trans. Shutt, 2:23). The underlying thought is that the parting of the hoof is symbolic of the separation between Jews and Gentiles. They should be distinct from other people. Thus the Jews refrain from eating unclean food to remind them that they are not to eat with unclean (pagan) people.

⁴For example in expositions of the dietary laws by Walter C. Kaiser, Jr., Erhard S. Gerstenberger, Baruch A. Levine; see below.

The Book of Jubilees (between 161-140 B.C.)

In the Book of Jubilees (written between 161-140 B.C.)¹ is described an attitude toward table fellowship with pagans. In the intertestamental times one can observe the growing tendency among the Jews to separate themselves completely from the Gentiles. In this document Abraham blesses Jacob and admonishes him: "And you also, my son, Jacob, remember my words, and keep the commandments of Abraham, your father. Separate yourself from the gentiles, and do not eat with them."² This is a very strict and extreme demand, but demonstrates how Jews in the middle of the second century B.C. viewed the pagans and their relationship with them in regard to food.³

¹O. S. Wintermute, "Jubilees: A New Translation and Introduction," in *The Old Testament Pseudepigrapha*, ed. James H. Charlesworth (Garden City, NY: Doubleday, 1985), 2:46.

²Jubilees 22:16. T. C. Smith, "Acts," *The Broadman Bible Commentary* (Nashville, TN: Broadman Press, 1970), 10:67, writes: "The Gentiles who ate some of the unclean animals listed in Leviticus 11 were unfit for social intercourse with the Jews. The separatist policy in Judaism became so strict that oil, bread, milk, and meat could not be purchased from Gentiles. To eat pagan food was an abomination, but to dine in the house of a pagan was much worse."

³It is worthwhile to note that there is no special treatise about dietary laws found in Qumran. This is striking because they were possessed by the purity laws. The *Zadokite Document* mentions few dietary laws and takes the legislation of the Pentateuch for granted. The *Manual of Discipline* does not mention the laws about prohibited food at all.

1 Enoch (Late Pre-Maccabean Time)

There is an interesting passage in 1 Enoch from the late pre-Maccabean time¹ about "giants" who were born as a result of union between angels and beautiful human daughters in which cannibalism, sinning against animals (= eating them?), and drinking blood were put together:

These (giants) consumed the produce of all the people until the people detested feeding them. So the giants turned against (the people) in order to eat them. And they began to sin against birds, wild beasts, reptiles, and fish. And their flesh was devoured the one by the other, and they drank blood.²

Apocrypha

The Book of Tobit (Early 2nd Century B.C.)

The separatistic tendency of the Jews toward Gentiles in relationship to eating with them is clearly seen in two apocryphical books. The *Book of Tobit* was probably written early in the second century B.C.³ Tobit, the principal hero of the book, proclaims: "After I had been deported to Niniveh, all my brothers and relatives ate the food of heathens, but I refrained from eating that kind of food."⁴

¹E. Isaac. "1 (Ethiopic Apocalypse of) Enoch: New Translation and Introduction," in *The Old Testament Pseudepigrapha*, ed. James H Charlesworth (Garden City, NY: Doubleday, 1983), 1:7.

²1 Enoch 7:3-5. The section of 1 Enoch 6-7 is a comment on Gen 6:1-4 in the form of myth.

³*The Catholic Study Bible: The New American Bible*, ed. Donald Senior et al. (New York: Oxford University Press, 1990), 503.

⁴Tobit 1:10-11. About the very strict Jewish social relations towards pagans and within the Jewish community in regard to food, see Albert I. Baumgarten, *The Flourishing of Jewish Sects in the Maccabean Era: An Interpretation* (Leiden: Brill,

The Book of Judith (End of 2nd or Beginning of 1st Century B.C.)

The Book of Judith was composed at the end of the second or the beginning of the first century B.C.¹ In the dramatic and vivid story, Judith is saying to Holofernes, who ordered for her the delicacies and wine from his own table: "I will not partake of them, lest it be an occasion of sin; but I shall be amply supplied from the things I brought with me."²

The Fourth Book of Maccabees (1st Half of 1st Century A.D.)

The Mosaic dietary laws served as a test of loyalty to God in the Maccabean time. Antiochus Epiphanes IV brought a great persecution upon the Jews in 167 B.C. Then the Maccabean revolt began (166-160 B.C.).³ During the years of his tyrannous rulership he forced Jews among other things to eat pork and thus deny their religion. In the Maccabean books we can find records of how some Jews were brave and dared not to

1997), 91-100. The separateness of the Jews from Gentiles within the Christian community is reflected in Gal 2:11-14 where Jews and Gentiles maintained distinct fellowship at meals. This attitude was criticized by Paul whose radical position of including Gentiles with Jews in meals progressively gained support.

¹*The Catholic Study Bible*, 520.

²Judith 12:2. See Jacob Neusner, *The Idea of Purity in Ancient Judaism: The Haskell Lectures, 1972-1973*, Studies in Judaism in Late Antiquity, ed. Jacob Neusner, no. 1 (Leiden: E. J. Brill, 1973), 36: "While it is insisted that Judith ate her own food in the camp of Holofernes, curiously, the matter of the impurity of gentiles' food is not made explicit; their food is not called unclean. But that surely is the point of the story."

³Desecration of Jerusalem Temple happened on December 7, 167 B.C. See 1 Macc 1:54. Uriel Rappaport, "Maccabean Revolt," *ABD* (1992), 4:433.

defile themselves with unclean food. They would rather die than eat forbidden things.¹ Some were even tortured to death. The foremost example of this is seen in the courageous ninety-year-old-scribe Eleazar.² In 4 Maccabees (written outside Palestine³ by an unknown Jewish author in the first half of the first century A.D.)⁴ his brave attitude is connected with the explanation of why Jews do not dare to eat unclean food.

The story is set in the early days of the Maccabean revolt. Eleazar is forced to partake of unclean food and thus to abjure Judaism. The eating of unclean food was a symbol of apostasy. In the fifth chapter of 4 Maccabees we find important details of first-century A.D. Jewish understanding for abstaining from abhorrent food. This interpretation goes back according to the tradition of 4 Maccabees to the second part of the second century B.C.

King Antiochus Epiphanes asked Eleazar: "Why should you abhor eating the excellent meat of this animal which nature has freely bestowed on us?"⁵ In his response

¹1 Macc 1:62-63; 3 Macc 3:4ff.; 4 Macc 4:26. Compare also Judith 9:5; 12:2, 19; Greek Additions to Esth 4:28; Tobit 1:10; Josephus *Jewish War* 2:152-153 (trans. Thackeray, Loeb Classical Library, 280) who speaks about the Essenes in the time of the Jewish revolt; Targum Sheni II,7; Meghillah 13 a, and Pirke R. Eliezer 50.

²2 Macc 6:18-31; 4 Macc 5:1-6:30.

³H. Anderson, "4 Maccabees: A New Translation and Introduction," in *The Old Testament Pseudepigrapha*, ed. James H. Charlesworth (Garden City, NY: Doubleday, 1983-85), 2:531-564. See also Charles, 2:671-674.

⁴H. Anderson, 532-534. The writer was more a philosopher than a theologian. His main purpose for writing was to defend and illuminate the supremacy of the Law and the devout reason's control over passion (537).

⁵4 Macc 5:8 (trans. Anderson, 550). It is important to notice that in the Greek tradition eating pork is the most delightful thing because of taste and pleasure. This motif

Eleazar explains why he does not deem it right. He enumerates seven reasons why eating unclean food is not right and transgresses the Law:¹

1. This law is of divine origin (vss.16, 18, 25).
2. It teaches temperance, to be in control of all pleasures and desires (vs. 23).
3. It gives a thorough training in courage in order to willingly endure all hardship (vs. 23).
4. It teaches justice, that whatever our different attitudes may be we retain a sense of balance (vs. 24).
5. It instructs in piety, that we most highly reverence the only living God (vs. 24).
6. God gives such a Law that conforms to our nature (vs. 25).
7. God commands to eat what is well suited to the soul and forbids what is the reverse (vs. 26). Unclean food is thus rejected, because it is bad for one's soul.

For the author of 4 Maccabees the law of unclean food is clearly not arbitrary but has a deep sense. To these seven theological reasons he adds two pragmatic arguments that explain why eating forbidden food was unthinkable for Eleazar:

1. If he transgresses the Law and eats, the king "may laugh at us for partaking of the unclean food that is abhorrent to us."²

will be seen also in Philo's writings. See below.

¹4 Macc 5:16-27 (trans. Anderson, 550). The author of 4 Maccabees is probably also referring to the Law in general and not only to the specific laws of unclean food.

²4 Macc 5:27 (trans. Anderson, 550).

2. He would become a model of impiety to the young by eating unclean food.¹

Thus, 4 Maccabees presents the rationale of unclean food mainly as self-control and as moral value. The abhorrence motif as well as stress on courage and a desire to be a good example especially for the youth is present for the first time. These laws may not be transgressed, because God is their author. Believers should be faithful, because obedience brings many rewards. It is interesting that these interpretations have no allegorical tendencies.

Philo of Alexandria (c. 20 B.C.-c. A.D. 50)

Philo wrote about the laws of clean and unclean animals in his tractate *The Special Laws*.² He was a Jewish Alexandrian philosopher who attempted to wed Judaism with Hellenistic philosophy. He was a Platonic thinker and believed that "Plato got his best ideas from Moses, therefore Judaism could present itself as the true philosophy."³ His thinking was also linked to the Stoics. "Following Platonic methods of interpretation

¹4 Macc 6:19 (trans. Anderson, 551).

²Philo *The Special Laws, Book IV* 97-148 (trans. Colson, LCL, 8:67-101). See also Philo, *The Works of Philo*, new updated ed., trans. C. D. Yonge (Peabody, MA: Hendrickson Publishers, 1993), 625-630.

For Philo's biographical dates, see *The Oxford Dictionary of the Christian Church*, 3rd ed. (1997), s.v. "Philo." Peder Borgen, "Philo of Alexandria," *ABD* (1992), 5:333, gives following datum—around 20-15 B.C.- approximately A.D. 50.

³Gerald Bray, *Biblical Interpretation, Past and Present* (Downers Grove, IL: Inter-Varsity Press, 1996), 82.

employed in the analysis of the Homeric poems, Philo adopted allegorical techniques to his commentary on the Pentateuch."¹

According to Philo, a symbolic/allegoric explanation lies behind the dietary laws. The fact that animals and fish have always two characteristics teaches a clear lesson. Chewing the cud, for example, represents the long difficult process of learning until "the man who is being instructed, having received doctrines and speculations of wisdom . . . impresses the image of it all firmly on his soul."² The fact that reptiles drag themselves along the ground on their bellies "intimates under figurative form of expression those who are devoted to their bellies."³

¹Ibid., 82. Philo's "most influential achievement was his development of the allegorical interpretation of Scripture which enabled him to discover much of Greek philosophy in the OT, and to combine the respect of his religion for the Pentateuchal law with his personal aspirations towards a more spiritual interpretation of it" (*ODCC* [1997], s.v. "Philo"). The essence of the allegorical method is the belief that above and beyond the literal meaning of a biblical text there stands a higher sense. In this way the interpreter is able to explain away difficult biblical statements by arguing that they contain a hidden meaning of spiritual value. See also Robert B. Sloan and Carey C. Newman, "Ancient Jewish Hermeneutics," in *Biblical Hermeneutics: A Comprehensive Introduction to Interpreting Scripture*, ed. Bruce Corley and others (Nashville, TN: Broadman and Holman Publishers, 1996), 28-31. Theogenes of Rhegium, who lived around 520 B.C., may have been the first Greek philosopher who introduced the allegorical method of interpretation in regard to Homer. See also Roy B. Zuck, *Basic Bible Interpretation* (Wheaton, IL: Victor Books, 1991), 30-32; Carl Siegfried, *Philo von Alexandria als Ausleger des Alten Testaments* (Amsterdam: Philo Press, 1970); Jeff Sharp, "Philo's Method of Allegorical Interpretation," *East Asia Journal of Theology* 2:1 (1984): 94-102.

²Philo *Special Laws*, IV 107 (trans. Yonge, 626). See also Philo *On Husbandry* 131-134 (trans. Colson and Whitaker, LCL, 3:175-177).

³Philo *Special Laws*, IV 113 (trans. Yonge, 627). See also Philo *Who Is the Heir of Divine Things* 239 (trans. Colson and Whitaker, LCL, 4:403); *Works of Philo* (trans. Yonge, 296).

According to Philo all carnivorous birds, "all animals, which are venomous, and all which have any power of plotting against others" are rejected as unclean, because they prey upon one another or upon man.¹ He suggests that creatures with evil instincts are forbidden lest men should also develop these bad instincts.² The symbolic interpretation of these laws is in the service of his Greek philosophy.

Philo wants to show his readers that the virtue of self-discipline and self-control was already taught by Moses through these laws. This had to please his Hellenistic audience. He wants to show that Jews can exercise discipline because they refrain from food which tastes the best. He writes:

He [Moses] has forbidden with all his might all animals, whether of the land, or of the water, or that fly through the air, which are more fleshly and fat, and calculated to excite treacherous pleasure, well knowing that such, attracting as with a bait that most slavish of all the outward senses, namely, taste, produce insatiability, an incurable evil to both souls and bodies, for insatiability produces indigestion, which is the origin and source of all diseases and weaknesses.³

Philo explains further:

Now of land animals, the swine is confessed to be the nicest of all meats by those who eat it, and of all aquatic animals the most delicate are the fish which have no scales; and Moses is above all other men skillful in training and inuring persons of a good natural disposition to the practice of virtue by frugality and abstinence, endeavouring to remove costly luxury from their characters, at the same time not approving of unnecessary rigour.⁴

¹Philo *Special Laws, IV* 113 (trans. Yonge, 627).

²Ibid., 116-118 (trans. Yonge, 627).

³Philo *Special Laws, IV* 100 (trans. Yonge, 625).

⁴Ibid., 101 (trans. Yonge, 625).

The prohibition from eating certain kinds of animals, fish, and birds is based on the supposition that they are the most appetizing and to abstain from them demands self-control, self-denial, and renunciation. This kind of interpretation gives moral didactic value to the distinction between clean and unclean animals.

It is only after the points of the moral/ethical (ascetic) explanation have been established that he goes on to allegorize the criteria for cleanness, always in a moral sense. All wild animals are unclean, because men should not behave in a similar brutal way and possess a savage passion. Instead, they should be gentle and pleasant.¹

Yet Philo also knows a different line of argumentation. He uses an argument from hygiene to reject the eating of torn animals.² His reason not to eat animals which have been torn by wild beasts is connected with health: "Perhaps it is injurious and likely to cause disease."³

Thus, in Philo's writings there are intermingled four kinds of rationale—moral/ethical, self-discipline/control (ascetic), symbolic/allegorical, and to some extent hygiene. The combination of an ethical explanation with the allegorical method of interpretation is present here. The purpose of the dietary laws is to discipline the appetite

¹Ibid., 103 (trans. Yonge, 626).

²It is interesting that Philo never connected the distinction between clean and unclean animals with health. He nowhere states that pork is unhealthful. On the other side he shows a concern for health because he gives this type of explanation in connection with torn animals and with circumcision. See Philo, *The Special Laws*, I 1-11 (trans. Colson, LCL, 7:103-105); idem, *Works of Philo* (trans. Yonge, 534).

³Philo *The Special Laws*, IV 119 (trans. Yonge, 627).

and to prevent dehumanization. He explains that unclean animals, birds, or fish are those which are wild and carnivorous and that the main problem is not the food per se but the gluttony and the lack of self-control.¹ He speaks about four categories of unclean animals: beasts, fish, birds, and reptiles.

Flavius Josephus (c. 37-c. 100)

It is worthwhile to notice that the famous Jewish historian Flavius Josephus nowhere provides in his work an explanation for the distinction between clean and unclean animals/food. He has no treatise about dietary laws.² He nowhere deals with the dietary laws. His one-time intention to do so was never realized.³ Maybe the reason lies in the fact that he is a historian and not a theologian.

Early Christian Interpretations (Church Fathers)

The Epistle of Barnabas (c. A.D. 135)

The first glimpse of Christian noncanonical or patristic interpretation⁴ of the laws

¹ For Philo gluttony is unhealthful rather than unclean food (*The Special Laws, IV* 100 [trans. Colson, LCL, 8:69]).

² Josephus *Against Apion* (trans. Thackeray, LCL, 1:161-411); Josephus *Jewish Antiquities* (trans. Thackeray, Marcus, and Feldman, LCL, 4:1-649; 5:1-797; 6:1-483; 7:1-703; 8:1-537; 9:1-533); Josephus *The Essential Works: A Condensation of Jewish Antiquities and The Jewish War*, trans. and ed. Paul L. Maier (Grand Rapids, MI: Kregel Publications, 1994); Josephus, *The Works of Josephus*, new updated ed., trans. William Whiston (Peabody, MA: Hendrickson Publishers, 1987).

³ See Josephus *Jewish Antiquities* III.259 (trans. Thackeray, Marcus, and Feldman, LCL, 4:443).

⁴ The New Testament interpretation of the Pentateuchal dietary laws is left out in my survey of literature, because it is a very vast and immense task. Many New Testament

regarding clean and unclean animals/food can be found in *The Epistle of Barnabas*, also called *The Letter of Barnabas*, written by an unknown Christian author about A.D. 135.¹ His method of interpretation is allegorical in many points. The author of this epistle sees in chewing the cud a symbol of one "who meditates in the heart on the commandment . . . utter the judgements of the Lord and observe them . . . and ruminates on the Word of God."² After his symbolic/allegoric explanation he gives a sigh in his anti-Jewish spirit:³ "Behold how well Moses legislated. But how was it possible for them to comprehend these things? We then, rightly understanding his commandments, explain them as the Lord intended."⁴

The author of this letter contends that the purpose of the dietary laws is didactic, to teach the proper behavior of people that they might observe in the animals

passages deserve thorough investigation such as Matt 15:1-20; Mark 7:1-23; Acts 10:9-16; 15:6-29; Rom 14:1-4, 14-23; 1 Cor 8:1-13; 10:23-33; Eph 2:15; Col 2:14-16; 1 Tim 4:1-5; Titus 1:15; Heb 9:10; 13:9. It is significant to notice that it was only in early noncanonical and patristic literature that the allegorical method of interpretation was being used to explain the meaning of the biblical dietary laws.

¹*The Epistle of Barnabas* 10 (Ante-Nicene Fathers, 1:143-144). Chapter 10 deals with Spiritual significance of the precepts of Moses respecting different kinds of food. *The Epistle of Barnabas* does not provide sufficient clues to give a precise date for its writing. The work was most likely written before ca. A.D. 135. See Jay Curry Treat, "Barnabas, Epistle of," *ABD* (1992), 1:613-614. The author of the Epistle of Barnabas finds in the Old Testament convincing arguments for Christianity and against Judaism. This document contains a strong attack on Judaism.

²*The Epistle of Barnabas* 10 (ANF, 1:144).

³The author of this epistle very often compares Christians with Jews and has an anti-Jewish tendency.

⁴*The Epistle of Barnabas* 10 (ANF, 1:144).

characteristics that should be emulated or avoided. In prohibiting swine's flesh, God is actually saying, "Thou shalt not join thyself to men who resemble swine."¹ He compares the act of the pig in recognizing its master only when it is hungry to the man who acknowledges God only in times of need. In the same way he sees in the prohibition of birds of prey a command to avoid those who plunder and prey upon others. He also has the same argumentation as Philo in regard to the weasel.² At one point he paraphrases Ps 1:1 as follows:

Blessed is the man who hath not walked in the counsel of the ungodly, even as fishes go in darkness to the depths, and hath not stood in the way of sinners, even as those who profess to fear the Lord, but go astray like swine; and hath not sat in the seat of scorners, even as those birds that lie in wait for prey.³

The Epistle of Barnabas resembles the position of Philo, but its allegorical/symbolic or spiritual understanding of the dietary laws appears more radical than that of Philo because of the lack of a literal meaning. Nevertheless it should be noted that it is not clear what the author's personal relation toward the dietary laws was. He does not cite any New Testament text to teach the abolition of the distinctions between clean and unclean food.

¹Ibid. (ANF, 1:143).

²Ibid.

³Ibid.

Justin Martyr (c. 100-c. 165)

Reference to the dietary laws in the writings of Justin Martyr¹ appears in the twentieth chapter of the *Dialogue With Trypho the Jew* written somewhere between A.D. 157-168.² Justin and Trypho are discussing why God commanded the Jews to abstain from certain kinds of food. They are arguing over the meaning of Gen 9:3. "Every moving thing that lives shall be food for you. I have given you all things, even as the green herbs" (NKJV). Justin contends that "just as God has granted the herbs for sustenance to man, even so has He given the animals for diet of flesh"³ and he denies that a distinction between clean and unclean animals was implied. On the other hand Trypho argues that "a distinction was laid down thereafter to Noah, because we do not eat certain herbs."⁴ Trypho argues that man does not eat all plants but must differentiate between what is good for him and what is not, therefore he cannot eat all kinds of animals. Justin refutes Trypho's argument with these words:

As you interpret it, the thing is incredible. . . . But although we discriminate between green herbs, not eating all, we refrain from eating some, not because they are common or unclean, but because they are bitter, or deadly, or thorny. But we lay hands on and take of all herbs which are sweet, very nourishing and good, whether they are marine or land plants.⁵

¹Unless otherwise noted, all biographical dates of the Christian Fathers mentioned in the text of this dissertation are taken from *ODCC* (1997).

²Justin *Dialogue With Trypho the Jew* 20 (ANF, 1:204).

³Ibid.

⁴Ibid.

⁵Ibid.

Justin then adds his principal argument:

Thus also God by the mouth of Moses commanded you to abstain from unclean and improper and violent animals: when, moreover, though you were eating manna in the desert, and were seeing all those wondrous acts wrought for you by God, you made and worshiped the golden calf.¹

The reasoning of Justin is not quite clear. It seems that Maranus correctly interprets his argument: "As we abstain from some herbs, not because they are forbidden by the law, but because they are deadly; so the law of abstinence from improper and violent animals was imposed not on Noah, but on you as a yoke on account of your sins."²

In the beginning of his treatise on dietary laws, Justin states the purpose of this prohibition: "You were commanded to abstain from certain kinds of food, in order that you might keep God before your eyes while you ate and drank, seeing that you were prone and very ready to depart from His knowledge."³ Thus, Justin reveals his concept of the dietary laws as serving a didactic and disciplinary function.

Irenaeus (c. 130-c. 200)

The statements of Irenaeus, bishop of Lyons, about his attitude toward dietary laws appear in his work *Against Heresies*⁴ which was written sometime between A.D.

¹Ibid.

²Ibid.

³Ibid. Justin argues against all things he considers as Jewish, belonging to Jewish tradition. In his *Dialogue With Trypho* he therefore opposes, for example, circumcision, feasts, Sabbath, and dietary laws.

⁴Irenaeus *Against Heresies* 5.8.4 (ANF, 1:533-534).

182-188.¹ This treatise is directed against Gnosticism. He wants to neutralize this false teaching.

Irenaeus uses the allegorical method of interpretation, therefore he gives clean and unclean animals of Lev 11 a figurative meaning for various types of men. The heading of the eighth chapter reveals his point: "The gifts of the Holy Spirit which we receive prepare us for incorruption, render us spiritual, and separate us from carnal men. These two classes are signified by the clean and unclean animals in the legal dispensation."² The clean animals represent the true believers "who make their way by faith steadily towards the Father and the Son."³ The parted hoof represents the steadiness of God's people and chewing the cud represents their meditation "day and night upon the words of God."⁴ The animals which have no divided hoof and do not ruminate represent the Gentiles "who have neither faith in God, nor do meditate on His words."⁵ The ruminant animal that does not have the parted hoof represents "the Jews who certainly have the words of God in their mouth, but who do not fix their rooted steadfastness in the Father and in the Son."⁶ Finally, he sees in the nonruminating animals that part the hoof a symbol of the heretics who say that they believe in the Father and the Son, but "do not

¹Introductory Note to Irenaeus *Against Heresies* (ANF, 1:312).

²Irenaeus *Against Heresies* 5.8.4 (ANF, 1:533).

³Ibid. (ANF, 1:534).

⁴Ibid.

⁵Ibid.

⁶Ibid.

meditate on the Words of God, neither are adorned with works of righteousness."¹

Heretics "have adopted the lives of swine and of dogs."² All these people are described as unclean.

Earlier Irenaeus had stated that Peter's vision of the sheet of animals was given to teach him "that the God who had through the law distinguished between clean and unclean, was He who had purified the Gentiles through the blood of His Son."³

It should be noted that Irenaeus does not indicate whether or not in his belief the Christian should observe the dietary laws. His interpretation is in line with Aristeas and Philo. To my knowledge, Irenaeus is the first interpreter of the biblical dietary laws to turn Philo's allegorical method against the Jews.

Clement of Alexandria (c. 150-c. 215)

One of the most distinguished teachers of the Alexandrian Church was Clement of Alexandria. His comments on the dietary laws are found in his work *The Instructor*⁴ which was written sometime around A.D. 200.⁵ Clement's main burden in the first chapter of *The Instructor*, entitled "On Eating," is against gluttony and intemperance.⁶ He

¹Ibid.

²Ibid.

³Ibid., III.12.7 (ANF, 1:432).

⁴Clement *The Instructor* 2.1 (ANF, 2:237-242).

⁵*Introductory Note to Clement of Alexandria* (ANF, 2:168).

⁶See especially Clement *The Instructor* 2.1 (ANF, 2:237-240). This motif is taken from Philo as seen above.

enjoins "to eat that we may live."¹ He warns that "the diet which exceeds sufficiency injures a man, deteriorates his spirit and renders his body prone to disease."² And he admonishes: "For we are enjoined to reign and rule over meats, not to be slaves to them."³ He is strongly against all forms of intemperance and he maintains that the eating behavior of some people is "totally irrational, futile, and not human," because they are "fattening themselves like cattle" and feeding themselves "up to death."⁴ He compares them to swine and dogs.⁵ His language is rather strong: "Those who bend around inflammatory tables, nourishing their own diseases, are ruled by a most lickerish demon, whom I shall not blush to call the Belly-demon, and the worst and the most abandoned of demons."⁶ He gives much practical advice on how to eat moderately and more healthfully.⁷

¹Ibid. (ANF, 2:237).

²Ibid. (ANF, 2:238).

³Ibid. (ANF, 2:239).

⁴Ibid.

⁵Ibid. (ANF, 2:240).

⁶Clement *The Instructor* 2.1 (ANF, 2:241).

⁷For example: "Wherefore we must guard against those articles of food which persuade us to eat when we are not hungry, bewitching the appetite. . . . Bulbs, olives, certain herbs, milk, cheese, fruits, all kinds of cooked food without sauces; and if flesh is wanted, let roast rather than boiled be set down" (Clement *The Instructor* 2.1 [ANF, 2:241]). "Nor it is suitable to eat and to drink together" (ibid. [ANF, 2:240]). "We must guard against speaking anything while eating" (ibid.). "So that the right food is thanksgiving. And he who gives thanks does not occupy his time in pleasure" (ibid.). "Our meals are to be taken with love" (ibid. [ANF, 2:241]). "Happiness is found in the practice of virtue. Accordingly, the apostle Matthew partook of seeds, and nuts, and vegetables, without flesh" (ibid.). "From all slavish habits and excess we must abstain, and touch what is set before us in a decorous way" (ibid. [ANF, 2:240]). "But let our diet

Clement uses the allegorical method to explain many points.¹ In his document he shows the spiritual meaning of the dietary laws which was hidden from the Jews (only carnal reasons were given to them). The purpose of this law is to "break down the propensity to indulgence arising from habit."² He asserts: "The Jews had frugality enjoined on them by the law in the most systematic manner."³ He did not regard the Levitical restriction from unclean meat as being health oriented, but rather related to self-control.

Clement becomes the first Christian writer to employ New Testament statements to support the idea of the removal of the ban on the eating of unclean meats. He quotes many New Testament texts.⁴ He clearly states:

Peter abstained from swine: "but a trance fell on him," as it is written in the Acts of the Apostles. . . . [Acts 10:11-14 quoted] "And the voice came again to him the second time, 'What God hath cleansed, call not thou common.'" The use of them is accordingly indifferent to us. "For not what entereth in to the man defileth the

be light and digestible, and suitable for keeping awake, unmixed with diverse varieties" (ibid. [ANF, 2:238]).

¹For example: "That fish then which, at the command of the Lord, Peter caught, points to digestible and God-given and moderate food. And by those who rise from the water to the bait of righteousness, He admonishes us to take away luxury and avarice, as the coin from the fish" (Clement *The Instructor* 2.1 [ANF, 2:241]). See also Clement *The Instructor* 3.11 (ANF, 2:289).

²Clement *The Instructor* 2.1 (ANF, 2:242).

³ibid. He adds: "For since it is impossible for those who use dainties to abstain from partaking of them, he appointed the opposite mode of life till he should break down the propensity to indulgence arising from habit" (ibid. [ANF, 2:242]).

⁴Clement uses for example these texts in his writing: Matt 15:11; Acts 10:10-15; Rom 14:3; 16:16-17; 1 Cor 6:13; 8:7-8; 10:25,27,31; etc.

man." but the vain opinion respecting uncleanness. For God, when He created man, said. "All things shall be to you for meat."¹

He explains 1 Cor 10:25-27 in the following way:

We are not, then, to abstain wholly from various kinds of food, but only are not to be taken up about them. We are to partake of what is set before us, as becomes a Christian, out of respect to him who has invited us, by a harmless and moderate participation in the social meeting; regarding the sumptuousness of what is put on the table as a matter of indifference, despising the dainties, as after a little destined to perish.²

Later in the same book Clement declares that Jews were forbidden from partaking of swine, which points out "that those who call on God ought not to mix with unclean men."³ He explains the prohibition against eating birds of prey to mean that one shall not associate with violent men. One should rather associate with good men, who are represented by the clean animals. To him "the parting of the hoof indicates the equilibrium of righteousness, and ruminating points to the proper food of righteousness. the word which enters . . . by instruction, but is recalled from the mind . . . to rational recollection."⁴ Thus, his explanation of the distinction between clean and unclean animals is symbolic.

¹Clement *The Instructor* 2.1 (ANF, 2:241).

²Ibid. (ANF, 2:239).

³Ibid. 3.11 (ANF, 2:289).

⁴Ibid. 3.11 (ANF, 2:289).

Tertullian (c. 160-c. 225)

Tertullian wrote about the dietary laws in *On Fasting* around A.D. 208.¹ He contends that in the beginning God gave a vegetarian diet, but later he permitted Noah to eat all the animals for food, with only one restriction, that he refrain from eating blood.² God did not want to burden people with any further special law, but because the Israelites in the wilderness reproduced Adam's sin of being "more prone to the belly than to God" in crying out for flesh and the dainties of Egypt, all the restraints of the Levitical law were imposed, "for the sake at once of punishing gluttony and exercising continence."³ God gave dietary laws "in which certain things were prohibited as unclean, in order that man, by observing a perpetual abstinence in certain particulars, might at last the more easily tolerate absolute fasts."⁴

Concerning his view of the Christian's relation to the dietary laws, Tertullian states his conviction that "faith, free in Christ, owes no abstinence from particular meats in the Jewish Law even, admitted as it has been by the apostle once for all to the whole range of the meat market."⁵ Tertullian's arguments resemble those of Philo, Justin, and Clement.

¹Tertullian *On Fasting* 1-17 (ANF, 4:102-114).

²Ibid. 4 (ANF, 4:104).

³Ibid. 5 (ANF, 4:104).

⁴Ibid.

⁵Ibid. 2 (ANF, 4:103).

Origen of Alexandria (c. 185-254)

Origen of Alexandria is considered as one of the most important Church Fathers. His statements on the dietary laws appear in his work *Against Celsus*¹ written in the latter years of life, that is about A.D. 250.² This very important apologetic work is interesting to the modern reader, because it is a defense of Christianity in opposition to the Greek philosopher Celsus.³ In this work he uses allegory as a weapon against Gnosticism and paganism.

Origen argues that the rationale for the distinction between clean and unclean animals has been based on the belief that "each species of demon" possessed "a certain affinity with a certain species of animal."⁴ Moses, "in arranging the different kinds of animals, pronounced all those supposed by the Egyptians and the rest of mankind to possess the power of divination to be unclean, and as a general rule, all that are not of that class to be clean."⁵ Origen asserts: "Generally speaking, you will find that not only in the law, but also in the prophets, these animals are employed as examples of all that is most wicked."⁶

¹Origen *Against Celsus* (ANF, 4:395-669).

²*Introductory Note to the Works of Origen* (ANF, 4:231).

³See *ODCC* (1997), s.v. "Celsus."

⁴Origen *Against Celsus* 4.93 (ANF, 4:539).

⁵*Ibid.* (ANF, 4:538).

⁶*Ibid.* (ANF, 4:538-539).

He believed, however, that "these distinctions were signs of certain things" only "until the advent of Jesus."¹ After Jesus has come, "it was said to His disciple, who did not yet comprehend the doctrine of this matter . . . 'what God hath cleansed, call not thou common'."² Concerning Christ's relationship to these laws he stated:

But Jesus, wishing to lead all men by His teaching to the pure worship and service of God, and anxious not to throw any hindrance in the way of many who might be benefited by Christianity, through the imposition of a burdensome code of rules in regard to food, has laid it down, that "not that which goeth into the mouth defileth a man, but that which cometh out of the mouth."³

Novatian (c. d. 258)

The crucial treatise on the development of a Christian attitude toward the dietary laws is found in *On the Jewish Meats*⁴ written about A.D. 257 by the Roman presbyter Novatian.⁵ He reveals his intention for writing this work against the Jews⁶ in the

¹Ibid. 5.49 (ANF, 4:565).

²Ibid. Origen quotes several passages from the New Testament such as Acts 10:14-15; Matt 15:11; 1 Cor 8:8.

³Ibid. 8.29 (ANF, 4:650).

⁴Novatian *On the Jewish Meats* 1-7 (ANF, 5:645-650).

⁵*Introductory Notice to Novatian, a Roman Presbyter* (ANF, 5:607-608). The biographical data are uncertain. See *ODCC* (1997), s.v. "Novatianism."

⁶Novatian clearly states that he is writing against Jews and he reminds his readers that he had already written "two earlier epistles against the Jews." See Novatian *On the Jewish Meats* 1 (ANF, 5:645). His anti-Jewish position and de-judaizing attempts are very transparent. He writes for example: "How perverse are the Jews, and remote from the understanding of their law, I have fully shown . . . it was absolutely proven that they are ignorant . . ." (ibid.).

following manner: "I have briefly discoursed concerning their meats, because that in them they consider that they only are holy, and that all others are defiled."¹

For the writer the purpose of the distinction between clean and unclean animals was didactic, because it was given to the Jews that they might "profit by it and return to those virtuous manners which, although they had received them from their fathers, they had corrupted in Egypt."²

Novatian follows the allegorical/symbolic or as he calls it "spiritual" explanation. The animals are clean "if they chew the cud; that is, if they ever have in their mouth as food the divine precepts. They divide the hoof, if with the firm step of innocency they tread the ways of righteousness, and of every virtue of life."³ The animals are for Novatian like a mirror of human life. The behavior of animals is allegorically explained.⁴ He can make the comparison, because he sees moral value in the lesson of the similarity between humans and animals. He writes: "In the animals it is the characters, and doings, and wills of men that are depicted."⁵ Animals are an instruction to men. Animals which represent immoral behavior are condemned and therefore

¹Novatian *On the Jewish Meats* 1 (ANF, 5:645).

²Ibid. 3 (ANF, 5:647).

³Ibid.

⁴For example: The prohibition of swine is a reproof of the "filthy and dirty" life of vice; eating of hare is forbidden, because it represents "men deformed into women"; the hawk represents those who plunder; the vulture, those who "seek for booty by the death of other"; the owl, those who "fly from the light of truth," etc. (ibid.). Novatian's allegorical renderings are very fanciful.

⁵Ibid. 3 (ANF, 5:647).

forbidden.¹ They form the category of unclean animals. These animals are not condemned in themselves, because it would mean "to accuse God as having created unclean things. . . . especially when they were both [clean and unclean animals] pronounced very good."² He explains: "I regard the creation of both as clean, because both He who created them is holy, and those things which were created are not in fault in being that which they were made."³

Novatian also knows another reason why the eating of some animals was prohibited for the Jews: "For the restraint of the intemperance of the people, that in proportion as luxury was diminished, virtuous manners might be increased."⁴ This prohibition was a remedy for their intemperance, because they "dared to prefer the vilest meats of the Egyptians to the divine banquets of manna, preferring the juicy meats of their enemies and masters to their liberty."⁵ He then asks a rhetorical question: "For what else did they deserve?"⁶ This implies that it was not the original intention of God to give the Jews laws regarding clean and unclean meats. They were added later as a necessary tool to teach them the lesson of self-control.

¹Novatian states: "When an irrational animal is rejected on any account, it is rather that very thing which is condemned in the man, who is rational" (ibid. 3 [ANF, 5:647]).

²Ibid. 2 (ANF, 5:646).

³Ibid. 3 (ANF, 5:647).

⁴Ibid. 4 (ANF, 5:648).

⁵Ibid.

⁶Ibid.

These laws about clean and unclean animals are only "shadows" and "figures" of something better to come with Jesus.¹ Novatian declared:

It is plain that all those things are returned to their original blessedness now that the law is finished, and that we must not revert to the special observances of meats, which observances were ordained for a certain reason, but which evangelical liberty has now taken away.²

He was referring back to apostolic authority and as evidence he quoted many New Testament texts.³ However, he warns Christians against intemperance and gluttony. He cautions that "nothing has so restrained intemperance as the Gospel, nor has any one given such strict laws against gluttony as Christ."⁴ He stresses the importance of fasting⁵ and he admonishes Christians to pray day and night. This cannot be done "if the mind" is "stupefied by meat and wine."⁶

Finally, he gives another reason why Christians must be careful and wise in how

¹Ibid. 5 (ANF, 5:648).

²Ibid.

³Novatian stresses especially Titus 1:15; 1 Tim 4:1-5; 1 Cor 10:25; Rom 14:17; Mark 7:19; and Col 2:18-19, 21, 23.

⁴Novatian *On the Jewish Meats* 6 (ANF, 5:649). Novatian adds: "Although in the Gospel the use of meats is universally given to us, yet it is understood to be given to us only with the law of frugality and continence" (ibid.).

⁵Novatian is upset by the behavior of some Christians who are "still fasting and are already drunk," because of the wine they drank early in the morning (ibid.).

⁶Ibid.

to handle this freedom: "No one should think that this licence may be carried to such extent as that he may approach to things offered to idols."¹

It appears that Novatian's treatise plays a key role for the formation of the Christians' understanding and relationship to the issue of the dietary laws. From that time on the question of the distinction between clean and unclean animals/food is considered to be settled. It seems that the dietary laws were seen as abrogated by Christ and that this view had been generally taken for granted.

Jerome (c. 342-420)

In A.D. 384, Pope Damasus wrote to Jerome asking: "If God has made all things good, how comes it that He gives charge to Noah concerning unclean animals, and says to Peter, 'What God hath cleansed that call not thou common?'"² Jerome in his reply does not attempt to explain his question. Instead he simply refers the pope to the writings of Tertullian, Origen, and Novatian.³ It seems from that reply that for the Christians the question is settled.

Aphraates (Early 4th century)

Our knowledge of Aphraates, also called Aphrahat, the first of the Syriac Church fathers and an ascetic, comes from twenty-three "Demonstrations" (inaccurately known as

¹Ibid. 7 (ANF, 5:650).

²Damasus *Letter 35* (Nicene and Post-Nicene Fathers, 6:47).

³Jerome *Letter 36* (NPNF, 6:47).

his "Homilies").¹ Aphraates' argumentation is not anti-Jewish. "What is striking is the utter absence of anti-Semitism from Aphrahat's thought."² *Demonstration* 15 deals with the clean and unclean animals/food.³ His view about Mosaic dietary laws was written in 344.⁴ He thinks that these laws were instituted after the Israelites' stay in Egypt where they came into contact with the idolatrous practices of the Egyptians. Aphraates explains:

The food of the Egyptians even to our day is the flesh of pigs with fish, which are numerous in their land. . . . The children of Israel ate their food and worshiped their gods according to the custom which the Egyptians followed. . . . Then he [God] commanded Moses to distinguish foods for them. He made unclean for them those very things which had been clean for them to eat in the land of Egypt, and he commanded them to eat those very things which they had worshiped in the land of Egypt and of which they had not eaten. . . . They should eat the flesh of sheep and oxen which they had not wanted to eat because they were sacrifices [of the Egyptians].⁵

Aphraates stressed that the forbidden animals were the animals the Jews liked to eat in Egypt. God wanted to protect them from idolatry and to educate Israel in self-discipline, therefore he ordered them not to eat them. The Egyptians regarded bulls and

¹Syriac text of *Demonstrations* with Latin translation is in *Patrologia Syriaca*, vols. 1-2 (Paris: Firmin-Didot et Socii, 1894, 1907). The English translation of eight select *Demonstrations* by J. Gwynn can be found in NPNF, 2nd series, 13:344-412.

²Jacob Neusner, "The Jewish-Christian Argument in Fourth-Century Iran: Aphrahat on Circumcision, the Sabbath, and the Dietary Laws." *Journal of Ecumenical Studies* 7 (1970): 283.

³*Patrologia Syriaca*, vol. 1, 727-758.

⁴*ODCC* (1997), s.v. "Aphraates."

⁵English translation of Aphraates' *Demonstrations* is taken from Neusner, "Jewish-Christian Argument in Fourth-Century Iran," 296-297. Neusner's translation is to my knowledge the only English translation of several important passages of *Demonstration* 15.

sheep as sacred; God therefore told Israel to sacrifice them. The purpose of these laws is to separate Israel from Egyptian culture. But for him the dietary laws were only temporary till Jesus came, because Christ abolished them.

Aphraates' view is original and unique in the sense that he connects the Mosaic dietary laws with Israel's stay in Egypt and with idolatry. The main motivation is pedagogic and separation from their idolatrous past. The dietary laws thus play the role of a wall against pagan infiltration into Israel's life. It follows that these dietary laws are for Christians substituted by love. "We confess the love that took from us a difficult and hard yoke and placed upon us his [Jesus'], which is light and pleasant."¹

Chrysostom (c. 347-407)

Chrysostom, bishop of Constantinople and Doctor of the Church, did not comment directly on the dietary Mosaic code, but he addressed the applicability of the laws of unclean food to Christians. He states clearly that these laws are no longer binding for them. In his own words:

So that it is not unclean by nature, but become so through your wilful disobedience. What then, is not swine's flesh unclean? By no means, when it is received with thanksgiving, and with the seal [i.e., with the sign of the cross]; nor is anything else. It is your unthankful disposition to God that is unclean.²

¹Neusner, "Jewish-Christian Argument in Fourth-Century Iran," 298.

²Chrysostom *Homilies on Timothy*, Homily XII (NPNF, 1st series, 13:445).

Jesus could not teach it openly, because Jews in his time were not yet ready for this change.¹ Nevertheless he admonishes Christians not to fall into gluttony and speaks against luxury.²

Augustine of Hippo (354-430)

Augustine of Hippo is considered the most influential and important Church Father. He expressed in A.D. 400³ his view about clean and unclean food in the following manner:

Accordingly, that which you wrote as to certain brethren abstaining from the use of animal food, on the ground of its being ceremonially unclean, is most clearly contrary to sound doctrine. If I were to enter on anything like a full discussion of this matter, it might be thought by some that there was some obscurity in the precepts of the apostles in this matter.⁴

Augustine then quotes two New Testament passages, namely 1 Tim 4:1-5 and Titus 1:15, to prove his point, but at the same time he warns Christians not to "make void the grace of God toward them" by using their "liberty for an occasion to serve the flesh."⁵ It is clear from this remark that the Christian Church in general considered the questions regarding the Levitical diet clearly stated and not problematic. Christians are freed by

¹Chrysostom *The Gospel of St. Matthew*, Homily LI (NPNF, 1st series, 10:318-319). He understands well that Peter's vision had only symbolic character. See Chrysostom *The Acts of the Apostles*, Homily XXII (NPNF, 1st series, 11:144-147).

²See Chrysostom *Homilies on First Corinthians*, Homily XXV (NPNF, 1st series, 12:145); idem, *Homilies on Timothy*, Homily XII (NPNF, 1st series, 13:445).

³Augustine *Letter 55* (NPNF, 1st series, 1:303).

⁴Augustine *Letter 55* (NPNF, 1st series, 1:315).

⁵Ibid.

Jesus and the apostles from Old Testament regulations concerning distinctions between clean and unclean animals/food.

It is easy to discern a very consistent pattern in the writings of the Church Fathers in regard to the dietary laws. They follow the allegorical method of the Alexandrian school. This approach had a great impact on how they discussed this matter. The decisive influence of Aristeas' and Philo's allegorical interpretation can be clearly seen in the writings of Barnabas, Ireneus, Clement, Origen, and Novatius.¹ Most present a symbolic/didactic explanation usually combined with a disciplinary or self-control motif.

When one compares the Jewish authors Aristeas and Philo with the early Christian interpreters, there is a striking difference between them. Christian writers deJudaize and they usually express anti-Jewish sentiments.² They are using the allegorical method to free themselves from the observance of Jewish laws and to show that Christians are no longer under the obligation to abstain from forbidden food. On the other hand, Aristeas and Philo were using the allegorical explanation to stress the validity of the laws regarding clean and unclean food and defend them before the Greeks.³

¹In the early Christian Church the influence of Philo's allegorical method can especially be seen in the writings of such Greek Fathers as Barnabas, Justin, Theophilus of Antioch, Clement, Origen, and Eusebius, and such Latin Fathers as Ambrose and Jerome. See O. Zöckler, "Philo of Alexandria," *The New Schaff-Herzog Encyclopedia of Religious Knowledge* (New York: Funk & Wagnalls Company, 1911), 9:41.

²Notable exception is Origen. See his *Against Celsus* 5.50 (ANF, 4:365).

³Bryson, "Various Rationales," 41: "It is a paradox that the very allegorical explanations that were developed by the Hellenistic Jews to defend the validity of the dietary laws, were adopted by the early Christian Fathers to free themselves from the observance of these regulations."

The tendency of the Church Fathers to free themselves from the bondage of Jewish Law is clearly seen. They want to break any connection with Jewish tradition or Judaism. From the time of Clement of Alexandria they use for that break the authority of the New Testament, namely Jesus, Peter, and Paul. At the end of the fourth century the break with Judaism in that regard was completed. The question of dietary laws was settled by Novatian, Jerome, and Augustine. The Church Fathers after the third century merely reiterated the principal Christian objections against the laws of clean and unclean food.

Ancient Classical Jewish Literature (Mishnaic, Talmudic and Rabbinic Interpretations)

The following study of rabbinical sources is not exhaustive. Its purpose is to give needed background to the Pentateuchal study about clean and unclean animals/food. The Hebrew Scripture was interpreted by many rabbis.¹ From the vast rabbinic literature we take the following representative selection.

The Mishna (c. A.D. 200)

In *The Mishnah*, a principal holy book of Judaism, there is not much about the

¹A very good overview of the ancient rabbinical sources can be found in Stein, 141-154; and Nehama Leibowitz, *New Studies in Vayikra (Leviticus)* (Jerusalem: Eliner Library, The World Zionist Organization, Department for Torah Education and Culture in the Diaspora, 1995), 1:144-161. See also Michael A. Signer, "How the Bible Has Been Interpreted In Jewish Tradition," *The New Interpreter's Bible* (Nashville, TN: Abingdon Press, 1994), 1:65-82; Sloan and Newman, 23-39.

Pentateuchal laws of clean and unclean animals.¹ *The Mishnah* speaks about uncleanness in general and how it can be transmitted, but not much specifically about unclean food. The tractate Hullim (Animals Killed For Food) is mainly concerned with the killing of animals for food.² This tractate defines a pure bird as one that has an extra talon, characteristic of birds that eat grain and seeds. A clean bird has a crop, and a stomach that can easily be peeled off, so that undigested contents can be disposed of separately.³ This means that clean birds are those that are not carnivorous and those whose behavior is mild. All birds of prey are forbidden.

Early Rabbis

The school of Rabbi Ishmael taught that to eat forbidden food obstructs man's understanding⁴ and that observance of the dietary laws elevates Israel above all nations.⁵ In *Pesikta de-Rab Kahana* is written: "God said: the ox is persecuted by the

¹See *The Mishnah*, trans. Herbert Danby (Oxford: University Press, 1953); *The Mishnah: A New Translation*, trans. Jacob Neusner (New Haven: Yale University Press, 1988).

²Mishnah Hullim 1:1-12:5 (trans. Danby, 513-529); *ibid.* (trans. Neusner, 765-787). Deut 12:21 can imply the existence of a divinely ordained method of slaughtering the animals, but about which there is no explanation in the Pentateuch. Compare also Gen 9:3-4.

³Hullim 3:6.

⁴Yoma 39a *The Babylonian Talmud*, trans. I. Epstein (London: Soncino Press, 1935-1948), 11:181: "Sin dulls the heart of man [quotation of Lev 11:43 follows]. Read not we-nitmethem [וְנִטְמְתֶם] (that you should be defiled), but u-netamothem [וְנִטְמְתֶם] (that you should become dullhearted)."

⁵Babha Mesi'a 61 b. (*Babylonian Talmud*, trans. Epstein, 24:367.)

lion, the goat by the panther, the lamb by the wolf. Do not sacrifice unto me from the persecutors but only from those who are persecuted, ox or lamb or goat."¹

The rabbis of the talmudic period rarely attempted to find a specific rationale for the laws of clean and unclean animals/food. They generally regarded dietary laws "as aids to moral conduct."² They refer to obedience and moral refinement as the ultimate aim of the statutes. "For what does the Holy One, Blessed be He, care whether a man kills an animal by the throat or by the nape of its neck. Hence its purpose is to refine man."³ This thought was also stressed by rabbis in a later time who associated the Mosaic eating code with "the purity of the soul."⁴ The precepts were given then that man might be refined by obedience to them, therefore man must not question or evade them.⁵

The rabbis classified the impurity laws associated with forbidden food as **תמא**

¹*Pesikta de-Rab Kahana*, Buber, 76a. *The Pesikta de-Rab Kahana* is a fifth-century A.D. compilation of discourses attributed to R. Kahana and inspired by the biblical lessons read in the order of the synagogue service for special Sabbaths and festal days in the Jewish year. See also *Koheleth Rabbah* on 3:15 and *Tanḥuma 'Emor*, Buber, p. 46 and n. 121.

²Rabinowicz, 6:42. Obedience, self-discipline, and self-control are stressed.

³Genesis Rabbah 44:1. See also Leviticus Rabbah 13:1 "The precepts were given for the express purpose of purifying mankind."

⁴See Leibowitz, *New Studies in Vayikra (Leviticus)*, 1:150-151. See also Ramban (Nachmanides), *Commentary on the Torah: Deuteronomy* (New York: Shilo Publishing House, 1976); and Isaac Abravanel, *Abarbanelis exordium commentariorum in Leviticum: quo omnis omnium sacrificiorum Ratio breviter ac dilucide disputatur* (Ann Arbor, MI: University Microfilms, n.d.).

⁵See Sifra 140: "Hence the Torah states, 'I am the Lord—and I have decreed them, do not question them.'" Also Rashi: "'Why should we keep them?' and which the gentiles assail, i.e. the ban on pork. . . . I have decreed them, and thus you must not evade them." Quoted from Leibowitz, *New Studies in Vayikra (Leviticus)*, 1:248.

שְׁקֵרָה, "impurity pertaining to holiness."¹ Levine claims that, in the rabbinic law, the same category included the major sexual offenses set down in Lev 18 and 20.²

Rabbis classified the laws of clean and unclean animals/food as טְמֵאָה, because there is no specific reason given to observe them.³ Their meaning can be mastered by practice. They were given by arbitrary command. God's decision was made to prove and to demand obedience of men.

Eleazar ben Azariah (1st-2nd Century A.D.)

Eleazar ben Azariah was one of the second generation of tannaim. This priest and rabbinic teacher of the mishnaic period was a sage in Jabneh at the turn of the second century A.D.⁴ His statement appears in the Sifra, a halakhic Midrash on Leviticus, likely made in reaction to the allegorizing tendencies of Hellenistic Judaism, reflecting the growing tendency in normative Judaism to avoid any rational explanation of the dietary laws. He is the first one who expressed the arbitrary rationale of the Pentateuchal dietary laws.

¹Shevu. 3a, 7a; Hullim. 71a. See Levine, *Leviticus*, 64, 243.

²Levine, *Leviticus*, 243.

³Grunfeld, *Jewish Dietary Laws*, 1:18. The difference between "ḥukkim" and "mishpatim" lies in the fact that the former belong to the category of laws which human reason could not have arrived without help, thus called "revelational" or "irrational" laws, and the latter are called "rational" laws.

⁴Shmuel Safrai, "Eleazar Ben Azariah," *Encyclopaedia Judaica* (1971), 6:586-587.

"Eleazar ben Azariah said, 'A man should not say, I do not want to eat pork. He should rather say, I want to eat pork, but my Father in heaven has decreed against it!'"¹

Midrash Tehillim (c. 340)

Rabbi Johanan bar Nappaha, who died at Tiberias in A.D. 279, was most probably the editor of *Midrash Tehillim*.² However, there is evidence that alterations and additions were made to the work up to about the year 1340. Thus, it is possible that the following statement, which never became a part of normative Judaism, was made sometime between the third century and the fourteenth century.³

"The Lord will loose the bonds (Ps 146:7)." What does the verse mean by the words "loose the bonds"? Some say that of every animal whose flesh it is forbidden to eat in this world, the Holy One, blessed be He, will declare in the time-to-come that the eating of its flesh is permitted. . . . But why did God declare the flesh of some animals forbidden? In order to see who would accept His commandments and who would not accept them. In the time-to-come, however, God will again permit the eating of that flesh which He has forbidden.⁴

The next paragraph of the Midrash indicates that not all agreed with the interpretation that the forbidden meats would again be permitted. It was the view of others "that in the time-to-come" God would "not permit this, for it is said 'they that eat

¹*Sifra Kedoshim* to Lev 20:26, 1st ed. (Vienna: Jacob Schlossberg, 1862), 93b. *Sifra* 11:22 (128).

²For the discussion about the editor of this document and time of its compilation, see especially *Midrash on Psalms (Tehillim)*, trans. William G. Braude, Yale Judaica Series, no. 13 (New Haven: Yale University Press, 1959), xxv-xxxii. Stein, 151, claims that the eschatological Midrash Tehillim on Ps 146 "appears to be pre-Pauline."

³*Midrash on Psalms* (trans. Braude, xxv-xxxii).

⁴*Ibid.*, on Ps 146:4 (trans. Braude, 365-367).

... swine's flesh, and the detestable thing, and the mouse, shall be consumed together (Isa 66:17)."¹

God first prepared man's food before calling him into existence, into the world.²

This is a manifestation of the loving and wise God.

Midrash Rabbah: Leviticus

In the *Midrash Rabbah: Leviticus (Shemini)*, which deals with Lev 11 and is most probably a work of the middle of the seventh century,³ unclean animals are allegorized by using them individually to symbolize the various nations.⁴ "Moses foresaw the empires engaged in their activities. The camel alludes to Babylon, . . . the rockbadger alludes to Media. . . the hare alludes to Greece, . . . the swine alludes to Seir (Edom, i.e. Rome)."⁵

¹Ibid., 366. On the discussion among rabbis about what will cease in the time when the Messiah comes (as e.g., sacrifices, festivals, etc.), see Louis Ginzberg, "Antinomianism," *The Jewish Encyclopedia* (1901), 1:630-631.

²*Genesis Rabbah* VIII, 6.

³Thus in Introduction to *Midrash Rabbah: Leviticus*, 4:viii.

⁴*Midrash Rabbah: Leviticus*, 13.5, quoted from *Midrash Rabbah*, 10 vols., trans. H. Freedman and Maurice Simon (London: Soncino Press, 1939); trans. J. Israelstam. in the *Midrash*, 10 vols. (London: Soncino Press, 1939), 4:173-176.

⁵Ibid., 13.5 (4:173). Similarly *Midrash Tanhuma (Shemini 8)*. See also Leibowitz, *New Studies in Vayikra (Leviticus)*, 1:159-161. In the *Midrash Rabbah: Leviticus*, in the eleventh chapter called Shemini, Rabbi Jeremiah ben Ila'i connects Prov 9:1-4 with different verses of the Bible such as Prov 3:19, Exod 20:11, Gen 2:3, 1:24, 9, 11, 3:5, 19 and he explains the passage in Prov 9 "as referring to the creation of the world." To my knowledge *Midrash Rabbah: Leviticus* attempts to connect this passage with creation for the first time in the history of the interpretation of Lev 11. However, it needs to be stressed that the connection between creation and dietary laws is very light. See *Midrash Rabbah: Leviticus* 11.1 (4:135).

Midrash Rabbah: Leviticus also presents laws about the distinction between clean and unclean animals/food in connection with life and death.

Rabbi Tanhum ben Hanilai said: This may be compared with the case of a physician who went to visit two sick persons, one who [he judged] would live, and another who would [certainly] die. To the one who [he judged] would live, he said: "This you may eat, that you may not eat." But as for the one who was to die, he said: "Give him whatever he asks." Thus for the heathen who are not destined for the life of the World to Come, it is written, *Every moving thing that liveth shall be for food for you; as the green herb have I given you all* (Gen. IX, 3). But to Israel, who are destined for the life of the World to Come, [He said], THESE ARE THE LIVING THINGS WHICH YE MAY EAT. etc. (XI. 2 f.).¹

Midrash Tadshe (c. 10th Century)

The relationship between the Mosaic dietary laws and the creation account is seen in *Midrash Tadshe* in the prohibition of eating from the tree of the knowledge of good and evil. Rabbi Menahem ben Yair said: "And why did the Lord command him not to eat of that tree while allowing him to eat of all the other trees? In order that he may remember his Creator each time he looked at his tree, submit to the Divine authority and beware of pride."²

Medieval Jewish Interpretation

Rashi (1040-1105)

Rashi, or Solomon ben Isaac, a French rabbi and scholar, became one of the best exegetes in Judaism. He commented on most, if not all, of the books of the Hebrew Bible. In regard to the dietary laws, Rashi defends the opinion that when God says

¹*Midrash Rabbah: Leviticus* 13.2 (trans. Freedman and Simon, 4:165-166).

²*Midrash Tadshe*, chap 6.

something we have to obey, even if it is not commonly accepted. He sums up: "Why should we keep them [ordinances and statutes of God]? . . . which the gentiles assail. e.g.. the ban on pork . . . hence the Torah states, 'I am the Lord'—I have decreed them, and thus you must not evade them."¹

Samuel ben Meir (c. 1080-1158)

Samuel ben Meir was a French rabbi and exegete, grandson of Rashi, known as Rashbam. He was the first, as far as I am aware, to connect the dietary laws with hygienic reason.²

He wrote: "All cattle, wild beasts, fowl, fishes and various kinds of locusts and reptiles which God has forbidden to Israel are indeed loathsome and harmful to the body, and for this reason they are called 'unclean'."³

Abraham Ibn Ezra (1089-1164)

Abraham Ibn Ezra, a Spanish biblical commentator and physician who lived from 1140 in Rome, provides a literal grammatical explanation of the dietary laws and connects the observance of these regulations with holiness and intelligence.⁴

¹Translation and quotation from Leibowitz, *New Studies in Vayikra (Leviticus)*. 1:248.

²Rashbam's positive attitude to science probably influenced his interpretation.

³Comment on Lev 11.3, translation from Rabinowicz, 6:44.

⁴Abraham Ibn Ezra, *The Commentary of Abraham Ibn Ezra on the Pentateuch*. Volume 3: *Leviticus* (Hoboken, NJ: Ktav Publishing House, 1986), 52-53: "If this word ['defiled' in Lev 11:43] is understood in sense of 'defiled', then it is missing an '*alef*' (like the word 'from the beginning' [Deut 11:12]). Some say, though, that there are two

Maimonides (1135-1204)

Moses ben Maimon, called Maimonides, known in rabbinical literature as Rambam, a Spanish rabbinic authority, philosopher, and royal physician, claims that unclean food is unhealthful:

The food which is forbidden by the Law is unwholesome. There is nothing among the forbidden kinds of food whose injurious character is doubted, except pork and fat. But also in these cases the doubt is not justified. For pork contains more moisture than necessary [for human food], and too much of superfluous matter.¹

He is the first one who gives a hygienic explanation for the prohibition of pork eating. But the principal reason "why the Law forbids swine's flesh is to be found in the circumstance that its habits and its food are very dirty and loathsome."² Thus, he combines the health rationale with the aesthetic/psychological reason. He continues:

It has already been pointed out how emphatically the Law enjoins the removal of the sight of loathsome objects, even in the field and in the camp; how much more objectionable is such a sight in towns. But if it were allowed to eat swine's flesh, the streets and houses would be more dirty than any cesspool, as may be seen at present in the country of the Franks.³

different roots. The evidence for this assertion is the similar word 'dumb' [Job 11:3], denoting a man who has no understanding. I am GOD [Lev 11:45] I raised you up out of the land of Egypt only in order to be your God. If you are not going to be holy, I will not be your God. Therefore, if it is your desire that I be your God, you must be holy." See also his many grammatical explanations, such as "hoofed [in Lev 11:3] an adjective, as in 'horned and hoofed' [Ps 69:32], denoting anything that can be said to have a hoof," or "'cud' [Hebrew: *gera*] is derived from the word 'throat' [Hebrew: *garon*]," etc. (45).

¹Moses Maimonides, *The Guide for the Perplexed*, trans. M. Friedländer (London: Routledge and Paul, 1956), 370.

²Ibid.

³Ibid., 371.

Maimonides also knows another reason not to eat forbidden meat: "The object of that precept is to train us in temperance, that we should be able to control our appetites for eating and drinking."¹ Thus, the prohibition of eating unclean food is mainly connected with self-control.

Maimonides included forbidden foods along with forbidden sexual unions in *Sefer Kedushah* (The Book of Holiness) in one of the fourteen sections of his *Mishneh Torah*.²

Nahmanides (1194-1270)

Moses ben Nahman Gerondi (Ramban), known as Nahmanides, a Spanish Talmudist, exegete, and physician, affirmed the spiritual nature of the forbidden food (he was opposing Maimonides),³ because those who eat the flesh of the predators are affected by the bloodthirstiness of these unclean animals, thus defiling their soul.⁴ He explained:

For in order to preserve his physical life man should eat anything which serves that purpose ["You shall be holy unto me"], and the prohibitions concerning certain foods are only a means of guarding the purity of the soul, in order that one

¹Ibid., 372.

²Levine, *Leviticus*, 243; Maimonides, 370-380. See the discussion in Isidore Twersky, *Introduction to the Code of Maimonides* (New Haven: Yale University Press, 1980), 238-265.

³Isaac Broyde, "Moses ben Nahman Gerondi," *The Jewish Encyclopedia*, 9:87-88. Nahmanides' chef-d'oeuvre is his commentary on the Pentateuch.

⁴See Leibowitz, *New Studies in Vayikra (Leviticus)*, 1:150.

should eat clean things which do not give rise to harshness and coarseness in the soul.¹

Isaac ben Moses Arama (c. 1420-1494)

Isaac ben Moses Arama, a Spanish rabbi and philosopher, is known as the author of *Akedat Yitzchak* ("Binding of Isaac"). In this work, which is written in the form of philosophical homilies and allegorical commentaries on the Pentateuch.

he also touched the dietary laws and concurred with their spiritual defilement: The reason behind all the dietary prohibitions is not that any harm may be caused to the body, but that these foods defile and pollute the soul and blunt the intellectual powers, thus leading to confused opinions and a lust for perverse and brutish appetites which lead men to destruction, thus defeating the purpose of creation.²

He is, therefore, concerned about the moral influence and teaching of these laws. It is important to note that he connected the issue of diet to Creation.

Isaac Abravanel (1437-1508)

Isaac Abravanel, a Portuguese exegete, philosopher, and apologete, vividly opposed Rashbam's and Maimonides' view that hygienic rationale lies behind the Pentateuchal dietary laws. He was the first one who expressed an objection (often afterward repeated) to this "scientific" approach in connection with the poisonous plants: "There are likewise deadly poisonous herbs . . . not explicitly forbidden by the Torah. All

¹Ramban (Nachmanides), *Commentary on the Torah: Exodus* (New York: Shilo Publishing House, 1973), 401

²Isaac ben Moses Arama, *Akedat Yitzchak*, Shemini, 60, quoted from Harry Rabinowicz, "Dietary Laws," *Encyclopedia Judaica* (1971), 6:43.

this proves that the Divine law did not seek to heal our bodies or maintain their health."¹ Unclean food defiles morally and intellectually: "It [law] therefore forbade food which debases the purity of the soul, the intellect, the human temperament and character, while promoting an unclean spirit, defiling man's thoughts and deeds and expelling the pure and hallowed spirit of man."² Abravanel is thus the first who explicitly stressed the influence of food on the character.

The Koran (7th Century)

The Koran affirms: "Then We gave Moses the Book (the Torah), to complete (Our Favour) upon those who would do right, and explaining all things in detail."³ In spite of this affirmation, the following explanation was given for some prohibitions in the Torah: "For the wrong-doing of the Jews, We made unlawful to them certain good foods which had been lawful to them."⁴ This is why, for example, Muslims are allowed to eat camel meat, although it is a dietary prohibition in the Mosaic code.⁵ The Koran mentions that Allah "has forbidden you only Al-Maytata (meat of a dead animal), blood, the flesh of swine, and any animal which is slaughtered as a sacrifice for others than Allah (or has been slaughtered for idols etc. or on which Allah's Name has not been mentioned while

¹Abravanel, Shemini 13.

²Ibid., Shemini 12.

³Surah 6:154.

⁴Surah 4:160.

⁵Lev 11:4; Deut 14:7.

slaughtering)."¹ An admonition of the Koran states: "Eat of that which is lawful and good on the earth, and follow not the footsteps of Satan."²

Medieval Christian Interpretation (Reformation)

As examples of Reformation explanations of the laws regarding clean and unclean animals I include two giants among the reformers, i.e., Martin Luther and John Calvin, along with the Reformation creeds.

Martin Luther (1483-1546)

The way that Martin Luther interprets Gen 9:3 is very interesting. First he puts the question: "Did God grant man the use also of the unclean animals as food?" He answers:

There are indeed some who think that at the time of Noah human beings made use of all animals without distinction, both the clean and the unclean, for food. But to me the opposite seems true. Because a difference was made earlier between the clean and unclean and this is later carefully maintained in the Law, I believe that so far as food is concerned, man made use of only the clean animals, that is, of those that were offered at the sacrifices. Hence the general statement must be understood with a stipulation: "Every moving thing that lives [namely, among the clean] shall be food for you."³

¹Surah 16:115. See also 5:3-5; 6:118-121; 6:145-146.

²Surah 2:168.

³Martin Luther, *Lectures on Genesis: Chapters 6-14*, Luther's Works, ed. Jaroslav Pelikan, no. 2 (Saint Louis: Concordia Publishing House, 1960), 134-135.

He explains that our nature abhors unclean animals like serpents, wolves, ravens, and mice.¹ Because it was no longer a sin to kill an animal for food, there was a danger that men would abuse this liberty. Therefore the following prohibition was added: "He [God] does not want them to eat any meat unless it has first been cleansed of its blood."²

Luther's exposition on the laws of clean and unclean animals/food can be found in his Lectures on Deuteronomy. He has two types of explanation: the first is literal and the second symbolic. "It is likely that all these animals are literally unclean, that is, harmful and unsuitable as food for the human body."³ Thus these dietary laws are related to health and are seen by Luther as a sign of distinction, and as a prevention against corruption. They take a didactic function by teaching the people of Israel self-discipline.⁴

Besides this literal meaning Luther speaks extensively about the symbolic or allegoric meaning of the laws of clean and unclean animals. He follows here the old Judeo-Christian tradition, but he implements it in his theological struggle between righteousness by faith and righteousness by works. For example, he teaches that "uncleanness of animals means the doctrine of works"⁵ and different kinds of unclean

¹Ibid., 135.

²Ibid., 137.

³Martin Luther, *Lectures on Deuteronomy*, Luther's Works, ed. Hilton C. Oswald, no. 28 (Saint Louis: Concordia Publishing House, 1973), 134.

⁴Ibid.

⁵Ibid., 135.

animals are "godless teachers."¹ "To part the hoof is (as Paul teaches Timothy) rightly to divide the Word of God (2 Tim 2:15), that is, so to teach to that you apply Gospel and Law rightly" and "to chew the cud, however, is to take up the Word with delight and meditate with supreme diligence."²

Luther in his exposition of some passages of the New Testament modifies his approach and position. When he explores 1 Tim 4:4 he states:

Christian liberty is good and necessary, but not for the wicked. He ordered the Jews not to eat rabbits. He did this because of careless people. . . . Even if there is something unclean here, yet we have the Word and we say a blessing with which we acknowledge this gift of God, yet so that this is firm in our heart: Even if there is something of the poison of Satan, yet this creation has been blessed by the Word and prayer. . . . If there is something spoiled here, it is not that there is a real pollution, because the thing created is good. . . . God created it also to be used. Paul, however, is speaking about those people who still consider foods unclean.³

Luther then adds Rom 14:14 in order to prove his point: "There is nothing unclean."⁴ In his Lectures on Romans he explains that such a translation can be rendered on the presupposition "that 'common' and 'unclean' mean the same thing."⁵ But with this conclusion, however, I cannot concur because there is significant difference in meaning

¹Ibid.

²Ibid., 136.

³Martin Luther, *Commentaries on 1 Corinthians 7, 1 Corinthians 15, Lectures on 1 Timothy*, Luther's Works, ed. Jaroslav Pelikan, no. 9 (Saint Louis: Concordia Publishing House, 1960), 318-319.

⁴Ibid., 319.

⁵Martin Luther, *Lectures on Romans: Glosses and Scholia*, Luther's Works, ed. Hilton C. Oswald, no. 25 (Saint Louis: Concordia Publishing House, 1972), 499.

between κοινός ("common, polluted"; used in Rom 14:14) and ἀκαθαρτός ("unclean"). The usage of these two words has important theological implications.¹

John Calvin (1509-1564)

The position of John Calvin is clear-cut from the very start. To eat meat is granted by the kindness of God. Most probably, according to Calvin, eating flesh was permitted even before the flood because of sacrifices and needed garments. God, through Moses, prohibited temporarily the eating of unclean animals for Israel.² People had to abstain only from eating blood.³

But Christians must firmly retain evangelical liberty. Calvin claims that this distinction between clean and unclean food "was a part of that elementary instruction under which God kept His ancient people."⁴ The purpose of these laws was "to repress the licentiousness" of the people of Israel and "to compel in this way to obedience these almost rude and uncivilized people."⁵ In the Christian era God abolished these laws.

¹See especially Colin House, "Defilement by Association: Some Insights from the Usage of Koinós/Koinón in Acts 10 and 11," *Andrews University Seminary Studies* 21 (1983): 143-153.

²John Calvin, *Commentaries on the First Book of Moses Called Genesis* (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1948), 291-293.

³Ibid., 293.

⁴John Calvin, *Commentaries on the Four Last Books of Moses* (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1950), 2:60.

⁵Ibid., 2:61.

Calvin quotes Col 2:16, 17 and Rom 14:14.¹ When Calvin explains Mark 7:19 and Matt 15:15, he states: "The general meaning is, that men are not polluted by food, but that they have within themselves the pollution of sins, which afterwards shows itself in the outward actions."² By the favor and grace of the Lord Jesus, "all the creatures which were accursed in Adam, are blessed to us by the Lord."³ Thus for Calvin all the distinction between clean and unclean animals/food is abolished and removed.

Reformation Creeds

Both Lutheran and Reformed churches have been confessional churches. It is worth noticing that in no Reformation creed is there an explanation of clean and unclean animals/food. The Book of Concord,⁴ which includes all Lutheran Confessions, has no

¹Ibid., 2:60.

²John Calvin, *Commentary on a Harmony of the Evangelists, Matthew, Mark, and Luke* (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1949), 260.

³John Calvin, *Commentaries on the Epistle of Paul the Apostle to the Romans* (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1947), 505. Calvin like Luther thinks that the word "common" (in Rom 14:14) means "unclean." All things are indeed pure, that is "meat is indeed good, but to give offence is bad" (ibid., 509).

⁴*The Book of Concord: The Confessions of the Evangelical Lutheran Church*, ed. Theodore G. Tappert (Philadelphia, PA: Fortress Press, 1959). The Book of Concord was published in 1580 and today includes the three ancient creeds of the Christian church (Apostles', Nicene, and Athanasian); Luther's Large and Small Catechisms (1529); the Augsburg Confession (1530), written by Philip Melancthon (1497-1560); the Apology of the Augsburg Confession (1531), written by Melancthon against the Roman Catholics who rejected the Augsburg Confession; the Smalcald Articles (1537), written by Luther as a summary of Christian doctrine; the Treatise on the Power and Primacy of the Pope (1537), written by Melancthon to supplement the Smalcald Articles; and the Formula of Concord (1577), written by a number of theologians to settle numerous doctrinal controversies that affected Lutheranism after Luther's death in 1546.

word about the concept of clean and unclean food. The same is true about the Reformed Confessions of faith: The Ten Theses of Berne (1528); the First Confession of Basel (1534); the Geneva Confession (1536); the French Confession of Faith (1559); the Scots Confession (1560); the Heidelberg Catechism (1563); and the Second Helvetic Confession (1566), to list a few among many confessional statements.¹ The same applies to the Sixty-seven Articles or Conclusions of Ulrich Zwingli² (1523), the Westminster Confession of Faith (1647), written in England by English and Scottish Calvinists during the time of the English Civil War,³ and the Bohemian Confession (1575), written in Bohemia by Czech Protestants.⁴

It is clear that for the Reformation period the question of dietary laws was not an issue. Generally speaking the confessions have little to say about the ethics and behavior of the Christians. The Reformers, following the Christian tradition, took eating habits

¹Collections of Reformed Confessions are in Arthur C. Cochrane, ed., *Reformed Confessions of the 16th Century* (Philadelphia, PA: Westminster Press, 1966); Philip Schaff, *Creeds of Christendom*, 6th ed., 3 vols. (Grand Rapids, MI: Baker Book House, 1977); John H. Leith, ed., *Creeds of the Churches*, 3rd ed. (New York: Doubleday, 1982); Lukas Fisher, ed., *Reformed Witness Today: A Collection of Confessions and Statements of Faith Issued by Reformed Churches* (Bern: Evangelische Arbeitsstelle Oekumene Schweiz, 1982); Charles Augustus Briggs, *Theological Symbolics* (New York: Charles Scribner's Sons, 1914).

²Mark A. Noll, ed., *Confessions and Catechisms of the Reformation* (Grand Rapids, MI: Baker Book House, 1991), 37-46; Schaff, 197-207.

³See *The Constitution of the Presbyterian Church (U.S.A.): Part 1, The Book of Confessions* (New York: The Office of the General Assembly, 1983).

⁴*Čtyř vyznání* (Praha: Komenského evangelická bohoslovecká fakulta, 1951), 263-306.

and food regulations for granted. They struggled for fundamental doctrinal truth relating to the Gospel. This was documented in the attitude of John Calvin.

Modern Jewish Interpretation

Samson Raphael Hirsch (1808-1888)

The outstanding modern representative of the moral/symbolic interpretation of Mosaic dietary laws is Samson Raphael Hirsch. In 1837 he published his (German edition) two-volume book *Horeb*.¹ The Pentateuchal dietary laws are of divine origin. "The causa causorum of the laws of Nature as well as of the laws of the Torah is—God."²

He stresses the unity of human nature by explaining the close connection between mind and body.³ His interpretation brings a psychosomatic approach to this issue:

The body of man should be the servant of his spirit. This task the body can best perform if it is not too active in a carnal direction, if it is passive and indifferent to its own desires, and if it is submissive to the demands of the soul. The body should be subservient to the mind. . . . Bearing in mind this function of the body and also the fact that the physical structure of man is largely influenced by the kind of food he consumes, one might come to the conclusion that the vegetable food is the most preferable, as plants are the most passive substance.⁴

¹Samson Raphael Hirsch, *Horeb: A Philosophy of Jewish Laws and Observances*, 2 vols. (London: Soncino Press, 1962).

²*Ibid.*, 2:331.

³*Ibid.*, 2:328.

⁴*Ibid.*

This is why "next in order of desirability as human food would come those animals which are herbivorous and therefore nearer to the vegetable world."¹ The characteristics provided for the clean animals point to "the plant-like character of these animals."² Then Rabbi Hirsch speaks about submissiveness of the clean animals. Carnivorous animals and birds of prey are forbidden. "No bird with cruel habits is permitted for food. . . . They (clean birds) do not use their feet in the process of eating but pick up their food directly with their beak."³ His interpretation of three categories of food: "passive," "too active," and "dulling"⁴ is built on this foundation. This points to the primary purpose of the dietary code: "God did not regulate your eating by these laws in order that you do not sicken physically. . . . Just as the external temple . . . becomes desecrated by **טומאה** (impurity) . . . so are those foods **טמא** (impure) and unfit for the temple which you yourself are."⁵ The effect of eating forbidden food on the human is described in the following way:

¹Ibid.

²Ibid., 2:329.

³Ibid., 2:329.

⁴Ibid., 2:330: "Passive, and therefore suitable for food purposes: The plant world. Those animals that chew the cud and have cloven hoofs. Clean birds. Clean fishes. Clean locusts.

"Too active, and therefore not suitable for food purposes: Those animals that do not chew the cud. Those that have uncloven hoofs. Unclean birds. Unclean fishes in part. Amphibians, insects, worms in part. Blood. Part of living animal from mammals and birds.

"Dulling, and therefore not suitable for food purposes: Unclean fishes in part. Worms in part. Chelev of cattle. Nevelah. Trefah."

⁵Ibid., 2:317.

If you have eaten them. . . . you may be more nourished and better fed: but the animal instinct will be aroused more strongly within you, and your body becomes more blunted as an instrument of the spirit. Your heart, instead of being holy, instead of striving only for your holiness—namely, your sublimity above everything animal-like, is drawn down to the animal—or becomes the more apathetic and dulled. . . . You become **אמט**, impure, less capable of your holy mission. . . . Thus you should preserve your body so that it be a pure temple of your Divine self.¹

David Zevi Hoffmann (1843-1921)

David Zevi Hoffmann published his insightful two-volume commentary on Leviticus in 1905-1906.² This Jewish rabbi and biblical scholar opposed the historical-critical method for approaching the Torah (against Wellhausen) and he stressed the divine origin of the Pentateuch. He was against the view that the dietary laws were given as a barrier between the Jews and nations to prevent social intercourse and mixed marriages. His reasoning was rooted in biblical history—Israel's separation from the other nations preceded the revelation of these dietary laws to Moses. "Since God has separated Israel from the other people, Israel must observe the Divine imperative to differentiate between clean and unclean beasts."³

¹Ibid.

²David Hoffmann, *Das Buch Leviticus 1-11*, 2 vols. (Berlin: Poppelauer, 1905-1906).

³Ibid., 1:246.

Yehezkel Kaufmann (1889-1963)

Yehezkel Kaufmann in his monumental work *History of the Israelite Religion* (*Toledot ha-Emurah ha-Yisre' elit*, 8 vols. in 4), published from 1937-1957,¹ stressed that the Torah vigorously rejects all forms of magic and mythology (no battles among gods or birth of gods). Man cannot force his will upon his Creator. His main contribution is his thesis that Israel's monotheism was not a gradual development away from paganism, but an entirely new beginning. It follows that the Mosaic dietary laws, dealt with in the second volume, are not derived from totemism or taboo (against Robertson Smith and Frazer), but are given by special revelation of God.

Uncleanness is not a power or an independent force to be afraid of, but merely a state. It is not a threat to God. A living "unclean" animal is not unclean, since a living animal does not defile (only the carcass defiles).² "We do not find in forbidden food any trace of inherent danger. . . . Banned animals are forbidden because they are an 'abomination' or 'detestation' but no destructive power of a magical or demonic character

¹The first seven volumes were condensed and translated into English by M. Greenberg: Yehezkel Kaufmann, *The Religion of Israel: From Its Beginnings to the Babylonian Exile* (Chicago: University of Chicago Press, 1960). The beginning of volume 8 was translated into English by C. W. Efraymson: Yehezkel Kaufmann, *The Babylonian Captivity and Deutero-Isaiah* (New York: Union of American Hebrew Congregations, 1970).

²*Toledot ha-Emurah ha-Yisre' elit*, 2:539-540.

resides in them whatsoever."¹ The dietary laws are given for a moral reason: to be holy by being obedient.²

Herold S. Stern

The rationale of the Pentateuchal dietary laws occupies the central position in Herold S. Stern's article "The Ethics of the Clean and Unclean" published in 1957.³ He compares Greek and Hebrew attitudes toward food:

We confront in the Bible a theory of morality which is radically different from the Western moral outlook. According to Western ethics, the kind of food we eat has nothing to do with our morals. The Hebrew word *tame* or its synonym *toevah* which is variously translated unclean, defiling or abomination and its opposite *tahor*, the clean, cannot be interpreted in the Western sense of that which is injurious to health by reason of its unhygienic character. Their employment in reference to so-called purely moral acts would then be inexplicable.⁴

For Stern an abomination or uncleanness "is that which arouses disgust or is to be abhorred."⁵ According to him, the best interpretation of the biblical concept of uncleanness is "the disgusting." That which is clean is "in accordance with one's nature."⁶

¹Ibid., 2:454.

²Ibid., 2:455-457.

³Stern, 319-327.

⁴Ibid., 321.

⁵Ibid.

⁶Ibid., 331, 326. Also *ibid.*, 322: "The unclean is felt as disgusting."

Stern's ethical explanation of the dietary laws is built on the recognition that the dignity of man has its foundation in man being created in the image of God. "This view of man's dignity is the cornerstone of the Bible's ethical theory."¹

Stern correctly summarizes the difference between Greek and Hebrew thinking:

Another basic aspect of Biblical thought that must be grasped if the dietary laws are to be understood is the essentially materialistic outlook the Bible takes. Actions take place in the real physical world. And, since they involve the acts of material beings toward other material beings, they are essentially related to the worth of physical things. Since ethics is concerned with right action it is essentially involved with the value attached to material things. This is the second basic fact denied by Greek ethical theory. Since Greek theory denies the importance of matter and the physical world.²

Stern's ethical emphasis is fundamentally constructed on the view that "material things are not neutral and have intrinsic value."³ This is the reason for the Mosaic dietary laws.

Stern concludes: "Therefore, just as there are material things which are naturally good and bad, beautiful and ugly, there are material things which are naturally clean or unclean."⁴ This is why he stresses that "the Biblical dietary laws stand on the same moral grounds as incest, adultery, etc."⁵ His ethical rationale is closely linked with the idea of abhorrence: "Possibly, specific animals were forbidden because they were carnivorous.

¹Ibid., 321.

²Ibid., 322.

³Ibid., 325.

⁴Ibid., 325.

⁵Ibid., 320-321.

In others, it may have been that their habits or surroundings were disgusting."¹ Thus, his contribution to the discussion about the Pentateuchal food regulations consists of putting together morality/ethics with the idea of "disgusting" in connection with the dietary laws.

Samuel H. Dresner and Seymour Siegel

Samuel H. Dresner and Seymour Siegel published their views on the Jewish dietary laws in 1959.² Dresner stresses that the goal of the laws of clean and unclean animals/food (he speaks in a broader sense about Kashrut) is holiness and separation from other nations. He writes:

It is a part of Judaism's attempt to hallow the common act of eating which is an aspect of our animal nature. It likewise sets us apart from the nations. Thus it achieves its objective, holiness, in these two ways, both of which are implied in the Hebrew word, Kadosh: inner hallowing and outer separateness. Finally, Kashrut makes two demands upon the modern Jew: understanding of the mind and commitment of the will. Both are indispensable.³

Siegel gives practical guidance with regard to the observance of these dietary rules for the purpose of achieving this holiness.⁴

¹Ibid., 326. See also J. H. Hertz who points out that birds which lived in dark ruins or marshy land, that may have implied death—the unclean par excellence—were forbidden. (See Hertz, J. H., ed., *The Pentateuch and Haftorahs*, 2nd ed. (London: Soncino Press, 1969), Leviticus 11.13-11.19.)

²Samuel H. Dresner, *The Jewish Dietary Laws: Their Meaning for Our Time*; Seymour Siegel, *The Jewish Dietary Laws: A Guide to Observance*.

³Dresner, 54.

⁴Siegel, 55-71. See also Y. Kemelman, *A Guide to the Jewish Dietary Laws*, 3rd ed. (Sydney: The Central Synagogue, Jewish Pocket Library, 1971).

Harry Rabinowicz

A very good overview of the laws of clean and unclean animals/food along with the discussion running in the Jewish circles was produced by Harry Rabinowicz in 1971. His article was published in *Encyclopaedia Judaica*. He nicely summarizes different approaches to the dietary laws,¹ stressing that their purpose is religious and moral.² He maintains that the criterion for distinguishing clean and unclean animals "seems to have been the animal's sacrificial suitability, rather than pagan taboos."³

Isidor Grunfeld (1900-1975)

Isidor Grunfeld published in 1972 a very significant two-volume publication. *The Jewish Dietary Laws*.⁴ He expresses his view (heavily influenced by Hirsch) that the Mosaic dietary laws were given because they possess ethical values.

They are meant to act as the bridge between the physical necessities of man's earthly frame and the higher aspirations of the soul. The truly religious man considers food and other physical necessities as the means by which he keeps body and soul together in order to fulfill the task of the soul.⁵

Besides the moral/ethical rationale of the Mosaic dietary regulations, the motif of separation in order to create and maintain the identity and collective character of Israel is very strong in Grunfeld work.

¹Rabinowicz, 6:26-46.

²Ibid., 44-45. But his position is not explicitly stated.

³Ibid., 27.

⁴Grunfeld.

⁵Ibid., 1:203.

The Jewish dietary laws have the one purpose of creating that kind of Jewish personality which by its spiritual, moral attainments becomes a worthy member of the people of God and their mission among the nations: to testify to God and the spiritual values of life and to bring about general recognition of the ultimate unity of body and soul and of matter and mind. The Jewish dietary laws have moulded the collective character of our nation; they have contributed more than any other set of Jewish laws to the holiness of the brotherhood of Israel.¹

Thus the Pentateuchal dietary laws do not belong to the hygienic or medical laws, but to the moral code.² "Their primary aim—as clearly stated in the Torah—is holiness, that is the submission of man to the Moral Law of God."³ But the validity of these dietary regulations lies in "the simple fact that God commanded them. Our own speculation, however successful it may appear, can never have the same value as the simple conviction that it is God who in His infinite wisdom ordained these laws for our benefit."⁴

Baruch Levine

Baruch Levine in his insightful commentary on the book of Leviticus published in 1989 makes a significant exegetical observation about the abomination of the unclean animals (the term used in Deut 14:3 is a "detestable thing"). He points out that there are three categories of laws in the book of Deuteronomy connected by the word *תועבה*, namely forbidden food, forbidden sexual unions, and pagan worship.⁵ The usage is of

¹Ibid., 1:205-206.

²Ibid., 1:31.

³Ibid.

⁴Ibid., 1:25.

⁵Levine, *Leviticus*, 243. He points especially to Deut 14:3; Lev 18:24-30; and Deut 7:25-26. The prophet Ezekiel severely condemns these three categories of sins

utmost significance, because dietary laws are here connected with the laws against unlawful sexual practices and idolatry. Both of these categories are moral in nature. We have to ask therefore if the moral connotations could also be found in the laws of clean and unclean animals/food. It is important to note that all three of these categories are linked with murder and violence by the prophet Ezekiel when he explains why the People of Israel were in Exile.

Levine rightly points out the danger of the oversimplification of the dietary laws by shrinking them to the question of eating pork. "It was anachronistically assumed that in earlier biblical times [prior to the Antiochan persecution of the second century B.C.E.] it also had unique significance as the impure animal par excellence."¹ Levine explains the special attention given by scholars to the pig in terms of "the relatively abundant evidence about it available from comparative sources."²

Levine stresses that the dietary laws are not based on "cultic norms" that ensured the suitability and purity of the sacrifice. On the contrary; he underlines "that sacrificial animals were selected from larger groups of animals and birds already considered to be pure."³

(eating forbidden food, unlawful sexual intercourse, and idol worship form a triad of religious sins) and he adds the charge of murder and violence (Ezek 33:25-26).

¹Levine, *Leviticus*, 247.

²Ibid., 247.

³Ibid., 246.

For Levine there is a socioreligious basis for the biblical dietary laws. "A socioreligious intent clearly underlies the dietary classification system."¹ The purpose of these laws is to maintain a "distinction between the Israelites and their neighbors" in order that Israel would "not go astray after pagan religions."² They cannot eat meat with blood, that is with life. "Eating blood is like shedding blood."³ By the avoidance of unfit food, "Israelites are kept from bestiality; their humaneness is enhanced."⁴

Jacob Neusner

Jacob Neusner in his many publications touches on the question of unclean food.⁵

In opposition to the allegorical interpretation he explains:

One cannot suppose the purity-laws here have been thoroughly allegorized, that is, explained in terms of some other, wholly separate set of ideas. The rules of purity here are rationally explained chiefly as a discipline. They are for the sake of virtue, frequently symbolizing, in one detail or another, a higher value.⁶

¹Ibid., 248.

²Ibid., 244.

³Ibid., 248.

⁴Ibid.

⁵Neusner, *Idea of Purity in Ancient Judaism*; idem, "The Jewish-Christian Argument in Fourth-Century Iran," 282-298; idem, *Judaic Law from Jesus to the Mishnah: A Systematic Reply to Professor E. P. Sanders*, South Florida Studies in the History of Judaism, ed. Jacob Neusner and others, no. 84 (Atlanta, GA: Scholars Press, 1993); idem, *Judaism and Scripture: The Evidence of Leviticus Rabbah*, Chicago Studies in the History of Judaism, ed. Jacob Neusner (Chicago: University of Chicago Press, 1986).

⁶Neusner, *Idea of Purity in Ancient Judaism*, 44-45.

Purity is a metaphor for moral cleanness and for self-control. For Neusner, impurity is imparted by all sorts of loathsome things—bodily discharges, reptiles, lepers, mysterious growths on stone walls. These have no intrinsic relationship to the cult. They will have been loathsome anywhere. . . . Yet unclean animals in period of the Second Temple were prohibited to all Israelites, not only to priests, and were avoided throughout the land of Israel and the diaspora, not merely in the Temple. . . . We certainly cannot maintain, therefore, that purity was primarily a cultic concern, or important only when a non-priest intended to go to the Temple. The contrary was in fact the case.¹

This is a valuable point. The uncleanness of the animals is certainly of a different kind than the rest of uncleanness, as it will later be demonstrated from the exegetical comparative perspective.

Jacob Milgrom

Jacob Milgrom's contribution to the problem of the interpretation of the laws on clean and unclean food is outstanding. In his commentary on the Book of Leviticus he summarizes and enlarges his views about the rationale of the dietary code and relates issues he has written about quite extensively since 1963.² The ethical interpretation of

¹Ibid., 29-30. Neusner therefore states that "impurity was in its origin connected with loathing" (ibid., 12)

²Milgrom, *Leviticus 1-16*; idem, "Biblical Diet Laws as an Ethical System," 288-301; idem, "The Changing Concept of Holiness in the Pentateuchal Codes with Emphasis on Leviticus," in *Reading Leviticus: A Conversation with Mary Douglas*, ed. John F. A. Sawyer (Sheffield: Sheffield Academic Press, 1996), 65-83; idem, "The Composition of Leviticus, Chapter 11," in *Priesthood and Cult in Ancient Israel*, ed. Gary A. Anderson and Saul M. Olyan (Sheffield: JSOT Press, 1991), 182-190; idem, "Confusing the Sacred and the Impure: A Rejoinder," *Vetus Testamentum* 44 (1994): 554-558; idem, "Ethics and Ritual," 159-191; idem, "The Graduated *Ḥattā'ot* of Leviticus 5:1-13," *Journal of the American Oriental Society* 103 (1983): 249-254; idem, "The Priestly Impurity System," in *Proceedings of the Ninth World Congress of Jewish Studies: Division A, The Period of the Hebrew Bible* (Jerusalem: World Union of Jewish Studies, 1986), 115-120; idem, "Profane Slaughter and a Formulaic Key to the Composition of

purpose."¹ This purpose can be defined in the following way: "To treat animal life as inviolable except for a few animals that may be eaten—provided they are slaughtered properly and their blood is drained."²

Milgrom's definition of uncleanness and cleanness is, in my judgment, unequaled among his peers. He defines uncleanness as something which is a threat to life and related to death; cleanness on the contrary is related to life.³ The system of impurity is symbolic and reminds Israel of "its imperative to cleave to life and reject death."⁴ For Milgrom therefore the whole purpose of the dietary legislation lies in respect for life. To say it in different words:

Its purpose is to teach the Israelite reverence for life by (1) reducing his choice of flesh to a few animals; (2) limiting the slaughter of even these few permitted animals to the most humane way; and (3) prohibiting the ingestion of blood and mandating its disposal upon the altar or by burial as acknowledgment that bringing death to living things is a concession of God's grace and not a privilege of man's whim.⁵

It is possible to detect in Milgrom's approach a symbolic explanation of the dietary laws. He divides animals into three categories—unclean, clean, and sacrificial—which correspond to three groups of people: unclean animals represent

¹Ibid.

²Ibid.

³Milgrom, *Leviticus 1-16*, 704; idem, *Numbers*, 346: "The forces pitted against each other in the cosmic struggle are no longer the benevolent and demonic deities who populate the mythologies of Israel's neighbors but the forces of life and death set loose by man himself through his obedience to or defiance of God's commandments."

⁴Milgrom, *Numbers*, 346.

⁵Milgrom, *Leviticus 1-16*, 735.

Gentiles, clean animals point to the Jews, and sacrificial animals correspond to priests in the Jewish cult. This tripartite division is parallel to the division of the ground: earth (mankind), land (Israel and "ger"), and sanctuary (priests). This distinction is made on the basis of three covenants: with Noah (Gentiles), Abraham (Israel), and Phinehas (priests).¹ But there are not three covenants made with animals. Moreover, God's covenant made with Noah is universal, therefore Jews (Israel) are also included in it (like later Greeks or Romans). The speculative symbolic understanding started in the intertestamental time and had quite a wide echo among the rabbis. Its traces can be discerned also in the New Testament such as in Acts 10:12-16. But nowhere in the Hebrew Scriptures can such an interpretation be detected.

Jeffrey H. Tigay

In 1996 Jeffrey H. Tigay in his commentary on the book of Deuteronomy recognizes that "a distinction between pure and impure animals was recognized in pre-Israelite times."² The rationale for these laws lies in God:

The language of the dietary codes indicates that what is impure for Israel is so because God declares it to be so: "they are unclean to you" (vv. 7, 8, 10, 19). Thus, holiness is maintained by avoiding what is impure not by human standards, but by divine standards.³

¹Ibid., 721-726. See also Mary Douglas, *Implicit Meanings* (London: Routledge & Paul, 1975), 263-269.

²Tigay, 138.

³Ibid.

Nevertheless Tigay stresses several reasons and effects of these laws on Jews which go beyond the purposes stated in the Pentateuch:

They are understood as an expression of submission to God's authority. Since they limit the right to take animal life and the method by which it is taken, they are understood as an expression of reverence for life and compassion for animals. Because of their effects, they are also understood as a regimen teaching self-discipline and as a force for Jewish distinctiveness and unity.¹

Tigay points out correctly that Deuteronomy puts forbidden foods as well as idolatrous and immoral actions together into one category of abhorrence which is directed against holiness.²

It is interesting that although all Jewish modern interpretations, from Hirsch, Hoffmann, and Kaufmann to Milgrom and Levine, remove many misconceptions about the Mosaic dietary laws, and add many valuable points to the discussion, they do not offer any new special theory (with the exceptions of Stern and Milgrom). It seems that the moral/ethical and/or arbitrary and/or separation/social interpretations are deeply rooted and alive among Jews in modern times.

Modern Interpretations (Christian, Comparative or Anthropological)

William Robertson Smith (1846-1894)

William Robertson Smith introduced a new influential interpretation of the Pentateuchal laws on clean and unclean animals/food in 1889 with his first edition of

¹Ibid.

²Ibid.

*Lectures on the Religion of the Semites.*¹ His explanation was built on evolutionary thinking and comparative religion. He believed that in origin there was no distinction between clean and unclean animals. Later all were subject to taboos. He thought that the dietary restrictions go back ultimately to a number of individual food taboos, of quite different origin and motivation. The legislators of the dietary laws tried to systematize and sublimate them. Smith developed the concept that the clean/unclean distinction of animals is the remnant of totemism,² which is the belief that the corporate "soul" or life-essence of a community is bound up with a particular species of animal or plant.³

Steiner explains that "the most important stimulus for Robertson Smith in his discussion of the holy was the Polynesian concept of taboo in which the notion of the forbidden merged with that of the ritually significant."⁴ From this angle Smith discussed the holy. He mixed together two important Hebrew words: קָדוֹשׁ and חֲרָם introducing the meaning of "ban" to "holy" through חֲרָם. But this Hebrew word never occurs in

¹W. R. Smith, *Lectures on the Religion of the Semites*.

²Ibid., 143. See also Walter Kornfeld, "Die unreinen Tiere im Alten Testament." in *Wissenschaft im Dienste des Glaubens: Festschrift für Abt. Dr. Hermann Peichl, O.S.B.*, ed. Josef Kisser and others (Vienna: Selbstverlag der Wiener Katholischen Akademie, 1965), 12; J. F. McLennan, "The Worship of Animals and Plants," *Fortnightly Review* VI and VII (1869 and 1870).

³Totemism is defined as "a pattern of thought prevalent among some 'primitive' or small-scale societies that regard a particular species of animals or type of plant as a member, benefactor (particularly with regard to the food supply), and perhaps even the ancestor of a family, clan, or tribe" (D. E. Aune, "Totemism," *ISBE* [1988], 4:880).

⁴Franz Steiner, *Taboo* (New York: Philosophical Library, 1956), 68.

connection with unclean food/animals, nor with other kinds of uncleanness. The Hebrew Bible consistently uses the word טָמֵא in passages dealing with clean and unclean food (Exod 22:31; Lev 11:44-45; 20:25-26; Deut 14:2, 21).

Smith distinguished between the Semitic concept of uncleanness and taboo. He wrote: "Various parallels between savage taboos and Semitic rules of holiness and uncleanness will come before us from time to time; but it may be useful to bring together at this point some detailed evidence that the two are in their origin indistinguishable."¹ For him taboo is "the very vehicle of primitiveness; the mere presence of an element of contagion or transfer in a situation makes the whole situation one of taboo, that is one to be discussed in terms of this 'lowest form of superstition.'"²

Smith's concept of taboo or rather the holy is an essential part of a complex argument concerning animism among the Semites. The connection between taboo and uncleanness lies in association of uncleanness with contagion.

Snaith's criticism of W. Robertson Smith is valuable, because he pointed out that the concept of taboo differs from the distinctive Hebrew idea of uncleanness and/or holiness.³ Such an explanation gives an inadequate picture of Hebrew religion.⁴

¹Ibid., 446.

²Ibid., 61.

³Norman H. Snaith, *The Distinctive Ideas of the Old Testament* (London: Epworth Press, 1944), 9-50. For further critique see also Steiner, 78-93, and William Foxwell Albright, *Yahweh and the Gods of Canaan: An Historical Analysis of Two Contrasting Faiths* (Winona Lake: Eisenbrauns, 1994), 176-177.

⁴Snaith, 9: "Between these two [Hebrew religion and Greek thought] there is a great gulf fixed. We do not see that either admits of any compromise. They are

Martin Noth (1902-1968)

German scholar Martin Noth introduced in 1940 a cultic theory that the unclean animals are those that were worshiped by pagans in their own religions.¹ The purpose of the Mosaic dietary laws he stated in the following way:

The animals declared unclean are not rejected on hygienic grounds, but because they are animals which were revered or sacrificed in various cults in the areas occupied by Israelite tribes. Consequently they were forbidden for cultic slaughter and even for food because every possible connection with foreign cults was to be avoided.²

Noth further explained his position:

Certain animals are declared cultically unclean because they were regarded by the Israelite tribes and their contemporaries as demonic beings or as hosts to demonic powers, so that contact with them was regarded as a meddling with a separate superhuman sphere irreconcilable with the exclusive cult of Yahweh.³

fundamentally different in a priori assumption, in method of approach, and in final conclusion."

¹See Martin Noth, *Die Gesetze im Pentateuch (Ihre Voraussetzungen und ihr Sinn)*, Schriften der Königsberger Gelehrten Gesellschaft, Geisteswissenschaftliche Klasse, 17:2 (Halle/Saale: Max Niemeyer Verlag, 1940); idem, *The Laws in the Pentateuch and Other Studies* (Edinburgh: Oliver & Boyd, 1966); idem, *A History of Pentateuchal Traditions* (Englewood Cliffs, NJ: Prentice-Hall, 1972); idem, *Leviticus: A Commentary*.

²Noth, *Laws in the Pentateuch and Other Studies*, 56. See also Noth, *Leviticus*, 92: "This point of view concerned primarily those animals playing a part in certain foreign cults of the surrounding world as 'holy' animals, and animals for sacrifice, or important in idolatrous practices (spells and magic); or animals appearing to be specially connected with the powers working against God ('Chaos'). The eating of such animals, even if not actually bound up with any cultic or magical practices or the like, would have had for the Israelites relationships with illegitimate cultic practices and 'powers' (cf. I Cor. 10.28)."

³Noth, *Laws in the Pentateuch and Other Studies*, 56.

This view was already held by Origen, who thought that unclean animals have a special relation to the demonic forces. Noth stressed that the Old Testament laws were to protect "the sacral regulation of the twelve-tribe confederacy."¹ He admitted that only in some instances proof is available and he demonstrated his view with regard to the pig.² He explains why the ox, sheep, and goat are declared unclean, even though these animals were sacrificed elsewhere in the pagan world: "These beasts were everywhere used in the sacrificial cult in lands possessing pastoral and agricultural economies: they therefore represent such widely distributed materials of sacrifice that they had no special links with any cult in particular."³

Noth concludes his study of forbidden food with the certainty that the characteristic features for distinguishing clean animals "have nothing in the slightest to do with the core of the matter."⁴

F. J. Simoons

F. J. Simoons brought up a different aspect of the dietary code of the Old Testament by surveying food avoidances of the past in many different cultures and

¹Ibid., 59.

²Ibid., 57-588. See also de Vaux, *Bible and the Ancient Near East*, 252-269; idem, "Les sacrifices de porcs en Palestine et dans l'Ancient Orient," 250-265; U. Hübner, 225-236; Charvát, 1:1-6; Jirku, 348.

³Noth, *Laws in the Pentateuch and Other Studies*, 58.

⁴Ibid., 59.

geographical areas. He limited his study to the food prohibition of the pig, dog, horse, and camel. His view was published in 1961.¹

Mary Douglas

Mary Douglas, a social anthropologist, made an outstanding contribution to the study of the biblical dietary laws of clean and unclean animals.² She follows the insights of the Emile Durkheim school, which contends that the customs and rituals of any society reflect its values. The animal world is a mirror of human society. Therefore, a society's taxonomy views will unmask its values.

Her starting point in explanation of the distinction between clean and unclean animals is the creation account, which is taken as a symbol. This account reflects the Hebrew society's understanding of the world, and thus values of life. She uses the creation account as a basis for her symbolic anthropological theory. She states:

To grasp this scheme we need to go back to Genesis and the creation. Here a three-fold classification unfolds, divided between the earth, the waters and the firmament. Leviticus takes up this scheme and allots to each element its proper kind of animal life.³

¹Simoons, *Eat Not This Flesh*.

²M. Douglas, *Purity and Danger*; idem, *Natural Symbols: Explorations in Cosmology* (London: Pantheon Books, 1970); idem, *Implicit Meanings*; idem, "Forbidden Animals in Leviticus," 3-23; idem, "Sacred Contagion," in *Reading Leviticus: A Conversation with Mary Douglas*, ed. John F. A. Sawyer (Sheffield: Sheffield Academic Press, 1996), 86-106.

³M. Douglas, *Purity and Danger*, 55. See also her "Critique and Commentary," in Jacob Neusner, *The Idea of Purity in Ancient Judaism: The Haskell Lectures, 1972-1973*, Studies in Judaism in Late Antiquity, ed. Jacob Neusner, no. 1 (Leiden: E. J. Brill, 1973), 139.

Douglas stresses the proper way of locomotion of the animals as the sign of their normality and thus cleanness. She defines purity/cleanness as normality, holiness as wholeness, and impurity as dirt, danger, or abnormality.¹ "Anomalous creatures are unfit for altar and table."² This judgment of purity derives not from objective physical reality, but from the cultural understanding of a particular society. Purity rules are symbols which express and reflect larger social concerns. She correctly defines holiness as "keeping distinct the categories of creation."³

Thus, Douglas is building her symbolic anthropological explanation on the creation account of Gen 1. She argues that "the forbidden animals in Leviticus made sense as a cognitive ordering of the universe."⁴ This symbolism is seen in identifying clean (or table) animals with Israelites, the unclean (or abominable) animals with others (non-Israelites), and the sacrificial (or altar) animals with the Levites/firstborn. She calls this symbolism an analogy between humans and animals.⁵

Douglas recently explained what she was trying to accomplish in the past:

¹M. Douglas, *Purity and Danger*, 50-57.

²M. Douglas, *Implicit Meanings*, 266.

³M. Douglas, *Purity and Danger*, 53.

⁴M. Douglas, "The Forbidden Animals in Leviticus," 6.

⁵M. Douglas, *Implicit Meaning*, 263-273. She writes: "Animals are classified according to degrees of holiness. At the bottom end of the scale some animals are abominable, not to be touched or eaten. Others are fit for the table, but not for the altar. None that are fit for the altar are not edible and vice versa, none that are not edible are sacrificeable. The criteria for this grading are coordinated for the three spheres of land, air, and water" (263).

In 1966 I tried the idea that the forbidden animals in Leviticus made sense as a cognitive ordering of the universe. They seemed to be very comparable to taboos in other parts of the world, a rational construction of nature, society and culture. The main argument of Purity and Danger was that taboo organizes consensus by attributing the dangers which regularly threaten to breaches of moral law. In the case of the forbidden animals in Leviticus I could not find this link with morals and social distinctions, but trusted that, as the idea was relatively new, further research by qualified biblical scholars would discover ways in which eating the animals could be used as accusations in the same way as breaking taboos.¹

In her latest article about the Mosaic dietary laws published in 1993 she has abandoned some of her previous interpretations built on Gen 1, and has tried a new approach toward the motivation behind these regulations.² She has based her explanation on the prophetic message of Isa 1:10-17 and 58:7 about righteousness ("clean" here means to practice moral rules) and she has pursued her symbolic interpretation, which very much resembles the allegorical explanations of Aristeas and Philo. She has argued that the unclean forbidden animals were "the sufferers of injustice,"³ even though she stressed along this line that unclean animals were predators and eat blood. "The rule for avoiding blood is based on a concept of honouring the life in the animal, while the rule for avoiding the listed unclean beasts is interpreted as based on disgust and repulsion."⁴ In other words, Douglas put stress on the behavior of the predatory animals and the vulnerability of the unclean animals.

¹M. Douglas, "Forbidden Animals in Leviticus," 6.

²Ibid., 3-23.

³Ibid., 22.

⁴Ibid., 4-5.

Douglas explains that "the forbidden animals are to be honoured as symbols of the victims of injustice, enacting Isaiah's concern for the fatherless and oppressed."¹ She elucidates:

It would now appear that the forbidden species which are not covered by the law against eating blood, either have something lacking (like joints, legs, fins or scales) or something superfluous (like a burden on their backs) and that their disfigurement has something to do with injustice.²

She comments further:

The forbidden animals species exemplify the predators, on the one hand, that is those who eat blood, and on the other, the sufferers from injustice. Consider the list, especially the swarming insects, the chameleon with its lumpy face, the high humped tortoise and beetle, and the ants labouring under their huge loads. Think of the blindness of worms, and bats, the vulnerability of fish without scales. Think of their human parallels, the labourers, the beggars, the orphans and the defenceless widows.³

According to this new approach, holiness is "incompatible with predatory behavior."

Douglas concludes with this summary:

Though this interpretation makes the dietary rules symbolic for virtues and vices, the permitted animals do not stand for any virtues, they simply keep the rule of avoiding blood, and the forbidden animals do not represent vices in their own bodies, but the effects of vicious actions on part of others.⁴

¹Ibid., 23.

²Ibid., 20.

³Ibid., 22.

⁴Ibid., 23.

Thus, according to Douglas, the message of Leviticus is "completely in accord with what the prophets said."¹ She reinforced this approach in her study "Sacred Contagion" published in 1996, where she states that the forbidden animals "should be considered as objects of divine compassion and sympathy. I [Douglas] will argue that the meaning of the rules is not that they be hated but rather that they are under divine protection."² She puts the forbidden animals in "the class of blemished creatures."³

W. F. Albright (1891-1971)

W. F. Albright dealt with the laws of clean and unclean animals/food in his famous book *Yahweh and the Gods of Canaan*, where he stresses the hygienic rationale for these laws.⁴ He explains:

It is only in the water of extremely muddy and slow-flowing rivers such as the Nile that the distinction [fins and scales for fish] is important for health. Fish with scales and fins are normally free-swimming, whereas fish without scales and fins, such as eels, are usually mud-burrowers and therefore hosts to a great many more parasites than free-swimming fish.⁵

The health reason is applicable to all in the animal kingdom. "In the case of hygienic regulations, it is perfectly obvious that their ultimate basis rests on the observed facts of

¹Ibid.

²M. Douglas, "Sacred Contagion," 101.

³Ibid., 102. Douglas based her argument on the presupposition that prohibited animals have defective modes of locomotion compared with the herds and flocks (too many or too few legs, legs too short, or wrong hooves), and on her understanding of "blemish" as expressed in Lev 22:22-24 and 21:18-20.

⁴Albright, 175-181.

⁵Ibid., 178.

contagion and infection."¹ Albright also mentions the humane aspect of the Mosaic legislation in general.²

Marvin Harris

Marvin Harris,³ one of the best known and most influential anthropologists today, has a totally different approach toward the Pentateuchal dietary laws. As an atheist and materialist with the evolutionary theory in mind, he seeks to explain the prohibition and regulations against eating so-called unclean animals by economical and ecological considerations. He concentrates on one example—pig—in order to prove his point. Harris writes: "I think that the Bible and the Koran condemned the pig because pig farming was a threat to the integrity of the basic cultural and natural ecosystems of the Middle East."⁴ He elucidates:

The basic reason for this is that the world zones of pastoral nomadism correspond to unforested plains and hills that are too arid for rainfall agriculture and that cannot easily be irrigated. The domestic animals best adapted to these zones are the ruminants—cattle, sheep, and goats. . . . The pig, however, is primarily a creature of forests and shaded riverbanks. Although it is omnivorous, its best weight gain is from food low in cellulose—nuts, fruits, tubers, and especially grains, making it a direct competitor of man. It cannot subsist on grass alone, and nowhere in the world do fully nomadic pastoralists raise significant numbers of pigs.⁵

¹Ibid., 180.

²Ibid., 181.

³Marvin Harris, *Cows, Pigs, Wars, and Witches*.

⁴Ibid., 33.

⁵Ibid., 34-35.

Raising pigs has further disadvantages: they do not give milk, they are not used for transportation and they do not help with heavy physical work. "Above all, the pig is thermodynamically ill-adapted to the hot. . . . Compared to cattle, goats, and sheep, the pig has an inefficient system for regulating its body temperature."¹ The pig has very dirty habits, because it must compensate for its lack of protective hair and its inability to sweat. It must moisturize its skin. "It will cover its skin with its own urine and feces if nothing else is available. . . . So there is some truth to the theory that the religious uncleanness of the pig rests upon actual physical dirtiness."²

Because the meat of the pig tasted good, it was a great temptation to prepare it for food. But raising pigs was too expensive. Pork thus became "an ecological and economical luxury."³ The greater the temptation, the greater the need for divine interdiction. This is why God declared swine as unclean, "not only as food, but to the touch as well."⁴

¹Ibid., 35. "According to L. E. Mount of the Agricultural Research Council Institute of Animal Physiology in Cambridge, England, adult pigs will die if exposed to direct sunlight and air temperatures over 98° F. In the Jordan Valley, air temperatures of 110° F. occur almost every summer, and there is intense sunshine throughout the year" (ibid.).

²Ibid., 35-36.

³Ibid., 37.

⁴Ibid., 37. Here Harris makes a mistake, because it was not forbidden to touch a pig while alive. Only touching a carcass was not allowed (Lev 11:8, 24-25).

Harris does not want to give the impression that "all religiously sanctioned practices have ecological explanations."¹ He speaks about the social functions of taboos, which are "helping people to think of themselves as a distinctive community."² This function of taboos helps him to explain the reason for the modern observance of dietary laws.

Michael P. Carroll

Michael P. Carroll criticizes Mary Douglas's interpretation of the Mosaic dietary laws on the ground of misinterpreting Gen 1, because she works with only a threefold classification of animals instead of a fivefold one as he suggests. He argues that Gen 1 set out five major classes of living creatures (fish, birds, cattle, beasts of the earth, creeping things).³ He points out that unclean animals are carnivorous and cross the boundary between "nature" (sphere of animals) and "culture" (sphere of men): "Meat-eating animals are a class of things that blur the nature/culture distinction."⁴ Vermin are unclean because they invade the home, crossing the nature/culture distinction. He thus suggests different definitions for clean and unclean: "clean" is what respects the boundary between nature and culture, and "unclean" is what blurs the nature/culture distinction. In the words of Carroll:

¹Ibid., 38.

²Ibid.

³Carroll, 118.

⁴Ibid., 122.

Leviticus defines as unclean those things anomalous with respect to the *nature/culture* distinction. either because they are animals that eat meat or because they are things—like vermin, mould or mildew—that properly belong to *nature* yet invade the world of man.¹

James B. Jordan

James B. Jordan writes quite extensively about the Mosaic dietary laws.² His explanation of these regulations is symbolic and he strongly opposes a hygienic interpretation. Eating pork is now for Christians a sign that they are liberated from the bondage of the Jewish law system. For him this is a mark of Christian liberty and evangelism: "Eating pork is a sign that the gospel has gone to all the world."³

¹Ibid., 124-125.

²James B. Jordan, *An Introduction to the Mosaic Dietary Laws*, Studies in Food and Faith, no. 1 (Niceville, FL: Biblical Horizons, 1989). See also his Studies in Food and Faith, no. 2-13 (Niceville, FL: Biblical Horizons, 1989-1990).

³James B. Jordan, *Pig Out? 25 Reasons Why Christians May Eat Pork* (Niceville, FL: Biblical Horizons, 1992), cover page. See also idem. *An Exposition of Leviticus 11*, Studies in Food and Faith, no. 13 (Niceville, FL: Biblical Horizons, 1990); idem. *Interpretations of the Mosaic Dietary Laws, a Survey*, Studies in Food and Faith, no. 5 (Niceville, FL: Biblical Horizons, 1989); idem, *The Meaning of the Mosaic Dietary Laws*, Studies in Food and Faith, no. 11 (Niceville, FL: Biblical Horizons, 1990).

If for Jordan the eating of pork is a sign of true liberty for Christians, then he must be consistent. He cannot stop with pork, but he must also add other unclean creatures, for example mice, frogs, serpents, dogs, cats, horses, hyenas, skunks, etc. Why should the eating of these creatures be a sign of liberty and evangelism? The pig is only one of the unclean creatures with no specific significance in the Hebrew Bible. The sign of our liberty is a life free of the bondage from sin. Eating of frogs, mice, horses, and dogs has nothing to do with liberation from the bondage of the law. For many people not eating something is not a way to gain salvation, but an expression of obedience to the will of God and a manifestation of their inner freedom.

David P. Wright

In 1990 David P. Wright published an insightful response to Jacob Milgrom's article about "Ethics and Ritual: The Foundation of the Biblical Dietary Laws."¹ Wright questions in his study two important assumptions of Milgrom in regard to the dietary laws: (1) Is it so that the categories of forbidden animals in Lev 11 were determined on the basis of formal criteria? and (2) Is it true that an ethical rationale lies behind the restriction of the dietary laws? Concerning the first point, Wright suggests that the determination of categories of unclean animals should be seen on the basis of an interplay between the formal criteria and preexisting tradition or customs. To the second question he replies that "in view of the foregoing reasons [(1) no proof in the biblical text; (2) contradiction between the wording and orientation; (3) no limitation of the amount of meat], it seems difficult to understand the ethical notion of reverence for life as the main informing notion of the Priestly food laws."² Milgrom's conclusion is thus lacking conclusive evidence. For Wright the primary rationale of the Pentateuchal dietary laws "is to provide a means of making and maintaining Israel as a holy people, setting them apart from other nations."³

¹David P. Wright, "Observations on the Ethical Foundations of the Biblical Dietary Laws: A Response to Jacob Milgrom," in *Religion and Law: Biblical-Judaic and Islamic Perspectives*, ed. Edwin B. Firmage, Bernard G. Weiss, and John W. Welch (Winona Lake, IN: Eisenbrauns, 1990), 193-198. See also Milgrom, "Ethics and Ritual."

²D. P. Wright, "Observations on the Ethical Foundations of the Biblical Dietary Laws," 197.

³*Ibid.*

Edwin Firmage

In 1990 Edwin Firmage published a significant article about clean and unclean animals.¹ He criticizes some ideas of Mary Douglas, especially those related to locomotion as a basis for classification of animals into different categories. Nevertheless, he accepts her fundamental idea that "codes of behavior are inseparable from the larger social system of their creators, whose values they embody."² He stresses that "it is now with Mary Douglas that any further discussion of the dietary law must begin."³

Firmage proposes a new approach and a different rationale toward classification of animals into clean and unclean. He explains his views: "The first and most important criteria of this law (Lev 11:3) were perforce derived from these few domestic species because they constituted *de facto* the category of clean food."⁴

In addition to these domestic clean animals, the sacrifices as the food for God serve as a model for the food for the people. Priests thus, according to Firmage, had a model of purity in animals designated for sacrifice (he speaks about "God's altar-table") and on this basis the parallel system is drawn. He explores: "While man's diet included those animals regularly given to the deity, man nevertheless enjoyed a greater variety of

¹Firmage, "Biblical Dietary Laws"; idem, "Zoology (Fauna)," *ABD* (1992), 6:1109-1167.

²Firmage, "Biblical Dietary Laws," 178.

³*Ibid.*

⁴*Ibid.*, 185.

meats than the deity."¹ The purpose of the dietary laws was from the start "to draw an analogy between two diets. God's and man's."² Sacrificial animals came first, then the clean animals were chosen on an analogy with animals used for the altar. The criteria behind the clean quadrupeds are "a précis of the paradigm constituted by the cattle, sheep, and goats. They are those features which the priests judged to be both comprehensive and easily applicable."³

For fish there was no temple paradigm, therefore the criteria were created, according to Firmage, by analogy to the land animals. As for birds, even though there were sacrificial birds (pigeon and dove) the criteria were not given; therefore the theory became speculative. Firmage follows here the explanation given by the Letter of Aristeas and the Mishnah: unclean birds are predatory and carrion birds.⁴ It means that behavioral characteristics are given. All flying insects and all swarming winged creatures are unclean and no criterion is presented for being so. However, there is a concession for four kinds of locust. The priests are responsible for the creation of the dietary law system.⁵

¹Ibid., 185-186.

²Ibid., 194.

³Ibid., 186.

⁴Ibid., 190.

⁵Ibid., 196.

When God permitted man to eat the flesh of animals, it meant that he gave man the right to kill them, "a right that God jealously guards."¹ For Firmage it means that "man's diet therefore comes to resemble God's at the same time that he is given a measure of divine power in the right to take animal life with impunity."² Therefore, "it could well be argued that by being allowed to eat meat man was thought to have been granted access to what had previously been God's exclusive reserve."³ To participate in eating flesh, "man took a step up when he began to eat meat."⁴ He concludes with the remarks that

the animals they [the Israelites] raise for food and those that they hunt are like those that God "eats" (in the form of sacrifices). . . . In conclusion, therefore, I would say that, in the priestly view, the dietary law represented the culmination of a progression in holiness, by which God had brought a people by steps to enjoy unprecedented proximity to himself.⁵

It seems that holiness is maintained by the right to kill and eat animals God permitted them to consume.

To summarize, I can say that Firmage adds important features and new ideas to the discussion about dietary laws. He maintains that the purpose of the distinctions between clean and unclean animals was for the religious purpose of separating Israel from

¹Ibid., 197.

²Ibid., 197.

³Ibid., 196.

⁴Ibid., 196.

⁵Ibid., 197.

other nations.¹ His main contribution is the confirmation that the behavior of animals is the decisive feature for separating them into two groups, clean and unclean.

Gerhard F. Hasel (1935-1994)

Gerhard F. Hasel dealt with the Pentateuchal dietary laws in his insightful article published in 1991, where he especially stressed the relevance of these dietary laws to modern man. He maintained that a hygienic rationale lies behind these regulations, and that the distinction between clean and unclean animals is natural, part of universal law. He strongly argued that the motifs of "holiness" and "redemption" explicitly tie the dietary laws to the "holy nation" theme upheld in the New Testament for all true believers, stressing the validity of these laws for Christians.²

Walter Houston

Walter Houston published in 1993 his monograph *Purity and Monotheism: Clean and Unclean Animals in Biblical Law*³ by which he decidedly enriched the discussion about prohibited food laws because he combines a theological approach with archaeological evidence for diet in the ancient Near East. He accepts and applauds Firmage's view that the animals permitted for food were governed by their cultic acceptability. He summarizes his own theory in the following words:

¹Ibid., 185 and 195.

²Hasel, "Distinction between Clean and Unclean Animals in Lev 11," 91-125.

³Houston, *Purity and Monotheism*.

The systematic classification of animals as clean and unclean for food developed at the sanctuaries (Jerusalem is not the only example) as a measure to ensure the purity of the worshipers, and was therefore naturally based on those animals that were acceptable for sacrifice. . . . Only at the stage of the development of monolatrous Yahwism as exemplified in our present texts was the distinction absolutized into a demand for total abstinence from "unclean" food as a mark of dedication. Purity becomes a guardian of monotheism.¹

Wenham comments on Houston's study: "Most of what Houston says has been said elsewhere in commentaries and articles. But it is good to have it all brought together."² On the other hand, Grabbe stresses that Houston's study "is likely to be the definitive study for some time to come."³ The concept of dietary laws was made by priests in their sanctuaries mirroring the sacrifices, so that clean animals were those given as food to God.

Even though Houston understands the move of the Christian church against the applicability of the dietary regulations, he stresses that

in the necessary process of transformation something of value was lost. A price was paid for the universal character of the Christian Gospel. I have already spoken of the separation of the Christian Church from its mother community as a tragedy, perhaps a tragic necessity, but a tragedy none the less. . . . Minute particulars are needed not just for doing good, but for experiencing good and being good. . . . The food laws remind them [Jews] every time they take a meal of their election and call to holiness. Christians have nothing really comparable.

¹Ibid., 123.

²Gordon J. Wenham, "Purity and Monotheism: Clean and Unclean Animals in Biblical Law," Book Review, *The Evangelical Quarterly* 67:2 (1995): 162.

³Lester L. Grabbe, "The Book of Leviticus," *Currents in Research: Biblical Studies* 5 (1997): 101.

More, these laws are a means ever to hand by which they may learn and exercise moral restraint in the use of the animal creation.¹

Houston does not suggest that Christians should change their practice: nevertheless he suggests how to save some values of the dietary laws: to develop a rich internal symbolic life. However, his practical application is very general. Christians should not only believe their faith "but to live it, without having to think about it, in the minute particulars of their lives."²

Erhard S. Gerstenberger

Erhard S. Gerstenberger in his influential commentary on Leviticus³ wrote in 1993 (English translation published in 1996) that the reference in Lev 11-15 is "to cultic purity, not—and this is a difficult distinction for us—or at least not primarily to moral or hygienic cleanliness."⁴ The core of the dietary prohibitions lies for him in sociological motives of separation.

These dietary commandments are part of those particular norms that constitute the community itself. At the same time, they delimit the Yahweh confession in relation to other religions. This concern with establishing and securing the community provides the main impetus for putting together these dietary laws.⁵

¹Houston, 280.

²Ibid., 282.

³Gerstenberger, *Leviticus: A Commentary*.

⁴Ibid., 128.

⁵Ibid., 133-134. See also pp. 145-146.

Walter C. Kaiser, Jr.

Walter C. Kaiser, Jr., in his exposition of the clean and unclean animals/food maintains that the main purpose of these laws "was to forever mark Israel off from all the other nations. The purpose, then, was to demonstrate Israel's separateness."¹ The call to holiness is most decisive. "God called Israel to be separate and distinct from everything else so that Israel might carry out"² her mission to be a blessing for others. He thinks that "this explanation of separateness is the most meaningful explanation for these laws."³

Kaiser stresses that there are hygienic benefits or results of these dietary laws, but he correctly explains that "observing salutary *results* is not necessarily the same as discerning the *intent* for issuing these dietary restrictions."⁴

Philip J. Budd

Philip J. Budd published in 1996 his commentary on the book of Leviticus,⁵ in which he defends the position that "it is overoptimistic to suppose that there is one key which can unlock"⁶ the purity system in its entirety. He stresses that several factors can be identified behind the clean and unclean food distinction, such as the concept of

¹W. C. Kaiser, "Leviticus," 1:1076.

²Ibid., 1082.

³Ibid., 1077.

⁴Ibid., 1075.

⁵Budd, *Leviticus*.

⁶Ibid., 159.

anomaly; the nature/culture distinction; contact with blood and death. As will be shown later, it may be that there is one main rationale which is linked to the many different aspects or factors of the Pentateuchal dietary legislation. Budd himself writes: "The fundamental defilement, however, is the carnivorous misuse of the blood."¹

Recent Discussion

In recent discussions about Pentateuchal dietary laws a new element appears, namely, the close relationship between the laws of clean and unclean animals/food and Creation.² Scholars are pointing to this important observation. However, many of them mention the connection between dietary laws and Creation only generally, incidentally, or just in passing, usually by pointing out that the antediluvian people were vegetarians. For these commentators Creation does not play a crucial role in their explanation of the rationale of the Mosaic dietary laws. Among these scholars belong Milgrom (1963),³

¹Ibid., 184.

²First allusions to links between the dietary laws and the creation account can be found in Tertullian *On Fasting* 4 (ANF, 4:104); *Midrash Rabbah: Leviticus*, 11.1 (Midrash 4:135); Rashi, *Commentary on the Torah*, vol. 1, *Bereishis/Genesis*, The Sapirstein edition, Artscroll series, ed. Yisrael Isser Zvi Herczeg in collaboration with Yaakov Petroff and Yoseph Kamenetsky (Brooklyn, NY: Masorah Publications, 1995), 12-13; idem, *Commentary on the Torah*, vol. 3, *Vayikra/Leviticus*, The Sapirstein edition, Artscroll series, ed. Yisrael Isser Zvi Herczeg in collaboration with Yaakov Petroff and Yoseph Kamenetsky (Brooklyn, NY: Masorah Publications, 1994), 114-115; Arama, *Akedat Yitzchak*, Shemini 60.

³Milgrom, "Biblical Diet Laws As an Ethical System," 288: "The obvious point of departure in discussing Jewish dietary laws is the biblical assumption that man was originally a vegetarian." Nevertheless for Milgrom the real starting point of the discussion about dietary laws is the prohibition of blood in Gen 9:3. See also his commentary *Leviticus 1-16*, 704-742.

Soler (1979),¹ Alter (1979),² Landau (1984),³ Shea (1988),⁴ Levenson (1988),⁵ Firmage (1990),⁶ Blum (1990),⁷ Hasel (1991),⁸ Roh (1991),⁹ Sailhamer (1992),¹⁰ Gerstenberger

¹Soler. "Dietary Prohibitions of the Hebrews," 24-30; idem. "The Semiotics of Food in the Bible." in *Food and Drink in History*, ed. Robert Forster and Orest Ranum (Baltimore: Johns Hopkins University Press, 1979), 5:126-138.

²Robert Alter. "A New Theory of Kashrut," *Commentary* 68:2 (1979): 48.

³L. Landau. "'Forbidden Foods' and Structuralism," *Beth Mikra* 30 (1984): 103-111. Landau makes an interesting link with Creation. He examines the works of S. R. Hirsch, Mary Douglas, and J. Soler and stresses the connection between Creation and dietary laws via original diet.

⁴Shea. "Clean and Unclean Meats," 3. 40.

⁵Jon D. Levenson, *Creation and the Persistence of Evil: The Jewish Drama of Divine Omnipotence* (San Francisco: Harper & Row, 1988), 118-119.

⁶Firmage. "Biblical Dietary Laws," 196. For Firmage the sacrifices offered on the altar-table for God are the model of cleanness, and not the creation paradigm. The sacrificial system is the criterion for purity.

⁷Erhard Blum, *Studien zur Komposition des Pentateuch*, Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft, 189 (Berlin: Walter de Gruyter, 1990), 323-324.

⁸Hasel, "Distinction between Clean and Unclean Animals in Lev 11," 91-125.

⁹Se Young Roh, "Creation and Redemption in Priestly Theology" (Ph.D. dissertation, Drew University, 1991), 54-55, 171-176. "It is necessary, therefore, to understand the Priestly creation scheme in order to grasp the Priestly dietary prohibitions" (54).

¹⁰John H. Sailhamer, *The Pentateuch as Narrative: A Biblical-Theological Commentary* (Grand Rapids, MI: Zondervan Publishing House, 1992), 39-40, 332-334.

(1993),¹ Grabbe (1993),² Houston (1993),³ Watts (1995),⁴ Bryan (1995),⁵ and Averbeck (1997).⁶ Some scholars build their explanation of the Pentateuchal dietary laws on the creation story. Among scholars who are approaching forbidden food from the creation perspective are Mary Douglas (who makes the fundamental and outstanding contribution toward this connection with her categories of anomaly, order, and wholeness, even if it is done mainly for anthropological reasons; 1966, 1970, 1973, 1975),⁷ Bolger (1993),⁸

¹Gerstenberger, *Leviticus*, 132-133. This commentary was translated from the German edition, which was published in 1993. He speaks about traditional subdivision of the animal world according to the creation story.

²Lester L. Grabbe, *Leviticus*, Old Testament Guides (Sheffield: JSOT Press for the Society of Old Testament Study, 1993), 56.

³Houston, 254-256.

⁴James W. Watts, "Leviticus," *Mercer Commentary on the Bible*, ed. Watson E. Mills and Richard F. Wilson (Macon, GA: Mercer University Press, 1995), 167.

⁵Bryan, 134.

⁶Richard E. Averbeck, "Clean and Unclean," *New International Dictionary of Old Testament Theology and Exegesis*, ed. Willem A. VanGemeren (Grand Rapids, MI: Zondervan Publishing House, 1997), 4:483: "Thus, the levitical theology builds off on the Gen cosmology in terms of the structure of the animal world."

⁷M. Douglas, *Purity and Danger*; idem, *Natural Symbols*; idem, "Critique and Commentary," 137-142; idem, *Implicit Meanings*.

⁸Bolger, Eric W. "The Compositional Role of the Eden Narrative in the Pentateuch" (Ph.D. Dissertation, Trinity Evangelical Divinity School, 1993), 209-212.

Doukhan (1994),¹ Kass (1994),² Wright (1996),³ Carmichael (1996),⁴ and Gorman (1997).⁵ In this new approach it becomes evident that the purpose of the biblical dietary laws is more than ethics (respect for life/sensitivity for life), anthropology, or hygiene. In my opinion these observations are very significant and it is valuable to pursue them. to investigate and elaborate further. It is my claim that the explanation of these dietary laws must be based on the creation account. The theological reason for this distinction must be connected with creation theology.

Among scholars who explain the Pentateuchal dietary laws from the Creation point of view there are, however, striking differences. Douglas takes the creation account as a symbol, as a cultural expression of the views of the Israel society, and she has lately abandoned even this type of interpretation and replaced it with an even more symbolic one (1993, 1996), whereas, for example, Doukhan (1994) and Kass (1994) accept the creation story as reality.

¹Jacques B. Doukhan, "The Future Adventist Understanding of Creation," unpublished paper. Andrews University, 1994, paper presented at La Sierra University, 24 February 1994, 22-23; idem, "The Law of Liberty: What Is the Value and the Authority of the Ancient Law of Moses for the Modern Man, Jewish or Christian?" *Shabbat Shalom* (April 1996): 12.

²Leon R. Kass, "Why the Dietary Laws?" *Commentary* 97 (June 1994): 42-48.

³Ch. J. H. Wright, *Deuteronomy*, 185-186.

⁴Calum Carmichael, *The Story of Creation: Its Origin and Its Interpretation in Philo and the Fourth Gospel* (Ithaca: Cornell University Press, 1996), 96.

⁵Frank H. Gorman, Jr., *Divine Presence and Community: A Commentary on the Book of Leviticus*, International Theological Commentary (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1997), 70-71.

There are some scholars who strongly oppose the idea to connect dietary laws with Creation, such as A. D. H. Mayes:

This treatment, however, leaves the dietary regulations very much in the realm of speculation, for the acknowledged link between the dietary laws and perception of the world is by no means satisfactorily understood simply through an indication of the connections between these dietary regulations and the creation story.¹

Some other scholars take a middle-of-the-road position, such as Howard Eilberg-Schwartz. He writes:

In contrast to Douglas, therefore, I am not claiming that the creation story gave rise to the dietary laws but that the authors of Leviticus, in appropriating the dietary laws into their own system, attempted to link them to the creation account.²

This new approach which links the Pentateuchal dietary laws with the creation account, often expressed in only a few sentences or paragraphs, is valuable and shows a new tendency in explaining the laws regarding clean and unclean animals. The purpose of this present dissertation is to investigate the relationship between the dietary restrictions and Creation from the exegetical point of view. This study is not anthropological but exegetical and theological.

¹A. D. H. Mayes, "Deuteronomy 14 and the Deuteronomic World View," in *Studies in Deuteronomy: In Honour of C. J. Labuschagne on the Occasion of His 65th Birthday*, ed. F. García Martínez and others (Leiden: E. J. Brill, 1994), 178.

²Howard Eilberg-Schwartz, "Creation and Classification in Judaism: From Priestly to Rabbinic Conceptions," *History of Religions* 26 (1987): 361.

CHAPTER II

THEMATIC REVIEW OF LITERATURE OF THE MOSAIC LAWS REGARDING DIETARY PROHIBITIONS

Rationale Behind the Distinction of Clean and Unclean Animals/Food

When the literature on clean and unclean animals/food is investigated thematically and similar ideas are put together, the significance is discovered behind the various explanations. I classify various interpretations thematically and evaluate them in the light of recent exegetical and theological discussion.

The Arbitrary Command Explanation

The division into clean and unclean animals is arbitrary from the human point of view: its rationale is known only to God. This distinction was given to the people to test their obedience to God.

An arbitrary rationale was introduced by Eleazar ben Azariah¹ and supported by many rabbis, who state that dietary laws are "binding merely because they had been

¹*Sifra Kedoshim* to Lev 20:26, 93b: "Eleazar ben Azariah said, 'A man should not say, I do not want to eat pork. He should rather say, I want to eat pork, but my Father in heaven has decreed against it!'"

commanded by God."¹ Rabbi Hayim Halevy Donin writes:

The faithful Jew observes the laws of kashrut not because he has become endeared of its specific details nor because it provides him with pleasure nor because he considers them good for his health nor because the Bible offers him clear-cut reasons, but because he regards them as Divine commandments and yields his will before the will of the Divine and to the disciplines imposed by his faith.²

Among modern writers this approach is held by Nehama Leibowitz, Eugene H. Merrill, and others.³ Jeffrey H. Tigay states: "The language of the dietary codes indicates that what was impure for Israel is so because God declares it to be so. . . . Thus, holiness is maintained by avoiding what is impure not by human standards, but by divine standards."⁴ To a certain extent Jacob Milgrom also concurs with that explanation. He writes:

¹J. R. Porter, *Leviticus*, Cambridge Bible Commentary, New English Bible (Cambridge: Cambridge University Press, 1976), 83. See, for example, J. H. Hertz, ed., 448-449; Hayim Halevy Donin, *To Be a Jew: A Guide to Jewish Observance in Contemporary Life* (New York: Basic Books, 1972), 98; Wayne Dosick, *Living Judaism: The Complete Guide to Jewish Belief, Tradition and Practice* (San Francisco: Harper Collins Publishers, 1995), 268. It is interesting that rabbis usually combine the arbitrary rationale with other specific by-products of keeping dietary laws, such as morality, self-discipline, and/or health benefits.

²Donin, 98.

³Leibowitz, 1:155: "It seems, therefore, that the more we rationalize such prohibitions as intrinsically noxious to body and soul, the farther we drift from their actual basis [God commanded, I should obey]." Merrill, *Deuteronomy*, 235-238. Merrill holds an arbitrary explanation which he combines with the motive of separation. See also Roy Gane, "Covenant—Law—Sabbath," unpublished paper, Andrews University, Theological Seminary, 1995, 74: "It almost looks as though God's intention was to point out another 'tree of the knowledge of good and evil,' of which he says, 'Don't eat!' without giving the reason. He simply wants people to obey, trusting that he has a good reason."

⁴Tigay, 138. Nevertheless, the primary rationale for dietary laws, according to Tigay, is sociological: to be separated from other nations.

It is of no small significance that the dietary laws of the priestly system (Lev 11), which are contiguous with and inseparable from the bodily impurities in this list (covering Lev 12-15), are also governed by criteria, such as chewing the cud and having a split hoof, that are equally arbitrary and meaningless in themselves but serve a larger, extrinsic purpose.¹

The Mosaic dietary laws were classified as irrational laws, because no reason can be found for their existence. They were given as a demonstration of God's authority. Jewish scholarship has traditionally assigned these laws to a special type designated by the term *חוקים* because "their explanation is known only to God."² Grunfeld, referring to "revelational" laws, says that "the divine imperative" is their "own self-sufficient motive."³ In support of this view some proponents have drawn parallels with the test of Adam and Eve over the tree of the knowledge of good and evil in the Garden of Eden.⁴ Food laws test human obedience without asking for a reason. One does not need to understand why he should keep them, he simply has to obey.

It is true that we should obey God whether we understand the reason behind a law or not, but the claim that these laws are arbitrary commands "is contrary to the spirit of Moses' speech to Israel in Deuteronomy 6:7, where he repeatedly emphasizes the proper understanding of the laws, implying, therefore, that they are open to human reason."⁵

¹Milgrom, *Numbers*, 345.

²Stern, 320.

³Grunfeld, 39.

⁴Leibowitz, *New Studies in in Vayikra (Leviticus)*, 1:154-155; Gane, "Covenant—Law—Sabbath," 74-75.

⁵Stern, 320.

The stress on trust in God and His sovereignty¹ are valuable aspects of this theory, but it does not fit together with the description of God's character. In the Bible God is not presented as arbitrary in His commands (Deut 4:5-8; Pss 19; 111:7-10; 119; Rom 1:19-20, etc.). In such an interpretation God can be seen as capricious and His true properties are distorted. God makes things with purpose and reason even if this reason is not always plainly stated. Thus this negative explanation has some good points, but it should be taken as an explanation of the Mosaic dietary laws only as a last resort when all other possibilities fail to explain the motivation behind these rules.

The Cultic Explanation

The cultic or religious explanation claims that some animals were declared unclean and prohibited, because of their place in the cult and practices of the pagan nations. Unclean animals are so perceived because of their close association with pagan religions where they were either worshiped or associated with deities. As a mark of fidelity to the covenant, Israel must shun these animals entirely.² Thus, Mosaic dietary laws are the wall against paganism.

¹Probably a better name for this type of interpretation should be coined, such as "The Sovereignty of God Explanation" or "The Radical Obedience Explanation."

²This view is supported by Noth, *Leviticus*, 62; idem, *Laws in the Pentateuch and Other Studies*, 56-57; Jan Heller, "Leviticus 11," *Kostnické jiskry* 34-35 (1956): 2; Döllner, 231-232; and in part by A. Noordtzij, *Leviticus*, Bible Student Commentary (Grand Rapids, MI: Zondervan Publishing House, 1982), 121-122; and others. Already Origen used this type of explanation (*Against Celsus* 4.93 [ANF, 4:538-539]); Rolf Rendtorff, "Speiseverbote, II. Im AT und Judentum," in *Die Religion in Geschichte und Gegenwart: Handwörterbuch für Theologie und Religionswissenschaft*, 3rd ed., ed. Kurt Galling (Tübingen: J. C. B. Mohr, 1962), 6:231.

In favor of this position is the fact that Israel was to be a holy nation (Exod 19:5-6; Lev 11:44-45) separated from all the pagan nations (Lev 20:25-26). It is true that there are a number of unclean animals, particularly the pig,¹ that were used in Egyptian, Canaanite, and other pagan cults.²

There are serious difficulties in sustaining the cultic interpretation of the dietary laws. It has in its disfavor that not all unclean animals were used in pagan worship³ and that some clean animals (such as bull, cow, ram, goat, some clean fish) have been used in pagan cults.⁴ The bull, for example, was commonly used in Egyptian and Canaanite worship, and yet it was considered clean according to the Pentateuch and could be sacrificed on the altar. There is also no indication anywhere in the Pentateuch that pagan cults played a role in this prohibition. The same range of animals was sacrificed in the pagan rites as in Israel. It seems unlikely therefore that uncleanness derives primarily from the use made of animals in pagan religion.

A further point against this kind of explanation is the fact that there was once a cult of goat worship (in Hebrew שְׂעִירִים) in ancient Israel.⁵ Yet, the goat was not

¹Simoons, 13-43.

²Kornfeld, "Reine und unreine Tiere im Alten Testament," 135-136; de Vaux, "Les sacrifices de porcs en Palestine et dans l'Ancien Orient," 250-265; Jirku, 348; G. J. Wenham, *Book of Leviticus*, 167; Milgrom, *Leviticus 1-16*, 650-653. Compare Isa 65:4.

³G. J. Wenham, *Book of Leviticus*, 167; Kornfeld, "Reine and unreine Tiere im Alten Testament," 136.

⁴Porter, 84.

⁵This reality is referred to in Lev 17:7. Sailhamer, *Pentateuch as Narrative*, 50, 342-345.

declared an unclean animal. Levine correctly states: "The dietary laws give no evidence of a pattern wherein prohibited animals were ever revered or offered as sacrifice. Nor is there evidence of the opposite phenomenon, that any animal or bird suitable for sacrifice was ever prohibited as food."¹

Shea aptly writes:

This theory appears to put the cart before the horse. The animals were first determined to be either clean or unclean and then they were used accordingly in the cult. This is the proper biblical order of things. This theory advances the idea that certain animals were first selected for use in the cult and then they became clean thereby while the others that had not been used in the cult were then classified as unclean.²

W. F. Albright characterizes this theory as "sheer nonsense." He explains:

The pig was sacred in certain places and periods, but large and small cattle were even more generally sacred, so that it is quite irrational to single out the economically and religiously much less important pig and to explain its prohibition in Israel by its alleged religious significance.³

In view of our increasing knowledge of ancient cults, this theory cannot stand up to scrutiny.

The Sociological Explanation

The sociological explanation of the Mosaic dietary laws is a modification of the cultic theory (and usually linked with symbolic interpretation), although it is not based on the use of unclean animals in pagan worship, but on Israel's election to be a holy people.

¹Levine, *Leviticus*, 247.

²Shea, "Clean and Unclean Meats," 14.

³Albright, 177-178.

Israel has to separate herself from other nations. The Pentateuchal dietary laws were given in order to create and fortify her own national identity by separating Israel from pagan nations. In consequence, prohibited food rules are a fence against pagan infiltration.

Some biblical evidence can be cited as possible support for this separation theory (Lev 18:1-3; 20:22-26), already found as early as the *Letter of Aristeas* and still favored by some modern commentators such as Soler, Levine, Kaiser, Gerstenberger, Merrill, Wenham, and others.¹

The heavy objection to this sociological interpretation comes from the fact that God first chose and separated Israel in order to create one nation, and then He gave them the gift of the law. In addition, the dietary regulations form only one important part of the whole integral juristic corpus.²

¹Soler, "Dietary Prohibitions of the Hebrews," 24: "Dietary prohibitions are indeed a means of cutting a people off from others"; Levine, *Leviticus*, 244, 248; W. C. Kaiser, "Leviticus," 1076-1077; Gerstenberger, *Leviticus*, 145: "They [dietary laws] serve to identify one's own group (confession) and to provide a delimitation in relation to the outside"; Merrill, *Deuteronomy*, 235: "Separation between pure and impure animals is a reminder of Israel's own separation from the world of nations"; to a certain extent also Gordon J. Wenham, "Clean and Unclean," *New Bible Dictionary*, 3rd ed. (Downers Grove, IL: Inter-Varsity Press, 1996), 211: "The food laws not only reminded Israel of her distinctiveness, but they also served to enforce it"; Milgrom, *Leviticus 1-16*, 721-725; Tigay, 138; Houston, 280; Frances A. Joseph, "On the Dietary Laws: The Dietary Laws from a Woman's Point of View," *Jewish Quarterly Review*, Original Series 8 (1896): 643-651; Houston, 264-265; Jordan, "Pig Out?" 27-29; Firmage, "Biblical Dietary Laws," 195.

²Separation motive is very general and many Israelite laws can be associated with it. It means that this rationale is not specific. The purpose of the dietary laws is not to separate Israelites from other nations, because they were already separated.

The identity of the nation is not built on one particular law or rule, but primarily upon the recognition to whom they belong and many other regulations and cultural aspects (such as family ties, language, customs, history, feasts, etc.). The dietary laws formed only one part of their religious beliefs. The totality of different features contributed to their feeling of national identity. The idea that dietary laws have the aim to separate Israel physically from other nations is foreign to the biblical teaching. This tendency to separate from others was developed during the intertestamental times.¹

Lev 20:25-26 is often explained in isolation. The primary intent of this passage is separation from the wrong sinful costumes, habits, and acts of pagan nations, and not from the people per se. This can be clearly discerned from such texts as Lev 18:3, 24-30: 20:23; Deut 18:9. Only in the situation where people identify themselves with the practice of idolatry, sexual perversion, and gluttony, and where there is no choice in regard to "clean" food, then there is no other way than to separate completely from the people. It is only in the situation of apostasy where force and mockery are present, and respect lost, that separation has to be maintained.

Separation from others can best be taken only as a result of and not as a cause of practicing dietary regulations. There is a difference between the purpose of these rules and their possible effects. Stern stresses: "It is as absurd to argue that these laws were designed to maintain Jewish identity as it would be to argue, for example, that the Bible

¹See for example Jubilees 22:16; Tobit 1:10-11; Judith 12:2.

prohibited child sacrifice for the purpose of differentiating the Jews from the people around them who did practice it."¹

This interpretation is usually combined with an allegorical or symbolic explanation.

The Symbolic Explanation

This is one of the oldest interpretations of the Mosaic dietary laws dating back to the time of pre-Christian writers such as Aristeas and Philo, and was common also among early Christian expositors.² This particular view of the food laws saw the clean and unclean animals as "living illustrations" symbolizing or representing virtues and vices to be either emulated or shunned. The symbolic interpretation of the food laws views the behavior and habits of the clean animals as living illustrations of how the righteous Israelite ought to behave, while the unclean represents sinful/pagan people. For example, chewing the cud made an animal clean, because it reminded men to meditate on the law. In that sense the dietary rules have a didactic function.

There are three main symbolic interpretations:

1. Allegorical (details have special meaning; symbols represent spiritual lessons; animals stand for types of behavior; usually combined with a didactic approach), as in the

¹Stern, 320.

²See above the *Letter of Aristeas to the Philocrates* and Philo's work *The Special Laws*. However, there is a striking difference between the allegorical Jewish and Christian exposition. Aristeas and Philo argue in favor of the dietary laws and defend them before the Greek and Roman world, whereas Christian interpreters such as Barnabas, Ireneus, Clement, Origen, and Novatian use the same allegorical method "to free themselves from the observance of these laws" (Bryson, "Various Rationales," 7-12).

writings of Aristeas, Philo, and many early Church Fathers. Among modern interpreters who defend this theory is Bonar, and lately Mary Douglas whose last two articles have an allegorical tendency. Also Jordan's interpretation tends to be allegorical.¹

2. Symbolic (only main features represent types of people: usually presented together with a separation motive), early (and late) Mary Douglas, Jordan, Milgrom, Wenham, Baylis, and Sprinkle.²

3. Anthropological (see below under Anthropological Interpretation).

Bonar argued that the sheep was clean because it reminded the ancient Israelite

¹Andrew A. Bonar, *A Commentary on the Book of Leviticus* (Evansville, IN: Sovereign Grace Book Club, 1959), 214-215; M. Douglas, "Forbidden Animals in Leviticus," 3-23; idem, "Sacred Contagion"; James B. Jordan, *Animals and the Bible. Studies in Food and Faith*, no. 6 (Niceville, FL: Biblical Horizons, 1989), 13-15; idem, *An Introduction to the Mosaic Dietary Laws*, 3-8; Charles H. Mackintosh, *Notes on the Book of Leviticus* (New York: Loizeaux Brothers, Bible Truth Depot, 1880), 353-358.

²The allegorical and symbolic explanations overlap. It is difficult to dissect them. Maybe it would be better to speak only about the allegorical/symbolic explanation. But because it is possible to see slightly different emphasis and intent behind them, we are able to discern between these two types of symbolic interpretation. See M. Douglas, *Purity and Danger*; idem, *Natural Symbols: Explorations in Cosmology*; idem, "Deciphering a Meal," *Daedalus* 101 (1972): 61-81, reprinted in *Implicit Meanings*, 249-275; G. J. Wenham, "Clean and Unclean," 211: "The food laws symbolize that Israel is God's people, called to enjoy his life, while Gentile idolaters are by and large opposed to him and people, and face death. The food laws also underline respect for life directly as well as symbolically. . . . The clean (edible) creatures symbolized Israel, whereas the unclean (prohibited) foods symbolized the Gentile nations." Jordan, *Exposition of Leviticus 11*; idem, *Introduction to the Mosaic Dietary Laws*; idem, *Meaning of Clean and Unclean*; Milgrom, *Leviticus 1-16*, 721-723; Albert H. Baylis, *From Creation to the Cross: Understanding the First Half of the Bible* (Grand Rapids, MI: Zondervan Publishing House, 1996), 134; Joe M. Sprinkle, "Clean, Unclean," *Evangelical Dictionary of Biblical Theology*, ed. Walter A. Elwell (Grand Rapids, MI: Baker Books, 1996), 100-102.

that the Lord was his shepherd, whereas the dirty habits of the pig spoke of the "filth of iniquity."¹

A brief survey of the biblical data suffices to show the inconsistency of this theory. The biblical text does not support this theory. Even though the Bible does commend the virtues which some of the clean animals may be taken to symbolize, it is also important to note with Peter van Bemmelen that "the characteristics of unclean animals are recommended, while on the other hand clean animals can represent the wicked."²

For example, the unclean lion symbolizes the figure of the Messiah (Gen 49:9; Rev 5:5),³ the unclean eagle represents God's wonderful care for His people in the time of need (Deut 32:9-12), the unclean ant is a symbol of diligent work (Prov 6:6-8); clean animals such as ram and he-goat represent the Gentile kingdoms of Medo-Persia and Greece (Dan 8:20-21), clean cows represent women who oppress the poor (Amos 4:1), David's enemies are compared to bulls and lions (Ps 22:12-13), a difference is made between rams and fat sheep (symbolizing wicked people) on the one hand, and goats and lean sheep (righteous people) on the other hand (Ezek 34:17-22; compare Matt 25:32-33), and although believers in Jesus are like sheep, they should be as shrewd as a snake (Matt 10:16).

¹Bonar, 214-215.

²Van Bemmelen, 40.

³For the messianic context of Gen 49, see Walter C. Kaiser, Jr., *The Messiah in the Old Testament*, Studies in Old Testament Biblical Theology (Grand Rapids, MI: Zondervan Publishing House, 1995), 50-53.

Joe M. Sprinkle is a modern defender of the symbolic interpretation. His statements are built on the symbolism mentioned in the studies of Mary Douglas and Jacob Milgrom:

The clean/unclean system divided animals, people, and land into three categories to teach separation from the Gentiles. Animals that could be sacrificed were "holy"; wild game and fish that could be eaten but not sacrificed were "clean"; and animals that could be neither eaten nor sacrificed were "unclean."¹

This conclusion, however, is not altogether correct. Nowhere in the Pentateuch or in the entire Bible is there any living animal called "holy."² If different types of animals

¹Sprinkle, 100.

²It is true that some parts of the clean flesh used in the sanctuary or eaten there were called "holy," because they were consecrated to God (Lev 2:3, 10; 6:17, 25-29; Hag 2:12), but never is a sacrificial animal called holy (an animal cannot be consecrated) as priests are, nor is it made holy by its function.

Milgrom speaks about three covenants made with different groups of people, but he fails to present three different covenants made with animals. Animals as part of the covenant are mentioned only in connection with one of them (Gen 9:10—the Noachic covenant includes all living creatures) but are absent from the other two. All animals are included only in the covenant with Noah. This is a great inconsistency. Nowhere in the Hebrew Bible are unclean or sacrificial animals used to represent special groups of people. In addition, with these three covenants, the royal covenant with David is missing (2 Sam 7:11-16; Jer 33:17-22). The picture about covenants is thus incomplete. The choice is superficial and speculative. In such an approach there is no safeguard.

There needs to be more in the above-mentioned symbolism in order to make it consistent. Among priests there is a high priest (people) and in the realm of the sanctuary there is the Most Holy Place (space). Which animal among the sacrificial animals represents the High Priest and what represents the territory of the Holy of Holies? It is interesting that only the High Priest could enter the Most Holy Place once a year.

The symbolic interpretation is a nice construction and hypothesis which demonstrates how the Jews in the second century B.C. and later could get the symbolic understanding of the dietary laws. It is true that Milgrom's (and Douglas's) inventions are nowhere reflected in the ancient Jewish writings. They merely present different symbolic/allegorical explanations. See for example *Letter of Aristeas* 143-169; *Midrash Rabbah: Leviticus*, 13.5; *Midrash Tanhuma* (Shemini 8); Leibowitz, *New Studies in Vayikra (Leviticus)*, 1:159-161. Even in the New Testament one can find an echo of this symbolic theory which was alive and popular among the people in the time of Jesus and

represent different groups of people, then this symbolic interpretation leads to the separation of Jews from Gentiles as people, and not from their pagan practices and habits.

According to Gordon Wenham, the symbolic/allegorical theory is "at best partial" and "at worst whimsical and capricious" and he adds that "biblical exegesis without controls is apt to run away into total subjectivity."¹ This theory leads to considerable inconsistency in its application and it is not, therefore, suitable as an adequate theory to explain the difference between clean and unclean animals.

The Didactic Explanation

The food laws have a didactic function. They teach recipients self-discipline and self-control. They have a moral lesson, because they teach obedience to the will of God and righteousness. They help one to be courageous. The people of God maintain the right status of relationship with God and holiness by keeping these dietary regulations. Disobedience takes away holiness and breaks integrity of the people.

The recommended or banned behavior of clean/unclean animals is an object lesson of how humans should or should not behave. The purpose of these laws is to help to build Godlike character.

in the early Christian church. This interpretation is in the background of the problem reflected in Acts 10.

¹G. J. Wenham, *Book of Leviticus*, 168-169.

The didactic interpretation goes back as early as the Letter of Aristeas and it was also supported by the author of 4 Maccabees, and by Philo, Justin, and others.¹ The medieval commentator Maimonides noted: "These ordinances seek to train us in the mastery of our appetites, they accustom us to restrain both the growth of desire and disposition to consider the pleasure of eating as the end of man's existence."²

This didactic function of the dietary laws is stressed by some modern writers such as Douglas, Levine, Tigay, and others.³

One cannot deny the didactic function of the Pentateuchal dietary laws, but this function is the result and not the cause of these regulations. It is a by-product. The rationale of these laws lies somewhere else.

The Psychological/Repulsiveness Explanation

C. L. Feinberg summarizes this theory in the following way: "The forbidden animals appeared either loathsome or begat a spirit of cruelty in those who ate them."⁴

The distinction between clean and unclean animals is based on natural abhorrence. There is a psychological reason of natural repugnance behind the prohibition of unclean

¹Letter of Aristeas 147-151; 4 Macc 5:23; Philo *Special Laws*, IV 100 (trans. Yonge, *Works of Philo*, 625); Justin *Dialogue with Trypho* 20 (ANF, 1:204).

²Maimonides, 372.

³M. Douglas, "Forbidden Animals in Leviticus," 20-23; Tigay, 138; Dresner, 17-21, 52-54; Leibowitz, *New Studies in Vayikra (Leviticus)*, 1:155; Levine, *Leviticus*, 248: "Israel is kept from bestiality; their humaneness is enhanced."

⁴C. L. Feinberg, "Clean and Unclean," *The New Bible Dictionary*, 2nd ed., ed. J. D. Douglas (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1962), 217.

animals. Already 4 Maccabees, Maimonides, and Luther, but also some others were of the opinion that unclean animals such as serpents, mice, swarming things, etc. are loathsome.¹

Filthy habits and the cruel behavior of some animals form the basis for a natural reaction against animals of a predatory or scavenger nature which are therefore prohibited upon aesthetic grounds. This creates natural negative feelings against some of them which play a key role in this theory. Cultural preference becomes the deciding factor. In that connection one should be reminded that this motivation can be linked with the curse on the serpent in the Garden of Eden (Gen 3:14).

While a number of the unclean animals are scavengers or dangerous predators, others are not, so this criterion for the distinction between them becomes somewhat arbitrary and inconsistent. It is also doubtful that ancient humans would have had the same aesthetic criteria for selecting animals to eat as moderns may have.

While it cannot be denied that many of the unclean animals are scavengers or predators, it seems inconsistent that some of the domesticated animals such as the donkey, horse, or camel, or even some wild animals such as the lion, tiger, or elephant

¹4 Macc 5:8; Maimonides, 370-371; Luther, *Lectures on Genesis*, 134-135; Wigand, 413-436; Stern, 321-322, 326; C. F. Keil and F. Delitzsch, *Biblical Commentary on the Old Testament*, vol. 1-3, *The Pentateuch* (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1952), 2:357-360; C. F. Keil, *Manual of Biblical Archeology II* (Edinburgh: T. & T. Clark, 1888).

should be considered unclean on the ground of abhorrence or aesthetics. Mary Douglas denies that there is a universal view of what is repulsive.¹

The Taboo and Totemism Explanation

Kaufmann Kohler expressed well the main idea of this theory: "In view of the fact that almost every primitive tribe holds certain animals to be tabooed, the connection is that the forbidden or tabooed animal was originally regarded and worshiped as the totem of the clan."² This idea has developed from the application of the evolutionary concept of the history of religions to the dietary laws of the Bible. The forbidden animals were seen to be unclean due to the fact that they were originally totems of the Hebrew tribes, later forbidden in order to foster a sense of national unity.

This rationale was introduced by W. Robertson Smith,³ and those who viewed the Israelite concepts of God and worship solely as end products of the natural evolutionary development of religion were particularly attracted by this theory. This interpretation enjoyed wide acceptance in critical circles in the beginning of the twentieth century. Smith's concept of taboo had great impact on such people as James Frazer,⁴ Wilhelm

¹M. Douglas, "Critique and Commentary," 139; idem, "Sacred Contagion," 102.

²Kaufmann Kohler, "Dietary Laws," *The Jewish Encyclopedia* (1903), 4:599. See also J. Jocz, "Clean," *The Zondervan Pictorial Encyclopedia of the Bible*, ed. Merrill C. Tenney et al. (Grand Rapids, MI: Zondervan Publishing House, 1975), 1:884.

³William Robertson Smith, *Lecture on the Religion of the Semites: The Fundamental Institution*, 3rd ed. (London: A. & C. Black, 1927), 152-155. See Gispén, 191-192.

⁴James Frazer, *The Golden Bough: A Study in Magic and Religion*, vol 3, *Taboo and the Perils of the Soul*, 3rd ed. (New York: Macmillan Company, 1935), 3:291-317.

Nowack.¹ Bernhard Stade,² and some others.³

Many scholars have disputed this opinion.⁴ Kohler called it an "ingenious conjecture,"⁵ incapable of being proven. Furthermore, its basic assumptions strike directly at the self-claim of the biblical record, i.e., the divine origin of the clean/unclean laws.

Stern has also correctly noted that "the modern position that these laws are tribal taboos implies that they have no sound justification for a rational person,"⁶ being only relics of ancient men endeavoring to cope with a hostile world full of mysterious forces.

According to Smith, both the concepts of holiness and of uncleanness developed originally from primitive taboos. The concept of taboo is incompatible with the Hebrew view of uncleanness and/or holiness.

W. Robertson Smith and James Frazer closely collaborated and "it would be very difficult to decide who influenced whom at what point" (Steiner, 53).

¹Wilhelm Nowack, *Lehrbuch der hebräischen Archäologie* (Freiburg i B., Leipzig: J.C. Mohr [P. Siebeck], 1894), 116-119.

²Bernhard Stade, *Biblische Theologie des Alten Testaments* (Tübingen: J. C. B. Mohr, 1905), 1:135-142.

³Adolphe Lods, *Israel, from Its Beginnings to the Middle of the Eighth Century* (London: K. Paul, Trench, Trubner & Co., 1932), 286-290. See also Gaster, 204, 248; M. H. Pope, "Totemism," *Interpreter's Bible Dictionary* (Nashville, TN: Abingdon Press, 1962), 4:674.

⁴Gispén, 195-196, who mentions scholars such as König, von Orelli, Holzinger, and G. C. Aalders. See also Stern, 320.

⁵Kohler, 599.

⁶Stern, 320.

There is no evidence that an idea of taboo or totemism ever existed among the Semitic people. While this humanistic and evolutionary-oriented concept was popular for a time, it has been given up because of its inadequacy¹ and the lack of evidence for the idea of taboo and totemism in the Old Testament.²

The Death-Life Antithesis Explanation

The advocate of this theory has been Walter Kornfeld.³ Using the approach of what he terms "phenomenology of religion" he suggested that the idea of unclean animals was developed from known carnivores and creatures that ate carrion, and animals that live in the desert or waste places and ruins aside from chthonic animals.⁴ In other words the unclean animals were life-threatening (*lebenbedrohlich*). The primary reason they have been disqualified is to be discovered in their "life threatening practices and spheres of existence."⁵ This is connected with the fact that carnivores eat blood which is life, i.e., life is destroyed. Shea summarizes this view in these words:

¹See Eduard König, *Theologie des Alten Testaments kritisch und vergleichend dargestellt* (Stuttgart: C. Belser, 1922), 28-29. Particularly insightful is the critique of Wigand, 427-431.

²Kornfeld, "Die unreinen Tiere im Alten Testament," 12; Snaith, 9-50. For further critique see also Steiner, 78-93, and Albright, 176-177; Houston criticizes this simplistic approach to the described problem (80-81).

³Kornfeld, "Reine und unreinen Tiere im Alten Testament," 134-147.

⁴*Ibid.*, 146.

⁵*Ibid.*

The idea behind this theory is that the Hebrews in an early stage were thought to have attributed to certain powers the ability to bring about danger, disease, and death. These powers were then identified with certain animals who, as scavengers, were associated with the realm of death. Given these connections these animals were then pronounced unclean.¹

By way of contrast, the worship of the true God was centered in the hope of life, and therefore these things that had to do with death were to be avoided.

There are good points in this theory, but this interpretation is simplistic and can be criticized on several grounds. The first is its connection with demonic forces. Shea aptly states: "The motivation is no longer a desire for holiness, in emulating the holy God, but a desire for self-preservation through an avoidance of evil powers."² Jacob Milgrom gives another valuable objection against this view: "This theory cannot explain the exclusion of such domesticated herbivorous animals as the camel, donkey, rabbit, or horse."³ It is not true that all the unclean animals are scavengers which would be associated with death.

It is difficult to find enough support for this hypothesis on the basis of the Old Testament itself, rendering it unsatisfactory. For this reason, it has not attracted many

¹Shea, "Clean and Unclean Meats," 12.

²Ibid.

³Milgrom, "Ethics and Ritual," 175; idem, *Leviticus 1-16*, 718.

followers.¹ Hence, the death-life antithesis theory as explained by Kornfeld, is not an adequate explanation for these biblical laws.

Death-life antithesis as an underlying cause for the biblical impurity system mentioned by Milgrom and Wenham² seems to be a valuable theory, but should not be related to demonic forces. It is also interesting that Keil and Hoffmann supposed that some animals were considered unclean because of their association with death and sin.³

The Anthropological Explanation

The anthropological explanation of the distinction between clean and unclean animals has come from social anthropologist Mary Douglas.⁴ She points out the relationship between symbolic system and social structures. Cleanness is a matter of

¹This rationale has been presented most recently in a master's thesis by Vivienne J. Fletcher-Watts. See her "A Study of Deuteronomomic Legislation with Particular Reference to Clean and Unclean Foods," (M.A. thesis, Andrews University, 1982), 137-149. In its basic form this view focuses on a polemic existing against Egyptian practices associated with the cult of the dead. In the Egyptian theology of death, certain scavenger species of animals were defiled, presumably because of their frequent contact with death. In contrast, the worship of Yahweh centered on the hope of life. Yahweh, the living God, the source of life, mediated and dispensed the promise of life from the Sanctuary.

²Milgrom, *Leviticus 1-16*, 732-733; idem, *Numbers*, 346; G. J. Wenham, "Clean and Unclean," 210-211.

³Keil and Delitzsch, 2:357-360; Hoffmann, 1:315-319.

⁴M. Douglas, *Purity and Danger*; idem, *Natural Symbols: Explorations in Cosmology*; idem, "Deciphering a Meal," 61-81, reprinted in *Implicit Meanings*, 249-275. See Ch. J. H. Wright, *Deuteronomy*, 185-186; D. P. Wright, "Unclean and Clean (OT)," 6:739-741. Even though I head Douglas's interpretation as anthropological, it belongs to a symbolic type of explanation. She writes: "As an anthropologist I claim to find in the totality of the biblical purity laws a symbolic system" (M. Douglas, "Critique and Commentary," 138).

wholeness or normality. The animals, birds, and fish that are clean are those that conform wholly to the class to which they belong.¹ Animals that have a split hoof and that chew the cud are clean, and those that lack one of these "normal" characteristics are unclean. Flying insects that walk on all fours exhibit confusion between the bird realm and insect realm and are thus not pure members of the class. Just as a priest had to be free from any physical deformity (cf. Lev 21:17-21), so any deviation from normality within a particular class rendered that member unclean. Douglas's view presents an interesting variation on the symbolic interpretation of the food laws, which emphasized the similarities between clean animals and righteous Israelites.

Douglas defines a clean animal as "a perfect specimen of the category of being to which one belongs."² Porter states that "any creature which seems to diverge from its proper nature or proper sphere is therefore lacking in perfection and so 'unclean!'"³ Shea comments: "Douglas would further specify that all animals are unclean which are imperfect members of their class or whose class itself confounds the general scheme of the world."⁴ In her view cleanness means conformity to normality.

¹M. Douglas. *Purity and Danger*, rev. ed. (London: Routledge & Kegan Paul, 1978), 53.

²Ibid., 55.

³Porter, 84.

⁴Shea, "Clean and Unclean Meats," 14.

Douglas's anthropological theory has been appreciated and advocated by some recent commentators such as Porter, Wenham, Budd, Wright, and others.¹ Wenham says that Douglas avoids the danger of subjectivity because her interpretation is based on a comprehensive reading of all the laws and a reliance on the distinctions emphasized in Leviticus itself.²

Her writings have also received considerable criticism.³ Harris objects to Douglas's definition of normality and observes that since most animals are unclean, it is hard to see why clean animals should be regarded as the normal ones.⁴ The priest must be free from physical deformity (Lev. 21:5-6, 17-21). "In other words, he must be perfect as a man, if he is to be a priest."⁵

The animals that do not fit the proper order are unfit, or "dirt." Any deviation from normality within a particular class rendered this animal unclean. "Order" is fine. "disorder" is dirt. Douglas's anthropological theory was criticized by A. S. Meigs and

¹Porter, 168-71; G. J. Wenham, *Book of Leviticus*, 23-25, 164-176; idem, "Theology of Unclean Food," 9-11; Budd, *Leviticus*, 159-160, 164; Ch. J. H. Wright, *Deuteronomy*, 185-186; John G. Gammie, *Holiness in Israel*, Overtures to Biblical Theology (Minneapolis, MN: Fortress Press, 1989), 10-11; Soler, "Dietary Prohibitions of the Hebrews," 24-30.

²G. J. Wenham, *Book of Leviticus*, 169.

³Sheldon R. Isenberg and Dennis E. Owen, "Bodies, Natural, and Contrived: The Work of Mary Douglas," *Religious Studies Review* 3 (1977): 1-17.

⁴R. L. Harris, "Leviticus," 2:526.

⁵*Ibid.*, 53.

lately by M. P. Carroll, Jacob Milgrom, and Edwin Firmage.¹ Meigs's criticism of the Douglas position is built on the argument that many things may be out of place, but only a few pollute. In the words of H. Eilberg-Schwartz:

Douglas argues that the creation myth (Gen. 1:1-2:4) provides a conceptual model for understanding the universe. In Douglas's view, this account of creation provides a cognitive scheme in which reality is demarcated and defined. Anything that violates the classifications that are established in this story is treated as a flaw in creation and hence is considered abnormal and unclean.²

Milgrom correctly argues that "though many phenomena are out of place only a few are pollutants,"³ and "a blemished animal or priest is not impure but common."⁴ The animals that conform to the classification of creation are considered clean and holy.

Robert Alter has noted that the anthropological explanation does not explain why the chicken and the duck are considered clean since they are anomalous and do not fit the established classification.⁵ The chicken has wings but does not fly and the duck has wings but lives largely on the water. This is a weighty objection,⁶ because it shows that

¹Anna S. Meigs, "A Papuan Perspective on Pollution." *Man* 13 (1978): 304-318; Carroll, 339-346; Milgrom, *Leviticus 1-16*, 721-722; idem, "Ethics and Ritual," 176-183; idem. *Numbers*, 345; idem, "When Durkheim Meets Leviticus," *Direction* 12:2 (1981): 4-6; Firmage, "Biblical Dietary Laws," 177-178.

²Eilberg-Schwartz, "Creation and Classification in Judaism," 358.

³Milgrom, *Leviticus 1-16*, 721.

⁴Milgrom, *Numbers*, 345.

⁵Alter, "New Theory of Kashrut," 49, where he actually objects to the use of these animals by Jean Soler, "Dietary Prohibitions of the Hebrews," 24-30. Soler and Douglas, however, have the same argument and so it applies to both.

⁶So Eilberg-Schwartz, "Creation and Classification in Judaism," 359.

the classification method does not consistently explain the variety of animals designated as unclean. Why is the duck clean, yet the swan swimming just beside it considered unclean?

On the whole Douglas's theory is severely criticized for the lack not only of validity of her original criterion of locomotion, but also for "the value of the general statement of her thesis that the notion of impurity underlying the biblical dietary laws is based on the anomaly of the prohibited animals relative to their respective classifications (e.g. cattle, fish, fowl)."¹

Although Mary Douglas mentions that one of the signs of the clean quadrupeds is chewing, this sign plays no role in her purity system. The birds of prey also have two wings and two feet, but they are unclean; fish without fins and scales can also swim, and scales are not needed for locomotion. Thus her interpretation is open to the charge of subjectivity.

The threefold division of animals—unclean, clean, sacrificial—parallels the divisions of mankind, the unclean, i.e., those excluded from the camp of Israel, the clean, i.e., the majority of ordinary Israelites, and those who offer sacrifice, i.e., the priests. The division into clean and unclean food corresponds to the division between holy Israel and the Gentile world.

¹Firmage, "Biblical Dietary Laws," 182.

Shea correctly argues: "There is no biblical distinction between perfect and imperfect members of any clean or unclean animal group."¹ Also the concept of holiness as wholeness and completeness has a broader range of usage in the Bible than is posited in Douglas's view.

The Nature/Culture Boundary Explanation

Carroll criticizes Mary Douglas's anthropological explanation of the Mosaic dietary laws and he presents an alternative interpretation.² His position consists of making a difference between two different categories of "nature" and "culture" which he borrows from Lévi-Strauss. The category of "nature" is that of animals, and the category of "culture" belongs to the world of men. "Clean" animals are those that are connected with their own proper world, i.e., nature, while "unclean" ones are those that blur the boundary between nature and culture. Carroll concludes his view:

Leviticus defines as unclean those things anomalous with respect to the *nature/culture* distinction, either because they are animals that eat meat or because they are things—like vermin, mould or mildew—that properly belong to *nature* yet invade the world of man.³

A serious problem with this theory is linked to the fact that these two categories of nature-culture are imposed on the biblical material. The Bible is indeed concerned with the setting of boundaries, but the distinction is made between "holy" and "profane," and between "clean" and "unclean" (Lev 10:10). Furthermore, not all unclean animals are

¹Shea, "Clean and Unclean Meats," 14.

²Carroll, 339-346, reprint, 117-126.

³Ibid., 124-125.

carnivores and invade the world of men (for example elephants, zebras, horses, or camels—which usually enter the world of men "by invitation"). Also his categorization of five different classes of living things derived from the creation story is questionable.¹

The Ethical/Moral Explanation

Jacob Milgrom advocates an ethical/moral reason for the distinction between clean and unclean animals. His view of the rationale of the dietary laws can be summarized in the following statement: restricted access to animal life as food teaches reverence for life.²

Thus, the distinction between clean and unclean animals gives a moral lesson. This idea of the moral or ethical dimension of the dietary laws is not new and has received a fairly wide acceptance in modern times. The ethical explanation of the dietary laws is also advocated by scholars such as Dresner, Stern, and Goodman.³ It is drawn from the idea of reverence for life: "Of all the theories, only the ethical one fits best with

¹Ibid., 118-119. See Jordan, *Interpretations of the Mosaic Dietary Laws; a Survey*, 41-43.

²Milgrom, *Leviticus 1-16*, 735. Dresner already in 1959 argued for the reverence for life as the primary rationale for the dietary laws: "Kashrut, therefore, may be defined as a part of Judaism's attempt to hallow the act of eating by teaching us reverence for life" (Dresner, 21).

³Dresner, 21-54; Stern, 319-327; L. E. Goodman, "The Biblical Laws of Diet and Sex," in *Jewish Law Association Studies*, ed. B. S. Jackson (Atlanta, GA: Scholars Press, 1986), 2:17-57.

the facts: to teach reverence for life through restricted access to animal life as food."¹

One could logically extend this idea to vegetarianism.

The problem with the ethical motivation is that it does not really explain why the animals were divided exactly in the fashion as we find it in the Bible. Why, for instance, was the camel unclean from an ethical viewpoint? Or why is it more humane to slaughter a cow than a donkey?

Biblical data demonstrate that if somebody desired to eat meat, he could eat as much as he wanted (Deut 12:20-21). This is one of the two objections Wright has proposed toward Milgrom's interpretation: "The meat prohibitions do limit the choice of animal food, but do not limit the amount of meat consumed or the number of animals killed."² The same point was made by Firmage.³

The tension between the different types of animals to be slaughtered for food and not to be slaughtered remains, hence this rationale does not adequately explain the biblical material dealing with the Pentateuchal dietary laws.

The Sacrificial Paradigm Explanation

A new approach toward the Pentateuchal dietary laws is proposed by Edwin Firmage. Food for the Israelites is based on the analogy with the food for God. Clean

¹Stern, 320-321.

²D. P. Wright, "Observations on the Ethical Foundations of the Biblical Dietary Laws," 197.

³Firmage, "Biblical Dietary Laws," 195.

meat is derived by analogy from the cult. Only the type of food which is acceptable for God in the form of sacrifices is suitable for human consumption.¹

Firmage's interpretation is built on three unwarranted presuppositions: (1) the sacrificial system precedes the dietary laws, (2) domestic cattle have been regarded as clean, and (3) sacrifices are understood as food for God.

As a response to these three presuppositions we can assert that sacrificial animals were derived from the clean ones, and not vice versa. There is, however, a third possibility—both types of animals came in relatively the same period of time from a third independent source. This could be the case here, because sacrifice is first offered after sin entered the world and the distinction between clean and unclean animals is mentioned in connection with the Flood without explanation, which indicates that Noah already knew the difference.

The Flood story in Gen 6-9 confirms that Noah knew about the distinction between the clean and unclean animals. At that time the sacrificial system was apparently not yet developed (even though Noah sacrificed some clean animals—Gen 8:20-21), but fully matures in the time of Moses.

¹Ibid., 185-193. Firmage builds his view on Soler's assumption that "the fundamental difference between man and God is thus expressed by the difference in their foods. God's are the living beings, which in the form of sacrifices (either human victims, of which Abraham's sacrifice represents a relic, or sacrificial animals) serve as his 'nourishment,' according to the Bible. Man's are the edible plants" (Soler, "Dietary Prohibitions of the Hebrews," 24). Firmage (to his advantage) does not mention human sacrifices as a part of the picture.

It is significant that the distinction between permitted and forbidden animals is not stated in connection with the first sacrifice (Gen 4), but in relationship to the Flood, where for the first time consumption of meat is allowed. The sacrifices were most probably whole-burnt-offering, holocaust sacrifices, i.e., completely consumed on the altar (the *mincha* and *'olah* types were the only types known until the time of Moses). Meat from the sacrifices was not permitted to be eaten, showing that there was apparently no connection between sacrifice and diet. This came later when the sacrificial system was fully developed and eating meat was permitted. The sacrificial system was enlarged to three kinds of animals, two kinds of birds, but no fish. Therefore it seems unlikely that the distinction between clean and unclean animals was given because of the sacrifices.

Nowhere in the Hebrew Bible is there a hint that domesticated animals have been automatically considered clean. Such a presupposition is unwarranted. Domestic animals were not only bovine, sheep, and goat, but also included camel, donkey, and dog.¹

The language used in the Bible for the sacrifices offered to God is significant. There are two quite different levels of understanding: terminology used (the words as symbols) and the meaning of the language itself. Unfortunately, Firmage does not distinguish between these two levels. He makes an analogy between food for humans and food for God on the terminological level without differentiating their meaning. He takes the language of food for God literally. But this procedure makes God into the image of man and the anthropomorphism is taken literally. The expressions "the bread of God"

¹See Firmage, "Zoology," 1136-1144; George Soper Cansdale, *All the Animals of the Bible Lands* (Grand Rapids, MI: Zondervan Publishing House, 1970), 64-74, 121-124.

(Lev 21:6, 8, 17, 21-22; 22:25; Ezek 40:7) and "the table of the Lord" (Ezek 40:16; Mal 1:7, 12) are only metaphors. This fact can be clearly recognized with the theological interpretation of the text.¹ Moreover, sacrificial language is the language of the covenant and to the covenant belongs a meal. The sacrificial food is not for God (on the level of the meaning of the text) who is the Provider of all food, but for priests and for people as in the case of peace offerings.²

In Hebrew thinking the meaning of sacrifices as real food for God is nonsense. This is explicitly stated in Ps 50:12-15. God is always a Provider of food. He does not need sacrifices. This is certainly the picture of God in the garden of Eden as well as during the forty years of wandering in the desert where He gave manna. He is the Giver of real food. Because of sin God invented a way of reconciliation and fellowship with His people. He longs for a close relationship. Sacrifices are God's means designated to renew a right relation between humans and God. They manifest our dependability upon Him. They are human expressions of gratitude and in that sense are gifts for God. Their

¹The different views on the meaning of the sacrifices are well explained in Rolf Rendtorff, *Studien zur Geschichte des Opfers im Alten Israel* (Neukirchen-Vluyn: Neukirchener Verlag, 1967); idem, *Leviticus*, III1, *Biblischer Kommentar Altes Testament* (Neukirchen-Vluyn: Neukirchener Verlag, 1985), 1-12; Milgrom, *Leviticus 1-16*, 440-443; Hartley, *Leviticus*, lxvii-lxxii; Gary A. Anderson, *Sacrifices and Offerings in Ancient Israel: Studies in Their Social and Political Importance* (Atlanta, GA: Scholars Press, 1987), 1-25.

²Gen 18:1-15 cannot be taken as the basis for the idea that offering is food for God, or food gift for Him, because curds (yogurt) or milk was never served on the altar of God (vs. 8). The eating here is mentioned in the setting of fulfillment of the covenant promise given to Abraham about the birth of his own son. Num 28:2 can be explained as an anthropomorphism. See also NIV translation of this verse.

true meaning depends on the correct understanding of God. Thus a covenant setting is the fundamental background for the sacrifices.¹

Firmage's explanation of God's permission to eat meat, not as a concession but the higher way in emulating a holy God, downgrades God to our image (making Him an "eater of the sacrifices" and making man mature by killing animals)² and makes primitives of the priests of Israel who need to create an analogy for this distorted view of the God who needs to be fed. In order to be holy like God, they are to kill animals and eat food like God. In order to be lords over life, they must have the right to kill. Thus it is like fabricating God to our image and making an analogy where there is no analogy. People can never compare themselves with God and imitate His sovereign acts.

Milgrom also rightly objects to Firmage's view:

¹An analogical example can be seen with the sanctuary or temple of God which is called "house of the Lord" (Judg 19:18; 2 Sam 12:20; 1 Kgs 7:12, 40, 45, 51; 8:64; 9:10; 1 Chr 9:11, 13, 26; 16:33; 23:32; Neh 6:10; Zech 8:9), the place of God's dwelling and presence (Exod 25:8; 2 Chr 7:1-3), yet God did not live in the Temple (Acts 17:24). The meaning of the notion cannot be confined by the terminology employed. The expression "the house of the Lord" is a visible sign of God's dwelling, it is a metaphor for His presence.

²Firmage, "Biblical Dietary Laws," 196-197: "Man took a step up when he began to eat meat. . . . Man's diet therefore comes to resemble God's at the same time that he is given a measure of divine power in the right to take animal life with impunity." See also *ibid.*, 203-204. Firmage with his interpretation is against scholars such as A. Dillmann, U. Cassuto, S. H. Dresner, Claus Westermann, Jean Soler, and Jacob Milgrom, who take the story of Gen 9:1-6 as God's concession. See August Dillmann, *Handbuch der alttestamentlichen Theologie* (Leipzig: S. Hirzel, 1895), 366; Umberto Cassuto, *A Commentary on the Book of Genesis, part 1, From Adam to Noah: Genesis 1-6:8*, Publications of the Perry Foundation for Biblical Research in the Hebrew University of Jerusalem (Jerusalem: Magnes Press, Hebrew University, 1961, reprint, 1989), 58; Dresner, 26-27; Soler, "Dietary Prohibitions of the Hebrews," 24-30; Milgrom, *Leviticus 1-16*, 705-706; *idem*, "Prolegomenon to Leviticus 17:11"; Claus Westermann, *Genesis 1-11: A Commentary* (Minneapolis, MN: Fortress Press, 1994), 463.

His theory is flawed on two counts. It does not explain the admission of game, which neither qualify for the altar nor are inspected by the priest (nor as I contend, are all sacrificial animals inspected by the priest because, according to P, they may be slaughtered profanely). Nor does Firmage's sacrificial paradigm explain why Israel was not also commanded to restrict its vegetable diet to grain, wine, and oil—the only nonmeat products permitted on the altar.¹

Firmage is helpful in some of his critique of Mary Douglas and Jacob Milgrom, but not in the proposal of his own view. His presuppositions are weak and not attested in the Hebrew Bible. They even go contrary to the given revelation. Sacrifices are not a diet for God. This primitive idea is present in the pagan worship of gods, but not in the Pentateuch where God is unmistakably presented as the Food-provider and Meal-giver, never as somebody who is in need of sacrifices as food.

Firmage is followed in his main argument by Houston.² Milgrom comments on Houston's theory:

There are some minor errors that mar the book and one major one: The pig was definitely eaten and sacrificed in the Syro-Palestine area, especially among the Philistines, so that Houston's thesis that Israel permitted on its table only that which was permitted on the altar is called into question.³

The Economic Explanation

Marvin Harris presented a theory which argues for an economic basis for the distinction between clean and unclean food. Clean animals are those which do not interfere with human consumption, whereas unclean animals devour what humans are

¹Milgrom, *Leviticus 1-16*, 733.

²Houston, 123.

³Jacob Milgrom, review of *Purity and Monotheism: Clean and Unclean Animals in Biblical Law*, by Walter Houston, *Interpretation* 48 (1994): 424.

eating. Thus, there is a competition for food between man and certain animals which do not eat food such as grass, leaves, and roots.¹

This theory has its deficits. The economic rationale is not an overall pattern to explain the uncleanness of animals. What may be applicable for the pig and some other unclean animals² is completely out of the question in regard to others which were free and in abundant number in nature (all kinds of fish, insects, shellfish, wild animals, etc.).

The Hygienic/Health Explanation

The hygienic interpretation holds that the unclean creatures are unfit to eat, because they are carriers of disease. The clean animals are those that are relatively safe to eat. Thus the main motif is a concern for health.

Gordon Wenham states that the hygienic interpretation is "probably the most popular explanation of the food laws. . . . The unclean animals were recognized by the ancients as a danger to health, and were therefore pronounced unclean."³ This interpretation of the Pentateuchal dietary laws emphasizes the fact that the forbidden animals are injurious to health, not good for human consumption. Therefore the reason

¹M. Harris, *Cows, Pigs, Wars, and Witches*, 34-37.

²See Marvin Harris, *Cannibals and Kings: The Origin of Cultures* (London: Fontana, 1977), 135. Harris in his *Cannibals and Kings* adds to the pig explanation some other examples to prove his economic point. He points out that horses, donkeys, and camels were used for transport and traction. These animals were too valuable to be eaten. He tries to explain the uncleanness of prohibited animals in cost-benefit terms.

Even though we accept that there is an element of truth in his interpretation, the fact is that this theory cannot explain the primary rationale for all unclean animals. The main motive for it must be found elsewhere.

³Wenham, "Theology of Unclean Food," 6.

for the distinction of clean animals from unclean has to do with their fitness or unfitness for food. Pork can be a source of trichinosis. The coney and hare are carriers of tularemia. Fish without fins and scales tend to burrow into the mud and become sources of dangerous bacteria, as do the birds of prey which feed on carrion.

A few scientific studies undertaken on meat of clean and unclean animals point to the advantage of using clean animals for human consumption.¹ There is need for an up-to-date study of the subject from a scientific viewpoint, but this goes beyond the scope of the present dissertation.²

The hygienic/health interpretation has had strong supporters in the past³ and is also defended by many modern scholars, including W. F. Albright, R. K. Harrison, R. L. Harris, and E. S. Kalland.⁴ Roland E. Clements says: "What we have here [in Lev 11] is a

¹David Israel Macht, "An Experimental Pharmacological Appreciation of Leviticus 11 and Deuteronomy 14," *Bulletin of the History of Medicine* 27 (1953): 444-450; idem, "A Scientific Appreciation of Leviticus 11 and Deuteronomy 14," *Ministry*, 26 September 1953, 26-28; Lester E. Harris, Frank L. Marsh, and Ernest S. Booth, "Forum: The Question of Clean and Unclean Meats," *Ministry*, 27 March 1954, 37-38; E. A. Widmer, "Flesh of Swine: Scientific Evidence Supports the Biblical Prohibition," *Ministry*, May 1988, 24-26; Winston J. Craig, "Pork and Shellfish—How Safe Are They?" *Health and Healing* 12:1 (1988): 10-12.

²Some scholars oppose these scientific evidences. See Chan, 98; M. Harris, *Cows, Pigs, Wars, and Witches*, 29-32.

³Samuel ben Mair, Comment on Lev 11.3; see Rabinowicz, 6:44; Maimonides, 370.

⁴For instance, D. Schapiro, *L'Hygiène alimentaire des Juifs, devant la Science moderne* (Paris: Erelji, 1930); Charles Rosenbury Erdman, *The Book of Leviticus: An Exposition* (New York: Fleming H. Revell Company, 1951), 57-58; Döllner; S. H. Kellogg, "The Book of Leviticus"; Ronald Ernest Clements, "Leviticus," *The Broadman Bible Commentary* (Nashville, TN: Broadman Press, 1970), 2:34; *Seventh-day Adventist Bible Commentary*, ed. Don F. Neufeld (Washington, DC: Review and Herald Publishing

simple and comprehensive guidebook to food and personal hygiene."¹ R. Laird Harris strongly argues that most of these laws promoted the public health and would help protect the Israelites from the diseases of Egypt (Exod 15:26). By observing these laws, the Jews would have been largely free from parasites and worms and would have enjoyed more healthy living conditions in which to develop.² Isidor Grunfeld, Hayim Halevy Donin, and Walter C. Kaiser, Jr., speak about the health benefits of these laws.³

Association, 1978), 1:753-757; Craigie, 231; Albright, 177-181. speaks of the dietary laws of Lev 11 and Deut 14 as "hygienic laws" or "hygienic regulations"; R. L. Harris, "Leviticus," 2:572. Earl S. Kalland, "Deuteronomy," *The Expositor's Bible Commentary* (Grand Rapids, MI: Zondervan Publishing House, 1992), 3:101: "The reason is basically spiritual, though there may be other reasons growing out of psychological and sanitary considerations as well." Roland Kenneth Harrison, *Introduction to the Old Testament* (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1969), 603-607; idem, *Leviticus*, 124-27. Harrison makes a strong case for the hygiene/health rationale for the dietary laws. He lists various parasitic organisms and worms that can be contracted from unclean animals including pork and fish. *Seventh-day Adventists Believe*, 285; Paul R. House, *Old Testament Survey* (Nashville, TN: Broadman Press, 1992), 62: "Most of these rules protect the people from health risks." Rousas John Rushdoony, *The Institutes of Biblical Law* (Nutley, NJ: Craig Press, 1973), 298-301; idem, *Law and Society*, 702; Rand, 43-46; Josephson, 38-44; Benware, 62: "Some animals were identified as unclean because they were disease carriers, whereas others may have been so designated because of their associations with pagan worship."

¹Clements, "Leviticus," 2:34. See also L. E. Froom, "Mosaic Law Nonapplicable," *Ministry*, August 1928, 26, who takes the view that the distinction between clean and unclean animals was not simply an arbitrary command but rather it was based on the nature of the beasts.

²R. L. Harris, "Leviticus," 2:529-530.

³W. C. Kaiser, "Leviticus," 1075; Donin, 102; Grunfeld, 1:13: "Physical health and longevity may be a secondary effect of conformity to them but they do not come within the category of Ta'amei ha Mitzvot—motives of the laws—as far as the dietary laws are concerned."

C. G. Montefiore, G. J. Wenham, J. Jordan, and others¹ strongly oppose a hygienic interpretation. Wenham mentions four arguments against it:

1. "Some of the clean animals are more questionable on hygienic grounds than some of the unclean animals."² This assertion remains unproven because of the lack of scientific medical studies.³ Hasel aptly comments on the point: "We do not know as yet everything regarding the harm in short or long range terms of the consumption of unclean animals. Is it necessary to know all ramifications of the dietary instruction for it to be valid?"⁴

2. If hygiene was a motive, why are poisonous plants not "classed as unclean?"⁵ The regulations for plants good for human consumption were already given in Gen 1:29-30. Because the antediluvian world was vegetarian, they knew by experience what was fit for eating. A meat diet was not so obvious, as it was new; therefore God gave specific instructions.

¹C. G. Montefiore, "Dr. Wiener on the Dietary Laws," *Jewish Quarterly Review*, Original Series 8 (1896): 392-413. See also a very good opposite reaction to his position in Frances A. Joseph, 643-651. Frances A. Joseph argues that the purpose of the dietary laws is to maintain Israel's separateness and holiness. Jordan, *Introduction to the Mosaic Dietary Laws*; G. J. Wenham, "Theology of Unclean Food," 6.

²G. J. Wenham, *Book of Leviticus*, 167-68; idem, "Theology of Unclean Food," 6: "It is far from clear that all unclean animals . . . are harmful to health."

³Most of the present problems experienced with the quality of the meat of so-called clean animals are due to how they are fed and kept.

⁴Hasel, "Distinction between Clean and Unclean Animals in Lev 11," 111.

⁵Ibid. This objection was already used by Isaac Abravanel and then repeated after him. See his *Abarbanelis exordium commentariorum in Leviticum*.

3. The Old Testament gives no hint that health is the rationale of the dietary laws, because it lacks such a motive clause.¹ It is worthwhile to note that there is usually no motive clause in most of the laws and instructions in the Pentateuch. Whether the biblical text gives a hint regarding the health/hygienic issue depends especially on how one interprets the meaning of the call to holiness (Exod 22:31; Lev 11:44-45; 20:25; Deut 14:2, 21), which is the key motive of the dietary regulations.

4. "If health were the reason for declaring certain foods unclean in the first place, why did our Lord pronounce them clean in his day?"² This question assumes that the dietary laws were abolished by Christ and the apostles. This assumption is based on a particular exegesis of the New Testament passages. Some Christian commentators disagree with such an interpretation.³ Unfortunately it is not possible to deal with the New Testament material regarding dietary rules because of time and space limits in this dissertation.

The hygienic/health interpretation is particularly attractive to moderns, obsessed by health care and medical science. One can assume that God in His providence did give rules that contributed to the health of the nation. But we must ask the question whether health was the *primary* concern of the unclean food as it is for some people today.

¹G. J. Wenham, *Book of Leviticus*, 168.

²Ibid.; G. J. Wenham, "Theology of Unclean Food," 6: "Why did the early church allow their [OT dietary regulations] abolition in the first century AD?"

³See especially Hasel, "Distinction between Clean and Unclean Animals in Lev 11," 111-119; and Shea, "Clean and Unclean Meats," 17-22. Compare also Houston, 260-282; Péter-Contesse, 178.

The most critical objection against the hygienic rationale lies in the fact that the health motive of these food laws is nowhere explicitly stated in the Pentateuch. That is why this question is dealt with later.

In some respects there is some truth in most of the explanations, and it may not be necessary to select only one position as the correct one. Perhaps a combination of factors determined what was clean and unclean as God chose what was best for His people.¹ By obeying these regulations and all of the other laws laid down in the Pentateuch, Israel could be a holy nation, enjoying the presence of a holy God.²

The Nature and Extent of the Applicability of the Laws on Clean and Unclean Animals/Food

The Nature of the Dietary Laws: Cultic or Universal?

Walter C. Kaiser, Jr., acknowledges that "few chapters in the Bible present more difficulties for the application of the biblical materials to the modern day for the contemporary reader than Leviticus 11-15."³ Almost all scholars—Jews or Christians—put the laws about permitted or forbidden animals into the category of ceremonial or cultic law.⁴ While it is true that these laws form one part of the large

¹With this position concur Budd, *Leviticus*, 182; Péter-Contesse, 177; Houston, 122.

²This suggestion was made by Herbert Wolf, 177.

³W. C. Kaiser, "Leviticus," 1:1074.

⁴See for example *ibid.*, 1:1082; Milgrom, "Ethics and Ritual." Exceptions to this rule are Shea, "Clean and Unclean Meats," 6-8; Hasel, "Distinction between Clean and Unclean Animals in Lev 11," 93-96; and Doukhan, "Law of Liberty," 12.

section about ritual/cultic/ceremonial uncleanness (as for example in Lev 11-15), we have to ask if the dietary laws belong there by their nature. Are they cultic or universal? This dissertation investigates this significant aspect of the dietary laws and demonstrates their otherness on an exegetical basis. The answer to the question of the nature of food regulations helps to establish the extent of their applicability and their relevance. Among biblical scholars who argue that the dietary laws are part of the universal law belong Gerhard F. Hasel, Jacques Doukhan, Richard Davidson, and Angel Manuel Rodriguez.¹

The Applicability of the Dietary Laws

Christopher Wright favors the application of Old Testament law in principle. It means that

the Christian is required to submit to OT law in matters of food—not, however, to the ritual laws of Leviticus 11 or Deuteronomy 14, but to the more basic law of Leviticus 19:18 and Deuteronomy 10:18f., to love your neighbor as yourself (Rom. 13:8-10; 14:15)—expressed in what you do or don't eat in certain company.²

We therefore have to ask if Wright is right in his assertion that OT food laws were purely ritualistic. Is another element not present also? The basic question to be answered is the nature of the laws of clean and unclean animals/food.

¹Hasel, "Distinction between Clean and Unclean Animals in Lev 11," 91-125; Doukhan, "Law of Liberty," 11-14; Richard M. Davidson, "Revelation/Inspiration in the Old Testament: A Critique of Alden Thompson's 'Incarnational' Model," in *Issues in Revelation and Inspiration*, Adventist Theological Society Occasional Papers, ed. Frank Holbrook and Leo Van Dolson, no. 1 (Berrien Springs, MI: Adventist Theological Society Publications, 1992), 105-135; Angel Manuel Rodriguez, "Fit for Food," *Adventist Review*, December 12, 1996, 28.

²Ch. J. H. Wright, *Deuteronomy*, 182-183.

The Church Fathers clearly stated that Jesus Christ abolished the laws of clean and unclean food. His cross liberated Christians from the bondage of the Mosaic law. Nevertheless they spoke against gluttony, lust, and luxury (for example Novatian and Chrysostom). Even though they did not state it explicitly, it was their application of the Pentateuchal dietary rules.

From the historical-chronological survey of the literature dealing with clean and unclean animals/food it appears that the symbolic/didactic approach of the ancient Jewish authors served to support the validity of the dietary laws. This is clearly seen in such documents as the Letter of Aristeas, 4 Maccabees, and Philo.

On the other hand, only when the Church Fathers came on the scene was the validity and applicability of the dietary laws concerning clean and unclean food denied. This abrogation was always claimed on the basis of some New Testament verses such as Mark 7:19, Acts 10, and/or Rom 14:15. These authors were using the same symbolic method of interpretation as the Jewish authors but they turned it against the validity of these laws. The Church Fathers maintained that the dietary laws had mainly a didactic purpose. After the cross Christians were no longer to be bound by these laws. Only general lessons could be drawn from the laws on clean and unclean food, i.e., Christians should live a self-controlled life and not be dominated by their appetite. But even this should be done on a basis other than that of the Mosaic laws of the Old Testament. See for example the position of Novatian.

The same situation can be observed in today's discussion on the topic. Most

Christian writers speak about abrogated laws of clean and unclean food. This attitude is true for conservative as well as for historical-critical scholars. There are a few exceptions among Jewish scholars, including Jacob Milgrom, Leon R. Kass, and L. E. Goodman¹ who approach the dietary laws from an ethical point of view. From the Christian perspective these laws are defended by Gerhard F. Hasel, Jacques Doukhan, Richard Davidson, Angel Manuel Rodriguez, Rousas John Rushdoony, Howard B. Rand, and Elmer A. Josephson.²

In the United States of America Reform Judaism generally disregards the observance of the dietary laws, while the Conservative position in Judaism maintains their validity.³ Samuel H. Dresner stresses that these laws demand "sacrifice, self-discipline and determination—but what that is really worthwhile in life does not? It demands the courage to turn about face against the powerful current of conformity that almost overcomes us daily."⁴ In the same place he describes the Jews who are observing

¹Milgrom, "Biblical Diet Laws as an Ethical System," 288-301; Kass, 42-48; L. E. Goodman, "The Biblical Laws of Diet and Sex," in *Jewish Law Association Studies*, ed. B. S. Jackson (Atlanta, GA: Scholars Press, 1986), 2:17-26, 55-57.

²Hasel, "Distinction between Clean and Unclean Animals in Lev 11," 91-125; Doukhan, "Law of Liberty," 11-14; Richard M. Davidson, "Revelation/Inspiration in the Old Testament," 105-135; Rodriguez, "Fit for Food," 28; Rushdoony, *Institutes of Biblical Law*, 298-301; idem, *Law and Society*, 702; Rand, 43-46; Josephson, 36-44.

³See Rabinowitz, 44-45.

⁴Dresner, 53.

the dietary laws as a "loyal remnant." In Judaism the stress is put on doing and not only on thinking: "Man is not so much what he thinks as what he does."¹

In light of such a situation we have to ask serious questions in regard to the validity and applicability of these laws on the basis of Old Testament theology written from the Christian worldview. The first set of questions clusters around the problem of the authority and validity of the Pentateuch itself. Then we must ask questions regarding cleanness and uncleanness in general. Moreover, we have to raise specific questions regarding clean and unclean animals/food. We have to find possible inner indicators for abrogation or validity of the dietary laws. We should ask questions which help us to discern the nature, theology, and authority of these laws. Are these laws about diet different from the rest of the laws dealing with uncleanness or not? What is the nature of these laws? If the answer is positive, we are to ask how to apply these dietary laws in the Christian church after the unique event of the Cross. Nevertheless this last question cannot be answered in full in the present study because it involves dealing in depth with the vast New Testament material. The focus and space of this dissertation do not allow for such a broad study.

The Criteria for the Applicability of the Dietary Laws

Ross Cole explores the applicability of the Old Testament feasts in his dissertation "The Sacred Times Prescribed in the Pentateuch."² One can also apply these valuable

¹Ibid., 18.

²H. Ross Cole, "The Sacred Times Prescribed in the Pentateuch: Old Testament

rules to the dietary laws. I have condensed his five criteria into three and added two more (the interdependability of the Pentateuchal texts relating to diet and a comparison between different kinds of uncleanness demanded by the text in Lev 11-15), although not in the same order. One can derive those five criteria from the totality of the Pentateuchal texts dealing with the laws of clean and unclean animals/food:

Interdependability of the Pentateuchal texts dealing with food

The first argument for applicability deals with the interdependability of the main Pentateuchal texts in relationship to diet. This intertextual study has for its goal to discover the inner design or pattern, if any, between various sections of the Pentateuch linked by the same theme or concept. The thread of the present dissertation lies in this intertextual study.

Terminus a quo and terminus ad quem

The second criterion for the applicability of the laws of clean and unclean animals/food is the terminus a quo and terminus ad quem for their observance. In other words, can we find the evidence from the biblical text itself for the permanence of these laws or for their end? What Cole writes about Old Testament feasts can be applied to the dietary regulations:

If a sacred time is pictured as being instituted at creation, a prima facie case exists that it is a universal institution intended for all people. On the other hand, it cannot be presumed that a sacred time is temporary simply because it is pictured as originating

Indicators of the Extent of Their Applicability" (Ph.D. dissertation, Andrews University, 1996), 58.

in the wilderness period. However, if it is pictured as being established specifically to commemorate events in Israel's history, a prima facie case exists that the obligation to observe it is not universal.¹

Addressee of the food laws

The third criterion concerns the identity to whom food laws are addressed and who should observe them. Are these laws applicable to all people including אֲדָמָי or are they instituted specifically for Israel? Cole puts it in these words: "Unless explicitly stated otherwise, creation institutions remain a part of the divine ideal for humanity, even if they do not always automatically apply for the postfall situation."² Since the Old Testament is addressed in the first instance to Israel and/or Judah as the covenant people of God, there should be ample evidence for these people being required to observe these Pentateuchal laws. It is significant to see to what extent the non-Israelites are to relate to the observance of dietary laws. Laws which the אֲדָמָי is required to keep would presumably be of universal significance and character. Laws which he/she is required to keep would presumably be of more universal significance than laws he/she is simply permitted to keep, and certainly of a more universal character than laws he/she is prohibited from observing.³

¹Ibid.

²For example, on the application of Gen 1:28 in Gen 9:2 see Laurence A. Turner, *Announcements of Plot in Genesis*, JSOT Supplement Series, no. 96 (Sheffield: Sheffield Academic Press, 1990), 33-41.

³On the issue see especially the chapter "The Old Testament and New Testament Believers" in W. C. Kaiser, Jr., *Toward Old Testament Ethics* (Grand Rapids, MI: Zondervan Publishing House, 1983), 307-314. See also Samuele Bacchiocchi, *God's*

Constituent elements for the observance of the dietary laws

The fourth criterion concerns the constituent elements necessary for the observance of dietary laws. If the obligation to observe laws regarding clean and unclean animals/food is pictured as depending either on the functioning of the sacrificial cult, residing Shekinah, sanctuary, or on a specific geographical location and circumstances, then the disappearance of the prerequisite element would constitute a natural statute of limitations to the extent of the applicability of the dietary laws. On the other hand, if the obligation to observe dietary laws is pictured as being independent of such factors, the obligation to observe them would be expected to continue in their absence.

Comparative study of various kinds of uncleanness

The fifth argument lies in the comparative study of various kinds of uncleanness in the Pentateuch. To discern the extent of applicability it is important to compare material of all uncleanness in the Pentateuch. Are there some internal indications of the differences between unclean animals/food and the rest of uncleanness? Is there something unique in the uncleanness of the animals/food which can set these laws apart from the other kinds of uncleanness? Can something specific reveal the nature of these laws and their future applicability and serve as an indicator for their relevancy?

Festivals in Scripture and History, part 1, *The Spring Festivals*, Biblical Perspectives, no. 11 (Berrien Springs, MI: Biblical Perspectives, 1995), 86-87.

Remaining Questions

The Pentateuch was written primarily for ancient Israel, the people of God, but this does not necessarily mean that these five books do not contain principles which are universally valid. Walter C. Kaiser, Jr., one of the rare scholars who tries to apply the laws about clean and unclean food to Christian life, writes on the one hand: "The NT teaches that these food laws, as was true of all of the ceremonial law, are no longer binding on Christians." but on the other hand he stresses that "this is not to say, that no abiding principles remained valid for all times and peoples; it merely removed the necessity of rigid observance of all its details."¹ Unfortunately Walter Kaiser does not say what he meant by these abiding nonrigid principles. Further in his study he speaks generally about the call for holiness which "affects all of life, even though there is no longer a specified list of clean and unclean foods that we must honor."²

Ian Cairns also denies that the Christian should take the Pentateuchal dietary laws as binding in the cultic way, saying it is a dead-end street, yet he presents a practical application of the laws of clean and unclean animals in the moral sense in the following way: "'Unclean' food in moral (as contrasted to ritual) would be: food whose price is subsidized by the sweat and hardship of the poor; food enjoyed in disregard of the world's hungry; food and drink in excess to the detriment of the bodies God gave us."³

¹W. C. Kaiser, "Leviticus," 1:1082-1083.

²Ibid., 1083.

³Ian Cairns, *Deuteronomy: Word and Presence*, International Theological Commentary (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1992), 142.

Although Walter Houston is not content that the Christian church abrogated dietary laws, his attempt to apply the principles of the dietary regulations for Christians is not really successful, because he has no clear suggestion about how to do it, except his very vague and general idea that Christians ought to live their faith "without having to think about it, in the minute particulars of their lives."¹

The main question therefore remains—are these laws about clean and unclean animals/food cultic, or are they clothed in the cultic dress of their time in order to convey the important lessons of life for all times? Is the actual keeping of these laws important for all people, or only for Israel? Is their nature natural/universal or symbolic/cultic in their very essence?

Despite the valuable contributions of numerous scholars on the topic, there is a lack of adequate study of the above-mentioned problems and aspects of the laws on clean and unclean animals/food based on the creation theology and interrelated textual study within the Pentateuchal narrative in its canonical shape. This lacuna is unfortunate, since there is great controversy over this topic, both in interpretation and attitude, and a focus on the relationship between these laws and Creation seems to offer a promising field for further study. This dissertation seeks to fill this lacuna even if the exegesis cannot be exhaustive.

There are good recent observations about the relation of food laws with Creation which deserve further study. If they are worthwhile, they need to be supported by

¹Houston, 280.

exegetical data and theological reasoning and material. The task of this present dissertation is to connect the Pentateuchal dietary laws with the creation theology. I want to investigate the reminiscent ideas of creation theology in the Pentateuchal texts on the laws of clean and unclean food and discover links between relevant Pentateuchal texts regarding clean and unclean food. Such intertextual study will help to discover the rationale, nature, and theology of the food laws. This approach is intertextual within the Pentateuch. I want to investigate what these texts say about the relation between food regulations in themselves and in relationship to Creation.

Mayes denies that there are serious grounds for connecting dietary laws with the creation story. He argues from the basis that there is considerable difference between the dietary laws of Lev 11 and those of Deut 14, and that these differences relate to the relationship between these laws and Gen 1, which "is sufficient to indicate that the world view reflected in the dietary regulations is not completely accounted for by Gen 1."¹ However, it is the challenge of this present dissertation to point out links between dietary laws and the creation story on exegetical grounds and thus to demonstrate that the creation worldview and Genesis cosmology² are really reflected in these dietary regulations. These links are built on vocabulary, stylistics, concepts, structure, and theology. The focus on the Creation theme promises to be helpful in discovering other dependent motifs which are latently or explicitly present in the biblical text.

¹Mayes, "Deuteronomy 14 and the Deuteronomic World View," 178.

²For a discussion of the terms "cosmology" and "cosmogony," see Robert A. Oden, Jr., "Cosmogony, Cosmology," *ABD* (1992), 1:1162-1171. In this dissertation I consistently use the notion of cosmology as an expression of organizing the universe according to the biblical creation accounts.

CHAPTER III

THE NATURE OF THE LAWS CONCERNING CLEAN AND UNCLEAN ANIMALS/FOOD

In the very center of the Pentateuch there are laws which have generated a vast amount of scholarly debate and an abundance of literature.¹ Our concern is the laws regarding clean and unclean animals/food² as mentioned in Lev 11:1-47, and related passages (Gen 9:3-4; Exod 22:31; Lev 17:13-14; 20:22-26; Deut 12:15-16, 20-25; 14:3-

¹Sailhamer, *Pentateuch as Narrative*, 33: "The center of the Pentateuch is dominated by the collections of laws." See Noth, *Laws in the Pentateuch*; G. T. Manley, *The Book of the Law* (Grand Rapids, MI: William. B. Eerdmans Publishing Company, 1957); Calum M. Carmichael, *Law and Narrative in the Bible: The Evidence of the Deuteronomistic Laws and the Decalogue* (Ithaca: Cornell University Press, 1985); idem, *The Laws of Deuteronomy* (Ithaca: Cornell University Press, 1974); idem, *The Origins of Biblical Law: The Decalogues and the Book of the Covenant* (Ithaca: Cornell University Press, 1992); John H. Sailhamer, *Introduction to Old Testament Theology: A Canonical Approach* (Grand Rapids, MI: Zondervan Publishing House, 1995), 253-289; Rushdoony, *Institutes of Biblical Law*.

²There are also other food regulations which are not the topic of this study, such as certain forbidden portions of clean animals—the sciatic nerve (this prohibition is based on Gen 32:32), and fat (Lev 3:17; 7:22-25; compare with Deut 12:15-16, 21-24). Also the command: "You shall not cook kid in the milk of his mother" (Exod 23:19; 34:26; Deut 14:21) will not be discussed in depth. On the other hand, I do deal with blood prohibition, because it lies at the very center of this study.

21).¹ Being incorporated into the cultic system (especially Lev 11-15), these dietary laws are linked to both temple ritual and social norms. Our aim is to discover the purpose of the Mosaic dietary laws as reflected in the composition and structure of various Pentateuchal passages. The true nature of these laws should emerge from the comparative study of different kinds of uncleanness described in Lev 11-15 and from the

¹There are other relevant biblical passages outside of the Pentateuch which however go beyond the scope of the present dissertation: (1) Judg 13:4-7—the mother of Samson is admonished against eating anything impure (טמא). The reference here is to unclean food in general. (2) Isa 65:3-4 and 66:17—the prophet Isaiah condemns eating of swine, dogs, and mice. See John D. W. Watts, *Isaiah 34-66*, vol. 25, Word Biblical Commentary (Waco, TX: Word Books, Publisher, 1987), 343, 364; Claus Westermann, *Isaiah 40-66: A Commentary*, The Old Testament Library (Philadelphia, PA: Westminster Press, 1966), 401, 422. (3) In the book of Ezekiel there are a few significant passages: (a) Ezek 4:13-14—the people of Israel will eat unclean food among the nations because of their unfaithfulness; Ezekiel states that he never ate unclean meat. (b) Ezek 8:7-13—prophet Ezekiel sees idolatry and detestable things in the Temple. (c) Ezek 22:26—priests are doing violence to God's law, because they do not teach the difference between clean and unclean. (d) Ezek 33:25-26—a very significant passage, because it ties the food laws (prohibition of eating blood) with idolatry, murder, and adultery, demonstrating that the prophet Ezekiel gives a moral meaning to the dietary laws. In the list both social and religious crimes are listed. See Daniel I. Block, *The Book of Ezekiel: Chapters 25-48*, The New International Commentary on the Old Testament (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1998), 261-263; Moshe Greenberg, *Ezekiel 21-37: A New Translation With Introduction and Commentary*, The Anchor Bible (New York: Doubleday, 1998), 683-688. (4) Dan 1 describes the struggle of Daniel and his three friends to avoid being defiled by the king's food (vs. 8). The reason for the uncleanness is not given. It may be that they were served forbidden unclean food. In that case, the author is encouraging his readers to observe Mosaic dietary laws. But it may be that these four friends refused to eat from the royal table, because sharing food was in their mind associated with sealing a covenant (Gen 26:28-30; 31:44-54; Exod 24:9-10; 2 Sam 3:20-21). See also Jacques B. Doukhan, "Allusions à la création dans le livre de Daniel," in *The Book of Daniel in the Light of New Findings*, ed. A. S. van der Woude, *Bibliotheca ephemeridum theologiarum lovaniensium*, no. 106 (Leuven: University Press, 1993), 285-287. (5) Hos 9:3-4—a description of the consequences of Israel's sins. One of the results of the rebellion against God is the exile, where they eat unclean food. (6) Hag 2:12—a clean animal is never considered holy; only certain parts of its flesh can be, if used in the sanctuary in connection with sacrifice.

totality of the texts related to the dietary rules. Intertextual study may reveal links among the main concepts that define the primary intent of the dietary laws.

Lev 11

Lev 11 contains the most elaborate explanation of the dietary rules in regard to uncleanness of specific animals in the Pentateuch. This is why we take this chapter as a starting point in our exploration of the subject.

Larger Context

The Book of Leviticus takes the center position in the Pentateuch.¹ The whole book has a neat literary structure. In order for us to conduct an accurate exegesis of Lev 11, it is very important that this passage be seen within the larger context of the book of

¹William H. Shea, "Literary Form and Theological Function in Leviticus," in *The Seventy Weeks, Leviticus, and the Nature of Prophecy*, Daniel and Revelation Committee Series, ed. Frank B. Holbrook, no. 3 (Washington, DC: Biblical Research Institute, 1986), 131-168; Richard M. Davidson, "Assurance in the Judgment," *Adventist Review*, January 7, 1988, 20. See also Y. T. Radday, "Chiasmus in Hebrew Biblical Narrative," in *Chiasmus in Antiquity: Structures, Analysis, Exegesis*, ed. J. Welch (Hildesheim: Gerstenberg Verlag, 1981), 89; Meir Paran, *Forms of the Priestly Style in the Pentateuch: Patterns, Linguistic Use, Syntactic Structures* (Jerusalem: Magnes Press, 1989); Christopher R. Smith, "The Literary Structure of Leviticus," *Journal for the Study of the Old Testament* 70 (1996): 17-32; Mary Douglas, "Poetic Structure in Leviticus," in *Pomegranates and Golden Bells: Studies in Biblical, Jewish, and Near Eastern Ritual, Law, and Literature in Honor of Jacob Milgrom*, ed. David P. Wright, David Noel Freedman, and Avi Hurvitz (Winona Lake, IN: Eisenbrauns, 1995), 239-256. For the critique of different structures see Wilfried Warning, "The Contribution of Terminological Patterns to the Literary Structure of the Book of Leviticus" (Ph.D. dissertation, Andrews University, 1997), 19-27.

Leviticus which has been shown to form a chiastic structure.¹ This structure can be summarized in the following way:

- A. Cultic/Sanctuary laws—chap. 1-7
 - B. Priestly laws—chap. 8-10
 - C. Personal laws—chap. 11-15
 - D. Day of Atonement—chap. 16
 - C'. Personal laws—chap. 17-20
 - B'. Priestly laws—chap. 21-22
 - A'. Cultic/Sanctuary laws—chap. 23-27.

This thematic structure of Leviticus suggests that there is a close relationship between Lev 11-15 and Lev 17-20. Indeed, chap. 17 is a further elaboration of the theme of eating clean animals (Lev 11) in relation to the blood prohibition (17:10-16). The

¹Shea, "Literary Form and Theological Function in Leviticus," 131-168; Davidson, "Assurance in the Judgment," 18-20. Mary Douglas published her ring structure of the book of Leviticus, but it is not built on all exegetical data. See her "Forbidden Animals in Leviticus," 8-12; idem, "Poetic Structure in Leviticus," 253-255. Chiasmic structures are present in many parts of the Old Testament and this device is known in ancient Near Eastern literature. See John W. Welch, ed. *Chiasmus in Antiquity: Structures, Analysis, Exegesis* (Hildesheim: Gerstenberg Verlag, 1981).

Nils Lund also suggests a chiasmic structure for Leviticus 11:24-28. See Nils W. Lund, *Chiasmus in the New Testament: A Study in the Form and Function of Chiasmic Structures* (Chapel Hill, CA: The University of North Carolina Press, 1942; reprint, Peabody, MA: Hendrickson Publishers, 1992), 51 (page citations are for the reprint edition); idem, "The Presence of Chiasmus in the Old Testament," *The American Journal of Semitic Languages and Literatures* 46 (1929-1930): 114.

Graeme Auld, "Leviticus at the Heart of the Pentateuch," in *Reading Leviticus: A Conversation with Mary Douglas*, ed. John F. A. Sawyer (Sheffield: Academic Press, 1996), 40-64. See also Blum, 312-332. About the position of Lev 11 see *ibid.*, especially 318-324.

dietary laws of chaps. 11 and 17 are linked to Lev 18-20¹ in a twofold manner: (1) by moral connections with prohibition of sexual perversities and idolatry (the same moral connections and implications will be seen in the book of Deuteronomy in regard to the notion of תוֹעֵבָה), and (2) by specific reference to distinctions between clean and unclean animals (Lev 20:25-26). In the heart of the section of Lev 18-20, there is an exhortation to pursue holiness (Lev 19:2) as well as in Lev 11:44-45. Thus chaps. 11, 17, and 18-20 are closely related.

The high point of the structure is the Day of Atonement (chap. 16). Keil and Delitsch stressed this point with the following words:

Whilst, therefore, the laws of sacrifices and purification, on the one hand, culminate in the institution of the *yearly day of atonement*. so, on the other, do those relating to the sanctification of life culminate in the appointment of the *sabbatical and jubilee years*; and thus the two series of laws in Leviticus are placed in unmistakable correspondence to one another.²

The centrality of the Day of Atonement is strengthened by the appearance of a key formula in the book of Leviticus, the formula of divine speech: "The Lord spoke/said to Moses (and Aaron)." Wilfried Warning presents a macrostructure of the book of Leviticus built on the literary unit וַיִּדְבֹר יְהוָה אֶל־מֹשֶׁה (וְאֶל־אַהֲרֹן) לֵאמֹר, which

¹About the close relationship between Lev 18 and Lev 20, see M. Douglas, "Poetic Structure in Leviticus," 251. For the links between Lev 19 and the Decalogue, see Levine, *Leviticus*, 124-125. He writes: "Chapter 19 may be characterized as a brief *torah* (instructions). It states the duties incumbent on the Israelites as a people and includes a wide range of laws and commandments that are representative of the basic teaching of the Torah. More specifically, it echoes the Ten Commandments" (124).

²Keil, and Delitzsch, 263-264.

occurs thirty-seven times.¹ This formula appears eighteen times before the Day of Atonement and again eighteen times after it. Chap. 11 of the book of Leviticus is the twelfth unit of the thirty-seven.² The structural core of Leviticus is thus confirmed.

There are several clearly discerned sections in the book of Leviticus: 1-7 (sacrifices), 8-10 (priests' ordinance and their duty), 11-15 (laws on clean and unclean), and 17-26 (the Holiness Code). The laws of clean and unclean animals/food thematically belong to the cultic section of Lev 11-15.

The center of attention in Lev 1-10 is the sanctuary and the sacrificial system with the priests as the main figures, but in Lev 11-15 we leave the sanctuary and enter the secular sphere which deals with issues such as food laws, childbirth, skin diseases, and sexual functions.³ The core of concern in this section is the concept of being clean or unclean.

¹Warning, 50-56. The importance of the divine speeches was already seen by A. Klostermann, *Der Pentateuch: Beiträge zu seinem Verständnis und seiner Entstehungsgeschichte* (Leipzig: Deichertische Verlagsbuchhandlung, 1893), 374; Hartley, 224; Budd, *Leviticus*, 41: "It is very probable that the repetition of the divine word to Moses . . . marks the beginning of new sections and is an indicator of the component parts in each collection." S. A. Meier, *Speaking of Speaking: Marking Direct Discourse in the Hebrew Bible*, Supplements to Vetus Testamentum 46 (Leiden: E. J. Brill, 1992), 74, n. 1, says the divine speeches function as "a structuring device for distinct cultic and legislative topics" (Crüsemann, 278).

²Warning, 54.

³W. C. Kaiser, "Leviticus," 1:1074.

Immediate Context

Lev 11 belongs to the literary section of Lev 11-15 which has been called "perhaps the least attractive in the whole Bible."¹ These chapters are primarily concerned with distinguishing between clean and unclean, a theme inaugurated in Lev 10:10. The delimitation of this section is given by a record of the tragic death of the two sons of Aaron (Lev 10:1-2). After this tragedy God addresses Aaron: "You are to distinguish between the holy and the common, and between the unclean and the clean; and you are to teach the people of Israel all the statutes that the Lord has spoken to them through Moses" (Lev 10:10-11).

It is important to note the keywords² טָהוֹר ("clean"), טָמֵא ("unclean"), קָדוֹשׁ ("holy"), and חָל ("common") in vs. 10. The next section in the book of Leviticus,

¹Nathaniel Micklem, "The Book of Leviticus," *The Interpreter's Bible* (Nashville, TN: Abingdon Press, 1954), 2:52.

²W. G. E. Watson states that "a keyword is one which occurs several times in a passage and contributes to its meaning. To determine which are the keywords in a text the first step is to tabulate all the repeated words" (William G. E. Watson, *Traditional Techniques in Classical Hebrew Verse*, Journal for the Study of the Old Testament, Supplement Series 170 [Sheffield: Sheffield Academic Press, 1994], 377). He explains that the term "keyword" can be understood in three different ways: (1) dominant word, (2) repeated word, or (3) thematic word. The main function of keywords is "to express the principal theme" of the biblical text, their secondary function is "to indicate the structure" of a text, and also "such words may function as catchwords" (idem, *Classical Hebrew Poetry: A Guide to Its Techniques*, Journal for the Study of the Old Testament, Supplement Series 26 [Sheffield: JSOT Press, 1984], 287-288).

chaps. 11-15, is therefore an elaboration of the laws of clean and unclean, called by Budd "The Manual of Purity."¹ Chap. 16 starts with the words "The Lord spoke to Moses after the death of the two sons of Aaron, when they drew near before the Lord and died" (Lev 16:1). It can be thus concluded that the reference to the tragic story of Aaron's two sons provides a framework for chaps. 11-15 which form a literary unit. Gordon J. Wenham suggests that this section is linked in its context with 10:10 (looking back) and 16:16 (looking forward in anticipation to the rituals performed on the Day of Atonement).²

Lev 11-15

Lev 11-15³ deals with seven thematic sections: dietary laws (11:1-47), childbirth (12:1-8), skin diseases (13:1-46), mildew and mold (13:47-59), purification sacrifices (14:1-32), purity rules (14:33-57), and genital discharges (15:1-33). Each section is

¹Budd, *Leviticus*, 158. Others similarly: Hartley, *Leviticus*, 139: "Laws on Ritual Purity"; Harrison, *Leviticus*, 120: "Clean and Unclean Differentiated"; Victor P. Hamilton, *Handbook on the Pentateuch: Genesis, Exodus, Leviticus, Numbers, Deuteronomy* (Grand Rapids, MI: Baker Book House, 1982), 273: "Clean and Unclean"; Micklem, 2:52: "Laws of Purification"; Demarest, 112: "The Clean and the Unclean"; R. L. Harris, "Leviticus," 2:568: "Laws of Cleanness"; Gerstenberger, *Leviticus*, 128: "Purity and Purification"; Gorman, *Presence*, 68: "Instructions on Purity"; Sailhamer, *Pentateuch as Narrative*, 332: "Laws of Purity and Impurity"; W. C. Kaiser, Jr., "Leviticus," 1:1074: "The Regulations on Clean and Unclean"; Milgrom, *Leviticus 1-16*, 641, calls Lev 11-16 "The Impurity System"; G. J. Wenham, *Book of Leviticus*, 161, calls the same chapters "Uncleanness and Its Treatment."

²G. J. Wenham, *Book of Leviticus*, 161.

³For a literary critical study of Lev 11-15, see Tai-Il Wang, "Leviticus 1-15: A Form-critical Study" (Ph.D. dissertation, Claremont Graduate School, 1991); Rolf Rendtorff, *Die Gesetze in der Priesterschrift: eine gattungsgeschichtliche Untersuchung*, 2nd ed. (Göttingen: Vandenhoeck & Ruprecht, 1963), 38-56.

introduced by the formula: "The Lord said to Moses (and Aaron)" (11:1; 12:1; 13:1; 14:1; 14:33; 15:1)¹ and ends with the concluding formula that summarizes the entire text: "These are the regulations concerning/for" (11:46; 12:7; 13:59; 14:32; 14:57; 15:32).² This means that delimitation of each topic is clearly made by introductory and concluding formulas; therefore there is no doubt when each passage starts and ends.

An important question arises. Why did the author of Leviticus put the subject of clean and unclean animals and the matter of dietary law at this place in the book? It seems that the author of Lev 11 employs a literary device known as the "catchword"³ principle. This compositional feature resides in the fact that chapters 11-15 handle the catchword of uncleanness/cleanness⁴ in a general manner. It would, therefore, be natural

¹Only in Lev 13:47 is this introductory formula missing. Delimitation of the section is given by clear discernment of the new topic: uncleanness related to mildew and mold.

²In one instance, in Lev 14:2; this expression is used as the introductory formula.

³W. G. E. Watson explains that keywords "may function as *catchwords* linking separate verses or stanzas" of the biblical text (William G. E. Watson, *Classical Hebrew Poetry*, 288). The catchword principle states that at times biblical writers place subjects next to each other without any apparent or sequential order. The relationship between these words is established on the basis of the repetition of what is called a "catchword." Examples are Isa 30:13-14 and 30:26—linked by שָׁבַר, and Isa 33:5, 16, 24—linked by שָׁכַן. A catchword is also defined as "a word so often repeated that it is identified with a person or subject" (C. Hugh Holman and William Harmon, *A Handbook to Literature*, 5th ed. [New York: Macmillan Publishing Company, 1986], 75).

⁴For studies that treat the complex subject of clean/unclean and purity/impurity in the Old Testament in a general manner, see William Robertson Smith, *The Religion of the Semites: The Fundamental Institutions*, 2nd ed. (New York: Schocken Books, 1972); Döllner; M. Douglas, *Purity and Danger*; W. Paschen, *Rein und Unrein: Untersuchung zur biblischen Wortgeschichte*, Studien zum Alten und Neuen Testament, 24 (Munich: Kösel-Verlag, 1970); Neusner, *Idea of Purity in Ancient Judaism*; Emanuel Feldman, *Biblical and Post-Biblical Defilement and Mourning: Law as Theology* (New York:

to deal also with the issue of uncleanness in relation to eating clean and unclean animals—a subject which was already introduced in the Pentateuch in Gen 7, but never thoroughly explored. Here was good opportunity to do so.

Besides making a distinction between clean and unclean, introduced in Lev 10:10 and which became the general theme of Lev 11-15, another catchword is prominent in Lev 11, namely "eating." This is found no less than six times in the section just preceding dietary laws, in Lev 10:12-19 (vss. 12, 13, 14, 17, 18, 19). The reason for the discussion of the universal dietary "clean/unclean" animals and the delineation of the ones that may/may not be "eaten" in Lev 11 is also connected with the use of another catchword, "holy," which is used in Lev 10:10 as a counterpart of uncleanness. Holiness is also a keyword of motivation for keeping the food regulations (Lev 11:44-45). This intersection of the three catchwords "clean/unclean," "eating," and "holy" makes it evident why the section of clean and unclean animals/food was included with Lev 12-15, a section which is closely associated with ceremonial uncleanness.

Categories of Uncleanness

The question concerning the function of chap. 11 within the whole corpus of laws dealing with cleanness and uncleanness must be addressed. In order to answer this

Yeshiva University Press, 1977); I. Zatelli, *Il campo lessicale degli aggettivi di purità in Ebraico biblico*, Quaderni de semitistica, 7 (Firenze: Istituto di Linguistica e di Lingue Orientali, Università di Firenze, 1978). There are two studies that survey work done on the subject of purity and cleanness; see J. Henninger, D. Meeks, M.-J. Seux, and Henri Cazelles, "Pureté et Impureté," *Dictionnaire de la Bible*, Supplement (Paris: Letouzey & Ané, 1979), 9:398-508; E. Cortese, "Le ricerche sulla concezione 'sacerdotale' circa puro-impuro nell'ultimo decennio," *Rivista Biblica* 27 (1979): 339-357.

question we need to explore the basic ideas of the whole unit. In dealing with the close context of Lev 11 it is necessary to engage in a summary comparative study of various kinds of uncleanness mentioned in Lev 11-15 and in the whole Pentateuch. In this way we are able to clarify the nature of these laws as well as to establish the dissimilarities between the different types of uncleanness. To discover the main features of different kinds of uncleanness, the investigation of items such as length of uncleanness, isolation from other people connected with uncleanness, purification rites, and sacrifices associated with uncleanness is undertaken, and the results compared. Table 1 reveals in a simplified way two basic types or categories of uncleanness in the Pentateuch.¹

From table 1 it becomes evident that various kinds of uncleanness which are connected with isolation and/or purification rites and/or sacrifices are temporary, because in those cases acquired impurities apply only for some (definite or indefinite) time. However, there is one kind of uncleanness that is permanent, namely uncleanness of a special group of animals/food. Unclean animals are unclean from birth to death, because this type of uncleanness is innate, hereditary, or natural. Nothing can change that—time, isolation, sacrifices, purification rites, killing, or cooking. Thus this category of

¹For all the details about the various kinds of uncleanness and purification rites, see John E. Hartley, "Clean and Unclean," *ISBE* (1979), 1:718-721; D. P. Wright, "Unclean and Clean (OT)," 6:729-741; L. E. Toombs, "Clean and Unclean," *The Interpreter's Dictionary of the Bible*, ed. George Arthur Buttrick et al. (New York: Abingdon Press, 1962), 1:644-647; Gordon J. Wenham, *Book of Leviticus*, 185-225; Milgrom, *Leviticus 1-16*, 986-991; Jenson, *Graded Holiness*, 225-226; Averbeck, "Clean and Unclean," 4:477-486; Rolf Rendtorff, "Reinigungen, II. Im AT und Judentum," in *Die Religion in Geschichte und Gegenwart: Handwörterbuch für Theologie und Religionswissenschaft*, 3rd ed., ed. Kurt Galling (Tübingen: J. C. B. Mohr, 1961), 5:947-948.

TABLE 1

COMPARISON OF DIFFERENT KINDS OF UNCLEANNESS
IN THE PENTATEUCH

Varieties of Uncleanness	Key Biblical References	Length of Uncleanness	Isolation	Purification Rites	Sacrifice	Categories of Uncleanness
1. Uncleanness of animals	Gen 7:2,3 Lev 11:1-47 Lev 20:25,26 Deut 14:3-21	Permanently unclean				Permanent (Natural)
2. Uncleanness by touching animal carcasses	Lev 5:2, 6 Lev 11:24-40	1 day		X	(X)*	Temporary (Acquired)
3. Uncleanness by eating a carcass of the clean animal	Lev 11:40 Lev 17:15 Lev 22:8	1 day		X		Temporary (Acquired)
4. Uncleanness after childbirth	Lev 12:1-8	7 + 33 days (boy) 14 + 66 days (girl)		X	X	Temporary (Acquired)
5. Uncleanness related to skin diseases	Lev 13:1-46 Lev 14:1-32 Num 5:2,3	7 + 7 days Till healing or till death	X	X	X	Temporary (Acquired)
6. Uncleanness related to the mildew in clothing or in a house	Lev 13:47-59 Lev 14:33-57	7 days + burn 7 + 7 days (+ burn or tear down)		X	X	Temporary (Acquired)
7. Sexual uncleanness	Lev 15:1-33 Lev 18:19 Lev 22:4 Num 5:2 Deut 23:11,12	1 day 7 days Till healing + 7 days	X	X	X	Temporary (Acquired)

8. Uncleanness of the land	Lev 18:24-30 Lev 20:22 Num 35:30-34 Deut 21:1-9	Till cleansing or vomiting (expelling from the land)		X	X	Temporary (Acquired)
9. Uncleanness by touching human corpses	Num 5:2 Num 19:11-22	7 days	X	X		Temporary (Acquired)

*The uncleanness resulting from touching of the animal's carcass is here connected with the failure to cleanse impurity as soon as it occurs. Only prolonged impurity requires the purification offering. See Milgrom, *Leviticus 1-16*, 297-318.

uncleanness is different in its nature: it is permanent and not contagious.¹ Touching a living animal does not convey uncleanness and does not exclude someone from the religious or social activities. In the Pentateuch there is no punishment mentioned for someone who eats the meat of an unclean animal. To eat forbidden ("unclean," "detestable," or "abominable") food is considered as "defiling" (Lev 11:41-43; 20:25; Deut 14:3) and is not taken lightly (Dan 1:8; Hos 9:3-4). Hasel aptly writes that to eat unclean food means "to be in a state too serious to be handled by ritual, ceremonial cleansing."²

¹There are items such as corpses and carcasses which can be categorized as permanently defiled, i.e., something or someone becomes unclean. A clean person or a clean animal become permanently unclean when dead. This permanent defilement cannot be removed. The rationale behind these cases of uncleanness is connected to death. God proclaims everything related to death as unclean because He does not want the realm of death be linked to worship. Thus these laws put a strong barrier against paganism.

²Hasel, "Distinction between Clean and Unclean Animals in Lev 11," 103.

Paul House states that "no one is declared 'unclean' for life unless the unfortunate condition persists."¹ This statement is true in regard to people, however, the uncleanness of animals is permanent. There is no provision for making an unclean animal clean.²

These are two different kinds of acquired ceremonial/ritual uncleanness—minor or major. Minor or light uncleanness results in one day of uncleanness, but major or severe uncleanness on the other hand results in seven days of uncleanness.³ The levitical laws do not clearly indicate whether a person having a minor pollution can cause someone else's defilement during the day of impurity. Tikva Frymer-Kensky assumes that "a person with a minor pollution cannot defile"⁴ someone else.

Different Pentateuchal texts reveal that there are six main sources or "fathers" (a rabbinic term) of ceremonial uncleanness: (1) carcasses (Lev 11:24-31); (2) corpses (Num 5:2; 19:11-22); (3) various skin diseases (so-called leprosy, Lev 13:2); (4) mildew (Lev

¹Paul R. House, 62.

²G. J. Wenham states correctly: "Permanent uncleanness cannot be altered and is not contagious, so no rites are prescribed to cure it. Unclean animals do not pass on their uncleanness to others; they simply cannot be eaten" (*Book of Leviticus*, 21).

³For a detailed discussion on the disposal of such impurities, see Jenson, *Graded Holiness*, 225-226; 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*, ed. C. L. Meyers and M. O'Connor (Winona Lake, IN: Eisenbrauns, 1982), 399-403; D. P. Wright, *Disposal of Impurity*, 200-206; Milgrom, *Leviticus 1-16*, 986-991.

⁴Frymer-Kensky, "Pollution, Purification, and Purgation in Biblical Israel," 403. But see also Num 19:21-22.

13:47-49; 14:34); (5) sexual discharges (normal or abnormal) related to semen (Lev 15:3, 18); and (6) sexual discharges (normal or abnormal) related to blood (Lev 15:19, 25).¹

A compositional element calls for our attention. It is quite important to observe that the Decalogue starts the legal section of the Pentateuch. From the comparative study of the עֲשֶׂר דְּבָרִים ("ten words") with the rest of the laws it is clear that the Decalogue is unique in its nature and separated from the rest of the system of Pentateuchal laws. The Decalogue is universal and eternal in its principles.² Thus the Decalogue is located not by accident in a prominent place. The same phenomenon can be found in the book of Deuteronomy, where the legal material is also introduced with the Decalogue. Similarly, in the levitical section of uncleanness (chaps. 11-15), uncleanness of animals/food stands at the head of various kinds of uncleanness, because it is of a different nature, unique, and prominent in meaning.

¹To this list of six factors of ceremonial uncleanness, one must add those elements which cause the polluting of the land: all kinds of sexual perversions (Lev 18:3-24; 20:10-21; Ezek 36:17-18), child sacrifices (Lev 18:21; 20:1-5), murder—because of the blood (Num 35:30-34; Deut 21:1-9), idolatry (Lev 18:24-26; 19:4; 2 Chr 34:3-8; Ezek 36:17-18; Jer 2:7, 23), and occultism (Lev 19:31; 20:6, 27). Broadly speaking, land is polluted by all wrong actions named in Lev 18-20 (see especially 18:24-25; 20:22-23).

It is also worthwhile to mention that Rendtorff calls uncleanness related to many sexual abnormal discharges as "krankhafte Ausflüsse." See his "Rein und Unrein, II. Im AT," in *Die Religion in Geschichte und Gegenwart: Handwörterbuch für Theologie und Religionswissenschaft*, 3rd ed., ed. Kurt Galling (Tübingen: J. C. B. Mohr, 1961), 5:942.

²Angel Manuel Rodriguez, "The Difference Between 'Laws' and 'The Law'," *Adventist Review*, September 12, 1996, 28.

Thus the thematic arrangement is significant. Animals "which are unclean in themselves,"¹ i.e., which are innately or inherently unclean, and inedible (as well as those which are clean and edible), are placed first in this section. Once the subject of natural uncleanness has been addressed in Lev 11 the author proceeds to the subject of acquired uncleanness and the cultic purification rites for the removal of such acquired impurity, which are presented in Lev 12-15. In this way the author moves from the general noncultic subject matter of natural and permanent uncleanness to an acquired uncleanness which is ritual² in nature.

It is significant that chap. 11 deals with the uncleanness of animals/food which is outside the human realm, while chaps. 12-15 are concerned mainly with the uncleanness related to human affairs such as childbirth, skin diseases, death, or sexuality.³

The dietary laws are not related to the Old Testament earthly sanctuary services or to the visible presence (so-called resident Shekinah) among God's people. No cultic ceremony is prescribed when transgression of these dietary laws occurs.

The result of these observations indicates that there are two clearly defined types of uncleanness: one is permanent and nonritual, and the other is temporal, cultic, or ceremonial in nature and purpose. The first one is hereditary or natural, and the second is

¹The expression is used by Toombs, "Clean and Unclean," *IDB* (1962), 1:645.

²Ritual is here defined as God's ordained (physical) activity which conveys (spiritual) meaning, usually related to the sanctuary services, such as sacrifices, purification rites, and feasts.

³W. C. Kaiser, "Leviticus," 1:1084.

acquired. Permanent, noncultic, and natural uncleanness uniquely characterizes the dietary laws. This is why I suggest that these laws belong to universal law. The nontransferability of the natural uncleanness indicates that it is of a different nature than ritual/cultic impurity. It means that Lev 11 is included in the whole corpus of the cultic laws because of thematic and compositional links. Nevertheless, considering the nature of the dietary laws, they are a special part of that corpus, because this uncleanness is of a different category.

The recognition of the inner links within Lev 11-15 seems to illuminate why the dietary laws which are described in terms of nonritual uncleanness are included in this section, and why some things ritual in nature (Lev 11:24-40) are included in Lev 11¹ although its principal topic about eating only clean animals is unrelated to the sanctuary and acquired uncleanness (Lev 11:1-23, 41-47).²

Literary Structure of Lev 11

It is a common practice today to dissect the text of Lev 11 into several redactional layers.³ Warning seriously questions such an approach and in his dissertation he

¹The oldest textual evidence for the Pentateuchal dietary laws is preserved in the small Qumran fragment of Lev 11:10-11. It was written in ancient Phoenician letters and most probably belongs to the 4th century B.C. The few preserved words do not differ from the masoretic text. D. Barthélemy and J. T. Milik, *Discoveries in the Judean Desert I: Qumran Cave I* (Oxford: Clarendon Press, 1955), 52; Roland de Vaux, "La grotte des manuscrits Hébreux," *Revue Biblique* 56 (1949): 602.

²For more details, see below under Literary Structure of Lev 11.

³For example, Milgrom, *Leviticus 1-16*, 691-696, who maintains several stages of composition in the development of the biblical text. In his hypothesis he discerns these

convincingly demonstrates the integrity of the whole chapter on the ground of terminological analysis. He writes:

The significant structures—based on the *sevenfold* occurrences of a given word and/or clear chiasmic structures—grounded on the terms בַּהֲמָה “quadruped,” נָגַע “touch,” עֲלֵה “bring up,” אֶרֶץ “land,” נֶפֶשׁ “throat; living being,” חַיָּה “wild quadrupeds” and חַי “living,” and the *fortyfold* occurrence of the particle כֹּל “all, every” point to the literary integrity of the extant text. Since all of the supposedly secondary and tertiary additions have been integrated into one or more of the terminological patterns, the dismembering of Lev 11 into several redactional layers should be seriously questioned.¹

Lev 11 has a clear literary structure.² It is structured according to the three habitats of living creatures—earth, water, and sky (אֶרֶץ, מַיִם, and שָׁמַיִם [the third notion only implied]), four different kinds of living creatures—quadrupeds, fish, birds,

layers or redactors: P1 (Lev 11:1-23, 41-42, 46), P2 (11:24-38, 47), P3 (11:39-40), and H (11:43-45). Warning's study gives a fatal stroke to such dismembering of the biblical text. See especially pp. 66-77, 86-87, 238-243 of his dissertation. Warning, 77: "In view of several significant ingenious structures, we are in no way overstating the case that these carefully construed patterns plus the additional fortyfold use of כֹּל, both inextricably intertwining passages attributed to an alleged *Grundschrift* and several later redactional rewritings, do not support any analysis claiming the extant text to be 'the final result of a long and complex growth process of oral/pre-compositional and written/compositional traditions/transmissions which extended through centuries.'" Wang has been cited: Wang, quoted in Warning, 77. See also Tai-Il Wang, "Leviticus 1-15: A Form-critical Study" (Ph..D. dissertation, Claremont Graduate School, 1991), 27.

¹Warning, 86-87.

²See the structures of G. J. Wenham, *Book of Leviticus*, 164-165; Hasel, "Distinction Between Clean and Unclean Animals in Lev 11," 97-98; D. P. Wright, *Disposal of Impurity*, 200-206; Houston, 29-32; William S. Morrow, *Scribing the Center: Organization and Redaction in Deuteronomy 14:1-17:13*, The Society of Biblical Literature Monograph Series, ed. Terence E. Fretheim and Carl R. Holladay, 49 (Atlanta, GA: Scholars Press, 1995), 63-76. The structure of Lev 11 and its careful composition is widely acknowledged; see Karl Elliger, *Leviticus*, Handbuch zum Alten Testament, 4 (Tübingen: J. C. B. Mohr, 1966), 142-149; Gerstenberger, *Leviticus*, 131-132; Péter-Contesse, 173; Rendtorff, *Die Gesetze in der Priesterschrift*, 39-45.

and swarmers (**בְּהֵמָה**, **בַּמַּיִם**, **כָּל אֲשֶׁר בְּאֶרֶץ**, **עוֹף**, and **שָׂרָץ** of the land, water, and air), and two different but related issues: (1) the distinction between clean and unclean animals (vss. 2-23, 41-45), and (2) defilement through contact with carcasses and its elimination (vss. 24-40).¹

¹W. C. Kaiser. "Leviticus," 1:1080, suggests that the structure of Lev 11 falls into 6 divisions marked out by the demonstrative pronouns **זֶה** (in vss. 9, 29), **זֵאת** (in vss. 2, 46), and **אלה** (in vss. 13, 24). The resulting outline is: (1) clean and unclean land animals (vss. 1-8), (2) clean and unclean aquatic creatures (vss. 9-12), (3) clean and unclean flying creatures, (vss. 13-23), (4) pollution from land animals (vss. 24-28), (5) pollution from swarming creatures (vss. 29-45), and (6) summary (vss. 46-47).

Unfortunately some demonstrative pronouns are overlooked and thus the whole structure must be changed. These pronouns occur (some of them together with *nota accusativi*) in the following places: **זֶה** (in vss. 4, 9, 21, 29), **זֵאת** (in vss. 2, 46), and **אלה** (in vss. 13, 22, 24, 31).

Milgrom, *Leviticus 1-16*, 691, structures Lev 11 in the following way:

Impure Animals	Purification Procedures
quadrupeds (vss. 2-8)	
fish (vss. 9-12)	
birds (vss.13-19)	
flying insects (vss. 20-23)	
	forbidden quadrupeds (vss. 24-28)
	eight land swarms (vss. 29-38)
	permitted quadrupeds (vss. 39-40)
land swarms (vss. 41-45)	

Key Terminological and Phraseological Expressions

The logical structure of Lev 11 is heightened by the repetition of the key words and phrases such as טָמֵא "unclean," טָהוֹר "clean," שִׂקִץ "detestable thing," "abhorrent," תֹּאכְלוּ "you may eat," לֹא תֹאכְלוּ "you may not eat," וְטָמֵא עַד הָעֶרֶב "and he shall be unclean until evening," נְבִלָה "carcass," נָגַע "touch," נָשָׂא "carry," and נָפַל "fall."

The literary structure of Lev 11 is built upon the following terminological and phraseological observations as it is shown in table 2.

Words used most frequently as key expressions in Lev 11 are in the first (vss. 2b-23) and third (vss. 41-43) parts related to the Hebrew root אכל and in the second part (vss. 24-40) the term נְבִלָה. Around these two keywords the whole chapter is structured.

Explicit Parallels

Our terminological and phraseological outline may be applied to the literary structure built on unique and dominant words and phrases of the specific parts in order to discover interrelationships between particular parts of the structure. The following explicit parallels can be depicted:

Introduction, vss. 1-2a¹

יהוה
זאת
חִיָּה
תֹּאכְלוּ
זאת הַחִיָּה אֲשֶׁר תֹּאכְלוּ

(continued on p. 182)

Conclusion, vss. 44-47

יהוה
זאת
חִיָּה
לֹא תֹאכְלוּ
זאת... הַחִיָּה אֲשֶׁר לֹא תֹאכְלוּ

¹Thus also Rendtorff, *Die Gesetze in der Priesterschrift*, 39.

TABLE 2

KEY TERMINOLOGICAL AND PHRASEOLOGICAL EXPRESSIONS IN LEV 11

Ref.	Category of animals	Dem. pronoun	Uncleanness	Key expressions	Significant* expressions
2a	הַחַיָּה		Introduction (vss. 1-2a) זֶה	תֹּאכְלוּ	יְהוּה
A. Edible and Inedible Living Creatures (vss. 2b-23)					
2b	מִכָּל־בְּהֵמָה			תֹּאכְלוּ	
3	בְּבֵהֵמָה			לֹא תֹאכְלוּ	
4		זֶה	טָמֵא		
5			טָמֵא		
6			טָמְאָה		
7			טָמֵא		
8			טָמְאִים	לֹא תֹאכְלוּ	בָּשָׂר נִבְלָה לֹא תִנְעוּ
9	מִכָּל אֲשֶׁר בַּמַּיִם	זֶה		תֹּאכְלוּ תֹּאכְלוּ	
10	מִכָּל שְׂרֵץ הַמַּיִם				
11	מִכָּל נֶפֶשׁ הַחַיָּה אֲשֶׁר בַּמַּיִם		שִׁקָּץ שִׁקָּץ תִּשְׁקֹצוּ	לֹא תֹאכְלוּ	בָּשָׂר נִבְלָה
12			שִׁקָּץ		
13	מִן־הָעוֹף	אֱלֹהִים	תִּשְׁקֹצוּ	לֹא יֹאכְלוּ	
20	כָּל שְׂרֵץ הָעוֹף		שִׁקָּץ		
21	מִכָּל שְׂרֵץ הָעוֹף	זֶה		תֹּאכְלוּ	
22		אֱלֹהִים		תֹּאכְלוּ	
23	כָּל שְׂרֵץ הָעוֹף		שִׁקָּץ		
B. Contact With Carcasses of Unclean and Clean Animals (vss. 24-40)					
24		אֱלֹהִים	תִּטְמָאוּ	נִבְלָה	הַנִּנְעָה
25			יִטְמָא	עַד־הָעֶרֶב נִבְלָה	הַנִּשְׂאָה
26	לְכָל־בְּהֵמָה		עַד־הָעֶרֶב טָמְאִים	יִטְמָא	הַנִּנְעָה
27	בְּכָל־הֵיָהּ		טָמְאִים	נִבְלָה יִטְמָא	הַנִּנְעָה

Table 2—Continued.

Ref.	Category of animals	Dem. pronoun	Uncleanness	Key expressions	Significant expressions
28			טמאים	נבלה וטמא	הנשא
29	בשרץ השרץ על הארץ	זה	הטמא	במתם	הנגע
31	בכל השרץ	אלה	הטמאים	וטמא	יפל
31			טמא	במתם	כלי-עץ
32			טמא	וטמא	כלי-כלי
33			טמא	וטמא	יפל
34			טמא	וטמא	כלי-חרש
35			טמאים	נבלה	האכל
36			טמאים	נבלה	יאכל
37			טהור	נבלה	משקה
38			טמא	נבלה	כלי
39	מן הבהמה		טמא	נבלה	יפל
40			טמא	נבלה	תגור
40			טמא	נבלה	פירים
40			טמא	נבלה	נגע
40			טמא	נבלה	מעין
40			טמא	נבלה	בור
40			טמא	נבלה	מקוה-מים
40			טמא	נבלה	יפל
40			טמא	נבלה	זרע
40			טמא	נבלה	נפל
40			טמא	נבלה	לאכלה
40			טמא	נבלה	הנגע
40			טמא	נבלה	האכל
40			טמא	נבלה	הנשא

A'. Inedible Swarming Living Creatures (vss. 41-43)

41	כל השרץ השרץ על הארץ	שקץ	לא יאכל
42	כל השרץ השרץ על הארץ	שקץ	לא תאכלום
43	כל השרץ השרץ	על השקצו לא תטמאו	

Table 2—Continued.

Ref.	Category of animals	Dem. pronoun	Uncleanness	Key expressions	Significant expressions
43			נטמאם		
Conclusion (vss. 44-47)					
44	כל-השרץ הרמש על-הארץ		טמא		יהוה התקדשותם
45					המעלה קדוש קדשים
46	הבהמה העוף כל נפש החיה הרמשת במים כל-נפש השרצת על-הארץ	זאת			חורת
47	החיה ההיה			תאכל	הנאכלת

*Key expressions are used in this chart as expressions that are like pillars of the chapter around which the whole theme is developed. Significant expressions help to clarify additional important issues explored in the chapter in relation to the main theme.

A. Edible and Inedible Living Creatures,
vss. 2b-23

לא תאכלו
לא יאכלו
טמא
שרץ
שקץ
כל... על-הארץ

A'. Inedible Swarming Living
Creatures, vss. 41-43

לא תאכלום
לא יאכל
טמא
שרץ
שקץ
כל... על-הארץ

B. Contact With Carcasses of Unclean and Clean animals,
vss. 24-40

במתם
ימות
נבלה

הַנִּנֶּע
הַנְּשָׂא
יִפֹּל
יִטְמֵא עַד־הָעָרֶב

There are other significant terms usually used once and uniquely in the second part, and only in relationship to carcasses (directly or indirectly), such as כָּלִי, עֵץ, בָּגֵד, בּוֹר, מַעֲיָן, כִּיּוּרִים, תַּנּוּר, יִשְׁתָּה, מִשְׁקָה, תּוֹכוֹ, חֶרֶשׁ, יוֹבֵא, מְלֹאכָה, יַעֲשֶׂה, שָׂק, עוֹר, בּוֹר, מַעֲיָן, כִּיּוּרִים, תַּנּוּר, יִשְׁתָּה, מִשְׁקָה, תּוֹכוֹ, חֶרֶשׁ, יוֹבֵא, מְלֹאכָה, יַעֲשֶׂה, שָׂק, עוֹר, זָרַע, מִקּוּה־מַיִם.

As for the geographical locations of where the animals are living "in" or moving "on," the following structure emerges from the chapter in regard to "eating" animals or "touching" their carcasses:

vs. 2	עַל־הָאָרֶץ	Land
vs. 9	בַּמַּיִם בַּמַּיִם בַּיַּמִּים בַּנְּחָלִים	Water
vs. 10	בַּיַּמִּים בַּנְּחָלִים הַמַּיִם בַּמַּיִם	
vs. 12	בַּמַּיִם	
vs. 13	מִן־הָעוֹף (root עוֹף "fly")	Air
vs. 20	כָּל שָׂרֵץ הָעוֹף (root עוֹף "fly")	
vs. 21	כָּל מִכְּל שָׂרֵץ הָעוֹף (root עוֹף "fly")	
vs. 23	עַל־הָאָרֶץ כָּל שָׂרֵץ הָעוֹף (root עוֹף "fly")	
vs. 29	עַל־הָאָרֶץ	Land
vs. 41	עַל־הָאָרֶץ	
vs. 42	עַל־הָאָרֶץ	
vs. 44	עַל־הָאָרֶץ	
vs. 45	עַל־הָאָרֶץ	
vs. 46	עַל־הָאָרֶץ	

Thus it is important to notice that the whole structure centers around living or dead animals in three habitats:

- A. Living animals—land (vss. 2b-8), water (vss. 9-12), air (vss. 13-23).
- B. Dead animals—land only (vss. 24-40).
- A'. Living animals—land only (vss. 41-43).

The sequence of the four categories of the living creatures in the sections A and A' is as follows:

- 1. Quadrupeds (vss. 2b-8)
- 2. Fish (vss. 9-12)
- 3. Flying Creatures (vss. 13-23)
 - a. Birds (vss. 13-19)
 - b. Insects (vss. 20-23)
- 4. Reptiles (vss. 41-43).

The sequence of the living creatures in section B is as follows:

- 1. Unclean quadrupeds (vss. 26-28)
- 2. Reptiles (vss. 29-38)
- 3. Clean quadrupeds (vss. 39-40).

Detailed Literary Structure of Lev 11

The results of this terminological, phraseological, and structural study of Lev 11 can be projected into a detailed literary structure of the whole chapter in the following way:

Introduction, vss. 1-2a

1. Formula of divine speech, vs. 1
2. Specific living creatures may be eaten, vs. 2a
- A. Edible and Inedible Living Creatures, vss. 2b-23
 1. Land living creatures, vss. 2b-8
 - a. Edible land creatures, vss. 2b-3
 - b. Inedible land creatures, vss. 4-8
 2. Water living creatures, vss. 9-12
 - a. Edible water animals, vs. 9
 - b. Inedible water animals, vss. 10-12
 3. Air living creatures, vss. 13-23
 - a. Inedible birds, vss. 13-19
 - b. Winged insects, vss. 20-23
 - i. Inedible winged insects, vs. 20
 - ii. Edible winged insects, vss. 21-22
 - iii. Inedible winged insects, vs. 23
- B. Acquired Uncleaness Resulting from Contact with Carcasses and its Elimination, vss. 24-40
 1. Unclean dead land creatures, vss. 24-28
 - a. Introducing the principle, vss. 24-25
 - b. Carcasses of land creatures, vss. 26-28
 2. Swarming dead creatures, vss. 29-38

3. Clean dead land creatures, vss. 39-40

A'. Inedible Swarming Living Creatures, vss. 41-43

Conclusion, vss. 46-47

1. Basic rationale: Be Holy for I am Holy, vss. 44-45

2. Final summary, vss. 46-47.

The framework of the literary structure of Lev 11 is supported by an inclusio between the introduction (vss. 1-2a) and the conclusion (vss. 44-47). This is stressed by the use of the holy Tetragram יהוה (vss. 1, 44, 45), demonstrative pronoun זאת (vss. 2a, 46), and root אכל. In the introduction there is a formula of divine speech and the general designation for all living creatures—חַיָּה. This term is also used twice in the conclusion (vs. 47). In vs. 46, four categories of living creatures are mentioned in summary, namely כָּל־נֶפֶשׁ הַשְּׂרֹצֶת עַל־הָאָרֶץ, כל נֶפֶשׁ הַחַיָּה הַרְמֹשֶׁת בַּמַּיִם, עוֹף בַּהֶמָּה

There is a double conclusion at the end of chap. 11. This is clearly recognizable by parallelism in vss. 44-46:

כִּי אֲנִי יְהוָה אֱלֹהֵיכֶם... וְהֵייתֶם קְדוֹשִׁים כִּי קְדוֹשׁ אֲנִי... בְּכֹל... עַל־הָאָרֶץ:
כִּי אֲנִי יְהוָה... לְאֱלֹהִים וְהֵייתֶם קְדוֹשִׁים כִּי קְדוֹשׁ אֲנִי... וּלְכֹל... עַל־הָאָרֶץ:

Some Hebrew terms occur only in the conclusion, such as קְדוֹשׁ (4 times), הַתְּקַדְּשֶׁתֶם, and וְהֵייתֶם (twice) and the Hebrew root רמש. This means that the rationale for the keeping of the dietary laws is tied very emphatically to the holiness of God.

The conclusion (vs. 47) also stresses that the laws concerning clean and unclean animals are dietary laws—clean has the meaning of edible while unclean means inedible.

This is suggested by a chiasmic device:

unclean	X	clean
edible living creatures		inedible living creatures.

Firmage rightly stresses: "Lev xi is primarily a dietary law."¹

Thus the conclusion is in the form of a summary which recapitulates the content of the whole chapter in regard to eating living animals. It deals with the laws of the four categories of living creatures (land animals, birds, water creatures, and swarming creatures, vs. 46), and defines the distinction between unclean and clean, edible and inedible animals—vs. 47.

The inner part of Lev 11 has several major blocks of material. Its content is made of three major sections (vss. 2-23, 24-40, and 41-43). Section A closely corresponds with section A'. These two parts form a chiasm with section B in its center. Part A of the structure deals with edible and inedible, clean and unclean land animals (quadrupeds), water creatures, and air creatures (vss. 2-23). This type of uncleanness is not contagious and is different from the uncleanness that is acquired and attaches itself to persons or things. The structure of this part is strengthened by the use of the key verb **אכל** in positive and negative ways (vss. 2b-23):

vs. 3 **תאכלו**

¹Firmage, "Biblical Dietary Laws," 181.

vs. 4 לא תאכלו

vs. 8 לא תאכלו

vs. 9 תאכלו

תאכלו

vs. 11 לא תאכלו

vs. 13 לא יאכלו

vs. 21 תאכלו

vs. 22 תאכלו.

Parts A and A' belong together because the same vocabulary is used in them (see above). Part A is dealing with three different categories of living creatures (חַיָּוָה) which are divided into three groups. The first one (vss. 2-11) consists of quadrupeds (בְּהֵמָה), the second one is made up of water creatures (vss. 9-12), and the third one includes winged creatures (vss. 13-23). There is one category of creatures which is not addressed in the taxonomy of creatures presented in vss. 2-23, the crawling or swarming animals (i.e., the small creatures that crawl on their belly, and the many-legged creatures). This group is addressed in section A' (Lev 11:41-43). This is why the author, after lengthy treatment of carcasses and uncleanness derived from contact with them, along with the process of its elimination, comes back to the matter of unclean creatures not to be eaten, and further adds important information about reptiles or swarming things in part A'. In that sense, parts A and A' belong together and form one thematic chiastically arranged unit concerned with eating of the animals.

Part B (vss. 24-40) is a unit which treats the topic of acquired uncleanness from dead creatures, animal carcasses—both unclean and clean, and the elimination of that acquired uncleanness. This reveals that a clean animal killed for food does not bring uncleanness to the person who eats it or has contact with it. It affirms that a person or utensil that has come in contact with a carcass of a clean or unclean creature that died of natural causes becomes unclean. Finally it prescribes regulations on how such acquired uncleanness is disposed of. It is interesting that the vss. 24-28 form an additional chiasm.¹

Part B is placed in the middle position of the chiasm for the following reasons: (1) it employs the catchword principle with its use of טָמֵא "unclean" (vss. 4, 5, 6, 7, 8, 24, 25, 26, etc.), and נִבְלָה "carcass" (vss. 8, 11, 24, 25, etc.); (2) it clarifies the distinction between noncultic and ritual/cultic uncleanness; and (3) it addresses the problem of the distinction between creatures which are killed for food and do not defile and creatures which die naturally and create uncleanness.

The assumption that all matters regarding clean/unclean are of necessity cultic because of their location in Leviticus or their proximity to cultic matters seems unwarranted. By means of the catchword principle the themes of "clean/unclean,"

¹Lund, "The Presence of Chiasmus in the Old Testament," 114. See also Milgrom, *Leviticus 1-16*, 670.

"eating," and "holy" are taken up without necessarily putting all of Lev 11 into a cultic, sacrificial, or ritual meaning.

טָהוֹר "Clean, Pure"

Lev 11 puts great emphasis on cleanliness and uncleanness. The original meaning of the Hebrew word טָהוֹר is in the physical realm—"clean, pure, genuine," thus free from impurity as it is used to describe the quality of gold (Exod 25:11, 17) or incense (Exod 30:35). The term also occurs in a moral sense—to have clean/pure eyes (Job 1:3) or pure words (Ps 12:7). The verb is used in Jer 13:27 also in the moral sense. An ethical meaning is attested in Ezek 36:25.¹

The term טָהוֹר can also have a ceremonial meaning—to be in a state of ceremonial cleanness (Lev 7:19; 14:57; Deut 12:15; etc.). It may also have the meaning of health—after a person is cured from skin disease, he/she is declared clean, i.e. healthy again (Lev 13:6, 17-20, 34, 37; 14:3-11).² The verb is used also outside of the Pentateuch in relationship to health/disease (2 Kgs 5:10).³ The ceremonial cleanness טָהוֹר is related to purification rites (Lev 11:25, 28, 32; 14:4-9), and sometimes even to the cultic rituals

¹J. Hastings, "Clean," *A Dictionary of the Bible*, (1908), 1:448.

²It is very important to note that the Hebrew verb רָפָא appears only in the book of Leviticus in relation to skin diseases (Lev 13:18, 37; 14:3, 48). This means that in Lev 13-14 there is a close connection between the verb רָפָא "to heal" (used 4 times) and טָהוֹר "clean," or טָמֵא "unclean."

³There is a relationship between uncleanness and disease. This meaning is apparent in several cases of skin disease (Lev 13-14). In the Gospel of Mark the relationship between cleansing and healing is presented; to be clean means to be healed, i.e., healthy, in restored health (Mark 1:41-42).

in the sanctuary (Lev 12:6-8; 14:10-13). Ceremonial cleanness deals with the personal qualifications for being ready to enter the sanctuary and worship a holy God. Being clean makes a person fit for worshipping God and being unclean renders a person not ready or suitable to meet God in worship. The word טָהוֹר is used where there is no danger of infiltration of paganism or unlawful practices. It is an antonym to the concept of uncleanness.

טָמֵא "Unclean, Impure"

What is טָמֵא "unclean, uncleanness?" To be טָמֵא does not mean to be dirty, bad, or unethical. It also does not necessarily mean to be sinful, to lose one's relationship with God, or to be lost.¹ In many situations it was normal to be unclean (for example, after touching a corpse or after intercourse). To be unclean only became dangerous if the prescribed purification rites were not engaged in at the right time, thus extending the "normal" state of uncleanness.²

¹Kenneth E. Jones, *Theology of Holiness and Love* (Lanham, MD: University Press of America, 1995), 195-197.

²Hirsch, 2:583: "The term טָמֵא, however, is never used in Scriptures in a material but always in a moral or metaphysical sence. . . . The word 'impure' has a moral connotation." See also Mann, 120: "Uncleanness is not intrinsically sinful, nor are its effects necessarily harmful or lethal to one who becomes unclean."

Ethical meaning

The meanings of unclean are manifold. One meaning is ethical: for example, one can have unclean lips (Isa 6:5) or a name (reputation) can be defiled (Ezek 22:5).¹

Ceremonial uncleanness

Another meaning is ceremonial/cultic. Some activities were performed according to God's will and thus were perfectly moral and ethical, but a participant would still become unclean for a certain period of time. For example, when a son participated in the burial of his father, although this act was obviously ethically proper, after this activity the son would be unclean for seven days. Again, when a husband was intimate with his wife (there is nothing morally wrong with this act, on the contrary, it is in harmony with the creation order), the result was uncleanness for a period of one day, until sundown. After childbirth, which is in harmony with God's plan and accompanied by God's blessing, a mother became unclean for a long period of time (7+33 days after the birth of a boy and 14+66 days after the birth of a girl).

Uncleanness is basically defined as that which is a threat to, or is in opposition to holiness (Lev 10:10), and hence must be kept separate from that sphere. This is why a ceremonially unclean person could not enter the sanctuary (Lev 15:31; 12:4) because he was in a state of ceremonial uncleanness. Thus, in a particular context, cleanness means

¹Mann, *The Book of the Torah*, 120: "The narrative context transforms defilement from a 'pre-ethical' apprehension of holiness to one based on a covenantal ethics."

fitness for participation in the cult. The concept of ceremonial cleanness/uncleanness is related to the worship of the Holy God.

Ceremonial uncleanness is also related to sinful human nature which is the result of the original sin (Gen 3). To remind humans that they are sinful in all activities even though they are performing acts according to God's creation order (childbirth, marital intimacy), the animal sacrifices after childbirth or after a skin disease is healed (Lev 12:6-8; 14:11-12) were introduced. This functioned as a wall against paganism where everything related to sexuality was deifying.¹

Death-life antithesis

Cleanness and holiness are related to life and uncleanness is related to death. I agree with Milgrom, who states:

The common denominator of these impurities [carcasses/corpses, genital discharges, and scale disease] is that they symbolize the forces of death: carcasses/corpses obviously so; the emission of blood or semen means the loss of life; and the wasting of flesh characteristic of scale disease is explicitly compared

¹Hartley, "Clean and Unclean," 1:721. The ceremonial uncleanness means sinfulness as a result of the original sin. However, this does not mean that humans were constantly in the state of ceremonial uncleanness. The state of ceremonial uncleanness was connected only to specific activities and was a reminder that man by nature cannot worship the Holy God. Anytime there was a danger that humans would attempt by their natural inclinations and actions (for example by sexuality in fertility cults or by death rituals linked with immortality) to worship God, declaring such acts as unclean was a prevention against infiltration of pagan practices. Thus the state of ceremonial cleanness was a fitness to properly worship God. It reminded humans that they can come to God as they are, but not in any manner (they needed to wash themselves and even often sacrifice to be able to enter the sanctuary). It taught God's people reverence toward God, that they must come to Him in awe.

to a corpse (Num 12:12). . . . If *tāmē'* "impure" stands for the forces of death, then *qādōš* "holy" stands for the forces of life.¹

It can be argued that the Pentateuchal concept of clean and unclean animals is also related to a death-life antithesis, and that it is basically so, even though it is not the only principle which lies behind this distinction. Clean animals by being vegetarian preserve life and God's given original order, but unclean animals, which tend to be predators and scavengers, are death-oriented.² This orientation toward life and death is another reason why the Mosaic dietary laws are integrated together with the other laws of uncleanness (Lev 11-15), even though they are not by their nature an integral part of the cultic laws.

¹Milgrom, *Leviticus 1-16*, 733. Jenson integrates this view into the notion of holiness: "The Holiness Spectrum is one way to integrate the two theories through their common polar structure: normality-anomaly for one, and death-life for the other. Both are required to make sense of the full range of the Priestly world-view" (Jenson, *Graded Holiness: A Key to the Priestly Conception of the World*, 88).

Links between uncleanness and death were seen by Gerhard von Rad, *Old Testament Theology* (New York: Harper & Row, 1962), 1:277; Paschen, 63-64; Feldman, 34-35; Nilton Dutra Amorim, "Desecration and Defilement in the Old Testament" (Ph.D. dissertation, Andrews University, 1985), 285; N. Kiuchi, *The Purification Offerings in the Priestly Literature: Its Meaning and Function*, Journal for the Study of the Old Testament Supplement Series, 36 (Sheffield: JSOT Press, 1987), 63-65; Notken Füglistler, "Sühne durch Blut—Zur Bedeutung von Leviticus 17,11," in *Studien zum Pentateuch: Walter Kornfeld zum 60. Geburtstag*, ed. G. Braulik (Vienna: Herder, 1977), 157-160.

²For a discussion about some vegetarian unclean animals, see the Biblical Rationale in chapter 4. One cannot find a perfect system without exceptions in this imperfect world where sin governs and where everything is degenerated. The important thing is the tendency or direction of a particular law code. Further, many unclean creatures live in far distant places and in the desert, those places being seen in the Pentateuch as antagonistic to God and life. These areas were outside of the Israelite camp and later outside of their territory.

Semantic correlations

Lev 10:10 presents a very significant construct of the semantic relationship between four key terms (holy, common, clean, and unclean) used in the book of Leviticus. Milgrom does not give an altogether precise definition of these connections. He claims that holiness is the direct antonym of uncleanness (see fig. 1).¹

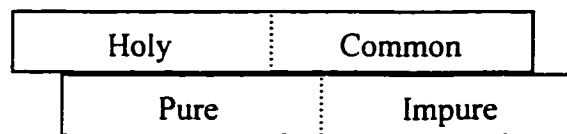


Fig 1. Milgrom's antonym of uncleanness. *Source: Milgrom, Leviticus 1-16, 616.*

Nilton Dutra Amorim, David Wright, and Jackie A. Naudé present a slightly different picture.² Wright for example correctly argues: "While it is true that impurity is a state opposed and detrimental to holiness, profaneness is its technical antonym. . . . Profaneness is the lack of holiness; and purity is the lack of impurity."³

Mortal danger comes from the association of the holy with the unclean. If somebody deliberately chooses to bring an unclean thing into contact with the holy, the

¹Milgrom, *Leviticus 1-16*, 731.

²For a complete discussion on these four keywords and their relationship, see Amorim, 338-353, 362-364; D. P. Wright, "Unclean and Clean (OT)," 6:739-741; idem, "Holiness (OT)," *ABD* (1992), 3:246-247; Jackie A. Naudé, "קִדְּוָה," *NIDOTTE* (1997), 3:878-881; Gordon J. Wenham, *Book of Leviticus*, 18-23; Jenson, *Graded Holiness: A Key to the Priestly Conception of the World*, 56-88; Rendtorff, "Rein und Unrein, II. Im AT," 5:942.

³D. P. Wright, "Holiness (OT)," 3:246.

ultimate result is being "cut off" (see Lev 7:20). According to Pentateuchal legislation, the unclean can never come into contact with the holy and vice versa. This connection is absolutely forbidden. The term connotes danger, threat, and even death.¹ The closest parallel to this expression is "unfit for proper use."

Uncleanness and sin

There is a connection between uncleanness and sin. Uncleanness could mean sinful in a moral sense: an adulterous wife would become unclean (Num 5:13-14, 29). When someone is involved in some unlawful practice, the person, sanctuary, or land is rendered unclean (roots טמא and ללל are used in the immediate or larger context). This relationship can be seen in the following cases:

1. Involvement in consulting spiritists or mediums—occult practices (Lev 19:31)
2. Worshiping foreign gods—idolatry or child sacrifices (Lev 20:2-3; Jer 2:7, 23; 3:2; 7:30; 19:13; Ezek 20:7, 18, 26, 30, 31; 22:3-4; 23:7, 30; 36:25; 37:23; 43:7; Hos 5:3; 6:10)
3. Engaging in (sacral) prostitution (Lev 19:29)
4. Mourning rites (Lev 19:27-28; Deut 14:1)
5. Murder (Num 35:34; Ezek 36:18)
6. Sexual misconduct (Gen 34:5, 13, 27; Lev 18:20, 23-24; Num 5:13-14, 19-20, 27-29; Deut 24:4; Ezek 18:6, 11; 22:11; 23:13, 17).

¹Ibid., 3:247; Milgrom, *Leviticus 1-16*, 731-732; G. J. Wenham, *Book of Leviticus*, 19-20.

However, it must be stressed that being unclean does not automatically mean that sin was committed or something wrong was done.¹ On the contrary, an ethically proper act can render a person unclean. For example: (1) a woman, who according to God's creation order gives birth to a son or daughter, becomes unclean for a certain period of time; (2) an ordinary man or priest who is engaged in the burial of his relative, an ethical and commendable act, is unclean for seven days.

Everyone susceptible to uncleanness

Dennis Olson comments that Mary Douglas points to an important and unique feature of the Israelite purity system. On the basis of comparative material she stresses that "often the normal use of defilement in other religions is a weapon of exclusion at outsiders and certain marginal groups within a society."² In contrast to this typical use of purity regulations within the society, Douglas observes that the Pentateuchal purity laws "never use the principle of ritual purity to separate classes or races, foreigners or natives."³ Then she adds:

¹See also Hirsch, 2:583, who argues for the direct effect of the uncleanness on the moral character of the person in the spheres of idol-worship, dietary laws, and sexual immorality.

²Dennis T. Olson, *Numbers, Interpretation: A Bible Commentary for Teaching and Preaching*, ed. James Luther Mays, Patrick D. Miller, and Paul J. Achtemeier (Louisville, KY: John Knox Press, 1996), 33.

³Mary Douglas, *In the Wilderness: The Doctrine of Defilement in the Book of Numbers*, Journal for the Study of the Old Testament Supplement Series, 158 (Sheffield: Sheffield Academic Press, 1993), 25.

In the biblical creed defilement is not caused by contact with other people, it comes out of the body, or it comes out of moral failure. Everybody is liable to be defiled or to defile. This should be totally unexpected to the anthropologist used to purity codes in other religions.¹

The Old Testament purity system implies that everyone is universally susceptible to impurity. Biblical defilement is not from contact with foreigners or from lower classes. According to Olson "the key concern of the biblical purity laws is that the holy and powerful God of Israel is really and intensely present in the midst of the community."² The whole community is holy, because of God's presence there. Impurity threatens the boundaries of holiness and the boundaries of purity protect these people from destruction and death. God's dwelling among a sinful people is a manifestation of His grace and blessing, but at the same time there is a constant threat of death. This tension is the fundamental basis of the paradoxical nature of the presence of the Holy God in the camp of Israel. The holy and unclean (sinful) cannot come into direct contact. If they do the result is the destruction of the unclean.

The community of Israel was a holy community.³ To be included in the community meant to be clean, but someone in this community could still be unclean. This meant he could not enter the sanctuary, but he could stay in the camp of Israel. God

¹Ibid.

²Olson, 33.

³Patrick D. Miller, *Deuteronomy, Interpretation: A Bible Commentary for Teaching and Preaching*, ed. James Luther Mays (Louisville, KY: John Knox Press, 1990), 162-163.

is a living person, therefore everything related to death was proclaimed unclean, such as a corpse, carcass, or grave.

It is apparent that the term "unclean" is a very rich word with many meanings and overtones. The semantic connotations are large and the semantic field contains broad connections. The context must always decide the exact meaning of the word. In the context of eating, "unclean" means inedible, while the notion of "clean" means edible (Lev 11:47). However, their meaning is not exhausted with those definitions. These pregnant terms are further discussed as they relate to the explored subject.

Intertextuality

In the remainder of this chapter I comment on intertextual links between several main parts related to Lev 11. Links with the first creation account (Gen 1:1 - 2:4a), with the second creation account (Gen 2:4b-28), the Fall (Gen 3), and the Flood (Gen 6-9). Ties with Deut 14 will also be explored.

Links Between Lev 11 and Gen 1¹

Scholars usually treat the laws of clean/unclean animals/food in the narrow context of Lev 11-15. Jacob Milgrom, however, rightly claims that "the diet laws of Lev 11 cannot be comprehended in isolation" and that "they form part of a larger dietary

¹For the sake of convenience I refer to the first creation account (Gen 1:1-2:4a) as "Gen 1" although it also includes Gen 2:1-4a.

system."¹ This is why he starts the exploration of the subject with Gen 9:3-4.²

Nevertheless, I hold that this move is not sufficient. It is my conviction, supported by the early stand of Mary Douglas,³ that the starting point for the explanation of the dietary code regarding permitted and forbidden animals has to be put within an even larger context, namely creation itself. This claim is made on exegetical, stylistic, structural, conceptual, and theological grounds. There is clear intertextual dependency among key texts dealing with the dietary laws.

The following study of the first Genesis creation account (Gen 1:1-2:4a) helps us to discover the main emphasis of the creation story and unfolds links between Lev 11 and Creation. The parallelism between creation and the Mosaic dietary laws will enable us to see a literary design and rationale behind these laws.

First of all we have to ask, "What are the main concepts and elements of importance which need to be stressed in the relationship between Gen 1 and the Mosaic laws of clean and unclean animals/food?" I would suggest that the dietary laws of Lev 11 remind us of Creation in manifold ways:

Key Terminology

Key lexicography occurs in both chapters: רָאָה (Gen 1:1, 2, 10, 11 [twice], 12, 15, 17, 20, 22, 24 [twice], 25, 26 [twice], 28 [twice], 29, 30 [twice]; 2:1, 4a; Lev 11:2, 21,

¹Milgrom, *Leviticus 1-16*, 704.

²*Ibid.*, 704-742.

³M. Douglas, *Purity and Danger*, 51-57.

29, 41, 42, 44, 45, 46)¹; מַיִם (Gen 1:2, 6 [3 times], 7 [twice], 9, 10, 20, 21, 22; Lev 11:9 [twice], 10 [twice], 12, 32, 34, 36, 38, 46); יַמִּים (Gen 1:10, 22; Lev 11:9, 10); חַיִּיהָ (Gen 1:24, 25, 28, 30; Lev 11:2, 27, 47 [twice]); בְּהֵמָה (Gen 1:24, 25, 26; Lev 11:2, 3, 26, 39, 46); עוֹף (Gen 1:20, 21, 22, 26, 28, 30; Lev 11:13, 20, 21, 23, 46); אֱלֹהֵי (Gen 2:4a; Lev 11:13, 22, 24, 31); כֹּל (Gen 1:21 [twice], 25, 26 [twice], 28, 29 [3 times], 30 [4 times], 31; 2:1, 2, 3, 5 [twice], 6, 9, 11, 13, 16, 19 [3 times], 20 [twice]; Lev 11:2, 3, 9 [twice], 10, 12, 15, 20, 23, 24, 25, 26 [twice], 27 [3 times], 31 [twice], 32 [3 times], 33 [twice], 34 [3 times], 35, 37, 41, 42 [4 times], 44, 46 [twice]); אֱלֹהִים (Gen 1:1, 2, 3, 4 [twice], 5, 6, 7, 8, 9, 10 [twice], 11, 12, 14, 16, 17, 18, 20, 21 [twice], 22, 24, 25 [twice], 26, 27 [twice], 28 [twice], 29, 31; 2:2, 3 [twice]; Lev 11:44, 45); נֶפֶשׁ הַחַיָּה (Gen 1:20, 21, 24, 30; Lev 11:10, 46); אֹכֵלָה (Gen 1:29, 30; Lev 11:39); עֵץ (Gen 1:11, 12, 29 [twice]; Lev 11:32); שָׂרֵץ (Gen 1:20; Lev 11:10, 20, 21, 23, 29, 31, 41, 42, 43, 44), and עֶרֶב (Gen 1:5, 8, 13, 19, 23, 31; Lev 11:24, 25, 27, 28, 31, 32, 39, 40 [twice]),² and different roots such as בָּדֵל (Gen 1:4, 6, 7, 14, 18 [always in Hifil]; Lev 11:47 [Hifil]), שָׂרֵץ (Gen 1:20, 21; Lev 11:29, 41, 42, 43, 46), רִמַּשׁ (Gen 1:21, 26, 28; Lev 11:44, 46), מִיץ (Gen 1:11, 12 [twice], 21 [twice], 24 [twice], 25 [3 times]; Lev 11:14, 15, 16, 19, 22 [4 times], 29), and קָדַשׁ (Gen 2:3; Lev 11:44 + 4 times adjective קָדוֹשׁ in Lev 11:44, 45).

¹This means that in Lev 11 the word אֲרֶץ "earth" occurs eight times, and in Gen 1:1-2:4a it is used twenty-two times.

²In Gen 1 this word is used only in the phrase וַיְהִי־עֶרֶב וַיְהִי־בֹקֶר יוֹם, and in Lev 11 only in expressions עַד־הָעֶרֶב or יִטְמֵא עַד־הָעֶרֶב.

Universal Taxonomy

The universal taxonomy of the animal kingdom (Lev 11) is built on the universal view of creation (Gen 1). In Lev 11 the Hebrew word כָּל "all," "everything," "everyone" occurs thirty-six times.¹ These occurrences testify to the universal view of the author of the chapter who sees the animal kingdom as a whole and classifies it comprehensively. This points back to creation where the word כָּל is used twenty-nine times.² God's whole creation is finished and classified as very good (Gen 1:31).

Three Habitats for the Living Creatures

According to the creation story God created three habitats for the living creatures: land (vss. 2, 9-10), water (vss. 2, 6-7, 9-10), and air/sky/firmament (vss. 6-8). In Lev 11 the same three habitats are implemented for living creatures (land—vss. 1-8, 41-43; water—vss. 9-12; air—13-23). This threefold division of the created world is the foundation of biblical cosmology. This can be well attested by looking at the literary structure of the first creation account. It is significant that they are mentioned in the same sequence.

¹In Lev 11 the term כָּל occurs in vss. 2, 3, 9 (twice), 10, 12, 15, 20, 23, 24, 25, 26 (twice), 27 (3 times), 31 (twice), 32 (3 times), 33 (twice), 34 (3 times), 35, 37, 41, 42 (4 times), 44, 46 (twice).

²In Gen 1 the term כָּל occurs in vss. 21 (twice), 25, 26 (twice), 28, 29 (3 times), 30 (4 times), 31; 2:1, 2, 3, 5 (twice), 6, 9, 11, 13, 16, 19 (3 times), 20 (twice).

Literary structure of the first creation account

The literary structure of the first Genesis creation account is built around the two Hebrew nouns **תִּהְיוּ** ("formlessness") and **בְּהוּ** ("void," "emptiness"). There are three pairs of parallel days. The first, second, and third days are related to the concept of **תִּהְיוּ** and represent the forming activity of God, while the fourth, fifth, and sixth days are related to the concept of **בְּהוּ** and describe the filling activity of God. God first created space and then He filled it with the sun and moon, and with a variety of living creatures. This structure could be drawn as shown in table 3.

TABLE 3

LITERARY STRUCTURE OF THE FIRST CREATION ACCOUNT

Forming תִּהְיוּ Space	Filling בְּהוּ Inhabitants (Content)
1st day: light - division day night	4th day: luminaries sun moon
2nd day: firmament - division water sky	5th day: inhabitants of water and sky fish (inhabitants of water) birds (inhabitants of air)
3rd day: dry land earth vegetation	6th day: inhabitants of land animals humanity (man and wife)
7th day: Sabbath - God in relationship with man holiness	

Source: Based and developed on the structure suggested by Ronald F. Youngblood, "Genesis," *The NIV Study Bible* (Grand Rapids, MI: Zondervan Corporation, 1985), 6.

Four Categories of Living Creatures

Living creatures were created to fill space—the land, water, and air (Gen 1:20-21, 24-25). Four different categories of living creatures were made: animals, fish, birds, and swarmer. This creation scheme is reflected in Lev 11 in its classification of the whole animal kingdom into four categories of living creatures, although with slightly different terminology. Because of that, some scholars¹ raise the question whether the categorization of animals in Lev 11 really mirrors the Genesis creation narrative.

Here is an analysis of the categories of living creatures and their sequence in the creation narrative:

God's intention to create fish and birds (Gen 1:20):

First category: יִשְׂרְצוּ הַמַּיִם שָׂרֵץ נֶפֶשׁ חַיָּה

Second category: וְעוֹף יְעוֹפֵף עַל-הָאָרֶץ עַל-פְּנֵי רְקִיעַ הַשָּׁמַיִם

Realization of God's intention (Gen 1:21):

First category: הַתַּיִנִּים הַגְּדֹלִים

כָּל-נֶפֶשׁ הַחַיָּה הַרְמֶשֶׂת אֲשֶׁר שָׂרְצוּ הַמַּיִם לְמִינֵהֶם

Second category: כָּל-עוֹף כָּנָף לְמִינֵהוּ

God's intention to create all kinds of land creatures (Gen 1:24):

Third category: בְּהֵמָה

Fourth category: רֶמֶשׂ

Sequence: וַחַיִּיתוֹ-אָרֶץ, רֶמֶשׂ, בְּהֵמָה, נֶפֶשׁ חַיָּה.

¹For example Mayes, "Deuteronomy 14 and the Deuteronomistic World View," 178; Hasel, "Distinction Between Clean and Unclean Animals in Lev 11," 109-110.

Realization of God's intention (Gen 1:25):¹

Third category: חַיַּת הָאָרֶץ

בְּהֵמָה

Fourth category: כָּל-רֶמֶשׂ הָאֲדָמָה

God's design for man: to rule over all the animal world (Gen 1:26):

First category: בְּדָגַת הַיָּם

Second category: בְּעוֹף הַשָּׁמַיִם

Third category: וּבְבֵהֵמָה

וּבְכָל-הָאָרֶץ

Fourth category: וּבְכָל-הָרֶמֶשׂ הָרֹמֵשׂ עַל-הָאָרֶץ

God's command to man: rule over all created creatures (Gen 1:28):

First category: בְּדָגַת הַיָּם

Second category: בְּעוֹף הַשָּׁמַיִם

Third category: וּבְכָל-חַיָּה הָרֹמֶשֶׂת עַל-הָאָרֶץ

¹It is important to notice that Gen 1 mentions three words for describing the land animals: חַיָּה, בְּהֵמָה, and רֶמֶשׂ. It is significant that Lev 11 also uses three terms for describing land animals of which the first two are identical to those in Gen 1: חַיָּה and בְּהֵמָה (third one is שָׂרִיץ). The distinction between the generic group of land animals designated in this context as חַיָּה "living creatures" (see Levine, *Leviticus*, 66; Helmer Ringgren, "חַיָּה, et al." *Theological Dictionary of the Old Testament*, ed. G. Johannes Botterweck and Helmer Ringgren [Grand Rapids, MI: William B. Eerdmans Publishing Company, 1980], 4:342) and the specific group of בְּהֵמָה "quadrupeds" or "land animals" (Milgrom, *Leviticus 1-16*, 645-646; G. Johannes Botterweck, "בְּהֵמָה," *TDOT* [1975], 2:10) corresponds with the language used in Gen 1:24. This provides a direct link between Lev 11 and Gen 1. This observation was noticed by Eilberg-Schwartz, "Creation and Classification in Judaism," 360-361.

In summary one can say that in Gen 1 four categories of living creatures are used in the following way:

First category: נֶפֶשׁ הַחַיָּה . . . הַמַּיִם or דָּג

Second category: עוֹף

Third category: חַיָּה or בְּהֵמָה

Fourth category: רֶמֶשׂ

In Lev 11 the following categories of living creatures are used:

1. חַיָּה or בְּהֵמָה (vss. 2-8, 26-29, 39-40)
2. מִכָּל נֶפֶשׁ הַחַיָּה אֲשֶׁר בַּמַּיִם or מִכָּל אֲשֶׁר בַּמַּיִם (vss. 9-12)
3. עוֹף (vss. 13-19)
4. שָׂרֵץ (vss. 31)

This fourth category of "שָׂרֵץ" is further subdivided into three categories:

- a. כָּל שָׂרֵץ הַמַּיִם (vss. 10)
- b. כָּל שָׂרֵץ הָעוֹף (vss. 20-23)
- c. כָּל-הַשָּׂרֵץ הַשָּׂרֵץ הַשָּׂרֵץ עַל-הָאָרֶץ (vss. 29-30, 41-43, 44).¹

*Comparative parallels of living creatures of
Lev 11 and Gen 1*

The result of this study is thus unequivocal: both chapters describe the same four categories of living creatures, namely land animals, fish, birds, and swarmer. This can

¹For comparative reasons I mention the categories of living creatures used in Gen 2: Gen 2:19 mentions two categories: (1) כָּל-חַיַּת הַשָּׂדֶה, (2) כָּל-עוֹף הַשָּׁמַיִם; and Gen 2:20 again two: (1) כָּל-הַבְּהֵמָה, (2) עוֹף הַשָּׁמַיִם, and (1') כָּל חַיַּת הַשָּׂדֶה.

be demonstrated by drawing parallels between these two chapters and their use of terms in regard to living creatures as seen in table 4. The only difference is in the fourth category (instead of רִמָּשׁ Lev 11 uses שָׂרֵץ). This feature needs to be explored more.

TABLE 4

COMPARISON OF CATEGORIES OF THE LIVING CREATURES
BETWEEN LEV 11 AND GEN 1

Categories of living creatures	Gen 1	Lev 11
land animals (quadrupeds)	בְּהֵמָה or חַיָּה	בְּהֵמָה or חַיָּה
fish	נֶפֶשׁ הַחַיָּה... הַמַּיִם	נֶפֶשׁ הַחַיָּה... בַּמַּיִם
birds	עוֹף	עוֹף
swarmers (reptiles, rodents)	רִמָּשׁ	שָׂרֵץ

Why שָׂרֵץ instead of רִמָּשׁ in Lev 11?

There are two reasons why the author of Lev 11 omits the word רִמָּשׁ. First, it is significant that the Hebrew terms רִמָּשׁ and שָׂרֵץ (from the Hebrew roots רִמָּשׁ and שָׂרֵץ respectively) can be considered synonymous in certain contexts (Lev 11:43-44).¹

There is an additional reason why the author of Lev 11 deliberately omits the

¹See Ronald Ernest Clements, "רִמָּשׁ," *Theologisches Wörterbuch zum Alten Testament*, ed. Heinz-Josef Fabry and Herbert Ringgren (Stuttgart: W. Kohlhammer, 1993), 7:535; David P. Wright, "Crawling and Creeping Things," *ABD* (1992), 1:1203; Hermann J. Austel, "שָׂרֵץ," *Theological Wordbook of the Old Testament*, ed. R. Laird Harrison (Chicago: Moody Press, 1980), 2:956-957; William White, "רִמָּשׁ," *TWOT* (1980), 2:850-851. For the notable exception see Jacob Milgrom's article "Two Biblical Hebrew Priestly Terms: *seqes* and *tame'*," 107-116, where he differentiates between the terms רִמָּשׁ and שָׂרֵץ on the basis of source criticism (P, H, and D source or text layer). Nevertheless, he states that Lev 11 "which meticulously distinguishes between" these two terms "also declares them synonymously" (114). See also his *Leviticus*, 720.

Hebrew word רָמַשׁ in Lev 11. Gen 9:3 uses the term רָמַשׁ in the context of God's permission to humanity to eat meat. The Hebrew word רָמַשׁ has in the context of Gen 9 the probable broad meaning of "moving things" or "moving creatures."¹ The text states that "all moving things" are now for food. An expression "all moving things" is rendered in Hebrew כָּל־רָמַשׁ. The term רָמַשׁ is used differently in Gen 9:3 than in Gen 1, where it means "creeping or crawling things" or maybe even "small land game animals" or "fish."² If the author of Lev 11 would use the category of רָמַשׁ, he would give the wrong impression that he explains the meaning of רָמַשׁ in Gen 9:3 as "all swarmers," i.e., reptiles and rodents, something that he wanted to avoid. "All moving things" is a general statement which does not mean that all living creatures are fit for eating, because the notion of רָמַשׁ is specified further in the context of the Flood narrative itself as "clean" animals (see below). Lev 11 is the proper place to explain in detail the issue of which varieties of רָמַשׁ are appropriate for human consumption. This is why Lev 11 speaks

¹The meaning "moving thing" for the Hebrew word רָמַשׁ is a hapax legomenon in the Hebrew Scriptures. It is true that the root רָמַשׁ (as a participle) with the meaning "to move" can be attested in Gen 1:21, 26, 28 as well as in Lev 11:44, 46. The idea of movement also occurs in the Akkadian word *namāšu* "to move." See John A. Brinkman, et al., *The Assyrian Dictionary*, volume II: N, part I. (Chicago: Oriental Institute, 1980), s.v. "namāšu," 120-121; Clements, "רָמַשׁ," 7:535; D. P. Wright, "Crawling and Creeping Things," 1:1203.

²See D. P. Wright, "Crawling and Creeping Things," 1:1203: "Generally small land animals such as rodents, reptiles, and insects, as well as water animals and flying creatures. The Hebrew Bible uses two essentially synonymous roots to describe these animals: *šrs* and *rms*." William White, "רָמַשׁ," 2:851: "Apparently the verb *rāmas* emphasizes the scurrying of smaller four-footed mammals." (This addition to the article was written by R. Laird Harrison.) R. M. Davidson, "Revelation/Inspiration in the Old Testament," 121: "Every *remes*, which in Gen 1:24 was but a small portion of the animals, probably referring to the smaller (clean) game animals."

about *הָיָה בְּהֵמָה, הָיָה בְּמִינֵי הַחַיָּה אֲשֶׁר בְּמַיִם*, but deliberately avoids the notion of *רָמַשׁ* for the category of creeping things (instead of *רָמַשׁ* the word *שָׂרֵץ* is used).¹ It also helps the author of Lev 11 to play on the word *שָׂרֵץ* and tie it with a pun to *שָׂקָץ* "abominable," "abhorrent." Every *שָׂרֵץ* is *שָׂקָץ* for human food.

The basic structure of Gen 1 is maintained in Lev 11, but not the exact same terminology. The author of Lev 11 did not mechanically copy the categories of Gen 1, because he also had to take seriously into consideration the Flood account which contains a significant shift in regard to the diet of humanity. For the first time animals' flesh is allowed to be consumed.

The author of Lev 11 systematically approaches and schematizes the whole animal kingdom into four categories which closely reflect the creation worldview of Gen 1. These categories are presented in a logical sequence. Thus, he logically starts with quadrupeds that were created on the sixth day together with Adam and Eve, then he proceeds with the categories of the living creatures created on the fifth day—fish and birds, in order to maintain the sequence of created order, and finally he concludes with swarmers (reptiles and rodents). The geographical sequence is land, water, air, and land. Lev 11 classifies categories of living creatures for a specific purpose. The Genesis *Weltanschauung* is not mechanically copied but deliberately spelled out to make clear the

¹The root *רָמַשׁ* occurs twice in Lev 11 (vss. 44, 46), and only in the sense of locomotion (this meaning is also attested 4 times in Gen 1—vss. 21, 26, 28). The idea of motion is consistent and demonstrates correspondence between *רָמַשׁ* in Gen 9:3, and that in Lev 11 and Gen 1.

necessary background from which dietary rules arise. The author combines the elements of the fifth and sixth days, and starts with the living creatures closest to humans.

Calum Carmichael acknowledges the connection between Lev 11 and the creation story. He writes: "The clean and unclean water creatures and the birds of the sacrificial and dietary rules in Lev 11:9-19 and Deut 14:9-20 have a fundamental link to day five of creation."¹

Gen 1 and Lev 11 Reflect the Same Rules for Reproduction

Everything must be done "according to its kind." The Hebrew term מִינֵהוּ "kind," with its various forms,² is a keyword of Gen 1 where this word occurs ten times out of the

¹Carmichael, *The Story of Creation*, 96.

An alternative view is presented by Jacques B. Doukhan (see his "Law of Liberty," 12) who maintains that the list of living creatures in Lev 11 follows the same sequence as that of the sixth day of creation:

Leviticus 11:1-23

Genesis 1:24-26
(The sixth day of creation)

1.	11:2-8	the animals of the earth	1:24
2.	11:9-12	the animals of water	1:26a
3.	11:13-23	the animals of the air (birds)	1:26b
4.	11:29-31,41-43	the animals of the earth and reptiles	1:26c
5.	11:44-45	image of God	1:27

However, with that approach a serious problem is encountered—the category of שָׂמַיִם (reptiles) occurs in vs. 24, and it is again repeated in vs. 25.

²Lewis and Demarest explain the meaning of the expression "according to its kind" in the following way: "God created each of the living 'kinds' (Genesis 1:11-12, 21, 24-25). As a word study shows, the Hebrew word for kind (*min*) designates classifiable biological beings that are capable of reproducing. 'Kind' is used in describing the animals that went into Noah's ark (Gen 6:20; 7:14), of ravens (Lev 11:15), hawks (v. 16), herons

thirty-one times that it is used in the Hebrew Bible. The expression (always used with the inseparable preposition לְ and pronominal suffixes) also occurs in Gen 6-7 (7 times), Lev 11 (9 times) and Deut 14 (4 times).¹ It is very important to note that this syntactical element is used only in our key texts dealing with the Creation, Flood, and dietary rules. These texts are thus strongly linked together.

Creation is about the establishment of order. God sets boundaries, and living creatures of different species and of different kinds are expected to keep them. Lev 11 preserves that creation order and respects these boundaries.

(v. 19), locusts, catydids, crickets, grasshoppers (v. 22), and lizards (v. 29; cf. Deut 14:13-18). Living animals will reproduce 'each according to its kind' (Gen. 1:24). This allows for development of varieties within the kinds, but not evolution beyond the limits of the kinds. Since the Scriptures do not define the limits of the kinds of animals other than by reproductive capability (1:11, 24), we may leave it to the actual (not imagined or constructed) empirical data to determine where the limits are" (Gordon L. Lewis and Bruce A. Demarest, *Integrative Theology: Historical, Biblical, Systematic, Apologetic, Practical* [Grand Rapids, MI: Zondervan Publishing House, 1996], 2:40).

¹The Hebrew word "מִיֵּן" occurs 30 times in the Pentateuch and only once in the rest of the whole Hebrew Bible, i.e., Ezek 47:10, but the form used there "לְמִינָהּ" is a hapax legomenon. Various forms occur in the Pentateuch in the following way:

לְמִינֵוּ	Gen 1:11; Lev 11:15, 22; Deut 14:14
לְמִינֵהוּ	Gen 1:12 (twice), 21, 25; 6:20 (twice); 7:14 (twice); Lev 11:16, 22 (3 times), 29; Deut 14:15
לְמִינֵהֶם	Gen 1:21
לְמִינָהּ	Gen 1:24 (twice), 25 (twice); 6:20; 7:14 (twice); Lev 11:14, 19; Deut 14:13, 18.

Creation as a Process of Separation

Creation is a process of separation, division, and distinction.¹ The word **בָּדַל** is used five times in the creation story itself (Gen 1:4, 6, 7, 14, and 18).² God separated light from darkness, day from night, the heavens from the waters (sea), land from water, the Sabbath from the other six days, etc.

The idea of the Hebrew word **בָּדַל** "to separate" or "divide" explicitly connects the creation account with the dietary laws. This term is used not only in the creation story (5 times), but also in Lev 10:10 (once); Lev 11:47 (once); and Lev 20:24-26 (4 times). Thus the keyword **בָּדַל** occurs eleven times in the passages under scrutiny. This phenomenon is very important when we take into consideration that in the Pentateuch itself this expression is used only twenty times. This means that more than half of these occurrences are related to our key texts. It is important to notice that this word is not used elsewhere in Lev 11-15 or in the Holiness Code. From my perspective this does not appear to be the result of chance; it reflects intentionality and design. I believe that this link shows that the same creation activity (i.e., separation) must be involved in the decision-making process when God intervenes (it is significant to note that all these occurrences of the verb **בָּדַל** are in the Hifil, i.e., causative form which testifies of God's activity of separation) and separates/distinguishes between clean and unclean food. It is His ultimate decision. When humans distinguish between clean and unclean food they

¹Paul Beauchamp, *Création et Séparation: Etude exégétique du chapitre premier de la Genèse*, Bibliothèque de Sciences Religieuses (Paris: Desclée de Brouwer, 1969).

²Outside of Gen 1 this word is used 37 times in the Hebrew text.

are participating in God's creative activity. Thus the dietary laws teach their observers the ability to choose in everyday matters of life what is right, and help them to make right decisions.

Creation Is About Locomotion

Created life is not static; motion is involved. Each species has its own sphere and can move in that realm. This is stressed in the second couplet of God's creative activity—on the fourth, fifth, and sixth days. God brings forth entities that have locomotion: first sun and moon, then birds, fish, animals, and finally humans. The feature of motion in the creation story is stressed by the notion of separation (which is also a kind of motion). The element of locomotion is reflected in Lev 11. Mary Douglas's dictum that "any class of creatures which is not equipped for the right kind of locomotion in its element is contrary to holiness"¹ may go too far and is unwarranted. Nevertheless, it is important to observe that locomotion plays a specific role in the identification of clean living creatures. Dietary laws thus stress motion as one of the specific signs in the enumeration of clean animals, such as split hoofs for quadrupeds, fins for fish, and hopping for edible locusts.

Man and Woman Created in the Image of God

To be created in the image of God (Gen 1:26-27) means that humans have the capacity to relate to God. They can communicate with Him and build a relationship with

¹M. Douglas, *Purity and Danger*, 55.

Him based on love, respect, freedom, and truth. This also means that humans have the responsibility to be God's representatives in front of His creation. Man's representation of God is demonstrated in the way he relates to the rest of creation. God holds him responsible. Man has to rule over the animal kingdom. The concept of the *imitatio Dei* is at the core of human existence.

Humans are invested with authority to govern the living creatures. Creation calls us to take responsibility for God's created order. The realm of the living kingdom is especially stressed in this regard: land animals, fish, birds, and all swarmers (Gen 1:28).

The same concept of *imitatio Dei* is found in the conclusion of Lev 11 where it is twice stated: "Be holy, because I am holy" (vss. 44-45). In the context of Lev 11 it means to responsibly govern the animal realm even though humans received permission to kill some of them for food.

Creation means to put humans into relationship with God. God is Creator, humans are totally dependant on Him. The same phenomenon is seen in regard to dietary laws where humans should respect the Holy One, who is the Creator of all living creatures. This can be done by cultivating fellowship with Him, by calling man to lovingly participate in the maintenance of God's created order, and by respecting the boundaries of meat consumption. Milgrom aptly says: "Holiness means *imitatio Dei*—the life of godliness."¹

¹Milgrom, *Leviticus 1-16*, 731.

The Concept of Eating Links the Creation Story to Lev 11

God provides food for humans. Even though the diet was changed, the same principle remains—God as the Creator points out what is good and proper for human consumption (Gen 1:29; Lev 11:1-23, 41-47). God's given diet for the whole created primeval world was vegetarian. Humans and animals were given עֵשֶׂב as food (Gen 1:29-30).

It is important to explore the relationship among key biblical passages in regard to human food to see the changes which occur in due time. In the Pentateuch there are three dietary plans which were given by God for humanity. They are reflected in Gen 1-3; Gen 9:3-4; Lev 11, and Deut 14:2-21.

The first plan

In the first plan human food consisted of כָּל-עֵשֶׂב זֶרַע זֶרַע "all plants bearing seed" (Gen 1:29a—such as grain, corn, and legumes) and of a variety of all kinds of fruit: כָּל-הָעֵץ אֲשֶׁר-בּו פְּרִי-עֵץ זֶרַע זֶרַע (Gen 1:29b).¹ This means that food was ready-

¹The parallel between eating "plants" and eating "trees" suggests that humans indeed should not eat plants, as they should not eat trees! God gives for food:

[הִנֵּה נָתַתִּי לָכֶם] אֶת-כָּל-עֵשֶׂב זֶרַע זֶרַע
וְאֶת-כָּל-הָעֵץ אֲשֶׁר-בּו פְּרִי-עֵץ זֶרַע זֶרַע

The stress here is not that one should eat "plants" and "trees," but it is obvious that eating "fruit" from plants and trees was meant. It is also important to have a clear definition of fruit: a fruit is something that includes the seed of the tree or plant on which it grows, and comes forth from the flower. This means for example that squash, tomatoes, and peppers are fruits and not vegetables.

made. Nahmanides made the following appropriate observation regarding God's original plan for the human diet:

The meaning of the expression. *every herb yielding seed . . . and every tree, in which is the fruit of a tree yielding seed; to you it shall be for food.* is that they should eat the seed of herbs, such as the grains of wheat, barley, beans, and the like, and that they should eat all fruits of the tree; but the tree itself was not given to them for food, nor was the herb itself until man was cursed and he was told, *And thou shall eat the herb of the field.*¹

God provided a vegetarian diet for humans (Gen 1:29). It is noteworthy that the main concept of creation, i.e., life, is preserved and maintained by this food source. There is no death involved, no killing of other living creatures, no eating of blood or flesh. Killing or shedding blood was not necessary.² The primary duty of the first human pair was to "tend [לְעַבְדָּהּ] the garden" (Gen 2:15).

Even the food designated for the rest of the created world was vegetation. To the animals God gave *כָּל-יֶרֶק עֹשֶׂב לְאֹכְלָהּ* "every green plant for food" (Gen 1:30). Food for animals is contrasted with food for humankind: "*עֹשֶׂב זֶרַע זֶרַע*" and "*פְּרִי-עֵץ זֶרַע זֶרַע*." The phrase "יֶרֶק עֹשֶׂב" occurs only twice in the Hebrew Bible, here and in Gen 9:3. When I deal with Gen 9:1-7 below, I will further explore this phrase.

¹Ramban (Nachmanides), *Commentary on the Torah: Genesis* (New York: Shilo Publishing House, 1971), 58.

²This fact may also suggest that no killing of plants was involved in eating in the garden of Eden.

God also gave Adam and Eve one restriction with regard to diet: "You must not eat from the tree of the knowledge of good and evil" (Gen 2:17). This prohibition was not a capricious command. Rather it was given to encourage growth in relationship with Him and total dependence on Him. This command was an opportunity for the first human beings to experience respect for their Creator and the boundaries that He had given them. The Sovereign God who is holy and loving does only what is best for humanity.

The second plan

God's second plan in regard to the human consumption of food appeared right after sin. As a result of their broken relationship with God, the ground had been cursed (Gen 3:17). For the first time the ground produced "thorns and thistles" and humans had to **לַעֲבֹד אֶת־הָאֲדָמָה** "to till the ground," and sweat in their fields in order to eat **לֶחֶם** "bread" (Gen 3:17-19). Gen 3:23 states that "God sent him [Adam] out of the garden of Eden to till the ground." This was not his task before (when he tended the garden).¹

This dramatic change in the human diet is also reflected in Gen 2:5. The text refers to the situation after sin and speaks about four things which were **טָרֵם** "not yet" in the world before sin, namely **הַשָּׂדֶה שִׁיחַ** "the shrub of the field," **הַשָּׂדֶה עֵשֶׂב** "the plant of the field," **לֹא הַמָּטִיר** "rain," and **לַעֲבֹד אֶת־הָאֲדָמָה** "tilling of the ground (by

¹It also seems reasonable to conclude that from that time on humans began to use root vegetables (eating roots assumes the death or destruction of the plant). After the entrance of sin death occurs even in the sphere of eating. Death is nothing more than the reversing of creation.

man)." Younker points out that this verse is a bridge to the postfall conditions.¹ The expression "plants of the field" appears only in Gen 2:5 and in Gen 3:18. The expression "till the ground" is also a result of sin (this phrase is only used twice—in Gen 2:5 and then again in Gen 3:23). Cassuto states:

These species [plants of the field] did not exist, or were not found in the form known to us, until after Adam's transgression, and it was in consequence of his fall that they came into the world or received their present form. Man, who was no longer able to enjoy the fruits of the garden of Eden, was compelled to *till the ground* (3:23—the same phrase as in our verse here) in order to *eat bread*.²

The third plan

The third dietary regulation starts with the new creation order after the Flood (Gen 9:3-4). It is of great significance that for the first time the notion of "clean" and "not clean" animals is mentioned in the biblical text in connection with the Flood (Gen 7:2-3). These dietary laws which are presented in a nutshell in Gen 9:3-4 are explained in detail in later revelation, i.e., Lev 11 and Deut 14 along with other related passages (Exod 22:30; Lev 17:10-14; 20:22-26; Deut 12:15-16, 20-28).

Lev 11 is thus a further development of the idea of eating in the context of sin. The ideal diet, which started in the garden of Eden and which was built on the principle of the sanctity of life, was later altered due to the different situation of humankind. After

¹Randall W. Younker, "Genesis 2: A Second Creation Account?" Unpublished paper (Paper presented at the Adventist Theological Society, June 1997, Berrien Springs, MI, Andrews University).

²Cassuto, *Commentary on the Book of Genesis*, part 1, 102. Cassuto aptly identifies "shrub of the field" (2:5) with "thorns and thistles" (3:18) on the grounds of the clear parallelism of these two texts.

the Fall eating began to be connected with death, first with the death of plants, later with the death of clean animals.

God the Subject of Creation and of the Dietary Laws

God is the subject of Creation therefore He determines what is clean and unclean (Gen 1:1; Lev 11:1). God is the Creator and the Giver of life. He is also the Giver of the dietary regulations. The goal for the act of eating is the sustaining of life.

The Concept of Holiness

The concept of holiness is at the conclusion of the first creation account as well as at the conclusion of the dietary laws (Gen 2:3; Lev 11:44-45), and functions as a climax to these two chapters. The Hebrew root **שָׁדַק**, connected in creation with the Sabbath, is also used in Lev 11 as the primary reason for observing the Pentateuchal dietary laws. Holiness dominates these two biblical sections. The occurrence of the root **שָׁדַק** in relationship to creation is strengthened by the fact that in the whole book of Genesis there is no other instance where this word is used with the idea of holiness.¹

¹For the second time the root **שָׁדַק** appears in Exod 3:5. The land is holy only because of the presence of the Holy God. The third appearance is in the story of the Exodus (Exod 12:16, 23); the fourth passage relates to God's establishing His people and making a covenant with them (Exod 19:6, 10, 14, 22, 23), and the fifth one appears in the Ten Commandments, again in relation to the Sabbath (Exod 20:8, 11).

The meaning of the Hebrew root קדש

The meaning of the Hebrew root קדש is very rich. It is like an umbrella for covering many essential concepts of life.¹ The basic definition of the notion of קדש is "to separate" to or for God, for service to Him and to humankind.² This positive concept is stressed throughout the Hebrew Bible. For example, as the final act of creation God makes a segment of time and fills it with holiness, His presence, and by so doing He separates it from the other six days for worship.

Preservation of life and order. Holiness in the context of Lev 11 and Gen 1 involves preservation of God-given life and order as created by Him. Food laws play an integral part in this activity.

¹The adjective קדוש "holy" occurs 4 times in Lev 11 (vss. 44-45), 20 times in the book of Leviticus, and 116 times in the Hebrew Bible. The verb קדש with all its conjugated forms is used only once in Lev 11 (vs. 44), but 31 times in the book of Leviticus, 75 times in the Pentateuch, and 171 times the Hebrew Bible. The noun קדש, "holiness," even though it does not occur in Lev 11, is a prominent word in Leviticus where it is used 92 times, and a total of 477 times in the Hebrew Bible. All the statistics are taken from Abraham Even-Shoshan, *A New Concordance of the Old Testament: Using the Hebrew and Aramaic Text*, 2nd ed. (Jerusalem: Kiryat Sefer, 1993).

²Walther Eichrodt, *Theology of the Old Testament* (Philadelphia, PA: Westminster Press, 1961), 1:270-272. Many scholars have abandoned this basic root meaning of "to separate, set apart." See, for example, Walter Kornfeld and Helmer Ringgren, "קדש," et al., *TWAT* (1989), 6:1179-1204; Naudé, "קדש," 3:877-887. For a discussion on the meaning of holiness, see Francis Brown, S. R. Driver, and Charles A. Briggs, *The Brown-Driver-Briggs Hebrew and English Lexicon: With an Appendix Containing the Biblical Aramaic* (Peabody, MA: Hendrickson Publishers, 1996), 871-873; S. Barabas, "Holiness," *ZPEB* (1975), 3:173-183; James Muilenburg, "Holiness," *IDB* (1962), 2:616-625; Hans-Peter Müller, "קדש," *Theological Lexicon of the Old Testament*, ed. Ernst Jenni and Claus Westermann (Peabody, MA: Hendrickson Publishers, 1997), 3:1103-1118; Milgrom, *Leviticus 1-16*, 730-731; William Dyrness, *Themes in Old Testament Theology* (Downers Grove, IL: Inter-Varsity Press, 1977), 51-53.

The only source of holiness. God is the only source of holiness. It is His very essence. His nature. God is the Other One. His "otherness." His transcendence, His splendor and glory call for utter awe on the part of His creatures. There is no holiness apart from Him. A person, a thing, time, and place can be holy, but only in relation to God. He is the Holy One. Without this relationship nothing can be holy.¹ His presence makes persons, things, time, and places holy (Exod 3:5). For example, any item connected with the sanctuary service is rendered holy, such as the altars (Exod 29:37; 40:10), the food of the sacrifices (Lev 21:22; Num 5:9), the vessels (1 Kgs 8:4), the incense (Exod 30:35, 37), the table (Exod 30:27), and the clothing of the priests (Exod 28:2; 29:29; 31:10).²

Creative power in holiness. There is creative power in holiness. The root קדש was used for the first time in connection with creation. The Creator made the Sabbath holy (Gen 2:3).³ God's creative power not only set the Sabbath apart for a special

¹Mann, 117-118.

²There is a close connection between the concept of holiness and the concept of cleanness even though cleanness is not to be confined to holiness. The intimate link between these two concepts does not make the terms identical. Someone or something can be clean per se, but only a clean person or thing can become or be holy. There can be no holiness without cleanness. See G. J. Wenham, *Book of Leviticus*, 18-23.

The terms קדש and טמא are not an opposed pair (the technical antonym of "holy" is "common/profane," and of "unclean" is "clean"), but they are in opposition in a broader sense, as Amorim, Wright, and Naudé demonstrate beyond any doubt. For a detailed discussion see Amorim, 338-353, 362-364; Naudé, 3:878-879; D. P. Wright, "Unclean and Clean (OT)," 6:739-741; Milgrom, *Leviticus 1-16*, 731-733.

³The Sabbath is a gift of God to humanity in order to maintain its true human value. Sabbath is nothing else than man in relationship with God. If man will live in

purpose, but also separated many other things during creation week and set the order and boundaries for everything. The Holy God also by His holy creative power elected and separated Israel for service. Holiness is also seen in connection with the Exodus, another great event in which the creative power of God is fully manifested. God not only created heaven and earth, but also life. He acts in history. His holiness and judgment are closely connected in the Flood. He elected His people, intervened in the Exodus, gave His laws, all by His creative power. The word "create" (בָּרָא) is used exclusively to describe God's activity (Gen 1:1; Ps 51:12).¹

dependance on God, everything will be all right. Should he start to act autonomously, he becomes a tyrant and will behave as an animal. He will lose the sense of sacredness, therefore nothing will be sacred. Thus he thinks he can do anything. Sabbath is therefore a safeguard for humanity and a wall against idolatry. See Abraham J. Heschel, *The Sabbath: Its Meaning for Modern Man* (New York: Farrar, Straus and Giroux, 1951).

¹Holiness is a command. God commanded His people to be holy. The new quality of life is always the result of a genuine connection with God. Growth is one of the fundamental signs of life. Life without growth is impossible and pathetic. It is an anomaly. Holiness is the quality of life that results from trusting and obeying God. Holiness is intimately connected with God's will. To be holy means to obey God's will, to live according to His laws.

Holiness is also an eschatological notion. Someday God's holiness will rule. God will clean the whole earth and universe and create a new heaven and a new earth with a new order and without sin. Holiness has an immense future and is thus closely connected with hope. Without protology there is no eschatology.

God is not only calling humankind to be holy, but He also provides all that is necessary to be holy. To miss this call means, in essence, to miss the purpose of life. The call of a holy life is made possible only by Him who is holy. This is not a capricious command. God calls us to the quality of life He Himself is and lives: "I am holy, therefore be holy."

Holiness and health. Holiness means wholeness and completeness.¹ On that well-recognized basis I suggest that there is also a close relationship between holiness and health, that health is one important aspect of holiness.² It is significant to note that there is no specific word in Biblical Hebrew for the English equivalent of "health."³ When God or biblical writers speak about health they use different language from what we would expect. In Hebrew thinking health expresses the totality of wellness of the human being. The physical, mental, spiritual, and social aspects are included. The psychosomatic approach can be discerned from the Hebrew Bible. In the words of Hasel: "Health in the biblical view is not one particular quality among many that pertain to the human being; it is the wholeness and completeness of being in itself, and in relation to God, to fellow humans, and to the world."⁴ Biblically speaking health is total well-being, a comprehensive wholeness.

¹M. Douglas, *Purity and Danger*, 51-53; Milgrom, *Leviticus 1-16*, 721.

²In modern Hebrew these words are used for expressing the idea of health: בְּרִיאָה "health," מְבָרִיא or בָּרִיא "healthful," לְרַפֵּא "heal," בָּרִיא "healthy," בְּרִיאָה or חוֹסֵן "healthfulness, healthiness." It is interesting that the biblical Hebrew word בָּרִיא "fat" (Gen 41:2, 4) means "healthy" in modern Hebrew.

³People usually understand health in the negative sense as "absence of sickness." Negatively stated, a healthy person is one who is not sick. The World Health Organization defines health in deeper way: "Health is a state of complete physical, mental and social well-being, and not merely the absence of disease or infirmity." The opening paragraph of the WHO Constitution, 1948 (Albert Deutsch, *The World Health Organization—Its Global Battle against Disease*, Public Affairs Pamphlet, no. 265 [New York: Public Affairs Committee, 1958], 5).

⁴Hasel, "Health and Healing in the Old Testament," 192.

Some English translations such as the King James Version translate "health" (this word occurs 15 times in the KJV text of the Old Testament) from the following Hebrew terms: שָׁלוֹם "being whole, intact, peace, prosperity, well-being, state of health" (Gen 37:14; 43:28); יְשׁוּעָה "help, prosperity, salvation" (Pss 42:11; 43:5; 67:2); רִפְאוּת "healing" (Prov 3:8); מְרַפֵּא "healing, remedy" (Prov 4:22; 12:18; 13:17; 16:24; Jer 8:15); אֲרָכָה "healing, repair"¹ (Isa 58:8; Jer 8:22; 30:17; 33:6).

Even though in Biblical Hebrew there is no specific word for health, nevertheless the idea is expressed by words we in our culture do not expect. The concept of health can be expressed by the following words: שָׁלוֹם "wholeness, well-being, peace" (Gen 37:14; 43:28; 1 Sam 25:6; 2 Sam 20:9; Isa 57:18-19) and קָדוֹשׁ "holy, complete, whole" (Lev 11:44-45; 21:23; Deut 14:21), and possibly even by טָהוֹר "clean, pure, genuine" (Lev 13:17-20; 14:9; 2 Kgs 5:14).

The Hebrew Bible has a concern for health. God promised: "If you listen carefully to the voice of the Lord your God . . . I will not bring on you any of the diseases I brought on the Egyptians, for I am the Lord, who heals you" (Exod 15:26). God also stated that if the people would obey His laws, pay attention to His commandments and keep covenant with Him, He would keep them "from every disease" (Deut 7:15), but if they would not obey, He would bring upon them "all the diseases of Egypt that you dreaded" (Deut 28:60). God's blessing is described in such a way that it includes good

¹All translations taken from William L. Holladay, *A Concise Hebrew and Aramaic Lexicon of the Old Testament* (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1971).

health (often stated negatively), prosperity, and promise of long life (Gen 15:15; Exod 23:25-26; Deut 28:27, 35; Ps 32:3-5; Prov 3:8; 4:22; 12:18; 13:17; 16:24). God takes care of all our physical needs. It is God who heals (Gen 20:17; Exod 15:26; Deut 32:39; Ps 103:3).¹ It is interesting that the Hebrew verb נָפַךְ appears in the book of Leviticus only in relation to skin diseases (Lev 13:18, 37; 14:3, 48).² When the sick person is healed, he is proclaimed טָהוֹר "clean." It seems reasonable to conclude that cleanness here has not so much a ceremonial meaning (even though it is connected with it), but rather expresses a status of health. A similar idea can be found in the Gospels where to be clean means to be healed (Matt 8:2-3).

God created each human being as an inseparable entity, as a unit. The Greek dichotomy, that the nature of humans is divided between body and spirit, is completely foreign to the Hebrew Bible. Humans are presented as a whole, in their complexity and totality. The wholistic view of humankind is a fundamental issue for biblical anthropology.

¹It is important to note that no Pentateuchal law has health as its specific motivation.

On the topic of health and/or healing in the Bible, see especially Michael L. Brown, *Israel's Divine Healer*, Studies in Old Testament Biblical Theology (Grand Rapids, MI: Zondervan Publishing House, 1995), 25-36, 67-118; R. K. Harrison, "Healing, Health," *IDB* (1962), 2:541; idem, "Heal," *ISBE* (1982), 2:642-644; P. E. Adolph, "Healing, Health," *ZPEB* (1975), 3:57; Hasel, "Health and Healing in the Old Testament," 191-202.

²It is very important to note that in Lev 13-14 a close connection occurs between the verb רָפָא "to heal," and טָהוֹר "clean" or טָמֵא "unclean." The verb נָפַךְ means "to heal," and not to be healthy (which is the result of the healing process).

Humans were created as living beings. A person is called a living soul (Gen 2:7). This means that according to the creation narrative humans *are* souls, they do not *have* a soul. This fact emphasizes the unity of our nature. It follows that if we are to live to the glory of God we must do so in all dimensions of life—physical, emotional, spiritual, and social.

Wolf stresses the unity of the nature of the human being. Claude Tresmontant and Oscar Cullmann show how Greek dualistic philosophy has influenced the biblical interpretation of the nature of humans.¹ To accept the biblical view of the wholistic nature of humankind is of utmost importance. Hirsch and Grunfeld stress the close connection between body and mind.² Grunfeld correctly notes the following about the nature of the human being:

The scope of the dietary laws is not only the human body, but the whole human personality as an inseparable entity. This is in complete accord with the fundamental conception of Judaism, which always strives at a unity of matter and mind, body and soul.³

¹Hans Walter Wolf, *Anthropology of the Old Testament* (Philadelphia, PA: Fortress Press, 1974); Claude Tresmontant, *Essai sur la pensée hébraïque* (Paris: Éditions du Cerf, 1953); Oscar Cullmann, *Immortalité de l'âme ou résurrection des morts? Le témoignage du Nouveau Testament* (Paris: Delachaux & Niestlé, 1956); Walter Eichrodt, *Man in the Old Testament* (London: SCM Press, 1951); Josef Scharbert, *Fleisch, Geist und Seele im Pentateuch: Ein Beitrag zur Anthropologie der Pentateuchquellen* (Stuttgart: Verlag Katholisches Bibel Werk GmbH, 1966).

²Hirsch, 2:317-318; Grunfeld, 1:30-33.

³Grunfeld, 1:13.

A priest has to be without **מַגֵּם** "blemish. defect" in many ways (Lev 21:17-23), and a sacrifice has to be **תָּמִיךְ** "whole. complete. perfect" (Lev 22:19-25), and without **מַגֵּם** "blemish. defect." This means that both priests and sacrifices must be in perfect condition, i.e., in a state of good health. What is highly significant is the fact that in both Levitical pericopes the idea of holiness is strongly present. The Hebrew root **קִדַּשׁ** with its derivatives occurs especially in these verses (Lev 21:6, 7, 8 [4 times], 15, 22, 23; 22:2, 9, 15, 16, 32), demonstrating that priest and sacrifice are holy (dedicated to God). Thus the concept of wholeness which includes health is present in the notion of **קִדַּשׁ**. This does not mean that the meaning of holiness is health, rather that health is one of the many aspects presented in the concept of holiness and that the concept of health is not necessarily active every time the term **קִדַּשׁ** is used. Holiness is not just about health, but health is certainly included.

After making these observations I suggest that the idea of health is included in the broad concept of **קִדַּשׁ**, and that health is indeed behind the dietary laws. The hygienic motive is therefore present in Lev 11.

Linguistically, holiness implies being without blemish, to be perfect, to be whole, indicating that the concept of health is also included. Holiness means wholeness of which health is a part. The psychosomatic aspect plays an important role here, because health in Hebrew thinking is the well-being and complete harmony of the whole person including the social dimensions. It has a wholistic meaning.

Links Between Lev 11 and Gen 2¹**Key Vocabulary Used in Lev 11 and Gen 2**

The key vocabulary is used in these two chapters as follows: אֶרֶץ (Gen 2:4b. 5 [twice], 6, 11, 12, 13; Lev 11:2, 21, 29, 41, 42, 44, 45, 46), אִכַּל (Gen 2:9, 16 [twice], 17 [twice]; Lev 11:2, 3, 4, 8, 9 [twice], 11, 13, 21, 22, 34 [twice], 40, 41, 42, 47 [twice]), חַיָּה (Gen 2:19, 20; Lev 11:2, 27, 47 [twice]), נֶפֶשׁ חַיָּה (Gen 2:7, 19; Lev 11:10, 46), בְּהֵמָה (Gen 2:20; Lev 11:2, 3, 26, 39, 46), עוֹרֶף (Gen 2:19, 20; Lev 11:13, 20, 21, 23, 46), זֶאֵת (Gen 2:23 [twice]; Lev 11:2, 46), יְהוּה (Gen 2:4, 5, 7, 8, 9, 15, 16, 18, 19, 21, 22; Lev 11:1, 44, 45), אֱלֹהִים (Gen 2:4b, 5, 7, 8, 9, 15, 16, 18, 19, 21, 22 [always as an expression יְהוּה אֱלֹהִים]; Lev 11:44, 45), אֶרֶבֶע (Gen 2:10; Lev 11:20, 21, 23, 27, 42), הִלְךְ (Gen 2:14; Lev 11:20, 21, 27), עֵץ (Gen 2:9 [twice], 16, 17; Lev 11:32), and מוֹת (Gen 2:17 [twice]; Lev 11:39).

Positive and Negative Commands in Regard to Eating

One issue of significance which emerges from the literary structure of the second creation account (Gen 2:4b-25)² in relation to this study of the Mosaic dietary laws

¹For the sake of convenience, by "Gen 2" I refer to the second Genesis creation account (Gen 2:4b-25).

²A close parallelism between the first and second creation accounts was worked out by Jacques B. Doukhan, "The Literary Structure of the Genesis Creation Story" (Th.D. Dissertation, Andrews University, 1978), 77-78. The structure of the second creation account has an introduction (vss. 4b-6) and seven sections: the first one (vs. 7) parallels the fourth (vss. 16-17), the second (vs. 8) parallels the fifth (vs. 18), the third (vss. 9-15) parallels the sixth (vss. 19-22), and the seventh (vs. 23-24) is the climax of the structure; followed by a conclusion (vs. 25).

deserves comment. It is found in vss. 16-17 (fourth section of the second creation story). There are two trees in the center of the garden of Eden: the tree of life and the tree of the knowledge of good and evil. Fruit may be eaten from all trees of the garden, except from one, which was off-limits. This tree of the knowledge of good and evil was designated by God for a special purpose—to help humans know their limits/boundaries, to enable them to develop and grow in the right way, and to be a safeguard for them.

There is a linguistic connection between Lev 11 and the second Genesis creation account in that regard. It is important to note that God's first negative command is given in relationship to eating (Gen 2:16). The Hebrew root צוה is used here for the first time. In Gen 2:16 there is a positive command (אָכַל תֹּאכְלוּ) and in Gen 2:17 a negative command (לֹא תֹאכְלוּ). In Lev 11 there is also first a positive command (תֹּאכְלוּ, vs. 3) and then a negative one (לֹא תֹאכְלוּ, vs. 4). This command has in both cases exactly the same idea: what you may and what you may not eat.

The difference between the positive categorical expression (by its use of the infinitive absolute) in Gen 2:16 and that of Lev 11:2 lies in the issue of what is to be eaten—in the garden of Eden humans are to eat fruits, grains, and nuts, but in Lev 11 the command concentrates only on eating the flesh of clean animals. The negative command is different in number—the singular masculine "you" of Gen 2:17 is changed to plural masculine "you" in Lev 11:4. In the beginning of Lev 11 occur the positive and negative commands in relation to eating (in vs. 2 תֹּאכְלוּ "you may eat," and in vs. 4 לֹא תֹאכְלוּ "you may not eat"), and at the end of the same chapter the same syntactical feature (positive and negative expressions) is repeated (vs. 47 הֵנָּא אֲכָלָהּ "that may be eaten" and

לֹא תֹאכַל "may not be eaten"), thus forming an inclusio for the whole chapter. Lev 2:16 uses the root צוּדָה, and Lev 11:46 uses the word תּוֹרָה for the designation of the dietary laws.¹

Perspective of Death in Relation to the Forbidden

Another important issue in the second Creation story is the perspective of death in relation to the forbidden. The transgression of the command "you may not eat" has as its ultimate end—death, explicitly stated in Gen 2:17, and implicitly included in connection with the dietary laws.² God is life, and everything in relation to Him has life. Disobedience always brings complications and death (Lev 7:26-27; Deut 7:12-15; 28:58-61).

Links Between Lev 11 and Gen 3

There are three issues that link Lev 11 with Gen 3:

¹In the larger section of laws in Deut 12-26 of which chapter 14 forms an integral part, dietary laws belong to הַחֻקִּים וְהַמִּשְׁפָּטִים (Deut 12:1). The Pentateuch distinguishes between מִצְוֹת, תּוֹרָה, חֻקִּים, מִשְׁפָּט and מִצְוֹת. The Greeks distinguished between "customs and laws" or between "written laws" and "unwritten laws." Greek and Roman legal thought also presupposes the separation of law and ethics, with morality standing somewhere between them. See Hans Dieter Betz, *The Sermon on the Mount, Hermeneia: A Critical and Historical Commentary on the Bible* (Minneapolis, MN: Fortress Press, 1995), 168; Fritz Schulz, *History of Roman Legal Science*, 2nd ed. (Oxford: Clarendon Press, 1953), 76-85; Albrecht Dihle, "Ethik," *Reallexikon für Antike und Christentum* (Stuttgart: Anton Hierseman, 1966), 6:646-796.

²Lev 11:43-44—in the Pentateuch there are purification procedures for ceremonial uncleanness, but none for moral uncleanness, when the "soul" (the expression נַפְשְׁתִּיכֶם is used twice in the text) is defiled.

The Concept of Eating

The concept of eating is dominant in both chapters. In Lev 11 the verb אכל "to eat" plays the key role (see above) and relates to the eating of clean animals. Gen 3 uses the same root with different verbal conjugations and nominal derivatives eighteen times and the activity of eating is especially connected with the forbidden fruit.

Occurrences of the root אכל within Gen 1-11

When the concept of eating is compared among the chapters in Gen 1-11, the prominence of Gen 3 is heightened even more. The Hebrew root אכל "to eat" with all its different verbal conjugations plus its nominal derivatives אֲכִלָּה or מֵאֲכָל "food" is used throughout chaps. 1-11 as is demonstrated in table 5.

The table reveals the intimate unity between Gen 1-3 which is demonstrated by the use of the keyword אכל in those chapters. In chapters 4-11 the only mention of eating is in the Flood story. Thus the concept of eating provides a significant link between Gen 1-3, and between Creation and the Flood (Gen 6:21; 9:3-4), where the topic of eating becomes an important element.

The Serpent Cursed

The serpent was cursed (Gen 3:14) and it had to "walk on [his] belly" על-גַּחְוֹן תֵּלֵךְ and "eat dust" תֹּאכַל עֹפָר (Gen 3:14). The verb הִלֵּךְ and noun גַּחְוֹן are mentioned in Lev 11:42 in connection with the category of living creatures that swarm on their belly, to which the serpent belongs: כָּל הַיֹּלֵךְ עַל-גַּחְוֹן, literally "all walking on a belly."

TABLE 5

COMPARISON OF THE OCCURRENCES OF THE ROOT אכל WITHIN GEN 1-11

Reference	Occurrences
Genesis 1: vss. 29, 30	2 times
Genesis 2: vss. 9, 16, 17 (2 times)	4 times
Genesis 3: vss. 1, 2, 3, 5, 6 (3 times), 11 (2 times), 12, 13, 14, 17 (3 times), 18, 19, 22	18 times in 25 verses!
Total	24 times
Genesis 4:	none
Genesis 5:	none
Genesis 6: vs. 21	3 times
Genesis 7:	none
Genesis 8:	none
Genesis 9: vss. 3, 4	2 times
Genesis 10:	none
Genesis 11:	none
Total	5 times

The ground was cursed (Gen 3:17). Dust is related to death (Gen 3:19). Thus the idea is that these creatures are now related to death. It is significant that in Lev 11 all swarmers without a single exception are unclean and this category of living creatures is called אָפֵס "abhorrent," "detestable," "abomination." It suggests that feelings of abhorrence and disgust are present in regard to serpents and by extension to all reptiles or swarmers.

Change of Original Diet

The change of the original diet of the garden of Eden is another aspect which links Lev 11 and Gen 3 together. In Lev 11:1-23 the consumption of meat is added for humans while in Gen 3 עֵשֶׂב הַשָּׂדֶה "the plants of the fields" (Gen 3:18; 2:5) are added to the diet after the ground was cursed. Adam now has to till the ground in sweat in order to eat לֶחֶם "bread." The ground produces קוֹץ וְתַרְבִּיחַ "thorns and thistles." Hard work will be his everyday companion (Gen 3:17-19).

Links Between Lev 11 and the Flood Account—Gen 6-9

There are four significant links between Lev 11 and the Flood narrative:

Concept of Clean and Unclean Creatures

Links between Lev 11 and Gen 6-9 are first seen in the same concept of טָהוֹרָה "clean" and לֹא טָהוֹרָה "not clean, unclean" animals (Gen 7:2-3; Lev 11:4, 47). Even though the terminology "clean/not clean animals" appears for the first time in the Hebrew Scripture in the Flood account in Gen 7:2-3, the issue of the purity laws is not explained here.¹ It is assumed that Noah understood which animals were clean and which were unclean.² This background is very significant, because it shows that the distinction

¹Gen 6:19 speaks only about "every living thing of all flesh." Gen 7:2 mentions "clean animals" and "animals that are not clean." Gen 7:8 again repeats "clean animals" and "animals that are not clean." Lev 11 uses טָהוֹרָה and טְמֵאָה as terminology for clean and unclean animals.

²There is no similar list of clean and unclean animals known in ancient Near Eastern literature. The oldest document mentioning the term "pure" or "clean" (Akkadian el-lu-ti) animals (the original text is damaged; only the beginning can be discerned) is

between clean and unclean animals did not originate with Moses and the nation of Israel but rather with (or even before) Noah. He was aware of a distinction although there is no prior explanation of this matter in Genesis (the list of clean living creatures is specified only in Lev 11 and Deut 14). It is also noteworthy that this distinction does not start with creation, but comes after the Fall.

Four Categories of Living Creatures

Four categories of living creatures are used in Lev 11 as well as in Gen 9:2:¹

from the Epic of Atrahasis, written before the time of Moses (c. 1635 B.C.). This epic contains a Flood story and to a certain extent reflects the biblical Flood account. It most probably demonstrates common knowledge of a clean/unclean concept relating to animals.

See Hallo and Younger, 452; Lambert and Millard, 32, 93. See also an article by Tikva Frymer-Kensky, "The Atrahasis Epic and Its Significance for Our Understanding of Genesis 1-9," *Biblical Archeologist* 40 (December 1977): 147-155; G. J. Wenham, *Genesis 1-15*, 177: "Atrahasis seems to have included clean animals and the winged birds of heaven among his cargo (3:2, 32-35), so mentioning these items is not an innovation of Genesis."

¹For comparative reasons I mention the categories of living creatures used in the whole Flood narrative—Gen 7:14: חַיָּה, בְּהֵמָה, רֶמֶשׂ, עוֹף, and צִפּוֹר; Gen 8:17: חַיָּה, עוֹף, בְּהֵמָה, רֶמֶשׂ; Gen 8:19: חַיָּה, רֶמֶשׂ, עוֹף, and כָּל רוֹמֵשׂ; and Gen 9:2:

Categories of living creatures	Geographical locations	Type of creatures
כָּל-חַיַּת הָאָרֶץ	Land	Land animals
כָּל-עוֹף הַשָּׁמַיִם	Air	Birds
בְּכָל אֲשֶׁר תִּרְמֹשׂ הָאָרֶמָה	Land	Swarmers
וּבְכָל-דְּגַי הַיָּם	Water	Fish

Gen 9:3—summary: כָּל-רֶמֶשׂ.

In contrast to Lev 11, it is interesting to note that there is no consistent pattern used in Genesis for the delineation of the different kinds of living creatures. See especially Jordan, *Animals and the Bible*.

1. land animals: Gen 9—כָּל־חַיַּת הָאָרֶץ (compare with Lev 11:2-8)
2. birds: Gen 9—כָּל־עוֹף הַשָּׁמַיִם (compare with Lev 11:13-19)
3. reptiles (swarmers): Gen 9—אֲשֶׁר תִּרְמַשׁ הָאָדָמָה (compare with Lev 11:41-43)
4. fish: Gen 9—וּבְכָל־דְּגַי הַיָּם (compare with Lev 11:9-12).

Prohibition of Blood

Both passages are linked by the prohibition of blood. This prohibition is explicitly given as a command after the Flood (Gen 9:4) when God gives a new creation order and for the first time allows humans to eat the flesh of living creatures. The prohibition of eating blood in Lev 11 is implied by two factors: (1) eating blood is forbidden in the context of Lev 11—see especially Lev 7:17 and 17:9-10, 14-15, and (2) clean animals that are permitted for human consumption are herbivorous (all carnivorous animals are excluded), thus the command of not eating blood is seen applied to the eating behavior of animals as well.¹ This connection between the prohibition of blood and the Mosaic dietary laws is stressed by Milgrom.²

¹It is true that some unclean animals also do not eat blood. In order to identify an animal as clean, it is not sufficient to point out this one feature—its herbivorous behavior, —even though it is a significant issue. There are other specific characteristics for recognizing clean animals and distinguishing them from the unclean ones. See more about this issue in chapter 4 in the section Biblical Rationale in connection with the distinction between clean and unclean animals.

²Milgrom, *Leviticus 1-16*, 704.

Even though God permitted the eating of meat, man was still to have reverence for the life which he would be required to take. This is the reason for the command to "pour out blood" and the prohibition against eating it. In addition to this the manner in which living creatures were to be slaughtered was also referred to (Deut 12:21), although the actual specifics of slaughtering were nowhere explained in the Torah.¹

Later in the Mosaic law a more detailed explanation of the prohibitions against the consumption of blood is given: the blood of animals and birds is prohibited (Lev 7:26), but not that of fish or clean locusts. Hirsch clearly states: "Blood of mammals and birds is forbidden; blood of fishes and the clean locust is permitted."²

The removal of blood is a significant lesson for humanity. Blood is a symbol of life (Gen 9:4; Lev 17:11, 14). Reverence for life is thus codified. Human beings must be constantly aware of the concession that God has made in allowing them to take the life of another creature for the sake of food. They were also to be reminded of their responsibility as ones created in the image of God. Their humanness and humaneness must be maintained even in the act of killing. They need to keep in mind that they are not God. They must be reminded that they are dependent on their Creator who alone is the source of life.

¹Jacob Milgrom defends the rabbinic position on slaughter. See Milgrom, "Profane Slaughter and a Formulaic Key to the Composition of Deuteronomy," 1-17.

²Hirsch, 2:322. The reason behind this omission probably lies in the fact that it is not possible to drain blood from fish or locusts.

The connection between Lev 11 and Gen 9:4 in regard to the prohibition of blood is strengthened by the use of the restrictive adverb **אך** "only, but, yet, howbeit" (Gen 9:4; Lev 11:4, 21, 36).

Eating the Flesh of Animals

The fourth significant link between Lev 11 and the Flood is the topic of eating the flesh of animals. In Gen 9:3 it is reported that God gave permission to kill animals for food purposes. God did not give meat to Adam; however Noah is permitted to eat it. Why this change? The answer is connected to the presence of sin which caused the change.¹ This radical change in human diet (the first dietary directives in the Pentateuch show that in the beginning the whole world was vegetarian—Gen 1:29-30) deserves further exploration. Does God's permission allow the eating of the flesh of any living creature? Are there any criteria of what is permitted?

God's permission to consume meat in Gen 9 is an example of "a compromise, a divine concession to human weakness and human need."² The permission to eat flesh is in direct relationship to the conclusion of chapter 8: "Never again will I curse the ground because of man, even though every inclination of his heart is evil from childhood" (vs.

¹Rushdoony, *Institutes of Biblical Law*, 297.

²Dresner, 26. For pro-concessional arguments, see Cassuto, *Commentary on the Book of Genesis*, part 1, 58; Milgrom, "Priestly Impurity System," 161; idem, *Leviticus 1-16*, 705-706; Westerman, *Genesis 1-11*, 463-464. For arguments against, see Firmage, "Biblical Dietary Laws," 196-197, 203-204.

21). The reality of sin is so deep that God in His grace accommodates to the sinful situation of humanity and permits consumption of meat.

Although God allows the eating of meat, this new situation brings problems. After this concession, the first question is not "what" kind of meat to eat, but "how" to kill in order to be able to eat meat. The text in Gen 9:3 must be seen in the context of killing and hunting. This is why the prohibition of blood appears (Gen 9:4). In this new creation order, God first regulates the killing of animals, and then speaks against shedding the blood of man (Gen 9:5-6). Therefore one cannot expect here a list of clean and unclean animals, or the full and comprehensive treatment of the subject. The theme is different. In one biblical passage one cannot expect to find everything explained. The distinction between clean and unclean animals/food is implicit in the text and detailed explanation comes later in the Pentateuch. Such an arrangement of the subject matter is usually foreign to our minds.

Animal blood may only be shed within restricted bounds. Blood is here the symbol of life. Life must be held in reverence. Milgrom suggests that pouring blood onto the altar was done to atone for killing the animal.¹ However, his conclusions are rightly challenged by Rendtorff.² Even though Milgrom goes too far in his interpretation,

¹Milgrom, "Prolegomenon to Leviticus 17:11," 149-156; idem, "Profane Slaughter and a Formulaic Key to the Composition of Deuteronomy," 1-17.

²See Rendtorff's pertinent study "Another Prolegomenon to Leviticus 17:11," in *Pomegranates and Golden Bells: Studies in Biblical, Jewish, and Near Eastern Ritual, Law, and Literature in Honor of Jacob Milgrom*, ed. David P. Wright, David Noel Freedman, and Avi Hurvitz (Winona Lake, IN: Eisenbrauns, 1995), 23-28. See also Füglistner, 143-164.

the fact is that any slaughter must be accompanied by the pouring out of blood, i.e., people must cultivate respect for life. The sanctity of life is stressed on the basis of God's right of dominion over life. God is the Lord over all life. As von Rad puts it: "Even when man slaughters and kills, he is to know that he is touching something which, because it is life, is in a special manner God's property; and as a sign of this he is to keep his hands off the blood."¹ The purpose of this prohibition of blood is to show that only God is the giver of life. The gift of life bestowed at creation must be sustained even though (because of sin) violation and reciprocal killing characterize the life of the creatures. The meaning of this regulation is therefore clearly ethical: reverence for life.²

Meaning of the statement: "Every moving thing that lives shall be food for you."

The statement: "Every moving thing that lives shall be food for you. I have given you all things, even as the green herbs" (Gen 9:3, NKJV) is very general. Each word must be carefully studied to grasp its intent and message. Westerman says that "attention is centered on the animals in v. 2; in v. 3 it is on humans who now receive the concession to eat meat."³ The permission to kill animals does not allow hunting for personal pleasure, but for the purpose of eating. Food here does not include just any flesh (as

¹Gerhard von Rad, *Genesis: A Commentary*, rev. ed., The Old Testament Library, ed. Peter Ackroyd and others (Philadelphia, PA: Westminster Press, 1972), 132.

²The credit for this emphasis in recent years goes to Jacob Milgrom. See especially his "Biblical Diet Laws as an Ethical System," 288-301; idem, *Leviticus 1-16*, 704-713.

³G. J. Westermann, *Genesis 1-11*, 463.

mice, serpents, rats, owls, beetles, spiders, worms, cats, dogs, etc.), because the context must decide the meaning of the statement. There are several reasons which indicate that the intention of this statement is not to eat everything that moves, but only those living creatures that are called "clean." My reasoning is as follows:

The Hebrew word כָּל. The Hebrew word "כָּל" ("all," "everything") is a very relative word and only context decides what is meant by it—whether all comprehensively, or a majority, or a certain group, etc. For example, in Gen 2:20 Adam named "all" animals and birds; the purpose of the story is not to speak about the comprehensive quantity of named animals and birds, but rather to point out Adam's recognition that he was alone without a companion (while naming animals and birds which were around him he acknowledged his need for a partner). Then he was put into a deep sleep to receive his wife as a gift. Again in Gen 6:21 "all food which may be eaten" here means vegetarian food needed for survival in the ark, not every possible item of vegetarian food. Likewise Gen 24:1, "The Lord had blessed Abraham in all things," is a general statement about material things; nevertheless the text demonstrates that Abraham had lost his wife Sarah; he had no son, etc. Thus, "everything" or "all" in Gen 9:3 does not necessarily mean everything in the sense of completeness or comprehensiveness. A tendency toward all and the concept of majority is present in this notion. Thus this general term in Gen 9:3 may refer to a specific group of animals.

The Hebrew word שָגרָץ. The Hebrew word שָגרָץ is usually translated as "creeping thing" or "crawling thing." But to translate שָגרָץ here as "creeping or crawling

thing" does not make sense. This is why another possibility is chosen by many translators: "moving thing." Such a translation is a hapax legomenon,¹ derived in this particular case through the alleged Akkadian cognate word *namāšu* "to move." Clements argues that both Hebrew verbs (יָרַץ and רָמַשׁ) describe first of all the movement, or locomotion.² If this term means "moving thing(s)," then the meaning of the statement is not specific, but very general. Only its context may decide what is really meant.³ Martin Luther argued that the meaning of the expression "every moving thing" in Gen 9:3 does not mean all animals inclusively, but only "clean animals."⁴

¹D. P. Wright, "Crawling and Creeping Things." 1:1203.

²Clements, "רָמַשׁ," 7:535. Conclusions made after comparative cognate studies in Semitic languages are not as certain as once thought. See the recent discussion in J. A. Emerton. "Comparative Semitic Philology and Hebrew Lexicography," in *Congress Volume: Cambridge 1995*, ed. J. A. Emerton, Supplements to *Vetus Testamentum*, vol. 66 (Leiden: Brill, 1997), 1-24.

³For the support of this view I take the immediate context—Gen 9:2, where the Hebrew root רָמַשׁ is used in the general way of locomotion "בְּכָל אֲשֶׁר תִּרְמַשׁ" (upon every creature that moves along the ground"). The same general meaning of the root רָמַשׁ "to move" is attested in Gen 1:21, 26, 28; and in Lev 11:44, 46. This is why I argue that Gen 9:3 is a generalization of vs. 2. On the other hand it must be seen that Gen 9:2 does not speak about food but fear of living creatures and dominion of humans over them. The general context of the whole section is the problem of killing animals.

⁴Luther, *Lectures on Genesis*, 134-135. Richard M. Davidson suggests an interesting solution to this riddle: "רָמַשׁ" probably means "smaller (clean) game animals" (R. M. Davidson, "Revelation/Inspiration in the Old Testament," 121). He takes Gen 1:24 and Gen 8:17 as the context of Gen 9:3. Thus he argues that the category of רָמַשׁ represents only a small portion of the animals. The problem with this view lies in recognizing that רָמַשׁ is used in the Bible for identification of a variety of animals, including reptiles and rodents. See D. P. Wright, "Crawling and Creeping Things," 1203.

Permission to consume "flesh" compared to the eating of "green plants." In the biblical text permission to consume "flesh" is compared to the eating of "green plants." In the garden of Eden God gave a specific vegetarian diet to humans: plants bearing seed and fruit. The "green plants" were in the very beginning given only to the animals for food (Gen 1:30). But now God permits humans to eat meat on the same basis as "green plants" food which God had previously given only to animals.¹ The expression "green plants" is only used twice in the Hebrew Bible (Gen 1:30—food for animals, and in Gen 9:3). This means that the expression **עֵשֶׂב יֵרֶק** in Gen 9:3 means more than just the original diet given to mankind in the garden of Eden. The additional provisions here include such things as the "plants of the field," and "eating bread" as a result of the "tilling of the ground." The earth now produced "thorns and thistles" (a phrase that describes all kinds of weeds and wild plants). The point is that after sin humans could not eat everything (100%) of what they found in the field, because many plants are bitter or poisonous and not fit for human consumption. Humans have to till the ground and choose what to eat. The same is true with the eating of flesh: people have to choose what to eat from the animal world. This means that just as man cannot eat all plants, even though they were given to him, he cannot eat all flesh, even though it too was given to him. The animals have been given different functions; not all were given for food. Some animals were given to provide transport or to carry burdens, others were given for the

¹Gen 9:3 repeats the wording of Gen 1:29 **לְכֶם יְהִי לְאֹכְלָהּ** and also the perfect Qal 1cs verb **נָתַתִּי**. Thus the parallelism with Creation is obvious, but the purpose and context are different. The ideal of Creation remains, but God accommodates Himself to the sinful conditions of humankind.

purpose of maintaining the ecosystem, others for helping with the tilling of the ground, and still others were given as "hygiene police." etc.

A practical reason. Noah could not eat unclean animals, because they were saved only in single pairs in the ark.¹ If he ate them, he would destroy after the Flood what he was supposed to save during the Flood. Clean animals were saved in seven pairs so that they could be used for sacrifices and for food. Glen Blix writes: "This pronouncement could not have initially applied to any but the clean animals since the use of any of the unclean animals that were taken into the ark as a pair would have resulted in their extinction."² Seven pairs of clean animals—animals designated for food and

¹For a discussion on the number of animals saved in the Noah's ark see Gerhard F. Hasel, *Biblical Interpretation: General Principles* (Mountain View, CA: Pacific Press Publishing Association, 1980), 149-151; Gordon J. Wenham, *Genesis 1-15*, 175-177; Westermann, *Genesis 1-11*, 423, 427-428.

The biblical text is straightforward: the Hebrew words used in Gen 6:20-21 and 7:2-3 are שְׁנַיִם "two" or "pair," and שִׁבְעָה שִׁבְעָה "seven pairs," lit. "seven seven," i.e., 14 animals of each clean species—explicitly stated "male and female" (6:19), or "the male and his mate" (7:2). Thus one pair of unclean animals, i.e., two—male and female, and 7 pairs of clean animals entered into the ark. Of course it is possible that some of these animals procreated during their stay in the ark.

²Glen Blix, "Unclean or Unhealthy: A Look at the Levitical Prohibition," in *Current Issues in Vegetarian Nutrition: Proceedings of an International Vegetarian Conference (Nutrition '96) August 8-11, 1996, Andrews University, Michigan*, ed. Winston J. Craig (Berrien Springs, MI: Andrews University, The Department of Nutrition, 1997), 87.

sacrifice³—were to be taken onboard the ark (7:2). Naturally larger numbers of such animals would be needed.

The chiastic structure of the Flood story. The chiastic structure of the Flood story² reveals that the intention of the author was to connect the diet of mankind with

¹The New Living Translation prepared by 90 Evangelical scholars from various theological backgrounds and denominations, of which the book of Genesis was translated by Allan Ross, John Sailhamer, Gordon Wenham, and Daniel I. Bloch, renders Gen 7:2 as follows: "Take along seven pairs of each animal that I have approved for eating and for sacrifice, and take one pair of each of the others."

²The following structure of the Flood narrative has been suggested by William H. Shea, "The Structure of the Genesis Flood Narrative and Its Implications," *Origins* 6 (1979): 22-23:

- 6. The flood crests
The ark rests
God remembered Noah (8:1-5)
- 5. The flood rises (7:17-24) . . . 7. The flood abates (8:6-12)
- V. The flood proper VI. After the flood
- 4. Enters the ark (7:11-16) 8. Exits the ark (8:13-19)
- 3. Brings in clean animals (7:6-10) 9. Noah's sacrifice (8:20-22)
- 2. Brings in clean animals (7:1-5) 10. Noah's diet (9:1-7)
- 1. My covenant with you (6:11-22) 11. My covenant with you (9:8-17)
- IV. Preliminary to the flood
- III. Secondary genealogy (6:9-10) . . . VII. Secondary genealogy (9:18-19)
- II. Prologue: man's wickedness (6:1-8) . . . VIII. Epilogue: man's wickedness (9:20-27)
- I. Primary genealogy (5:32) IX. Primary genealogy (9:28-29)
- The flood crests, the ark rests, God remembers Noah (8:1)
- 4. 150 days prevail (7:24) 5. 150 days waters abate (8:3)
- 3. 40 days of the flood (7:12, 17) 6. 40 days first birds sent out (8:6)
- 2. 7 days fill the flood (7:10) 7. 7 days nest bird sent out (8:10)
- 1. 7 days till 40-day storm (7:4) 8. 7 days last bird sent out (8:12)

This chiastic structure of the Flood story is solid. But note that Gen 7:1-5 and Gen 7:6-10 do not speak only about clean animals. This is why I suggest the following corrections in harmony with the biblical text—to rename points 2 and 3 in this way:

- 2. Distinction between clean and unclean animals (7:1-5)
- 3. Entering of clean and unclean animals (7:6-10)

There are several studies which reveal the chiastic structure of the Flood story:

making a distinction between clean and unclean animals. When the parallel features of the chiasmic structure are compared, the result shows up in the parallel between point 2 (the distinction between clean and unclean animals—Gen 7:1-5) and point 10 (Noah's diet—Gen 9:1-7). Thus, it appears that it was the deliberate intention of the author of the Flood story to connect the distinction between clean and unclean animals with the instructions for man's diet after the Flood.

Hint in Gen 6:21. Another clue that not everything was intended to be eaten even before the Flood is given in Gen 6:21. Noah was ordered to take with him into the ark "food which may be eaten." This expression implies that there is some food which people could have eaten, which is not designed for human consumption. Exactly the same form of the verb to eat לֶאֱכֹל ("may be eaten") is used also in Lev 17:13 and in some other places such as Exod 12:16, Lev 7:19. Wenham argues: "Noah, like Adam (2:16-17), was told to eat only divinely permitted food. 7:2 shows that Noah is presumed to be able to distinguish between clean (edible) and unclean (inedible) animals."¹ This kind of

Gordon J. Wenham, "The Coherence of the Flood Narrative," *Vetus Testamentum* 28 (1977): 336-348; Kikawada and Quinn, *Before Abraham Was*, 103-104. See also Umberto Cassuto, *A Commentary on the Book of Genesis*, part 2, *From Noah to Abraham: Genesis 6:9-11:32* (Jerusalem: Magnes Press, Hebrew University, 1964), 30-33; Bernhard W. Anderson, "From Analysis to Synthesis: The Interpretation of Genesis 1-11," *Journal of Biblical Literature* 97 (1978): 23-29.

¹G. J. Wenham, *Genesis 1-15*, 176. See also Youngblood, "Genesis," 15: "Ceremonially clean animals would be needed also for the burnt offerings that Noah would sacrifice (8:20) and for food (9:3)."

reasoning is further strengthened by Wenham's structure of the Flood where Gen 6:21 is in parallel with Gen 9:1-4.¹

Genesis as introduction to the rest of the Pentateuch. The structure of the Pentateuch reveals that the book of Genesis was written as an introduction to the rest of the Pentateuch. The gradually unfolding content of Genesis is a pattern which is used in the structuring of the entire Torah. What is sketched here is later explained in detail (for example sacrifices, law, Sabbath, promised seed, worship, etc.). John Sailhamer successfully argues that the purpose of the Pentateuch is reflected in its composition. "What the author intend to say determines the shape of the book" and "past events foreshadow the future."² Gordon Wenham aptly writes: "Genesis is not merely an extrinsic prologue to the other books of the Pentateuch; many of its stories from chap. 1 onward look forward to institutions of the Mosaic era."³

Also Gen 1-11 forms a close literary unit. "Gen. i-xi constitutes a distinct unit of the Pentateuchal narrative, set off by the subjects of the story—the entire human race—

¹G. J. Wenham, "Coherence of the Flood Narrative," 338: "F—Food in the ark (Gen 6:21)" and "F'—Food outside ark (Gen 9:1-4)." See also Duane A. Garrett, *Rethinking Genesis: The Sources and Authorship of the First Book of the Pentateuch* (Grand Rapids, MI: Baker Book House, 1991), 25-29.

²Sailhamer, *Pentateuch as Narrative*, 33, 60.

³G. J. Wenham, *Genesis 1-15*, xlv.

and the vague spatial location. The issues or conflicts in the stories are universal in scope."¹

"Moving thing that lives." The expression "moving thing that lives" (Gen 9:3) rules out the consumption of animals that have died of natural causes or have been torn by another wild animal. However, this legislation is not explained. The present passage does not elaborate on it. Later texts shed more light on this expression and reveal its intention and meaning plainly and explicitly (Exod 22:30; Lev 11:40; Deut 14:21).

No example of eating forbidden meat. There is no example in the biblical text from the time period between Noah and Moses (when the prohibition of unclean animals/food is explicitly explained) of anyone from among God's people who ate forbidden meat. On the contrary, only clean animals were eaten. A few examples are noteworthy: Abraham (Gen 18:7), Jacob (Gen 25:27-28; 27:3-4, 9-10, 14, 30-31), and the Israelites at the time of the Exodus (Exod 12:3-5; compare Num 11:5).

These above-mentioned reasons have led us to the conclusion that the distinction between clean and unclean animals/food was implicit in Gen 9:3. These conclusions are supported by Ottosson who writes: "Eating was strictly regulated by numerous food laws in the Old Testament. The broad statement in Gen. 9:3 is restricted by the distinction it makes between clean and unclean animals (Lev. 11:1ff.; Dt. 14:3f)."²

¹Patrick, "First Commandment in the Structure of the Pentateuch," 108.

²Magnus Ottosson, "אֵכֶל, et al.," *TDOT* (1974), 1:241.

The primary purpose for the distinction between clean and unclean animals

It is necessary at this point to raise the question as to whether the purpose for the distinction between clean and unclean animals/food in the time prior to Noah was for sacrifices, or food, or both. I suggest that the distinction was made primarily for the purpose of human consumption and not for sacrifices, especially for three reasons:

Noah knew the distinction between clean and unclean animals. The biblical text gives no indication whether Adam had such knowledge after the entrance of sin. This means that it is not known when exactly this distinction originated. One can assume that it was revealed sometime after the Fall, most probably in connection with the Flood when a new creation order was presented. It is highly significant that at the first mention of sacrifice in the book of Genesis (Gen 4), there is no indication of the distinction between clean and unclean animals, but when permission to eat flesh is mentioned for the first time (Gen 9), the distinction between clean and unclean animals/food is understood.

Offerings completely burnt till the time of Moses. It seems that until the time of Moses (when the sacrificial system was fully developed) the meat of animal offerings was completely burnt (Gen 8:20; compare with Deut 33:10; Ps 51:19).¹ There is no case recorded in the book of Genesis in which the meat of the offered animals was eaten (Gen 4:3-5; 8:20; 22:13). When Abraham, Isaac, or Jacob built their altars to worship God,

¹For the discussion on עֹלָה and כָּלִיל, see G. Lloyd, "עֹלָה", et al., *TWOT* (1980), 2:666-668; John N. Oswalt, "כָּלִיל", *TWOT* (1980), 1:441-442.

there is no indication that they ate the sacrifice (Gen 12:7-8; 13:4, 18; 26:25; 33:20; 35:1, 3, 7). Only later, when the Tabernacle was built in the wilderness, were meat portions of some sacrifices given as food to the priests (Lev 6:26, 29; 7:6-7, 31-34) and to the participants (Lev 7:15-17). This means that the knowledge of the distinction between clean and unclean animals in regard to eating was not necessary prior to the time of Noah, because when the patriarchs offered their sacrifices, they never ate from them. Nothing was left for food from a burnt offering.

Only a few clean animals sacrificed. Only a few clean animals were used for sacrificial purposes: three species of animal (cattle, sheep, and goat), two species of bird (turtledove and pigeon), and no fish.¹

¹The biblical text Gen 8:20 is ambivalent in regard to the precise species Noah sacrificed, because the meaning of the Hebrew phrase: **וַיִּקַּח מִכָּל הַבְּהֵמָה הַטְּהוֹרָה וּמִכָּל הָעוֹף הַטְּהוֹר וַיַּעַל עֹלֹת בְּמִזְבֵּחַ** "and taking some of all the clean animals and clean birds, he sacrificed burnt offerings on it [altar]" (NIV), is not clearly defined and can be understood mainly in two different ways: (1) specifically—Noah took from all different species of clean animals and birds and offered them; or (2) generally—Noah took only a sample ("some") of clean animals and birds and offered them to God as a burnt offering (the biblical text is silent as to which animals and birds he actually offered).

The expression **מִכָּל** means literally "from all," or in the partitive sense of the preposition, "some of all." The biblical text does not say that Noah took all clean animals and birds and sacrificed them, nor that Noah took from all species of the clean animals and birds, but simply states that Noah took some of the whole group of clean animals and birds and offered them to God as a burnt offering. On the basis of the above analysis therefore prefer the second possibility for translation as it is more probable. The NIV translation is accurate. The New Living Translation renders Gen 8:20: "Then Noah built an altar to the Lord and sacrificed on it the animals and birds that had been approved for that purpose." In addition, from the biblical account there is no indication that at any time game animals were sacrificed to God, despite the very old narrative about Isaac, Jacob, and Esau which demonstrates that game animals were eaten. See Gen 27:1-10.

It seems therefore that the distinction between clean and unclean animals was not made primarily for the purpose of delineating animals that could be used for sacrifices. Sacrifices could be taken only from among the clean animals. However not all clean animals could be used in the sacrificial services. I hold therefore that the primary purpose of these laws was to regulate diet.

Literary Connections Between the Flood and Creation

It is significant to note that there are also strong literary connections between the Flood narrative and the Creation story.¹ Gen 9:1-7 can be called the new creation order narrative.²

¹Even though it is not the purpose of this dissertation to explore literary links between the Flood narrative and the Creation story, it is important to point to some links between them, because it strengthens the ties between our main texts dealing with the dietary laws. For the connection between the Creation and the Flood, see Warren Austin Gage, *The Gospel of Genesis: Studies in Protology and Eschatology* (Winona Lake, IN: Carpenter Books, 1984), 16-20; Jacques B. Doukhan, *Daniel: The Vision of the End* (Berrien Springs, MI: Andrews University Press, 1987), 134; Richard M. Davidson, "Biblical Evidence for the Universality of the Genesis Flood," *Origins* 22:2 (1995): 58-73. See also Ps 74:12-17 and 2 Pet 3:5-6 where the author makes an implicit reference to the relationship between the Creation and the Flood. Se Young Roh states: "For P, the flood story, which tells of God's redemptive action, cannot be interpreted without creation" (Roh, 60).

²Clines, *The Theme of the Pentateuch*, 80-82, speaks about the creation—uncreation—re-creation theme in relationship to Gen 1-11. Richard M. Davidson also stresses this scheme. See his, "Biblical Evidence for the Universality of the Genesis Flood," 69-71.

The structure of Gen 8:1-9:17 mirrors the first creation account (Gen 1:1-2:4a). The literary parallels between the seven stages of re-creation after the Flood and the seven days of Creation are striking. The re-creation section of Gen 8:18-9:7 corresponds to the sixth day of Creation (Gen 1:24-31). For the details, see Doukhan, *Daniel: The Vision of the End*, 134.

Many scholars describe the Flood as "the undoing of creation."¹ The literary parallelism of Gen 1 and Gen 9 is striking. Observe the following parallelisms:

1. God's blessing (Gen 1:28; 9:1)
2. Be fruitful and multiply, fill the earth (Gen 1:28; 9:1)
3. Dominion over the animal world (Gen 1:28; 9:2)
4. Food for man: plants (Gen 1:29), animals (Gen 9:3).

This sequence of conceptual parallels is strengthened by a typological feature: Noah becomes a "new Adam" (this comparison is made on the basis of a new beginning despite its different nature with the ongoing presence of sin). The theology of new creation is built on these exegetical considerations. The whole creation account is about life. The concept of life is reflected in the prohibition of eating blood in Gen 9:4.

Not only the same terminology is used, but also the concepts occur in the same sequence, demonstrating that the links are intentional. Direct usage of the expression "image of God" also ties these two passages together (Gen 1:26-27; 9:6).² However, Gen

¹Davidson, "Biblical Evidence for the Universality of the Genesis Flood," 69-71.

²The concept of the image of God is the dominant feature of Gen 1 and Gen 9. This concept is explored in the context of killing and God's sovereign command to respect life by proper handling of animals' blood and in protecting the life of humans. Killing is aimed directly against the very essence of the image of God. Humans comprise one big family of God. All have the capacity to relate to God and to other people. Murder violently stops that. No more life, no more relationship, no more responsibility, no more fellowship.

9:1-7 is not only connected with the Creation story, but also with the whole history of humanity until the Flood.¹

The Parallelism Between Gen 9:1-7 and Gen 1-6

Striking parallelisms can be detected between Gen 9:1-7 and Gen 1-6 (see table 6).

Doukhan explains the change in relationship between man and animals² in the following way:

Since the peaceful relationship in Genesis 1 is associated with herbal food for man, and the conflict relationship in Genesis 9 is associated with animal food, it is permissible to conclude that it is the dietary change that has affected the man-beast relationship. In other words, the picture of conflict is not sensed as original and natural but, on the contrary, as a result of an ecological imbalance which is due essentially to the fact that man started hunting.³

¹Wenham correctly states that the section Gen 9:1-7 "must be read as commentary on the antediluvian history" (G. J. Wenham, *Genesis 1-15*, 192). In Gen 9 the entrance of sin and its consequences are taken seriously into consideration. Noah is a "new Adam." With him starts a new beginning. After the Flood comes a new creation order as a reaction to the destructive forces of evil.

²All living creatures are given into human hands (Gen 9:2). The expression "given into your hands" implied threat and aggression in perspective. Compare with Job 1:12; 2:6; Josh 8:7; 1 Chr 14:10; 2 Chr 28:9.

³Jacques B. Doukhan, "Where Did Death Come From? A Study in the Genesis Creation Story," *Adventist Perspectives* 4:1 (1990): 17-18. The close relationship between dietary changes and sin (Fall) was already discussed above. See p. 236.

TABLE 6

PARALLELISM BETWEEN GEN 9:1-7 AND GEN 1-6

Text	Event	Text	Event
Gen 9:1	Blessing	Gen 1:28	Blessing
9:1	Procreation	1:28	Procreation
9:2	Rulership over animals	1:28	Rulership over animals
9:3	Food	1:29; 3:17	Food
9:5-6	Blood of the brother	4:8-24	Cain killed his brother
9:6	Man in the image of God	5:1; 1:27	Man in the image of God
9:7	Procreation	6:1	Multiplication

The literary evidences bind together Lev 11, Creation, and the Flood. Many of the exegetical, structural, and conceptual links explored above justify my claim about the inner-dependability of these texts. It is now also necessary to observe the links between two major passages on the dietary laws, namely Lev 11 and Deut 14.

Lev 11 and Deut 14:3-21

The Pentateuch contains two lists of clean and unclean animals, namely Lev 11:1-47 and Deut 14:2-21. This raises the question, Which list came first? From the time of

Kuenen,¹ the prevailing view has been to take Deut 14 as the more ancient text. This is taken to mean that Lev 11 was derived from it. Some scholars suggest that both lists of clean and unclean animals (Lev 11 and Deut 14) were derived from a common preexisting source.²

Noordtzij, Milgrom, and W. C. Kaiser, challenge these prevailing assumptions of recent scholarship, and argue that the Lev 11 text came first.³ Deut 14 is an abridgement of Lev 11. The purpose of the list of animals mentioned in Lev 11 and/or Deut 14 "is not to examine each particular animal but to understand the general classifications involved."⁴ The priority given to Lev 11 is presupposed in the discussion that follows and is based on several well grounded arguments. Noordtzij, for example, mentions 4 reasons: (a) Lev 11 specifies identifying marks, while Deut 14 names 10 examples; (b) while Lev 11 identifies 4 types of edible insect, Deut 14 only makes a general statement; (c) Lev 11 repeats reasons for animals being inedible, but Deut 14 does not; and (d) Lev 11 only mentions Israelites, but Deut 14 includes the alien and stranger. Milgrom enumerates many additional arguments which clearly demonstrate that Lev 11 predates Deut 14.

¹A. Kuenen, *An Historico-Critical Inquiry into the Origin and Composition of the Hexateuch* (London: Macmillan, 1886), 266.

²Samuel Rolles Driver, *Deuteronomy*, International Critical Commentary (New York: Charles Scribner's Sons, 1895), 163-164.

³Noordtzij, 119-120; Milgrom, *Leviticus 1-16*, 704; W. C. Kaiser, "Leviticus," 1:1080.

⁴Rushdoony, *Institutes of Biblical Law*, 298.

Rendtorff rightly stresses: "Deut 14 in its present form appears to be dependent on Lev 11. The discrepancies are to be always understood as abridgements and summaries."¹

Context and Literary Structure of Deut 14:2-21

Scholars very often tend to regard the laws in Deut 12-26 as "a disparate collection of legal stipulations without any visible structure, unity, or order."² The most valuable contribution to this discussion is the remarkable article by Stephen A. Kaufman.³ His thesis is that Deut 12-26 is a "highly structured composition whose major topical units are arranged according to the order of the laws of the decalogue . . . as it appears in chapter 5 of [Deuteronomy]."⁴ He proposes that the material of Deuteronomy follows the order of the Ten Commandments. Thus, the dietary laws of Deut 14 are paralleled with Deut 5:11. This means that regulations about clean and unclean food are related to the third commandment. The dietary rules are seen as further explanation of what it means to honor God's name, i.e., not to profane God's holy character.⁵ From that angle it can be observed that the dietary laws are not merely related to health, but are theologically oriented rules.

¹Rendtorff, *Die Gesetze in der Priesterschrift*, 45. Translation mine.

²W. C. Kaiser, *Toward Old Testament Ethics*, 127.

³Stephen A. Kaufman, "The Structure of the Deuteronomical Law," *MAARAV* 1:2 (Spring 1979): 105-158.

⁴*Ibid.*, 108-109.

⁵The parallel emerges between Deut 5:11 and Deut 13:1-14:27.

Literary structure of Deut 14:2-21

The literary structure of Deut 14:2-21 further reveals the main concern of this chapter (see table 7).¹ From the structural layout set forth in table 7, it is apparent that Deut 14² has a clear-cut structure built on the demonstrative pronouns (זֶה, זֹאת), three

¹As for the structure, the delimitation of the whole section remains problematic, namely its beginning: Where does the section dealing with the dietary laws start, in vs. 2 or 3? It is not a simple task to decide. It has been suggested that Deut 14:1-2 contains a transitional law. See Alexander Rofé, "The Order of the Laws in the Book of Deuteronomy," in *Researches in the Bible, Cassuto Memorial Volume* (Jerusalem: Magnes Press, 1987), 229; Carmichael, *Law and Narrative in the Bible*, 83-85. Morrow rightly explains: "If so, it [Deut 14:1-2] functions primarily on an implicit combination of themes explored in Deuteronomy 13 and 14:3-21a. There are no structural or lexical links between the laws of 14:1-2 and Deuteronomy 13. But the juxtaposition of the themes of death and separation from the other nations in 14:1-2 might be a connecting link which leads from the context of Deuteronomy 13 to 14:3-21. Therefore, the position of 14:1-2 is analogous to 14:21b and suggests a similar strategy of composition in the placement of both" (Morrow, 20).

The usage of the conjunction כִּי in Deut 12-17 proves not to be helpful for our discussion, because this conjunction does not always introduce a new law or thought. See Deut 12:5, 9, 12, 14, 18, 20 (twice), 21, 23, 25, 28, 29, 31 (twice); 13:2, 4, 6, 7, 10, 11, 13, 19; 14:2, 7, 8, 21, 24 (3 times), 27, 29; 15:2, 4, 6, 7, 8, 10, 11, 12, 15, 16, 18; 16:1, 3, 6, 12, 15, 19; 17:1, 2, 8, 14.

The exact repetition of the phrase כִּי עַם קָדוֹשׁ אַתָּה לַיהוָה אֱלֹהֶיךָ in the beginning and at the end of our section (vss. 2, 21) makes our passage cohesive because of the inclusio. Also the additional thought in vs. 2 ("Out of all the people on the face of the earth, the Lord has chosen you to be his treasured possession") which parallels Exod 19:5 and Deut 7:6 is in favor of taking vs. 2 as the beginning of our section, because the thought is general and motivational, and can be taken as an introduction to what follows. The parallel text in Lev 11 also has an inclusio. This is why we consider Deut 14:2 as a transition. This verse closes the short passage of Deut 14:1-2, and at the same time introduces our section in Deut 14:2-21.

Deut 14:21b is an appendix to the dietary laws, because it is put right after the motivation clause which functions as a conclusion of the whole passage of 14:2-21. The law of not cooking a kid in the milk of its mother is thus closely related to the topic of eating.

²William Morrow shows that Deut 14 belongs to the center part of the Code law,

habitats (land, water, air), three categories of animals (land animals, fish, and birds), and a keyword **אכל**. The literary thematic structure can be summarized in the following way:

Introduction, vss. 2-3: Holiness, Election, and Abomination

A. Clean and Unclean Land Animals, vss. 4-8

1. Clean Land Animals, vss. 5-6

2. Unclean Land Animals, vss. 7-8

B. Clean and Unclean Fish, vss. 9-10

1. Clean Fish, vs. 9

2. Unclean Fish, vs. 10

C. Clean and Unclean Birds and Winged Creatures, vss. 11-20

1. Clean Birds, vs.11

2. Unclean Birds, vss. 12-18

3. Unclean Flying Insects, vs. 19

4. Clean Winged Creatures, vs. 20

D. Regulations concerning animals not properly slaughtered, vs. 21a

Conclusion: You are a Holy People to the Lord Your God, vs. 21b

Appendix: Do not cook a young goat in its mother's milk, vs. 21c.

A significant link between introduction and conclusion is the phrase:

כִּי עִם קָדוֹשׁ אַתָּה לַיהוָה אֱלֹהֶיךָ (vs. 2)

כִּי עִם קָדוֹשׁ אַתָּה לַיהוָה אֱלֹהֶיךָ (vs. 21).

namely Deut 14:1-17:13. See Morrow, 3-4, 13-20. See also Rofé, "The Order of the Laws in the Book of Deuteronomy," 217-235.

TABLE 7

LITERARY STRUCTURE OF DEUT 14:2-21

Ref.	Category of animals	Dem. pronoun	Uncleanness	Key expressions	Significant expressions
Introduction (vss. 2-3)					
2				קָדוֹשׁ	יְהוָה
3			כָּל-תּוֹעֵבָה	לֹא תֹאכְלוּ	
A. Edible and Inedible Living Land Creatures (vss. 4-8)					
4	הַבְּהֵמָה	זֶה		תֹּאכְלוּ	
6	כָּל-בְּהֵמָה בַּבְּהֵמָה			תֹּאכְלוּ	
7		זֶה	טְמֵאִים	לֹא תֹאכְלוּ	
8			טְמֵא	לֹא תֹאכְלוּ	נִבְלָה לֹא תִנְעֹר
B. Edible and Inedible Water Creatures (vss. 9-10)					
9	מִכֹּל אֲשֶׁר בַּמַּיִם	זֶה		תֹּאכְלוּ	
10			טְמֵא	לֹא תֹאכְלוּ	
C. Edible and Inedible Air Creatures (vss. 11-20)					
11	כָּל-צְפוּר		טְהֵרָה	תֹּאכְלוּ	
12		זֶה		לֹא תֹאכְלוּ	
19	כָּל שֶׁרֵץ הָעוֹף		טְמֵא	לֹא יֹאכְלוּ	
20	כָּל-עוֹף		טְהוֹר	תֹּאכְלוּ	
D. Unproperly slaughtered clean animals (vs. 21a)					
21a				לֹא תֹאכְלוּ אֲכָלָהּ	נִבְלָה
Conclusion (vs. 21b)					
21b				קָדוֹשׁ	יְהוָה
Appendix (vs. 21c)					
21c					לֹא-תִבְשַׁל

Similarities and Differences Between Deut 14 and Lev 11

There are similarities as well as some differences between Deut 14 and Lev 11, even though they both deal with the same topic.¹

Similarities

The similarities between Deut 14 and Lev 11 are overwhelming:

The same key vocabulary. They share the same key lexicon, such as אָכַל (Lev 11:2, 3, 4, 8, 9 [twice], 11, 13, 21, 22, 34 [twice], 40, 41, 42, 47 [twice]; Deut 14:3, 4, 6, 7, 8, 9 [twice], 10, 11, 12, 19, 20, 21 [twice]), מֵיץ (Lev 11:14, 15, 16, 19, 22 [4 times], 29; Deut 14:13, 14, 15, 18), בְּבִמָּה (Lev 11:2, 3, 26, 39, 46; Deut 14:4, 6 [twice]), מֵיִם (Lev 11:9 [twice], 10 [twice], 12, 32, 34, 36, 38, 46; Deut 14:9), אָךְ (Lev 11:4, 21, 36; Deut 14:7), עוֹף (Lev 11:13, 20, 21, 23, 46; Deut 14:19, 20), קָרוֹשׁ (Lev 11:44 [twice], 45 [twice]; Deut 14:2, 21), נִבְלָה (Lev 11:8, 11, 24, 25, 27, 28, 35, 36, 37, 38, 39, 40 [twice]; Deut 14:8, 21) טָמֵא (Lev 11:4, 5, 6, 7, 8, 24 [twice], 25, 26 [twice], 27 [twice], 28 [twice], 29, 31 [twice], 32 [twice], 33, 34 [twice], 35 [3 times], 36, 38, 39, 40 [twice], 43, 44, 47; Deut 14:7, 8, 10, 19), טָהוֹר (Lev 11:36, 37; Deut 14:11, 20), כָּל (Lev 11:2, 3, 9 [twice], 10, 12, 15, 20, 23, 24, 25, 26 [twice], 27 [3 times], 31 [twice], 32 [3 times], 33

¹W. L. Moran, "The Literary Connection Between Leviticus 11:13-19 and Deuteronomium 14:12-18," *Catholic Biblical Quarterly* 28 (1966): 271-277. See also Mayes, "Deuteronomy 14 and the Deuteronomistic World View," 165-181.

[twice], 34 [3 times], 35, 37, 41, 42 [4 times], 44, 46 [twice]); Deut 14:3, 6, 10, 11, 19, 20, 21).

The same expressions and phrases. In both chapters occur the same expressions and phrases, such as **לֹא תֹאכְלוּ** (Lev 11:8; Deut 14:8, 10, 12), **תֹּאכְלוּ** (Lev 11:3, 9, 22; Deut 14:4, 6, 9, 11, 20), **תִּנְעֹנוּ מִפְּרִסַּת פְּרִסָּה וְשִׁסְעַת שִׁסְעָה** (Lev 11:3; Deut 14:6), **סִנְפִּיר וְקִשְׁקִשָּׁה** (Lev 11:9, 10, 12; Deut 14:9, 10), **מִבְּשָׂרָם לֹא תֹאכְלוּ וּבְנִבְלָתָם לֹא תֹאכְלוּ** (Lev 11:8; Deut 14:8), **טָמֵא הוּא לָכֶם** (Lev 11:4, 5, 7, 39; Deut 14:8, 10, 19), **מִמַּעַלֵי הַגֶּזֶה וּמִמְּפָרִיסֵי הַפְּרִסָּה** (Lev 11:4; Deut 14:7), **כִּי־מַעֲלָה גִזָּה** (Lev 11:4, 5, 6; Deut 14:7), **כִּי־מְפָרִיס פְּרִסָּה הוּא** (Lev 11:9; Deut 14:9), **מִכֹּל אֲשֶׁר בַּמַּיִם** (Lev 11:7; Deut 14:8), **לְמִינָהּ** (Lev 11:14, 19; Deut 14:13, 18), **כָּל שֶׂרֶץ הָעוֹף** (Lev 11:21; Deut 14:19).

The usage of the demonstrative pronouns. Two demonstrative pronouns are used in both chapters: **זֶה** (Lev 11:4, 9, 21, 29; Deut 14:7, 9, 12), and **זֹאת** (Lev 11:2, 46; Deut 14:4).

The three habitats for living creatures in the same sequence. These three habitats are—land (Lev 11:2-8; Deut 14:4-8), water (Lev 11:9-12; Deut 14:9-10), air (Lev 11:13-23; Deut 14:11-20).¹

¹The habitats of the living creatures are usually implied in the text. Only water is explicitly mentioned in both chapters (Lev 11:9; Deut 14:9).

The same three categories of living creatures. The three categories of living creatures with the identical sequence are as follows: quadrupeds—**בְּבֵמָה** (Lev 11:2-8; Deut 14:4-8), fish—**אֲשֶׁר בַּמַּיִם** (Lev 11:9-12; Deut 14:9-10), and birds—**עוֹף** (Lev 11:13-23; Deut 14:11-20).

The identical names for the four unclean animals. The four unclean animals are as follows: **חֲזִיר**, **שָׁפָן**, **אַרְנֵבֶת**, **גָּמֵל** (Lev 11:4-7; Deut 14:7-8).

The unclean birds given in the same sequence. The identical names of unclean birds are given in the same sequence (with very slight exceptions). The list of them¹ with translations from the New International Version and New Living Translation appears in table 8.

The same motive of holiness. The holiness factor is stressed in both chapters and is found in Lev 11:44-45 and Deut 14:2, 21.

¹It is beyond the scope of the present study to deal with the precise identification of all birds mentioned in the lists of Lev 11 and Deut 14. There is considerable uncertainty in translating many hapax terms occurring there, as is apparent in the differences among modern translations. See Firmage, "Zoology," 1144-1146, 1154-1155; Eugene Hunn, "The Abominations of Leviticus Revisited: A Commentary on Anomaly in Symbolic Anthropology," in *Classifications in Their Social Context*, ed. R. F. Ellen and D. Reason (London: Academic Press, 1979), 109-111; Randall W. Younker, "Birds," *Eerdmans Bible Dictionary* (Grand Rapids, MI: William B. Eerdmans Publishing Company, in press).

TABLE 8

COMPARISON OF THE TWO LISTS OF THE UNCLEAN BIRDS

Lev 11:13-19	NIV	NLT	Deut14:12-18
נֶשֶׁר	eagle	eagle	נֶשֶׁר
פֶּרָס	vulture	vulture	פֶּרָס
עֲזֻנְיָה	black vulture	osprey	עֲזֻנְיָה
דָּאָה	red kite	buzzard	דָּאָה
אֵיָה	black kite	kite	אֵיָה
	falcon	—	רִיָּה
עֶרָב	raven	raven	עֶרָב
בַּת הַיַּעֲנָה	horned owl	ostrich	בַּת הַיַּעֲנָה
תַּחֲמֹס	screech owl	nighthawk	תַּחֲמֹס
שָׁחַף	gull	seagull	שָׁחַף
נֵץ	hawk	hawk	נֵץ
כּוֹס	little owl	little owl	כּוֹס
שָׁלָד	cormorant	cormorant	
יְנִשׁוּף	great owl	great owl	יְנִשׁוּף
תַּנְּשֻׁמַּת	white owl	white owl	תַּנְּשֻׁמַּת
קָאָת	desert owl	pelican	קָאָת
רָחַם	osprey	carrion vulture	רָחַמָּה
	cormorant	cormorant	שָׁלָד
חֲסִידָה	stork	stork	חֲסִידָה
אֲנָפָה	heron	heron	אֲנָפָה
דּוֹכִיפֶת	hoopoe	hoopoe	דּוֹכִיפֶת
עֵטְלָף	bat	bat	עֵטְלָף

Differences

Despite many fundamental similarities between Lev 11 and Deut 14 there are also some important differences. Here is a summary of them:

Usage of תועבה. Deut 14 uses in addition to טמא "unclean" a word which does not appear in Lev 11: תועבה "abomination, abhorrence, detestable thing" (vs. 3). By doing this the author links the concept of "abomination" with the dietary laws, which thus receive a strong moral/ethical load.

The notion תועבה is a specific word of the book of Deuteronomy where it occurs seventeen times (Deut 7:25, 26; 12:31; 13:15; 14:3; 17:1, 4; 18:9, 12 [twice]; 20:18; 22:5; 23:19; 24:4; 25:16; 27:15; 32:16). This word is used twenty-seven times in the Pentateuch (Gen 43:32; 46:34; Exod 8:22 [twice]; Lev 18:22, 26, 27, 29, 30; 20:13; plus 17 times in Deuteronomy) and ninety times in the rest of the Hebrew Bible.¹ The verb תעב occurs twenty-two times in the Old Testament, and in the Pentateuch only in Deuteronomy (7:26 [twice] and 23:8 [twice]). The book of Deuteronomy relates the term תועבה to several important issues:

1. Idolatry (Deut 7:25-26; 12:31; 13:15; 17:4; 20:18; 22:5; 27:15; 32:16)
2. Sexual perversion, such as adultery, prostitution, sodomy (Deut 23:19; 24:4)²

¹The word תועבה is used 117 times in the Hebrew Bible. Outside of the Pentateuch this notion is prominent in Ezekiel (43 times) and Proverbs (21 times). The rest occur in Jeremiah (8 times), 2 Chronicles (5 times), 2 Kings (4 times), Ezra (3 times), Isaiah (3 times), and once in 1 Kings, Psalms, and Malachi.

²In Leviticus the word תועבה refers only to forms of illicit sexual practices (Lev 18:22, 26, 27, 29, 30; 20:13).

3. Dietary laws (Deut 14:3)
4. Sorcery (Deut 18:9, 12)
5. Blemished sacrifices (Deut 17:1)
6. False weights (Deut 25:16).

The verb **תִּעַב** "to abhor" is used in Deut 7:26 in the context of idolatry and in Deut 23:8 in the connection of not despising the people (Edomite or Egyptian).

For the author of Deuteronomy, the antiidolatry polemic (very closely related to Deut 13) is the most important issue in relation to **תוֹעֵבָה**. As we have already seen, Leviticus uses the term **שִׁקְץ** for a description of some unclean creatures, a notion which also focuses on idolatrous worship.¹ Illegitimate sexual practices, sorcery, and deceit are other important issues of the meaning of **תוֹעֵבָה**. This means that in Deuteronomy there is a deliberate moral overtone connected with the dietary regulations. They belong to the same moral issues as idolatry, incest, sorcery, and deceit.

Positive examples of ten clean animals. Deut 14 includes positive examples of ten (3 domestic, 7 game) clean animals (vss. 4-5) not mentioned in Lev 11. Herbivorous, ruminant animals, whether wild or domestic, that chew the cud and whose hooves are fully cloven, are clean. Ten clean animals are specifically enumerated: the ox, sheep,

¹See Michael A. Grisanti, "שִׁקְץ," *NIDOTTE* (1997), 4:244.

goat, deer, gazelle, roebuck, wild goat, ibex, antelope, and mountain sheep (Deut 14:4-5).¹

Explicit permission for eating clean birds. Deut 14 contains positive permission for eating clean birds (vs. 11). This means that here is clearly expressed what was implied in Lev 11: any bird not prohibited is permitted for food.²

No category of swarmer or reptiles. Deut 14 uses slightly different terminology for the categories of animals than Lev 11.³ Three categories of living creatures are defined in both chapters: land animals (בְּהֵמָה), fish (מִכֹּל אֲשֶׁר בַּמַּיִם), and birds/flying creatures (כָּל-עוֹף) with the subcategory of insects (שָׂרֵץ הָעוֹף).⁴

¹According to Rabinowicz the Pentateuch enumerates 42 unclean animals. See Rabinowicz, 6:27.

²Milgrom, *Leviticus 1-16*, 701. Lev 11:13-19 lists 20 unclean birds, and Deut 14:12-18 enumerates 21. From these two lists, the rabbis compiled a total of 24 unclean birds. All birds of prey and scavengers are forbidden (Hul 63a-b). The Pentateuch does not enumerate clean birds. For the discussion on the characterization of unclean birds, see Hunn, 109-114.

³Deut 14 and Lev 11 use in common the following terminology, but not necessarily with the same meaning: (1) בְּהֵמָה (Deut 14:4, 6; Lev 11:2, 3) "quadrupeds"; (2) מִכֹּל אֲשֶׁר בַּמַּיִם (Deut 14:9; Lev 11:9) "fish"; (3) כָּל-עוֹף (Deut 14:20 parallels Lev 11:20, i.e. "edible locusts"; Lev 11:13 "birds"; but the expression כָּל-צִפּוֹר occurs only in Deut 14:11 "birds"); (4) כָּל שָׂרֵץ הָעוֹף (Deut 14:19; Lev 11:20, 21, 23) "insects."

⁴In the Pentateuch the term עוֹף is used more in a generic sense (Gen 1:20, 21, 22, 26, 28, 30; 2:19, 20; 6:7, 20; 7:3, 8, 14, 21, 23; 8:17, 19, 20; 9:2, 10; 40:17, 19; Exod 15:10; Lev 1:14; 7:26; 11:13, 20, 21, 23, 46; 17:13; 20:25; Deut 4:17; 14:19, 20; 28:26), while the word צִפּוֹר in a specific sense (Gen 7:14; Lev 14:5, 52; Num 22:2, 4, 16; Deut 4:17; 14:11; 22:6). "Conceptually, [צִפּוֹר] is included in עוֹף" (N. Kiuchi, "צִפּוֹר," *NIDOTTE* [1997], 3:837).

For a detailed discussion about the use of the Hebrew words צִפּוֹר, שָׂרֵץ הָעוֹף,

Deut 14 does not mention רִמָּשׁ or שָׂרָשׁ (reptiles or swarming things). This category of land-dwelling creatures is probably implicitly included in the first part of Deut 14 dealing with land animals (Deut 14:3-8), because all swarmers are prohibited for food. The writer does not need to explain which rodents or reptiles are edible. All רִמָּשׁ or שָׂרָשׁ are automatically excluded from the list of edible living creatures. The stress of Deut 14 is on what to eat (positive), therefore it is not talking about swarmers, because they are wholly unclean as a category.

It is interesting that the categorization of living creatures in Deut 14 as well as in Lev 11 is made in terms of the sphere of their movement and life. Lev 11 systematized the animal kingdom into the four categories (the author develops a logical sequence, starting with land animals created together with man, then follows with the living creatures that were created the fifth day, and concludes with the reptiles) and Deut 14 follows this pattern and simplifies it even more by dividing animals into only the three categories according to their habitats.

שָׂרָשׁ not used. Deut 14 does not use the word שָׂרָשׁ to define unclean fish and unclean flying creatures. The author consistently uses the term טָמֵא (vss. 7, 8, 10, 19).

Keywords אָרָם, and יָרֵא do not occur. In Deut 14 the keywords

and עוֹף in the context of Deut 14, see Milgrom, *Leviticus*, 701-702, who contends that the author of Deuteronomy has the tendency to specify the species that may be eaten. The term עוֹף, Milgrom claims, is in Deut 14 reserved for flying insects.

אֶרֶץ and חַיָּה do not occur, neither do the phrases עֲדָהָעֶרֶב וְטָמֵא and וְטָמֵא עֲדָהָעֶרֶב.

Free from ritual elements. Deut 14 in contrast to Lev 11 is free from ritual elements. There is no explanation about purification rites or acquired uncleanness. The stress lies in eating of the clean living creatures. The ceremonial issues are pushed aside. The cultic material is not emphasized nor is it in view.¹

Two additional regulations. Deut 14 has in its conclusion two additional regulations: (1) giving carcasses of the (clean) animals to "alien residents" that they may eat them, or selling them to the "foreigners," and (2) not cooking a kid in the milk of its mother.²

The above detailed comparative analysis of words, expressions, structural sequences, and concepts used in Deut 14:2-21 leads to the conclusion that the attempt to link Deut 14:2-21 to Lev 11 on linguistic, conceptual, and thematic grounds has a solid basis. Deut 14:2-21 demonstrates a very systematic approach to the animal world.

¹"D has freed *tāmē* from its ritual bounds and has added to it a moral dimension. In D, *tāmē* is opposed to '*am qādōš* 'a holy people' (14:21), a designation that Israel can maintain if it observes all of God's commandments (Deut 28:9), ethical as well as ritual ones" (Milgrom, *Leviticus 1-16*, 701). Peter van Bemmelen states: "There is no reference here to the uncleanness resulting from the contact with a dead animal and the word uncleanness in this sense is not even used in Deut 14. The emphasis is strongly on the dietary law of the distinction between clean and unclean animals, the distinction of what can be eaten and what cannot be eaten" (20-21).

²For a discussion about the prohibition of cooking young goat in its mother milk, see Rendtorff, "Speiseverbote, II. Im AT und Judentum," 6:232; Milgrom, *Leviticus 1-16*, 737-742.

Details are not mentioned, but the most essential points are elaborated. The whole stress is on the eating of clean living creatures.

In sum, Lev 11 and Deut 14 differ, because they have a different focus: Lev 11 is more cult-oriented while Deut 14 concentrates on the life of the community in the new setting after entering the promised land. This is why the author puts such great emphasis on what to do in the land when the sanctuary is far away. The main concern for him is diet. In contrast to Lev 11, he specifies in more detail what may be eaten.

Milgrom, after presenting a detailed comparison of these two chapters and giving several examples, summarizes:

The cumulative evidence of this investigation points, without exception, in one direction. All the additions, omissions, protuberances, inconcinnities, and inconsistencies that mark off Deut 14:4-21 from Lev 11 can be explained by one premise: D had the entire MT of Lev 11 before him, which he copied, altered, and above all abridged to suit his ideological stance and literary style.¹

Giving a Carcass to the Alien

In the conclusion of Deut 14, there is one significant problem which is related to the eating of a carcass (vs. 21). Israelites cannot eat the carcass, but they may give it to an alien or sell it to a foreigner that he may eat it. This legislation contradicts the previous rule that "the meat of an animal torn by wild beast" (the notion טֶרֶף is here used)² must

¹Milgrom, *Leviticus 1-16*, 704. Milgrom treats this subject about the priority of Lev 11 on pp. 698-704. The citation of Milgrom is not intended to endorse details of his redaction criticism.

²טֶרֶף refers to an animal that has been torn by a wild beast, or has been killed by any method other than slaughter (Deut 12:15-16, 21).

be thrown "to the dogs" (Exod 22:31). In addition to that, the Noachic law which commands that only a living animal can be used for food (Gen 9:3 uncompromisely states. **כָּל־רֶמֶשׂ אֲשֶׁר הוּא־חַי לָכֶם יִהְיֶה לְאֹכְלָהּ**) is not respected,¹ and the prohibition of eating blood is transgressed (Gen 9:4).² These facts pose several problems which have no simple solution: What is the **נְבֵלָה** "carcass," and who is the **גֵּר** "alien, sojourner, alien resident" who may eat a carcass?

*What is the **נְבֵלָה** "carcass"?*

The term **נְבֵלָה** points to a dead animal (in relationship to eating, a dead clean animal is meant)³ that died a natural death or was not properly slaughtered.⁴ Only proper

¹According to Gen 9:3, Exod 22:30, and Lev 11:39-40; 17:15 it was forbidden to eat the carcass of the animals either dead naturally or by accident. See also Lev 22:8; Ezek 44:31. See also Rendtorff, "Speiseverbote, II. Im AT und Judentum," 6:231.

²Gen 9:4: **"אִדְּ-בֶשֶׂר בְּנִפְשׁוֹ דָּמוֹ לֹא תֹאכְלוּ"**. Lev 17:15 states that Israelite or alien "who eats anything found dead or torn by wild animals must wash his clothes and bathe with water." This washing is due to contact with a carcass. The same legislation is found in Lev 11:40.

³Lev 11:39-40; 17:13-16.

⁴Milgrom in his *Leviticus 1-16* states that **נְבֵלָה** is "generally defined as the carcass of an animal that was neither killed nor slaughtered but died naturally. But this definition only applies to pure animals" (653), because it must be spelled out that an animal becomes **נְבֵלָה** as a result of natural death. Carcasses of unclean animals are always termed **נְבֵלָה** "no matter how they died—even if they were slaughtered ritually" (654).

Hans Bietenhard, "πυλῶ, et al.," *Theological Dictionary of the New Testament* 10 vols., ed. Gerhard Friedrich (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1968), 6:457: "The regulations in Lv. 17:13f. and Dt. 12:16, 23 lay down that an animal should be slaughtered in such a way that all the blood drains from the carcass. If it is put to death in any other way, it 'chokes,' since the life seated in the blood remains in the body. If the animal dies naturally it is **נְבֵלָה** (LXX θνησιμαίου). If it is torn to pieces by a wild beast it is **טֶרֶף** (LXX θηλιάλωτον). OT statutes do not allow the

slaughter made clean animals edible (Deut 12:21). The idea behind it is that the blood which is a symbol of life must be poured out (Lev 17:13; Deut 12:16, 23-24).

Why cannot the carcass be eaten by the Israelite, but can be given to an alien or foreigner?¹ There are two main possibilities that have been suggested:

1. A carcass is meat which has a doubtful origin and may even be decayed. This interpretation must be rejected on hygienic grounds. Merrill correctly states that behind this regulation there "cannot have been any notion of contamination."²

2. A carcass is meat not properly slaughtered, therefore blood is present in the flesh. This fact renders meat unacceptable for the Israelite, but still proper as food for the alien or foreigner.³ Even though there is no explicit explanation of the method of

flesh of such animals to be eaten, cf. Ex. 22:30; Lv. 17:15; Dt. 14:21 (though here the **גֵר** is allowed to eat them). The Rabbis extended and sharpened the biblical rules. Every animal is **נִבְלָה** which is not put to death by ritual slaughter, for which there are detailed regulations. Every animal is **טֶרֶף** which has a lethal blemish or dies of such." See also Hermann L. Strack and Paul Billerbeck, *Kommentar zum Neuen Testament aus Talmud und Midrash* (Munich: C. H. Beck'sche Verlagsbuchhandlung, Oskar Beck, 1924), 2:730-734; Rendtorff, "Speiseverbote, II. Im AT und Judentum," 6:231-232.

¹The distinction between giving **נִבְלָה** to the alien and selling it to the foreigner "reflects the differing economic statuses of the two classes" (Tigay, 140). The author of Deuteronomy does not specify whether an Israelite becomes unclean who carries and gives meat of a clean animal that has not been properly slaughtered to an alien or to a foreigner. This is another example of his deritualizing tendency. See Milgrom, *Leviticus 1-16*, 702.

²Merrill, *Deuteronomy*, 238.

³It is interesting to note that according to Sanders, Greeks used the same slaughtering technique as Jews, i.e., meat was free of blood. See E. P. Sanders, *Jewish Law from Jesus to the Mishnah* (London: SCM Press, 1990), 278-279. This is why the eating of blood in relationship to meat eating does not emerge as a controversial issue in the time of Jesus and the early church.

slaughtering in the Pentateuch (Deut 12:21) or elsewhere in the Hebrew Scriptures, it may be inferred from the terminology used in connection with animal slaughtering.¹ The Hebrew term טָרַף, like its Arabic cognate *ṣahata*, literally means "to slit" or "to cut the throat"² as the first step in the process of the slaughter of a sacrificial animal (Lev 17:3-5, 11-14; Deut 12:16-17, 21-24).³ Against this interpretation stands the fact that from the time of Noah there is a strong prohibition on the whole of humanity against eating blood (Gen 9:4) which is emphatically stressed in the Mosaic law and applied to both Israelite and alien (Lev 7:27; 17:10-14).⁴

The stipulations of Lev 17:10-14. It is explicitly stated in Lev 17:13 that "any Israelite or any alien living among them [Israel]" can only eat animals and birds which are designated אֲשֶׁר יֵאָכֵל "that may be eaten," i.e., clean, and from which the blood has

¹The preparation of flesh for food required some knowledge of how to slaughter an animal. More details about slaughtering and blood manipulation in regard to eating meat are given in the Pentateuch in Lev 17:10-14 and Deut 12:15-16, 23-25.

²The rationale behind these regulations is respect for life. Blood is a symbol of life and killing in this way of cutting the throat was to diminish the suffering of the animals as much as possible. See Rendtorff, "Speiseverbote, II. Im AT und Judentum," 6:231; Milgrom, *Leviticus 1-16*, 716-718.

³Norman H. Snaith, "The Verbs *zābah* and *ṣāhat*," *Vetus Testamentum* 25 (1975): 242-246; Milgrom, *Leviticus 1-16*, 713-718; idem, "Profane Slaughter and a Formulaic Key to the Composition of Deuteronomy," 1-17; Richard E. Averbeck, "טָרַף," *NIDOTTE* (1997), 4:78; Firmage, "Zoology," 6:1123-1124.

⁴The blood prohibition is mentioned in seven passages in the Pentateuch: Gen 9:4; Lev 3:17; 7:26-27; 17:10-14; 19:26; Deut 12:16, 23-25; 15:23.

been poured out. The prohibition of blood is emphatically reinforced in Lev 17:10-14.¹ Blood was to be drained out of the animal, and thus out of the meat. If a game animal was slaughtered for food purposes, the blood was to be poured out and covered by dust (Lev 17:13-14). Thus, Lev 17 specifically implies knowledge of the instructions for clean/unclean animals, and links them to the praxis of an alien, not only to the Israelite. Therefore these two proposals for solving the problem are not adequate, hence we need to look in a different direction.

Who is the גֵּר "alien"?

It may be that the solution to our problem lies in the recognition of who the גֵּר "alien" is in the context of Deut 14:21.² It seems that there are some hints which point to

¹Lev 17:10-14 elaborates on a theme first announced in Gen 9:4, that man is not to eat the blood of an animal. There are several notable features of this passage: (1) There is the all-inclusive nature of the application of this legislation. It is emphasized 3 times that it applies to "any Israelite" and to "any alien living among them" (vss. 10, 12, 13). (2) It is said 3 times that the life (נַפְשׁוֹ) of the flesh is in the blood (vss. 11, 14 [twice]). This is the reason why the blood should not be consumed with the flesh. It must be poured out. It is a sacred symbol of life. (3) It is twice stated that blood has been given for atonement, therefore, blood should not be consumed by man (vs. 11 [twice]). (4) Vs. 13, referring to the animal taken in hunting, states that it should be of the type "that may be eaten." Thus man should only hunt for clean animals for food, and eat them without blood. Deut 12:16, 23-25 points out to the same type of legislation, the prohibition against consuming the blood of the clean animal. See Milgrom, *Leviticus 1-16*, 713-718; idem, "Profane Slaughter and a Formulaic Key to the Composition of Deuteronomy," 1-17; idem, "Prolegomenon to Leviticus 17:11," 149-156. For the relationship between Gen 9:4; Lev 17:11; and Deut 12:23, and an amendment of Milgrom's view, see Rendtorff, "Another Prolegomenon to Leviticus 17:11," 23-28.

²There are several important studies on גֵּר. See Jacob Zallel Lauterbach, *Studies in Jewish Law, Custom and Folklore* (New York: KTAV Publishing House, 1970), 159-206; Milgrom, *Numbers*, 398-402; Christiana van Houten, *The Alien in Israelite Law*, JSOT Supplement Series, 107 (Sheffield: Sheffield Academic Press, 1991).

two classes of גֵּר living in Israel. This distinction is derived from the following terminology:

1. One class of "ger" is a person living "within your gates" (לְגֵר אֲשֶׁר-בְּשַׁעְרֶיךָ) —Exod 20:11; Deut 5:14; 14:21, 29; 16:14; 24:14; 31:12), i.e., living with the Israelites in their cities, towns, and villages, but not yet becoming a part of them. This type of "ger" worships their God, wants to learn about their religion (Deut 31:12), but is among them only for a short time (initial stage of sojourning) so does not become a partaker of the full life of God's community of faith. He/she is like a "נִכְרִי" (notice the close connection between גֵּר and נִכְרִי in this passage; the term נִכְרִי is specific Deuteronomistic terminology—Deut 14:21; 15:3; 23:21; 29:21; but also occurs in Gen 17:12, 27; Exod 12:43; and Lev 22:25 where slightly different vocabulary is used גֵּר־נִכְרִי), not yet a proselyte. This person wishes first to become more acquainted with the new religion in order to become an integral part of the people of God later (he/she may live in Israel because of famine or friendship, etc.). Such an alien sojourner גֵּר¹ and the foreigner נִכְרִי² may eat what is forbidden for the people of the covenant or the "ger" who

A slight possibility to have two types of "ger" in Israel is mentioned in *Výklady ke Starému zákonu: Zákon: Genesis, Exodus, Leviticus, Numeri, Deuteronomium*, vol. 1 (Praha: Kalich, 1991), 529.

¹The Pentateuch refers to the alien in Exod 12:19, 48, 49; 20:10; 22:21; 23:9, 12; Lev 16:29; 17:8, 10, 12, 13, 15; 18:26; 19:10, 33, 34; 20:2; 22:18; 23:22; 24:16, 22; 25:23, 35, 47; Num 9:14; 15:14, 15, 16, 26, 29, 30; 19:10; 35:15; Deut 1:16; 5:14; 10:18, 19; 14:21, 29; 16:11, 14; 23:7; 24:14, 17, 19, 20, 21; 26:11, 12, 13; 27:19; 31:12.

²The Pentateuch refers to the foreigner in Gen 31:15; Exod 2:22; 18:3; 21:8; Deut 14:21; 15:3; 17:15; 23:21; 29:21.

has already accepted their faith and is a part of God's covenant community.¹ In this way the contradiction between the prohibition of eating carcasses (and thus blood) on the one hand (Gen 9:4; Exod 22:31; Lev 17:10-15) and allowing the "ger" to do so (Deut 14:21) disappears.²

2. Another class of "ger" is a person living "in the midst of them [i.e., Israel]" (הֵגֵר הַגֵּר בְּתוֹכָם)³—Lev 16:29; 17:8, 10, 12, 13; 18:26; 19:33, 34; Num 19:10; 35:15; similarly Exod 12:48, 49; Lev 22:18; Num 9:14; 15:14, 15, 16, 26), i.e., desiring to be a part of God's covenantal people and identifying with the people of Israel. It means the person has already been associated with the people of Israel for some time (advanced stage of sojourning), became as one of them, living "in the midst of them."

¹Among this type of "ger" would belong Rahab and Ruth, whose foreign background is stressed in the Bible (Josh 2:1; 6:22, 25; Ruth 1:4, 22; 2:2, 6, 10; Heb 11:31).

²Against such an interpretation is the following: (1) the expressions "living within your gates" and "in the midst of them" can be taken as synonymous (Deuteronomy uses one type of phrase and Leviticus the other, while Exodus uses both of them); this synonymous usage can be favored in regard to widows in Deut 16:11, 14; (2) it seems that there were only three categories of people living in Israel: the foreigner, alien, and Israelite. To what group (alien or Israelite) would Rahab or Ruth belong after accepting the covenant faith? It is not clearly defined in the biblical text (their status was most probably changed to "full citizenship" because they married Israelite men—Josh 6:25; Ruth 4:12; Matt 1:5). See Richard M. Davidson, *In the Footsteps of Joshua* (Hagerstown, MD: Review and Herald Publishing Company, 1995), 52-53.

³*BDB*, 1063: גֵּר in front of the noun תוֹךְ emphasizes "in," with the meaning "in the very heart, midst of." See also Jon L. Berquist, "Expectations and Repeated Climax in the Rahab Story," Paper presented at the AAR/SBL annual meeting, San Francisco, November 23, 1992, 4-5, who comments on the Hebrew phrase בְּקִרְבָּהּ in Josh 6:25: "The term refers to inwards parts, or even to the womb. Rahab the prostitute now enters the womb of Israel and the story reaches its second climax. The community enfolds Rahab."

Thus a plausible interpretation of our problem regarding giving a carcass to the alien for food may be connected with the fact that the clean animal was not properly slaughtered. Israelites and those who desire to live according to God's revealed commandments (the "alien living in the midst of Israel") therefore could not eat it. But those who do not wish (the foreigner) or the ones not yet ready to live according to God's revealed will (the "alien living in your gates") may eat such meat.

In any case, whether one accepts the possibility of two types of "ger" or not, the legislation of Deut 14:21 speaks about God's concession. This text presents God who "adapts" His laws to the sinful situation of humanity. God upholds less strict standards for "gerim" and "foreigners" than for the covenant community of God. Here is an example par excellence of God's accommodation to the reality of life when people who are not an integral part of the people of the covenant, or who do not want to live according to His given standards, are not forced to observe universal laws.

According to the Deuteronomic narrative, the Israelites move into Canaan after wandering forty years in the wilderness. God allows them to give meat which contains blood to those who are not a part of the covenant with God, so that they could live in good relationship with their neighbors. But the people of God must stay holy, therefore no compromise is involved for them. The biblical text stresses the holiness of God's people in contrast to those who do not belong to the Holy God.¹

¹Morrow, 19: "Deut 14:21a points to the use of the food laws as a means to distinguish the *'m qdws* from the *gr* and *nkry*."

The concept of separation in Lev 20:24-26. One very dominant feature of Lev 20:24-26 is the concept of separation (לָדָרַךְ—4 times in Hiphil). People have to separate between clean and unclean animals as God separated His people from the other nations. The sequence is as follows: God first separated His people from the pagan nations, because He Himself is the Holy One (Separated One, Completely Other); therefore people need to practice separation every day in the issue of clean and unclean animals, because by doing this they demonstrate a different attitude from that of the heathen who do not know the true God (vs. 23). However, separation from the heathen does not mean to be apart from them in all spheres of social life, but rather by behavior and manners. Separation is rather intended to distinguish the people of Israel from other nations by their way of life. The whole context of Lev 18-20 very strongly supports the idea that separation from wrongful pagan practices is meant. God's people cannot participate in idolatry or sexual perversion, but they can engage in social contacts when they do not contradict their standpoint of faith.

Conclusions

On the basis of this comparative study of various kinds of uncleanness in the Pentateuch, we conclude that there are two basic types. These two categories are placed side by side in Lev 11-15. They can be compared and contrasted from the point of view of subject matter. There are several reasons for differentiating between them:

1. Impurity of unclean animals is not contagious. There are six sources of uncleanness: carcass, corpse, sexual discharge (blood or semen), skin disease, and

mildew. No living unclean animal belongs to this category of the "fathers" of uncleanness because they cannot cause uncleanness, or pollute someone or something. This particular uncleanness is not transferable by contact. The unclean animal cannot transmit its impurity.

2. Touching or carrying an unclean animal does not result in exclusion from social or religious activities such as visiting the Temple or worshiping in the sanctuary.

3. The type of uncleanness of the unclean animals is permanent, and thus natural and universal, while the other kind is acquired, temporary, and ritual/ceremonial.

4. There is no provision for making unclean animals clean. There is no remedy for the removal of this type of uncleanness. It is impossible to cleanse it or cure it. There are no prescribed purification rites specified in the ceremonial law capable of making an unclean animal clean. Even the time element cannot change it.

5. There is no punishment for disobedience against these dietary laws, no penalty for the actual eating of the meat of an unclean animal. However, it does not mean that these dietary laws are taken lightly. They belong to the category of sins which were not atoned by rituals in the sanctuary, such as the moral offenses of murder, marital unfaithfulness, or idolatry.

6. A comparison between Lev 11 and Deut 14 demonstrates that the repetition and abbreviation of the dietary code in Deut 14 is free from ceremonial or ritual regulations connected with the sanctuary, i.e. holy space.

7. The origin of the dietary laws is presented in the Pentateuch as being much older than laws related to other kinds of uncleanness; they are pre-Mosaic. The

distinction between clean and unclean animals was known in the antediluvian world. The fact that these laws go back into the pre-Flood period is strong evidence that they form an integral part of universal law. For the first time the distinction between clean and unclean animals explicitly appears in connection with Noah's Flood (Gen 7:2-3), where it is assumed that they are understood.

8. The Pentateuchal dietary regulations are applicable to the "sojourner/alien." From the whole corpus of uncleanness of Lev 11-15 only these laws are applicable to the **גֵּר** via the law of hunting, which was binding on the Israelites as well as on aliens (Lev 17:13). Thus the universal-law aspect of the dietary code is stressed.

These observations lead to the obvious conclusion: There are two different types of uncleanness—one that is related only to clean and unclean animals/meat, which is permanent, innate, nonacquired, and hereditary; and the other which is temporal, ritualistic, and acquired in nature.

The Pentateuchal laws of clean and unclean animals are primarily dietary laws. Clean animals are edible and unclean inedible. The main thread of these laws is theological. However, moral and health aspects of the Mosaic food regulations should not be overlooked. This is indicated by the use of notions such as **קָדוֹשׁ**, **טָמֵא**, **תּוֹעֵבָה**, and **שִׁקְץ**. In Deuteronomy the Mosaic dietary laws are tied with the third commandment "not to profane the name of God," and not with the sixth, because the primary rationale of these laws is related to the very nature of the holy God whose creative activity is perceived in distinguishing between clean and unclean animals.

Lev 11 has its clear-cut A:B:A structure which distinguishes between natural and ritual/ceremonial uncleanness in three sections within the chapter (dietary laws are presented in vss. 1-23 and 41-47). Eating instructions began in the Hebrew Bible with a vegetarian diet in the garden of Eden (Gen 1-2), then were modified after sin (Gen 3), and finally were regulated by blood prohibition and distinction between clean and unclean animals. Prohibition of eating blood and clean and unclean food laws are linked together and should be treated as such (Gen 7:2-3; 9:3-4; Lev 17:10-14).

Milgrom's proposal that the meaning of uncleanness is the absence of life seems to be valid because Creation is behind the distinction between clean and unclean animals/food. The concept of cleanness and holiness is connected to life and uncleanness is connected to death. In the original creation the basis of everything was the notion of life. The antithesis between life and death is the foundation of all creation in the sense that the life-death principle is connected to the two trees situated in the middle of the garden of Eden (Gen 2:9, 16-17). The new creation order, according to Gen 9, has the same emphasis on life (blood being the symbol of life). It is interesting that the life-death contrast is also present in Lev 11 where the notion of life is connected to clean animals, eating and holiness, and death to unclean animals and carcasses.

This Pentateuchal intertextual investigation of the exegetical data on the food laws in relationship to distinguishing clean and unclean animals reveals strong links among them on the basis of terminology, concepts, and structures. The point of departure is the Genesis creation *Weltanschauung*. The biblical cosmology and taxonomy of the animal kingdom gives the main structure for the Pentateuchal dietary laws.

My thesis is built on the terminology and concepts of Creation (Gen 1-2), the Fall (Gen 3), and the new creation order with blood prohibition (Gen 9). It is demonstrated in this chapter that it is impossible to adequately explain the dietary regulations of Lev 11 and Deut 14 without dealing with the Creation-Fall-New Creation order theme which becomes a pattern/model and a necessary background for understanding the meaning of the Mosaic dietary code.

CHAPTER IV

THE THEOLOGY AND RATIONALE OF THE LAWS REGARDING CLEAN AND UNCLEAR MEAT

To write about theology means to reflect on God, because the very first question in theology is about God—who He is, what actions He performs, what is His relation to His creation, and what are His requirements. This means that biblical theology must always be theocentric, never anthropocentric. This premise calls us to answer the fundamental question: What do the laws distinguishing between clean and unclean animals tell us about God?

I believe that it is possible to answer this question because the primary purpose of revelation is the revelation of God Himself. We know Him only because He revealed Himself to us.¹ This is why this chapter begins with reflections about God, deals about His relationship to His creation, and then proceeds with theological reflections upon eating itself. Proper understanding of God's activities toward Creation must lead humans to responsibility, to ethical behavior in all spheres of life including the environment. The

¹Ralph L. Smith, *Old Testament Theology: Its History, Method, and Message* (Nashville, TN: Broadman and Holman, 1993), 97-99. God not only reveals Himself to us, but He wants to be known by us. The Bible testifies that God has made Himself known to us. The question always emerges: Why does He reveal what He reveals?

pertinent questions remain: What motifs lie behind the distinction between clean and unclean food and what lessons can be derived from that? This is investigated in the second half of the present chapter. It is my claim that the rationale of the laws of clean and unclean food must be and is theological.¹

God

Who is this God who gives His people dietary laws concerning clean and unclean animals/meat? One way to know Him is by His actions. Note the following examples. God is:

The Ultimate Originator

God is presented by the biblical text as the ultimate Originator of the food laws (Gen 1:29; 2:16-17; 3:17-17-18; 9:3; Lev 11:1). It is of vital significance that food laws are seen in the Pentateuch as a product of God's revelation and not as an invention of a priestly school or other special group of people in Israel. Gispén underlines it: "In my opinion we must not forget that in the laws of clean and unclean we have not to do with the thoughts of the people of Israel but with divine revelation given through Moses and Aaron."²

¹The Pentateuch is a theological document. Each book of the Pentateuch is a theological treatise. All reflections on theology must be rooted in biblical text. In a certain sense, "theology is grammar." See Terrence W. Tilley, "Postliberal Theology," in *Postmodern Theologies: The Challenge of Religious Diversity* (Maryknoll, NY: Orbis Books, 1995), 89.

²Gispén, 5:192.

The Creator

In chapter 3 we observed close terminological, conceptual, and structural links between the dietary laws and Creation. This is why our thinking about food regulations and the development of a theology of eating starts with Creation. John R. W. Stott wrote correctly in the preface to the publication *All Animals of the Bible Land*: "The truth is that many of us have a good doctrine of redemption, but a poor doctrine of creation."¹ Gen 1 presents God as the Creator of heaven and earth.² God's acts of creation provide the basis for faith, worship, and ethics. He is our Maker, therefore he knows what is best for us. He creates out of love. He creates by separation, division. He distinguishes.

Jacques Doukhan stresses the significance of creation theology in these words:

"Creation brings us closer to our biblical sources and to our mission. . . . On the other

¹Cansdale, 9. Ibid.: "We become so absorbed in God's works of grace, that we tend to forget His works in nature. But the Bible does not forget them. It presents the living God as equally Creator and Saviour."

²The Bible presents a complex and unique picture of Creation. See Siegfried Herrmann, "Die Naturlehre des Schöpfungberichtes: Erwägungen zur Vorgeschichte von Genesis 1," *Theologische Literaturzeitung* 86 (1961): 423. Fred van Dyke and others, *Redeeming Creation: The Biblical Basis for Environmental Stewardship* (Downers Grove, IL: Inter-Varsity Press, 1996), 28: "No idea in human history has had more impact than the first five words in Scripture, 'in the beginning God created'. It is an idea so radical that it finds no parallel in ancient myth or in modern philosophy. No culture was without its story of creation, but none could conceive of creation ex nihilo, out of nothing."

If we take seriously the statement that the Lord created heaven and earth and conjoin it with the confession that "the Lord our God, the Lord is one" (Deut 6:5) we have here the basis for "radical monotheism." See H. Richard Niebuhr, *Radical Monotheism and Western Culture* (New York: Harper & Row, 1960). Jack W. Provonsha, "Creation," in *Remnant and Republic: Adventist Themes for Personal and Social Ethics*, ed. Charles W. Teel, Jr. (Loma Linda, CA: Loma Linda University Center for Christian Bioethics, 1995), 38: "On this basis the theme of creation is above all profoundly monotheistic. . . . We live in a *universe*, not a *multiverse*."

hand, this attention to Creation propels us beyond our borders and brings us closer to the world."¹ Clifford Goldstein aptly writes: "Creation is more than a matter of roots: it is *the* root, the basis of our faith."²

The God of Order

God sets the limits and gives boundaries, such as evenings and mornings (day one, two, three, etc.), reproduction by its kind, two special trees in the garden of Eden, time. The dietary laws reflect the Creation cosmology (three spheres of locomotion—land, water, air), and its taxonomy (four categories of living creatures).

The Ultimate Source of Life

The very nature of God is to create life, to sustain it, and to ensure that it flourishes. Creation is about life. The Creator God is life itself and its source. He is the first cause, the reason for the existence of the universe, the earth, and human life. Everything is totally dependent upon Him. He declares that all His creation is "very good" (Gen 1:31). God is prolife oriented, because He is Life. In the original diet of humans in the garden of Eden no death is involved (Gen 1:29). God not only creates life, He also preserves it. His commitment to the preservation of life is even more stunning when it is seen in the context of the forces of evil which try to destroy it. God finds a way

¹Doukhan, "Future Adventist Understanding of Creation," 27-28. See also idem, "Allusions à la création dans le livre de Daniel," 285-292.

²Clifford Goldstein, *Like a Fire in My Bones* (Nampa, ID: Pacific Press Publishing Association, 1998), 273.

to teach humans reverence for life in the midst of violence and death. He commands not to eat blood, which is the symbol of life (Gen 9:4). The respect for life is clearly visible in this prohibition (life of the animal can be taken only for food purposes; blood must be poured out; only a very limited number of animals can be eaten).

The Provider and Sustainer of Food

He is a Caretaker. It is He who provides food and cares for His creatures (Gen 1:29-30; Deut 8:7-12; Ps 104:14, 21, 27). He is a God of love and concern. He cares for the daily needs of people. He protects life, and leads man to act responsibly even when taking the life of an animal. The serious concern for human need can be discerned in the regulations presented in the dietary laws.

The laws of clean and unclean animals/food teach God's people about His loving care and provision. They are a constant reminder that we are dependant on God. They are a sign that humans must not forget to cultivate reverence for God. He is the Lord. He deserves our gratitude and homage. Respect for the Creator is the main message of these special laws for humanity.

The Law Giver (Judge)

It is He who commands. His laws reveal the character of a Lawmaker. Creation-order and law-order are correlative.¹ God's law speaks to every area of life. God says:

¹Willem A. VanGemenen, "The Law Is the Perfection of Righteousness in Jesus Christ: A Reformed Perspective," in *Five Views on Law and Gospel* (Grand Rapids, MI: Zondervan Publishing House, 1996), 24.

There is much discussion among biblical scholars and theologians about the use of

"You shall (may) eat" and "You shall (may) not eat" (Gen 2:16-17). Benware stresses: "God was interested in the total well-being of His nation. What Israel ate mattered to him."¹

Blu Greenberg rightly states that "for a Jew to say, 'I will' or 'I do' is as powerful a statement of love as it is to say the words 'I love' or 'I believe.'"² Baylis adds: "Our concentrating on a mass of individual commands misses the true stress on the relationship with God. The key has always been: 'If you love Me, you will obey what I command' (John 14:15)."³

Walters explains: "God set up life to be lived in a particular manner, and the divine plan for life is found in religious law. God's will is that human creation obeys the

the law. See Lauri Haikola, *Uses legis*, Schriften der Luther-Agricola-Gesellschaft, no. A 20 (Helsinki: Painatusjaos, 1981); Gerard Siegwalt, *La Loi, chemin du Salut: Etude sur la signification de la loi de l'Ancien Testament*, Bibliothèque théologique (Neuchâtel: Delachaux et Niestlé, 1971); Greg L. Bahnsen, Walter C. Kaiser, Jr., Douglas Moo, Wayne G. Strickland, and Willem A. VanGemeren, *Five Views on Law and Gospel* (Grand Rapids, MI: Zondervan Publishing House, 1996); Frederick Holmgren, *The God Who Cares: A Christian Looks at Judaism* (Atlanta: John Knox Press, 1979).

For the importance of the biblical author's intention as a determining factor in the interpretation of the law, see Larkin, *Culture and Biblical Hermeneutics*, 255.

¹Benware, 62.

²Blu Greenberg, "Hear, O Israel: Law and Love in Deuteronomy," in *Preaching Biblical Texts: Expositions by Jewish and Christian Scholars*, ed. Frederick C. Holmgren and Herman E. Schaalman (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1995), 149. She is correct to point out that "the covenant is the fruit of love and not its replacement or alternative" (*ibid.*, 150).

³Baylis, 134.

law for in the law is the summation of divine expectation."¹ Abraham Heschel put it aptly:

Man had to be expelled from the Garden of Eden; he had to witness the murder of half of the human species by Cain; experience the catastrophe of the Flood; the confusion of the languages; slavery in Egypt and the wonder of the Exodus, to be ready to accept the law.²

Law is a gift of God for humanity.³ There is no life without law and order. The Law was given in the context of grace. The law of clean and unclean animals/food is no exception. It was not given in order to gain favor before God. The law was given as a part of the covenant that God made with His people. Seymour Siegel writes correctly: "We love with the love with which we are loved."⁴

The connection between the third commandment and the dietary laws of Deut 14 has been noted by scholars.⁵ The structural analysis of Deuteronomy reveals the intention of the author to explain the Ten Commandments. The dietary laws of Deut 14 are situated in the overall structure of the book of Deuteronomy as an explanation of the third

¹James W. Walters, "Law," in *Remnant and Republic: Adventist Themes for Personal and Social Ethics*, ed. Charles W. Teel, Jr. (Loma Linda, CA: Loma Linda University Center for Christian Bioethics, 1995), 104.

²Abraham Joshua Heschel, *I Asked for Wonder: A Spiritual Anthology*, ed. and introduction by Samuel H. Dresner (New York: Crossroad Publishing Company, 1985), 91.

³Holmgren, *The God Who Cares*, 32-43.

⁴Seymour Siegel, "The Meaning of Jewish Law in Conservative Judaism," in *Judaism in Modern Times: An Introduction and Reader*, ed. Jacob Neusner (Cambridge, MA: Blackwell Publishers, 1995), 116.

⁵Kaufman, "Structure of the Deuteronomic Law," 107; W. C. Kaiser, *Toward Old Testament Ethics*, 132-133.

commandment: "You shall not misuse the name of the Lord your God, for the Lord will not hold anyone guiltless who misuses his name" (Exod 20:7). The transgressor of this commandment misrepresents God's name which is His character because the fundamental element of His character is holiness. The people of God, by not respecting the Creator as their God, violate this commandment, because they do not represent God in a proper way.

God never forces obedience. He sometimes commands without revealing the reason for following Him, but His reasons are always rooted in His love and care for us. The Creator God is Sovereign and has the right to command. However, to take the expressions "you shall eat" and "you shall not eat" as an arbitrary command would be a misunderstanding. His word is the revelation of that which secures our happiness. God does not demand blind obedience. Lev 11 and Deut 14 are primarily revelations of a loving and caring God. Georg Braulik aptly writes: "Careful study of the deuteronomic Torah shows that God's first word to sinners is not a demand, but a consolation; it is not law, but gospel."¹ Michael Goldberg accurately states: "The Torah in Deuteronomy is not so much a matter of rules to be obeyed as it is a matter of a story to be lived."² God's commands are only for the good of His creation (Pss 1:1-6; 37:3-4; 119:1-18; Prov 2:1-12; 3:1-8). In this light it is noteworthy to remember that the verb "to command" is used for the first time in Gen 2:16 and it is in connection with eating.

¹Georg Braulik, "Law as Gospel: Justification and Pardon According to the Deuteronomic Torah," *Interpretation* 38 (1984): 5.

²Michael L. Goldberg, "The Story of the Moral: Gifts or Bribes in Deuteronomy?" *Interpretation* 38 (1984): 15.

The Holy One

He is the Separated One. He is the Other. He is an active God. Holiness is not a state but a movement. To be the children of God means to be in a dynamic, vivid relationship with the Holy One.

The explicit biblical reason for the dietary rules is a theological one: the holiness of the Creator God. God is holy and He wants the whole human race to be holy. Nothing can be holy apart of Him. The word holy means to be set aside for God and for His service. Thus, in the Holiness Code (Lev 19:2), the primary motivation for man's ethical conduct is the exemplification of God's holiness. Holiness is part of the very essence of the religious life.

The laws of clean and unclean animals were not given to the Israelites in order to become holy. God made them holy, He set them apart. They keep His laws and precepts in order to stay in a right relationship and fellowship with God and maintain holiness, not in order to gain it. Deut 14:2 stresses this thought: "You are a people holy to your God." People of God should not observe these laws to obtain salvation and holiness, but they should keep them because they are saved and made holy. It is God who is their Sanctifier. "I the Lord your God sanctify you" (Exod 31:13; Lev 20:8; 21:23; Ezek 20:12).

G. J. Wenham aptly writes: "The external appearance of the people should reflect their internal status as the chosen and holy people of God."¹ Miller expresses it well:

¹G. J. Wenham, *Book of Leviticus*, 272.

The purity of Israel was an obligation that grew out of its existence as a holy people (7:6; 14:2,21). Such purity was not primarily a matter of ritual activity but a quality of life belonging to this people's being set apart as the people of the Lord and the Lord's way. . . . Because the people were chosen by the Lord as a people and set apart to a special relationship of service and obedience, purity as a manifestation of holiness was not confined to certain spheres, persons, or institutions, like the priesthood or the sanctuary, but was a requirement for all the community of Israel and was to be manifested in their moral life, their worship of God and their daily practices and customs.¹

Weinfeld correctly stresses another theologically important aspect: "Purity, according to the book of Deuteronomy, . . . is not the prerequisite of holiness, but rather an obligation which holiness imposes upon the Israelite."² Holiness is not required of the people of God as a condition for salvation (legalism), but because they are saved (salvation as a free gift). Once saved by God's mighty hand, they had to continue in a right relationship with Him. Holiness comes as a consequence of walking with a holy God.

Israel is saved by God's grace. He led them out of Egypt with His mighty hand. They are His special possession (Exod 19:5-6; Lev 11:44-45; Deut 14:2). Now He calls them to stay holy, to reflect His character, and represent Him correctly.

It is impossible to earn holiness, it is a gift from God. A person can walk in it, but cannot create it. One can lose it, but cannot form it or command it. This is beyond human reach. One may only receive it as a gift.

¹P. D. Miller, *Deuteronomy*, 161.

²Moshe Weinfeld, *Deuteronomy and the Deuteronomistic School* (Oxford: Clarendon Press, 1972), 228.

Whenever we undermine belief in God's holiness, we call into question God's character. "To hold God's sovereignty, righteousness, peace, providence, and holiness in high esteem is to reverence God Himself. Likewise, to discredit any of His names is to pour contempt on the very person of the one we worship."¹

The concept of the image of God is connected with holiness. Gen 1 and Gen 9 specifically mention the expression "image of God" and Lev 11 and Deut 14 use the term "holiness." These two expressions hold the same concept: to reflect the character of God who is holy and to preserve God's given order by obeying (respecting) His will. In Gen 1, the relationship between humans and animals has its counterpart in the relationship between humans and God. In Lev 11, the laws which legislate a distinction between clean and unclean animals point to the Creator God who requires holiness of us. In Gen 1, to be created in the image of God means to have the responsibility of ruling over the animals. In Lev 11, to reflect divine holiness means to distinguish between clean and unclean animals.

Walter C. Kaiser, Jr., makes an insightful observation about the practical application of God's call for holiness. He explains:

The Levitical food laws were the physical expressions of the call for holiness in the totality of Israel's life. The laws were meant to make Israelites sensitive to the need to distinguish between the sacred and the secular in every area of their life. . . . God

¹Michael S. Horton, *The Law of Perfect Freedom* (Chicago, IL: Moody Press, 1993), 107.

looked for wholeness, completion, and separateness in every aspect of one's life-style. . . . Holiness of life must penetrate the secular, as well as the sacred, realm of life.¹

Later he quotes 1 Cor 10:31 and adds:

The call for holiness and promoting the glory of God has not lessened between the OT and NT; only the means we use to demonstrate it. The call for holiness affects all of life, even though there is no longer a specified list of clean and unclean foods that we must honor.²

The One Who Elects and Chooses His People

It is noteworthy that both Leviticus (11:44-45; 20:25-26) and Deuteronomy (14:2) show that the regulations about clean animals have reference to Israel's election. As God chooses and separates His people "out of all the nations that are on the face of the earth" to be "a kingdom of priests and a holy nation" (Deut 7:6; Exod 19:6), so He calls for a distinction between animals. In the New Testament the same texts are used to stress the election and solemn task of Christians (1 Pet 1:15-16; 2:9).³

¹W. C. Kaiser, "Leviticus," 1:1082.

²Ibid., 1:1083. In this application of the holiness theme in relation to the dietary laws I go beyond Kaiser's view.

³Isidor Grunfeld stresses the moral rationale of the dietary laws. He asks: "If the Jewish dietary laws have such a beneficial influence on the moral and spiritual structure of man, why then were they confined in the Torah to the Jewish people only?" (Grunfeld, 32). His reply is given especially in the light of the fact that "the Torah and the whole of the Hebrew Bible are universal in spirit and outlook. The Hebrew Bible is not a tribal book but is intended to convey a message to mankind at large" (Grunfeld, 32). His answer is connected with God's election of Israel to be a special instrument and fulfill a special task: "The Sinaitic dietary laws were given to Israel only, because the very difficult task of the Jewish people as God's instrument in history made it necessary to create the collective character of a people for that particular task. The Jewish dietary laws are therefore intimately connected with the problem of the election of Israel; and just as this election of Israel does not mean a looking down on the rest of mankind, so the dietary laws have no tribal or racial connotation whatsoever" (Grunfeld, 32-33).

God's creative power was manifested in choosing Israel as a special people and separating them from all other nations. This setting apart had a purpose: Israel was to be a light to the whole world. They were to demonstrate life under the rulership of God, by their good habits, right behavior (to be free of all dependencies) and enjoyment of prosperity. The same task is given to the Christians (1 Pet 2:9). Election is always connected with responsibility. It has consequences.¹

The One Who Takes the Reality of Sin Seriously

We have seen twice in this investigation of the subject of clean and unclean animals that God accommodates Himself to the situation influenced by sin. His concession is apparent in allowing humanity to eat meat (Gen 9:3-4), and in the prescription giving a carcass to the alien/stranger or foreigner (Deut 14:21). God accommodates and does the maximum possible for humans in a sinful situation to help them not to lose the essentials of His covenant with them.

The Redeemer

He saves, He intervenes. In Lev 11:45 there are direct links between dietary laws

Walter C. Kaiser, Jr., states that "the distinction between clean and unclean reminded Israel of its election to be a holy people called for a holy purpose" (W. C. Kaiser, "Leviticus," 1:1082). This fact however does not mean that dietary laws are not of universal application. They are given for the purpose of separation but not in the sense of isolation.

¹Tevye, the dairyman of *Fiddler on the Roof*, complained to God about the difficult life of burden of the Jews as the chosen people: "Lord, can't you choose someone else for a while?"

and the Exodus (Exod 15:1-21). Through the system of clean-unclean laws the Israelites were reminded at every meal of their redemption to be God's people.

God demonstrated the same creative power that was manifested in the choosing of Israel when He freed Israel from the bondage of Egypt. God, the Creator, liberated Israel so that they could follow His instructions and experience holiness. God was to be their God. Maintaining right relationship with God is of the utmost importance. In Lev 20:26 the idea of separation is linked with dietary prescriptions. Idolatry (child sacrifices are included), sexual perversion, and eating unclean food were called abominations. These sins were and should always be particularly abhorrent for the Israelites. This idea is stressed by the word **תועבה**.

At the end of Lev 11 there is a keyword **קדוש** "holy." The conclusion of this chapter (vss. 44-47) begins with the self-presentation of the Holy God. His holiness must be present among the people of Israel. The heart of the formula is repeated twice: **אני קדוש כי קדושים יהייתם** "Be holy for I am holy." This expression is built on the self-revelation of God that He is the Lord their God **אני יהוה אלהיכם**. The following formulation is a statement about God Himself, about His creative mighty acts: "Who brought (**המַעֲלֶה**—Hiphil participle) you (**אתכם**) out of Egypt." The purpose of coming out of Egypt is expressed by the covenant formulation: **להיות לכם לאלהים** "to be your God." The Lord wants to be their God and they would be His special possession (see especially Exod 19:4-6 and Deut 14:2). The dietary laws are to be observed, because God is holy and He wants His people to continue in genuine holy relationship with Him.

The God of Material Things

Everything God created was very good (Gen 1:31). God positively approaches the natural realm. There is nothing wrong in having a body and enjoying physical, material things. He created food. God delights in the harmony and happiness of the created world.

Gen 2:9 states that all fruit is good for food. This is a motif which also appears in 3:6. God made to grow **כָּל-עֵץ נְחָמֵד לְמַרְאֵה וְטוֹב לְמַאֲכָל** "every tree that is pleasant to the sight and good for food." In Gen 3:6 it is stated that even the fruit of the forbidden tree was **טוֹב** "good," **תְּאֵוָה** "a delight," "pleasant," and **נְחָמֵד** "desirable" (vs. 6).¹ Nothing poisonous or dangerous to health was in the fruit itself; however, the result of eating the forbidden fruit was devastating and far-reaching. Because humans crossed their boundaries and disobeyed God's explicit command, death became a reality. All relationships were affected. Sin came like an avalanche and tore down and spoiled all that was originally created good.²

The Lord of All Creation

Humans, animals, birds, fish, and nature belong to God. Even the heavens form

¹"When the woman saw that the tree was good for food, and that it was a delight to the eyes, and that the tree was desirable to make one wise, she took from its fruit and ate; and she gave also to her husband with her, and he ate" (Gen 3:6 NASB).

²God's creation was very good (Gen 1:31). Everywhere perfect harmony and order reigned. Nothing disturbed this perfect world. Love, peace, truth, and justice ruled everywhere. Note that God's declaration of everything as good includes the tree of the knowledge of good and evil which was not intended for consumption.

part of this universal view of God's Creation. The Hebrew word כָּל "all" is very pregnant in the Creation story as well in Lev 11. In these two chapters alone, it occurs sixty-five times.

Creation

God is the Lord of all creation. The crowning act of His creation is humanity, the product of His love. "Humans are created for community with God, one another, and with other creatures."¹ Man and woman (the second theme in theology) were created in the image of God. This means they were created to reflect His holy character and to act responsibly toward His creation. They are to rule over the animals (Gen 1:26-27). To reflect God's character means to take care of His creation. To govern means to labor in favor of God's created world. Biblical anthropology provides a wholistic picture of human nature.

The Creation story is about the nurture of life, which is reflected in the Mosaic dietary laws, and is further recognized in the task of humans to rule and to govern the animal world, and to guard and preserve the creation order (compare Gen 1:28 with Gen 2:15). These two texts are not in contrast, but related to each other. Rolf Rendtorff put it this way: "Thus we learn that 'master' in Gen 1:28 does not mean 'subdue,' as it is often rendered in English translations, but to work carefully and guard."²

¹Bradley C. Hanson, *Introduction to Christian Theology* (Minneapolis, MN: Fortress Press, 1997), 83.

²Rendtorff, "What We Miss by Taking the Bible Apart," 44. The analysis of the literary structure of Gen 1-2 reveals a regular parallelism between the two biblical

Adam was created as a unit (Gen 2:7). A person is a "single unity of life and consciousness in bodily form."¹ "The view that the body, mind, and spirit are all integrated and interrelated constituent elements that together form a single being is the very cornerstone"² on which our theology of total holiness depends. The essence of God is His holiness. The whole person must be sanctified.

If we are to live to the glory of God we must do so in all dimensions of life—physical, emotional, spiritual, and social. Hirsch and Grunfeld stress the close connection between body and mind.³ Grunfeld correctly notes the following about the nature of man:

The scope of the dietary laws is not only the human body, but the whole human personality as an inseparable entity. This is in complete accord with the fundamental conception of Judaism, which always strives at a unity of matter and mind, body and soul.⁴

Creation accounts (Gen. 1:1-2:4a; 2:4b-2:25). Doukhan writes: "This literary device invites a synchronic reading of the two texts and witnesses to the author's intention to provide the reader with a hermeneutical key. The first text should be read in the light of the second and vice versa" (Doukhan, "Future Adventist Understanding of Creation," 10). See also Richard S. Hess, "Genesis 1-2 in Its Literary Context," *Tyndale Bulletin* 41 (1990): 143-153.

¹Angel M. Rodríguez, "Health and Healing in the Pentateuch," in *Health 2000 and Beyond: A Study Conference of Adventist Theology, Philosophy, and Practice of Health and Healing* (Washington, DC: General Conference of Seventh-day Adventists, Health and Temperance Department, 1994), 18.

²Ginger Hanks-Harwood, "Wholeness," in *Remnant and Republic: Adventist Themes for Personal and Social Ethics*, ed. Charles W. Teel, Jr. (Loma Linda, CA: Loma Linda University Center for Christian Bioethics, 1995), 127.

³Hirsch, 2:317-318; Grunfeld, 1:30-33.

⁴Grunfeld, 1:13.

A person without the dimension of relationship with God is only a beast. When an individual does not cultivate a connection with God or lives independently of Him the result is either deification or dehumanization. Without God a person becomes a despot. The proper place for humans in the creation order is to cultivate true fellowship with God because only in that respect can they enjoy being truly human. Creation ends with this recognition as illustrated by the Sabbath.

At the moment the relationship between God and humanity was broken the whole creation order was broken. This happened because human responsibility as beings created in the image of God is immense. They are to rule over God's creation, including all the animals, birds, and fish. The responsibility of dominion is stated twice at the beginning of earth's history: first at Creation (Gen 1:28) and then again after the Flood (Gen 9:2).

Being created in the image of God means that humans are God's representatives on earth. They are responsible for the quality of their relationship with other creatures. As God's representatives on earth they are given dominion over the animals. To be related to God means to reign responsibly over nature and the animal world. They should use and not misuse their delegated authority under God. They cannot separate themselves from this burden and privilege.

Humanity is responsible for life on this earth, especially for the animals, because both people and animals were created as a "living soul." There are many similarities between humans and animals. Here is a list of some of them:

1. They were both created as **נְפֹשׁ חַיָּה** (Gen 1:20, 24; 2:7, 19).

2. They were both blessed by God (Gen 1:22, 28).
3. They were both given a vegetarian diet (Gen 1:29-30).
4. Animals as well as humans have blood in their veins. Their blood is a symbol of life (Gen 9:4-6).
5. They could both be responsible for murder (Gen 9:5; Exod 21:28-32).
6. They are both a party to God's covenant (Gen 9:9-10).
7. They are both under the death penalty if they are engaged in bestiality (Lev 20:15-16).
8. They should both keep the Sabbath rest (Exod 20:8-10).
9. They will both live together in peace and will return to original conditions in the kingdom of God (Isa 11:7-9; Hos 2:18-20).
10. Firstborn from humans and animals belong to God (Exod 22:29-30; 13:12-13).
11. Priests and sacrificial animals have to be without spot or blemish (Lev 21:17-21; 22:19-25), because they are coming to the presence of God in the sanctuary.
12. Animals could not be sacrificed unless eight days old and then they are to be dedicated to God. The same time period of eight days was given for a boy to be circumcised (Lev 22:27; Exod 22:30; Gen 17:12).

This means that, for God, animals are not just flesh, but creatures which should be taken care of and treated properly. It was specifically stated that man was commissioned to rule over the animal world (Gen 1:28; 9:2). God gives this responsibility to humans, as a delegated authority. It means he has responsibility vis à vis them and is thus

accountable to God. Everything, including animals, belongs to God. He is the Creator of them all (Ps 24:1).

Theology of Eating

We cannot isolate dietary laws by themselves. They belong to the broader and much wider issue of eating in the Hebrew Bible. Only in that context can the importance of the theology of eating and the theology of permitted and forbidden food be seen. This is why we need to explore the theology of eating.

According to the first creation story God gave a vegetarian diet to humans. No death was involved in this provision. Such food was life-oriented. This principle of life, along with the principle of separation presented in the second creation account related to the right choosing among the trees of the garden of Eden, is the foundation for the theology of eating.

God's care for us is shown in His providing all needed food for humans. It is important to note that the first section of the second creation account (creation of a person in his/her totality—vs. 7) is directly parallel to God's first negative command about not eating from the tree of the knowledge of good and evil in vss. 16-17.¹ Humanity in its fragility (Adam is described as **אָפֶר מִן־הָאֲדָמָה**) needs to cultivate constant fellowship

¹The parallelism between the first and the fourth sections of Doukhan's structure of the second creation story consists of the formation of man, created out of the dust of the ground but separated from it, which parallels the commandment given to man to separate the tree of the knowledge of good and evil from the other trees of the garden. If they would eat, a perspective of death is introduced. Thus death is paralleled with dust. For more details, see Doukhan, "The Literary Structure of the Genesis Creation Story," 78.

with God in order to preserve and develop true humaneness, in the sense of their sensitivity to the issues of life. If they lose sight of God, death is the ultimate result. In order to keep that in focus they need to make right decisions every day. One such important area in their life is their relation to eating.

The theology behind the tree of life and the tree of the knowledge of good and evil is very important. The tree of life is a constant reminder that human beings are totally dependent on God. Life comes from Him. He is the only source of life. The tree of the knowledge of good and evil is a symbol of human limits. They are His creatures. They are only creation, they are not creators. Humans are creatures with given boundaries. Only by respecting these limits, boundaries, and order can they enjoy a full life and develop their abilities. Humans destroy their own identity when they want to play God and try to decide what is right and wrong. Gen 3 presents the theology of sin: sin is a broken relationship with God. Eating of the forbidden food is only a result of this wrong attitude. Death is a natural consequence. From the story of the original sin one can learn that sin does not lie in things, but rather in attitude. The tree of the knowledge of good and evil therefore becomes a sign for Adam and Eve of their total dependence upon God. Similarly, humans depend on God to know what is clean or unclean in regard to their diet (Lev 11:1-3, 44-47; Deut 14:2, 21).

Samson Hirsch explains the meaning of the tree of the knowledge of good and evil in these relevant words:

This tree should teach man and be a steady reminder of what should be good for him or evil. To be guided by God means not to know or decide for oneself what is good and what is evil. As soon as man aspires to set himself the principle for good

and evil, the conditions under which God prepared the Garden of Eden for mankind are void.¹

Thus, behind those two trees lies deep theology. It is a lesson about humankind's dependability, freedom, moral choice, and growth. They set limits and remind human beings of their fragility; they are only creatures. It is very significant to notice that the first law given by God to humans was a dietary law (Gen 2:16-17).² Hirsch points out that this law is a prototype of all God's legislation:

At the same time the Sages find in these verses 16-17 a hint for the so-called "seven noachidic laws" (blasphemy, idolatry, murder, moral purity, robbery and the law prohibiting the eating of a limb of a still living animal) which, comparable to the "ten commandments" to the Jewish people, include the whole ideology of the original revelation of the Divine will to mankind.³

It is interesting that the passage about eating from all trees in the garden of Eden and the prohibition of eating fruit from the tree of good and evil in the second creation account correspond to the creation of sun and moon in the first creation account (Gen 1:14-19; 2:16-17).⁴ Both accounts are about separation. As light is essential to life, so also is the knowledge that separates good from evil. Without light and the ability to distinguish between good and evil there is no life. Life must end in death. This motive is present in the dietary laws where the art of separation also plays an important role. Life

¹Joseph Breuer, *Introduction to Rabbi Samson Raphael Hirsch's Commentary on the Torah* (New York: Philipp Feldheim, 1948), 22.

²Grunfeld, 1:12.

³Breuer, 22.

⁴The second creation story explains the first one, and visa versa. See Jacques B. Doukhan, *The Genesis Creation Story* (Berrien Springs, MI: Andrews University Press, 1982), 77-78.

in holiness depends on respecting the Creator and His sovereignty through these regulations.

Eating supports life. It is a process without which humans (and all forms of life) would die. Eating is an activity that is prolife oriented. Eating actually preserves life. This is a feature which is also dominant in the dietary laws:

1. Clean animals are not carnivorous or scavengers. Their diet is vegetarian (some clean fish are seen in this study as an exception to the rule: see below). The behavior of clean animals is generally more peaceful than that of the animals of prey.
2. The prohibition of eating the blood of animals, which is the symbol par excellence of life, is inseparably integrated with the dietary laws from the very beginning (Gen 9:4).

God wants to teach humanity a moral lesson by constantly, thoughtfully choosing what is right in the matter of eating. Creation was made by separation and this principle is codified deeply in life experience.

Eating and food play a very important role in the Pentateuch and in the rest of the Hebrew Bible. Eating is associated with the worship (cult) in Israel, as well as that of other nations. In all cultures worship is usually connected with food and/or eating. Only the context shows if it has a positive or negative connotation. Very often apostasy in Israel goes hand in hand with eating (Exod 32:5-7, 19). Often eating, idolatry, and sex go

together (Num 25:1-8; Exod 34:15-16).¹ It is no surprise that in Hebrew thinking there is a close connection between idolatry and adultery—physically (Num 25:1-8) and spiritually (the Old Testament speaks about idolatrous worship and apostasy—Isa 57:3; Jer 3:8-9; Ezek 23:43; Hos 2:2).

It is significant that in Deut 14 unclean food is designated by תועבה "abomination," a word that is used in the Pentateuch especially in four connotations—with idolatry, sexual immorality, unclean food, and deceit (Deut 7:25-26; 12:31; 23:19; 18:9, 12; 25:16). This association is a clear indication that the biblical understanding of the dietary laws is linked with morality. It is a matter of choice and disassociation from sinful pagan practices.

Eating in the Near Eastern context has special significance. It is not taken lightly in these cultures. In the Hebrew Bible eating and drinking play a very important role. Sharing a meal in antiquity was an expression of friendship, trust, mutual fellowship, forgiveness, and agreement (Gen 31:54; cf. Luke 15:2, 23-24, 32).

Every time something important happens in salvation history, a meal is included in the experience. When God makes a covenant with Adam, Noah, Abraham, and Moses, food is in the background. Particularly pertinent is the covenant meal described in Exod 24:9-11. Moses, Aaron, Nadab, Abihu, and seventy elders ate and drank in the presence of God. The meal represents covenantal unity and trust.

¹There are also examples of such association in modern literature. See H. Wouk, *Marjorie Morningstar* (Garden City, NY: Doubleday, 1955). Only after the Jewish heroine tasted pork for the first time was she ready to commit adultery.

It is interesting that some scholars propose that the Hebrew word בְּרִית is derived from the rather rare root בָּרָה which means "to eat."¹ Some texts describe the covenantal meal as an occasion when friendship is sealed (Gen 26:28-31; 31:51-54; Exod 18:20; Josh 9:3-27). The implication seems to be that the partners of the covenant now form one family.² Sharing a meal was one of the ways of sealing a covenant in antiquity (Exod 24:1-2, 9-11; 2 Sam 3:20-21). Eating together and fellowship together was considered a great honor and an offer of genuine friendship. Even today, eating and drinking together can be understood as a sign of common concern, friendship, or love.

Reconciliation or agreement was sealed with eating (Gen 31:54; 24:32-33, 52-54). Sharing a meal was an expression of mutual trust and fellowship. On the other hand, turning against someone with whom one had eaten was considered a crime equivalent to treason.

When there was victory in a battle or the act of reformation, a meal was served. Meals were viewed not only as acts of hospitality but also of utmost friendship. Eating together was like making a covenant of eternal bonds.

According to Alan Jenks, food has "two primary purposes: a) the preservation and strengthening of the life force; and b) the establishment and strengthening of communal

¹Moshe Weinfeld, "בְּרִית," *TDOT* (1975), 2:253-254. I do not suggest that the meaning of covenant is exhausted by this connotation, nevertheless, close links between eating and covenant cannot be denied.

²Dennis J. McCarthy, *Old Testament Covenant: A Survey of Current Opinions* (Oxford: Blackwell, 1972), 30.

bonds between persons who eat and drink together."¹ This means that eating is related to life. It is reminiscent of the tree of life. In order to eat basic forms of food, such as fruit, vegetables, grain, legumes, and nuts, they must be separated from their original setting (from tree, plant, or ground). "The strength or quality of the life force is directly dependent on the intake of food (1 Sam. 28:20; Judg 15:18-19)."² In this way we can say that to eat means to live, and not to eat means to starve to death (Gen 47:22; compare with Gen 25:30). This true equation goes back to the garden of Eden.

Humans do not live to eat, they eat to live. They are absolutely totally dependent upon God for their existence. He provides and says what is best for them. Eating for the sake of eating is to miss the meaning of life. Eating has the function of sustaining life while not eating leads to death.

The primary purpose of the distinction between clean and unclean animals is to know what to eat and what must be avoided. Sacrifices could only be taken from among the clean animals. This recognition leads us to the old Jewish tradition which combines the two elements and tries to remind us of an important but forgotten lesson:

The Talmud says: "A man's table is like the altar."³ Both sacrifice and food should be taken with or as an expression of gratitude and thankfulness. It is God who

¹Alan W. Jenks, "Eating and Drinking in the Old Testament," *ABD* (1992), 2:250.

²*Ibid.*, 251.

³Hagigah 27a.

provides everything that we need. Thus a common thing such as eating is rendered to be something special. The ordinary is made extraordinary.

By not eating unclean food, humans respond to God's grace by sacrificing desire and appetite. They offer themselves to Him; they surrender to Him in all spheres of life. Eating and the altar therefore have the notion of sacrifice in common. In the freedom given by God to humanity, people can say "no" to selfish appetite. Humans are free to choose not to eat everything and in any quantity. The freedom this law offers can be compared to the freedom of the self-disciplined athlete who is free to do things which untrained people cannot do.¹

Another general aspect which unites these two principles (freedom and self-discipline) is the concept of separation and selection. Humans have to choose what to sacrifice (avoid) and what to eat. They have to select from the abundant number of things the right one/ones and bring it/them to the Lord or to the fellowship table.

There were also peace sacrifices in which one of the most important features was table fellowship. People had to spend time together. This table fellowship was an occasion for joy, peace, friendship, and talk. If there was something between the involved parties then it was an opportunity to put everything in order. Eating together was a sign of forgiveness and mutual agreement. To be invited to the party was always

¹Harold Kushner, *To Life! A Celebration of Jewish Being and Thinking* (Boston: Little, Brown & Company, 1993), 51.

an invitation to friendship and respect. In that sense it was a religious act. As Rabbi Harold Kushner put it: "We sanctify the act of eating with the dietary laws."¹

Dietary laws are taken by the Jews as a diet for the soul.² This means that they give more value to eating than we do in the Western world. For them eating has spiritual meaning, connotations, and significance.

In Genesis we see that God provided food for people and the whole animal kingdom (Gen 1:29-30). This is in contrast to the Mesopotamian stories in which human beings are expected to provide food for the gods.³ In the Pentateuch, God does the providing.⁴ Everybody and everything depends on Him and His caring love (Ps 104:27).

In that sense a person's table is in reality an unspoken confession of faith. By what they eat or do not eat, people confess the kind of God they respect: they show whether they have respect for God and His created order, and whether they acknowledge and preserve God-given boundaries. Thus the theology of eating and food, particularly the theology of biblical dietary laws, reveals an attitude toward God and an understanding of creation. This confession of faith without words, visible in people's behavior and on their table (which they participate in several times a day), is a message they proclaim. Eating is not a private matter. It has much to do with fellowship with God and with each

¹Ibid., 55.

²Donin, 97-120.

³Roy Gane, "'Bread of the Presence' and Creator-in-Residence" *Vetus Testamentum* 42 (1992): 190-191.

⁴Ibid., 201-203.

other. The dietary regulations reveal that God cares about what humans eat. By eating what He says is best for human beings, one says yes to life, to God's established order, and confesses willingness to respect the holy and sovereign Creator.

It is very interesting that all religions and many cultures connect eating/food with prayer. To eat is something sacred. Food and prayer come together for religious people in many places of the world.

Eating and table fellowship also have an eschatological dimension, because we will eat together in the coming kingdom of heaven/God. Eating and drinking is linked with fellowship and joy. Eating with joy is a picture of the kingdom of God and the Messianic kingdom (Isa 25:6-9).

In Genesis the story of the Fall occurred in connection with eating. Adam and Eve ate from the tree of the knowledge of good and evil. Eating is used in conjunction with the struggle for dominion and knowledge (Gen 3:1-6).

The purpose of eating is not to isolate people but rather to bring them together and form close fellowship. Even the regulations stated in Lev 20:22-26 regarding the separation of the people from heathen practices, were not intended to isolate the people of Israel. Rather they were here intended to separate Israel from the destructive practices of the surrounding nations. The Israelites were to show by their lifestyle a better way of living and conduct which was to be an attraction and an invitation for others to follow this path.

Ethics

To my knowledge there is no book about ethics which has a chapter dedicated to the dietary laws of clean and unclean animals/food. Yet, this issue is foundational if one recognizes that its message is about the Holy Creator God and *imitatio Dei*. God is the ultimate ground for ethics. Respect for the Creator must automatically involve respect for His creation. Fortunately, there are some scholars who see the connection between clean and unclean food and ethics.¹

Reverence for Life

The ethical lesson of the reverence for life which can be derived from the dietary laws is very important for humanity, especially in the shadow of Auschwitz. The holocaust of six million Jews and the genocides so prevalent even in this modern age must lead us to deep thought with regard to the question, "Is not something very important missing?" The laws regarding clean and unclean animals preserve a reverent attitude for life because eating is a common everyday activity.

Dietary laws based on the theology of creation are built on the idea of choosing or separating (בְּרִירָה). God teaches His followers to choose in everyday activities that which is right. He leads a person to a thoughtful life full of meaning.

¹Milgrom, "Biblical Diet Laws as an Ethical System," 288-301; D. P. Wright, "Observations on the Ethical Foundations of the Biblical Dietary Laws"; Goodman, 2:17-57; Stern, 319-327. See also Oliver Barclay, "The Nature of Christian Morality," in *Law, Morality and the Bible: A Symposium*, ed. Bruce Kaye and Gordon Wenham (Downers Grove, IL: Inter-Varsity Press, 1978), 125-150, who argues for a creation ethic; W. C. Kaiser, *Toward Old Testament Ethics*, 132-133.

In order to eat flesh food people must kill animals. Killing involves ethical questions. The issue is about the slaughtering of various kinds of animals. God put restrictions on unrestrained killing and slaughtering. He allows only a few kinds of animals to be killed for food. And these clean animals may only be eaten on the condition that the blood is completely poured out. This restriction teaches respect for life as well as disciplining the evil nature of man. Humans are not supposed to kill animals without mercy.

Firmage correctly observes: "Unlike the rest of the code of impurities, the dietary laws place a value on behavior and so belong in the category of moral imperatives."¹

Ecological Concerns

Ecological concerns are another important issue derived from dietary laws. They show a close interrelationship between living creatures and their environment. There is no killing of animals allowed in the Bible except for food. This observation must lead to concern for God's creation. Ecological connotations must be seen here.

Humanity lost its respect for the Creator, and thus its respect for life. The consequence is that humans have lost respect for other creatures as well. The creation theme in the laws regarding clean and unclean animals/food is very often ignored or noticed only occasionally by the scholarly community.²

¹Firmage, "Biblical Dietary Laws," 184.

²Notable exceptions who see the relationship between Creation and laws on clean and unclean animals are: M. Douglas, *Purity and Danger*, 49-57; Doukhan, "Law of Liberty," 12; Kass, 42-48. The theme of Creation in Pentateuch is mentioned in recent

There is an increasing worry over the damage that humans are inflicting on the environment. The way that we view nature and our relation to it is crucial. Very often humans abuse the earth and the animal kingdom by neglecting their role as rulers over nature. "Creation is not an extension of the essence of God. Created things have an existence in themselves. They are really there."¹ Motyer explains:

Take an absurd illustration: we put anti-freeze into the car but not into the baby—even though both need protection from cold. Why? Because they are different and require different remedies. In other words they have to be "defined" according to their individual natures. If we define a baby in mechanical terms we will kill the baby; if we define a car in human terms it will never run.²

He stresses that "we need to arrive at a correct definition of ourselves if we are to discover how to live and thrive."³ He continues:

The same applies to the world. We look at industrial wastelands with devastated landscape and polluted rivers; we learn of forests being felled at an alarming rate bringing topographical barrenness and climatic change; we hear of holes in the ozone layer—all because our forebears of the industrial revolution and their

works of Terence E. Fretheim, *Exodus* (Louisville: John Knox Press, 1991), 12-14; Elmer A. Martens, *God's Design*, 2nd ed. (Grand Rapids, MI: Baker Publishing House, 1994), 257-267; Ralph L. Smith, 175-189, 404-406; William J. Dumbrell, *Covenant and Creation: An Old Testament Covenantal Theology* (Exeter: Paternoster, 1984), 20-43; Levenson, *Creation and the Persistence of Evil*, 118-119. See also Michael J. Alter, ed., *What Is the Purpose of Creation? A Jewish Anthology* (Northvale, NJ: Jason Aronson, 1991).

¹Francis Schaeffer, *Pollution and the Death of Man: The Christian View of Ecology* (Wheaton, IL: Tyndale House, 1973), 47.

²J. Alec Motyer, "The Garden of Eden and Creation," in *The Complete Who's Who in the Bible*, ed. Paul D. Gardner (Grand Rapids, MI: Zondervan Publishing House, 1995), 189.

³*Ibid.*

commercially covetous successors 'define' the environment as dead prey to be exploited at will.¹

"Personal fulfilment" and "environmental prosperity" must go hand in hand.² Vos writes:

No doubt unclean animals were preserved to maintain balance in the ecostructure. Evidently differences between clean and unclean animals were recognized early in human history, but restrictive religious control on eating unclean animals and birds was not spelled out until Moses' day.³

Those who see the importance of the biblical dietary laws because of their connection to the Creator and His creation order, must also see the importance of the preservation of this creation order. The whole theology of creation is at stake here. Laws about clean and unclean food form an integral and significant part of this theology.

The relationship between man and nature is ruined, because humans have lost their sense of responsibility vis-à-vis God. Respect for the Creator is dimmed, therefore care for one another is obscured. They have no more sense of being accountable to God, therefore they are not accountable to life. They carelessly destroy life, because they destroyed the relationship with God. Ecological problems in today's world are symptoms of the loss of the sensitivity to life. People do not care about the Creator God, therefore they do not care about life and nature.

Christians have contributed to the arrogant attitude toward nature, but it would be a mistake to regard Christianity as the cause of the world's ecological difficulties. On the

¹Ibid., 190.

²Ibid.

³Howard F. Vos, *Genesis* (Chicago: Moody Press, 1982), 39-40.

other hand, had Christians been true to the biblical teaching about creation order and had they felt responsibility for it, many of today's problems with the environment would not exist. The laws regulating the distinction between clean and unclean animals were intended by God to constantly keep before humanity the responsibility we have vis à vis nature.

The biblical doctrine of Creation must also be related to a theology of sin. We cannot understand the sad reality of our world without including the entrance of sin into the picture. In that sense we can never separate Creation and sin.

Reflections on our relation toward nature must always start with the recognition of God's relationship with nature. Our relationship to Creation must be seen in the light of His. Too often we have stressed the distance between humanity and nature. We should acknowledge that other creatures have value whether we understand their usefulness or not. We should hope for the final unity of all creatures with God in the coming kingdom of God.

This "ecological" concern, in connection with Mosaic dietary laws, is stressed by Milgrom and Houston. Milgrom puts it in the following words:

Schweitzer's rule—that life may be destroyed only in the service of some higher life—can justify the decimation of plumed birds in the year 1914 to gratify the millinery fancies of the ladies of London. The Bible, to the contrary, takes no chances with the variables of human nature and insists on being rudely pragmatic. It allows the slaughtering of animals only for human food. A ritual, then? Yes if it is to discipline. So frequent? Yes, if it is to sanctify the home. So tedious? Persistent rain makes holes in rocks.¹

¹Milgrom, *Leviticus 1-16*, 736.

Houston regrets that Christians lost sight of this:

These [dietary] laws are a means ever to hand by which they [Jews] may learn and exercise moral restraint in the use of the animal creation—a lesson and an exercise that the Christian world is only now laboriously learning, a praxis that it is slowly constructing from the ground up.¹

I agree with Dennis T. Olson, who writes:

Our modern inability to appreciate or even understand how purity systems work is a barometer of how far away we are as a culture and society from having a notion of the reality of a holy God as a truly defining center of our lives and communities. . . . We need to find ways by which the holy reality of a living and loving God at the center of our lives and our universe may more deeply shape and guide us as individuals and communities.²

Dietary laws teach us the purpose for living and where our boundaries lie. They celebrate our roots, symbolize continuity, and point to the time when there will be no killing, when all the created world will enjoy its full potential of life and harmony. To lose this perspective means to lose the meaning of life.

Biblical Rationale

I agree with Mary Douglas and Jacob Milgrom that first there were criteria for the categories of clean and unclean animals and then the actual enumeration of clean and unclean animals appears.³

¹Houston, 280.

²Olson, 32.

³M. Douglas, *Purity and Danger*, 54-57; Milgrom, "Ethics and Ritual, 177; Firmage, "Biblical Dietary Laws," 187. D. P. Wright adds some fine tuning and moderation to this discussion in his "Observations on the Ethical Foundations of the Biblical Dietary Laws," 193-196.

To grasp the rationale¹ of the Mosaic dietary laws and to get a clear picture of the motivation behind these regulations, we need to proceed in four steps. The first step is to present a general rationale which is applicable to all categories of living creatures. The second step discusses the amplification of the general rationale which leads to elimination of some categories of living creatures. The third step analyzes specific characteristics related to the distinct categories of different clean living creatures. In the fourth step, I explore the rationale from both God's and the human perspective and clarify some additional factors related to the Creation-Fall-New Creation pattern. Then I explain the benefits of keeping the dietary laws for humans, and answer the question of why there are no "unclean plants" in the Bible as there are unclean animals.

General Rationale (Applied to All Categories of Animals)

Creation-Fall-New Creation Paradigm

Behind the Mosaic dietary laws lies a creation model, characterized by a threefold separation, which corresponds to the three categories of space: earth, waters, and sky (firmament). The animals which are considered clean fit in these boundaries, have a particular form and locomotion, are confined to their particular space, and have specific characteristics (see below). The Fall of humanity plays an important role in

¹There is no explicit biblical criterion for the Mosaic dietary laws. The primary question is: What theological principles lie behind these rules of clean and unclean animals? My search for criteria involves investigating different motifs lying behind distinctions between clean and unclean animals. Rationale is understood in this dissertation to mean the dominant theological ideas, thematic features, or motifs from which emerge a rational basis and underlying motivation for the dietary regulations.

understanding the rationale, because it was only after this tragic event that the dietary laws were introduced. In the New Creation order given by God after Flood, prohibition of eating blood was a sign of respect for God (because He is the Giver of life), and at the same time it was implicitly connected with regulations for not eating unclean food. Those laws maintain and sustain life (originally included in the creation order of Edenic vegetarianism). On the other hand, the laws of unclean animals are connected to death (several factors must be integrated in order to explain the uncleanness, see below). Thus the overarching criterion for the laws of clean and unclean animals is Creation itself, which is linked to life, whereas departure from the Creation ideal (the Fall) is tied to death. Any factor which reflects primary concern for the life-death principle and the Creation-Fall-New Creation theological model is taken seriously in this study.

Holiness

Holiness is linked to Creation not only by its terminological presence (the Hebrew root **קדש** occurs in Gen 2:3), but especially by the fact that holiness is part of the creative power of God. This creative power of the Holy God creates life, space, order, boundaries, and forms. After the entrance of sin on the stage of this world that with its avalanche brought death, the preservation of life is of vital importance. Creation life is now a counterpart to death. A new antithesis to life—death—is formed. As Milgrom demonstrates, "clean" is what is related to life and "unclean" is what is related to death. **The concept of separation is the significant concept of creation along with life.**

Holiness in relation to the dietary laws means to preserve God's given order of life within its boundaries. Levenson correctly states: "Holiness in this case [Lev 11] seems to be a matter of the scrupulous observance of the boundaries that define the categories of creation."¹ Holiness in the creation account and in Lev 11 means "keeping distinct the categories of creation."² All categories of animals must stay within their sphere.

In view of this basic rationale, respect for Creation and preservation of God's given order within its boundaries, along with an emphasis on life, separation, and holiness, we can explore the specifics of the different categories of living creatures.

Amplifications of the General Rationale

Prohibition of Blood

Animals prepared for food must be alive and properly slaughtered (blood must be poured out). This means that all naturally dead or torn animals (carcasses) even of clean animals are eliminated for eating (Gen 9:3; Exod 22:31; Lev 11:40; 17:15-16; Deut 14:21).

By analogy, it seems that all animals who feed on dead and decaying matter, on carrion or carcasses, are excluded from human consumption; i.e., scavengers (hyena, jackals, vultures, some kinds of beetles and flies, etc.) are off the list of the clean animals.

The creation order in the beginning was unambiguous—all were vegetarians, humankind and animals. Later, when God allowed humans to eat meat, the prohibition of

¹Levenson, *Creation and the Persistence of Evil*, 118.

²Roh, 54.

blood was added.¹ Even though this regulation was specifically given to humanity in regard to the blood of animals,² it is equally true that nowhere in the Bible is there actually permission for animals to eat blood. For shedding human life they must be punished (Gen 9:5; Exod 21:28-36), although there is no punishment mentioned for them because of eating animal blood. It is taken for granted that the consequences of sin are violence, killing, and the eating of animals by other animals. Wildlife is not regulated by God's biblical prescription, because the Bible is written to teach humans how to behave responsibly, not animals. But from the fact that in the beginning a vegetarian diet is given to animals as well as to humans, and that in the future kingdom of God it will again be the same (Isa 11:7), we can conclude that the eating of blood is also not natural for animals and is a trespass on God's given order from Creation. This is why all carnivorous animals and carnivorous birds are excluded from the list of edible animals. It means that the preservation of the original sacred life (a main feature of creation) is envisaged by these dietary regulations.

Some clean fish can be seen as a different application of this principle. However, it is interesting that if a clean fish is carnivorous, when such fish (as pike, cod, haddock, etc.) swallow other fish, no blood appears in the water. Other types of carnivorous fish such as sharks or piranha (unclean fish) tear or bite their prey; therefore there is plenty of

¹The blood prohibition is mentioned in 7 passages in the Pentateuch: Gen 9:4; Lev 3:17; 7:26-27; 17:10-14; 19:26; Deut 12:16, 23-25; 15:23.

²The prohibition of shedding human blood, i.e., to murder, is already apparent from the story about Cain and Abel (Gen 4:8-11). See also Gen 9:5-6.

blood around. If the manner of how animals and birds digest or eat is in the background of the dietary laws, we can assume that these behaviors should play some role for fish, too. This analogy is plausible.

There is also another significant and interesting element in regard to the blood of fish: humans were explicitly forbidden to eat the blood of animals and birds, but in all seven passages about the prohibition of blood in the Pentateuch,¹ there is not one word about prohibition of eating fish blood. They need not be slaughtered ritually; there is no regulation about draining out the blood of fish (a process which is impossible to do with small fish like sardines, pilchards, or herrings; it appears as if small fish have "no" blood). Despite no mention of blood manipulation (blood as symbol of life) in relationship to clean fish, it seems that even here the stress on preservation of life is not diminished. Emphasis on life is one of the main points in which creation order is manifested and maintained.

Probably animals also used for military purposes were eliminated from the list of permitted animals, because they had come into contact with blood in battles: horses (war animal par excellence), camels, and elephants.²

¹Gen 9:4; Lev 3:17; 7:26-27; 17:10-14; 19:26; Deut 12:16, 23-25; 15:23.

²Concerning the use of some animals for military purposes see John Hackett, ed., *Warfare in the Ancient World* (New York: Facts on Life, 1989), 15, 22, 29-38, 42-44, etc.; Cansdale, 64-80, 102-104. Compare Firmage, "Zoology," 6:1136-1141.

Three Main Categories of Creatures Within their Boundaries

In the creation account, there are three categories of space filled with distinctive living creatures—inhabitants of land, water, and air—animals, fish, and birds. These categories of creatures move within a limited sphere. In the biblical cosmology they have boundaries. Any which trespass or cross these God-given boundaries are excluded from the list of clean animals. Thus, unclean animals fail to conform in some way to the expectations of the group to which they belong. All amphibians (e.g., frogs, salamanders, toads, which are all carnivorous) seem to be automatically eliminated, as they are considered unclean.

It seems that the same is true for the crustaceans (shrimps, crabs, lobsters), because many of them live in two spheres (land and water), and they do not walk or swim (but crawl or swarm).¹ Also those living creatures not of a standard form, whether animal (body with four legs), or bird (body with two wings and two legs), or fish (body with indefinite form or shape, i.e., without fins and scales) are excluded, i.e., mollusks (slugs, snails, octopus, oysters, shellfish; second largest of the animal phyla with about 120,000 species), spiders, and insects (hornets, bees, flies).² They are neither animals, fish, nor

¹It may be that their carnivorous habits play some role here. All scavengers on land as well as at the bottom of the ocean are considered unclean.

²As an exception to this rule four kinds of the locust-grasshopper family must be taken which are included among שָׂרְיִץ הָעוֹף (here "flying insects") and they are identified in Lev 11:20-23 as הַחֲרָגֵל, הַחֲרָבָה, הַסִּלְעָם, הַחֲרָבָה. This special regulation was probably made as a favor for some people because of their poverty and stems back to the wilderness period when the Israelites left Egypt and lived off manna and their herds. The Bedouin of the Sinai and Arabian peninsulas eat them to this day. Also Yemenite

fowl. Thus all creepers are off the edible list, too. They have indefinite form and locomotion.

The Curse of the Serpent—Animals or Fish that Resemble a Snake Forbidden

Gen 3:14-15 also mirrors the human repulsiveness and abhorrence for snakes (the curse of the snake is made in comparison to livestock and the wild animals: "You are cursed more than . . ." NKJV). Even though the whole passage speaks about Messianic promise,¹ the consequence is hatred, fear, and enmity which is reflected also in the attitude of humanity toward snakes and everything which resembles them. Thus, all reptiles (which are carnivorous, and include snakes, lizards, crocodiles, and turtles) and snake-like fish (eel, conger) are excluded from the list of edible creatures.² All swarming creatures (rodents), crawling, and creeping things (beetles, worms, spiders, etc.) which are closely bound to the "dust" of the ground are also off the list of edible creatures.³

Jews eat fried locusts. See Milgrom, *Leviticus 1-16*, 664-666, 734-735. Milgrom states: "The reason for exempting the locusts is not clear" (666).

This law goes beyond any system of an explanation of the Pentateuchal dietary laws and is a fine indication of a sovereign decision of a Holy God in regard to the distinction between clean and unclean animals/food. One cannot squeeze all dietary regulations into one simplistic theory. However it is interesting that the element of locomotion is stressed in this legislation (they walk on all four legs, but also can hop).

¹See W. C. Kaiser, *Messiah in the Old Testament*, 36-42.

²As affirmed by Keil and Delitzsch, 1:99; M. Douglas, *Purity and Danger*, 56.

³Neither can we forget that the ground was cursed because of Adam's sin (Gen 3:17). It could be therefore that all these tiny animals which are very close to the ground—like those who crawl, creep, or drag on the ground—are unclean. All rodents probably belong to this category. The Bible calls them **אֲרָבִים**.

Thus, it may be that natural repulsiveness here plays some role.¹ What is naturally abhorrent and loathsome for humans (the consequence of sin) was excluded from the category of clean animals. Examples include snakes, rodents, and reptiles.² Martin Luther was the first one who stressed this point.³ There is no exception among the category of שְׂרָפָה, they are all שְׂקָפָה ("detestable").

Living Creatures in Distant Places and Desert Areas

Another motif that is more hypothetical in nature, is derived from the Flood narrative (Gen 8:6-10), in which the clean bird draws near and the unclean bird disappears from view into the unknown land. The unknown was dangerous. Dark distant places were full of unclean spirits and uncleanness (Lev 16:10, 21-22; 17:3-9). Creatures that lived in far-distant places and desert areas seems to have been considered unclean, and therefore eliminated from the list of the edible creatures. Only creatures known and close to home could be set on the table. Therefore, all wild carnivorous animals or birds

¹To consider the pig unclean on different grounds than abhorrence, see Milgrom, *Leviticus 1-16*, 728; D. P. Wright, "Observations on the Ethical Foundations of the Biblical Dietary Laws," 195.

²It may well be that other considerations played an important role in eliminating some animals from the list of edible creatures. The pig could be considered repulsive for its filthy habits, or for its close association with the chthonic cults. See especially Milgrom, *Leviticus 1-16*, 650-651.

³Luther, *Lectures on Genesis*, 135: "Our nature loathes serpents, wolves, ravens, mice, and dormice, although somewhere you may find some nations who relish the flesh even of these."

of distant places, such as the lion, leopard, eagle, and kite, are inedible (clean wild animals such as the deer, gazelle, or wild goat live in nearby forests).

Specific Characteristics

Specific characteristics (see table 9) of different categories of living creatures fit for food are as follows:

Animals

Animals that do not part the hoof entirely and do not chew the cud are classified as unclean. This law excludes, among others, all carnivorous beasts. They eat blood or carrion, and are therefore forbidden to the Israelites. Carnivorous birds are also considered unclean. Twenty such birds are identified in lists found in Lev 11:13-19 and twenty-one in Deut 14:12-18.¹ A comprehensive list of the biblical animals is made by Edwin Firmage.² Bodenheimer stresses that "birds unclean to eat are birds of prey and feeders on carrion and fish (Lev. 11,13-19)."³ This is already stated in the Letter of Aristeas and in the Mishnah.⁴

¹*The Westminster Dictionary of the Bible* (1944), s.v. "Unclean Animals."

²Firmage, "Zoology," 6:1151-1159. See also *Fauna and Flora of the Bible*, 2nd ed., Helps for Translators Series, 11 (New York: United Bible Societies, 1980), 1-86.

³Friedrich Simon Bodenheimer, *Animal and Man in Bible Lands*, Collection de travaux de l'Académie internationale d'histoire des sciences, 10 (Leiden: E. J. Brill, 1960), 199.

⁴See chapter 1.

TABLE 9

SUMMARY OF THE BIBLICAL CHARACTERISTICS OF THE LIVING CREATURES

Categories of living creatures	Clean	Unclean	Text
Land animals—quadrupeds	Two qualifications: 1. Cloven hoofs 2. Chewing the cud	Carnivores and those without two "clean" qualifications	Lev 11:3-8 Deut 14:3-8
Water creatures	Two qualifications: 1. Fins 2. Scales	Those without two "clean" qualifications	Lev 11:9-12 Deut 14:9-10
Flying creatures: Birds	Those not enumerated as forbidden	Birds of prey or scavengers	Lev 11:13-19 Deut 14:11-18
Insects	Grasshopper family (4 specific species)	All except four species of locusts	Lev 11:20-23 Deut 14:19-20
Reptiles	None	All	Lev 11:41-43

The split hoof is a reference to locomotion (movement is the basic sign of life) and rumination or chewing of the cud is a reference to the specific way of digesting food. These two specific signs of edible animals—split hoofs and rumination—put together (it is not enough merely to be either ungulate or herbivorous)¹ are the characteristics of the special group of animals who have a particular way of locomotion and are vegetarians

¹The ungulates are all plant-eaters, but only those that have divided hoofs are considered clean. Excluded thus are the camel (camels chew the cud, but have not completely divided hoofs—their feet have two toes, united by a tough web, with nails and tough, padded soles) zebra, horse, mule, donkey, and rhinoceros. It is also not enough to have divided hoofs, but not to be ruminant—excluded are the hippopotamus (even though he is a plant-eater), boar, and pig (both are omnivorous).

with a special way of digestion. It means that they point to the original ideal situation in the garden of Eden, where the diet was vegetarian.¹ These combined characteristics lead to two special kinds of herbivores: domestic and nearby game animals. The respect for life is sustained, and the behavior of animals is considered in preparation of food. No carnivores or scavengers are included, because death and the eating of blood are involved in the behavior of these unclean animals.

It is important to note that some domestic plant-eating animals are considered unclean, such as the horse, donkey, camel, mule, and rabbit. Conversely some non-domesticated animals are herbivorous, such as the hare, elephant, zebra, hippopotamus, and rhinoceros. How is this significant phenomenon explained? It is interesting to observe that all these animals are ungulates with the exception of the hare and the rabbit, which are actually not herbivorous animals, because they eat their own feces.² The named ungulates do not eat blood, they are not abhorrent, cursed, or specifically related to sin, and through their locomotion they stay in their particular sphere. Why then are they considered unclean? Our special interest must be directed to the domestic herbivores because animals such as the elephant, rhinoceros, hippopotamus, and zebra were not

¹The rabbis observe another characteristic of the clean animals: male adults have horns (Hul. 59b). See Rabinowicz, 6:32.

²Firmage, "Zoology," 6:1142: "The most important meat-supplying rodent was the rabbit. Though once regarded as rodent, rabbits and hares differ anatomically from rodents in certain respects. Their way of digesting fibrous vegetation is also peculiar. After having once digested a meal, they excrete this and then ingest the feces. After food has thus been doubly digested, the remainder is eliminated as scat."

living in close proximity to the people of Israel and were probably never considered as game animals. But what about the horse, donkey, camel, and mule?

Jacob Milgrom stresses that the main criterion for the quadrupeds is a split hoof. He noted that only one animal is excluded from such a list of unclean animals, i.e., the pig (an observation which is interesting, but falls short because the unclean boar and hippopotamus also have split hoofs). According to Milgrom, the inventors of the dietary laws had to add another sign for clean animals, rumination, in order to eliminate the pig as food. Of the four anomalous quadrupeds that Milgrom uses as a decisive test case—the camel, hare, rock badger, and pig—only the pig was non-ruminant, hence its exclusion. The purpose of this sign was only "to limit the Israelite's access to the animal kingdom."¹

My approach to this problem differs from that of Milgrom. I evaluate his "decisive test" differently, because the actual data are more complex. We have to ask: What is behind this restriction that only even-toed ungulates can be eaten and at the same time they have to be ruminants? This positive approach is built on the characteristics given for the clean animals, and not on the exceptions enumerated in Lev 11. One cannot build a theory on the few exceptions, because there is no full list of exceptions given in

¹Milgrom, *Leviticus 1-16*, 733. Is it not true that restricted access to animal life is already obtained by the major command: "You may not eat . . . ?"

Lev 11 or Deut 14; they provide only significant examples.¹ Thus, it is important to first explain both the positive signs of clean animals and then to go to the exceptional cases.

It is important to observe that the literary style of both lists (Lev 11 and Deut 14) shows a significant feature, namely they very often enumerate different species of the same family of animals. This is obvious from the list of the birds (Lev 11:13-19—several kinds of owl and two types of kite are described), from the enumeration of the several kinds of lizard (Lev 11:29-30), from some animals missing from the list of the unclean quadrupeds (Lev 11:4-7; Deut 14:7-8) such as the hippopotamus, boar, llama, rabbit, and coney,² and from the group of edible animals in Deut 14:4-5 (for example, two species of deer, domestic and wild sheep, domestic and wild goat are mentioned). It is

¹One cannot evaluate the knowledge of the Israelites on the basis of the known animals from the Palestinian territory or Israel's environs alone. We cannot forget that these people came from Egypt (the close connection between the Exodus and the dietary laws is stressed in Lev 11:45) and Israel was located on the business crossroad where merchants came from all over including Mesopotamia. Israel knew of more animals than only those of her territory or her near vicinity.

These conclusions are well supported by Péter-Contesse, 182.

²Milgrom mentions the hippopotamus among the nonruminants with split hoofs; however, he then dismisses the evidence by saying that it "existed only in the marshy (Philistine) coastal areas" and that "the cleft in its hoofs is so slight that it was missed by the ancients and even omitted by Aristotle" (*Leviticus 1-16*, 727). Therefore for Milgrom the pig is the only "actual" exception; this means that his whole theory is built on this one case. Nevertheless the hippopotamus is another exception, and the boar is an additional one.

Also the list of the animals that ruminant but have no split hoof is not complete. For example, Milgrom translates the Hebrew word אֶפְסָן as "rock badger," which can also be translated "coney," causing the latter to be missed from the exceptions. The same is true about the Hebrew term אַרְנֵבֶת which he translates as "hare." In that case "rabbit" is missed from the exceptions. The uncertainty with the translation of the different Hebrew words designating animals or birds is generally acknowledged. See the list of animals living in Palestine in Cansdale, 64-250; Firmage, "Zoology," 6:1109-1167.

very important to notice this literary feature, that the given lists are not comprehensive. Thus the approach of Milgrom is not adequate.¹ The significance of the two characteristics of edible quadrupeds has more behind it than only limiting access to the animal kingdom, which means limiting the variety of animals killed for food.

Why then are the horse, camel, donkey, and mule unclean? There is no clear-cut answer to that problem. Nevertheless, it seems that there are two possible explanations:

1. By stressing the two characteristics of clean animals it becomes obvious that the manner of digestion is underlined. In this light the nature of the clean animals is emphasized. The accent is put on the quality of their flesh in regard to human consumption. Thus an answer offers itself: flesh of the ruminants is of better quality for human consumption than those animals that are herbivores but do not ruminate. This self-evident reason underlines an aspect of health in the Pentateuchal dietary code. Is health then considered as the basic rationale for these dietary regulations? The answer is no, because the primary concern of the laws of clean and unclean animals is creation theology: respect for the Creator, and not health. Nevertheless, a hygienic motive plays a vital role in this main unifying rationale of the dietary code, because it is based on Creation as well as on the connection between blood prohibition and the manner of slaughtering.²

¹Even if one accepts the literary historical development of Lev 11 according to Milgrom (11:4-7; 11:13-19 [both attributed to "P1"]; and 11:29-30 [attributed to "P2"]), the lists of the animals belong to one Priestly school or a unified body of "P" material.

²Milgrom maintains that the hygienic reason for the dietary laws would be valid if one could find some additional exceptions to the list of anomalies of Lev 11:4-7 (see his

There are similarities with the two trees in the garden of Eden and with the Sabbath. For example, the rationale for the observance of the Sabbath as a holy day is to cultivate a close relationship with God. The benefit of this commandment is physical rest which brings strength, renewal of energy, and better health. But health does not play the primary role in this commandment. Why is the holy rest connected with the seventh day and not with the first or eighth day? It is totally God's sovereign decision. Similarly the distinction between clean and unclean animals was done by a sovereign decision of the Holy Creator God and we can only try to explore these dietary laws by discovering their inner design and purpose.

2. Various animals have different functions. In this particular case four animals—the horse, donkey, camel, and mule—were used exclusively for transportation and service, and not for food. It seems that they are therefore excluded from the list of edible creatures. Cansdale calls these four animals "beasts of burden."¹ The related explanation is the economic theory of Marvin Harris.² These combined aspects offer a plausible explanation built on common sense.

Leviticus 1-16, 727). I have concluded on the basis of the literary features that such exceptions can be found, and that the list contains only significant examples.

The case of comparison between the herbivorous odd-toed ungulates on the one hand, and the ruminant even-toed ungulates on the other hand, is another indication for the validity of the hygienic aspect of the Pentateuchal dietary laws.

¹Cansdale, 64-80. See also Mayes, "Deuteronomy 14 and the Deuteronomic World View," 172.

²Marvin Harris wrote about the economical situation of raising pigs in Near Eastern lands. See his *Cows, Pigs, Wars, and Witches*, 28-50.

However, the first answer to our problem mentioned above (i.e., the manner of digestion and health) is preferable, since it is based on the nature of animals which were created by God. This view is more consistent with the Creation pattern defended in this dissertation. Because health is mirrored in holiness, I favor this type of explanation. Unfortunately, there is not enough comparative scientific material on the quality of meat, comparing lamb, goat, beef, poultry, and deer on the one side, with the meat of the horse, camel, zebra, etc., on the other. Only a few studies deal with the influence of these various types of meat on human health.¹ The present thesis is exegetical and theological, not medical; therefore we are not able to pursue that aspect.

Fish

Clean (edible) fish must have two characteristics—fins and scales. Fins are a sign of locomotion and scales are for protection. The main purpose of this legislation seems to be that the acceptable category of fish may not resemble a snake. Another possible explanation is built upon health considerations.²

Some clean fish are predators, but this feature obviously does not pose a problem, because nowhere in the Pentateuch is there a prohibition against eating fish blood.

¹The preference of eating the clean animals over the unclean is demonstrated in the following studies: Macht, "Scientific Appreciation of Leviticus 11 and Deuteronomy 14," 26-28; idem, "Scientific Aspects of the Jewish Dietary Laws"; Craig, 10-12; Widmer, 24-26. For the today's dangerous situation in regard to consumption of meat, see Neil Nedley, *Proof Positive: How to Reliably Combat Disease and Achieve Optimal Health through Nutrition and Lifestyle* (Ardmore, OK: Neil Nedley, 1998), 211-235.

²R. K. Harrison, *Leviticus*, 124-127.

Neither is there any legislation on pouring out the blood of fish or about a special slaughtering process. This is not required. Therefore, by analogy it is "normal" if a clean fish eats blood in the form of swallowing another fish (by not tearing it: no blood actually appears in the water).

Birds

There is no specific characteristic enumerated with clean birds. Instead the list of unclean birds appears.¹ The majority of these birds are carnivorous and scavengers.² Some of them play a role as hygiene police in nature like vultures, while others are catchers of fish such as cormorants. The study of Hunn demonstrates that at least eighteen birds out of twenty from the list of Lev 11 are carnivorous.³

It may seem to be a paradox, but the idea of life and the principle of vegetarianism are preserved in these laws of clean and unclean animals (with the exception of some clean fish).⁴ Laws regarding the distinction between clean and unclean animals/food maintain and sustain life. Similarly the principle upholding the new creation order given

¹There are 20 birds listed in Lev 11, and 21 in Deut 14. Rabbis compiled a list of 24 birds from these two passages. See Hul 63a-b.

²Thus already the first-known explanation of unclean birds in *The Letter of Aristeas* (146).

³Hunn, 111.

⁴The majority of the clean creatures are herbivorous: all clean animals, all clean birds (a possible exception being the chicken—normally herbivorous, but sometimes eats worms and small creatures such as ants), and some clean fish (but there is no biblical restriction in regard to eating fish blood).

after the Flood was the prohibition of eating blood: it is mirrored in the food laws. This paradoxical thinking is reflected in the way clean animals behave and move. To guard the boundaries of God's order and the principles of life given in the beginning of this world is vital in the text of the creation accounts. In this context, to respect God's limits is to recognize His holiness, thus partaking of it: "Be holy, because I am holy" (Lev 11:44-45.)

It is possible also to differentiate between two kinds of rationale in regard to the dietary laws. One is concerned with the motivations leading to the observance, the actual keeping of the dietary regulations (the main question is: Why should humans keep these laws?), and the other is to find the reason(s) that are behind the distinction between clean and unclean animals (the main question is: Why did God make this separation?). The former rationale is on the level of God, the latter on the level of man. We want to know why to observe these laws and what was in God's mind when He decided to separate animals into two groups—clean and unclean. God's act of distinguishing clean and unclean animals and our observance of it are closely related, intimately linked, and must be treated together. It must be stressed that the two types of rationale overlap. This is why the same factors exist on the human and divine level. Their starting point is Creation.

Possible Divine Rationale

What led God to make a distinction between clean and unclean animals? What is the rationale for distinguishing between clean and unclean animals/food from that perspective?

Creation

One can read God's intention of the dietary laws in recognizing intertextual links within the canonical context of the Pentateuch. These links point out that behind such distinction is a creative activity of God. The leitmotif of the rationale is Creation with its stress on life, order, boundaries, and locomotion. Under this umbrella belong other significant reasons such as the sovereignty of God, holiness, and health. By this legislation God provides a constant daily reminder to humans not to forget that He is the Creator and that everything depends on Him.

The Sovereignty of God

God is the Lord of everything, and because He demonstrates His love and care for His creatures, He can sovereignly command. There is nothing arbitrary in His laws, because He wants only ultimate good for His children.

Holiness of God

W. Gispén notes that "holiness is the supreme motive of these laws" and that the "only satisfying explanation of the distinction between clean and unclean is that the Holy One by these regulations shows the necessity that His people is a holy people, a nation

that is not as other nations."¹ Holiness means both separation from the unholy and separation unto God. It may be noted as well that to be holy means to share in the uniqueness of God who is also holy. The *textus classicus* of the "holy people" idea is Exod 19:3-6. The theme of the "holy people" is prominent in the book of Deuteronomy (7:6; 14:2, 21; 26:19; 28:9).

The Pentateuch itself provides a clear-cut rationale for the dietary laws. It is connected to the motif of holiness which is present in four main Pentateuchal passages relating to the dietary laws (Lev 11:44-45 [twice in these two verses]; also in Exod 22:31; Lev 20:26; Deut 14:2, 21). It is highly significant that the biblical text speaks in a "staccato emphasis"² about holiness and this great emphasis on holiness is not to the same extent found with any other laws. This underlined rationale of holiness is closely related to the creation theology. What does it mean to be holy in the particular context of the dietary laws?

To be holy means to be separated "for" the service of God. In that sense the ideas of קֹדֶשׁ and בְּדִלּוּת are connected (as is the case in the larger context of the Creation story).³ Order is achieved through separation/division and the setting of the boundaries. Therefore to be holy means to preserve God's given order and respect set boundaries.

¹Gispen, 5:196.

²Milgrom, *Leviticus 1-16*, 729.

³It is significant to notice that both Hebrew terms בְּדִלּוּת and קֹדֶשׁ always occur together in the Creation story, in Lev 10:10, Lev 11:44-47, and in Lev 20:25-26. The main idea of separation and distinction is thus strengthened.

Creative activity is present in holiness. The Holy God creates by separation and forms something new: life, space, time, plants, animals, humans, Sabbath, Israel, Exodus, etc. Holiness means to maintain the order God created and strive to preserve it. Holy people must protect the created order. To govern the animal world is to rule over them in a responsible way.

The idea of wholeness is present in the concept of holiness. It is a freedom from imperfections, anomaly, or disorder.¹ Uncleanliness is transgressing the boundaries God established. According to Jenson a common polar structure of the "Holiness Spectrum" is "normality—anomaly," and, "life—death."² In that respect the idea of health (related to life) is included in the biblical concept of holiness. Wholeness includes health (Lev 21:17-23; 22:19-25).

Health

Health considerations can be seen on two levels in regard to the dietary laws: (1) included in the notion of holiness, and (2) stressed by the positive characteristics of clean animals (such as chewing the cud of the quadrupeds), and by recognition that animals or birds of prey and scavengers are excluded from human consumption. Health as a motif behind the distinction between clean and unclean animals is a widely recognized

¹M. Douglas, *Purity and Danger*, 51-53.

²Philip Peter Jenson, *Graded Holiness: A Key to the Priestly Conception of the World*, *Journal for the Study of the Old Testament Supplement Series*, 106 (Sheffield: JSOT Press, 1992), 88.

rationale.¹ However, it is important to stress that this motivation is only one beside many others and is not explicitly given in the biblical text.

Human Perspective

Rationale for observance of the dietary laws from the human perspective includes the following:

Respect for the Creator

The principal biblical reason for adhering to laws of clean and unclean food is taken from exegetical intertextual observations which clearly demonstrate that the creation paradigm is behind the Mosaic dietary laws. The main emphasis lies in creation theology, in recognition that God is the Sovereign Holy Creator. Thus the principal rationale is to have respect for the Creator and by consequence for His creation.

Explicitly in the text of the Pentateuch is holiness, which lies behind these dietary regulations. Holiness is the creative activity of God which separates persons, time, and

¹Albright, 177-81, speaks of the dietary laws of Lev 11 and Deut 14 as "hygienic laws" or "hygienic regulations." Clements, "Leviticus," 2:34; Craigie, *The Book of Deuteronomy*, 231; R. L. Harris, "Leviticus," 2:572; Earl S. Kalland, "Deuteronomy," 3:101: "The reason is basically spiritual, though there may be other reasons growing out of psychological and sanitary considerations as well." Harrison, *Leviticus*, 124-27, makes a strong case for the hygiene/health rationale for the dietary laws. He lists various parasitic organisms and worms that can be contracted from unclean animals including pork and fish. Paul R. House, *Old Testament Survey*, 62: "Most of these rules protect the people from health risks." Rushdoony, *The Institutes of Biblical Law*, 298-301; idem, *Law and Society*, 702; Rand, 43-46; Josephson, 38-44; Benware, 62: "Some animals were identified as unclean because they were disease carriers, whereas others may have been so designated because of their associations with pagan worship."

things for special service to God. This activity is mentioned in the climax of the Creation account as well as in the key places of the biblical sections dealing with the dietary laws (Lev 11:44-45; Deut 14:2, 21). Holiness includes respect for the God-given creation order. Stressing holiness, the biblical author points back to Creation.

Imitatio Dei

Because God is holy, the Separated One, and He creates by separation, and separates clean and unclean meat (Creation and holiness are put here in a close relationship), humans have to do the same. The concept of separation is present in the keywords related to our topic—**קָדַשׁ** and **בְּדָל**. In following the instruction of the dietary law the believer engages in an *imitatio Dei*.¹ God twice commands: "Be holy, because I am holy" (Lev 11:44-45). This holiness must be experienced not on the ontological level, but on the pragmatic. To be holy like Him means to be involved in the process of separation, i.e., to distinguish between clean and unclean animals, because He also in His creative activity separates, distinguishes, sets limits and boundaries. This is what must be done on an everyday basis. Such activity is pro-life oriented and is included in the dietary prescriptions.²

¹Firmage, "Biblical Dietary Laws," 183. It is instructive that in the related Semitic language of Akkadian the verb *qadashu(m)* has the double meaning of "holy" and "to be clean" which is also manifested in other terms deriving from the same root word. See Hans-Peter Müller, "קָדַשׁ," 2:590.

²Even if one chooses to be a vegetarian (the Edenic diet for humanity), the same principle of life and separation is involved: one chooses plants over animals, life over death. The original purpose of eating is thus maintained. Life is respected not only by refusing to kill, but also by not eating blood.

God's people understand that they are not only created by God, but also sanctified by Him who is the Holy One. This recognition and experience gives them the sense of their origin, and deepens their dignity and responsibility. They acknowledge they are accountable to God. In all their actions they want to reflect a genuine relationship to their Holy God. Because of their status as children of God, they respect the food regulations (Deut 14:1-2).

Election

A third motive related to the observance of the laws of clean and unclean food is God's creative activity of choosing Israel to be His special people (Lev 20:24-26). This concept is also stressed in Exod 19:5-6; Deut 7:6; and 14:1-2. This action of God is again related to the idea of separation so dominant in the Creation story. The Hebrew terms **בדל**, **בחר** and **קדש** stress the same idea of distinguishing.

Exodus

The fourth biblical reason for obeying the dietary Pentateuchal code lies in the event of the Exodus (Lev 11:45). This saving event par excellence is once again the creative activity of God when the people of God are liberated from slavery and bondage of foreign gods. A new entity is formed and a bright future lies before them. Exodus is re-creation of the people of God. There is a connection between Creation and Exodus. The event of the Exodus is taken as a new Creation.¹

¹Carmichael, *Story of Creation*, 4-5, 18-21, 30, 39, 70.

In the conclusion of Lev 11 there is a strong emphasis on Israel's Exodus from Egypt taken as a motivation for the observance of the dietary laws. Warning demonstrates the importance of that reasoning by pointing to the terminological structural usage of עֲלָה and אֶרֶץ. He states in his conclusion: "The two structures based on 'bring up' and 'land,' both culminating in the statement 'for I am the Lord who *brought* them up from the *land* of Egypt,' support the literary integrity of Lev 11."¹ It is significant that both these terms are used in this chapter for the seventh time when they are joined together in vs. 45.

The motivation for observing the dietary laws is thus connected with redemption. The people of God keep food regulations out of thankfulness and gratitude to God for His redemptive activity. It is worthwhile to note that the Exodus is God's creative act, belonging to the creation theology. Deliverance from slavery and redemption from Egypt is a creation event par excellence. Creation and Redemption belong together.

Wall Against Paganism

There are some exegetical indications which point to the use of the dietary laws as a wall against infiltration of some pagan practices into the Israelite cult: the use of the notion תּוֹעֵבָה in Deut 14:3 whose primary usage is antiidolatry; the narrow context of Deut 14 probably also points to idolatry (vs. 1 speaks against cutting themselves or shaving the front of their heads for the dead, and vs. 21 contains the command not to

¹Warning, 229.

cook a young goat in the milk of its mother);¹ the context of Lev 20:24-26 is also against idolatry (Lev 17-20); and foreign practices in the Israelite Temple according to Isa 65:3-4 and 66:17 (along with the use of the pig in chthonic cults).² It is important to note that idolatry is a denial of Creation, and is directed against the recognition that God is the Creator.

Results of the Observance of the Dietary Laws

It is important to make a distinction between the rationale of the Mosaic dietary laws and the results which the observance of these laws brings. The rationale behind the laws of clean and unclean animals/food is a respect for the Creator. The result of such respect is manifold:

Self-Control

Humans must be trained not to want and have everything. They need to be disciplined and in control of their appetite. God sets order and gives boundaries which must be respected. The notion of holiness and the image of God is very relevant in this context. Human dignity is also in view.

¹For a discussion about these two texts, see Thompson, *Deuteronomy*, 176-177, 179; Mayes, *Deuteronomy*, 238-239, 243; Merrill, *Deuteronomy*, 235-236, 238-239; Thomas W. Mann, *Deuteronomy* (Louisville, KY: Westminster John Knox Press, 1995), 111; Tigay, 135-137, 140-141; Milgrom, *Leviticus 1-16*, 737-742.

²See Milgrom, *Leviticus 1-16*, 650-652.

Separation (Wall Against Idolatry)

Another result of respecting these dietary laws is separation from wrong habits and customs (Lev 20:22, 23—the context speaks about idolatry, spiritualism, and all kinds of illicit sexual practice). This does not necessarily mean to separate from other people; problems arise only when humans do not want to disassociate themselves from wrong habits and acts, when they want to decide what is right or wrong, and when they identify themselves with evil. In Leviticus, the call to holiness is very strong, where obedience to God has a direct bearing on the restoration of the image of God. In that sense the call to holiness and thus the respect of dietary laws is a wall against paganism, against corrupt habits and practices. Respect for the living Creator is totally directed against any form of idolatry. Creation and idolatry are incompatible.

Better Health

A result of respecting the Mosaic dietary laws appears in the realm of hygiene. Although I agree with Walter C. Kaiser, Jr., that "observing salutary results is not necessarily the same as discerning the intent for issuing these dietary restrictions,"¹ yet I maintain that both aspects are here valid (health intent as well as health benefits). Some important scientific studies demonstrate that eating meat from clean animals is healthier for human consumption than eating the flesh of unclean ones.²

¹W. C. Kaiser, "Leviticus," 1:1075.

²Macht, "Scientific Appreciation of Leviticus 11 and Deuteronomy 14," 26-28; idem, "Scientific Aspects of the Jewish Dietary Laws"; idem, "An Experimental Pharmacological Appreciation of Leviticus 11 and Deuteronomy 14," 444-450;

Man was created as a unit. Biblical anthropology states that a human being is a soul. According to the Creation story, humans have no soul. they are a soul (Gen 2:7). This holistic view of humanity has something to do with holiness. because holiness also means wholeness. The New Testament stresses this point emphatically—1 Cor 6:19-20; 10:31; 1 Thess 5:23.

Courage

Courage is a result in a different area of life of keeping the dietary laws—to dare to stand for one's own conviction and not to go after the majority. One needs courage in order to live according to God's revelation in the midst of ridicule, hatred, and persecution (Dan 1:8-20; 2 Macc 6:18-31; 4 Macc 5:1-6:30). It helps in making right moral decisions. The idea of separation and decision is strongly present in Gen 1-2.

Care for Environment

One cannot cultivate respect for the Creator and disrespect His creation. The Mosaic dietary laws are an everyday sign and memorial of our responsibility vis-à-vis life and nature. Pentateuchal dietary legislation should help humans to be concerned about ecological problems.

Why Not Unclean Plants?

Why is it that only regulations about edible and inedible meat can be found in the Pentateuch but no regulation concerning "unclean" inedible plants? One reason may lie

Craig, 10-12; Harrison, *Leviticus*, 124-127; Widmer, 24-26.

in the fact that it is often quite easy to know what is good for human consumption among plants and what is not (some hints of this are found in Deut 29:18; Exod 15:23-25; and 2 Kgs 4:38-41). Adam and Eve already knew what was suitable for human consumption from the garden of Eden. Later God gave additional instruction (Gen 3:17-19). But the main reason most probably lies in the fact that there are great similarities between animals and humans, but not between plants and humans as was already demonstrated in the beginning of this chapter.¹ People are to especially care for animals, because they were also created as a "living soul."

Conclusions

The ground for the observance of the dietary laws is God. The rationale for these food regulations is closely tied with the fact that God is the Creator, Holy One, Redeemer (Savior), and Judge (Law-giver). The rationale for the Mosaic dietary laws reflects the basic values and main principles of Creation such as life, order, boundaries, separation, movement, and holiness. To say it in one sentence, the leitmotif for the Pentateuchal dietary laws of clean and unclean animals/food is respect for the Creator (not only for the created order).

This study demonstrates that Mary Douglas's initial view of basic categories of space with their involved boundaries and movement is valid, because they are based on the creation order according to Gen 1. Walter Kornfeld's stress on an antithesis between life and death is useful. Jacob Milgrom's emphasis on respect for life in relation to the

¹See pp. 298-300.

dietary laws also proves helpful, because clean is indeed associated with life and unclean with death. Jon Levenson is right when he links holiness with preservation of the creation order. Also W. F. Albright and others with their stress on health have a solid ground for their claim.

As a result of this terminological, conceptual, structural, and theological study one can perceive the universal unifying principle behind the Mosaic dietary laws as the Creation pattern. The Creation motif is further developed in the Creation-Fall-New Creation model (or as David Clines calls it: creation-uncreation-re-creation)¹ within the context of the whole Pentateuch. Thus the general rationale is respect for the Creator.

Behind Creation as a unifying general principle there are other factors which contribute to the total picture of the rationale of the Mosaic food code. There is a whole spectrum of reasons within this one unifying principle, built upon the *Weltanschauung* of the Creation-Fall-New Creation theology, why some food is not eaten. Within this worldview, Creation cosmology is the basis for the taxonomy and its main rationale. Budd is right when he stresses that there are several factors behind the distinction of clean and unclean animals. However, he is against an overarching unifying model. He writes: "It seems desirable to look for an approach which does best justice to the system in its entirety, though it is overoptimistic to suppose that there is one key which can unlock its

¹Clines, *The Theme of the Pentateuch*, 81. See also R. M. Davidson, "Biblical Evidence for the Universality of the Genesis Flood," 69-71.

meaning."¹ I suggest that this one key is the Creation pattern with its rich connotations and its various motifs undergirding the dietary regulations. While taking the Creation pattern as the overarching umbrella (background, framework), I find a combination of rationales to be the most useful approach. The dominant creation model is the following: animals which are closest to the original vegetarian creation ideal, i.e., the way all animals were before the Fall, are clean.

Different aspects play important roles within the primary rationale of the dietary code and they do not stand in opposition to each other because they are all derived from the main pattern of Creation-Fall-New Creation paradigm. Those features of the specific theories of clean and unclean animals/food which reflect this Creation-Fall-New Creation order theology are taken seriously in my approach. For example: from an arbitrary explanation such features as the sovereignty of God and obedience are taken as valid; from psychological theory natural repulsiveness can also play some role in the rejection of some animals as food; from a life-death antithesis explanation the stress on life is insightful; from ethical theory the strong emphasis on respect for life proved to be correct; from cultic theory the stress on separation from pagan practices is recognized as one of the important principles of the social life of the people of God, because they need to have a clear wall against paganism and nothing can be mixed or combined with the true worship of God; from an anthropological explanation the stress on locomotion and normal-abnormal distinction is used; and from hygienic theory the health motive is

¹Budd, *Leviticus*, 159.

accepted as one aspect of the overall design of the Mosaic dietary laws which reveals the pattern of creation order and leads to an underlying primary rationale which is respect for the Creator.

My approach to the Mosaic dietary laws is not anthropocentric or health-centered or moralcentric, but theocentric: respect for the Creator. This explanation is a life-sustaining approach, which could be called the "Creation-Fall-New Creation Pattern Theory." It is based on the Creation-Fall-New Creation order theological approach. By this dietary legislation God wants to preserve the fundamental elements of His creation—life, order, boundaries, separation, holiness, and worship. This is why my theory starts with the Creation accounts of Gen 1-2 and is further built on in Gen 3-9. Later modifications of the original diet for humans reflect the basic, fundamental continuity of the original principles and elements that are now adapted to the new situation. This change under new circumstances shows God's constant struggle for life, order, choice, and boundaries even in the situation of sin. Thus, clean animals reflect the life of the garden of Eden and unclean animals reflect the lost Paradise—degeneration from original harmony, perfection, and holiness. The clean and unclean animals do not represent someone or something, because in that sense the explanation would become symbolic or allegorical. Rather these dietary laws reflect the real situation—God's creation order, Genesis cosmology, a biblical worldview—and they also give an important lesson for humanity, which is very often lost, i.e., respect for the Creator. Thus both elements are combined—real and didactic—in order to underline the necessity of

respecting the Creator God in the totality of human life and action, whether rational or transcendental.

Could this view be maintained without applying dietary laws to practice? Not according to the *Weltanschauung* of the Pentateuch. Tangible everyday praxis is needed. Laws must be experienced in action. These regulations about permitted and forbidden food are based on Genesis cosmology and this biblical worldview is closely linked with the nature of these laws as well as with the recognition that their origin is ancient. Humans who are created in the image of God need to live accordingly, therefore they must keep these laws. One can live in the image of God only by imitating God. This *imitatio Dei* consists of reflecting His holy character. The distinction between clean and unclean food is in close connection with the holiness of God. Thus, kerygma must go hand in hand with praxis.

SUMMARY, CONCLUSIONS, AND IMPLICATIONS

Summary and Conclusions

The list of clean and unclean animals in the Pentateuchal laws is unique. The aim of such a taxonomy is to class all animals into two groups for dietary purposes. There is no current awareness of such a comprehensive list in other ancient Near Eastern literature.

The expressions "clean animals" and "not clean animals" occur for the first time in Gen 7:2-3. Noah's knowledge of these regulations is assumed. The remarkable detailed enumeration of the clean and unclean animals appears for the first time in Lev 11 and then again in Deut 14. Dietary laws are found nowhere else in the Hebrew Bible to such an extent, although they are briefly mentioned elsewhere in the Pentateuch (Lev 20:22-26) and their knowledge is assumed in other places (Gen 9:3-4; Exod 22:31; Lev 17:10-14; Deut 12:15-16, 20-25), even beyond the Pentateuch where specific examples of unclean animals sometimes occur such as pig and mouse (Judg 13:4-7; Isa 65:3-4; 66:3, 17; Ezek 33:25-26; Dan 1:8-16; Hos 9:3-4).

A historical-chronological survey of the literature (chapter 1) relating to the Mosaic laws of clean and unclean animals/food reveals that the ancient Jewish and rabbinic explanations tend to be allegorical or symbolic. They stress the moral aspect of the regulations and underline their didactic motivation as self-control. The characteristics

of the animal behaviors, positive or negative, are seen to be included in the didactic motivation for the laws. These expositors are definitely in favor of maintaining the dietary regulations. This cannot be said however of the Church Fathers. Their explanations reflect some knowledge of earlier Jewish sources. They usually repeat symbolic or didactic theories. However, they twist their interpretations and turn them against the Jews (an anti-Judaistic tendency can be discerned), gradually abandoning the practice of making a distinction between clean and unclean food. According to them, dietary laws are given to the Jews to keep them separate from other nations. Early Christian expositors stress the nonrelevancy of this law code for the Church.

During the Middle Ages nothing new is added except the hygienic theory. Rabbis such as Samuel ben Meir, Maimonides, and others start this line of reasoning (Philo previously uses it in relation to eating carcasses).

In modern times old explanations regarding the dietary laws are repeated. New interest in the Mosaic dietary laws appears among scholars at the end of the nineteenth century with W. Robertson Smith, who stresses taboo as the main motive for the distinction between clean and unclean animals (1897). Then W. H. Gispen (1948) outlines a separation rationale in relation to holiness. From the 1960s on, some new attempts have been made to explain the Pentateuchal food laws which provide new insights. These include several anthropological approaches (Mary Douglas, Marvin Harris), a life-death antithesis (Walter Kornfeld), an altar-pattern interpretation (Edwin Firmage), a nature/culture boundary explanation (M. P. Carroll), and theories with an ethical emphasis (Jacob Milgrom, L. E. Goodman) along with new stress on the health

rationale (William F. Albright, Roland K. Harrison, etc.). The latest developments show an interest in the exploration of the laws of clean and unclean animals/food in relation to Creation. This is especially seen in the explanations offered by Mary Douglas (1966), Jon D. Levenson (1988), Jacques B. Doukhan (1994), Leon R. Kass (1994), and Richard E. Averbeck (1997).

Chapter 2 deals with the thematic approach to studies of the dietary laws. Fourteen different theories for interpreting the dietary laws are summarized, analyzed, and evaluated. I conclude that not one of them is completely satisfactory. Therefore a new approach to the food regulations is undertaken.

In this dissertation I concentrated on four important biblical passages which are significant to this subject: Gen 1-3; Gen 6-9; Lev 11; and Deut 14. Some other Pentateuchal texts, such as Exod 22:31; Lev 17:13-15; Lev 20:22-26; and Deut 12:15-16, 20-25, are also discussed as they relate to the topic.

Five criteria for validity and applicability of the clean and unclean Mosaic food laws are established (see the last part of the chapter 2) to determine whether the laws of clean and unclean animals/food are permanent or temporary:

1. The first criterion is related to the interdependency of the Pentateuchal laws dealing with food. This investigation of them revealed strong intertextual links on the basis of vocabulary used, concepts, and structures. It is my thesis that the distinction between clean and unclean animals is built upon Genesis cosmology. Different and significant concepts based on creation theology were seen within the larger scope of Creation, the Fall, and the New Creation order given in the context of the Flood. I

propose that the Creation-Fall (de-creation)-New Creation pattern is reflected in the Mosaic dietary laws. This theological pattern, anchored in Creation, provides the basis for the universality of these food regulations. The biblical cosmology and taxonomy of the animal kingdom give the main structure for the Pentateuchal dietary laws. It is therefore not adequate to explain Lev 11 and Deut 14 in isolation without a closer look at their larger context within the Pentateuch. These two passages must be studied in their broader context and need to be discussed in the realm of the whole Pentateuch in order for their true nature and theology to be detected. The warranty for such an endeavor and its conclusions must be established by careful and thorough exegesis.

2. The second criterion relates to a canonical picture of the *terminus a quo* and *terminus ad quem* of these laws. We find that the distinction between clean and unclean animals is introduced somewhere between the Fall and the time of Noah. On the other hand, we do not find an indicator drawn from the Pentateuch which would point to their *terminus ad quem*. However in the prophetic depiction of the Messianic kingdom, there is a description of total harmony between the animals and humanity, where death is not involved, and universal vegetarianism is implied (Isa 11:6-9; 35:9; 65:17, 22, 25; Ezek 34:25-29), thus signaling the end of the clean/unclean food laws in the "New Earth."

3. The third concerns the identity of those who have to observe them. All people from the time of Noah were included. The dietary laws are not given only for the priests, but for all people in general.

4. The fourth involves the constituent elements necessary for their observance. It is very significant that the obligation to observe the Mosaic dietary laws does not depend

on the functioning of the sacrificial system, the sanctuary, or on a specific geographic location and circumstance.

5. The comparative study of the animal uncleanness with other kinds of uncleanness clearly demonstrates that dietary laws are of a different nature (permanent, natural, hereditary, innate) and that they belong to universal/ethical law while all other kinds of uncleanness belong to ritual/ceremonial law. This was demonstrated on several grounds (chapter 3): (a) uncleanness of the unclean animals is not contagious or transferable by contact; (b) touching an unclean animal does not result in exclusion from social or religious activities; (c) the uncleanness of the unclean animals is permanent, and thus natural; (d) there is no provision or remedy for making unclean animals clean; (e) there is no punishment for disobedience against dietary laws; (f) a comparison between Lev 11 and Deut 14 demonstrates that the abbreviated account of the dietary code in Deut 14 is free from cultic regulations; (g) dietary laws are pre-Mosaic, they originated in the antediluvian world; and (h) the Pentateuchal dietary regulations are applicable to the "sojourner/alien" (Lev 17:13-14).

In chapter 3 links are established between Creation, the Fall, and the New Creation order on the one hand, and with the Mosaic dietary laws on the other hand; these links are terminological, conceptual, stylistic, structural, and theological. We started with the Creation accounts (Gen 1-2) and the story of sin (Gen 3) in relation to food and eating. We explored Gen 9 as a New Creation order. It became apparent that it is impossible to adequately explain the dietary regulations of Lev 11 and Deut 14 without

dealing with the Creation-Fall-New Creation order theme as a necessary background for understanding the intent, nature, rationale, and theology of the Mosaic dietary code.

Food laws of clean and unclean animals form an integral part of natural law, not merely on the grounds of a health rationale or ceremonial (cultic) law, but because of the cosmology and worldview of the creation order of Gen 1. Thus these laws were apparently known long before Moses and Noah. We assume that the distinction appeared for the first time after the Fall. This means that it has something to do with God's reaction toward sin. Already in the garden of Eden one can find in principle the concept of cleanness and uncleanness: from all trees the first couple could eat freely, but they could not eat from the tree of the knowledge of good and evil. This tree was in a sense "unclean" to Adam and Eve. The Sovereign God and Creator who demonstrates His love, care, and power in providing food has the right to demand total obedience. It is seen that one's attitude toward God's commands reveals one's true attitude toward God. The eating of the forbidden fruit is only a necessary consequence and result of a broken relationship with God. The Fall is taken as a model for understanding the laws of clean and unclean animals/food. Eating is integral to the Fall. In their eating Adam and Eve demonstrate choices that they had made regarding their relationship to the Creator. This fact must be included in an adequate explanation of the dietary laws under consideration.

The creation accounts of Gen 1 and 2 present the basic vocabulary, main concepts, and theological issues involved in this study. These are later implemented and developed in the Pentateuchal texts dealing with the laws of clean and unclean animals/food. Gen 1:1-2:4a (written in a beautiful literary parallel structure) stresses the concepts of life,

separation, order, locomotion, space, form, rulership, the image of God, food, worship, and holiness. Gen 2:4b-25 adds the positive command in regard to eating from all but one tree in the garden of Eden and the negative command in relation to eating from the tree of the knowledge of good and evil. In Gen 3 we see that there is nothing inherently wrong (poisonous) with the fruit of the tree of the knowledge of good and evil (Gen 3:6). Here important new features are added. These include the connection between eating and sin, the curses on the serpent and the ground, new elements in the human diet, and the concept of relationship. The concept of eating is one of the key issues in all three chapters—the root **אכל** occurs twice in the first chapter, five times in the second chapter, and eighteen times in the first twenty-two verses of the third chapter.

The intertextual correspondence which has been noticed among the main Pentateuchal texts on the dietary laws is striking. This is the main thrust and emphasis of the present dissertation (see table 10). We may therefore infer from many observations that the intertextual literary parallelism has been intentional, conscious, and voluntary on the part of the author of the Pentateuch. There are close links between several Pentateuchal passages dealing with the dietary laws. This is demonstrated on several levels. No doubt the connections are intended.

The main stress is laid on the distinction between clean and unclean animals/food and on the concept of detestation/abomination. There is a moral overtone in the dietary legislation. The prohibition of eating unclean food is put on the same level as idolatry, sexual immorality, and deceit. In the book of Deuteronomy it is connected with the third

TABLE 10

KEY LINKS BETWEEN MAIN SECTIONS OF THE PENTATEUCH
CONCERNING DIETARY LAWS

	Lev 11	Gen 1-2	Gen 6-9	Deut 14
Terminology	אֶרֶץ מַיִם יָמִים חַיָּה בְּהֵמָה עוֹף אֵלֶּה כָּל אֱלֹהִים נֶפֶשׁ אֲכָלָה שָׂרֵץ בְּדָל שָׂרֵץ רֶמֶשׂ מִן קֹדֶשׁ קְדוֹשׁ אֵד טָמֵא טְהוֹר זֹאת יְהוָה אֲכַל	אֶרֶץ מַיִם שָׁמַיִם יָמִים חַיָּה בְּהֵמָה דָּג עוֹף אֵלֶּה כָּל אֱלֹהִים נֶפֶשׁ אֲכָלָה שָׂרֵץ בְּדָל שָׂרֵץ רֶמֶשׂ מִן קֹדֶשׁ זֹאת יְהוָה צֶלֶם אֲכַל	אֶרֶץ מַיִם שָׁמַיִם יָם חַיָּה בְּהֵמָה דָּג עוֹף אֵלֶּה כָּל אֱלֹהִים נֶפֶשׁ אֲכָלָה שָׂרֵץ רֶמֶשׂ מִן אֵד טְהוֹר צְפוּר יְהוָה צֶלֶם אֲכַל	מַיִם בְּהֵמָה עוֹף כָּל אֱלֹהִים שָׂרֵץ שָׂרֵץ רֶמֶשׂ מִן קְדוֹשׁ אֵד טָמֵא טְהוֹר זֹאת צְפוּר יְהוָה אֲכַל

Table 10—Continued.

	Lev 11	Gen 1-2	Gen 6-9	Deut 14
Stylistic expressions	<p>למינה למינהו למינו נפש החיה להבדיל</p> <p>לא תאכל לא תאכלו תאכלו</p> <p>טמא הוא לכם</p> <p>מכל אשר במים</p> <p>כל שרץ העוף</p>	<p>למינה למינהו למינו נפש החיה להבדיל לא תאכל</p> <p>כל-עוף</p>	<p>למינה למינהו</p> <p>נפש החיה</p> <p>לא תאכלו</p> <p>כל-עוף</p>	<p>למינה למינהו למינו</p> <p>לא תאכל לא תאכלו תאכלו</p> <p>טמא הוא לכם</p> <p>מכל אשר במים</p> <p>כל שרץ העוף כל-עוף</p>
Concepts	<p>holiness</p> <p><i>imitatio Dei</i> eating life separation</p> <p>positive command</p> <p>negative command</p> <p>locomotion boundaries uncleanness cleanness</p>	<p>(holiness) image of God <i>imitatio Dei</i> eating life separation</p> <p>positive command</p> <p>negative command</p> <p>locomotion boundaries (uncleanness) (cleanness)</p>	<p>image of God <i>imitatio Dei</i> eating life separation</p> <p>positive command</p> <p>negative command</p> <p>locomotion boundaries uncleanness cleanness</p>	<p>holiness</p> <p><i>imitatio Dei</i> eating life separation</p> <p>positive command</p> <p>negative command</p> <p>locomotion boundaries uncleanness cleanness</p>

Table 10—Continued.

	Lev 11	Gen 1-2	Gen 6-9	Deut 14
Structures				
Categories of animals	animals fish birds swarmers	fish birds animals swarmers	animals birds swarmers fish	animals fish birds
Habitats of animals	land water air	land water air	land water air	land water air
Lists	4 unclean animals 20 unclean birds			4 unclean animals 21 unclean birds
Creation order		image of God blessing procreation rulership food	blessing procreation rulership food image of God	food
Theology	the Creator the Holy One the Redeemer the Law-giver choice in eating principle of life <i>imitatio Dei</i> respect for the Creator	the Creator the Holy One the Law-giver choice in eating principle of life <i>imitatio Dei</i> respect for the Creator	the Creator the Law-giver choice in eating principle of life <i>imitatio Dei</i> respect for the Creator	the Creator the Holy One the Law-giver He who elects choice in eating principle of life <i>imitatio Dei</i> respect for the Creator

commandment. The connotations and context of the dietary laws are theological (not to profane the holy character of God), they are not merely cultic or hygienic.

The concept of cleanness and holiness is connected with life and uncleanness is connected with death. Creation theology lies behind the distinction between clean and unclean animals/food. Creation is all about life. The new creation order, according to Gen 9, has the same emphasis.

The Creation paradigm of life, order, locomotion, boundaries, worship, and separation is foundational to the dietary regulations considered in this work. The Fall and the New Creation order with its special emphasis on the prohibition of blood (the Pentateuch contains very strong language against its consumption) forms a larger framework for these food rules.

There is clear intertextual dependency among key texts dealing with the dietary laws. The following brief summary is an explanation of my approach and helps to bring to view the relationships among the different biblical passages under consideration:

1. Links between Gen 1-3, Gen 6-9, Lev 11, and Deut 14:
 - a. Lexicographic occurrences such as "earth," "eat," "animal," "bird," etc.
 - b. The concept of three spaces in the same sequence: land, water, and air (sky)
 - c. Four main categories of living creatures: animals, fish, birds, and reptiles

d. Almost the same sequence of living creatures: Gen 1: fish, birds, animals, reptiles; Gen 9: animals, birds, reptiles, fish; Lev 11: animals, fish, birds, reptiles; Deut 14: animals, fish, birds

e. The same stylistic expression: the Hebrew word "מִיִּן" ("kind") with its various forms occurs in these biblical passages—Gen 1 (10 times), Gen 6-7 (7 times), Lev 11 (9 times) and Deut 14 (4 times).¹ It is very important to note that this expression is used only in our key texts; thus they are strongly linked together.

f. The concept of the image of God is connected with holiness. Gen 1 and Gen 9 specifically mention the expression "image of God" and Lev 11 and Deut 14 use the term "holiness." These two expressions hold the same concept: to reflect the character of God who is holy and to preserve His given order by obeying (respecting) His will.

It is very important to stress the link between the first account of creation (Gen 1:1-2:4a) and Lev 11 through the root שָׁקַד, because the actual forms of this root "to be holy" occur at the climax of these two chapters (Gen 2:3; Lev 11:44-45). It is striking that there are no other occurrences of the root שָׁקַד in Genesis. Its next occurrence appears in Exod 3:5.

g. The idea of the Hebrew word בָּדַל "to separate" or "divide" explicitly connects the Creation account with the two passages related to the dietary laws.

¹There is only one exception to this rule, i.e., Ezek 47:10, but the form used there "לְמִינֵהָ" is a hapax legomenon. The Hebrew word "מִיִּן" occurs 30 times in the Pentateuch and once in the rest of the whole Hebrew Bible.

In the passages under consideration this term is used ten times: Gen 1:4, 6, 7, 14, 18 (5 times); Lev 11:47 (once); and Lev 20:24-26 (4 times). This phenomenon is very important when we take into consideration that in the Pentateuch itself the expression is used only twenty times. This means that half of these occurrences are related to our key texts. This does not appear to be the result of chance; rather it seems to reflect intentionality and design. This link seems to show that the same creation activity (i.e., separation) must be involved in the decision-making process when distinguishing between clean and unclean food.

h. Similar syntactical features: a positive and negative command in relation to eating ("you may eat." "you must not eat")—Gen 2:16-17; 9:3-4; 11:2, 4, 9, 11; Deut 14:3-4, 6, etc.

i. The theology of food and eating: The laws regarding clean and unclean food are integrated into the larger framework of the theology of food. These laws reveal a Creator God who takes care of the needs of His creatures. This includes taking care of their physical needs as well as their need for holiness. For this reason food laws play an integral part in preserving God's holy order.

2. Links between Gen 1 and Gen 9 (not mentioned above):

- a. God's blessing (Gen 1:28; 9:1)
- b. Dominion over the animal world (Gen 1:26, 28; 9:2)
- c. Direct usage of the expression "image of God" (Gen 1:26-27; 9:6)
- d. Procreation (Gen 1:28; 9:7)

e. The theological concept of Creation and the New Creation. Noah is a new Adam.

3. Links between Gen 1 and Lev 11 (not mentioned above):

In Gen 1, the relationship between humans and animals has its counterpart in the relationship between humans and God. In Lev 11, the laws which legislate a distinction between clean and unclean animals point to the Creator God who requires holiness of us. In Gen 1, to be created in the image of God means to have the responsibility of ruling over the animals. In Lev 11, to reflect divine holiness means to distinguish between clean and unclean animals.

4. Links between Gen 6-9 and Lev 11 (not mentioned above):

Concept of "clean" and "not clean" animals.

Key links between main sections of the Pentateuch regarding the dietary laws are summarized in table 10.

The divine imperative is a strong and probably sufficient motive for the integration of these dietary laws into modern life. The origin of these laws lies in God. This is the most important aspect for the applicability of the dietary code.

This is why it is so vitally important to respect the Creator. The biblical dietary laws are a constant and daily reminder of that relationship, a daily choice for life rather than death.

The dietary code is universally valid for everyone in Israel, not only for a specific class of society. It is also important to see that God's revelation is in harmony with His

previous revelation about Creation; therefore it is congruent with the worldview of Israel who are the recipients of God's revelation.

Chapter 4 explores the theology and rationale of the distinction between clean and unclean animals/food. The ultimate Originator of the Pentateuchal dietary laws and the grounds for these regulations is God. He is presented by these Pentateuchal laws as the Creator, the Holy One, the Redeemer,¹ and Judge (Law-giver). The holiness of God is the determining factor for the legislation. Holiness and separation are closely connected. The purpose of these laws is to resemble God and live to His glory as His image. This means to respect Him as the Holy Creator. There is a creative power in holiness. This power separates and makes distinctions, and teaches that a distinction must be made in everyday life in regard to eating.

We have found that the rationale behind the distinction between clean and unclean animals lies in creation theology with several important issues. Six primary creation factors intersect in the Mosaic dietary laws: (1) Genesis cosmology with the structure of three habitats for the living creatures; (2) the four creature categories built on the Genesis creation story; (3) the fundamental creation concept of separation, order, locomotion, and

¹It is significant that the same motifs for keeping the dietary laws are connected with the observance of the Sabbath: Creation (Exod 20:8-12; 31:17), holiness (Gen 2:3; Exod 20:8), exodus/redemption (Deut 5:10-12), and in a broader sense, election (Exod 19:5). Sabbath is also a sign for true worship of God (Exod 31:12-13, 17). A tasteful festive meal belongs in traditional Judaism for the proper observance of the Sabbath. See Gerhard F. Hasel, "Sabbath," *ABD* (1992), 5:849-856; idem, "The Sabbath in the Pentateuch," in *The Sabbath in Scripture and History*, ed. Kenneth A. Strand (Washington, DC: Review and Herald Publishing Association, 1982), 21-43; Alan F. Segal, "The Jewish Tradition," in *World Religions: Western Traditions*, ed. Willard G. Oxtoby (Toronto: Oxford University Press, 1996), 108.

boundaries; (4) the concept of eating and not eating from the tree of the knowledge of good and evil; (5) the vegetarian principle of the garden of Eden, later taken as the prohibition of eating blood given as a new creation order after the Flood; and (6) the concept of holiness (which includes health). Thus the Creation-pattern is established which stresses principles of life.

I do not suggest that in Gen 1-3 there is already a distinction between clean and unclean animals. However, basic terminology, concepts, structures, and principles are established there. The first three chapters of the Bible provide an underlying theological principle: the Creation-Fall pattern, which can be stated in secular language as the life-death model. Life is closely linked to Creation and death to the Fall. This is already captured in principle in the second creation account in connection to the eating from the two trees in the middle of the garden of Eden: life is linked with the tree of life, and death with the tree of the knowledge of good and evil. This life-death principle is reflected in the clean/unclean food regulations. Clean animals are life oriented and unclean animals are death oriented. Creation is taken as an overarching criterion for these dietary rules. The New Creation order of Gen 9 further develops the main idea of preservation of life.

I do not believe that there is only one factor which contributes to the distinction between clean and unclean animals. There is no single universal factor which forms the system and explains all cases of impurity of different unclean animals. However, there is one overarching key (Creation) which plays an umbrella role under which many important factors are assembled. All elements which are compatible with the primary theological criterion of the Creation-Fall-New Creation pattern are taken seriously in this

approach. One factor cannot satisfactorily explain all different cases of animal uncleanness. This is why the totality of different elements is adapted here: animals are considered unclean because—they may be carnivorous, used in warfare, not good for human health, naturally repulsive, or used in idolatrous settings. Yet another factor may be that in order to prevent wholesale slaughter of animal species, humans are restricted to kill as few varieties of animals as possible.

A model of Creation-Fall-New Creation order is reflected in the formation of the dietary laws. Laws regarding clean animals points to life (originally included in the creation order of vegetarianism); this principle of life lies behind the new creation order reflected in the prohibition of blood, and is included in the Mosaic dietary laws. On the other hand, the laws of unclean animals are connected to death. Thus the overarching criterion for the laws of clean and unclean animals is Creation itself, which is linked to life, whereas departure from the Creation ideal (the Fall) is tied to death. Any factor which reflects this primary rationale of the life-death principle is taken seriously in this dissertation. The New Creation order presented in Gen 9 further develops the eating regulations which include the distinction between clean and unclean animals and respect for life. Because the Creation-Fall-New Creation order model lies behind the Pentateuchal dietary regulations, I call my theological interpretation the "Creation-Fall-New Creation pattern theory."

Creation is thus the all-encompassing key which unlocks the rationale of the Pentateuchal dietary rules relating to the clean and unclean animals.

There is also an aspect of health related to the dietary laws. We can say it cautiously in this way: The health aspect cannot be excluded from the concept of holiness, because one of its meanings is wholeness, the well-being of the whole person.

The vegetarian diet firmly established in the garden of Eden is reflected in the vegetarian behavior of clean animals. No carnivorous animal or bird was to be eaten. It is true that there are also some unclean animals which are herbivorous, but their exclusion from the diet is based on different grounds: edible ungulates have to have split hoofs and they have to ruminate. This points to their special way of digestion, and thus to the quality of meat for human consumption; the health aspect of the dietary laws seems to surface here.

The aspect of health is involved in the theological explanation of the Pentateuchal dietary laws, but it is not the primary explanation. The main rationale of these rules is respect for the Creator who is holy. Self-discipline, separation from pagan idolatrous practices, ethical emphasis, stress on life, and caring for the environment/nature are the results and benefits of the actual practice of these laws. The holiness motive for obedience to the laws of clean and unclean animals/food is the preservation of the boundaries and order given by a Holy God at the time of Creation and later on after the Flood (the New Creation order). Regeneration of the original gift of life is stressed by the food regulations. There is a definite link between Lev 11 and the creation account. This is demonstrated on several levels in this work.

In this study of the distinction between clean and unclean animals/food we discovered that the dietary code is, first of all, not about eating; it is primarily a revelation

about God. He is the Creator, the Holy One, the Separated, the Other, but also One who cares, loves, provides, and sustains. He is God who gives life and is the source of life. He creates by separation, installing order and setting boundaries. This same God is concerned with such seemingly mundane things as food and eating. Obviously He puts more importance on eating than people today do, because He knows how significant eating is to the human experience.

In the light of the specific (universal and permanent) nature of the Mosaic dietary laws and because the rationale of these regulations is closely connected with respect for the Creator, it seems to me that the universal application of these dietary laws is stressed. God does not want a specific type of man, the "Homo israelis," rather He wants humanity as a whole to follow Him, obey His precepts, and live in the image of God.

I suggest that laws which had no dependent relationship to the sanctuary with its resident Shekinah are still valid. Because the Mosaic dietary laws are not related to the temple and sanctuary services, but are related to Creation, they are universal and therefore still relevant to all human beings. The dietary laws are given to humanity not only to remind them that God is above them and to recognize Him as the Sovereign God, but especially to acknowledge Him as the Creator and the Holy One.

Despite Walter Houston's rejection of dietary laws as binding on Christians, he stresses that Christians should not merely "believe their faith but to grasp it in vivid and concrete ways, not merely to take moral decisions in its light but to live it, without having

to think about it, in the minute particulars of their lives."¹ He regrets that Christianity took away those laws entirely. In the "process of transformation something of value was lost."² The tragedy is that though Houston makes some theoretical suggestions of possible ways to reform the situation, he actually provides very little practical advice. I agree with him that we need meaningful rituals in our lives. Mary Douglas explains that symbols are useful in establishing the identity of a particular society or group of people and to help them understand their lives better.³ One such meaningful "ritual" or "symbol" is the Pentateuchal dietary code.

The reason for the laws distinguishing between clean and unclean animals/food is to show their theological or religious nature, and that they are not merely symbolic. They are built on a worldview which takes Genesis cosmology as reality. This *Weltanschauung* is the starting point. The theology of creation and the theology of sin are the necessary background for understanding such a distinction. God wants people to be morally responsible beings who know the what, when, and why of their everyday actions. Humanity has lost this sensitivity of respect for life and the Creator. This legislation has the aim of refreshing humanity's memory and giving them an anchor.

¹Houston, 282.

²Ibid., 280. He sadly remarks: "The food laws remind them [Jews] every time they take a meal of their election and call to holiness. Christians have nothing really comparable. More, these laws are a means ever to hand by which they may learn and exercise moral restraint in the use of the animal creation—a lesson and an exercise that the Christian world is only now laboriously learning, a praxis that it is slowly constructing from the ground up" (ibid.).

³M. Douglas, *Natural Symbols: Explorations in Cosmology*, 37-64.

Separation between clean and unclean animals is valid only in the interplay between Creation and the New Creation. It is restricted only to the time of sin. It was not in the beginning and it will not be in the future. This distinction will cease because in the new world there will be no death and all creatures will again be vegetarians. Thus true life will be enjoyed and harmony will be restored. There will be no more violence and death, no more pouring out of blood, and no more curse. God's blessing will be eternal.

It is significant that when God was giving food to His people during their forty years of wandering in the wilderness, He gave them heavenly food—a vegetarian diet (Exod 16:2-5, 15-16, 31-35). This type of food reminded them of the situation of the Eden ideal. This was an implicit call back to Creation. Jesus made this principle plain when He discussed the human situation in relationship to divorce: "It was not this way from the beginning" (Matt 19:8, NIV). Jesus points to Creation as the "criterion of permanence."¹ God is always leading back to the divine Creation even in a sinful world. The ideal of Creation is a pattern according to which humans should orient themselves. Thus, the principle of vegetarianism still continues to be the ideal even as God condescends to sinful conditions and allows humans to kill clean living creatures and consume their flesh.

Implications for New Testament Studies

The implications of this dissertation for the study of the relevant material regarding food in the New Testament are significant. I hold that there is a basic

¹R. M. Davidson, "Revelation/Inspiration in the Old Testament," 125.

continuity between the Old and New Testaments. This fundamental premise is supported by many scholars from a variety of interpretive approaches.¹ The general question of the authority of the Mosaic laws must be addressed when studying the New Testament teaching about the purity laws.

A study of the book of Leviticus reveals that it is a composite corpus of a variety of Pentateuchal laws. The Mosaic laws form a mosaic. It would do great damage if we threw away all the Mosaic laws simply because they are present in the Pentateuch. Here are some examples of laws that Christians accept even though they are included in the Mosaic law (or the Code of Holiness): laws against idolatry, prostitution, homosexuality, bestiality, and incest (Lev 18-19). One of the greatest commandments is also taken from the book of Leviticus: "Love your neighbor as yourself" (Lev 19:18).

The New Testament abolishes the ceremonial or sacrificial system of the Old Testament because it was typological and/or symbolic. When Jesus Christ came as the true Lamb of God, no more sacrifices were needed (Dan 9:27). At the cross Jesus brought to an end the whole sanctuary system of typological and/or symbolic ceremonies which pointed to Him as their ultimate fulfillment. Ordinances related to the sanctuary service lost their validity (Eph 2:15; Col 2:14; Heb 8:1-6; Matt 27:50-51; cf. 1 Cor 7:19).

¹See especially W. C. Kaiser, "Law as God's Gracious Guidance for the Promotion of Holiness"; idem, "Response to Douglas Moo"; idem, "Response to Greg L. Bahnsen"; idem, "Response to Wayne G. Strickland"; idem, "Response to Willem A. VanGemeren," in *Five Views on Law and Gospel* (Grand Rapids, MI: Zondervan Publishing House, 1996), 70-75.

On the rabbinic concepts of purity compared to the New Testament texts, see Neusner, *Idea of Purity in Ancient Judaism*, 16, 58-71.

There are many important points to be mentioned in respect to the New Testament interpretation of the texts that are assumed to touch the question of clean and unclean animals. I would like to suggest that any in-depth study of the New Testament passages alleged to deal with the Mosaic dietary laws of clean and unclean animals/food¹ should take into consideration the following points as a result of this study:

1. The rationale for the dietary laws is respect for the Creator. This motive and concept is also valid in the New Testament where teaching about God is clearly linked to the concept of Creation. God is presented as Creator and respect for Him is of utmost importance. This is attested in many New Testament passages; Col 1:16-17 and Rev 14:7 are just two examples.

2. A comparative study of the various kinds of uncleanness reveals that there are two distinctive types. This is demonstrated on the basis of their nature and within the concept of cleansing rites. One type/category of uncleanness is ceremonial/ritual and temporary, and the other one is nonritual and permanent. Only the latter is linked with the Pentateuchal laws of clean and unclean animals/food.

3. There is nothing typological or symbolic in the nature or rationale of the Mosaic dietary laws regarding clean and unclean animals/food. Nothing in them, directly or indirectly, points forward to Christ or to the events connected with the cross.

¹Here is the list of pertinent biblical New Testament texts relating to the question of food which must always be taken in the larger context: Matt 15:11, 17-20; Mark 7:19; Acts 10:15; 15:19-21, 28-29; Rom 14:14; 1 Cor 8:8; 10:23-27; Eph 2:15; Col 2:14-16; 1 Tim 4:1-5; Titus 1:15; Heb 9:10; 13:9.

4. These Pentateuchal laws of permitted and forbidden food have a perpetual character. The uncleanness of animals is not acquired, but is natural and permanent. This uncleanness is inherited. Thus, these laws are universal.

5. An alien (גֵר) who lives in the midst of God's people (Israel) had to observe these laws (Lev 17:13-14). There are no other laws of uncleanness which he was obliged to follow. Acts 15 seems to correlate the duties of the Christians with laws applicable to the "ger" in Lev 17-18.¹

6. The origin of these laws is tied to pre-Mosaic times, at least to the time of Noah.

7. The call to holiness, the dominant theme in the book of Leviticus, contains a strong emphasis and admonition for Christians in the New Testament writings (1 Pet 1:15-16; Heb 12:14). The "holy nation" theme upheld in both Testaments (Exod 19:5-6; Heb 12:22-24; 1 Pet 2:9-10) is linked to the dietary laws. Holiness has to be manifested in correct conduct in everyday life. The *imitatio Dei* is an ongoing demand.

8. The Pentateuchal dietary regulations include an ethical motivation. Respect for life is also emphasized in the New Testament.

¹Many refer to this. See F. Hauck and S. Schulz, "πόρνῆ, et al.," *TDNT* (1968), 6:592-593; Richard M. Davidson, "Divorce and Remarriage in the Old Testament," unpublished paper, Andrews University, 1998, 11-13; H. Bietenhard, "πνικτός," *The New International Dictionary of New Testament Theology*, 4 vols. (Grand Rapids, MI: Zondervan Publishing House, 1975), 1:226; H. Reisser, "πορνεύω," *NIDNTT* (1975), 1:497-501; James B. Hurley, *Man and Woman in Biblical Perspective* (Grand Rapids, MI: Zondervan Publishing House, 1981), 95-106, 129-137.

9. The close connection between dietary prohibitions, warning against idolatry, and prohibition of all immoral sexual behavior (all three activities are called תועבה "abomination") is a strong indication that this triune entity has to find continuity in the New Testament era. The moral dimension of the dietary law is attested in the Old Testament. In the Pentateuch as well as in Ezekiel the ethical aspect of these laws plays an important role (Lev 11:44-45; Deut 14:3; Ezek 33:25-26).

10. The aspect of health should not be overlooked. Even though the primary purpose of the dietary laws is not health, this dimension is one factor which must be taken seriously, because it is a quality of life valid at any time.

The rationale and theology behind the Pentateuchal dietary laws seem to be valid also in the New Testament economy because the cross of Jesus does not abrogate the theology and rationale behind this specific kind of uncleanness. The nature of these laws is universal because they point to God as Creator and to His New Creation order. The reason for the applicability of the dietary laws is theological and based on anthropological observations, not only symbolic or didactic ones.

In order to understand the many New Testament passages dealing with this subject and in order to interpret them correctly, one must take into consideration the difference between two Greek words, which reflect and represent two different concepts:

ἀκάθαρτος (unclean) and κοινός (common, polluted).¹ Only when this distinction is

¹It is very significant that the LXX always translates the Hebrew term לִטְמֵא as βέβηλος, and not κοινός. The Septuagint never uses κοινώω for "to make/declare common," but constantly employs βεβηλοῦν "to profane." In LXX the Hebrew word טְמֵא is translated ἀκάθαρτος, and טָהוֹר is rendered καθαρός. The adjective κοινός in

known and implemented in the study does the exegetical work do justice to the subject. The term ἀκάθαρτος means "unclean" according to Old Testament teaching, while the word κοινός means "common" or "polluted" according to the rabbinical view. The concept of κοινός represents the special rabbinical teaching adopted sometime in the intertestamental period (most probably in the second century B.C.). This important concept is known as defilement by association.¹ Walter Houston writes: "There was no category of impure food in Greek culture, and the use of koinos is distinctively Jewish."²

Jesus' attitude toward the issue of eating and pollution can be seen in Mark 7:15.

19. His statement at the end of verse 19 "καθαρίζων πάντα τὰ βρώματα." can be understood as an irony.³ Here He is contrasting the tradition of the elders with the biblical law and demonstrates the difference between spiritual and physical defilement.⁴

the sense of "common/profane" is absent from the LXX. The two pairs שִׁדְרָה-לֶחֶם, and אֲמִיץ-רִיחַץ in Lev 10:10 are translated in the Septuagint in the following way: ἅγιος-βέβηλος, ἀκάθαρτος-καθαρός. κοινώω with the meaning of cultic profanation is used for the first time in the apocryphal book 4 Macc 7:6.

¹See especially Colin House, "Defilement by Association," 143-153; Shea, "Clean and Unclean Meats," 18-21; R. M. Davidson, "Revelation/Inspiration in the Old Testament," 121-122.

²Houston, 262.

³Such an interpretative possibility is mentioned by Petr Pokorný, *Výklad evangelia podle Marka*, 2nd ed. (Praha: Kalich, 1981), 148. Herman Ridderboss, *The Coming of the Kingdom* (Philadelphia, PA: The Presbyterian and Reformed Publishing Company, 1962), 332, argues for only one correct translation of this phrase: "Some authors translate Mark 7:19b by 'and thus he declared all meats to be pure'; but *katharizoon* must be taken as the continuation of *ekporeuetai*. The process of digestion is at the same time the purification of the food!"

⁴For example: James D. G. Dunn, *Jesus, Paul and the Law: Studies in Mark and Galatians* (London: SPCK, 1990), see his 2nd chapter: "Jesus and Ritual Purity: Study of

Many scholars recognize today that Jesus and the apostles were not against the dietary laws, but against their misuse. Since their original intent was distorted He had to restore their true meaning. Jesus' teaching does not diminish the validity of the dietary regulations.¹ Danger to the purity of the mind and the heart is more important than what goes into the stomach.

Modern translators often fail to reflect that Jesus is referring in Mark 7 to food that is κοινός—desecrated/polluted by association—and not to food that is ἀκάθαρτος ("unclean"). The word ἀκάθαρτος does not appear here. The same can be said about Matt 15:11, 17-20.

the Tradition-History of Mark 7.15," 37-60; Yehezkel Kaufmann, *Christianity and Judaism: Two Covenants* (Jerusalem: The Magnes Press, The Hebrew University, 1988), especially 49-60, 134-147; Bahnsen and others, *Five Views on Law and Gospel*; Klaus Berger, *Die Gesetzesauslegung Jesu: Ihr historischer Hintergrund im Judentum und im Alten Testament*, Wissenschaftliche Monographien zum Alten und Neuen Testament, 40 (Neukirchen-Vluyn: Neukirchener Verlag, 1972), 461-507; C. E. B. Cranfield, *The Gospel according to St. Mark*, The Cambridge Greek Testament Commentary (Cambridge: University Press, 1963); William L. Lane, *The Gospel According to Mark*, NICNT (Grand Rapids, MI: Eerdmans Publishing Company, 1974); Hasel, "Distinction between Clean and Unclean Animals in Lev 11," 111-114; Shea, "Clean and Unclean Meats," 33-34.

¹Thus Houston, 275-276; Dunn, *Jesus, Paul, and the Law*, 51; E. P. Sanders, *Jewish Law from Jesus to the Mishnah* (London: SCM Press, 1992), 28; Barnabas Lindars, "All Food Clean: Thoughts on Jesus and the Law," in *Law and Religion: Essays on the Place of the Law in Israel and Early Christianity*, ed. B. Lindars (Cambridge: J. Clarke, 1988), 65-66; R. P. Booth, *Jesus and the Laws of Purity: Tradition History and Legal History in Mark 7*, Journal for the Study of the New Testament, Supplement Series, 13 (Sheffield: JSOT, 1986), 70-71; Hasel, "Distinction Between Clean and Unclean Animals in Lev 11," 111-114.

In the book of Acts there are two passages that are relevant to our subject (Acts 10:9-16; 15:19-29).¹ Both of these paragraphs in the biblical text reveal that God is concerned with people and their behavior. These verses do not appear to teach the abolishing of the dietary laws; rather they confirm them.

The lesson in Acts 10 was given to help Christians overcome their great misconceptions and biases toward pagans. The way for proclaiming the Gospel had to be opened. In order not to jeopardize the Church's call to evangelism a radical correction of a divisive tradition was needed. A penetrating study by Colin House reveals that during intertestamental times Judaism developed the nonbiblical concept of "defilement by association." It was believed that if something clean touched something unclean, it would become κοινός ("defiled, polluted, common").²

Peter in Acts 10 felt he could not eat anything, because even the clean animals became unclean by association with the unclean animals, a concept which is not supported by Hebrew Scriptures (an alive unclean animal is never a source for uncleanness). God asked Peter to stop calling the clean animals κοινός, i.e., defiled by association with the unclean animals. This meant that he had to stop considering himself (a Jew) unclean by associating with Gentiles. Through the vision Peter was taught that social barriers between Jews and Gentiles fell down (he is now free to socialize with them

¹Colin House, 143-153; Hasel, "Distinction Between Clean and Unclean Animals in Lev 11," 114-115; William J. Larkin, Jr., *Acts*, The IVP New Testament Commentary Series (Downers Grove, IL: Inter-Varsity Press, 1995).

²Colin House, 146-151.

and visit the house of a pagan Cornelius), and not that a biblical distinction between clean and unclean animals is no longer valid.

Another confirmation of the validity of the Mosaic dietary laws may be seen in Acts 15 where the eating of blood is prohibited. This prohibition is included in Levitical dietary legislation. Acts 15:20 affirms that the new believers should continue to "abstain from things contaminated by idols and from fornication and from what is strangled and from blood." These four binding prohibitions of the so-called Apostolic Decree clearly reflect the universal laws of Lev 17-18.¹ In light of Lev 17:10-14 these apostolic prohibitions implicitly include the clean and unclean food distinctions.²

There is abundant literature about Paul's attitude toward the law and particularly towards food offered to idols and other food-related texts.³

¹It is very significant that there is close correspondence between the apostolic decree of Acts 15:29 and Lev 17-18. Four issues decided at the Jerusalem Council have the same sequence in Lev 17-18 and all of them in Leviticus are related to "ger" ("alien")—Lev 17:8, 10, 12, 13, 15; 18:26. These four issues are: (1) food offered to idols (Lev 17:3-9); (2) prohibition of blood (Lev 17:10-14); (3) abstaining from the meat of strangled animals (Lev 17:15-16); and (4) abstaining from sexual immorality (Lev 18:1-30). See Shea, "Clean and Unclean Meats," 34-37; R. M. Davidson, "Divorce and Remarriage in the Old Testament," 12-13; Hauck and Schulz, "πόρνη," 6:592-593.

²It is important to observe that in Lev 17:10-14 the two prohibitions (about blood and forbidden animals) are explicitly put together.

³Peter J. Tomson, *Paul and the Jewish Law: Halakha in the Letters of the Apostle to the Gentiles* (Minneapolis: Fortress Press, 1990); Lloyd Gaston, *Paul and the Torah* (Vancouver: University of British Columbia Press, 1987); E. P. Sanders, *Paul, the Law, and the Jewish People* (Philadelphia: Fortress Press, 1983); Thomas R. Schreiner, *The Law and Its Fulfillment: A Pauline Theology of Law* (Grand Rapids, MI: Baker Books, 1993); Frank Thielman, *A Contextual Approach: Paul and the Law* (Downers Grove, IL: Inter-Varsity Press, 1994); Michael Winger, *By What Law? The Meaning of Nomos in the Letters of Paul* (Atlanta, GA: Scholars Press, 1992); Ah Kam Lim, "Paul, Judaism, and the Law" (Ph.D. diss., Drew University, 1990); Timo Laato, *Paul and Judaism:*

In Rom 14 Paul is probably addressing problems relating to ascetics among the Essenes.¹ Another possibility is that Paul is confronting the same issue as the Corinthian problem: meat offered to idols. In Rom 14:14-23 Paul explains that the most important law is the law of love. He declares that nothing is "κοινός" ("common," or "polluted") in itself. He does not say that nothing is "ἀκάθαρτος" ("unclean"). The concept behind this assertion is pollution by association. Nothing is polluted by itself because it was associated with idols.

Anthropological Approach (Atlanta, GA: Scholars Press, 1995); Francis Watson, *Paul, Judaism and the Gentiles* (Cambridge: Cambridge University Press, 1986); Heikki Räisänen, *Paul and the Law* (Philadelphia, PA: Fortress Press, 1986); idem, *The Torah and Christ* (Helsinki: Finnish Exegetical Society, 1986); P. Peter Blaser, *Das Gesetz bei Paulus* (Münster: Aschendorffsche Verlagsbuchhandlung, 1941); C. Thomas Rhyne, *Faith Establishes the Law* (Chico, CA: Scholars Press, 1981); Eckart Reinmuth, *Geist und Gesetz* (Berlin: Evangelische Verlagsanstalt, 1985); Bahnsen and others, *Five Views on Law and Gospel*; Chimedu Adolphus and Amadi-Azuogu, *Paul and the Law in the Arguments of Galatians: A Rhetorical and Exegetical Analysis of Galatians 2,14-6,2* (Weinheim: Beltz Althenaum Verlag, 1996); James D. G. Dunn, ed., *Paul and the Mosaic Law* (Tübingen: J. C. B. Mohr [Paul Siebeck], 1996); idem, *Jesus, Paul and the Law*; Hendrikus Boers, *The Justification of the Gentiles: Paul's Letters to the Galatians and Romans* (Peabody, MA: Hendrickson Publishers, 1994); Michael Newton, *The Concept of Purity at Qumran and in the Letters of Paul*, Monograph Series, Society for New Testament Studies, 53 (Cambridge: Cambridge University Press, 1985).

Very important studies on Rom 14: Douglas J. Moo, *The Epistle to the Romans*, NICNT (Grand Rapids, MI: Eerdmans Publishing Company, 1996), 826-864; James D. G. Dunn, *Romans 1-8, Romans 9-16* (Waco, TX: Word Biblical Commentary, 1988); C. E. B. Cranfield, *A Critical and Exegetical Commentary on the Epistle to the Romans*, 2 vols., International Critical Commentary (Edinburgh: T. & T. Clark, 1975-1979).

On the dietary laws and the relevant New Testament Pauline texts, see especially Hasel, "Distinction Between Clean and Unclean Animals in Lev 11," 91-125; Shea, "Clean and Unclean Meats," 37-41; R. M. Davidson, "Revelation/Inspiration in the Old Testament," 122-123.

¹R. Dederen, "On Esteeming One Day Better Than Another," *Andrews University Seminary Studies* 9 (1971): 16-35.

In 1 Corinthians Paul explains one of the hot problems in the apostolic Church. The question of conscience was: "Is it permitted to eat meat offered to idols or not?" This question is explained in 1 Cor 8:1-13 and 10:23-33. Here Paul is dealing with an issue that has no clear-cut answer in Scripture. Paul holds that since idols are nothing more than human creations one is free to eat meat that has been offered to them on condition that this is done apart from the cultic setting. His concern, however, is pastoral. He wants to stress that love must prevent the misuse of this knowledge for the sake of the weaker brother.¹ To my knowledge, there is nothing in Paul's writings (when taken in context) to suggest that the distinction between clean and unclean food has been abolished.

I can agree with Professor Kilgallen, who wrote: "The simplest supposition, that Jesus faced the Leviticus statement, and directly and explicitly canceled it, is not verifiable."² However, in an attempt to discover the possible reason for the abolition of the Mosaic dietary laws by early Christians, he states that "we must look for more indirect reasoning."³ Bryson argues very strongly that the New Testament does not abolish the distinction between clean and unclean food.⁴ Also Heiki Sariola explains that Mark 7:1-

¹See for example Simon J. Kistemaker, *1 Corinthians*, New Testament Commentary (Grand Rapids, MI: Baker Books, 1993), 260-279, 351-360.

²John J. Kilgallen, "All Food Is Clean," *The Bible Today* 19 (1981): 259-263.

³*Ibid.*

⁴George Elmer Bryson, "Unclean Foods in the New Testament," *Ministry*, October 1983, 26-27.

23 should not be understood in such a way that the author (Mark) "rejects the dietary laws."¹

Houston concludes his study of the Mosaic dietary code by saying: "It is obvious that the New Testament is not sufficient as the basis of a whole way of life; despite its length, roughly comparable with that of the Torah, it is poor in minute particulars."² He maintains that "minute particulars are needed not just for doing good, but for experiencing good and being good."³ Péter-Contesse seems to correctly state:

As for the notion of cleanness and uncleanness, it seems at first glance that the perspective of the New Testament is diametrically opposed to that of the Old Testament. As we have already seen, Jesus declared that "all things are clean" (Mark 7:19; Acts 10:12-15). The community of the early Christians often discussed this issue (Rom 14:14; 1 Cor 8; 2 Cor 7:1; Phil 1:10; 1 Thess 4:7; Heb 9:13-14; Jas 4:8). But these texts do not deal with the distinction between what is clean and what is unclean as in the case of the Old Testament ritual (cultic) texts. The notions are spiritualized and the stress lies no longer on ritual purity, but on moral purity. Does it mean that there is a radical break between Old Testament covenant and New Testament covenant because of this question? We do not think so. The break which Jesus brings is not demonstrated in relationship to the fundamental Old Testament doctrine, but in contrast to the formalism of the scribes and Pharisees of his time, who maintained that cleanness and uncleanness is only a physical state, which essentially leads to "separation." For Jesus, in harmony with prophetic teaching, it means seeing cleanness not as a state "in itself," but as an overt relationship with God.⁴

¹Heikki Sariola, *Markus und das Gesetz. Eine redaktionskritische Untersuchung*. *Annales academicae scientiarum Fennicae*, 56 (Helsinki: Suomalainen Tiedeakatemia, 1990), 242.

²Houston, 280.

³Ibid.

⁴Péter-Contesse, 178. Translation mine.

In the New Testament there is a strong call to holiness. It is interesting that Peter's reason for being holy (1 Pet 1:15-16) is substantiated by the text derived from the passage dealing with the Mosaic dietary laws, i.e., Lev 11:44-45.¹ In harmony with such a view it seems that holiness as one of the main biblical rationales for the dietary laws is still relevant, because it reflects the primary motivation of these regulations: respect for the Creator who is Holy. However, a future comprehensive study is needed which deals with the New Testament data in light of the insights emerging from the Old Testament, to further explore the possible implications supported by this dissertation.

We are what we care for. The way that we express our care for our Creator and His creation also shows who we are. If we care for the Creator, we care for His creation. This is part of the larger responsibility God has bestowed on humans. Only by reflecting His holiness, manifested by respecting both Creator and creation, can humans truly reflect His holy character and live as the image of God.

¹Simon J. Kistemaker, *Exposition of the Epistles of Peter and of the Epistle of Jude*, New Testament Commentary (Grand Rapids, MI: Baker Books, 1987), 62; Donald Guthrie, *New Testament Theology* (Downers Grove, IL: Inter-Varsity Press, 1981), 99.

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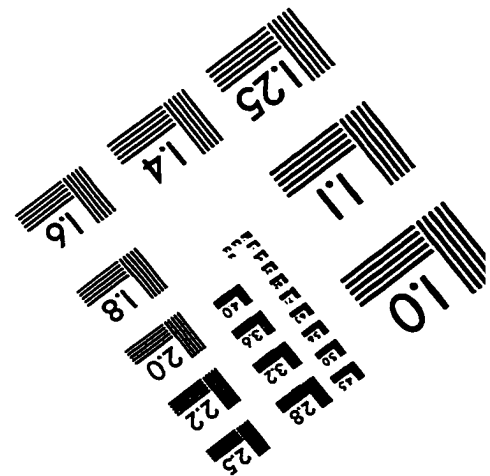
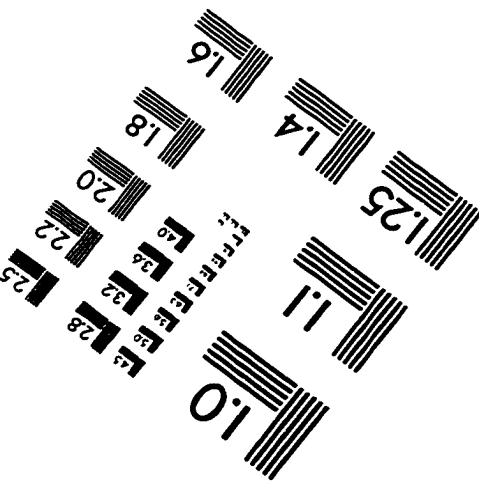
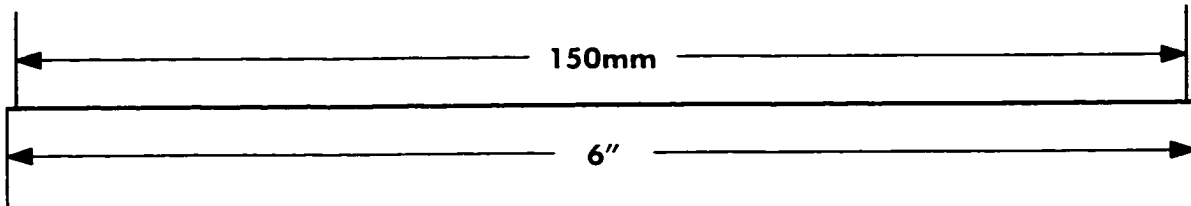
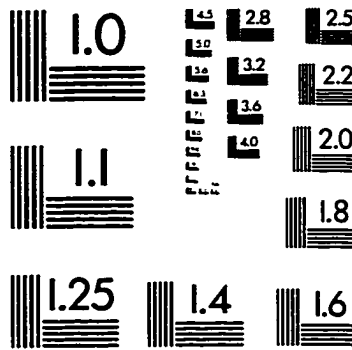
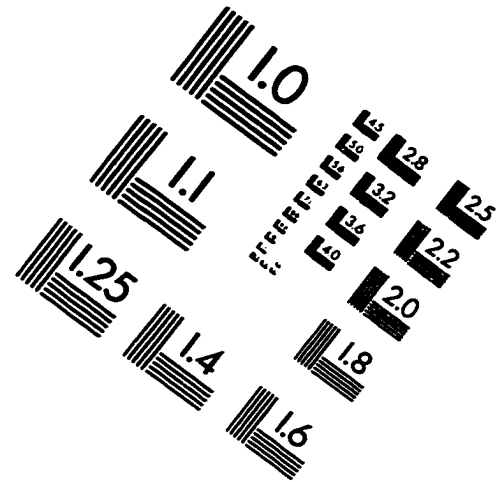
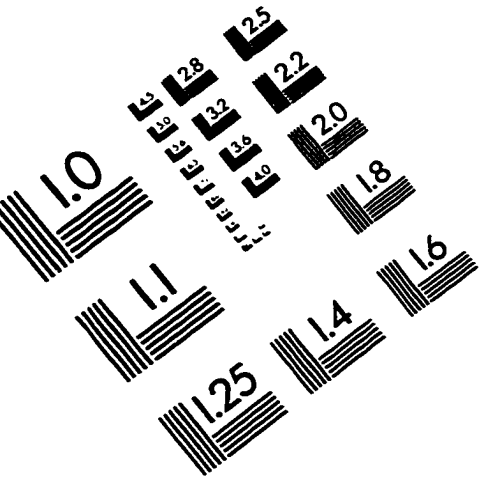
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