1979

Substitution in the Hebrew Cultus and in Cultic-Related Texts

Angel Manuel Rodriguez
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Seventh-day Adventist Theological Seminary

SUBSTITUTION IN THE HEBREW CULTUS AND IN CULTIC-RELATED TEXTS

A Dissertation
Presented in Partial Fulfillment
of the Requirements for the Degree
Doctor of Theology

by
Angel Manuel Rodriguez
August 1979
SUBSTITUTION IN THE HEBREW CULTUS AND IN CULTIC-RELATED TEXTS

A dissertation presented
in partial fulfillment of the requirements
for the degree
Doctor of Theology

by
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Date approved

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ABSTRACT

SUBSTITUTION IN THE HEBREW CULTUS AND
IN CULTIC-RELATED TEXTS

by

Angel Manuel Rodríguez

Chairman: Gerhard F. Hasel
ABSTRACT OF GRADUATE STUDENT RESEARCH

Dissertation

Andrews University
Seventh-day Adventist Theological Seminary

Title: SUBSTITUTION IN THE HEBREW CULTUS AND IN CULTIC-RELATED TEXTS

Name of researcher: Angel Manuel Rodriguez

Name and title of faculty adviser: Gerhard F. Hasel, Ph.D.

Date completed: August 1979

This dissertation attempts to investigate the presence, function, and meaning of the idea of sacrificial substitution in the Hebrew cultus. The interpretation of the OT sacrifices in terms of sacrificial substitution has been questioned and rejected by a great number of scholars. They have argued that such an understanding cannot be supported by the biblical text or by ancient Near Eastern religious practices.

In this study the ancient Near Eastern texts are first investigated in order to highlight to what degree and where the essential elements of the idea of substitution are present in them. We discuss next the cultic legislation found mainly in the book of Leviticus. Since sacrificial substitution attempts to answer the question of the how of expiation, particular emphasis is put on the expiatory sacrifices. The occasions and
procedures for these sacrifices are investigated in an effort to uncover their meaning. This is done through a study of the different ritual acts performed in connection with the offering of the expiatory sacrifices. Three cultic-related texts, which have been referred to quite often in the debate over sacrificial substitution, are also investigated (Gen 22:1-19; Exod 12:1-13:16; Isa 52:13-53:12).

A study of the ancient Near Eastern texts reveals that the practice of substitution was known in Sumerian, Assyro-Babylonian, Hittite, and Ugaritic literature. Substitution was connected mainly with rituals involving magic. Its purpose was to preserve the life of the offerer. The individual was identified with his substitute especially through the spoken word. In practically all cases the substitute was given to the Underworld powers. Among the Hittites, however, a substitute was given to the heavenly gods.

A study of the occasion for the expiatory sacrifices reveals that the sin/impurity left the sinner in a state of guilt, liable to divine punishment. Sin/impurity separated the individual from Yahweh, the only Source of life. The ultimate result of that state would have been death. Expiatory sacrifices remove sin/impurity (guilt) from the offerer.

The procedure followed in offering the expiatory sacrifices makes clear how expiation was achieved. The blood manipulation is understood as a ritual act through which the sin of the offerer is transferred to the sanctuary. The blood, which is being returned to Yahweh, is accepted by Him in place of the offerer. The ritual of the eating of flesh is practiced whenever there is no blood sprinkling inside the sanctuary. It is also a means of transferring sin to the presence of the Lord.
The ritual of the laying on of hands in the expiatory sacrifices indicates a transference of sin/impurity from the offerer to the sacrificial victim and the establishment of a relation of substitution between the subject and the object of the ritual. In such a process the holiness of the victim is not affected. The same significance is also present in the laying on of hands on the peace and burnt offerings. Besides their main function they also serve expiatory purposes.

Concerning the cultic related texts it is suggested that the idea of substitution is present in all of them. However, only in two of them is sacrificial substitution present (Gen 22:1-19; Isa 52:13-53:12). In the other passage (Exod 12:1-13:16) a substitute is given in order to redeem the individual.

It is concluded that sacrificial substitution is present in the OT cultus. It is interpreted as a divine act of love. It does not seem to have the purpose of appeasing Yahweh. Sacrificial substitution does not presuppose so much wrath but love. It is God's love that moves Him to accept in place of the sinner a substitute to which sin and its penalty has been transferred and which dies in the sinner's place. This Israelite concept is something unique in the ancient Near East.
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<td>AAA</td>
<td>Annals of Archeology and Anthropology</td>
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<td>AcOr</td>
<td>Acts orientalia</td>
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<td>AFO</td>
<td>Archiv für Orientforschung</td>
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<td>AJT</td>
<td>American Journal of Theology</td>
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<td>AO</td>
<td>Alte Orient</td>
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<td>Alter Orient und Altes Testament</td>
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<td>ArOr</td>
<td>Archiv orientální</td>
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<td>ASTI</td>
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<td>BASOR</td>
<td>Bulletin of the American School of Oriental Research</td>
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<td>BKAT</td>
<td>Biblischer Kommentar Altes Testament</td>
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<td>BLE</td>
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<td>BO</td>
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<td>Bible Translator</td>
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<td>BTB</td>
<td>Biblical Theology Bulletin</td>
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<td>BZAW</td>
<td>Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft</td>
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<td>CAD</td>
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<td>CDios</td>
<td>Ciudad de Dios</td>
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<td>CQR</td>
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<td>CTA</td>
<td>Corpus des tablettes en cunéiformes alphabétiques</td>
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<td>CulBib</td>
<td>Cultura Bíblica</td>
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<td>ET</td>
<td>Expository Times</td>
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<td>Int</td>
<td>Interpretation</td>
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<td>IRM</td>
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<td>JBL</td>
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<td>Journal of Near Eastern Studies</td>
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<td>JQ</td>
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<td>JSOTSup</td>
<td>Journal for the Study of the Old Testament: Supplement Series</td>
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<td>JSS</td>
<td>Journal of Semitic Studies</td>
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<td>JTS</td>
<td>Journal of Theological Studies</td>
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<td>Jud</td>
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<td>MIO</td>
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<td>MT</td>
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<td>OrAnt</td>
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<td>RAC</td>
<td>Reallexikon für Antike und Christentum. Edited by Theodor Klauser. Stuttgart: Hiersemann Verlag, 1950-.</td>
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<tr>
<td>RHPR</td>
<td>Revue d'histoire et de philosophie religieuses</td>
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<td>RHR</td>
<td>Revue d'histoire des religions</td>
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<td>SBT</td>
<td>Studies in Biblical Theology</td>
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<td>ScrHie</td>
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<td>Zeitschrift für katholische Theologie</td>
</tr>
<tr>
<td>ZTK</td>
<td>Zeitschrift für Theologie und Kirche</td>
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Dedicated with great love to

Guivi, Edlyn, Dixil
ACKNOWLEDGMENTS

I would like to express my gratitude to those who in one way or another contributed to the completion of this dissertation. I am particularly grateful to Dr. Gerhard F. Hasel for suggesting to me the topic of this dissertation and for his willingness to spend time with me supervising the research and making significant suggestions.

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The completion of this dissertation at this time would not have been possible without the economic support provided for me by the Antillian College, Puerto Rico. I should also mention here a grant received from the committee of Th.D. scholarships of the General Conference of Seventh-day Adventists.

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CHAPTER I

INTRODUCTION

Posing the Problem

Scholarly research in the field of the Old Testament cultus has been continuously faced with many and difficult problems. Perhaps one of its most serious problems has to do with the fact that the biblical pericopes dealing with the cultus are practically silent when it comes to a definition of the meaning of the different rituals. The problem becomes particularly acute when one deals with the expiatory sacrifices, that is, the הָעֵשָׁה ("sin offering") and the מַעְטָר ("guilt offering"). It is true that the biblical text clearly states that these sacrifices were offered in order to make atonement (אָשָׂא) for the offerer. Yet no conscious attempt is made to explain how atonement was achieved when offering them.

Among the many efforts made to define the how of expiation in the expiatory sacrifices there is a theory called the theory of penal substitution. This theory is generally understood as holding that in the OT sacrificial system atonement was achieved by transferring the offerer's sin and penalty to the sacrificial victim which died in his place, satisfying the divine justice which required the death of the sinner. This theory has been questioned today by some scholars and completely rejected by many others. It is argued that such a theory can neither be substantiated with the biblical text nor supported by referring to
the ancient Near Eastern religious practices.

**Aim and Methodology**

The present attitude among scholars toward the theory of penal substitution calls for its re-evaluation in the light of the criticism raised against it. This study will attempt to satisfy that need by investigating the presence, function, and meaning of the idea of sacrificial substitution in the OT, with particular attention to the expiatory sacrifices.

Since in the scholarly debate going on over this concept the ancient Near Eastern religious practices have been considered of significant value, this study will deal with such practices as they relate to sacrificial substitution. In doing that we will try to highlight the essential elements of the idea of substitution in the ancient Near Eastern religions.

Our main concern will be the proper understanding of the biblical text. Special attention will be given to the cultic material found in the book of Leviticus. The biblical text will be dealt with in its canonical form.

Owing to the fact that what we will be actually doing is attempting to answer the question of the how of expiation, it would seem proper to begin our study with a discussion of the Hebrew term כָלֵב ("expiation, atonement"). Yet we have decided to approach the problem from a different perspective. The meaning of the term כָלֵב is a very controversial one and any conclusion based on its supposed meaning is at best a very tentative one. We have decided to deal with the problem of sacrificial substitution by taking a close look at the different ritual acts
connected with the הַכְּרֵא and the מְטִיר.

In an effort to elucidate the meaning of the הַכְּרֵא and of the מְטִיר it is necessary to investigate carefully the various pericopes in which they are mentioned. The study of these pericopes may seem at times to be taking us away from our main purpose. Yet such study will provide the very basis for our conclusions. We will discuss the occasion and procedure for these two sacrifices, paying particular attention to the blood and flesh manipulation of the sacrificial victim. The ritual of the laying on of hands will be especially analyzed not only in connection with the expiatory sacrifices, but also in connection with the הַלִּיכוֹן ("burnt offering") and הַמְּטִיר ("peace offering"). The meaning of this ritual is of great importance in a study of sacrificial substitution. We will also discuss a passage which is considered to be a key one in any attempt to define the meaning of the OT sacrifices, namely, Lev 17:11. This passage has been interpreted by some as clearly containing the idea of sacrificial substitution, while others have denied that. Its contribution to the discussion should be re-evaluated.

Some cultic-related texts will also be discussed. By cultic-related texts we mean texts in which cultic terminology and ideology are present but which, nevertheless, are not directly connected with the sacrificial system as described, especially in the book of Leviticus. The criteria used in the selection of these passages has been determined first by the presence of cultic terminology and, secondly, and perhaps more important, by the fact that they have been mentioned very often in the debate on sacrificial substitution. We will not be exhaustive. We will limit ourselves to three passages, namely, the pericope dealing with
Abraham's sacrifice of Isaac (Gen 22); the passover narrative (Exod 11-13); and the fourth Servant Song (Isa 52:13-53:12). The study of these passages will give us the opportunity to see whether the idea of sacrificial substitution is present in the OT outside the cultic materials of the book of Leviticus.

**Definitions**

Whenever the term substitution is used by itself in this investigation it will designate a practice by which someone/something takes the place of another in order to fulfill his/its function. This same meaning will be attached to the expression idea of substitution. Substitution should not be confused with representation. A representative does not take one's place. He keeps it open for the one he represents, acting on his behalf, being present where the other cannot be. Neither should substitution be confused with sacrificial substitution. We will use the expression sacrificial substitution in this study instead of the more common penal substitution or vicarious sacrifice. These last two expressions are usually associated more with the NT than with the Old. By sacrificial substitution we would then be referring to the understanding of the expiatory sacrifices which conceive the sacrificial victim as receiving the sin and penalty of the offerer, dying in his place.

The terms expiation and atonement will be used as synonyms. They will be understood in their broadest sense as referring to the re-establishment of good relations between God and man, relations which for some reason had been broken.

The term cultus will be used throughout this study to designate
the organized response of the community and the individual to the awareness of God's presence in their midst. This response is characterized in part by the offering of sacrifices. The particular and fixed form in which they were offered will be called a ritual. There are also laws whose function is to regulate the cultus and to guide the individual in distinguishing between what is pure and impure. A cultic sin will designate any violation of such laws. On the other hand a non-cultic sin will refer to an ethical violation. This distinction is not intended to suggest a dichotomy in the Israelite conception of society, with a religious realm opposed to a non-religious ethical one. The distinction is made for argumentation's sake.

Limitations

This study will not include a discussion of the different theories or suggestions made in an attempt to interpret the meaning of the OT sacrificial system. We are only concerned with one of them, namely, sacrificial substitution or, as it is usually called, penal substitution. Neither will we discuss the different theories on the origin of the Israelite sacrificial system or its historical development. Important as these studies are we feel that it is unnecessary for us to deal with them. In any case space and time will not allow us to enter into such investigation.

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With respect to the biblical material we will be concerned only with the passages already mentioned. This means that we will not include in our study material from the book of Psalms. Neither will we attempt to discuss the meaning of the ἐλλύθνον ("burnt offering") and the ἔσομον ("peace offering"). We will deal with them only in connection with the ritual of the laying on of hands. We will also leave out of consideration the Hebrew term קָרָר. This term should be the subject of another dissertation. We do not think that our findings will be significantly affected by any of the possible interpretations of this Hebrew term.
CHAPTER II

REVIEW OF LITERATURE

The idea of sacrificial substitution in the Hebrew Cultus has been especially challenged since the beginning of this century. This certainly does not mean the idea was not questioned before. A reading of Johann H. Kurtz, Sacrificial Worship in the Old Testament,¹ would indicate that during the nineteenth century scholars like Karl W. F. Bahr,² Johann K. von Hofmann,³ Johann K. Steudel,⁴ and Karl F. Keil⁵ opposed it. They would rather consider the sacrificial animal to be a gift,⁶ or a payment,⁷ but not a substitute. Kurtz's book was a defense of the theory of sacrificial substitution. But in spite of his defense, at the turn of the century more and more scholars became critical of this theory.⁸

¹(Edinburgh: T. & T. Clark, 1863).
⁴Vorlesungen über die Theologie des Alten Testaments (Berlin: G. A. Reimer, 1840).
⁵Handbuch der biblischen Archäologie (Frankfurt: Heyder & Zimmer, 1858).
⁸Kurtz believed that atonement was achieved "by means of a substitutionary transference . . . of the obligation to do or suffer, in
In the year 1903, George F. Moore reacted against such a theory. According to him, the "prevailing conception of sacrifice in the OT is that of the gift or present to God." As a gift the sacrifice was a means of gaining God's favor. He not only denied that sacrificial substitution is found in the OT, but he also stated that in post-biblical Judaism "the theory that the victim's life is put in place of the owner's is nowhere hinted at." But in 1909 William P. Paterson was arguing that the idea of sacrificial substitution was present in post-biblical Judaism. Nevertheless, Moore's view prevailed, since in 1922 Frederic Platt took sides with him and stated that probably "the majority of modern scholars regard it [the theory of penal substitution] as no longer tenable."

At the beginning of this century there were five basic arguments against sacrificial substitution: (1) the sins expiated by the sacrifices were not deadly ones, therefore the death of the animal was not substitutive; (2) in some cases expiation was achieved through a cereal offering; (3) the sacrificial victim should have been killed by the priest, as God's representative, not by the offerer; (4) the laying on of hands does not

his stead, that which his God demanded from him on account of his sin" (Sacrificial, p. 102, italics his).

2 Ibid., col. 4226.
mean transfer of sin and guilt because after this ritual the flesh of
the animal was most holy; and (5) the main element in the sacrifice was
not the killing of the animal, but the blood manipulation. To these
arguments Paterson replied that they can only show "that the idea of
penal substitution is not one which has been consistently transfused
throughout the entire sacrificial system." 1

In the year 1921 Alexis Médebielle published two articles sup-
porting the theory of sacrificial substitution. 2 Two years later he
published a whole book on the subject, 3 and in 1938, an important long
article. 4 He based his position on four principal arguments: (1) sacrif-
cial substitution was a well-known practice in the ancient Near Eastern
religions: (2) the basic meaning of the sacrifices is found in Lev 17:
11; (3) the laying on of hands means transfer and substitution; (4) the
immolation of the victim represents the death of the sinner. We will
briefly describe some of his reasoning.

Médebielle finds substitution in Lev 17:11 especially by trans-
slating the last part of the verse following the LXX: "Car son sang
expiera à la place de l'âme," 5 that is, the human being. He, however,
considers this reading to be already suggested in the Hebrew text. To

1Ibid.

2"Le symbolisme du sacrifice expiatoire en Israel," Bib 22
(1921):141-69, 273-302.

3L'expiation dans l'Ancien et le Nouveau Testament (Rome:
Institut Biblique Pontifical, 1923). This volume deals only with the OT
material. The volume on the NT was never published.


the argument that the animal cannot die in place of the sinner because deadly sins cannot be expiated through the sacrifices, he answers:

Mais il suffit que la mort de l'animal tienne lieu du châtiment mérité par l'homme, que qu'il soit d'ailleurs, léger ou grave, mort ou amende, excommunication absolue ou temporaire: là réside toute l'essence de la satisfactio vicaria. Le coupable se déclare prêt à tout souffrir, fût-ce la mort même, pour réparer son crime.¹

Against the argument that if there was a transfer of sin to the sacrificial animal it could not still be called "most holy," Médebielle argues that the sins the animal bears "s'effaçaient au contact de l'autel de Yahweh."² In spite of his efforts he was not able to change or even modify the negative attitude of scholars against sacrificial substitution.

In 1930 Dionys Schötz made a study of the expiatory sacrifices.³ At the end of the study he concluded that the idea of sacrificial substitution was foreign to the expiatory sacrifices. The slaughtering, he said, was not the essential act in the sacrifices. The blood manipulation means, not transfer, but consecration.⁴ Gen 22:1-19 and Deut 21:1-9 cannot be used to support the theory because they do not refer to expiatory sacrifices.⁵ Furthermore, it is impossible to prove sacrificial substitution in the case of the שָׁ מָ ת and it was probably the most common sacrifice.⁶ For Schötz, the expiatory sacrifices were essentially a gift to the Deity,⁷ not a substitutive mode of atonement.

Since Lev 17:11 provided the most significant piece of evidence for the theory of sacrificial substitution, what was needed was a study of that verse in order to see whether it really supported the theory. Schötz accepted that the LXX translation expressed the idea of sacrificial substitution, but denied that it was present in MT.\(^1\) It was Adalbert Metzinger who, in a series of articles, tackled the problem.\(^2\) After a careful study he concluded (a) that this verse does not define the relation between the offerer and the sacrificial victim; (b) that the idea of sacrificial substitution is not present in the Hebrew text, and (c) that what we have in the LXX is a wrong translation. However, he was willing to accept that, even though sacrificial substitution is not present in the text, the idea of substitution is present in a different sense:

> Es wurde schon betont . . . , dass überhaupt in jeder Gabe, in jedem wahren Opfer 'Stellvertretung' sich finde, ja sich finden müsse, eine symbolisch-mystische, repräsentative Stellvertretung, der eine umfassende Weite eignet.\(^3\)

This understanding presupposes again that a sacrifice is a gift to God.

Others who, in one way or another, have followed Metzinger's interpretation of Lev 17:11 are Luigi Moraldi,\(^4\) Leopold Sabourin,\(^5\)

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\(^1\)Ibid., p. 114.


\(^3\)Ibid., p. 355.

\(^4\)Espiazione sacrificale e riti espiatori nell'ambiente biblico e nell'Antico Testamento (Rome: Pontificio Instituto Biblico, 1956).

Stanislas Lyonnet and Sabourin, Walther Eichrodt, and Notker Füglinger. As far as we know, those who still see sacrificial substitution in Lev 17:11 have not answered the arguments put forward by these scholars. By denying the presence of sacrificial substitution in Lev 17:11 Médebielle's position was weakened.

At this point we would like to go back and see how the archeological evidence was being used throughout this controversy. If we were to indicate one of the main reasons for the remarkable interest in the OT cultus during the first half of this century, we would have to point to the ancient Near Eastern archeological discoveries. Since the last century, thousands and thousands of ancient documents have been not a few of which deal with the religious and cultic practices of the people of the ancient Near East. These discoveries provided comparative material to the biblical scholar for the study of the OT cultus. At the very beginning of this century, Julian Morgenstern studied the concept of sin found in the Babylonian texts. According to him, sacrificial

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4E.g., Elliger, Leviticus; Barach A. Levine, In the Presence of the Lord (Leiden: E. J. Brill, 1974).


6The Concept of Sin in the Babylonian Religion (Berlin: Wolf Pfitzer Verlag, 1905).
substitution was practiced in Babylonian religion as one of the means of expiation.

Jorgensen's study was followed by Edouard Dhorme's investigation of the Assyrio-Babylonian religion. He saw sacrificial substitution as being at the very heart of the expiatory rituals in the Assyrio-Babylonian religion. This extra-biblical evidence led him to believe that in the Hebrew expiatory system, sacrificial substitution was also basic. The same conclusion was reached by Friedrich Blome. Studies made on the Canaanite religion claimed to have found further evidence for sacrificial substitution. The same was also claimed in the study of the Egyptian sacrificial practices.

All these evidences greatly influenced Médebielle's study of expiation in the OT. But not even these evidences went unchallenged. Giuseppe Furlani gathered all the Assyrio-Babylonian religious texts he could and, after studying them, concluded that expiation through sacrificial substitution was unknown in the Assyrio-Babylonian religion. The texts in which substitution is mentioned, he added, do not deal with expiatory rituals, neither do we find there sacrifices per se, but "pseudosacrifici." The practice of substitution was rather

2 Die Opfermaterie in Babylonien und Israel (Rome: Apud Pontifical Institutum Biblicum, 1934).
4 See Médebielle, Expiation, pp. 160-61.
related to magic and, said Furlani, it has nothing to do with sacrificial expiation. In the year 1940, Furlani came back again to the problem of the Er s a t z o p f e r. His purpose was to show that the idea of sacrificial substitution was not present in some new texts, published by Erich Ebeling, although the idea of substitution was present.

Samuel H. Hooke, in one of his articles, also speaks about "ritual substitution" in Babylon but not about sacrificial substitution. He states that "the three ideas of representation, substitution, and sacrifice are very closely connected, yet they are not equivalent." More recently we find Hans M. Kümminimal preferring to talk about "Ersatz-rituale" and not about "Ersatzopfer" when discussing the idea of substitution in the ancient Near East, and especially among the Hitites.

As we can see, during the first half of this century the idea of sacrificial substitution was under heavy fire. It was thought that the extra-biblical evidence as well as the biblical evidence did not support it. Not even Médebielle, who made the most careful study in favor of sacrificial substitution in that period, was able to answer effectively all the objections raised against this theory. Thus the field was

1 For Dhorme's reaction see "Le sacrifice Accadien," BIRR 107 (1933):107-25.

2 Riti babilonesi e assiri (Udine: Istituto della Edizioni Accademiche, 1940).

3 Tod und Leben nach den Vorstellungen der Babylonier (Berlin: Walther de Gruyter, 1931).


prepared for one of two things: (a) preparation of a careful study that would vindicate the idea of sacrificial substitution, or (b) the marshaling of all the arguments and possible facts against it in order to disprove it once and for all. It would seem that this latter has been the case.

In the year 1952 Luigi Moraldi published a book which was a rebuttal of Médébielle's ideas and of sacrificial substitution in general. He reviews the ancient Near Eastern sacrificial practices and sides with Furlani. Lev 17:11 is interpreted basically in Metzinger's terms, while in the laying on of hands he follows J. C. Matthes who denied the idea of transfer and substitution. According to Moraldi, then, sacrificial substitution is not present in the Hebrew cultus nor in the ancient Near Eastern religions. He interprets the sacrifices in terms of the gift theory, but, following Metzinger, he is willing to accept that the idea of substitution is present in the sense that a gift given to the Deity should also be a self-giving. The sacrificial animal is a substitute in the sense that it represents the offerer before God. The ideas of substitution and representation are thus equated.

This denial of sacrificial substitution seems to dominate the field today. It is present in Roland de Vaux, and is implied in

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1 See above, p. 11 n. 4.
3 See also his article "Expiation," Dictionnaire de Spiritualité (Paris: Beauchesne, 1961), 4:2026-2040.
Harold II. Rowley and Hans-Joachim Kraus. Dissenting voices may still be heard. Helmer Ringgren still refers to expiational substitution as being present in the religion of Babylon. In the year 1970 George Crawford wrote an article in which he raised again the question of sacrificial substitution, but he was mainly concerned with the NT data. John I. Packer also wrote an article defending it, but from the NT perspective.

We have seen recently significant Jewish interest in the OT cultus. Jacob Milgrom has published two monographs dealing with cultic terminology. He denies that Lev 17:11 could be used in the formulation of a theory of sacrificial substitution. Nevertheless, he is willing to recognize that substitution is present in some cases of expiation in the sense of a kopher.

Another Jewish scholar who addresses the problem of sacrificial

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8"Atonement in the OT," IDBSup, pp. 78-82.
substitution is Baruch A. Levine. He argues that in cultic texts the verb כָּפֵר reflects two different verbal forms. כָּפֵר I is based on the primary Piel form. כָּפֵר II is a denominative of כָּפֵר נִפְשָׁה =ransom. כָּפֵר II always occurs in the expression כָּפֵר עַל † נִפְשׁ, since in Lev 17:11 we find that expression, we then have there the idea of substitution. Expiation is here the payment of a ransom-substitute. In this way the Israelite was protected from God's wrath, which was motivated by His desire for remaining pure. כָּפֵר I is associated with the יָדַע and the נשא. The victim's blood was placed in different places to protect the Deity from the incursion of the demonic. In other words, sacrificial blood is "offered to the demonic forces who accept it in lieu of God's 'life,' so to speak, and depart." In Levine's model of the sanctuary, magic plays an important role. He brings together magic, sacrifice, substitution, and expiation.

One of the most interesting approaches to the problem of substitution versus representation is found in the book written by Dorothee Sölle. Her main concern is the NT, but she also makes reference to the OT. She approaches the idea of substitution from a philosophical-theological perspective and denies its value in Christian theology.

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1Presence.
2Ibid., p. 78.
4Sölle was writing during the time when the death-of-God movement was at its peak. Her discussion of substitution versus representation was based on her understanding of Christ. According to her, the only way to speak meaningfully about Christ in a theology which recognizes that God is dead for modern man is by referring to Him not as a substitute, but as our representative. For her, man is irreplaceable;
More recent scholarship has also denied the idea of sacrificial substitution in Isa 52:13-53:12. This has been done by Yehezkel Kaufmann,1 Harry M. Orlinsky,2 R. N. Whybray,3 and others.4

The previous discussion has shown that the idea of sacrificial substitution in the OT cultus is quite unpopular today. The biblical evidence is said to oppose it in several ways. It is usually argued that the victim is a gift given to God, not a sacrificial substitute. And even if the gift is interpreted as a self-giving, and therefore as suggesting substitution in the sense of representation, sacrificial substitution is not present. It is also argued that the idea of a transfer of sin to the sacrificial animal is denied by the fact that, after the laying on of hands, the flesh of the animal is still called most holy (cf. Lev 6:24).

Furthermore, it is considered practically impossible to prove the presence of sacrificial substitution in the case of the מְנַעְלֶה , which also requires

he can be represented—someone may take his place for a time—but not substituted. To be substituted is to die, to be forgotten. Christ does not substitute for us, He represents us. In that way He gives us time so that we can become what we are not yet. He represents us until we can play our own role. Once man becomes of age he does not need a representative any longer.


3Isaiah 40-66. New Century Bible (London: Oliphants, 1975); idem, Thanksgiving for a Liberated Prophet (JSOTS up 4; Sheffield; University of Sheffield, 1978).

the ritual of the laying of hands. Also important is the fact that it is the offerer, not the priest, who kills the animal; and in some cases the sacrificial victim can even be commuted to a meal offering. If the sacrifices were to be explained in terms of penal substitution, the priest, so it is believed, should kill the animal, and it could not have been commuted to a bloodless sacrifice. The ancient Near Eastern evidence is also used to deny the idea of sacrificial substitution. It is argued that such an idea is unknown in the ancient Near Eastern religions. It is recognized that the idea of substitution is present in those religions, but not the idea of sacrificial substitution.

It seems to us that the idea of sacrificial substitution needs to be restudied within the context of the lively discussion about the OT cultus now taking place.
CHAPTER III

SUBSTITUTION IN ANCIENT NEAR EASTERN LITERATURE

In this chapter we will attempt to describe the main elements of the nature, function, and meaning of the idea of substitution in the ancient Near East. We will limit our study to some ancient Near Eastern texts which are usually considered magical texts—texts which describe rituals whose performance seems to compel the deity or demon to grant the offerer's petition. But we will also discuss some myths. We will use only those texts in which the idea of substitution is clearly present; in other words, texts which terminologically as well as ideologically contain that idea. Each religion will be studied separately, avoiding as much as possible any discussion of the literary dependence of one on another. The phenomenon of substitution will, therefore, be discussed first of all within the context of each literature. The reader will find that Egyptian literature is not discussed in this chapter. The reason is very simple, namely, Egyptian literature is, as far as we know, surprisingly silent on the idea of substitution.¹


²There is some archeological evidence which suggests that substitution was known and practiced in Egypt. The study of burial practices of predynastic Egypt and of the tombs of the first and second dynasties have indicated that ritual killing was practiced in Egypt (see

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Substitution in Sumerian Literature

Within the Sumerian literature the idea of substitution is found in two myths, the myth of Inanna's Descent,¹ and the myth of Enlil and

Alberto R. W. Green, The Role of Human Sacrifice in the Ancient Near East [Missoula, Mont.: Scholars Press, 1975], pp. 109-48, who has recently discussed the practice of ritual killing in Egypt). The ritual consisted in the killing of the servants and slaves of the deceased chief or king. They were supposed to accompany their master and serve him in the world beyond as they served him in this world (Green, Role, pp. 133-35, has discussed possible references to ritual killing in the Pyramid and Coffin texts). This practice seems to have come to an end during the Middle Kingdom, although at Nubia it continued for a longer period. Afterwards substitutes were provided for the servants and slaves. It is believed that the statues found in royal tombs, known as ushabtiu, were their substitutes (see W. B. Emery, Egypt in Nubia [London: Hults & Co., 1965], p. 86; M. A. Murray, The Splendor That Was Egypt [London: Sidgwick & Jackson, 1949], p. 116; and G. Maspero, Memoires de la mission francaise au Caire [Paris: Institut francais d'archeologic orientale, 1884], pp. 453-57, who was probably the first one to interpret the ushabtiu as substitutes; cf. Green, Role, p. 147). If such an interpretation of the archeological evidence is right it would have to be recognized that substitution was practiced in Egypt in connection with some rituals. But the evidence should not be pressed too much. It may be safer to admit with Green, Role, p. 147, that the ushabtiu were substitutes only when used in royal tombs, since only when the king died was ritual killing practiced. Many such figurines have been found in non-royal tombs. This indicates a democratization of the practice, which suggests that the figurines were not seen any longer as substitutes for the servants (see L. Speelers, Les figurines funeraires egyptiennes [Brussel: Editions Robert Sand, 1923], pp. 159-71; cf. T. E. S. Edwards, "Bill of Sale for a Set of Ushabtis," JEA 57 [1971]:120-24). The details of the ritual are unknown, although apparently magic and incantations played an important role in it. As we can see, the purpose of the ushabtiu was to preserve human life. Even though the Egyptians considered death to be a part of the cosmic order, it was still repulsive and undesirable to them (see S. Morenz, Egyptian Religion [London: Mathuen & Co., 1973], pp. 186-97). On the question of a substitute for the Pharaoh, who was killed in his place in order to secure the fertility of the land, see Green, ibid., pp. 135-47. We agree with him when he says, "The notion that a man could effectively take the place of the king would be sacrilegious and completely foreign to what one would expect from Egyptian thought" (pp. 146-47).

Ninlil. 1 We will briefly summarize both of them.

Inanna, not satisfied with being the queen of the "Great Above," wanted also to be the queen of the Underworld. 2 As a result of that desire she journeyed to the "Great Below." But instead of conquering it she came under the power of Erēskigal, the goddess of the Underworld. Inanna's vizier and messenger, Ninshubur, went to Enki, the god of wisdom and sorcery, 3 and requested him to bring Inanna back to life. Enki sent two sexless creatures to the Underworld to revive Inanna. They succeeded, but when

Inanna was about to ascend from the Nether World,
The Anunnaki seized her [saying]:
"Who of those descending to the Nether World, ever ascends unharmed from the Nether World?
If Inanna would ascend from the Nether World, let her provide someone as her substitute." 4

She finally left accompanied by the gala-demons who were to make sure that she would provide the substitute which they would then take to the Underworld. The substitute which she provided was Dumuzi, her husband. She handed him over to the demons:


2 So Kramer, Marriage, p. 108.

3 For a short discussion of the Sumerian pantheon see Ringgren, Religions. pp. 4-18.

4 Kramer, Marriage. p. 117.
The seven attack him like the strength of the sick,
The shepherds play not the flute and the pipe before him.
She fastened the eye upon him, the eye of death,
Spoke the word against him, the word of wrath,
Uttered the cry against him, the cry of guilt:
"As for him, carry him off."
The pure Inanna gave the shepherd Dumuzi into their hands.¹

Damuzi cried for help to his brother-in-law, Utu, the sun-god:

Utu, I am your friend, me the young man, you know,
I took your sister to wife,
She descended to the Nether World,
She has turned me over to the Nether World as her substitute.²

With Utu's help Dumuzi was able to escape. But soon the galla-
demons got hold of him again. This time his sister, Geštinanna, of-
fered herself as a substitute for Dumuzi. Inanna, apparently not
wanting her husband to go unpunished, said: "You (Damuzi), half the
year! Your sister (Geštinanna), half a year."³ Dumuzi was going to
be in the Underworld six months. The rest of the year his sister was
to substitute for him.⁴

Probably the most important concept associated in this myth
with the idea of substitution is the one of life/death. Death is an
unescapable reality for Inanna. Although she cannot annul it, she can
transfer it to a substitute. The substitute serves two purposes:
(a) through it Inanna is allowed to leave the Underworld alive, and
(b) it also satisfied the Underworld claims on Inanna. The life of the

²Kramer, Marriage, p. 119.
³S. N. Kramer, "Dumuzi's Annual Resurrection: An Important
Correction to 'Inanna's Descent,'" BASOR 183 (1966):31; see also his
Marriage, p. 121.
⁴See previous note.
one was preserved by the death of the other.

These same ideas are also present in the myth of Enlil and Ninlil. It tells how Enlil was banished to the Underworld by the gods for raping Ninlil. He departs to the Land of No Return but is followed by Ninlil, who is bearing his son Sin, the moon-god. Not wanting his son to dwell in the Underworld, Enlil provides three substitutes for him. He takes the form of three minor deities, which he finds in his journey, and impregnates Ninlil with three beings of the Underworld. They are to remain there in place of Sin. Sin is now free to go up to the heavens.1

These two myths, and especially the first one, have probably provided the mythological basis for the practice of substitution as we find it in the Assyro-Babylonian religion.

Substitution in Assyro-Babylonian Literature

We will limit our study in this section to three different series of texts. We will first discuss some letters and a ritual dealing with royal substitution. Then we will discuss the series of texts called Utukki limnuti, concentrating on those texts where the idea of substitution is present. In the third place we will deal with a number of texts from the series NAM-BUR-BI. These three groups of texts will provide for us a fair picture of how the idea of substitution operated within the Assyro-Babylonian religion.

1Kramer, The Sumerians. pp. 146-47.
Royal Substitution

It is probably right to say that in Mesopotamia kingship was a religious institution of divine origin.  The king was not only to preserve the social, economical, and political well-being of the nation but also the cosmic order. If he did not fulfill his function properly his people and the land suffered.  Hence, the king's well-being was considered essential for the well-being of the country. Any situation which could endanger the security of the king was to be avoided. In order to protect the king from such a situation the practice of a royal substitute seemed to have been quite common. We know that, for instance, whenever a magic spell was to be cast against a city before going to battle, a royal substitute was selected. A eunuch, dressed like the king and bearing his name, would cast the spell. It was considered dangerous for the king to get himself personally involved in such a magical act.

The king was to be especially protected from evil omens. In a case like that a substitute for the king (šar pûḫi) was selected.

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3 Oppenheim, Ancient, p. 100.


5 On the šar pûḫi see E. Ebeling, Tod, pp. 62-63; W. von Soden, "Bemerkungen zu Ebeling, Tod und Leben." ZA 43 (1936): 251-76; idem,
An incident narrated in the Sargon Chronicle seems to be referring to this practice. It mentions the experience of Irra-imitti, the ninth king of the Dynasty of Isin:

Irra-imitti, the king, installed Bel-ibni, the gardener, on his throne as a substitute king and he (Irra-imitti) (even) placed his own royal crown on his (i.e., Bel-ibni's) head. (During the ceremonial rule of Bel-ibni) Irra-imitti died in his palace while sipping hot porridge, and Bel-ibni who was (still) sitting on the throne did not rise (any more), he (thus) was elevated to (real) kingship.¹

What is surprising in this incident is that the substitute was not able to avert the evil omen. This could mean that in order for the king to escape the evil omen his substitute had to be put to death. But since that was not done the king died.² On the other hand this could have been interpreted as meaning that the gods, for some reason, did not accept the substitute.

More evidence for the practice of a šar pūḥi comes from Akkadian


¹A. Leo Oppenheim, "The 'Sargon Chronicle,'" ANET, p. 267. The historical value of this tradition has been questioned; see Green, Role, p. 39.

²So Frankfort, Kingship, pp. 263-64.
letters from the time of Esarhaddon (681-669 B.C.). One of the letters states:

The substitute king who arrived on the fourteenth toward sunset, who on the fifteenth spent the night in the king's palace, and in whose presence an eclipse took place—he entered Akkad on the night of the twentieth without mishap. He has stayed there. I made him recite the litanies on the tablets before Shamash. He has taken upon him all the portents of heaven and earth and he governs all countries. May the king my lord take notice.  

According to this letter the substitute, in order to be installed as a substitute king, went through some ritual by which the evil omens were transferred to him. Apparently the gods had to accept him as a substitute in order to give him the kingship. So we read in another letter: "Que les dieux Bel et Nabu donnent l'ensemble des pays au substitut du roi."  

Some more information is found in ABL no. 1014:

[Quant au] roi-substitut [d'Akkad], il avait été dit: Qu'il reste en fonction pendant cent jours. Il a (maintenant) rempli ces cent jours. Comme le roi, mon seigneur, me l'a demandé dans sa lettre, le roi mon seigneur peut [dès à présent sortir] de son palais.  

The most important fact provided by this letter is that the šar pûḥi was to rule for one hundred days. Besides that, it suggests that

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3ABL no. 1006, in Labat, "Substituts," p. 130.

during that time the king was secluded within the palace. During that period the substitute king officiated even in the religious activities in which the real king would have had to participate.¹

Another letter provides evidence to indicate that a substitute was also chosen to protect the royal family:

Nous ferons pour Eresh-kigal un vicaire d'homme (pûhi-amêli) pour le fils du roi, n'en ferons-nous pas un en même temps pour Shamash-shum-ukin? C'est selon ce que dira le roi, mon maître.²

In this case the substitute is taking the place of the son of the king (mûr šarrû). We also know of a substitute for the queen. In this case a "young woman" (batuṣsu) was chosen.³ We should not overlook the important fact that the substitute is for Ereškigal, the Underworld goddess.

Perhaps one of the most important letters dealing with a substitute king is ABL no. 437. It provides more information than most of the other letters. We will quote some lines from it:

[Damqi], the son of the bishop of Ak[kad]. [. . .] of the land of Ashur and Babylon [. . .] exercised hegemony over the universe. He [and his queen] have [. . .] (10) the substitution for the king my lord, [the queen-mother] (and) the . . . of Shamash-shum-ukin [he . . .]. For their redemption he went to (his) fate. We built the mausoleum, he (and) his queen (15) were outfitted in their finery. solemnly laid in state, buried. (and) mourned. The burning (of magical figurines) has been performed; all (evil) portents have been rendered ineffective.

I have heard that (even) before these ceremonies (of the enthronement), the prophetess prophesied, (and) to Damqi,

¹ABL no. 437, ibid.
the bishop's son, she said: (25) "You shall bear my kingship."
(reverse) Moreover, the prophetess said to him in an assembly
of the people: "I have indicated the . . . of my lord, I have
turned you over (to the assembly)."
The apotropaic (5) rituals which were performed went per-
fectly. The king my lord should be exceedingly gratified.¹

As we have seen, Damqi was serving as a substitute for the royal
family. For this function he was apparently chosen by the gods,
through a prophetess. This has been interpreted as indicating that it
was the gods who chose the šar pūḥi.² But the present letter is not
necessarily saying that. One gets the impression that the letter men-
tions that fact as something extraordinary. It has been suggested that
the šar pūḥi was a man of low social status, e.g., a gardener.³ If
that is true then Damqi could have been chosen through a prophetess
because he was a son of an officer of the Akkadian government.

According to this letter Damqi "went to his fate" (ana šimte
lilīk) for the redemption of the royal family. René Labat has pointed
out that this expression is practically always used in Akkadian to refer
to a natural death. It would then indicate that Damqi was not put to
death but that he had a natural death.⁴ According to Labat the
šar pūḥi was never put to death. He was expected to die during the
dangerous period announced by the evil omen, but if he did not die
he was simply dethroned.⁵ It is true that the letter does not say how

²So von Soden, "Bemerkungen," p. 256; Ságs, Greatness,
pp. 361-362.
³Labat, "Substituts," pp. 139-40; but see Kümmel, Ersatz-
rituale, p. 177.
⁴Labat, ibid., p. 132.      ⁵Ibid., pp. 132-33.
Damqi died, it only mentions the fact that he died. But he is not the only one who died. His wife also died. It is very unlikely that both of them would have had a natural death. It could very well be that the expression "went to his fate" is used here because it was believed that the fate of the substitute was precisely to be put to death in place of the king. It is, therefore, quite probable that Damqi was put to death in order to avert the evil omen against the king.

The question whether the šar pūhi was put to death has been recently clarified by a new text published by William G. Lambert. As far as we know, it is the only published text in which part of the ritual for the substitute king is described. The occasion for the ritual is given in col. A 9-13:

9. [. . .] the evil of omens, bad signs that are not good
10. [. . . in] heaven and earth which stand in my way,
11. [. . . an eclipse of the Moon, an eclipse of the Sun, an eclipse of Jupiter.

3Labat did not consider Damqi to be a šar pūhi. According to him there were two kinds of royal substitution. There was what we may call an indirect substitution. This type of substitution is found, he argues, in a letter written by the astrologer Munnabitu to the king: "Que le coeur du roi, mon seigneur, se réjouisse! Dans cette éclipse, Jupiter était visible. C'est le salut pour le roi. A sa place, un notable . . . mourra. Que le roi, mon seigneur, ait pleine confiance dans cette sentence des présages" ("Substituts," pp. 135, 136). The evil omen was not for the king but for some important person in the palace who will die instead of the king. Damqi, Labat argues, belongs to this type of substitute. The other kind of substitute is what may be properly called a šar pūhi. We need not discuss whether this distinction is valid (but see Kümmel, Ersatzrituale, pp. 176-79). In any event the substitute seems to have died. In Damqi's case we seem to be confronted with a real šar pūhi deliberately chosen to take the place of the king.

12. [. . . an eclipse] of Venus, an eclipse of (one of) the planets.
13. [Which . . .] happened in such and such a month on such and such a day.¹

Lines 5-8 had already made clear what the fate of the substitute would be, as well as the result of his act.

5. [. . .] you shall put his . . . upon him
6. [. . .] the man who was given as the king's substitute shall die and
7. [. . .] the bad omens will not affect that [king].
8. Things will go well with that [king] and his land will prosper.²

The death of the šar pūḫi was indispensable in order to maintain the well-being of both the king and the land. This would have required, as the text explicitly states, that the substitute be put to death. Once the šar pūḫi died, someone was to say,

Obv. col. B
3. "Your [. . .] and your evils with [you]
4. Take down [. . .] to the Land of No Return"—you shall speak before Šamaš and
5. You shall burn [with fire] before Šamaš his royal [th]rone, his royal table.
6. His royal weapon, his royal sceptre.
7. You shall bury their ashes at their head,³
8. Then the purification of the land will be achieved, ditto the purification of the king will be achieved.⁴

After that several rituals were performed in order to insure the departure of evil and the coming of the "good of the palace."⁵

¹Ibid., p. 110. ²Ibid. ³The expression "their head" suggests that more than one person died. This same phenomenon was found in Damqi's case, where he and "his queen" were buried; see Kümmel Ersatzrituale, p. 178. This may point to the ancient practice of burying with the king the "ladies of the court" (Frankfort, Kingship, pp. 400-401, n. 12). ⁴Lambert, "Ritual," p. 110. ⁵Ibid., pp. 110-11.
This ritual has made clear at least two things. The first one
is that of the frequency with which a šar pūḫi was selected. It had
been suggested that the šar pūḫi was chosen once a year in connection
with the feast of the New Year in order to renew the royal powers.¹
Now we know, based on col. A 9-13 of this ritual, that "a need for a
substitute king could arise not infrequently. The text lists the eclipses
which could be responsible, and if a substitute were required for any
of these eclipses, obviously such an appointment would occur at regular
intervals."² Secondly, it is now clear that the šar pūḫi was to be
put to death. The security of the king and the land depended on that.³
The ritual has confirmed that the substitute was given to the Underworld.
He was to take with him the evil omens "to the Land of No Return." Yet
he was to be presented before Šamaš, who was apparently to recognize
him as the rightful substitute for the king. As the giver of life, Šamaš
was to preserve the life of the king by giving the substitute to the
Underworld instead of the king.⁴

We could summarize all the previous information by saying that:

1. A šar pūḫi was chosen in connection with eclipses, which

¹See James G. Frazer, The Dying God: The Golden Bough, A
Study in Magic and Religion, 12 vols. (New York: Macmillan Co., 1935),
4:113-17. Frazer thought that in prehistoric times the Babylonian king
ruled for a year and was then put to death. According to him the time
came when the monarchs thought that instead of being killed they could
abdicate the throne for some days and put on it a substitute king who
would die in their place. Ebeling, Tod, pp. 62-63. thought that the
šar pūḫi was put to death every year during the New Year feast. For
a critique of this view see von Soden, "Bemerkungen," p. 256.


³See also von Soden, "Beiträge," p. 106.

⁴On Šamaš see Ringgren, Religions, pp. 57-59.
were considered evil omens against the king. Other factors may have been involved but the present evidence does not make that clear.

2. The šar pūhi was identified with the king by going through a ritual performed before Šamaš, in which he was declared the king's substitute, and to him were transferred the evil omens. The kingship was given to the substitute by the gods.

3. The substitute sat on a throne, dressed as a king, wearing a royal crown, and having a royal sceptre. He was fully identified with the king. He ruled for one hundred days.

4. During the reign of the šar pūhi the real king was to be totally inactive, at least on what had to do with royal matters.¹

5. At the end of the one hundred days the šar pūhi was put to death. Through this ritual act the evil omen was thought to have been fulfilled. The evil, together with the šar pūhi, went to the Underworld. The life of the king had been preserved.

The whole practice of the substitute king suggests that we are in the realm of magic. By performing it the king was supposed to be free from the evil omen. The Underworld was forced to receive a substitute instead of the king. Rituals were performed after the death of the šar pūhi in order to reinforce the positive result of the ritual. Yet the idea of appeasing the gods seems also to be present. At the end of ABL no. 629, which is dealing with a substitute king, it is said:

The apotropaic rituals, the lamentations for the pacification (of the gods), the spell against malaria (and other forms

¹The real king went under the assumed name "Farmer" (ikkaru), see Kümmel. "Ersatzkönig und Sündenbock," ZAW 80 (1968): 291.
of) pestilence should be carried out for the king, my lords.  

It is quite probable that the evil omen was interpreted by the king as the result of some "sin" which he may have committed against the gods.  

If that is true we, then, have here magic and religion together.

Series Utukki Limnuni

In order to understand properly the series Utukki Limnuni ("the evil spirits"), we must keep in mind that in the Assyro-Babylonian religion the people saw themselves as continually exposed to evil forces or demons. These demons were to be feared because of their extraordinary powers. They could take possession of a man's body and produce all kinds of diseases.  

To be sick was tantamount to being possessed by an evil spirit. In order to free the individual from the demons' attack, rites and incantations were practiced. One of this group of incantations is the series Utukki Limnuni. Its purpose was to expell the demon(s) from the body of the sick person. In some of these rites the idea of substitution is present. A sample of these

1Moran, "Letters," p. 626. ABL no. 437 also states, "The apotropaic rituals which were performed went perfectly. The king my lord should be exceedingly gratified" (ibid.). This suggests that although the rituals were performed, there was present an element of uncertainty.

2Labat, Royauté, pp. 323-25, 360.

We should mention that in some cases an image substitute was used instead of a human being. Unfortunately, we know very little about such an image and the ritual connected with it. See E. Douglas Van Buren, "The salme in Mesopotamian Art and Religion," Or 10 (1914): 80; von Soden, "Beiträge," p. 101; Kümmel, Ersatzrituale, pp. 171-74.

texts will suffice to show how it functioned there.

A characteristic of this series of texts is that very often the sorcerer tells how Marduk received from Ea the incantation to be used in healing the sick man.¹ In one tablet, Tablet N,² we read about an evil ghost who is perturbing the land and the people. An individual is attacked by the evil spirit and falls sick. In the incantation Ea is described as giving to Marduk the incantation to be used in the rite:

Col. II

"[Take] a sucking-pig [and . . .
45. "[At] the head of the sick man [put it (?) and]
"Take out its heart and
"Above the heart of the sick man[put it].
50. "[Sprinkle] its blood on the sides of the bed [and]
"Divide the pig over his limbs and
"Spread it on the sick man:

In Col. III Ea tells Marduk,

10. "Give the pig in his stead and
"Let the flesh be as his flesh,
"And the blood as his blood,
"And let him hold it:
15. "Let the heart be as his heart
"(Which thou hast placed upon his heart).³

The purpose of the rite is to make the pig "a substitute for him" (dinanišu), to which was transferred the disease and the demon.⁴

The pig is identified with the patient by bringing it into contact with him. Parts of the pig are put on the sick man, and at one moment he is to hold the pig. The demons are to take the substitute and leave the person alone.

This same tablet describes the case of a man possessed by "an evil fever."\(^1\) Part of the ritual and its significance is given:

(11). Laid a kid at his head in front of him
   Unto the Chieflain he spake (saying):
(15). "The kid is the substitute for mankind
   "The kid for his life he giveth
   "The head of the kid for the head of the man he giveth,
(20). "The neck of the kid for the neck of the man he giveth,
   "The breast of the kid for the breast of the man he giveth.
   "By the magic Word of Ea
   "[Let the Incantation of the Deep of Eridu never]
   be unloosened!"\(^2\)

The kid is identified with the patient by bringing it close to him, and by equating, through the spoken word, the parts of the body of the one with those of the other.

Tablet XI suggests that the reason for which the individual has been possessed by the evil spirit is because, for some reason, his

\(^1\)Thompson, Devils, pp. 21-23.

\(^2\)Ibid. The way the identification between the patient and the animal is accomplished here is very similar to what we have in the treaty between Ashurnirari V of Assyria and Matī’īlū of Arpad. A lamb is brought to sanction the treaty and it is stated, "This head is not the head of a lamb, it is the head of Matī’īlū, it is the head of his sons, his officials, and the people of his land. If Matī’īlū sins against this treaty, so may, just as the head of this spring lamb is torn off, and its knuckle placed in its mouth, . . . the head of Matī’īlū be torn off, and his sons. . . . This shoulder is not the shoulder of a spring lamb, it is the shoulder of Matī’īlū, it is the shoulder of his sons, his officials, and the people of his land" (Erica Reiner, "Treaty between Ashurnirari V of Assyria and Matī’īlū of Arpad," \textit{ANET}, pp. 532-33; W. Weidner. "Der Straatsvertrag Assurniraris VI. von Assyrien mit Mati’īlū von Bit-Agusi," \textit{AfO} 8 [1932-1933]:18-19). The idea of substitution seems to be present, but it is explicitly said that the animal is not a sacrifice (lines 10-12). What we have here is an acted curse. "Certainly the making of this treaty was accompanied by rites which figured (and, of course, effected) what was to happen to Matī’īlū if he failed to live up to his obligations" (Dennis J. McCarthy, \textit{Treaty and Covenant} [Rome: Pontifical Biblical Institute, 1963], p. 71). Perhaps Edmond Jacob is not too far from the truth when he states, "It is not merely a question of illustrating the oath by a gesture, but the contracting parties symbolically transmit their life
personal god has abandoned him: "his god hath let him be brought low." ¹ The reason is most probably an offense committed against the god. ² The same tablet requires for the rite a white kid. ³ Another tablet mentions a "reed effigy" as being a substitute for the patient:

20. Take a pure reed and measure the man, fashion (thus) a gisandudû (reed effigy), cast the spell of Eridu upon it, wipe this man, son of his (personal) god (with it).  
25. break it (the reed effigy) over him and (thus) it shall be a substitute for him. ⁴

It is difficult to determine the meaning of each of those ritual acts. Since the reed effigy has taken the place of the patient it is probable that by breaking it the death of the person is represented. The work of the demon has come to an end in the substitute. Now the sorcerer to the victim in order to keep it safe" (Theology of the OT [New York: Harper & Row, 1958], p. 294, n. 3). For a discussion of the ritual connected with covenants see David L. Petersen. "Covenant Ritual: A Traditio-Historical Perspective," BR 22 [1977]:7-18. He concludes that "a major shift occurred in the significance of animal slaughter as a covenant ratification ritual. Second millennium texts . . . describe the slaughter rite as a sacrificial practice by means of which the covenant is contracted, whereas the first millennium texts . . . describe such slaughter as a dramatized curse upon the vassal" (p. 15).

¹Thompson, ibid., p. 33. Ringgren, Religions, pp. 109-10, writes, "It does in fact appear that it is when his tutelary deity for any reason turns away from a man that the demons have free play, and can inflict suffering upon him."

²Labat, Royauté, p. 325. says, "La maladie n'était pas, en effet, un phénomène naturel pour les Akkadiens; le plus souvent, c'était un châtiment envoyé par les dieux." He quotes an Akkadian confession: "Je suis pécheur et c'est pourquoi je suis malade!" (n. 6).

³Thompson, Devils, pp. 33-35.

⁴Tablet VIII, ibid., pp. 57-59. In the translation we follow CAD D, p. 149.
could say, "That the evil Spirit, the evil demon may stand aside, and
a kindly Spirit, a kindly Guardian be present."¹

This brief sample of texts has provided us with some important
information concerning the idea of substitution. The substitutes them-
selves could be animate as well as inanimate. In the texts quoted above
two animals were mentioned, i.e., a pig and a kid,² and a reed effigy.³
That which is to serve as a substitute is most of the time brought into
contact with the patient, and at times he even holds it in his hands. In
some cases it is brought close enough to him to indicate that it is going
to be his substitute. Practically always the object is declared to be a
substitute through an incantation. This is apparently done by the
sorcerer. The spoken word is, therefore, a means of designating some-
thing as a substitute. Magic is involved. Through the incantation the
demon is led to accept a substitute instead of the sick man. He is com-
pelled to take the substitute. What is emphasized here is not how stupid
the demons are, or how easily they can be fooled,⁴ but how powerful
is the word of the incantation.⁵

At the very heart of the series Utukki limnuti, in which the idea

¹Thompson, Devils, p. 59.
²Text 18, in Ebeling, Tod, pp. 71-72, mentions a rat.
³Text 20, ibid., pp. 76-78, mentions a clay figurine.
⁴Furlani, Il sacrificio, pp. 215-16; idem. Riti, pp. 289-95; Saggs, Greatness, p. 312.
⁵The power of the incantation resides in the fact that it comes
from Ea, the god of magic. "This deity, the god of waters and the god
of wisdom, was the supreme authority on magic, and freely imparted that
knowledge to his son Marduk" (Saggs, Greatness, p. 305).
of substitution is present, is found the concept that a substitute is raised in order to restore the health of the person, to preserve him alive. The animal is killed, the reed is broken, signaling thus that the demon's purpose has come to completion. It can now return to the Underworld satisfied and with its prey. So, in a sense, the ritual serves to return the demon to its place of origin, leaving the individual free from its attack.  

The substitute, instead of the person, descends to the Underworld. It is therefore extremely important for the individual to be properly identified with his substitute. It is precisely this aspect which is being emphasized in KAR 245:

As a substitute for the man for Ereškigal
at sunset should the sick man an unmated kid
in the bed with him place.
Before nightfall, while it is still light,
    you should rise,
bow yourself . . . the sick man should take
    the kid to his bosom.
Into the house, where there is enmity, you should
    enter, the sick man and the kid
you should throw down on the earth. the throat
    of the sick man
you should strike with a dagger of Tamarisk-wood.
the throat of the kid you should cut with a copper dagger.
The insides of the dead kid you should wash with
    water and rub with oil,
with incense you should fill its inwards, clothe it,
    put shoes on it, paint its eyes with kohl,
pour good oil on its head, the head-band from the head
    of the sick man you should remove, and bind it on the
head of the kid.

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1. This idea is much more clearly seen in a text published by Oliver R. Gurney, "Babylonian Prophylactic Figures and their Rituals." AAA 22 (1935): 77–95. The text belongs to the series Utukki limnuti. There is one moment in the rite when Marduk is to command "the evils to come forth from the sick man and return to the lower world" (p. 36); rev. 128 "From the body of the sufferer go away (130) 0 all that is evil; arise and depart unto the home of Erishkigal" (p. 87). After that the skin of the kid is removed from the body of the sick person and cast into "the wide street." "Let all evil return to the earth" (p. 87, line 136).
You should treat it as a dead person and mourn for it.

The sick man should get up and go out through the door. The māšmašu should the incantation "When the stroke of the god has struck," repeat three times; the sick man should remove his... and give it to the māšmašu, then the māšmašu should rise the cry for the sick man, "He has gone to his fate," he should say, he should make the lament, three times you should make the funeral offering to Ereškigal... place a pot of barley-beer. give praise and honor, water, beer, parched corn, milk, honey, cream, oil, you should pour out, you should bring a funeral offering to your family ghost, to the kid you should bring a funeral offering, the incantation, "The great brother is his brother" before Ereškigal you should recite, you should treat the kid as a living person, you should bury it, ... to Ereškigal, to the ghost of his family you should pour out grain. ... you should make the funeral-lament, you should bring the funeral offering.
The sick man will recover...1

The text is clear. The man is fully identified with the kid, and it becomes his substitute. The death of the animal is the death of the patient. The dead animal is treated the same way the individual would have been treated had he died. Although the text does not say that the sick man has been attacked by demons, that is probably understood to be the case. The Underworld goddess, Ereškigal, is claiming that man's life. Through the rite a substitute is handed over to Ereškigal.2 The purpose of the rite is not to trick the demon, or Ereškigal,3 but to

1Text 15, in Ebeling, Tod, pp. 67-69. We quoted the translation given by Hooke, "Theory," pp. 6-7.

2This idea seems to go back to the myth of Inanna's Descent, see above, pp. 21-24.

3Furlani, Riti, pp. 194-95.
make the substitution fully effective, to identify completely the patient with the substitute.¹

We must call attention to one final aspect. If the suggestion that the evil spirit in the series Utukki limnuni attacks the individual because his personal god has abandoned him, we would then have to recognize that the ritual seems also to be useful in restoring harmony between the person and his god. Religion and magic would again be together.

Series NAM-BUR-BI

The group of texts which will be studied now belong to the series called NAM-BUR-BI.² This Sumerian word, meaning "loosing, act of release,"³ is used in the Akkadian texts to refer to a ritual for

¹ Ebeling, Tod. p. 66, has written, "Es ist klar, dass durch diese Handlugen eine Übertragung der Wesenheit des Kranken auf das Tier voizweckt wird. Der Mensch ist ganz im Tiere auf gegangen, seine Anwesenheit ist vorläufig für den Ritus nicht mehr notwendig, er darf davongehen. Nunmehr erhebt der Priester die Totenklage, er ruft: Der Kranke ist gestorben!" He has also suggested that the animal represented the dead and risen god Tammarzuz. This idea has been supported by Hooke, "Theory," p. 7. Yet it seems to us that all we can say with certainty is that the text is using mythical ideas found in Inanna's Descent.


the dispelling or releasing of evil. The function of the ritual is apotropaic.\(^1\) But it differs from other apotropaic rituals in that it addresses the undoing or averting of a portended evil.\(^2\) The ritual is the answer to unsolicited portents which can be observed at any time.\(^3\) These portents, or calamities, were announced by the behavior of animals, dreams, misformed newborns, and other rare experiences.\(^4\)

The rituals prescribed were not always of the same nature. In many of them the practice of substitution played an important role. In this study, as already indicated, we will limit ourselves to discussing the texts in which the idea of substitution is present.

The substitute used in this series is practically always a figurine. Very often the figurine was of clay, but there are references to other materials. Text 40 mentions different figurines:

31. That sorcery, witchcraft, magic (and) evil spells, whether of a man or a woman, may not approach a man:

32. You make two images of clay, two images of dough, two images of wax, two images of tallow. (each group to consist) of male and female.\(^5\)

The ritual described in the rest of the text differs from the common NAM-BUR-BI in that it is supposed to provide protection against an


\(^2\)Caplice, Introduction, p. 7.

\(^3\)Caplice, "Texts," Or 34 (1965): 105.

\(^4\)Concerning the date of these texts Caplice, Introduction, p. 7, has indicated that "the language of the texts is that form of Babylonian used in literary and scientific texts of the first millennium B.C., that is, to the Sargonid, Neo-Babylonian, and early Persian periods."

evil produced by sorcery. This is quite uncommon in the series.\(^1\)

According to the text the figurines stand for the sorcerer/sorceress:

37. Šamaš, these images are of my adversary, of my persecutor.
38. of my opponent who has laid upon me witchcraft, defamation, the evil sickness.\(^2\)

The figurines were to be buried, and for a whole month the person was to wash himself over them. Thus the sorcery "will certainly turn on the sorcerer and sorceress."\(^3\) This ritual could be compared with a similar one described in a Neo-Babylonian tablet (no. 81-2-1. 166), located in the British Museum.\(^4\) The ritual is directed against a purported evil announced in a dream in which

[Somebody,] whether known (to him) [or unknown]
has thrown [dust and he has become depressed (?)]
and the god [did not accept] his prayer.

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1 See ibid., p. 140. It is the series Maqlû ("Burning") which prescribes rituals against evils provoked by sorcery: see G. Meier, Die assyrische Beschreibungssammlung Maqlû (Berlin: In Selbstverlage des Herausgebers, 1937). In this series figurines of the sorcerer/sorceress are burned. In some cases the figurine is considered a substitute for the bewitched person: "May the witchcraft practised upon me . . . be transferred to the substitute figurine of me, may my substitute carry away my sin in my stead" (Maqlû VII 138). The ideas of transfer and substitution are brought together. In Text 27 (Caplice, "Texts," O 36 (1967):279-82), which is a NAM-BUR-BI for the evil of the strange bird, mention is also made of a person washing himself with water over a figurine of a bird. In this case the figurine seems to be a substitute for the person. See CAD D, p. 149, where reference is made to a ritual in which a person "washes himself with bath water over the figurine serving as a substitute for him." The complete text is found in Anastasius Schollmeyer, Sumerisch-babylonische Hymnen und Gebete an Šamaš (Paderborn: Druck und Verlag von Ferdinand Schönigh, 1912), pp. 38-39.


3 Ibid.

In the dream the man has been polluted. The ritual is intended to remove that which will affect him, and his god's attitude toward him.

In order to do that

he shall make of clay [a male and a] female effigy
and shall wash himself over (it) and
the god will (again) [accept] his prayer.

The figurine stands here also for the sorceress. Oppenheim's comments are very appropriate here: "The 'patient' pours water over himself, not only to clean his body but much more to direct the magic dust from his person to the effigy of the evil-doer, thus inflicting all the evil the dust had imparted to him upon his enemy."¹ Evil is being returned to the one who set it in motion. Whether we should refer to the figurine as a substitute or a representative of the sorceress is not clear. What is important is that whatever happens to the figurine is also thought to happen to the sorceress. The one stands for the other.

There are other rituals in which the figurine is a substitute for the person on whose behalf the ritual is performed. This can be illustrated by the ritual described in Text 12:

10. Namburbi for the evil of a dog which in a man's house howls (and) moans
or spatters its urine upon a man. Three times you recite (the incantation), and
the evil of that dog will not approach the man and his house.
Its ritual: you make a clay image of a dog.
15. You place cedar-wood upon its neck. You sprinkle oil upon its head.
You clothe it in goat's hair. You set horse bristles on its tail. At the river bank you set up a reed altar before Šamaš.
You arrange twelve emmer loaves. You heap up dates and fine flour.
You set out confections of honey and ghee.

¹Dreams, p. 307.
20. You set up a pihu-jug. You fill two kukkanu-bottles with fine beer and
set them out. You set out a censer of juniper.
You libate fine beer. You have that man kneel and
raise that figurine, and recite as follows.
Incantation: Šamaš, king of heaven (and) earth, judge of the
upper and lower regions,
25. light of the gods, governor of mankind,
pronouncer of judgment on the great gods,
I turn to you, I seek you out. Among the gods,
command that I live!
May the gods who are with you command my prosperity!
Because of this dog which has voided its urine
30. upon me, I am frightened,
alarmed, and terrified.
Avert from me the evil of this dog,
that I may sing your praise!
When he has recited this (variant adds: three times) before Šamaš,
35. you recite as follows over that figurine.
I have given you as a [replacement] for myself, I have given you
as a substitute for myself.
[I have stripped off all the evil] of my body (and placed it)
upon you.
[1. I have stripped off, I have stripped off all the evil of my
flesh upon you.
I have stripped off all the evil of my figure upon you.
I have stripped off all the evil before me (and) behind me
upon you.
When you have recited this, you leave the presence of Šamas, and
5. You go off to the river, and recite as follows.
Incantation: you, River, are the creator of everything.
I, so-and-so, the son of so-and-so, whose personal god is
so-and-so, whose personal goddess is so-and-so,
have been spattered with this dog's urine. so that
I am frightened and afraid.
10. [Like] this figurine, may (the evil) not return to its place!
May its evil not approach! May it not come near! May
it not press upon (me)!
May it not affect me! May the evil of that dog be far
from my person,
that I may daily bless you,
That those who look upon me may forever sing your praise!
15. Incantation: take that dog straight down to your depths!
Do not release it! Take it down to your depths!
Extract the evil of the dog from my body!
Grant me happiness and health!
When you have recited this three times,
you throw that dog into the river, and that man
20. does not look behind him. He enters a tavern, and [its] evil will be dissipated.]

One would have expected the figurine of the dog to be a substitute for the dog, whose action set in motion the evil which now threatens the man. But the text makes clear that it is a substitute for the man himself. To the figurine the portended evil is transferred, leaving the person free from its threat. Notice that the figurine-substitute is brought before Šamaš, the "judge of the upper and lower regions." While raising up the figurine in his hands the man asks Šamaš to intervene on his behalf. He wants to live. The figurine is then declared his substitute. The announced calamity, which the man considers to be a threat to his life, is transferred to it. The substitute is finally cast into the river, an action which, as we will see, is very significant.

A similar ritual is found in Text 15. It is a NAM-BUR-BI

[For the evil of] a wildcat which persistently wails moans, and hisses in a man's house—to avert that evil, that it may not approach a man and his house. 2

A clay figurine of the wildcat is made and cast into the river. We are not told that the figurine is a substitute for the man, but since it is treated in the same way—the figurine in the previous text was treated—it is most probably the man's substitute. This ritual adds an important detail. During the incantation the man raises the figurine and adresses Ea and Marduk:

The evil of this wildcat which wails (and) moans in my house


2Caplice, ibid., pp. 14-17.
day and night, terrifies me. Whether (it is because of) an offense against my god, or an offense against my goddess, Ea and Marduk, resplendent gods, avert from me the evil of evil signs (and) portents which have taken place in my house.¹

These lines suggest that a possible reason for the threat of the evil of the wildcat could be found in an unknown offense against the gods. It seems to imply that the ritual takes care of the offense also.

A clear reference to a substitute figurine is found in a "ritual for the evil of evil signs and portents."² It is a Namburbi for the evil signs and portents [or a] strange . . . portending scattering of the man's house(hold). [collapse]se of the man's house, removal of the man's house, [. . .] of the man's house, revolt or capture of the city: [that its evil] may not approach the man and his house.³

In the first part of the text we have a simulation rite. That is, in order to avoid the destruction of the house "a stranger takes the part of the enemy and enacts symbolic destruction, thus fulfilling the prediction and averting more serious harm."⁴ The ritual requires also that a substitute figurine and a likeness of the portent be made. They are to be taken to the river. There the man recites an incantation to Śamaš:

Because of the evil of evil signs (and) portents which have repeatedly taken place against me. I am afraid. I am terrified. I am in dread. Avert this portent from me, that I may not die. that I may not be wronged, that I may sing your praises!⁵

¹Ibid., p. 16.
⁵Lines 28-30.
For this individual the ritual is a matter of life and death. His desire to live moves him to seek freedom from the evil portent. This craving for life finds its realization by means of a substitute. The individual is to go and stand over the image in order to recite a second incantation:

I have given you [as my exchange (?), I have given you as my ransom, [I have given you] as my substitute. I have stripped of all the evil of my body onto you, I have stripped off all the evil of my flesh [onto you, I have stripped off all the evil] of my sinews onto you, I have stripped off all the evil beside me, I have stripped off all the evil at my right and my left [onto you (?), I have stripped off all the evil] before me and behind me onto you.¹

Several important ideas are brought together in this incantation. The concepts of exchange, ransom and substitution are mentioned one after another, indicating their closely related meaning. The idea of substitution seems to be emphasized. The idea of the transfer of evil is also present. It is transferred to the substitute figurine. In order for the figurine to become the man's substitute two acts are performed: (a) the man stands over it; and (b) an incantation is recited in which it is declared a substitute.

This same text contains another incantation, this one addressed to the river. The parson prays requesting the river to retain the evil which is going to be cast there: "Take that evil away! Take it down to your depths!"² After that the man is to "throw the image and likeness of that portent into the river."³ He then immerses himself three times into the river and says:

¹Lines 32-35.
²Line 47. The incantation covers lines 37-47.
³Line 48.
You, River, take away from my person that evil which was placed upon me! May an alternate (woman) serve as substitute for me, may a replacement receive it from me, may a surrogate receive it from me! May the day bring me health, the month gladness, the year abundance! Ea and Marduk, help me! May the evil signs (and) portents which were placed upon me be dissolved!

A new substitute is mentioned here, an unknown woman. About this substitute nothing is said, except that it is a woman. It is somewhat difficult to perceive any specific reason for mentioning this new human substitute. The only thing one could say is that this NAM-BUR-BI requires, in order to be effective, not only a figurine which will be an immediate substitute but also the mention of a future possible substitute.

We have noticed that very often the substitute figurine is cast into the river. This practice seems to be rooted in Babylonian cosmogony. According to the Babylonian epic Enuma Elish the primeval waters, formed by Apsû and Ti’âmat, were mingled together. The epic tells about Apsû’s intentions to destroy the gods, his sons. But the lives of the gods were preserved, thanks to the intervention of Ea. He composed a strong and holy incantation, recited it upon the sweet waters, and put Apsû to sleep. Ea then took Apsû’s tiara and killed him. There in the apsû Ea placed his dwelling and made shrines

1Lines 53-57.

2Unknown substitutes are mentioned in other texts. Text 14, Caplice, "Texts." Or 36 (1967):9-14, does not mention any substitute-figurine but during the ritual the man says, "May a substitute receive (the evil) from me! May a merciful one release me!" (line 10). The nature of the substitute is not further defined. See also Text 24, ibid., pp. 31-32 "May another serve as a substitute for me, may a replacement receive the evil from me! The ill that I received may they receive from me," (lines 5. 6). Statements like these are more common in the Maqlû series.
for the gods. Among the Babylonians the apsû was thought to be the "source and outlet of rivers." As a designation for the subterranean sweetwaters, the Apsû manifested itself in the Nāru ("river") and the Id ("river"). It is against this background that we should understand the references to the river in the NAM-BUR-BI rituals. The incantations addressed to the river are addresses to it as a deified entity. He is "the creator of everything." A reference to the Enuma elish seems to be found in Text 40:

[Incantation: You, River, are the divine creator of everything. When the gods dug you they placed prosperity [on] your banks. In your midst Ea, king (of the apsû), built his residence.

Since Ea rules over the Apsû a person can pray, "By the command of Ea and Asarluhi, remove that evil! May your banks not release it! Take it down to your depths!"

As the creator of everything, the river is also the source of the portended evils mentioned in the NAM-BUR-BI texts. Even the seven demons of the Babylonian demonology are said to come from the Apsû.

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1 See E. A. Speiser, "The Creation Epic," ANET, p. 61.


3 See AHw 2:748. 4 Ibid., p. 364.


8 CAD A II, p. 195; cf. AHw I:61.
It is therefore very probable that the NAM-BUR-BI in which a substitute figurine was thrown into the river was an act by which the demonic evil was returned to its place of origin, taking with him a substitute. As in the primeval struggle between Apsû and Ea, now too the destructive intentions of the Apsû are overcome through a magical incantation. Ea, "the king of the Apsû,"\(^1\) controls it through magic.

Summary: The substitute par excellence in these rituals is a figurine. It is brought before Šamaš and/or Ea. It is considered to be a ransom, and by it the idea of exchange is expressed. The figurine is identified with the person through the spoken word, and by coming into direct contact with the individual. In some cases the man stands upon it, in others he just lifts it up before Šamaš. The ritual is characterized by magical incantations. Yet the religious element is not left out of consideration. Prayers and sacrifices are mentioned as part of the ritual.\(^2\) Besides that, the announced evil is thought to be the result of an offense against the gods. The portended evil is transferred to the substitute in order to return it to its place of origin. This is represented by the casting of the figurine into the river. In that way the life of the individual is preserved.

Our discussion of the Assyrio-Babylonian practices of substitution has revealed that a substitute was used whenever life was in danger. It is not, therefore, strange to find the ideas of ransom and


exchange associated with the idea of substitution. The nature of
the substitute is not always the same. It could be a living one, e.g.,
a person, an animal, or an inanimate one, e.g., a figurine. The
identification of the person and his substitute was accomplished
especially through the spoken word. The substitute is brought before
Šamaš, Ea, or Marduk and declared to be a substitute. Usually, the
individual comes into contact with it. In some cases the substitute is
treated like the person for whom it is substituting would have been
treated, e.g., dressed like a king, buried.

The substitute is brought before the heavenly gods apparently
in order for them to recognize in it the substitute of the person. Yet
the substitute is not given to them but to the evil powers or to the
Underworld. There are some indications which suggest that the life of
the individual is being threatened because he has offended the gods.
This would explain also why the substitute is presented to them. The
rituals seem then to have a propitiatory function, a religious concern.
Having said that, we also have to recognize that the rituals are
basically magic ones. The Underworld powers are compelled by the
word of the incantation to accept the substitute.\(^1\) To the substitute
is transferred the evil/demon, and it goes to its place of origin. The
demon accomplishes its destructive intentions in the substitute. The
individual is freed.

\(^1\) We have in the rituals religion and magic together. Ringgren
is probably right when he writes. "It is clear that the Babylonians
themselves made no distinction between 'religion' and 'magic,' such
as the historians of religion of our own day have made at their desks"
(Religions, pp. 90-91).
Concerning the question of whether what we have here is a substitutive-ritual or a substitutive-sacrifice, we would have to say that the answer is not as important as it seems to be.\footnote{The answer depends on how one would define the term "sacrifice." If one concludes that in the Assyro-Babylonian religion a sacrifice is something given to the gods to feed them, then the cases we have discussed cannot be referred to as sacrifices (so Furlanî, Il sacrificio, pp. 253, 282-85; de Vaux, Ancient Israel, pp. 434-35). If, on the other hand, that definition is considered too restrictive, one could then consider the sacrifice a substitute for the offerer (so Dhorme, "Sacrifice," pp. 603-104; idem, La religion Assyro-Babylonienne (Paris: J. Gabalda & Co., 1910), pp. 272-74).}

The fact that the substitute is given to the Underworld powers suggests that we are dealing here with a particular kind of ritual/sacrifice. Hence we should be careful not to transfer the idea of substitution found in the cases we have just studied to the Assyro-Babylonian sacrificial system as a whole.\footnote{That is what Dhorme did (Religion, pp. 272-74).} In order to avoid any confusion it would perhaps be better to retain the term substitutive-ritual (Ersatzritual) to designate the rituals mentioned in our previous discussion.

Substitution in Hittite Literature

Excavations near the Anatolian village of Boghazköy, in ancient Hattusa, have provided many important texts which have illuminated the history and the religious practices of the Hittites.\footnote{See Oliver R. Gurney, The Hittites (Harmondsworth: Penguin Books, Ltd., 1954), pp. 1-4.} Most of these texts belong to the time of the New Kingdom, that is, from the fourteenth to the end of the thirteenth century B.C.\footnote{See Cord Kühne, "Hittite Texts," NERT, p. 147; Hans G. Güterbock, "Hittite Religion," in Forgotten Religions, ed. Vergilius Ferm (New York: Philosophical Library, 1950), p. 83.}
of them are ritual texts of different kinds. In some of the rituals the idea of substitution is present. Some of them will be discussed below.

Ritual for a Substitute King

We are fortunate to have two practically complete rituals for a substitute king. As we shall see, these two rituals are somewhat different one from the other. This suggests that the ritual for a substitute king did not always have to take the same form.

The occasion for the first ritual which we will discuss is stated in the colophon of KUB XI 2 verso 5-9.

This is the ritual to be used if the king is assigned (?) to die, whether he sees it in a dream, whether it is shown to him in an oracle by animal or bird, or whether he en[co]nters any other fatal [om]en. In order to avert the evil omen, a wooden effigy of the king is made. It is dressed, put on a bed, and food is brought to it. A prisoner is also brought to the king. The effigy as well as the prisoner are declared substitutes for the king. The prisoner now becomes the king and ousts the real king from the palace:

On the day when the prisoner sends out the king, on that very day the king says to him: "This man (the prisoner) is the living substitute for me (upon the earth). This effigy is the substitute for me (under the earth). If you gods above have marked me out for some evil fate, and have shortened my days, months and years, this living substitute is to take my pl[ace]. Mark it well


2These rituals, besides other fragments, have been published by Kümmel, Ersatzrituale. which is the most complete discussion of royal substitution among the Hittites. These two rituals have also been published recently by Kühne, "Texts," pp. 174-79.

you gods above! If (you) sun goddess of the earth and you
gods under (the earth) [have visited me with some evil,
[may] this effigy take my place. [and do (you), sun goddess
of the earth] and you gods beneath (the earth) [mark] this well!" 

After that the king is expelled from the palace and the prisoner
takes his place. The king prays to the gods inquiring on the reason
for his removal from the throne. He asks that the substitutes may
take away the evil so that he, the land, the cities, women, and
children may be preserved. The text continues,

Further, if anyone comes into the city, do not say to him
"In which city the (real) king (is, etc.)," no (rather): "In
which city the new king (is)." people are accustomed to say,
"there is the king (?)]." Furthermore, the king prostrates
himself day by day, early in the morning [. . .] before the
sun god of heaven and says before the sun god of heaven:
"Sun god of heaven, my lord, what have I done that you
have taken away the [throne] from me and given it to another
and [? . . . have] summoned me to join the spirits of the dead!
S[ee,] now I am among the spirits of the dead. I have shown
myself (to you), the sun god of heaven, my lord. So leave me
once again to my divine fate, to the gods of heaven, and [free]
me from the midst of the spirits of the dead!" 

Next comes the coronation of the new king. His personnel is assigned
to him. They serve him, and "on the seventh day he dies (?)." 

The real king is afterwards purified and restored to his throne.

This ritual provides the following information for us: it is to be
performed whenever it is revealed to the king that his life is in danger.
Two substitutes are chosen, one a prisoner who is going to substitute
for the king upon the earth: that is, before "the gods of the world

\[1\] Ibid., p. 176. \[2\] Ibid., p. 177.
\[3\] On the ritual for the coronation of a Hittite king see Kümmel,
Ersatzrituale, pp. 43-49.
above who have a special responsibility for the living.”¹ The other
is a substitute image. It is the king’s substitute for the Underworld
gods who are claiming his life. He presents the substitutes before
the two groups of gods and requests them to accept the substi-
tutes. While the substitute king is ruling the real king is considered
as dead. After seven days, when the substitute dies, the king returns
to his throne. The prisoner was in fact put to death.² The reason
for the evil omen against the king is not mentioned. Yet the king
suspects that it has to do with something he has done.

The second royal substitutionary ritual is, as we mentioned
above, somewhat different from the previous one. In this case the fatal
omen was sent by the moon god.³

[Now when it is] night, he (the king) takes the images of the
(former) Labarnas and goes to the harpa of the moon god [. . .]
and speaks as follows: "Consider the reason [why] I have come
[to] pray; hear me, moon god. my lord! [Moon god, my lord.
you have sent] an omen. showing disaster for me. Behold, I
have a [. . . a substitute] in (my) place. Accept it, [and
let me free!]" They now bring a living bull up on the harpa
and [sacrifice him on] the harpa. The king goes on the harpa
[and] says: "[Consider] the reason why you, moon god, have
sent an omen, [showing disaster for me, [. . . you de] sire to
see the smoke of [. . . my] (cremation?) with your own eyes.
See. I myself have come and have [offered this substi] tute. [So]
behold [the smoke (?) fr] om it! They may die, but I must [not]
die!"⁴

¹Ibid., p. 176; Kümmel, Ersatzrituale, p. 82.
²Kümmel, ibid., pp. 150–68, has shown that human sacrifices
were practiced among the Hittites, although it was a rather exceptional
practice.
³The text has been published by M. Vieyra, "Rites de purifica-
tion hittites," RHR 119 (1939): 121–53; Albrecht Goetze, "Removal of
the Threat Implied in an Evil Omen," ANET, pp. 355–56; Kümmel. Ersatz-
Next a prisoner is appointed, dressed, and crowned as king. It is requested that the evil omen may go after this substitute. Then, "they assign [an] officer to the prisoner and he takes him back to his own land. The king[, however,] makes the prayer. Afterwards the king immediately goes to wash."¹ He then offers two other substitutes, one sheep to the sun god and another to Lelwani, "den beiden Exponenten der oberund unterirdischen Göttergruppen."² When offering the sheep to Lelwani he prays,

Consider, Lelwani, my lady, that the moon god has sent an omen showing disaster for me, the gods over (the earth) have delivered me into your hands. Take the substitute which I (for one) have delivered into your hands, but let me go free!³

At the end another substitute is offered to the moon god. This time it is a sheep.

In this ritual several substitutes are offered. The moon god has, for some reason, delivered the king into the hands of Lelwani, the Underworld goddess. The substitutes are offered in order to preserve the life of the king.⁴ Each substitute is brought before the gods and declared to be the king's substitute. In the case of the bull, which the king brings to the harpa⁴ of the moon god accompanied by the images of the Ììittite kings, the animal is burned.⁶ The burning of

¹Ibid., p. 179.  
³Ibid., p. 298 (=idem, Ersatzrituale, p. 13).  
⁵The meaning of this term is not certain. It seems to designate an elevation, see Vícyra. "Ritos," p. 127; Kümmel, Ersatzrituale, p. 16.  
⁶Kümmel, ibid., p. 23, has mentioned the possibility of a connection between this practice and the West Semitic burnt offering.
the animal is taking the place of the burning of the king's corpse had he died.\(^1\)

The prisoner in this text is not killed. He is to function as a scapegoat. Nevertheless, he is called a substitute (\textit{tarpaall}). By returning him to his own land, the evil omen is removed from the land of Hatti.\(^2\) The ritual has combined two ideas, namely, the idea of substitution and of a scapegoat (\textit{nakkušši}). The ritual for the \textit{nakkušši} "consists of transferring to it the evil or impurity which afflicted the patient; for the substitute it lies in a symbolical act identifying the substitute with the patient."\(^3\) But in this case, and in others, the two ideas are brought together, suggesting that "the distinction between the two conceptions sometimes becomes blurred."\(^5\)

The two rituals which we have just discussed have the same basic purpose: to preserve the life of the king by providing a substitute who is handed over to the gods in place of the king. The substitute could be a bull, a lamb, a sheep, an effigy,\(^6\) or a human


\(^3\)Gurney, Aspects, p. 52.

\(^4\)See Kümmel, Ersatzrituale, pp. 191-92. He has suggested that these two practices came from different geographical localities. The idea of royal substitution reached the Hittites from Mesopotamia, while the idea of a scapegoat was of Cannanite origin (\textit{ibid.}, p. 193; \textit{idem}, "Sündenbock," p. 318).

\(^5\)Gurney, Aspects, p. 52. In the ritual of Pulisa \textit{wac fin} this same phenomenon. See the text in Kümmel, Ersatzrituale, p. 113.

\(^6\)N. van Brock, "Substitution rituelle." RIIA 65 (1959): 119-24, has argued that the \textit{tarpaall} designates only a living substitute.
It is brought before the gods and identified with the king. The identification is accomplished through the spoken word. When the prisoner occupies the throne he is killed after several days, i.e., seven days. A substitute is not only given to the Underworld goddess but also to the heavenly gods, who have delivered the king to his evil fate.¹ Like the Akkadian texts, these rituals seem to combine magic and religion.

The Ritual of Mastigga

This ritual deals with curses pronounced during a family quarrel. The power of the misspoken curses is to be removed from those who pronounced them.² The ritual is a long one and at several points a substitute is used.

Col. II

26 Ferner treiben sie ein Schaf herbei und die weise Frau hält es den beiden Opfermandanten hin und spricht folgendermassen: "Seht (es ist) für euch
28 eine Ersatzfigur und (es) soll sein eine Ersatzfigur für eure Person!

Ersatzrituale, pp. 19-22, has shown that not to be the case.

¹We also know of substitutes for the queen. In KUB VII 10 (Kümmel, Ersatzrituale, pp. 130, 131), substitutes are used for both the king and the queen: "Behold, concerning that matter these substitutes already stand in their place. So acknowledge these and do not acknowledge those!" (lines 1-5). On the second col. we read: "They burn the substitute [of the king] in a hearth. In a hearth they burn a bull, in (another?) hearth they burn a ram and a he-goat. On an (additional) hearth they burn the substitutes for the queen" (lines 1-8). The reason for the ritual is not known. We are not told the nature of the substitute for the queen, but probably it was an animal. In another fragment of a text, Kbo XV 12 (Kümmel, ibid., pp. 126-27; idem. "Sündenbock," p. 305), we have a reference to a woman serving as a substitute for the queen.

By spitting into the mouth of the sheep, which is a substitute, the wicked curses were transferred to it. The sheep is killed and handed over to the Underworld. Lines 35-42 mention another substitute. This time it is a black sheep. It is a substitute "für eure Köpfe und für eure ganze Person." Then "Sie schwenkt es zwischen ihnen hin und her," they spit into its mouth, and the sheep is killed. "Dann zerteilen sie es, machen einen Herd und verbrennen es." The text does not say to whom this substitute is given. The sheep is apparently identified with the offerers by waving it over them.

A dog is also mentioned as a substitute for the persons. It is also waved over the offerers, killed, and buried. "As a chthonic animal, the burial may be interpreted as a gift to the netherworld."

Perhaps the most interesting substitute found in this ritual is the one described in col. IV 9-16:

Darauf schwenkt sie einen Topf zwischen ihnen hin und her. Eine Wanne stellt sie ihnen zu [Füssen] nieder und spricht folgendermassen:

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1 Rost, "Familienzwist," p. 355.
2 Ibid., line 36.
3 Ibid., line 38.
4 Ibid., p. 357, line 40.
5 With Gurney, Aspects, p. 54.
6 Rost, "Familienzwist," p. 359, col. III. 15, 16.
The pot, which is probably a "face vase," is a substitute not for the whole person but only for the head. By breaking it the curses lose their power. They have been actualized in it. The offerers are free.

In this ritual the substitute not only removes the evil set in motion by the spoken curses but is also to receive the evil itself. Notice that the substitute is identified with the persons by waving it over them and through the spoken words of the priestess.

Healing Rituals

In cases of illness the substitute is sometimes identified with the patient by mentioning the parts of his body: "... Die zwölf Körperteile (des Substituts) bereitete ich für die zwölf Körperteile (des Patienten) vor. Der Kopf ist für den Kopf bereitet." The text enumerates the different parts of the body and concludes: "Seine zwölf Körperteile habe ich vorbereitet. Und jetzt siehe, mögen die Körperteile des Schafbockes die Krankheit der Körperteile dieses Menschen fördern."
One text suggests that this type of substitute was for the sun god, and another seems to indicate that the substitute was killed and burned. The substitute was to assimilate the sickness and the fate of the patient.

There is a text in which Gassuliyawiya, the wife of Mursiliš II, describes how she provided a substitute in order to be healed from a mortal disease:

If thou, O god, my lord, art seeking ill of me . . . . this (woman) (shall be) my substitute (tarpašša-). I am presenting her to thee in fine attire. Compared to me she is excellent, she is pure, she is brilliant, she is white. she is decked out with everything. Now, O god, my lord, look well on her. Let this woman stand before the god, my lord.

The prayer is addressed to Lelwani, who is here "the old Hattian god, not a goddess." Unfortunately, we do not know the fate of the substitute woman.

We also have a statement made by Mursiliš II about his own illness. He became ill because of the anger of the weather god. A substitute ox was to be presented and burned before the god. It was to be carefully selected and decorated, "identified with the king by the laying on of his hands," and sent to the temple where it was slaughtered.

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2 Ibid., p. 426.

3 Gurney, Aspects, p. 55. See Kümmel, Ersatzrituale, pp. 120-21.

4 Gurney, Aspects, p. 55.

5 Ibid. Veyra, "Rites," p. 136, indicates that the ox was bearing the sins of the king.
and burned. In this case the practice of substitution is accompanied by the laying on of hands and presupposes the wrath of the weather god, who was somehow offended by the king. No mention seems to be made of the Underworld powers. We seem to have here a substitutive sacrifice.

Ritual of Askhella

What we have in this text is a ritual for a scapegoat (nakkušši). Nevertheless, the idea of substitution also seems to be present. The occasion for the ritual is motivated by a pestilence which has come from the enemy land after it was attacked by the soldiers. The pestilence is supposedly already afflicting the soldiers. Each of the commanders is to prepare a ram at evening:

Then I twine a cord of white wool, red wool, and green wool, and the officer twists it together, and I bring a necklace, a ring, and a chalcedony stone and I hand them on the ram's horns, and at night they tie them in front of the tents and say: "Whatever deity is prowling about (??), whatever deity has caused this pestilence, now I have tied up these rams for you, be appeased!" And in the morning I drive them out to the plain, and with each ram they take one jug of beer, one loaf, and one cup of milk (?). Then in front of the king's tent he makes a finely dressed woman sit and puts with her a jar of beer and three loaves. Then the officers lay their hands on the rams and say: "Whatever deity has caused this pestilence, now see! These rams are standing here and they are very fat in liver, heart, and loins. Let human flesh be hateful to him, let him be appeased by these rams." And the officers point at the rams and the king points at the decorated woman, and the rams and the woman carry the loaves.

1 See Gurney, ibid. The text was published by A. Goetze and H. Pedersen, Muršiliš Sprachlähmung, Det Danske Viedenskabernaes Selskab, Historisk-filosofiske. Meddelelser XXI/I (Copenhagen: Levin & Munksgaard, 1934), pp. 4-13.


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and the beer through the army and they chase them out to the plain. And they go running on to the enemy's frontier without coming to any place of ours, and the people say: "Look! Whatever illness was among men, oxen, sheep, horses, mules, and donkeys in this camp. these rams and this woman have carried it away from the camp. And the country that finds them shall take over this evil pestilence."1

This ritual has brought together some very important ideas. The pestilence, which has brought illness to the camp, is interpreted as the result of a god's anger. In order to appease the deity rams are used. The laying on of hands is practiced, and the animal then "carries away the infection into a foreign country, and at the same time it is offered to the hostile deity as a substitute for human flesh."2 The ideas of transfer and substitution seem to be present.3 This, however, does not mean that the scapegoat is always a substitute.4

As we close our discussion of substitution in Hittite literature it is proper to summarize our findings. As in the Assyro-Babylonian

1Gurney, ibid., p. 49. 2Tbid.

3Gurney, ibid., has suggested that these two ideas are also present in the ritual of Pulîsa (see Kümmel, Ersatzrituale, pp. 111-12, and in the ritual of Uḥhamuwa (first translated by A. H. Sayce, "The Scapegoat among the Hittites," ET 31 (1919):283-84; see also A. Goetze, "Ritual Against Pestilence," ANET, p. 347). In both cases the nakkušši served to appease the wrathful deity.

4This seems to be the case in the ritual of Dandanku (see Gurney, Aspects, p. 49), in which a donkey is to carry the evil to the enemy country. See also the ritual of Ambazzi (A. Goetze, "Purification Ritual Engaging the Help of Protective Demons," ANET, p. 348), where the evil is transferred to a mouse (but see Engelhard, Practices, p. 171, who argues that "the mouse will be attacked and punished vicariously in the stead of the evildoer"). In the ritual of the city of Samuha (A. Goetze, "Ritual for the Purification of God and Man," ANET, p. 346), a nakkušši is used to remove uncleanness from the king: "As a nakkušši for the king he introduces [an ox (?)], and as nakkušši] for the queen's implements he introduces a cow, a ewe, and a goat, and while doing this he speaks as follows: 'Whatever evil oath, curse, and uncleanness have been committed before the god, these nakkuššes shall carry them away from before the god. Let god and patient be cleansed from that utterance'" (Gurney, Aspects, p. 50).
practice the Hittites offered a substitute in cases where life was being threatened by an evil omen or an illness. The substitute could be a person, an animal—e.g., an ox, a sheep, a dog—or an inanimate object such as an effigy or a pot. The identification of the individual and his substitute was accomplished in different ways. In some cases the substitute was waved over the individual, in others the laying on of hands was practiced. But very often the ritual act was accompanied by the spoken word which declared the substitute a substitute. We usually find more than one substitute for the same person. They were offered to the Underworld as well as to the heavenly gods. The evil which was transferred to the substitutes was considered to be the result of an offense against the gods. It is probable that the substitutes given to the heavenly gods served to appease them. This is supported by the experience of Mursiliš II. He offered the ox to the weather god in order to appease him so that his health might be restored. The same seems to be true in the ritual of Askhella. What this suggests is that the Hittites did not seem to make any distinction between what we call Ersatzopfer and Ersatzrituale. As we have seen, substitutes were even offered to the heavenly gods, who wanted to see the smoke of the offender. ¹

The relation between magic and the religion in these rituals is difficult to determine. Most probably we may be raising a question

¹Since we did not find any Assyro-Babylonian text which stated clearly that a substitute was offered to the heavenly gods, one wonders whether such a practice, attested in Hittite literature, was not a West Semitic practice.
which the Hittite himself did not raise.\(^1\) Magic and religion are found
side by side in Hittite texts.\(^2\) It would seem right, then, to con-
clude that

Hittite magic was not necessarily coercive to the exclusion of
devotion and supplication. While Hittite magicians tried to
influence the supernatural forces that they believed operative
in the universe, the element of coercion was tempered by
their recognition of the autonomy of the deity’s will.\(^3\)

Substitution in Ugaritic Literature

Royal Substitution

In the year 1951 C. Virolleaud published a text\(^4\) which four
years later was interpreted by John Gray as containing the idea of
royal substitution.\(^5\) The text is an omen-text of astrological nature:

During the six days of the new moon
of the month Ḥyr
the sun setting and being her porter
Rešef,
then let the devotees seek out
a substitute\(^6\)

\(^1\) So Engelhard. Practices, p. 219. He suggests that "the distinc-
tion between the two was functional in that different persons performed
them and they were performed on different intervals and schedules"
(pp. 120–21).

\(^2\) So Arvid S. Kapelrud, "The Interrelationship between Religion
and Magic in Hittite Religion," Numen 6 (1959): 32. He adds later on, "In
this connection it is worth mentioning how well the magic rites go with
the clearly religious rite. There seems to be no conflict. Religion and
magic are working together, having the same goals and even being used
in the same fields" (p. 42).

\(^3\) Engelhard. Practices, p. 221, italics his.

\(^4\) "Les nouvelles tablettes des Ras Shamra," Syria 28 (1951):
25–27, text RS 12.61.

\(^5\) "Royal Substitution in the Ancient Near East," PEQ 87 (1955):
180–82; idem. The Legacy of Canaan (VTSup 5; Leiden: E. J. Brill,

\(^6\) Gray, "Substitution," p. 182.
This is not only a translation but especially an interpretation of the text. If it is accepted we would, then, have here evidence which would indicate that royal substitution was known and practiced at Ugarit. However, Gray's translation is far from certain. He seems to have gone too far when rendering skn as "a substitute." Gray's suggestion will remain a conjecture until other texts are found showing that royal substitution was practiced in Ugarit.

The BaCal-Series

One of the tablets within the BaCal-series describes how BaCal was to enter into the Underworld. He has apparently decided already to submit himself to Mot. Before descending to the Underworld someone gives him some instructions. CTA 5:4-24 states:

'Your son will have the soul of a bull-calf.
I shall lay him down in the grave of the gods of the earth.
And you, take your clouds, your winds,

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1Gray was aware of the conjectural character of his interpretation; see Legacy, p. 195.
4Karl-Heinz Bernhardt, "Ugaritic Texts." NERT, p. 214, suggests that the message is delivered by Mot himself, or one of his messengers; Johannes C. Moor. The Seasonal Pattern in the Ugaritic Myth of BaCri (AOAT 16; Neukirchen-Vluyn: Neukirchner Verlag des Erziehungsvereins, 1971), p. 184, suggests that the one who brings the news is Šapṣu, the sun-goddess.

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your thunder-bolts, your rains,
(take) with you your seven lads,
your eight bears,
(take) with you Pidrayu, the girl of the honey like dew
with you Talayu, the girl of the rain like dew.
Then you shall head straight
for the mountains of my tunnel.
Lift up a mountain on your hands,
a forested hill on your palms
and go down into the "Freedom-house" of the earth.
be counted among those who go down into the earth
and experience weakness like the dead.'
Bačlu the Almighty obeyed.
He loved a heifer in the steppe,
a young cow on the coastal plain of the realm of death
He copulated with her seven and seventy times.
she made him mount eight and eighty times.
Then she conceived and gave birth to a twin-brother.
Bačlu the Almighty clothed him with his robe.1

Our main concern in this text is the function of Bačal's son.
The most generally accepted theory is that he is a substitute for
Bačal in case he does not return from the Underworld.2 More recently,
Johannes C. Moor has suggested that the son is to be identified with
the twin brother who substitutes for Bačal. dies in his place, and
descends to the Underworld.3 He supports this interpretation by
referring to lines four and five of the text. There Bačal is told that
it will be his son who will be laid down "in the grave of the gods of the
earth." The fact that Bačal clothes his son with his robe is also taken
to indicate that he is making him his substitute.4 According to this

1Moor, Pattern, p. 183.
2Theodore H. Gaster. Thespis: Ritual, Myth, and Drama in the
G. R. Driver, Canaanite Myth and Legends (Edinburgh: T. & T. Clark,
1956), p. 17; Gray, Legacy, p. 60.
3Pattern, p. 184; idem, "Bockbesprekingen-Ugaritica." BO 26
4Moore, Pattern, p. 188, n. 18.
interpretation Ba\textsuperscript{cal} goes to the Underworld too, but he experiences only an "apparent death"\textsuperscript{1}--he descends there alive. This is what lines 15-17 suggest: "You will be counted among those who go down into the earth and experience weakness like the dead."\textsuperscript{2}

If Moor's interpretation is accepted we would then have here a case similar to some others we have found in the ancient Near East in which a substitute was given to the Underworld powers. In the present case the substitute was identified with Ba\textsuperscript{cal} not only by referring to him as his twin-brother but also by clothing him with his robe.

Another text in which the idea of substitution seems to be present is CTA 6:v 7-25, vi: 7-38. In this text Mot is stating the terms for Ba\textsuperscript{cal}'s release from the Underworld. He addresses Ba\textsuperscript{cal}, and says:

'Give one of your brothers,
let me eat, and the anger which I harbour will turn away!
If you do not give one of your brothers,
behold, I shall make the dead visit the earth,
I shall consume mankind.
I shall consume the multitudes of the earth.'\textsuperscript{3}

These lines suggest that Ba\textsuperscript{cal} will be able to leave the Underworld if he provides a substitute. Only then Mot's anger will be appeased. The rest of the text makes clear that Ba\textsuperscript{cal} provided seven substitutes. These were Mot's own brothers!\textsuperscript{4}

Ba\textsuperscript{cal} and the Devourers

Tablet CTA 12 has been the object of a number of studies with conflicting results.\textsuperscript{5} Its content may be briefly summarized as follows:

\textsuperscript{1}Ibid., p. 184. \textsuperscript{2}Moor, "Ugaritica," p. 107.
\textsuperscript{3}Moor, Pattern, p. 229. \textsuperscript{4}Ibid., pp. 232-38.
\textsuperscript{5}Among other studies see C. Virolleaud, "Les chasses de Baal: Poème de Ras-Shamra," Syria 16 (1935):247-66; R. Dussaud. "Le vrai
El sends two ladies to the desert to give birth to the "Devourers" (\(\text{aklm}\)) and the "Renders" (\(\text{cqqm}\)). They are Ba\(^7\)Cal's half-brothers. Ba\(^7\)Cal goes to the desert and there he finds them. There seems to be a fight and Ba\(^7\)Cal falls like a bull. The text is certainly a crux interpretum.\(^1\) The fragmentary nature of the text makes its interpretation extremely difficult.

This text has been interpreted as containing the idea of sacrificial substitution.\(^2\) It has been suggested that the reason for Ba\(^7\)Cal's death and descent to the Underworld is found in ii:45-50:

> 7 years El makes fruitful the fields but the 8th is dried up, until he is indeed covered as with a garment in the blood-guilt of his father/brethren, as with a robe in the sins of his kinsman/kinsmen. For 7 years he makes fruitful for his 70 brothers, but the 8th is for 80.\(^3\)

The seven years are considered to be a perfect circle whose end could bring a crisis. In order to avoid it and to repel the forces of chaos which could destroy the cosmos, it was necessary to perform some rituals. It is argued that in Israel this problem was solved through the sabbatical seventh year "which was presumably intended, among other

\(^{1}\)See Gray, "Ba\(^7\)Cal's Atonement," p. 61.


\(^{3}\)Ibid., pp. 418-19.
things to purify land and people from the accumulated profanations of the previous six, and thus prevent the eighth from reverting to chaos.\textsuperscript{1} Based on the fact that the Day of Atonement was practiced in Israel annually, it has been suggested that every year was regarded "as a potential 'eighth year,' that is, a year of sterility."\textsuperscript{2}

A similar rite is believed to have been practiced at Ugarit, probably every year. In any case the eighth year "was dramatised in the downfall of Ba\textsuperscript{c}al before the Devourers."\textsuperscript{3} In that way the real world was prevented from breaking down. The destruction was actualized in Ba\textsuperscript{c}al whose atoning death preserved the world. Ba\textsuperscript{c}al is, therefore, covered in the blood of his brothers, not in the sense that he killed them, as is suggested in CTA 6:vi 15, but rather in the sense that he "takes upon himself the guilt of his (70) brothers."\textsuperscript{4} In the myth the brothers represent the nations. "Ba\textsuperscript{c}al is the blameless one who suffers for the sins of the world, to effect its salvation."\textsuperscript{5}

Others have suggested that what we have in CTA 12 is "an expiatory sacrifice, where the god-king, substituted by the bull, brings about the atonement by his 'vicarious suffering.'"\textsuperscript{6} Many other suggestions have been proposed. For instance, J. T. Montgomery considers this text to be a myth dealing with the construction of a well for ordeals.\textsuperscript{7} Gaster interprets it in terms of the seasonal pattern, the

\begin{itemize}
\item[1] Ibid., p. 419.
\item[2] Ibid.
\item[3] Ibid.
\item[4] Ibid., p. 420.
\item[5] Ibid.
\end{itemize}
disappearance of BaCal during the summer.\(^1\) Gray saw in it a myth whose purpose was to sanction "the punishment or expiation of fratricide."\(^2\) But more recently he has suggested that the text has to do with the atonement rites of the great autumn festival in Canaan.\(^3\) Kupelrud considers the text to be a ritual against a plague of locusts.\(^4\) Other suggestions have been made but still the text remains enigmatic.\(^5\)

The fragmentary nature of this text makes any interpretation quite uncertain. This is particularly true of those interpretations which find in the text the idea of sacrificial substitution. Therefore, we prefer to leave the interpretation of this text open until further evidence may be found to clarify its meaning.

The Ugaritic texts which we have examined in this section do not make any significant contribution to the study of the idea of sacrificial substitution. This is due in part to the fact that there is still disagreement among scholars on the interpretation of the texts. If we conclude that the first text which we studied does not really contain the idea of royal substitution, and that the last one does not present BaCal as taking upon himself the guilt of his brothers, we are left then with a couple of texts belonging to the BaCal series. They only

\(^1\)"Harrowing of BaCal," p. 42.
\(^2\)"Hunting of BaCal," p. 155; see also his Legacy, p. 80.
\(^3\)"BaCal's Atonement," pp. 69-70.
\(^5\)A review of the different interpretations of CTA 12 is found in Caquot. Textes, pp. 317-26.
reveal that substitutes were given to the Underworld powers in order to allow Ba'al to go free. We are again confronted with the life-death issue in connection with substitution.¹

Conclusion

Our study of the ancient Near Eastern materials has revealed that the practice of substitution was well known throughout the ancient Near East. A substitute was needed in cases where life was in jeopardy. The threat to human life could have been a real immediate one (e.g., sickness), or a portended one (e.g., an evil announced by an omen). The substitute served, therefore, to free the individual from sickness or to avert any portended evil. It was considered that the life of the individual was in jeopardy because he had somehow offended his god.

¹Evidence for the practice of substitution has been found in the Phoenician-Punic settlements of the western Mediterranean. The evidence is mainly archeological, although some Punic inscriptions seem to support it. Substitution was practiced there in the context of child-sacrifice. The evidence has been examined recently by Paul G. Mosca, Child Sacrifice in Canaanite and Israelite Religion: A Study of Mulk and IJDB (Ph.D. dissertation, Harvard University, 1975), especially pp. 36-116. For a brief discussion see Green, Role, pp. 179-89. Mosca has argued that child sacrifice was practiced mainly by individuals belonging to the upper strata of Punic society. At times a lamb was offered instead of a child. Originally this "may have been regarded as a permissible alternative only for those who were unmarried, or sterile, whose children had grown too old to serve as victims, etc." (Mosca, ibid., p. 100). There is some evidence which suggests that there was a time when a child from a lower social stratum was offered in place of one of noble birth (ibid., p. 101). The children were sacrificed mainly to Baal Hamon, the head of the Punic pantheon. The practice of substitution in the context of child sacrifice seems to go back to the sixth century B.C. (Green, ibid., p. 182). The purpose of this kind of sacrifice does not seem to be expiatory. It was offered whenever an individual wanted to obtain some great favor from the gods (Mosca, ibid., p. 102). If a substitute was sacrificed it was in order to preserve the life of the son of a nobleman.
The ritual acts performed in connection with the substitute had two basic purposes. First, they served to identify the individual with his substitute. This identification was achieved in different ways. Sometimes direct physical contact was involved. The person stood upon his substitute, lifted it up or laid his hand upon it. In connection with these acts spoken words were pronounced. They served in a special way to identify the person with the substitute. Secondly, the rituals have also the purpose of transferring the evil from the person to his substitute. The substitute was very often killed or destroyed, indicating in that way that the evil intends of the demons had been fulfilled.

There were different kinds of substitutes. There were animate substitute (persons or animals), and inanimate ones (clay figurines, reed effigies, etc.). They were given to the Underworld powers. Evil and sickness were thought to have originated in the Underworld. Through a substitute they were returned there. In order to accomplish this incantations were recited. Magic played, therefore, a major role in the practice of substitution. It was only among the Hittites that substitutes were given not only to the Underworld powers but also to the heavenly gods.

The way substitution was practiced in the ancient Near East suggests that we are dealing here with a special kind of ritual. It is for that reason that it may be better to retain the term Ersatzrituale to designate the practice of substitution in the ancient Near East. However, it seems that among the Hittites the difference between Ersatzopfer and Ersatzrituale was not clear.
CHAPTER IV

SUBSTITUTION IN THE HEBREW CULTUS

Substitution and the Expiatory Sacrifices

Introduction

The study of the מזון ("sin offering") and of the כופה ("guilt offering") is indispensable in any discussion of sacrificial substitution. Since sacrificial substitution claims to answer the question of the how of expiation in the sacrifices, it is extremely important to examine that claim in the light of the biblical data.

We will first examine the occasions in which מזון and כופה were required. This will give us the opportunity to explore the nature of the sins they expiate, whether they deal only with inadvertent sins as opposed to conscious sins. But in order to elucidate the meaning of these sacrifices it is not only necessary to study their occasions but also their procedure. Particular attention will be given to the blood and flesh manipulation of both sacrifices. Through a careful study of the biblical text we will try to uncover the meaning of these ritual acts, indicating at the same time how they would contribute to expiation.

At the end of the discussion of each sacrifice we will examine some of the arguments used to deny that they could be interpreted in terms of sacrificial substitution. The evaluation of these arguments will be based on the previous discussion of the sacrifice.
Although the ritual of the laying on of hands is explicitly mentioned in connection with the נקן we will not discuss its meaning at this point. The study of the significance of this ritual will be our next task.

The נקן Sacrifice and Substitution

A perusal of the literature dealing with the נקן would reveal that scholars are far from agreeing on the nature of the sin redressed by it. Many suggestions have been made. In most instances no attempt is even made to properly justify the suggestion proposed.

A few examples may suffice; G. F. Moore, "Sacrifices," p. 4205, believes that there were two occasions for which a נקן was required, namely, for inadvertent violations of some prohibitions, and for purification from impurity; so also Moraldi, Espiazione, pp. 157-58; idem, "Expiation," cols. 2028-29. P. Saydon, "Sin-Offering and Trespass-Offering," CBQ 8 (1946): 398 argues that the נקן expiates "ordinary sins committed with a greater or lesser degree of consciousness and willfulness, but which are due to human frailty." But on p. 395 he states that in Lev 4 the נקן "denotes a complete lack of knowledge and consequently a sin committed through ignorance of the law, or through complete inadvertence." Cf. A. T. Chapman and A. W. Streane, The Book of Leviticus in the Revised Version (Cambridge: University Press, 1914), p. iii; and Antonio Charbel, "Sacrificio," Enciclopedia de la Biblia, 7 vols. (Barcelona: Ediciones Garriga, 1965), VI:223. According to Theodore H. Gaster, "Sacrifices and Offerings, OT," IBD 4:151, this sacrifice purges physical as well as moral impurity. J. R. Porter, Leviticus, The Cambridge Bible Commentary (Cambridge: University Press, 1976), p. 37, prefers to describe the sins expiated by the נקן as "offenses which were not so serious as to put a man outside the covenant relationship with God." According to him it would not expiate high-handed sins; cf. Nathaniel Mickle, "The Book of Leviticus," IB 2:23, 24. Gerhard von Rad, Old Testament Theology, 2 vols., trans. D. M. G. Stalker (New York: Harper & Row, 1962-1965), 1:258, writes that the נקן deals with involuntary sins committed especially "against ritual and cultic regulations." Helmer Ringgren, Sacrifice in the Bible (New York: Association Press, 1962), p. 28, also believes that the נקן redresses primarily violations of the ritual law; but since this definition cannot be applied to all the other cases in which the sacrifice is required, he then considers Lev 4 and 5 as representing a "later systematization and amplification of the varied practices of an earlier age" (ibid.). Eichrodt, Theology, 1:161, sees the Priestly restriction of the נקן to inadvertent
Probably the most significant attempts to understand the function of the נקן have been recently published by two Jewish scholars.

One of them, Jacob Milgrom, understands the נקן as expiating contamination of sancta. A person becomes impure by violating "God's prohibitive commandments inadvertently (Lev 4) or deliberately (Lev 16:16, 21)."\(^1\) The נקן is offered "in order to purge (קפר)" the sanctuary of its contamination, not the offerer's.\(^2\) This is based on what Milgrom considers to be the underlying postulate of the נקן ritual; namely,

that the sin produces an impurity-miasma which is attracted magnetic-like to the sanctuary where, unless cleansed by the הַתַּתְת הַכְּדָשִׁים blood and the simultaneous repentance of the sinner, it will accumulate until God's holy presence is forced to abandon His earthly abode (e.g., Ezek. I-XI).\(^3\)

He considers the נקן to be required in two situation: (1) for severe physical impurity and (2) because of the "commission of certain inadvertent sins."\(^4\) In his discussion of the cultic נַשָּׁה ("unwitting," transgressions of some commandments as a limitation "which was not originally characteristic of this sacrifice." He, nevertheless, suggests that the Biblical evidence could be somewhat harmonized by translating נַשָּׁה not as "unwitting" but as "in human frailty." Then the high handed sins would refer not to deliberate offenses but to "open apostasy and impenitent contempt for the law" (ibid., n. 6).


\(^2\)Ibid., p. 127. See also his "Israel's Sanctuary: The Priestly 'Picture of Dorian Gray,'" RB 83 (1976):390-99. Moraldi's position is in some respects similar to Milgrom's. But he would not deny that theנוקן expiates the offerer. According to Moraldi the sin of the people contaminates the land and the temple. The blood of the נקן "espia l'altare, il santo dei santi. el tempio e, di conseguenza, il popolo" (Espiazione, pp. 252 and 232-37).


\(^4\)"Israel's Sanctuary," p. 390.
RSV Lev 4:2, 13, 22, 27) he concludes that "the notion of consciousness is already contained" in this term.¹ "The act that turned out to be sinful was performed consciously."² The individual, who knows the law, accidentally violates it, or "he acts deliberately without knowing he did wrong."³ The person who commits a הָאָב "is conscious of his act... but not of its consequences."⁴ On that basis he suggests to translate הָאָב as "inadvertence."⁵ Therefore, the הָאָב requires "full consciousness of the wrong."⁶

The other scholar who has recently contributed to the discussion of the הָאָב is Baruch A. Levine.⁷ One of Levine's basic assumptions is that "ritual offenses endanger the deity in some way, since they threaten to diminish the purity of his earthly dwelling."⁸ Impurity, he says, is "the actualized form of evil forces" from which the deity is to be protected or, otherwise, He will have to leave.⁹ Within this model the

² Ibid. ³ Ibid., p. 118.
⁴ Ibid. ⁵ Ibid.
⁶ Ibid., p. 116.
⁷ See specially his Presence, pp. 101-14.
⁸ Ibid., p. 76.
⁹ Ibid., pp. 77-78. Levine's conception of impurity not as state but as an active, demonic force is the key to his model of the Israelite cultus. These forces are kept under control through magic. His position is the opposite of Yehezkel Kaufmann's, who considers impurity in the Hebrew cultus as a state of being. Kaufmann's emphasis on Israelite monotheism does not allow for the presence of any demonic force acting independent of Yahweh. See his The Religion of Israel: From Its Beginnings to the Babylonian Exile (Chicago: University of Chicago Press, 1960), pp. 101-21. Cf. W. Robertson Smith, The Religion of the Semites
function of the הָעַטֵה was to retain the presence of Yahweh by protecting Him from the incursion of these demonic forces which were set free through the offenses of the people. Levine takes these offenses to be inadvertent sins. He also distinguishes two kinds of הָעַטֵה. One has an apotropaic function. It was "a purificatory rite intended to safeguard the sanctuary and its ministering priesthood from contamination." In this case the victim was usually provided by the priests and burned on the altar. The second הָעַטֵה was intended "to expiate certain offenses of 'the people.'" The victim was given to the priests for their services, and it was eaten by them in a holy place. For Levine "the covenant, and the only-to-be-expected violations of it, represent the larger framework within which the ḫattāt sacrifice functioned."

These two last interpretations of the הָעַטֵה, together with the many others suggested by different scholars, suggest that it is necessary to restudy the whole issue. The nature of the sin which is expiated by the הָעַטֵה, as well as the subjective state of the person at the moment he sinned, should be examined again. The problem of the object of the הָעַטֵה, i.e., the sanctuary or the sinner, is an extremely important one since it would especially affect the meaning of the blood manipulation. It would be very difficult to talk about sacrificial

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1 Presence, p. 91.  
2 Ibid., p. 103.  
3 Ibid., p. 104. For Milgrom's reaction to this distinction, see his "Two Kinds of Ḫattāt," VT 26 (1976): 333-37.  
4 Presence, p. 104.  
5 Ibid., p. 103.
substitution if the object of the נָתַן is the sanctuary. Something must be said with respect to Levine's view on the role of the demonic forces in the ritual and the two kinds of נָתַן. But before we proceed to discuss the different occasions in which the נָתַן was required it would be proper to make some philological remarks on our understanding of the term נָתַן.

Philological Observations

The Hebrew term נָתַן is the nominal form of the Piel נָתַן. The verbal root is a Common Semitic one whose basic meaning seems to be "to miss the mark."\(^2\)

The translation "sin offering" for the Hebrew נָתַן is considered by some scholars to be a poor translation, even though it goes back to the LXX.\(^3\) It is certainly not easy to find an adequate translation for such a multidimensional term. In some cases it means "sin" (Gen 18:20; Exod 10:17), while in most of the instances it refers to a sacrifice. In an attempt to solve this problem it has been suggested that נָתַן reflects


two different nominal forms. The first is the Piel formation which
designates the sacrifice. The second is the Qal formation, הָסֹהְלָה,
which is a variation of the feminine הָסָוהַ ("an offense, a sin"). The
reason for having הָסֹהְלָה (with the Dagesh) in cases where the term is
not referring to the sacrifice is, it is argued, because the Massoretes
pointed הָסֹהְלָה with the Dagesh indiscriminately. However, comparative
linguistics seems to give support to the Massoretic pointing. We have
in Akk. the noun הָטַיִם ("sinner") which seems to be built on the
D formation but still retains the G meaning. This suggests that the
nominal form of the Piel could still retain the basic meaning of the root.
There is no reason to deny this to הָסֹהְלָה.

The issue still remains concerning the meaning of הָסֹהְלָה in cases
where it refers to a sacrifice. It could be argued that since הָסֹהְלָה means
in some such cases "sin" (e.g., Num 5:6; 32:23; Deut 9:18), when re-
ferred to a sacrifice it could also mean "sin (offering)." This complex
problem needs some attention.

There are several places where הָסֹהְלָה is apparently used with the
Piel derivative meaning, Num 8:7; 19:9, 17. Num 8:7 deals with the
cleansing of the Levites. During the ritual they were to be sprinkled
with "the water of expiation" (רָפָא הָסֹהְלָה). Since this water was used for

1Levine, Presence, p. 102.
2CAD H; p. 153; AHw 1:337.
4See George B. Gray, Sacrifice in the OT: Its Theory and
purification, one could argue that קְרֵם means here "purification, cleansing." The customary "water of the sin offering" does not make much sense. It is unfortunate that the expression "water of expiation" is not used anywhere else in the OT. We are not even told how the water was prepared. The "water of expiation" should not be confused with the "water of impurity" (מֵיסָרָה) mentioned in Num 19:9, which was prepared with the ashes of the red heifer. The latter was used for the cleansing of those who came into contact with a dead body. This situation is not contemplated in Num 8:7. With respect to the red heifer we are told that "it is קְרֵמ" (Num 19:9). The context indicates that the pronoun "it" (הָאָרֶץ) refers to the heifer.¹ This is also the case in vs. 17 where the ashes are referred to as the "ashes of the burnt קְרֵמ." In these two cases קְרֵם can neither be translated "sin," nor "sin offering"² because the ritual for the red heifer is different from the one of the so-called "sin offering." It may be concluded that in the cases of Num 8:7; 19:9, 17, the term קְרֵמ seems to be based on the Piel formation and could be translated by "water/ashes for the removal of sin." on the analogy of "water of impurity," i.e., "water for the removal of impurity."³


²So Gray, Sacrifice, pp. 59, 60; Moraldi, Espiazione, pp. 153-54; de Vaux, Ancient Israel, p. 461.

³Gray, Sacrifice, p. 60; L. E. Toombs, "Red Heifer," IDB 4:18; Moraldi, Espiazione, p. 154, prefers the term "expiatory sacrifice" for these cases: Milgrom, "Sin-Offering?" p. 237, would probably use the term "purification." We prefer to retain in the translation the basic
We have been able to indicate that the noun נָאֲם is used in certain instances as a nominal form of the Piel with the basic meaning of the verb and in other instances as the derivative of the privative Piel. This would suggest that when נָאֲם is used as a technical term for a sacrifice its meaning could be based on the Qal or on the Piel. The way the sacrifice is used gives support to a meaning based on the privative Piel. The נָאֲם as we shall see, was to be offered when a person sinned or became impure, as well as for the removal of impurity from objects. Since the Piel form of נָאֲם means "to put away sin," it may be translated "a sacrifice for the removal of sin." 

Occasion and Procedure

1. נָאֲם for Unintentional Sins. The expression נָאֲם is a key one for the understanding of the נָאֲם. The verbal root is לָשָׁנָה/לָשָׁנָה.

meaning of the noun, i.e., "sin." When Milgrom, ibid., argues that "sin-offering" is not a proper translation because the sacrifice is required for cases where the idea of sin is not present, he has overlooked the fact that in the cultic legislation sin and impurity are synonyms; see Lawrence E. Toombs, "Clean and Unclean." IDB 1:647.

1 G. Quell, "Sin in the OT." TDNT 1:270; see also Knierim, 'יה", col. 341; KBL, p. 293; Koch, "חָטָא", col. 866, who renders it as "einen Ritus der Entsündigung durchführen." Milgrom's statement that the Piel of נָאֲם "carries no other meaning than 'to cleanse, expurgate, decontaminate'" is motivated by a theological and not necessarily a linguistic concern ("Sin-Offering?" p. 237).

2 Koch, "חָטָא", col. 857, prefers to refer to the נָאֲם as a "Sündritus" ("ritual concerning sin"). a term which we think is too broad. Roland de Vaux, Studies in Old Testament Sacrifice (Cardiff: University of Wales Press, 1964). p. 91, designates this sacrifice as "the sacrifice which deletes" sin.

3 Apparently the only known cognate is the Aram. נָשָׁח : see DISO, p. 290.
These two roots have apparently coalesced. The is used but four times in the OT whereas appears seventeen times. The basic meaning of the root seems to be "to go astray."

The nominal form occurs nineteen times in the OT. It is used mainly in relation to the (Lev 4:2, 22, 27; Num 15:24-29) and in the law of asylum (Num 35:11; Josh 20:3, 9). It appears parallel to such expressions as ("without knowledge") in Josh 20:3, and ("and he does not know") in Lev 5:17. Its opposite seems to be sins committed ("with high hand"), Num 15:3.

Since the verbal root is used with reference to sins committed unintentionally (Gen 43:12; Josh 20:3, 9) as well as to sins which were committed consciously (1 Sam 26:21; Ezek 45:20), we, therefore, agree with Knierim when he says that the subjective state of the person is not expressed by the Hebrew root but by the context. This, however, is

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3 Ibid.; Moraldi, Espiazione, p. 146.

4 It is also used in connection with the -offering, Lev 5:15, 18; 22:14 (?).

5 Milgrom understands יָד יִתְנָס as denoting unconsciousness. According to him in this case is qualified by יָד יִתְנָס and refers to an accidental act performed unconsciously. "Cultic Segagā," p. 116 n. 7. We will return to this passage when discussing the -offering.


7 "ṣgg," col. 871. In order to be fair with Milgrom we must mention the fact that the notion of consciousness which he finds in is something that, as he states it, he only infers from the context.
not a major problem for the understanding of the term. "Insgesamt ist anzunehmen, dass der Begriff ungeachtet der subjektiven Verfassung das Täters das objektive Resultat einer Tat als nicht vorsätzliches, ungewolltes Verschen bezeichnet." ¹ So we can still retain the translation "inadvertent" or even "unintentional" (NASB, NIV) for the cultic נאש. ² What is of theological significance here is that sin is defined in terms of the objective result of the action and not on the basis of the subjective state of the individual at the moment when the act was committed. ³

a. Unintentional Sin of the Anointed Priest and the Community:
The ritual for the נאש of the High Priest (Lev 4:2-12) ⁴ is essentially the same as for the one of the community (Lev 4:13-21; cf. Num 15:22-26). The procedure is as follows: (a) a young bull is brought to the door of the tent of meeting; (b) the laying on of hands is practiced by the High Priest for his sin and by the elders for the congregation;

"The Cultic Ṣegāgā," p. 117. This inference is drawn from the cultic usage of the term. His problem is that what he discovered through contextual inference is considered by him to be "contained" in the term itself.


³See Elliger, Leviticus, p. 68: also Knierim, "ḥt?," col. 872.

and (c) the animal is killed. Then comes the blood manipulation:
the High Priest (a) takes some of the blood inside the sanctuary;
his finger in the blood and sprinkles seven times in front of the veil in
the sanctuary; (c) some blood is put on the horns of the altar of
incense; and (d) the rest of the blood is poured out at the base of the
altar of burnt offerings. The last part of the ritual has to do with the
disposition of the fat and flesh of the victim. It is required that the fat
be burned upon the altar and the rest of the animal be burned in a
clean place outside the camp. The נזידָה was offered to make atonement
(rosis) for them, so that they may be forgiven.

b. Unintentional Sin of the Ruler and the Layman: The procedure
for the נזידָה of a leader (Lev 4:22-26) and a layman (Lev 4:27-35:

1We are not told who killed the animal for the congregation. The
fact that יָד ("he shall kill it") is third person singular suggests that
a representative of the assembly was chosen. Cf. M. Noth, Leviticus,
p. 41.

2The fact that the verb is passive, יָדוֹת ("he shall be forgiven"),
indicates that expiation is not the automatic result of the ritual act. Noth,
therefore, is wrong when he says that "the subject-matter suggests that
in the sin offering, at least in its formulation, the notion of an effect ex
opere operato is fairly deeply embedded" (Leviticus, p. 41). See also
Porter, Leviticus, p. 39, and Milgrom, Cult, p. 13 n. 44. Since the
divine will to forgive remains independent of the ritual act any magical
interpretation of the ritual is denied. Levine, Presence, pp. 65-66,
recognizes that it is God who grants expiation, it is not the "direct
physical effects of the rites performed" (italics his), but still maintains
that the process is magical (p. 66 n. 34). He is here confronted with a
problem which he does not take seriously enough.

3Noth takes this noun to refer to the representative from each
tribe in the amphictyony, Das System der zwölf Stämme Israels
(Stuttgart: Verlages von W. Kohlhammer, 1930), pp. 151-62; also his
Press, 1962), pp. 187. 188. See also E. Speiser. "Background and
Function of the Biblical Naṣî," CBQ 25 (1963):111-17; and J. van der
Ploeg, "Les chefs du peuple d'Israël et leurs titres," RB 57 (1950):
40-61.
cf. Num 15:27-31) differed from the one mentioned above, in that in this case a male goat was required, and in the blood manipulation. The priest was to put some blood on the horns of the altar of burnt offerings and to pour the rest at its base, but the blood was not to be taken into the sanctuary. Provision was also made in case a layman wanted to offer a female goat (vss. 32-35).

There are several things which we should notice in these cases of unintentional sins. First, the sin committed is further defined by the expression "by doing any of the things which the Lord commanded (ynad) not to be done" (vss. 2, 13, 22, 27). This expression is broad enough to include cultic as well as ethical prohibitions.¹ This would be an argument against any limitation of the ynaño to only cultic offenses, that is, violation of the laws which regulate the cultus. Secondly, the blood manipulation of the ynaño for the anointed priest and the one for the community was different from the blood manipulation of the other two cases. This difference is one of the evidences used by Levine to support his thesis of two different sin offerings.² Thirdly, the meaning of the sprinkling (nTr) of blood cannot be deduced from its immediate context in these regulations. We would have to look somewhere else for its

¹So also Milgrom; Cult, p. 126, where the same expression is used in connection with the ἔρατος offering. With respect to the term ἐντολὴ ("commandments") L. M. Pansinya, La notion de nomos dans le Pentateuque grec (Rome: Biblical Institute Press, 1973), p. 92, concluded "que le terme miswah au singulier ou au pluriel, isolé ou en groupe, signifie 'loi, commandement, précepte,' de façon générique et globale. Le vocable désigne tout ce qui est prescrit et ordonné par Dieu, sans spécification concrète, sans référence à telle ou telle espèce de loi."

²See Presence, pp. 104-05. We will return to this problem below.
meaning. Fourthly, on the question, who is the object of the  kapsa ? the text only says that through it "the priest shall make atonement for, כפר, them/him," and "they/he shall be forgiven." vss 20, 26, 36). The fact that it is the person who is forgiven suggests that the whole ritual is done for the benefit of the individual. It has been argued that when a person is spiritually impure, through the inadvertent violation of a command, he needs no purificatory rite. "The fact that his sin is inadvertent (bīṣegagāh) and that he feels guilty (weʾāšēm) means that he has undergone inner purification." According to this view the verb ṣāḥ when used "without an object does not refer to a state of guilt, but . . . denotes the suffering brought on by guilt." The verb then means "to be conscience smitten or guilt-stricken" and could be translated as "feel guilt." It just happens that throughout Lev 4 the verb ṣāḥ is used several times without an object; e.g., vss. 13, 22, 27. We will not argue against this philologic understanding. It is the conclusion drawn from it, it seems to us, that has no support in the text. There is not the slightest suggestion

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2 Milgrom, "Israel's Sanctuary," p. 390.

3 Milgrom, Cult, p. 9. Italics his.

4 Ibid.

5 The meaning "feel guilt" for ṣāḥ without an object should not be pressed. It may very well be that in Lev 4 it is indicating that the only one who is guilty is the person who sinned unintentionally, in opposition to the unintentional sin of the aointed priest which brings guilt to the whole community. The verb would, then, be suggesting a breaking of the solidarity between the individual and the community. That the verb could be translated in some cases as "feel guilt" is not to
in Lev 4 that, because the sin was  and the individual afterwards was conscience-smitten the  therefore had not the person, who had already undergone inner purification as the object. The most that can be said, provided that his understanding of  accepted, is that the offering of the  to be preceded by remorse, repentance. This suggests, once more, that the  does not work ex opere operato.

Finally, in the case of the offering for the leader and the layman nothing is stated about the disposition of the flesh of the victim. Based on Lev 6:24-30 (MT 17-23) it may be suggested that the flesh was eaten by the priest.

2.  for intentional sins. We will be dealing in this section with Lev 5:1-13. There are several problems in this pericope which need to be discussed before we describe the ritual of the  found in it.

The first problem has to do with the meaning of the verb  in vss. 2-5. The verb is used here without an object. Milgrom, faithful to his thesis which we mentioned above, translates the verb  in vss. 2; 3, and 4 as "and he feels guilt"; and  in vs. 5 as "when he feels guilt." The traditional translation of the term has been "is guilty." Milgrom's translation is innovative and significant be denied. In such cases the decisive factor may be the context and not the absence of an object. See our discussion below on pp. 153-56.

1Milgrom, ibid., p. 123, states, "Every case of expiation by sacrifice presupposes the repentance of the worshipper."

2Ibid., pp. 10-11.

3See commentaries and Bible versions.
since it makes crystal clear that repentance and sacrifice go hand in
hand. Besides that it makes sense in the pericope. The major reason
for our reluctance to accept it is found in vs. 1. There, instead of
the verb וַיִּשָּׂא, we find the expression כָּל הַשֶּׁר "he shall bear his
sin." This phrase, which suggests in this context the presence of the
idea of sacrificial substitution, is expressing the idea of legal culpa-
ibility. We agree with Walther Zimmerli when he says, "Ein Vergleich
von Lev 5:1 mit 2-4 zeigt, dass verbales וַיִּשָּׂא geradezu synonym zu
נָאָס וַיָּשְׁבוּן verwendet werden kann." This indicates that Milgrom's
interpretation is here in conflict with the context. We would, therefore,
retain the traditional translation "is guilty."

Another problem has to do with the meaning of the noun נאש sino
vss. 6, 7. In both usages we have the expression כָּל הַשֶּׁר which the RSV renders "and he shall bring his guilt offering." This
translation can be supported by the fact that the same Hebrew ex-
pression is used in vs. 15 in the pericope dealing with the offering.
Nevertheless the fact remains that in Lev 5:1-13 we are dealing
with the נאש, as vss. 6-13 make clear. This implies that in Lev 5:6, 7
The term נאש is not being used as a technical term for the guilt offering.
The problem is one of translation. Different suggestions have been made,

1 See below, p. 143.

2 Walther Zimmerli, "Zur Vorgeschichte von Jes LIII," VTSup 17
(1969):240. See also Moraldi, Espiazione, p. 119; Elliger, Leviticus,
p. 64; Noth, Leviticus, p. 44.

3 E.g., Snaith, "Sin-Offering," p. 79, renders it "guilt," but in Leviticus, p. 48, he renders it "penalty"; Noth, Leviticus, p. 45,
suggests that נאש here has the sense of "atonement for guilt." "pen-
ance"; Levine, Presence, p. 109. prefers "penalty," as also Milgrom,
Cult, p. 6.
but it seems to us that "reparation," "compensation" are very good possibilities.¹ A comparison between Lev 5:6 and 6:6 indicates that מְשִׁיעָת is not being used here as the technical term for an offering.²

5:6 - רַבָּעֵה אַתָּה אָשָׁר לִרְאֹת "he shall bring his reparation to the Lord ... for a מְשִׁיעָה."

6:6 - מְשִׁיעָת מַאֲסָר בַּעַל לֵאמָר "and he shall bring his reparation to the Lord ... for an מְשִׁיעָה."

This also indicates that "reparation," "compensation" is not being used here as a מְשִׁיעָה was brought to repair the sin.

Five different sins listed in Lev 5:5-10. Which of these are for a מְשִׁיעָה? How many different sins are mentioned in each section?

Four ways: (1) a person is called to testify, e.g. Levine, Presence, p. 109; Snith, Leviticus, p. 44; (2) a person utters a curse and someone else, who is a witness, fails to report the incident, e.g. Noth, Leviticus, p. 44. Either of these two interpretations is possible. See J. Scharbert’s suggestion that the בְּזָה אֵיל "audible curse" "is the conditional imprecation which the person who has been wronged pronounces on the thief, the thief's partner, or the dishonest person who finds what he has lost" ("בְּזָה אֵיל," TDOT 2:262). He renders Lev 5:1 as follows: "If any one sins in that he hears an audible curse (qol בְּזָה) to testify and, though he is a witness having either seen or come to know about the matter, yet does not speak, he shall bear his iniquity." Cf. H. C. Brichto, The Problem of "Curse" in the Hebrew Bible.

³ This sin is present in Leviticus in two ways: (1) a person is called to testify, e.g. Levine, Presence, p. 109; Snith, Leviticus, p. 44; (2) a person utters a curse and someone else, who is a witness, fails to report the incident, e.g. Noth, Leviticus, p. 44. Either of these two interpretations is possible. See J. Scharbert’s suggestion that the בְּזָה אֵיל "audible curse" "is the conditional imprecation which the person who has been wronged pronounces on the thief, the thief's partner, or the dishonest person who finds what he has lost" ("בְּזָה אֵיל," TDOT 2:262). He renders Lev 5:1 as follows: "If any one sins in that he hears an audible curse (qol בְּזָה) to testify and, though he is a witness having either seen or come to know about the matter, yet does not speak, he shall bear his iniquity." Cf. H. C. Brichto, The Problem of "Curse" in the Hebrew Bible.
but it seems to us that "reparation," "compensation" are very good possibilities.¹ A comparison between Lev 5:6 and 6:6 indicates that דָּוֵד is not being used here as the technical term for an offering.²

5:6 - "he shall bring his reparation to the Lord ... for a "זָמַת."

6:6 - "and he shall bring his reparation to the Lord ... for an "זָמַת."

This also indicates that the animal brought as a תֵּא מָד was brought to repair the sin committed.

Finally, there is the problem of the nature of the sins listed in Lev 5:1-4. Are they intentional sins? Do we have here four different sins, or one sin which can be actualized in four different situations? Four major interpretations have been proposed.

One interpretation holds that the first sin mentioned (vs. 1)³

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¹See our discussion of the term דָּוֵד below in pp. 151-57.

²This parallel has also been noticed by Levine, Presence, p. 109. Milgrom, Cult, p. 6 n. 21, has pointed out another parallel found in Lev 5:11: יָדְדוּת הַנַּח אֶת קָרְבָנוֹ "he shall bring his present ... for a 'sin-offering'". Instead סְמָזָה ("his reparation") we have here קוֹרָבנו ("his present"). This confirms that תֵּא מָד in vss. 6, 7 is not used to refer to the "guilt-offering." See also Moraldi, Espiazione, p. 120; Elliger, Leviticus, p. 64.

³This sin could be interpreted in at least two ways: (1) a person is called to testify in a case and he does not testify, e.g. Levine, Presence, p. 109; Snaith, Leviticus, p. 48; (2) a person utters a curse and someone else, who is a witness, fails to report the incident, e.g. Noth, Leviticus, p. 44. Either of these two interpretations is possible. See J. Scharbert's suggestion that the נַפְלֹת בָּרוּ "audible curse" "is the conditional imprecation which the person who has been wronged pronounces on the thief, the thief's partner, or the dishonest person who finds what he has lost" ("נַפְלֹת בָּרוּ," TDOT 2:262). He renders Lev 5:1 as follows: "If any one sins in that he hears an audible curse (גּוֹל כָּלָה) to testify and, though he is a witness having either seen or come to know about the matter, yet does not speak, he shall bear his iniquity." Cf. H. C. Brichto, The Problem of "Curse" in the Hebrew Bible.
is intentional whereas the other three are sins of ignorance.\footnote{Moraldi, Espiazione, pp. 119-120; Snaith, Leviticus, p. 64.} This interpretation is faced with the problem of not being able to show the difference between the sins expiated by the נְמוֹן in Lev 4 and the sins mentioned in this pericope. In other words, it does not answer the question of why we have this legislation here. In addition Lev 11:24-40 indicates that the touching of the carcass of an animal requires not a נְמוֹן but the washing of the person. The reason for the נְמוֹן in Lev 5:2 is, accordingly, hardly motivated by the touching of the carcass. This interpretation overlooks the difficult but important phrase מְנַךְ מְלָכָל, especially in connection with vs. 4.

Another interpretation considers these as four different intentional sins. Milgrom has suggested that the cases described in 5:1-4 do not seem to fit the description found in Lev 4. They seem to be "border-line cases, included here as an appendix."\footnote{"The Book of Leviticus," in The Interpreter's One-volume Commentary on the Bible (Nashville, Tenn.: Abingdon Press, 1971), p. 71.} We are dealing here, he argues, with intentional sins.\footnote{Cult, p. 109 n. 406.} The problem he faces is that, with the exception of the first case, the expression מְנַךְ מְלָכָל ("it is hidden from him" RSV) is used to refer to the person who sinned. This would suggest unintentionality. Milgrom answers this criticism by referring to the fourth case, vs. 4. The one who utters a rash oath, he argues, is aware of it, nevertheless it is said of him that "it was hidden from him." This implies that מְנַךְ מְלָכָל means something different from "it was hidden from him." Milgrom suggests that it "must refer in this

\footnote{Cult, p. 109 n. 406.}
case to a lapse of memory" and that it probably has the same meaning in vss. 2, 3.\(^1\) This would practically solve the problem if it were not for the fact that the verb מָשַׁה nowhere else in the Hebrew Bible means "to forget."\(^2\) Furthermore, there is the fact that when a person became unclean, as we indicated above, no מָשַׁה is required. If there was only "a lapse of memory," then the requirement would be a ritual washing and not a מָשַׁה. Milgrom attempted to overcome this problem by suggesting that "the offense requiring sacrifice lies in forgetting the uncleanness and taking some action permissible only for one who is ritually clean, e.g., touching holy things, thus allowing his impurity to contaminate the sanctuary."\(^3\) Such an explanation cannot be substantiated from the text itself. There is nothing in vss. 2, 3 which would indicate that the touching of impurity was intentional. Intentionality could only be claimed for the first case and probably the fourth.

There is also the interpretation that Lev 5:1-4 speaks of but one basic sin, namely, negligence to report a sin committed by someone else. Noth considers the basic sin running throughout this pericope to be explicitly found in 5:1: a person is present or comes to know about an unlawful curse pronounced by someone else and does not report the incident. By doing that he incriminates himself. The person who knows

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\(^1\)"Leviticus," p. 71. For this interpretation Milgrom finds support in the Vulg. and Douay-Rheims versions which give the translation "and having forgotten."


\(^3\)"Leviticus," p. 71.
the sin and fails to inform it is referred to in vss. 2, 3, and 4 by the use of the pronoun הָאָדוֹן which is functioning like the אָדוֹן in vs. 1. In vs. 1 הָאָדוֹן ("he") refers to the person who is a witness; there Noth translates it "someone." He concludes that

... all these cases, involve not the person, who gave the first occasion for guilt, but only the person who knew and who failed, for any reason at all--most likely through negligence--to inform the culprit or make the matter public.¹

This interpretation brings some unity to the pericope by showing one basic sin running throughout it. It also defines the reason for placing the pericope after Lev 4. It is "a kind of appendix to ch. 4" which describes "a special case of trespass, the failure to divulge a known offence."²

Noth's interpretation has a major weakness. The pronoun הָאָדוֹן ("he") does not necessarily introduce a new subject in vss. 2, 3, and 4. In vs. 1 it is clear that הָאָדוֹן does not introduce a new subject but refers back to the main subject of the sentence, the אָדוֹני ("when a person sins"). It is most logical, and from the grammatical point of view better, to take הָאָדוֹן in the other cases as referring to the main subject of the sentence. This would make it unnecessary to emend הָאָדוֹן אָדוֹן ("he has become unclean") in vs. 2 to יָדַע הָאָדוֹן ("he comes to know it") in order to make it agree with the rest of the cases in vss. 3 and 4.³ Noth fails to explain how it can be said of a person who

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¹Leviticus, p. 44; R. E. Clements, "Leviticus," p. 19, has followed Noth.

²Leviticus, p. 43.

³This emendation has been recommended by BHK, and accepted among others by Moraldi, Espiazione, p. 120; and Elliger, Leviticus.
"utters with his lips a rash oath" that "it is hidden from him," vs. 4.

Finally we turn to the interpretation that conceives in Lev 5:1–4 one basic sin in four different situations, namely, the intentional concealment of a sinful act. The first case, vs. 1, shows that we are dealing with a person's unwillingness to reveal a sinful act, although he is fully aware of it. In the fourth case, vs. 4, we also have a fully conscious sin. Of the person who takes a rash (השבח) oath, being obviously aware of what he is doing, cannot be said that the act "is hidden from him." The Hebrew phrase עלים מוכרים, as Milgrom suggested, must mean something different. We prefer to retain the basic meaning of the verb עלי, namely, "to conceal." In the pericope we are discussing this verb is used with the preposition אל plus a pronominal suffix third masculine singular, אלמר, which is usually translated "from him." It seems to us that even though עלים+אל generally means "to conceal, hide from," in Lev 5:4 it expresses means or agent and should be translated "by him." In other words the man who utters the rash oath afterwards hides or conceals his sin. The

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p. 56. The rejection of this emendation, which has no textual support, weakens Noth's position since it would make clear that the ורהץ referring to יב א ("when he touches") at the beginning of the sentence.

1 See above, p. 91.

2 KBI., 2:709; BDB, p. 761.

3 That the preposition אל can be used to express means or agent is indicated among others by R. J. Williams, Hebrew Syntax: An Outline (Toronto: University of Toronto Press, 1967), p. 58. See Gen 9:11; Job 7:14, 14:9; Sam 3:37.

4 The other two occurrences of the verb אבג, Prov 12:18; Ps 106:133, make clear that it expresses an evil action. The expression "a rash oath to do evil or to do good" does not imply that in some cases
fact that the sinner is conscious of his sinful act is also indicated by
the emphatic נָדַר ("but he knows") which follows מַקְרָן.1
The sin here is of the same nature of the first case, vs. 1. In the first
case a person hides someone's sin, while in the fourth case the indi-
vidual hides his own sin. In both cases the concealing is intentional,
premeditated.

The other two cases, vss. 2, 3, deal with the contracting of
impurity. We have already pointed out that impurity contracted by
touching the carcass of an animal or a "swarming thing" does not require
for its cleansing a נָדַר. The same could be said of the touching of
"human uncleanness" (בַּעֲרָה). 2 The fact that the individual is to

the rash oath is right, while in others it is wrong. The parallel expres-
sion in vs. 4 makes clear its meaning: "any sort (לֵלֶל) of rash oath." Good and evil are not referring to the intrinsic nature of the oath, but
to its compass, namely, לֵלֶל.

1The verb נָדַר Qal here is not to be confused with the usage of
the same verb in Lev 4:14 (Nifal, נָדַר), 23 (Hifil, נָדַר), 28
(Hifil, נָדַר). In Lev 4 it refers to the moment when the person who
committed the unintentioned sin is informed, comes to know that his act
was sinful. Here in Lev 5 the Qal form of the verb means "he knows."
It expresses the fact that the person, although hiding his sin, is never-

2Levine, Presence, p. 109, has indicated that "human uncleanness"
should not be confused with the touching of a dead human body. Milgrom
overlooks this fact and quotes Lev 17:16 and Num 19:13, 20 to show that
he who delays intentionally his purification is punished by God. That,
he says, indicates that the prolongation of impurity in Lev 5:2, 3 was
not deliberate, but a lapsus mentis, and can be expiated by a נָדַר
("Sacrifices and Offerings, OT," IBDSup., p. 768). With respect to
Lev 17:16 we must notice that the injunction is against a person who "eats
what dies of itself or what is torn by beasts," while in Lev 5:2 we have
a case in which a person touches (נָדַר) the carcass of an animal. On
the other hand Num 19:13, 20 regulates the purificatory process to be
followed when an individual comes into contact with the dead body of a
person. Another pericope which could be used to support Milgrom's
position is Lev 22:1-9. However, two things in the pericope take away
that support. First, the injunction found there is addressed only to
bring a נחל‎ gives support to our interpretation of the phrase מכסים ("and it is concealed/hidden by him"). The contamination requires a נחל because it was added the premeditated sin of concealment. We must notice that nothing is said with respect to the subjective state of the person at the moment he became impure. It is difficult to decide whether the act was accidental or not. On the basis of cases one and four one is tempted to consider the act as other than accidental.

Now we can address the issue of the relationship of Lev 5:1-13 with Lev 4. It has been indicated that Lev 5:1-13 is usually taken to be a kind of appendix to Lev 4. There seems to be value in this view. Lev 5 discusses and prescribes a נחל for a situation which does not fit the context of Lev 4. But the fact that the sins mentioned in Lev 4 are committed under an essentially different subjective state from the ones in Lev 5 may lead us to a different conclusion. The נחל, it seems to us, is prescribed for two kinds of sins: unintentional sins in Lev 4 and intentional ones in Lev 5:1-13. Since most commentators consider the נחל to be prescribed only for unpremeditated sins they face some problems when reading Lev 5:1. A good example would be J. R. Porter who states, with reference to vs. 1, "This verse has nothing to do with the sin-offering, since it is concerned with an offence with which the sacrificial system could not deal." According to him this verse was placed here because its introductory formula, "if a person,"

the priesthood. Secondly, the person is to be cut off from the presence of the Lord only if he "approaches the holy things . . . while he has on uncleanness" (vs. 3).

1Ibid., p. 41.
is similar to what we have in vss. 2-5.\(^1\) Noth also, being aware of
the fact that the sin found in vss. 1-4 could not be called "unwitting,"
refers to it as "an oversight" which "could be expiated by a sin-
offering."\(^2\) Snaith considers the four cases to be "cases of partially
culpable unwittingness."\(^3\)

If we are going to be true to the biblical text we must be will-
ing to recognize that we are dealing here with intentional sin. It
has been suggested that intentional sins could be expiated only when
the sacrifice is accompanied with a confession of sin (e.g., Lev 5:5).
"This can only mean that confession is the legal instrument by which
deliberate sins against God are reduced to inadvertancies, thereby
rendering them eligible for expiation by sacrifice."\(^4\) The question is
whether the confession of sin is functioning in the way it is conceived
here. It is presupposed that the הָנַשׁ expiates only inadvertent sins
and for that reason one is forced to reduce voluntary sins to inadver-
tencies. Why is confession of sins expressly mentioned in this case?

A careful study of Lev 5:1-5 will reveal one basic reason for
the confessional act. In this pericope confession is the opposite of
the hiding of sin. If there is a person who needs more than any other
to confess sin, then it is the one who hides it. By hiding sin the
sinner remains outside the redeeming and forgiving grace of Yahwch.

\(^{1}\)Ibid. \(^{2}\)Leviticus, p. 44.

\(^{3}\)Leviticus, p. 48.

\(^{4}\)Cult, p. 124. This statement seems to be in conflict with what
is said earlier, namely, that "only the amnesia which follows" renders
the sins described in Lev 5:1-4 "accidental" (p. 109 n. 406).
Confession unveils sin and provides the opportunity for its expiation. It does not reduce the magnitude of sin, but recognizes its existence in public. Confession, therefore, reduces nothing.\(^1\) It is required before the sacrifice is offered, so this priority is not necessarily chronological, but theological.\(^2\)

The pericope of Lev 5:1-13 does not describe the ritual for the נַחֲלָה when the regular victim is brought (vs. 6). We are only told that the offerer was to bring a female lamb (כַּלָּה), or a female goat, שָׁרֵעָה עַל זֶרֶם, for a נַחֲלָה "and the priest shall make expiation for him."

As already noted, this pericope deals with a graduated נַחֲלָה. If the person is too poor to bring a lamb he is to bring two turtledoves or two pigeons (vs. 11). The former is for a נַחֲלָה, the latter is for an עָלֶה ("burnt offering"). The procedure is as follows: the head of the victim for the נַחֲלָה was to be pinched off, but not severed from its neck; some of the blood was to be sprinkled (שָׁרֵעָה) on the side of the altar; the rest of the blood was to be pressed out (ערַב) at the base of the altar. The purpose of the sacrifice is to make atonement for the individual "and he shall be forgiven" (vs. 10).

It is probable that the victim for the נַחֲלָה was to be eaten by the priest. This may explain why another victim is required for a burnt

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\(^1\)The fact that Lev 4 says nothing about confession of sins does not necessarily mean that it was not practiced in the cases described. This would be an argument from silence. See below on "The Laying on of Hands."

\(^2\)If we interpret נַחֲלָה as feeling guilty, we can then say that remorse and confession go hand in hand. This interpretation fits quite well the context. If accepted the text would then be saying that after the person has hidden his sin, he feels guilty. This is the protasis. The apodasis begins in vs. 5—"he shall confess..." In any case, confession here presupposes remorse. But see below, pp. 154-55.
offering. One is wholly for the priest, the other for the Lord.\textsuperscript{1}

The blood manipulation is different from the common מותו. We are told that it is sprinkled on the side (תוע) of the altar. Nothing is said concerning putting blood on the horns of the altar. This distinction may have to do with the small amount of blood provided by the victim.\textsuperscript{2}

The second possible adaptation of the מותו is permissible only in cases where the person is so poor that he is unable to bring a bird. He is allowed to bring a cereal offering (תנור). It consisted of one-tenth of an ephah of fine flour, without oil or frankincense on it. Part of it was burned on the altar and the rest went to the priest. The offering is called מותו; it makes atonement for the individual, vs. 13.

The pericope we have just discussed has made it clear that intentional sins are not outside the sacrificial system. We have seen that concealing one's sin, which could very well be the sin of sins, can be expiated through מותו. When there is the proper attitude, i.e. repentance and confession, any sin can be forgiven.\textsuperscript{3} We should also notice that in this pericope the sins listed are not all cultic ones. This suggests that the מותו addresses itself to cultic as well as to non-cultic sins.\textsuperscript{4} This suggests that the distinction between cultic sins and non-cultic, or ethical sins, is a rather artificial one.

\begin{itemize}
\item \textsuperscript{1}See Levine, Presence, p. 110; Milgrom, "Leviticus," p. 71.
\item \textsuperscript{2}See Snaith, Leviticus, p. 49.
\item \textsuperscript{3}In this respect Milgrom is right when he says that "sacrificial atonement is barred to the unrepentant sinner, to the one who 'acts defiantly'... but not to the deliberate sinner who has mitigated his offense by his repentance" (Cult, pp. 109-10). See also Leon Morris, "'Asham," EvQ 30 (1958):201; Harold H. Rowley, The Unity of the Bible (London: Carcy Kingsgate Press Ltd., 1953), p. 45.
\item \textsuperscript{4}See Elliger, Leviticus p. 74.
\end{itemize}
3. The נָקָד for cleansing rites. The נָקָדִים prescribed in several cases for situations in which the idea of sin seems to be absent. In such cases the sacrifice is apparently used for cultic cleansing.

a. After childbirth. The reason for the impurity contracted by a woman after childbirth is not given in Lev 12:1-18. The text states that a woman after childbirth shall be unclean "as at the time of her menstruation" (vss. 2, 5). If she bears a male child she will be unclean for seven days and thirty-three days. If she has a female child her uncleanness will last for twice as long as for a male child. After the "days of her purifying" are completed she is to bring a lamb for a burnt offering and a young pigeon or a turtledove for נָקָד. The priest will make atonement for her "and she shall be clean" (vs. 8).

It should be noted that it is not the child who causes the defilement (נָקָד) but the bloody discharge which accompanies its birth. With respect to the נָקָד we must notice that what is required is the scaled offering for the poor person described in Lev 5:7-12. This would suggest that the graduated נָקָדִים not to be limited to the cases found in Lev 5:1-5. The ritual is not described here but it must have

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1 For a discussion of this pericope see Clarence J. Vos, Woman in OT Worship (Delft: N.V. Verenigde Drukkerijen Judels & Brinkman [1968?]), pp. 60-73.

2 This has also been noticed by Vos, Woman, p. 67; Porter, Leviticus, p. 94; Micklem, "Leviticus," p. 61; and Snaith, Leviticus, pp. 89-90.

3 Milgrom, "Leviticus," p. 71, originally did not limit the scaled נָקָד to the cases described in vss. 1-5; but he has now modified his view; see "Sacrifices and Offerings," p. 768.

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followed the procedure described in 5:7-12. The pericope under discussion says nothing about forgiveness of sin. It is only stated that the woman "shall be clean" (תורם).

b. For a man with unclean discharge. Lev 15:13-15 deals with a man suffering from a "discharge" (ברא) from the genital organs. After the discharge stops he is to count seven days and then go and wash his clothes and bathe himself in running waters "and he shall be clean." On the eighth day he is to bring two turtledoves or two young pigeons to the priest. The ritual is the same as in the case of the woman after childbirth. "The priest shall make atonement for him before the Lord for his discharge" (vs. 15).

c. For a woman with unclean discharge. According to Lev 15:25-30 a woman is impure (קדש) if she has a bloody discharge which continues for many days "not at the time of her impurity" (הנד = "menstruation"), or a discharge which goes beyond the time of her impurity (vs. 25). From her is required what was required from the man with the discharge. The only difference is that it is not stated that the woman should wash her clothes and bathe herself. This is not even required in the case of defilement after childbirth. The pericope ends with the usual remark: "The priest shall make atonement for her before the Lord for her unclean discharge" (vs. 30).  

1 That the reference is to the genital organs is quite clear; the expression "from his body" (א,b. lit. "from his flesh") is an euphemism, vs. 1. The LXX translatesתנ"א by δ' γονορρήας suggesting that the disease was gonorrhea. See Snaith, Leviticus, p. 106; Vos, Woman, p. 74; and R. K. Harrison, "Discharge," _IDB_ 1:845.

2 See Vos, Woman, pp. 73-77.
d. For the leper. The ritual for the cleansing of the leper (עָרַץ), described in Lev 14:1-32, is a very complicated one. We are interested here in the fact that on the eighth day after his healing he is to bring a נַעֲרָן. "The priest shall offer the sin offering, to make atonement for him who is to be cleansed from his uncleanness" (vs. 19).

3. For the Nazarite who defiles himself. The Nazarite was forbidden, among other things, to go near a dead body during the days of his consecration (Num 6:11, 12). If by accident he comes near a corpse "he defiles (נמח) his consecrated head." On the eighth day after the accident he is to bring two turtledoves or two young pigeons, one for a burnt offering, the other for a נַעֲרָן. The priest "shall make atonement for him because he sinned (נמח) by reason of the dead body" (vs. 11).

These five cases which we have discussed have one important thing in common: the contamination is unintentional, or at least the person was not in a position in which he/she could have avoided the defilement. Three of the cases (b, c, d) describe a defilement produced by a disease. The first three are directly connected with blood-defilement, while the fifth is a defilement produced by a dead body.

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There is no basic difference between them since in both situations defilement is produced by the fact that the individual is brought to the sphere of death, e.g., blood discharge is a way of letting life run away. Even in the case of the "leper" the idea of being in the sphere of death is also present (e.g., Num 12:12). Since then קְטָנָה is required because of ritual impurity, the word "sin" is avoided. Nevertheless ritual impurity could be considered a sin (נֶפֶשׁ), as the case of the Nazarite demonstrated. It is explicitly stated that "he sinned by reason of the dead body" (vs. 11; see also Lev 5:2, 3, 5). Important also is the fact that the קְטָנָה is brought after the individual was healed. This suggests that the קְטָנָה is not therapeutic.¹

One final comment must be made with respect to the object of the קְטָנָה. Does it cleanse the sanctuary or the individual? One hypothesis holds that the object of the קְטָנָה is the sanctuary.² The problem is that the evidence discussed does not support it. In the case of the woman after childbirth it is explicitly stated that "she shall be unclean." But when atonement is made for her "she shall be clean from the flow of her blood" (Lev 12:2, 7, 8). Nothing is said or implied about cleansing the sanctuary. With respect to blood discharge it is stated "it is uncleanness in him," or "she shall be unclean" (Lev 15:3, 25). In the case of the "leper" we read about "the day of his cleansing" (Lev 14:2). Finally, "the priest shall make atonement for him and he shall be clean" (vs. 20). Nothing is stated or implied about the sanctuary being made unclean and thus in need of purification.

¹See Kaufmann, Religion, p. 113.
²See above, p. 76.
through a nazir. It is the individual who needs to be purified, cleansed. If he does not avail himself of the opportunity the only other alternative is his death (Lev 15:31).

4. **The nazir on religious feasts.** The nazir, together with a burnt offering (ןֵלֶע), and in some occasions also a peace offering (שֵׁר), was required for some important events in the religious life of Israel.

   a. **Beginning of month.** A male goat was required for a nazir, besides the burnt offering and its cereal and drink offerings (Num 28:11-15). There is no mention of any sin or uncleanness in the pericope. The offering was made on behalf of the people of Israel and, therefore, it should have followed the procedure outlined in Lev 4:13-21. Since in 1 Sam 10:18, 26 cleanness is associated with the new moon, it is probable that we are dealing here with a nazir for ritual cleansing. A new month was a fresh beginning for the Israelites, and they were introduced to it free from any impurity.

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1. There are several passages where we read about a contamination of the sanctuary: Lev 15:31; Num 19:13, 20 (cf. Lev 20:3). However, these texts should not be used to indicate that the sanctuary is contaminated whenever an Israelite sins (so Milgrom, "Israel's Sanctuary," pp. 391-93). According to these verses the sanctuary is contaminated whenever the law of purification is not obeyed. This constitutes flagrant rebellion against God, a high-handed sin that calls for the death of the offender (Num 19:20; Lev 15:31). The sanctuary is also defiled when the Israelites apostatize by sacrificing their children to pagan deities (Lev 10:3). This is again a high-handed sin, an open act of rebellion against Yahweh.

2. See de Vaux, Ancient Israel, p. 470.


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b. First day of unleavened bread. The sacrifices are the same as for the beginning of the month, except that there is no drink offering (Num 28:16-25). The male goat was offered as a מָאָס"to make atonement for you," i.e., the congregation of Israel. This feast seems also to mark a new beginning. In the Israelite tradition it commemorated "the beginning of Israel's history as a people, as God's chosen people." The past was actualized in the celebration of the feast. As a preparation for it the whole congregation was cleansed through a מָאָס.

c. Feast of Weeks. This feast was celebrated seven weeks after the harvest of the barley (Lev 23:15-21). For this occasion the sacrifices required were a burnt offering, a cereal and drink offering, a peace offering, and a מָאָס. In its connection to the history of salvation this feast was understood as a commemoration of the covenant at Sinai. The מָאָס would, then, be providing the cleansing necessary for such an experience (e.g. Ex 19:10-15).

d. Feast of the seventh month. The seventh month is characterized by the many sacrifices offered on it (Num 29:1-38). Three feasts are celebrated during this month.

1 De Vaux, Ancient Israel. p. 493. According to de Vaux, even in its original meaning, i.e., a harvest festival, it indicated a new beginning. See also R. Marin-Achard, Essai-biblique sur les fêtes d'Israël (Genève: Editions Labor et Fides, 1974), pp. 33-34; H. J. Kraus, Worship in Israel, pp. 47-55. He provides a good bibliography (p. 99 n. 64); and H. Haag, "Paque," DBS 6:1120-1149.

2 See de Vaux, Ancient Israel, p. 494; Martin-Achard, Fêtes d'Israël, pp. 66-71; Kraus, Worship in Israel, pp. 59, 60; and M. Delcor, "Pentecôte (la fête de la)." DBS 7:865-67, who concludes "que la fête des Semaines était uniquement agricole dans l'ancien Israël et qu'elle ne fut 'historicisée' que tardivement, à l'époque postexilienne.
(1) Feast of the blowing of trumpets. It was celebrated on the first day of the month (Num 29:1-6). The sacrifices required were a burnt offering, a cereal offering, and a נָחַל. Since this feast coincides with the celebration of the new month the sacrifices required for such occasions were offered, with the exception of the נָחַל. The נָחַל offered for the feast is thought to be enough, and it took the place of the נָחַל for the new month. It was offered "to make atonement" for the people of Israel.

(2) Feast of expiation. The sacrifices required for this feast, which began on the tenth day, were the same as for the first day (Num 29:7-11). They were to be offered besides the sacrifices for the ritual for the day of expiation (Lev 16), according to vs. 11. This suggests that during this day, as well as during the whole month, there was a great emphasis on cleansing. A huge amount of sacrifices were required during the seven-day period, especially for burnt offerings. A נָחַל was required for each day including an eighth day (Num 29:12-35). Within the history of redemption this feast was a reminder of the fact that Israel dwelt in booths in the desert (Lev 23:43). "Cette période est aussi celle d'une certaine présence de Dieu à son peuple ou mieux d'une intimité profonde entre Yahvé et Israël." It was, therefore,

1 We need not get involved in the controversy over the new year festival in Israel. For a summary of the discussion see H. Cazelles, "Le nouvel an en Israël," DBS 6:620-45; and D. J. A. Clines, "New Year," IBDSup., pp. 625-29.

2 On Lev 16 see below.

3 For bibliography see Martin-Achard, Fêtes d'Israël, p. 75 n. 3: and Kraus, Worship in Israel, p. 61 n. 94.
commemorated with a great emphasis on purification.

It is perfectly clear that the קתון required during these festivities was offered by the people of Israel (see Lev 23:9, 10, 15; and Num 28:1, 2). This means that the procedure followed in the ritual would be the one described in Lev 4:13-21. We must also notice that no specific reason is given for bringing a קתון. No reasons which we have found for offering a קתון (for unintentional sins, for hidden sins, and for ritual cleansing), is mentioned here. Should the possibility of unintentional and hidden sins be ruled out? This can be done for two reasons. First, the קתון for these feasts was appointed in advance and formed part of the cultic calendar. It is not, therefore, addressed to any sin in particular. Secondly, in almost all of the cases there is a connection between the feast and ritual cleansing. This would suggest that the קתון in these cases addresses itself to ritual impurity. However, there is no mention in the pericopes of any of the ritual impurities for which קתון was required.

In an attempt to solve this dilemma we should remember that the festivals were occasions when Israel came before the Lord to rejoice. The fact that a קתון was required on such occasions suggests that the Israelites, when coming before the Lord, perceived themselves as unworthy of being in His presence. Then קתון may have been offered as a recognition of their sin/impurity before the Lord and of their dependence on Yahweh's continuous and gracious forgiveness.

This sense of unworthiness, of being impure before the Lord, was apparently based on their understanding of impurity. It seems to have been for them an ever present reality probably of demonic origin (Lev 16:9,
Almost everything outside Yahweh was possessed or threatened by it. It is true that the incursion of impurity into Israel was limited to the violation of specific regulations. But there seems to be more to it than just that. It seems to us that Israel was always exposed to this demonic influence. Purity could have only been maintained through the periodical offering of sacrifices. In that way impurity was handed over to Yahweh, who could control it. We suggest, therefore, that the 凱of offered at the festivals was occasioned by such understanding of impurity. That this is not pure speculation will be further shown below.

5. The 凱for unique occasions. Under this heading we are listing some very special occasions in which a 凱was required. The different cases do not seem to belong to the situations listed in Lev 4 and 5, and neither do they belong to any special feast, with the exception of Lev 16.

a. At the consecration of Aaron, his sons, and the altar. It is unnecessary to discuss the complexity of the rituals described in Exod 29:10-14; Lev 8:14-17. Our main concern is the 凱which is offered during the act of consecration. For the offering a bull was required. After the laying on of hands Moses killed it. Some of the blood was put on the horns of the altar, and the rest was poured out (𤭇) at the base of the altar. No blood was taken into the tent since it was not as yet functioning. All the fat was burned on the altar,

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together with the kidneys, while the flesh, the skin, and the dung of the animal was burned outside the camp.

This מָכַם follows more or less the ritual found in Lev 4. The fact that it is brought and offered in connection with a consecration act and before the sanctuary was functioning could explain the differences in the ritual. According to Exod 29:36 this מָכַם makes atonement. In this verse the plural is used, מְכָּתוֹת ("the expiations"), suggesting that it makes atonement not only for the priest but for something else. The second part of vs. 36 states that atonement is also to be made for the altar. Lev 8:15 makes it even more clear when it says that through the blood manipulation of this מָכַם the altar was purified. The fact that the offering cleanses the altar from any ritual impurity, implies that it also cleanses the priests from such impurity. This would then be a sacrifice for the removal of impurity.¹ The theological implication is that outside Yahweh practically everything is under the influence of impurity. Everything or every person who comes into contact with Yahweh must go through a cleansing ritual.

It is in this act of consecration where for the first time we are told that the מָכַם has as its object the altar and not the offerer. But we must be careful since the object is not only the altar but also the priests.² But even if the מָכַם has here as its object the altar, it would be wrong to generalize and apply its meaning to all the other cases where a מָכַם was offered.³ To do that is to overlook the fact

¹Porter, Leviticus, p. 66.
³This is done by Milgrom. "Israel's Sanctuary," p. 391.
that here the נְדָמִים forms part of a unique cultic act, namely, the dedication of Aaron, his sons, and the altar to the service of Yahweh.

b. At the cleansing of the Levites. On this occasion (Num 8:5-13), the victim was brought by Moses. The Levites laid their hands on the head of the bull, and Moses offered it "to make atonement for" them (vs. 12). The purpose of the atonement was "to cleanse them" (םָאֵלִים), vs. 21. Since no specific sin, whether ethical or ritual, is mentioned in this pericope, it seems to us that the נְדָמִים was required because of the Israelite's understanding of impurity mentioned above.

c. At the dedication of the altar. Num 7 is more than anything else a testimony to the spirit of generosity of the leaders of Israel. Many offerings were brought by them at the dedication of the altar. Among these offerings a male goat was to be brought by them for a נְדָמִים.\(^1\) We are not told whether it was sacrificed. One gets the impression that this נְדָמִים was not to be offered on behalf of the leaders, but that it was rather to be provided for the sanctuary, which was about to begin its function, for its services. So the leaders provided all that was necessary for the whole service of the sanctuary.

d. At the installation of Aaron and his sons. The first sacrifice offered by Aaron and his sons as priests included two נְדָמִים one for him and one for the congregation (Lev 9:1-11, 15-17). The ritual follows quite closely the description found in Lev 4. Atonement was made for Aaron, his family, and the people. This case is similar to the one in the Day of Atonement. But here nothing is said about a purifica-
\(^{1}\) Num 7:16, 22, 28, 34, 40, 46, 52, 58, 64, 70, 76, 82, 87.
priesthood and the people. Cleanliness is required because "the glory of the Lord" was to appear to the congregation.¹

c. On the Day of Atonement. There are many problems connected with Lev 16. Studies made of it from the perspective of literary criticism and history of traditions have led most scholars to consider the chapter as formed of different, originally unconnected rituals which have been probably reedited on several occasions.² Nevertheless, some dissenting voices can still be heard arguing for the unity of the chapter.³ This problem does not detain us here. We will deal

¹"The glory of the Lord" הַבָּרוּךְ לֹא ה is a key concept in the cultic narrative of the Pentateuch. G. von Rad, Studies in Deuteronomy. SBT 9 (London: SCM Press, 1953), p. 39, says that through this expression we are told that "the Tabernacle is neither the dwelling place of Yahweh himself nor of his name, but the place on earth where, for the time being, the appearance of Yahweh's glory meets with his people." See also his OT Theology, I:234-41. According to M. Weinfeld Deuteronomy and the Deuteronomic School (Oxford: Clarendon Press, 1972), p. 200, "corporeal representation of the Deity in the Priestly document found in its clearest expression in the conception of the 'Glory of God,' against which the book of Deuteronomy promulgated its doctrine of 'God's name.'" See also Roland de Vaux, "'Le lieu que Yahvé a choisi pour y établir son nom,'" in Das ferne und nahe Wort, Festschrift L. Rost (BZAW 105: Berlin: Gruyter, 1967), 219-28.


with the text in its present form. With respect to the date of the chapter most scholars would date it to the post-exilic period. Others, like Kaufmann, would suggest that it may go back to the desert period. Under these circumstances it would be better to recognize, with E. Kutsch, that "die Frage der Datierung des Versöhnungstages ist noch nicht befriedigend geklärt." In its present form one can see in the chapter two main cultic acts intimately connected one with the other. We read first about the cleansing of the sanctuary through the blood manipulation; and, secondly, read about the ritual of the scapegoat.

Aaron was to bring a young bull for a נָחַ֫ת for him and his sons (vs 3; cf. 4:3). The congregation was to provide two male goats (גְּזָעֶשׁ) for a נָחַת. One may be led to think that both goats together constituted the נָחַת, but this is not necessary. Lots were to be cast upon the two goats, and only one was to be offered as a נָחַת (vs. 8). Therefore, we suggest that since the goat for the נָחַת has not been chosen yet (vs. 5), potentially either one of them was a נָחַת. The two נָחַת mentioned in the chapter differ from the others we have discussed already in the blood manipulation.

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1 See references on n. 114 above and G. B. Gray, Sacrifice, pp. 309-12; E. Jacob, Theology, p. 295; and H. H. Rowley, Worship, pp. 93, 94.

2 "Religion of Israel, p. 239; also references in n. 115 above.


4 Snaith, Leviticus, p. 112. Also Kaufmann, Religion of Israel, p. 114, says, "Together with the goat for YHWH it [the second goat] evidently constitutes a single hattath."
Before we discuss the role of the goat for Azazel in the ritual, it would be good to address the question of the sins expiated in the Day of Atonement. Scholars are far from agreeing on the answer to this question. ¹ The most serious attempt to explain the sins expiated in the Day of Atonement has come from Milgrom. Relying on Jewish traditions, he argues that the slain (Maâ) purges the temple of its pollution, while the live one purges the people of their sin. ² How was the sanctuary polluted? The sanctuary has been polluted, he argues, by the brazen sins (Num 15:30-31). "The wanton, unrepentent sin not

¹See among others, Pedersen, Israel III-IV, p. 453. He finds the reason for the expiation of the sanctuary in the fact that "man's presence in it produced a certain danger of pollution, hence it had to be purified"; Keil and Delitzsch, Pentateuch, II:395, state that in the Day of Atonement unacknowledged sins, sins without expiation, are taken care of; W. Moller, "Atonement, Day of," ISBE 1:326, says that in that day atonement "takes place for all the transgressions of the congregation since the last Day of Atonement"; Médebielle, "Expiation," col. 61, assumes the position that the temple was contaminated by the impurities of the people in whose midst it was; the Day of Atonement is for him "like a new consecration" of the sanctuary; Kaufmann, Religion of Israel, p. 178, considers this day to be for the purification "principally from ritual impurity"; according to Charles F. Pfeiffer, "Atonement, Day of," NBD, p. 110, the sanctuary needs to be purified because it has been contaminated through the inherent sinfulness of those who continually minister in it or come to it; Levine, Presence, p. 75, faithful to his hypothesis that the (Maâ) for the priests is purificatory, believes that the objective of the blood manipulation in the Day of Atonement is to purify the sanctuary, not the people. According to him the blood put on the horns of the altars and on other places was an effort to, first, eliminate impurity already present or, secondly, to prevent contamination (p. 73). The object of the ritual is the sanctuary, the protection of the Deity from any impurity. Levine sees in the blood manipulation an act for the protection of a route of access to the Deity. But such an idea is absent from Lev 16.

²Mishnah Yoma 8:8; Mishnah Shebuoth 1:6.

only pollutes the outer altar and penetrates into the shrine, but it pierces the veil to the holy ark and kappōret, the very throne of God."¹ The argument is that since the wanton sinner, the high-handed sinner, cannot bring a נָדִים, his sin is purged on the Day of Atonement.² How were the people purged? According to Milgrom the object of the נָדִים is not the offerer but the sanctuary, it could not cleanse the people. The people were cleansed through the live נָדִים, the one for Azazel. What is cleansed is the heart of man. "Since the world of demons is nonexistent, the only source of rebellion against God is in the heart of man, and it is there that cathartic renewal must periodically take place."³ This "cathartic renewal" is brought about not through a sacrifice but through fasting, self-denial, repentance (Lev 16:29). This attitude of the people matches the confessions of the High Priest, who is representing the wanton sinner.⁴ The scapegoat is, then, sent to the wilderness, "which was considered inhabited by the satyr-demon Azazel."⁵

This interesting interpretation, when confronted with the biblical

¹"Israel's Sanctuary," p. 393.

²This is totally different from what he wrote in "Leviticus," p. 77. There he argued that the sanctuary was to be burged "of priestly and lay defilement through sacrifices." He is here referring to the daily sacrifices brought by the Israelites.

³"Atonement, Day of," p. 83. In "Leviticus," p. 77, he has also suggested that the people's sins were expiated through confession and the scapegoat.

⁴Ibid.; and "Day of Atonement." col. 1385.

⁵Ibid. But see "Leviticus," p. 78, where he says that "Azazel has come to be merely a symbol of a non-return to which the people's impurities are consigned.
text, faces serious problems. Why do we need to limit the cleansing of the sanctuary to wanton sins (יֶשֶׁד ="rebellion")? Verse 16 states: "He [the High Priest] shall make atonement for the holy place, 1 because of the uncleanness (הֹזַע) of the people of Israel, and because of their transgressions (יֶשֶׁד ), all their sins (אָשִׁי)." Lev 16 is dealing with the impurities, rebellions, and sins of the sons of Israel, not of the wanton sinner. The sanctuary needs to be purified "because of" or "from" (גָּדוֹל) the sins of the people of Israel. Milgrom brings into Lev 16 the wanton sinner because the sanctuary was not purified from his sin. He did not bring אָשִׁי. So the only sin from which the sanctuary is not purified throughout the year is the one of the high-handed sinner. Milgrom is forcing the information found in this chapter into a preconceived model. There is no reason for the hypothesis that the purification of the sanctuary is for wanton sins only. More important is the fact that if we take this position to its logical conclusion, the ritual of the scapegoat would be unnecessary within the Israelite cultus. For Milgrom what happened on the Day of Atonement was identical with the rites going on throughout the year in the cultus. The problem is that during the year no scapegoat was used at all. Milgrom suggests that when an Israelite sinned, his sin was automatically transferred to the sanctuary contaminating it. 2 So the result of a sinful act was twofold. The person was in need of forgiveness; the sanctuary was in need of cleansing. Throughout the year the sinner brought his מִדֶּם to cleanse the sanctuary. He was forgiven through remorse and

1"Holy Place" (קדש) is the term used in Lev 16 to designate the "most holy place," cf. vss. 2, 12, 14, 23. See Elliger, Leviticus, p. 203.

2See above, p. 76.
repentance. No sending away of a goat was necessary. Why was it required in the Day of Atonement? The hypothesis under discussion has no answer. When it is said that it was used for the cleansing of the people the problem is not solved. Why was it not required in the regular ḥaṭṭat for the community (Lev 4:13-21)? This hypothesis cannot even argue that the scapegoat takes the sin of the sons of Israel to their place of origin because "the only source of rebellion is the heart of man." Another question that calls for an answer is: if the High Priest is representing the wanton sinner, why did he confess upon it "all the iniquities of the people of Israel, and all their transgressions, all their sins" (vs. 21)?

As we indicated above, the sanctuary needs to be cleansed "because of the impurities of the sons of Israel and their rebellions, for all their sins" (vs. 16). There are not two rituals, one for the cleansing of the sanctuary, the other for the cleansing of the people. The ritual as a whole cleanses the sanctuary.\(^1\) Sin/impurity is here the totality of the individual's sins which throughout the year "contaminated" the sanctuary.\(^2\) This "defilement" came through the sacrifices.\(^3\)

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\(^2\) It seems to us that those scholars who refer to these sins as the sins of the past year are right, e.g., Walther Zimmerli, OT Theology in Outline. trans. by D. E. Green (Atlanta: John Knox Press, 1978), p. 129; Porter, Leviticus, p. 125; Noth, Leviticus, p. 124; and Clements, "Leviticus," p. 46.

\(^3\) See below, pp. 132-35.
At this point the scapegoat becomes very important. Through the ritual performed by the High Priest in the tent, sin is removed from the sanctuary and, through the laying on of hands, transferred to the scapegoat. The goat bearing the sins of the sons of Israel is taken to the desert. The term צאת means is a difficult one. Its meaning is far from clear. We need not enter into a discussion and evaluation of the various proposals made in an attempt to clarify this term. We agree with the majority of scholars that צאת is a demonic figure.

That the sending away of the goat to the wilderness means the return of sin and impurity to its place of origin cannot be denied since there are many Near Eastern parallels for this practice. We have already referred to this phenomenon. The difference between these practices

1. We need not give any reference since it is accepted by scholars that in this case the laying on of hands means transfer of sins.
   5. See chapter 3 above.
and Lev 16 is that the Near Eastern cases are based on magic, while in Lev 16 magic is absent. We are aware of the fact that it has been suggested that Azazel "was conceived as an active force, one to be countered by potent means,"¹ but the evidence for magic provided to support such a view is rather weak. It is suggested that by entering into the Most Holy Place the priest was armed "with the power required for the battle against Azazel."² This power, it is claimed, was transferred to the scapegoat through the laying on of hands. Azazel was forced to accept it. Yahweh was fighting Azazel through the priest. This hypothesis also sees in the confession of sins some evidence of a conflict with evil forces. "The purpose of the confessional was to trap the sins by exposing them, by calling them by name, thus preventing their escape or concealment."³ Such an interpretation is difficult to support in the text of Lev 16. The High Priest enters the Most Holy Place not to be empowered for a battle but "to make atonement" for it. If he received anything by entering the sanctuary that day, it would be the sin/impurity which is then transferred to the live goat. As we have just indicated, the laying on of hands does not transfer power to the goat, but sin/impurity; and the confession does not entrap sins but releases them.⁴

This does not mean that sin and impurity have been devitalized, as Kaufmann wants us to believe;⁵ or that impurity, although dynamic,

¹Levine, Presence, p. 82.
²Ibid. ³Ibid.
⁴With Milgrom, "Israel's Sanctuary," pp. 394-96.
⁵Religion of Israel, p. 103.
is not demonic since "the demons have been expunged from the world but man has taken their place."\(^1\) What it means is that sin/impurity is a demonic force whose source is found in Azazel. But this demonic force, far from being a threat to Yahweh, is controlled by Him.

Yahweh has the power to return it to its place of origin. During the Day of Atonement Israel humbles itself and rests from its activity. Confronted with this demonic force Israel is impotent. It has to rely on Yahweh's power and forgiving grace. While Israel rests Yahweh is active, removing sin and impurity from His sanctuary. The impotence of His people allows Him to reveal His power over all demonic forces. He did not need to be protected from them.\(^2\) On the contrary, the Day of Atonement is a proclamation of Yahweh's sovereignty!

f. After the fulfillment of a Nazirite vow. At the end of the period of his dedication the Nazirite was to bring a burnt offering, a peace offering, and a\(\text{נָזִיר} (\text{Num 6:13-16})\).\(^3\) The reason for including a\(\text{נָזִיר} among these offerings is far from clear. This is the only place in the OT where a Nazirite is allowed to take a vow for a limited period of time. A Nazirite was one raised up by God (Amos 2:11, 12). In this case the person was called by God to be a Nazirite for life. This is illustrated by the experience of Samson, who was chosen by God to be a Nazirite for his whole life (Judg 13:2-5, 11-14). Perhaps we

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\(^1\) Milgrom, "Israel's Sanctuary," p. 397.

\(^2\) Against Levine, Presence, p. 74.

should also include here Samuel (1 Sam 1:11). His case differs from Samson's by the fact that Samuel was dedicated to Yahweh for life by his mother. These evidences suggest that in Israel to be a Nazirite meant to be dedicated to Yahweh for life. The case we have in Num 6 is a special case, a "democratization" of the Nazirite practice. This could explain the reason for the נדננ in Num 6. The ritual at the end of the period is considered by many scholars to be a de sanctification ritual. If that is true the נדננ would be necessary in order to expiate for the "sin" of de sanctification; that is, of bringing to an end a dedication which was supposedly to be a lifelong one. The fact that Yahweh made room for this de sanctification does not make the נדננ unnecessary. On the contrary, it is through the נדננ that the de-sanctification is made possible. Perhaps the best parallel for this case is found in Lev 27. There we have the legislation for the redemption of property which was consecrated to Yahweh. The ritual in Num 6 would then be a rite of redemption.

We are now ready to draw some conclusions from our discussion on the occasion and procedure for the נדננ.

We have seen that a sacrifice for the removal of sin was to be brought whenever an unintentional sin (העבש) was committed. This type of sin should not be limited to cultic violations. It also included ethical transgressions. Even intentional sins could be expiated through

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What was required from the sinner was genuine remorse for his sin, repentance and confession. Only the wanton sinner was outside Yahweh's salvific grace.

The קד לן was especially used in cases of impurity. Persons who had contracted impurity through illness or by accident were to bring קד לן. These persons had come into contact with the sphere of death. They needed to be cleansed in order to be able to worship Yahweh, the Holy and Living God.

Very instructive were the cases in which impurity was not connected to any specific sin or transgression, but the person was to bring, nevertheless, a קד לן. This קד לן was required during different annual festivities and for consecration and cleansing rituals. This suggests that in Israel impurity was conceived as an ever-present influence which does not threaten Yahweh, but it does His people. Everything outside Yahweh is threatened, or even possessed by it. Israel itself seems to be always under its influence. Hence the marked emphasis on purification. Periodically Israel was reconsecrated to the Lord, especially every month and at the religious feasts. This impurity originates not in Yahweh, even though it is transferred to His sanctuary, but in a demonic figure, as indicated by the ritual of the Day of Atonement (Lev 16).

With respect to the praxis of the ritual we have found that there is a difference between the קד לן for the priest and the community, and the קד לן for the common people. The differences are limited to the blood manipulation and the disposal of the flesh of the victim. Whether this indicates that there were two different קד לנים is still to be
seen. Thus far our study indicates that the purpose of the N\textsuperscript{2}N\textsuperscript{2} was always the same: removal of sin/impurity. The object of the ritual is in two cases something else than a person. In one case is the altar (Ex 29:10-14; Lev 8:14-17); in other the sanctuary (Lev 16).

We must notice that together with the cleansing of the altar, the priests were cleansed. On the Day of Atonement the sanctuary was fully cleansed. In the other cases where the N\textsuperscript{2}N\textsuperscript{2} is prescribed nothing is said about the cleansing of the sanctuary. The object seems to be the individual or the community. They are the ones who are forgiven or cleansed. A study of the blood manipulation will, nevertheless, clarify further who/what is the object of the N\textsuperscript{2}N\textsuperscript{2}.

The Blood and Flesh Manipulation

The texts dealing with the N\textsuperscript{2}N\textsuperscript{2} pay much attention to the blood manipulation. By now we have noticed that this manipulation varies depending on the person or thing on whose behalf the sacrifice is offered. Thus we find that it is sprinkled (N\textsuperscript{2}N\textsuperscript{2}) toward the veil, put (N\textsuperscript{2}N\textsuperscript{2}) on the horns of the altar of incense or of the burnt offering, and poured out (N\textsuperscript{2}N\textsuperscript{2}) at the base of the altar. The attempt to find the meaning of each of these ritual acts is not an easy task since the biblical pericopes do not provide all the information needed. Nevertheless, enough information is available to make some suggestions toward an adequate understanding.

The Ritual of the Sprinkling of Blood

The verb N\textsuperscript{2}N\textsuperscript{2} is quite often used in connection with the N\textsuperscript{2}N\textsuperscript{2} in the Hiphil form. The direct object of the verb could be oil (Lev 8:11;
14:16, 27), water (Lev 8:7), blood (Lev 14:7, 51; Num 19:4), and a mixture of water and ashes (Num 19:18-21), or of blood and oil (Exod 29:21). The primary meaning of the root is "to spatter." In the Hiphil it means "to sprinkle."

In several passages מְשַׁפְּקָה is used in the cultus without any connection with the מְשַׁפָּקָה. In some such cases it seems to be an act of consecration. When Moses sprinkles the anointing oil seven times upon the altar, the altar is consecrated (Lev 8:11). The oil brought by the leper for his cleansing is consecrated by sprinkling some of it before the Lord (Lev 14:16, 27). This act is necessary because the oil was brought by the leper and, before using it in the ritual, it has to be dedicated to the Lord. The sprinkling also means consecration in the case of the red heifer. The priest sprinkles some of its blood seven times toward the sanctuary (Num 19:4). It has been questioned that the ritual here means consecration, but on the analogy of Lev 14:16, 27 it could be suggested that through the sprinkling not only the blood but the whole animal is consecrated. At the ordination of


4So most commentators. Noth, Numbers, p. 140, says: "The sevenfold 'sprinkling' of some of the blood of the slaughtered animal towards the front of the sanctuary . . . is presumably to be understood as signifying a dedication of the blood and thereby of the slaughtered animal as a whole."
Aaron and his sons the blood of the **NKNP** was mixed with anointing oil and sprinkled upon them to consecrate them (Exod 29:21).

In other cases the sprinkling seems to mean cleansing. In the ritual for the cleansing of the leper, the blood of one of the birds is sprinkled upon the individual in order to cleanse him (Lev 14:7, 51). The Levites are sprinkled with the water for the removal of sin in order to cleanse them (Num 8:7). The ashes of the red heifer mixed with water are sprinkled upon any person or things which have come into contact with a dead body to purify them (Num 19:28-21).

From these cases it may be concluded that the ritual of sprinkling can have two meanings: (1) it is an act of consecration and (b) of cleansing. Norman H. Snaith's interpretation of the ritual as meaning only cleansing is too restrictive.¹ In this respect Vrienzen's study is more adequate since he sees in the ritual an act of consecration and cleansing.²

In the remaining cases the ritual of sprinkling is connected with the **NKNP**. The **NRT** ritual is practiced with the blood of the **NKNP** on two occasions. Whenever the priests or the community sin, the blood is taken to the holy place and sprinkled there (Lev 4:1-25). The other occasion is during the Day of Atonement. We will discuss first the case of Lev 16.

During the day of Atonement the High Priest was to offer two **NKNP**, one for him and one for the people. In both cases he was to


²"The Term Hizza," p. 213. Also D. J. McCarthy, "Blood." IDBSupp., p. 115, states, "The blood of the offerings was used to purify and sanctify." Cf. J. Scharbert, "Blood," EBT 1:78; idem,
take the blood of the animal and sprinkle it at the front of (עָלָיָן, vs. 15) the kapporet, and before (לֵוָיָן) the kapporet seven times. Vriezen has seen in this sprinkling "a special consecration-act of the fluid."¹ To support this he refers to Lev 14:16, 27, the consecration of oil; and to Num 19:4, the consecration of the blood of the red heifer. These passages speak about a sprinkling done before (לֵוָיָן) Yahweh, or the tent, seven times, which means consecration. It is this meaning which he reads in Lev 16:14, 15. Unfortunately for Vriezen the context of these verses in Lev 16 makes clear the meaning of this sevenfold sprinkling. Verse 16 states: "Thus he shall make atonement for the holy place because of the uncleanness of the people of Israel." The sprinkling of the blood here means cleansing (vs. 30).² We should not overlook the fact that vs. 14, 15 mention 1 + 7 sprinklings. One was done ("in front of the kapporet eastward"), and the other ("before the kapporet"). For Vriezen this one sprinkling "is in this case the real, the proper consecration-act, of which all others were only a symbol, a representation." Only in this case is the blood brought directly to the very presence of the Lord.³ We must say again that the present form


²Vriezen is aware of this problem but his literary analysis of Lev 16 leads him to conclude that "vs. 16 is not the original continuation of vs. 15" (ibid., p. 227). Nevertheless, the fact remains that in its present form the text interprets the sprinkling as meaning cleansing. Cf. C. H. Huzinger, "βαντλεμόν, βαντλεμως." TDNT 6:980.

of the text does not allow for such an interpretation. This double sprinkling in the very presence of the Lord emphasizes the all-embracing nature of the purificatory ritual.¹

Once the High Priest finished the ritual of the sprinkling inside the tent, he went outside to the altar of burnt offering.² There he mixed the blood of the twoםיחפפ and sprinkled some of it upon the altar seven times. The purpose of the ritual was to cleanse (קדש) and sanctify (קדש) the altar.³

It is quite clear that the ritual of the sprinkling of blood during the Day of Atonement is to be interpreted basically as meaning cleansing.⁴ We have already indicated that the sanctuary is cleansed with respect to the sin/impurity of the people.

Besides the Day of Atonement the sprinkling ritual was practiced, as was mentioned above, whenever the priest or the congregation sinned. A reading of Lev 4:1-21 will not reveal the meaning of the ritual in these

¹With respect to this double sprinkling the Hebrew text is not as clear as we would like it to be. Elliger, Leviticus, pp. 213-214, says, "Der eigentliche Sünderitus besteht darin, dass von dem Blut etwas mit dem in die Schale getauchten Finger im Allerheiligsten gesprengt wird. Dabei is nicht ganz sicher, ob das in 14a wirklich nur einmal und erst in 14b siebenmal geschieht oder ob das 'siebenmal' nicht doch für beide Handlungen gilt." The interpretation of the sprinkling as a double one goes back to Mishna Yoma 5:3.

²The present form of the text suggests that this is the burnt offering altar, cf. vss. 18, 33. This is the position taken, among others, by Snaith, Leviticus, pp. 114-115; Porter, Leviticus, p. 131; R. J. Faley, "Leviticus," The Jerome Biblical Commentary (New Jersey: Prentice-Hall, 1968), 1:77; Noth, Leviticus, p. 124; Moraldi, Espiazione, p. 244.

³This meaning is accepted by Vriezen, "The Term Hizza," p. 231.

two cases. We are only told that the priest was to take some of the blood of the ἅρμαν and "sprinkle it seven times before the Lord in front of the veil." The meaning of this ritual act can be gathered from somewhere else. Some scholars would simply say that the blood manipulation in Lev 4 is an act by which the blood is given back to God.¹ This view certainly does not explain much. Others would prefer to interpret the sprinkling here in terms of Lev 16. Vriezen suggests that the sprinkling ritual in Lev 4 is a means of consecrating the blood. He finds support for this position in the fact that the sprinkling is done before (לָבָן) the Lord.² But we have noted already that the sprinkling done "before the Lord" does not mean consecration in Lev 16. The meaning of consecration in Lev 4 is extremely difficult.

Milgrom also transfers the meaning of the sprinkling from Lev 16 to Lev 4. He interprets it as cleansing. Here we are touching what seems to be the very heart of Milgrom's thesis, namely, that the object of the ἅρμαν is the sanctuary. For him the purificatory agent is the blood, and what is purified is only what receives the blood. It is never used upon persons, but only on the sanctuary.³ Since the blood manipulation is restricted to the sanctuary, it is only the sanctuary which is cleansed. We are willing to conclude that Milgrom's position is only valid for the Day of Atonement. On that day the ἅρμαν purges the sanctuary from the sins of the people. Notice that whenever the sprinkling purifies the

¹This seems to be the position taken by Porter, Leviticus, p. 38; and Micklem, "Leviticus," pp. 24-25.


sanctuary, the biblical pericopes state it explicitly. In Lev 4 nothing is said about the cleansing of the sanctuary.\footnote{Moraldi too understands the blood manipulation of the הָנֵף in terms of the meaning found in Lev 16 (see above, p. 77 n. 2). He differs from Milgrom, because the blood cleanses also the people.}

The question we face is a methodological one. Is it proper to explain the sprinkling of blood in Lev 4 in terms of its meaning in Lev 16? Our study has shown that the act of sprinkling can have two possible meanings: consecration and cleansing. The consecration meaning cannot apply for the הָנֵף. We are, then, left with one possibility, namely, cleansing. This interpretation is the one we find in Lev 16. So Lev 16 could very well be used to explain the other cases, since it is there where we find the only interpretation of the ritual. However, we must be very careful in drawing conclusions before examining all the evidence. The blood sprinkling on the Day of Atonement is different from the blood sprinkling in the regular הָנֵף. According to Lev 4 the blood of the הָנֵף was to be sprinkled seven times before the veil in the holy place. In Lev 16 the High Priest was to enter into the adyrum and sprinkle there eight times. As we can see not only the place where the ritual was to be performed is a different one, but also the frequency of sprinkling is different; i.e., eight times instead of seven. Furthermore, in Lev 16 the altar is also sprinkled, whereas Lev 4 does not require this. What can we do with all these divergencies? It is suggested that they cannot be ignored.

The differences between the blood sprinkling in Lev 16 and Lev 4 are motivated by the magnitude of the cleansing results of the ritual. As we have mentioned again and again, in Lev 16 the ritual of the
sprinkling results in the cleansing of the whole sanctuary, including the altar. Such a broad understanding of the cleansing effectiveness of the ritual of the sprinkling is not given in Lev 4, and it should not be transferred there. It is our contention that the ritual of the sprinkling in Lev 4 does not cleanse the sanctuary, or the sanctuary and the people, but only the offerer(s). If someone argues that such an interpretation is not possible because the benefit of the cultic sprinkling is always received by the object upon which the act was done, we would answer that that is not always the case. We already saw in Lev 14:16, 27 that the benefit of the sprinkling was not received by the sanctuary, but by the oil, some of which was sprinkled. The same is true concerning the blood of the red heifer. The sprinkling is done on behalf of the heifer.1 This, we think, is the case with the regular sprinkling of the blood of the מְלָכֶה. The benefit of the ritual act is received by the one in whose behalf the ritual was performed, i.e., the offerer. The surprising fact is that our interpretation finds additional support from the ritual of the eating of flesh.

The Ritual of the Eating of Flesh

The disposition of the flesh of the victim also varies depending on who brought it.2 There is, however, one aspect common to all the cases. Of every מְלָכֶה the fat was to be burned on the altar. The

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1 Hunzinger, "םאתא בזלתה," p. 979, says concerning the blood sprinkling of the red heifer, "This is not on behalf of the object sprinkled, so that it is not true sprinkling. It is on behalf of the blood or the sacrifice of which a part (pars pro toto) is sprinkled." He has gone beyond the evidence when he states that it is not a true sprinkling.

2 See above, pp. 85-87.
reason for this command is unknown. One could only say that it goes to the altar because it belongs exclusively to God.¹

The flesh of the sacrifice belonged to the priest whenever the ἱεροσόλυμα was brought by a leader of the people or a layman (Lev 6:26). It was to be eaten "in a holy place, in the court of the tent of meeting" only by the male members of Aaron's family, i.e., the priests (Lev 6:29). Milgrom has taken this command to have the purpose of providing food for the priests.² This cannot be denied. Nevertheless, there seems to be more to it than just providing food for the priests. The ritual of the eating of flesh is one of the few rituals in Leviticus to which a theological explanation is given.³ We are referring to Lev 10:17. Aaron did not eat the flesh of the ἱεροσόλυμα and Moses asked him, "Why have you not eaten the sin offering in the place of the sanctuary, since it is a thing most holy and has been given to you that you may bear the iniquity ( gọnא) of the congregation, to make atonement for them before the Lord?"

According to that verse by eating the flesh of the animal the priest bears the sin of the people. Here the meaning of the expression ἔχω "to bear sin" is crucial.⁴ In non-cultic contexts it means

¹Studies, p. 42. Also Rowley, Worship, pp. 124-25.
³So von Rad, OT Theology, 1:248 n. 142. E.g., Exod 34:7; Num 14:8; Ps 32:5; Gen 10:17; Exod 10:17; 1 Sam 15:26.
"to forgive." The one who is asked to forgive could be God, or another man. ¹ In some cases it could also mean "to become guilty" (Lev 5:1, 2). ² In most cases it means "to bear sin." To bear one's own sin is to be liable to punishment (Lev 24:15; Num 9:13; 18:22). ³ There is also the possibility of some one bearing the sin of someone else. When this happens the person whose sin was born by someone else is free from the sin-punishment state in which he/she was (Num 30:15).

According to Lev 5:1-5 there are cases in which a person who is to bear his own sin is allowed to bring a sacrifice (cf. Lev 16:22). This expression is, therefore, a very significant one. To bear sin is to be responsible for it, and liable to its consequences or punishment. Even in the cases where this expression can be translated "to forgive" the idea of punishment is still present. The phrase in such contexts emphasizes the petitioner's desire of being freed from the consequences of his sin. He wants God to take them away. φοβοῦσθαι seems to emphasize the penal element. The nature of the penalty is to be determined by the context. ⁴

The surprising thing about this expression is that it is applied

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³ We should remember that in Hebrew thought the act of sinning is not separated from its consequences. See von Rad, OT Theology 1: 262-72; Beauchamp, "Pêché," cols. 409-10; J. Milgrom, Cult, pp. 9. 64.
⁴ In some cases the person is to die, Exod 28:43; Lev 24:15; to be stoned, Num 14:34; to be cut off from the people, Num 9:13; to die childless, Lev 20:20. See also Lev 17:16; 19:8; 20:17, 19; Ezek 14:10. On the meaning of the expression in Num 18:1-24 see Milgrom. Studies pp. 18-33.
to the priests. By eating the flesh of the הָרִים they bear the sin of
the congregation (Lev 10:17). Nevertheless, nothing is said about
receiving any punishment. And more than that, the sanctity of the
priest is not affected. The solution to this problem is found in Exod
28:38, where we are told that one of the functions of the priest is
"to bear sin." Verses 36 and 37 are describing the priestly mitre,
to which was fastened "a plate" (ץִינֹּן) with the expression "Holiness
to the Lord" engraved on it.

And it [the צִינֹּן] shall be on the forehead of Aaron, and he
shall bear the sin of the offerings (מִשְׂפָּרָה) which the sons
of Israel will sanctify, with respect to all the gifts of their
offerings and it shall be continually on his forehead for their
acceptance before the Lord.

This verse has usually been understood to mean that the priest was
responsible for any ritual transgression of the people. Such restric-
tion is not demanded by the biblical text. The verse is describing
the significance of the צִינֹּן. The צִינֹּן is connected with two important
ideas: (1) the bearing of sin by the priest, and (b) the acceptance of
the people before the Lord. These two ideas are closely related. It

1On the form of the צִינֹּן see Noth, Exodus, p. 225, who consid-
eres it to be a flower attached to the front of the turban by a lace. On
the other hand Hyatt, Exodus, pp. 284-85, says that it is here "the
crown or diadem of gold to be fastened to the turban of the high
priest." Cf. A. de Buck, "La fleur au front du grand-pretre," OTS 9

2On מִשְׂפָּרָה "offerings, sacrifices" see Milgrom, Cult, pp. 36-37.

3So Hyatt, Exodus, p. 281; Noth, Exodus, p. 225.

4So George A. F. Knight, Theology as Narration: A Commentary
on the Book of Exodus (Grand Rapids, Mich.: Wm. B. Eerdmans Pub-

5M. Haran, "The Complex of Ritual Acts Performed Inside the
is by bearing the sin of the offerings that the people are accepted.

The יִצְאָל becomes a symbol of that acceptance, and of that which enables Aaron to bear sin; i.e., holiness. It is because he has been separated for the Lord that he can bear the sin of the sacrifices.<sup>1</sup>

According to Lev 10:17 Aaron bears their sin by eating the flesh of the נַחַל. In this way the sin of the offering is transferred to him.

Thus, in the person of the priest sin is brought before the Lord.<sup>2</sup>

Since the ritual of the eating of flesh is so important within the expiatory process, it is proper to ask: why, in some cases, is not the flesh of the victim eaten by the priest? The law of the נַחַל states that "no sin offering shall be eaten from which any blood is brought into the tent of meeting . . . , it shall be burned with fire" (Lev 6:30).

To this Lev 10:18 adds, "Behold, its blood [of the נַחַל] was not brought into the inner part of the sanctuary. You certainly ought to have eaten Tabernacle." ScPhier 3 (1961):284, argues that the acceptance is the acceptance of the sacrifices, not of the people, but see Lev 1:3; 7:18.

<sup>1</sup>Whybray, Thanksgiving, p. 39, has suggested that the יִצְאָל symbolizes the "guilt" (יִצְאָל). But since on the יִצְאָל is inscribed "Holy to Yahweh" it is better to conclude that it is a symbol of that which enables Aaron to bear sin.

<sup>2</sup>So Knight, Theology, p. 174. Milgrom, "Two Kinds of Hattat," p. 333, follows A. Ehrlich, Randglossen zur hebräischen Bibel (Leipzig: J. C. Hinrichs, 1908-1914), ad. loc., and translates Lev 10:17, "And I have given (the hatta') to you for bearing the responsibility of the community by performing purgation rites before the Lord on their behalf." According to him יִצְאָל הני means in P "bear responsibility." By assuming this position Milgrom was not able to grasp the nature of the ritual of the eating of flesh. That translation, suggested also by Zimmerli, "Die Eigenart," p. 10, was criticized by Knicirim, Die Hauptbegriffe, p. 220. He said, "Eine Übertragung auf den 'awn-Begriff ist aber kaum möglich; denn 'Verantwortung' ist ein wertneutraler, unqualifizierter Begriff. Das aber ist bei 'awn nie der Fall. 'awn ist immer qualifiziert. In den genannten Stellen [Nu 18. 1. 23; Ez 18, 19f.] wird man darum ns'awn nicht allgemein mit 'verantwortlich sein,'
it in the sanctuary." In other words, the ritual of the eating of flesh can take the place of the ritual of the sprinkling of blood. A comparison of the ritual when the flesh is eaten with the ritual when the flesh is not eaten confirms our interpretation.

<table>
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<th>For a Layman--Lev 4:27-31</th>
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<td>1. Laying on of Hands, vs. 29</td>
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<td>2. Killing of the victim, vs. 4</td>
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<td>3. Some blood brought into the tent--sprinkling ritual, vs. 5</td>
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The basic difference in the ritual is found in the rituals of the sprinkling of blood and the eating of flesh. Whenever the priest is involved in the sin to be expiated, he is forbidden to eat the flesh. Instead he sprinkles the blood. The reason for the priest not eating the flesh of his own flesh is, therefore, a theological one: he cannot

sondern mit 'für die wonot verantwortlich sein, sie zu tragen haben' übersetzen." This suggestion was accepted by Zimmerli, "Zur Vorgeschichte," p. 240 n. 1. The nature of the ritual of the eating of flesh is also lost when יָאֹ֑שׁ is understood in Lev 10:17 as meaning to forgive (so Moraldi, Espiacione, p. 119), or as referring only to the nature and function of the מְפָן , and meaning "to take away the guilt (so Whybray, Thanksgiving, p. 46; cf. Elliger. Leviticus, ad. loc.). Such interpretations overlook the important correlation existing between the blood sprinkling and the eating of the flesh.
bear his own sin. His sin is brought before the Lord by other means, namely, through the sprinkling of the blood seven times within the tent. This provides strong support for our understanding of the sprinkling as meaning the cleansing, not of the sanctuary, but of the sinner, in whose behalf the whole ritual is done. Through the ritual sin is brought to the sanctuary. There it is kept until its final removal on the Day of Atonement. On that day the sprinkling is modified, not to change its meaning, but to enrich it. Through it the sanctuary as a whole is purified from the sins of the people.

The Ritual of the Application of Blood on the Horns of the Altars

The ritual act of putting (יָכַל) some blood on the horns of the altars is a permanent one in the מִקְדֵּשׁ. The only difference is that in the case of the priest the blood is put on the horns of the altar of the burnt offering. It is this act which Vriezen considers to be the proper expiation-act. The sprinkling is only a preparatory act. Through it the blood is consecrated; only then can the expiation-act be performed. As we have already seen, this explanation is not a valid one for the Day of Atonement. According to Lev 16:18, 19 the

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1 Snaith, Leviticus, p. 56, came close to this position when he stated, "If the priest was not involved in the sin he ate the flesh, being a sort of sin-eater. If the priest was involved . . . he could not eat it, so it had to be taken outside to a clean place and destroyed by fire." Two things, however, must be said about this view. First, the expression "sin eater" is not the best. It is better to retain the biblical terminology—by eating the flesh the priest bears sin. Secondly, he overlooked the fact that the sprinkling of blood and the eating of flesh are parallel rituals.

smearing of blood on the horns comes before the sprinkling!

Nevertheless, we should recognize that the application of blood to the horns of the altar can mean, at least in some cases, the cleansing of the altar. This seems to be the case in Lev 16:18; Exod 30:10; and Lev 8:15//Exod 29:12, 36, 37, passages already having received consideration.¹ There is one thing we must be aware of: the application of blood on the horns in those passages is connected with two unique occasions, namely, the consecration of Aaron, his sons, and the altar; and the Day of Atonement. It is our conviction that there is no warrant to transfer the meaning of the ritual in those cases to the other occasions in which a רְחֹם was required. This is supported by the fact that the praxis of the ritual is different² when it results in the cleansing of the altar. In Lev 4 the procedure is described as follows:

And the priest shall put some of the blood upon the horns of the altar (מִן תַּלְתֵּי הַמִּזְבֶּחַ מִלְּדוֹת עֲלֵי קָרְבוֹת), of fragrant incense before the Lord. . . . (vs. 7)

In Lev 16:18 the case is somewhat different:

And he, the High Priest, shall come out to the altar which is before the Lord, and shall make atonement for it. And he shall take some of the blood of the bull, and some of the blood of the goat, and put it on the horns of the altar all around (לְתַלְתֵּי הַמִּזְבֶּחַ וְלָשׁוּר). The difference is obvious. In Lev 4 it is only required to put (ָלֹא) some blood upon the horns of the altar; while in Lev 16 the blood was to be put (לָחָן) upon the horns of the altar "all around" (לָשׁוּר). That this difference is not accidental but intentional can be seen in the fact

¹See above, pp. 108-109.

²So Kedar-Kopfstein, "דָּמָם," TWAT, I:264. He was not aware of the differences in the praxis of the ritual.
that in all the places where the application of blood resulted in the purification of the altar, the term דִּבֵּרָם is used (e.g., Lev 8:15; Ezek 43:20); while in all the other cases this term is avoided (e.g., Lev 4:18, 25, 30, 34, 9:9).

Thus we may conclude that whenever the blood is put all around the horns of the altar it cleanses the altar. But when the blood is simply put on the horns something else is intended. The question is, what was intended by it? It is not easy to find the answer to this question because the biblical text is virtually silent on this issue. There ought to be no doubt that the meaning of this ritual is connected with the idea of cleansing and expiation, since this is the purpose of the נֵזְמָן. But there is still the question of how does the putting of blood on the horns contribute to such cleansing.

A possible avenue of investigation would be a study of the meaning of the horns of the altar. We can only briefly touch this important question here. We know that in the ancient Near East the religious usage of horns was very common. Studies made have shown that among the many metaphorical usages horns were used as symbols or emblems of the deity or as a sign of divinity. So, a "Krone, Kappe, Mütze oder ein Helm mit Stierhörnern ist stets ein Zeichen der Göttlichkeit."
The horns on the heathen altars seem to share this same symbolism. They, apparently, were symbols or emblems of the god.\(^1\) This position seems to be confirmed by the fact that very often the altar was considered to be the throne of the deity.\(^2\) The altar then, would be the throne, and the horns the emblem of the deity on the throne.\(^3\)

Is that interpretation of the altar and its horns a valid one for the OT cultus? Even though some scholars would consider the altar in the OT to be a throne of God,\(^4\) or even a symbol of God,\(^5\) there is no biblical evidence to support such views. The most that can be said is "that the altar was the sign of God's presence."\(^6\) With respect to the

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1 Eberharter, "Das Horn," p. 398.


3 On the origin of the horns on the altar the best-known theory is that they were originally maṣṣēboth, which stood next to the altar. See H. Gressmann, "Altar. Israelitischer," RGG I (1909):371-73. This theory has been popularized by Gallüng, Der Altar, pp. 58, 59, 66, 67, and through his following articles: "Altar II. (orientalisches)," Reallexikon für Antike und Christentum (Stuttgart: Hiersemann Verlags, 1950), I: 329-34; "Altar II. in Israel," RGG I (1955):253-255; in his article "Altar," IBD, I:96-100, he refers again to the horns as "Maṣṣēboth, 'pillars,' once originally set at the four corners?" p. 97, showing, by the question mark, his own doubts. This theory was criticized by Obbink, "The Horns," p. 49. He considered the horns to be part of the altar "from the very outset."

4 So Zolli, "L'altare," pp. 212-14. The emendation he suggests for Exod 17:15, 16, לַניְתֵי הָרָעָם is unnecessary; on this verse see Hyatt, Exodus, pp. 185-86.


horns, they have been taken to be substitutes for the horns of the real victims, and, in the light of Near Eastern studies, symbols or emblems of God. Such conceptions, it seems to us, are foreign to the OT.

There a horn (גֵּגוֹן) could be used metaphorically to refer to human or divine power. Since the horns are part of the altar, which is a sign of God's presence, they could be taken as a symbol of God's power. This is confirmed by the legal custom which allowed a person who killed somebody by accident to find refuge under the protecting power of God by seizing (גֵּגוֹן) the horns of the altar (e.g., 1 Kgs 1:50, 51; 2:28).

In the light of these remarks we suggest that by the ritual of the application of blood to the horns of the altar sin is brought under the controlling power of Yahweh. Sin will no longer interpose itself between Yahweh and His people. Thus, sin is not only brought to the presence of the Lord, through the sprinkling of blood, but it is also brought under the controlling power of Yahweh through the blood application on the horns of the altar. The ritual and its meaning we

1W. R. Smith, Religion of Semites, p. 436.

2McKenzie, Theology, p. 45, takes the horns to "symbolize the deity more precisely."

3For example, Deut 33:17; Job 16:15; Zech 1:18-21; 2 Sam 22:3, Ps 18:2. See de Vaux, Ancient Israel, p. 414.

4See also Eberharter, "Das Horn," p. 399; and B. Broadman, "Altar III. Keilschrift," Lexikon für Theologie und Kirche (Freiburg, Breisgau: Verlag Herder, 1957), I:370. De Vaux, Ancient Israel, p. 414, considers this interpretation to be inadequate for the horns of the altar, but see above.

5Eberharter, "Das Horn," p. 399, interprets the blood application as an act of propitiation.

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take to be the same whether performed on the horns of the altar of incense or on those of the altar of burnt offerings.

There is one final act in the blood manipulation: "The rest of the blood of the bull he [the priest] shall pour out (יָנַח) at the base of the altar of burnt offering" (Lev 4:7, 18, 25, 30, 34). Since not all the blood is used during the ritual, this regulation defines how to dispose of the rest of the blood. The Hebrew expression means "to spill out blood." Alan D. Grad has shown that this expression "refers to the proper cultic dispensation of the blood" and should not be confused with יָנַח "to shed blood," which is used in other contexts, and "connotes a crime: murder or an improper use of ritual blood" (Lev 17:4).1 The spilling out of blood at the base of the altar is taken by Grad to be a safe way of removing the sacred liquid and is not part of the ritual.2

We must summarize our findings about the blood manipulation of the נָחַם. The blood manipulation serves to bring about a cleansing effect. The question is, who/what was cleansed? The ritual of the sprinkling of blood is interpreted in Lev 16 as cleansing the whole sanctuary. This comprehensive understanding, we found, should not be transferred to Lev 4 for two reasons. First, the Day of Atonement is a unique day with an exclusive function. Second, the blood manipulation in that day is different from the one in Lev 4. In Lev 4 the sprinkling is done in a different place and only seven times.

1Studies in the Biblical Uses of the Word דם (Ann Arbor, Mich.: University Microfilms, 1976). p. 120.
2Ibid., pp. 38, 57, n. 128.
Furthermore, nothing is said in Lev 4 about a cleansing of the sanctuary. We suggested, therefore, that the sprinkling of the blood in the regular קדש cleanses the one on whose behalf the קדש was sacrificed. In an attempt to explain how the sprinkling could cleanse the offerer, we mention the fact that in some cases the benefit of the sprinkling is not received by the object sprinkled upon, but by that on whose behalf it was done. We found that the ritual of the eating of flesh was used as a substitute for the sprinkling of the blood whenever a layman sinned. By eating the flesh sin was transferred to the priest, in order to be brought before the Lord. When the priest sinned, or was somehow involved in the sin which was to be expiated, he could not eat the flesh of the קדש. Otherwise he would be bearing his own sin. Sin was brought before the Lord through other means, namely, the sprinkling of the blood. Sin was thus transferred to the very presence of God. In that way the sinner was cleansed. Sin was transferred to the sanctuary in order to bring it under the controlling power of Yahweh. This was represented by the application of blood to the horns of the altar. This ritual act also meant cleansing. If the altar was to be cleansed, blood was applied "all around" (סער) the horns. If only the offerer was to be cleansed, blood was simply put on the horns. The rest of the blood was reverently disposed of at the foot of the altar. If our interpretation is correct, then there is no reason for talking about two different kinds of קדש. There would be essentially one קדש when it comes to the cleansing of the offerer.

1 It is unfortunate that the biblical text does not make clear how the sin transferred to the priest was brought before the Lord, or transferred to the sanctuary. It is quite probable that there was another ritual
Substitution and the ἁμαρτία

As soon as one raises the question of substitution and the ἁμαρτία, it ought to be recognized that nowhere in the biblical text are we told that the victim offered as a ἁμαρτία is a substitute for the sinner. Besides that there is a stream of arguments which can be used, and have been used, to disprove that expiation in the ἁμαρτία is through substitution. It has been argued that the idea of substitution is not present in the blood manipulation. The blood was not an offering made to a wrathful God; it was rather a means of consecration and purification. It has been said that the essential element in the ἁμαρτία is not the blood manipulation, not even the slaughtering of the animal, but the fact that it is a gift to God. This negation of any substitutive value to the ἁμαρτία is reinforced by the fact that, in some cases, the animal could be commuted to a bloodless offering, e.g., ἱδρον. It would seem to be impossible to speak of sacrificial substitution in a bloodless

by which the sin the priest bore was transferred to the sanctuary. This could have been easily done through a ἁμαρτία offered by him.


2Schötz, Schuld- und Sündopfer, p. 112.

3Ibid., pp. 112-13; G. B. Gray, Sacrifice, pp. 56-60.

sacrifice. It has also been argued that since the sins expiated by the 
are not sins worthy of death, the animal was not dying in place of 
the sinner.  

Other arguments can be listed. But we will limit ourselves to in-
vestigate the cogency of only these because they are the ones used in 
connection with the . The arguments mentioned above, if accepted 
prima facie, would seem to make a good case against the idea of substi-
tution as regards the . But they call for evaluation. Their 
strength is to be tested.

The meaning of the blood manipulation in the has been dis-
cussed. The conclusion was reached that the blood is not an offering 
to God. Its function is purificatory. The offerer is usually purified 
or cleansed. The blood cleanses because it bears the sin/impurity of 
the sinner to the presence of Yahweh, and there sin/impurity is brought 
under His controlling power. The fact that the blood bears the sin/
impurity of the offerer indicates that the idea of substitution is present.
This is confirmed by Lev 5:1, where we are told that the sinner is to 
"bear his sin" (יָּאִשׁ). It has been noted that "this is a technical 
legal expression meaning that it was left to God to punish" the indivi-
dual. But instead of being punished, the person was forgiven (5:10).
Forgiveness had been made possible by the fact that God allowed the 
offerer to bring a for his sin. It was the which bore the

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1 This was argued long ago by J. C. F. Steudel, Vorlesungen über 
die Theologie des AT (Berlin: G. A. Reimer, 1840); and more recently 
by Eichrodt, Theology, I:165 n. 2.

2 See Schötz, Schuld- und Sündopfer, p. 111; Eichrodt, Theology, 
I:165 n. 2.

3 Porter, Leviticus, p. 41.
sin/punishment of the sinner; thus it is his substitute. The blood manipulation, as part of this ritual, participates in the substitutive idea present in it by becoming a means of transferring sin to the presence of God.  

Those who consider the מְטַנְתָּה, and as a matter of fact any other sacrifice, to be a gift to Yahweh, do not agree on how it expiates. Some would take it to be a propitiating gift, which appeases God's wrath, while others will be willing to recognize a substitutive aspect in the gift. The offering would then be a self-giving. It could then be said that "il dono presentato a Dio . . . sostituisce l'offerente in quanto le rappresenta presso la Divinità." In this case the sacrificial animal is not a substitute which receives the sin/punishment of the offerer, but a substitute in the sense that it represents him before the Lord. At the heart of this conception is the theory that a sacrifice is a gift given to God. But this theory, which was very popular from the last part of the last century to the first part of this, is being questioned in a special way today. Richard D. Hecht has shown that the gift theory came to the fore as a means of interpreting sacrifices with "the intensification of interest in economic theory in the nineteenth century;" that specific religious traditions, including the Israelite tradition, criticized "the reduction of sacrifice to a gift"; and that "the gift theory cannot be

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1 This will be further discussed in connection with Lev 17:11.
4 Sacrifice, Comparative Study, p. xiii.
5 Ibid.
used as a general theory to describe or understand the most intense forms of sacrifice in archaic traditions. When we turn to the it becomes extremely difficult to find support for the idea that its essential element is the gift aspect. As a matter of fact, the flesh of the animal is not given to God. It is not burned on the altar. This does not mean that the gift aspect is not present. What it means is that it is hardly the essential element. In the נָאָס the expiatory agent is not the flesh of the animal, nor the blood, but the sacrifice itself, with its different ritual acts.

Our discussion on the occasion and procedure for the נָאָס in the previous pages made it clear that the נָאָס could be commuted to a bloodless offering, a type of נָאָס (cf. Lev 5:11-13). There are several things we should notice with respect to the נָאָס. Like the נָאָס it was considered a most holy offering (Lev 2:3, 9:6:17 [MT 6:10]). The portion which was not burned on the altar was to be eaten by the male members of Aaron's family, i.e., the priests (6:16 [MT 6:9]). Whenever the נָאָס was offered by a priest, no portion was to be eaten by him; all of it went to the altar (6:23 [MT 6:16]). These similarities with the נָאָס could explain why, under certain circumstances, the נָאָס could be commuted to a נָאָס. Furthermore, the נָאָס seems to have an expiatory value too, even though it is not mentioned in Lev 2. In Lev 5:11-13 and in 1 Sam 3:14, however, expiation is attributed to it. We are not

1Ibid. See especially pp. 106-150.

2H. C. Brichto, "On Slaughter and Sacrifice, Blood and Atonement," HUCA 47 (1976):29 n. 22. 35. has also reached this conclusion.


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arguing that the primary function of the יָנֹלֶד is expiatory. We are only stating that there is in the יָנֹלֶד an expiatory function too. The question is whether that expiation is through substitution. The answer should not be taken for granted. One thing must first be clarified, namely, that if no substitutive meaning is to be attributed to the יָנֹלֶד, especially in the case where it is offered in place of a הָאָדָם, this does not necessarily mean that substitution is also to be excluded from the regular הָאָדָם. But before concluding that the idea of substitution is not present in the יָנֹלֶד we should remember that, in order to have the idea of substitution, we need not have a bloody sacrifice. This is clearly attested in the Bible with respect to the census money (see Exod 30:12-16). We have already seen that in ancient Near Eastern religious practices not only animals but also inanimate objects were used as substitutes for human beings. The least we can conclude from all these observations is that, in the cases in which the יָנֹלֶד is offered instead of the usual הָאָדָם, the idea of expiation through substitution should not be ruled out a priori. In this case the eating of a portion of the offering by the priest would be taking the place of the blood manipulation.

The argument that the sins expiated through the הָאָדָם, or any other sacrifice, were sins not worthy of death, seems to be a strong one. But the first thing we should notice is that nowhere in the OT are we told that sacrifices could not expiate sins worthy of

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1See Hooke. "Theory," p. 8; and above pp. 51-52.

2For Médébielle's answer to this argument see his "Expiation," cols. 74-76.
death. That argument is based on a misunderstanding, one which limits the expiatory efficacy of the נקד to inadvertent sins.\(^1\) We have already shown that the נקד could be offered for unintentional as well as for intentional sins. The "high-handed sin" is not only premeditated, but is also a wanton sin, a sin of which the sinner did not repent.\(^2\) This type of sin is not only outside the sacrificial system, but especially outside the salvific grace of Yahweh. We also know that an impure person who does not go through the purificatory ritual required will surely die (Lev 15:31). We are also informed in Lev 16 that the נקד offered during the Day of Atonement expiates all the iniquities (ג anders), transgressions (产品研发), and sins (קד) of the people of Israel. It is amazing to find that the נקד could even expiate the产品研发.产品研发 is a word from the world of politics. It denotes, in its secular usage, "the willful breach of a relationship of peace or alliance."\(^3\) Ludwig Köhler considers its basic meaning in the sense of "revolt" or "rebellion,"\(^4\) although "Verbrechen" has also been suggested.\(^5\) This is certainly one of the strongest words for sin in the OT. Even the sin which is a rebellion against God, or a breach of a relationship with Him, can be expiated through a נקד.

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\(^1\)This misunderstanding is also present in Porúbcan, Sin, p. 351, in his discussion on "Sin and Sacrifices."

\(^2\)See above, p. 99.

\(^3\)Quell, "Sin in the OT," p. 173.

\(^4\)OT Theology, p. 170. See also his article "Archäologisches Nr 22, 23." ZAW 46 (1928):213-18.

The cases in which a person is required to bring a ἄπλωμα because of impurity are also connected with death. Results of studies concerning the biblical concept of impurity (脒ש) have shown that the idea of impurity does not refer only to being unfit for the cultus, or to the worship of idols, but that uncleanness refers first of all to the sphere of death. Emanuel Feldman says that "the primary element in all tum'ah is death." The one who has become impure is in the sphere of death. He has been disqualified for participation in the cultus because any "contact with death removes a man from contact with the divine." Man's relationship comes to an end. Impurity becomes then "a metaphor for estrangement and desacralization." The function of the ἄπλωμα then would be to remove that impurity, to transfer it to the sacrificial victim in which death is actualized. Thus, man's relationship with God is re-established.

From this discussion we may conclude that sin or impurity, if not expiated, would result in the sinner's permanent separation from God and from the cultic community. To be severed from God and his sanctuary is to be disjointed from the source of life and blessings. The final result of that experience is death. It is within this conceptual framework that the ἄπλωμα operates.

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1 W. Paschen, Rein und Unrein (München: Kösel Verlag, 1970), pp. 63, 69. Von Rad, Theology, 1:277. also says. "Every uncleanness was to some extent a precursor of the thing that was uncleanness out and out, death."


3 Ibid., p. 14.

4 Ibid., p. 51.
The *Dtff* Sacrifice and Substitution

In the study of the *Dtff* we are confronted with the difficult problem of determining its essential and distinctive nature. Before anything may be said about sacrificial substitution and the *Dtff*, it is necessary to inquire into the nature of this sacrifice. Scholars are also far from being in agreement over this. Many of them believe that the Hebrew text, in its present form, makes it impossible to distinguish the *Dtff* from the *tlttarr*. Others have tried to show that the biblical text does make clear the nature of the *Dtff*. But this has given place to different and contradictory interpretations of the sacrifice.

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1E.g., Koehler, OT Theology, p. 185; Pedersen, Israel III-IV, p. 372; von Rad, Theology, I:259; R. J. Thompson, "Sacrifice and Offering," NBD, p. 1120; Noth, Leviticus, p. 59; Porubcan, Sin, p. 334; Rowley, Worship, p. 129; Foley, "Leviticus," p. 70; Porter, Leviticus, p. 53. It has been suggested that the *Dtff* was originally a fine, see Moore, "Sacrifice," col. 4203; Gaster, "Sacrifices," p. 152, but Gaster considers the *Dtff* to be different from the *tlttarr*. Gray, Sacrifice, pp. 58-59, states that the distinction between the two sacrifices is not clear, yet he considers the *Dtff* to have been a kind of payment. De Vaux, Ancient Israel, p. 421, writes that after reading the biblical texts one gets the impression that the *Dtff* deals with faults in which God or a fallower "has been cheated of his rights."

2E.g., Paterson, "Sacrifice," p. 337, views the *Dtff* as addressing "unwitting trespass against the ordinances of God, in respect either of holy things (Lev 5:15) or of the right of property (6:1ff)." Cf. Chapman and Streane, Leviticus, pp. 26, 80; Charbel, "Sacrificio," col. 324. A similar position is taken by Medebiele, Expiation, p. 60, who considers the *Dtff* to be occasioned by sins against the divine or human property, and by Micklem, "Leviticus," p. 30; C. R. North, "Sacrifice," p. 207, adds that it atones for deliberate sins. Medebiele, being unable to explain the *Dtff* for the leper and the Nazarite, says that in some cases the *Dtff* takes the function of other sacrifices ("Expiation," col. 59). Saydon, "Sin- and Trespass-Offering," p. 398, argues that the *Dtff* expiates "sin of ignorance or unintentional." But for H. C. Thomson, "The Significance of the Term 'Asham in the OT," TGUOS 14 (1953):24, it is concerned with intentional as well as unintentional sins. Other scholars put special emphasis on the restitution or compensation aspects of the *Dtff*. Kidner, Sacrifice, p. 19, argues that this sacrifice was for offenses which could be assessed for monetary compensation; so also Eichrodt, Theology, 1:161; cf., Elliger, Leviticus, p. 76; Diether
Although some ingenious interpretations have been proposed, it can hardly be said that the last word has been uttered with respect to the אָשָׁם. The divergent opinions held among scholars indicate the puzzling nature of the materials at our disposal for the study of this sacrifice. Yet we must examine the biblical text for its own testimony in an attempt to see how the אָשָׁם brings expiation.

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Kellermann, "אָשָׁם אֵשָׁם," TDOT, 1:434. The same position is taken by Snaith, "Guilt-Offering," p. 50, who considers the offenses to be usually deliberate. Morris, "Asham," p. 105, writes that the אָשָׁם was brought "for cases of dishonesty of one sort or another where restitution with the added fifth" was required. The offenses could have been inadvertent or willful ones (ibid., p. 200).

Dussaud, Origines, pp. 126-27, suggested that the אָשָׁם atoned sins committed, generally, consciously, and its purpose was the re-integration of the sinner to society and cultus, from which he was severed because of his sin. Schotz, Schuld- und Sündopfer, pp. 41-42, finds the unifying element of theאָשָׁם not in the idea of compensation or restitution because such ideas are hardly present in the אָשָׁם for the leper and the Nazirite, but in the nature of the sin it expiates, namely a sin against holiness. In Lev 5:14-26 the idea of a sacrilegious act is expressed by the term דָּעַם, a technical term which is said to refer to an act against God or His holy things. This is basically the position taken by Milgrom, Cult, pp. 125-27. Moraldi, Espiatione, p. 173, believes that the אָשָׁם deals with the violation of the property of God or of the neighbour. He also argues that it can be brought in cases where an individual feared he had sinned, even though he was not aware of having committed any sin at all (ibid., pp. 175-78). J. L. Mays, The Book of Leviticus, The Book of Numbers, The Layman's Bible Commentary (Richmond, Virginia: John Knox Press, 1963), p. 36, finds three occasions for the אָשָׁם: (1) when a person violates, unwittingly, "any consecration of gifts or tithe or vows;" (2) whenever an individual suspects that he may have broken a commandment but he is not certain: (3) when a person acts unfaithfully toward the Lord "by wronging his neighbour in money or property matters." Levine, Presence, p. 99, says that the אָשָׁם was originally not a bloody sacrifice but a "cultic offering presented to the deity in the form of silver or other objects of value in expiation for certain offenses." The אָשָׁם, which in the biblical text is offered in the form of a sacrificial ram, "represents a fixed payment" (p. 100). He considers the sins it expiates to be inadvertent (ibid., p. 91), and the sacrifice to be "a gift to the offended deity" (ibid., p. 93).
Philological Observations

The term נָשָׁה, usually rendered "guilt offering," is the nominal form of the Hebrew root נָשָׁה. The verbal root has been understood as referring to a sinful act, "to commit a sin/an offence." But it is more often interpreted as referring to a state of guilt. It is unfortunate that in this case ancient languages are not of much help since the root נָשָׁה is practically unattested in other languages. Special attention, then, should be paid to the biblical material.

1For statistical information see Rolf Knierim, "כָּשַׁם קָשַׁם Schuldverpflichtung," THAT 1:252; Kellermann, "רָשָׁם," p. 431.


4The only exception seems to be the Arabic "atima=to be guilty" (see Kellermann, "רָשָׁם," p. 429). The Ug >šm has been suggested as a cognate for the Heb. נָשָׁה; see T. H. Gaster, "The Service of the Sanctuary: A Study in Hebrew Survivals," in Mélanges Syriaens Offerts à René Dussaud (Paris: Librairie orientaliste Paul Geuthner, 1939), p. 578; D. M. L. Urie, "Sacrifice among the West Semites," PEQ 81 (1949): 72; others have been undecided; A. Caquot, "Un Sacrifice expiatoire a Ras Shamra," RHRP 42 (1962):202, 204. It is now known that Ug. šm is really a Hurrian term; see D. Kellermann, "רָשָׁם ב Ugārit?" ZAW 76 (1964):319-22. This had already been recognized by Gaster, "Sacrifices," p. 152. and Gordon, UT (1947):216; cf. John Gray, "Cultic Affinities between Israel and Ras Shamra," ZAW 62 (1949):210-11; idem, The Legacy of Canaan (VTSup 5; Leiden: E. J. Brill, 1965), p. 197; Levine, Presence, p. 92; Milgrom, Cult, p. 3. More recently Kellermann, "רָשָׁם," p. 430, concluded that "outside the Hebrew, the root šm occurs only in Arabic and perhaps in Ugāritic." On the question of the root šm as a theophorous element in West Semitic personal names, and in divine epithets, see Levine, Presence, pp. 128-32. In spite of Levine's attempt, the etymological connection is not clear; see Kellermann, "רָשָׁם," p. 430; Milgrom, Cult, p. 3.

5Since the term נָשָׁה has been recently studied there is no need for us to go over all the passages in which it is used. We will limit
The usage of the verbal form דָּם in Leviticus indicates that it refers to a state of guilt. The verb is used to describe the state of a person who has committed a sin (חַטָּאת). This could have happened by the unpremeditated violation of any of God's commandments (Lev 4:3, 13, 22, 27); by coming into contact with impurity (5:2, 3); or by being unfaithful (לֹא) to the Lord (6:4 [MT 5:23]). Since דָּם presupposes a sinful act, it cannot be translated "to commit a sin/an offense." In Leviticus it is usually an Urteilsformel, which could be translated "to be/become guilty."

Also important is the fact that, as we have already indicated, דָּם is used in connection not only with theדָּם- sacrifice, but also with theדָּם- sacrifice. This substantiates Diether Kellermann's statement that the verb דָּם is nowhere "in the Priestly Code . . . influenced by the technical term דָּם" ("guilt-offering"). It also tends to confirm the meaning "to be guilty." It appears, however, that דָּם does not only


2 See above, p. 87.

3 'āshām," p. 436.
emphasize the guilt but also the punishment that is due because of it. Thus we find יֹשֵׁב, in other contexts, expressing more the idea of being punished (e.g., Ezek 6:6; Hos 5:5; 10:2; Ps 32:21, 22). These two ideas are not to be separated the one from the other.

At this point it would be proper to discuss a more recent understanding of the verb יֹשֵׁב. It has been argued that יֹשֵׁב, like other words for sin, "connotes both the wrong and the retribution." But in the cultus it connotes more the idea of retribution. That is what is called "the consequential יֹשֵׁב." The verb is accordingly translated "to be punished" (Lev 4:3), or "to enter into state of liability to someone (for reparation)." This last meaning, it is argued, is found in places where יֹשֵׁב is followed by the preposition ב plus a personal object. But whenever יֹשֵׁב is used without a personal object it denotes the suffering brought on by guilt, and could be translated "to feel guilt." This last suggestion has great implications for the understanding of Lev 4:22-23, 27-28; 5:2-4. According to this theory יֹשֵׁב is in those passages part of the protasis and not, as has been traditionally understood, of the apodosis. This would mean that, for instance, Lev 4:27b-28a should be translated "... and he feels guilt or (יֹשֵׁב) he

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1See Moraldi, Espiazione, p. 165: Wolff, Hosea, p. 89, says, "It should be noted that יֹשֵׁב emphasizes more the punishment that is due than the guilt presupposed by it." This makes unnecessary Driver's suggestion that יֹשֵׁב is, in a number of cases, a dialectical variant of יָשַׁב ("to desolate") (G. R. Driver, "Confused Hebrew Roots," in Occident and Orient: Gaster Anniversary Volume, ed. B. Schindler [London: Taylor's Foreign Press. 1936], pp. 75, 78). Cf. Milgrom, Cult, p. 4 n. 15.

2Milgrom, Cult, p. 4.

3Ibid., p. 6.

4Ibid.

5Ibid., pp. 8-9. See above, p. 88.
is informed of the wrong he committed, then he shall bring . . . "  

What this translation suggests is that the individual becomes aware of his sin in one of two forms: (1) on his own ("he feels guilt"); or (2) he is informed of his sin by someone else.  

Although we have already reacted to several aspects of this theory, it is now necessary to be more specific as regards the דָּשָׁן. First, this theory presupposes that דָּשָׁן connotes a wrong action, with the consequential meaning as a derived one. We have already seen that the verb דָּשָׁן does not mean "to commit a sin." דָּשָׁן designates the state of guilt in which a person is found after committing a sin. In our understanding the legal element is retained, while in the theory under discussion it is absent. Contextually the legal emphasis makes sense since a divine law has been violated.  

Concerning the construction דָּשָׁן + 7 + personal object we should notice that it is used only once in Leviticus (i.e., 5:19), and once in Numbers (i.e., 5:7). This would mean that everywhere else in Leviticus the verb דָּשָׁן means "to feel guilt." But the surprising thing is that in Lev 4:3, where the verb is not followed by a personal object, it has been rendered "the people are punished."  

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1Ibid., p. 11.  
2See his "Cultic Segagah." p. 117.  
3See above, pp. 88-89.  
4Cult, p. 3. In n. 22 Milgrom gives an alternative translation: "liable for an asham offering," and adds, "the implication being that the high priest has inadvertently caused the people to trespass on sancta." This is too speculative. In Lev 4 we are dealing with הָעְרָבָת . His suggestion betrays a particular understanding of the דָּשָׁן. Levine, Presence, p. 131, translates the phrase under discussion "to the misfortune of the people." However הָעְרָבָת is infinitival, not nominal, in form (with Milgrom, ibid.).
feel guilt" does not make sense. This inconsistency reveals one important element: the psychological component in the דחא is to be determined by the context and not by the absence of a personal object. This is supported by the fact that, as we have already pointed out, the verb דחא is used in parallel with the expression יגרם לרשון ("to bear sin") in Lev 5:1, 2. Therefore, in Lev 5:2-4 דחא is not part of the protasis. but is, like יגרם לרשון, the apodosis.

In most cases in Leviticus a personal object, namely Yahweh, is probably implied where one does not follow after דחא. This is suggested by Lev 5:19, in which the individual who sinned was to bring an דחא because "he is guilty before the Lord." In other pericopes dealing with the דחא-sacrifice the personal object could also be a fellow man. According to Num 5:7 the individual who sinned against another person has wronged that person and is to compensate him for his wrong. This shows the sinner's guilt and legal accountability to someone.

1If the meaning "to feel guilt" is to be retained, we would limit it to Lev 5:5; 6:4 (Mt 5:23); and Num 5:6. In those passages the verb is immediately followed by the expression "he shall confess/he shall restore," making it contextually plausible to render the verb, "he feels guilt." That the verb expresses such an idea has been denied by Joujon, "Notes," pp. 455-56; and Moraldi, Espiazione, pp. 165-66. Their arguments are not convincing. It would not be strange at all to have דחא expressing not only an objective state of guilt, but a subjective one as well.

2See above, p. 89.

3The expression יגרם לרשון which Milgrom renders "and he feels guilt or he is informed," need not be translated that way. Here again דחא is not part of the protasis, but of the apodosis. The presence of the particle יגרם should not be a problem. In vs. 14 we have יגרם instead of יגרם. Besides that יגרם can sometimes be translated "but if," see E. Kautzsch, Gesenius' Hebrew Grammar (Oxford: Clarendon Press, 1910), p. 498. It may even mean "when"; see H. C. Brichto. "The Case of the SOTÀ and a Reconsideration of Biblical Law." HUCA 46 (1975):62-63.

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The noun נֵעְפָּה is used in three different ways in cultic contexts. It is used to designate an expiatory sacrifice (e.g., Lev 5:19; 6:6 [MT 5:25]; 7:1, 5, 7); the sacrificial victim (e.g., Lev 14:14, 17, 25, 28); and the object which is to be restituted, meaning "the reparation" (Num 5:7, 8). נֵעְפָּה, as a nomen actionis, means "guiltiness, becoming guilty," functioning as a Qal infinitive construct (e.g., Lev 4:3: 6:5, 7 [MT 5:24, 26]). Neither נֵעְפָּה nor נֵעְפָּה seems to refer in the OT to a sinful act, but to guilt which leaves the individual exposed to divine punishment. In this respect Rolf Knierim's suggestion, which takes the two terms to refer to a state of liability which arises out of guilt, is correct.

We have in derivatives of the root נֵעְפָּה terms which could designate the state of guilt and also that which frees the individual from such a situation. It is for that reason that in Num 5:7, 8 נֵעְפָּה means "restitution." And it is also for that reason that the term came to designate an expiatory sacrifice, i.e., נֵעְפָּה-sacrifice. It is difficult to

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1 See Moraldi, Espiazione, pp. 168-69.
2 See Kellermann, "נָשָׁם," p. 437.
3 Jouon, "Notes," p. 58, renders נֵעְפָּה in Ps 68:22 and Jer 51:5 "delit, crime," but that is unnecessary. Kellermann, "נָשָׁם," p. 430, referring to these same passages, says, "נָשָׁם also appears in the later period with this meaning of guilt, which brings punishment in the time of Yahweh's vengeance." It is possible that נֵעְפָּה in Ps 69:6 may have a concrete sense, but that is somewhat uncertain, since it could be referring to the guilt incurred through "folly" (see Kellermann, ibid., p. 437). In other contexts נֵעְפָּה seems to be used in parallel with גַּל (Ezra 9:6, 7). But here again נֵעְפָּה may be indicating the state of guilt resulting from the גַּל. One thing is, however, clear: in the cultic usage of נֵעְפָּה and נֵעְפָּה they do not designate a concrete sinful act.
4 נָשָׁם," cols. 254-56.

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find a proper translation for דָּשָׁן when it designates a sacrifice.
"Compensatory-offering" has been suggested by some.¹ But this translation tends to overlook the fact that the restitutional and compensatory aspects are distinguished in the דָּשָׁן pericopes from the sacrifice itself. Hence we are also reluctant to accept the suggested "restitution/reparation-offering."² For lack of a better term we would, then, accept the traditional "guilt-offering." By it we mean an offering which frees the individual from his state of guilt, incurred before the Lord, through a specific kind of sin.³

Occasion and Procedure

1. The Law of the דָּשָׁן. Lev 7:1-7 alone informs us concerning the procedure for the דָּשָׁן. Even here the information provided is sparse. The situation is aggravated by the fact that in 7:7 the דָּשָׁן is like the נַקֵּד; there is one law (נֵדָד) for both. Does this mean that in terms of procedure there is no difference between these two sacrifices? Porter suggests that "here the guilt-offering has become identical with the sin-offering (verse 7), so that it is impossible to see any difference between them."⁴ Other scholars, noticing that vss. 6 and 7b are talking about the flesh of the animal, state that "the common feature

¹E.g., Snaith, Leviticus, p. 50; J. A. Thompson, "Numbers," p. 187.

²Moraldi, Espiazone, p. 169; Milgrom, Cult, p. 7.

³Knierim, "חַטָּם," col. 256, suggests "Schuldgabe," which is basically the same as "guilt-offering," although "Gabe" tends to suggest a particular theory of sacrifice. For Levine, Presence, p. 128, דָּשָׁן means "expiatory payment." We return to this suggestion below.

⁴Leviticus, p. 53.
of the sin offering and the guilt offering is that the priest who performs the ceremony receives the flesh."¹ Moraldi sees the similarities in the fact that the animal is most holy, and that its flesh is to be eaten by the male members of the priestly family.² Noth is willing to recognize that although vs. 7 refers especially and primarily to the priestly share of the sacrificial victim, it also refers indirectly to the treatment of the animal as a whole.³

The ritual described in 7:1-6 mentions the following cultic acts:
(a) Slaughtering of the animal in the place where the burnt offering was killed (vs. 2)
(b) The blood was to be thrown (כָּפֵר) around the altar (vs. 2)
(c) The fat was to be burnt on the altar (vss. 4, 5)
(d) The priest was to eat the flesh of the animal in a holy place (vs. 6). The flesh was most holy (vs. 6; cf. 14:13; Num 18:9, 10)

The difference between these ritual acts and those for the is found in the blood manipulation.⁴ To this we will return below. The fact that the blood manipulation is different suggests that although there is one law (vs. 7) for the הָעִיר and the , this does not mean that there is no difference at all in the ritual acts.

The question remains whether one should limit vs. 7a--"the guilt offering is like the sin offering, there is one law for them"--to

¹Snaith, Leviticus, p. 57. Milgrom, Cult, p. 15 n. 48, says, "As for Lev 7:7 ostensibly equating the hattat and the asham, the verse states explicitly that they are alike only as to their priestly prebends." ²Espiazione, p. 176. ³Leviticus, p. 58.

⁴We must notice that the laying on of hands is not mentioned. See our discussion on this problem below under "The Laying on of Hands."
the eating of the flesh. In other words, does vs. 7b—"the priest who makes atonement with it shall have it"—explain 7a? This would seem to be the proper interpretation. However, the usage of the word הָלָה ("law") points in a different direction. This term is used in Lev 6 and 7 to designate the ritual instructions given by God concerning the manner the sacrifices were to be offered. It is not used to designate only one aspect of a ritual, e.g., the eating of the flesh of an animal. For such designations the term נַעַם ("due, order, statute") would have probably been used, as suggested by Lev 7:35, 36. Thus the Hebrew expression כְּחֵפֶתָה לִכְשֹׁם תֹּרָה אֵאֹבִית לַעֲשֹׁם ("the guilt offering is like the sin offering, there is one law for them") is an expression whose meaning is not exhausted by vs. 7b. It refers to the whole ritual procedure. Yet the assimilation is not absolute. There is one important difference between the מָנָס and the נַעַם, namely, the blood manipulation. This pericope makes clear that with the exception of this the procedure for the two sacrifices is identical.

2. נַעַם for Unintentional Sin (נַעַם). The term נַעַם is used in connection with the מָנָס in Lev 5:14-19. Its meaning is the same we found in Lev 4. It designates an unintentional sin. We will also include under such a category the cases of the leper and the Nazirite, who are asked to bring a מָנָס under certain circumstances.

Lev 5:14-16. The first thing we must discuss here is the nature

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1See Pansinya, La notion de nomos, pp. 75-76, who says that in Lev 6, 7 "tandis que תּוֹרָה signifie une instruction rituelle de Dieu sur la manière d'offrir les sacrifices, הָעֹקָת désigne un précepte de Dieu, enjoignant l'exécution à jamais d'une chose donnée (הָעֹקָת חֵלָם)."

2So also Kidner, Sacrifice, p. 19; Mays, Leviticus, p. 36.
of the sin which the addresses. The sin is qualified as an unintentional one. It is an intentional מַעְלָה against the holy things of the Lord (מַעְלָה מַמְשֶׁרֶת). That is referring here to a sin against holy things is recognized by practically all scholars. The designation "holy things" has been interpreted as "property belonging to Yahweh or specifically to his sanctuary or his priests." Milgrom is probably right in suggesting that the sancta subject to מַעְלָה are "all the sancta, major and minor, from the time of its dedication until, if they be food, they are eaten or incinerated." The pericope indicates that the holy thing has been misappropriated by the individual. We are, therefore, dealing here with desecration of sancta through unintentional misappropriation of sancta.

For the מַעְלָה-sacrifice a ram (גַּנֵּס) is required. This is practically the only animal offered as an מַעְלָה. A young ram (לְבָן) is mentioned only on two occasions (Lev 14:12; Num 6:12). The ram is to be without blemish (תֶּם), "valued by you in shekels of silver, according to the shekel of the sanctuary." The expression "valued by you" (כְּאָם) is a difficult one. Its most common interpretation is the one suggested by the RSV translation, namely, that the victim should have a specific monetary value. By this Morris understands "that care is

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1 On the term מַעְלָה see below, pp. 177-81.


3 Cult, p. 44, see his whole discussion on pp. 35-44.

4 So most scholars, even those who, like Moraldi, Espiazione, p. 178, would reject the idea that the מַעְלָה expiates only sacriligious acts.

5 See Chapman and Streane, Leviticus, p. 24; Médebielle, Expiation, p. 57; Dussaud, Origines, p. 127; Mays, Leviticus, p. 35; Snaith,
being taken that a suitable animal be selected."¹ Moraldi takes to be always an "offerta in danaro in sostituzione di una in nature."² In other words, it indicates that the גִּבֹּר could be brought to the sanctuary in currency.³ A similar position is taken by Noth, who says that "the ram’s value in money, and not the ram itself, was to be 'brought in'..."⁴ From this he concludes that in Lev 5:15-19 the term גִּבֹּר does not refer to a sacrifice.⁵

E. A. Speiser interpreted also as indicating that the could be commuted to currency.⁶ He found a parallel practice in documents, from Nuzi and Mari. These documents attest a rare type of payment which Speiser calls "ceremonial payment."⁷ The occasions on which this payment was required were always solemn ones. The important thing about this type of payment is that "it is always listed in terms of animals rather than metal currency."⁸ The standard amount to be paid was thirty shekels. It was remitted "in terms of one bull, one ass, and ten sheep.

Leviticus, p. 50; Elliger, Leviticus, p. 77.


² Espiazione, p. 174.

³ Ibid., p. 175.

⁴ Noth, Leviticus, p. 47. ⁵ Ibid.


⁸ "Leviticus and the Critics." p. 127.
always in the same 1-1-10 ratio. In some cases such a payment was impracticable and a commutation to metal currency was permissible. Nevertheless, it was required to record "the proper amount for each of the required animals, e.g., '36 minas of tin in lieu of one bull, 24 minas of tin in lieu of one ass.'" In other words, the record was to indicate the substitution. According to Speiser the term בְּעֵרָכַר in Lev 5:14 indicates that the animal can be substituted. He renders the expression בְּעֵרָכַר כְּסִיָּף כֶּסֶף as convertible into payments in silver. According to Speiser the term בְּעֵרָכַר in Lev 5:14 indicates that the animal can be substituted. He renders the expression בְּעֵרָכַר כְּסִיָּף כֶּסֶף as convertible into payments in silver. In other words, the record was to indicate the substitution. According to Speiser the term בְּעֵרָכַר in Lev 5:14 indicates that the animal can be substituted. He renders the expression בְּעֵרָכַר כְּסִיָּף כֶּסֶף as convertible into payments in silver. Levine, building on Speiser's understanding of בְּעֵרָכַר, saw in that term the original character of the תַּאָשָׁם. Based on the usage of this term in Lev 27, where according to him it "refers to the imputation of value according to another standard of unit," Levine translated בְּעֵרָכַר as "the equivalent." While for Speiser the victim for the תַּאָשָׁם was an animal which could be commuted to currency, for Levine it was the other way around. The expression בְּעֵרָכַר suggested to Levine that probably "the ṭāḥām was not originally an altar sacrifice. . . . It was originally a cultic offering presented to the deity in the form of silver or other objects of value in expiation for certain offenses." The phrase בְּעֵרָכַר means, he says, "imputed according to the equivalent in silver shekels." In other words, "the ṭāḥām being offered in the form

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1Ibid. 2Ibid., pp. 127-128. 3Ibid., p. 128. Milgrom seems to be following Moraldi and Speiser, but his position is not very clear. In Cult, p. 15, he says that "the worshipper is given the option of offering the תַּאָשָׁם in currency," but in p. 142 he states, "In Israel . . . only animals or money (silver) are prescribed for the asham, and the latter can hardly serve any other purpose than to be immediately converted into an appropriate sacrificial animal.

4Presence, p. 96. 5Ibid., p. 99.
of a sacrificial animal represents a fixed payment in silver, and is being offered in substitution for that payment."\(^1\)

The expression is formed by the preposition ב, the noun שליט, and the pronominal suffix ו. The pronominal suffix is a fossilized one and, therefore, is not functioning as a pronoun. It is part of the nominal stem. This is indicated by the usage of the same term in Lev 27. In vss. 2, 12 the expression is found in the construct state. In those cases the pronominal suffix makes no sense.\(^2\) In vs. 23, the definite article is used. In Lev 27 the term שליט is used twenty-one times\(^3\) and it always refers to the value to be paid when redeeming persons, animals, or property through a commutation of a vow. The השליט is the monetary equivalent required for the redemption.

The term שליט in Lev 5:15 has the same meaning it has in Lev 27. However, we must not overlook that the contexts are different. In Lev 27 we are dealing with commutation of vows. There השליט refers to the estimated value of the property which is to be redeemed and which is to be given as a substitute for the thing vowed. In Lev 5:15 we are in a different situation. We are dealing there with an expiatory sacrifice, the סול. And although it is true that the sacrificial procedure is not mentioned, there is enough evidence in the pericope to indicate that we

\(^1\)Ibid., p. 100.

\(^2\)See Speiser, "Leviticus and the Critics." pp. 124-25; Moraldi, Espiazione, p. 174; M. Lambert, Traité de grammaire hébraïque (Hildesheim: Verlag Dr. H. A. Gerstenberg, 1972), p. 143, who also mentions the term רכז (lit. "my Lord") as another case in which a pronominal suffix loses its value and becomes part of the noun.

\(^3\)Vss. 2, 3 (2x), 4, 5, 6 (2x), 7, 8, 12, 13, 15, 16, 17, 18, 18, 23 (2x), 25, 27 (2x).
are dealing here with a bloody sacrifice.¹ What is then the function of
the expression בֶּעְרֵכֶר כֶּסֶת שְׁקֵלֶרֶם? We agree with Noth that רָם ("ram")
is in parallel with שְׁקֵלֶרֶם.² In this case we could retain the mean-
ing "estimated value, equivalent." We would then translate vs. 15bc as
follows: "He shall bring his יִשָּׁה to the Lord, an unblemished ram from
the flock, in the equivalent of silver weights, in the weight of the
sanctuary, for an יִשָּׁה."

Our translation suggests that the idea of commutation is not
necessarily present in רָם. In Lev 27 the context makes clear that
ירט operating in a situation where the idea of commutation is present.
Such is not the case in Lev 5:14-16. In this case the idea of commuta-
tion seems to be ruled out by the context itself. According to vs. 16c
atonement is to be made by means of the ram (רָם). Even though a
monetary equivalent is brought, expiation is performed with a ram. This
signifies that when the silver equivalent was brought to the sanctuary
its purpose was not to offer it as a substitute for the ram, but to obtain
the ram. The silver equivalent was "to assume the form of an altar
sacrifice, to be partially burned on the altar, and partially consumed by
the priests."³ The silver was used, most probably, to buy the

¹The text clearly states that the sacrificial animal, the ram
(רָם), would be used in the expiatory process. This can only mean a
bloody sacrifice, contra Noth, Leviticus, p. 47.

²Leviticus, p. 47.

³Levine, Presence, p. 100. He may be right in suggesting that
originally the יִשָּׁה was not a sacrifice but a fixed penalty. Yet, it
seems to us that the biblical evidence does not provide enough support for
that thesis. For a brief, but significant, critique of Levine's position, see
Milgrom, Cult, pp. 142-43. The parallels from Nuzi and Mari sug-
gested by Speiser are really not parallels at all.
requisite sacrificial victim.¹

In the pericope of Lev 5:14-16 there are two other ideas connected with the קָצָע. One is the idea of restitution, the other the idea of compensation. The Hebrew term which the RSV renders "to make restitution" is the Piel form of דָּבַש (="to repay, make amends"). Some time ago D. Daube argued that דָּבַש refers to a restitution of the same object or of the same kind.² More recently Milgrom has shown that the required restitution is not "in kind but only in money."³ The presence of the idea of restitution makes it clear that we are dealing here with a sin which has to do with misappropriation, or even misuse, of holy property. The addition of one fifth as a compensation was probably a fine.

Lev 5:27-19. This piece of cultic legislation has been one of the sources of confusion between the נֹשֵׁא and the קָצָע. The introductory sentence, phrased in casuistic form, does not follow the one in vs. 15. It is rather an exact replica of the נֹשֵׁא formula found in Lev 4:2, 13, 22: "When a person sins by doing any of the things which the Lord

¹This practice may have been based on at least two reasons. First, metal currency was always needed in the temple. Second, since the animal required for the קָצָע was one of the most common in Israel (see B. D. Napier, "Sheep," JBD 4:315), it would not be wrong to say that the sanctuary would always have an overflow of them. The קָצָע would then be a good administrative policy. But there may also be a religious intention, namely, that there will always be available in the sanctuary a means of expiation. Apparently currency was also brought to the sanctuary for the נֹשֵׁא, as indicated in 2 Kgs 12:17; see Milgrom, Cult, p. 143; and Levine, Presence, p. 99. But, cf. N. H. Snaith, "2 Kings," IB 3:252.


commanded not to be done . . ."

Accordingly, some have argued for the impossibility of distinguishing the נִדָּה from the דְּמָה. Others, like Noth, find in this pericope a "sin-offering" commuted to money for atonement. Still others have found the key for this problem in the expression רָצוֹן דְּבָר ("but he does not know"). The sin is only a suspected one. The person fears he has sinned but is unable to specify in what or how he sinned. It differs from the נִדָּה in that the נִדָּה was offered after the person became conscious of his sin.

This last interpretation has much to commend it. The offering is brought, although the individual does not know in what he sinned, because he feels guilt (שָׁמָּה). It may well be that here the expression יִשָּׁמֶר ("and he bears his sin") indicates that the person is going through an experience which he interprets to be a punishment for his unknown sin, e.g., sickness. The misfortune of offending a deity through an unknown sin was a source of fear through the ancient Near

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1 E.g., Micklem, "Leviticus," p. 31, sees here "another indication of the gradual and composite nature of 'the law' in the OT." See also de Vaux, Ancient Israel, p. 421; Porter, Leviticus, p. 45, who finds here the activity of the compilers attempting "to conform the guilt-offering as closely as possible to the sin-offering."

2 Leviticus, p. 48.

3 This is the position taken by Milgrom, Cult, pp. 74-76; but before him, Snaith, Leviticus, p. 51; Mays, Leviticus, p. 36; Moraldi, Espiazione, pp. 175, 176; Dussaud, Origines, p. 128; Chapman and Streane, Leviticus, p. 24; A. Dillmann, Die Bücher Exodus und Leviticus (Leipzig: Verlag von S. Hirzel, 1880), pp. 436, 437.

4 Due to the special nature of the sin for which the דְּמָה is here required it may be right to take the verb to mean "to feel guilt"; see Cult, pp. 9, 76.
East. The מָטָר for unknown sin would, then, be the Israelite answer to such a fear.  

We have seen that the sin which the מָטָר expiates in vss. 14-16 is a trespass against sancta. Is this also the case in vss. 17-19? This is affirmed by Milgrom, who states that "vss. 17-19 form a homogeneous unity with vss. 14-16. Both cases deal with the sin of unintentional poaching upon sancta, the one real and the other suspected." The logic of this position cannot be denied. Besides, it also shows that so far the מָטָר addresses only one type of sin, desecration of sancta. However, he recognizes that, since the נְקָנָה formula is used, the pericope suggests "that any of God's prohibitions could have been inadvertently violated." and adds that "since the sin was not known but only suspected . . . the possibility existed that the sin was in fact a maal, which unless expiated by an asham would arouse the wrath of God." But Milgrom, not satisfied

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1. For a short discussion of the Near Eastern materials see Milgrom, ibid., pp. 76-78. One example will suffice here. In the "Prayer to Every God," which is a petition for relief from suffering, the penitent says: "O my God, (my) transgressions are many; great are my sins. . . . The transgressions which I have committed, indeed I do not know. The forbidden thing which I have eaten, indeed I do not know; the prohibited (place) on which I have set foot, indeed I do not know. The Lord in the anger of his heart looked at me; the god in the rage of his heart confronted me; when the goddess was angry with me, she made me become ill" (ANET, p. 391). See the "Prayer of Kantuzilis," ibid., pp. 400-401; also in Near Eastern Religious Texts Relating to the OT. ed. W. Beyerlein (Philadelphia: Westminster Press, 1978), pp. 167-69.

2. This kind of מָטָר was called by the rabbinic sages a "suspended מָטָר" (מָטָר 'רֶמֶא'). It was suspended because whenever the person became aware of his sin he, then, had to bring another sacrifice. This second sacrifice was taken by some to be a מֹטָר and by others an מָטָר. See Mishna Kerithoth 5:2-8; and Milgrom, Cult, p. 75 n. 269.

3. Ibid., pp. 74, 75.

4. Ibid., p. 76. On the נְקָנָה formula see above, p. 86. The Near
with what he has just stated, suggests that Lev 5:17-19 is a reaction to the tendency "to dichotomize the world into the sacred and the profane." According to him this pericope makes clear that any "unwitting" violation of any of God's commands requires expiation for desecration of sancta. Ethics and cult are thus indissolubly united.

Milgrom's position is rightly based on the fact that the introductory formula in vs. 17 is in parallel with the introductory formula in vs. 14. In vs. 17 the נַעֲמָה category is extended to include, or refer to, any violation of God's law. But in order to maintain the difference between the נַעֲמָה and the בְּשֵׁפָה, we must keep in mind that the בְּשֵׁפָה in vss. 17-19 redresses any violation of God's commands only when the sin is unknown; that is, only when the person fears or suspects that he has disobeyed God's law.

There are two other things which call for attention in Lev 5:17-19. First, forgiveness is being sought through the בְּשֵׁפָה. The verb נַעֲמָה is used in the Niphal form, as was also the case with the נַעֲמָה. Thus the meaning seems to be the same in both cases. Secondly, nothing is said in this pericope about restitution. This is not difficult to understand. The individual does not know exactly what his sin consisted of. Thus he does not know what to make restitution for. This fact has

Eastern texts reveal that unknown sins were not limited to the category of desecration of sancta, but could also include suspected ethical violations; see Surpu II, published by E. Reiner, Surpu: A Collection of Sumerian and Akkadian Incantations (Graz: Selbstverlage des Herausgebers, 1958), pp. 13, 18.

1 Cult, p. 80.
2 Ibid.
3 For the significance of the passive form of נלכ see above, p. 86, n. 2.

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apparently been overlooked where restitution was thought to be the
distinctive feature of the .

**Num 6:12: The Nazirite's DtffK.** We have already referred to this
pericope in connection with the ἀνακ. A ἀνακ was required when the
period of consecration was completed, and also when the Nazirite violated
his consecration through accidental contamination. The ἀνακ, on the
other hand, was only required in the case of accidental contamination,
vss. 9-12. The obvious question is, why an ἀνακ? For some the answer
to this question "remains obscure." Yet most scholars will accept one
of the two following interpretations: (1) the ἀνακ is brought in order to
compensate, or as a reparation, for the delay in fulfilling the Nazirite
vow which was interrupted; (2) the ἀνακ is brought in order to expiate
some unknown sin, the type of sin contemplated in Lev 5:17-19, which
is considered the cause of the misfortune.

An investigation of the whole pericope, 6:1-20, makes clear that
we are dealing here with sancta. The individual separates himself
(Ἤ σακ) to the Lord for a definite period of time. During that period
he is holy (ἅγιος). His holiness is indicated especially through the
unusual length of his hair:

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1See above, p. 149 n. 2. Schötz' criticism of this position is well
taken (Schuld- und Sündopfer, pp. 35-44).


3E.g., McNeile, Numbers, p. 34; J. A. Thompson, "Numbers,"
New Bible Commentary Revised (London: Inter-Varsity Press, 1970),
p. 176; Kellermann, ἀνακ, p. 434, who takes the violation of the vow
to be "an offense against Yahweh's possession, viz., the time pledged
to him." Cf., idem, Die Priesterschrift von Numeri 11 bis 10/10 (BZAW
120; Berlin: de Gruyter, 1970), 89-90. See also Noth, Numbers, p. 56;

4E.g., G. B. Gray, Numbers, p. 66; Moraldi, Espiazione, pp. 174-
76.
All the days of his vow of separation no razor shall come upon his head; until the time is completed for which he separates himself to the Lord, he shall be holy; he shall let the locks of hair of his head grow long (vs. 5).

The accidental contamination of the Nazirite results in desecration of sancta. The desecration has to do, as Milgrom has indicated, with "the consecrated hair which has been shaven and the preceding Nazirite period which has been cancelled."\(^1\) That the desecration has to do with these two elements is shown by the fact that they are to be restored: "And he shall consecrate his head that same day, and separate himself to the Lord for the days of his separation, and bring a male lamb a year old for an נץ (vss. 11b, 12a). As in the case of Lev 5: 14-16, this נץ is accompanied by an act of restitution.\(^2\) Notice that the hair, after the fulfillment of the vow, was to be shaven and burned on the altar as an offering (vs. 18).\(^3\) Since the biblical text provides enough information to allow one to interpret the Nazirite's נץ in terms of desecration of sancta, the two interpretations mentioned above are to be rejected.\(^4\)

**Lev 14:12-17: The Leper's נץ.** This נץ is part of a ritual for the rehabilitation of the leper into the cultic community.\(^5\) We would deny, however, that because of that the נץ is essentially a rehabilitation

\(^1\)Cult, p. 70.

\(^2\)The restitution in the Nazirite's נץ has been overlooked by some, e.g., Morris, "Asham," p. 205.

\(^3\)See R. C. Dentan, "Hair," IBD 2:512; see also W. C. Gwaltney, Jr., "Hair," IDBSup, pp. 386-87; Milgrom, Cult, p. 68 n. 244.

\(^4\)Thus also Milgrom, ibid., p. 69 n. 249.

\(^5\)With Moraldi, Espiazione, p. 173; Milgrom, Cult, p. 81.
offering, as René Dussaud suggested. In the present case the \( \text{שָׁנָה} \)

is part of a more complex ritual. It is for that reason that its praxis
differs somewhat from the praxis mentioned in Lev 7:1-7. The dif-
ferences are mainly two: (1) the young ram (\( \text{שָׁנָה} \)) is to be waved
before the Lord as a wave offering (\( \text{תֶּטֶרְמָה} \)); and (2) some of its blood
was to be applied to the leper's right ear, to the thumb of his right
hand, and to the great toe of his right foot (vss. 12, 14).

1 See above, p. 151 n. 1.

2 On the \( \text{תֶּטֶרְמָה} \) see A. Vincent, "Les rites du balancement

(\( \text{תֶּטֶרְמָה} \)) et du prélèvement (\( \text{תֶּטֶרְמָה} \)) dans le sacrifice de communion
"que le geste qui avait la prétention d'appeler l'attention de la divinité,
ne symbolisait par seulement l'offrande, il voulait signifier e1 même temps
au réel le don et par suite l'appartenance qui s'en suivait à l'égard de
la divinité" (p. 270); Ch. Picard, "Le rite du balancement: ses origines
anatoliennes," RAch 17 (1941): 84-85; D. R. Hillers, "Ugaritic SNPT
'wave offering,'" BASOR 198 (1970): 42; N. H. Snaith, "The Wave Offer-
ing," ET 174 (1962-1963): 127, takes the Hebrew term to designate a gift
from the people to the priesthood; cf., A. Charbel, "Nota a Lev. 7, 34:
\( \text{תֶּטֶרְמָה} \) e \( \text{תֶּטֶרְמָה} \) negli \( \text{תֶּטֶרְמָה} \) Kim An

Lemming," Riv Bib 21 (1973): 35-39; G. R. Driver, "Three Technical Terms," pp. 100-105, considers \( \text{תֶּטֶרְמָה} \) to be a derivative of \( \text{תֶּטֶרְמָה} \) "elevation, height," and links it to Arabic \( \text{תֶּטֶרְמָה} \) "was
tall, high; exceeded in height, quantity or value;" Akkadian \( \text{תֶּטֶרְמָה} \) "to
discharge the balance of a tax," \( \text{תֶּטֶרְמָה} \) "additional payment, gratuity." He
concludes that "these terms suggest that the Hebrew \( \text{תֶּטֶרְמָה} \) means
something similar, a 'special contribution, additional gift,' or the like"
(p. 102). Milgrom has questioned the generally accepted view that
\( \text{תֶּטֶרְמָה} \) means "wave offering." According to him it designates a rite of
dedication based on two postulates: (1) "any offering which still be-
ongs to the owner when it is brought to the sanctuary requires the
dedicated rite of the \( \text{תֶּטֶרְמָה} \);" and (2) "the most sacred offerings
whose composition, procedure, or purpose varies from the norm (i.e.,
Lev 1-5) require the additional dedication of the \( \text{תֶּטֶרְמָה} \) ("Wave Offer-
ing," IDBSup, p. 945). The second postulate can be used to explain
the \( \text{תֶּטֶרְמָה} \) of the leper's \( \text{תֶּטֶרְמָה} \). See also his article "The Alleged Wave-

3This use of blood has been interpreted in different ways.
Dussaud, Origines, pp. 190, 191, sees here the means by which the
individual is infused with "l'âme du groupe." Levine, Presence, p. 74,
says that the blood was used to immunize the afflicted person in a magical
way, against the recurrence of the ailment." Others deny that the

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Various suggestions have been offered since the text does not expressly tell the reason for bringing this דם כור. Noth states that the דם כור "served to get rid of the 'guilt.'" But this guilt, he continues, is not a subjective guilt "but only an objective 'taint' caused by in the no way blameworthy cultic uncleanness."\(^1\) Snaith says that "probably the reason for the compensation offering is that the man's exclusion from the people of God involved loss to the people and God."\(^2\) Levine proposes that the דם כור was required because blood was needed, and the blood of the other sacrifices could not be used on the leper.\(^3\)

We have already mentioned a situation in which an דם כור was required which would fit this case very well. We have in mind Lev 5:17-19. This may be a case where an דם כור is brought because the person fears he has sinned against the Lord. His illness is interpreted by him as the result of that unknown sin.\(^4\) The OT makes a connection between sin and disease in general, and leprosy in particular. Miriam was stricken with leprosy because of her sin against Moses (Num 12); Elisha's servant received Naaman's disease (2 Kgs 5); and Uzziah's poaching upon sancta resulted in leprosy (2 Chr 26:26-29). The Psalms also intimate a connection between sin and disease (e.g., 38:3; 39:10; 41:4).\(^5\)

\(^1\)Leviticus, p. 108.
\(^3\)Presence, p. 111.
\(^4\)So also Moraldi, Espiazione, p. 176; Micklem, "Leviticus," pp. 69-70; Mays, Leviticus, p. 36; Milgrom, Cult, p. 80; idem, "Leviticus," p. 76, who considers the unknown sin to be a sin against sancta, cf. Schötz, Schuld- und Sündopfer, pp. 39, 40.

\(^5\)See J. Z. Baruch, "The Relation between Sin and Disease in

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It would not have been difficult for an Israelite to view his leprosy as the result of an unknown sin.

In short, our discussion of the דָּם קֶרֶן for unintentional sin has revealed that the sin it expiates is basically a יָאָרָה against sancta (Lev 5:14-16). This type of sin is illustrated by the experience of the Nazirite's דָּם קֶרֶן. The person became aware of this kind of sin. Such is not the case in Lev 5:17-19. The sin remains unknown; the individual only suspects he has committed a sin. This sin could be considered a desecration of sancta only if any violation of any of God's commands is interpreted as such. This legislation can be illustrated by the leper's דָּם קֶרֶן.

Important also is the fact that restitution and compensation do not always accompany the דָּם קֶרֶן. The reason for this may be that in some cases it is practically impossible to estimate the damage.  

We have also shown that the expression יָכַר does not indicate that the sacrificial victim could be commuted to currency, but that currency could be brought to the sanctuary in order to obtain the sacrificial victim.

3. דָּם קֶרֶן for Intentional Sin:

Lev 6:1-7 (MT 5:20-26). "In all these seven verses the fault is deliberate. We have been wrong in saying that the Levitical code


1So Snaith, Leviticus, pp. 17, 50.

2The incident narrated in 1 Sam 6:4, 5 should not be used against this position. We are dealing there with the Philistine's concept of an דָּם קֶרֶן see G. B. Caird, "1 Samuel," IB 2:906. Besides, what the Philistines offered as an דָּם קֶרֶן was neither an animal nor currency, but valuable object; see Milgrom, Cult, p. 142.
makes no provision for dealing with deliberate sin."¹ This confession
is well taken. It is practically impossible to view the sins listed in
this pericope as unintentional. Even those who are of the opinion
that inadvertence is the underlying precondition of the intent are
unable to deal properly with these cases.² The best and only thing
one can do is to recognize that here we are dealing with intentional
sin.³

The introductory formula—"When a person sins and commits a עון against the Lord")—is essentially
the same we found in Lev 5:14. except that here the term חטא is avoided
and the sin is against the Lord. The offenses enumerated are: deception
in matters of deposit or security, robbery, oppression of one's
neighbor, finding and lying about something that was lost, and,
finally, taking a false oath.

The main problem in this pericope is the procedure of deciding
the function of the false oath. Is it but one of the sins, or is it to be
taken in conjunction with all the sins mentioned? Noth thinks that we
are facing here one sin, namely, "lying" or "concealing" (מחמה), and
that possibly the false oath constitutes "the climax of 'lying' and

¹Snaith, "Sin-offering," p. 78.

²E.g., Levine, Presence, pp. 94-95. He rejects Snaith's position but does not even try to justify his. Noth, Leviticus, p. 48,
reluctantly recognizes that we are not dealing here with "unwitting sins." Saydon, "Sin-offering," pp. 397-98, for whom the קני atones
unintentional sins, does not provide any good explanation for Lev 6:1-7.

³With Chapman and Streane, Leviticus, p. 25; Médebielle,
"Expiation," col. 75; Moraldi, Espiazione, p. 168; Thomson, "The Signifi-
'concealing.' Médebielle divides the sins into two categories: 'La première se bornant à certaines injustices bien déterminées, et la seconde s'entendant à toutes celles où intervient le serment.' For B. S. Jackson the false oath is taken only in conjunction with the case of lost property (vs. 3 [MT 22]). The clauses which generalize the false oath in vss. 3b, 5a (MT 22b, 24a) are in his view additions. But even if they are original, they would be referring, in his view, not to the previous sins but "to a general category of offenses involving false oaths."4

There are, finally, those who believe that the false oath applies to all the preceding cases in the pericope. In other words, the different sins were aggravated by a false oath.5 A variation of this interpretation is found in Dionys Schötz and Milgrom.6 For them the key term in the pericope is the verb תֹּע. For Schötz it refers to a sacrilegious act, whereas for Milgrom it is a trespass against sancta.7 The term תֹּע, it is argued, refers not to the different cases listed, but only to the

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1Leviticus, p. 49. He considers the mention of the false oath in vs. 5 to be an addition.
2"Expiation," col. 58.
4Ibid., p. 246.
6Schötz, Shuld- und Sündopfer, pp. 41-43; Milgrom, Cult, pp. 84, 85.
7See above, p. 151 n. 1.
false oath. The נֵשׁ is imposed for the desecration of God's name.1

A reading of the pericope under discussion would indicate that the cases listed have one thing in common, namely, misappropriation of someone else's property. The misappropriation could be by open force or by furtiveness. 2 In any case the misappropriation is denied ( שָׁם = "to lie," Piel, vss. 2, 3 [MT 21, 22]) by the one who committed the offense. This does not mean that we are dealing here only with the act of lying. Rather, the sin was a misappropriation to which lying is added.

Concerning the false oath it would be better first to take a look at vs. 5 (MT 24), where it is mentioned for the second time in the pericope. It is not difficult to recognize to what the false oath refers. Verse 4 introduces the list of cases by saying, "He shall restore what he took by robbery, or (יֲזִירָה) . . .," and vs. 5 adds: "or (יָרָה) anything (מִכָּל) about which he has sworn falsely." The particle יָרָה makes it clear that vs. 5a introduces another case within the list. What has really happened is that instead of giving us a complete list of cases vs. 5a has subsumed them under the category of anything about which a false oath is taken. This, it seems to us, implies that in the previous cases a false exculpatory oath is also involved. The person has not

1 Milgrom, ibid., p. 85.

2 Open force, according to Milgrom, is indicated by the terms פָּשֵׁל ("to withhold") and כָּבָד ("to take away") which refers to "illegal withholding of property. But in sq the acquisition is legal whereas in גזל it is illegal." Furtiveness, on the other hand, is indicated by the terms אַמָּס (investment). פָּסְדָר ("deposit"). and מַעֲבָד ("what is lost") (ibid., p. 99, italics his).
only denied his sinful act, but has denied it under oath.  

This interpretation is also supported by the mention of the false oath in vs. 3 (MT 22). There the false oath does not seem to be one of the cases in the list. It is not introduced by רח ("or") but by י consecutively. This means that the dash should be put after the expression "and lied about it," that is before "swearing falsely." So vs. 3 indicates that the false oath was taken also in conjunction with the previous cases, and therefore a desecration of God's name is involved. Does the term מָעַל refer to this act of desecration? This calls for a brief discussion of the term מָעַל:

It has been suggested that the term מָעַל provides the key for the understanding of the מָעַל. If מָעַל is required for cases of desecration of sancta, then this view can consider מָעַל as "a sin against God." which falls into two categories: (1) traspas upon sancta, and (2) violation of the covenant oath. "Maal, then, means trespassing upon the divine realm either by poaching on his sancta or breaking his covenant oath." It is essentially a desecration of sancta. This view considers Lev 5:14-16 to be a case of מָעַל as poaching upon sancta, and Lev 6:1-7 (MT 5:20-26) to be a case of מָעַל as oath violation. God's

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1 Milgrom, ibid., p. 85, has suggested that מָעַל in vs. 5a should be translated "anything else," making thus explicit the idea that in the other cases a false oath was involved.

2 With Snaith, Leviticus, p. 51; Milgrom, Cult, p. 85.

3 Milgrom, Cult, p. 17. He finds these two categories in the biblical narratives. For trespass upon sancta he refers to 2 Chr 26: 16-18; 28:19, 22-25; cf., 2 Kgs 16:14-17; 2 Chr 29:19; Josh 7:1ff. For oath violation, he cites Lev 26:15, 40; Ezek 17:18, 20, 13, 16, 19.

4 Ibid., p. 21.

5 Ibid., p. 24.
name has been desecrated. This is, it is argued, supported by the fact that a comparison of Lev 19:12 and 6:2 (MT 5:21) indicates that desecrating (יֵלָדָה) God's name "is synonymous" with trespassing (יֵלֶבָּד) against God.¹

Our study of the יֵלָדָה has, in a way, given support to this position. However, it seems to us that it restricts the meaning of יֵלֶבָּד too much.² The basic meaning of the term seems to be "unfaithfulness" (e.g., Num 5:12)³ and not trespass upon sancta.⁴ This does not mean that the term cannot, in some cases, refer to desecration of sancta (e.g., Lev 5:14). But it is used to designate other situations like violation of the covenant (Lev 2:40, 15; Ezek 17:18, 20, 13, 16, 19); disobedience to God's commands (2 Chr 12:2; 1 Chr 10:13);⁵

¹Ibid., p. 86.
²The verb יֵלָדָה is used in the OT 35x, and the nominal form 29x, see R. Knierim, "יֵלָדָה מַשְׁלַשׁ treason sein," THAT 1:920. Its etymology is not clear.
⁵The Chronicler is not charging Saul in 1 Chr 10:13 with idolatry, as Milgrom (Cult, p. 20 n. 66) believes. This passage refers to his unfaithfulness at the very beginning of his kingship. At that time he did not keep God's command to destroy Amalek and everything he had (1 Sam 15:3, 25). This was a kind of herem. The difference between Achan and Saul was that Achan misappropriated the
acts of idolatry (Ezek 20:27, 28; 1 Chr 5:25; 2 Chr 28:19, 22; 36:14, 19; 29:19; 33:19); and mixed marriages (Ezra 10:2, 10; Neh 13:27). It could be argued that all these cases are essentially a breaking of the covenant, a violation of the covenant oath, and therefore a desecration of God’s name. But in that case the same could be said about almost any term for sin in the OT. Sin in Israel is essentially an offense against the God of the covenant, thus, a covenant violation. We prefer to understand the נָעַר sin as an act of unfaithfulness toward Yahweh which reveals itself in wrong actions, i.e., violation of religious and ethical laws. If the idea of sancta desecration is to be associated with נָעַר, it would have to be done by considering any violation of any of God’s commands a sancta desecration, as is apparently suggested by Lev 5:17-19.

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1. According to 2 Chr 36:14 Zedekiah’s נָעַר resulted not in desecration but in sancta contamination (מיד).  
2. This case could fall under sancta desecration; see Milgrom, Cult, pp. 71-73.  
4. Knierim, "m4l," col. 922. It is also wrong to say that נָעַר is always a "trespass against God." In Num 5:12, which preserves the basic meaning of נָעַר, it is suspected that a woman committed נָעַר against her husband. This verse should not be explained away by saying that נָעַר here "is a literary metaphor and has no legal value" (Cult, p. 134). See also Job 21:34; Prov 16:10, where נָעַר could be interpreted as unfaithfulness toward God and man at the same time; cf, BDB, p. 591; Knierim, ibid., col. 921. Notice that Achan committed נָעַר against (ך) the herem, i.e., the law of the herem, and sinned (בֵּית הָרֵעַ) against Yahweh (Josh 7:1, 20).
Returning to Lev 6:1-7 (MT 20-26), we are confronted with the fact that here לְאָרֵע ("to be unfaithful") is used in a context where an oath is involved. Would not this indicate that מַעֵל, in the context of the מַעֵל, designates an oath violation? Yet we must notice that in this pericope we are not talking about oath violation, but about taking a false oath, "swearing falsely" (אִשָּׁבַע עִלָּא לוֹ). There is obviously a difference between an oath violation, and swearing falsely. It is true that both actions result in the desecration of God's name, but the two actions should not be equated.\(^1\) But more than that, there is no reason for limiting the לְאָרֵע here to the false oath.

It has already been indicated that the cases listed in Lev 6:1-7 (MT 5:20-26) are basically cases of misappropriation of someone else's property. Misappropriation is an act of unfaithfulness not only against one's neighbor but also against God. Here the biblical concept of property is very important. Property is not something a person has obtained and of which he is the absolute owner. It is, rather, a gift from God, a manifestation of His blessings.\(^2\) It should move "his heart to praise and thank his Creator."\(^3\) Through the concept of property Israel proclaims God's sovereignty and His power as Creator. God

\(^{1}\)It must not be overlooked that nowhere in the OT do we find the term לְאָרֵע clearly referring to an oath violation. The closest we come to it is in the cases where לְאָרֵע is connected with the breaking of the covenant law. The idea of oath violation may be implicit, but it is never explicitly mentioned. We must also notice that Lev 6:2 (MT 5:21), and 19:12 are talking about a false oath. Cf. J. Schneider, "ὁρκος," TDNT 5:459.


gives it to man but he always remains the owner.\(^1\) Misappropriation is fundamentally a sin against God.

Based on all that, it is suggested that the sin (עַדָּשׂ = "unfaithfulness") for which an דַּם required in Lev 6:1-7 (MT 5:20-23) is the sin of misappropriation of property aggravated by a false exculpatory oath. We are facing, in this pericope, misappropriation in its most sinful manifestation.

When the sinner feels guilt (vs. 4), he is to restore the property, to add a fifth as a compensation, and to bring a ram for an דַּם. Here the דַּם is again distinguished from the restoration and compensatory aspects.

Num 5:5-8. This pericope is a supplement to Lev 6:1-7.\(^2\) It legislates the דַּם in cases where there is no one to whom restitution could be given. In such a case the restitution and the compensation will go to the officiating priest.

The nature of the sin described here seems to be the same Lev 6:1-7. The introductory formula says:

When a man or woman commits any of the sins of man דַּם נָשִׁים being unfaithful to the Lord" (vs. 6).

The expression "any of the sins of man" could be taken as an objective genitive, i.e., "any sin against man,"\(^3\) or as a subjective genitive,


\(^2\)With most commentators; see specially D. Kellermann, Die Priesterschrift, p. 66.

\(^3\)See Ehrlich, Randglossen, ad. loc.; McNicile, Numbers, p. 34; Marsh, "Numbers," p. 166; Milgrom, Cult, p. 105; de Vaux, Nombres, p. 92.
i.e., "any of the sins which man commits." Here any of the two possibilities make good sense. But since the הָשָׁם in Lev 6:1-7 was required for a sin which was against both God and man, we prefer to take the genitive as a subjective one. It is probable that here a false oath is also involved.  

In this pericope restitution and compensation are also distinguished from the sacrificial act, even though the term הָשָׁם is used to designate what was to be restituted (vss. 7, 8). The act of restitution is preceded by the confessional act (נִשָּׁת, Hip., vs. 7). This was not mentioned in any of the pericopes we have so far discussed. The fact that confession is demanded here, where we are dealing with intentional sin, is taken by Milgrom to indicate that confession is only required for such cases. The confessional act, he says, reduces the intentional sin to an unintentional one.  

We have already seen that in the case of the הָשָׁם this is not the case. The arguments also apply to the הָשָׁם in this case. If Milgrom were right, then confession should be mentioned also in Lev 6:1-7. There is, however, no word about it. Confession is here

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1 So Noth, Numbers, p. 46; Gray, Numbers, p. 41.
2 נוּּּ does not necessarily imply a false oath, contra Milgrom, Cult, p. 106.
3 Ibid., pp. 117-118.
4 See above, pp. 97-98.
5 Since Milgrom, Cult, p. 105, n. 388, considers Num 5:6 to be independent of the pericope in Leviticus, it could be argued that Lev 6:1-7 (MT 5:20-26) knew nothing of a confessional act by which sin could be reduced to inadvertency. In other words, if the pericopes were independent one from the other, the confession required in Numbers should not be transferred to Lev. But see Kellermann, Die Priester- schrift, pp. 66-69, who argues for the dependence of Num 5:6-10 on Lev 6:1-7 (MT 5:20-26).
in Num 5:58 explicitly required because as in Lev 5:1-5 the individual has concealed his sin. Such a sin must be brought to light through confession, if it is to be forgiven.

**Lev 19:20-22.** The situation contemplated in this legal regulation is an exceptional one. A slave woman has been betrothed to a man but she has not been ransomed or given her freedom yet. If another man lies with her, they are not to be put to death because she was not free. It was not a case of adultery. In this case two things ought to be done: (1) there was to be a הָרָנָךְ, and (2) the man was to bring an עַשׂ so that he will be forgiven.

The term הָרָנָךְ is a difficult one. It has been interpreted in different ways. Some take the noun to be the nominal form of בָּךְ ("to investigate") and support it by the fact that the verbal form is used in Lev 13:36; 27:33. Accordingly, the Hebrew expression הָרָנָךְ should be rendered "an inquiry/an investigation should be held."¹ Others would postulate a second meaning for בָּךְ in analogy with רַטְפָּה ("to examine," "to punish"). In this case the Hebrew phrase would mean "there should be a punishment."² Still others claim to have found an Akkadian cognate for הָרָנָךְ in the term baqārum. This

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¹Milgrom, Cult, p. 129; Snaith, Leviticus, p. 133.

²Dillmann, Leviticus, p. 555; M. M. Kalisch, Leviticus: A Historical and Critical Commentary, 2 vols. (London: Longmans, Green, Reader and Dyer, 1872), 2:424; B. Baentsch, Exodus-Leviticus-Numeri, Handkommentar zum Alten Testament (Göttingen: Vandenhoeck und Ruprecht, 1903), pp. 308-99. The versions tend to support this interpretation, e.g., LXX: ξεισκησῖν ἤσταλεν τὸ ὄντος (Hermann W. Beyer, Εἰκονομία, TDNT 2:608); Vulg.: "vapulabunt ambo." Based on this evidence others have suggested "whipping" (B. Talmud Kerithoth 11a); "reprimand" (Elliger, Leviticus, p. 260).
term appears also in the Code of Hammurabi and can be translated with "indemnity." 1

The suggestion which postulates a second meaning for the verb בקר is not strong. It remains unproven (1) that בקר has that second meaning and (2) that is based on that verbal root. The support from the versions indicates only that their translations were based on the context but not on linguistics. In other words, since the text says "they should not be put to death," a good assumption for בקר would be "punishment." This idea is, nevertheless, ruled out by the context itself. We are dealing here with a pericope where an דסף is required. Nowhere else is the דסף mentioned in connection with or accompanied by a physical punishment. As we have seen it is usually accompanied by the ideas of restitution and compensation. Its purpose is to avert any punishment by obtaining forgiveness for the sinner.

We are left, then, with the other two possibilities. Either of them makes good sense in the present context. Yet, the idea of the expression "an inquiry shall be held" is not very clear. The inquiry could hardly be intended to demonstrate that the man had sexual relations with the slave woman. The pericope presupposes such a relationship. 2 Furthermore,


2 Milgrom, Cult, p. 129 n. 460, rejects the idea that a judicial inquiry is superfluous by referring to the "language of the Deuteronomic Code which demands, precisely in capital cases where inquiry is self-evident: 'you shall investigate and inquire and interrogate thoroughly.'" He then quotes Deut 13:15; 19:18; 17:4. However, in the cases in Deuteronomy we are dealing with rumors, which would certainly require
if the guiltiness of the man was to be revealed through a judicial investigation his sin would probably not have been expiated through an גנ. The גנ requires repentance and confession. It is based on the individual's willingness to recognize his own sin and seek forgiveness from Yahweh. Otherwise his experience would not be different from the one of Achan (cf. Josh 7:19-26). If this translation is to be retained it would have to be understood that the investigation is made with the purpose of deciding or establishing the procedure to be followed to compensate for the damage done. But even this would be a meaning foreign to the verbal root 'רפ.

The suggestion of an Akkadian cognate remains probable. The term ירפו would be a technical legal term which, like the old Babylonian פ/באארום, refers to a claim of vindication.¹ What is to be claimed is not stated here. This is apparently left to the owner to decide.² In other similar legal cases a specific amount of money is mentioned (e.g., Deut 22:28, 29).³ If this suggestion is correct, thenירפב would have an investigation in order to confirm or disprove them. That is not the case in Lev 19:20-22.


²The claim was probably made by the owner of the slave; see A. Phillips, Ancient Israel's Criminal Law, p. 114.

³See also Laws of Eshnunna #31 (ANET, p. 162): "If a man
nothing to do with the Piel stem of בֵּךְר. It represents the Akk. bigurtu "which is based on the simple stem, exactly as the Babylonian baqārum and the Nuzi pirgu are." In this case the purpose of the Hebrew form is "to protect the first vowel from reduction or loss." In this law the term בֵּךְר would then indicate that the damage must be redressed somehow. Conceptually we are still within the sphere of the ideas of restoration and compensation.

The דְּשָׁא is required because there has been an act of misappropriation of property belonging to a fellowman. The act is not only a sin against man but against God, too. To argue that the דְּשָׁא is required because the covenant oath has been violated is to go beyond the evidence provided by the text.

In closing our discussion on the procedure and occasion for the דְּשָׁא we must briefly summarize our findings. We have argued that the sins expiated by the דְּשָׁא were unintentional as well as intentional. Repentance was indispensable. The sin was essentially one of misappropriation or misuse of God's property (sancta desecration), or of one's fellowman's property, which was also a sin against God. It could be

deprives another man's slave-girl of her virginity, he shall pay one-third of a mina of silver; the slave-girl remains the property of the owner."

1Speiser, "Leviticus and the Critics," p. 131.

2Ibid.


4So Milgrom. Cult, pp. 133-37. He argues, first, that the is brought for oath violation. But we have seen that this is not the case. Secondly, adultery was considered in Israel a violation of the Sinaitic covenant. But what is significant here is that in Lev 19:20-22 we are not dealing with a case of adultery. Milgrom is aware of that but he still applies the second postulate to this case.
that Lev 5:17-19 should be limited to sins of misappropriation of property, but the terminology used is broad enough to include any type of suspected sin. The pericope gives the impression that the violation of any of God's commands is a desecration of sancta. Whenever the damage could be assessed compensation and restitution were required. These two were always distinguished from the expiatory sacrifice. For the sacrificial victim currency could be brought to the sanctuary. The biblical evidence suggests that it was used to obtain the required animal. The sacrificial procedure for the DtBtf is closely similar to the one for the TiKtDn, with the only difference in the blood manipulation. The TiKtDn differs from the DtBtf in the fact that it was brought for cultic and moral impurity, while the DtBtf was required for the misuse or/misappropriation of property and for cases of suspected sin.

Blood and Flesh Manipulation

What distinguishes the ritual of the DtBtf from the ritual of the TiKtDn seems only to be the blood manipulation. Lev 7:1-7 gives the impression that there was also a difference in the flesh manipulation. In Lev 7:1-7 it is clearly stated that the flesh of the DtBtf was to be eaten by the officiating priest. Nothing is said about burning it when the TiKtDn was brought by a priest, as was the case with the TiKtDn (Lev 6:30). Nevertheless, this could have been the case. It may be supported by the biblical statement that "the DtBtf is like the TiKtDn, there is one law for them" (Lev 7:7). However, the cultic significance of the eating of flesh leaves hardly any room for a priest to eat the flesh of his own DtBtf. There is, therefore, an ample support for the suggestion that
the דָּם was in some cases totally burned, like theֶה. The silence of the text does not rule this out.

The meaning of the eating of flesh in the דָּם we take to be the same as for the הָלוֹם. Like the הָלוֹם, the flesh of theדָּם was most holy and was to be eaten only by the male members of the priestly family in a holy place. The praxis is in both cases the same, and we see no reason for bestowing on it a different meaning. Furthermore, the דָּם pericopes do not require anywhere the sprinkling of blood (ָלֹם) in the holy place. Hence we can say that by eating the flesh of theדָּם the sin of the offerer is brought before the Lord in the person of the priest.¹

The blood manipulation of the דָּם is clearly less complex than in the הָלוֹם. The דָּם neither requires the sprinkling (ָלֹם), nor the putting (ָלֹם) of blood on the horns of the altars. It does not even command that the rest of the blood be poured out (ָלֹם) at the base of the altar. The blood manipulation is reduced to one ritual act, namely, the ritual of the לָד: "Its blood shall be thrown (לָד) on the altar round about" (Lev 7:12).

The term לָד is used in the Hebrew Bible thirty-two times in the Qal and twice in the Pual. It means "to scatter, throw" (Exod 9:8, 10; Ezek 10:2; Job 2:12; 1 Chr 39:4) and "to sprinkle" (Ezek 36:25; Num 19:13, 20).² In the case of the דָּם, לָד could be translated

¹See above pp. 133-35.
²See G. André, "לָד zāraq," TWAT 2:687. who also suggests "pour out, spill." Snaith, "Sprinkling of Blood." has vehemently denied that לָד means "to sprinkle." According to him it only means "to fling, toss, throw." But, that לָד can be used to express the idea of sprinkling
"to throw, to toss." The reduction of the blood manipulation to the ritual of יָרָא reveals that the expiatory process has been simplified. This should not be a surprise, since there is a clear tendency in the Levitical legislation dealing with bloody sacrifices to simplify the expiatory ritual depending on the expiatory force of the sacrifice. A comparison of the blood and flesh manipulation in the נַחַב, דַּבָּר, and the הָלַע can illustrate what we have just said: 1

**נַחַב**
1. The blood is sprinkled in the holy place.
2. Some blood is applied on the horns of one of the altars.
3. The rest of the blood is poured out at the base of the burnt offering altar.
4. The priest eats the flesh of the animal.

**דַּבָּר**
1. The blood is tossed on the sides of the burnt offering altar.
2. The priest eats the flesh of the animal.

**הלַע**
1. The blood is tossed on the sides of the burnt offering altar.
2. The whole animal is burned on the altar.

The less prominent the idea of expiation is in the sacrifice, the less complicated is the blood and flesh manipulation. In the דַּבָּר, which is essentially an expiatory sacrifice, the blood manipulation is simplified because it is usually accompanied by restitution and compensation.

is indicated by the Akkadian zarāqu "to sprinkle" (see CAD Z, 65-66), as well as by the Aramaic zarraq "to sprinkle, to toss" (André, ibid.).

1On the הָלַע, see below on "The Laying on of Hands."
In that way the sinfulness of the act is somewhat attenuated.  

It is now possible to address the question of the meaning of the קָרָה ritual. Many commentators are prone to interpret it as indicating that the life of the victim is being returned to God, its rightful Owner.  

This means that קָרָה is taken as a synonym of מַשָּׁה ("to pour out"). What is overlooked is the fact that the מַשָּׁה act is performed at the base of the altar, while the קָרָה act is performed on (לע) the sides of the altar.  

Taking into consideration that the מַשָּׁה, like the המלחמ, brings expiation, and that there is no reason to think that expiation is achieved in these two sacrifices in two different forms, we suggest that the קָרָה ritual embodies the same meaning which the blood manipulation of the המַשָּׁה has. Since in the מַשָּׁה the priest is commanded to eat the flesh of the animal, the קָרָה ritual would then be a ritual action by which is indicated that sin is being brought under the controlling power of Yahweh. At the same time it would also express the idea of מַשָּׁה, i.e., it would be a means of disposing reverently of the sacred liquid.  

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1 On the מַשָּׁה, see below on "The Laying on of Hands."

2 E.g., Noth, Leviticus, p. 22; Milgrom, "Altar," EJ 2: 765; but see his "Blood," EJ 4: 1116, where he says that "its purpose is to expiate sin" over against the blood put on the horns or sprinkled in the sanctuary, which was intended to purge ritual impurity. Snaith, "Sprinkling of Blood," pp. 23-24, suggests that the blood of the מַשָּׁה was flung (פֹּלָה) against the altar because that was the proper way to dispose of clean blood, while unclean blood (of the המחֶם) was poured out (גָּשַׁה) at the base of the altar after some of it was put on the horns, to render it ritually clean; see also his Leviticus, pp. 30-31; and "Sinning-offering," p. 76. Notice that nowhere in Leviticus are we told that the blood of the המחֶם is unclean.

3 On the Rabbinic discussions on how the קָרָה ritual was performed see B. Talmud Zebahim 53a-53b.

4 It may well be that, in some cases, the קָרָה ritual would also include the idea of sprinkling (פֹּלָה), e.g., when a priest brought his own מַשָּׁה.
Substitution and the \textit{D\textsubscript{fs}K}

The problem we confront with the \textit{D\textsubscript{fs}K} is the same we faced in the case of the \textit{N\textsubscript{fn}n}, namely, that the meaning of the ritual is not provided. We are only informed that it brings expiation and forgiveness of sin. The question is, how is expiation achieved? This is nowhere explicitly answered. Nevertheless, there are in the ritual enough hints to allow us to interpret the whole ritual in terms of expiation through substitution. This would mean that many of the comments we make on the \textit{N\textsubscript{fn}n} and substitution apply also the \textit{D\textsubscript{fs}K}.

One of the first things to be noticed with respect to the \textit{D\textsubscript{fs}K} is the nature of the sin it redresses. We have clearly seen that the \textit{D\textsubscript{fs}K} is brought for intentional and unintentional sins as well as cultic and noncultic sins. The fact that the \textit{D\textsubscript{fs}K} pericopes clearly state that the individual sinned against the Lord is significant. This is also implicit in the \textit{N\textsubscript{fn}n} pericopes. It is for this reason that the verb \textit{D\textsubscript{fs}K} is so prominent in these two sacrifices. The individual who sinned is in a state of guilt and thus liable to divine punishment. Both ideas are at the very heart of the verb \textit{D\textsubscript{fs}K} in the OT. The bringing of an \textit{D\textsubscript{fs}K} for suspected sins reveals the weight they carry. The individual can be freed from a suspected state of guilt/punishment.

It is amazing that in the \textit{D\textsubscript{fs}K} pericopes, as well as in the \textit{N\textsubscript{fn}n}, nothing is said about the sinner receiving the actual results of sin. Nevertheless, he is to come before the Lord to the sanctuary. He is to face the One against Whom he sinned. But he is not to come alone. He must come accompanied by an \textit{D\textsubscript{fs}K} (or a \textit{N\textsubscript{fn}n}).

At this point one could argue that the \textit{D\textsubscript{fs}K} is brought to entreat
the Deity. It could be a gift, given to the Lord in order for the individual to be accepted by the Lord. But the surprising fact is that the Lord receives only a small portion of the victim. Like the נָעַם, the דְּבָק cannot be explained by the gift theory. The blood and flesh manipulation points to a different explanation for the meaning of the דְּבָק.

The fact that the ritual of eating of flesh in the דְּבָק is exactly like the one in the נָעַם indicates a common meaning. This being the case, we can conclude that the דְּבָק also operates within the idea of sacrificial substitution. This finds further support in the meaning of the בּוּר ritual, as indicated above. Thus when an Israelite came to the sanctuary, loaded with guilt, he came accompanied by his דְּבָק, which was nothing less than his substitute. This seems to indicate clearly that the דְּבָק (and thenנָעַם) presupposes not so much God's wrath, but God's love, a love which allows Yahweh to remain faithful to the covenant in spite of Israel's sins.

We have tried to indicate that there is nothing within the biblical text dealing with the דְּבָק and the נָעַם which would militate against the interpretation of sacrificial substitution. This conclusion must be further tested in the following discussions.

**Substitution and the Laying on of Hands**

Two Hebrew phrases have been translated into English with "to lay on the hands." One of them is יַעֲשֶׂה עַל יְדוֹ. It is used in the OT only twice (Gen 48:14, 17). The passage discusses Jacob blessing Joseph's sons. This is a testamental blessing in the context of a family reunion.
The other phrase is יָשָׁן לְךָ. It occurs twenty-three times in the OT, almost exclusively in the Pentateuch.¹ There is general agreement on the meaning of the verb עָשָׁן, "to support, lay, lean."² In some cases the verb is clearly associated with the use of some force (Judg 16:29; 2 Kgs 18:21; Isa 36:6). It may be that when the verb עָשָׁן is used in conjunction with לָךָ and the preposition לְךָ, the whole phrase could be indicating an act of pressing the hand with some force upon an object.³

In what follows we will limit our discussion to the phrase לְךָ עָשָׁן לְךָ owing to the fact that it is the one employed to designate a ritual practiced in cultic settings. Our main concern will be to determine its procedure as well as its meaning.

Description of the Ritual

The ritual of the laying on of hands was practiced on different occasions. It was performed on persons: (1) at the consecration of the Levites (Num 8:10)--the people are said to have laid their hands on the Levites; (2) before the stoning of a blasphemer (Lev 24:14)--all those who heard him were to lay their hands on him; (3) at the installation of Joshua as Moses' successor (Num 27:18, 23; Deut 34:9)--Moses laid his hand on him.

¹Exod 29:10, 15, 19; Lev 1:4, 15, 24, 29, 33; 8:14, 18, 22, 16:21; 24:14; Num 8:10, 12; 27:18, 23; Deut 34:9; 2 Chr 29:23. R. Péter, "L'imposition des mains dans l'Ancien Testament," VT 27 (1976):49. has added two other vss. in which the Greek equivalent εἰκοςπαμελενημα την χελιδα is used, namely, Lev 1:10 and Dan LXX 13:34.


³It would be better to render לָךָ עָשָׁן לְךָ as "to lean upon the head," with C. Maurer, "εἰκοςπαμελενημα, εἰκοςπαμελενημα" TDNT 8:160.
All other cases that speak of the laying on of hands show that the object is an animal. It was performed by Aaron and his sons, before entering into the priestly office, on the נְחֵית (Exod 29:10; Lev 8:14), הִלְעָה ("burnt offering," Exod 29:15; Lev 8:18), and the פרָנוּי ("ram of ordination," Exod 29:19; Lev 8:22). Hands were to be laid on the הִלְעָה ("burnt offering," Lev 1:4), on the שלום ("peace offering," Lev 3:2, 8, 13), and on the נְחֵית (Lev 4:4, 15, 25, 29, 33) by any individual, including the priest, who brought any of them. Hands were also laid on the scapegoat by the high priest (Lev 16:21).

The ritual of the laying on of hands is not mentioned in relation with the דַּגֶּה ("guilt offering"). Those who believe that the דַּגֶּה could be commuted to silver take the omission to be intentional. Some of them would be willing to argue that whenever a sacrificial animal was brought the laying on of hands may have been practiced. We should be reminded that theדַּגֶּה always assumed the form of a sacrificial animal. Even if one were to accept the suggestion that the דַּגֶּה could have been commuted to silver, would this justify the omission? The נְחֵית, for instance, could be commuted to a "meal offering" which would not require the laying on of hands, but in the description for the procedure of the נְחֵית the ritual of the laying on of hands is specifically mentioned.

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1 E.g., Moraldi, Espiazione, pp. 174-75, 257-58. He suggests that for the דַּגֶּה probably not even the presence of the offerer was required (p. 175).

2 Milgrom, Cult, p. 15, n. 28.

3 See above, pp. 164-65.
We should not overlook the fact that in the case of the קום no description of its procedure is given. What comes close to that is Lev 7:1-7, but that pericope belongs to a section of instructions for the priest, not for the worshippers in general. It is possible that this accounts for the omission. It may seem, therefore, best to consider the omission an accidental one.

It is difficult to answer with certainty the question whether both hands were used in the ritual of the laying on of hands or not. In cases where the subject is singular we have the singular יד ("his hand," Lev 1:4; 3:2, 8, 13; 4:4, 24, 29, 33). When the subject is plural we have the plural כיתים ("their hands," Exod 29:10, 15, 19; Lev 4:15; 8:14, 18, 22; 24:14). It is not surprising to find scholars arguing that the evidence "points strongly to the use of the single hand in the sacrificial rite." Yet other scholars would suggest that there were two rites, one requiring one hand, the other two hands. Each ritual has a different meaning attached to it.

There are two passages which suggest that both hands were used in the ritual. One specifically cult passage suggests a single ritual: "Aaron shall lay both his hands upon the head of the live goat"

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1 So Milgrom, Cult, p. 15, but he thinks that the omission was intentional.


4 Péter, "L'imposition," pp. 49-55. The meaning he ascribes to them will be discussed below. Milgrom, "Sacrifices," p. 765. makes the same suggestion with some reservation.
The other passage is Num 27:18, 23. In vs. 18 God commands Moses saying, "Lay your hand (ךָּדָּי יָדָּו) upon" Joshua. Significantly, in vs. 23 we are informed that Moses went and "laid his hands (ךָּדָּי יָדָּו) upon him." In the parallel passage in Deut 34:9 the dual is used again. The description of the ritual employs the singular; the execution of the ritual employs the dual, i.e., both hands. In the light of Num 27:18, 23, it may be suggested that, while descriptive cultic texts employ the singular, the actual performance of the ritual involves both hands, as in Lev 16:21.

The fact that the offerer himself had to kill the animal does not mean that he was to lay one hand on the animal in order to have the other free to slaughter it. There is biblical evidence which suggests that the laying on of hands precedes the killing of the sacrificial victim. Lev 4:4 reports that the offerer was to "bring the bull to the door of the tent . . . , lay his hand on the head of the bull, and kill the bull." These appear to be three successive steps. Thus the biblical evidence

1 Gray, Numbers, p. 402, seems not to give much credit to Lev 16:21 because the ketib has in that passage the singular. The LXX has the plural.

2 See A. Charbel, Il sacrificio pacifico nei suoi riti e nel suo significato religioso e figurativo (Bethellem: Jerusalem, 1967), p. 35. In Num 27:18, 23 we prefer to retain the MT reading as the most difficult reading. It is true that in vs. 18 the LXX has the plural, and in vs. 23 the Samaritan text, as well as the Syriac, has the singular, but those are attempts at harmonizing the text. Péter ("L'imposition," p. 51) has tried to harmonize the text by arguing that "Il nous semble plus vraisemblable de supposer qu'au départ il n'y avait pas desaccord en hebreu, mais simplement un empoi ambiguo de la scriptio defectiva ydk en Nomb. xxvii 18." He is trying to explain away a passage which certainly invalidates his theory of two rituals.

3 So Schötz, Schuld- und Sündopfer, p. 58; Dussaud, Origines, p. 73.
seems to suggest that both hands were used in the ritual of the laying on of hands.

It has also been argued that accompanying the laying on of hands was a confession of sins. But this has been denied by others. Yet, there is some biblical evidence which makes clear that the laying on of hands was accompanied by spoken words. B. J. van der Merwe has called our attention to this phenomenon in non-sacrificial cases.

In the case of the blasphemer (Lev 24:14), only those who heard him laid their hands upon him. Merwe refers here to Deut 17:6 and 2 Kgs 21:10, 13 where, before stoning a person, the witnesses had to bring the evidence by testifying concerning what they heard. He rightly concludes that in the stoning of a person "the laying on of hands was accompanied by an evidence concerning the guilt of the person to be stoned."

Another case where the laying on of hands is accompanied by spoken words is found in Num 27:18-23. It is suggested that the verb ידוע ("to hear, obey") in vs. 20 should be translated "to hear." Merwe translates the last clause in vs. 20, "so that all the children of Israel

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1 E.g., Médebielle, Expiation, p. 152, where he says, "toute imposition des mains est une confession implicite." Cf. idem, "Expiation," col. 78.


4 Ibid., p. 37. He also mentions Susanna 14 where "the elders did not only lay their hands upon her head but also gave evidence of what they had heard and seen."

5 Ibid.
may hear."\(^1\) Although this translation is possible, we do not consider it probable. The fact that Deut 34:9 uses the same verb in the context where the people were asked not only to hear what Moses was about to say but to recognize in Joshua their new leader seems to indicate that its meaning is "to obey." We see no reason for taking the verb differently in Num 27:20.

Words were certainly spoken when hands were laid on Joshua. Moses "laid his hands upon him, and commissioned him" (Num 27:19), i.e., gave him a charge. The commissioning (טאות) was oral (cf. Gen 49:29). Therefore, Törwé's conclusion can stand, namely, that in the case of Joshua the laying on of hands was accompanied by a spoken word.\(^2\)

The question arises whether in the case of the laying on of hands on the sacrificial animal there were some spoken words. Only in Lev 16:21 is the rite accompanied by a spoken word. This text deals with the laying of hands on the scapegoat. It has been suggested that this text does not shed light on the ritual when performed on regular sacrifices because the scapegoat is not sacrificed.\(^3\) What should not be overlooked, however, is that in Lev 16:21 the laying on of hands is accompanied, as in the non-sacrificial cases, with spoken words. This similarity should not be ignored.\(^4\) In this case the spoken

\(^1\)Ibid.
\(^2\)Ibid., p. 38.
\(^3\)Sabourin, Sacrificiale, p. 181; Moraldi, Espiazione, p. 258.
word appears to be a confession of sins.

We have already seen that a confession of sins is explicitly required for the נפש and סin whenever the sin was hidden or concealed. The fact that it is not explicitly demanded in other cases does not mean that it was not practiced. Actually, Lev 16:21 does show that in cultic contexts the laying on of hands is accompanied by a confession of sins. Generally, in the ancient Near East "confession . . . is a sine qua non . . . for attaining divine forgiveness." It does not seem to be different in the Bible. If the one who brought the sacrifice was "to be forgiven" (נֵלָד) it was necessary for him to accompany the sacrifice with a confession of sin. This is illustrated in Lev 16:21.

Our discussion has shown that there are clear indications that in non-sacrificial practice the laying on of hands was always accompanied by the spoken word. In the cultic settings, based on Lev 16:21, and in the correlation of confession and forgiveness in the ancient Near East, the ritual was accompanied by a confession of sins. The spoken word seems to be, hence, an intrinsic part of the ritual. If this points in the right direction, then the ritual of the laying on of hands would have been as follows: the individual who engaged in

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1 See above, pp. 98-99.
3 See above, p. 86.
4 The practice of having the priest make the confession on behalf of the individual is not unknown in the ancient Near East; see W. G.
sacrifice laid (pressed) both hands on the head of the animal and uttered some words, which in the case of the sacrifice was most probably a confession of sins. After that the victim was slaughtered.

Theories Regarding Meaning of the Ritual

There have been many attempts to define the meaning of this ritual. As expected, the results have been varied and contradictory. The lack of a scholarly consensus could have been one of the reasons that prompted von Rad to say, "We would give much to know the special significance which was attached to the laying on of hands upon the head of the victim."  

In order to understand the variegated suggestions, it may be helpful to group them under what seem to be different theories. We will discuss those theories which seem to be the more important ones.

1. **Transfer and/or Substitution Theory.** It is suggested that through the laying on of hands sin and guilt is transferred to the animal which dies as the offerer's substitute. Some scholars would say that through the ritual only the idea of transference of sin is indicated.  

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1. Theology, 1:256. We should make clear that von Rad was undecided between two possibilities: "Transference of sin and the evil influence of sin to the animal or a gesture in which the offerer identified himself with the animal."


The most serious argument against this theory is that if sin or
guilt was transferred to the victim it would have become impure, yet
the biblical text refers to it as "most holy."\(^1\) To overcome this objection some scholars modified the theory. Dillmann, for instance, argues
that only the penalty of sin was transferred to the victim, not sin
per se.\(^2\) At one point Medebielle seems to suggest the same thing,\(^3\) but later on he explains that the sin transferred to the victim was
destroyed when the victim came into contact with the altar.\(^4\)

These modifications in the theory have not been able to answer satisfactorily the objection raised. For the Hebrew mind it was difficult
to separate the sinful act from its result, e.g., its penalty. It still
needs to be shown that the sin transferred to the victim was destroyed
when it came into contact with the altar. Would it not contaminate the altar?

Faced with problems like these, Paul Volz, who also believed that
through the laying on of hands the "Sündestoff" was transferred to the animal, suggested: "It originally the expiatory victim was offered to the demons, and that the blood poured out at the base of the altar was

\(^1\)E.g., J. C. Matthes, "Der Sühnegedanke," pp. 246, 247.

\(^2\)A. Dillmann, Leviticus, p. 416.

\(^3\)L’expiation, p. 157.

\(^4\)Ibid., p. 158. He concludes by saying, "Le péché lui était transmis, non pour qu’elle en fut souillée, mais pour qu’elle en fût punie." In "Expiation," col. 79, he argues that "ces péchés seront destruits et expiés par l’immolation."
given to the "unterirdischen schwarzen Dämonen." Against that interpretation stands the Levitical law which makes it clear that the offerings were for Yahweh. There is no evidence in the OT to support the idea that in the Hebrew cultus sacrifices were offered to the demons.

2. The Identification Theory. The theory suggests that by the laying on of hands some kind of relationship between the offerer and the victim was established. H. Wheeler Robinson's understanding of the rite of laying on of hands could very well illustrate this theory:

According to Hebrew psychology the hands are psychologically as well as physically a part of the personality. By placing them on the animal the offerer says intensively, "This is mine, and it is for me offer it.... This is I, for it is my act and so an extension of myself." This statement should not be interpreted in terms of substitution. Robinson is talking about a total identification of the offerer and the animal. He argues that in Hebrew thinking the act of the person is part of the person, so in this specific case the animal becomes part of the personality of the individual. On what basis can it be said that the Hebrews were so primitive in their way of thinking that they were unable to determine the limits of their personality so that at times the individual and the object merged in one single totality? This may be a characteristic of primitive psychology, but it does not seem to be a

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1"Handaufleugung beim Opfer," ZAW 21 (1901):98. See also Elliger, Leviticus, p. 34, who believes that in the historical development of the ritual there was a state when what Volz says was true. But he still thinks that in P only "the sinful substance" is transferred, pp. 215-216, 334.

2See Matthes, "Der Sühnegeranke," pp. 99-119, which is a critique of Volz's position.

characteristic of Hebrew thought. Aubrey R. Johnson, who expanded the idea of the extension of the personality in Hebrew thought, is more careful than Robinson and speaks of the laying on of hands as the way in which the offerer associates himself with the victim. Yet he does not provide an explanation.

Rowley also seems to follow Robinson. Rowley interprets the ritual of the laying on of hands as symbolizing the "identification" of the offerer with the victim "so that its death might symbolize the removal of whatever stood between him and God, or his surrender of himself to God in gratitude and loyalty." Rowley has removed any idea of primitive thinking by considering the action to be symbolic of a self-surrender. Unfortunately, he has not identified the nature of that identification. Is it representative or substitutive? He seems to say that when the offerer identifies himself with the victim the latter became his/her representative. The identification has been defined in terms of substitution.


3 Worship in Ancient Israel, p. 133.

4 See D. Daube, The New Testament and Rabbinic Judaism (New York: Arno Press, 1973), p. 225, who states, using terms similar to Robinson's, "By pressing in this way upon a person or animal, you were pouring your personality into his or it . . . or, in other words, you were making it into your substitute."
equivocal. It may be best to be more precise in defining the meaning of the ritual of the laying on of hands.¹

3. The Consecration/Dedication Theory. Massey II. Shepherd suggests that the laying on of hands means "nothing more than a setting apart of the victim in consecration to its sacred purpose."² This theory would be correct if only the priest would lay his hands on the animal. But it is an act that involves the offerer who came to seek atonement as a sinner. The offerer is hardly in a position of consecrating anything to the Lord. He had, first of all, to obtain forgiveness for his sins.

An interesting variation of this theory is held by H. P. Smith in whose view the Hebrews considered the sacrificial animal as something sacred. This is attested by the fact that the blood had a cleansing power which came from the sacredness of the animal. When the offerer laid his hands on the animal he "partook of the sanctity of the victim."³ Purification was produced by contact.

It seems that if this was the case, then there was no need for slaughtering the animal. Smith was aware of this problem and suggested

¹Péter, "L'imposition," p. 52, interprets the laying of one hand on the sacrificial victim to be expressing the idea of identification in the following sense: "L'offrant affirme... que c'est bien lui qui offre l'animal, et, en quelque sorte, qu'il s'offre lui-même au travers de la victime." This position is basically identical to that of Rowley. See also M. Bernoulli, "Laying on of Hands," in A Companion to the Bible, ed. J. -J. von Almen (New York: Oxford University Press, 1958), p. 230, for whom substitution means "to be validly represented in the cultus by such an animal sacrificed."


that it was the priestly writer who brought together the laying on of hands and the killing of the animal. The priestly writer probably did not have "a clear conception of the original meaning of this rite."¹

The main weakness in Smith's position is the sacredness of the sacrificial animal. This is alien to the OT. The OT affirms that the animal had to be "without blemish" (םדנ, Lev 1:3) in order to be accepted as a sacrifice. Smith adopts the idea of the sacredness of the animal from the field of comparative religions.² He superimposed on the OT a concept which distorts its cultic concept. The OT nowhere says that blood is holy or sacred because the animal is holy. What it says is that the blood has been given by God "for you upon the altar to make atonement for your souls" (Lev 17:11).³

4. The Appropriation and/or Designation Theory. The laying on of hands is interpreted as an indication that the animal belongs to the offerer and that he designates it to be a gift to Yahweh. Some scholars will emphasize more the appropriation aspect. Matthes, for example, says that "der Opfernde erklärt mit diesem Ritus das Opferthier für das seinige."⁴ Others emphasize that the animal is a gift to the deity.⁵ In the latter case some solidarity between the animal and the individual is recognized.⁶ This could mean that the

¹Ibid., p. 56.
²Ibid.
³On this verse see below.
⁵Moraldi, Espiazione, p. 262.
⁶Ibid., p. 263.
animal is accepted on behalf of the offerer, that it has been designated "as standing for him," or that the laying on of hands marks the "animal sacrifice in general as a giving of oneself." Furthermore, every sacrifice expresses the feelings of the offerer toward God. Through the laying on of hands the offerer solemnly designates the victim as the representative of such feelings, e.g., adoration, expiation, supplication, thanksgiving.

The theory of appropriation and designation is problematical. It assumes that an Israelite says to the Lord, "This is mine." The OT, however, affirms that everything belongs to the Lord, and that human beings are administrators of the divine blessings. The fact that the offerer brought the animal to the sanctuary indicates that it is his animal and that he willingly sacrifices it to the Lord. We do not wish to deny that a sacrifice came to express the feelings of the offerer. But the determining factor regarding the feelings is not necessarily the laying on of hands but rather the type of sacrifice which is offered. It seems that the unique meaning of the ritual is removed with the theory that the laying on of hands designates the animal as a gift, or expresses the offerer's feelings.

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5. The Manumissio Theory. It is quite difficult to distinguish the manumissio theory from the previous one. The manumissio theory holds that through the laying on of hands the individual renounces his right of property. He is giving up what is his own. There is a "readiness on the part of the offerer to surrender that which belongs to him."\(^1\) In contradistinction to the previous theory this one emphasizes not ownership but renunciation. The offerer does not designate the animal to be a gift, he simply gives up his right of property. The most that can be said is that he gives "evidence of his intention to sacrifice it."\(^2\)

Our critique of the previous theory applies also to this one, but perhaps with more force. This principle of renunciation of property could have operated in Israel at the level of man to man relationships but hardly on the God/man relationship.\(^3\) Having surveyed major theories, it is now mandatory to turn to OT passages that mention the rite of laying on of hands.

The Ritual in Non-Sacrificial Pericopes

Lev 24:14. The pericope to which Lev 24:14 belongs deals with an individual who blasphemed the name of the Lord. It is stipulated that the blasphemer was to be taken out of the camp, those who

\(^{1}\)Eichrodt. Theology. 1:165. See also E. Kautzsch, "Religion of Israel," in Dictionary of the Bible, Extra Volume. ed. J. Hastings (New York: Charles Scribner's Sons, 1912), p. 720. For ancient writers who held this position see Charbel. il sacrificio, p. 38, n. 27.

\(^{2}\)Th. C. Vriezen. An Outline, p. 263. This is also Merwe's position in "Laying on of Hands," p. 40.

\(^{3}\)See Médebielle, Expiation, pp. 149, 150. The fact that this theory is based on a Roman practice weakens it further.
heard him were to lay their hands on him, and the whole congregation was to stone him. Unfortunately, the meaning of the laying of hands is not stated. It has been suggested that the laying on of hands identifies the guilty one by the testimony of the witnesses.  

Not all scholars are satisfied with this interpretation. Snaith takes it to mean that "the man's blood is on his own head, and there is no blood guilt in those who stone him to death." He seems to have overlooked the fact that it is the whole congregation which stones him, while only the witnesses lay their hands on him.

Other scholars have suggested that the idea of a transfer is present here. Some would say that "there was no transference of guilt in this case, though it might involve a transfer of ritual defilement." On the other hand, it is argued that "by laying on their hands on the head of the blasphemer the witnesses declared that they also have become guilty (by hearing the blasphemies) but that they are thus symbolically transferring the guilt on the head of the condemned." Still others argue that the laying on of hands is demanded "in order to transfer to him the 'objective' guilt in which their common hearing of the oath has involved them."

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1 So Matthes, "Der Sühnegedanke," pp. 104 - 05; Coppens, "Handauflegung," col. 633; Moraldi, Espiazione, pp. 256 - 57.
2 Leviticus, p. 161.
5 Noth, Leviticus, p. 180.
The suggestion that through the laying of hands the guilty one is identified and condemned may be retained. This seems to be supported by the fact that only the witnesses are asked to lay their hands on the blasphemer. But there seems to be more to it than just that. We must refer here to Lev 5:1: "If anyone sins in that he hears a public adjuration to testify and though he is a witness, whether he has seen or come to know the matter, yet does not speak, he shall bear his iniquity." This suggests that the one who witnesses a sinful act gets himself involved in it at the risk of his own life. In the case of the blasphemer it would mean that his blasphemy has involved those who heard it. Unless they come out and witness against the blasphemer they, like him (Lev 24:15), will bear their sin. By laying their hands on the blasphemer they would then be transferring to him "the guilt which otherwise would have adhered to the witnesses from the fact of their hearing his blasphemy and appearing to acquiesce in it." 1

The idea of substitution seems to be absent from here. It could be argued that since the involuntary "participation" in sin on the part of the witnesses, including its consequences, is transferred to the blasphemer, he in a sense took their place. Although this is possible, it seems to be forced.

Num 27:18–23. The laying on of hands is mentioned here in the context of the institution or installation into office of Joshua. The Lord commanded Moses to bring Joshua before the priest and the

congregation, to lay his hand on him, and to give him the charge. This practice has been taken by some to mean only an installation into office. Most scholars understand that the idea of transfer is also present. Some of them suggest that power was transferred, or a transference of office is intended. The text affirms the transference of authority. "You shall invest him with some of your authority" (דָּוד, vs. 20). The word דָּוד is used to designate God's majesty (e.g., Hab 3:3; Ps 8:2; 148:13; Job 37:22); and the majesty of a king or of an important person (e.g., Ps 21:6; 45:4; Dan 11:21; 1 Chr 29:25). In Num 27:20 דָּוד seems to refer to "the 'majesty' which marks a regal leader." Although the relation between the spirit (רַעֲשָׁה) and the laying on of hands seems to be denied in Num 27:18, in Deut 39:9 it is explicitly stated that Joshua was full of "the spirit of wisdom (חכמה וּרְא') because (כִּי) Moses laid his hands on him."1

1Moraldi, Espiazione. pp. 254 – 55. He recognizes that Moses communicated to Joshua some of his authority, but denies that this was the result of the laying on of hands. Cf. Coppens, "Handauflegung," col. 633.


3Merwe, "Laying on of Hands," pp. 10, 11. He considers the transfer to be effectuated mainly through the spoken word. The laying on of hands only "strengthened the spoken word."

4See Lohse, Die Ordination, p. 20; and G. Warmuth, "דָּוד hâdâh," TDOT 3:352-56.

5Mays, Leviticus, p. 133; also Lohse, Die Ordination, p. 20.

The rite of laying on of hands transfers both "authority, majesty and the spirit of wisdom."  

The laying on of hands is associated here with the idea of substitution. In Num 27:18-23 we are not confronted with a simple installation into office. Joshua is to take the place of Moses in the sense that he is going to be the new leader. According to vss. 12-17 the Lord told Moses to get ready for his death. Under that circumstance Moses requested from the Lord to raise up another leader for the people. Joshua was chosen as his successor. Three important ideas are brought together in this pericope: (1) a person takes the place of another as his successor, (2) the ritual of the laying on of hands, and (3) the transference of some authority from one to the other.

Num 8:10. The incident narrated in the pericope which contains Num 8:10 is unique in the OT. The setting is a cultic one. The hands of the people are laid on human offering, the Levites. During their consecration they were presented to the Lord as a wave offering (vs. 11). In this case the laying on of hands has been interpreted as "un rito indicante la destinazione ad un compito che interessa tutta la comunità, una offerta della comunità a Dio." But this interpretation is too restrictive and does not pay full attention to the rest of the information found in the pericope. The passage is

1 De Vaulx, Nombres, p. 324: "L'imposition des mains transmet alors l'esprit, nous dirions une grâce, et non plus seulement une autorité, en désignant Josué comme chef."

2 On see above. p. 172 n. 2.

3 Moraldi, Espiazione. p. 256.
misinterpreted when it is argued that the laying on of hands "indicates simply that . . . the people here set aside certain of their number to act as representatives on their behalf."¹ The people are not setting the Levites apart, it is God who set them apart—"I have taken them for myself" (vs. 16). Yahweh takes the initiative.

It is very difficult not to recognize that the laying on of hands is connected here with the idea of substitution. We are told in vs. 16 that Yahweh has chosen them "instead of all that open womb, the first-born of all the people of Israel" (cf. 3:12). Since the day when Yahweh slew all the first-born of Egypt, the first-born of Israel became His property (Exod 13:1, 11-16). But here the Lord has decided to take the Levites "in place of" (ָמִּי) the first-born. This decision seems to be connected with the incident at Baal-peor where the tribe of Levi remained faithful (Exod 32). The people of Israel, most probably the elders, were to lay their hands on the Levites, thus giving them to Yahweh in place of the first-born.² The idea of transference is also present. The responsibility of serving in the sanctuary, which belonged to the first-born, is being transferred to the Levites.³ They will take their place and function the way the first-born would have functioned.

The three pericopes which we have just discussed have made it clear that in the non-sacrificial cases the laying on of hands is a way

²With de Vaulx, Nombres, p. 121; and de Vaux, Ancient Israel, p. 347. Lohse, Die Ordination, p. 22. sees the Levites as a ransom for the first-born.
³See Lesètère, "Imposition," col. 849; Médebielle, Expiation, pp. 148-149; Charbel, II sacrificio, pp. 36-37.
of transferring something to someone. The context is the one which decides what is being transferred. The rite also indicates that a relationship is established between the two persons. In one case the relationship involves a witness and the accused, the other two involve substitution, one taking the place of the other.

The Ritual in Sacrificial Pericopes

1. The scapegoat and expiatory sacrifices. The meaning of the laying on of hands mentioned in Lev 16:21 is not an issue of discussion among scholars. It is the one case in which the meaning of the rite is expressly given:

And Aaron shall lay both his hands upon the head of the live goat, and confess over him all the iniquities of the people of Israel, and all their transgressions, all their sins, and he shall put them upon the head of the goat, and send him away into the wilderness by the hand of a man who is in readiness.

The rite of the laying on of hands is an act by which sin is transferred to the live goat.¹ The ritual has nothing to do with the idea of sacrificial substitution or with the identification of the priest and the animal.² It is probable that the live goat is here representing Azazel.³ Through the laying on of hands sin is being returned to its source. Notice that the scapegoat ritual comes only after Aaron "has

¹On the nature of this sin see pp. 114–17 above.


³The expression "to Azazel"'ΤΩΝΑΩΣ in Lev 16:10 really means "in the interest of," "on behalf of" (KBL 1974, 2:484; BDB, p. 515). It has also been suggested that the preposition ' could be taken here to mean "in lieu of Azazel, that is, as a substitute for him" (Wyatt, "Atonement Theology," p. 429; Gerhard F. Hasel, "Studies in Biblical Atonement II," p. 10).
"made an end of atoning for the holy place and the tent of meeting and the altar" (vs. 20).  

Although it is true that the laying on of hands on the scapegoat cannot be interpreted in terms of sacrificial substitution, it would be wrong to conclude that it does not express the establishing of some kind of relationship between the priest and the goat. The relation seems to be one of carrier to carrier. Aaron has just put the sins of the people, which he has removed from the sanctuary, upon the live goat (vs. 21). The clear implication is that Aaron was "carrying" them. It is only for that reason that he can transfer them to the goat which will carry them to the wilderness.  

We are not dealing here with a sacrifice and, therefore, sacrificial substitution is not present.

Since among the Hittites the practice of substitution and the scapegoat were sometimes combined it would be proper to ask whether that same combination is also present in Lev 16. Concerning the Hittite practice we must notice that the designation of a scapegoat as a substitute was not a common one. The Hittites were aware of the fact that these two practices were different ones. It is probable for that reason that in most of the cases the scapegoat stands by itself as a means of removing evil from the people. However, we have in the ritual of

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1We are told in Lev 16:10 that atonement was to be made over the live goat. That should not be interpreted as meaning that the scapegoat had an active function in the expiatory process. It would be better to understand the expression only to mean "to perform rites of expiation beside it" (so Levine, Presence, p. 80; Hasel, "Studies in Biblical Atonement II." p. 8).

2On the concept of "wilderness" in the OT see S. Talmon, "Wilderness," IDBSup, pp. 946-49, with bibliography.

3See above, pp. 58, 63-64.  

4Ibid., p. 64 n. 4.
Askhella\(^1\) a case in which the laying on of hands, the scapegoat, and substitution are apparently brought together. That may be a good parallel for Lev 16. Yet it seems to us that that is not the case. First we should notice that in the ritual of Askhella we are not sure that the scapegoat is a substitute, although that is probably the case. Secondly, the laying on of hands on the ram does not necessarily mean that the ram is being declared a substitute. The laying on of hands seems, rather, to be a way of indicating that the ram belongs to the people but is being given to the god to appease him. But even if the laying on of hands includes here the idea of substitution, which is very probable, it would not still not be a good parallel for Lev 16. In Lev 16 the scapegoat is representing or perhaps taking the place of Azazei.\(^2\) Furthermore, the goat is not offered to Yahweh and it does not have the purpose of appeasing anyone. The best parallels for Lev 16 from the Hittite materials may be those in which the scapegoat is simply used in an elimination rite in which the idea of substitution is absent.

Since Lev 16:21 is the only cultic passage in which the meaning of the ritual of the laying on of hands is given, it would seem to be correct to apply that meaning to the practice of the ritual on the sacrifices. But most scholars would reject that conclusion.\(^3\) The arguments

\(^1\)Ibid., p. 63.

\(^2\)Ibid., p. 214 n. 3.

run as follows: the sacrificial offering is usually called "an offering to (for) the Lord" (נְדִידָה לְרוֹאֵב); had there been a transfer of sin to the animal through the laying on of hands, it would have become impure and could not have been sacrificed to the Lord; this is illustrated by the scapegoat, by transferring sin to it the goat was contaminated and, since it was unfit for a sacrifice it was sent to the wilderness. Reference is also made to Lev 10:17 where the flesh of the sacrificial animal is called "most holy." It is then concluded that if there was a transfer of sin the flesh could not be called "most holy." ¹

The logic of these arguments cannot be denied. To them could also be added the fact that when the flesh of the נְדִידָה was not eaten by the priest it was taken outside and burned in "a clean place" (דְּרוֹם נְדִידָה). If it was contaminated it would not have been necessary to burn it in such a place. ² But before we arrive at final conclusions several questions ought to be raised. Could we really say that a transference of sin makes the animal unfit for a sacrifice? Was that the reason for which the goat was sent to the wilderness? Is the holiness-sin/impurity encounter impossible in an expiatory sacrifice? Is sin and impurity always stronger than holiness?

The biblical text, it seems, provides a clear answer to the problem under discussion. It is found in Lev 10:16-18. Since we have already discussed this pericope, our argument will be brief.³ We are now in a better position to visualize its full meaning. Verse 17 makes it clear

³See above, pp. 130–34.
that the flesh of the חפר is bearing sin. By eating it the priest now bears its sin. That sin is further defined as "the sin of the congregation." That sin could only have been transferred to the animal through the laying on of hands. But the amazing thing is that the flesh of the animal is still characterized as "most holy" (ט'ת). The biblical writer kept both ideas together. The sin that was borne by the animal, and later by the priest, did not affect their holiness.

This tension of a holy instrument bearing the sin of someone else is also suggested by another cultic practice. Whenever the חפר was not eaten by the priest its flesh was to be taken outside the camp and burned. The fact that the place where the burning occurred was a "clean place" suggests that the flesh of the animal was holy. The flesh was also considered at the same time a source of contamination (Lev 16:18), since the person who burned it was "to wash his clothes and bathe his body in water" before returning to the camp. Both things are true. One does not exclude the other. This is another case of what Feldman calls "pattern of paradox" in the defilement and sanctity tension.¹

What this tension proclaims is the superiority of holiness over against impurity. When sin/impurity is, through repentance and confession, given to Yahweh, He controls it. In the sanctuary the power

¹The burning of the flesh is not a way of disposing of sin, as is believed by Snaith. Leviticus, p. 44; Micklem, "Leviticus," p. 25; Levine, Presence, p. 105. Whenever the flesh is burned the blood is used to dispose of sin; see above, p. 134. The remains of the expiatory sacrifice, not the sin, are being burned. Since it was used in an expiatory ritual it is holy; but since the ritual was exclusively for the removal of sin it could be a source of contamination. V. Hamp is probably right when he suggests that "the remains of animals used in the cult had to be protected from profanation by burning" ("מָשׁור", TDOT 1:424).

²Defilement and Mourning, pp. 63, 70.
of sin is overcome. We can, therefore, conclude that neither the flesh of the animal, nor the priest, nor the blood, lose their holiness by bearing the sin of the offerer. They are the means by which sin is brought before the Lord. We need not choose between a transference of sin which supposedly contaminates the animal, or no transference in order to maintain the holiness of the flesh. Holiness and impurity are brought together in order to proclaim the glorious superiority of holiness. This is done through the ritual of the laying on of hands.

As we now return to Lev 16:21 we may ask: is it true that the scapegoat was not sacrificed because it was contaminated by the transference of sin? Since by now we know that the transference of sin does not make the animal unfit for sacrifice, we have to look for another reason in order to explain why the live goat was not sacrificed. The reason is to be found in the meaning of the ritual itself. What we have in Lev 16 is a ritual for the removal of sin from the sanctuary. This sin, as we have shown already, is the sin of the Israelites which was transferred to the sanctuary through the blood and/or the flesh of sacrificial animals. This removal is accomplished by a ritual which requires the sending away of the animal to the wilderness, bearing all the sins of the congregation. There is nothing which hinders the priest from sacrificing the goat, except that the goat was not intended to be sacrificed. If that is true, there is no reason for considering the laying on of hands on the scapegoat as meaning something different from what it means when performed in other cultic cases.

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1See above, pp. 114-15.
There is one clear difference between the scapegoat and the sacrificial victims, namely, the scapegoat is not an offering. It is not slaughtered. Would this affect the meaning of the laying on of hands? In a sense it would affect it. Yet the basic meaning would remain the same. We have suggested that the laying on of hands on the scapegoat signals a transference of sin and the establishment of a relation between the priest and the goat. As we have stated, there is no reason for interpreting the ritual on the sacrificial animals differently. The only difference between the two cases is to be found in the nature of the relation which the laying on of hands produces. In the case of the scapegoat the relation is not one of sacrificial substitution in the sense of one bearer taking the place of another bearer. In the expiatory sacrifices, however, the relation is one of substitution in the sense that the animal bears the sin and penalty of the sinner. In the latter case we can speak about sacrificial substitution. This means that the way the scapegoat bears (חresa) the sin of the people is essentially different from the way the expiatory sacrifices bear the sin of the offerer. This is precisely what Lev 16:22 states: "The goat shall bear all their iniquities upon him to a solitary land" (ו restless אשיער אול לול יר יר יר יר יר יד). This is the only place where the expression"졌 (to bear sin") is followed by a clause of destination. In all the other cases this phrase is used in the absolute. R. N. Whybray is right in suggesting that "_eta here means 'carry away' rather than 'bear' in the sense of 'suffer." That, however, is not the meaning of

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1 R. N. Whybray, Thanksgiving for a Liberated Prophet, p. 49. He rightly finds support for that suggestion in the fact that nothing is said in the pericope about killing the goat. Concerning the Jewish
the phrase in the expiatory sacrifices. In such a context כֶּ֖שֶׁם clearly means to be guilty and liable to punishment, Lev 5:1, 2, 5, 6.\(^1\)

It is that state of sin/punishment which is transferred to the sacrificial animal through the laying on of hands.

Two serious objections have been raised against the idea that the slaughter represents the penal element in the ritual. It has been argued that the slaughter is a means to an end. The animal is slaughtered in order to obtain its blood. Hence, the slaughter is not the central factor in the ritual. Secondly, it is argued that if the slaughter represented the infliction of the penalty to the animal it should have been the priest, as Yahweh's representative, and not the offerer who should have slaughtered it.\(^2\) The strength of these arguments should be recognized. Yet they are onesided.\(^3\)

The argument that the slaughter is a means to an end and that therefore it does not have any inherent meaning is based on a misconception. The tendency among scholars has been to consider the blood manipulation to be the ritual act through which expiation is achieved. Such a view is hardly right. It is the ritual as a whole which results in expiation, not one ritual act at the exclusion of others.\(^4\)

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\(^1\) See above, p. 143-44, and below pp. 288-91.

\(^2\) See Schötz, Schuld- und Sündopfer, pp. 111-112; Eichrodt, Theology, 1:165; Micklem, "Leviticus," pp. 12, 13; Charbel, II sacrificio, pp. 42-43.

\(^3\) See Thompson, "Sacrifice." p. 1121.

\(^4\) See below, p. 254.
Every cultic act made its own contribution. The slaughter contributed to the expiatory process by being the actualization of the ultimate result of sin.  

The suggestion that if the animal substituted for the offerer, then the priest should slaughter it, overlooks the fact that there are some occasions in which the priest, not the offerer, slaughtered the sacrificial victim, Lev 1:14-15; 5:8. It is granted that this was the exception and not the rule. Yet the exception seems to suggest that the meaning of the slaughter was not affected by the one who performed it. What we have here is the layman participating in the ritual act. The reasons for that participation are probably many. One of them could have been a very practical one. The offerer killed it in order for the priest to be free to obtain the blood (cf. Lev 9:8).

Another possibility is that the practice of the offerer slaughtering the animal was a remnant from the times when the offerer and the officer were the same person, e.g., patriarchal sacrifices. There is still the possibility that it was required that the offerer slaughter it in order for him to realize the costliness of the sacrifice; or better, in

1See above, pp. 146-48

2There seems to have been a tendency in Israel to delegate the slaughtering of animals to the cultic personnel. This tradition seems to be reflected in the LXX of Leviticus where the plural is used instead of the MT singular, suggesting that the slaughtering was made by others than the offerer, e.g., Lev 1:5, 11; 3:13; 4:15, 24, 29. 33. See O Michel, "σφάζω," TDNT, 1:931; Nicoló M. Loss. "La parti cipazione dei laici al rito dell'olocausto," Salesianum 23 (1961):353-62.


4Micklem, "Leviticus," pp. 13-14, writes. "The farmer who offered an unblemished sacrifice to his God had to choose from the herd
order to impress him with the awful fact that sin is expiated through the shedding of blood.

These may be valid reasons for explaining the fact that the offerer slaughtered the victim. But above all there is one which we consider to be most important. The offerer did not only transfer to the animal his sin but also his penalty, his punishment. He had to kill the animal because he had also transferred his penalty to it. Once he sinned he was immediately in a sin/punishment state. The penalty for his sin was not separated from the sin itself. The offerer had already broken the covenant, he was already in a state of alienation from God, going inexorably toward the ultimate result of his sin, that is, death.\(^1\) He could transfer his penalty because it was already

an animal which he knew, so to speak, by a pet name, which had been a part of the family, and which was not only valuable to him but to some extent dear to him. He would then take it to the priest, rest his hands heavily upon his head, identifying himself with it, as it were, and then killing it with a knife, an action charged with high emotion. . . . We cannot understand sacrifice unless we realize it as an act in which a costly offering was made."

\(^1\) The connection of sin and its consequence is so intimate that it has lead K. Koch to question the idea of retribution in the OT. See his "Gibt es ein Vergeltungsdogma im Alten Testament?" ZTK 52 (1955): 1-42. According to him, the OT does not know retribution, but "fate-producing deeds." Each deed has in itself its own result. Divine causality is eliminated. The consequence of sin is not, therefore, a penalty inflicted by God upon the sinner. Yahweh is related to that process only in so far as he sets in motion and completes this relationship of sin and misery (p. 7). Yahweh keeps watch over that relationship. Koch has lately suggested that in the case of bloodguilt Yahweh is a co-worker in bringing bloodguilt upon the guilty person ("Der Spruch 'Sein Blut bleibe auf seinem Haupt' und die israelitische Auffassung vom vergossenen Blut," VT 12 [1962]: 396-416). For a reaction to this thesis, see J. Scharbert. "Das Verbum PQD in der Theologie des AT," BZ 4 (1960):209-26; idem, "SLM im Alten Testament," Lex tue veritas. Festschrift fur H. Junker, eds. H. Gross and F. Mussner (Trier: Paulinus Verlag, 1961), pp. 209-29; H. G. Reventlow, "'Sein Blut komme uber sein Haupt.'" VT 10 (1960):311-27; E. Pax, "Studien zum Vergeltungsproblem der Psalmen." Studii biblici Franciscani 11 (1960):
his penalty. It was, therefore, logical and theologically sound to demand from the offerer the slaughtering of his own sacrifice. The slaughter was required, but not in order to obtain the blood. It was required because the penalty of sin was also transferred to the animal through the laying on of hands. The offerer acknowledged that his penalty was borne by the animal he slaughtered.

The conclusion is, therefore, inescapable that in the ritual of the laying on of hands in the expiatory sacrifices the idea of transfer of sin is basic, and that it is always accompanied by the idea of sacrificial substitution. To the sacrificial victim was transferred the sin/penalty of the offerer and it died as his substitute. In that way the sinner's life was preserved.

56:112. These articles, together with others dealing with this debate, were republished by Koch in Um das Prinzip der Vergeltung in Religion und Recht des Alten Testaments (Darmstadt: Wissenschaftliche Buchgesellschaft, 1972). See also W. Pesch, "Retribution," EBT 2:764-67; J. G. Gammie, "The Theology of Retribution in the Book of Deuteronomy," CBQ 33 (1970):1-12; W. S. Towner, "Retribution," IDBSup, pp. 742-44. If one were to accept Koch's position one would have to say that in the case of cultic expiation "what was effected . . . was that . . . Yahweh removed the baneful influence of an act. He broke the nexus of sin and calamity; and this was as a rule effected by way of channeling the baneful influence of the evil into an animal which died vicariously for the man. . . . Expiation was thus not a penalty, but a saving event" (von Rad, Theology, 1:271). This interpretation is very attractive, but it is based on a one-sided view of the relation of sin and its consequence. It posits a false dilemma which emphasizes the immanent dynamics of sin over against God's reaction to a sinful act, the one excluding the other. "It is simply impossible to set the dynamic activity of sin and God's judicial activity alongside each other in an attitude of competition" (G. C. Berkouwer, Sin [Grand Rapids, Mich.: W. B. Eerdmans Publishing Co., 1971], p. 375). Besides, that position tends to overlook the important fact that the sacrificial system was to operate within the covenant between Yahweh and Israel. Any cultic violation was considered an offense against Yahweh Himself (see Eichrodt, Theology, 1:76). The consequence of the sinful act was therefore rooted in the will of Yahweh, and it can be rightly considered a penalty. This conception in no way eliminates the divine freedom (see Eichrodt, ibid., 2:427; Pesch, "Retribution," p. 765).
2. The נֵלַע and מָכַר sacrifices. It has been claimed that the laying on of hands in the sense of transfer of sin makes no sense in the cases of the נֵלַע and especially the מָכַר. The fact that these two sacrifices are not expiatory in nature gives support to this position. Most of the theories on the meaning of the laying on of hands which were described above take into consideration in a special way these two sacrifices. The scholarly tendency is to look for an interpretation of a general character that could be applied equally to all sacrifices. Even among those who interpret the ritual in the expiatory sacrifices in the sense of a transfer of sin and substitution, one can find some who would assign a different meaning to the ritual in the case of the נֵלַע and מָכַר. One of the problems which we have to face here is to decide whether these two sacrifices have any expiatory function. This decision will affect the meaning of the laying on of hands. In Lev 1:4 the נֵלַע is said to make atonement. Yet this does not seem to be its primary function. It may have been


2There are some who would simply say that the ritual has different meanings depending on the occasion, e.g., Porter, Leuiticus, p. 20; Thompson, "Sacrifice," pp. 1117-18.

3E.g., Médébiele. Expiation, p. 151: "L'homme s'identifie à son offrande pour présenter par elle au Seigneur son adoration ou son expiation, sa demande ou son action de grâce."

originally the only expiatory sacrifice. But the biblical text tends to associate it more with the ideas of homage, thanksgiving, and prayer than with expiation. Whatever its basic purpose may have been, it cannot be denied that an expiatory aspect is present in the נָעַל.

In the situation the situation is somewhat different. The book of Leviticus does not seem to ascribe to it an expiatory function. The sacrifice is divided into three different kinds: (1) sacrifice of gratitude (Lev 7:12-15; 22:29, 30), (2) free-will sacrifice (Lev 7:16, 17; 22:12-23), and (3) votive sacrifice (Lev 7:16, 17). Traditionally the נָעַל has been associated with the ideas of communion, covenant, and fellowship. Such association has been questioned recently. It has been suggested that the נָעַל is "an efficacious gift of greeting, offered 'in the presence of the Lord.'" We need not enter into a discussion of these views. What is important for us is the fact that the נָעַל seems to be disassociated from the idea of expiation. This

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2 See Charbel, "Sacrificios," col. 322; see also Clements, "Leviticus," p. 11; Mays, Leviticus, pp. 32, 33. Recently Levine, Presence, pp. 2-27, has suggested that "the essential role of the נָעַל seems to have been that of attraction. The נָעַל was offered up with the objective of evoking an initial response from the deity prior to bringing the primary concerns of his worshippers to his attention" (p. 22).


5 Levine, Presence, p. 52.
disassociation has been recently emphasized by Charbel and Milgrom.¹

Charbel has listed several arguments by which he attempts to show that the ἁμαρτία has nothing to do with expiation. His most important arguments are: (1) the ἁμαρτία is practically always accompanied by an expiatory sacrifice, which precedes it, (2) the Levitical law demanded complete purity from the ones who were to participate in the banquet (Lev 7:19-21), (3) the blood manipulation of the ἁμαρτία is very different from that of the expiatory sacrifice, (4) the Bible does not express that it has an expiatory function, (5) the purpose of the ἁμαρτία—to strengthen the fellowship, unity, and peace with God—excludes the idea of expiation, and (6) Exod 24:4-8 shows that the function of the blood in the ἁμαρτία is not expiatory but is, rather, a symbol of the covenant.²

These arguments are impressive. They show, it seems to us, that the primary function of the ἁμαρτία is not expiatory, but they do not necessarily exclude the possibility of some expiatory function in it. The fact that the ἁμαρτία was practically always accompanied by an expiatory sacrifice does not exclude the possibility that it could also function in this way. It is most probable that whenever a ἁμαρτία was brought by one individual it was not accompanied by another sacrifice. When it is argued that expiation is not to be attributed to the ἁμαρτία because the ones who were to participate in the banquet were required


²Il sacrificio, pp. 79–82.
to be virtually clean, it is overlooked that if the blood had an expiatory function it would have been on behalf of the one who offered it. Concerning Exod 24:4-8, mentioned by Charbel, two observations ought to be made. First, the blood used there was not only the blood of the עלים. The blood of the עלים was also used. Secondly, the blood manipulation here is different from the way it is manipulated in the regular עלים. This fact should make one cautious not to transfer the meaning of the ritual from here to the common עלים.¹

The statement that in the OT the עלים is not said to have an expiatory function² should be modified. There are two passages in the Hebrew bible where expiation is attributed to the עלים, i.e., Ezek 45:15, 17:

This is to offer for cereal offerings, burnt offerings, and peace offerings, to make atonement for them, says the Lord.
He, the prince, shall provide the sin offerings, cereal offerings, burnt offerings, and peace offerings, to make atonement for the house of Israel. (RSV)

It has been argued that here the verb ולכפר ("to make atonement") refers only to the עלים and the עלים.³ But this is a rather arbitrary limitation. We have already seen that the "cereal offering" (הלחם) has an expiatory function.⁴ The verb ולכפר can in this instance refer to it. There is no reason for excluding the עלים. Those two verses attribute

¹We cannot discuss here the relation between sacrifice and covenant. Such discussion would move us away from our main concern.

²So also Milgrom, "Sacrifices," p. 769.

³Charbel, Il sacrificio, p. 83; Milgrom, "Sacrifices," p. 769.

⁴See above, pp. 146-47.
expiatory functions to all bloody sacrifices.\(^1\) It is most probable that in Lev 17:11 this same idea is being expressed.\(^2\) In this respect one could say that at least "since all sacrifice tended to establish good relations between God and man, every sacrifice had some expiatory value."\(^3\) In some sacrifices the idea of expiation was the primary one while in others it was not.\(^4\)

We have already suggested that the differences in the blood and flesh manipulation of the sacrifices is determined by the expiatory force of the sacrifice.\(^5\) In the case of the מָכָר we are faced with a sacrifice which is less concerned with expiation than any other bloody sacrifice. This is especially indicated by the fact that its flesh is eaten by the offerer. In this banquet "God is the host, man is His guest."\(^6\) But the banquet is to be preceded by the ritual of the מָכָר ("to toss"). Here the sin/impurity which is transferred to the animal through the laying on of hands is brought to the presence of Yahweh and under His controlling power through one ritual act, namely, the מָכָר. In


\(^2\)See below.

\(^3\)De Vaux, Ancient Israel, p. 453.

\(^4\)G. B. Gray, Sacrifice, p. 76, writes, "The expiatory virtue was more directly and explicitly connected in the law and was probably in life more strongly felt in connection with some sacrifices than with others; in the ritual of the burnt-offerings and the sin-offerings and guilt-offerings the expiatory virtue is expressed by the clause מָכָר: in the ritual of the meal-offering (Lev 2) and peace-offering it is not."

\(^5\)See above, pp. 190-91.

this way the flesh remained free to be eaten by the offerer.

Our interpretation has serious implications for the formulation of a Levitical anthropology. The book of Leviticus, probably more than any other book of the OT, comes closer to the idea that man is essentially impure.\(^1\) It is this conception which seems to underlie the fact that every sacrifice has an expiatory virtue. Man is never in a state of self-purity, and therefore free and able to come and approach Yahweh by himself. Every Israelite was before Yahweh in a constant need of purification.\(^2\) Every bloody sacrifice dealt with this problem, even though its primary function may not have been expiatory.

In the case of the נְדָעָן and the נְדָעָן their expiatory function was indicated by the laying on of hands, the slaughtering, and the ritual of the כָּרָת. Through these two rituals the individual was freed from his “sinful state” so that the sacrifice could then fulfill its primary purpose. What we maintain is that the laying on of hands on the נְדָעָן and on the נְדָעָן does not have a different meaning from the one found in connection with the expiatory sacrifices. Since in both of them there is an expiatory virtue, the laying on of hands and the slaughtering could be understood in terms of sacrificial substitution. The individual who brought an נְדָעָן or נְדָעָן must have been conscious of his unworthiness before the Lord. He perceives himself, when coming before the Lord,

\(^1\) Feldman, Dilemment, p. 71, has written. "Qedushah ... is essentially and uniquely a divine quality. Man may achieve some qedushah, but he is essentially tame, and it is only because of the incursion of the divine into life that he can achieve some relationship and contact with qedushah."

as in constant need of purification. But he was also aware of the fact that the Lord was always willing to accept him. The joy and gratitude which these sacrifices may have expressed served also to indicate that only through the death of a substitute could man achieve communion with the Lord or be accepted into His presence. These sacrifices were a constant reminder to the offerer that he could enjoy any of those experiences only through the death of a substitute.

In conclusion the following may be stated: the ritual of the laying on of hands was predicted in all bloody sacrifices, including the דם. The biblical evidence suggests that both hands were used and that it was accompanied by some spoken words. We should remember that in the ancient Near East the spoken word plays an important role in rituals of substitution. But we must notice that whereas there the spoken word was an incantation in Leviticus it was a prayer. In the expiatory sacrifices the spoken word may have been a confession of sin. It is difficult to determine the nature of the spoken words with respect to the נאום and the דיבר. The Bible is silent on this issue. It is probable that besides a request to the Lord to accept the sacrifices the offerer also recognized his own unworthiness before the Lord. It may not be wrong to say that every request of acceptance was perhaps in some sense a confession of sin.

We have suggested that the ritual of the laying on of hands contains two main ideas, namely, transference and the establishment of some relationship between the subject and the object of the ritual. The idea of transfer is present in every case in which the ritual was practiced. Whatever may have been transferred is to be determined by
as in constant need of purification. But he was also aware of the fact that the Lord was always willing to accept him. The joy and gratitude which these sacrifices may have expressed served also to indicate that only through the death of a substitute could man achieve communion with the Lord or be accepted into His presence. These sacrifices were a constant reminder to the offerer that he could enjoy any of those experiences only through the death of a substitute.

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the context. We suggested that in the expiatory sacrifices what was transferred was sin/impurity. This is clearly the case with the scapegoat. The ritual of the eating of flesh makes it clear, also, that sin has been transferred to the sacrificial victim. The surprising fact is that such transfer does not affect the holiness of the sacrificial victim. The biblical text maintains on the one hand the holiness of the victim, and on the other hand the transference of sin to it. Both things are true at the same time.

The nature of the relationship established between the subject and the object of the ritual varies depending on the context. In most of the non-sacrificial cases the relationship involves substitution. In the scapegoat we have suggested that the idea of sacrificial substitution is not involved. The relationship established could perhaps be called a carrier-to-carrier relation. In the expiatory sacrifices, on the other hand, the relationship involves sacrificial substitution. This is suggested by the meaning of the slaughtering of the victim. The slaughtering indicates that not only sin but also its penalty מ- transferred to the sacrificial victim. It bears the sin/penalty of the offerer and is, therefore, his substitute.

With respect to the ה- and the sacrifices we have argued that they both have an expiatory virtue besides their primary function. The expiatory aspect has the purpose of removing whatever may interpose between the offerer and the Lord, and which may be cause for the Lord to reject the sacrifice. The laying on of hands, the slaughtering, and the קַר ritual practiced in connection with these sacrifices suggest that the idea of sacrificial substitution was present in them.
Substitution and the Meaning of Lev 17:11

Lev 17:11 is probably one of the most controversial passages in the debate over sacrificial substitution. There are here two major problems that need to be investigated. The first one has to do with the kind of sacrifice(s) to which the verse refers. Is it proper to apply what this verse says about blood to all bloody sacrifices? Secondly, there is the problem of the proper understanding of the expression "by reason of the life." What is the function of the proposition ה? Is the term וּפֶנֶפֶנֶפ referring to the life of the animal or to the person who brings the sacrifice?

Other problems which should be investigated are, for instance, the meaning of the blood-life relationship; the significance of the LXX translation, especially in connection with vs. 11c; and the relation between blood and expiation.

Contextual Considerations

Lev 17 is composed of four laws introduced by the expression "If any man," (vss. 3, 8, 10, 13), to which an appendix was added (vss. 15, 16) These four laws could be grouped into two types. The first two deal with the slaughter of animals and require that all animals be brought to the tent of meeting to be offered

1 Leviticus 17:11 is part of what is called "the Holiness Code" (Lev 17-26). This Code has been recently study from the point of view of form-. historical- and literary-criticism; see R. Kilian, Literarkritische und Formgeschichtliche des Heiligkeitsgesetzes (Bonn: Peter Hanstein Verlag, 1963); H. G. Reventlow, Das Heiligkeitsgesetz: Formgeschichtlich Untersucht (Neukirchen: Neukirchener Verlag, 1961). On Lev 17 see especially Elliger, Leviticus, pp. 219-25. For our purpose it is not necessary to discuss the issues raised by those studies.

on the altar. Verses 3-7 deal with the סְדָרִים ("peace offering"). and vss. 8 and 9 with any bloody sacrifice. The reason given for the law is that the Lord does not want anyone in Israel to offer their sacrifices, or blood, to the מִצְמַח ("satyrs"), vs. 7. The second type of law forbids blood consumption. It deals first with sacrificial blood (vss. 10-12). In this case blood is to be brought to the altar. In the case of game, its blood is to be drained on the ground and covered with dust (vss. 13, 14). The appendix regulates the case of a person who eats the carcass of an animal. It is presumed that the blood was not brought to the altar, neither was it poured out on the ground and covered. The person is therefore impure.

As we can see there is one underlying concern throughout the whole chapter: the proper disposition of animal blood. It is not to be offered to the demons (vss. 3-9) or eaten (vss. 10-14), but it is rather to be brought to Yahweh's altar, if the animal is a sacrificial one, or otherwise to be poured out on the ground and covered. It is within this frame of ideas that the thoughts found in vs. 11 are expressed.

The Blood-Life Relationship

Verse 11 forms part of the injunction against blood consumption. Most scholars recognize that it provides the reason for the injunction.

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1 On מִצְמַח see Theodore H. Gaster, "Demon, Demonology." IDB, 1:818; and below, p. 236.  
2 That there is also a concern for the centralization of the cult is not to be denied: see Mays, Leviticus, p. 57; Noth, Leviticus, p. 130; Porter, Leviticus, pp. 138 - 39.
This is indicated especially by the fact that the verse is introduced by the particle רכ ("for, because").

Within the present context ראב is most probably referring only to the animal. ראב, far from being a metaphysical entity, is the life principle. The clause is establishing some kind of relationship between the ראב and the blood. Is the text identifying the two or just indicating that the blood bears the life? The answer to this question would depend on the meaning one assigns to (רֶד) ב. It has been translated "in," locative ב, indicating in that way that blood is the bearer of life. On the other hand, it can be understood as a beth essentialiae and be translated "the life of the flesh is the blood"—they are identical. Both interpretations are possible. The last one would find a clear support in Deut 12:23 where it is unambiguously stated: "for the blood is the life" (נְחָלַת נְחָלַת). Less clear are Gen 9:4

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1 See Elliger, Leviticus, p. 228; D. Lys, La chair dans l'Ancien Testament (Paris: Editions Universitaires, 1967), pp. 73, 75.


3 E.g., Elliger, Leviticus, p. 218; Levine, Presence, p. 68; C. Westermann, "שה נוכס Seele," THAT 2:74.

4 Milgrom, "Prolegomenon," p. 149; Grad. Studies, p. 7, accepts it with some reservations. The LXX understood it that way: יָם הַנַּחַל פָּזֶה וְסַרִּיקוּ נַעַמַּה autocollusive life of all flesh is its blood."

5 The Hebrew reads: בְּךָּל בּוֹשָׁם דְּמָר לְיָם הַנַּחַל ("you should not eat flesh with its life, that is, its blood." RSV). The ב in the לְיָם has been understood as a beth of association meaning "with" (Kautzsch, Hebrew Grammar, p. 380), which makes good sense here. דְּמָר ("its blood") has been considered by some scholars to be a gloss or an addition (von Rad, Genesis: A Commentary. OT Library [Philadelphia: Westminster Press, 1961], p. 107; W. Zimmerli, l. Mose I–II, Zürcher Bibelkommentare [Zürich: Zwingli Verlag, 1967], p. 326); but it is better to take it as an explanatory apposition to בְּךָּל (with J. Skinner, A
and Lev 17:14,\(^1\) but both could be understood as identifying blood with life. This biblical support makes the suggestion of a beth essentiae in vs. 11a quite probable.\(^2\) It also eliminates the problem of having two different conceptions of the life-blood relationship in the same chapter, e.g., vs. 11 and 14.

This identification of blood and life is to be understood as indicating that for the Hebrew mind נפש ("blood") was "the tangible manifestation" of the נפש ("life").\(^3\) In the passages mentioned above, including the one under discussion, the identification blood=life is given as a rationale for the prohibition against consuming blood. Man can eat flesh, but the blood, since it is life, belongs to Yahweh.

This understanding of blood is essentially unique in the

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\(^1\)Vs. 14a: נפש כל בשר דם בכסף אלוהים ("the life of every creature is the blood of it." RSV; margin, "for the life of all flesh, its blood is in its life").

\(^2\)When Brichto, "On Slaughter," p. 36, questions the existence of the beth essentiae he is overreacting; see Williams, Hebrew Syntax, p. 48.

\(^3\)Grad. Studies, p. 8. He also suggests that נפש is "the intangible" manifestation of נפש; cf. Josh 10:40; Ps 150:6.
ancient Near East. While in Israel blood belongs to Yahweh, the
heavenly God, in the Near Eastern religions it belongs to the chthonic
powers. The purpose of the sacrifices offered to these nether beings
"was not worship but rather placation, exorcism, and the aversion of
evil in general, since they were thought to avenge spilt blood." It
was apparently done also for augury purposes, especially before going
to battle. The ritual was performed during the night. It was necessary
to find a propitious spot, in which a pit was dug. The spirit was
attracted by the blood and communication was made possible. Although
in such cases blood is not explicitly identified with life, it seems to be
associated with these powers were apparently strengthened by the
blood they consumed. In Israel, on the other hand, blood belonged
exclusively to Yahweh.

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1See H. A. Hoffner, "Second Millennium Antecedents to the
of Blood and Sacrifice," JBL 88 (1969):172; idem, "Further Notes on
the Symbolism of Blood and Sacrifice," JBL 92 (1973):205-206; J. M.
Grintz, "Do Not Eat on the Blood," ASTI 8 (1970-1971):84; G. Steiner,
"Die Unterweltbeschworung des Odysseus im Lichte hethitischen Texte,"

2Grintz, "Do Not Eat," p. 88. 3Ibid.

the Hebrew expressionלי יד ("To eat on the blood") to be a reference
to that practice. Hoffner, following Maurice Vicyra, "Les noms du 'mundus' en hittite and
assyrien et la pythonisse d'Endor," Revue hittite et
asianique 69 (1961):47-55, takes the Hebrew רַבְּנָה to refer, like the Hittite
a-a-bi, to "a ritual pit for communication with the netherworld" (pp. 400-401).
The term is also used to designate the spirit which comes out of
the pit, as well as the necromancer who invokes it (idem. רַבְּנָה. "TDOT
1:133). For a critique of Hoffner's position see J. Lust, "On Wizards and


6See especially Füglister, "Sühne durch Blut," pp. 150-54, who
argues that "Im erdgebundenen Vegetationskult sodann--man denke an

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The Blood–Altar Relationship

Since blood belongs to Yahweh it is to be returned to him, in this case, through the altar. It has been suggested that the blood mentioned here is not the blood of the sacrifices in general but only the blood of the "peace offering," which is considered to be a non-expiatory sacrifice. Support for this suggestion is found, so it is argued, in the idiom used four times in the pericope ("you shall not eat blood"). Since the verse prohibits the eating of blood, which is a liquid, it is concluded that the prohibition is against eating flesh with its blood. The only sacrificial flesh which a layman Israelite could eat was the flesh of the "peace offering." So the injunction is understood as referring only to that sacrifice.

The first problem facing this interpretation is that the blood mentioned in vs. 11 has an expiatory function and yet it is argued...
that the דָּבָר has no expiatory virtue. In order to solve this problem it is argued that vs. 11 is explained by vss. 3 and 4. There we have a regulation against slaughtering any animal for food outside the authorized altar. The animal is rather to be offered first as a סְמִיא מֵאָשׁ, or else the person was convicted of murder (םַד רָפָא). In other words, "animal slaughter constitutes murder except at the authorized altar." ¹ Vss. 3 and 4 explain vs. 11: "The blood must be brought to the altar to expiate for the murder of the animal because 'the life of the flesh is the blood... for it is the blood of life that expiates.'" ² It is concluded that Lev 17:11 "informs the Israelite that slaughtering a sacrificial animal for its flesh constitutes murder unless he offers its blood upon the altar as expiation for his life." ³ i.e., to ransom his life.

What is amazing here is that on the one hand it is said that the דָּבָר is a non-expiatory sacrifice while on the other it is argued that it expiates the killing of the sacrificial animal. So the דָּבָר is always, and essentially, expiatory. Yet both things cannot be true at the same time. We have already argued for an expiatory function in the case of the דָּבָר, but on a different basis. ⁴

It seems to us that it is not right to limit the sacrificial blood mentioned in Lev 17:11 to the דָּבָר. We also find it difficult to consider Lev 17:3 and 4 the key for the interpretation of vs. 11. The first thing we should notice is that the injunction found in vss. 3-7 is different from the one found in vss. 10-12. The former deals with

¹Ibid., p. 155. ²Ibid. ³Ibid., p. 156; see also his "Sacrifices," pp. 768-69. ⁴See above, pp. 227-28.
the slaughtering for food. It is required that the animal be brought to the sanctuary and be offered as a "slaughter for food." The purpose of the regulation is not to prohibit the eating of blood, but the offering of it to the "satyrs" (שעורים), vs. 7, which is also an improper use of blood.

The crime involved is not, then, the killing of the animal, since the law allows it, but the improper use of the blood. When the regulation is obeyed there is no offense, and no need for expiation. On the other hand, the injunction found in vss. 10-12 condemns the eating of blood, and gives the reason for the regulation.

Another reason for not limiting this sacrificial blood to the slaying or death of the animal is that within Lev 17 reference is made to other sacrifices—"the burnt offering and sacrifice" (לעוה ארון רובים), vs. 8. That expression could be taken as a merism, that is, by it a totality is being expressed. So לњה ארון רובים would refer to the category of animals that were offered on the altar, as opposed to other offerings brought to the altar.

Since these types of sacrifices are mentioned in connection with vss. 10-12, it would be more logical to identify the blood mentioned in vs. 11 with that of the לњה ארון רובים.

The fact that vss. 10-12 prohibit the eating (לכלי) of blood does not necessarily imply a killing of the animal. Such an interpretation is based on the misunderstanding that blood can only be eaten together with the flesh of the animal, or otherwise it would have to be drunk. The idiom

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1 With Grad, Studies, p. 89. Concerning the expression "בשם", which Milgrom translates "murder," Grad says, "This verse, vs. 4, refers to the improper killing of sacrificial animals and there is some question about the applicability of the term 'murder' in this case" (pp. 121-22). He prefers to render it as "a crime of blood," although he recognizes that "the sense of bloodguilt is equally possible" (p. 124).

"to eat blood" should not be interpreted that way. It would be better perhaps to render it "to consume blood." The idiom is known in Akkadian and is used in a context where eating it with flesh is not required.¹ So, one could "eat" blood by drinking it as well as eating it together with flesh, or even together with the fat of the animal.²

It is, therefore, better to conclude that the blood assigned to the altar by Yahweh is the sacrificial blood in general.³ This is not only supported by the context but also by the way the thought is expressed in vs. 11b. The expression "to make expiation on the altar" is clearly a broad statement. We have already seen that there is no one single way in which blood is ministered on the altar. At times it is put (ךָּרַך) on the horns, poured out (ךְָּבָש) at the base of the altar, or tossed (ךְָּרִל) against it. The first two acts are part of the ritual of the נָאָש, while the last one belongs to the rest of the bloody sacrifices. By saying, "I have given it to you upon the altar to make atonement" all the possible ways in which the blood manipulation is effectuated are included. While in vs. 7, which deals only with the שָאָלמָר, we read that the blood was to be brought to the sanctuary to toss (ךְָּרִל) it against the altar, here, in vs. 11, the term פִל is avoided. Had that term been used, the blood of the נדנְלwould have been excluded. The biblical writer phrased his thought carefully

¹ In a passage referring to the demons we read, "עַל דַּמָּי la muparkûti šunu they are incessant consumers of blood" (quoted in CAD AI, p. 246).

² A practice mentioned in Odyssey XVII:43-49. It is interesting to notice that in Lev 7:23-27 the prohibition against eating fat is immediately followed by the prohibition against eating blood.

in order to make clear that he was referring to all sacrificial blood.¹

Blood belongs to Yahweh, but He has a special function for it:
"I have given it to you upon the altar to make atonement." The divine action is being emphasized. ְקָנָה, as Milgrom has shown, means "bestow, appoint, assign," wherever God is its subject.² This is an extremely important statement in at least two respects. First, the expiatory power of the blood is not an intrinsic characteristic of it. There is nothing magical in the blood. Its expiatory power is found in Yahweh. It is He who assigned to the blood that function on the altar. So, secondly, it is not any blood that can be used for expiation. That function has been limited by Yahweh to the sacrificial blood on the altar (תלויין).³ We are here outside the realm of magic, or even of human achievements.⁴ Expiation is the activity of God on behalf of His people.

The meaning of כֶּפֶר עַל פֶּשֶׁחֵי חָוָה is not clear. Should we translate it "your lives" or "yourselves?" Both translations are possible. Milgrom takes it to refer to life in jeopardy, life understood as "the life-essence of both man and beast as distinct from the body."⁵

¹That this pericope is dealing with sacrificial blood in general is also indicated by the way blood is referred to in vs. 10: (כֶּפֶר עַל פֶּשֶׁחֵי חָוָה) ("any blood").

²"Prolegomenon." p. 150; other passages, Num 8:19; 18:8, 19; Lev 6:10; 7:34.


⁴Scharbert, "Blood," p. 78. has gone too far when he states that "God, in his mercy, has put into the hands of his people Israel a means of freeing themselves from the guilt of sin."

a technical idiom in which מִיתָן refers to life in jeopardy? First of all we must notice that in this pericope מִיתָן is used in different ways.

Verse 11a uses it to designate life as the life principle of the animal. But in vs. 10 it is used to designate a human being, and it means "person." The same is also true in vss. 12, 15, where מִיתָן can only mean "any person." So whenever מִיתָן is used in Lev 17 to designate human life it really means "person." Contextually we see no reason for assigning a different meaning to מִיתָן in verse 11b. It is not referring to what a man has, but designate someone alive, "a person," "an individual." In the present case מִיתָן stands for the more common and shorter form לֹא כִּי מֵיתָן ("to make atonement for him") found in the description of the ritual for the different offerings (e.g., Lev 1:4; 4:2, 27). That these two expressions are interchangeable is clearly seen in Num 15:28, where one is used in parallel with the other in connection with the מָנוֹם. With respect to the plural מְיתָנים, since the whole pericope is dealing with "anyone" (שֵׁרֵץ), or "any person" (כל מִיתָן), one is tempted to translate it "for (any one of) you." 

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4 That translation is suggested by Scharbert, Fleisch, pp. 65-66, for the usage of the expression in Exod 30:15. and Num 31:50. He takes the expression in vs. 11b to be functioning as a personal pronoun, "für euch" (p. 72).
To the question whether נָשִׂיָּה יִכְפֶּר implies that life, the individual, is in jeopardy, one can only say that in some cases that is obviously the situation (e.g., Exod 30:12). In other cases that is presupposed (e.g., Num 31:48-54). It is very probable that in the passages where the third person pronoun is used instead of נָשִׂיָּה, the idea that the individual is endangered is to be implied because he is designated as a sinner, one who has violated one of Yahweh's commandments. We come here extremely close to the idea of sacrificial substitution. The blood-life of the animal expiates for the endangered individual. The idea of substitution seems to be insinuated already.¹

Blood and Expiation

Vs. 11c: לָיְךָ וְנוֹרָה בְּנֵפֶשׁ יִכְפֶּר

The basic problem of interpretation in Lev 17:11 is found in this clause. To be more specific, the main problem is the expression בְּנֵפֶשׁ. Practically all ancient versions take it to refer to the human life, or soul.² They apparently understood vs. 11c to be in synonymous parallelism with vs. 11b: וּלְתוֹרָה ("I have given it") // וֹדֵד ("the blood"); על נפשְׁךָ ("to make atonement") // יִכְפֶּר ("it makes atonement");

¹With Médebielle. Expiation, pp. 133-34. A similar position seems to be taken by Th. C. Vriezen. An Outline of OT Theology, 2nd rev. ed. (Oxford: Basil Blackwell, 1970), p. 275, when, after denying that the idea of satisfactio vicaria came to dominate the cult, he adds: "Yet it is not to be denied that the idea is suggested at any rate in the wording of Lev. xvii. 11 (in the Code of Holiness), where the blood of the animals (which is said to contain 'the soul,' i.e., the vital force) is indicated emphatically as making atonement for 'your souls.' There is something in this expression that points to the expiatio vicaria." Cf. N. P. Bratsiotis. "replaceAll basar," TDOT 2: 322; B. Kedar-Kopfstein, ".replaceAll dam," TDOT 3:248.

Such interpretation is hardly possible. As Metzinger has indicated\(^1\) the ר ("for") which introduces this clause suggests that what follows is more than a simple repetition. Besides that, if what we have is a repetition, why is there a change in preposition. Besides that, if what we have is a repetition, why is there a change in preposition. ר ב, and in number, pl. דב. שט? We take, therefore, the particle ר in its causal sense, giving the reason for the previous statement. Since the previous clause stated that the blood-life of the animal was assigned by God to the altar to make atonement, the present clause must be explaining how that is achieved.\(^2\) The explanation is provided in the expression דב.

The expression דב has been understood in different ways. The most common view takes the prefixed ב as instrumental. This is the position taken, among others, by Metzinger.\(^3\) He bases his view on the fact that whenever the verb ר takes the preposition ב it is instrumental. He sees no reason for taking it differently here. Thus, to the how and whereby of the expiatory power of blood. vs. 11c. he says, "Das

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\(^1\)"Substitutiontheorie," p. 354.

\(^2\)Ibid., pp. 266, 269.

Blut (des Opferieres) sühnt mittelst und kraft der (in ihm enthaltenen) 'Seele' (dieses Opferieres!).

The ב has also been taken as a beth essentiae: "For it is the blood, as life, that expiates." The argument is that since the (ד'; ב in vs. 11a is a beth essentiae the one in vs. 11c should also be a beth essentiae. 2

The third possibility is to take the ב as a beth pretii, expressing the idea of price: "For the blood may expiate according to the value of life," ל life being understood as the life of the offerer. A variation of this interpretation takes "life" in vs. 11c to designate the life of the animal: "For it is the blood which serves as koper. for the life taken." 4

The first two suggestions are quite similar in meaning. The beth instrumenti says that the blood expiates by means of the life it contains (vs. 11a is taken to mean "life is in the blood"). The beth essentiae says that blood expiates, not through the life it contains, but because it is life. The two interpretations are not far from each other. Nevertheless they express different ideas.

We consider the beth essentiae to be the more unlikely of the two.

4. H. C. Brichto. "On Slaughter," p. 28. He follows Milgrom in basing his exegesis of Lev 17:11 on vs. 3 and 4. But he rejects Milgrom's interpretation of the ב as a beth essentiae. The "life taken" is for him the life of the כז. It should be noticed that Metzinger, "Substitutionstheorie," p. 356, does not rule out completely the possibility that the ב may be a beth pretii; but he argues that if it is
First, to argue that since the (מ) ב in vs. 11a is a beth essentiae, this one ought to be also is not a strong argument. We are not even sure that the first ב is a beth essentiae. Secondly, this interpretation takes vs. 11c to be a repetition, or at least a summary, of vs. 11a b. If the ב in vs. 11a is a beth essentiae then blood and life have been fully equated, and vs. 11b would be saying, not that blood expiates for you, but that the blood-life expiates for you. In that case, vs. 11c is clearly a repetition. But if our interpretation of כי is right, vs. 11c cannot be a summary, much less a simple repetition.

With regard to the beth instrumenti, it has in its favor that when כי takes a ב it is usually instrumental. However, nowhere else is כי the instrument of ב. More than that, whenever the preposition ב governs the noun כי it never has an instrumental meaning. We should add that by taking the ב to be instrumental, "life" is understood to reside in the blood, giving to it its expiatory virtue. As we indicated above, practically all the passages in which the relationship between blood and life is mentioned equate the two. The only passage which could suggest that life is in the blood is vs. 11a, and even that could be understood otherwise. What we are arguing is that since the relationship between blood and life is not unequivocal, it is not safe to base one's interpretation of כי in vs. 11c on one's previous interpretation of that relationship.

The beth instrumenti also raises a very serious theological problem: by assigning the expiatory power of the blood to the life which is in it.

interpreted that way it would be indicating the means used to ransom. כי would be referring to the life of the animal.
the interpersonal character of expiation is eliminated and Yahweh becomes a passive observer instead of an active Redeemer. It is true that Metzinger states that the expiatory power of the blood is in the final analysis to be found in Yahweh, but it seems to us that he did not see the full implications of the position he assumed. According to vs. 11b the expiatory power of the blood is located in the Divine will. Blood expiates, as we indicated above, not because it bears the מַעַל, but because Yahweh so instituted it. If vs. 11c is really saying that blood expiates by means of the life it contains, then there is a serious tension in Lev 17:11. According to that interpretation it is in vs. 11c where we finally discover the reason for the expiatory power of the blood: it is life, not Yahweh! We are here extremely close to the realm of magic. The expiatory process, which supposedly has its origin in Yahweh, is capable of self-fulfillment through the life in the blood. So we have: Yahweh → priest → man → sacrificial animal → blood → life. But according to the information found in the descriptions for the ritual of the different sacrifices the expiatory process is as follows: Yahweh → priest → man → sacrificial animal → blood (as life) → Yahweh. These two different conceptions are mutually exclusive. In one Yahweh is inactive, in the other He is fully active throughout the whole process. Outside Lev 17:11 nowhere is the expiatory power of the sacrifice, or of the blood, assigned to its life.

What we have said so far makes a beth essentiae and a beth instrumenti very improbable interpretations for the ה in vs. 11c. We

2Ibid.
are left with the *beth pretii*. There are several things which would commend it as the best interpretation. Since the *beth pretii* is a variation of the *beth instrumenti*, it fits very well with the verb דָּרֶשׁ; it is frequently used governing the noun יִשְׂרָאֵל (e.g., Num 16:30 [MT 17:3]; Deut 19:21; 2 Sam 14:7; 23:17); and it is "often used in connection with *kipper* and related concepts."²

We still have the problem of the term יִשְׂרָאֵל. Does it refer to the life of the animal or to that of the individual? The *beth instrumenti* would require it to be the life of the animal which is in the blood. It would have to be translated, "the blood by means of its life." A pronominal suffix would have to be supplied. One would have to read דָּרֶשׁ רֹבֶּר instead of יִשְׂרָאֵל. Yet it seems to us that if that was what the Biblical writer had in mind he could have added the pronominal suffix as he did in other places (e.g., vs. 14a, b; cf. Gen 9:4).³ We must also notice that whenever the articular יִשְׂרָאֵל is used with יִשְׂרָאֵל, it always refers to human life (e.g., Lev 17:10; 20:6). Even in the passages where the indeterminate יִשְׂרָאֵל is used, it always refers to human life. These observations, taken together with what we said above about the *beth instrumenti*, are enough to indicate that יִשְׂרָאֵל in vs. 11c refers to human life.

It also seems to us that a *beth pretii* would require here יִשְׂרָאֵל as human life. It is true that Brichto, who takes the י as *pretii*, understands יִשְׂרָאֵל as the life of the animal.⁴ But he is forced into that position

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³With Levine, ibid. ⁴See above, p. 245 n. 4.
by following Milgrom's suggestion that Lev 17:3 and 4 exeges Lev 17:11. Wherever a bethpretii is used with השם it always refers to human life. We would, therefore, translate vs. 11c as follows, "For the blood expiates in exchange for the person." In this case Levine's remarks concerning the bethpretii are very appropriate. It is instrumental, he says, but it does not "indicate the means in a causational sense, but rather designates that which amounts to the equivalent of the other, and which can, therefore, substitute for it if required" (e.g., Gen 29:18; 2 Sam 23:17)

It could be argued that if השם refers to human life it should be used here, as in vs. 11b, in the plural and not in the singular. But that would be necessary only if vs. 11c were a repetition of vs. 11b, which it is not. We should not overlook the fact that throughout Lev 17 we have a continuous movement from the plural to the singular. Thus we read about בנים של ישראל ("sons of Israel"), vss. 2, 5, 7, 12, 14; вся איש ("any one"), vss. 3, 8, 10, 13; אדם איש ("that man"), vss. 4, 9; כל/people ("any person"), vss. 12, 15; and בית ישראל ("house of Israel"), vss. 2, 10, 13. The emphasis is on the level of the individual, although the law is addressed to the Israelites and sojourners. The expression דבריםיכם ("yourselves") in vs. 11b would refer to the "house of Israel"

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1 See above, p. 238.

2 This would also make Meizinger's suggestion improbable (see above, p. 244 n. 4).

3 The bethpretii expresses the idea of equivalence (P. Joüon, Grammaire de l'Hebréen biblique, Rome: Institut biblique Pontifical, 1947, p. 403), of exchange (Williams, Hebrew Syntax, p. 49).

4 Presence, p. 58 n. 38.
and the sojourners (vs. 10). Verse 11c would particularize the application of the statement made. This shift from the general to the particular in the context of expiation points to the interpersonal nature of expiation.¹

A word is in order concerning the LXX translation of שְׁוֹדֵד as בְּנֵי נַחֲלָה. Different reasons have been given for this translation. Médebielle, who considers the idea of sacrificial substitution to be implied by the Hebrew text, takes the LXX rendering to be an effort to make clear or explicit what the Hebrew text meant. He renders the LXX translation of vs. 11c, "Car son sang expiera à la place de l'âme."² He considers the LXX translation to be intentional based on the fact that whenever ב expresses the means of expiation the LXX renders it by מ, but here it uses ב.³

Metzinger, on the other hand, suggests that what we have in the LXX is an error. The translator, he argues, should have translated ב רָמָה יְבֵאָד בְּנֵי נַחֲלָה, the מ being an instrumental dative.⁴ In an attempt to explain why מ was used here instead of מ, Metzinger argues that the translator was influenced by the lex talionis. In such law the formula שְׁוֹדֵד שֵׁד ("life for life") is used interchangeably with שְׁוֹדֵד נָחֲלָה ("life in place of life") (Exod 21:22-27; Deut 19:23).⁵

¹One could also argue that שְׁוֹדֵד in vs. 11c is being used in a collective sense; see Wolff. Anthropology, p. 21.


³Expiation. pp. 135-36.


⁵Ibid., p. 357.
The LXX uses in both cases the preposition ἐν ("in place of"). The translator understood the ἐν to be a ἐπὶ. Metzinger goes so far as to say that if the origin of ἐν in vs. 11c is to be found in the lex talionis, then the LXX understood ἔπριμ (ἐν) to be the object and not the subject, and it would refer to the life of the offerer. This error, he argues, was perpetuated by Jewish and Christian interpreters.

A different position is taken by Moraldi. He considers the LXX rendering to be the proper translation of the Hebrew text. According to him, by using ἐν the LXX was trying to avoid the idea of sacrificial substitution. The translator could have used the preposition ἐπί, as he did everywhere else. But here such translation could have been misunderstood since it could have been interpreted in the following ways:

1. Simple dative—"it expiates in the soul."

2. Simple dative instrumental—"the blood expiates by means of the life of the victim."

3. Dativus commodi—"the blood expiates on behalf of the soul (of the offerer)."

So, in order to avoid any misunderstanding and in an effort to

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renders the Greek of vs. 11c: "Das Blut sühnt um den Preis der Seele (des Opfertieres)."

3Ibid., pp. 364-74.

4Espiazione, p. 241.
be faithful to the Hebrew text, the LXX used the preposition αἵνε. A literal translation of the LXX would, then, be: "Il sangue espin in luogo della vita della vittima."¹ "In this way the identification between the blood and the life of the victim is accentuated: the blood expiates as if it were the soul, that is to say, the life of the victim."²

Moraldi's interpretation of the LXX is a serious effort to understand the Greek text and its apparent deviation from the MT. Nevertheless, if by using αἵνε the LXX was trying to preserve or perhaps to make more clear the real meaning of the text, we must recognize that it failed. As Metzinger has shown, Jewish and Christian interpreters understood the Greek to be expressing the idea of substitution. It also seems to us that if the LXX translator understood the ἃ to be instrumental, the best way to express it was still by the preposition ὑπὲρ. By using ὑπὲρ the chances of misunderstanding were many fewer than by using αἵνε, since practically everywhere else it used ὑπὲρ instrumentally for ἃ (ἢν).³ Based on the fact that the Hebrew ἃ could be understood as a beth p r e t i i, we see no reason for considering the LXX rendering to be a mistranslation. The LXX may be taken, therefore as a faithful rendering of the Hebrew text.⁴

¹Ibid.

²Ibid. Moraldi has been followed by L. Sabourin, "Nefesh, sanct expiation," p. 38; and Lyonnet and Sabourin, Sin, Redemption, p. 179.

³Some scholars are undecided on the question of the LXX translation, e.g., Dalay, The Origin of the Christian Doctrine of Sacrifice, p. 35.

⁴The question whether the biblical writer, by using the beth p r e t i i, was thinking of the lex t a l i o n i s is difficult to answer. But since the legal connotations of the lex t a l i o n i s seems to be absent from Lev 17:11.
We should finally be able to see how the blood-life of the animal expiates for the person. We have already indicated that in Israel blood belonged to Yahweh. It was to be returned to him by pouring it on the ground and covering it with dust, or by bringing it to the altar. This requirement was based, not on a magical interpretation of blood but, as Milgrom has shown, on the inviolability of the 𐤉𐤆𐤄. Although God allowed man, beginning with Noah, to eat animal flesh, the ultimate inviolability of the animal's life was preserved by forbidding him to eat its blood. Blood was to be returned to the Creator, the Life Giver.

Based on those observations, it's tempting to say with McCarthy, "Being so near the divine, blood is holy and efficacious. It removes sin and consecrates (Exod. 29:36b-37). Note that blood thus effects purification solely by application to the person or thing needing it." But this statement seems to us to be a dangerous one. We have already argued that blood has no expiatory value in itself. Any cultic function which blood may have in Israel has been assigned to it by Yahweh. The power and effectiveness of this substance is to be located in Yahweh.

we would rather think that he was not necessarily thinking on it; see Lyonnets and Sabourin, Sin, Redemption, p. 177. It is too hypothetical to suggest, as Metzinger, "Substitutionstheorie," p. 357, did, that the translator of the LXX understood the Hebrew ב in terms of lex talionis. It is most probable that the translator recognized in the ב a beth pretii and used in the translation what for him was the best rendering possible, i.e., αντι; see Schreiner, "Anti," p. 174.


It is a means through which God's grace reaches the sinner. What is significant here is that this means of grace is provided by God from that which belongs exclusively to Him. The movement is from the sphere of the Divine to His people. Blood, therefore, cannot act independent Yahweh, and much less can it serve to strengthen Him.\(^1\)

The expiatory function of blood as life is limited in Lev 17:11 to its usage on the altar. If our understanding of the blood manipulation in the bloody sacrifices is right,\(^2\) it would then serve to explain how blood as life expiates. If the altar is the "instrument by which the animal's life is restored to God,"\(^3\) expiation could then be achieved by using the blood as a bearer of sin to the presence of God. In other words, by returning the victim's blood to Yahweh through the altar the sinner is allowed to transfer his sin to the presence of the Lord, who only can control it.\(^4\) This usage and meaning of blood is unparalleled in the ancient Near East. It reveals the uniqueness of the Israelite cultus.\(^5\)

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\(^1\)If our suggestion that the horns of the altar represent God's power is right, it would then be wrong to suggest that by applying blood to it the power of the altar is increased, as was suggested by A. Bertholet. "Zum Verständnis des alttestamentlichen Opfergedankens," JBL 49 (1930):224.

\(^2\)See above, pp. 123-42.

\(^3\)Milgrom, "Altar," EJ 2:765.

\(^4\)This would also explain why, on some occasions, it is the priest who bears the sin of the offerer to God's presence. He, like the blood-life, belongs to Yahweh, is holy (he wears the diadem of holiness), and he is a means of expiation. Nevertheless, the priest cannot assume all the functions of the blood. They work together as Yahweh's instruments.

\(^5\)There is a Hittite text which suggests that blood can be used to transfer evil to the underworld. The text deals with an offering
But there is in Lev 17:11 an even greater insight that must be put into relief. Blood expiates not simply by being a vehicle through which sin is brought before Yahweh, but especially because it is accepted by Yahweh "in exchange for the person." When life as blood (or even as wind, הלח, Eccl 12:7) returns to God the death of the creature is implied. Blood is life, but life returning to God and therefore removed from the creature. Yahweh, instead of taking back the life of the sinner, accepts in his place the blood-life of the sacrificial victim, "loaded" with the sin of the individual. Yahweh is fully active in the expiatory process; a process in which the blood manipulation plays a key role.\(^2\)

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\(^1\)See Jacob, "חיטא," p. 619, who says, "When breath and blood leave the body, then every form of life disappears."

\(^2\)That expiation is a process seems to us to be indicated by the...
Our study of Lev 17:11 has shown that the blood mentioned in there is the sacrificial blood in general. Therefore, this verse could be used to explain how expiation is achieved in the bloody sacrifices. Our previous conclusions, based on a study of the cultic descriptive texts, are confirmed by what we have found in Lev 17:11. We have argued that the best way to interpret the controversial expression שִׁמְעוֹן is to take the נ as a bethpret, and the term שִׁמְעָן as designating the person for whom the נ כ rite is performed. The LXX translation, we have suggested, is probably right in rendering שִׁמְעָן = ἀντὶ τῆς φυχῆς.

Conclusion

Our study of the occasions for the offering of an expiatory sacrifice suggests that the sins expiated by them left the sinner in a state of guilt liable to divine punishment. Owing to the fact that the sacrificial system as a whole was to operate within the covenant between Yahweh and Israel, the violation of any of the laws which regulated it was considered to be essentially an offense against Yahweh Himself. The sinner was, therefore, open to divine punishment. Inasmuch as sin/impurity separated the individual from Yahweh, the only Source of life, its ultimate result would have been death.

fact that it is associated with the sacrificial victim (Lev 1:4), the blood and fat manipulations (Lev 4:20), the eating of the flesh (Lev 10:17), the blood sprinkling (Lev 16:16), the blood manipulation (Lev 17:11), and with the ritual as a whole (Lev 5:6, 10; 9:1-7). Brichto, "On Slaughter," p. 35, is right in arguing that it is the sacrificial ritual as a whole which makes atonement. He is, however, wrong in downplaying the role of the blood.
and final separation from the Lord. Yet the sinner who was guilty and was bearing his own sin was asked by Yahweh to bring an expiatory sacrifice. Within this process repentance and confession was indispensable.

The procedure to be followed when offering an expiatory sacrifice helps to understand how expiation was achieved. A study of the blood and flesh manipulation of the expiatory sacrifices reveal through the ritual of the eating of flesh and through the blood manipulation sin was transferred to the sanctuary and brought under the controlling power of Yahweh. The result was the cleansing of the sinner and the "contamination" of the sanctuary. The sanctuary, which needed to be cleansed, was purified on the Day of Atonement when sin/impurity was returned to its real source, i.e., Azazel.

Our study of the laying on of hands has shown that through this ritual, sin and its penalty were transferred to the sacrificial victim. This is supported by the fact that whenever this ritual was performed the idea of transfer was always present. But the laying on of hands also indicates that some kind of relationship was established between the subject and the object of the ritual. We have argued that in the bloody sacrifices the relationship established is one of substitution. The sacrificial victim takes the place of the sinner and bears his sin/penalty.

The slaughtering of the victim suggests that to it was transferred not only the sin but also its penalty. Death, that is, the ultimate alienation from God, is actualized in the substitute. One dies in order for the other to live.
With respect to the argument that a transfer of sin would have contaminated the sacrificial victim, we have found that not to be the case. We have seen that the biblical writer was able to maintain, on the one hand, that sin was transferred to the sacrificial animal, and, on the other hand, that the victim was still holy. Both things are true at the same time. Any attempt to dissolve this tension would result in a misunderstanding of the sacrifices.

Concerning the burnt and peace offerings we have suggested that both of them have an expiatory virtue. This should not be interpreted as meaning that their primary function is expiatory. What it means is that besides their main purpose they both have an expiatory effect. This is indicated by the fact that the ritual of the laying on of hands is performed on both of them and also through the blood manipulation. The מַעַל ritual was required for these two sacrifices. Every bloody sacrifice had some expiatory virtue. In that way it was kept fresh in the mind of the people that before the Lord they were always in need of expiation and forgiveness.

The previous conclusions are confirmed by Lev 17:11. This verse informs us that Yahweh has assigned to the blood of every sacrifice an expiatory virtue. Blood is there clearly identified with the life of the victim. Since life belongs to Yahweh it is to be returned to Him. It is in the process of returning it to Him that expiation is achieved. Yahweh in His great love for His people is willing to accept it in place of the forfeited life of the sinner. The blood which is bearing the sin of the individual is accepted in exchange for him. Expiation is achieved through sacrificial substitution.
Sacrificial substitution is, therefore, a divine act of love. It does not have the purpose of appeasing Yahweh. It does not presuppose so much wrath but love. This is indicated by the fact that it is Yahweh Himself who instituted the sacrificial system: it is He who assigned to the blood upon the altar an expiatory function: and it is He who, out of His own free will, accepts the life of the sacrificial victim in place of the sinner. In all these love is presupposed. In this context, if one wishes to speak of appeasement, one could only speak of Yahweh's prior self-appeasement. The significance of the sacrificial system depends on Yahweh's willingness to forgive. Thus, within the Hebrew cultus sacrificial substitution is a manifestation of God's love for His people that moves Him to accept, in place of the sinner, a substitute to which sin and its penalty have been transferred. In that way the individual is forgiven and can come before the Lord to enjoy His presence and blessings.
CHAPTER V

CULTIC-RELATED TEXTS AND SUBSTITUTION

Introduction

In this chapter we will discuss several passages which have been thought to contain the idea of sacrificial substitution. We have limited ourselves to the study of only three such passages—Gen 22:1-19; Exod 12:1-13:16; and Isa 52:13-53:12. All of them employ cultic terminology, but in none of them is the verb קָרָא ("to make atonement") or its derivatives used. The passages we have selected are difficult ones with many and varied problems. But we have restricted our discussion to the question of sacrificial substitution. We will put special emphasis on the cultic language found in them and on its significance. We will be stressing the theological content of these passages in terms of their possible cultic connections.

The Sacrifice of Isaac (Gen 22:1-19) and Substitution

Source-critical studies have assigned Gen 22:1-19 to the so-called E source with the exception of vss. 15-18 and some other minor additions. Since our main purpose is to explore the theological significance of the cultic material found in this pericope, we have decided to study the text in its present form, paying particular attention to

1 See commentaries: e.g., Cuthbert A. Simpson, "Genesis." IB 1:642.

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its context. This is a task which to a certain extent has been neglected in the past. Most studies of this passage have tended to isolate it from its present context. This is especially true in the case of traditionhistorical studies. The results of such studies have been diverse and even contradictory.

Most scholars believe that Gen 22:1-19 is an etiological story. For some it attempts to legitimize a place of worship. Others consider

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2 This could be illustrated by a study made by H. Graf Reventlow. He has concluded that the story which lies behind our present text is not a religious story or a cultic legend. It is rather a non-etiological story which belongs to a type known as "family stories" (Familiengeschichte). It was "eine Geschichte von der Bedrohung des Sohnes und ihrer glücklichen Abwendung" (Opfere deinen Sohn: Eine Auslegung von Genesis 22, Biblische Studien 53 [Neukirchen-Vluyn: Neukirchener Verlag des Erziehungvereins, 1968], p. 57). That conclusion has been rejected and attacked by Rudolf Kilian. He has argued that the story in its pre-literary form was etiological. It was a non-Israelite cult-legend which belonged to a local sanctuary. The etiological question it answered was: "Wie kommt es, dass man an der heiligen Stätte 'el jir'ae Ticropfer darbringt und keine Kinderopfer mehr, wie es dort früher doch offenbar üblich gewesen war?" (Isaaks Opferung: Zur Überlieferungsgeschichte von Gen 22 Stuttgartter Bibelstudien 44 [Stuttgart: Verlag Katholisches Bibelwerk, 1970], p. 101; see also pp. 63-64). When both Reventlow and Kilian try to reconstruct the original form of the story, again different conclusions are reached; see Reventlow, Opfere, pp. 52-53; and Kilian, Isaaks, pp. 88-89(2,5),(996,993). John Van Setors, after noticing these disagreements, writes: "These completely contradictory results should be the clearest warning that this traditio-historical method is faulty and unreliable" (Abraham in History and Tradition [New Haven: Yale University Press, 1975], p. 235).

it to be a justification for redeeming the firstborn and/or for Israel's rejection of human sacrifices.¹ According to von Rad the most important point in the story was originally the legitimization of the redemption of child sacrifice by an animal sacrifice.² Yet, practically all scholars recognize that the basic motif of the story in its present form is the test of faith.³

The Test and Its Theological Context

We do not intend to discuss the full significance of the test described in this pericope.⁴ Our main concern is the cultic material found in it. However, the cultic terminology cannot be separated from the test motif.⁵ Both should, therefore, be taken into consideration. The test begins when Abraham receives the divine command to go and

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² Genesis, p. 237.


⁵ Among the cultic terms used in Gen 22 we have the following:
offer his son as a burnt offering. It seems to come to an end when the
Angel of the Lord says to Abraham, "Do not lay your hand on the lad
or do anything to him; for now I know that you fear God, seeing you
have not withheld your son, your only son, from me" (vs. 12). ¹ But
the story does not end there. Suddenly Abraham sees a ram "caught in
a thicket by his horns" (vs. 13). ² This one is offered up "as a burnt
offering instead of (נְנִ֣נִּ) his son." ³

Since the test ended in vs. 12 it could very well be asked. Why
this ram? It is particularly this question which is answered by those
who see here an etiology for the absence of human sacrifice in Israel. ⁴

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²C. Leonard Wooley, Excavations at Ur: A Record of Twelve
Years of Work (New York: Barnes & Noble, 1959). p. 75, saw a con-
nection between a statue of an erect ram with its feet placed on a bush
found at Ur and the ram in Gen 22. But see André Parrot. Abraham
and his Times, trans. James H. Farley (Philadelphia: Fortress Press,
1968). p. 12, who wrote "This comparison of the two items has nothing
to justify it for the Ur monument is related to something entirely dif-
f erent; it is certainly one element of an anithetical group of two animals
on both sides of the divine tree" (italics his); see also Pablo Termes Ros.

³The preposition נְנִ֣נִּ has two main meanings in the OT: "under"
(e.g., Gen 18:4; 16:9; Lev 27:32); and "instead of" (e.g., Gen 4:25;
2 Chr 21:1). For cognates see DISO. p. 326: Aistlieitner, Wörterbuch,
p. 325.

⁴See above. p. 261 n. 1. The evidence for human sacrifices during
the patriarchal period is practically nonexistent. Green, Role. p. 157,
writes, "No clear testimony of the ritual killing of human beings . . .
appears in any written remains from this time." On the question of the
practice of human sacrifice in Israel as an acceptable one see the critique
given by Moraldi. Espiazione. pp. 99-108. We agree with him when he
But even though the narrative seems to have overtones of a polemic against child sacrifice, it could hardly be called an etiology which explains why in Israel child sacrifice was not practiced. It cannot be said that the practice of animal sacrifice began in Israel with Abraham. As a matter of fact Gen 22 suggests that Abraham was used to offering animal sacrifices. Isaac's question to his father—"Where is the lamb for a burnt offering?" (vs. 7)—seems to indicate that.

What, then, is the function of the ram offered up as a burnt offering? In order to answer this question a more fundamental one should be asked: Why was this test necessary? The answer to this last question is provided by the immediate context of Gen 22.

In its present form Gen 22 is connected with what precedes it. This connection is indicated by the introductory phrase "after these things" (vs. 1). This expression does not indicate a "very loose connection with what preceded it."1 It rather suggests that what follows is in a sense determined by what happened before (cf. Gen 39:7). We should, therefore, look for the reason for Abraham's test not simply in Gen 22 but also in the previous chapters. We submit that chapters 20 and 21 seem to be tied together with chapter 22. This can be shown by noticing that Gen 21:22-34 goes back to the narrative found in chapter 20. As we shall see, both these chapters have one underlying concern.

states that "in Israele il sacrificio umano fu un puro e semplice abuso pagano che . . . non ha alcuna radice nella religione jahvista, e dai rappresentanti ufficiali della tradizione religiosa fu sempre considerato perverso e contro la Legge" (ibid., p. 107, italics his).

1Von Rad, Genesis, p. 231.
Gen 20 tells of Abraham's experience at Gerar. Fearing for his life, Abraham introduces Sarah to the people as his sister. Abimelech, king of Gerar, in the integrity of his heart took Sarah to himself. As a result of Abraham's moral weakness Abimelech comes to question God's justice. When the Lord condemns him in a dream for taking Abraham's wife Abimelech argues, "Lord, wilt thou slay an innocent people? Did he not himself say to me, 'She is my sister'? And she herself said, 'He is my brother.' In the integrity of my heart and the innocence of my hands I have done this" (vss. 5, 6). Abraham is described here as a mediator of evil, as the real guilty one. The whole chapter raises questions about the integrity of Abraham. After this experience Abimelech was no longer sure of Abraham's real intentions (cf. Gen 21:22-24). But the surprising thing in Gen 20 is that in spite of Abraham's attitude he still remains God's instrument. He is to pray for the king and he is even described as a prophet of the Lord. Nothing is said about God's response to Abraham's mistake.

In Gen 21 two important elements are brought together. First, we are brought back to what may be called Abraham's greatest manifestation of distrust in the Lord, namely, his attempt to fulfill by himself the promise of a son (Gen 16). Secondly, we have the fulfillment of the promise in Isaac. What we seem to have in this chapter as well as in the previous one is a man with a fainthearted faith being rewarded by a righteous and just God. There is tension in these two chapters between God's condemning sin (20:6, 7) and yet protecting His servant without seemingly taking into consideration his sin. It is this tension which is solved in Gen 22. The test not only serves to show the real
Abraham as a man who fears the Lord and obeys Him under the most distressing circumstances, but it also serves to show God's attitude toward the sin of his servant. In a sense Gen 22 vindicates God and Abraham.

The Burnt Offering

What we have just said serves to explain the nature of the test. In asking Abraham to offer Isaac as a burnt offering, God was taking back His promise. He was rejecting Abraham and asking him "to give up all hope of a future." In the test was involved "nothing less than the complete nullification of the covenant and the frustration forever of all hope of posterity. Ishmael had already departed. Now Isaac would be gone, too." The sacrifice of Isaac is Abraham's sacrifice. He is confronted with a road which leads only into Godforsakenness. The only possible way out of this serious threat is found in his answer to Isaac's question. "Where is the lamb for a burnt offering?" Abraham said, "God will provide himself the lamb for a burnt offering, my son" (vs. 7). According to vs. 13 a ram was provided. The divine command was a test only because the Lord was to provide a ram as a substitute for Isaac. "The whole trend of the narrative leads to the final immolation of the ram." By offering it up as a burnt offering, not only was

1Crenshaw, "Journey," p. 244.
3Von Rad, Genesis, p. 239.
4Zerafa, "Moriah," p. 84.
Isaac preserved alive but Abraham was also redeemed. It was the Lord "who redeemed Abraham" (Isa 29:22). To argue, therefore, that the ram was offered in place of Isaac but not as his substitute is to overlook part of the theological significance of the story.  

After the redemption of Abraham comes a covenant renewal, or at least the renewal of the covenant promise (22:15-18). It is important to notice that in the present form of the book of Genesis the covenant between Abraham and God is considered to be conditional: "Walk before me and be blameless, and I will make my covenant between me and you" (Gen 17:1, 2). We have suggested that Abraham did not always walk blameless before the Lord. In that sense he, then, broke the covenant. Now, after the test and the offering of the ram, the covenant is renewed.  

The cultic significance of the whole story for future generations is mentioned in vs. 14: "So Abraham called the name of that place The Lord will provide/see: and it is said to this day, 'On the mount of the Lord it shall be provided/he will be seen'.” Some scholars have tried to identify the cultic site mentioned here without any significant result.

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2. Chaim Lewis, "From Adam's Serpent to Abraham's Ram," Jud 22 (1973):396. has gone too far when he states, "The ram, as such, is not offered as the text may lead one to suppose, in substitution of Isaac: Abraham has no cause here to implore God's forgiveness. It is God's own gift to Abraham, His burnt-offering of atonement for the wrong done to Isaac, and through Isaac, to all suffering mankind." He overlooked the theological connections between chapters 20, 21, and 22.

3. See George. "Sacrifice," pp. 101-103. He concludes, "Il faut finalement reconnaître que nous ignorons quel sanctuaire visait le texte primitif" (p. 102). Zerafa. "Moriah," p. 94, suggests that the name of the original site was Lahai-Roi, and that instead of Moriah in vs. 2 we should read Amorites. One gets the impression that the mention of the land of Moriah in vs. 2 may have something to do with 2 Chr 3:1. But the nature of that connection is not clear.
In this verse the verb כָּכַּּכְּלָּל is used twice. It could be understood as meaning "to see" or "to provide." In the first part of the verse the verb is used in the Qal formation. This is the same form used in vs. 8 when Abraham tells his son, "God will provide for himself the lamb." Thus, contextually it is better to take the name of the place to mean "Yahweh will provide." The second part of the verse is a proverbial saying. The verb is used in the passive form, making somewhat uncertain its meaning. But again, the context makes clear what it means. What the proverb states is that the people have appropriated for themselves the experience of Abraham. Whenever they go to the mount of the Lord they too believe that the Lord will provide for them a substitute.

Conclusion

In concluding we may say that Gen 22:1-19 suggests that sacrificial substitution was known and practiced outside the Levitical cultus. When this narrative is studied in connection with chapters 20 and 21, new theological emphases are discovered. It is seen that Abraham's test is required for a very important reason. Chapters 20 and 21 have presented us an Abraham with a rather weak confidence in the Lord. On the other hand they present us God blessing such a man. The Lord seems to be condoning sin! The solution to this problem is found in Gen 22. Through the test Abraham is vindicated. The strength of his faith is revealed. But through it God is also vindicated. His attitude toward the one who breaks His covenant becomes

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1For a discussion of this problem see Skinner, Genesis, p. 330.
clear. Such a person is not to participate in the promise. The promise is to be removed from him and he is to be abandoned by the Lord. Abraham was saved from such an experience through the substitute ram. It is because the Lord has already decided to provide the ram that the story becomes a test. The sacrifice of the burnt offering has, therefore, an expiatory function.

The fact that the idea of sacrificial substitution is present in Gen 22:1-19 should not be used to make statements on the historical development of this practice. Neither should this narrative be used as an etiology for the idea of sacrificial substitution. All we may say is that the idea of sacrificial substitution was known and practiced by Abraham and that his experience strengthened the faith of future generations on the significance of expiation through sacrificial substitution. For them too it was a manifestation of God's gracious love which led Him to provide a substitute for the sinner.

The Passover Narrative (Exod 12:1-13:16) and Substitution

It has been claimed by some scholars that in the Passover narrative in Exod 12:1-13:16 the ideas of substitution and expiation are present. Other scholars have denied such claims, and still others

1Contra Daly, "Significance." pp. 45, 46.


3E.g., de Vaux, Ancient Israel, p. 488.
are undecided.\(^1\) We will examine this narrative in an attempt to see whether the Passover is here connected with any of those ideas.

The Passover Animal: A Sacrifice

The cultic terms used in Exod 12:1-13:16 suggest that the Passover animal was a sacrifice.\(^2\) This is especially indicated by the expression "the sacrifice (נְזֵר) of the Lord's Passover" (12:27) and by the fact that it was immolated (יוּלָד, 12:21). It was also required that the animal, like other sacrificial animals, be "without blemish" (12:5). Furthermore, the flesh of the animal, as in the peace offering, was to be eaten by the offerers. And finally there was a special function for the blood of the Passover victim.

However, there are some significant differences between this sacrifice and the sacrifices offered in the Hebrew sacrificial system. For instance, no mention is made in Exodus of a sanctuary/temple or even of an altar, and no priest was to officiate. According to Exodus the

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\(^1\)Hyatt, Exodus, p. 133.

\(^2\)See P. Joseph Henniger, Les fêtes de printemps chez les sémites et la pâque israélite (Paris: J. Gabalda et Cie., 1975), p. 64; Herbert Haag, "Pâque." DBS 6:1121; idem. Von alten zum neuen Pascha: Geschichte und Theologie des Osterfestes. Stuttgart Bibel-Studien 49 (Stuttgart: KBW Verlag, 1971). pp. 75-76; Rowley, Worship. pp. 114-29; de Vaux, Sacrifices. p. 3. Henniger has suggested that the sacrificial character of the Passover is not indicated by the cultic terms, which are probably late interpolations, but by the rituals of the blood, the eating of the flesh and the regulations against breaking the bones (ibid., p. 68). Faced with similar arguments J. B. Segal, The Hebrew Passover (London: Oxford University Press, 1963), p. 161, argued that "even if one were to admit that the procedure outlined in regulations commonly assigned to a 'P' writer or redactor are late—and this is far from proved—it nevertheless remains certain that the procedure derives from primitive feeling and notions. These principles concerning the essence and function of blood are too deep-set and primary to admit of radical change."
Passover was rather a family religious feast. What we have in the Passover is a particular kind of sacrifice which stands apart from any other Israelite sacrifice. It is a unique sacrifice.

What is the function of this sacrifice? The biblical text, in its present form, introduces the Passover in connection with the tenth plague and the exodus from Egypt. This plague is the Lord's final judgment on Egypt before the exodus. The Hebrews are also threatened by it. Unless something was done their firstborn would have died together with the firstborn of the Egyptians. That "something" was the Passover. Therefore, "la préservation des Hébreux est devenue la raison du sacrifice de la pâque." The biblical text strongly suggests that they were preserved through a substitute. The context in which the Passover is here required is one of divine judgment which results in death. The Hebrews escape that judgment through a bloody sacrifice. While in Egypt all the firstborn died, among the Hebrews an animal died. The idea of substitution is clearly implied. The Lord was willing to accept from the Hebrews a sacrificial animal instead of their firstborn.

1 See, e.g., de Vaux, Sacrifices, p. 3; Henninger, Fêtes, p. 63.

2 The question of the origin of this sacrifice is a much debated one. The latest discussion is found in Henninger, Fêtes; but see also Gray, Sacrifice, pp. 337-82; Segal, Passover, pp. 78-113; Haag, Pascha, pp. 43-57; de Vaux, Sacrifices, pp. 15-20. On the historical development of the Hebrew Passover see Peter Laaf, Die Pascha-Feier Israels (Bonn: Peter Hanstein Verlag, 1970); and Rainer Schmitt, Exodus und Passah: Ihr Zusammenhang im Alten Testament (Göttingen: Vandenhoeck & Ruprecht, 1975).

3 B. Couroyer, "L'origine égyptienne du mot 'Pâque'." RB 62.

4 Motyer, "Sacrifices," p. 27.
The Passover Blood: Its Significance

The Blood of the Passover sacrifice was to be applied ( которую ) with a hyssop to the doorposts and the lintel of the houses (12:7, 22). The meaning of this act has been variously defined. The prevalent view is that the blood has here an apotropaic function, i.e., it protects or averts from evil. This term, it seems to us, could be used only if it is understood as meaning that because of the blood the individual is preserved alive. In the Passover narrative blood does not seem to have an intrinsic power capable of scaring away demons.

It has also been suggested that in the Passover "the blood is propitiatory; its effect is to satisfy the requirements of a holy, wrathful God." Yet, the idea of propitiation seems to be absent from the narrative. According to Exod 11:7 God had already told Pharaoh before the Passover was even mentioned that He was going to preserve Israel "that you may know that the Lord makes a distinction between the Egyptians and Israel." God's attitude toward His people was always the same. The blood of the Passover sacrifice did not change Him.

It could be argued that even though the blood does not have here a propitiatory function, it could have had an expiatory one. But the difficulty with this suggestion is that the idea of expiation does not seem to be present in the biblical narrative. Perhaps the ideas of cleansing and expiation are to be inferred. This could be supported by the fact that hyssop is used in other contexts in connection with

1 See Henninger, Fêtes, p. 13, for bibliographical references.
2 Motyer, "Sacrifices," p. 27.
cleansing rituals (e.g., Lev 14:6. 49; Num 19:6; cf. Ps 51:7),
and that expiation is associated with the Passover particularly in
2 Chr 35:11, where its blood is used for the מָטָר ("throw") ritual.  
But this evidence should not be pressed too much. It suggests that
at most the idea of expiation was at sometime and somehow associated
with the Passover. However, the fact remains that in Exod 12:1-13:16
the idea of expiation does not seem to be present.  

In spite of the difficulty of finding the meaning of the application
of the Passover blood one thing is clear, namely, the narrative
puts a special emphasis on the blood ceremony by describing it care-
fully (12:7, 22). Blood is here very important. It seems to stand for
the life of the victim sacrificed as a substitute for the Hebrew firstborn.
It is life removed from the creature, implying its death.  

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3 Wyatt. "Atonement," p. 425, states. "Atonement is then the
keynote of the Passover." According to him the Passover was originally
a pastoralist-nomadic festival. "Before the change of pastorage. all
the old impurities and sins must be purged away. atoned for, and the
sacrifice of the Passover accomplishes this. The point of the smearing
then falls into place: it informs the avenging powers who have offered
atonement for their sins" (ibid.). Whether that was the original mean-
ing of the Passover is not important for us right now. What is impor-
tant is that such a conception seems to be absent from the Exodus
narrative. The Egyptians are not punished because they did not atone
for their sins. They suffered because their gods could not protect
them. Protection was only found in Yahweh (12:12. 13), who provided
a substitute for his people.

5 Cf. A. M. Stibbs. The Meaning of the Word 'Blood' in Scripture
duction and Commentary (Downers Grove. Ill.: Inter-Varsity Press,
visible sign indicating that in that house life had been already given to the Lord. By means of the sacrificial animal the life of the firstborn was preserved. The Lord accepted that blood in place of the life of the firstborn and He did not "allow the destroyer to enter" the house of the Hebrews to slay them (12:23). It is not blood per se which preserves them, but the Lord. He preserves them by providing and accepting a substitute.

What we have in Exod 12:1-13:16 is, we conclude, an act of redemption accomplished through a substitutive sacrifice (13:13). The redemption was that of the firstborn of the Hebrews. But, perhaps more than that, it was the redemption of the firstborn of the Lord: Israel (Exod 4:22). The Passover sacrifice could then be taken to be "a sign of the divine redemptive action that is about to take place."

Conclusion

We have seen that the Passover was a particular and unique kind of sacrifice. In Exod 12:1-13:16 it is offered in connection with the tenth plague. Its function was to preserve the firstborn of the Hebrews. That preservation is possible because the Lord was willing to accept the Passover victim as a substitute for the firstborn. We have found that the ideas of propitiation and expiation seem not to be present in the narrative. The Passover is here a substitutive-redemptive sacrifice. The Lord redeemed the firstborn of the Hebrews by accepting a substitute. But the redemption was really the redemption of Israel

1 Notice that the destroyer (הנהר) is presented as an instrument of the Lord over which He has control.

from slavery in order for it to become God's property (Exod 19:5).

The Fourth Servant Poem (Isa 52:13-53:12) and Substitution

Isa 52:13-53:12 has been considered "the major crux interpretum of the OT."¹ It is fraught with textual, philological, and interpretational problems some of which seem to escape final solutions. The attempts to solve them have been many and the results varied. The lack of scholarly consensus on the interpretation of the poem has led some scholars to consider it to be a purposefully enigmatic and ambiguous text for which no final interpretation could be found.²

It is impossible for us to deal with all the problems raised by scholars in the study of this poem. We will restrict ourselves to the study of the presence and significance of the idea of substitution, paying special attention to the cultic language used in the poem. We will follow the Hebrew text "whenever we can do so with a good academic conscience."³ The question of the identity of the Servant will be left out of consideration.⁴ We are mainly interested in understanding his mission rather than his identity.

¹McKenzie, Theology, p. 297.
²So David J. A. Clines, I, He, We, and They: A Literary Approach to Isaiah 53 (JSTOSup 1; Sheffield: University of Sheffield, 1976), pp. 25-33.
The literary Gattung of the poem has also been a subject of controversy. It has been recently argued that the whole poem belongs to the category of individual thanksgiving psalms. It cannot be denied that elements of that literary Gattung are present in the poem. However, not everything found in it can be assigned to that Gattung. Claus Westermann is right in suggesting that in this poem the literary type of individual thanksgiving psalms provides only a background. This type, he argues, has been modified in two ways: (1) the narrative is in the third person while in the thanksgiving psalms it is usually, if not always, in the first person; and (2) "those who tell of the Servant's anguish and deliverance have themselves been given salvation by what happened to and through the Servant." According to Westermann, Isa 52:13-53:12 is formed by a report (53:1-11a) within the framework of a divine speech (52:13-15: 53:11b-12). The fact that this form seems to be without parallel in the OT is not reason enough to exclude it here.

1 For a discussion see Whybray, Thanksgivings, pp. 110-13.
2 Ibid., pp. 113-34.
Denials of Substitution: An Evaluation

The traditional Christian interpretation of Isa 52:13-53:12 has understood the experience of the Servant to be substitutive. He suffered in place of the "many" in order to save them. Recently some scholars have challenged that interpretation. We intend to evaluate here some of the arguments they have used. Other arguments, especially those related to the cultic terminology found in the poem, will be discussed in the rest of this study.

Usually those who deny the presence of the idea of substitution in the poem have a particular understanding of the identity of the Servant and of the "many" whose sins he bore. This understanding is then used to evaluate the presence of the idea of substitution in the poem. Orlinsky, for instance, argues that "the idea of substitution is not present here because neither Israel nor the Gentiles suffered as innocent substitutes. Both of them were punished for their own sins."¹ Whybray, on the other hand, considers the "many" to be a designation for the Jewish exiles in Babylon and concludes that it is impossible to say that the Servant suffered in their place because they did not escape judgment (Lam 5:7).² For Orlinsky,³ as well as for Whybray,⁴ the Servant is the prophet himself. We consider this approach to the problem to be methodologically unsound. The reasoning

²Thanksgiving, p. 30.
⁴Thanksgiving, pp. 71, 171.
is to a certain extent circular. First the identities of the "many" and of the Servant are determined, and then, based on that identification, it is decided whether the idea of substitution is or is not present. It seems to us that what should be determined first of all is what the text is saying. The content of the text should be used to evaluate any particular understanding of the identity of the Servant and of the "many."

It has been argued by Orlinsky that the suffering of the Servant is not substitutive because he suffered only "on account of Israel's transgressions."\(^1\) In this sense, he states, the servant's suffering was not different from the suffering of the other prophets. Because of their unpopular message the prophets went through suffering and even death. They, like the Servant, "suffered on account of and along with the people at large . . . and when the people were made whole again, when their wounds were healed, it was only because the prophet had come and suffered to bring them God's message of rebuke and repentance."\(^2\) The mission of the Servant is taken by Orlinsky to be addressed to Israel. Whybray also considers the suffering of the Servant to be the result of his special vocation. The Servant, he suggests, has been arrested and mistreated by the Babylonians because of his anti-Babylonian prophecies. His suffering was interpreted by the exiles as indicating that he was a false prophet. They rejected him. But now they see that the Servant in his suffering was sharing

\(^1\) "Servant of the Lord." p. 57.

\(^2\) Ibid.
their sufferings. In other words, "the Servant, who deserved no punishment, has, as a result of their sins, which had necessitated his dangerous and fateful prophetic ministry, received the largest share of it."²

Two observations should be made on that understanding of the Servant's sufferings. First, if his sufferings are to be considered equal to the suffering of the prophets, then the uniqueness of his experience disappears. But the poem is precisely interested in stressing that uniqueness with its exclusive result. It could be argued that the Servant's sufferings are quantitatively unique, i.e., he suffered more than any other person in Israel. But the poem seems to be concerned with a uniqueness which does not take into consideration only quantity but also the nature and result of the sufferings. Secondly, the poem does not depict the Servant as a prophet bringing a spoken message of judgment, rebuke, and repentance which results in his suffering. The Servant's suffering is not the result of his preaching. We must recognize that "the uniqueness of the Servant is that whereas others suffered in consequence of their mission, his suffering is the organ of his mission."³

Kaufmann has also argued that the sufferings of the Servant were shared sufferings. That is, he did not suffer in their place: he

¹Thanksgiving, p. 59; see also pp. 134-35.
²Ibid., p. 61.
suffered with them. 1 Kaufmann supports his position by referring to vs. 5: "With his stripes we were healed." According to him that phrase implies that "we" also suffered and were healed by the merits of the suffering Servant. He finds here the idea of the atoning power of the suffering righteous. "Because the humble who were innocent of transgression were smitten along with the rest of the people, God noticed their misery and took pity on the entire nation." 2

Kaufmann has overlooked the fact that the "we" were healed when the Servant was suffering. The expression "with his stripes we were healed" (vs. 5) is very significant. Orlinsky has argued that if the biblical writer had been interested in suggesting "vicarious suffering" he should have used in vs. 5-8 the preposition ב (beth pretii) instead of the preposition ד. The amazing fact is that the prophet did use the beth pretii. He used it in vs. 5b in the phrase "with his stripes we were healed." Thus, the phrase could be translated. "In exchange for his stripes (בּוּהֲרָתָר) we were healed." 3 This usage of the beth should not influence the meaning of the preposition ד in the other cases. The preposition ד should be translated "as a result of." 4 It has the purpose of emphasizing the innocence of


2Babylonian Captivity, p. 159. Orlinsky denies the atoning significance of the suffering Servant by arguing that the concept of a suffering servant is not present in the Hebrew Bible ("Servant of the Lord," p. 63).

3"Servant of the Lord," p. 57; Whybray, Isaiah, p. 175.


5Whybray, Thanksgiving, p. 62.
the Servant. We consider the presence of the preposition in vs. 5b to be intentional. Verse 5b is one of the few places in the poem where the purpose of the Servant's experience is clearly stated. The emphasis here is on the result of his suffering. He suffered "to make us whole." That was possible because healing was obtained "at the cost of/in exchange for his stripes." This last expression brings to a climax the thought of the verse.\(^1\) Thus it is precisely the expression which Kaufmann used to disprove substitution which really supports it.

A word is in order concerning Kaufmann's reference to the atoning power of the sufferings of the righteous. He supports his position by referring to the biblical concept of retribution. According to him "the idea is current in the Bible that men suffer for the sins of others; and in this broad sense the concept of 'vicarious suffering' is biblical."\(^2\) But it seems to us that collective retribution could hardly serve to explain what we have in Isa 52:13-53:12. Outside this poem Kaufmann is unable to find a single case where the suffering of the innocent due to collective retribution moves God to save the innocent as well as the guilty ones.\(^3\)

The fact that substitutive suffering borne by an innocent person is unknown in the OT has been used to argue against the presence of

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\(^1\)Orlinsky, "Servant of the Lord," pp. 53, 58, and Whybray, Thanksgiving, p. 149, n. 138. take the beth to be instrumental—"through/bys his stripes." But that weakens the theological significance of the statement.

\(^2\)Babylonian Captivity, p. 142.

\(^3\)Interestingly enough he states, "The idea of specifically vicarious suffering is to be found in Scripture only with respect to sacrifice" (ibid., p. 144).
the idea of substitution in this poem. But it appears to us that a good parallel could be found only in the cultus.

Cultic Language and Substitution

Near Eastern cultic background

It is often recognized that the background for the ideology found in Isa 52:13-53:12 is of cultic origin. Some of those who find in the poem the idea of substitution have suggested that the origin of that idea is to be found in Near Eastern religious practices. They have connected it with the Babylonian idea of the death and resurrection of the god Tammuz, with the experience of the Babylonian king during the celebration of the New Year ritual, or even with the

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1 E.g., Whybray, Thanksgiving, pp. 61, 63.

2 Hugo Gressmann, Der Ursprung der israelitisch-jüdischen Eschatologie (Göttingen: Vandenhoeck und Ruprecht, 1905), was the first to make a careful study in this area. He found traces of the original mythological nature of Isa 53 in the resurrection of the Servant and his exaltation. According to him the Servant belongs to the circle of the Adonis-Tammuz figures. The fourth poem originated from a cultic hymn sung to a vegetation god. Today such an interpretation has been abandoned by practically all scholars. Gressmann himself was led to modify his own view by recognizing that Tammuz was a nature god and that his death had no expiatory virtue; see North, Servant, pp. 69, 101, for a discussion of this theory. The Ugaritic myth which depicts the death and resurrection of Baal, a vegetation god, has also been considered a decisive influence in the formation of the fourth Servant poem: see J. P. Hyatt, "The Sources of the Suffering Servant Idea," JNES 3 (1944):84-86. For an answer to Hyatt's arguments see Edward J. Young, Studies in Isaiah (Grand Rapids, Mich.: Wm. B. Eerdmans Publishing Co., 1954). pp. 127-41. Wyatt's suggestion that CTA 12 contains a very ancient theology which has been applied to the servant in Isa 53 is unconvincing, too speculative, and based on a very enigmatic text ("Atonement," p. 420). For our view on CTA 12. see above, pp. 69-73.

3 This was suggested by Lorenz Dürr, Ursprung und Ausbau der israelitisch-jüdischen Heilandserwartung (Berlin: C. A. Schwetschke & Sohn, 1925), pp. 134-50. This view, with some modifications, is still

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practice of the substitute king (šar pûṭî).\textsuperscript{1}

However, none of these possible influences can fully account for what we have in Isa 52:13-53:12. There is no persuasive evidence which could show that this poem has been influenced by Babylonian ideas. Concerning Tammuz and the Servant, the differences between them far outweigh the similarities. Josef Scharbert has pointed out the following differences between them: (1) Tammuz is a deity, the Servant is a human being; (2) Tammuz suffers in the Underworld, the Servant in this world; (3) the suffering and death of the Servant are substitutive and expiatory but the death of Tammuz has no expiatory value; (4) the liturgy of Tammuz is grounded on the death of the natural world, the vegetation; the biblical poem confronts us with the people's consciousness of sin and with the Servant's willingness to bear it.\textsuperscript{2} The differences are so fundamental that literary or ideological dependence must be questioned.

With respect to the influence of the Babylonian New Year festival on the biblical poem, serious questions should be raised. We know that

\begin{itemize}
  \item Josef Scharbert, "Stellvertretendes Sühneleiden in den Ebed-Jahwe-Liedern und in altorientalischen Ritualtexten," BZ 2 (1958):198. Scharbert is willing to accept some kind of influence: "Bestenfalls kann man mit einem--aber keineswegs sicher nachweisbaren--Einfluss der Tammuz liturgie auf die literarische Konzeption und auf die äussere Beschreibung des Leidens des Knechtes rechnen" (ibid.). But it seems to us that even that possibility should be ruled out because superficial similarities do not prove dependence or influence.
\end{itemize}
during the festival the king was brought before Marduk, his royal
insignia were removed from him, and he was humiliated by the priest.
who slapped the king's face. The king was also to kneel down, con­
fess his sins, and pray. Only after that humiliating experience was
the king restored to his kingship.¹ But again the differences between
the king and the Servant are insurmountable. Probably one of the
most important differences is to be found in the fact that the humilia­
tion of the king is not substitutive and does not have an expiatory
character.² Siegmund Mowinckel has indicated that in the case of
the Babylonian king we have three acts: exaltation—he was a king;
abasement—the king is humiliated: exaltation—he becomes king again.
With the Servant we have only two acts: "A time of ever-increasing
abasement, followed by elevation to a height above anything previously
attained."³

There is no evidence which could support a connection between
the Servant and the substitute king. The basic reason for which a
šar-ḫubi was appointed was because of evil omens, not because of the

¹A. Sachs. "Temple Program for the New Year's Festivals at
Babylon," ANET, pp. 331-34. This ritual has been interpreted by
Engnell as a cultic act by which the death and resurrection of the king,
who in the cultus is identical with the god, was represented: see his
Studies, p. 35: idem. "The "Ebed Yahweh Songs and the Suffering
Messiah in 'Deutero-Isaiah'." BJRL 31 (1948):54-93; cf. A. Bentzen,

²Scharbert. "Stellvertretendes," pp. 202-203; George Fohrer,
"Stellvertretung und Schuldopfer in Jesaja 52,13-53,12 vor dem Hinter­
grund des Alten Testaments und des Alten Orients." in Das Kreuz
Jesu: Theologische Überlegungen, ed. Paul Rieger (Göttingen:

³Sigmund Mowinckel. He That Cometh (New York: Abingdon
need for atonement. It was a means of averting misfortune from
the king to the substitute. It is essentially connected with magical
beliefs. The Underworld powers, which received the šar ūḫi, are
not even indirectly mentioned in Isa 52:13-53:12. The šar ūḫi and
the Servant are essentially different.

**Israelite cultic background**

It seems to us that the best place to look for the origin of the
ideology found in the fourth Servant poem is in the Israelite cultus. This is indicated by the fact that cultic language is used throughout
the poem. We intend to interpret that language in terms of its usage
in the Levitical cultic legislation. This should not raise any methodo-
logical questions. The biblical evidence suggests that the so-called
Deutero-Isaiah was acquainted with the cultic legislation (cf. Isa 43:
23-28). Deutero-Isaiah is usually dated to the sixth century B.C.
On the other hand it has been suggested that the terminus a quo for
the earliest components of the so-called priestly document could be

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any cultic background it is more likely to have been in the Yahwistic
ritual of his own people." See also Mowinckel. Cometh. p. 210:

3 See C. R. North, "Isaiah," IDB 2:737. We are aware of the
fact that some scholars do not consider the author of the Servant Poems
to be Deutero-Isaiah. On this problem see Otto Eissfeldt. The Old Testa-
If such a suggestion were accepted then it would be more reasonable to
believe that the author was acquainted with the priestly tradition. This
becomes even more probable if one were to consider the fourth poem to
have been written by someone other than the writer of the other three
poems: see Dion, "Chants." pp. 17-38.
the time of Hezekiah. ¹ This dating would allow for priestly influence on Deutero-Isaiah. ² Hence, we do not consider it methodologically unsound to interpret the cultic language of the fourth poem in terms of its usage in the Levitical regulations. ³

The first cultic term in the poem is מְלָת in 52:15. This verb (מְלָת) has been traditionally taken to mean "to sprinkle." Today this view has been "generally abandoned." ⁴ There seem to be two main reasons for this rejection: (1) the verb מְלָת takes the accusative of the thing sprinkled and a preposition; both things are absent here; (2) "sprinkle" is considered to be in this context meaningless. Based on that many emendations have been proposed. ⁵ The tendency among scholars is to postulate a second root meaning for מְלָת, deriving it from the Arabic nazi-"leapt," "leapt for joy," and here, "to be startled." ⁶


² This influence could not be questioned if one would accept the dating of the Pentateuch given by conservative scholars; see Edward J. Young, An Introduction to the OT (Grand Rapids, Mich.: Wm. B. Eerdmans Publishing Co., 1950), pp. 47-49; R. K. Harrison, Introduction to the OT (Grand Rapids, Mich.: Wm. B. Eerdmans Publishing Co., 1969), pp. 531-41.

³ L. G. Rignell, "Isaiah 52:13-53:12," VT 3 (1953): 89, is right when he states, "The conceptions, and even the terminology itself, which are used to make clear the mission of the Servant are influenced by the Pentateuchal description of sacrifice in ancient Israel."

⁴ North, Second Isaiah, p. 228.

⁵ For a discussion of the different suggestions see Young, Studies, pp. 196-206.

A major weakness in this suggestion is that it introduces a hapax legomenon into the Hebrew Bible. Concerning the argument that the accusative of the thing sprinkled is not present here, we must be careful not to press it too far. We have a precedent for this in Exod 29:21. In this poem the verb seems to be used in the sense of cleansing, the Servant cleansed many people.  

The idea of cleansing, contrary to what is argued, fits very well in vs. 15. In order to show this we must go back to vs. 14. Verses 14 and 15 are describing two different attitudes of the people towards the Servant. According to vs. 14 the "many" were horrified at him because of his outward appearance. But something happened and the kings shut their mouths in reverence towards the Servant. These two contrasting attitudes run throughout the poem like a lament. The term Ṿאש in vs. 14 is quite important. It has been usually re-pointed as a Hophal participle from the verb Ṿאש ("damage, move"). The IQIs reads Ṿאש, a reading which D. Barthélémy took as evidence to argue that the verbal root was Ṿאש ("to anoint"). But  

1On the ritual of the sprinkling see above, pp. 122-29.  
the idea of anointing does not fit here very well—what would be
anointed would be the "appearance" of the Servant. Others consider
it to be a corruption and emend it to נ.LastName, a Niphal form of נ Bam (#to
become moved, to deteriorate"). But it is probably better to repoint
the word as a Hophal participle. It is in construct state with נ (*his appearance*), from which it is separated in order to have a
chiastic parallel with the next colon.

The verb נ Bam is used in Lev 22:25 and Mal 1:14 to describe
animals which were unfit for sacrifice because of physical defects. In
Lev 22:25 we find it in apposition to the term מemarks, which is the
more common term to designate such animals. This is the term used in
Lev 21:17-23 to refer to the priests who cannot officiate at the
sanctuary. There we also have a list of physical defects similar to the
one found in Lev 22:25. Any blemish (להם/מרוֹס) made an animal
unfit for sacrifice and made a priest unable to function as such.

If we now go back to Isa 52:14, 15 we are able to see more
clearly the contrasting nature of the ideas present in these two
verses. The people who were horrified at the physical appearance of
the Servant are now surprised not only because they did not suspect


2 One could perhaps take it as an unattested noun in the con-
struct state and retain the MT reading: cf. Whybray, Isaiah 40-66, New
Leiden und Tod unser Heil (Neukirchener: Verlag des Erziehungvereins,

3On נ Bam see D. Vetter, "נ Bam sht pi./hi. verderben," THAT
2:891-94; Günther Harder, "ן Bam" TDNT 9:96. Harder comments
concerning Mal 1:14 that "the ho. has the special sense 'to be castrated'
(ibid.); but it seems to us that if vs. 13 is taken into consideration
נ Bam could be referring to animals which are "lame" or "sick."
that he would cleanse them, but especially because, from the cultic point of view, the Servant was unfit to function as a priest, and yet he "sprinkled/cleansed" them. That was certainly something unknown before. The unexpected (the impossible?) happened!

Another cultic expression found in this poem is נָשָׁתָ֑יָ֣הוּ "to bear sin," vs. 12). It is used eight times in the OT, most of them in the Levitical legislation.¹ In vs. 11 we have a similar expression לעונתתת הָאָ֑רֶא יִסְבָּל ("and he bore their iniquities"), which is expressing the same idea as הנָשָׁתָ֑יָ֣הוּ in vs. 12. In this poem סְבָל is a synonym of נָשָׁתָ֑יָ֣הוּ. This is indicated by the fact that in vs. 4 both verbs are used in a clear poetic parallelism (cf. Isa 46:4).² Thus, we have in Isa 53 four phrases expressing the same thought:

vs. 4 הָלָ֛רֶא הָאָ֑רֶא נָשָׁ֖תָ֑יָ֣הוּ = "he bore our sickness"
מְאָבְרֶ֗ר סְבָל = "he bore our pains"

vs. 11 לעונתתת הָאָ֑רֶא יִסְבָּל = "he bore their iniquities"

vs. 12 הָלָ֛רֶא הָאָ֑רֶא רַבְּיָ֖ים נָשָׁ֗תָ֣הוּ = "he bore the sin of many"

The first two statements are expressed by the "we." In the last two the speaker is Yahweh. The fact that the Servant bore the sin of the people is recognized by both of them. It is true that not all these expressions are cultic per se; nevertheless, they are used


²On סְבָל see M. Held. "The Root zablu/sbl in Akkadian, Ugaritic and Biblical Hebrew." in Essays in Memory of E. A. Speiser, ed. W. W. Hallo (New Haven, Conn.: J. H. Furst, 1968), pp. 90-96. He indicates that both verbs, zablu and nasâ, are used in synonymous parallelism in Akkadian literature (p. 92). The usage of sabal in connection with het' and כַּוּוֹנָ֑ה is "fully analogous with such well-known Akkadian
as synonyms of a cultic expression and they at least carry cultic overtones. The verb סבל ("to bear") followed by עונת ("iniquity") is used in Lam 5:7: "Our fathers sinned, and are no more; but we bear their iniquities." The expression is used here to express the idea of punishment. But the author of this lamentation "is not concerned to contrast the guilt (ברכאות) of the fathers with the undeserved sufferings of himself and his contemporaries (🇸םלנה)." According to vs. 16 "the poet does acknowledge that the present generation had some part in that sin." In the case of the Servant the situation is different. He has not participated in any way in the sin of the "we/many." Yet, he is bearing their sin/punishment. He is bearing sin/punishment in a different way than the sons are bearing the sin of the fathers in Lam 5:7. The same thing ought to be said about the phrase סבל סבל. In the places where it is used it refers to "a punishment which the sinner has deserved and brought upon himself: the idea of vicarious bearing of a punishment on behalf of others is never present." But we must keep in mind that outside the Servant poem we do not find that expression applied to an innocent person in order

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1 We have, especially in the Psalms, terms denoting sickness used in synonymous parallelism with terms for sin. e.g., Ps 103:3.
2 Whybray, Thanksgiving, p. 29.
4 Since the Servant relates to the "we" and the "many" in the same way, i.e., he bears their sin. the "we/many" seem to refer to the same people; see Clines, I, He. p. 40.
5 Whybray, Thanksgiving, p. 31.
to obtain forgiveness for the guilty one. The person who is bearing sin is either bearing his own sin or is somehow involved in the sin he is bearing. The only proper parallel for the experience of the Servant is to be found in the sacrificial victim of the Hebrew cultus. Therefore, אנה is being used here in the same way לימים is used in connection with the sacrifices. To the sacrificial victim was transferred the sin/punishment of the individual who then went free. In the poem it is the Servant who bears the sin/punishment of the "we" who are then "made whole." "In exchange for his stripes we were healed" (vs. 5b).

In vs. 12 אנה אנה is in parallelism with לﬀפפריעוו ("for the transgressors he made intercession"). The mediatorial function of the Servant has been understood in terms of prophetic mediation.

1 The expressions אנה אנה are used interchangeably in the Pentateuch and express the same thought, e.g., Num 18:22. 23. On אנה see above pp. 130-35. 143. Whybray, Thanksgiving, pp. 31-57, has tried to show that the phrase has nothing to do with "vicarious suffering." It is true that in most of the cases the idea of substitution is not suggested by לימים. The reason for that is that, as we argued above with respect to אנה, in most of the cases the person is bearing his own sin. But whenever the phrase is used in the context of sacrifices the idea of sacrificial substitution and the transfer of sin/punishment to the innocent victim is present or implied.

2 The fact that to bear sin includes the idea of punishment is especially indicated in Isa 53 by using מיא "sickness" and קסא ("pain") as synonyms for מיא.

3 The verb קסא can be rendered "to intercede"; see North, Second Isaiah, p. 246: Whybray, Isaiah, p. 183. The fact that the same verb is used in vs. 6 meaning "to lay on" does not make it necessary to have that same meaning in vs. 12 (contra N. H. Snaith, "Isaiah 40-66: A Study of the Teaching of Second Isaiah and Its Consequences," in Studies on the Second Part of the Book of Isaiah [VTSup 13: Leiden: E. J. Brill, 1967], p. 197).

but since the previous phrase is a cultic one it would be better to understand his intercession as a priestly intercession. Yet, it seems to us that we have here more than that. The Servant's mediatorial function goes beyond priestly mediation. His intercession is not so much a spoken one as an acted one.¹ He interceded for them in the sense that "with his life, his suffering, and his death, he took their place and underwent their punishment in their stead."² Against this it should not be argued that these two phrases --"He bore the sin of many;" "he made intercession for the transgressors"-- are intended to express not a parallelism, but a contrast; that is, that "the Servant suffered a punishment which others and not he deserved: yet it was he who had always interceded (and successfully!) with God for those very people."³ The contrast is not found between these last two sentences, but between them and the previous one:

"He was numbered with the transgressors (סְעֵרֵי:); yet he bore the sin of many, and made intercession for the transgressors (לְשָׁעְרֵי)."

He interceded by bearing the sin of the many. Notice also that the terms used in the poem to refer to the sins of the people are the very same terms used in the cultus to designate the offenses expiated through the sacrifices. namely, שָׁעָר, וֹרֶת, and עַשְׁשָׁב.

¹Clines, I. He. pp. 41-44. has pointed to the fact that there is in Isa 52:13-53:12 a great emphasis on action. It is the Servant who is the object of that action. "There is no concrete action that the Servant does--apart from letting everything happen to him... Yahweh's purpose was (ἵπτερον, 53:10) that the Servant should--not do something--but suffer, be the one acted upon" (p. 42. italics his).

²Westermann, Isaiah. p. 263.

³Whybray, Thanksgiving. p. 74.
Here the term נָשַׁה in vs. 10 becomes extremely important.

The main problem in this verse is the verb נָשַׁה. It has been argued that the introduction of a second person singular here does not make sense. In order to solve that problem some have redived the consonants, 1 others have repointed the verb, 2 and others have taken it as an optative. 3 Perhaps the best way to solve this problem is to consider the verb to be a third feminine singular whose subject is נָשַׁה: "when his life shall make an נָשַׁה." 4 The phrase is somewhat obscure but its meaning is clear. Notice that the passage does not say that the Servant offers (בָּרָא, cf. Lev 4:3) an נָשַׁה. That would have suggested that the sacrifice was on his behalf. Instead we read, "When his life makes an נָשַׁה." which in its present context could only mean one thing, namely, that the Servant placed his life as an נָשַׁה. In other words his life is an נָשַׁה by passively submitting himself to the crushing power of suffering (vs. 10). The term נָשַׁה carries here all its cultic significance as a designation for an expiatory sacrifice. 5

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Snaith has suggested that it does not refer to the guilt offering because "there is no record of this particular sacrifice before the post-exilic period." But this is an argument from silence and it could very well be argued that this passage provides "strong evidence for 'āšām as a sacrificial term older than the Priestly Code." Snaith, in order to exclude the idea of sacrificial substitution from the poem, prefers to understand ḫûkh as meaning "compensation." According to him the Servant was not punished in place of the people. He simply provided, through his suffering, a compensation for whatever wrong was done. But it seems to us that the Servant's suffering was more than a compensation for the sin of the people. According to vs. 4 it was "our" suffering which he bore. "Like a guilt-offering, the


1"Isaiah 40-66." p. 196.
4In his effort to deny the substitutive character of the Servant, Snaith seems to contradict himself. He writes "he [the Servant] bore it [the suffering] instead of the guilty ones and they went free." But
death of the Servant results in atonement, the salvation of sinners from death."

In vs. 7b we find the Servant being compared with a קֹדֶשׁ ("lamb") which is taken to the slaughter (יָמָן). The lamb is a cultic sacrificial animal. However, קֹדֶשׁ is not a cultic term. It is used in the OT for the non-cultic killing of an animal. For the cultic slaughtering the term נְחָלָה is usually employed. This would seem to exclude any cultic connotation from the expression "like a lamb that is led to the slaughter." Furthermore, the parallel bicolor refers to the shearing of an ewe, an act which does not seem to have any cultic implications. What these expressions seem to emphasize is the passive attitude of he immediately adds, "This is not saying that the Servant suffered in order that the rest may go free. There is nothing vicarious about his suffering in this sense" ("Isaiah 40-66," p. 195). He is making thin distinctions which can hardly be upheld.

1 Kelierman, "'ashām," p. 435. It has been argued by some scholars that the Servant did not die: see Whybray, Thanksgiving, pp. 79-106; J. A. Soggin, "Tod und Auferstehung des leidendes Gottes-Knechtes: Jesaja 538-10," ZAW 85 (1975):346-55. It seems to us that the cultic language suggests quite clearly that the Servant died. The poem itself points also to his death. This is especially true in vss. 7-9 where we have a progression from physical oppression to the grave itself (cf. Fohrer, "Stellvertretung." pp. 13. 16-18). To take the expressions "he was wounded," "he was crushed," "he was brought to the slaughterer," "he was cut off from the land of the living," "he was smitten," "his grave was set," "with the rich in his death," "he was abandoned to death," as metaphorical is to destroy their theological significance. In a context of innocent suffering and atonement they should retain their literal meaning. Concerning the resurrection of the Servant one could only say that it seems to be implied in the poem: see Payne. "Servant," pp. 136-40.


3See Jacob Milgrom, "Profane Slaughter and a Formulaic Key to the Composition of Deuteronomy." HUCA 47 (1976):15.
the Servant. Nevertheless, we should not overlook the cultic overtones present here. The animals are sacrificial animals and even the shearing of an animal is mentioned in connection with cultic animals. According to Deut 15:19 the firstlings of the flock were not to be sheared because they belong to the Lord. So, it would be better to say that by using these expressions the prophet is not only describing the attitude of the Servant but he is also suggesting that from the cultic point of view the Servant was not treated as a cultic victim. His "slaughtering" was not a cultic slaughtering. But the astounding thing is that he was a cultic victim, a ♦️ ("lamb"), offered up as a guilt offering.  

Another expression in the poem which seems to be describing a cultic practice is found in vs. 11:11 ("Through his knowledge shall the righteous one, my Servant, make many to be accounted righteous" [RSV]). The term has been interpreted in different ways. It has been taken as a divine appellative—"the Just One will vindicate his servant:" as a kind of superlative—"my perfectly righteous Servant." Others have omitted it as

1 Zimmerli. Theology. p. 223. writes. "The image of the lamb led to slaughter from the confessions of Jeremiah (11:19) reappears in a new sense: it no longer represents hatred for the prophet's enemies but rather the willing submission of the Servant."

2 It is interesting to notice that in vs. 6 the "we" refer to themselves as sheep that went astray. They were not taken to the slaughter. Could this be suggesting that the Servant took their place?


a dittography of רְצוּר ְךָ or put it before the verb. The best thing to do is probably to consider it an epithet for the Servant. In its present context this epithet is significant. We take the הָיָרָפ form of רְצוּרא to mean "to pronounce a person just, guiltless." It is denoting a judicial function or, better, a priestly function of judicial character. Among the many responsibilities of the priest was the one of "giving decisions in questions involving social law" (es. Deut 17:8-13). This could be one of those cases. But more specifically, it could be a priestly declaratory formula. We know that many such formulas were used in the cultus. By uttering them the priest, "acting with Yahweh's authority, declare the result of a cultic investigation." The expression "by his knowledge" suggests that after the cultic investigation the Servant is fully aware of the situation, and he can, therefore, declare the many as righteous. But since the "many" are truly guilty, this declaration could be considered a


3 Muilenburgh, "Isaiah." p. 630.

4 Von Rad. Theology, 1:245.


7 A second root meaning has been postulated for רְצוּר, namely, "humiliation": see Thomas, "A Consideration," pp. 82, 86. Although that suggestion could fit well into some passages, we do not consider it to be required in vs. 11.
heinous crime."\(^1\) In order to avoid that conclusion we should notice two things. (1) The Servant is considered to be the Righteous One. We should remember that in the cultus the declaratory formula was a pronouncement of acceptance or rejection of the sacrificial victim.

"The judgment on the cultic sacrifice always was identified with that on the offerer himself."\(^2\) It is only because the Servant, as a sacrificial victim, is considered הָמוֹן that he, as a priest, can declare the many to be righteous. The righteousness of the One is the righteousness of the many. (2) Verse 11b—"he bore their sin"—reveals the ground for the acquittal of the guilty ones. By bearing their sins the Servant acquits them. Far from being a heinous crime, this is divine love opening up a way of forgiveness for the rebellious one.

Conclusion

Cultic language is used practically throughout the whole fourth Servant poem. It actually opens and closes it. It is found in both Yahweh’s speeches and throughout the report of the "we." The cultic language is not, therefore, an isolated factor in the poem.

With respect to the Servant, cultic language is used in two different ways. First, in a negative way. It is used to suggest that according to the cultic standards he was not fit for priestly office.

His death is not described with the usual terms employed to designate cultic slaughtering. In other words, the Servant does not seem to be

\(^1\)Whybray, Isaish. p. 181; idem. Thanksgiving, pp. 67, 70.

the instrument of the Lord. When the "we" looked at him, they did not imagine that his experience was a salvific event. This judgment of the "many" on the Servant is not presented exclusively through the vehicle of cultic language. Non-cultic expressions like "he grew up like a root from dry ground," "he had no form nor beauty" (vs. 2), "we esteemed him not" (vs. 3), "we esteemed him stricken, smitten by God" (vs. 4) also suggest that in the eyes of the "we" the Servant was anything but God's salvific instrument. In this respect the cultic language agrees with the tenor of the poem in general.

The cultic language is also used in a positive way. It is used to indicate the priestly function of the Servant. He who could not function as a priest cleanses the people, intercedes for them, and declares them righteous. But he is not only a priest, he is also the sacrificial victim. He bears the sin of the man: he is the lamb who places his life as an expiatory sacrifice for them. The apparently non-cultic slaughtering is nothing less than a guilt offering. He takes the place of the many and dies for them. In exchange for his suffering the "we" were healed.

What we have in this poem is something unique, never seen before (52:15). The prophet seems to be at pains trying to explain that which has not been heard before. It is here where the cultic language becomes extremely important for him. He uses it especially to describe the experience of the Servant as a sacrificial substitute. That the suffering and death of an individual could be interpreted in terms of sacrificial substitution was something unknown before in Israel. Sacrificial substitution was possible only in the cultus through
a sacrificial animal. If the experience of the Servant was to be interpreted as achieving atonement for the sinner, the only way left to do so was through the usage of cultic language. That was what the prophet did.\(^1\)

We are not arguing that the Servant is a priestly figure. We are willing to recognize that there are in the poem prophetic as well as royal elements.\(^2\) Royal ideology seems to be used in passages dealing with the exaltation of the Servant. Prophetic traits may be found in his sense of mission and to a certain extent in his suffering.\(^3\) Yet, none of these figures could account for the fact that the experience of the Servant is interpreted in terms of sacrificial substitution. In the Servant royal, prophetic and cultic elements are brought together.\(^4\)

**Conclusion**

Our study has shown that in Gen 22:1-19 we are dealing with sacrificial substitution. This pericope should be studied in connection

\(^{1}\)One wonders whether through the cultic language, with its positive and negative usages, there is expressed a veiled polemic against a traditional and formalistic understanding of the cultus. The cultus seems to be transcended and yet it seems to be established. It is transcended because the one who could not be a priest becomes a priest and the sacrificial victim which is not treated as such is an expiatory sacrifice. But even though the cultus seems to be transcended, its categories are used to interpret the experience of the Servant.

\(^{2}\)Engnell, "Ebed Yahweh," has identified the Servant as a kingly figure. He has gone beyond the information provided by the four poems. Von Rad, Theology. 2:259, has gone to the other extreme by denying the presence of royal elements in the poem. Mowinckel, Cometh, pp. 213-33, considers the prophet to be a prophetic figure; also A. Feuillet, Etudes d'exégèse et de théologie bibliques: Ancien Testament (Paris: Gabalda et Cie., 1975), pp. 175-77.

\(^{3}\)See Oepke, "\(\mu \nu \varsigma \iota \tau \nu \varsigma \)" p. 614; Mowinckel, Cometh, p. 231.

\(^{4}\)With Jacob, Theology, p. 340.
with chapters 20 and 21. These chapters make clear that Abraham was in need of divine forgiveness. The test described in 22:1-12 is a test only because a substitute was provided and accepted by the Lord. Through the burnt offering Abraham was forgiven and preserved alive.

The Passover sacrifice was a unique sacrifice. According to Exod 12:1-13:16 it served as a substitute for the firstborn of the Hebrews. The idea of expiation does not seem to be present in the biblical narrative. What we have there is a sacrifice of redemption through substitution.

In the fourth Servant poem we have another case of sacrificial substitution. Cultic terminology is used to interpret the experience of the Servant. It is especially used to indicate that his suffering and death was substitutive, resulting in expiation for those whose place he took.

In these passages cultic terminology is used in order to convey or even strengthen the idea of substitution present in them. The implication is that substitution, and especially sacrificial substitution, which was at the heart of the Hebrew cultus, could be transferred to other contexts through the usage of cultic terminology.
CHAPTER VI

SUMMARY AND CONCLUSIONS

In this investigation we intended to study the presence, function, and meaning of the idea of sacrificial substitution in the Hebrew cultus, paying particular attention to the expiatory sacrifices. Our review of literature on this subject revealed that sacrificial substitution has been questioned and rejected by most scholars as a valid attempt to understand the meaning of the OT sacrifices. It has been claimed that there is no biblical or extra-biblical support for it.

The third chapter of this investigation dealt with the extra-biblical materials, that is, the ancient Near Eastern texts. Sacrificial substitution was practically unknown in the ancient Near Eastern religions. The idea of substitution was, however, widely known. Many rituals were performed in which substitution played a key role; but we found it very difficult to refer to them in terms of sacrificial substitution. It is among the Hittites that we seem to come closest to the practice of sacrificial substitution. We have evidence which indicates that the king, having offended the heavenly gods, sought to appease them by sacrificing a substitute to them. In general it seems that in the ancient Near East the practice of substitution was associated primarily with the underworld powers. The rituals were performed whenever life seemed to have been in jeopardy. The substitute could
have been a person, an animal, or an inanimate object. The one was identified with the other mainly through the spoken word. In many cases the substitute was brought into direct contact with the individual, e.g., stepping on it, lifting it up, laying one's hand on it, etc.

In the fourth chapter we discussed the Hebrew cultus. A study of the expiatory sacrifices indicated that they redressed intentional as well as unintentional sins. The "sin-offering" (נָאָס) dealt with physical/moral impurity, while the "guilt-offering" (נָאָס) dealt with misappropriation and/or misuse of human or divine property, and with suspected sins. The individual who sinned was declared to be guilty and bearing his own sin. He was immediately in a state of sin/punishment before the Lord. Unless something was done he would remain alienated permanently from the Lord. The ultimate result of this experience would have been death.

These same basic ideas were also present in cases where a "sin-offering" was required for physical impurity. Impurity in Leviticus seems to be directly connected with the realm of death. To be impure is to be alienated from God, to be in the sphere of death. Yet, death is not fully actualized. A sacrifice is offered and forgiveness is granted. Man is no longer alienated from God.

The "sin-offering" was also to be offered on special occasions. In those cases no ethical or cultic violations are mentioned, but still it was offered to cleanse or to make atonement. What this seems to suggest is that impurity was conceived of by the Israelites as an ever-present reality whose origin may have possibly been demonic. Purity
could only be maintained through the periodical offering of sacrifices.

The different rituals practiced in connection with these sacrifices were examined in an effort to ascertain the meaning of the sacrifices. The study of the rituals of the sprinkling of blood and of eating the flesh of the "sin-offering" indicated that through these rituals sin was transferred to the sanctuary. The ritual of the putting of blood on the horns of the altars seems to be an act through which it is indicated that sin was brought under the controlling power of Yahweh. The blood of the "guilt-offering" was, on the other hand, thrown against the altar and its flesh was eaten by the priest. The meaning of these rituals is essentially the same as for the "sin-offering."

A study of the ritual of the laying on of hands intimates how sin was transferred to the sanctuary. In the non-sacrificial pericopes in which this ritual is mentioned, it seems to contain two main ideas, namely, transference and the establishment of some relationship between the object and the subject of the ritual. In most of these cases the relationship established is one in which substitution is present. The laying on of hands on the scapegoat also contains the ideas of transfer and the establishing of a relationship. Sin is transferred to it and the relationship established is one of carrier-to-carrier. In this case sin is being returned to its originator.

We have found that in the expiatory sacrifices the laying on of hands signalizes a transfer of sin and a designation of the victim as a substitute for the offerer. The argument that a transfer of sin would have contaminated the sacrificial victim, making it impossible to refer to it as "most holy," is one-sided. The biblical text was able to maintain
the holiness of the flesh of the animal and the transfer of sin to it at the same time. When there is repentance and confession, the sin-holiness encounter serves to reveal the superiority of holiness. It is through that encounter that expiation is achieved.

The laying on of hands also indicates that the sacrificial victim is the offer's substitute. As a matter of fact, the significance of the transfer of sin is to be found precisely in the substitutionary character of the victim. To the victim is transferred the sin/penalty of the offerer and bears it as his substitute. The offerer slaughters the victim because it is bearing his penalty.

The laying on of hands was also practiced on the "burnt-offering and on the "peace-offering." We have argued that even in these sacrifices the ideas of transfer and substitution were also present. They are not expiatory sacrifices per se, but the biblical text ascribes to them an expiatory virtue. The book of Leviticus seems to suggest that man is always in need of cleansing before the Lord. That would explain why an expiatory virtue is present in every bloody sacrifice. That expiatory function is indicated not only by the laying on of hands but also through the blood manipulation.

The full significance of the blood manipulation comes to light especially through a study of Lev 17:11. There blood and life are equated. To the blood-life of all sacrificial blood the Lord has assigned an expiatory function upon the altar. Blood belongs to Yahweh because it is life. The blood of the sacrifices is returned to Him via the altar. But in that process He allowed the Israelites to transfer their sins to His sanctuary. That is possible because the Lord has been willing
to accept the blood-life of the sacrifice in place of the sinner. Sin is kept in the sanctuary until the Day of Atonement. On that Day it is proclaimed that Yahweh and sin have nothing in common. Sin is then transferred to its source, i.e., Azazel.

In our last chapter (V) we discussed three passages which have been claimed to contain the idea of sacrificial substitution. Our study showed that sacrificial substitution is not present in one of them, namely, the Passover narrative. There we can speak only of substitution. The Passover victim was offered as a substitute for the first-born of the Hebrews. In a sense it also served to redeem Israel, Yahweh's first-born. Sacrificial substitution was present in the sacrifice of Isaac. Cultic language is used there within a specific theological frame in order to express the idea of sacrificial substitution. The fourth Servant poem is another case of sacrificial substitution. Cultic language is used in an effort to interpret the experience of the Servant in terms of sacrificial substitution. What is of particular significance in these three passages is that cultic language is used in order to express or to emphasize the idea of substitution or sacrificial substitution. This suggests a close connection between cultic language and the idea of substitution.

A brief comparison between the Hebrew practice of sacrificial substitution and the practice of substitution in the ancient Near East is in order. The similarities are not to be overlooked. In both cases substitution operates with respect to the life-death issue; in both of them the substitute could be an animal or an inanimate object. In Israel and in the ancient Near East the substitute was usually brought
into contact with the one for whom it substituted. In both cases the substitute was destroyed or killed. On the other hand we must also consider the differences. In the ancient Near East substitution is practically always associated with the Underworld powers. The substitute is usually given to them. The OT nowhere speaks of substitutes given to demons. The sacrificial victim is given to Yahweh as a substitute for the sinner. Magic plays an important role in the practice of substitution in the ancient Near East. In the Hebrew cultus magic is not involved. There are no incantations to be recited. The only voice heard there is that of a sinner confessing his sin and asking the Lord to accept his substitute. Nothing is said or done which could compel Yahweh to forgive the sinner. The sinner is to rely on Yahweh's graciousness and on His will to forgive. While in the ancient Near East substitutive rituals constituted one of the many forms of removing evil, in the OT sacrificial substitution is the expiatory means par excellence. Human substitutes were well known in the ancient Near East but unknown in the OT cultus. If the experience of the Servant is described in terms of sacrificial substitution, it is only because the prophet seems to have realized that in the final analysis the blood of animals cannot fully deal with the sin problem.

The differences are obviously so fundamental that we can only conclude that sacrificial substitution, in the way it is practiced in the OT cultus, was apparently not practiced anywhere else in the ancient Near East. The reason for this may possibly be found in the Israelites' concept of sin and in their understanding of Yahweh.

It should be recognized that sacrificial substitution is at the
very heart of the OT cultus. It is essentially a gift from the Lord to His people. It is, on the one hand, a recognition of the sinfulness of man and, on the other hand, a revelation of God's grace. Through it Yahweh's attitude toward sin is fully revealed. But at the same time His great concern and love for the sinner are manifested.
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