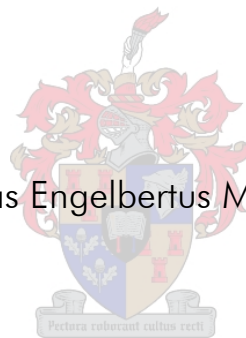


The Jubilee in Leviticus 25: A theological ethical interpretation from a South African perspective.

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“DECLARATION

I, the undersigned, hereby declare that the work contained in this dissertation is my own original work and that I have not previously in its entirety or in part submitted it at any university for a degree.

Signature:

Date:”



ABSTRACT

The Jubilee year in Leviticus 25 has received a fair amount of attention towards the end of the previous millennium with the movements such as the Jubilee 2000, which campaigned for the remissions of debt in the so-called Third World. The text thus has a very liberating image and this is where the problem lies, because a critical reading of the text creates a far more oppressive picture. The question then becomes how the biblical critic is to respond, especially when she/he is sympathetic towards the objectives of the Jubilee 2000 movement.

In this study it is argued that there is only one way to respond and that is to play the critical role that biblical scholars have always attempted to play. This means that it would be ethically irresponsible for biblical critics to shy away from exposing the oppressive sides of a biblical text. An ideological-critical approach is then proposed which attempts to construct the world-view or ideology that could be glimpsed from the text. This kind of reading is suspicious of what the biblical text claims and it further attempts to identify political and other interests in the text. An ideological critical reading also takes stock of the “ideological holdings” of the interpreter. In this regard the author argues that the history of Apartheid and specifically the way in which the Bible was used to legitimate Apartheid is one of his main ideological holdings that predisposes him to read in a certain manner.

Leviticus 25 is then subjected to very close synchronic scrutiny. Firstly the most salient grammatical features of the text are identified and secondly it is asked how these features were used in order to persuade. This second reading is thus a kind of rhetorical reading that specifically focuses on ways in which the relationship between the addressees, the land, YHWH and other groups in the text is portrayed. This enables the author to describe the world-view or ideology of the authors and addressees of Leviticus 25. These same interests are also identified in some of the chapters surrounding chapter 25. Eventually this leads to dating the composition of this text in the Second Temple Period and it specifically identifies the interests of this text with those of the returning Elite.

This interpretation presents the text as rather oppressive and instead of preventing poverty it actually reinstated poverty, which means that some dark sides of the text are exposed. The study is then concluded with some theological-ethical observations where it is reiterated that one of the tasks of the biblical critic is to give some voice to people that were voiceless in the biblical text. The study also shows that despite these dark sides to the text, there still is liberating potential in the Jubilee.

OPSOMMING

Die Jubeljaar in Levitikus 25 het veral aandag getrek aan die einde van die vorige millennium toe bewegings soos die “Jubilee 2000” beweging hulle beywer het vir die afskrywe van skuld in die sogenaamde Derde Wêreld. Die teks het dus ‘n “bevrydende beeld” en dit is juis waar die probleem lê, want ‘n kritiese lees van die teks skep ‘n baie meer verdrukkende prentjie. Die vraag is nou hoe die bybelwetenskaplike moet reageer, veral indien sy/hy die doelwitte van die *Jubilee 2000* beweging ondersteun.

Daar word dan in hierdie studie geargumenteer dat daar eintlik maar net een manier is waarop ‘n mens sou kon reageer en dit is deur die kritiese rol te speel wat bybelwetenskaplikes nog altyd nagestreef het. Dit beteken dat dit eties onverantwoordelik sou wees om weg te skram van die verdrukkende kante van ‘n bybelse teks. ‘n Ideologie-kritiese benadering word dan voorgestel wat poog om die wêreldbeeld of ideologie te konstrueer wat ‘n mens in die teks sou kon bespeur. Hierdie soort lesing staan redelik agterdogtig teenoor wat die teks beweer en poog dan om politieke en ander belange in die teks te identifiseer. So ‘n ideologie-kritiese lees poog ook om die “ideologiese erfenis” van die interpreteerder te verwoord. In hierdie opsig argumenteer die outeur dat die geskiedenis van Apartheid en veral die manier waarop die Bybel gebruik is om dit te legitimeer een van sy ideologiese erfenisse is wat aanleiding daartoe gee dat hy op ‘n bepaalde manier lees.

Levitikus 25 word dan onder ‘n deeglike sinkroniese loep geneem. Eerstens word die mees uitstaande grammatikale kenmerke van die teks geïdentifiseer en tweedens word gevra hoe hierdie kenmerke gebruik sou kon word om te oortuig. Hierdie tweede lesing is ‘n soort retoriese lesing wat spesifiek fokus op hoe die verhouding tussen die aangespreektes, die land, YHWH en ander groepe in die teks uitgebeeld word. Dit stel die outeur in staat om die wêreldbeeld of ideologie van die skrywers en aangespreektes te omskryf. Hierdie selfde belange word dan ook in die omringende teks van hoofstuk 25 geïdentifiseer. Uiteindelik word die komposisie van hierdie teks in die Tweede Tempeltydperk gedateer en word die belange in die teks verbind met die belange van die terugkerende hoërklas.

Hierdie interpretasie stel dan die teks as redelik verdrukkend voor en in plaas daarvan dat dit armoed teengewerk het, het dit armoede teweeggebring wat natuurlik beteken dat donker kante van die teks blootgelê word. Die studie sluit dan af met ‘n paar teologiese-etiese waarnemings waar dit weereens beklemtoon word dat een van die take van die bybelwetenskaplike juis is om ‘n stem te gee aan die mense wat in die antieke teks stemloos was. Die studie wys ook uit dat daar ten spyte van hierdie moontlike donker kante van die teks daar tog nog bevrydende potensiaal in die Jubeljaar is.

LIST OF ABBREVIATIONS

AB	Anchor Bible
AnBib	Analecta Biblica
ATD	Das Alte Testament Deutsch
BOTSA	Bulletin for Old Testament Studies in Africa
BBB	Bonner biblische Beiträge
BZAW	Beiheft zur Zeitschrift für die alttestamentliche Wissenschaft
ERT	Evangelical Review of Theology
FAT	Forschungen zum Alten Testament
FRLANT	Forschungen zur Religion und Literatur des Alten und Neuen Testaments
HK	Handkommentar zum Alten Testament
HSAT	Die heilige Schrift des AT
HUCA	Hebrew Union College Annual
JNSL	Journal of Northwest Semitic Languages
JSJS	Journal for the Study of Judaism Supplements
JSNT	Journal for the Study of the New Testament
JSOT	Journal for the Study of the Old Testament
JSOTS	Journal for the Study of the Old Testament Supplements
KHCAT	Kurzer Hand-Commentar zum Alten Testament
OBO	Orbus Biblicus et Orientalis
OTE	Old Testament Essays
OTS	Oudtestamentische Studiën
SBL	Society of Biblical Literature
SBLDS	Society of Biblical Literature Dissertation Series
ThA	Theologische Arbeiten
VT	Vetus Testamentum
VTS	Vetus Testamentum Supplements
WCC	World Council of Churches
ZAR	Zeitschrift für die altorientalische und biblische Rechtsgeschichte
ZAW	Zeitschrift für die alttestamentliche Wissenschaft

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Esias E Meyer

CHAPTER 1

INTRODUCTION

The title of this doctorate was formulated towards the end of 1999 when the Jubilee 2000 movement was making news headlines the world over. The issue was the debt of many poor countries in the so-called Third World and this movement demanded that all or most of this debt had to be written off. The name “Jubilee” originates in a chapter of a book of the Bible that might probably be regarded as one of the least read in the whole Bible. The book is Leviticus and the chapter is, of course, chapter 25. Leviticus 25 became a symbol in this movement of liberation and justice to those who needed it most, those who suffered in a world characterised by unfairness and injustice. An ancient text came to us and shed its liberating light into our modern, but oppressive world, or that at least was the impression that one had when one read many of the articles¹ that appeared which proclaimed liberation to the poor and which used this ancient text to support this proclamation.

Two things attracted me to this text of which the first had to do with my South African context. The current situation in my country was then and still is fairly representative of the world. Those discrepancies between a smaller, richer, whiter part of the world and a larger, poorer, blacker part of the world which the Jubilee 2000 movement attempted to address were and are very much an accurate description of the state of affairs in my own country. As in the larger world these discrepancies in my country can be explained by means of a colonial history of about 350 years; not that there was nobody living here, or that no land existed before these 350 years started; but simply meaning that things radically changed in this place 350 years ago. Colonialism lived on in South Africa for many decades when other manifestations of the species were at long last becoming extinct in the rest of the world. In South Africa it survived (and thrived) until the early 1990s cloaked in another guise, but not lesser known and that guise was, of course, “Apartheid.” If one could say that Leviticus 25 has a good image in the world, then one could confidently say that the word “Apartheid” has a down right horrible image the world over.

My problem with this word is that it is taken from my mother tongue; the language of my heart and it has become a synonym for evil in this world. I am thus one of those people who call themselves Afrikaners and I often think that there is irony in this name. The irony lies in the fact that “Afrika” is in the word, but the word has actually mostly been used as a synonym for European or non-African. I am thus part of that small, rich and white segment of South Africa that has been responsible for the

¹ Two very good examples of this kind of presentation would be Padilla (1996) and De Chirico (1999).

exploitation of the large, poor and black part of the community. I was and am thus very sympathetic towards the Jubilee 2000 movement, because it is clear that if the discrepancies in my country are not somehow rectified, then things could still take a turn for the worst. That is simply a pragmatic concern, leaving aside the issue of guilt for the time being. Yet it should be clear why I found (and still find) the goals of the Jubilee 2000 movement attractive, because it represented a movement that could remedy and rectify the hurts and injustices of the past in order to change the world into a better place and in order to set us free from our terrible past.

That is one part of the attraction and the other lies in the text itself. The fascinating thing here is the fact that parts of the world out there and especially parts of the secular world could get carried away with a text from the Hebrew Bible. My own problem with this text could best be expressed by means of the following quote from David Clines (1995: 19-20):

It is a measure of our commitment to our own standards and values that we register disappointment, dismay and disgust when we encounter in the text of ancient Israel ideologies that we judge to be inferior to ours. And it is a measure of our open-mindedness and eagerness to learn and do better that we remark with pleasure, respect and envy values and ideologies within the biblical texts that we judge to be superior to our own.

“Disappointment, dismay and disgust” are also good words to describe my own experience when I actually started reading Leviticus 25. Despite the liberating image of this text the world over and the resulting fact that I was hoping to experience “pleasure, respect and envy” this simply did not happen. A text that legitimates slavery,² a text that discriminates against the landless (whoever they might be), a text that allows people to lose their land for fifty years when the average life expectancy

² Gerstenberger (1993: 357) is one of the few scholars that hints at the possible *Wirkungsgeschichte* that verses 44-46 might have had:

Man vergleiche die Begründung der Sklaverei unter den Puritanern des 17. und 18. Jh.s durch Hinweis auf die “Fremdgeburt” und “Kriegesgefangenschaft” der importierten Afrikaner und die nachträgliche Ausweitung auf die in den USA geborenen Kinder der Negersklaven. Alles das geschah im bewußten Rückgriff auf alttestamentliche Konzepte und unter mancherlei – ebenfalls biblisch begründeten – Gewissenbissen hinsichtlich der verletzen Menschenwürde. Lev 25,44-46 hat als die einzige ausdrückliche Erlaubnis zur Sklavenhaltung der Bibel in der Wirkungsgeschichte eine verheerende Rolle gespielt.

That would be another worthwhile study to see whether and how these verses functioned in documents that legitimated slavery. Gerstenberger refers to the work by Schmidt (1978) that engages with the issue of the role that religion played in slavery. I do not find any specific mention of Leviticus 25:44-46 in his book, but when he discusses some of the slave laws then one does find references which sound as if they came from these verses and that was what Gerstenberger was referring to (Schmidt 1978: 87):

In der zweiten Auflage des “Body of Liberties” (1660) wurde die Knechtschaft auch auf die Kinder der Fremdlinge ausgedehnt. Damit war ihrer Umwandlung in Sklaverei der Weg geebnet.

The problem here is that in the first edition “slavery” was only applied to those who were taken as “prisoners of war” and thus born elsewhere. As soon as persons that were born in America could also be enslaved, it opened the way for the creation of a whole slave class. Whether Leviticus 25 has anything to do with this is not clear, but I am sure that if such a study would ever be attempted it will be extremely fruitful.

was well below that, a text that when compared to others (i.e. Ex 21 and Dt 15), looks like a “retrogression” (Lohfink 1991: 47); such a text should not be allowed to have such a liberating image. That is not to mention the kind of historical context that one could construct for this text and the possible political and other interests that operate within the text. The more I read the text, the more I was reminded of the very Apartheid ideology with which I grew up. An ideology or world-view that could be presented in nice language, but which was good at hiding the terrible realities that lay behind the pretty presentation. Likewise, the language of Leviticus 25 presents a fair picture, but I cannot help but think that the possible reality behind it was totally different. It seems (to me at least) that the liberating image of this text is the result of the effectiveness of powerful slogans in our consumer driven world and not the result of really being liberating.

To illustrate this point further, in a document of the WCC called “Commitment to Jubilee. Strategies for Hope in Times of Crisis” (1999), many groups of “Jubilee people” are identified (Commitment 1999: 14-18). These Jubilee people I take it are those that are in need today of the kind of “freedom” proclaimed in Leviticus 25. The document then identifies the following groups “children”, “women”, “uprooted” and “marginalized” as those people mostly in need of the kind of liberation proclaimed by Leviticus 25. There is no doubt in my mind that these groups of people are really in need of liberation in our modern world and that they indeed are the ones that suffer most in our world. My discomfort arises from my own understanding of the kind of liberation that Leviticus 25 exemplifies. Previously the document described the kind of freedom proclaimed as follows (Commitment 1999: 11):

It was the Year of Restoration and would come round every 50 years. Freedom would be proclaimed to all the inhabitants of the land. Debts would be cancelled. Property would be returned to its former owners. Slaves would be set free. The land would be allowed to rest for a year.

The main question here is whether “all the inhabitants of the land” really include *all* the people that this document claims it does. My own analysis of the text will show that only those with legal claims to the land would have profited. The kind of justice that Leviticus 25 propagates is only intended for them and they might have been a very small minority. Who these people were and how small a group they were will be argued in chapter 6, but the point is that they most definitely did not include children, women and strangers. Children and women actually only feature in the text as slaves and no slaves will be set free, because those with claims to land can technically never be slaves. The addressees are actually allowed to take slaves from the surrounding peoples and even from the sojourners living amongst them and they will *never* be set free. The text is very successful at keeping these groups in a state of exploitation *and* landlessness. The people identified in the above-mentioned

document who are mostly in need of justice in our modern world were not given that in Leviticus 25. The text did not change anything in their lives, to the contrary it kept them on the margins.

Now one might well ask whether I am not being extremely unfair towards this ancient text? I am, after-all, judging the text by means of values from the modern world, comparing it to the human-rights driven culture from where I am reading it and I should not expect it to evoke “pleasure, respect and envy” in me. Is my problem thus only a severe case of false expectations and that it will disappear if only I were to adjust my expectations to be a bit more modest or realistic? Or, was my problem the fact that many people (both secular and evangelical) presented the text as worthy of “pleasure, respect and envy”, but when I read it with the eyes of a biblical critic I registered the opposite?

1.1 Problem statement

My problem has to do with the fact that people *presuppose* that an ancient text has the same or even better values than what we strive for today. It is further complicated by the fact that I think that the Jubilee 2000 movement represented laudable objectives. I am in favour of the kind of debt-relief that was propagated there, but I am uncomfortable with the way in which Leviticus 25 is being used in support of that movement.³ I do not think that this reading of the Bible is a fair reflection of the text itself and I fear that this might actually cause more damage than anything else in our modern world. Presupposing that the text is liberating could be dangerous and the danger lies in the things that you smuggle in along with the liberating image, the values from another world that will do us no good. My discomfort thus has to do with this lack of respect for the distance and difference between the ancient text and its values and the values that we strive for today. We cannot create that world again and we cannot go back to that world and even the values of that world are strange to ours.

But the problem now is what the biblical scholar should do? What is our vocation, our role that we have to play in this process? I do support the values that the Jubilee 2000 movement strove for, but I am uncomfortable with the way in which the biblical text is used. What should I do?

³ Houston (2001: 35) addresses a similar problem:

My object in this paper is to study the text of Leviticus 25 anew to tell whether and to what extent it deserves its status as an icon of justice.

I think that he expresses similar discomfort as I just did above with the usage of this text.

1.2 Hypothesis

My answer to this problem should not come as too much of a surprise and I have hinted at it above when I referred to the fact that “I read with the eyes of a biblical critic.” I would argue that even if we do support the objectives of a movement such as Jubilee 2000, then the only role that biblical critics are suppose to play and that biblical critics are equipped to play is that of the critic. Has that not always been our vocation to read texts critically? This is not really a secret or a surprise, but we do not always agree on what “criticism” entails. I think that this is partly what this dissertation is about, the role that biblical critics play and the way in which we should go about being “critical.”

We live in a world where religion and especially the Christian religion still play a big role. This is the reality, whether we like it or not, and I should probably add that this is still the reality in South Africa and Africa and even if things are different in secularised Europe, it still is part of *my* reality. We do not have to mention that religion plays a big role in the violence in the Middle East, whether it is Israel, Palestine, Iraq, or Afghanistan and whether we think of the conquerors or the conquered, religion plays a big role in each different interest group. It is our responsibility to play a critical role in these debates where different groups often claim that God and some ancient texts are on “their side.”

I would thus argue that we should not shy away from criticism even if this means that we expose sides to a text that are not that liberating, sides that we are not comfortable with. I hope that playing this critical role will equip us better to eventually make a theological-ethical contribution, which will probably be far more careful and more humble. Criticism thus becomes a prerequisite for saying something about theology and ethics. Without engaging with the possible dark and oppressive side of a text we should not attempt to spell out the liberating sides of a text.

The question just is what this critical role entails and how far we are to go?

1.3 Overview of study

In the next chapter (chapter 2) I will engage with this question as to the critical role that we as biblical scholars should play when reading biblical texts. I argue that the most responsible way of reading a text is an “ideological-critical” reading. As we will see, this includes a very suspicious reading of the biblical text, which attempts to reconstruct the world-view or ideology of which one could find glimpses in the biblical text. It also includes attempting to identify “distortion” in this ideology, asking whose views were represented and whose views were *not* represented and suppressed? It further includes asking whose interests were being served by the text and whose interests were neglected or even undermined by the text? I also understand an

ideological-critical reading as “ethical” in the sense that the biblical critic somehow has to say whether the values exemplified in the text would be liberating or dangerous in our modern world. Biblical critics should ask the “relevance” question, even if it means that they have to come up with an answer like “irrelevant” or “dangerous.” That I argue is the role that biblical critics should consistently play, because it is our ethical responsibility. I also think that biblical critics should go beyond this kind of ideological criticism in the sense that we should eventually allow the text to surprise us with its liberating potential. An initial ideological-critical reading might put us in a better position to make a theological-ethical contribution. It will definitely make us more careful.

But this kind of reading also attempts to take stock of the ideological baggage of the reader and what role this might play in the reading process. Below I argue that “Apartheid” is one of those role-players in my own way of reading a text. It has predisposed me to read in a certain manner and I attempt to describe this predisposition in order to understand how it influences the way in which I approach the text. This is thus where I would want to end up; slightly beyond an ideological-critical interpretation and the question is how I will get there?

Before I attempt to answer that question I should first add what I will *not* do in the next chapter is to offer a research overview of the academic work done on Leviticus 25. The reader will find very good research overviews in recent monographs on the Holiness Code;⁴ for instance, both Ruwe (1999) and Grünwaldt (1999) offer extensive descriptions of what their academic forerunners did. Another good essay is that by Otto (1999) and some of the other essays in that volume also offer interesting overviews of how things have developed in the past decades. The commentary by Milgrom (1991, 2000 and 2001) engages with nearly every important exegetical issue that has emerged in the past. It will thus be an exercise in repetition to attempt something like this, but I will attempt to keep the reader informed by means of footnotes if the need arises.⁵

⁴ The first person who used the term “Holiness Code” was Klostermann (1893: 385) who used it rather casually when he said, “bedenke ich weiter, daß er [i.e. Ezeziel] ... mit den Worten unserer Gesetzsammlung, die ich von nun an kurz das ‘Heiligkeitsgesetz’ nennen will, redet ...” This essay (Klostermann 1893: 368-418) was actually an attempt to refute the argument that Ezeziel was the author of the Holiness Code. The latter position was represented by Horst (1881).

⁵ Another issue that I am not interested in is whether “it ever really happened.” Hartley (1992: 427-430), Wright (1992: 1027-1028), Fager (1993: 34-36) and Milgrom (2001: 2242-2243) offer very good overviews of these debates, but most of them opt for a fairly early dating of these laws. My own constructed historical context differs from theirs and even then I am not interested in whether these laws were ever applied. I do not really think that they were ever applied, although that might have been the intention.

I will not engage with the issue of how the biblical laws are related to other similar laws from the ancient Near East. This issue has been addressed by many (see Cardellini 1981, or Chirichigno 1993). Fager (1993: 24-27) also offers a very brief overview.

One trend that is very clear though is that studies on Leviticus and the Holiness Code are moving away from the more traditional historical-critical or diachronic approaches. This will, of course, come as no surprise to most scholars. As with many other texts in the Hebrew Bible the confidence with which biblical scholars reconstruct different layers is rapidly being eroded. It is even happening in the German-speaking world, that old bastion of *Literarkritik*. Just to make this point, 1999 was an extremely fruitful year for both Leviticus and Holiness Code studies. We saw no less than four monographs appearing, two on Leviticus (Warning 1999 and Douglas 1999) and two on what has traditionally been called the Holiness Code (Ruwe 1999 and Grünwaldt 1999). Of these only Grünwaldt (1999) is an example of a traditional historical-critical study. He does *Literarkritik*, he uses terms like “Redaktor” and “Tradition” and he constructs a historical context. Yet the kind of *Literarkritik* that he does is far more modest than what was previously done especially when compared to scholars like Elliger (1966a) and Cholewinski (1976). The other three examples are all more inclined to be synchronic, although Ruwe (1999) tends to fall back on diachronic explanations when things are difficult to explain on a synchronic level.

My own initial engagements with Leviticus 25 in chapters 3 and 4 are also synchronic, at least in the sense that I do not attempt to identify layers (although that is rather tempting at stages).⁶ At the start of chapter 3 I do explain how I intend to use a concept like “synchronic” which does not (for me at least) necessarily mean that such a reading has to be a-historical. Chapter 3 is called “grammatical features of Leviticus 25” and it offers the kind of reading that some might previously have called a “close” reading. One could also simply call it a “thorough” reading and the objective was to start somewhere and to get the proverbial “grip” on the text. In that chapter I identify certain grammatical and stylistic features in the text on which I build further engagements with it. I take it that one does not need to motivate why one wants to read a text like this, because all readings of a text have to start somewhere. Even traditional historical-critical readings started here at the final form of the text, the difference was only that they were looking for different things (i.e. layers) and they, of course, always found them.

Chapter 4 is named “persuasive features of Leviticus 25” and is a kind of rhetorical reading of the text. It is thus a further synchronic reading of Leviticus 25 and one might now wonder what the exact difference between the two chapters could be? In chapter 4 I specifically attempt to identify persuasive strategies that Watts (1999) has identified in the Pentateuch. These include “address”, “motivation” and lastly I treat “repetition and variation” together, two strategies that he treated separately. I found

⁶ See especially my discussions in 4.2.4, 4.2.7 and 5.3 below.

these categories extremely helpful, because they help us to acquire glimpses of the world-view or ideology of the biblical authors and their intended audiences. These strategies that authors use to persuade help us to construct the way in which they understood themselves and their audiences and especially the way in which they defined themselves over and against other groups. It also shows us how they understood God (in this case YHWH) and what role he played in their understanding of themselves and others. Another useful result of identifying the persuasive features in a text is the fact that it becomes clearer what was at stake in that society and what interests were involved in writing these texts. It helps us to understand to whose advantage the text was written and who would have profited from its reading. Thus at the end of chapter 4 we will return to the objectives that I have identified at the end of chapter 2. By now I have answered the question that I stated above of how to reach this objective of an ideological-critical reading?

In chapter 5 I will attempt to read the surrounding chapters (of Leviticus 25) similarly. I specifically ask what these texts have in common with Leviticus 25 and how that helps us to understand Leviticus 25. I point out in that chapter that there is indeed a close relationship with chapter 26 and in that sense I concur with what some scholars have argued (i.e. Sun 1990). My reading of chapter 26 is far more thorough than the other chapters, simply because 26 has so much in common with 25. Yet I also treat chapters 23, 24 and 27 individually. Eventually I also identify certain themes and one could say “ideologies” throughout what has traditionally been called the Holiness Code. These include motives and themes that these texts share with chapter 25, although they differ with regards to the grammatical and (to a lesser extent) persuasive features that I identified in Leviticus 25 in chapter 3. The aim of this reading is still to understand how these people who both wrote the text and for whom the text was intended understood themselves. Once again I focus specifically on their understanding of themselves in relation to each other, YHWH, the land and other groups of people identified in the text. The end-result is to uncover an “ideology of land”, which we do not only find in chapter 25, but in many of the surrounding chapters as well.

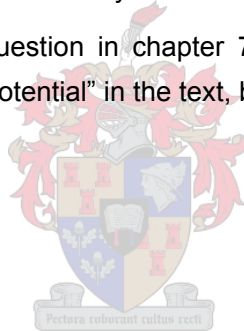
In chapter 6 I engage with the issue of constructing a socio-historical context for these texts. This historical context is thus not only for Leviticus 25, but also for the surrounding text including what has traditionally been called the Holiness Code. Like many other scholars I argue for the Persian period. This does not mean that I think that the Holiness Code was an *ex nihilo* creation in this period.⁷ There is obviously

⁷ This is also against the older view that the Holiness Code was an older independent code that preceded the rest of the Priestly document. Jüngling (1999: 29) argues that the change came about after the work of Elliger (1966a). Elliger was the first to question this, but afterwards many others followed. See, for

older material in the code, but the problem is always to identify that material. Grünwaldt (1999) is very good at pointing out how precarious these constructions can sometimes be, although the same criticism goes for some of his own “additions.” The question is when the final composition was composed and with what purposes in mind? The safest would probably be to argue that the Persian period provide us with a rhetorical context in which one could argue that the persuasive features that I identified might have been at their most effective or persuasive.

My presentation of Leviticus 25 and surrounding texts in that socio-historical context eventually radically changes the “liberating image” that the text has in the Jubilee 2000 movement. In this socio-historical context Leviticus 25 becomes an elitist text of the returning Exiles who want their original land back. I argue that they probably wanted to do this at the cost of those that stayed behind during the exile, those that were, for instance, “invisible” in Leviticus 26. It thus becomes a text that serves the interests of the rich returning Elite and probably the larger Empire as well. But this turned on its head image then confronts us with a further theological and ethical issue of what do we do with this “discovery”?

I will attempt to answer this question in chapter 7, where I eventually attempt to identify some of the “liberating potential” in the text, before I conclude in chapter 8.



instance, Wagner (1974) or Cholewinski (1976). Ruwe (1999: 14-15) also provides a good overview of the contribution of Elliger and the implications thereof.

CHAPTER 2

TOWARDS AN IDEOLOGICAL-CRITICAL READING (AND BEYOND)

Die hele lewe leef in ons: om onself te ken - en om selfs intelligent nederig te wees - moet ons al die gestaltes ken wat in ons aanwesig is. N.P. VAN WYK LOUW¹

2.1 Introduction

As we saw in the introduction, Leviticus 25 is a text with a very liberating image world-wide. We also saw that the word “Jubilee” has functioned as a very effective rallying cry in movements fighting for a freer and fairer world. Yet as I also pointed out, as soon as one starts to actually read the text, other not-so-liberating sides of the text emerge. The question then becomes how we ought to react to this? This is the issue that will be explored in the rest of the chapter. What role is the biblical scholar to play? What does the role of a “critic” entail? This latter question, I would think, is one of the fundamental questions that I will address in this chapter and in this dissertation. Is it important to play this role and if so, why?

Another question would be what kind of “factors” are involved when we as biblical scholars or critics do our readings? These questions will feature in the rest of the discussion, but I will start by contrasting the views of more traditional historical critics with those of scholars who could be described as “engaged” or “contextual”, or “committed.” My problem is that I am attracted to both sides, in the sense that I want to read like both do and my analysis will thus be a conscious search for things in common. This will lead the discussion to a scholar (i.e. Robert Carroll) that I think embodies many of the different features of the other scholars that I find attractive. Discussing his contribution will slowly lead us to the context from where I read namely South Africa. It will also become clear in the following discussion that the place from where somebody reads is indeed one of those factors that play a role in how he/she reads. I will also discuss the views of another scholar (i.e. Daniel Patte) who has introduced useful concepts to the debate. My evaluation of his suggestions will be done by means of how the biblical text was used in support of Apartheid. This will lead us to the question as to how my South African experience has predisposed me to approach the Bible in a certain manner? I will then conclude with some remarks on what I think is important when approaching a biblical text that might be used in modern day ethical debates, or contemporary quests for justice.

¹ Quoted from Giliomee (2003). I would translate it as follows:

The whole of life lives within us: to know ourselves - and in order for ourselves to be humbly intelligent - we must know all the configurations (“gestaltes”) that are present within us.

2.2 *The “critical” task of biblical scholars*

In the discussion below I would like to revisit some terms that are still frequently used in biblical scholarship. The main concept under discussion will be the term “critical” which I will at first relate to the now rather old distinction between what a text “meant” and what it “means.” Some, if not many, would call this like West (1995: 74) a “tried, and tired” distinction, but as we will see below these concepts seem to be rather “alive and kicking” in biblical scholarship. The handful of essays that I will focus on below mostly date from 1998 and 2000 and were either part of the SBL meeting of 1999 in Finland, or some were published in the “Cambridge companion to biblical interpretation” (1998). I would thus think that they are publications, which provide an accurate presentation of the contemporary debate in biblical scholarship.

2.2.1 “Being Critical” as “analysing the past”/ disinterested scholarship

The often-quoted essay by Krister Stendahl in “The Interpreter’s Dictionary of the Bible” of 1962 seems to have been an important articulation² of the task of the exegete. As recently as 1999 the same issues identified by Stendahl again became the main issues on the agenda at the International SBL meeting in Helsinki when the Finish (New Testament) scholar, Heikki Räisänen, tried to argue a similar point.

The Stendahl essay is especially known for the distinction between what a text “meant” and what a text “means” and for Stendahl the task of an exegete entailed “to have the ‘original’ spelled out with highest degree of perception in its own terms” which he then called the “descriptive task” (1962: 422). This descriptive task is the first task of the exegete. Stendahl was also in favour of “objective”³ scholarship where the material itself was the “check whether our interpretation is correct or not” (1962: 422). When he (1962: 425-431) discussed the second or “hermeneutic stage” he specifically focused on the tension between descriptive theology and what today is known as “systematic theology.” He (1962: 427) described systematic theology in all its diversity as “hybrids where systematic and biblical categories were hopelessly intermingled, ...” Descriptive theology was suppose to “judge” whether systematic theology “succeeds in communicating the intention implied in the biblical texts, an intention which only a precise and uncompromised study of the original could detect.” A further important side-effect of descriptive theology would be to expose the church

² Watson (1994: 31) suggests that this essay was regarded as significant not because it was innovative, but because it was understood as a good representation of the practice of biblical studies then.

³ Stendahl (1962: 422) acknowledges that in the past this was not done when previous scholars “peddled Kantian, Hegelian, or Ritschlian ideas, ...” And then he states:

All this naturally calls for caution; but the relativity of human objectivity does not give us an excuse to excel in bias in an introductory chapter.

Thus, although he acknowledged the deficiencies of previous scholars he still regards it as a viable option.

to the “original” which should have a creative impact on the church.⁴ This is to make a long argument terribly short.

Räisänen (2000: 9-28) delivering his plenary address nearly forty years later presents a similar position, but in stead of engaging with systematic theology he engages with what he calls “liberationist approaches.” Historical criticism as exemplified by Stendahl above has often been criticised by these approaches. He refers to the work of scholars like Elisabeth Schüssler Fiorenza and R.S. Sugirtharajah and uses a quote from the latter to sum up the “chief sin” of historical criticism (which seems to be rather close to what Stendahl was arguing):

In Sugirtharajah’s words: the “original sin of the historical-critical method” is the notion of a division of labor “between biblical scholarship and theological enterprise”; the “hermeneutical gap” between the biblical milieu and the present day is thus a problem created by this method.⁵

The main argument of Räisänen in the rest of the paper is that historical criticism should not be regarded as an enemy by liberationist approaches, but rather as an ally. He does this by refuting some of the criticism aimed at historical criticism. One important issue for him (2000: 11-12) is that historical criticism is not monolith and that within this “paradigm” one could find different exponents who often differed from each other considerably. Furthermore, he (2000: 12-13) is not convinced by the accusation that any representative of the approach ever wished “to model his [sic] exegesis on the natural sciences.” The whole issue of “objectivity” is also wrongly represented in the criticism levelled at historical critics (Räisänen 2000: 12):

In the words of James Barr, who comments on Stendahl’s approach, “‘objectively’ here means: independently of whether one advocates this theology [to be studied] or disapproves of it.” Everyone has some purpose or agenda, but “we are not speaking about perfect objectivity.” It is simply a question of fairness and open-mindedness over against special pleading and propaganda.⁶

⁴ Stendahl (1962: 430) regards the Reformation as a very good example of how “exposure” to the original had a creative impact on the church. This statement will of course be questioned today. What Martin Luther discovered in Paul would not be regarded by many Pauline scholars as the “original” anymore, but might have been more influenced by the needs of Luther’s own context.

⁵ In Sugirtharajah’s (2000: 49-57) response to Räisänen he articulates his view of historical criticism clearer and describes it as “ambivalent.” He actually values historical criticism for “creating a hermeneutical distance” which is useful in countering the misuse of biblical texts (2000: 51). But he is also critical of these methods (2000: 52):

To some of us the historical critical method is colonial, because of its insistence that a right reading is mediated through the proper use of historical-critical tools alone.

It is this arrogance or presumptuousness of historical criticism that causes problems. See especially Sugirtharajah’s (2000: 53-57) description of how these methods were used by missionaries to claim the superiority of Christianity.

⁶ See also Barr (2000: 35-40) for similar remarks.

Eventually Räisänen (2000: 12) opts (with Barr) for putting “the emphasis on the ‘critical’ rather than on the ‘historical.’” He (2000: 13) agrees with Stendahl’s distinction, but also with the “goal of global relevance.”

Then Räisänen (2000: 13-16) criticises Schüssler Fiorenza’s “liberationist reading of Revelations’ rhetoric” for the fact that it “seems to make utility the decisive criterion, even for historical interpretation.” Along these lines he makes the important point that part of the critical exercise is to give honest representations of the “bad-sides” of the Bible or what he calls the “anti-dialogical” sides (Räisänen 2000: 16):

If the strong non-dialogical, and even sectarian, side of the Bible is suppressed in exegesis, then it cannot be adequately dealt with. It is better to admit its existence, wrestle with it and criticize it openly. It is our questions, not our answers, that should be affected by modern concerns.

Räisänen (2000: 16-20) then identifies “anti-Judaism”, “anti-Canaanism” and the “polemic against idols” as examples of these “anti-dialogical” sides of the Bible. He (2000: 21) also argues that *Sachkritik*, especially as criticism of fanaticism and intolerance, has always been present in historical-critical studies. He then quotes the following text from Stendahl (1984: 4) which was Stendahl’s answer to a question as to how his work was so preoccupied with “Jews and women” (Räisänen 2000: 21):

The Christian Scriptures contain stuff that has proven calamitous to both Jews and women. The nonapologetic thrust of descriptive biblical theology allows us to face that problem squarely. It suggests a hermeneutic suited for the ‘public health’ task of theology, that is, a hermeneutic of suspicion, by which the nondesirable side effects, or even effects, of the biblical material can be discerned and counteracted. But such a task requires the honesty of not ‘prettying up’ the original.

For Räisänen this critical capacity of being honest about the original of historical criticism is its greatest asset and therefore it should be acknowledged as “a friend, rather than an enemy, of contextual theology” (2000: 25). Räisänen seems to be very sympathetic towards contextual theology and especially post-colonialism, but he insists that “a colonial attitude is not inherent in the historical approach itself” (2000: 26).

Räisänen is thus attempting to muster support for the objectives of historical criticism, especially because he thinks that these objectives can serve the objectives of “liberationist approaches.” Räisänen’s position is basically the same as Stendahl’s although he prefers to engage with “liberationist” theologians whereas Stendahl engaged with systematic theologians. Comparing the two of them leaves the impression that very little has changed in forty years of biblical criticism, except maybe for the impression that the main challenge to biblical criticism is not from

systematic theology anymore, but from liberationist theology (whatever we might mean with that).

Another similar position is that of Barton (1998b) in the “Cambridge Companion to Biblical Interpretation.”⁷ He identifies four features that are typical of historical criticism. These are 1) the asking of generic questions, 2) the search for the original meaning, 3) historical reconstructions and 4) disinterested scholarship (Barton 1998b: 9-12).

With reference to the latter Barton (1998b: 11-12) states that “historical criticism was meant to be value-neutral, or disinterested. It tried, so far possible, to approach the text without prejudice, and to ask not what it meant ‘for me’, but simply what it meant. Against any ‘pious’ reading, a historical-critical enquiry is guided by a desire to discover the facts as they actually are, as in Ranke’s famous dictum that the historian’s task is to establish the fact about the past ‘as it actually was’ (*wie es eigentlich gewesen*).” This formulation is very close to that of Stendahl and Räisänen above.

Barton then continues stating that this is one of the characteristics of historical criticism that has received most of the criticism as aptly described in the following quote (1998b: 13):

No-one is really ‘disinterested’; everyone has an axe to grind. We should therefore abandon the pretence of academic neutrality, and accept that our biblical study serves some interest or other. ... at least being honest about our commitment - unlike historical critics, who are pretending to be neutral but thus smuggle in their commitments under cover of dark.

But Barton (1998b: 13-14) is not convinced by these critical arguments. He does not think that the arguments have been made “rigorous” enough and he thinks that historical criticism has not been portrayed accurately. For instance, he does not really think that historical criticism was always as “indifferent to the contemporary relevance of the biblical text and ‘antiquarian’ in its concerns...” (As the quote of Sugirtharajah by Räisänen above also demonstrates.) He (1998b: 15-16) thinks that the reverse is actually true in the sense “that criticism has scarcely ever been historical enough,

⁷ The Cambridge companion to biblical interpretation intends to be a “progress report on biblical interpretation in the 1990s” (Barton 1998a: 1). With regards to his own essay in it, Barton (1998a: 2) writes that his objective with his essay (1998b) is to ask “whether the ‘historical-critical method’ may not have been falsely demonized...” He continues to explain that some people regard historical criticism as outdated (1998a: 2):

When this book was being planned, some advisers suggested that there should be no chapter on historical criticism at all, since it was now entirely *passé*. Against this I have tried to show that ‘historical’ critics raised (and raise) issues that should still be on the agenda for the student of the Bible, and which will not go away.

We should thus understand that Barton is attempting to “defend” historical criticism and to give it a “fairer” representation than it has had until now. Barton’s essay shares this apologetic trend with that of Räisänen.

that it has usually been far too influenced by commitments lying outside scholarly detachment.”

Now, one might well ask whether he is not basically saying the same as the opponents of historical criticism, that historical critics attempted or aspired to be “objective”, but that they never managed to pull it off? What exactly does Barton find so unconvincing? Is it the accusation that historical criticism was not really “objective” (with which he seems to agree)? Or is it the claim that “objectivity” is an unattainable notion that should be abandoned along with other unattainable objectives? It seems to be more of the latter, because for Barton this will betray the critical character of the discipline (as we will see below) and he does not want to let go of this aim of “objectivity.” One of his (1998b: 16-17) reasons for emphasising this aspect is because he understands the objectives of historical criticism as very close to those of the Reformation and not so much the Enlightenment (as the opponents would like to argue). He calls this portrayal “a revisionist account.” The main objective of the Reformation was to let the Bible speak for itself, free from the “monopoly on meaning” by the church. In the same vein the ultimate aim of historical criticism would be to free the text to speak for itself.

Barton (1998b: 18-19) continues and states that he prefers to speak of “biblical criticism” instead of “the historical-critical method” (similar to Räisänen and Barr above). The reason being that for him “historical” is not the main characteristic of these methods, but “critical” and “its emphasis on asking free questions about the meaning of texts unconstrained by alleged authorities – whether the authority of Christian or Jewish tradition, the authority of current ecclesiastical structures or the authority of received academic opinion.”

Barton (1998b: 19) is furthermore very critical of the tendency to canonise particular approaches, whether it is historical criticism or any other more recent approach. Even if this was the case with historical criticism until a few decades ago, this situation cannot be “repaired” by banning these methods and canonising new ones (Barton 1998b: 19):

It is a shame to an academic discipline if the latter course becomes the norm; and the cure is not to defend this or that method as ideologically pure, but to revive a true spirit of criticism, for which there is no such thing as ideological purity, only open-mindedness and honesty.

But is that not what the opposing scholars are arguing for, a kind of honesty? Would they not (to a certain extent) agree with him? Would they not propose more-or-less the same cure of more criticism? There is no “ideological purity” so what shall we do? Be “open-minded” and “honest”! The question of course would be what different

scholars mean by these same terms? Before we go there I would like to sum up the discussion until now.

- 1) The above views of Stendahl, Räisänen and Barton are very good examples of the position of traditional biblical criticism. Yet, it seems that the focus of Räisänen's and Barton's views is moving away from "historical" and a distinction between "then" and "now" to a reformulation and focus on the term "critical."
- 2) Both of them use the word "honest" with regards to scholarship and especially with regards to the critical role, but with Räisänen it is very clear what he means by that. For him it means being honest about the "non-dialogical" sides of the biblical text and not to attempt to hide them or as he says to "pretty them up."
- 3) Still Räisänen and Barton do not foresee an essentially different practice of biblical criticism, but seem to be trying to do the same things, but to do it better or rather to be "more critical" than their ancestors.

2.2.2 "Being critical" as "analysing the past" and "the present"/ engaged scholarship

These are, of course, not the only voices in modern biblical scholarship. Other scholars are more suspicious and are not satisfied with the notion that we should be doing the same things, be it "better." Christopher Rowland, for one, is convinced that "all interpretation, in one form or another, manifests the agenda of the modern world, ..." (1995a: 223). This is reminiscent of Barton's tongue in the cheek, "everybody has an axe to grind" above and it means that for Rowland there is no notion of objectivity that Stendahl, Räisänen and Barton strive for. In another essay specifically entitled "The 'Interested' Interpreter" by Rowland (1995b: 429-444) it is further clear that although he acknowledges prejudice he is nevertheless still aiming at *critical* scholarship as the following quote shows:

A critical reading will involve the ability to acknowledge prejudice and so enable the peculiarities and 'otherness' of the text to become fully apparent and for the text to 'speak', if not precisely on its own terms, at least with sufficient respect for its own integrity that it does not merely mirror the prejudice of the reader.

Thus Rowland's "critical reading" entails a *self*-critical element which it is often said, (as Barton pointed out above) historical-critical scholarship never had sufficiently. But still Rowland's objective is like Barton's above "for the text to 'speak.'" He (1995b: 433) reiterates that biblical scholars should learn from the Third World⁸ and his chief motivation for this is the fact that liberation exegetes have one thing in common with

⁸ Rowland (1995b: 433) does have some reservations about these approaches. His reservations include their reliance on historical reconstruction and also the impression that they sometimes make "the Bible conform to twentieth-century concerns."

mainstream biblical exegetes and that is “a concern to be critical.” The following quote is a good example of the challenge posed by the liberationist perspective to biblical scholarship (Rowland 1995b: 433-434):

Indeed, Western exegesis can thank the liberationist perspective for the incessant reminder of its own partiality. We need to be reminded of the ideological character of our study, in particular imagining that we are ‘drawing from the text simply what it contains.’ Ideology is not something which belongs to the overtly committed readings. Indeed, it is part of the insidious character of ideology that those who are in control of the way in which the text is interpreted deny that their readings are in any way ideological⁹ and claim instead that they are the product of ‘scientific’ methods.

To sum up, for Rowland there is also no such thing as “ideological purity”, but that all readings have “ideologies” operating below the surface, as Barton said (be it tongue in the cheek), “under cover of darkness.” For him (1995b: 434) the marks of “critical interpretation” should be “an awareness of its own approach to the text” and “the understandable constraints that this method imposes”, but also “the necessity of openness to other interpretative methods.” These marks should function as “both checks and stimuli for change.” In other words, for Rowland one of the prerequisites of being more critical is the ability to have dialogue with other interpretative methods and in this regard he considers contextual theologians worthwhile dialogue partners.

One could therefore say that both Barton and Rowland want *more* criticism, but for Barton it means doing the same things as historical-critics aspired to do, just better. Rowland wants to be more critical by having dialogue with a greater range of partners, which for him should include contextual theologians. This sounds in a sense similar to the things that Räisänen pleaded for, namely a division of labour between biblical scholars and contextual theologians, but in Räisänen’s description it is the biblical scholars that provide the critical tools for the contextual theologians.¹⁰ In Rowland’s portrayal it is the other way around. This problem becomes clearer when we take a look at Schüssler Fiorenza’s response to Räisänen.

Schüssler Fiorenza (2000: 29-48) does not agree with Räisänen and is very critical of his essay. The title of her response is “defending the center, trivializing the margins” and the following quote explains why (2000: 29):

⁹ Rowland’s (1995b: 433-434) use of the term “ideology” could also be translated with something like “interest”, but it has a much more “hidden” or “stealthy” feel to it. It is reminiscent of more Marxist definitions of ideology where the “distorting” qualities of ideology are often accentuated.

¹⁰ There is the lingering feeling in Räisänen’s presentation that historical criticism is still at the top of the academic “food chain” or “pecking order.” Although he states frequently that he is positive towards contextual theology, one hardly ever finds any acknowledgement that he learned anything from contextual theology. It seems that one of his main points is that the critical noises made by contextual theology were unnecessary because they were already present in biblical criticism.

This was not a serious engagement of the voices from the margins but a subtle attempt by an esteemed colleague to safeguard the center which he rhetorically marked as historical criticism and to misrepresent the margins.

Schüssler Fiorenza (2000: 32-43) calls his strategy the “rhetoric of marginalization and misstatement” and she identifies four results of this strategy namely, (1) “homogenization”, (2) “co-optation”, (3) “misrecognition” and (4) “misrepresentation.”

With regards to (1) she (2000: 34) refers to his use of the concept, “liberationist approach”, as the “rhetorical strategy of *homogenization*.” She accuses him of constructing a “common *Feindbild*” by lumping all these different viewpoints together under one category and thus ignoring their differences.¹¹ For Schüssler Fiorenza (2000: 34-35) *co-optation* “defines the proposals and the interests of the margins as those of the master thereby functionalizing them to achieve the master’s own interests.” Räsänen uses this strategy to underplay the challenge for a “paradigm shift.” In short, the challenge of the liberationist approach is trivialised. For Schüssler Fiorenza it is not really a battle about method, but rather about *power*.

“Misrecognition” refers to the fact that Räsänen camouflages the real differences between historical criticism and liberationist approaches (Schüssler Fiorenza 2000: 35-37). The problem here is the fact that Räsänen never really engages with the challenge (as posed by Schüssler Fiorenza) that “a decentering of hegemonic biblical scholarship has to take place so that practitioners from different social locations can move into and reconstitute the center of biblical studies.” Räsänen refuses to acknowledge that the method of historical criticism itself should be blamed, but instead blames the practitioners. It is especially this differentiation between “method and practitioners” that has been challenged and Räsänen’s response is deemed inadequate.¹²

Schüssler Fiorenza (2000: 37-43) also claims that Räsänen “misrepresented” her work on Revelation and the work of Stendahl using “him as a central figure in the discursive chess-game of his apologia for historical criticism.”¹³ Yet her main problem

¹¹ It is significant to note that Räsänen himself complained that this was what critics did with historical criticism, that a kind of homogeneity was presumed where in fact there were much more difference and variety (see Räsänen 2000: 11-12).

¹² In this regard the following quote from Stendahl’s response is very interesting. He refers to his attempts through the years to “discern the tensions within the Scriptures” (Stendahl 2000: 65):

While feeling that I was helping in the task of unmasking all kinds of Western male and racial imperialisms I now must ask to what extent the very method I championed was in itself so wedded to Western culture that it was actually part of the post-colonial problematic.

Thus, it seems that his opinion on this issue is much closer to Schüssler Fiorenza than to Räsänen who does not want to acknowledge this. In this light it is especially strange that Stendahl never challenges Räsänen on this in his response (unless that is indeed what he is doing in a more “subtle” manner).

¹³ Stendahl himself (2000: 61-66) does not claim that he was “misrepresented”, but instead gives a very positive response to Räsänen’s address.

with his misrepresentation of her work is that he missed the important issue of how we account for different interpretations of Revelations (2000: 40-41):

These differences in interpretation, I have argued, can no longer be settled on the level of text or historical “facts” but must be adjudicated on the level of hermeneutical and reconstructive models of historical-religious interpretation. They can not be settled by retreating to the methodological dualism between historical exegesis and contemporary application nor by revalorizing the slogan “what the text meant” and “what it means today.”

Thus, Schüssler Fiorenza rejects the “division of labour” and reiterates that her own work has attempted to go beyond this distinction. She (2000: 42) then expresses her view of what “critical feminist hermeneutics” should aim at:

Hence, a critical feminist hermeneutics cannot simply “apply” or translate the solutions of the past to the problems of the present. Rather, its historical-religious imagination seeks to reconstruct the socio-political worlds of biblical writings and contemporary biblical interpretations in order to open them up for critical inquiry and critical theological reflection. Studying the biblical past in order to name the destructive aspects of its language and symbolic universe as well as to recover its unfulfilled historical possibilities becomes a primary task for biblical scholarship today.

For Schüssler Fiorenza it is not as simple as to expose our current context to the “original” as Stendahl wanted to do and then to wait for something “creative” to happen. Instead for her the process is far more complicated and she does not only seek to reconstruct the socio-political world of the past, but also of “contemporary biblical interpretations.” To this extent it is considerably different from Stendahl’s original proposal. The objective of all of this is also twofold for her. She wants to name “the destructive aspects of its language and symbolic universe” *and* she wants to recover “its unfulfilled historical possibilities.” These “destructive aspects” are reminiscent of Räsänen’s “non-dialogical” sides, but Räsänen does not offer anything similar to Schüssler Fiorenza’s “unfulfilled historical possibilities”, apparently because the Bible is usually more culprit than saviour in his eyes.

2.2.3 Evaluation

There are obviously two broad perspectives above.

- 1) On the one hand we have Stendahl, Räsänen and Barton who are supporters of the traditional ideals of historical criticism, these ideals being “objectivity” or “scholarly distance” or “disinterested scholarship” and the quest for reconstructing the biblical “original.” The preferred way of describing these objectives (nowadays) is by using concepts like “being critical.” The content of these terms seems to be to “let the text speak for itself” free from other “constraints” and for somebody like Räsänen it would specifically mean not to

present a “prettier picture” than is the case. These scholars mainly think that historical criticism was a good idea, but not always executed properly.

- 2) On the other hand there are those who argue that this is not enough. Rowland acknowledges that all scholarship is interested, but still he would like the “text to speak” by being more critical, which for him means to engage in dialogue with contextual partners. Schüssler Fiorenza takes it a step further and insists that we need to analyse the context of the interpreter because that plays just as big a role in our interpretations as the text itself. But I would think that the most striking aspect of her response is that she does not “beat about the bush” and that she identifies the main issue at stake here as *power*.

The interesting (and hopeful) aspect of this discussion is that some proponents, whom I have described as belonging to different perspectives, do share a certain range of vocabulary. This is, for instance, the case when we compare Barton and Rowland where we find a phrase like “to free the text” and “to let the text speak for itself.” The question that surfaces then is to “free the text *from what*” or “to let it speak for itself *over against what or whom*” and this is where their two ways then apparently part. For Barton it is part of his argument that biblical criticism (his preferred term) should be understood as continuing the tradition of the Reformation who wanted to free the text from the shackles of the church. Yet, for Barton the current threat to the text seems to be what he calls the “canonising” of a specific method. Here he acknowledges that this was a problem with historical criticism, which sensitises him not to repeat this mistake. Rowland’s use of the term gives the impression of being less optimistic since he acknowledges that it is not really possible for the text to speak on its own terms, but “at least with sufficient respect for its own integrity that it does not merely mirror the prejudice of the reader.” Whereas the church or a “canonised method” or “authority”¹⁴ seems to be the biggest threat to integrity of the text for Barton, the prejudice of the reader becomes the threat in the words of Rowland. But then one could ask whether the prejudice of the reader and the method used by the reader, or the tradition from which she reads, are not really things that are so intertwined that we cannot really distinguish between the two? Thus, although the different vocabularies sometimes do drift apart, the arguments often boil down to the same thing.

The point that I want to make is that there seems to be common ground between some of these scholars that I have initially portrayed as representing two perspectives. One could add the use of the term “critical” by Rowland, as well as Barton and Räisänen. Or the use of the term “honest” in both Barton’s depiction of

¹⁴ The following quote from Barton (1998b: 18-19) explains my use of the concept of “authority”:

... its [i.e. the “critical” in biblical criticism - EEM] emphasis on asking free questions about the meaning of texts unconstrained by alleged authorities - whether the authority of Christian or Jewish tradition, the authority of current ecclesiastical structure or the authority of received academic opinion.

the critics of historical criticism and his own understanding of the vacancy of biblical criticism. We already saw above where he (1998b: 13) used the words “at least being honest about our commitment” as a tongue in the cheek way of describing what was perceived as lacking in historical criticism, an acknowledgement of some or other ulterior commitment. Yet, he (1998b: 19) himself concludes with the plea that “the cure is not to defend this or that method as ideologically pure, but to revive a true spirit of criticism, for which there is no such thing as ideological purity, only open-mindedness and honesty.” The question now becomes to be honest about what? Our commitment maybe? This seems to be a viable answer, since Barton’s own criticism of historical criticism is that it tended to have been “far too influenced by commitments lying outside scholarly detachment” (Barton 1998b: 15-16). And what does “no such thing as ideological purity” mean? Is Barton acknowledging that historical criticism (and his own work included) has never been “ideological pure” and can never be? Does that mean that he acknowledges that the argument against historical criticism was fair and by doing so he himself adds some “rigour” to the argument that he thought was lacking?

Räisänen (2000: 21) also uses the term “honesty” when he refers to Stendahl and the fact that we should have the honesty of not ‘prettying up’ the original. This is thus a different kind of honesty about the way in which we present ancient texts. His problem is that we often camouflage the dark sides of a text and present it “pretty” in order to further modern day quests for justice. But for Räisänen the Bible is often more part of the problem than the solution. Towards the end of his paper he uses the commentary of the Swiss scholar Luz on Matthew and his notion that even “sacred texts are to be evaluated according to their fruits” (Räisänen 2000: 24).

Thus there are many things that biblical scholars should be “honest” about. For Räisänen it is especially about presenting the dark sides of the text. For Barton it is not that clear, but the “commitment” of the biblical critic often featured in that discussion, or one could probably say the “interests” of the biblical critic. Yet, I cannot help but feel that although Barton still defends the old ideals of biblical criticism (which is actually his new term), he does it in a way that might make many committed or engaged (whatever term we prefer to use) scholars agree with him. Still, with Barton and Räisänen one has the impression that they want to say that biblical criticism has not been that bad and that it had the elements of “criticism” that engaged scholars are arguing for now within it already from the start. This, though, smacks a bit of “defending the center, trivializing the margins” as Schüssler Fiorenza aptly named her response. It sounds a bit like, “these newcomers are saying what we were saying all along”, so we do not really need them! If I put it in this way then the claim of Schüssler Fiorenza that it is all about power suddenly sounds alarmingly accurate.

Would a solution not be to use the plea of Barton at the end of his essay, but to define his concepts of “honesty”, “open-mindedness” and “ideological purity” by means of the arguments that Schüssler Fiorenza and Rowland came up with? But would that be possible? Would Schüssler Fiorenza and many other feminists or scholars working in the Third World not claim that what they are doing is “ideological pure”? Yes it is about power, but it is about acquiring power for those who have never had it! Would they not claim that they represent the moral higher ground and that their claims to power are more just than those of the historical-critics (read: white-males) who have fortified their positions of power in the academic guild and (according to Schüssler Fiorenza) are continuing to do so?

Are we thus at a standstill where we cannot go any further, where “grand academic concepts” are used for rhetorical effect, but where people from different sides actually mean different things with these concepts? To a certain extent it does seem so. In the rest of this chapter I will try to give my own meanings to these concepts, but first we need to take a closer look at a scholar who could be regarded as occupying a position somewhere between the two perspectives identified above.

2.3 “Ideologiekritik” according to Robert Carroll

In many articles Robert Carroll (see especially 1990, 1994a, 1995, 1996 and 1998a) has defined what he meant by the term *Ideologiekritik* which amongst other things often seems to boil down to “expecting the worst” of a biblical text. In the rest of the discussion it should become clear what I mean by this not so academic description. This is not a reflection on his definition of ideology, but it has more to do with how he depicts biblical texts. Yet I think that this is a feature of the work of Carroll that I find very “attractive.” Why this is so should also become clear towards the end of this chapter. I will start by focusing mostly on one article by him (1995) and this will be supplemented by many of the other articles mentioned above. Most of these (i.e. 1994a, 1995 and 1996) are based on a series of lectures that he delivered in Stellenbosch during that (now notorious?)¹⁵ visit to South Africa in 1993.

Carroll (1995: 26) starts this article by stating that to make a list or inventory of our ideological holdings “would remind every reader of that collection of books we call ‘the Bible’ of the often forgotten fact that nobody reads the Bible in a state of innocence or without a considerable amount of ideological baggage controlling any such reading.”¹⁶ He (1995: 26) then continues to argue that most of what we “know”

¹⁵ See especially a later essay by Carroll (2001a) which Boshoff (2002: 2) describes as “a scathing article” and which he (2002: 3) regards as “partly a tragic misinterpretation of typical South African open door hospitality, something which is not typically European.”

¹⁶ What Carroll describes here as a “fact” is of course not accepted as such by many biblical scholars. I do think that scholars like Rowland and Schüssler Fiorenza will whole-heartedly agree with this statement. Barton and Räisänen might want to qualify this statement somewhat. The difference might lie in what is to

about the Bible today “is at best scholarly hypothesis or reconstruction.”¹⁷ This then leads him (1995: 27-28) to spell out how he understands the term “ideology” which he thinks is broadly used in either a “benign sense”, or as a “bad thing.” In the former case “ideological is just to say that it belongs to a larger point of view or worldview involving general beliefs, outlooks, values and social practices” (1995: 27). The latter use is usually found in Marxist and neo-Marxist circles where it is often a term “describing false beliefs as opposed to science or knowledge” (1995: 27). Eventually (in the 1995 article at least) it seems that Carroll does not really choose between these two different meanings, but is content with acknowledging that these two terms are often used in a rather confusing manner (1995: 28):

While there is much to be said for a word which describes the gap between reality (the world as it is — a rather question-begging phrase!) and reality as it is culturally perceived, the term ‘ideology’ has had so many different uses that today it is often more confusing than illuminating when used in the various discourses of politics and scholarship.

Carroll then does not really identify with one of these, but continues to use the term *Ideologiekritik* to “theorise the separation between text and reception or text and commentary” which he regards as “a useful fiction for an initial analysis of the Bible and its reception” (1995: 28).¹⁸ Carroll (1995: 28) regards this as one of the foremost assets of this use of *Ideologiekritik*:

To go further, if ideology is already built into the text, then *Ideologiekritik* will have to scrutinize that text of ideological traces. Thus *Ideologiekritik* becomes a *double scrutiny*, of text and reception — of writer and commentator, scrutinizing the ideological factors at play in any and all readings of the Bible. There is the ideology of the writer of the text or the ideological traces of the writer inscribed in the text and then there is the ideology (or ideological traces) of the reader of that text.¹⁹

Carroll (1995: 28) also prefers to talk about finding “traces of ideology” within texts instead of the “ideology of texts”.²⁰

be regarded as “ideological baggage” and what not. One should also add that in the light of the debate portrayed above, this issue is at least not forgotten, but still often debated about.

¹⁷ This theme of what Carroll also calls “copy-cat writing of tired textbooks” is more fully explored in an earlier article by him (1994a: 1-15).

¹⁸ This “separation between text and reception or text and commentary” is not that far from Stendahl’s “meant” and “means.” There is a slight difference, though, in the sense that Carroll calls it a “useful fiction.” The main difference I would think is the confidence with which biblical critics construct the past. For Stendahl there is probably more “certainty”, while Carroll regards it as nothing more than a fiction, be it a very useful one.

¹⁹ It should be obvious that there are similarities here between Carroll and what Rowland and Schüssler Fiorenza previously argued. Critical scrutiny is not only directed at the text and world of the text, but also at the scholars doing the reading.

²⁰ This preference is in response to the debate amongst scholars whether texts actually have ideologies. See, for instance, Fowl (1995: 15-33) who argues that texts can not have ideologies.

That is, they have the ideological traces of the writers who live in an ideologically-constructed world (eg, the worlds of humans and of gods where communication is set up between the two worlds by means of slaughtered animals or a world where human beings communicate by means of the Internet) and they are read by readers who have their own ideological traces from the world(s) in which they live.

For Carroll (1995: 28) then the task of *Ideologiekritik* when applied to the Bible “is to scrutinize both sets of ideological traces and to analyze critically all the ideological factors at play in any and every reading of the Bible.”

In the rest of his article he does both. He (Carroll 1995: 29-38) identifies traces of ideology in the Hebrew Bible which he regards as “the ideological literature of the second temple period” (1995: 29). Yet he also engages with ideological traces found in many “interpretative contexts” of the Hebrew Bible. Thus, Calvin’s *Institutions* are critically analysed (Carroll 1995: 31-34),²¹ or the use of the Bible in the South African context (both by Apartheid theologians and liberation theologians) are scrutinised (Carroll 1995: 35-39) and he (1995: 40) also discusses his own possible ideological holdings.

Carroll (1995: 36-37) understands liberation theology as a “fundamentalistic reading of the Bible.” This becomes especially true with regards to the use of the Exodus narrative. Yes, this is about initial liberation, but it also includes other undesirable elements (1995: 36):

It may be true to say that the Bible includes a strand of narrative about liberation from slavery, but it also includes the reinscription of slavery in that narrative so that the reader of the Bible has to choose between these biblical values. That choice can only be determined by extra-biblical values and therefore the Bible has to be subjected to *Ideologiekritik* in order to arrive at a critically determined notion of liberation. The Bible can supply a rhetoric of liberation.²²

²¹ His reasons for engaging with Calvin are both his own interpretative context and that of South Africa. He interprets the Bible in the context of Scottish Presbyterianism and Apartheid was also born in a context of “neo-Calvinism.” His main problem with Calvin is that he does not have the ability to critically scrutinise his own position, which is clearly visible in the polemical character of Calvin’s writings. He thinks that Calvin’s writings could definitely do with some *Ideologiekritik* scrutiny (Carroll 1995: 32):

Calvin’s writings are also full of ideology, some of which belongs to the false consciousness-inducing kind of ideology. Very much like the Bible, Calvin’s *Institutes*, in all their varied editions, are a most polemical form of writing. In the writings Calvin is at war. The high level of *Kulturkampf* in the Bible has been internalized by Calvin in his writings (as indeed is the case in so many of the reformers’ writings). Hence such ideological readings (Calvin and the other reformers) of ideological writings (the Bible) cry out for an *Ideologiekritik* scrutiny.

One could, of course, ask whether this is not to a large extent true of the work of Carroll himself? Is he not involved in some or other *Kulturkampf* himself? “Wolf in the sheepfold” comes to mind! Yet, as we will see later, Carroll is willing to acknowledge that and he is willing to take stock of his own ideological holdings.

²² In the rest of the article it seems that Carroll’s main point is that the Bible can *only* provide a rhetoric of liberation and nothing more. This can also be dangerous sometimes when people on “both sides” use biblical rhetoric which can create a “deadlock of rhetorical confrontation” (Carroll 1995: 41).

Yet, ultimately the Bible remains “a book of slaves for slaves” for Carroll (1995: 37). No sooner have the people been liberated from Egypt than we find מִשְׁפָּטִים on “the purchase of Hebrew slaves” in Exod 21 (Carroll 1995: 37). It thus means that the Bible is “judged” or “evaluated” by means of values that are foreign to the Bible. This is how we choose certain values from the Bible and dismiss others as oppressive. As part of this discussion he also mentions Leviticus 25 (Carroll 1995: 38):

Lev 25, on the other hand,²³ tries to avoid enslavement for Israelites by dressing up the practice in nicer language and encouraging kindness. Leviticus makes no allowance of permanent slavery such as Exodus and Deuteronomy allow. Leviticus does however encourage the enslavement of foreigners (25:35-55). Perhaps a case of ‘no white slaves’, if we were to translate this biblical ruling into a South African context.²⁴

Following this, Carroll (1995: 38-39) offers a further discussion on why he does not think that the Bible is an important source when it comes to social and political thinking. This is the result of the Enlightenment and the eventual “radicalization of politics in the form of the construction of demands of human rights in the eighteenth century” (Carroll 1995: 38). Carroll does not pretend that everything that the Enlightenment did was good and he is not advocating the “twentieth century as a model of social perfection over against a wicked past”, but he reaches the following conclusion (1995: 39):

On the contrary, I just want to emphasize the fact that life is always a struggle and that the struggle for liberation is a constant one. It can never be won permanently, but freedom is held in jeopardy all the time. Yet the struggle must be engaged in continually and maintained faithfully in every generation.

It thus seems as if he understands his *Ideologiekritik* way of reading a text as the continued struggle for liberation! Could one call this a kind of “liberation theology”? On the next page, in an attempt to describe his own ideological holdings, Carroll (1995: 40) shortly describes his republican background in Dublin with members of his family dying in the struggle to free Ireland from Britain. For him this means that he has “little choice but to be on the side of those who seek liberation from all forms of tyranny.” He also adds that in South Africa he “must have some sympathy for the Boers who, almost a century ago, fought against the British for their freedom.” Yet,

²³ Carroll (1995: 38) seems to follow the mainline diachronic view of Exod 21:1-11 being followed by Deut 15:7-18 and then Leviticus 25. He at least discusses them in this order and his “on the other hand” above contrasts Leviticus 25 with the other two texts.

²⁴ The only other biblical scholar who related Leviticus 25 to the South Africa context in this manner is Rainer Albertz (1990). With regards to Leviticus 25:44-46 he has the following to say (1990: 58):

Die Ausländer hatten nun einmal an der Befreiungserfahrung, die Israel mit Jahwe gemacht hatte, keinen Anteil. Wenn aber bis in jüngste Zeit die weißen Christen in Südafrika gerade diese Verse benutzten, um ihr Apartheid – System biblisch zu rechtfertigen, obgleich die Schwarzen, die sie wie Sklaven unterdrücken, zum größten Teil ihre christlichen Brüder und Schwestern sind, dann ist dies ein so eklatanter Mißbrauch des Textes, daß uns die Schamröte ins Gesicht steigen müßte.

he expresses regret that the Boers after gaining freedom suppressed the other peoples of South Africa. He then continues with the following statement (Carroll 1995: 40):

The struggle is permanent, the grasping of freedom temporary. Without a serious sense of *Ideologiekritik* applied continually to one's own situation the liberative moment can quickly turn to the enslavement of others. To take an example from the Bible: the people of Israel were no sooner out of slavery in Egypt than their leaders were making rules for the purchase and control of slaves!²⁵

Carroll's way of reading the Bible is thus aimed at continuing the struggle for freedom, against slavery and many other kinds of oppression. It is honest in the sense that it exposes the role that the biblical text has played (and still plays) in oppressing people. Or as Carroll puts it (1995: 41):

It is a reading of the Bible informed by modern thought and post-Enlightenment values. The Bible is transformed in the reading and all its negative ideological factors abandoned in favour of a genuinely liberating modern reading. My *Ideologiekritik* approach to reading the Bible warns me that I cannot read this book except in conjunction with a liberating ethic derived from non-biblical sources.

Carroll is thus also a theologian or scholar who seeks "liberation" as liberation theologians do, but he does not pretend that the liberation that he aspires is informed by the biblical text. "Liberation" for him is a product of our "post-enlightenment" society and for Carroll the Bible is often more of a culprit than a provider of solutions.²⁶

One thing that is not that clear from this article is whether Carroll chooses to define "ideology" in a "benign sense" or as a "bad thing"? He just describes these two opposing views and then continues his argument without choosing. One is tempted to say that his use of the term ideology often tends to lean over to ideology as a "bad thing." *Or, it will probably be more accurate to say that he tends to present the "traces of ideology" that he identifies in the Hebrew Bible in a negative light when compared to modern post-enlightenment values.* In two later articles Carroll (1996 and 1998a) specifically opts for the "non-marxian definition", but "with some gentle

²⁵ I find it slightly ironic that Carroll has this in common with the Apartheid theologians, that he draws fairly direct comparisons between the situation in South Africa and the biblical portrayal of the Exodus narrative. Yet, his comparison is different. For the Apartheid theologians the comparison was used to motivate why we had to build South African society on the biblical example. For Carroll the comparison functions as motivation for why the Bible is so dangerous!

²⁶ The following quote explains why he has this "negative view" of the Bible (Carroll 1995: 37):

At its starkest level the Bible is a book of slaves for slaves. It may have dreams and fragments of liberation in it, but I can assure you that throughout the long history of the Bible's reception in European polity *the Bible never generated an ideology of freedom*. Such freedom as people found in the Bible was of the spiritual or metaphysical variety. Not until after the Enlightenment project of liberation via reason emerged in Europe and America did people move towards the emancipation of slaves and that was a long and stony road to follow.

allowance for distorting or deforming possibilities with its application” (1996: 18). This preference is due to the fact that “the word ‘ideology’ has a pre-marxian sense which applies to any network or (near) system of ideas ...” (1996: 18).²⁷ Later when Carroll (1996: 25) discusses the production of the Hebrew Bible, which for him means the Hellenistic period, he states the following:

I would tend to call the literature produced under such conditions (whatever they may have been) “ideological literature”, where the word “ideology” approximates to worldview or network of viewpoints designed to encourage praxis of a particular kind. Such ideology can be extraordinarily rich in complexity and possibility, but it still represents a point of view maintained by a power group over the rest of the community.

Thus, in the above quotes Carroll explicitly chooses for ideology as a kind of worldview, or network of ideas which does entail some elements of distortions, but are not necessarily “false” in the Marxist sense. Yet, it is clear that it is indeed about *power* and about one group attempting to force their worldview unto others in order to “encourage praxis of a particular kind.” In the last article published by him in JNSL, Carroll (1998a: 106) provides a similar description, which once again points to the group- or community character of ideology. Before he arrives at this description he reiterates again that he prefers older pre-Marxian definitions of the concept (1998a: 106):

In this sense ideology provides a community or group with explanatory, evaluative, orientative and programmatic functions, allowing them to situate themselves in the world by means of language. For the purposes of these reflective remarks I am more interested in whatever may be discerned in the Hebrew Bible as possessing elements of a system of thought-praxis or an ideology wherein the biblical writers constructed their view of the world and how to live in it. Such a world-construction narrative includes their story of the past from which the community came to the present in which it existed and a future to which it aspired.

A term that I think could be added here is the “identity” of a group that is formed or created or captured by the ideology of that group. This narrative that Carroll talks about of who the community is and where they come from is thus part of the identity of that group. Of how they understand themselves over and against the other groups who are perceived and presented as different. Carroll (1998: 107) further continues that his insistence through the years to use the term “ideology” in stead of “theology” has to do with “a desire to see the political, which is inherent in the theopolitical aspects of the Bible, underlined and exposed to scrutiny.”

²⁷ A further ground for Carroll to choose against the “marxist definition of ideology as ‘an imaginary representation’” is “because it is designed to exempt marxism as an science or as knowledge as opposed to representing non-marxian systems of thought as ideological and therefore false” (1996: 18).

Ideologiekritik should thus be interested in describing the “traces of ideologies” found in biblical texts and their interpreters, meaning the kinds of world-view, or group-identities that present itself in the text and in the interpretation of these. All of this also involves politics and power, since groups usually want to maintain their identity by forcing other people to understand this world and the “way things work” in a similar manner.

To conclude this discussion on Carroll I would like to summarise the value of his contribution as follows:

- 1) There is a kind of “honesty” to the proposals of Carroll in the sense that he acknowledges that what he understands as “liberation” is something foreign to Bible. This means that he has this in common with Räsänen that he does not want to “pretty up” the biblical texts, or in Räsänen’s terms that he does not hesitate to present the “non-dialogical” sides of the Bible. We have seen this in the reference by Carroll to Leviticus 25 or to the Exodus narrative and we will revisit Carroll’s views in a later chapter on the dating of the Holiness Code (see chapter 6). This was what I initially meant, by “expecting the worst” from the biblical text, that Carroll usually evaluates or judges the text in the light of modern values of human rights and then finds it terribly oppressing.
- 2) Carroll also has much in common with Rowland and Schüssler Fiorenza in the sense that he wants to analyse the place from where an interpreter reads in order to come to terms with the ideological traces that play a role in interpreting a text. I can imagine that Rowland and Schüssler Fiorenza would mostly agree with Carroll’s notion of *Ideologiekritik* entailing a “double scrutiny” of text and reception.
- 3) Yet, in one important aspect the paths of Carroll and Schüssler Fiorenza will probably part. The ultimate aim for Schüssler Fiorenza is both to “name the destructive aspects” and to “recover its unfulfilled possibilities.” Carroll would probably be content to stop with the first. Or that is the impression that one gets from most of his work, of “expecting the worst” from a biblical text. For him the Bible is too much culprit and offers too little solution, but for Schüssler Fiorenza there is enough of the latter to be used by modern theologians. This is probably the biggest limitation to the work of Carroll, the fact that so little positive things are left to construct a modern day theology with.
- 4) Despite this “dark” side to Carroll’s work there is one aspect that sounds very attractive in the (South) African context. Carroll’s description of the struggle as *constant* and liberation as *temporary* could be extremely valuable in Africa. Africa has learned that the removal of the white oppressors has not necessarily resulted in constant freedom. Other indigenous and foreign oppressors have stepped into the vacuum left by the colonial forces. Freedom and liberation are indeed continuously in jeopardy.

- 5) Carroll is lastly very clear that he wants “to be on the side of those who seek liberation from all forms of tyranny.” This, in a sense, makes him also a committed or engaged scholar.²⁸

It should thus be clear by now why Carroll is an important discussion partner in this debate. To a large extent he bridges the two perspectives that I identified above. He has things in common with both, but he also has sensitivity for the South African context and he offers analytical tools that could be valuable in Africa. Yet I think that Carroll also helps us to define the critical role of the biblical scholar better and this became clear in 1) above. He is very frank about the fact that the biblical text can only be judged by means of “extra-biblical values” (Carroll 1995: 36) or by means of a “liberating ethic derived from non-biblical sources” (Carroll 1995: 41). I will shortly treat some other OT scholars who have made similar remarks, but before we do that I need to provide a clearer definition of what ideology is.

Dyck (2000: 109-110) uses the following list of definitions provided by Eagleton to define the concept better:

1. the general material process of production of ideas, beliefs and values in social life;
2. ideas and beliefs (whether true or false) which symbolize the conditions and life-experiences of a specific, socially significant group or class;
3. the promotion and legitimation of the interests of such social groups in the face of opposing interests;
4. the promotion and legitimation of the interests of the dominant group;
5. ideas and beliefs which help to legitimize the interests of a ruling group or class specifically by distortion and dissimulation;
6. false or deceptive ideas which arise from the material structure of society as a whole.

The only definitions that I would specifically exclude here are 1) and 6). Both are too general and 6) has too much of a Marxist ring to it. With regards to 5) I would also

²⁸ Many “contextual” or “liberation” theologians would object that we could not really read on behalf of anybody even if they are suffering from tyranny. The problem is that it becomes a patronising act. See, for instance, the discussion of this problem in Patte’s (1995: 23-24) second chapter. Patte also attempted to produce “pro-women” or “pro-African-American” readings, but eventually realised that they experienced this as very condescending. Who gave him the right to speak on their behalf? Eventually Patte opts for “reading with them.” A scholar who has also engaged with this issue on many occasions is Gerald West. See, for instance, West (1999: 34-62). West (1999: 37) sums up this tension as follows:

Both an uncritical ‘listening to’, that romanticizes and idealizes the interpretations of the poor and marginalized, and an arrogant ‘speaking for’, that minimizes and rationalizes the interpretations of the poor and marginalized, must be problematized.

I think that Carroll would probably be accused of the latter more arrogant option. Carroll is of course further not really interested in dialogue with ordinary readers. His act of criticism is directed at the text and at fellow interpreters. The liberation that Carroll strives for originates from *his* idea of what a liberated world should look like. It is thus not really representative of the oppressed people of this world, or that is not reflected in Carroll’s work. He continues to play the role of the academic outsider and he does not pretend that he could be an insider.

want to replace “specifically” with something like “amongst others”. “Distortion” is often used, but it is not the only available strategy. From definitions 3) to 5) it is also clear that “ideology” entails the “interests” of a group and that accentuates the political (as Carroll also did). This will also emerge in my engagements with the text that it is about how a specific group understands themselves, often over and against other “competing” groups. Dyck (2000: 110) rightly points out that the definitions become more specific from 1) onwards to 6). Eventually I will need to describe the “ideology” that I identify in the text by means of the specific formulation of 5) above which means that I will have to describe the distortion that is taking place. But what does distortion entail?

2.3.1 Ideological criticism as “value-judgement”

In the introductory chapter of his book, “Interested Parties: The Ideology of writers and readers of the Hebrew Bible”, Clines (1995: 20) describes the responsibility of biblical critics as follows:

We have a responsibility, I believe, to evaluate the Bible’s claims and assumptions, and if we abdicate that responsibility, whether as scholars or as readers-in-general of the Bible, we are in my opinion guilty of an ethical fault.

Clines is very clear that this evaluation is done by comparing the values identified in the Bible with those of the authors and his view is thus very similar to that of Carroll. It is rather unfortunate that he does not explore this “ethical fault” further, apart from saying that he intends to read “biblical texts according to” his “own cultural and ethical values” (1995: 20). As with Carroll “critique’ ... does imply evaluation of the texts by a standard of reference outside themselves—which usually means, for practical purposes, by the standards to which we ourselves are committed” (Clines 1995: 20). Is it thus the responsibility of the biblical critic to make a value judgement?

In an essay by Dyck (2000: 108-128), where he attempts to provide “a map of ideology for biblical critics” (of which we just saw a summary above), he distinguishes between the way in which the term “ideology” is used in what he calls “social science” and “social criticism.” With regards to the former Dyck (2000: 112) argues that ideology “is not something about which one has to make a value judgment—that it is objectionable, false or distorted—but is rather something that is found out there in the object field of social science; ideology is something that every social group has.” Contrary to this, social criticism “involves making value judgments about ideology where it is used in a pejorative sense to denote a false or distorted consciousness” (Dyck 2000: 116). This is the kind of definition that we saw in 5) above. The question then becomes on what grounds these value-judgements are made, or how scholars are to detect distortions? When he discusses the implication of social criticism for biblical criticism Dyck (2000: 126) has the following to say:

The real watershed for biblical criticism occurs with the appropriation of definitions of ideology thrown up by social criticism. I say 'watershed', because taking distortion into account involves a completely different attitude in approaching the biblical text. ... An awareness that distortion happens means that one approaches the text with an attitude of suspicion, an attitude biblical scholars are not, generally speaking, conditioned to have.²⁹

He then also asks how biblical critics are to detect these distortions and then he refers to the work of Clines (above) who clearly states that "our own personal standards" should be the "standard of reference" (Dyck 2000: 127). Dyck (2000: 127) also refers to the fact that ideological criticism of the Bible could be a kind of "immanent critique." Now he refers to the work of Brueggemann (an example that he also borrows from Clines) who criticises royal ideology by means of prophetic critique that is present within the Bible itself.

I do think that one could apply this to the work of Carroll (and for that matter Clines too). He does not only judge the traces of ideology that he identifies in the Bible by comparing it to his own modern values, but at stages he also applies a kind of "immanent critique" when he looks for tensions in the text itself that makes him suspect that some kind of distortion is happening. This will become clear when we discuss the "myth of the empty land" in chapter 6. When Leviticus 26 claims that the land will be or is empty, Carroll compares this with other texts that present the opposite view and then it is clear that distortion is present. Somebody is telling half-truths.

But I would like to return to the first quote from Clines above. He argued that the critical task of the biblical critic entails to "evaluate the Bible's claims and assumptions" and he called this our "responsibility." He also argued that not doing this would be to commit some kind of "ethical fault." Does this mean that not reading the Bible ideological-critical, not being suspicious, not making a value judgement would mean to be ethically irresponsible? I would think that the answer is "yes" and I will argue that below.

Below, in order to address this question, I will focus on a scholar who like Clines uses terms like "responsibility" and "ethics" when it comes to reading the Bible. He is also interested in the effect of our biblical readings. Räsänen did touch on the subject above when he used the phrase of Luz to "judge ancient texts by their fruits", and Carroll already referred to this problem in the (old) South African context, but Patte

²⁹ I am not sure that "watershed" would be an accurate description here and it sounds like a bit of an exaggeration. Biblical critics always tended to be suspicious of biblical texts, in one way or the other. Historical critics (especially those of the source criticism or *Literarkritik* kind) have a long legacy of being suspicious about texts which pretend to be a unified composition, but in which historical critics always spotted many layers. That was also a kind of suspicion, but I do think that the kind of suspicion that he now asks for is somewhat different.

writes a whole book about it. This discussion will eventually lead us closer to the South African context, the place from where I read and eventually I will have to attempt to take stock of my own ideological holdings as Carroll proposed we should do. Yet it will also help us to understand that ideological-critical readings should be understood as a means of taking responsibility for our readings and as an effort not to make the ethical fault that Clines warns against.

2.4 The “effect” of our biblical readings

Patte (1995) uses two concepts of “accountable” and “responsible” to describe that a biblical critic does not only have a responsibility towards the critical guild, but is also accountable towards people that might be effected by our work. The following summarising statement by him (which is the first of ten) explains that partly (Patte 1995: 115):

An androcritical multidimensional exegesis is a practice of critical exegesis envisioned by certain male European-American biblical scholars who seek to be accountable to those affected by their work.

In order to explain his sensitivity to people affected by his work, Patte (1995: 18-36) tells his own experience of how he came to realise that his readings of texts (especially Matthew) and his teaching practices did in some instances have detrimental effects on people. These “people” included Jews, Afro-Americans and women. In this first chapter he tells how he came to learn that he really had to listen to these different groups, which Patte describes as to “speak *with* them” (1995: 25). One of the problems that he identifies is the pretension of neutrality or objectivity by biblical scholars (see Patte 1995: 25). Basically critical exegetes pretend to be neutral, but in fact their interpretations are “marked” by the fact that they are male and western (European-American) (Patte 1995: 25-29). His story thus serves to make the point that nobody is just a biblical scholar, but scholars are defined by being, male, female, white, black, Jewish, Christian etc. All these factors play a role in how we read, or this is what I take to be the important point that he manages to make in this first chapter (Patte 1995: 18-36). The task of a biblical scholar would thus include to ask what effect these factors have on our interpretation of the biblical text. I can imagine that if I put it like this that Rowland, Schüssler Fiorenza and maybe even Carroll might agree with him. In Carroll’s terms it might be part of taking stock of our ideological holdings. In Schüssler Fiorenza’s project it might be a way of taking the margins seriously and giving them part of the centre-stage. And Rowland was a great champion of dialogue between biblical critics and contextual theologians. Yet, as we will see later in the excursus below, Carroll and Schüssler Fiorenza responded very negatively.

In the second chapter by Patte (1995: 37-72) he argues that biblical scholarship should accept the fact that our practices must be multidimensional and that we should recognise that a given text provides several legitimate ways of reading it. This has implications for our reading practices and one of his main solutions for not hurting people is a kind of teaching praxis where all readings are allowed to interact with each other. Where a teacher does not present himself (“him” because it is part of “*andro-critical*” practice) as a master but allows the students to choose for themselves between the different options presented by the teacher. According to Patte this would be part of the “cure” for biblical readings having a “bad” effect on other people.

This and the fact that we should accept ordinary readings as legitimate readings although a biblical scholar then has the vacancy of bringing these ordinary readings to “critical understanding”³⁰ is discussed in his third chapter (Patte 1995: 73-102). His fourth chapter (1995: 103-120) consists of his conclusion in which he presents ten statements that he understands as a systematic presentation of his main argument. I will discuss some of these issues in more detail below.

One of the lingering impressions after reading this book is that it is not really clear when a specific reading would be illegitimate or invalid or let’s say when it should be rejected. Throughout the book Patte mentions some constraints or “boundaries” within which biblical texts can be interpreted in a responsible or accountable manner. One of these “boundaries” would be the effect that the interpretations of critical scholars have on “others.” This is clearly stated in statements 1 and 10 (Patte 1995: 115 and 124). In chapter 1 Patte refers to the fact that his studies on Paul and Matthew did convey some anti-Semitic sentiments despite the fact that this was against his best intentions. Thus, these readings did harm Jewish people. But does this mean that these readings were illegitimate and should therefore be rejected?

Another boundary would be the constraints of the text itself. In chapter 2 one often finds the phrase “meaning-producing dimensions of the text” and in chapter 3 the phrase “power-authority of the text” is rather salient. It seems that the former phrase is often used when critical readings are under discussion, while the latter phrase is used when ordinary readings enter the discussion. Another important feature of Patte’s argument is that one gets the impression that ultimately the text “has the final

³⁰ What Patte (1995: 100-107) means is that critical scholars should acknowledge that ordinary readings are based on the meaning producing dimension of texts and then critical scholars must help ordinary readers to argue for the legitimacy of their readings. Part of the argument is also that all critical readings start with a kind of intuitive ordinary reading that scholars then “enhance” with critical arguments. This should be done to ordinary readings. The problem with this discussion is that it is rather “up in the air.” Patte never uses a concrete example of a reading of a particular text going through this process of “bringing to critical understanding.”

say” in the meaning-producing process.³¹ Despite the fact that Patte (1995: 94-95) uses metaphors like “text as weaving” over against “text as meaning container” the text still limits the number of meanings that are possible. This is very clear when he (Patte 1995: 97-99) discusses the difference between Ricœur and Gadamer and eventually seems to side with the latter. The context of the reader determines which meaning is “selected”, but the text limits the possible number of meanings. Thus, although there can be more than one meaning, the possibilities are not limitless. This was also very clear when he evaluated the pedagogic practices of critical scholars in chapter 1. Even in his “alternative model” students were allowed to choose for themselves, but the teacher limited the possibilities. In chapter 2 it is fairly clear that he wants to argue that at least the two possible interpretations of discipleship in Matthew should both be accepted as equally legitimate, but still both are critical readings.³²

When he discusses the relationship between ordinary and critical readings in chapter 3 everything becomes rather vague. He does not use any biblical examples anymore, but just makes general statements like “we should presume that it is legitimate until proven otherwise” (Patte 1995: 100). He never gives an actual example of a reading that should be rejected, except of course the dogmatic or third-level readings of Evangelicals, but this stays a theoretical possibility and he never provides a concrete example (see Patte 1995: 90-91).

So let us say that under two conditions a reading can be regarded as “bad”,³³ meaning “not responsible” or “not accountable” and thus “to be rejected.” These two conditions are when they have a negative effect and when they cannot be accounted for in the “meaning-producing dimensions” or “power-authority” of the text.

For a very concrete example, let us turn to the South African context and the history of Apartheid, which were detrimental to millions of people. It is well known that the

³¹ Malina (1996: 81-87) would strongly object to this conclusion. For Malina (1996: 86) “Patte’s concern is to have all readers find warrants for their projects in the Bible.” I do not think that this criticism is fair, yes, Patte’s formulations are somewhat cumbersome and not always that clear, but I do think that he clearly states that the text limits the amount of possible “meanings.” See, for instance, Briggs (1997: 63) who reaches the opposite conclusion than Malina:

Some readings, therefore, are still ungrounded, and I think he successfully holds the flood-doors shut against admitting any and every reading.

These two conclusions are on two extreme points of a continuum and I find my own reading of Patte more in the middle, although definitely closer to Briggs than Malina.

³² This is also very clear from his book on the Sermon on the Mount (Patte 1996: 362):

While all postmodern critical approaches recognize the plurality of plausible interpretations (an emphasis that is sufficient for decentering interpretations), only a multidimensional approach emphasizes that each plausible interpretation is also legitimate in the sense that it is grounded in one of the several meaning-producing *dimensions of the text*. (his italics)

³³ This term is of course “value laden” and many would object to it, including Patte who always strives for “equality.” But some interpretations can have very “bad” effects for other people.

Dutch Reformed Church and the Bible played an important role in this sad history.³⁴ The Dutch Reformed Church supported the political policy of Apartheid with theological and biblical arguments. This is very clear from many theological discussions amongst the majority of South African Dutch Reformed theologians from about 1930 to 1960. The OT book of Deuteronomy played a substantial role in this theology.

2.4.1 Dangerous ordinary readings

It seems as if Patte cannot foresee that an ordinary reading can have a negative effect on other people, or can be damaging as such. Plurality becomes his solution, be it that he acknowledges that a certain text only offers a limited amount of possible interpretations. One has the impression that if all possible readings were left to float around in the air, then oppression would be something of the past. Carroll (1998b: 61-62) describes a post-modern approach (and he regards Patte as a good example) as follows:

Some forms of postmodern approach to biblical readings would insist on an egalitarian relationship between competing interpretations whereby everybody's point of view must be respected and acknowledged as equal to everybody else's point of view - every woman will do right in her own eyes (a good biblical trope). Thus even a reconstituted South African apartheid-driven reading of the Bible would stand on all fours with post-Bakhtinian dialogical, post-Lacanian psychoanalytical and post-Derridean deconstructive readings.

That I suppose is the biggest problem with Patte's proposals! He wants to limit the damaging effects that the readings of biblical critics might have on normal people by giving an equal hearing to *all* ordinary readings. But he does not anticipate that ordinary readings could also be andro-centric, or racist or misogynic or colonial or whatever. His proposals are especially exposed when one thinks of the Old South Africa³⁵ and how many ordinary white people believed that the Bible was in favour of Apartheid (which Carroll mentions above).

In an essay aptly named "The Dangers of Deuteronomy" Ferdinand Deist (1994) describes how texts from Deuteronomy were used to justify this political system. Deist (1994: 14-20) starts by describing the situation of the Afrikaner readers referring to their "socio-economic background",³⁶ "self-understanding"³⁷ and the

³⁴ For a very good description of this theology, see Kinghorn (1986). For a more secular presentation of this development see Giliomee (2001: 447-486) who calls his chapter on the development of Apartheid "The making of a radical survival plan." For the rest of this discussion I will use an essay and an article by two South African OT scholars, namely Deist (1994) and Jonker (2001).

³⁵ The "Old South Africa" is another way of referring to "Apartheid South Africa" and it is opposed to the "New South Africa" which was introduced by the first democratic elections in 1994.

³⁶ According to Deist (1994: 14-15) the Anglo-Boer War, the influence of two World Wars, droughts, epidemics, and the great depressions, lead to the rapid urbanisation of the Afrikaans speaking part of the South African population. Most of these people were very poor and found themselves at "the bottom of the

“hermeneutical background.” With regards to the latter he (Deist 1994: 17-20) describes “Boer Calvinism” as a mixture of Kuyperian cultural philosophy and Princetonian fundamentalism both of which had their foundation in common sense realism. He then (1994: 20-27) describes how a naive realist reading of Deuteronomy was used to support Apartheid. This naive reading was based on the fact that Afrikaners in their threatened context shared some features with the text of Deuteronomy, for instance, a shared sense of promise,³⁸ a shared sense of anxiety³⁹ and a shared sense of strict obedience to God.⁴⁰ Other appealing features of the book were the notion of a divinely instituted natural order,⁴¹ the legality of discrimination,⁴² prohibition against “mixing” with other groups⁴³ and ownership of land.⁴⁴ Deist (1994: 27) accurately concludes:

It is, of course, easy to tear the sketched naive reading of the Bible apart and to laugh or scorn at the people who facilitated this impossible “fusion of horizons.” ... Moreover, the circumstances in which the readers found themselves made their approach and interpretation of the book appear self-evidently rational.

social ladder.” They also had to compete with black workers for cheap unskilled labour. “Afrikaans people felt themselves threatened by these circumstances ...” It is also in the light of these factors that Giliomee (2003: 447-486) calls his chapter on the development of Apartheid “the making of a radical survival plan.”

³⁷ Deist (1994: 15-17) describes how the Boers left the Cape Colony (British oppression) for the Orange Free State and the Transvaal (The Promised Land). The Afrikaans readers identified themselves with Israel trekking into the Promised Land. See especially the parallels identified by Kritzingner in a sermon on the Day of the Covenant (16 December) (Deist 1994: 17).

³⁸ He (Deist 1994: 20) describes how Afrikaans readers identified with the fact that Deuteronomy is presented as Moses’ final address to the Israelites just before they entered the promised land.

³⁹ A Biblical scholar like Stuhlman describes the content of Deuteronomy as “a great deal of internal anxiety and a marked sense of vulnerability” (Deist 1994: 21).

⁴⁰ Deist (1994: 21):

Like the Moses character in Deuteronomy, Afrikaners were convinced that their only hope of survival in this hostile, though promising, environment lay in them strictly keeping God’s commandments.

⁴¹ According to Deist (1994: 22-23) texts like Deut 32:8 were used to argue that God created a specific place for each people or nation. These arguments were strengthened by texts about Israel’s special calling by YHWH which made them different from the other nations (i.e. 14:2, 4:37-38, 7:7-8, 10:14-15):

If God separated the nations, then no human being had the right to unite them.

Or see the popular Reformed theologian (and famous Afrikaans poet) J.D. du Toit (Totius) on Deut 22:9-11 (Deist 1994: 23):

Firstly, what God united, no one may divide. This is the basis of our plea for unity among Afrikaners. ... Secondly, we may not unite what God has divided. The council of God is realized in pluriformity ... Consequently we do not want any equalization or bastardization.

⁴² Here, Deist (1994: 24) refers to Weinfeld’s description of Deuteronomical views of Israel’s identity:

According to Deuteronomy, the laws of the Torah apply only to the true Israelites, that is members of the Israelite nation by blood and race, whereas the resident alien is not deemed to be a true Israelite ...

Deuteronomy’s distinction between “brother” and “foreigner” was also used in the South African context, where “brothers” meant fellow whites and “foreigners” meant non-whites.

⁴³ Texts like 7:3-4 and 22:5, 9-11 supplied the “scriptural basis” for the clause in the South African Immorality Act prohibiting mixed marriages (Deist 1994: 26).

⁴⁴ South African Calvinists used Deuteronomy’s description of Yahweh giving the land to Israel to justify their own claims to the ownership of South African land (Deist 1994: 27).

From a historical-critical perspective it is obvious that these interpreters of the Bible “mixed” their historical reality with that of Deuteronomy (whenever we were to date the different quoted texts). These readings were definitely not accountable to the guild of critical biblical scholars. I am sure that this is what Patte (1995: 75) had in mind when he defined his vocation as a critical scholar as “to overcome these fundamentalist interpretations and their disastrous alienating consequences through critical studies that acknowledge the complexity of the biblical texts due to their historicity.”⁴⁵ He might also call these readings “Fundamentalist Dogmatic Interpretations”, his third level of Evangelical readings that attempts to universalise their readings as the ultimate truth.⁴⁶

Yet would it not be possible to say that these readings were based on the “power-authority” or “meaning-producing dimensions” of these texts? The dimensions that Deist described as “fusing” with the context of Afrikaans speaking people *were* in the text of Deuteronomy and they still *are*. Many ordinary Afrikaans speaking readers of the Bible did indeed read Deuteronomy in this fashion (and some still do). These were just ordinary readings which Patte esteems so highly, but they were dangerous and they caused a lot of pain and injustice. Would it have been “responsible” to say the following words that Patte uses in his book on the Sermon on the Mount to ordinary Afrikaans speaking readers in Apartheid South Africa (Patte 1996: 5)?

Read the Sermon on the Mount [or then Deuteronomy]! You can understand it on you own and you can reach appropriate conclusions regarding its teaching about discipleship [let’s say: “social policy”]. Do not hesitate to act according to your conclusions about this teaching, even though you yourself should constantly reassess and reevaluate your understanding of this teaching and your practice of it by bringing your interpretation to critical understanding. [parts in brackets mine - EEM]

Patte’s theory about the validity of ordinary readings would not have been applicable in Apartheid South Africa. Ordinary Afrikaans readers would probably⁴⁷ only have used these texts to justify their own racism towards black people and they would have acted accordingly. It is true that the second part about constantly re-assessing

⁴⁵ Once again I find it puzzling that Malina (1996: 84) can make the following statement in order to criticise Patte’s book:

Ordinary readings produced with no thought to being considerate of what the authors of the documents said and meant in their original time, place and culture are, as a rule, unethical readings.

If we look at the quote above it seems that Patte would agree with him.

⁴⁶ I did find the sentence “It is well known that it is not what the text says!” (quoted above, from Patte 1995: 91) that he uses to describe how legitimate ordinary readings are often rejected, strikingly familiar. It is reminiscent of the style in which many arguments were presented in the Old South Africa in favour of Apartheid.

⁴⁷ I use “probably” because it was not true of all ordinary Afrikaans readers of the Bible. There were many who realised that the system was evil and they probably came to this realisation through other parts of the Bible.

and re-evaluating understandings might have provided some control, but I am not sure that it is enough. It is also true that this never happened in Apartheid South Africa because readers usually read the Bible with people that thought in the same way as they did and that had the same interests.

Eventually I find Patte's positive evaluation of all (or then most) ordinary readings as naïve and even dangerous. I do agree with him that the task of critical scholars could be to bring ordinary readings to critical understanding. Yet when he formulates this task, he is not clear *enough about the critical role that scholars should play* and in this light he evaluates ordinary readings too positively.

2.4.2 Dangerous critical readings

We already mentioned that the Dutch Reformed Church played an important role in motivating Apartheid with theological arguments. This was especially done in a document called "Ras, Volk en Nasie en Volkereverhoudinge in die lig van die Skrif"⁴⁸ (RVN) which intended "to proceed from a sound hermeneutic basis, and to approach Scripture from this basis in determining some principles for race relations" (quoted from Jonker 2001: 169-170). RVN was published in 1974 and Kinghorn (1986: 129) describes this document as the culmination of the development of Apartheid theology which started in the 1930s. In this document many different texts from the Old and New Testament were used to justify the policy of Apartheid. One of these texts is Gen 10-11, which we will discuss now making ample use of the article by Jonker (2001: 165-184).⁴⁹ The objective of this paper was to analyse the use of biblical texts by RVN in order to determine what impact social transformation has on biblical interpretation. These concerns are not really applicable here, but some very interesting developments surfaced that do have implications for this discussion.

According to Jonker (2001: 171-172) Gen 10-11 played a major role in this document in sections 8 ("Unity of mankind", 13-14) and 9 ("Ethnic diversity", 14-21). He refers to Bax (1983: 117-118) who said that RVN attempted to answer two questions with regard to Gen 11:1-9, namely (Jonker 2001: 172):

- (i) What sin does it portray mankind as having committed on the plain of Shinar?
- (ii) What did God intend in His reaction to this sin?

With regards to the first question the report refers back to God's command in Gen 1:28. According to RVN this command meant that mankind should divide into different peoples ("volke") each with their own culture. This means that the sin of man

⁴⁸ The official English document was called: "Human relations and the South African scene in the light of Scripture."

⁴⁹ This article was initially delivered as a Paper at an interdisciplinary colloquium on "Social Transformation and Biblical Interpretation" held in Leiden, The Netherlands on 7 April 2000.

on the plain of Shinar was that “mankind deliberately attempted to defy God’s command in Gen 1:28” (Jonker 2001: 171).

With regards to the second question RVN answered that God was asserting his original command and purpose for mankind to be divided into separate “volke” (Jonker 2001: 171):

The report even asserts: “That the differentiation of humanity into various language groups and ‘nations’ was extended further to give rise to race differences is not, in fact, mentioned in the Scriptures in so many words, but is nevertheless confirmed by the facts of history” (1974: 16-17). The report thus argues that God in re-establishing this process of ‘differentiation’ now extended it by dividing mankind into different races as well.

Jonker (2001: 172) continues:

According to the view of RVN the Babel event really constitutes humanity as it should be, namely differentiated into different peoples and races. ... the RVN report thus constitutes the story in Gen 11 as the norm according to which human reality should be viewed.

It is clear that interpreting Gen 10-11 in this manner made it possible for RVN to find a Scriptural basis for a policy of “separate development” (Jonker 2001: 172). In the next part of the article Jonker (2001: 172-176) evaluates these readings in the light of Biblical scholarship and then sums up his findings in the following three points (Jonker 2001: 176):

1. The interpretation of RVN is not in accordance with the traditional Christian interpretation of Gen 10-11. The older commentaries (which were available when RVN was written), for example Von Rad and Westermann, confirm this point. In both these commentaries the “sin” is understood in a vertical fashion, namely mankind pretending or attempting to become like God.
2. “However, there are many recent exegetical studies that have argued along the same lines as RVN with regards to Gen 11:1-9. These recent studies⁵⁰ affirm the view that the sin of humankind on the plain of Shinar should be seen in connection with Gen 1:28, namely the resistance to fill the earth. They also affirm the positive view of RVN on the intention of God with the diffusion of languages, as well as the creation motif in this story.”
3. It is important to note that Jonker (2001: 176) accentuates that none of these recent critical studies make “any conclusions about ethnicity, diversity or a

⁵⁰ Some of the recent studies that Jonker refers to are Van Wolde (1994), Uehlinger (1990) and Wenham (1997). The following quote from Van Wolde (1994: 102-103) is particularly interesting (quoted from Jonker 2001: 175):

“... in Gen 11:1-9 the dispersion is not presented as a punishment. Differentiation, from the point of view of the earth, is not a punishment for sins committed, but a necessity. It is as if the obstacle of dispersion, namely the single language, is removed because YHWH now sees the consequences for the earth that the action of the humans will have.”

political policy of separate development.” But, still these studies could “be used to make similar conclusions than that of RVN.” He continues that it is not exegetical studies by itself that lead to these conclusions, but other factors.⁵¹

Let us return once again to Patte’s first and last statement (statements 1 and 10) and the responsibility that critical scholars should take for the effect that their readings have on other. Does Patte expect of all biblical scholars to anticipate what effect their interpretations of the Biblical text might have on others? And is this a realistic expectation?

The scholars that Jonker quotes above had no idea that the document that legitimated Apartheid interpreted Gen 10-11 in a similar manner. They would be appalled at this charge and none of them would have intended to justify Apartheid and oppression, I presume. But the fact is that it would be possible for these interpretations to have a *Wirkungsgeschichte* in Europe (and other parts of the world)⁵² over which they have no control.⁵³

On the one hand the article by Jonker illustrates that Patte might have a very strong case with his demand that critical scholars should take responsibility for the effect of their critical readings. These readings can in fact be dangerous, but how are scholars to anticipate these effects? Patte’s suggestions of reading with others, other Male European-American critical scholars, other advocacy scholars or even other ordinary readers might be helpful. Although it is not exactly clear how this is to be done.

On the other hand one might use this article to make a case for the fact that Patte’s demands are totally unrealistic and even impossible. These critical readings were based on sound critical readings of biblical texts and to use Patte’s own words based on the “meaning producing dimensions” of the text. Thus, once again, we are faced with legitimate readings of texts, but readings that might (and in fact did in South Africa) have disastrous effects for some people. But, should scholars realistically hold themselves responsible if some people were to use their interpretations (against their intentions) to oppress or exploit other people? *Modern day biblical scholars usually do not think of the Bible as a kind of model on which we should build our society, whatever we think the Bible says!*

⁵¹ He (Jonker 2001: 176) identifies these factors as:

Certain heuristic keys and interpretative strategies lead to those conclusions, and these keys and strategies are formed in the interaction processes with social transformation.

⁵² It would not need too much imagination to imagine some die-hard conservative Afrikaners in South Africa (who are probably not very comfortable in the New South Africa), reading these exegetical studies and responding with: “We told you so!”

⁵³ Jonker (2001: 176 n. 30) refers to this in a footnote:

One could, of course, ask whether the processes of social transformation in present-day Europe with regards to ethnicity could again lead to a similar usage of these exegetical results. These exegetical studies certainly do not aim at the legitimization of any social policy. However, these exegetes should certainly take note of the *Wirkungsgeschichte* of these exegetical results in the South African society.

Yet that might actually be the point, that we as biblical critics should be more vocal about this, should not keep quiet about the dangers of applying an ancient text to a modern society. Is that our responsibility? Is that the ethical fault that we should seek to avoid? I would like to argue that the answer to both these questions should be “yes”. I thus do think that this discussion of Patte has been useful with regards to the following two issues.

- 1) Both these discussions from the South African context lead to the one issue that is not convincingly addressed by Patte and that is why he regards the Bible as essentially a liberating book? Some scholars (as we already saw with Carroll and Räisänen) would argue that there are many oppressive “meaning producing dimensions” in Biblical texts, too many to use the Bible as a liberating book.⁵⁴ This is an issue that he manages to ignore throughout his book and this makes the contribution of Räisänen and Carroll above very important. Although Patte is interested in responsibility he seems to be very reluctant to ever make a value-judgement. Above I said that “plurality” seems to be his solution to unethical reading practices or to the Bible having a harmful effect on ordinary readers. I sense reluctance with Patte to be critical in the sense that Carroll, Clines and Räisänen proposed, in the sense of making a value-judgement, or playing the role of Dyck’s “social critic.” *I would thus argue once again that ethical responsibility actually should entail biblical critics making value-judgements.*
- 2) Another useful aspect of this rather long discussion on Daniel Patte’s book, was that it introduced the South African context. Yes, Patte’s question as to the effect of our biblical readings is relevant, but the way in which he answers it is highly inadequate when we engage with that from the South African experience. Under 2.5 below I will discuss Apartheid as an “ideological holding”, or a “factor” that plays a role in the way in which I read texts in the current South African context, something that predisposes me to read in a certain fashion.

Excursus 2.1, A “non-debate” in biblical studies

A rather disconcerting exercise is to see how two scholars that already featured extensively in this discussion responded to Patte’s book. When Robert Carroll tells about his visit to South Africa in 1993, he expresses the reservations that he had before his visit as follows (2001a: 187-188):

I had many reservations about the visit, mostly having to do with the fact that I was very conscious of being a white male and privileged academic from the West, visiting a territory where until very recently other white folk had exploited, oppressed and deformed the black peoples of the country. This was a period in the West when, among North American biblical scholars, one could be forgiven for thinking that to be white and male

⁵⁴ To name just one further feminist example, Durber (1992: 78) argues that women should write new texts instead of trying to salvage biblical texts.

was close to being an intellectual crime, a requirement for an act and attitude of self-hatred and certainly an ideological defect in a person.

He then adds the following remark in a footnote (Carroll 2001a: 187 n. 3):

This is how I read a book such as Daniel Patte's. I think it is high time that this issue was discussed with a bit more backbone and "cards on the table" approach rather than in the mealy-mouthed fashion of "blaming Whitey" which has characterized the non-debate thus far. Nobody, not even whites (pinks), is to blame for the colour of their skin and "inverted racist" approaches such as Patte's are just as racist as any of the racist approaches justly condemned by all right-thinking people.

Thus for Carroll the book by Patte represents an "inverted racist" approach that asks of white-male biblical scholars to perform an act of self-hatred. I do not think that it is a fair description of the book. Patte insists that he is a white male and that he cannot be anything else, but he is critical of the role that white males have played and wants to remedy the problem. Still, for Carroll his argument is without "backbone" and Carroll accuses him of not putting all his "cards on the table." Yet, for Schüssler Fiorenza (1999: 8) Patte embodies the problem of "Euro-American malestream scholarship":

The politics of exclusion and silencing that has shaped the very ethos of the discipline is overlooked in Daniel Patte's response to the challenge of my SBL presidential address to the academy. Although the book is well intentioned and comes highly recommended, it does not grapple with the fact that kyriocentric Euro-American malestream scholarship is part of the problem rather than part of the solution.

This sounds more like what Carroll has described above, that being a white male⁵⁵ is some kind of an intellectual crime. It sounds as if Schüssler Fiorenza does not see much of a role for white males in the biblical guild. Schüssler Fiorenza (1999: 8 n. 23) also continues in a footnote:

Rather than critically analyzing the marginalizing discourses of malestream biblical studies and their silencing powers, Patte reaffirms the solidarity of white male exegetes and claims scientific as well as theological authority for them. Their work has the task to bring to critical, i.e. scientific consciousness the interpretations of "ordinary" readers. Thereby he re-inscribes not only the status divisions between professional and "ordinary" readers that are at the heart of the silencing and exclusionary tendencies of the discipline but also those between scientific, i.e., (white male) scholars and hermeneutical, i.e., advocacy readings.

These two remarks by Carroll and Schüssler Fiorenza are not really a good reflection on the state of the debate in biblical scholarship. It seriously leaves the impression that biblical scholars do not read each other's work, even if they like to criticise each other. This makes dialogue nearly impossible if scholars are not willing to listen to each other. But it probably also reflects on the fact that Patte has indeed touched some sensitive issues and therefore the two extreme reactions. I would thus think that the book by Patte is an important contribution. As I said above he addresses very important questions, I only find his proposal a bit lacking. Carroll is right, though, it would be better to describe the state of affairs as a *non-debate* than a debate. Does this then mean that it is all about *power* (as Schüssler Fiorenza

⁵⁵ Or a "pale male" as some people would call us, be it tongue in the cheek.

would argue) and that different groups are simply fighting for their own survival, for their place in the sun under their own academic fig tree? A very cynical answer would, of course, be “yes.”

2.5 *Apartheid as “ideological holding”*

The Afrikaans word “Apartheid” has become something that represents a political system that exploited millions of people. It has a terrible image the world over and it has dominated South African history in especially the latter half of the twentieth century.⁵⁶ It has become part of the story of South Africa as well as the story of the Afrikaners, of whom I am one. It is also very much part of the story of the Dutch Reformed Church (DRC) of which I am a member. Giliomee points out that the “first printed record of the term ‘apartheid’, used in its modern sense, dates back to 1929” (2003: 454).

In addressing a conference of the Free State DRC on missionary work, held in the town of Kroonstad, the Rev. Jan Christoffel du Plessis said: ‘In the fundamental idea of our missionary work and not in racial prejudice one must seek an explanation for the spirit of apartheid that has always characterized our [the DRC’s] conduct.’

Thus, this word that has come to mean so many bad things was first used at a conference on missionary work in the DRC. It was not meant to be such a bad word.⁵⁷ Nevertheless, this is how things are now and in the rest of this dissertation I would like to argue that this word embodies one of the most important “ideological holdings” that any critical scholar trying to read the Bible in the twenty first century in South Africa should take stock off. Our experience with Apartheid and the role that the Bible played in this project of social engineering will taint any interpretation of the Bible for a long time in South Africa.

2.5.1 Of being a “culprit” and a “victim”

Antjie Krog (1998), a famous Afrikaans poet, dedicates her book on the Truth and Reconciliation Commission to “every victim who had an Afrikaner surname on her lips.” In the rest of the book it turns out that many (if not most) of the victims did

⁵⁶ According to Giliomee (2003: 475) the word was used for the first time in political circles in 1943:

Die Burger first used the term ‘apartheid’ in that year when it referred to the ‘accepted Afrikaner viewpoint of apartheid.’ In January 1944, D.F. Malan, speaking as Leader of the Opposition, became the first person in Parliament to employ it. A few months later he elaborated: ‘I do not use the word “segregation”, because it has been interpreted as a fencing off (*afhok*), but rather “apartheid”, which will give the various races the opportunity of uplifting themselves on the basis of what is their own.’

⁵⁷ Giliomee (2003: 475) continues to describe that for Du Plessis “it was not so much a matter of protecting privilege or exclusivity than finding a policy that concentrated on the *ei*, or that which promoted what he called the *selfsyn*, or being oneself.” This quote already introduces us to the old debate of whether Apartheid was a “good idea” which was executed “badly” or “selfishly”, or whether the idea itself was evil. Giliomee (2003: 454) states further that “Du Plessis envisaged the development of autonomous, self-governing black churches as a counter to English missionaries, who tried to produce converts by copying ‘Western civilization and religion.’”

indeed have Afrikaner names on their lips. A fascinating aspect of the way in which she tells that story is her own struggle with her “Afrikanerhood” and what it means to be an Afrikaner and an Afrikaans speaking person in the New South Africa. Is Afrikaner a synonym for being a culprit, an evil person who oppressed others, a racist, a modern day manifestation of a Nazi?⁵⁸ When confronted by a not-so-regretting former President F.W. de Klerk, Krog responds as follows (1998: 99):

I look at the Leader [i.e. De Klerk -- EEM] in front of me, an Afrikaner leader. And suddenly I know: I have more in common with the Vlakplaas five than with this man. Because they have walked a road, and through them some of us have walked a road. And hundreds of Afrikaners are walking this road - on their own with their own fears and shame and guilt. And some say it, most just live it. We are so utterly sorry. We are deeply ashamed and gripped with remorse. But hear us, we are from here. We will live it right - here - with you, for you.

If Krog is right that this is part of the road that Afrikaners travelled and are still travelling on, this road of “being sorry”, of “fears and shame and guilt”, how will this manifest in how male Afrikaner biblical critics read the Bible today in South Africa? In what sense will and should this sensitise us to read otherwise? The last two sentences of this paragraph sounds like some kind of commitment to South Africa, a commitment to be “from here” and to “live it right.” What would it mean for modern day biblical scholars to “read from here” or “to read it right”?

But another question surfaces and that is why she rather identifies with the Vlakplaas five; five policemen who committed terrible atrocities; than with the “Leader”? She wanted (and needed) of him to say at least the following (Krog 1998: 98-99):

I didn't know, but I will take the responsibility. I will take responsibility for all the atrocities committed under the National Party's rule over the last fifty years. I will lay wreaths where people have been shot, I will collect money for victims, I will ask forgiveness and I will pray. I will take the responsibility. I will take the blame.

She expected some kind of responsibility, but she had to be contend with a “faked innocence”, which makes her feel more attracted to the policemen who murdered and tortured, because they at least seemed to be travelling on a road of more honesty. The “Leader” represents the majority who claim that they “never knew”, and that that is why they did nothing. In the previous quote she mentioned “hundreds of Afrikaners” which means that it is only a very small part of this group of more-or-less three million that really engage with this history of guilt. The majority of Afrikaners

⁵⁸ See especially the following quote by her where she asks what the implications of this history might be for the Afrikaans language (Krog 1998: 238):

‘Was Apartheid the product of some horrific shortcoming in Afrikaner culture? Could one find the key to this in Afrikaner songs and literature, in beer and braaivleis? How do I live with the fact that all the words used to humiliate, all the orders given to kill, belonged to the language of my heart? At the hearings many of the victims faithfully reproduced these parts of their stories in Afrikaans as proof of the bloody fingerprints upon them.’

was and is probably content with practising a kind of “ostrich tactics” of not-knowing. Thus one could say that imbedded in being an Afrikaner is this culprit-identity, of having taken part in some evil, but that this identity is often hidden and not that often engaged with.

Yet, the other part of being an Afrikaner, I would think, is a kind of victim-identity; of being terribly wronged by the English; even of being inferior⁵⁹ to the English. This tension does manifest in Krog’s story⁶⁰ between Afrikaners and English speaking white South Africans.⁶¹ William Beinart (2001: 65) describes the situation after the South African war as follows:

Afrikaners harboured an enormous sense of injustice about British intervention, which helped to make them impervious to any criticism about their style of control in the Transvaal. Boer self-righteousness comes through powerfully in books like *A Century of Wrong* (Reitz 1900), in which Jan Smuts, youthful Attorney-General in the Transvaal after graduating at Cambridge, had a hand. It feeds on the version of nineteenth-century history increasingly propagated by nationalist intellectuals that asserted unquestioningly the depth and unity of the *volk* and perfidy of the British who seemed to favour Africans. Afrikaner history became a search, sanctioned by God, for independence and identity against the combined forces of Mammon and Ham. Such ideas about morality and justice were powerful spurs to political action in turn-of-the-century South Africa, not least because of the violence of the nineteenth. These moral issues subsequently recurred in political debate between Boer, Briton, and African: who

⁵⁹ See especially the following quote from a discussion in Krog (1998: 239):

‘All I know is that my grandfather wanted to send my mother to Rhodes University so that she could learn to speak English “better than an Englishman” - and that my mother refused. She told him she doesn’t need to speak English better than an Englishman. But why do you ask about inferiority? Do you think Afrikaners are suffering from it?’

⁶⁰ This surfaces for instance in a hearing when General Constand Viljoen makes a presentation shortly after De Klerk’s “I-did-not-know” presentation (Krog 1998: 131):

Viljoen speaks as if he wants to capture something, bring something back, confirm some essence of Afrikanerhood that is wholesome. I want it too – but at the same time know it not to be. When Viljoen talks about how the British took away the land of the Boers, an English-speaking journalist mutters sarcastically, ‘Ah shame!’

I cannot help it, I spit like a flame: ‘Shut up, you! You didn’t utter a word when De Klerk spoke ... Viljoen is at least trying.’

‘You must be joking – this poor man is an anachronism.’ My anger shrivels before his Accent. And his Truth.

It does not take much to bring that very old tension between “Boer and Briton” to the surface. Her anger does not only shrivel before his “Truth”, but also before his “Accent”! Krog does not use the excuse of “blaming the English”, but still this tension is there between Afrikaans and English speaking whites.

⁶¹ This tension between Afrikaans and English speaking whites is also quite vivid in the way that Giliomee tells the story of the Afrikaners. One sometimes gets the impression that there is a bit of “blame-it-on-the-English” going on, as the following quote illustrates (Giliomee 2003: 481):

The kind of segregation that most English-speakers supported was less aggressive and blatant than that of the NP. They did not agree with crude manifestations, like segregated suburbs and the racial sex laws. As the wealthier white community they could buy their apartheid and, unlike Afrikaners, did not have to worry about a large section in their community, that had just escaped from acute poverty.

Whether this might be “true” or not, on a rhetorical level this paragraph shifts in a subtle fashion blame from the Afrikaners to the English. Or, it says at least that “they” are as guilty as “we” are and in that sense it shifts blame, or distributes blame “more evenly.”

got there first; who invaded whose land; who ignored whose rights; to whom did the wealth and resources of the country belong? *There is nothing so dangerous as people who feel they have been deeply wronged, and are blinded by their own sense of injustice.* Afrikaners fed on that sense, and the scale of British intervention was partly responsible. [my italics - EEM]

We already saw above that Carroll pointed to some of these issues when he described his own ideological holdings. That he thought he had this in common with the Boers, this struggle against the English, this sense of being wronged by them. But that was where his sympathy ended, because the Boers after gaining freedom suppressed the other people of South Africa.⁶² As Beinart already said above “Afrikaner history became a search, sanctioned by God, for independence and identity against the combined forces of Mammon and Ham.” Thus God; and we should add the Bible; played a fundamental role in what happened in South Africa in the twentieth century. Somehow the Bible “supplied a rhetoric of liberation” against the English that got out of hand, that contained the seed for exploiting the majority of black people after the Afrikaners regained power. This, of course, happened (as Beinart aptly put it) in the context of a people who felt that “they have been deeply wronged, and are blinded by their own sense of injustice.”

I think that many Afrikaners grew up with this “world-view” or “ideology” that Afrikaners were terribly wronged and that we were victims who suffered under the English. This was always part of our identity of how we understood ourselves. It might be partially true that Afrikaners did actually suffer under the English, but I do think that Beinart is correct when he says that that blinded the Afrikaners. It especially blinded us to see the injustices we ourselves were inflicting on others. It also diverted attention from the fact that the ultimate victims in colonial South Africa were neither the Afrikaners nor the English, but rather the original Khoisan and black peoples who lived on this land in the first place.

The reader might be wondering what my objective might be with constructing my ideology or identity as being both culprit and victim? What is the relation to Leviticus 25? These notions of “victims” and “culprit” will reappear in chapters 6 and 7 and they will prove quite useful then, or so I hope. Before we conclude this chapter we need to shortly take a further look at how the Bible was used to legitimate Apartheid. We have already touched upon this when I discussed the two articles by Deist (1994) and Jonker (2001) above. By means of this short overview I just want to accentuate

⁶² In a discussion on reconciliation and restitution Krog (1998: 113) refers to an Ugandan scholar, Mahmood Mamdani, who offers the following analysis of the relation between the Boer war and Apartheid:

Mamdani asks whether the basis of reconciliation after the Anglo-Boer War was not redistribution to Afrikaners, rather than punishment of the English? ‘Were the English and Afrikaners partners in a common crime (Apartheid) against humanity or was apartheid a programme for massive redistribution, reparation, of today’s loot in favour of yesterday’s victims?’

the point further that biblical scholarship in South Africa has not really faced up to the problem of the Bible as a threat to liberation. I do this with the risk of repeating much of what has been said already.

2.5.2 The Bible and Apartheid

Many people have described the role that the Bible played in the formation of Apartheid (see Kinghorn (ed.) 1986, or De Gruchy & Villa-Vicencio (ed.) 1983). It is generally accepted that the first⁶³ document that consciously legitimated Apartheid by means of the Bible was the one accepted by the Transvaal Synod of the DRC in 1948 (see Kinghorn 1986: 102-106).⁶⁴ This happened some months before the election in which the NP gained power. Before this time “racial segregation” was usually motivated by means of “traditional arguments”, for example, “this is the way that it was done from the start” or, “our experience with people of mixed races has taught us.”⁶⁵ This was the start of a process that culminated in the publication of “RVN” in 1974 (Kinghorn 1986: 128), to which we already referred to above when we discussed the issues raised by the article of Jonker. RVN was only withdrawn when the DRC renounced Apartheid in 1986.

Through the years there was, of course, much criticism of Apartheid from many different circles including the ecumenical (see De Villiers 1986: 144-164). Most of the voices against Apartheid were theological voices in the sense that the main reproach against the Apartheid theologians was that it was contrary to the Gospel.⁶⁶ The most important document that was born in the family⁶⁷ of Dutch Reformed Churches

⁶³ We already quoted above that the first use of the term Apartheid was in DRC missionary circles and Giliomee (2003: 460-461) would indeed argue that the missionary policy of the DRC became a model on which the politicians later based their “social congregation.” In support of his argument he quotes D.F. Malan who in 1947 remarked (Giliomee 2003: 460):

It was not the state but the church who took the lead with apartheid. The state followed the principle laid down by the church in the field of education for the native, the colored and the Asian. The result? Friction was eliminated. The Boer church surpasses the other churches in missionary activity. It is the result of apartheid.

⁶⁴ Kinghorn (1986: 102-106) argues that in the early forties there was more-and-more criticism against the “Apartheid-idea” by some opponents such as B.J. Marais and B.B. Keet in the Transvaal Synods of 1940 and 1944. The “need” arose amongst the supporters of Apartheid to justify it by means of Scripture. This led to a document by a NT scholar, E.P. Groenewald that was called “Skriptuurlike grondslag van die beleid van rasseapartheid en voogdyskap.” [Scriptural foundation for the policy of racial segregation and trusteeship.]

⁶⁵ Kinghorn (1986: 88-89) refers to a document called the “Federale Sendingbeleid” [Federal Mission Policy] of the Federal Mission Council of the DRC of 1935 where the policy is motivated by the “traditional fear of the Afrikaner for *gelykstelling*.” At that stage there was no motivation by means of using the Bible.

⁶⁶ One example would be the World Council of Churches in 1968 in Uppsala where racism was condemned on the grounds that it contradicts the effectiveness of reconciliation in Christ; it denies the fact that human beings were created in the image of God and it alleges wrongly that our identity lies in our race and not in Christ (De Villiers 1986: 147).

⁶⁷ The result of the mission policy of separate congregations for different racial groups was the development of four different Dutch Reformed Churches for four different racial groups. These were the DRC (for whites), the Dutch Reformed Mission Church (for coloureds), the Dutch Reformed Church in Africa (for blacks) and the Reformed Church in Africa (for Indians). These three non-white churches were referred to

against Apartheid was the Confession of Belhar written in 1982 and accepted as a Confession by the Dutch Reformed Mission Church in 1986.⁶⁸ The three main articles of this Confession are about “unity”, “reconciliation” and “justice” (see Meyer (2000: 113) or Jonker (2001: 169)). The first two articles focus on the New Testament and the unity that a church should have in Christ which is made possible by the “reconciliation” established by Christ. It is thus a Christological argument focusing on the centre piece of the Christian faith. The OT only feature in the third article on “justice” along with, for instance, many texts from the Gospel of Luke (see Meyer 2000).

In short, the criticism of Apartheid that led to the withdrawal of RVN by the DRC focused mostly on theology and on the bad use of scripture. One will hardly ever find the suggestion that the exegesis of the Apartheid theologians were good reflections of the biblical text (or rather some biblical texts) itself. The article by Jonker (2001) that we discussed above was the first that clearly pointed the debate in a new direction, in the sense that it confronted us with the kind of problem that Carroll was so good at formulating. *Was it bad exegesis or were the things that they identified not part and parcel of the biblical text? Were they not true to what Patte has called the “meaning-producing dimensions of the text”?*

I should also add now that my intention is not to “judge” the Apartheid theologians, my theological ancestors. I have no doubt that Apartheid was evil, despite the old argument that it was well intended, or that it was a good theory that was practised selfishly. Yet I cannot judge them, because I am not convinced that I would have acted and thought differently if I were in their positions. That I think is what makes ideology so dangerous, the fact that it is so pervasive and, of course, persuasive. Now in the New South Africa we live with new ideologies, new ways of understanding ourselves, new ways of dreaming about the future and the hope is that they will not be destructive, but that they will liberate and repair some of the damage done by the previous ideologies. The future will teach us whether this will happen or not.

2.6 Conclusion

I started this discussion by engaging with the question of the “critical” task of the biblical scholar. I did this by focusing on the debate initiated by Räsänen at the International SBL meeting in Helsinki in 1999. I added the views of Barton to those of Räsänen because both have much in common and both are defenders of the objectives of traditional historical criticism. In both I detected a tendency or preference to accentuate the “critical” in “historical criticism” instead of the

as the “daughter” churches, with the DRC being the “mother.” For overviews of this history, see Loff (1983: 1-23) or Botha (1984: 74-90).

⁶⁸ Giliomee (2003: 620) also argues that the drafting of the Belhar Confession was a big blow to the DRC.

“historical”. Both of them were also reluctant to acknowledge that “engaged scholarship” had made a significant contribution to biblical scholarship. I represented them thus as modern-day representatives of traditional biblical scholarship. Yes, they are more nuanced, but they still would like to keep to the original ideals of historical criticism (see also 2.2.3 above).

I contrasted their views with that of Rowland and Schüssler Fiorenza who both had no problem with acknowledging that the place and context from where somebody reads plays a role in how she reads. Schüssler Fiorenza was also quite clear that the main issue at stake in this debate is power.

I then attempted to “harmonise” the two positions (see 2.2.3) and tried to use the term “honesty” to find some common ground. That was probably not that successful, because the ultimate question still is, to be honest, about what? The different scholars would probably have responded differently. For Räsänen it would have been honest about the “non-dialogical” sides of the Bible. With Barton it was not really that clear. Rowland would probably have said something about our agenda and commitment. Schüssler Fiorenza left the impression that we should be honest about the fact that we want to acquire power. I then concluded that it seemed that the debate was at a standstill. I did not really answer the question as to what the “critical” role of the biblical scholar should be.

This was where I introduced Carroll whom I thought occupied a position somewhere between the two groups. For him “critical” meant a double scrutiny of both text and interpreter. In that sense his view was close to that of Rowland and Schüssler Fiorenza and he has no problem with identifying his own “ideological holdings.” Yet he also has much in common with Räsänen in the sense that the way in which he scrutinises the text often accentuates what Räsänen has called the “non-dialogical” sides of the Bible. Carroll is also clear that we should evaluate the biblical text in the light of “extra-biblical values”. I then added the views of Clines and Dyck and I asked the question whether it is the ethical responsibility of the biblical critic to make, amongst other things, a value judgement on the claims of the biblical text? My answer to this question was “yes.”

This led us to the book by Daniel Patte who used concepts like responsibility and accountability but whose execution or implementation was found lacking. He was simply not critical enough and he was apparently not willing to acknowledge that there are sides to the biblical text that are not so liberating. Yet Patte helped me to introduce my South African context and the way in which the Bible was used to engineer our society with disastrous consequences.

I then attempted to take stock of my own “ideological holdings” as Carroll suggested and I constructed Afrikaner identity as oscillating between being a victim and being a

culprit. But where does this whole discussion leave us? What critical role are we to play that will be ethically responsible?

Carroll argued that the fact that he came from a tradition of people who suffered under the English left him no choice but to side with people who were struggling to be freed from all sorts of oppression. For me as an Afrikaner who comes from a tradition of also “suffering” under the English, but also a tradition of making blacks suffer, the choice is even clearer. As Antjie Krog said “we are from here. We will live it right - here - with you, for you.” The “you”, I would think, refers to those that suffered, those victims who had “Afrikaner names” on their lips. This is part of the ideological holdings that I have to read the Bible with, of knowing that I belong to a group of people who used the Bible to oppress others. Would the answer thus be to use the Bible to liberate others?

For somebody like Carroll this would not be a viable option, because it would not be an honest enough presentation of the Bible. For him the Bible has never managed to produce an “ideology of liberation”, because it is a book of slaves for slaves. Räsänen’s view was not that far from his in the sense that he also wanted to point out the “non-dialogical” sides of the Bible. That was the only honest way to go for him. Neither of them sounded very hopeful that the Bible could indeed be used in a liberating fashion. Part of the problem for Carroll, I think, was that he was not only interested in siding with modern peoples suffering under oppression, but that his scrutiny of the text often uncovered distortion in the sense that ancient voices were silenced. For him the Bible is an Elitist book in which a power-group wanted to enforce their point of view unto others who were less powerful (see especially chapter 6). Carroll thus also sided with those who suffered in ancient times and not only those who suffer in today’s world.

Yet, we also had the contribution of Schüssler Fiorenza who identified a “double” objective for feminist theology, which consisted of both naming “the destructive elements” of a text as well as to “recover its unfulfilled possibilities.” And it is this second task that makes her different from Carroll and Räsänen, because for her there is still some hope left in the Bible. For her “liberation” is thus not something foreign to the Bible (as with Carroll), but something for which we can indeed search in the Bible. I suppose that one could address one critical question at Carroll and that is whether he has really taken seriously the role that the Bible has played in many Third World countries? Did the Bible just supply a “rhetoric of liberation” or might there be something more to it? This is where one usually ends up with an ideological-critical approach, but in the light Schüssler Fiorenza’s position I would still want to go further, or beyond ideological criticism. A South African OT scholar, Gerald West,

identifies the role of what he calls “socially engaged biblical scholars” as follows (1999: 66):

Recognizing the damage done by the Bible, socially engaged biblical scholars insist on critical modes of reading: recognizing that the Bible still possesses the power to orient life in a meaningful, truthful, powerful way, socially engaged biblical scholars insist on a critical appropriation.

This is thus similar to the position of Schüssler Fiorenza, on the one hand acknowledging the damage and on the other hand recognizing that there is still some power left. For West (1999: 67) this is so because “most accept the argument that insofar as the Bible is still influential today and insofar as it forms a significant part of the personal, cultural and religious reality of poor and marginalized communities, we have to engage critically with it.” It is thus a pragmatic acknowledgement that the Bible still holds power over people and that the role of the biblical critic is to provide checks and balances for this power. To acknowledge that the Bible could be and often is a dangerous book, but also to acknowledge that we cannot stop people from reading it and that we still hope to discover “unfulfilled possibilities” in the text.

To sum up, in order to be “ethically responsible” I would think that the critical task of the biblical scholar entails at least the following:

- 1) Biblical critics need to “be sympathetic” to those people in the modern world who are struggling to be freed from all sorts of oppression. In the South African context it is very clear who these people are that have suffered under nearly 350 years of colonial rule. My objective as a theologian should also be to improve this country so that they may have a better life. The danger here lies in the fact that I understand myself as speaking on their behalf, which would be a very patronising thing to do. It would probably be the safest to say that I want to make this world more just. That is, for instance, why I still support the objectives of the Jubilee 2000 movement.
- 2) Yet biblical critics also need to be sympathetic towards the ancient people who also suffered under all sorts of oppression and exploitation. We must attempt to give a voice to them or to read them into the text where they have apparently been invisible to the elitist authors of the text. Part of the role of the biblical critic is to identify exploitation and distortion in the biblical text in order to give a voice to the ancient voiceless. Biblical critics are much better at doing this than at doing what has been described in 1). We are trained to read ancient texts and interpret ancient worlds, but we are rather ill equipped when it comes to modern societies.
- 3) As a biblical critic I should also attempt to construct the world-view and ideology of which we find “traces” in the text. I must attempt to describe how they understood themselves and how they understood others and in this I should attempt to identify distortion. Distortion could entail the authors only

presenting their own case and world-view and not acknowledging that there were others in their world who had similar claims and thus the kind of people that I mentioned in 2). I need to construct the interests (especially political) of this group. In this regard it is also important to ask how the deity features in their ideology and how they use him (in the Bible it is always a “him”) to forward their own political objectives. It would also entail to ask what kind of praxis the text encouraged and it will be important to attempt to construct what Carroll (1998a: 106) called “a world-construction narrative” which “includes their story of the past from which the community came to the present in which it existed and a future to which it expired.”

- 4) I should also be critical of any unqualified application of an ancient text in today’s society. This might have disastrous consequences for people today. It might be a threat to their human rights and it might place their freedom in jeopardy. I should thus be honest about the “non-dialogical sides” of the text and I should indeed do my best to find other dark sides to the text that previous scholars have not. I also need to make value-judgements with regards to the traces of ideology that I discover in the biblical text. It is my responsibility towards the people who have suffered under the uncritical application of the Bible and who might suffer in future to read critically, to judge, to be suspicious, to identify ideological traces, to be careful how I read. My South African context has taught me this.
- 5) Yet it is also my responsibility as a biblical critic not to give up hope that there might still be some unlocked potential in the Bible as scholars like Schüssler Fiorenza and West claim (contra Carroll). I need to keep this hope alive, because I cannot stop people from reading the Bible and I cannot ignore the fact that the Bible has indeed played a liberating role in many parts of the world (including South Africa).
- 6) But there is another kind of “honesty” that I need to adhere to. I should be honest about my own ideological holdings and I cannot deny the fact that I read an ancient text in my current South African context. This context of mine entails “ideological baggage” which predisposes me to read in a certain manner. I have attempted to identify this baggage when I discussed “Apartheid as an ideological holding” above.
- 7) It is further important to remember that I cannot pretend that I am from the disadvantaged community. I am from the part of a community that has exploited the majority and that has richly profited from this exploitation. Nor can I change the fact that I am male.

One of the main objectives in the rest of this study is then to identify ideological traces within the text of Leviticus 25. This will entail attempting to construct the kind of “world-view” or “network of viewpoints” that the text presents us with. How will I do this? In the next chapter (chapter 3) the word “ideology” will disappear for the time

being. This chapter will consist of what some might call a “close reading” or even a “synchronic reading” of the biblical text which I call the “grammatical features” of the text. It will simply serve as starting point, in order to “get a grip” on the text, on which all further engagements with the text will be based. One needs to start somewhere and the obvious place for me is with the text.

The word “ideology” will only resurface towards the end of chapter 4, which is a rhetorical reading of the text. It will build further on the grammatical features of the text identified in chapter 3, but it will specifically ask how these features might have been used to persuade. Towards the end of chapter 4 we will then be in a position to say more about the “world-view” or “ideology” of the authors and intended readers/hearers of the text. My engagement with the text in chapters 3 and 4 thus allow me to obtain some of the ideological-critical objectives that I identified above, but it also provides me with a foundation for further engagements with text.



CHAPTER 3

GRAMMATICAL FEATURES OF LEVITICUS 25

3.1 Introduction

The purpose of this unit is to present a description of the grammatical features of Leviticus 25. This description will then serve as the foundation for further engagements with the text in following chapters. In order to describe the grammatical features of this text special attention is paid to grammatical constructions that occur frequently. On four occasions my description of Leviticus 25 is interrupted by an excursus focusing on a particular grammatical feature. These four are the so-called *waw* copulative + perfect and the kind of verbal chains that result from their usage, the usage of the particle ׀, nominal sentences and the functioning of word order. These four are discussed because they occur very often and thus they might have some significance for understanding of the text of Leviticus 25. From time-to-time other grammatical constructions will also be discussed (for instance, the *pendens* construction and other particles like ׀), but this will not be done in the same detail as the first four features. That is why this will not happen in an excursus, but instead will be woven into the normal discussion of the text.

With these objectives in mind the Hebrew text is arranged into clauses, i.e. lines of Hebrew with a finite verb in it.¹ The Hebrew text will then be discussed in shorter units inserted into tables below along with the NRSV translations of this text. This chapter should be seen as preparation for what is to follow in the next chapter where the argument will shift to focus more specifically on “persuasive” or “rhetorical” features of the text.

It is further important to understand that the following description is thus based on the so-called “final form” of the text or some would also name it a “synchronic” study of Leviticus 25. Before we do this it would be useful to define what I *mean* when using these concepts.

3.1.1 Clearing up the concepts

Recently Ernest Nicholson (1998: 254) in a book attempting to describe the current state of the debate on the Pentateuch referred to the above-mentioned concepts as follows:

The term ‘synchronic’ is usually employed for the endeavour of interpreting a text as a whole irrespective of what history it has gone through to reach its present form, which ‘diachronic’ study seeks to uncover. Scholars adopting the

¹ There will be exceptions to this guideline. Most of the exceptions involve the relative pronoun ׀.

'synchronic' approach view a text, for example the Pentateuch, 'as a concerted literary work with its own artistic integrity, composed, as it were, contemporaneously under a unitary creative impulse.' It is for this reason sometimes referred to as 'final form' interpretation. Employed in such a way the term designated the study of the intention and achievement of the final redactor of the Pentateuch and thus the study of the final form of the text.

It thus means that a synchronic study of a text would not be interested in constructing the developmental history of a text, but would stick to the text as it is now and would attempt to describe the features of this text. One could also add that apart from "final form" interpretation, other concepts like "literary criticism" (not to be confused with the German *Literarkritik*, which is actually the exact opposite),² or "textual immanent" or "phenomenological" have been used, and "synchrony" also. The problem with the use of synchrony has often been that it has been used as a synonym for "a-chrony" or "a-historical." Ferdinand Deist has argued on two occasions (1995 and 2000), by referring to the work Ferdinand de Saussure who actually coined these terms (synchrony and diachrony), that biblical scholars have often abused these concepts. We do not need to repeat the whole argument, but the following elements of the argument are the most important. De Saussure made the important distinction between *la langue* and *la parole* (which he apparently drew from Hermann Paul). The former referred to "the institutionalized repository of a speech community" which "dictates the rules of the language at any given stage" (Deist 1995: 41). The latter consisted of "particular speech actions" (Deist 1995: 41) or the way in which language manifested itself when used by individuals. De Saussure was interested in studying *la langue* and his argument was that one should focus on *langue* at a "specific point in time" (Deist 1995: 41). Deist (2000: 36) quotes De Saussure in this regard:

In the synchronic study of Old French, the linguist uses facts and principles which have nothing in common with those which would be revealed by the history of the same language from the thirteenth to the twentieth century, but are comparable to those which would emerge from the description of a *modern* Bantu language, or Attic Greek *in 400 BC*, or French at the *present day* [emphasis added by Deist].

Deist (2000: 36) then continues that this was in opposition to two linguistic approaches of that day of which the second will be relevant for us, namely "diachronic linguistics" which tended to "treat facts of different times as though they

² See, for instance, how Smith (1996: 17) calls his study "literary-critical" which for him is concerned with "the characteristics of the book [i.e. Leviticus - EEM] as we know it today." But, if we were to compare this with many of the German studies that appeared on either Leviticus or the Holiness Code and especially with the content of the chapter usually called *Literarkritik* (see, for instance, Grünwaldt 1999: 23-130; Feucht 1964: 11-73 or Kilian 1963: 4-147) it becomes clear that it is two opposing ways of reading a text.

were simultaneous” (Deist 2000: 36 quoting Wells). Then Deist makes the following important point (2000: 36):

What biblical scholars often do in the name of ‘synchronic’ interpretation, is precisely to treat facts of different times as though they were simultaneous. This cannot be done with an appeal to de Saussure.

This means (Deist 2000: 37) that synchrony in the sense that de Saussure used it would strictly mean dating³ a text which would imply diachronic and social information. Deist even argues that traditional *Literarkritik* might be the best scholarly tool “to allow for synchronic analysis” (Deist 1995: 43):

In separating earlier from later layers and laying bare the “state” of a text at a particular point in time *Literarkritik* would be a prerequisite for a truly synchronic description. But *Literarkritik* is the one method that “synchronists” avoid. They simply declare the biblical text to be an “equilibrium” in order to warrant the application of a “synchronic” approach.

Deist spells out other reservations with regard to using these terms when studying ancient near Eastern literature. One problem is that de Saussure used it to study *la langue*, but that literature is a manifestation of *la parole* (Deist 1995: 44-45)! These terms were thus earmarked for studying language as such and not literature or texts. The point is that biblical scholars have tended to use these terms rather inconsistently and it remains a valid question as to whether they are at all valid for the kind of things that biblical scholar do with biblical texts. They were after-all coined in an attempt to describe language as such, not texts.

In order to avoid this pitfall I will attempt to clearly define what I mean by these terms and will then attempt to consistently use them in this manner. I will use “synchronic” as referring to those kinds of studies that are not interested in constructing the history or the development of a text. Thus, scholars that only describe the text as we have it now. It does not mean that they necessarily keep from dating a text. Some do date the text, while others do not. The famous anthropologist, Mary Douglas (1999), for instance is not interested in reconstructing the different layers in the text. She sticks to the Masoretic text and calls her book “Leviticus as Literature”, but she dates and interprets it in the Second Temple Period (1999: 7). Her approach is thus synchronic, but historical. A good example of a biblical scholar would be Watts (1999) who is interested in the final composition of the Pentateuch, but who also dates it in the Second Temple or Persian Period. He does not claim that the text did not develop,

³ Barr (1995: 1-14) has similarly argued that de Saussure’s notion of synchrony did not exclude the “historical” as the following quote illustrates (Barr 1995: 8):

... the importance, seen from many points of view, of the synchronic aspect in Saussure’s linguistics does not provide sufficient arguments in favour of a synchronic approach to biblical exegesis or against a diachronic one. In application to an ancient text like the Bible, or more correctly to its language, *both approaches would in fact necessarily be historical ones.* [italics - EEM]

he acknowledges that, but his interest is to describe the final form of the text at the end of the developmental process. His study is thus also synchronic, but still historical. Then there is Warning (1999, “Literary Artistry in Leviticus”) who simply attempts to describe the features of the text, but is not interested in the dating it whatsoever. Or, we could refer to Ruwe (1999) who actually uses the term “synchronic” to describe his book (Ruwe 1999: 134), but who offers no dating for these texts. The latter two could thus be described as synchronic, but a-historical.

“Diachronic” would then refer to the kinds of studies that are interested in constructing the way in which a text developed. These studies dominated the German speaking academic world in the twentieth century, but they seem to become scarcer at the present. A recent example, though, has been Grünwaldt (1999) who attempts doing *Literarkritik* and then also attempts to date the “original” constructed layer to a specific historical context. His study is thus diachronical and historical. It would also be possible (at least theoretically) to have a diachronic study that is a-historical. In other words a study that identifies the different layers, but which is not interested in dating them to specific time-periods.

My usage of these terms (synchronic and diachronic) is thus somewhat different from how Saussure used them, but I will try to be consistent. I also use the term “synchronic” differently from how many biblical scholars have used it in the sense that I do not consciously exclude dating the text, to the contrary I will engage with the possible historical context in chapter 6.

3.2 Verses 1-2aα, Introduction⁴

These first one and a half verses function as a heading that introduces the direct speech that follows. Verse 1 is typical of many other chapters in Leviticus (see for instance chapters 4:1, 5:14, 6:1, 6:12, 6:17, 7:22, 7:28, 8:1 etc.).

Table 3.1

¹ וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה בְּהַר סִינַי לֵאמֹר: ² דַּבֵּר אֶל־בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם
The LORD spoke to Moses on Mount Sinai, saying: ² Speak to the people of Israel and say to them: ⁵

Verse 2 starts with an imperative directed at Moses and the imperative is extended by means of a waw + perfect, which is the first of many to come, and which justifies a closer look and thus the first excursus.

⁴ According to Ruwe (1999: 370-372) this kind of introduction occurs 69 times (in slightly different versions) in the Sinai Priestly Narrative which stretches from Ex 25:1 to Num 10:1. See also Warning (1999: 37-46) who identifies 37 divine speeches in Leviticus as such.

⁵ All quotations below in English will be from the NRSV.

Excursus 3.1, Verb chains

According to Van der Merwe, Naudé & Kroeze (1999: 163)⁶ “verb chains are constituted by finite verbs that are preceded by a waw.” The second most common⁷ verb chain in Biblical Hebrew, involves a waw and perfect of which we have at least 52 cases in Leviticus 25, but there are two kinds of this construction and the difference is important.

Van der Merwe et al (1999: 168) distinguish between a waw consecutive + perfect and a waw copulative + perfect on the grounds of the accent being on either the final or the penultimate syllable. If the latter is the case, it is a waw copulative (see also Joüon & Muraoka 1993: 380 for the same distinction). These latter forms are apparently very rare and their function seems to be a mystery. We shall return to this problem later. As we said above there are 52 cases of a waw + perfect in Leviticus 25. According to the criteria of Van der Merwe et al, at least seven⁸ of these are waw copulative + perfect while the rest would be waw consecutive + perfect.

In this unit wc. + perfect will refer to the waw consecutive + perfect (also sometimes referred to as *weqatal* in some grammars as for instance Joüon & Muraoka 1993: 396-406). Waw cop. + perfect will refer to the waw copulative + perfect. Joüon & Muraoka (1993: 380-381) name these different forms of waw a “simple waw” (thus, the waw cop.) and an “energetic waw.” The former expresses “pure juxtaposition” meaning that it connects actions that happen simultaneously. The energetic waw introduces nuances of succession, progression, purpose etc.

Van der Merwe et al (1999: 168-170) argue that these chains do not necessarily follow an imperfect as a main verb, but often follow a command. In some cases it can also follow “a clause that has a perfect, a participle or infinitive as a main verb” (Van der Merwe et al 1999: 168-169). It may even follow a nominal clause. The important thing is that this construction “does not simply continue the meaning of the preceding verb, but is to be understood as follows” (Van der Merwe et al 1999: 169). They then identify the following four main “functions” (Van der Merwe et al 1999: 169-171):

- 1) Waw consecutive + perfect refers to the same temporal spheres and aspect as imperfect forms. However, it also has ‘progression’ as a characteristic.
- 2) Waw consecutive + perfect can indicate the backbone of one or other discourse type.
- 3) Waw consecutive + perfect can introduce the apodasis of a condition.
- 4) Waw consecutive + perfect refers to events/actions where no temporal sequence is involved.

⁶ I will often start a discussion of certain grammatical features with this grammar by Van der Merwe, Naudé & Kroeze (1999). The main reason being that it is very compact (as introductions go) and provides a good starting point. But unfortunately this is also a disadvantage and for this reason I would usually supplement their insights by referring to the grammars of Joüon & Muraoka (1993) and Waltke & O’Connor (1990). All three grammars are very recent and give a good indication of the current state of affairs in Biblical Hebrew grammar.

⁷ According to Waltke & O’Connor (1990: 456) the waw + perfect combination (named *weqatal* by them) occurs 6 378 times in the BHS while the *wayiqtol* occurs 14 972 times.

⁸ The seven examples are the three occurrences of וַיִּשְׁפֹּךְ (vv. 17, 36 and 43), וַיִּצְיֵהוּ (in v. 21), וַיִּשְׁפֹּךְ (in v. 26) and וַיִּשְׁפֹּךְ and וַיִּצְיֵהוּ in v. 35.

As we shall see later it is especially the first two that are important for Leviticus 25. It also seems that these different functions do not necessarily exclude each other, for it would be possible for a chain of *wc.* + perfects to express future tense (like an imperfect) and at the same time form the backbone of the discourse type.

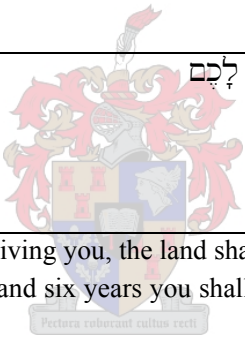
Although the description by Van der Merwe et al is very useful in this text, there are some problems with using their distinctions. For one, they state that when the *wc.* + perfect forms the backbone of some events, then it is usually not interrupted by other verbal forms (Van der Merwe et al 1999: 170). This does happen from time to time in Leviticus 25 and we shall return to this problem later.

All *wc.* + perfects in the Hebrew texts below will be in *italics>*. In cases where it is a *waw cop.* + perfect the format will be ***bold and italics***.

3.3 Verses 2 α β -13

From v. 2 α β onwards the speech follows, which Moses will have to convey to the people. The direct speech is introduced with a כִּי followed by an imperfect (תִּבְאוּ) and an immanent participle (נֹתֵן).

Table 3.2:

	כִּי תִבְאוּ אֶל-הָאָרֶץ אֲשֶׁר אֲנִי נֹתֵן לָכֶם וְשָׁבַתָּהּ הָאָרֶץ שִׁבְתָּ לַיהוָה: שֵׁשׁ שָׁנִים תִּזְרַע שָׂדֶךְ וְשֵׁשׁ שָׁנִים תִּזְמַר כְּרֶמֶךְ וְאָסַפְתָּ אֹתָהּ תְּבוּאָתָהּ:
When you enter the land that I am giving you, the land shall observe a sabbath for the LORD. ³ Six years you shall sow your field, and six years you shall prune your vineyard, and gather in their yield;	

Because of the fact that there are no less than 18 כִּיs in this chapter it might be a good idea to take a closer look at this particle before we go any further.

Excursus 3.2, The particle כִּי

In the 18 examples of כִּי in this chapter there are two kinds of כִּיs namely motivational כִּיs and temporal/conditional כִּיs. We will start with the latter and then discuss the former.

Van der Merwe et al (1999: 300-303) make two major distinctions between cases where the כִּי-clause precedes the main clause and cases where it follows the main clause. Usually temporal/conditional כִּיs would fall into the “כִּי-clause preceding the main clause category.” The difference between the two (i.e. temporal and conditional) is often not that clear (Van der Merwe et al 1999: 300):

The distinction between a temporal clause and a conditional clause is sometimes vague. A temporal clause is one that usually refers to a process that has a good chance of being realized.

Most כִּיs in this chapter that would fall into this category should be regarded as temporal כִּיs. This is already true of the first כִּי we just encountered. It seems that the authors anticipated that these events would happen and this is also true of the second half of Leviticus 25 with all the “case like”-law we have there. In most of these cases כִּי should simply be translated with a “when” and the following sentence can start with “then.” These temporal clauses refer “to a process occurring simultaneously with the main clause” (Van der Merwe et al 1999: 300).

Of the 18 כִּיs identified in this chapter, nine can be translated as “temporal” while the other nine are “motivational.” Motivational כִּיs usually follow the main clause and in broad terms provide the reason for some statement, directive or argument, thus expressing some kind of causal relationship between the two clauses. As we shall see later most of the nine “motivational” כִּיs in this chapter can be connected to some kind of directive⁹ which, of course, is not surprising in legal texts with an obvious directive intent.

In the Hebrew texts below motivational כִּיs would be indicated with the symbol ±, while temporal כִּיs by the symbol ־.

One problem with motivational כִּיs is the fact that the author is usually not consistent when using them. There are cases where we would expect a כִּי, but there is none. A good example from Leviticus 25 is the following texts in vv. 17 and 38.

Table 3.3

	<p>¹⁷ וְלֹא תוֹנוּ אִישׁ אֶת־עֵמִיתוֹ וְיִרְאַתָּ מֵאֱלֹהֶיךָ ± כִּי אֲנִי יְהוָה אֱלֹהֵיכֶם:</p>
<p>¹⁷ You shall not cheat one another, but you shall fear God; for I am the LORD your God.</p>	
	<p>³⁷ אֶת־כֶּסֶףךָ לֹא־תִתֵּן לּוֹ בְּנִשְׁךָ וּבְמִרְבִּית לֹא־תִתֵּן אֶכְלֶךָ ± אֲנִי יְהוָה אֱלֹהֵיכֶם ³⁸ אֲשֶׁר־הוֹצֵאתִי אֶתְכֶם מֵאֶרֶץ מִצְרַיִם לָתֵת לָכֶם אֶת־אֶרֶץ כְּנָעַן לְהִיוֹת לָכֶם לֵאלֹהִים: ס</p>
<p>³⁷ You shall not lend them your money at interest taken in advance, or provide them food at a profit. ³⁸ I am the LORD your God, who brought you out of the land of Egypt, to give you the land of Canaan, to be your God.</p>	

The כִּי-clause in v. 17 and the clause in v. 38 are exactly the same. Both of them also follow directives and both are motivating these directives. But v. 38 does not start with a motivational כִּי despite the fact that it is fulfilling that function. Does this mean that for the sake of variety the authors were not consistent? Or is there some other explanation for the phenomenon? For the time being I would regard the first option as the most viable.

⁹ “Directive” is a term used in speech acts theory. The term usually refers to speech acts which attempts to convince the hearer to do something (see Mey 1993: 162-168). They could include actions like questions, requests, orders, to beg etc.

Another problem is that in Hebrew grammar the description of a particle like כִּי has strictly been done in terms of syntax. Thus descriptions would often entail describing the kind of relationships that one might find between different clauses. Scholars would, for instance, argue that a particular clause motivates another clause (which will then be the main clause). It should become evident in the rest of this discussion that these descriptions are inadequate and that כִּי can sometimes be understood as relating larger units than mere clauses.¹⁰ In some cases the relationship could be even “looser” and can be understood as supporting the “thrust” or “purpose” of much more than just a piece of text, but some broader argument or objective.

Later I would also like to argue that the temporal כִּי s are functioning as structural markers, which is quite useful in structuring this text. This is one reason why I regard v. 13 as the conclusion of the first part of this text. Another כִּי introduces v. 14, but first we need to discuss vv. 2a β -13.

Verses 2a β -13 can also be divided into two smaller parts on the grounds of content. Up to v. 7 the text is concerned with the Sabbath year while the rest (v. 8 onwards) starts with stipulations on the Jubilee year. This means that both sub-units are introduced by a wc. + perfect (v. 2b, וְשָׁבְתָהּ and v. 8, וְיָפְרְתָהּ).

3.3.1 Verses 2a β -7

Verses vv. 2b-7 are introduced by means of a wc. + perfect which is followed by two imperfect forms of the verb and another wc. + perfect (see table 3.2 above). If וְשָׁבְתָהּ is a wc. + perfect, where is the main verb, or the verb that starts the chain? The answer to the question is fairly obvious namely, תִּבְנוֹ above. The imperfect expresses a future event: “*When* you will enter the land...” The wc. + perfect (וְשָׁבְתָהּ) continues that event: “*Then* the land will rest...” and thus acts like a summary of what is to follow.

In the next three clauses (v. 3) the normal state of affairs is described. Six years you will do “this” and six years you will do “that”, on both occasions using imperfect forms and concluding with wc. + perfect stating that you will collect the harvest. One of the semantic functions of the imperfect identified by Van der Merwe et al (1999: 148) is the indication of “habitual actions.” It makes sense to understand these imperfects as such. They clearly express actions that will occur year-after-year until the seventh year arrives. The two imperfects are followed by a wc. + perfect which continues the habitual actions of the imperfects and concludes this description of how things usually are.

Verse 4 then returns to the specific details of the Sabbath year:

¹⁰ I have argued this elsewhere (Meyer 2001: 39-62).

Table 3.4

<p> ⁴ וּבַשָּׁנָה הַשְּׁבִיעִית שְׁבַת שְׂבָתוֹן יִהְיֶה לְאֶרֶץ שְׁבַת לַיהוָה ~שָׂדֶךְ לֹא תִזְרַע ~וְכַרְמֶךָ לֹא תִזְמַר: ⁵ אֵת סִפְיֵיחַ קִצְרֶךָ לֹא תִקְצֹר ~וְאֵת עֲנָבֵי גִזְרֶךָ לֹא תִבְצֹר שְׁנַת שְׂבָתוֹן יִהְיֶה לְאֶרֶץ: </p>
<p> ⁴ but in the seventh year there shall be a sabbath of complete rest for the land, a sabbath for the LORD: you shall not sow your field or prune your vineyard. ⁵ You shall not reap the aftergrowth of your harvest or gather the grapes of your unpruned vine: it shall be a year of complete rest for the land. </p>

Verse 4 states that there will be a שְׁבַת שְׂבָתוֹן for the land and a שְׁבַת for YHWH. This is followed by four clauses in marked work order (indicated with ~) where the direct object (שָׂדֶךְ and וְכַרְמֶךָ in the first two) is followed by the verb. The first two clauses use the same terms as the two clauses in v. 3, but where the temporal markers preceded the verb there, followed by the direct object, the temporal indicators are left out now and the direct object precedes the verb. But what exactly is marked word order?

Excursus 3.3, Marked word order

The last chapter in the grammar of Van der Merwe et al (1999: 336-350)¹¹ is devoted to the subject of word order. They discuss this issue in two sub-units. *First* they focus on the “syntax of word order” (1999: 336-343) and *then* on the “semantic-pragmatic functions of word order” (1999: 344-350).

With regards to the former, the basic presupposition is that BH is a “verb-subject-object” language and that when the verb is preceded by any of the other constituents the author is trying to express something out of the ordinary. Usually the term “emphasis” is used to describe a marked construction, but they do not find this term nuanced enough and attempt to offer a more nuanced perspective.

In order to manage this they distinguish between a “preverbal field” (“Vorveld”) and a “main field” (“Hauptveld”). The preverbal field refers to the field that precedes the verb and when occupied by a constituent it is called “fronting.”¹² Only certain cases are regarded as fronting

¹¹ Because of the fact the neither Joüon & Muraoka (1993) nor Waltke & O’Connor (1991) have much to say about the function of marked word order this excursus relies solely on Van der Merwe et al (1999). Joüon & Muraoka (1993: 564-577) do mention what kind of word order can be expected in nominal clauses (1993: 564-577) and verbal clauses (1993: 579-580), but they do not really bother with what it might mean. Waltke & O’Connor (1991: 130) also refer to the word order of nominal clauses (which will be referred to in the next excursus), but they do not offer a systematic discussion on the word order in verbal sentences and what the function and meaning of this might be.

¹² With regards to fronting they add the following important note (Van der Merwe et al 1999: 337):
 Note that fronting is not the function of a BH syntactic construction. It is the name of a phenomenon in which (a) constituent(s) (e.g. subject of object) precede(s) the verb of a BH clause. Fronting may have a variety of functions.

while others are not¹³ and in other instances certain entities are obligatory¹⁴ in the preverbal field. *Fronting basically is only at hand when a constituent like the subject, object or indirect object occupies the preverbal field.* The clauses above in vv. 4 and 5 (Table 4) would be good examples because the direct object occupies the preverbal field. In the rest of this unit we will focus on fronting as defined along these lines and we will not pay much attention to marked word order in the main field of verbal clauses. Marked word order in nominal clauses will enter the discussion in the next excursus and then only briefly.

So if fronting were a mere “phenomenon” what would be the function of this phenomenon? An important part of their argument is the presumed communicative interaction between author and reader. When two parties communicate only a part of their knowledge of the world is activated. For instance, in a narrative “characters, places, states of affairs and events may be introduced or activated in the course of the narrative.” With this in mind they distinguish between topics that are already “discourse active” and topics that or not and thus are being introduced for the first time. They then (Van der Merwe et al 1999: 346-350) refer to the semantic-pragmatic functions of fronting. Four main functions are mentioned of which the first two are the most important for this chapter (Van der Merwe et al 1999: 346-348).

- i) The fronting signals that an entity, an aspect of an entity or an event is the *focus of an utterance*.
- ii) The fronted complement or adjunct signals that an entity is *introduced, activated or reactivated* to function as the topic of an utterance. The event referred to by means of the predicate of that utterance is not discourse active.

Each one of these main functions has more nuanced sub-functions to which we will refer when an example is at hand in the text of Leviticus 25. In the Hebrew text below, marked word order will be indicated by the symbol, ~.

Now, to return to the text above (Table 3.4), if v. 3 depicted how things usually are, these last two clauses from v. 4 and the first two from v. 5 state how things should be in the Sabbath year. For this very reason exceptional or marked word order is used.¹⁵ The last clause of v. 5 basically sums up what has already been said in the first

¹³ Van der Merwe et al (1999: 338-339) do not regard subordinated conjunctions and discourse markers, negatives and infinitive absolutes, the so-called dislocated construction (which will be mentioned later), adjuncts of time, cases where the subject precedes a participle (the latter being the verb), or for instance, chiasmic patterns in poetry, as fronting.

¹⁴ Entities that have to occupy the preverbal field include: some interrogatives, the demonstrative adverb in the messenger formula and when the subject of a clause is realized by means of an independent personal pronoun (Van der Merwe et al 1999: 340).

¹⁵ In these four lines the direct object occupies the preverbal field. The first two (וְהָיָה וְהָיָה) were already mentioned in v. 3 and is thus a case of re-activating, while the latter two (וְהָיָה וְהָיָה) are activated for the first time. But in essence all four are about the “harvest” and therefore the same entity. This means that it is probably a case of the second function (ii) mentioned above. It also has the character of a list (which apparently often happens, see Van der Merwe et al 1999: 348). The point is that we have the same situation as above in v. 3 (the harvest) and the same entities, but the “event referred to by means of the predicate of that utterance is not discourse active” as Van der Merwe et al put it (see ii above). This simply means that we have a different predicate or a new action which in this case is precisely the opposite of what we already had in v. 3, namely to stop doing what were done in v. 3.

clause of v. 4, as the “boxes” and arrows above indicate. I understand this structure as some kind of inclusio. The laws on the Sabbath year are thus neatly “packaged” into a structure that reminds somewhat of a sandwich.

Table 3.5

<p>⁶ You may eat what the land yields during Its sabbath—you, your male and female slaves, your hired and your bound laborers who live with you; ⁷ for your livestock also, and for the wild animals in your land all its yield shall be for food.</p>

An interesting aspect of vv. 6-7 is that we find repetitive elements and that the two verses are fairly similar. Verse 6 is about people, while v. 7 mentions the animals, but in both we have the roots היה and אכל. In v. 6 היה is in the form of a wc. + perfect while in v. 7 it is an imperfect.¹⁶ אכל is in the form of a ל + inf. cs. in both cases.¹⁷ Another important feature is that the order of the sentences changes. In v. 6 the verb precedes the series of indirect objects, whereas in v. 7 it is the other way around. This is definitely a construction intended to read as a unity, because the object (כל־תבואתה), thus the food that both the people and the animals will eat, only appears in the second clause. The inverted order gives the impression of a chiasm, but it also has the characteristics of parallelism because of the repetition. The chiasmic structure also concludes these verses on the Sabbath year and in the next verse the text moves on to the topic of the Jubilee year.

3.3.2 Verses 8-13

The part on the Jubilee year starts with a chain of six wc. + perfects in vv. 8 to 10. In the following table all the verbs are presented. Six of the clauses start with wc. + perfect while three of the clauses have imperfect forms. Two of these imperfect forms are used in similar “parallelistic” structures to which we will return later:

Table 3.6

וְסָפַרְתָּ ⁸ וְדָוִו וְהַעֲבַרְתָּ ⁹ ::::::::::: תַּעֲבִירוּ וְקָדְשָׁתֶם ¹⁰ וְקָדְשָׁתֶם ::::::::::: תִּהְיֶינָה :::::::::::

¹⁶ As we shall see later (excursus 4 below) these two clauses should technically be regarded as nominal clauses.

¹⁷ The first infinitive (לְאָכְלָהּ) seems somewhat strange with the ׀ at the end, but BDB (37) does attest a similar example found in Jer. 12:9. Joüon & Muraoka (1993: 146) state that one sometimes finds a feminine ׀ at the end of an inf. cs. This apparently often happens with stative verbs which, of course, is not the case here.

We already indicated above that the second semantic function of wc. + perfect identified by Van der Merwe et al (1999: 169) is portraying the “backbone of one or other discourse type.” This function seems to make sense here. It sketches the “broad outline” of the laws namely, “count” (7 X 7 years), “be”, “go through”, “sanctify”, “call” and “return.” From v. 11 onwards the syntax of the clauses change to nominal sentences and sentences starting with imperfect forms. One important question with regards to the first wc. + perfect (וְקִפַּרְתָּ) is how is it related to what precedes it? In order to answer this question, let us return to vv. 8 and 9 first:

Table 3.7

<p>וְקִפַּרְתָּ לְךָ שִׁבְעַת שָׁבָתוֹת שָׁנִים שִׁבְעַת שָׁנִים שִׁבְעַת שָׁנִים שְׁבַע פְּעָמִים וְקָרְאָה לְךָ יְמֵי שִׁבְעַת שָׁבָתוֹת הַשָּׁנִים תִּשַׁע וְאַרְבָּעִים שָׁנָה: וְקָרְבַּתָּ שׁוֹפָר תְּרוּעָה בַּחֹדֶשׁ הַשְּׁבִיעִי בְּעֶשְׂרֵי לַחֹדֶשׁ בְּיוֹם הַכִּפּוּרִים תַּעֲבִירוּ שׁוֹפָר בְּכָל־אַרְצְכֶם:</p>
<p>⁸ You shall count off seven weeks of years, seven times seven years, so that the period of seven weeks of years gives forty-nine years. ⁹ Then you shall have the trumpet sounded loud; on the tenth day of the seventh month—on the day of atonement—you shall have the trumpet sounded throughout all your land.</p>

Both vv. 8 and 9 consist of “parallelistic” structures. The second clause of v. 8 is basically a repetition of the first clause and does not add much in terms of content. In both clauses it adds up to 49 years. The same can be said of the two clauses of v. 9. In the first clause the שׁוֹפָר will go through (עבר) in the tenth of the seventh month, while in the second clause the שׁוֹפָר will do the same thing (again עבר) on the same date, but now just called the Day of Atonement. The parallelism in v. 9 is syntactically different from that in v. 8, though. In v. 8 both clauses start with a wc. + perfect. In v. 9 we have a structure akin to what we had in v. 6 above. The same verbal root is repeated, but the second occurrence is in the imperfect form. Another interesting feature is that the temporal indicator precedes the verb in the second clause whereas it follows the verb in the first clause. Once again, chiasm comes to mind. Also important is the fact that the place where the ramshorn is suppose to “go through”, namely the land (or then, “all of your land”, בְּכָל־אַרְצְכֶם), is only specified in the second clause. As in vv. 6 and 7 I understand this feature as an indication that these clauses should be read as a unified stylistic structure.

This might also provide an answer to the problem that a chain of wc. + perfects are not often broken by other verbal forms (referred to above). In this case as in most of the cases that follow this “breaking of a chain” happens when there is some kind of stylistic feature at hand, like the chiasms we identified here. From now on I will refer

to these structures as “parallelistic chiasms.” But to return to a previous question, what is the relationship between the first wc. + perfect and the text that precedes it?

The first and most obvious option would simply be to say that וְסִפְרֶתָּהּ follows the clause that precedes it. It thus, represents progression on the preceding chiastic structure which spells out what one is allowed to eat in the Sabbath year and concludes these initial laws on the Sabbath year. It builds on this, adding that you should “count” seven of these (previously mentioned) years and is progression in that sense. This would be the understanding if one were to stick to syntax.

But would it not be possible to understand וְסִפְרֶתָּהּ on a larger level than just syntax? Could it not function on a text grammatical level or as a marker of relationships between units larger than clauses? One is tempted to “squeeze” vv. 2-13 into the following structure:

Table 3.8

Start of direct speech that Moses should convey and introduces the “setting” in which all the following laws should be understood and obeyed.	כִּי תָבֹאוּ
Introduces laws on the Sabbath year (vv. 2aβ-7)	וְשָׁבְתָהּ
Introduces laws on the Jubilee (vv. 8-13)	וְסִפְרֶתָּהּ

But the question would now be whether this distinction can really be made by saying that the wc. + perfect picks up the line of discussion from v. 2, or whether we are not really making this division on the grounds of content? In that case we are reading too much into the possible function of a wc. + perfect. The only difference between this wc. + perfect and many others in this chapter is that it incidentally occurs along with a change in content. It seems to me that the first option (i.e. the wc. + perfect continuing the previous clause) would be the safer option and that with the latter we are trying to do too much. Now, to return to v. 10 which actually continues with another wc. + perfect.

Table 3.9

<p style="text-align: right;"> ¹⁰ וְקִדְשְׁתֶּם אֶת שְׁנַת הַחֲמִשִּׁים שָׁנָה וְקִדְשְׁתֶּם דְּרוֹר בְּאַרְצְךָ לְכָל-יֹשְׁבֵיהָ יֹבֵל הוּא¹⁸ תִּהְיֶה לְכֶם וְשָׁבְתֶם יָשׁ אֶל-אֲחֹזְרוֹ וְאִישׁ אֶל-מִשְׁפַּחְתּוֹ תִּשְׁבּוּ: </p>
<p>¹⁰ And you shall hallow the fiftieth year and you shall proclaim liberty throughout the land to all its inhabitants. It shall be a jubilee for you: you shall return, every one of you, to your</p>

¹⁸ According to Joüon & Muraoka (1993: 122) the third person feminine personal pronoun, אִיָּהּ is regularly spelled as אִיָּהּ in the Pentateuch with only 11 exceptions.

property and every one of you to your family.

In v. 10 the previously identified chain of *wc.* + perfects continues. This chain is broken on two further occasions by the use of the imperfect form of the verb. In the first case we have the verb הָיָה added to a nominal sentence at which a closer look might be appropriate now.

Excursus 3.4, Nominal clauses

Joüon & Muraoka (1993: 564) defines a nominal clause along the following lines:

The category nominal clause includes every clause the predicate of which is a noun or the equivalent of a noun, i.e. for instance, a participle, a preposition with a noun or a pronoun; or, put negatively, every clause the predicate of which is not a verb (but with the exception of הָיָה in the sense of *to be*) is a nominal clause.

The phrase in brackets in this definition is also very important. When the verb הָיָה is used they do not regard it as a verbal clause, but rather as a nominal clause. This happens when “one wishes to specify the temporal sphere of a nominal clause” (Joüon & Muraoka 1993: 576-577). It means that in this case the temporal sphere is specified to be future (if this is how one understands the function of the imperfect form).¹⁹ This is very important for Leviticus 25 for nearly half of the nominal clauses in this chapter have הָיָה in them.

A nominal clause usually consists of a subject and a predicate. This subject is usually a noun or a pronoun, but can also be a preposition with a noun or even an inf. cs.²⁰ The predicate is usually also a noun, which for Joüon & Muraoka (1993: 565) includes substantives, adjectives and participles, but it can also be a pronoun, a preposition with a noun or pronoun, an adverb or an inf. cs. with לְ .²¹

According to Van der Merwe et al (1999: 248-249) a nominal sentence consisting of two nouns (as is often the case here) usually has two semantic functions. These are “identification” and “classification.”²² In the case of the former, both the subject and predicate are definite while in the latter the subject is definite, but the predicate indefinite. In v. 10 above, וְיָבֵל is an indefinite predicate, which means that these three examples are instances of “classification.” These clauses answer the question: “What is the subject like?” (see Waltke

¹⁹ Similarly Waltke & O’Connor (1991: 72) has the following to say about these clauses:

In a *verbless* (or nominal) *clause* there is no verbal marker of predication. Hebrew, like many other languages, including Latin and Classical Greek, may predicate an adjective or noun directly, without a *copula* (i.e., some form of הָיָה , which corresponds to English ‘to be’). In languages where the copula may be optional, it is usually required if the comment is set in past or future time in contrast to present time (or in some mood other than indicative), or if the situation is highlighted.

Although they call it a copula, a term one usually associates with Aramaic, in essence it also means that a clause with הָיָה functions the same as one without any verb. The הָיָה just adds something on the so-called surface structure. See also Waltke & O’Connor (1991: 228 and 605) where they distinguish between a verbless clause and a clause with הָיָה , but attribute the same functions to them.

²⁰ See Joüon & Muraoka (1993: 565) for examples.

²¹ Once again see Joüon & Muraoka (1993: 565) for examples.

²² Joüon & Muraoka (1993: 566-567) also distinguish between these categories, but use the terms “descriptive” and “identificatory.” Waltke & O’Connor (1990: 130) also use the same terms as Van der Merwe et al (1999).

& O'Connor 1990: 132). With regards to Leviticus 25 we can rephrase this question: "What is this year like?" The answer would be: Like a "Jubilee!" This means that these phrases are not examples of marked word order, but just normal nominal clauses with הִיָּה added as temporal indicator.

Waltke & O'Connor (1990: 130-135) offer a much more extensive description of these functions. An important distinction that they mention is the fact that in the case of classification the word order in a nominal clause is predicate-subject which would be the case with these examples in vv. 10, 11 and 12. Thus, יִבְלֵה is the predicate and the third person feminine pronoun is the subject.

The combination of הוּא יִבְלֵה הוּא and הִיָּה occurs three times (see vv. 10, 11 and 12, or Table 3.12 below) in vv. 8 to 13 which introduce the Jubilee. But in v. 10 we find the "simplest" construction in the sense that it only consists of הוּא יִבְלֵה הוּא לָכֶם, whereas other elements are added in vv. 11 and 12, but more of that later.

The first two clauses in v. 10 (see Table 3.9 above) states that the fiftieth year²³ should be hallowed (קִדְשׁ) and that a דְּרֹר should be called out for all the inhabitants of the land. In the last two clauses of v. 10 we have the third case of a parallelistic chiasm. The repetition is nearly exact. The only difference is that in the first line a man returns (שׁוֹב) to his אֲחֻזָּה while in the second he returns to his מִשְׁפָּחָה. Once again we have the same verbal root (שׁוֹב) and once again the first occurrence is a wc. + perfect while the second is in the imperfect. In the second clause we have inverted word order²⁴ and the subject and prepositional phrase precede the verb.

Verse 11 starts with another nominal sentence followed by three clauses where the negative particle is always followed by an imperfect (which as indicated above is the normal unmarked Hebrew word order).

Table 3.10

11 יִבְלֵה הוּא שְׁנַת הַחֲמִשִּׁים שָׁנָה תִּהְיֶה לָכֶם לֹא תִזְרְעוּ וְלֹא תִקְצְרוּ אֶת־סְפִיחֶיהָ וְלֹא תִבְצְרוּ אֶת־גְּזָרֶיהָ:
¹¹ That fiftieth year shall be a jubilee for you: you shall not sow, or reap the aftergrowth, or harvest the unpruned vines.

Three (זרע, קצר and בצר) of the four verbs used in the marked passage in vv. 4-5 are repeated here, but זמר is left out. Another difference is that the first verb (זרע) is

²³ According to Joüon & Muraoka (1993: 539) the repetition of "year" in the expression שְׁנַת הַחֲמִשִּׁים שָׁנָה is not exceptional in BH. See, for instance, the following v. 11.

²⁴ Where a chiasm is at hand the inverted word order is not usually regarded as marked. The order is changed with the chiasm in mind and not with any of the other functions of fronting in mind (see Van der Merwe et al 1999: 340).

not followed by the direct object (שָׂדֶךְ) which we find in both vv. 3 and 4. These commands are followed by a motivational כִּי in v. 12:

Table 3.11

<p>12 ± כִּי יוֹבֵל הוּא קֹדֶשׁ תִּהְיֶה לָּכֶם מִן־הַשָּׂדֶה אֲכַלְוּ אֶת־תְּבוּאֹתֶיהָ 13 בְּשָׁנַת הַיּוֹבֵל הַזֹּאת [תִּשְׁבֹּן] אִישׁ אֶל־אֲחֻזָּתוֹ:</p>
<p>12 For it is a jubilee; it shall be holy to you: you shall eat only what the field itself produces. 13 In this year of jubilee you shall return, every one of you, to your property.</p>

As we said the commands in v. 11 are motivated by this כִּי-sentence and for the third time have a similar clause involving the verb הִיָּה and the two terms, יוֹבֵל הוּא. To sum up, here are the clauses as found in vv. 10, 11 and 12:

Table 3.12

<p>יוֹבֵל הוּא תִּהְיֶה לָּכֶם יוֹבֵל הוּא שָׁנַת הַחֲמִשִּׁים שָׁנָה תִּהְיֶה לָּכֶם ± כִּי יוֹבֵל הוּא קֹדֶשׁ תִּהְיֶה לָּכֶם</p>

It seems that there is some kind of progression in these three cases. First we find “it shall be a Jubilee for you.” Then the year is specified as the fiftieth and then we find a motivational כִּי with the adjective “holy” (קֹדֶשׁ) added. This observation is further supported when we keep in mind that the command was actually given to “sanctify” (קֹדֶשׁ) the fiftieth year in v. 10 and now we find these elements again in the nominal clauses motivating this command. These two occurrences of the root קֹדֶשׁ are the only examples in this chapter.

Another interesting feature of the last clause of vv. 12 and 13 (see Table 3.11) has to do with the specific words used. In v. 12 we have the verbal root אָכַל (again) along with the term תְּבוּאָתָהּ. This is reminiscent of the last two verses concerned with the Sabbath year, namely vv. 6 and 7 where we had the “parallelistic chiasm” and where we also had אָכַל and תְּבוּאָתָהּ used together. In v. 13 we find the term אֲחֻזָּה and the verbal root שׁוּב. This recalls the latter half of v. 10 where שׁוּב and מִשְׁפָּחָהּ were used in a similar parallelistic chiasm. It thus seems that the last clause in v. 12 and the whole of v. 13 functions as a summary of the introductory laws on the Sabbath and Jubilee years. Using words that recall important stylistic features already found above enhances the impact of the summary and concludes effectively what has been said up to now.

3.4 Verses 14-19

The content of the next subsection is totally different from those above. Above we had the “declaration” of laws on the Sabbath and on the Jubilee. What follows now is much more akin to “case-law.”²⁵ This passage starts with וְכִי־תִמְכְּרוּ and the important question with regards to the function of this temporal/conditional כִּי is the function of the וְ in front of it. Is this some kind of indication that this section should be seen as something following on the previous section introduced by כִּי תִבְאֵן? As a matter of fact, a more fundamental question would be whether one could actually use a temporal כִּי as an indicator of the seams of a unit or section? The question will be answered below.

Table 3.13

¹⁴ - וְכִי־תִמְכְּרוּ מִמֶּכֶר לְעִמִּיתְךָ אוֹ קָנָה מִיַּד עִמִּיתְךָ אַל־תִּוְנוּ אִישׁ אֶת־אֶחָיו:
¹⁴ And if you sell to your neighbor or buy from your neighbor, you shall not wrong one another.

Verse 14 starts by sketching the general situation of selling and buying (מכר and קנה).²⁶ This is followed by a very general prohibition on a man suppressing (ינה) his brother. The general prohibition is followed by the introduction of a principle in vv. 15 and 16 that forms the foundation of the Jubilee law:

Table 3.14

¹⁵ בַּמִּסְפֵּר שָׁנִים אַחֲרֵי הַיּוֹבֵל תִּקְנֶה מֵאֵת עִמִּיתְךָ בַּמִּסְפֵּר שְׁנֵי־חֳבוּאֹת יִמְכְּרֶלְךָ: ¹⁶ לְפִי רֵב הַשָּׁנִים תַּרְבֶּה מִקְנָתוֹ וּלְפִי מְעוֹט הַשָּׁנִים תִּמְעִיט מִקְנָתוֹ ± כִּי מִסְפֵּר חֳבוּאֹת הוּא מִכֶּר לְךָ:
¹⁵ When you buy from your neighbor, you shall pay only for the number of years since the jubilee; the seller shall charge you only for the remaining crop years. ¹⁶ If the years are more, you shall increase the price, and if the years are fewer, you shall diminish the price; for it is a certain number of harvests that are being sold to you.

Key terms here are obviously מִסְפֵּר, חֳבוּאָה and שָׁנִים. The combination of these terms determine the worth or purchase-price (מִקְנָה) of a piece of land. In essence land is

²⁵ I have not used concepts like “apodictic” and “casuistic” until now in this chapter. They will feature in the next chapter, because they are closely related to the issues that will be addressed then.

²⁶ The second verb is actually an infinitive absolute (and thus not technically a verb). Van der Merwe et al (1999: 161) point out that an inf. abs. can sometimes be used in the place of a finite verb without a waw. This is usually done in utterances of direct speech (as we have here). The reason for the speaker using an inf. abs. instead of a finite verb is not that clear. Joüon & Muraoka (1993: 430-431) make similar remarks and specifically quote this example and so do Waltke & O’Connor (1991: 596). They add that although it is not certain why an inf. abs. is used it might be because of “a desire for variety” or even “a stylistic affectation.” In cases like these the inf. abs. has the “same temporal or modal value as the preceding verb.”

never sold but only the usufruct or number of harvests that the land will produce until the next Jubilee.²⁷ This is followed by a motivational כִּי-clause, which only repeats what has been said already, but presumably with the aim of “fortifying” or accentuating the previous principles. This brings us to v. 17 which is actually closely connected to the previous verses:

Table 3.15

17 וְלֹא תִגְזֹל אִישׁ אֶת-עֵמִיתוֹ וְיִרְאֶה מֵאֱלֹהֶיךָ כִּי אֲנִי יְהוָה אֱלֹהֵיכֶם: ±
17 You shall not cheat one another, but you shall fear your God; for I am the LORD your God.

The first clause of v. 17 is a repetition of what has already been said in the last clause of v. 14, but instead of אַל used in v. 14, the negative לֹא is used now.²⁸ Furthermore, you should not cheat your neighbour (עֵמִית), whereas it was brother in v. 14. This directive against cheating your neighbour is followed by another directive to fear (רָאָה)²⁹ your God and then another כִּי-clause where the name YHWH is used for the first time in the direct speech (thus excluding v. 1) and the first person singular pronoun is used to refer to YHWH.

In vv. 2-13 the directives were usually motivated with clauses like יוֹבֵל הוּא תְהִיָּה לְכֶם, but now the name of YHWH enters and is used as motivation to the directives. It is apparently intended to have some effect on the hearers to motivate them to obey

²⁷ There seems to be a discrepancy between the two clauses in v. 15. The first clause refers to the years after the previous Jubilee (שָׁנִים אַחֲרֵי הַיּוֹבֵל), or so it seems. The second clause refers to the number of harvests left (שָׁנֵי-תְבוּאָה) presumably until the next Jubilee, because this is what the buyer will gain from acquiring a piece of land. If one were to ask to which years does v. 16 refer, i.e. years after the previous Jubilee or years of harvests left, it seems obvious that it should be the latter. The more years there is after the previous Jubilee the lesser the price should become, because this means that there are fewer harvests left for the buyer to gain from. In this light the translation of the NRSV above does not really make sense.

²⁸ וְלֹא in vv. 14 and 17 seems to be a second person masculine Hi imperfect of the root יָרָא. According to Van der Merwe et al (1999: 149) the imperfect is often used with לֹא to express “an (absolute) prohibition.” אַל is used with the jussive to “express the nuance of a temporally binding prohibition.” This does not make sense in the context of Leviticus 25 because both are apparently intended as prohibitions. The only other example of אַל in this chapter is found in v. 36 and there it seems to be used in the same manner as the לֹא in v. 37.

Another question would be whether one could regard וְלֹא above as a jussive? According to Joüon & Muraoka (1993: 376) jussives in the second person are very rare. It thus seems that the most appropriate answer would be to regard אַל and לֹא as synonyms here.

²⁹ וְיִרְאֶה here is one of the seven examples of a normal waw (or waw copulative) with the perfect referred to above. Three of these seven are of the verbal root יָרָא, of which we just had the first example. With regards to the possible function of these terms, Van der Merwe et al (1999: 170) refer to the work of Revell:

According to Revell (1989: 24) waw copulative + perfect is usually used after directives in contexts in which the speakers do not look down upon their listeners(s). This directive is usually not very urgent.

Unfortunately, this does not fit into what we have in Leviticus 25. The directive in this case can only be urgent.

these laws. This is also true of vv. 18 and 19 and actually of the whole next unit (vv. 20-24) that follows this one, but more of that later.

Table 3.16

<p>וַעֲשִׂיתֶם¹⁸ אֶת־חֻקֹּתַי וְאֶת־מִשְׁפָּטַי תִּשְׁמְרוּ וַעֲשִׂיתֶם אֹתָם וַיִּשְׁבְּתֶם עַל־הָאָרֶץ לְבֶטַח:¹⁹ וְנָתְנָה הָאָרֶץ פְּרִיָּהּ וְאָכַלְתֶּם לְשָׂבַע וַיִּשְׁבְּתֶם לְבֶטַח עָלֶיְהֶּ:</p>
<p>¹⁸ You shall observe my statutes and faithfully keep my ordinances, so that you may live on the land securely. ¹⁹ The land will yield its fruit, and you will eat your fill and live on it securely.</p>

Again we have a chain of wc. + perfects which is only once interrupted with a clause with inverted word order and the imperfect form of the verb. This clause forms a chiasmic structure with the first and is also a repetition of the content of the first clause. The first three clauses are directives motivating people to obey these laws, but the next four clauses have a more “promissory” quality to them. It promises that when people do these laws then they will live in security (בֶּטַח), the land will give her fruit, they will eat their full and it concludes again with the people living in security.

The effect of this series of verbs is like a rolling stone that gathers more speed. It starts slowly with directives (initially expressed in a chiasm) and then it speeds up with promises building on each other. Once again we have an example of a series of wc. + perfects which form the backbone of the events, although they are also interrupted by a chiasmic structure. The verbal chain can be portrayed in the following manner:

Table 3.17

<p>וַעֲשִׂיתֶם¹⁸ תִּשְׁמְרוּ וַעֲשִׂיתֶם וַיִּשְׁבְּתֶם וְנָתְנָה¹⁹ וְאָכַלְתֶּם וַיִּשְׁבְּתֶם</p>

A further distinct feature of this chain is that it falls into two units if one regards the repetition of the same verb as an inclusio. The division is also in agreement with the content. The first inclusio “includes” the directives and the second the promises.

3.5 Verses 20-24

The division of the next unit is based on the presumption that וְכִי can function as a structural marker that introduces units larger than sentences. But one could also interpret this וְכִי as connecting this part to the previous chain of wc. + perfects. If regarded as that, it breaks that chain and provides a kind of pause because of the change of style and content. It seems that the text addresses a very practical issue, but an issue that the author anticipated might have been lingering in the reader's mind:

Table 3.18

²⁰ – וְכִי תֹאמְרוּ מִה־זֹאכֵל בַּשָּׁנָה הַשְּׁבִיעִת הֵן לֹא נִזְרַע וְלֹא נֹאסַף אֶת־תְּבוּאָתֵינוּ:
²⁰ Should you ask, What shall we eat in the seventh year, if we may not sow or gather in our crop?

The syntax of these clauses is very straightforward. One finds no examples of marked word order. The question is simply “what shall we eat in the seventh year”? The reason for stating this question is provided by using the particle הֵן. Van der Merwe et al (1999: 330) state that there “is no essential difference between the syntactic and semantic functions of הֵן and הִנֵּה.” These particles usually “focus attention on the utterance that follows.” This utterance often refers to something that is “surprising” or “unexpected” and this is definitely the case here.³⁰ Following הֵן we find two verbs which we’ve had before namely, זָרַע and אָסַף. Thus, the question is asked as to what will the people eat after this year, when there would be neither sowing nor collecting? The answer is provided in the form of another wc. + perfect chain:

Table 3.19

²¹ וְצִוִּיתִי אֶת־בְּרַכְתִּי לָכֶם בַּשָּׁנָה הַשְּׁשִׁית וְעָשִׂיתָ אֶת־תְּבוּאָהּ לְשָׁלֹשׁ הַשָּׁנִים: ²² וְזָרַעְתָּם אֶת הַשָּׁנָה הַשְּׁמִינִית וְאָכַלְתָּם מִן־תְּבוּאָהּ יָשָׁן עַד־הַשָּׁנָה הַתְּשִׁיעִת עַד־בֹּא תְבוּאָתָהּ וְאָכַלְתָּ יָשָׁן:
²¹ I will order my blessing for you in the sixth year, so that it will yield a crop for three years. ²² When you sow in the eighth year, you will be eating from the old crop; until the ninth year, when its produce comes in, you shall eat the old.

³⁰ Joüon & Muraoka (1993: 631) agree that הֵן is a particle that attracts attention, but they regard the present example as a הֵן “with the value of *if*.” So do Waltke & O’Connor (1991: 637). This might be a possibility, but why does the author not use the regular אִם as he often does in the next part of the chapter? It might still be possible to regard it as “if” and thus the introduction of a protasis, but then a stronger one than usual that really attracts the attention of the readers or hearers.

One problematic aspect of the wc. + perfect chain in vv. 21-22 is that the first waw is actually a waw cop. The accent falls on the penultimate syllable (see BHS). Why this is so, is not clear and for the time being we might as well just regard the whole construction as one chain.³¹ This means that all the following actions build on each other, “order”, “yield”, “sow” and “eat.” But in the last line the chain is broken (again) with a chiasmic parallelism. The verb becomes an imperfect, but still with the same root as the previous perfect (אכל) and the temporal phrase moves from following the verb to preceding it. Content-wise both clauses are the same and in both words like יִשָּׂן and תִּבְוֹאָה are repeated. To sum up, in order to convince readers of the viability of these laws above a chain of wc. + perfects is used with a concluding parallelistic chiasm.

Verses 23-25 are not really strictly “connected” to what precedes it, but it moves away from the promise of the previous verse and we still find terms referring back to vv. 14-17 like מִכָּר, אֶחָדָה, and then a new word, גְּאֻלָּה:

Table 3.20

~ ²³ הָאָרֶץ לֹא תִמְכַּר לְצִמְתָּת ± כִּי־לִי הָאָרֶץ ± כִּי־גֵרִים וְתוֹשָׁבִים אַתֶּם עַמִּדִּי ~ ²⁴ וּבְכָל אֶרֶץ אֲחֻזְתְּכֶם גְּאֻלָּה תִתֵּנוּ לְאָרֶץ
²³ The land shall not be sold in perpetuity, for the land is mine; with me you are but aliens and tenants. ²⁴ Throughout the land that you hold, you shall provide for the redemption of the land.

Where v. 22 was still concerned with what will be eaten in the eighth year and thus the topic of the Sabbatical year, v. 23 “out of the blue” moves to the basic principles of land possession and thus the topic of the Jubilee year. Important features of these two verses are that it starts and ends with clauses of marked word order. In the first clause the subject (וְהָאָרֶץ) precedes the verb. This is also the case in the last clause where גְּאֻלָּה, the direct object, precedes the verb. The term land (אָרֶץ) is also prominent in these four clauses and occurs four times (but for that matter it is probably the most salient term in the whole chapter).

In between these two marked-word-order clauses we find two motivating כִּי-clauses and both are nominal clauses. The first consists of a noun and a prepositional phrase and refers to the status of the land. The second is another example of a “classifying clause”³² and refers to the status of the people (addressed with אַתֶּם). The land is (literally) “for YHWH” (or “for me”, לִי) and the people are classified as “aliens and tenants” (גֵרִים וְתוֹשָׁבִים) “with YHWH” (or “with me”, עַמִּדִּי).

³¹ As we shall see later, a very tempting option is to understand at least five of the waw cop. + perfects as adversative and thus translate it with “but.” This would also make sense in this case.

³² See excursus 3.4 above.

But one last comment (referred to above already) on the passage might suffice now. For the first time the term נִאֲלָה is used in this chapter and it “wets the appetite” of the reader or hearer for what is to come, because in two of the following passages נִאֲלָה is fairly high on the agenda.

3.6 Verses 25-34

The next section of this chapter is introduced by כִּי־יָמוּד אֶחָיִךְ which is a sentence that we will find on three more occasions in this chapter in more-or-less the same basic format:

Table 3.21

כִּי־יָמוּד אֶחָיִךְ ²⁵
וְכִי־יָמוּד אֶחָיִךְ ³⁵
וְכִי־יָמוּד אֶחָיִךְ עִמָּךְ ³⁹
וְכִי תִשָּׂיג יָד גֵּר וְהוֹשֵׁב עִמָּךְ ⁴⁷
וְקָדַךְ אֶחָיִךְ עִמּוֹ

The interesting feature here is that every further example is an extension of the previous example. The first one is the most basic starting with כִּי followed by an imperfect of מוֹד and then “your brother” (אֶחָיִךְ). In v. 35 it is slightly extended and כִּי becomes וְכִי. A further interesting question would now be how the waws function? Are these just different cases following each other? Is that why the first example has no waw, because it is the first case and the most basic one, while the others build on the previous one(s) and presuppose the information of the previous cases? I think that the answer to all these questions should be “yes” and that goes not only for this half of Leviticus 25, but also for the first half, although it has a different character there. I would like to present the first half as follows:

Table 3.22

כִּי תָבֹאוּ אֶל־הָאָרֶץ אֲשֶׁר אָנֹכִי נֹתֵן לָכֶם ➤
This is then followed by apodictic-like laws on the Sabbath year and the Jubilee year (vv. 2b-13).
וְכִי־תִמְכְּרוּ מִמֶּכֶר לְעַמִּיתְךָ ¹⁴ ➤
Following this clause we find laws of a different character (more casuistic), but in broad terms referring to issues that could be associated with the Jubilee. Although it has formally more in common with the second half of Leviticus 25 (vv. 25ff). This part is concluded with a parenetical part (vv. 18 and 19).
וְכִי תֹאמְרוּ ²⁰ ➤

This clause is followed by a part referring to the Sabbath laws again (vv. 20-22) and then vv. 23-24 which refers to the sale of land again and could be regarded as a “transition” to the second half of Leviticus 25.

But to return to Table 3.21 above, in v. 39 the sentence is further extended by a preposition with a pronominal suffix (עִמָּךְ). The example in v. 47 is the most expansive “extension.” We have all the previous elements like וְכִי and עִמָּךְ and the same verb, מוֹךְ. Yet in this case the verb is not an imperfect but a wc. + perfect in a short chain following another imperfect. It introduces the last scenario where a foreigner becomes rich and a brother becomes poor with him. Thus the second half of Leviticus 25 is clearly structured along these lines and most of the content fits into these four cases. But let us turn to the first case.

Table 3.23

25 כִּי־מוֹךְ אָחִיךָ וּמָכַר מֵאֲחֻזָּתוֹ וּבָא גֹאֲלוֹ הַקָּרֵב אֵלָיו וּגְאָל אֶת מִמְכַר אָחִיו:
25 If anyone of your kin falls into difficulty and sells a piece of property, then the next of kin shall come and redeem what the relative has sold.

Verse 25 is very straightforward. It is introduced by the above mentioned sentence and then a short chain of three wc. + perfects follows. This is the basic rule applied to all cases where somebody falls into poverty (מוֹךְ) and sells (מָכַר) his אֲחֻזָּה. His גֹּאֵל, who is his closest relative (הַקָּרֵב אֵלָיו) will come (בָּא) and redeem (גְּאָל) him. This is how things should be in a virtually perfect world, but as we all know the world is far from perfect and even the “virtually” is rather optimistic. What, for instance, would happen if he does not have a redeemer?

Table 3.24

26 וְאִישׁ כִּי לֹא יִהְיֶה־לּוֹ גֹּאֵל וְהִשְׁגִּיחַ יָדוֹ וּמָצָא כֹּדֵי גְאֻלָּתוֹ: 27 וְהָשִׁב אֶת־שְׁנֵי מִמְכָּרוֹ וְהָשִׁיב אֶת־הַעֲדָף לְאִישׁ אֲשֶׁר מָכַר־לּוֹ וְשָׁב לְאֲחֻזָּתוֹ:
26 If the person has no one to redeem it, but then prospers and finds sufficient means to do so, 27 the years since its sale shall be computed and the difference shall be refunded to the person to whom it was sold, and the property shall be returned.

The first clause of v. 26 is an example of the so-called “pendens construction” or “dislocated construction” (see Van der Merwe et al 1999: 339 and Joüon & Muraoka 1993: 586-587). This means that “a constituent stands at the beginning of a clause and is taken up again in the clause by a constituent of the clause (called the

resumptive)” (Van der Merwe et al 1999: 339). In this case **וְאִישׁ** stands at the beginning of the clause and is taken up again later as a pronominal suffix (**לוֹ**).

Another interesting feature is the fact that **כִּי** does not stand at the beginning of the clause. According to Van der Merwe et al (1999: 300) this happens often in legal texts (see also Joüon & Muraoka 193: 630-631). They add that in legal texts both the particles **כִּי** and **כִּי־אִם** can introduce the protasis of a condition and can thus give the impression of being used as synonyms (Van der Merwe et al 1999: 300):

However, **כִּי** normally precedes the *general conditions* and **כִּי־אִם** *the details* of these general conditions.

This explanation fits well here, but we will return to that later. With regards to the function of the pendens construction, Van der Merwe et al (1999: 339) have the following to say:

The function of the above type of dislocated construction is usually to *(re-)activate an identifiable referent* that is talked about.³³

This means that we are still talking about the brother who fell into poverty, but why he is referred to as an **וְאִישׁ** now instead of **אֶחָיו** is not clear. Or maybe, that was the problem that nobody wanted to acknowledge that he is an **אֶחָיו**, but insisted on regarding him as a mere **וְאִישׁ**. So what is to happen to this man?

Another uninterrupted chain of wc. + perfects describes his possible fate. If his “hand overtakes” (Hi of **נִשְׁגָּח**), and he “finds” (**מִצָּא**) sufficient, then he will “calculate” (**יִחְשַׁב**) and he will “return” (Hi of **שׁוּב**) the outstanding amount and then he himself will return (**שׁוּב**) to his **אֶחָיו**. All of this is of course hypothetical and again the chain consisting of wc. + perfects is broken by the next exception. So what happens if his “hand does not overtake”?

Table 3.25

<p>²⁸ וְאִם לֹא־מִצָּאָה יָדוֹ הִי הַשִּׁיב לוֹ מִמְכָרוֹ בְּיַד הַקֹּנֶה אֹתוֹ עַד שְׁנַת הַיּוֹבֵל וַיֵּצֵא בְיַבֵּל וְשָׁב לְאֶחָיו:</p>
<p>²⁸ But if there is not sufficient means to recover it, what was sold shall remain with the purchaser until the year of jubilee; in the jubilee it shall be released, and the property shall be returned.</p>

To return to the difference between **כִּי** and **כִּי־אִם**, if one were to agree with Van der Merwe et al and regard **כִּי** as a particle that introduces more general conditions,

³³ Joüon & Muroaka (1993: 586) describe the casus pendens as follows:

This construction is sometimes occasioned by the importance of the noun, i.e. it is the element of the clause which first springs to the mind of the speaker, and sometimes by a desire for clarity or smoothness of expression.

while אִם would introduce more specific conditions, then the relation between the כִּי in v. 27 and the אִם in v. 28 makes sense. In v. 26 the general condition is mentioned where there is no redeemer for a person in trouble. In the rest of vv. 26 and 27 one other possibility is mentioned which might be open to this person and the relevant modus operandi in that event follows. Verse 28 focuses specifically on the scenario in the event of the non-fulfilment of this previous possibility. What happens if the persons “hand does not overtake”? It is thus more specific than the previous condition and once again the resultant action is described with a chain of wc. + perfects. In short, the person will wait until the Jubilee and then the man will go out (יֵצֵא) and the man will return (שׁוֹב) to his אֲחֻזָּה.

In the next verse the topic changes from pieces of land to houses in a walled city:

Table 3.26

<p>29 וְאִישׁ כִּי־יִמְכַר בֵּית־מוֹשָׁב עִיר חֹמָה וְלֹא־יֵצֵא עַד־תֵּם שְׁנַת מִמְכָּרוֹ יָמֵם יִחְזֹר וְנִלְתָּו: 30 וְאִם לֹא־יִנְאַל עַד־מְלֹאת לֹו שְׁנֵה תְּמִימָה וְקָם הַבַּיִת אֲשֶׁר־בְּעִיר אֲשֶׁר־לֹו חֹמָה לְצִמְיֹתָת לְקִנְיָה אֹתוֹ לְדֹרֹתָיו לֹא יֵצֵא בִּיבֹל:</p>
<p>²⁹ If anyone sells a dwelling house in a walled city, it may be redeemed until a year has elapsed since its sale; the right of redemption shall be one year.</p> <p>³⁰ If it is not redeemed before a full year has elapsed, a house that is in a walled city shall pass in perpetuity to the purchaser, throughout the generations; it shall not be released in the jubilee.</p>

The man in poverty, who has to sell his אֲחֻזָּה, is forgotten now and the text focuses on the man who sells a house in a walled city. Whether this is also somebody who has to sell because of becoming poor (מוֹד), is not exactly clear, but it should probably be understood as such.

The first clause is followed by a wc. + perfect and this clause is followed by another with more-or-less the same content. Thus, we have another of the previous parallelistic structures. As previously the verb in the first clause is a wc. + perfect and the second an imperfect of the same root (הִיָּד). The structure is also chiasitic in the sense that the temporal phrase precedes the imperfect (יָמֵם) whereas it follows the wc. + perfect (עַד־תֵּם שְׁנַת מִמְכָּרוֹ).

In the same vein as in v. 28, אִם introduces a more specific condition than the previous part introduced by כִּי. In this case it focuses specifically on the eventuality that the house might not be sold in the allowed year. The result introduced by a wc. + perfect is stated quite clearly and that is that the house will stay with the buyer. This

result is reiterated again in the last clause using a לֹא + imperfect: לֹא יֵצֵא בְיָבֵל. The Jubilee law does not apply to this case, but it does apply to houses in a village.

Table 3.27

³¹ וּבְתֵי הַחֲצָרִים אֲשֶׁר אֵין־לָהֶם חֹמָה סְבִיב עַל־שָׂדֵה הָאָרֶץ יִחָשֵׁב גֵּאֻלָּה תִּהְיֶה־לָּו וּבְיָבֵל יֵצֵא:
³¹ But houses in villages that have no walls around them shall be classed as open country; they may be redeemed, and they shall be released in the jubilee.

Syntactically the character of the clauses changes in vv. 31 and 32. The first clause is an example of marked word order. The clause starts with the subject (וּבְתֵי הַחֲצָרִים), which is extended by means of a relative sentence. The verb (יִחָשֵׁב) takes the last position in the sentence. The function of the marked word order is probably to contrast the houses in villages with the houses in the cities. They are to be regarded as different and that is why the word order is different. In terms of Van der Merwe et al's distinctions it is also a case of the introduction of a new topic. In any case, these cities will be redeemed and they will "go out" in the year of the Jubilee which, is something that is apparently not applicable to Levitical houses:

Table 3.28

³² וְעָרֵי הַלְוִיִּם בְּתֵי עָרֵי אֲחֵיהֶם גֵּאֻלַּת עוֹלָם תִּהְיֶה לָּוִיִּם: ³³ וְאֲשֶׁר יִגָּאֵל מִן־הַלְוִיִּם לֵיָצֵא מִמִּכְר־בֵּית וְעִיר אֲחֵיהֶוּ בְיָבֵל ± כִּי בְתֵי עָרֵי הַלְוִיִּם הוּא אֲחֵיהֶם בְּתוֹךְ בְּנֵי יִשְׂרָאֵל ³⁴ ~וּשְׂדֵה מִגֵּרֶשׁ עָרֵיהֶם לֹא יִמָּכַר ± כִּי־אֲחֻזַּת עוֹלָם הוּא לָהֶם: ס
³² As for the cities of the Levites, the Levites shall forever have the right of redemption of the houses in the cities belonging to them. ³³ Such property as may be redeemed from the Levites—houses sold in a city belonging to them—shall be released in the jubilee; because the houses in the cities of the Levites are their possession among the people of Israel. ³⁴ But the open land around their cities may not be sold; for that is their possession for all time.

The meaning of the next unit is rather enigmatic with the main problem being v. 33. If the author just wanted to say that things are different in the Levitical cities in the sense that they would not have the right of redemption for only one year (as above), but until the next Jubilee, then he really opted for a very confusing way of expressing it.

Verse 32 is still fairly straightforward and consists of only one clause. It seems to be another example of a nominal sentence with the verb הִיָּה added to "specify the temporal sphere" (Joüon & Muraoka 1993: 576). But what then would be the subject and which part would be the predicate? The subject is בְּתֵי עָרֵי אֲחֵיהֶם and the predicate גֵּאֻלַּת עוֹלָם תִּהְיֶה לָּוִיִּם. Thus both elements are nouns; the subject being "houses" and the predicate the "everlasting right of redemption" (an abstract

noun in a construct relation with עִיָּוִת (עִיָּוִת). The function of עִיָּוִת הַלְוִיִּים seems to be to change the topic from the normal cities surrounded by walls to specifically the Levitical cities for which exceptional measures are valid.

Verse 33 is a mystery. Let's start by comparing different translations. In the following table we find the New Revised Standard Version (NRSV), the New International Version (NIV) and the New Afrikaans Translation (NAT) along with my English translation (ET) of the latter:

Table 3.29

NRSV: ³³ Such property as may be redeemed from the Levites—houses sold in a city belonging to them—shall be released in the jubilee; because the houses in the cities of the Levites are their possession among the people of Israel.
NIV: ³³ So the property of the Levites is redeemable—that is, a house sold in any town they hold—and is to be returned in the Jubilee, because the houses in the towns of the Levites are their property among the Israelites.
NAT: ³³ Wanneer 'n Leviet 'n huis wat hy in 'n Levietestad gekoop het, terugverkoop aan die oorspronklike eienaar wat nie 'n Leviet is nie, moet die huis in die hersteljaar terugval na die Leviet, want die huise in die Levietestede moet in Israel die eiendom van die Leviete wees. [ET (with my italics): When a Levite sells a house, which he bought in a Levitical city, <i>back</i> to the <i>original owner</i> who <i>is not a Levite</i> , then the house must go back to the Levite in the Jubilee. Because the houses in the Levitical cities in Israel must be the property of the Levites.]

It is clear that the NAT translates much more freely than the other two. But the biggest problem is that the NAT and the NRSV give a totally different meaning to this verse than the NIV. In the NIV it is basically stated that houses of Levites are redeemable until the next Jubilee over against other houses that are redeemable for only one year (as seen above). In the NAT we find legislation that would mean that all houses in Levitical cities will end up in the hands of Levites even if somebody else originally owned them. The NRSV is somewhere in-between and does not really make sense. It starts with reference to houses that may be redeemed from Levites implying that somebody was indebted to a Levite, lost his land, but later managed to redeem it thus, buy it back. Then it continues with “houses sold in a city belonging to them” implying that “them” is the Levites but this does not make sense. If something was redeemed from a Levite then it implies that it originally belonged to somebody else, so how can it belong to “them”? Or does it mean that everything in the Levitical cities belongs to “them” and then even if somebody else managed to get a foothold in there this legislation will mean that it would only be until the next Jubilee? Thus one could construe the meaning of the NRSV as similar to that of the NAT although the latter is much clearer.

The main problem would be how to understand **וַאֲשֶׁר יִגָּאֵל מִן־הַלְוִיִּם**. The most obvious translation would be: “And (with regards to) that which can be (or will be) redeemed from the Levites...” This would mean that somebody (presumably a non-Levite as the NAT expressed) is indebted to a Levite, sells his property to the Levite and later redeems it from the Levite (מִן־הַלְוִיִּם). The NIV translates the **וַאֲשֶׁר** as a result (which is a possibility),³⁴ but then ignores the **מִן־הַלְוִיִּם**. For the NIV it is about Levites redeeming land from other people, but in the NAT and NRSV land is redeemed from Levites.

However one looks at it, it does not make sense. It seems that the New Jerusalem Bible (NJB) offers the most justifiable (and most honest) position by acknowledging that the Hebrew is “unintelligible” (see NJB 167). They understand this scenario as when a Levite buys from another Levite.

The second line of v. 33 is also problematic. The main problem is how to understand the **וַ** in front of “city”? A preposition like **בְּ** would have made much more sense. Most of the translations simply translate it like that (for instance the NIV and NRSV above).

This clause introduced by a **וַ** + perfect of **נָצַח** is immediately followed by a motivating **כִּי**-clause which is also another nominal clause. It seems that we have a combination of a *pendens* construction and a nominal sentence here. The basic structure of the nominal sentence would be, subject, **הוּא** and predicate, **אֲחֻזְתֶּם בְּתוֹךְ בְּנֵי יִשְׂרָאֵל**. Then, on the extreme right of the sentence as a *pendens* construction we have **בְּתֵי עָרֵי הַלְוִיִּם**. This is one option that does not account for the grammatical incongruence between the resumptive pronoun and **בְּתֵי עָרֵי הַלְוִיִּם**. Another possibility would probably be to regard it as some kind of copula which is something that is rather scarce in biblical Hebrew.

This **כִּי**-clause is followed by another clause with marked word order introducing a new topic (**וְשָׂדֵה מְגֻרָשׁ עָרֵיהֶם**). Another **כִּי**-clause follows this directive and once again it is a nominal sentence. In this case the subject would also be a pronoun (**הוּא**) while the predicate is **אֲחֻזְתֵּי עוֹלָם**, with a prepositional phrase added for further description. Both these nominal clauses in vv. 33 and 34 are examples of classification.

³⁴ See Van der Merwe et al (1999: 297).

3.7 Verses 35-38

Table 3.30

<p> ³⁵ וְכִי־יִמּוֹד אֲחִיךָ וּמָטָה יָדוֹ עִמָּךְ וְהִחֲנַקְתָּ בּוֹ גֵר וְתוֹשֵׁב נָדָו עִמָּךְ: ³⁶ אַל־תִּקַּח מֵאִתּוֹ נֶשֶׁךְ וְתִרְבִּית וְיָרְאֵת מֵאֱלֹהֶיךָ וְלָו אֲחִיךָ עִמָּךְ: </p>
<p> ³⁵ If any of your kin fall into difficulty and become dependent on you, you shall support them; they shall live with you as though resident aliens. ³⁶ Do not take interest in advance or otherwise make a profit from them, but fear your God; let them live with you. </p>

The second subsection introduced by וְכִי and the verbal root מוֹךְ is not as long or diverse (in terms of content) as the previous section. These laws focus on when the poor brother “stretches out his hand” to you or as most translations would render it “becomes dependent on you.”³⁵ This is not a chain of wc. + perfects. With both וּמָטָה and וְהִחֲנַקְתָּ the stress is on the penultimate syllable meaning that it is the normal waw cop. + perfect. Still, it seems that we have actions building on each other as we would have had with a chain of wc. + perfects. A scenario is sketched where the poor brother ends up with the fellow Israelite who is to treat him as גֵר וְתוֹשֵׁב³⁶ and his brother is to live³⁷ with him (עִמָּךְ).

Verse 36 continues that if the above-mentioned scenario occurs then one may not take נֶשֶׁךְ וְתִרְבִּית from the person in trouble. This prohibition is followed by a second

³⁵ וּמָטָה is regarded as a Qal perfect of מוֹךְ which can be translated with “schwanken, wanken” (in German) and “totter, shake, slip” (in English) (see Gesenius 1962: 400 or The Dictionary of Classical Hebrew V. 5: 171).

³⁶ One should acknowledge that the preposition בּוֹ is lacking before גֵר וְתוֹשֵׁב above. Despite this, most translations follow the LXX which used בּוֹ here and translates it with “as” or “like.” Grünwaldt (1999: 101-102) discusses this problem rather extensively and offers other interpretation possibilities, but eventually has to agree with what Bertholet (1901: 92) said more than a hundred years ago namely that every proposal is “eine Ausflucht zur Konjektur.”

³⁷ The form of וְיָרְאֵת is another debatable point. BDB (310) attests one similar example of the perfect of חָיָה from Gen 5:5. But why is a different form of the perfect used in the next verse? Another theoretical possibility would be to regard וְיָרְאֵת as a noun (see BDB 312) meaning “kinsfolk.” See also the Dictionary of Classical Hebrew (V. 4: 204-205) for the same findings. This would mean that one could understand this clause as follows:

<p> וְהִחֲנַקְתָּ בּוֹ גֵר וְתוֹשֵׁב וְחַי עִמָּךְ: </p>

If one were to regard it as two clauses of which the second is a nominal sentence one could translate it as: “And you will support him. An alien and a resident and a kinsfolk he is with you.” This means that although the third person masculine pronoun is not used, it is implied. It might also solve the problem of the missing בּוֹ, but nevertheless the description of Bertholet in the previous footnote is also applicable to this suggestion.

(see v. 17) waw cop. + perfect of רָאָה, apparently to function as motivation for the previous directive. The last clause of this verse consists of a waw³⁸ + perfect of חָיָה stating again that your brother will live with you. The next verse does not add anything in terms of content, but (in essence) repeats what has been said until now, be it a different format:

Table 3.31

<p> ³⁷ אֶת־כֶּסֶף לֹא־תַחֲתוּם לּוֹ בַּיֶּשֶׁד וּבְמִרְבֵּית לֵאמֹתֵי אֶכְלֶד ³⁸ אֲנִי יְהוָה אֱלֹהֵיכֶם אֲשֶׁר־הוֹצֵאתִי אֶתְכֶם מֵאֶרֶץ מִצְרַיִם לָתֵת לָכֶם אֶת־אֶרֶץ כְּנַעַן לְהִיּוֹת לָכֶם לֵאלֹהִים: ׀ </p>
<p> ³⁷ You shall not lend them your money at interest taken in advance, or provide them food at a profit. ³⁸ I am the LORD your God, who brought you out of the land of Egypt, to give you the land of Canaan, to be your God. </p>

Verse 37 repeats content-wise what has already been prohibited in the first clause of v. 36. But here it is packaged in the parallelistic chiasm with which we have become familiar now.³⁹ In both clauses we have לֹא and נָתַן. But in the first line the direct object precedes the verb, while it follows the verb in the second. The order of the prepositional phrase also changes from taking the last position in the first line to the first position in the second line.

Verse 38 is theologically the most “laden” up till now. We had a similar expression in v. 17 where YHWH identified himself by using the first person singular plural, but now this sentence is extended by an אֲשֶׁר-clause followed by two לְ + inf. constructs expressing purpose.⁴⁰ It starts with “I am YHWH” and as if somebody were asking “which YHWH?” the אֲשֶׁר-clause answers, “I am the one who brought you out of Egypt!” Two purposes are then expressed: 1) “In order to give you the land of Canaan” and 2) “In order to be your God.”

3.8 Verses 39-46

The next section starts with the same clause that we had in v. 35, but now עִמָּךְ is added to what we had there and this preposition and suffix are quite prevalent in the first few verses of this section as the ovals below indicate.

³⁸ Although the stress is on the last syllable, this is also the only syllable except, of course, for the waw. It is thus impossible to tell whether we have a waw cop. or a wc. BDB (310-311) does list this verb as a perfect of חָיָה.

³⁹ One should add here that the character of this parallelistic chiasm is different from the others, because the position of the verb does not really change, but rather the other elements in the sentence.

⁴⁰ Theoretical the two lines with the לְ + inf. cs. is not a clause, but I still laid the lines out in this manner to express the two purposes separately.

Table 3.32

³⁹ - וְכִי־יִמְדֶךָ אֶחָיִד עִמָּךְ וְנִמְכַרְלָךְ לֹא־תַעֲבֹד בּוֹ עַבְדָּת עָבֵד: ⁴⁰ כְּשֹׁכֵר כְּתוֹשֵׁב יִהְיֶה עִמָּךְ עַד־שָׁנַת הַיָּבֵל יַעֲבֹד עִמָּךְ
³⁹ If any who are dependent on you become so impoverished that they sell themselves to you, you shall not make them serve as slaves. ⁴⁰ They shall remain with you as hired or bound laborers. They shall serve with you until the year of the jubilee.

The כִּי-clause is followed by a wc. + perfect indicating the result of the poverty of the brother, namely being sold (Ni of מכר) “to you” or the addressee of these laws. A directive stating you “will not treat him as a slave” immediately follows this sentence.⁴¹

Verse 40 starts with another nominal sentence (with the imperfect of היה marking future time). The next clause states that a person will only serve until the next Jubilee (עד-שְׁנַת הַיָּבֵל). This is followed by another short chain of wc. + perfect which is concluded with a further parallelistic chiasm:

Table 3.33

⁴¹ וַיֵּצֵא מֵעִמָּךְ הוּא וּבָנָיו עִמּוֹ וְשָׁב אֶל־מִשְׁפַּחְתּוֹ וְאֶל־אֲחֻזַּת אֲבוֹתָיו יָשׁוּב:
⁴¹ Then they and their children with them shall be free from your authority; they shall go back to their own family and return to their ancestral property.

Verse 41 specifically states that the person along with his sons and wife will “go out” (wc. + perfect) in the Jubilee. The same parallelistic chiasm follows which we have had on many occasions before.⁴² Interestingly אֶחָיִד is further qualified by “his fathers” (אֲבוֹתָיו). Thus the short wc. + perfect chain continues the directive in v. 39, while v. 40 is only an extension of that directive.

Table 3.34

⁴² ± כִּי־עַבְדֵי הֵם אֲשֶׁר־הוֹצֵאתִי אֹתָם מֵאֶרֶץ מִצְרַיִם לֹא יִמָּכְרוּ מִמִּכְרַת עָבֵד: ⁴³ לֹא־תִרְדֶּה בּוֹ בַּפָּרֶךְ וַיִּרְאֵת מֵאֶלְהֵיךְ:
⁴² For they are my servants, whom I brought out of the land of Egypt; they shall not be sold as

⁴¹ BDB (713) translates this usage of עבד with the preposition כִּי as “use him as slave.” In the rest of the sentence the root עבד is also very salient. The last two words of the sentence form a construct relation between עֲבָדָה (BDB, 715 “labour, service”) and עָבֵד (BDB, 713 “slave, servant”).

⁴² See also Joüon & Muraoka (1993: 585) who identify a chiasm here. They prefer to call it an “attraction”, though.

slaves are sold.⁴³ You shall not rule over them with harshness, but shall fear your God.

It seems that the כִּי-clause (once again a nominal sentence) is used to support the directives in v. 39 and then the chain of *wc.* + perfects above. It is clearly stated why Israelites should not be regarded as slaves, the reason being that they are already the slaves of YHWH, which he brought from Egypt. More directives now follow prohibiting the addressees from selling fellow Israelites as “the sale of a slave”⁴³ and they are not allowed to rule (רדה) over them in “harshness” (פְּרֹדָה). This second directive is followed by the third example of the clause וַיִּרְאֶתָּה מֵאֵלֶיךָ. Thus, no Israelites are allowed to become “real slaves” in the sense of owning people as possessions. But this is only with regards to fellow Israelites and they were actually allowed to own other people as possessions.

To return to the problem of the *waw cop.* + perfect, Joüon & Muraoko (1993: 641-642) understand this example of וַיִּרְאֶתָּה in v. 43 as an adversative *waw*. This is usually the case after a negative clause. Interestingly enough one could translate at least five of the *waw cop.* + perfects in this manner and it would make sense. The five examples are the three occurrences of וַיִּרְאֶתָּה (vv. 17, 36 and 43) along with וַצִּוִּיתִי (in v. 21) and וַהֲשִׁיגָה (in v. 26). All five these examples follow a negative clause. This explanation does however not account for וַמָּטָה and וַהֲחִנֹּקֶתָּה in v. 35. It just shows that there are many things about Hebrew grammar that we do not really know.⁴⁴

Table 3.35

<p>⁴⁴ וַעֲבַדְתָּ אֲשֶׁר יִהְיֶה-לְךָ מֵאֵת הַגּוֹיִם אֲשֶׁר סְבִיבֹתֶיכֶם מִהֶם תִּקְנֶנּוּ עֶבֶד וְאִמָּה: ⁴⁵ וְגַם מִבְּנֵי הַתּוֹשְׁבִים הַגֵּרִים עִמָּכֶם מִהֶם תִּקְנֶנּוּ וּמִמִּשְׁפַּחְתָּם אֲשֶׁר עִמָּכֶם אֲשֶׁר הוּלְדוּ בְּאֶרֶצְכֶם לְךָ לְאִחְזָה:</p>
<p>⁴⁴ As for the male and female slaves whom you may have, it is from the nations around you that you may acquire male and female slaves. ⁴⁵ You may also acquire them from among the aliens residing with you, and from their families that are with you, who have been born in your land; and they may be your property.</p>

Verse 44 seems to be one big pendens construction. In the first clause we find the constituent וַעֲבַדְתָּ אֲשֶׁר יִהְיֶה-לְךָ, which is later taken up again in the following sentence as,

⁴³ According to BDB (569), מִמְכָּרָהּ is a feminine noun in the construct state and they translate it as “sale.” This is the only place where it occurs in the BHS. Joüon & Muraoko (1993: 450-451) call this construction an “internal object.” They define it as follows:

The internal object is an abstract noun of action, identical with, or analogous to the action expressed by the verb.

In this instance the internal object (מִמְכָּרָהּ) is qualified by a construct relation with עֶבֶד. They (Joüon & Muraoka 1993: 452) translate this verse as “they shall not be sold as one sells a slave.”

⁴⁴ A further problem here would be the fact that Joüon & Muraoka (1993: 641-642) actually regard וַיִּרְאֶתָּה here as a *wc.* + perfect or what they call an “inversive” *waw*. See Joüon & Muraoka (1993: 134) for reasons why the stress is on the penultimate syllable.

עֶבֶד וְאִמָּה. Van der Merwe, et al (1999: 339) does not regard a dislocated phrase “as part of the subsequent clause, but a construction occurring at the outer edge of a BH clause” which is usually followed by a complete sentence. The function of this type of construction usually is (as we already expressed above) to “(re-)activate an identifiable referent that is talked about.” In this case one could say that the referent is activated for the first time, being the nations surrounding them from whom Israelites may take slaves.

It is not only from surrounding nations that this is allowed, but what is more, Israelites may take slaves from the residing aliens (מִבְּנֵי הַתּוֹשְׁבִים הַגֵּרִים). Verse 45 has a rather complicated structure with what seems like a further pendens construction. In terms of syntax one could say that מָהֶם תִּקְנֶנּוּ is the first main sentence. This main sentence is extended by a clause preceding it introduced by וְ in which we find the constituent מִבְּנֵי הַתּוֹשְׁבִים הַגֵּרִים. The latter is taken up in the following main sentence as a suffix (מָהֶם). The next clause starts with the phrase, וּמִמִּשְׁפַּחְתָּם which is extended with two וְאִשְׁרָאֵלִים-clauses and the question is whether one should regard this as a further extension of the previous main sentence? Another option would be to understand it as an extension to what follows namely, וְהָיוּ לְכֶם לְאֻמָּה. But it seems rather unlikely that a clause starting with a wc. + perfect could have a subordinate clause preceding it. Thus it seems that מָהֶם תִּקְנֶנּוּ is extended by a clause preceding it and a clause following is. The next sentence (וְהָיוּ לְכֶם לְאֻמָּה) is more like a concluding or summarising sentence stating that all the above mentioned people can be possessed as slaves.⁴⁵

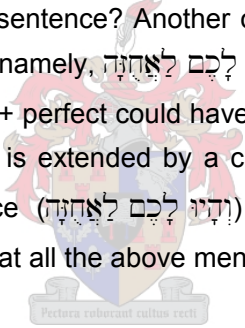


Table 3.36

⁴⁶ וְהִתְנַחֲלֶתֶם אֹתָם לְבָנֵיכֶם אַחֲרֵיכֶם לְרֵשֶׁת אֻמָּה לְעַלְמֵי בָּהֶם תַּעֲבֹדוּ וּבְאַחֲיֵיכֶם בְּנֵי־יִשְׂרָאֵל אִישׁ בְּאֻחָיו לֹא־תִרְדֶּה בּוֹ בְּפָרְדָּ: ס
⁴⁶ You may keep them as a possession for your children after you, for them to Inherit as property. These you may treat as slaves, but as for your fellow Israelites, no one shall rule over the other with harshness.

The first clause of v. 46 starts with the usual wc. + perfect and is basically synonymous with the last phrase of v. 45. It can be regarded as another chain. This clause is completed with a לְ + inf. cs. expressing something like result or consequence.⁴⁶ The second line in the table above is much more unusual. It stands out because the object precedes the verb. Added to this the only way to make sense

⁴⁵ Theoretically (i.e. following the theory of Joüon & Muraoka) this should also be regarded as a nominal clause.

⁴⁶ According to Van der Merwe et al (1999: 155) the inf. cs. can express the “outcome or consequence of the finite verb.”

of this clause is to regard it as the unusual usage of עבד which usually means something like “to serve” or “to be a slave”, but here apparently means “to treat as slave.” This is similar to what we had in v. 39 where עבד was used in the same sense and the preposition ב was also used to indicate the object. Thus following a chain of two wc. + perfects which refer (again) to the people that can be owned as slaves we find this short clause of marked word order reiterating again that these people (בְּהֵם) “and no one else”⁴⁷ can be treated as slaves.

The last phrase is a further directive preceded by another pendens construction, be it somewhat more complicated than usual. If we were to discuss it backwards, the main sentence would be: לֹא־תִרְדֶּה בוּ בַּפְּרֶדֶד. Preceding this we have אִישׁ בְּאָחִיו. This is clearly a pendens construction because it is later taken up again in the main sentence as בוּ. But preceding this phrase we find: וּבְאֶחֱיִיכֶם בְּנֵי־יִשְׂרָאֵל. It starts with an adversative waw which one should understand in the light of the previous marked clause. That reiterated that other people can be treated as slaves and now the spotlight moves to the Israelites, “your brothers.” In this last line the preposition ב occurs three times. One could understand all three cases as indicating the object of the verb רדה. The interesting thing is that there seems to be progression in this line or more accurately as if the author increases the focus. The first ב refers to “your brothers” then in apposition to that the “sons of Israel”, but then the second ב focuses more by changing to singular “a man towards his brother” and lastly we find the verb followed by ב and the personal pronominal suffix. It is as if the references becomes more precise and more intimate in order to express the utter foolishness of turning a fellow Israelite, a brother into a slave, or a mere possession.

3.9 Verses 47-55

Where the above section focused on Israelites becoming poor and becoming dependant on fellow Israelites the focus changes now to the scenario where an Israelite becomes dependant on a גר or a תושב.

Table 3.37

⁴⁷ - וְכִי תִשִּׁיג יַד גֵּר וְתוֹשֵׁב עִמָּךְ וּמִן אֶחָיִךְ עַמּוֹ וְנִמְכַר לְגֵר תוֹשֵׁב עִמָּךְ אוֹ לְעַקֵּר מִשְׁפַּחַת גֵּר:
⁴⁷ If resident aliens among you prosper, and if any of your kin fall into difficulty with one of them and sell themselves to an alien, or to a branch of the alien’s family,

⁴⁷ Van der Merwe et al (1999: 347) would define this example as a case of an entity becoming the focus of an utterance and more specifically as “confirming the personal or exclusive role of a specific discourse active entity in an event.”

The scenario is once again sketched with the use of a temporal כִּי-clause and a *wc.* + perfect series following. In this scenario a foreigner becomes a person of means and a brother becomes poor and end up being sold to a foreigner or to “a branch of the alien’s family.” So what should happen in this case?

Table 3.38

<p>אַחֲרֵי נִמְכַּר נִאֲלָה תִּהְיֶה לּוֹ אַחֲדָם מֵאֲחֵיו יִנְאָלֵנּוּ: אוֹדְדוּ אוֹ בְּרִדְדוּ יִנְאָלֵנּוּ אוֹרְמִשָּׂאֵר בְּשָׂרוֹ מִמִּשְׁפַּחְתּוֹ יִנְאָלֵנּוּ אוֹרְהִשִּׁינָה יָדוֹ יִנְאָלֵנּוּ:</p>
<p>⁴⁸ after they have sold themselves they shall have the right of redemption; one of their brothers may redeem them, ⁴⁹ or their uncle or their uncle’s son may redeem them, or anyone of their family who is of their own flesh may redeem them; or if they prosper they may redeem themselves.</p>

The next two verses are very adamant that in such a case only one result can be foreseen for this brother and that is נִאֲלָה. In the table above the six lines does not technically indicate clauses, because the last line has more than one verb, but laid out like this it is clear that there is a repetitive structure in these verses. In each line we have either a verb or a noun derived from the root נִאֲלָה. The first line functions as a heading and refers back to the previous part, “after he is sold”, and then the prescriptions follow. The next line just states that he will receive נִאֲלָה. And then as if to make sure that the readers understand the full implication of this prescription it is clearly stated who is responsible for this נִאֲלָה. These prescriptions start with the first person responsible and then with every next line⁴⁸ the spotlight becomes larger including more and more people until the whole מִשְׁפַּחָה is included. Yet every line concludes with the verb יִנְאָלֵנּוּ. That is, with the exception of the last line, where the person is not redeemed by another, but recovers and “is redeemed.” This last phrase seems to leave a “loop-hole” in the prescription foreseeing the possibility that the people mentioned in the previous three lines do not accept their responsibility. Still, the last word of v. 49 anticipates “redemption” for this “poor brother.” So, now that it is clear who is responsible for the redemption, the question remains how this redemption should be executed?

⁴⁸ According to Joüon & Muraoka (1993: 632) an ׀ “can extend its force to a second supposition introduced by ׀” and then they refer to this example.

Table 3.39

<p>⁵⁰ וְחָשַׁב עִם־קֹנְהוֹ מִשְׁנַת הַמִּכְרֹ לֹא עַד שָׁנַת הַיְבֻל וְהָיָה כֶסֶף מִמִּכְרוֹ בְּמִסְפַּר שָׁנִים כִּימֵי שְׂכִיר יִהְיֶה עִמּוֹ: ⁵¹ אִם־עוֹד רַבּוֹת בְּשָׁנִים לְפִי־הֶן יֵשֵׁב וְאַלְתּוֹ מִכֶּסֶף מִקְנָתוֹ ⁵² וְאִם־מְעַט נִשְׁאָר בְּשָׁנִים עַד־שְׁנַת הַיְבֻל וְחָשַׁב לֹא כִפֵּי שָׁנָיו יֵשֵׁב אֶת־גְּאֻלָּתוֹ:</p>
<p>⁵⁰ They shall compute with the purchaser the total from the year when they sold themselves to the alien until the jubilee year; the price of the sale shall be applied to the number of years: the time they were with the owner shall be rated as the time of a hired laborer. ⁵¹ If many years remain, they shall pay for their redemption in proportion to the purchase price; ⁵² and if few years remain until the jubilee year, they shall compute thus: according to the years involved they shall make payment for their redemption.</p>

Verses 50-52 are about the “nitty-gritty” details of these transactions and are similar to what we had in vv. 14-17 and 26-27. Verse 50 starts with a wc. + perfect of חָשַׁב following the וְנִגְאָל above. It is stated that the person⁴⁹ sold shall “calculate” with “his buyer” from the specific year (מִשְׁנַת) when the person was sold until the year (עַד שָׁנַת) of the Jubilee. Following this we have two clauses both making statements with regards to these years. First something like the following is stated: “The money of his selling price will be like the number of years.” And then: “Like days of hired labour it shall be for him.”

This is stated more clearly in vv. 51 and 52. Similar to v. 16 we have both options, “if the years are many” and “if the years are few.” Both clauses start with אִם which introduces the protasis of the conditional sentence. But the apodasis are introduced by different forms of the verb. In v. 51 it is the Hiphil imperfect of שׁוּב and in v. 52 it is the wc. + perfect of חָשַׁב. This does not seem to make much difference. The end result is reiterated again in the last line of v. 52 with another Hiphil imperfect of שׁוּב.

Table 3.40

<p>⁵³ כְּשֹׂכֵר שָׁנָה בְּשָׁנָה יִהְיֶה עִמּוֹ לֹא־יִרְדְּנוּ בְּפֶרֶךְ לְעֵינֶיךָ: ⁵⁴ וְאִם־לֹא יִגְאָל בְּאַלְהָהּ וְיֵצֵא בְּשְׁנַת הַיְבֻל הוּא וּבָנָיו עִמּוֹ:</p>
<p>⁵³ As a laborer hired by the year they shall be under the alien’s authority, who shall not, however, rule with harshness over them in your sight. ⁵⁴ And if they have not been redeemed in any of these ways, they and their children with them shall go free in the jubilee year.</p>

Verse 53 already seems to refer to the case where the “brother” is not redeemed, because the instruction now is that he will be like a שְׂכִיר with the alien as we had in

⁴⁹ It is not clear why the NRSV above translates this with the plural.

v. 40. Furthermore Israelites are responsible (לְעֵינֶיךָ) to see to it that their brother is not treated in פְּרָךְ by this alien similar to the instructions we had in v. 43. And then v. 54 states the final option for this man if none of his brothers redeem him. He will go out (יֵצֵא) in the Jubilee along with his sons.

Table 3.41

כִּי־לִי בְנֵי־יִשְׂרָאֵל עֲבָדִים עֲבָדֵי־יְהוָה אֲשֶׁר־הוֹצֵאתִי אֹתָם מֵאֶרֶץ מִצְרָיִם אֲנִי יְהוָה אֱלֹהֵיכֶם:
⁵⁵ For to me the people of Israel are servants; they are my servants whom I brought out from the land of Egypt: I am the LORD your God.

The final verse in this chapter is theologically very laden. It is introduced by a כִּי followed by two nominal clauses. It is the same motivation as we had in v. 42, but it is amplified with further theological claims. In v. 42 we only had, כִּי־עֲבָדֵי הֵם, but now we have כִּי־לִי בְנֵי־יִשְׂרָאֵל עֲבָדִים עֲבָדֵי הֵם. Basically the same thing is repeated using different words. Note that this can also be described as a parallelistic chiasm. Above I have underlined what I understood as the predicates and blocked the subjects. This makes the impact greater than what we had in v. 42.

Like v. 42 (and 38) we also have an אֲשֶׁר clause reminding the readers of the Exodus and YHWH's special claim on the Israelites. The concluding statement is YHWH claiming his identity as their God (אֱלֹהֵיכֶם) again as he had done in vv. 17 and 38.

3.10 Conclusion

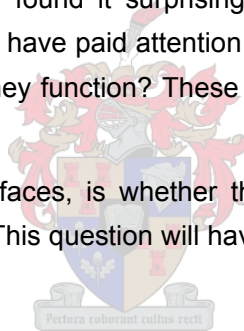
Above I chose to use the term “synchronic” as referring to a kind of study that is not interested in constructing the development of a text, but only attempts to describe the text in its current state. Thus synchronic became a synonym for other terms which biblical scholars use like “text-immanent” or what some would call a “literary reading.” In a strict sense this was not what Saussure meant when he coined the concept, but it was an attempt to be consistent. What I’ve done above was only to describe the grammatical features of the Masoretic text. I did not bother with possible diachronic ways of reading the text, neither with dating the text, although initially I did not exclude the latter possibility. The main objective was to get a “grip” on the text on which further engagements with the text could be based. I suppose that that is where *all*⁵⁰ readings of a text start.

⁵⁰ By this I mean that even traditional diachronic studies, even in the strict *Literarkritik* sense, had to start with the final form of the text. Yet, a scholar looking for layers asks different questions of a text. They would look for “inconsistencies” and “doublets” and other features that might betray the “seams” of the text and which would then be used to distinguish layers.

In this light I have tried to describe striking or salient grammatical features. These included features like, *wc.* + perfect series, marked word order, nominal sentences and the particle ׀. A question resulting from identifying these features would be why so many theologically rich parts are clothed in either ׀-clauses or nominal sentences or combinations of both? Is this a typical biblical Hebrew way of motivating directives or even of appealing to a reader? I do not need to say more about these now, but in the next chapter I will revisit these and specifically ask what possible role they play in persuasion. What I mean with this concept will become clearer in the next chapter. Yet, the fact that Van der Merwe et al (1999) often provided suggestions as to what they called the “semantic-pragmatic” functions of grammatical features, has already helped us on the way to that objective.

There is one feature of the text that I definitely need to explore in the next chapter. That is a kind of stylistic preference of the authors to use what I have provisionally called “parallelistic chiasm.” With this term I meant that it is a chiasmic structure that also shares certain (repetitive) characteristics with what has traditionally been called parallelism in Hebrew poetry. I found it surprising that apart from Jacob Milgrom (2001)⁵¹ so few biblical scholars have paid attention to these features.⁵² We will have to ask what these do, or how they function? These are further questions that will be addressed in the next chapter.

Another question that then surfaces, is whether the texts surrounding chapter 25 share some of these features? This question will have to be addressed in the chapter following the next one.



⁵¹ Milgrom (2001: 2158, 2163, 2170, 2180, 2200 and 2225) identifies most of these features, which he only calls “chiasm.” He seems to miss the one in v. 18, although I might have missed it in his text. He also constructs the example in v. 22 differently with the two ׀ phrases (see table 4.14) forming a centre (Milgrom 2001: 2180).

⁵² Joüon & Muraoka (1991: 585) mention the example in v. 41, but only calls it chiasmus, or their preferred term, “attraction.” Reventlow (1961: 130) has also identified the chiasm in v. 10 which he calls a “geprägte Form, mit Parallelismus membrorum und chiasmischer Stellung.” He does not identify the similar example in v. 41.

CHAPTER 4

PERSUASIVE FEATURES OF LEVITICUS 25

4.1 Introduction

In the previous chapter I identified many grammatical features that I thought were characteristic of Leviticus 25. The question that we concluded with there was what role these might have played in persuading a possible audience and whether it would be possible to identify some features as playing a more important role in persuasion than others. This is what I will attempt in this chapter and it will be done by means of criteria that Watts (1999) identified in a study on “the rhetorical shaping of the Pentateuch.” In the rest of the chapter a short summary will follow of his views and then I will attempt to apply them critically to this text. I should reiterate, though, that what is attempted in this chapter could at stages be understood as repetition of what I already did in the previous chapter. The “borders” between what I did there and what I am attempting now are not always that clearly drawn. Or, to state it the other way round, what I did in the previous chapter could be included under what some scholars understand under rhetorical criticism.¹

As I promised at the end of chapter 2 the term “ideology” will also return at the end of this chapter. As we will see, attempting to identify persuasive features in a text provides us with glimpses of how the people to whom this text was addressed understood themselves. Before we turn to Watts I do need to sum up my demarcation of this chapter which, is based on the grammatical observations in the previous chapter and specifically the use of כִּי:

Part 1, verses 1-2a:	Introduction of divine speech
Part 2, verses 2aβ-13:	Basic laws on the Sabbath and the Jubilee
Part 3, verses 14-17[18-19]:	Taking care of the עֲמִיתָ [with parenetic part]
Part 4, verses 20-22[23-24]:	What shall we eat? [with “hinge”]
Part 5, verses 25-34:	First case: What to do with the אֲחִיךָ
Part 6, verses 35-38:	Second case: Taking care of the אֶחָ
Part 7, verses 39-46:	Third case: The case of an עֲבָד
Part 8, verses 47-55:	Fourth case: The problem of a rich גֵּר

My reasons for naming the sub-units as I did here should become apparent in the discussion that follows.

¹ One example would be Vernon Robbins (1996). What he (1996: 7-39) calls the “inner texture” of a text sounds similar to some of the things that I tried to identify in the previous chapter.

4.1.1 Rhetorical criticism according to Watts

In the rest of this chapter I will extensively make use of the proposals of Watts (1999 and 2003) on rhetorical criticism. His studies are useful, because he focuses on biblical law and thus the Pentateuch.² Another important aspect of his proposals is the fact that the kind of rhetorical criticism that he offers is not a-historical. We will see later that he also dates the “compilation” of the different layers of the Pentateuch in the Second Temple Period. It is also in this period that he imagines the audience that is addressed by the text. In this regard he is actually critical of “rhetoric” that is “a-historical” as the following quote from a recent essay by him shows (Watts 2003: 80):

Though rhetoric has come to be associated in biblical studies with purely literary analysis of structure and style, ancient and modern rhetoric have usually addressed such issues from the larger perspective of argumentation, asking how speakers and writers influence their listeners and readers. Literary study then becomes more than an analysis of the text itself; it aims to understand texts as transactions between authors and audiences. Rhetoric therefore calls attention to both the literary features of a text and the real writers and readers whose ideas motivated its formation.

In terms of what we said in 3.1.1 above, his work could thus be described as synchronic, but still historical.

In the first chapter of his book, Watts (1999: 15-31) argues that there existed a tradition of reading law aloud in Israel and that this played a role in the shaping of the Pentateuch. In support of his hypothesis Watts (1999: 29) argues that “the narrative context of Pentateuchal law confirms that the Torah is intended to be read as a whole.” It is exactly this combination of narrative and law (or story and list, as he tends to call it) that was intended to make the Pentateuch a persuasive document. His second argument in support of his hypothesis is that many features of the Pentateuch “make sense as rhetorical devices to aid aural reception of the law.”³ In his second chapter (1999: 32-60) he then argues that Greco-Roman theorists considered the combination of story and list as dangerous, a seemingly “unfair” way of attempting to convince people, appealing to people’s emotions and not to their

² Other examples of rhetorical criticism have tended to focus on narrative and poetic texts. A good example would be the work of Tribble (1978, 1984 and 1994). The first two focus on narrative texts, while the latter treated Jonah (a mixture of narrative and poetic texts). See also the comments by Watts (1999: 35).

³ What Watts is arguing here should not be understood as an attempt to reconstruct the oral traditions that were used in the making of the Pentateuch. In a later essay Watts (2003: 81-83) is, for instance, very critical of scholars who have attempted to reconstruct what he calls “the forms of oral priestly teaching.” He is especially critical of form-critical attempts to construct the “genre of these ritual texts.” He is thus not interested in how these laws might have functioned in their original forms in a pre-literate context, but in how they might have persuaded audiences in a literate context when read aloud.

reason (see especially Watts 1999: 37-40).⁴ Yet biblical authors did not share these sensitivities and used this combination extensively and thus we have what we now know as the Pentateuch, which is an extensive combination of law and list. There also seems to have been examples of this combination in ancient literature, which leads him to the following conclusion (1999: 45):

The combination of story and list appears too widely and too predictably to be regarded as a distinguished feature of a particular genre (though in Israel's culture it did become a typical feature of Torah). It should rather be regarded as a strategy of persuasion employed by many cultures in a variety of literary genres for the purpose of convincing readers and hearers of document's, and its author's, authority. The combination of story and list can serve as evidence neither of literary dependence nor of a document's date of composition. Instead, it indicates the rhetorical setting of the literature and the persuasive goals motivating its composition.

One might now think what all of this could mean when reading Leviticus 25, because it might be a combination of different kinds of laws some apparently more apodictic and other more casuistic, but still it is *only* law and where is the narrative? In the next chapter (chapter 5) Leviticus 24 will be discussed, which is partly narrative and preceding chapter 25, but we will see in this chapter that some of the persuasive strategies used in chapter 25 are referring to the broader narrative of the Pentateuch. As we will see this is especially true when YHWH enters the fray.

Speaking of which, a third element that Watts (1999: 45-49) adds to story and list is what he calls "divine sanction" (Watts 1999: 45):

Ancient texts frequently invoke the power of religion to strengthen their persuasive appeal, a rhetorical device of which the classical theorists disapproved.

This is often invoked through blessings and curses and we do not have to mention that Leviticus 26 is full of both, although we do have the short parenetic text in chapter 25 (vv. 18-19), but more of that below. The point is that these elements of story, list and divine sanction are, according to Watts, important building blocks in the persuasive make-up of the Pentateuch.

⁴ Watts (1999: 37-40) uses the work of O'Banion extensively who apparently blamed Aristotle "for the de-emphasis on narration in Western thought in general and in rhetorical theory in particular." The following quote from O'Banion explains why he blamed Aristotle (quoted from Watts 1999: 37):

Since to him the essence of an argument was 'to state a case and to prove it', Aristotle accordingly considered narratio and all 'introductory' matters to be 'superfluous' or for 'weak' audiences (*Rhetoric* 3.13-14). ... Such concerns were unfortunate tasks preliminary to proceeding with what, at least to him, really mattered—the reasons and the evidence.

Watts (1999: 37-38) continues (following O'Banion) that it was the Roman orators, Cicero and Quintilian who much later re-established the importance of narrative. Yet, O'Banion demonstrated that the influence of Aristotle was quite pervasive in Western culture. The result of this was "that the narrative methods of argumentation were disassociated from the analytical methods of reason and proof, and usually isolated within the separate discipline of literary theory."

In his third chapter, Watts (1999: 61-88) provides a specific description of some of the most important features of the persuasiveness of the Pentateuch as the following quote explains (1999: 62):

Several stylistic traits of biblical law seem intended to further its aural reception. Previous studies in Pentateuchal law have devoted considerable attention to two such devices: hortatory addresses and motive clauses. Other prominent features of the legal collections, such as repetition and variation, also make rhetorical sense as didactic devices.

I will therefore divide the following discussion into three parts namely “address”, “motivation” and I will discuss “repetition” and “variation” together, since I am strongly under the impression that the two are often intertwined, or at least two sides of the same coin.

4.2 Address

Under “address” Watts (1999: 62-65) discusses the fact that parts of the Pentateuch are in and addressed to the second person, while other parts are in the third person. Apodictic parts are usually directed to the second person, while casuistic laws, can be a mixture of the two (see especially 25:35-38 and 39-46). He provides a good summary of where we find what kind of law, and with regards to Leviticus his summary is worthwhile quoting (1999: 63):

The sacrificial regulations of Leviticus 1-7⁵ generally take the form of third-person casuistic law, but the rules for the grain offering take a second-person plural casuistic form that alternates between singular and plural (Lev. 2.4-16) and dietary prohibition on fat and blood appear in second-person plural apodictic form near the end of the collection (7.22-27). Second-person plural address shapes the dietary rules (ch. 11) but the following purity regulations (chs. 12-15) take third-person casuistic form. In the Holiness Code, sections dominated by laws in the second-person (Lev. 18-19; 23-24) and third-person (chs. 17; 20.1-16; 27) are interspersed with sections that mix third-person casuistic formulations with second-person apodictic commands (20.17-22.33; 25).

This is, for instance, in contrast to Deuteronomy which “maintains a second-person form of address throughout that is consistent with its setting as a speech, but it varies between singular and plural and between apodictic and casuistic formulas” (Watts 1999: 63). But with regards to Leviticus, we thus see that chapter 25 is a combination of both texts addressed to the second person (both plural and singular) and texts in the third person. This feature of the text has been used by generations of (mostly German) historical-critical scholars to do “source criticism” or *Literarkritik*, which meant “looking-for-layers” by focusing on this change in person in the text. The best

⁵ See Watts (2003: 79-100) for a closer analysis of Leviticus 1-7.

two examples of scholars⁶ who based *Literarkritik* on the change of person were Elliger (1966a) and Cholewinski (1976). Both their efforts (and those of others) have been criticised by many⁷ of which the latest examples have been Grünwaldt (1999)⁸ and Milgrom (2001).⁹

The question that one could ask then would be whether there could be another synchronic way of explaining this change in person other than arguing that they represented phases in the development of the text? Watts (1999: 64) does provide some kind of an answer as the next quote illustrates:

⁶ Even somebody like Hartley attempts to do this and he describes the three “distinctive styles” in this text as follows (1992: 425):

... impersonal laws (vv 26-34,[41], 42, 48-54 [less 53bβ]), laws in the second person singular (vv 3-5, 6-7, 8-9a, 14a, 15-16, 17ba, 25, 35-37, 39-40, [41], 43-44a, 46bβ, 47, 53b) and material, both paraenetic and legal, cast in the second person plural (vv2aβ+b, 9b-13, 14b, 17a, 17bβ-24, 38, 44b, 45, 46a+ba, 55b). Literary critics use these variations in style as one means of identifying a variety of sources.

He also (see Hartley 1992: 425-426) discusses other attempts through the years to identify layers like Kilian, Elliger and Cholewinski. Hartley (1992: 426) himself identifies at least two editions. The first edition is identified by the second person singular “at the structural seems.” This editor probably incorporated the “impersonal law.” The second editor is characterised by the second person plural forms:

Later, when this legislation became included as one of the speeches in the division on holy living, the speaker, who preferred the second person plural, included material to strengthen the rhetorical and ideological force of this speech. That person may have added the paraenetic material (vv 17, 18-19), the formulae of Yahweh’s self-identification (vv 38, 55), and the disputation (vv 20-22), tying this speech more tightly into the laws on holy living.

This second redaction thus added the “more theologically laden” material. Sun (1990: 548-550) argues similarly.

⁷ Gerstenberger (1993: 340) is, for instance, not that enthusiastic about using this change in person to divide into layers as the following quote explains:

Das ausgedehnte und wortreiche Kap. ist mit erstaunlich konzentrierter, wörtlicher Anrede durchzogen. Man fühlt sich bei der Lektüre in einen Vortragssaal oder einen Gottesdienst versetzt. Die Redeformen bleiben aber nicht gleichmäßig in der 2. Pers. Plur. wie in Lev. 24, sie fallen immer wieder in den Sing. oder treten hinter einer unpersönlich neutralen 3. Pers. ganz zurück. Nun ist der Wechsel zwischen Plur. und Sing. in der direkten Anrede nicht immer gleichbedeutend mit einer Veränderung des Schauplatzes, an dem die Rede ergeht. Auch wir sind gewohnt, kollektive Anreden im Sing. zu hören: Liebe Gemeinde! Verehrte Festversammlung! Innerhalb einer Predigt oder Ansprache kann dann durchaus die plur.e Redeform, die jeden einzelnen in der Menge meint, mit der sing.en, welche die Einzelperson herausgreift, wechseln.

Although Gerstenberger never uses the term “rhetoric” he still understands the change in person as some kind of persuasive strategy that is typical of speeches and sermons, thus when a text is read aloud. In this regard his view is thus akin to that of Watts.

⁸ The main problem with this option is that the exponents have difficulties to consistently fit their layers into their schemes. Grünwaldt (1999: 105-106), for instance, criticises both Elliger and Cholewinski for inconsistencies. Both find that the third person singular or “impersonal” parts are the oldest, with the second person plural layer as the latest. One example with regards to Cholewinski, whom Grünwaldt regards as the most consistent exponent of this trend (1999: 105), will suffice. He regards vv. 13-17a as part of the second person singular layer, but this part is actually full of parts formulated in the second person plural (e.g. vv. 13b, 14b, 17aαb). Grünwaldt (1999: 106) then concludes:

Gerade der Befund in V.13-17 zeigt, daß der Numeruswechsel als literarkritisches Kriterium in Rechtstexten nicht überall taugt. Hier sind Sätze in 2. Pers. Sing. mit Sätzen in 2. Pers. Plur. untrennbar verbunden, ebenso wie in der zweiten Hälfte des Kap.s Passagen in 2. Pers. Sing. oder 2. Pers. Plur. mit unpersönlich formulierten Sätzen eine Einheit bilden.

⁹ Milgrom (2001: 2150) has the following to say with regards to scholars who identify literary strata:

I shall follow the last position [i.e. scholars not attempting to distinguish layers - EEM], not because the identification of the literary strata is too difficult, but because the search for them—if they exist at all—is meaningless. The chapter, as is, flows logically and coherently. Even if the redactor had different sources before him, he welded them together in such an artistic and cogent sequence that it suffices to determine what he had in mind. This view is echoed in rabbinic literature: ...

Second-person address gives commandments a sense of immediacy and urgency lacking in the hypothetical formulation of (usually) third-person casuistic laws. The 'you' addressed by YHWH and Moses is typified by but not limited to the Israelites in the wilderness. Hearers and readers are likely to feel directly addressed and therefore obliged to respond.

A "logical" deduction from this would then be that the second person laws were more important for the author than the third person laws to get across. Watts does not argue this in the rest of his discussion, but if he says that second-person address has a "sense of urgency" that is lacking in third-person casuistic laws, then one could deduct that. Yet, I do not think that it would be possible to consistently argue that. Would it then mean that the biblical authors regarded apodictic law as more important than casuistic law? The former is usually directed at the second person, while the latter can be a mixture. This does not seem that maintainable and to complicate this issue further at least two of the four "cases" in the second half of Leviticus 25 are dominated by second person (both plural and singular) forms. In what follows I will explore this issue further along with another that Watts does not touch on. This is the fact that we have singular and plural forms in the second person in Leviticus 25 and it is a question whether some "persuasive" or "rhetorical" effect might have been meant by often changing between them.

A scholar like Jan Joosten (1996: 47-54) does explore this issue in the Holiness Code and he identifies three modes of address in the Holiness Code (Joosten 1996: 48):

- a. second person plural addressed to the community; in H this is the neutral mode, being used throughout;
- b. second person singular addressing each member of the collective individually; in H this mode is fairly frequent in Lev 18, 19 and 25 and sporadic elsewhere.
- c. second person singular addressed to the collective; in H this mode is found in three verses only (25:7-9), which I consider anomalous.

He argues that examples of a. address the whole community and are usually concerned with issues that are relevant for the whole community. Examples of b. are thus aimed at the individual and targets issues in which the individual could make a difference. Joosten (1996: 49) thinks that certain concepts "are consistently associated with either singular or plural." One interesting example that he refers to is the fact that it is usually "your (pl.) land" (אֶרֶץְכֶּם),¹⁰ but "your (sing.) field" (שָׂדֶךְ).¹¹ He continues (Joosten 1996: 49):

¹⁰ Instances of these include Leviticus 19:9, 33; 22:24; 23:22; 25:9, 45; 26:1, 5, 6, 19, 20 and 33. But there is one exception in 25:7 where we find "your (sing.) land."

¹¹ See Leviticus 19:9, 19; 23:22; 25: 3 and 4.

Both of these words refer to the arable land on which the Israelites will live, but whereas the first has a global, “national” connotation, the second refers to the plot belonging to an individual.

Along these lines he also identifies certain terms that usually accompany the plural and others that go with the singular.¹² Yet, a word like **בָּיִת** occurs with both the singular and the plural. Joosten (1996: 50) is nevertheless convinced “that we may read an individualizing nuance into verses employing the singular even when they give no other indication of it.” I will explore this issue below when I discuss vv. 2a-13, but the point is that there does not really seem to be clear-cut answers. The suggestions made by Joosten explain some of the features of the text, but not all. Even Joosten does not really know what to do with vv. 7-9, which according to his theory should be plural, but which are addressed to the singular (see Joosten 1996: 52-53 or c. above).

4.2.1 Verses 2aβ-13, Basic laws on the Sabbath and the Jubilee

Above we have discussed many grammatical and at stages stylistic features of this text like, for instance, the chiasmic structures occurring in vv. 6-7, 9 and 10 (indicated here by the “brackets” to the left of the text). I also identified the marked word order in vv. 4 and 5, as well as the many nominal clauses in vv. 10, 11 and 12. These are grammatical and stylistic features that are probably important for understanding this text, but (as I said above) the focus will now be on whom are addressed in the text. In the text in the tables below all texts addressed to the second person plural are in *italics* and all addressed to the second person singular are in normal Hebrew font. The text is presented in two tables to make it more manageable.

¹² Words that are associated with **בָּיִת** and which thus “attract second person plural suffixes and verb forms” include (Joosten 1996: 49): “dwelling places” (**מוֹשְׁבֵיכֶם**), “generations” (**דֹּרֹתֵיכֶם**), “cities” (**עָרֵיכֶם**) and “sanctuaries” (**מִקְדָּשֵׁיכֶם**). Concepts referring to “the sphere of the individual” include (Joosten 1996: 49): “vineyard” (**כַּרְמֵיכֶם**), “cattle” (**בְּהֵמַתֵּיכֶם**), “slave” (**עַבְדְּכֶם**) and “neighbour” (**רֵעֵיכֶם** and **עַמֵּיכֶם**).

Table 4.1

2aβ	כִּי תָבֹאוּ אֶל־הָאָרֶץ אֲשֶׁר אֲנִי נֹתֵן לָכֶם
	וּשְׁבַתְהָ הָאָרֶץ שְׁבַת לַיהוָה:
3	שֵׁשׁ שָׁנִים תִּזְרַע שָׂדֶךְ
	וּשֵׁשׁ שָׁנִים תִּזְמַר כַּרְמֶךָ
	וְאָסַפְתָּ אֹתָם תְּבוּאָתָהּ:
4	וּבַשָּׁנָה הַשְּׁבִיעִית שְׁבַת שְׁבַתוֹן יִהְיֶה לְאָרֶץ שְׁבַת לַיהוָה
	שָׂדֶךְ לֹא תִזְרַע
	וְכַרְמֶךָ לֹא תִזְמַר:
5	אֵת סְפִיחַ קְצִירְךָ לֹא תִקְצֹר
	וְאֹת־עֲנָבֵי גִזְרֶךָ לֹא תִבְצֹר
	שְׁנַת שְׁבַתוֹן יִהְיֶה לְאָרֶץ:
6	וְהִיְתָה שְׁבַת הָאָרֶץ לָכֶם לֶאֱכֹלָה לָךְ וּלְעַבְדְּךָ וְלְאִמְתְּךָ וְלַשְׂכִּירְךָ וּלְתוֹשְׁבֵיךָ הַגֵּרִים עִמָּךְ:
7	וּלְבַהֲמֹתֶיךָ וּלְחַיָּה אֲשֶׁר בְּאֶרְצְךָ תִּהְיֶה כְּלִי־תְבוּאָתָהּ לֶאֱכֹל: ׀

The introductory verses of this chapter (vv. 1-2aα) will not be discussed since they are not part of the laws and are not addressing anybody. We can thus start with vv. 2aβ-13 which are all direct speech, but where we find a change between singular and plural. The first clause of this text is directed at the plural (כִּי תָבֹאוּ אֶל־הָאָרֶץ אֲשֶׁר אֲנִי נֹתֵן לָכֶם), but then from v.2b onwards it changes to singular until the end of v. 5. These are thus the laws about the Sabbath year and they are directed at the singular. We already discussed the fact that the regulations for the Sabbath year in vv. 4-5 are presented by means of marked word order. What I find fascinating here is that it seems as if this text is directed at the land-owning person, the person with the power. We find “your field” (שָׂדֶךְ) and “your vineyard” (כַּרְמֶךָ) twice in this passage as well as “your harvest” (קְצִירְךָ) and “your untrimmed vine” (גִּזְרֶךָ) once. Thus the person addressed by means of these verses is the person who owns these things and who then has the power to execute these laws or not.¹³ The text targets this person, not only by addressing him directly, but also by presenting these commands by means of marked word order.

In vv. 6 and 7 we find a slight change in the sense that the second person plural is addressed shortly (וְהִיְתָה שְׁבַת הָאָרֶץ לָכֶם), before the text changes to the singular again. The question is, of course, why suddenly the plural when it was singular all the time? One possibility is that the plural here is more of an inclusive (“umbrella”) term. In the clause that follows it is as if the plural “you” are divided into many different role players. These role players include the addressed “you” (לָךְ) and then the עַבְדְּךָ, the אִמְתְּךָ, the שְׂכִיר and the תוֹשֵׁב who is sojourning (גֵּר). Each one of these groups are portrayed as if they are in a specific relationship with the addressee, because it is always “your” עַבְדְּךָ and “your” אִמְתְּךָ and even the people who are suppose to be free

¹³ In this regard I do agree with the observation by Joosten that these concepts belong to the “sphere of the individual” (Joosten 1996: 49).

like the תושב and the שכיר also share this relationship with the “you.” One should also keep in mind that vv. 6-7 are packaged in the chiasmic parallelism that we have identified in the previous chapter. This adds to the impression that these two verses are rather important in the persuasive strategy of the text.

Another important feature of the text and especially the first 13 verses is the way in which the preposition ל is used. Since the usage of ל is closely connected to how people are addressed in this text I will discuss that now shortly.

Excursus 4.1, the preposition ל.

If one considers the way in which Van der Merwe et al (1999: 285-287) describe ל, it is difficult to find an exact description for some of the לs in this chapter. Under the broad heading of their first function, “indicates the goal of a process” (1999: 285) one would expect to accommodate the kind of לs that we find in vv. 2a β -13, but I do not find an exact description for everything amongst their sub-headings. The closest is described in the following sub-heading, “indicates the goal of a process where something has been *transferred to*” (1999: 285). This is definitely a good description of what we just had in v. 2a γ , but some of the other לs in this chapter do not fit in that well. But first, let me start with those that are clearly definable.

One kind of ל that can be clearly defined is one expressing “possession” (Van der Merwe et al 1999: 286). The best two examples of these are כילי הארץ in v. 23 and כילי בני ישראל עבדים in v. 55. We will return to both these examples when we discuss “motivational strategies” in the next part of the chapter.

Yet there are many לs that do not seem to fit into any of the functions identified by Van der Merwe et al (1999). I refer to all the examples of ל in vv. 6 and 7 or the examples of לכם in the nominal clauses in vv. 8-13 (see Table 4.2). It is not as if “something is being transferred” or “possessed” as above, but still somebody appears to be receiving “something” and therefore I propose to describe the people addressed in this manner as “beneficiaries.” They are benefiting, or that is what the text looks like claiming. This is a rather vague term and the examples of “possession” and “of transferring something” are akin and could be included under this generic term. All of them have in common that they express benefit.

The two examples of לך in v. 8 appear to be examples of what Van der Merwe et al (1999: 286) call “the reflexive element of an agent” or the so-called “ethical dative.” There are other examples that I will identify once we get to that part of the text. Yet, it should be clear that they are something else as my category of ל expressing benefit.

I will thus consistently ask who is presented as beneficiaries in the rest of the chapter and I argue that ל is used to express this. I can imagine that this kind of strategy could play an important role when the objective of a text is to convince, or persuade people to act in a certain manner. It would always help if you could convince the addressee(s) that what they will be doing will be to their own benefit.

If the first beneficiaries of this text were the people addressed by לָכֶם (because they receive the land in v. 2aγ), then it is important to note that in the text that follows the addressee (for the rest of vv. 2b-7 mostly in the singular) is predominantly the person with the land (as we indicated above). Yet the land is the first “actor” in the sense that the land is the subject of the first verb, שָׁבַת. The “beneficiary” of this action is YHWH, because he is the person for “whom” (לַיהוָה) the land will rest. This changes when we come to the first clause of v. 4 and now the land (שָׁבַת שְׁבִתוֹן יְהוָה לְאֶרֶץ) itself becomes a beneficiary along with YHWH (שָׁבַת לַיהוָה). We find the land again as beneficiary in the last clause of v. 5 (שְׁבִתוֹן יְהוָה לְאֶרֶץ). Thus, up to v. 5 the “somebody” being addressed is asked to refrain (the marked word order clauses in vv. 4 and 5) from the actions that this person does every year (as described in v. 3). Yet the addressee does not benefit from his actions and the beneficiaries are either the land itself or YHWH or both.

This then changes with vv. 6 and 7 where all the different groups are involved that we already mentioned above. By means of לְ all these groups are now portrayed as people who will benefit including the owner of the land. Is this a further indication that vv. 6 and 7 are important in the persuasive force of the text? I think that the answer is definitely “yes.” We do find a chiasmic structure here along with the fact that many groups are introduced here, which on the face of it will benefit from these laws along with the person primarily addressed up to now.

Table 4.2

<p>8 וְסִפַּרְתָּ לָךְ שִׁבְעַת שָׁבֻתוֹת שָׁנִים שִׁבְעַת שָׁנִים שִׁבְעַת פְּעָמִים וְהָיוּ לָךְ יָמֵי שִׁבְעַת שָׁבֻתוֹת הַשָּׁנִים תִּשְׁעַ וְאַרְבָּעִים שָׁנָה: 9 וְהִעֲבַרְתָּ שׁוֹפָר תְּרוּעָה בַּחֹדֶשׁ הַשְּׁבִיעִי בְּעֶשְׂרִי לַחֹדֶשׁ בְּיוֹם הַכִּפּוּרִים תִּעֲבִירוּ שׁוֹפָר בְּכָל־אֶרֶצְכֶם: 10 וְקִדְשְׁתֶּם אֶת שְׁנַת הַחֲמִשִּׁים שָׁנָה וְקִדְשְׁתֶּם הָרֹר בְּאֶרֶץ כְּלִל־יִשְׂבִּיחַ יֹבֵל הוּא תְּהִיָּה לָכֶם וְשִׁבְתֶּם אִישׁ אֶל־אֲחֵיוֹ וְאִישׁ אֶל־מִשְׁפַּחְתּוֹ תָּשׁבוּ: 11 יֹבֵל הוּא שְׁנַת הַחֲמִשִּׁים שָׁנָה תְּהִיָּה לָכֶם לֹא תִזְרְעוּ וְלֹא תִקְצְרוּ אֶת־סִפְיָחָהּ וְלֹא תִבְצְרוּ אֶת־נִזְרֶיהָ: 12 כִּי יֹבֵל הוּא קֹדֶשׁ תְּהִיָּה לָכֶם מִן־הַשָּׂדֶה תֹּאכְלוּ אֶת־תְּבוּאָתָהּ 13 בַּשָּׁנָה הַיּוֹבֵל הַזֹּאת תָּשׁבוּ אִישׁ אֶל־אֲחֵיוֹ:</p>

Of vv. 8-13 the first three clauses (vv. 8-9a) are also still in the singular until it changes to the plural from v. 9b onwards to stay like that until v. 13. These verses then introduce the laws on the Jubilee. This change occurs exactly in the middle of

the chiasmic structure identified in v. 9. We should also keep in mind that v. 2a β was directed to the second person plural and that this was changed to the singular when the laws on the Sabbath were introduced. It is actually being changed *back* to the plural now. We also saw that Joosten did not really know what to do with this and he regards it as anomalous (Joosten 1996: 48). The text is thus not addressed to a singular addressee, but to *addressees*. One could ask that if the singular forms above were addressed to those owning land, does it mean that the text now broadens its sight in order to address both those owning land and those who do not? Or, is the text simply addressing all those owning land as a collective unit now?

In the light of these two possibilities, how do we understand “to all the inhabitants” (לְכָל־יִשְׂרָאֵל) in v. 10 who apparently will be on the receiving end of the proclaimed דְּרוֹר and who will benefit from it. Does this term refer to *everybody*, as in every human being, or just to everybody that has a claim to land? If you did not own any land previously, then דְּרוֹר would be kind of useless, since whereto will you return?

If one takes a look at the chiasm that we identified in v. 10 it is also interesting that although the verb is in the plural the subject is actually singular. One should thus expect the verb to be singular as well (and probably also third person as we find in v. 41). According to Joüon & Muraoka (1991: 547) it is nothing out of the ordinary, but it is the normal way of expressing “each one/ every one.” The verb is usually in the plural (either third or second person) and אִישׁ is the subject. We will find two more examples of this in the next part (see vv. 14 and 17) where it is in the negative and thus means “no-one” or “nobody.” The point is just that this grammatical feature leaves the impression that these laws on the Jubilee are not just addressing only the land-owners, but it seriously engages with *everyone*. Every single person will benefit from these laws, or that at least is one way of reading the text. Add to that the three nominal sentences where we find לְכֶם in each, each time expressing that the Jubilee will be to the benefit of the addressees (see vv. 10-12), then one really has the impression that the Jubilee has much more of a communal identity than the Sabbath year had. Yet who is this community, everybody, or every person with a claim to land?

If one were to regard this community as every person, one could argue that this is a strategy that aims the Sabbath laws at those who have the power to execute them, i.e. landowners. Yet the authors anticipated that, since the laws on the Jubilee were aimed at every person, who owned land and who did not, it would have been received with far more enthusiasm and that they needed to target the Sabbath laws specifically. For the former they thus used second person singular forms of address. It might have something to do with the fact that the beneficiaries of the Sabbath laws are primarily the land and YHWH and that the different groups of people introduced

by לְכֶם in the chiasmic structure of vv. 6 and 7 appear as an afterthought. This is despite the fact that it is persuasively packaged in a chiasmic structure. It is as if the authors were acknowledging that they needed to express some kind of benefit for the addressee who had to refrain from doing what he did every year.

Yet when דְּרֹר is at stake and when people will have the opportunity to return to their אֲחֻזָּה or מִשְׁפָּחָה then is it not better to address the text to the plural? Everybody has the power to do this. Everybody is in a position to execute these laws, since all they have to do is “to return” and everybody will apparently benefit from these laws. It seems also that this everyone will include all the inhabitants (לְכָל־יִשְׂבֵי־הָאָרֶץ) of the land. The question is whether “all the inhabitants” include the groups that were mentioned in vv. 6 and 7 above? It might be, since we had the impression above that לְכֶם functioned as some kind of double colon that included all the groups following. Does this mean that the text is also addressing the עֲבָד and the אֲמָה along with the שְׂכִיר and תּוֹשֵׁב? That they are all included in the people who will “return” in the year of the Jubilee? One is tempted to believe that, after reading the first 13 verses of Leviticus 25, but that is just one reading and I am not utterly convinced.

The main problem with this interpretation is v. 2aβ, the first clause of this sub-unit (כִּי תָבֹאוּ אֶל־הָאָרֶץ אֲשֶׁר אֲנִי נֹתֵן לְכֶם). The text starts by addressing those that are about to receive the land. Does this not mean that the text addresses those that have the land or, those that in the eyes of the authors have a legal claim to the land? This would mean that every example of לְכֶם and also the expression לְכָל־יִשְׂבֵי־הָאָרֶץ are addressing the community of landowners, or the community that consists of men who have legal claims to the land, but not every human being. We should keep in mind that in v. 10 people return to their אֲחֻזָּה and to their מִשְׁפָּחָה. The former at least entails possession of land, or a claim to possess land. Even if the grammatical feature that I identified above (plural verb with singular subject) means “everybody” it could only mean every person that were regarded as important to the authors, which would mean every person with a legal claim to land. They are all addressed now, because they will benefit from the Jubilee and they will have the opportunity to return to what was legally theirs. Still it only addresses those that could make these claims in the first place.

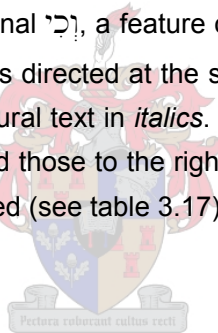
This would mean that even if we could understand the לְכֶם in v. 6 as some kind of double colon, or a feature that expressed benefit to all the groups included, that all the other examples of לְכֶם are probably only directed at the community of landowners. We should also not forget that all the groups named in vv. 6 and 7 were always portrayed as in relation to the individual landowner. It was always “your עֲבָד”

and “your אֶמְךָ”, as well as “your הַיָּשָׁב” etc. Still, all of them are defined by their relation to the individual landowner and it gives the impression that apart from being something possessed by the addressee, they were not really regarded as a “somebody.”

Understanding the text in this manner that the second person singular was aimed at the individual landowner and the plural at the community of landowners also helps to account for understanding the change from singular to plural in v. 9. The same people are still being addressed, the previous singular was just the rhetorically more powerful strategy, because it is more individualising. It also helped to make the transition from singular to the plural forms of address smoother.

4.2.2 Verses 14-17[18-19], Taking care of the עֲמִיתָ [with parenetic part]

Just like the introductory laws on the Sabbath and Jubilee the following laws are also a mixture of singular and plural texts in the second person. Yet that is where the similarities end, because these laws are now much more casuistic or conditional. It is introduced by means of a conditional יִּ, a feature often associated with casuistic or conditional law.¹⁴ Once again parts directed at the second person singular are in the normal font and second person plural text in *italics*. The bracket to the left of the text indicates a chiasmic parallelism and those to the right three inclusios, of which two (in vv. 18-19) were previously identified (see table 3.17).¹⁵



¹⁴ See Sonsino (1980: 14) who prefers to use the term “conditional” law in stead of “casuistic” law. He does this because his own “conditional” category includes more than Alt’s original description of casuistic law. Conditional or casuistic laws “are built ... on the sequence of the protasis and apodosis of a conditional sentence” Sonsino (1980: 12).

¹⁵ Grünwaldt (1999: 99) also describes vv. 14 and 17 as an inclusio.

Table 4.3

	<p>14 נְכִית־מְכָרוּ מִמְּכָר לְעִמִּיתְךָ אוֹ קָנָה מִיָּד עִמִּיתְךָ אֶל־תּוֹנֵי אִישׁ אֶת־אָחִיו: 15 בְּמִסְפֵּר שְׁנַיִם אַחֵר הַיּוֹבֵל תִּקְנֶה מֵאֵת עִמִּיתְךָ בְּמִסְפֵּר שְׁנַיִתְבוֹאֹת יִמְכֹּר־לְךָ: 16 לְפִי רֵב הַשְּׁנַיִם תִּרְבֶּה מִקְנֶתוֹ וּלְפִי מַעַשׂ הַשְּׁנַיִם תִּמְעִיט מִקְנֶתוֹ כִּי מִסְפֵּר תְּבוֹאֹת הוּא מְכָר לְךָ: 17 וְלֹא תוֹנֵי אִישׁ אֶת־עַמִּיתוֹ וְיִרְאֵת מֵאֵלֶיךָ כִּי אֲנִי יְהוָה אֱלֹהֵיכֶם: 18 וַעֲשִׂיתֶם אֶת־חֻקֹּתַי וְאֶת־מִשְׁפָּטֵי הַשְּׁמֵרוֹת וַעֲשִׂיתֶם אֹתָם וְיִשְׁבַּתֶּם עַל־הָאָרֶץ לְבִטָּח: 19 וְנִהְיֶה הָאָרֶץ פְּרִיָּה וְאָכַלְתֶּם לְשִׁבְעָה וְיִשְׁבַּתֶּם לְבִטָּח עַל־יְדֵי:</p>
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There is another group of people who appears in the text now. They appear for the first time in vv. 14-17 and they are the עִמִּית and the אָח. These are the terms used to describe the persons that the addressee(s) will trade with. The person addressed in vv. 14-17 is mostly in the second person singular. Yet vv. 14 and 17 are some kind of mixture. In v. 14 it is “your עִמִּית” (twice), but “his אָח” and the verbs are mostly second person plural. This “his אָח” is similar to the “his אָחִיךָ” and “his מִשְׁפָּחָה” that we had in the chiasm in v. 10. We already referred to the fact that this grammatical feature is a means of expressing “everyone.” Verses 15 and 16 are clearly second person singular. Verses 14 and 17 address the person who has the ability to trade with his עִמִּית or אָח. This person is asked not to cheat (Hi of יָדָה) his אָח (v. 14) or his עִמִּית (v. 17).

Verse 14 starts with “when you (sing.) buy from your עִמִּית (תִּקְנֶה מֵאֵת עִמִּיתְךָ) and “when he sells to you” (יִמְכֹּר־לְךָ) thus, both people selling and buying are at first addressed, but in vv. 15 and 16 the person who is buying becomes the only addressee. In v. 15 we only find the verb קָנָה and the Ni of מְכָר along with the noun מִקְנֶה, which is usually translated as “purchase price” (see BDB). Therefore, the person that this text really zooms in on, is the person who is buying, which implies the person with the power. He is the only one that can decide whether he will cheat or not, simply because somebody selling is usually in a financially vulnerable and thus powerless position.¹⁶

¹⁶ See also Houston (2001: 38-39) with similar remarks.

The main principle reiterated here is that land (although not specifically called that) is not to be sold, but that the harvests left (thus the usufruct) to the next Jubilee is the actual item being sold. We could thus say that v. 14 is rather general, simply stating that when you buy and sell then you should not cheat. This verse in a sense hides the fact that the person selling is usually not in a position to decide whether he will cheat or not, because *he is the vulnerable partner in the transaction*. That is probably why vv. 15 and 16 target the person with power, namely the one buying. Following vv. 15 and 16 we find v. 17, which as we said is a mixture similar to v. 14. We find the second person plural form of the Hiphil of יָנָה and “your עֲמִית” and “his אָח” of v. 14 now combine to form “his עֲמִית.” Following this we find the phrase, וְיִרְאֶת מֵאֲלֹהֶיךָ, which is still aimed at the “individual” and the next clause could be regarded as a salient feature of the Holiness Code, כִּי אֲנִי יְהוָה אֱלֹהֵיכֶם.¹⁷ The latter changes the text to the second person plural and it stays like that until v. 24.

I will discuss this parenetic part along with the motivational clauses under the next subheading, but it will suffice for now to say that in these two verses obedience is strongly connected to living in the land securely (לְבִטָּחָה) and eating enough (וְאָכַלְתֶּם לְשָׂבַע). Once again the land is acting by providing (נָתַן) her fruit. So again we have the land acting and we have this concern with eating as we had in vv. 6 and 7, but now the acting of the land and the resulting eating are clearly dependent on the addressees doing the instructions.

Why then the change from singular to plural in v. 17? Probably for the same reasons as above with the laws on the Jubilee, where vv. 14-16 are directed at the individual who has the power to choose between cheating his עֲמִית and אָח, or not. I would thus like to describe the text until now as very “power-conscious” in the sense that those people are targeted who have the power to make a difference. We saw this with the

¹⁷ According to Ruwe (1999: 71-72) we do not find this formula in either the Covenant Code, or Deuteronomy, but we do find many examples in other texts traditionally regarded as priestly. See also Zimmerli (1969: 11-40) for a discussion of most of the occurrences in the Hebrew Bible. He provides, amongst others, a discussion of the occurrences in Ezekiel 20 (1969: 17-24) and Second Isaiah (1969: 30-33). The particular occurrences of the formula helps Elliger (1966b: 211) to speculate at the start of his essay about dating these texts:

Es ist gewiß nicht von ungefähr, daß sich der Gebrauch der Formeln gerade bei H, P, Ezechiel und Deuterocesaja konzentriert, also anscheinend in der Zeit der Exils.

Most scholars (i.e. Elliger 1966b: 211-231, Zimmerli 1969: 11-40 and Ruwe 1999: 71-74) distinguish between the shorter and the longer forms of what they usually call the “Selbstvorstellungsformeln.” Yet they understand this distinction differently. Elliger (1966b) attributes the difference to different layers. The shorter form then becomes the older form, which he usually calls the “Hoheitsformel” and the longer form, which he calls the “Huldformel”, is supposedly younger. He connects the former with the “jealous” side of YHWH, which he also calls a “religios-emotionalen Seite” (1966b: 215) and the latter with a later “Geschichtstheologie” referring to the Egypt experience (1966b: 214). Neither Zimmerli (1969: 14), nor Ruwe (1999: 72 n.73) shares this view and Ruwe (1999: 72-74) is mostly interested in the role that this phrase plays in the demarcation of the text. See also Bodendorfer (2003: 403-428) for a discussion on rabbinic interpretations of this phrase.

Sabbath laws in vv. 2-7 and now with these more case-like laws in vv. 14-16. There is thus a certain kind of “realism” or “pragmatism” involved here, mixed with some calculated persuasive strategies. By realism I mean that the text is not beating about the bush about who can make the difference and it focuses mostly on this person. Yet v. 17 and especially vv. 18 and 19 are once again calling on all the addressees to make this a group-effort.

If one were to ask again: Which “group” is this, all the landowners, or every person? Then I would have to answer again that the former seems more likely. The text is still only directed at people with legal claims to land, those that can either sell, or buy land, but still only those with claims to land. Within this group the text focuses more on those who are buying than those who are selling, yet the focus of the text never moves beyond this land owning group. In this regard I think that vv. 14-19 are a much clearer example than vv. 2-13 were, but vv. 14-19 also offer further support for how I understood vv. 2-13.

4.2.3 Verses 20-22[23-24], What shall we eat? [with “hinge”]

The whole text in the following table is in *italics* because all of it is directed at the second person plural. Yet following v. 20a α we find three clauses (underlined with dotted lines) in the first person singular in the direct speech and thus imbedded within this text addressed to the second person plural. The bracket to the left of the text indicates the single chiasmic parallelism here.

Table 4.4

 <p>Pectora robustant cultus recti</p>	<p><i>וְכִי תֹאמְרוּ²⁰</i> <i>מִדֵּי נֹאכַל בַּשָּׁנָה הַשְּׁבִיעִית</i> <i>הֵן לֹא נֹרֵעַ</i> <i>וְלֹא נֹאסֵף אֶת־הַתְּבוּאָה־נּוּ:</i> <i>וְצִוִּיתִי אֶת־בְּרַכְתִּי לָכֶם בַּשָּׁנָה הַשְּׁשִׁית²¹</i> <i>וְעָשִׂתָ אֶת־הַתְּבוּאָה לְשִׁלֹּשׁ הַשָּׁנִים:</i> <i>וְנֹרֵעַתֶם אֶת־הַשָּׁנָה הַשְּׁמִינִית²²</i> <i>וְנֹאכַלְתֶּם מִן־הַתְּבוּאָה יוֹשֵׁן עַד הַשָּׁנָה הַחֲמִישִׁית</i> <i>עַד־בּוֹא תְּבוּאָתָהּ תֹאכְלוּ יוֹשֵׁן:</i></p>
	<p><i>וְהָאָרֶץ לֹא תִמְכַר לְצַמְחָתָהּ²³</i> <i>כִּי־לִי הָאָרֶץ</i> <i>כִּי־גֵרִים יְהוֹשְׁבִים אִתְּכֶם עִמָּדִי:</i> <i>וּבְכָל אֶרֶץ אַחֲזַתְכֶם גְּאֻלָּה תִתְּנוּ לְאֶרֶץ: ס²⁴</i></p>

The question in v. 20 (וְכִי תֹאמְרוּ) expresses a fear that seems to be in tension with what we already had in vv. 6 and 7, namely “what will we eat in the seventh year?”¹⁸

¹⁸ Grünwaldt (1999: 107-109) treats this tension extensively and it becomes the main reason why he “removes” vv. 6-7. He starts by arguing that there is already a tension between vv. 5 and 6 (1999: 107). In v. 5 people are prohibited to collect the aftergrowth, but in v. 6 people are allowed to eat the harvest. Would not this harvest be the same as the aftergrowth prohibited in v. 5? This in itself is not enough for him to leave these two verses out, but his real reason is the role played by vv. 20-22. There is an even

There it was already stated that all the different groups in the society could eat the harvest in the Sabbath year. Now we find roots like זרע and אסף which we had in vv. 3 and 4 along with this question with regards to eating in the seventh year. It would actually have made more sense to ask, “what will we eat in the eighth year”? If they did not sow in this year it would not have been a problem until the eighth. The answer also hints in this direction. In the first clause of v. 21 we find another example of לקם. Thus the addressees will be receiving the blessing of YHWH in the sixth year, or they will be benefiting. The promise then entails a good enough harvest for three years and in v. 22 it is further packaged in another chiasmic parallelism with the root אכל. These verses seem to be anticipating a fear that the addressees might have been harbouring, which the author(s) are anxious to address. Somehow the fear of not eating enough or of going hungry must have been very high on the agenda of the people writing this text, or it must have been regarded as very high on the list of needs of the intended audience. But in terms of logic this promise of a harvest for three years does not really address the fear. What would the use of a big harvest be, if you are not allowed to collect (אסף) it? It must indeed have been a “magic” harvest that could lie there for three years, being sowed upon in the second year and still provide food for the next.¹⁹

In vv. 23 and 24 the topic changes back to what we had in vv. 14-17 namely the selling of land. Verse 23 will be discussed more thoroughly under the next sub-heading (see 4.3 below), but for now it suffices to say that whereas the relationship between YHWH and the ארץ is portrayed as stable, the relationship between YHWH and the addressees is different. They are called תושבים and גרים with him and it sounds rather negative, in the sense that the relationship is precarious. Succeeding v. 23 we have an occurrence of the word ארצה in which the relationship between the land and the addressees is also clearly defined, be it somehow in tension with what was just said in v. 23. The land is now the ארצה of the addressees, but is this not somehow contradicting the fact that YHWH seems to be the ultimate owner of the

clearer tension between v. 6a and v. 20a. What is the use of this question (what shall we eat?) in v. 20a, if it was already stated in v. 6 what people could eat? Thus, we find some obvious tensions here in the text and Grünwaldt (1999: 108-109) does not think that we should remove vv. 20-22, but proposes to remove vv. 6-7.

¹⁹ This issue is closely related to the tension that Grünwaldt sees between vv. 5 and 6 (1999: 107):

Während nämlich V.5 untersagt, den Nachwuchs (des Getreides) zu ernten und die freiwachsenden Trauben zu lesen, so dient nach V.6f gerade der Ertrag des Sabbatjahres zur Nahrung im Sabbatjahr. Und was sollte der anderes sein als eben dieser in V.5 genannte Nachwuchs?

Here, I suppose, one could argue that it is the aftergrowth that is left and not collected and that one should distinguish between the aftergrowth (קציר ימים קציריך) and the original harvest (תבואתך). It is not specifically stated that the latter may not be collected in vv. 4-5, but I think that it is implied.

land in v. 23? This, I suppose, depends on how we understand the verb נתן (see discussion below in 4.3.1.2).

In v. 24 we also have marked word order with נאלק preceding the verb. Now the addressees have to give נאלק to the land. Previously the land gave her fruit to the addressees and the land seems to be benefiting from this. The term נאלק is, of course, one of the main features of some of the texts that are to come and in this light it seems that v. 24 is a kind of “hinge” verse between the two parts of chapter 25. Verse 23 is also theologically a very rich verse portraying the relation between YHWH, אלהים and addressees.

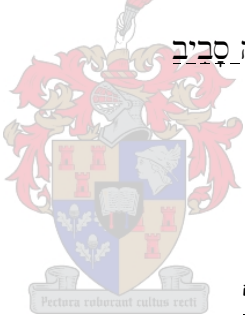
Furthermore, the direct relation between vv. 20-22 and vv. 23-24 is not that clear, it is more as if vv. 23-24 should be read with the whole of the chapter in mind. It is referring backwards and pointing forwards, but it is also some kind of theological anchor for the whole chapter (as we will see below) and it clearly sets the agenda. The text is about the relation between YHWH, the land and the people addressed. Is this why we always find the plural “you” and not the singular “you”? Is it thus not about the relation between land and individuals, but between land and the whole land owning group? I think yes.

4.2.4 Verses 25-34, First case: What to do with the אלהים.

We have already described the grammatical features of this text, which is the first of four cases to follow. The most important rhetorical feature of this text is the fact that only the first clause is still in the second person and that the rest is all third person (underlined). All seven occurrences of אלהים are in “blocks” to indicate the kind of role that they play in this text. It also shows why I think that this text seems to be focusing on how one should deal with the אלהים and thus the title. The occurrences of the root אל are all in *italics*.

Table 4.5

	כִּי־יִמֹךְ אֶחָיִךְ ²⁵
	וּמָכַר בְּאַחֲזָתוֹ
	וּבָא גֵאֲלוֹ הַקָּרֵב אֵלָיו
	וַגֵּאֲלֵךְ אֶת־מִכְרֵךְ אֶחָיו:
	וְאִישׁ כִּי לֹא יִהְיֶה־לּוֹ גֵּאֲלֵךְ ²⁶
	וְהִשְׁגִּיחַ יָדוֹ
	וּמָצָא כְדֵי גֵאֲלוֹ:
	וַחֲשַׁב אֶת־שְׁנֵי מִמְכָרוֹ
	וְהָשִׁיב אֶת־הָעֶדְף לְאִישׁ אֲשֶׁר מָכַר־לּוֹ
	וְשָׁב לְאַחֲזָתוֹ:
	וְאִם לֹא־מָצָא יָדוֹ דֵּי הָשִׁיב לּוֹ ²⁸
	וְהָיָה מִמְכָרוֹ בְּיַד הַקָּנָה אֹתוֹ עַד שְׁנַת הַיּוֹבֵל
	וַיֵּצֵא בִּיבֹל
	וְשָׁב לְאַחֲזָתוֹ:
	וְאִישׁ כִּי־יִמְכַר בֵּית־מוֹשָׁב עִיר חֹמָה ²⁹
	וְהָיָה גֵאֲלוֹ עִדְתָם שְׁנַת מִמְכָרוֹ
	יָמִים תְּהִיָּה גֵאֲלוֹ:
	וְאִם לֹא־יֵצֵא עַד־מְלֹאת לּוֹ שְׁנֵה תְּמִימָה ³⁰
	וְקָם הַבַּיִת אֲשֶׁר־בְּעִיר אֲשֶׁר־לּוֹ חֹמָה לְצִמְיַתָּהּ לְקָנָה אֹתוֹ לְדֹרֹתָיו
	לֹא יֵצֵא בִּיבֹל:
	וּבְתֵי הַחֲצָרִים אֲשֶׁר אֵינְלָהֶם חֹמָה סָבִיב ³¹
	עַל־שְׂדֵה הָאָרֶץ יִחְשַׁב
	גֵּאֲלוֹ תְּהִי־לּוֹ
	וּבִיבֹל יֵצֵא:
	וְעֵרֵי הַלְוִיִּם בְּתֵי עֵרֵי אֶחְזָתָם ³²
	גֵּאֲלָת עוֹלָם תְּהִיָּה לְלוִיִּם:
	וְאֲשֶׁר יֵצֵא מִן־הַלְוִיִּם ³³
	וַיֵּצֵא מִמְכָר־בֵּית וְעִיר אֶחְזָתָם בִּיבֹל
	כִּי בְתֵי עֵרֵי הַלְוִיִּם הוּא אֶחְזָתָם בְּתוֹךְ בְּנֵי יִשְׂרָאֵל
	וְשְׂדֵה מְגֵרֶשׁ עֲרִיבָם לֹא יִמְכַר ³⁴
	כִּי־אֶחְזָתָם עוֹלָם הוּא לָהֶם: ס



The first clause is still directed at the second person singular, or what I have tended to describe as the person with the power, but then we find some kind of “distancing” technique where people are not spoken to, but spoken of. It is as if the responsibility to help “your אָח” is moved away to somebody else. This is already clear in the last clause of v. 25 where it is not “your” אָח anymore, but “his” אָח. We have already described the functioning of אָח and כִּי in vv. 25-28 (previous chapter) and how the text has a fairly “neat” structure. Verse 25 is about an אָח selling land and then being redeemed and vv. 26-28 explore his options when no redeemer comes forward. Verses 26-27 present the possibility that he might acquire the means himself and the result is the beautiful clause at the end of v. 27 (וְשָׁב לְאַחֲזָתוֹ). The man returns to his אֶחְזָתָהּ. Verse 28 anticipates that this might *not* happen and he waits for the Jubilee, which results in the same thing (וְשָׁב לְאַחֲזָתוֹ), the man returns to his אֶחְזָתָהּ. There is

one striking feature of these verses which will most definitely have implications for the way in which we understand the **הַקָּנָה** and that is that the end result of being redeemed by somebody else, is not to return to your **הַקָּנָה** (see v. 26). The person only returns to his **הַקָּנָה** when either he redeems himself (v. 27) or when he waits until the Jubilee (v. 28). If a relative redeems him then the land goes to that person, or that is the impression that the text makes.²⁰

In vv. 29-31 we do not find the term **הַקָּנָה** again, but this text is concerned with houses in either a city or in villages. The end-result is here expressed in terms of either “not going out” (v. 30) or “going out in the Jubilee” (v. 31), and thus not returning to the **הַקָּנָה**. Houses in a city are different from houses in a village.

We have also discussed (previous chapter) how complicated vv. 32-34 are, especially v. 33. These verses are different from vv. 29-31 because the term **הַקָּנָה** makes a comeback and occurs no less than four times. We also find two motivational **וַיִּבְרַח**s and another “actor” or “group of actors” now enters the text that has disappeared after v. 2. This group is the “sons of Israel” (**בְּנֵי יִשְׂרָאֵל**).

Still, except for these features towards the end of this text in the part referring to the Levites, this part is rhetorically rather dull. We find no beneficiaries and the strangest is that the person addressed becomes a spectator where other people redeem, or become poor, or buy and sell houses. He himself seems not to be too involved and this is despite v. 25 talking about “*your* **קָנָה**.” Yet, *your* **קָנָה** quickly fades into *his* **קָנָה**. Could we thus really argue that the authors did not regard these laws as that important? Maybe they thought that the addressee does not need to be targeted that extensively, because these laws would have had a greater likelihood of being executed? They could thus “save their rhetorical guns” for later? We do find stories in the Bible referring to this kind of transaction.²¹ This observation does in a sense

²⁰ In this light I think that Kessler (1992: 40-53) argues quite convincingly that the only way to understand the **הַקָּנָה** institution is within the “clan” context (German: “Sippe”). With regards to Leviticus 25 he specifically states (Kessler 1992: 48):

Das Gesetz von Lev 25 ist primär nicht am zu lösenden Individuum und seinem Besitz, sondern an der Sippe und ihrem Besitz orientiert.

He therefore does not think that when a brother in trouble sold his land to a **לֹאֵל** that the brother would have kept the piece of land. The person who redeemed receives the land and probably keeps it (contra Noth 1966: 165). He also refers to the example of Jer 32 where Jeremiah acts as **לֹאֵל**, but keeps the land. Otherwise “hätte er [i.e. Jeremiah - EEM] seinem Vetter die siebzehn Schekel Silber (Jer 32,9) für den Acker gleich schenken können” (Kessler 1992: 48). The objective is thus simply to keep the **הַקָּנָה** within the **בְּשִׁפְחָה**. Kessler (1992: 47) accentuates that this act is a legal act (“Rechtsakt”) not an act of grace, or charity (“Gnadenakt”). When reading vv. 25-28 above, I cannot help but agree with him.

²¹ The best examples are Jer 32 and Ruth 4. Many scholars have discussed the possible connection with Leviticus 25. I already referred to Kessler (1992) above, but see also Grünwaldt (1999: 322-323), who discusses both, but who is, of course, more interested in finding the traditions behind Leviticus 25. He is

support the notion of Elliger²² and Cholewinski²³ that these were older existing laws that were incorporated by the authors/editors of the Holiness Code. It at least provides the possibility to argue that the authors did not need to be so persuasive about them, because they might have been perceived as already part and parcel of the society for whom these laws were written. This issue will be taken up again under 4.2.7 below.

4.2.5 Verses 35-38, taking care of the פָּנֶיךָ.

Verses 35-38 are, in contrast to vv. 25-34, most definitely not rhetorically dull. Here the text engages with the addressee(s) again and the whole text is either second person singular or plural (v. 38, in *italics*). It starts with the “case-scenario” of your פָּנֶיךָ becoming poor and then it continues to engage the reader. We find no “distancing” as in the previous text, no reader who becomes a spectator, but instead the reader/hearer is constantly addressed. Singular forms dominate the first three verses.

Table 4.6

	<p>וְכִי־יִמּוֹךְ אֶחֱיִידְךָ ³⁵ וּמָטָה יָדוֹ עִמָּךְ וְהִחַנְקֶתָּ בּוֹ גֵר וְתוֹשֵׁב וְחִי עִמָּךְ: אֶל־תִּקַּח מֵאִתּוֹ נֶשֶׁךְ וְתִרְבִּית וְיִרְאֶתָּ מֵאֱלֹהֶיךָ וְחִי אֶחֱיִידְךָ עִמָּךְ: אֶת־כֶּסֶףךָ לֹא־תִתֵּן לוֹ בְּנֶשֶׁךְ } ³⁷ וּבִמְרִבִּית לֹא־תִתֵּן אֶכְלֶיךָ אֲנִי יְהוָה אֱלֹהֵיכֶם ³⁸ אֲשֶׁר־דוֹצְאֹתִי אֶתְכֶם מֵאֶרֶץ מִצְרַיִם לָהֵט אֶת־אֶרֶץ כְּנָעַן</p>
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happy that Jer 32 could be regarded as such and concludes (Grünwaldt 1999: 323) that “Lev 25,26f ist also eine alte Bestimmung in jungem Gewand.” Unfortunately Grünwaldt does not ask what happens to the land after it has been sold as Kessler (1992), for instance, did. For a somewhat different reading, see also Carroll (1991: 108-124). Carroll claims that this must be a field that originally belonged to Jeremiah. This is why Hanamel says that he has the “right of redemption” (v. 7), otherwise Carroll (1991: 112-113) argues, Hanamel would have received the land from his father Shallum. Yet, this does not really make sense, because the text is quite clear that Hanamel is the owner and not his father. He calls it “my land” twice (vv. 7-8). It seems more likely that Hanamel was in financial trouble and that Jeremiah was simply the closest relative.

²² The oldest redactional layer of the Holiness Code, which Elliger (1966a: 16) calls “Ph¹”, consists in chapter 25 of vv. 1-6a.8-19.23-31.35-41a.43.44a.46bβ.47abaβ.48.49b.50a.54f. Yet, this redactor did use sources (Quellen) of which Elliger (1966a: 347) regards vv. 25-31* as the oldest:

Dann bleiben als älteste literarische Schicht nur die Bestimmungen 25-31[†] über Auslöse- und Rückfallrecht übrig, die schwerlich jemals ein selbständiges Gesetz gebildet haben, sondern aus einem größeren Korpus herübergenommen sein dürften.

²³ The “first layer” that Cholewinski (1976: 101) identifies consists of vv. 25b-31.48-53a.54. These are all mostly concerned with the פָּנֶיךָ institution. The second layer that incorporated these verses was then characterised by the second person singular forms (Cholewinski 1976: 102).

Verses 35 and 36 create the impression that a close relationship should exist between the addressee and his אָס. Three times we find עִמָּךְ (underlined above) in these three verses. Van der Merwe et al (1999: 293) identify three different groups of functions. The first example above (v. 35) would probably fit their second, “indicates the direction of an action.” The אָס thus stretches his hand out to the person addressed. The other two examples could, however, fit into either of the other two functions that they identify. The first one is, for instance, about “the joining together of entities” with a sub-function “indicates accompaniment.” This could be the case here, that the אָס and the person addressed are joined together in the sense that the אָס will accompany the addressee. Yet the third function could also be applicable because this is about “spatial positioning” with a sub-function indicating “proximity to.” One could understand these two examples as something similar, the אָס will simply live in “your” proximity, but in both cases the lot of the אָס is clearly interwoven with the fate of the addressee and that actually seems to be the point that the text is trying to make.

Furthermore, v. 35 stands out because we find the terms גֵּר and תּוֹשֵׁב again. They have been absent since v. 23 where they were used in the plural. Now it seems that the addressee is asked to treat his אָס like²⁴ he would treat a גֵּר and a תּוֹשֵׁב living with him. It seems that this is meant to be a good thing, something recommendable treating your brother as you would treat a גֵּר or a תּוֹשֵׁב and we are reminded of Leviticus 19 where you are to treat a גֵּר like yourself (כְּמוֹךָ). We are also reminded of v. 23 where YHWH said that the addressees are גֵּרִים and תּוֹשְׁבִים with him, although we probably have different uses of these concepts. Previously (v. 23), we thought that it expressed a negative relation focusing on how unpredictable the relationship between YHWH and the addressees is. Now, however, it appears much more positive.

But the real message that this text seems to get across is one concerned with interest as we find in the first clause of v. 36 and the whole of v. 37. Three terms are used namely תּוֹשֵׁב and גֵּר in (v. 36) with גֵּר again in v. 37, but now along with מְרִבִּית (v. 37). They all seem to be conveying the same thing, and the persuasive density of their presentation is striking. The first clause in v. 36 that prohibits the

²⁴ There can be no doubt that this phrase (וְהִתְנַקֵּת בּוֹ גֵּר וְתוֹשֵׁב) in v. 35 is highly problematic. A very good summary of the problem is provided by Grünwaldt (1999: 101-102) who summarises the views of many scholars like Baentsch, Bertholet and Elliger and then offers a view himself that is similar to the LXX where it is translated, “like a גֵּר and a תּוֹשֵׁב.” But he still concludes with Bertholet (1901: 92) that however we argue, it will never be anything more than “eine Ausflucht zur Konjektur.”

charging of תרבות and נשך is followed by the second occurrence of וְהָיָה מֵאֵלֶיךָ which we had in v. 17, also following a prohibition there. Then there is the chiasmic structure in v. 37, which is different from similar ones that we had before (see Table 3.31). Thus, vv. 35-37 really target the addressee and once again one could argue, the one with the power. In vv. 3-5 the land-owner was targeted and in vv. 15-16 it was the turn of the person who was buying land and now it is the person who helps his brother. What all of these addressees have in common is that they have the power to execute these laws or not.

In v. 38 the text changes to second person *plural* and we have the most extensive presentation of YHWH until now. Verse 38 will be discussed under “motivation” below, but for the time being we could just say that the “collective of landowners” is addressed again. We also find two examples of לְכֶם again where the addressees are presented as beneficiaries. Now, it is specifically YHWH that presents himself as doing something to the benefit of the addressees. One of the things that he will be doing is to give to them the “land of Canaan.” This reminds us of v. 2aβγ and it shows again that the addressees are those who in the eyes of the authors had legal claims to the land.

4.2.6 Verses 39-46, the עֶבֶד issue

Most of the text below is addressed to the second person, either singular, or plural (in italics), but there are some clauses (see underlined) in vv. 41-42 where the third person is used.

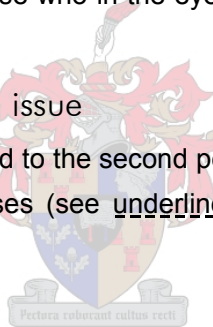


Table 4.7

<p>39 וְכִי־יִמּוֹד אֶחָיִד עַמְּךָ וְנִמְכַר לָךְ לֹא־תַעֲבֹד בוּ עֲבַדְתָּ עֶבֶד: 40 כְּשֹׁכֵר כְּתוֹשֵׁב יִהְיֶה עַמְּךָ עַד־שְׁנַת הַיָּבֵל יַעֲבֹד עַמְּךָ 41 וַיֵּצֵא מֵעַמְּךָ הוּא וּבְנָיו עִמּוֹ וְשָׁב אֶל־מִשְׁפַּחְתּוֹ וְאֶל־אֲחֻזַּת אֲבֹתָיו יָשׁוּב: 42 כִּי־עֲבָדוּ הֵם אֲשֶׁר־הוֹצֵאתִי אֹתָם מֵאֶרֶץ מִצְרַיִם לֹא יִמְכְּרוּ מִמִּכְרַת עֶבֶד: 43 לֹא־תִרְדֶּה בוּ בַפֶּרֶךְ וַיִּרְאֵת מֵאֵלֶיךָ: 44 וְעֲבָדְךָ וְאִמְתְּךָ אֲשֶׁר יִהְיוּ לָךְ מֵאֵת הַגּוֹיִם אֲשֶׁר סְבִיבֹתֶיכֶם מִדָּם תִּקְנוּ עֶבֶד וְאִמָּה: 45 וְגַם מִבְּנֵי הַתּוֹשָׁבִים הַגֵּרִים עִמָּכֶם מִדָּם תִּקְנוּ וּמִמִּשְׁפַּחְתָּם אֲשֶׁר עִמָּכֶם אֲשֶׁר הוֹלִידוּ בְּאֶרְצְכֶם וְהָיוּ לָכֶם לְאֻחָזָה: 46 וְהִתְנַחַלְתֶּם אֹתָם לְבְנֵיכֶם אַחֲרֵיכֶם לְרֵשֶׁת אֻחָזָה לְעַלְמֵם כִּדְם תַּעֲבָדוּ וּבְאֲחֵיכֶם בְּנֵי־יִשְׂרָאֵל אִישׁ בְּאֻחָיו לֹא־תִרְדֶּה בוּ בַפֶּרֶךְ: ס</p>	<p>39 וְכִי־יִמּוֹד אֶחָיִד עַמְּךָ וְנִמְכַר לָךְ לֹא־תַעֲבֹד בוּ עֲבַדְתָּ עֶבֶד: 40 כְּשֹׁכֵר כְּתוֹשֵׁב יִהְיֶה עַמְּךָ עַד־שְׁנַת הַיָּבֵל יַעֲבֹד עַמְּךָ 41 וַיֵּצֵא מֵעַמְּךָ הוּא וּבְנָיו עִמּוֹ וְשָׁב אֶל־מִשְׁפַּחְתּוֹ וְאֶל־אֲחֻזַּת אֲבֹתָיו יָשׁוּב: 42 כִּי־עֲבָדוּ הֵם אֲשֶׁר־הוֹצֵאתִי אֹתָם מֵאֶרֶץ מִצְרַיִם לֹא יִמְכְּרוּ מִמִּכְרַת עֶבֶד: 43 לֹא־תִרְדֶּה בוּ בַפֶּרֶךְ וַיִּרְאֵת מֵאֵלֶיךָ: 44 וְעֲבָדְךָ וְאִמְתְּךָ אֲשֶׁר יִהְיוּ לָךְ מֵאֵת הַגּוֹיִם אֲשֶׁר סְבִיבֹתֶיכֶם מִדָּם תִּקְנוּ עֶבֶד וְאִמָּה: 45 וְגַם מִבְּנֵי הַתּוֹשָׁבִים הַגֵּרִים עִמָּכֶם מִדָּם תִּקְנוּ וּמִמִּשְׁפַּחְתָּם אֲשֶׁר עִמָּכֶם אֲשֶׁר הוֹלִידוּ בְּאֶרְצְכֶם וְהָיוּ לָכֶם לְאֻחָזָה: 46 וְהִתְנַחַלְתֶּם אֹתָם לְבְנֵיכֶם אַחֲרֵיכֶם לְרֵשֶׁת אֻחָזָה לְעַלְמֵם כִּדְם תַּעֲבָדוּ וּבְאֲחֵיכֶם בְּנֵי־יִשְׂרָאֵל אִישׁ בְּאֻחָיו לֹא־תִרְדֶּה בוּ בַפֶּרֶךְ: ס</p>
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The first two and a half verses (vv. 39-41a) preceding the change to third person forms are reminiscent of the preceding text with four occurrences of עַמְּךָ (underlined above), over against only three above. The אָח in trouble and the addressee are thus once again portrayed as having interdependent fates. The position of the אָח becomes more precarious though, because he is not only asking for help, but he is actually sold to the addressee. The point now seems to be that he should not be treated like an עֶבֶד, but that he should be like a שֹׁכֵר and a תּוֹשֵׁב with the addressee. This state of affairs is only to last until the next Jubilee, when he will go out (vv. 40b and 41a). Then in v. 41b we find that the text changes to the third person again, but the change seems more natural now. It is simply as if the paths of the addressee and the אָח will diverge and that he is to go his own way. The interdependence is thus gone now and that is why he is spoken of, because he is not present anymore. It does have a “distancing” effect similar to what we had in v. 25, but it is not that abrupt as above.

This change to third person in v. 41 is also represented with another chiastic structure which involves the verb שׁוּב and which is similar to the one we had in v. 10, although there the verbs were in the second person plural and now it is third person singular. In v. 42 we find another motivational clause where some more information on YHWH is offered (which will be discussed in the next section). In v. 42b the text

stays with the third person plural stating that “they” will not be sold as slaves, but in v. 43 it moves back to the second person singular with a prohibition not to mistreat “him”, but rather to fear your God (again *ויראת מאלהיך*).

This brings us to vv. 44-46 which seem to be answering another question that the reader might have been thinking namely, from where will he then acquire an *עבד* or an *אמה*? The text that follows is rather confusing and in the previous chapter I’ve described it as one seemingly “big pendens construction” with the *עבד* and *אמה* often returning in different guises.²⁵ The first clause is in the second person singular and then it changes to plural again. I understand this first clause as some kind of “heading” meaning something like, “with regards to your *עבד* and your *אמה*...” The last time we had this formulation of “your *עבד*” and “your *אמה*” was back in v. 6 and there it was followed by “your *שכיר*” and “your *היושב* who is sojourning.” Now it is not immediately followed by that (and *שכיר* never actually appears here), but instead many options are presented from whom the addressees are allowed to take an *עבד* and an *אמה*. I would like to present this text as follows:

Table 4.8

<p>⁴⁴ וְעַבְדְּךָ וְאִמְתְּךָ אֲשֶׁר יִהְיֶה לְךָ</p> <p>מֵאֵת הַגּוֹיִם אֲשֶׁר סָבִיבֹתֶיכֶם מִמָּהם תִּקְנֶנּוּ עֶבֶד וְאִמָּה:</p> <p>⁴⁵ וְגַם מִבְּנֵי הַתּוֹשָׁבִים הַגֵּרִים עִמָּכֶם מִמָּהם תִּקְנֶנּוּ</p> <p>וּמִמִּשְׁפַּחְתָּם אֲשֶׁר עִמָּכֶם אֲשֶׁר דּוֹלִידוּ בְּאֶרֶצְכֶם</p> <p>וְהָיוּ לָכֶם לְאִחֻוּת:</p> <p>⁴⁶ וְהִתְנַחֲלֹתֶם אֹתָם לִבְנֵיכֶם אַחֲרֵיכֶם לְרֵשֶׁת אִחֻוּתָהּ לְעַלְמָם</p> <p>כָּדָם תַּעֲבֹדוּ</p> <p>וּבְאֲחֵיכֶם בְּנֵי־יִשְׂרָאֵל אִישׁ בְּאֲחֵיו לֹא־תִרְדֶּה בּוֹ בְּפָרֶךְ: ס</p>

This text does not appear to “belong” with the neat texts that we had up to now. The clauses are longer and it is really difficult to divide them into clauses in the first place. Most of the lines following my “heading” in the table above start with a *waw*, but not all of them. Some also start with a *בֵּן*, which should not come as a surprise, since it is concerned with groups of people *from which* the addressees are allowed to take an *עבד* or an *אמה* (see Van der Merwe et al 1999: 288). But who are these groups?

²⁵ Elliger (1966a: 341-342) has argued here that originally the text only consisted of the first and the last clause in Table 4.8 and thus: *וְעַבְדְּךָ וְאִמְתְּךָ אֲשֶׁר יִהְיֶה לְךָ* and *לֹא־תִרְדֶּה בּוֹ בְּפָרֶךְ*. We thus find no more reference to these verses that have caused so many ethical problems. My problem with this reconstruction is that it introduces other tensions. I thought that the point of vv. 39-43 was that you may not treat your *אם* as a slave and that you may not treat him harshly. We thus do not have any real slaves in the preceding verses. This sudden reference to “your *עבד*” and “your *אמה*” would thus not make sense since they have not been mentioned. It will only make sense if it is followed by reference to who they might be, or from where the addressee will be allowed to acquire them.

The first group mentioned is the “גוים living around you.” This is the fourth occurrence of this term in the Holiness Code (and Leviticus). The previous examples were in Leviticus 18:24, 28 and 20:23 where they were always the “evil” predecessors in the land. These nations are never named, but they are just part of the “evil others” and have now become the “exploitable others.” It thus does not come as such a big surprise since the גוֹי did not exactly get “good press” until now in the Holiness Code.

The second group comes as a surprise for they are the “sons of the תושבי־ם who are sojourning with you.” This second group is introduced by means of a גַּם of which Van der Merwe et al (1999: 315) identify the following as their first “semantic-pragmatic” function:

Speakers or writers give an explicit indication to their audience that *a specific something or someone* must be added to something or someone referred to in the preceding context: *also, even, moreover, even more so.*

This thus shows that we have at least two *different* groups from whom slaves may be taken, namely the גוֹי and now the “sons of the תושבי־ם.” Note also that עִמְכֶם is used which was previously used to express the close relationship and interdependence between addressee and חֵטְא-in-trouble (vv. 35-36 and 39-40), although it is now addressed to the plural. There this portrayal of “closeness” seemed to motivate the addressee (sing.) not to mistreat his חֵטְא-in-trouble, but now it is used in a context of exploitation. We should remind ourselves of the use of גַּר and תושב in v. 35 and the use of שְׂכִיר and תושב in v. 40. There the addressee was asked to treat his חֵטְא-in-trouble like these people and it seemed to be a good thing, but now it changes. How then is one supposed to treat the גַּר, or the תושב, or the שְׂכִיר? Up there it seemed that the answer must have been something like, “decently” or “humanely”, but now the answer is, “use them as slaves.” This really introduces a “tension”²⁶ into the text,

²⁶ Grünwaldt (1999: 109-111) also identifies a tension in the text, but it is somewhat different from mine. He still thinks that the main problem is that vv. 44b-46a.ba digress from the main topic. Verses 39-41 are a prohibition of the oppression of a fellow Israelite who are in debt. This is theologically grounded in v. 42 and is further reiterated by an admonition to fear God in v. 43. Until now everything is said that could be said about a poor brother in debt and it is nicely concluded with v. 43 (וְרֵאתָ מִסֵּלְהֶיךָ) like for instance in v.17). But then “suddenly” in vv. 44-46 the topic changes to buying foreign slaves and therefore Grünwaldt calls this an excursus. He (1999: 111-112) also thinks that this text was added for pragmatical reasons to defend something that was part of the reality of Israelite life. These are thus his grounds for regarding vv. 44-46 as a later addition. The biggest problem with this argumentation is whether these verses really digress from the “topic”? If the issue was that you cannot enslave your חֵטְא, would it not have been expected that the text should also address whom one then could enslave? Could we not argue that this might have been a lingering concern in the minds of the addressees and that this would be an ideal place to treat this issue? We had a previous example in vv. 20-22 where the text did address possible concerns that the addressees might have had.

The point is just that Grünwaldt’s argument is not that “water-tight” (not that any argument ever is), but still we must acknowledge that these two verses do create further “tensions” or “inconsistencies” in the text as I have also pointed out above.

because above the lot of one of these groups did not seem bad. Yet now it seems like the worst that could happen, because the גֵר and the תושב (we do not know about the שְׂכִיר) can all at some stage become an עֶבֶד, or for that matter an אֲמָה.

This status is also applied to the מְשֻׁפָּחָה of these groups and to children that were born in the land and again we find עִמְכֶם. They are to be an אֲחֵיכֶם that can be inherited from generation to generation of the addressees. Up till now אֲחֵיכֶם has only been used with regards to land, but now it is applied to people. Once again we find לְכֶם expressing benefit to the addressees.

Referring to the “sons of Israel” for the third time in this text, v. 46 concludes by equating them with “your brothers.” This is followed by a clause that uses a second person *singular* verb and is an exact repetition of the first clause of v. 43, calling on the addressees not to treat their brothers harshly. This looks like another *inclusio* (as indicated in the table above).

The one issue that I’ve not discussed with regards to vv. 44-46 is address. The larger part of the text is second person plural. The “heading” that I identified above in v. 44a was still addressed to the singular, but after that the text changed to the plural. The last clause of v. 46 is a mix of singular and plural forms, but it concludes with the singular. Thus in between these two singular texts, the community of landowners is addressed again and the authors once again need a “group-effort” from the addressees. But why this change now? Now, that the text turns to what for the modern reader sounds like terrible exploitation? Do we now acquire a better glimpse of how this community understood themselves over against other possible groups in that society? That the “collective psyche” of the group addressed enables them to draw boundaries between them and those regarded as not part of them?

A striking feature of the text is that we suddenly find reference to “your land” (אֲרֶצְכֶם) in v. 45. This only occurs 12 times in the whole Holiness Code of which six are found in Leviticus 26.²⁷ In chapter 25 we had this usage in v. 9 when the שׁוֹפְרֵי were to go through “your land” on the Day of Atonement. Now it leaves the impression that the addressees are reminded that these people, whom they may enslave, are born in the land of the addressees, implying that it is not *their* land, but *yours*. It reinforces what I’ve been arguing up to now, that the people addressed are those who in the view of the authors had legal claims to land. They are to protect each other, when they are in trouble and then they refer to each as either an עִמִּית or an אֲחֵי, but all of them have claims to land. They are thus the only ones that can “return” to either אֲחֵיכֶם or מְשֻׁפָּחָה. All the other groups like a גֵר, a תושב, a שְׂכִיר and obviously the עֶבֶד and the אֲמָה are

²⁷ These include Leviticus 19:9, 33; 22:24; 23:22; 25:9, 45 and 26: 1, 5, 6, 19, 20 and 33.

not entitled to land. To these groups the גוים are now added who are an even more distant group living in the surrounding areas of the addressees (סביבתיכם). These groups (excluding the גוי) may at times function as an example of how an addressee should treat an אָץ-in-trouble, which then usually means “decently” or “humanely” as we saw above in vv. 35-37 and 39-41. Yet, apart from that and from sharing in the left-overs in the Sabbath year, they could be exploited, because they, after-all, had no legal claim to owning land. This state of affairs apparently did not stop the גרים from actually obtaining land and becoming rich at times as we see in the next case.

4.2.7 Verses 47-55, The problem of a rich גר

Table 4.9

	47	וכי תשיג יד גר ותושב עמך
		ומך אֶחָיִךְ עִמּוֹ
		ונמכר לגר תושב [עמך] או לעקר משפחת גר:
	48	אֶחָרֵי נִמְכַר
		לְאֵלֶּה תִּהְיֶהֱלוּ
		אֶחָד מֵאֲחֵי יִשְׂרָאֵל:
	49	אוֹרְדוּ אוֹ בְּיָדוֹ יִשְׂרָאֵל
		אוֹרְמִשָּׂאֵר בְּשָׂרוֹ מִמִּשְׁפַּחַתוֹ יִשְׂרָאֵל
		אוֹרְהִישִׁיגָה יָדוֹ
		וְנִשְׂאֵל:
	50	וְחָשַׁב עִם־קִנְהוֹ מִשְׁנַת הַמְכָרוֹ לֹא עַד שְׁנַת הַיָּבֵל
		וְהָיָה כֶּסֶף מִמְכָרוֹ בְּמִסְפַּר שָׁנִים
		כִּימֵי שְׂכִיר יִהְיֶה [עמו]:
	51	אִם־עוֹד רַבּוֹת בְּשָׁנִים לִפְיֵהוּ יָשִׁיב לְאֵלֶּה מִכֶּסֶף מִקְנָתוֹ
	52	וְאִם־מְעַט וְנִשְׂאֵר בְּשָׁנִים עַד־שְׁנַת הַיָּבֵל
		וְחָשַׁב־לּוֹ כִּפְיֵי שָׁנָיו
		יָשִׁיב אֶת־לְאֵלֶּה:
	53	כְּשִׂכָּר שָׁנָה בְּשָׁנָה יִהְיֶה [עמו]
		לֹא־יִרְדּוּנוּ בְּפֶרֶךְ לְעֵינֶיךָ:
	54	וְאִם־לֹא יִשְׂאֵל בְּאֵלֶּה
		וְיָצָא בְּשְׁנַת הַיָּבֵל הוּא וּבָנָיו [עמו]:
	55	כִּי־לִי בְנֵי־יִשְׂרָאֵל עֲבָדִים
		עֲבָדֵי הֵם
		אֲשֶׁר־הוֹצֵאתִי אֹתָם מֵאֶרֶץ מִצְרַיִם
		אֲנִי יְהוָה אֱלֹהֵיכֶם:

This last case of the אָץ getting in trouble and ending up with either a תושב or גר is especially reminiscent of the first case that we had (vv. 25-34) and this is mainly because of two characteristics that these cases have in common. The *first* is that the root גאל dominates both cases. In the first case we had ten occurrences and now we have eight. The only other occurrence of the root is in v. 24. The *other* characteristic is that this case, like the first one, is mostly in the third person and once again it seems as if the אָץ-in-trouble is distanced from the addressee. Verse 47 is still full of

pronominal suffixes addressing the second person singular, thus the גֵר and תוֹשֵׁב become rich “with you” (עִמָּךְ), but then “your אָח” becomes poor “with him” (עִמּוֹ). This might have been the bothersome aspect here, that the אָח has ended up with the גֵר and the תוֹשֵׁב, but luckily the latter was still “with you”, as it is once again expressed in the third clause of v. 47. That I suppose was the point that the addressee had some kind of “control” over the גֵר and the תוֹשֵׁב, or the text at least attempts to claim this.

Still the reality is accepted that the אָח will end up with the גֵר and the תוֹשֵׁב and then vv. 48 and 49 spell out the contingency plan in this event. The אָח is distanced again and one is tempted to ask why the addressee is not encouraged to redeem his brother? But once again it is the redeemer who steals the show while the previous addressee becomes a spectator again. Yet now (as opposed to v. 25) we are provided with more detailed examples of who the redeemer might be; one of his brothers, an uncle or a cousin, or some other related person from his משפּחה, or he himself eventually.

Verses 50-52 are concerned with calculating the redeeming price, and here as with the land in vv. 27-28, or vv. 15-16 the price is determined by calculating how many years are left until the Jubilee. In v. 53 it is reiterated that the person in trouble would be like a שְׂכִיר with the גֵר and the תוֹשֵׁב. Thus in v. 35 your אָח will be like a גֵר and a תוֹשֵׁב with you when he asks you for help and in v. 40 the brother that is sold to you will be like a שְׂכִיר or תוֹשֵׁב with you. But when the same אָח-in-trouble is sold to the גֵר or the תוֹשֵׁב, then he will be like a שְׂכִיר with them. Does this mean that he cannot be a גֵר or תוֹשֵׁב with them (as he is with you), because they (i.e. the גֵרִים and תוֹשְׁבִים) are that already? Or, does it mean that שְׂכִיר is somewhat higher on the social order? Or did the text just run out of appropriate terms to describe all the different categories of people? At this stage I would guess that it is more about the שְׂכִיר being somewhat higher on the social ladder.

In the second clause of v. 53 the attention of the addressee is demanded again when it is said that “they” (I presume the גֵר and תוֹשֵׁב) will not treat him badly “in your eyes” (לְעֵינֶיךָ). This gives the impression that the text accepts the fact that the addressee will not really redeem his אָח, or should one say that the text does not really ask that from the addressee. The redeemer is always somebody else that is spoken of, not with, but the real (and only) claim that is made on the addressee is to “check up” on the אָח in the hands of the גֵר or the תוֹשֵׁב and to make sure that he is not treated badly. This interpretation is supported by the fact that the following v. 54 concedes

that if there is no redeemer, that the אֲנִי will go out in the year of the Jubilee. Verse 55 provides the last וְ clause of chapter 25 and will be discussed below.

So, why then the change to third person? Above in vv. 25-28 I argued that the change of person might have been because the authors did not regard these laws as that “urgent.” By that I meant that the laws might already have been part and parcel of the society and the authors could thus save their “rhetorical effects” for some more urgent issue. Therefore the laws were in the distanced third person. Then at least we had Jeremiah 32 to support the argument, but now it is different. The main problem now is that the verb אָלַף is applied to human beings and not to land as in vv. 25-28. It seems that there are no other texts in the Bible where people are redeemed in this sense.²⁸ There is as usual some diachronic ways out of the problem,²⁹ but to argue the same here as I did with regards to vv. 25-28 would be real speculation. It might be that in the society which this text was targeting an אֲנִי ending up with a אָלַף might have been perceived as such a terrible breach of the values of that society that redemption would have followed immediately. It is possible, but we have no text to support this scenario.

Another possibility is that I was wrong above with regards to vv. 25-28 that a change to third person does not signal “lesser urgency” and then Watts (1999) was wrong as well. If, for instance, this means “lesser urgency” why then is the redeemer so clearly defined in vv. 48-49? This does not sound like anything of lesser urgency, to the contrary. What other possible strategies could then be at work here?

One possibility is that the concerns are more aesthetic here. We have four blocks of casuistic-like law of which the first and fourth are dominated by third person forms (apart from the root אָלַף) and the second and third by second person forms. That forms another kind of chiasmic structure (A B B' A').

Another possibility is provided by the way in which I understood the two third person clauses in v. 41 which was also a chiasmic parallelism (see 4.2.6 above). There I thought that the change was “more natural” in the sense that the paths of the addressee and the אֲנִי that was living with him really separated. The אֲנִי was not with the addressee anymore and therefore the distancing effect in the text. It might be possible to understand the first (vv. 25-34) and the fourth case (vv. 47-55) similarly. In the fourth case the אֲנִי falls into the hands of a אָלַף or אֲנִי and thus somebody outside the community and therefore “distant.” In the first case the problem is not

²⁸ Stamm (1971: 386) mentions that the verb אָלַף is only used in the OT “beim Grundbesitz und bei der Blutrache.” See also Grünwaldt (1999: 343).

²⁹ For Cholewinski the fact that this text is in the third person meant that it must have been older similar to vv. 25-34 (1976: 101-102). Grünwaldt (1999: 331-333) argues that the text is the creation of the author from the previous parts of chapter 25.

really the אֱלֹהִים himself, but instead his אֱלֹהִים. It is thus not about people, but about things and therefore this “distancing style.” In the second (vv. 35-38) and the third (vv. 39-45) case the text is concerned with people, with the אֱלֹהִים ending up with the addressee(s) and therefore we have a more immediate second person style. Add to that the many examples of אֲנִי and it seems like a viable explanation.

To conclude, my description of “address” in this chapter I must admit that I cannot clearly describe the possible rhetorical effect that the change from second to third person might have had. Above I presented at least three possibilities. The first one was that the third person texts had “lesser urgency”, which was something suggested by Watts. I do not think that one can convincingly argue that, at least not with regards to the fourth case (i.e. vv. 47-55) in chapter 25. I then offered at least two more possibilities which do not necessarily exclude each other, but which seem more plausible. Yet all three of them are speculation, but it might very well be that all three have some element of truth in them.

When it comes to the change from plural to singular within second person forms, I think that my explanations are more convincing. They all pointed to the fact that the text is power-conscious in the sense that it zooms in on those people who really have the power to make a difference. I also stand by my deductions that the addressees of this text are those that have legal claims to the land. “Legal” means valid in the eyes of the authors, but let us now turn to an issue that I think is slightly easier to describe.

4.3 Motivation

In his discussion of “motivation” Watts (1999: 65-67) accentuates that motivational clauses play an important role in connecting story and list with each other. He describes it as follows (Watts 1999: 67):

Motive clauses thus contribute to the Pentateuch’s rhetoric of persuasion not only by explaining the laws, but also by tying story and list more closely together. They reinforce on a small scale the effect of the larger rhetorical structure that presents the *torah* of God in both narrative and law.

It thus means that sometimes when we have a וְ-clause it is probably referring to the larger narrative. A very good example from the Holiness Code that has received plenty of attention is the so-called “I am YHWH” phrase that we find 45 times in Leviticus 17-26 (Watts 1999: 67). It occurs for the first time in 18:2 and from the outset it is connected with Egypt and thus the larger Exodus narrative and as we will shortly see that is often the case in chapter 25 as well. But first we need to agree on some kind of definition of what “motivation” entails. One question (that we partly addressed above) is whether “motivation” needs a “motivational וְ”?

In a study on “motive clauses in Hebrew law” Sonsino (1980: 70-76) provides a thorough discussion on the possible form of Hebrew motive clauses. Apart from the usage of grammatical particles (of which ׀ is the foremost), he acknowledges that it can also be formulated asyndetically “simply juxtaposing the main clause and the causal clause” (Sonsino 1980: 74). This will help us to treat some clauses without the particle ׀ as functioning similarly to those with the particle ׀ or as he puts it (1980: 74):

The possibility of indicating logical subordination by means of unconnected grammatical coordination makes it possible to identify many circumstantial clauses which are formulated asyndetically as legal motive clauses.

Eventually Sonsino (1980: 247-248) identifies nine motive clauses in Leviticus 25 of which eight (vv. 12, 16, 23 [x2], 33, 34, 42 and 55) are introduced by means of a ׀ and one is not (v. 38). We will pay closer attention to these examples below. Yet, in one regard will I digress from what Sonsino did and that concerns parenetic statements. He does not treat parenetic texts along with motivation and he contrasts the two as follows in terms of purpose (1) and form (2) (Sonsino 1980: 68-69):

(1) The primary object of a parenetic statement is to summon people to obedience. This is achieved by means of appeals formulated in broad terms such as those mentioned previously. The main purpose of a motive clause, however, is to provide a *raison d'être* for the law, to justify the appropriateness of the particular legal prescription, to show that the law is just because of the specific reason or purpose formulated therein. Here the element of exhortation is only secondary and implicit, inasmuch as a law that proves to be just may be expected to receive assent. Motive clauses do not embody direct appeals of general import, nor exhortations couched in broad indefinite terminology. Quite the contrary, they tend to be specific, pertaining closely to the law at hand.

In terms of form Sonsino (1980: 69) argues that “a parenetic statement frequently appears as an independent unit even when it is connected with a given law.” This parenetic statement might even contain “its own motive clause.” A motive clause on the other hand “is never an independent entity; in fact, it always constitutes a subordinate clause or phrase.” In what follows I will discuss both the motivational clauses and the one parenetic text together, simply because I think that to “summon people to obey” and to provide a reason for a particular law could both be regarded as kinds of persuasion. I am not that convinced either that motive clauses are always that independent, neither that it is always connected to some or other clause.³⁰ In any case, as we will see below the parenetic text in Leviticus 25 is closely connected to a motivational ׀-clause.

³⁰ See my discussion in Meyer (2001: 39-42).

4.3.1 Motivation in Leviticus 25

4.3.1.1 Motivation by means of repetition

The first כִּי-clause in Leviticus 25 is found in v. 12 which is (as discussed in the previous chapter) the third of three nominal clauses that we find in vv. 10-12. These three are thus unique to the laws on the Jubilee and only the third example is introduced by means of a כִּי. One problem with the clause, *כִּי יוֹבֵל הוּא קִדְשׁ תְּהִיָּה לְכֶם* is that it is not that clear whether it is one or two nominal clauses. Thus, it is not that clear whether the “holy it shall be for you”-part is actually part of the motivational clause.³¹ We have already compared the three clauses with each other and it seemed as if they are building on each other, each “extending” the previous example by adding something new. What is important though is to realise that this clause; whether we regard it as two or one does not matter; does not really add “something new” to the text. It just says what has been said up to now. It is the third occurrence of *יוֹבֵל הוּא* and the *קִדְשׁ* is not that new either, since it was already stated in v. 10 that the addressees must “consecrate (Pi of *קִדְשׁ*) the year of the fiftieth.” It thus uses elements that were there already, puts them together and uses that as motivation for the three directives preceding it. It is thus something like “do not do this, because we simply do not do things like that.” For a modern person it would not really answer the question of “why not”, by just answering with “this is how it is done.”

The second כִּי clause that we find in v. 16 is similar. It just repeats something that was already mentioned in the preceding text. This text (vv. 14-17) is about not “cheating” your עֲמִית when buying and selling. We already said that the text then mainly focuses on the person buying who, after-all, probably has the most power and who is not in a vulnerable position. The first two clauses of v. 15 already state the basic principle that land is not sold but the amount of harvests left to the Jubilee. The כִּי clause in v. 16 then just states this again and is nearly a word-for-word repetition of the second clause of v. 15 as the following table shows:

Table 4.10

	<i>בְּמִסְפַּר שְׁנֵי תְּבוּאוֹת יִמְכַר לְךָ</i> ^{15b}
	<i>כִּי מִסְפַּר תְּבוּאוֹת הוּא מִכַּר לְךָ</i> ^{16b}

Thus the situation is similar as above, nothing new is introduced, but we just find a repetition of former elements that has to serve as motivation. The two כִּי clauses in

³¹ Sonsino (1980: 247), for instance, only regards *כִּי יוֹבֵל הוּא* as a motivational clause and so does Bandstra (1982: 242).

vv. 33 and 34 referring to the Levitical houses in cities are further examples of this kind of motivation. Verse 32 already contains most of the elements that is only repeated again in the כִּי clauses in vv. 33 and 34.

This kind of motivation changes when we look at the other motivational clauses in this chapter. Now we have YHWH entering the discussion.

4.3.1.2 Motivation by means of the divine

The first example of this kind of motivation takes us to v. 17 which in itself is a real mixture of sorts. We mentioned above that the text changes here from second person singular to second person plural. Verse 17 is also a transition between the casuistic-like laws in vv. 14-16 and the parenetic text that follows (vv. 18-19). The first clause of v. 17 ($\text{וְלֹא תוֹנוּ אִישׁ אֶת־עֲמִיתוֹ}$) forms an inclusio with the last phrase of v. 14 ($\text{אַל־תוֹנוּ אִישׁ אֶת־אֶחָיו}$) around the laws that focus on buying from an עַמִּית (see table 4.3 above). It probably signals to the hearer that the text will move on to another “topic”, but not before the phrase $\text{וַיִּרְאוּ בְּאֵלֵי ה'}$ is added. In the previous chapter we already mentioned that Joüon & Muraoka (1991: 641-642) understand this phrase (actually the example in v. 43) as “adversative.” One could thus translate it with something like “a man will not maltreat his neighbour, *but rather* fear your God” or “..., *instead* fear your God.” It thus provides alternative behaviour to maltreating an עַמִּית , as if “fearing God” by definition simply excludes “maltreating” an עַמִּית . This is also the first time that God is referred to in the text (excluding the introductory part).

Following this introduction of God we find the next כִּי introducing the most famous phrase in the Holiness Code. If somebody were thus to ask, “so why should I fear God”, then this phrase attempts to provide an answer, although rather sparingly, since there is no reference to Egypt or any deeds that YHWH might have done, just a claim to be “your God.” This claim is immediately followed by the parenetic part which also consists of two inclusios (see table 4.3 above). The first includes a text summoning people to do the laws (v. 18a) and the second promises a safe and prosperous stay in the land (vv. 18b-19). YHWH is thus not yet identified as the liberator from Egypt, but simply as a god who summons the addressees to do his bidding and who promises a good stay in the land when this happens. The relationship between the two inclusios is also that of command and motivation. The first summons or commands and the latter provides a reason why, in the sense of providing a positive outcome in the case of compliance. Or one could say offering something of the proverbial “carrot before the donkey’s nose.” This is another reason why Sonsino’s apparent clear distinction between motive clause and parenetic text is not always that clear-cut.

The second example of motivation involving YHWH is found in vv. 23-24 or what I previously called a “hinge.” Neither the word YHWH nor אֱלֹהִים occurs, but it is obviously YHWH speaking. Verse 23 is preceded by some verses (20-22) referring back to the Sabbath laws and now v. 23 itself deviates from that again and the topic of land being sold is suddenly on the agenda again. This is reminiscent of vv. 14-17 where we had lots of buying and selling, although the thing that was sold and bought there was never actually called land. Verse 23 states that “the land will not be sold in perpetuity” and once again it compliments what was said in vv. 14-17 that only the harvests are sold. But now it adds a further motivation and that is that the land is “for YHWH” (כִּי־לִי הָאָרֶץ) and it thus motivates by referring to the character of the relationship between YHWH and land. This clause is then followed by another כִּי clause now portraying the relation between YHWH and the addressees as גֵּרִים and תּוֹשְׁבֵי־אֶרֶץ. The first sounds like a reason, but the second could be understood as a warning addressed to the addressees implying something like “watch out, your relationship with the land is rather precarious and could be terminated at any moment!” Or, is it just stating a “fact” in the sense that YHWH is the land-owner and the addressees are living there under his supervision which implies that they do not own the land and they thus cannot sell the land? Now it is not a warning anymore, but just a factual statement, because a גֵּר or a תּוֹשֵׁב living on somebody else’s land usually cannot sell that land. I do not think that we should exclude either possibility, the safest is probably to understand it as a combination of these two meanings. These two כִּי clauses thus directly motivate the preceding law on not selling the land. But they also add to the persuasive strategy of the whole chapter, because these clauses focus on the relationship between addressees, land and YHWH and provide a theological foundation to the chapter that is explored further in the rest of chapter 25. Verse 24, as I already indicated in the previous chapter, points forward to what follows in the second half of Leviticus 25.

But to sum up, until now YHWH has been presented as a God making demands on the addressees to do his bidding and by offering some promises of safe living when the addressees were to comply (vv. 17-19). Now (in v. 23) we meet a god who owns the land and who does not allow people to sell it. It is not that clear yet on what grounds he makes all these claims, but this changes when we reach v. 38.

Verse 38 is the example of the motivational clause without a כִּי that Sonsino (1980: 247) identified, who then regards the whole verse as one motivational clause. It is specifically stated that YHWH brought the addressees out of Egypt, of which this is the first reference in chapter 25, with two purposes in mind namely “to give the land of Canaan” and “to be your God.” Thus, once again we are back with the relationship between land, YHWH and addressees as in v. 23. Yet now the land is not “for

YHWH”, but instead we are reminded of v. 2a_γ where YHWH is about to give (נתן) the land to the addressees. The first ל here thus expresses something being transferred. The second ל expresses in a sense also something given or presented, or to use our previous concept, “presenting benefit” would be applicable again. The addressees are benefiting again, they acquire land, and they gain a god and they have already received liberation from Egypt. Thus, for the first time in this chapter the “Egypt-card” is used. It is as if it has been spared for this late moment in chapter 25, but now we will see that it is used in every remaining case.

Furthermore, I do not think that v. 38 is specifically just motivating the preceding clause. We saw that v. 37 was also a parallelistic chiasm, which I understand as concluding the whole preceding text (vv. 35-36). Verse 37 is also a repetition of what was prohibited in the first clause of v. 36 which was followed by the “fear your God” clause. Verse 37, thus presents the “gist” of the preceding verses in this highly persuasive structure. I take this to mean that v. 38 should be seen as providing a motivation to the whole sub-section (vv. 35-38) and not just one specific clause. The next motivational clause also shares this feature.

Verse 42 follows a chiastic parallelism that we find in v. 41. The difference is that both these verses (41 and 42) are not directed at the addressees anymore, but are both in the third person. Previously (v. 23) the addressees were called וְהוֹשְׁבֵי and גְרָם before YHWH, but now it seems as if they are demoted further because now they are called עֲבָדִים. Yet, it is actually not the addressees that are called עֲבָדִים, but instead the third person plural pronoun is used. The כִּי clause is followed by another reference to the fact that YHWH brought them out of Egypt. This clause is in the third person plural whereas the previous example (v. 38) was second person plural:

Table 4.11

אֲנִי יְהוָה אֱלֹהֵיכֶם ³⁸ אֲשֶׁר-הוֹצֵאתִי אֹתְכֶם מֵאֶרֶץ מִצְרַיִם
כִּי-עֲבָדֵי הֵם אֲשֶׁר-הוֹצֵאתִי אֹתָם מֵאֶרֶץ מִצְרַיִם

In both cases we have אֲשֶׁר-clauses and the only difference between the two is that the second one has “them” as object and the first one “you.” The two אֲשֶׁר-clauses differ in one other sense and that is that the first one is telling us more about YHWH himself. It follows the famous phrase of the Holiness Code, אֲנִי יְהוָה אֱלֹהֵיכֶם. The second אֲשֶׁר-clause is not about YHWH, but instead about the עֲבָדִים. The question is why it was not written “you are my עֲבָדִים”, but instead “they are my עֲבָדִים”? Did the author stick to the third person, because he was following the chiastic structure which was third person, or was it more a case of not trying to offend the addressees?

Would they have been offended if they were called עֲבָדִים of YHWH? Or, to put it differently, who are the “they”? From this text it seems that it refers to the brother in trouble, not to the addressees. So, the brother in trouble is an עֲבָד of YHWH, but the addressees are only גֵּרִים and תּוֹשְׁבֵי־אֶרֶץ before him. Is this a “higher social class” or is something else going on here? The plot thickens when we turn to the next כִּי clause in v. 55.

Verse 55 is partly a repetition of v. 42 (עֲבָדֵי־הָאֱלֹהִים), but now we find another specific reference to the sons of Israel and as the land in v. 23 is “for YHWH” they now are “עֲבָדִים for YHWH” (by means of לְ). It is important to note that this theological motivation is once again referring to “them” not “you.” This is also only the third time that we have the “sons of Israel” in chapter 25. We had them in the introduction and then again in v. 33 where the issue of אֲחֻזָּה amongst Levites was discussed. Are the “sons of Israel” thus those in trouble while the addressees are those with more power and money? When we only consider v. 55 it seems so, but when we consider vv. 1-2a α where Moses is ordered to address all the “sons of Israel”, this impression changes since it means that all the addressees were included as “sons of Israel.” It appears more probable that the “sons of Israel” include the persons with power (the “you” singular) and the other addressees (addressed by the “you” plural) who seem to have less power, but also the אֶת־אֶרֶץ and עֲבָדֵי־אֱלֹהִים who are in definite financial trouble. Still, it only includes people with legal claims to land.

To sum up, the motivational clauses involving YHWH introduce one of the fundamental issues in this text and that is the relationship between YHWH, the addressees, the אֶת־אֶרֶץ in trouble and the אֲחֻזָּה. This relationship is based on YHWH’s claim that he brought the addressees and the “sons of Israel” from Egypt.

4.4 Repetition and variation

Watts (1999: 68-84) discusses repetition and variation under two different headings and he, of course, is more interested in these phenomena in the whole Pentateuch and focuses on a much “larger scale” than what I will attempt below. He does make some valuable remarks though, for instance that repetition “is a prominent feature of public speech, used to emphasize important points and make the contents memorable” (Watts 1999: 70). Or, that “repetition of individual commandments obviously enhances their mnemonic force, but it also serves to emphasize certain themes” (Watts 1999: 71). He also acknowledges that repetition and variety are often intertwined with each other (Watts 1999: 73-74):

Variety preserves interest and attention in publicly read law, as it does in narrative. Israel’s tradition of public reading can be expected to have encouraged

variety for rhetorical effect even, perhaps especially, in the midst of didactic repetition.

The repetition that he then focuses on has more to do with the relationship between the different law codes of the Pentateuch as a whole (see Watts 1999: 74-84).

Many of the features of the text that I have identified in this chapter and the previous one can all be explained in the light of these two phenomena, repetition and variation. For instance, the three nominal clauses that we had in vv. 10-12 (see also table 3.12) are good examples:

Table 4.12

יֹבֵל הוּא תְהִיָּה לְכֶם יֹבֵל הוּא שְׁנַת הַחֲמִשִּׁים שְׁנָה תְהִיָּה לְכֶם כִּי יֹבֵל הוּא קֹדֶשׁ תְהִיָּה לְכֶם

I have indicated the *added parts* in italics every time, but it is clear that what we had in the first clause is always repeated in the following two, yet each time other words are added. We also discussed this above under the heading of “motivation by means of repetition” and these examples thus seems to be part of the persuasive strategy used in this text.

The introductory clauses of the four cases in the second part of chapter 25 are also excellent examples of repetition and variation being combined (see also table 3.21):

Table 4.13

כִּי־יָמוּךְ אֶחָיִךְ ²⁵ וְכִי־יָמוּךְ אֶחָיִךְ ³⁵ וְכִי־יָמוּךְ אֶחָיִךְ עִמָּךְ ³⁹ וְכִי תֵשִׁיג יָד גֵּר וְתוֹשֵׁב עִמָּךְ ⁴⁷ וּמָךְ אֶחָיִךְ עִמּוֹ

In this example the function is probably more division than persuasion, but still we find the same elements being repeated every time and other elements added. Progression is also clearly visible.

The combination of repetition and variation also played a role in many of the inclusios that I identified. Some good examples can be seen in table 4.3 (vv. 14-19) above where I identified three inclusios and each time it was by means of a verb (עָשָׂה, יָנַח) being repeated (and sometimes other elements as well), but on each occasion we found variation as well.

4.4.1 Chiastic parallelism

Yet the best examples of this combination of repetition and variation were those features that I called parallelistic chiasm or at stages chiastic parallelism. Each one of these were an example of two clauses following each other, where the meaning was more or less repeated (usually by means of the same verbal root), but where the syntax was always the other way around, and thus combinations of repetition and variation, as the following examples show:

Table 4.14

וְהַעֲבַרְתָּ שׁוֹפָר תְּרוּעָה בַּחֹדֶשׁ הַשְּׁבִיעִי בְּעִשׂוֹר לַחֹדֶשׁ בְּיוֹם הַכִּפְּרִים תַּעֲבִירוּ שׁוֹפָר בְּכָל־אַרְצְכֶם:	Lev 25:9
וְשָׁבְתָם אִישׁ אֶל־אָחִיו וְאִישׁ אֶל־מִשְׁפַּחְתּוֹ תֵּשְׁבוּ	Lev 25:10bβγ
וְאָכַלְתֶּם מִן־הַתְּבוּאָה יָשֵׁן עַד הַשְּׁנֵה הַתְּשִׁיעַת עַד־בּוֹא תְבוּאֹתֶיהָ לֵאכְלוּ יָשֵׁן:	Lev 25:22* ³²
וְשָׁב אֶל־מִשְׁפַּחְתּוֹ וְאֶל־אָחִיו אָבִיתוּ יָשׁוּב:	Lev 25:41b

These are all examples of chiasms where the same verbal root is used every time, but we had one example where two different roots were used although they were doing the same thing in terms of meaning:

Table 4.15

וַעֲשִׂיתֶם אֵת הַקִּטִּי ¹⁸ וְאֶת־מִשְׁפְּטֵי הַשְּׁמֵרִי	Lev 25:18a*
--------------------------------------------------------------------------	-------------

There were also two examples of chiastic parallelism involving the root הדיה:

Table 4.16

וְדָדָה שַׁבַּת הָאָרֶץ לָכֶם לֵאכְלָהּ לֶךְ וּלְעַבְדָּהּ וְלִאֲמֹתָהּ וּלְשִׁכְרָהּ וּלְתוֹשֵׁבָהּ הַגֵּרִים עִמָּךְ: וּלְבַהֲמֹתָהּ וּלְחֵיהָ אֲשֶׁר בְּאַרְצֶךָ דָּדָה כָּל־תְּבוּאֹתֶיהָ לֵאכֹל: ס	Lev 25:6-7
וְדָדָה גֵּאֲלֵתוּ עַד־תֵּם שְׁנַת מִמְּכָרוֹ יָמִים דָּדָה גֵּאֲלֵתוּ:	Lev 25:29aβb

These kinds of features make sense if these texts were written in order to be read aloud. The repetition of the verbal root along with the inverted order would probably have been detected by the hearers and must have added to the “aesthetics” of hearing the text as well as the persuasive effect. On two occasions (vv. 6-7 and 22) they occur at the end of sub-units and in v. 18 at the start of the parenetic part. On other occasions they are somewhere in the middle part of the unit (vv. 9, 10 and 41). At this stage it is thus not possible to determine a specific function for these features, apart from that they contribute to the aesthetics of a text. We should also keep in

³² In cases where my division of clauses does not concur with those of the Masoretes I will add a *. This is the case above, because the `atnah is already below the יָשֵׁן.

mind that parallelism has always been associated with poetry and not necessarily with prose, or as in this case with legal texts.

Ever since Robert Lowth identified *parallelismus membrorum* two hundred and fifty years ago (1753) this term has been applied to Hebrew poetry. What I've identified above would not always have been classified as that, simply because the definition of what a line is, is much stricter in poetry, although that is also a debated issue (see Petersen & Richards 1992: 21-35). Recently Firth (2002: 647-656) has argued that we do find parallelism in prose and he identifies examples in 1 Sam 5-6. He (Firth 2002: 648) also argues that "*parallelismus membrorum* is a form of repetition." Firth (2002: 648) continues "if parallelism is a standard literary feature and not a purely poetic one, then we should expect to find it within prose texts, and be able to describe its form and function." We could thus say that we have reached his first objective of identifying examples of parallelism, be it not within prose texts, but in a legal text. Yet we are still some way off his second objective.

With this latter objective in mind Firth (2002: 650) then argues that parallelism should be regarded as a kind of repetition:

One feature that is immediately apparent in this text is its extensive use of repetition, both proximate and remote. It is the proximate repetitions that represent parallelism, though these need to be seen within the context of the wider use of repetition that is found throughout.

This observation of him provides further support for treating these chiasmic parallelisms under a heading concerned with repetition and variation. It is the proximity of the repetition that turns it into parallelism. The examples of parallelism or proximate repetitions that Firth eventually identifies usually involve a "degree of additional information" (2002: 650). Most of the examples are in essence "examples of seemingly synonymous parallelism between sentences, but in which the second line develops the first along the lines traditionally assigned to synthetic parallelism" (2002: 651). Firth (2002: 654) describes the possible functioning of parallelism in a narrative as follows:

Moreover, the function of parallelism within narrative prose is specific to the story at hand, and in particular is used to heighten reader interest by introducing information that needs clarification through some form of specification.

I do not really think that one could apply this definition to our examples above. For one, I do not think that the second line in our examples really develops the first line further and thus provides some form of specification. For instance, if we look at the example in v. 9 (see table 4.14), then I cannot see that calling it the "day of atonement" instead of "the tenth day of the seventh month" is really that different, or more specific. The reader or hearer knows from Leviticus 16:29 and 23:27 that the

tenth day of the seventh month is the Day of Atonement. Or is **מִשְׁפָּטָה** more specific than **אֲחֻזָּה** (vv. 10 and 41)? Should they not be read as some kind of pair? Or is it not the same to refer to the ninth year and the year when the next harvest will come (v. 22), since both refer to the same event? Most of these examples look like “six of one and half a dozen of the other.” Thus even though I think that Firth’s identified function is applicable to the narrative texts that he studies, I do not think that it helps us much.

For the time being we will thus have to settle to describe them as adding to the beauty and aesthetics of the text and in that sense providing some kind of rhetorical effect (see also Milgrom 2001: 2162). I will develop my argument further in the next chapter with regards to these stylistic devices as something that chapters 25 and 26 have in common with each other. Yet there is one other feature with regard to these parallelisms that we should mention now.

Two of the examples above (vv. 10 and 41) involve the verbal root **שׁוּב**. In another two, vv. 6-7 and 22, the verbal root **אָכַל** features. According to Warning (1999: 223) the root **שׁוּב** occurs 11 times in this chapter (vv. 10[x2], 13, 27[x2], 28[x2], 41[x2], 51 and 52). This is unique to chapter 25 when compared to only two other examples in the whole Holiness Code.³³ **אָכַל** occurs 8 times³⁴ in vv. 6, 7, 12, 19, 20, 22[x2] and 37, but it occurs also fairly frequently in the rest of Leviticus. On the face of it one could understand this as to mean that “returning” and “eating” are important concerns of the text and then probably of the people to whom it was addressed. Another word that is rather unique to chapter 25 (it only occurs five times in Lev 27 and twice in Lev 14) is **אֲחֻזָּה**. We find 13 examples in vv. 10, 13, 24, 25, 27, 28, 32, 33[x2], 34, 41, 45 and 46 (Warning 1999: 182). In five of these cases (vv. 10, 13, 27, 28 and 41) it is, of course, used in conjunction with **שׁוּב**, with two of them being chiasms. The same could be said about the term **מִשְׁפָּטָה** which occurs five times in chapter 25 (vv. 10, 41, 45, 47 and 49) and only once in the rest of Leviticus (Warning 1999: 208). Two of these are used in combination with **שׁוּב** and are also chiasms.

If thus repetition “serves to emphasize certain themes” as Watts (1999: 71) argues, then one could say that two important themes in this chapter is *firstly*, returning to your **אֲחֻזָּה** and **מִשְׁפָּטָה** and *secondly* to have enough to eat or not to go hungry. The former features all through the text and the latter is mainly limited to the first half of Leviticus 25 (vv. 1-24) (but is also a great concern in Lev 26).

³³ These are, Leviticus 22:13 and 26:26 (Warning 1999: 223).

³⁴ Warning (1999: 183) misses verse 6.

4.5 Conclusion

In the first and largest part of this chapter where I focused on “address” I attempted to argue that there are some aspects of the text that I found “power-conscious.” This had to do with the way in which the text often targeted people where it mattered. Thus, the law on the Sabbath year addressed the singular land-owning person, but the Jubilee was mostly addressed to the plural, making it much more of a group-effort. Yet I thought that this power-consciousness was at its clearest in vv. 14-17, where the text zoomed in on the person who is buying and not the one selling, and thus the one with the power. In both vv. 14-17 and the Sabbath year it was the person with the power that was directly targeted. The first half of Leviticus 25 was characterised by this exchange between second person singular and second person plural.

The text only changed in v. 26 to the third person and my lasting impression of vv. 25-34 is that it was persuasively the “dullest” part of Leviticus 25. Except for v. 25 nobody was really addressed and we had what I called a spectator effect. One should add to that that it is the only part of Leviticus 25 where YHWH does not feature and there is no motivation by means of YHWH. Does this mean that the authors did not regard these laws as that important or did not think that they had to do that much “persuasion” because it was already part and parcel of the society it was aimed at? That was what I thought initially, but I questioned that later on when I turned to vv. 47-55. The change from second person to third is still problematic. Verses 47-55 were slightly more interesting in the sense that we did find some clause aimed at the second person.

I would think that the most powerful persuasive features of the text has to do with what Watts calls “divine sanction”, the way in which YHWH enters the text and features in the text. He is mostly presented in a relationship with the land, the addressees or the “Israelites.” When YHWH features it is also mostly in connection to the larger narrative of the Pentateuch, because he is the God that brought “them” and “you” out of Egypt to give them the land. The society from which this text came or to whom this text was addressed was really preoccupied with land and one should add “returning” to land and with “eating” from land. These concerns with “returning” and “eating” must also have been high on the agenda of the society, which produced this text.

4.5.1 Ideological traces

Having described the persuasive features of the text it should be clear that this in itself gave us a glimpse of how the authors and the addressees understood themselves. This exercise allowed us to peek into their world-view or ideology. The

people addressed in chapter 25 understood themselves in relation to the land, YHWH and other groups of people.

The authors addressed this text to those whom they thought had a legal claim to land. This as I have said became clear from analysing “address” in this text. In v.2 it is clear that the people addressed are those that are about to receive land from YHWH, or then who have received land. The Sabbath year laws are addressed to each individual within this group and the Jubilee laws to the whole group. But as I said before, the only people that can “return” to their אֲדָמָה, are those that had it in the first place. In most of the cases where we find a לְ expressing benefit as for instance with לְכֶם it is this group that is portrayed as the ultimate beneficiaries. It is also clear that within this group of legal land claimants, people do get in trouble and people do lose their land. These people that are in trouble are then referred to as either an אִשָּׁה or an עֲמִיתָה. Yet I would think that they are also part of the addressed people even if they have lost their land, they still have legal claims to this land and are entitled to return to it.

Apart from the addressees and the associated אִשָּׁה and עֲמִיתָה, there are also other groups in this chapter. The text is not addressed to them, but they are often portrayed as being in a certain relationship to the addressee(s). The first time that they appear is in v. 6 where we find the עֲבָד, the אֲמָה, the שֹׁכֵר and the תּוֹשֵׁב who is “sojourning.” Each one of these are portrayed as “belonging to” or as “being connected to” the addressee. Thus apart from having this relationship with the land-owning addressee, they are practically invisible. Or they are only visible when seen along with the addressee. That at least is the case in v. 6 where they seem to be sharing in the benefits of the Sabbath year.

These people only appear again in the last two cases of Leviticus 25 and by that I mean as “real people.” Before that we do find examples where these concepts are used metaphorically either to describe the relationship between the addressee and the אִשָּׁה in trouble or the relationship between the addressees and YHWH. When they appear again as “real people” then they are either portrayed as exploitable or as a threat. In vv. 44-46 the sojourning תּוֹשְׁבֵי־גֵר may be taken as an עֲבָד and an אֲמָה. Once again these latter two are portrayed as “your עֲבָד” and “your אֲמָה” similar to v. 6. Thus the תּוֹשְׁבֵי־גֵר along with the גֵּרִים become a source of slaves and are thus exploitable. In the last case the גֵּר and the תּוֹשֵׁב are presented as a threat in the sense that the אִשָּׁה in trouble might actually end up there. The point is that all these other groups, when they are not used metaphorically, are only visible as either a

possessed *other*, or as an exploitable *other*, or as a threatening *other*. We thus have the classic in-group/out-group scenario.

When they are used metaphorically to express the relationship between the addressee and the חָזָק in trouble they are used with an apparent positive connotation. In v. 35 the addressee is asked to treat his חָזָק in trouble like a גֵּר and a תּוֹשֵׁב . This seems like a good thing and the same is true of the example in v. 40. Now it is like a שְׂכִיר and a תּוֹשֵׁב and once again it seems like expressing something positive.

When the relationship between YHWH and the addressees is described the latter are called גֵּרִים and תּוֹשְׁבֵי־אֶרֶץ before YHWH in v. 23. In this verse the issue is the relationship between YHWH, the land and the addressees. I understand these terms as meaning that the relationship between the land and YHWH is much more “solid” than that between the addressees and YHWH. These terms are thus used in a negative sense functioning as a warning by reminding the addressees that YHWH is fonder of the land than of them.

The term עֲבָדִים is also used in a metaphorical sense, also apparently expressing something good. In vv. 42 and 55 the Israelites (whom I would identify with the addressees despite the fact that it is in the third person) are called the עֲבָדִים of YHWH, which he brought out of Egypt. In both these cases that is used in order to motivate that they cannot be either the slaves of the addressee, or the slaves of a גֵּר or תּוֹשֵׁב .

Thus the addressees understood themselves as having a special relationship with YHWH. The latter is presented as the liberator from Egypt and the provider of the land. The addressees expect to live in the land in safety (vv. 18-19) and to eat from the land. The land is also specifically called “the land of Canaan” (v. 38) and is given to the addressees by YHWH who also wants to be their God. This special relationship with YHWH is apparently only second to the special relationship between YHWH and the land. We must also deduct that the other groups featuring in this chapter do not share this relationship with either YHWH or the land. They were not delivered from Egypt and they are not his slaves and that is probably why they can end-up as the slaves of the addressees. This is thus the world-view or ideology of the people addressed by this text. Who and what they are is determined by their relationship to YHWH their deliverer from Egypt and their possession of the land of Canaan.

What we need to do now is to ask what we can learn about these different role-players from the texts surrounding Leviticus 25 and then we need to ask who they might have been and when they might have lived.

CHAPTER 5

LEVITICUS 25 AND SURROUNDING TEXTS

5.1 Introduction

The objective of this chapter is to describe the kind of relationship that chapter 25 has with its surrounding chapters. To put the objective differently would be to ask what chapter 25 has in common with surrounding texts and what not. In the previous two chapters we looked at chapter 25 at two different levels. The first attempted to be more of a simple description of grammatical features that are prevalent in this text. There I identified at least four important features of the text like, *wc.* + perfect verbal chains, the use of the particle ׀, marked word order and nominal clauses. I also described a certain preference for a stylistic feature, which I described as a chiasmic parallelism. Now I would like to ask how many of these features are present in the surrounding chapters and how we could understand it? Or, how does it change the way in which we understand chapter 25?

The second chapter attempted to specifically describe how these features could have been used to persuade possible ancient readers. Engaging with these rhetorical issues helped me to say something about the possible ideological traces that one could find in the text. As we saw in 4.5.1 above I could start to describe the worldview of those that this text was addressing. I focused mostly on the way in which the addressees were portrayed in relation to YHWH, the land and other groups. In this chapter I will shortly try to do the same with regards to the surrounding chapters. How many of these characteristics are present in the other chapters and how does this help us to understand chapter 25? Are similar strategies of persuasion used or maybe not?

I obviously cannot discuss all the other chapters of Leviticus or even of the Holiness Code in the same detailed fashion. One reason is that many scholars have already described these kinds of relationships and I do not need to repeat it, but can rather draw from their insights. In this regard I will especially make use of the study of Andreas Ruwe (1999), but only with regards to chapter 23 and the rest of the Holiness Code. With regards to chapters 26 and 24 my understanding of these differs considerably from his.

The chapters that will receive the most attention will be the ones preceding and succeeding chapter 25 and would thus be chapters 26, 27, 24 and to a lesser extent chapter 23. With regards to these I will specifically focus on what I have called grammatical and rhetorical features, but when it comes to the other chapters my description will not be that thorough. Then I will only treat the rhetorical features and

will make much less detailed observations, building as I said, substantially on the work of Ruwe.

5.2 Chapter 26

Some scholars have recently argued that one should not read Leviticus 26 apart from 25, of whom the best example would be the dissertation by Sun (1990). Sun (1990: 439-559) discusses the two chapters under one heading, because the start of 25 and the end of 26 form a clear inclusio.¹ An opposing view would be that of Ruwe (1999) who (except for vv. 1-2) does not treat Leviticus 26 at all in his study on the Holiness Code.² In what follows I will offer some observations that would definitely support the views of Sun and I regard it is a loss that Ruwe never really explored the relationship between chapter 26 and chapter 25 and for that matter the rest of the Holiness Code. I will first offer some thoughts on the most important grammatical features of Leviticus 26, before I move to possible rhetorical features. Once again it will become clear that this is a very artificial distinction and not always that easy to maintain.

The biggest difference between Leviticus 25 and 26 is that the latter is usually regarded as a parenetic text (excluding vv. 1-2), whereas the former is dominated by laws more reminiscent of either conditional or unconditional law, with only a small part that is also parenetic (vv. 18-19). This was also the main reason for Ruwe (1999: 3) not to engage with Leviticus 26:3-46, because it was not “legal” enough for him. Ruwe (1999: 98-103) does discuss vv. 1-2 extensively because he understands v. 2 as a “Unterschrift” of the whole Holiness Code.

5.2.1 Grammatical features

On the grounds of content one could divide the whole text into blessings (vv. 3-13) and curses (vv. 14-45). The largest part of the text (at least vv. 3-33) could on formal grounds be described as being part of either the protasis or the apodosis of a conditional sentence dominated by *wc.* + perfect chains. Verses 1-2 are different though, in the sense that they are apodictic or conditional. Another important feature of vv. 1-2 is that most of the clauses are actually cases of marked word order with the object often preceding the verb (see clauses in table below marked with ~).

¹ Sun (1990: 496) goes so far as to say that “26:3-45 is subordinate to the main theme contained in Lev 25.” His main reason for this is the inclusio mentioned above and the fact that “Lev 26:3-45 looks back only to Lev 25 when it does allude to earlier chapters.” My own analyses below will support most of what Sun has argued.

² Ruwe (1999: 3) disregards 26:3-46 because his study is interested in the “übergreifenden Rechtssystematik” and he does not regard 26:3-46 as such but as “ausschließlich paränetische Formulierungen.” He also thinks that this should rather be seen as part of the whole Priestly Sinai Narrative.

Table 5.1

26 לֹא־תַעֲשׂוּ לָכֶם אֱלִילִים וּפְסִלִים ~ וּמִצֵּבֹה לֹא־תִקְיְמוּ לָכֶם ~ וְאִבְנֵי מַשְׁכָּת לֹא תִתְנוּ בְּאַרְצְכֶם לְהִשְׁתַּחֲוֹת עָלֵיהֶן כִּי אֲנִי יְהוָה אֱלֹהֵיכֶם: ~ אֶת־שַׁבְּתֹתַי תִּשְׁמְרוּ ² ~ וּמִקְדָּשִׁי תִירָאוּ אֲנִי יְהוָה:
26 You shall make for yourselves no idols and erect no carved images or pillars, and you shall not place figured stones in your land, to worship at them; for I am the Lord your God. 2 You shall keep my sabbaths and reverence my sanctuary: I am the Lord.

These clauses are grammatically reminiscent of the marked word order clauses we had in vv. 4-5 of Leviticus 25 (see table 3.4), but their content is somewhat different. The first two are negative commands and the next two positive commands. The marked word order makes the fronted entities the “focus of the utterance” (Van der Merwe et al 1999: 346-347). The objects that the addressees are not allowed to worship in v. 1 are contrasted with those that they should honour namely “my Sabbaths” and “my sanctuary” in v. 2. We also see that the “I YHWH” phrase occurs at the end of each verse in both the longer (v. 1) and the shorter (v. 2) form. This then brings us to the first conditional sentence of which v. 3 forms the protasis. It is introduced by means of an אִם and the first two clauses are also examples of marked word order.

5.2.1.1 Blessings

Table 5.2

~ אִם־בְּחֻקֵּי תִלְכוּ ³ ~ וְאֶת־מִצְוֹתַי תִּשְׁמְרוּ וַעֲשִׂיתֶם אֹתָם
3 If you follow my statutes and keep my commandments and observe them faithfully,

In all these cases of marked word order it seems that we also have examples of what Van der Merwe et al (1999: 346-347) describe as, making an entity “the focus of an utterance.” One could specify it further by saying that in v. 3 the marked word order confirms the “exclusive role” (Van der Merwe et al 1999: 347) that the חֻקֹּת and מִצְוֹת are to play in the life of the addressees. The apodosis of this conditional sentence follows, introduced by a wc. + perfect ,³ and consists of no less than nine verses stretching from v. 4 all the way to v. 12. The greater part of this apodosis consists of a chain of wc. + perfect verbs. The chain is at times interrupted, but then it is usually by means of a nominal sentence (v. 6, וְאִין מִחֲרִיד), a לֹא + imperfect (v. 11), or the

³ Van der Merwe et al (1999: 170) identify this as one of the four main functions that a wc. + perfect might have (see also excursus 3.1).

now familiar chiasmic parallelism, to which we will turn now. The first two examples are found in vv. 4-5 indicated by the brackets on the left.⁴

Table 5.3

	⁴ וְנָתַתִּי גְשָׁמִיכֶם בְּעִתָּם וְנָתַתְּ הָאָרֶץ יְבוּלָהּ וְעֵץ הַשָּׂדֶה יִתֵּן פְּרִיֹו: ⁵ וְהַשִּׁיג לָכֶם הַיֵּשׁ אֶת־בְּצִיר וּבְצִיר יִשִּׁיג אֶת־זֶרַע וְאָכַלְתֶּם לְחֶמְקֵם לְשִׁבְעַת וַיִּשְׁבְּתֶם לְבִטָּח בְּאַרְצְכֶם:
4 I will give you your rains in their season, and the land shall yield its produce, and the trees of the field shall yield their fruit. 5 Your threshing shall overtake the vintage, and the vintage shall overtake the sowing; you shall eat your bread to the full, and live securely in your land.	

In both these cases we find the same verbal root and as in chapter 25 the first occurrence is always a wc. + perfect. The next verb is an imperfect, which is not at the start of the sentence. Verse 4 starts with YHWH giving (נָתַן) rain in due time and this results in the land giving its produce and the trees giving their fruits. It then culminates in different agricultural seasons overtaking (Hi of נִשְׁגָה) each other due to sheer abundance. These verses, furthermore, remind strongly of vv. 18-19 of chapter 25 where we also found the roots נָתַן, אָכַל, יָשַׁב and the noun בִּטָּח.⁵ Both texts predict a lush bountifulness of agricultural produce if, of course, the addressees manage to keep these מִצְוֹת and חֻקֹּת.

The rest of the text (vv. 6-12) promises many more nice things to the addressees such as absence of war and victory over enemies (see vv. 6-8) and this is where we find the next chiasmic parallelism.

Table 5.4

	⁸ וְרַדְּפוּ מֵכֶם חֲמִשָּׁה מֵאָה וּמֵאָה מֵכֶם רַבְּבָה יִרְדְּפוּ וְנָפְלוּ אֹיְבֵיכֶם לְפָנֵיכֶם לְחָרֶב:
8 Five of you shall give chase to a hundred, and a hundred of you shall give chase to ten thousand; your enemies shall fall before you by the sword.	

In this example we have the verb רָדַף packaged in a chiasm. The blessings continue in the rest of the text promising the addressees that they themselves will also be made abundant by YHWH (v. 9). In v. 10 we find a further promise of agricultural prosperity and then YHWH promises to be personally present amongst them (vv. 11-

⁴ See also Steymans (1999: 277) who calls these chiasms “parallelismus membrorum.” He also argues that this feature often interrupts the wc + chain (“w-qatal Kette”). He does identify some more examples in vv. 6b, 10 and 11, but that is because his examples are not limited to those using the same verbal root. See also Korpel (1993: 131-136) who identifies countless examples of “internal parallelism”

⁵ See also Sun (1990: 516-517).

12). It is then in these verses where we find the last parallelistic chiasm of the blessings part with the verb **היה**.

Table 5.5

11 וְנִתַּחֲמִי מִשְׁכְּנִי בְּתוֹכְכֶם וְלֹא־תִגְעַל נַפְשִׁי אֶתְכֶם: 12 וְהִתְחַלַּקְתִּי בְּתוֹכְכֶם וְהָיִיתִי לְכֶם לֵאלֹהִים וְאַתֶּם תְּהִיוּ לִי לְעָם:
11 I will place my dwelling in your midst, and I shall not abhor you. 12 And I will walk among you, and will be your God, and you shall be my people.

The chiasm thus concludes these verses about the presence of YHWH. Note that we find “in your midst” (**בְּתוֹכְכֶם**) twice⁶ and we should also take note of the root **געל** that has **נפש** as subject. This combination will return in the curses part on three different occasions (see vv. 15, 30 and 43) and the verb by itself in v. 44.⁷ The part about the blessings is concluded by means of YHWH presenting himself as the liberator from Egypt in v. 13. In v. 45 we will find this claim by YHWH again and we already had it in the rest of the Holiness Code in 19:36; 22:33; 23:43; 25:38, 42 and 55. Yet grammatically there is something different in v. 13, a feature that we have not had in chapter 25 and that we do not find in the rest of chapter 26.

Table 5.6

13 אֲנִי יְהוָה אֱלֹהֵיכֶם אֲשֶׁר הוֹצֵאתִי אֶתְכֶם מֵאֶרֶץ מִצְרַיִם מִהָיִיתְּ לָהֶם לְעַבְדִּים וְאֲשַׁבֵּר מִטַּת עַלְכֶם וְאֵלֶּךְ אֶתְכֶם קוֹמְמִיזוֹת: פ
13 I am the LORD your God who brought you out of the land of Egypt, to be their slaves no more; I have broken the bars of your yoke and made you walk erect.

The form of the two verbs in the last two clauses is actually *wayyiqtol*⁸ or *wc. + imperfect*. This also becomes a chain similar to a *wc. + perfect* chain. The first function that Van der Merwe et al (1999: 165) identify is a mirror-image of the first function that they identified with the *wc. + perfect* (see Excursus 3.1, above):

- 1) Waw consecutive + imperfect bears reference to the same temporal spheres and aspects as a perfect form but it is also characterized by ‘progression.’

Thus the “temporal sphere” to which our example above will refer is the past. The kind of progression that we have here will probably be “logical sequence” (Van der

⁶ This is one of the phrases (**וְהִתְחַלַּקְתִּי בְּתוֹכְכֶם**) that makes Blum (1990: 325-326) argue that one should understand this text (especially Lev 26:9-13) as a “programmatischen ‘Schlüsseltext’” to the whole Priestly Sinai Narrative. God has made his “come-back” and is walking amongst his people again.

⁷ See, for instance, the observations by Warning (1999: 100-101).

⁸ Van der Merwe (1999: 369) use *wayyiqtol* as a synonym for *wc. + imperfect* and so will I, since it is a much shorter form of reference.

Merwe et al 1999: 166). The rest of Leviticus 26 is dominated by chains of *wc.* + perfect which refer to a hypothetical future. None of this should come as much of a surprise, because v. 13 introduces the claims made by YHWH that he delivered from Egypt, which lies in the past. One could note that the other examples of YHWH introducing himself that we had in Leviticus 25 were grammatically slightly different. In vv. 38, 42 and 55 we had *וַיִּשַׁר* clauses, but they were never extended by means of a *wayyiqtol*. In v. 38 we also had two examples of a *וְ* + infinitive being used to express the purpose for which YHWH delivered them from Egypt.

The fact that a *wayyiqtol* chain is used makes v. 13 stand out slightly. Egypt is referred to as a place of slavery and YHWH claims that he broke this yoke and that he helped the addressees to “walk erect.” When YHWH returns again it is only at the end of the chapter after the curses have run their course.

5.2.1.2 Curses

The part, which presents the curses in the event of non-compliance by the addressees, is also mostly structured by means of extensive conditional sentences. The protasis is always introduced by means of an *אִם* and the apodosis by means of a *wc.* + perfect. The first conditional sentence (vv. 14-17) has grammatically by far the highest density, by which I mean that we find more particles and more examples of marked word order than in any of the other conditional sentences up to v. 33. From v. 34 onwards the grammatical character of the text changes again, but we will discuss that later. To return to vv. 14-17, in the protasis (vv. 14-15) we find three examples of *אִם* (in *italics>) of which two coincide with marked word order.*

Table 5.7

14 וְאִם לֹא תִשְׁמְעוּ לִי וְלֹא תַעֲשׂוּ אֶת כָּל־הַמִּצְוֹת הָאֵלֶּה 15 וְאִם־בִּחְקֵי תִמְאָסוּ וְאִם־אֶת־מִשְׁפָּטֵי תִנְעַל נַפְשְׁכֶם לְבַלְתִּי עֲשׂוֹת אֶת־כָּל־מִצְוֹתֵי לְהַפְרֹכֶם אֶת־בְּרִיתִי:
14 But if you will not obey me, and do not observe all these commandments, 15 if you spurn my statutes, and abhor my ordinances, so that you will not observe all my commandments, and you break my covenant,.

The apodosis is also introduced by means of a particle that we will only find again towards the end of the chapter (see v. 39), namely *אֲנִי* in v. 16. According to Van der Merwe et al (1999: 312-313) this particle is mostly used in poetic⁹ texts where it

⁹ See Korpel (1993: 123-150) as an example of a scholar who argues that Leviticus 26 should be regarded as one big poem. Korpel (1993: 146) concludes that Leviticus 26 has “one canto of seven strophes of blessings, followed by two cantos of fourteen strophes of curses each.” I do not agree with her division between the last two cantos. She argues that her third canto starts with v. 32. In my own analysis below I

replaces \square . One of the main functions that they identify is when וְאִם indicates that “an entity must be added to another.” They also add that “sometimes the entity that is added or need to be added is *an extreme case*. It is an entity that one would not have expected to be added to a particular group.” In v. 16 the וְאִם accompanies marked word order with the personal pronoun “I” preceding the verb. Is this combination thus used to express some surprising twist in the state of affairs? This might have theological implications for the way in which we understand the portrayal of YHWH in this text. Yet, in the rest of the text it does not seem that “surprising” would be a good description of what is to follow, it is more like a logical turn-around of the blessings of the first part. The “logic” lies in the fact that the addressees supposedly did need keep their part of the deal. The fact that the author used \square three times to express the role of the addressees provided a build-up and made one actually expect something severe or extreme to follow and this reaction is then introduced by means of an וְאִם . Thus I do not think that וְאִם expresses surprise, but rather something like a very strong contrast or juxtaposition.

The apodosis that follows consists of a wc. + perfect chain. The agricultural abundance described before is now turned on its head with the enemies eating the harvest (v. 16) and the enemies bringing all sorts of fear to the addressees, be it with a strange psychological twist in the last clause of v. 17. This nominal clause concludes v. 17, which leads us to the next \square and thus the next apodosis. The pattern of a protasis describing the actions of the addressees followed by an apodosis describing YHWH’s response continues until the character of the text changes in v. 34. We find four examples of \square up to v. 33.

Table 5.8

	$\text{וְאִם־עַד־אֵלֶּה לֹא תִשְׁמָעוּ לִי}$ ¹⁸
18 And if in spite of this you will not obey me,	
	$\text{וְאִם־תִּלְכּוּ עִמִּי קָרִי וְלֹא תֵאָבֹדוּ לִשְׁמִעַי לִי}$ ²¹
21 If you continue hostile to me, and will not obey me, I will continue to plague you sevenfold for your sins	
	$\text{וְאִם־בְּאֵלֶּה לֹא תִנְסְרוּ לִי וְהִלַּכְתֶּם עִמִּי קָרִי:$ ²³
23 If in spite of these punishments you have not turned back to me, but continue hostile to me,	
	$\text{וְאִם־בְּזֹאת לֹא תִשְׁמָעוּ לִי וְהִלַּכְתֶּם עִמִּי בְּקָרִי:$ ²⁷
27 But if, despite this, you disobey me, and continue hostile to me,	

argue that the text only changes from v. 34 onwards. Her presentation thus sounds somewhat like forcing the text into her very “neat system.”

In each of these examples we find לָ with the first person singular pronominal suffix expressing that YHWH understands their actions as directed directly against him. The occurrence of the term קָרַי in these texts further adds to that impression and we find the only six occurrences of this term in BHS here in chapter 26 (vv. 21, 23, 24, 27, 28, 40 and 41), a term that Koehler & Baumgartner (1985: 855) translate with a “hostile encounter.” These apodoses are mostly expressed by means of verbal chains where the wc. + perfect is dominant. This is sometimes interrupted, but then often by means of the now familiar parallelistic chiasm which we find in v. 20.

Table 5.9

וְתָם לְרִיק כֹּחֲכֶם וְלֹא־תִתֵּן אֲרָצְכֶם אֶת־יְבוּלָהּ וְעֵץ הָאָרֶץ לֹא יִתֵּן פְּרִיָּו:
²⁰ Your strength shall be spent to no purpose: your land shall not yield Its produce, and the trees of the land shall not yield their fruit

This chiasm is somewhat different from the usual in the sense that the first verb is actually a לָ + imperfect. Yet it seems to be the only logical way of expressing a negative. Apart from that it is simply a negative version of the chiasm that we had in v. 4. In stead of עֵץ הַשָּׂדֶה we now have עֵץ הָאָרֶץ, but apart from this slight variation there is not much difference. This text obviously resonates with the parenetic text in chapter 25 (vv. 18-19). This adds to the “everything-turned-on-its-head-effect” that the curses seem to have on the former blessings. Another example hereof is the next chiasm in v. 29, which is especially reminiscent of the chiasm in 25:22, yet with a much crueller twist in the state of the affairs.

Table 5.10

וְאִכְלֶתֶם בָּשָׂר בְּנֵיכֶם וּבָשָׂר בְּנֹתֵיכֶם לֶאֱכֹלוּ:
²⁹ You shall eat the flesh of your sons, and you shall eat the flesh of your daughters.

In 25:22 (and in 26:10, although not in the same neat chiasm) the addressees were still eating the old harvest when the new harvest was already available, but now they have to eat their own children, the flesh of their own sons and daughters. Whatever YHWH promised to do in vv. 3-13 is now utterly destroyed and devastated by the same YHWH who previously delivered them from Egypt. There are many examples left in this chapter of how blessings from vv. 3-13 are now turned upside-down into which we do not need to go, since most of them are quite clear.¹⁰

¹⁰ See, for instance, v. 26 where YHWH breaks (שָׁבַר) the “staff of bread” (מַטֵּה־לֶחֶם), or v. 19 where he breaks (שָׁבַר) their “proud glory” whereas he previously broke (also שָׁבַר) the “staff of your yoke” (מַטֵּה עֲלֵיכֶם) in v. 13. Or in vv. 11-12 YHWH promises to be “in your midst” (בְּתוֹכְכֶם), but in v. 25 he sends the sword “in your midst.” The best example is probably just to compare what YHWH gives (נָתַן) in vv. 3-12 with what he gives in the latter part which is already closely related to what some of the examples

This whole about-turn is the result of the addressees not complying with what YHWH expected of them. At stages one also has the impression that there is a tit-for-tat element to the punishment as the next two examples from vv. 23-24 and vv. 27-28 show. I have partially referred to both of them above already.

Table 5.11

וְאִם־בְּאֵלֶּה לֹא תִסְרוּ לִי וְהִלַּכְתֶּם עִמִּי בְקָרִי: וְהִלַּכְתִּי אִתְּכֶם אֲנִי עִמְכֶם בְּקָרִי וְהִכִּיתִי אֶתְכֶם גַּם־אֲנִי שִׁבְעַ עַל־חַטֹּאתֵיכֶם:
23 If in spite of these punishments you have not turned back to me, but continue hostile to me, 24 then I too will continue hostile to you: I myself will strike you sevenfold for your sins.
וְאִם־בְּזֹאת לֹא תִשְׁמְעוּ לִי וְהִלַּכְתֶּם עִמִּי בְקָרִי: וְהִלַּכְתִּי עִמְכֶם בְּחֵמַת־קָרִי וְיִסַּרְתִּי אֶתְכֶם אֲנִי שִׁבְעַ עַל־חַטֹּאתֵיכֶם:
27 But if, despite this, you disobey me, and continue hostile to me, 28 I will continue hostile to you in fury; I in turn will punish you myself sevenfold for your sins.

If we look at the parts in italics it is clear that they are near repetitions of each other with, of course, the usual amount of variation. In the first example the addressees literally “walk hostile against YHWH” and he responds by doing the same and now we find another *בְקָרִי* (v. 24). The same is true of the second example although *בְקָרִי* becomes *בְחֵמַת־קָרִי*, which seems like an intensification. Whatever the addressees have to offer in terms of revulsion and hostility, YHWH can offer the same and much more!

The whole text from v. 14 to v. 33 could thus be characterised by this protasis/apodosis pattern. The protasis (see vv. 14-15, 18a, 21a, 23, 27) always refers to what the addressees do or neglect to do and the apodosis to the response of YHWH to the actions of the addressees (see vv. 16-17, 18b-20, 21b-22, 24-26 and 28-33). Yet, the response of YHWH is always much longer and for that matter far more severe.

Until now I have just hinted at the fact that I regard v. 33 as some kind of ending and I have only discussed the text until v. 33 by means of my five times protasis/apodosis-scheme. The question is of course why I would regard v. 34 as some kind of new beginning? I could add that I think that v. 33 concludes with a

that I already mentioned. In the former he gives rain (v. 4), peace (v. 6) and “his dwelling” (v. 11), but in the latter he gives, “his face against them” (v. 17), “a sky like copper and an earth like iron” (v.19), “your bodies on top of the bodies of your gods” (v. 30) and the sword in their cities (v. 31). Furthermore, we already referred to another example above with the root *נעל* that takes *נפש* as subject (see vv. 11, 15 and 30).

further chiasm with the root הִיָּה, just as v. 12 signalled that the end of the blessing part was near.

Table 5.12

³³ וְאַתֶּכֶם אֲנִיחָה בְּגוֹיִם וְהִרִיקְתִּי אֶחְרֵיכֶם חָרֵב { וְהִיָּתָה אֶרְצְכֶם שְׂמֵמָה וְעָרֵיכֶם יִלְוּ חָרְבָה:
33 And you I will scatter among the nations, and I will unsheathe the sword against you; your land shall be a desolation, and your cities a waste.

This in itself is not enough to argue that a unit ends here. Yes, the chiasm in v. 12 was at the end of that text before YHWH reminded the addressees again that he is the liberator from Egypt (v. 13) which concluded that part. And, yes in v. 18 the chiasm was also at the end of the unit, before the next אִם, but in v. 29 we have the same stylistic feature in the middle of the text. This in itself is not enough to claim that we have the end of a unit here. What convinces me, though, is the fact that v. 34 seems to be different on other grounds also.

Table 5.13

³⁴ אִם תִּרְצָה הָאָרֶץ אֶת־שַׁבְּתֹתֶיהָ כָּל יְמֵי הַשְּׂמָמָה וְאַתֶּם בְּאֶרֶץ אֹיְבֵיכֶם אִם תִּשְׁבֹּת הָאָרֶץ וְהִרְצַת אֶת־שַׁבְּתֹתֶיהָ:
34 Then the land shall enjoy its sabbath years as long as it lies desolate, while you are in the land of your enemies; then the land shall rest, and enjoy its sabbath years.

The particle אִם, of which we have two examples here, could be understood as introducing an apodosis of a conditional sentence (Van der Merwe et al 1999: 295). This, though, would not make sense here, because we already said that the whole of vv. 28-33 is an apodosis following the protasis in v. 27. That apodosis was already introduced by a *wc.* + perfect in v. 28. A more viable option seems to be to understand אִם as functioning like a normal adverb which “indicates the *time* of the action to which the verb refers: *afterwards, then*” (Van der Merwe et al 1999: 307).¹¹ In both cases the verb is an imperfect which usually refers to the future. In that sense it is also a fairly substantial deviation from the previous text, since most of vv. 28-33 was a *wc.* + perfect chain. The only exceptions are the chiasm in v. 29 (mentioned above), the אִם + imperfect in v. 31, the marked word order in v. 33 and the chiasm in v. 33. The point is that every clause in vv. 28-33 starts with a *waw* and that chain is now interrupted by these two examples of אִם.

¹¹ See also Joüon & Muraoka (1993: 369-370).

I would argue that these examples of אָרֶץ change the character of the text. It also introduces a “change” in the text that eventually leads to the curses being turned around again. Until v. 33 everything was rather hypothetical, “if this happens, then YHWH will do this” etc., but now we have a seemingly real “then”, a future with a much more realistic feel to it. The text also focuses on the land and its Sabbaths and especially the fact that the land will start to “repay” or “to make up” (רָצָה) for what she did not have before. This root, רָצָה, could entail some kind of restitution¹² and it also signals the change in the text from curses to the eventual remembering of the covenant. We find the verb again in vv. 41 and 43, to which we will return later. Along with the first entrance of רָצָה in v. 34, we find another entrée and that is the so-called “land of your enemies” (אֶרֶץ אֹיְבֵיכֶם). The latter occurs a further five times, twice in the plural (vv. 36 and 39) and three times in the singular (vv. 38, 41 and 44), towards the end of chapter 26.

This focus on the land is nothing new and there were enough “signals” in vv. 31-33 to indicate that we are heading in this direction. The focus in vv. 31-33 is on the *desolation* in the land, the cities and even in the sanctuaries (v. 31). The verbal root שָׁמַם (Hi) occurs no less than three times (of which YHWH is the subject twice) and in v. 33 we find the noun, שְׁמָמָה. But in vv. 34-35 the connection is made between this desolation (twice, Ho inf. cs. of שָׁמַם) and the Sabbath and the *opportunity* that this opens up for the אֶרֶץ. The land will have the opportunity to start anew without the previous inhabitants, lying completely *empty* and *desolate*. Thus, what is portrayed as a curse for the inhabitants, becomes an opportunity for the land itself.

In v. 36 the “people left behind” (הַנִּשְׁאָרִים)¹³ by this desolation enter and they are depicted as living in the land of their enemies (בְּאֶרֶץ אֹיְבֵיהֶם). The psyche of the “people left behind” is described as vulnerable, as people really traumatised by this event. It sounds as if they are “paranoid” and scared of everything, even the sound of a falling leaf (v. 36). We find two nominal clauses (vv. 36 and 37) each time stating that “there are no pursuers” (וְאֵין רֹדֵף and וְרֹדֵף אֵין), but still the survivors are terrified, similar to what we had in v.17. We find the by now very familiar root, אָכַל, again, but now it is not the addressees who are eating, instead they are *being eaten* by the land of their enemies (אֶרֶץ אֹיְבֵיכֶם).

¹² According to Gerleman (1976: 811) the root רָצָה “wird in Lev 26 fast wortspielartig in seiner negativen und in seiner neutralen Bedeutung verwendet.” What he means by this negative meaning is the sense “paying”, or to “accept what is coming your way” which does not entail the “accept” of the neutral meaning or the “enjoy” of the more positive meaning (1976: 810).

¹³ The way in which the “survivors” are introduced here is also an example of a pendens construction whose function is to “activate an identifiable referent that is talked about” (Van der Merwe et al 1999: 339). See also Steymans (1999: 278).

In the concluding v. 39 we find the survivors (הַנִּשְׁאָרִים) again forming a nice inclusio with v. 36 and concluding this sub-unit with two marked word order clauses.

Table 5.14

~וְהַנִּשְׁאָרִים בְּכֶם יִמְקוּ בְּעוֹנֵם בְּאֶרֶצַת אֹיְבֵיכֶם ³⁹ ~וְאֵף בְּעוֹנֹת אֲבוֹתֵם אֲתֵם יִמְקוּ:
39 And those of you who survive shall languish in the land of your enemies because of their iniquities; also they shall languish because of the iniquities of their ancestors.

The survivors are now described as “rotting away” in the lands of their enemies (again אֶרֶץ, but now in the plural) and they are doing it for the sake of their own iniquities. In the next clause the particle אֵף is used again to introduce an additional ground for their suffering; the iniquities of their fathers which is the first reference to the term in this chapter.

In the next verse (v. 40), which I understand as a new unit, the text changes to the third person never to address anybody directly again. It continues in v. 40 with the iniquities of the survivors, although we do not find the term “survivors” again and the iniquities of their fathers. Yet now it seems as if the tempo of the text picks up, as if we are heading for some kind of climax. The authors do not use their particles sparingly anymore, neither marked word order and instead the reader is bombarded with אֵףs (vv. 40, 41 and 42(x2)) and אָזs (v. 41 (x2)) and with subjects and objects preceding the verb (6 times in vv. 42-43). Most of the terms that we find here are not new and are repetitions of what we already had in especially the curses part.


In v. 41 following an אָז we find “their uncircumcised heart” (לְבָבָם הָעֵרְלָה), which is something new in chapter 26 and in v. 42 we find reference to different covenants again. Previously it was only called “my covenant with them” (vv. 9), or “my covenant” (v. 15), or rather vaguely referred to as “revenge of the covenant” (v. 25), but now it is specified as the covenant with Jacob and Isaac and Abraham. These YHWH will now remember and he will also remember the אֶרֶץ, which according to v. 43 has been deserted (Ni of עָזַב) from “them” (מֵהֶם). Presumably this “them” still refers to the survivors of v. 39. Verse 43 continues with terms reminiscent of vv. 34-35 of the land “paying” for its Sabbaths and then again *they* are “paying” (both times רָצוּהוּ) for their iniquities and concludes with verbs like בָּאֵס and גָּעַל which remind strongly of v. 15 and thus the start of the curses-part. This is followed by v. 44 where YHWH states that he will not do these things (again בָּאֵס and גָּעַל) to them.

Table 5.15

<p>~וְהָאָרֶץ תִּשְׁזָב מֵהֶם⁴³ וְתָרַץ אֶת־שַׁבְּתֵיהָ בְּהִשְׁמָהּ מֵהֶם ~וְהֵם יִרְצוּ אֶת־עֵינֵם יָעַן ~וּבִיַּעַן בְּמִשְׁפָּטֵי מִצְרַיִם ~וְאֶת־חֻקֵּי נַעֲלָה נִפְשָׁם: ⁴⁴וְאִף־גַּם־זֹאת בְּהִיּוֹתָם בְּאֶרֶץ אֹיְבֵיהֶם לֹא־מִאַסְתָּוִים וְלֹא־מִגְּעֻלָּיִם לְכַלֵּתָם לְהַפִּיר בְּרִיתִי אִתָּם כִּי אֲנִי יְהוָה אֱלֹהֵיהֶם:</p>
<p>43 For the land shall be deserted by them, and enjoy its sabbath years by lying desolate without them, while they shall make amends for their iniquity, because they dared to spurn my ordinances, and they abhorred my statutes. 44 Yet for all that, when they are in the land of their enemies, I will not spurn them, or abhor them so as to destroy them utterly and break my covenant with them; for I am the Lord their God;</p>

In v. 42 YHWH has already said that he will remember his covenant, but now he goes even further, he breaks the cycle of tit-for-tat deeds. In v. 16 he responded to their deeds as described in v. 15 with the same deeds (אֶף־אֲנִי אֶעֱשֶׂה־לָאֵת לָכֵם). There in v. 16 his response was introduced by means of an אֶף, but now one אֶף is not enough and it is fortified with a further גַּם. YHWH has turned from his revengeful path and he motivates this by a further כִּי אֲנִי יְהוָה אֱלֹהֵיהֶם. This is followed by another reference to a covenant and the liberation from Egypt in v. 45.

Table 5.16

 <p>~וְנִכְרַתִּי לָהֶם בְּרִית רִאשֹׁנִים⁴⁵ אֲשֶׁר הוֹצֵאתִי־אֹתָם מֵאֶרֶץ מִצְרַיִם לְעֵינֵי הַגּוֹיִם לְהִיֵּת לָהֶם לְאֱלֹהִים אֲנִי יְהוָה:</p>
<p>45 but I will remember in their favor the covenant with their ancestors whom I brought out of the land of Egypt in the sight of the nations, to be their God: I am the Lord.</p>

This use of לְ reminds of the לְs expressing “benefit” that we had in the first half of chapter 25. The NRSV translated it with “in their favor”¹⁴ which seems to be a good translation in this case. What follows then is a repetition (with variation) of what we already had in v. 13 and before that in 19:36; 22:33; 23:43; 25:38, 42 and 55 as well as 11:45. In those cases the אֲשֶׁר-clauses always referred to either the addressees (19:36, 22:33 and 25:38) or the Israelites (23:43, 25:42 and 55), but now they are referred to as the “ancestors” or “ancestors” (רִאשֹׁנִים).

Chapter 26, thus indeed shares some grammatical features with chapter 25, despite the fact that it is mostly a parenetic text. The greatest part of the text is (as in 25) dominated by wc. + perfect chains. When this chain is interrupted it is mostly done by means of marked word order, nominal sentences, or chiasmic parallelism. These are

¹⁴ See also Gerstenberger (1993: 367) who translated it with “ihnen zugute.”

all features that the text has in common with chapter 25 and if we add to that the fact that 25:1 and 26:46 form a very obvious inclusio the argument to read the two as one becomes even more convincing.

Table 5.17

	<p>25 וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה בְּהַר סִינַי לֵאמֹר: 2 דַּבֵּר אֶל־בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם</p>
25:1	The Lord spoke to Moses on Mount Sinai, saying:
	<p>46 אֵלֶּה הַחֻקִּים וְהַמִּשְׁפָּטִים וְהַתּוֹרָה אֲשֶׁר נָתַן יְהוָה בֵּינֵנוּ וּבֵין בְּנֵי יִשְׂרָאֵל בְּהַר סִינַי בְּיַד־מֹשֶׁה: פ</p>
26:46	These are the statutes and ordinances and laws that the Lord established between himself and the people of Israel on Mount Sinai through Moses.

I will now shortly explore the persuasive features that can be identified in chapter 26.

5.2.2 Persuasive features

5.2.2.1 Address

In chapter 4 by far the largest part of describing the persuasive features of Leviticus 25 consisted of describing whom the text was addressing. The question was whether, second person plural or singular forms were used, or what I described as a distancing effect when the text changed to the third person and the addressee(s) became a spectator. The text of chapter 26 is in this regard much simpler and much more clear-cut than chapter 25. We do not find any second person singular verbal forms or suffixes. When the second person is used it is *always* plural. The same goes for when the text refers to people in the third person, then it is also always plural. The whole text until v. 33 is dominated by the second person plural and thus the text is directly aimed at the addressees. All six conditional sentences that I've identified between vv. 3 and 33 are directed at the addressees. There are very few clauses in which we do not find either the second person plural verb or, the second person singular pronominal suffix and these are always part of a wc. + perfect chain which as such addresses the second person plural. But what clues does the text supply as to who these addressees might be?

In line with what I argued with regards to chapter 25, I would still argue that these addressees are the collective of land-owners, i.e. those who in the eyes of the authors had legal claims to the land. This is also supported by the fact that chapter 26 is like chapter 25 really interested in the issue of land. Not only do we find the word אֲרֶץ occurring 23 times over and against the 20 in chapter 25, but we also find the expression “your land” six times in chapter 26 (vv. 1, 5, 6, 19, 20 and 33). Until now the authors have used it rather sparingly on only six occasions in the rest of the

Holiness Code,¹⁵ but now at the end of the code prudence apparently is thrown overboard. Three of these are used in the curses part and then they often seem to be used ironically. Two of these occur in chiasms that I identified above in tables 5.8 and 5.11 (vv. 20 and 33). Within the context of the curses I would translate these two verses with something like: “Your ‘so-called’ land will not give her harvest (v. 20)” and “Your ‘so-called’ land will be desolate” (v. 33). The irony lies in the fact that it is called “your land”, but it is obviously not anymore and the addressed “you” are actually not on the land anymore. All of this, furthermore, simply supports the notion that land-possession, or maybe one could say “lack thereof”, is very high on the agenda of chapters 25 and 26. Until v. 33 these landowners or the “land-losers” are directly addressed. They still feature in vv. 34-39, but from v. 40 onwards they totally disappear.

In vv. 40-46 the second person plural forms make way for third person plural forms. “You” becomes “they” or “them” and it stays like that until the end of the chapter. Once again we have some kind of distancing effect. Nobody is directly addressed and instead the addressees again become spectators, and whom are they watching? It seems like they are now watching the so-called נִשְׁאָרִים who appeared in v. 36 for the first time. But how does the text describe these “survivors”?

Above I’ve already explained why I thought that v. 34 was the start of a new unit. The two main reasons were the particle אֵי, which actually functions as an adverb and the sudden use of the imperfect which really seemed to change the sense of time we had in the text until then. Verses 34-35 (see table 5.13) focus on what will happen to the land then, or that is probably to put it wrongly, for it would be more accurate to say it is about what the land will *do* then. In vv. 34-35 אֵי is the subject of the verb on three occasions (once with רָצָה and twice with שָׁבַת), as if the land suddenly has the freedom to act now that the addressees are in the land of their enemies (v. 34). Then in v. 36 we find the first mention of the “survivors” (הַנִּשְׁאָרִים) who are or will be “amongst you” (בְּכֶם). Until this verse the text was always aimed at the second person plural (as I said above), but now in the rest of v. 36 and the most of v. 37 the text zooms in on the lot of the survivors. The second person plural only appears again in v. 37b when we find לְכֶם. Verse 38 is again directly aimed at the addressees where it is stated that the land of *your* enemies will eat *you*. Then in v. 39 we find the survivors again who are amongst *you* and who will be rotting away in the land of *your* enemies, which changes again to the third person plural in v. 39b. What I’m trying to say is that vv. 36-39 are a mixture of second and third person forms and thus a mixture of addressing and distancing. I can only think that it forms some kind of

¹⁵ Other examples in the Holiness Code include: Leviticus 19:9, 33; 22:24; 23:22 and 25:9, 45.

bridge or transition between vv. 3-33 and 40-45, which are both either only second person plural, or third person plural.¹⁶

The ultimate question still remains why this change to third person? Could we deduct a further rhetorical effect from this? Why are the survivors still referred to as “amongst you” in vv. 36 and 39, whereas they are distanced into the future from v. 40 onwards? Why is YHWH remembering *them* in v. 45 and not *you*? Or why will he be a God for *them* and not for *you* anymore (v. 45)? The only answer that I would venture is that the authors are trying to stay within the fiction of the Sinai Priestly Narrative. Within that fiction the addressees are addressed on Sinai on their way to the אֶרֶץ, which YHWH is about to give them. We should also note that chapter 25 starts and chapter 26 concludes with a reference to Sinai. This could be read as an effort to project this event into the far distant future. The text thus pretends to keep to the fiction especially now at the end of what has often been regarded as a collection with an identity of its own (i.e. the Holiness Code).

Another possibility would be to understand this distancing effect as trying to describe something of the “distancing” experience of people who are in a different land? These survivors will have to part with the land for a period of time, but there is some hope at the end of the text. Both answers are rather precarious and partially contradict each other.

5.2.2.2 Motivation

Motivation in chapter 26 is always done by “means of YHWH” as I have described it with regards to chapter 25. I already mentioned above that we find examples of “I am YHWH” at the end of vv. 1 and 2 in both the shorter and the longer forms. A אֲנִי introduces it at the end of v. 1 and at the end of the blessing part in v. 13 we find the longer form again, but now without any אֲנִי. And then at the end of the chapter in v. 44 we find a אֲנִי with the longer form and then the short form shortly thereafter at the end of v. 45. It is thus clear that these phrases act as structural markers that divide between the different parts of the text. Yet they also act as motivation or thus with persuasive intent in the sense that they say something about YHWH. In both vv. 13 and 45 we find YHWH the liberator from Egypt. In v. 13 Egypt is portrayed as a land of slavery and YHWH claims that he broke that “yoke” and that he made the addressees walk “upright” (the *wayyiqtol* chain). The same is true of v. 45 where he claims that he brought them out of Egypt before “the eyes of the nations” (לְעֵינֵי הַגּוֹיִם)

¹⁶ See also Steymans (1999: 283) who argues that the change from second to third person is not clear-cut, “sondern ist verschachtelt.” He also understands vv. 36-39 as a kind of “Übergang” and specifically אֲנִי וְהַנְּשֹׂאִים בְּכֶם. “Dieser Formulierung”, he continues, “drückt einerseits die Kontinuität zwischen den in der 2. Person Angesprochenen (בְּכֶם) und dessen Rest (וְהַנְּשֹׂאִים) aus, andererseits leitet sie zu Abschnitten über, die nur noch vom Schicksal des Rests handeln.”

to be their God. This reminds of 25:38 although it was in the second person there and now is in the third person. The point is that the persuasive strategy exemplified here when YHWH is referred to, is the same as that of Leviticus 25. YHWH's "claim to fame" is that he liberated them from Egypt. We will see later that other chapters in the Holiness Code also share this feature.

5.2.2.3 Repetition and variation

As in chapter 25 one could refer to all the examples of chiasmic parallelism as cases where repetition and variation were combined to have a persuasive effect. One could also regard the fact that many of the curses in chapter 26 were "blessings-turned-on-its-head" as another example of this persuasive strategy. I did mention many examples above where the curses were echoing the blessings, but often expressing the exact opposite and are thus examples of both repetition and variation.

On another level I would now like to focus on the repeated use of the word אֶרֶץ, which, as we have already said, occurs 23 times in chapter 26 and 20 times in chapter 25. Compared to the rest of the Holiness Code and Leviticus this usage clearly stands out.¹⁷ I would shortly want to address the issue of how land is portrayed in both these chapters. Once again I would think that this gives us glimpses of the way in which the authors and addressees understood themselves and therefore one could once again refer to these features as "ideological traces."

5.2.3 Ideological traces

Three names are given to land in chapters 25 and 26. The first two names are presented in 25:38 when YHWH presents himself for the first time in this chapter as the liberator from Egypt. That is the first name given to a land in chapter 25. The second name follows in v. 38 and that is Canaan. YHWH delivered from Egypt in order to give (נָתַן) Canaan to the addressees. In chapters 25 and 26 this is the only occurrence of the name Canaan, but it seems clear that this is the land that the larger part of chapters 25 and 26 refers to. We already had reference to this land in 25:2, the land that the addressees are about to receive. When YHWH says, "the land is for me" in 25:23 it is also the land of Canaan. Egypt features whenever YHWH presents himself, throughout chapters 25 and 26 (see 25:38, 42, 55; 26: 13 and 45). Egypt is never presented in a positive light and in 26:13 it is clearly portrayed as a place of slavery. It can only be imagined to be a place where the addressees do not want to be.

¹⁷ According to Warning's (1999: 185) concordance of Leviticus the word אֶרֶץ occurs 81 times in the whole book. Of these, 69 are in the "Holiness Code." In the rest of Leviticus, chapter 11 is the chapter with the most occurrences namely eight. Apart from the multiple occurrences in chapters 25 and 26, chapters 18 and 19 would share the third place with seven each and then chapters 20 and 23 with four each, while chapters 22 and 27 have only two. Chapters 17, 21 and 24 have nothing whatsoever to do with land.

Yet, Canaan the land where the addressees are going to is portrayed as a land where the addressees would want to be. This is clear from the blessing part of chapter 26 and especially from vv. 18-19 of chapter 25. The land (that they are going to) is presented as a sustaining land that will provide enough and in which they can live securely. But Canaan is also presented differently in the curses part of chapter 26. Now the land is empty and desolate, a place where the addressees will not be anymore. We especially saw this in vv. 31-33 where the verbal root **אָמַד** dominated. The land ironically called “your land” in v. 33 is presented as empty and desolate. The reason being that the addressees, or the survivors amongst them, will be somewhere else and this is where the third “named” land enters.

This land does not have a name like Egypt or Canaan, but it is referred to as the “land of your enemies” and it features from v. 34 onwards. We find reference to the “land of the enemies” on four occasions (26:34, 38, 41 and 44) and twice the text refers to the “lands of the enemies” (26:36 and 39). It is the land where the addressees will end up if they do not do what YHWH expects of them. The initial picture in this land is not exactly pretty, because the land will eat the addressees (v. 38) and there they will waste away (v. 39). But towards the end of chapter 26 the description of the stay in this land becomes more hopeful when YHWH promises to remember them (i.e. the survivors) in the land of their enemies (v. 44).

Thus the usage of the term land and the different portrayals of it presents the addressees as a people on their way somewhere (i.e. Sinai) between Egypt, the land of slavery, and Canaan, the promised land. Yet far away in the distant future looms the land of their enemies, a place where they will end up when they do not obey these laws. Thus both promise and threat in chapters 25 and 26 are closely linked to some land. It means that the people addressed by these laws share one big concern and that is the gain and the loss of land. Along with this expectation of land gain and land loss goes the expectation to live and to eat from the land and thus to be sustained by it. This is one concern that is salient in both chapters, the possession of land.

In this light one should mention one difference between chapters 25 and 26. The former was also concerned with other groups in the society of the addressees like the **גֵּר**, **תּוֹשֵׁב** and **שְׂכִיר**. They have disappeared now in chapter 26 and the only other group that we find is the “enemies” that feature in both parts of chapter 26. They are, for instance, left behind in the land when the addressees are gone and they live on the land (v. 32). They slightly disturb the desolate picture presented of the land in vv. 31-33, but maybe it is a case of not being of any importance to the authors, of one could say, being “invisible.” The land is empty because the true possessors of the land are not there anymore. They are somewhere else.

The people who were addressed by both chapters 25 and 26 understood themselves as closely connected to both YHWH and the land of Canaan. This is their identity, or their ideology, without land they lose this identity.

5.3 Chapter 27

Before we discuss chapter 24, we need to deal with chapter 27 first, which has recently caused some debate. The traditional diachronic or historical-critical view has generally been that chapter 27 is a later addition to the text¹⁸ and the main reason is the two concluding verses at the end of both chapters (vv. 26:46 and 27:34).¹⁹ Recently two scholars, Douglas (1999) and Smith (1996) who both read the text synchronically²⁰ have argued that we should read chapters 25-27 as one unit. For Douglas chapters 25 and 27 form another (like chapters 18 and 20 around 19)²¹ ring composition which elevates chapter 26. Her argument is mostly based on content.²² Smith (1996: 25-26) understands these chapters similarly and shares Douglas' view on how the narrative in chapter 24 functions as drawing a border between two different parts, an issue that will be addressed under the next sub-heading. Smith (1996: 29) adds some more "proof" by, for instance, referring to the fact that the root געל is prevalent in both chapters. He counts 17²³ examples in chapter 25 and 12 in chapter 27. One could also add that both chapters refer to the Jubilee, but the question is whether that is enough? Even if one were to read these chapters

¹⁸ Many scholars just accept this without much argument. Thus Otto (1999: 181) would simply state "Lev 27 ist Zusatz, der durch die Wiederholung von Lev 26,46 in Lev 27,34 in seinen Kontext eingefügt wurde." For him that is more than enough. Similarly Grünwaldt (1999: 128) states:

Zweifellos bildet Lev 26 den Abschluß einer Gesetzessammlung, an welche Lev 27 sekundär angefügt wurde, und zwar nach Beigabe des Formelwerkes. Dies ergibt sich v. a. aus der verkürzten Wiederaufnahme von 26,46 in 27,34.

Both of them are thus convinced by v. 34 that Leviticus 27 is a later addition and do not bother to argue the case any further. Most German scholars would probably still agree with Bertholet (1901: 97) who said more than a hundred years ago that Leviticus 27 "will nach v. 34 auch noch zu den Befehlen am Sinai gehören, kommt aber freilich hinter 26:46 nach Thorenschluss."

¹⁹ Ruwe (1999: 44 n.21) does provide a short discussion on the problem of Leviticus 27. Apart from the problem with the two endings it also seems that chapter 27 has content-wise more in common with Numbers 1-10. As Ruwe puts it:

In Num 1-10 gibt es u.a. schwerpunktmäßig um die Thematik ‚Abgeben, Weihegaben, Gelübde‘, wie die Levitenbestimmungen in Num 3:11ff, das Nasiräatsgesetz in Num 6 und der Bericht über die Weihegaben der Fürsten in Num 7 deutlich zeigen. Diese Thematik wird aber auch in Lev 27 durchgängig behandelt, während sie in Lev 11-26 keine Rolle spielt.

There are also close parallels between Leviticus 27 and Numbers 6 and Ruwe suggests that these two chapters might have formed the frame around an earlier "Lagerordnung."

²⁰ Smith (1996: 17) calls his study "literary-critical" which for him is concerned with "the characteristics of the book [i.e. Leviticus - EEM] as we know it today." It thus is a final form reading or synchronic reading.

²¹ See Douglas (1999: 218-240).

²² Douglas (1999: 244) argues that chapter 27 "deals with the same topics from the point of view of debts to the Lord. God himself respects the jubilee law (Lev 27:24) and he himself allows redemption of persons (Lev 27:2-8), property (Lev 27:14-15), and animals (Lev 27:9-13). God himself, as a creditor, comes under the power of the jubilee laws." See also the rest of her discussion (Douglas 1999: 241-244).

²³ In chapter 25 I actually count 19 namely, vv. 24, 25 (x2), 26 (x2), 29 (x2), 30, 31, 32, 33, 48 (x2), 49 (x3), 51, 52 and 54.

synchronically without asking any diachronical questions, would it be enough to say that because the Hebrew root געל is salient and because of the “same topic” (i.e. debts according to Douglas 1999: 244) we should regard these chapters as forming some or other sub-unit? I would like to argue that it is not and that it is indeed possible to argue synchronically that chapters 25 and 26 are to such an extent intertwined with each other that it still leaves chapter 27 as odd one out. The first question that we need to address is whether chapter 27 has anything to offer that could challenge the interconnectedness that I pointed out above?

5.3.1 Grammatical features

When we consider the grammatical features of Leviticus 27 it becomes clear that the arguments of Douglas and Smith are not totally without foundation. At first glance the text does remind of the conditional parts that we had in Leviticus 25, especially vv. 25-34. The text also starts with a combination of a conditional כִּי and וְאִם in v. 2, which is then followed by 20 examples of אִם scattered all through the text. Later in v. 14, when dedicated houses are discussed, we find another combination of כִּי and וְאִם. An interesting feature of the text that is different from chapters 25 and 26²⁴ is the fact that we find 11²⁵ occurrences of the discourse marker וְהָיָה. Van der Merwe et al describe the functioning of this marker as follows (1999: 331):

Incorporates a state of affairs (described by means of nominal clauses) into the mainstream of the procedure being described or the future events envisaged. This is a way of preventing that state of affairs from being understood as mere background information. Semantically speaking וְהָיָה has functions that correspond with the waw consecutive + perfect form. [their *italics*]

I do think that this definition is spot on, because in most of the cases of וְהָיָה it is used to express the price of a person or item, which could be considered as a “state of affairs” and is grammatically also a nominal sentence. In this regard וְהָיָה is used with a very strange²⁶ word on seven occasions (excluding vv. 10, 16, 21 and 33) namely עֵרְכָה.²⁷ The noun is עֵרְכָה and is usually translated with something like “assessment” or “estimate.” It thus always has to do with assessing or estimating the price of something that was dedicated to the Lord and is now to be redeemed (גָּאָל) by the person who dedicated it in the first place. Thus “state of affairs” seems to be an apt description and if we were to regard these examples as functioning similar to a wc. + perfect, we could at least say that Leviticus 27 shares this feature with both chapters

²⁴ In chapter 25 there are only two examples in vv. 28 and 50. In chapter 26 we find none.

²⁵ See vv. 3 (x2), 4, 5, 6, 7, 10, 15, 16, 21, 33.

²⁶ The “strangeness” of the concept is the use of the second person singular pronominal suffix and the question then is whom it addresses, but this is a “rhetorical” issue that will be addressed below.

²⁷ See vv. 2, 3 (x2), 4, 5, 6 (x2), 7, 8, 12, 13, 15, 16, 17, 18, 19, 23 (x2), 25 and 27 (x2), thus 21 times.

25 and 27 of being dominated by wc. + perfect chains. We also find enough examples of other verbal roots being used in short wc. + perfect chains.²⁸ There are also some other things that remind us of chapters 25 and 26, of which we find some in v. 8.

Table 5.18

<p>⁸ וְאִם־מֶדֶד הוּא מְעַרְכֶּךָ וְהִעֲמִידוּ לְפָנַי הַכֹּהֵן וְהִעֲרִיף אֹתוֹ הַכֹּהֵן עַל־פִּי אֲשֶׁר תִּשְׁיג יַד הַנֹּדֵד יַעֲרִיכֶנּוּ הַכֹּהֵן</p>
<p>⁸ If any cannot afford the equivalent, they shall be brought before the priest and the priest shall assess them; the priest shall assess them according to what each one making a vow can afford.</p>

The first aspect that strikes one here is the verbal root מֶדֶד that we find in the first clause. This verb only occurs in chapter 25 and here in v. 8 of chapter 27. To this one should add the root נָשַׁג (Hi) which actually also occurs in chapters 25 and 26 (25:26, 47, 49 and 26:5 (x2)). But then we also have something that is reminiscent of the parallelistic chiasms we had in chapters 25 and 26 in the last two clauses of v. 8. It is similar in the sense that we have the same verbal root (Hi of עָרַף), first as a wc. + perfect and then as an imperfect. It thus has the same chiasmic effect. The difference is that it is not really as parallelistic as the previous examples. The second clause is much longer and we have this element “according to which the priest will measure” that was absent in the first clause. It might also be more accurate to present this feature as follows:

Table 5.19

<p>וְהִעֲרִיף אֹתוֹ הַכֹּהֵן עַל־פִּי אֲשֶׁר תִּשְׁיג יַד הַנֹּדֵד יַעֲרִיכֶנּוּ הַכֹּהֵן</p>

Now it looks more like some kind of “concentric” structure with something in the middle surrounded by two similar clauses. The term *inclusio* also comes to mind. This feature is thus similar, but still different to those that we had in chapters 25 and 26. The same could be said of the next example found in v. 14.

Table 5.20

<p>¹⁴ וְאִישׁ כִּי־יִקְדֵּשׁ אֶת־בֵּיתוֹ קֹדֶשׁ לַיהוָה וְהִעֲרִיכֵנּוּ הַכֹּהֵן בֵּין טוֹב וּבֵין רָע כַּאֲשֶׁר יַעֲרִיף אֹתוֹ הַכֹּהֵן כֵּן יִקּוּם</p>
<p>¹⁴ If a person consecrates a house to the LORD, the priest shall assess it: whether good or bad, as the priest assesses it, so it shall stand.</p>

²⁸ These include vv. 8, 11, 12, 13, 14, 15, 18, 19, 23 and 27.

We never had the relative pronoun כַּאֲשֶׁר in any of the examples of parallelistic chiasms in chapters 25 and 26 and in that regard this example is different. Yet one could probably argue that the כַּאֲשֶׁר is the equivalent of the phrase, בין טוב ובין רע, in the first part of the chiasm. These two phrases are thus parallel, but it is expressed differently from what we are used to. Once again this chiasm is reminiscent of the former examples, but still somewhat different. We find two further examples where the verbal root היה is involved in vv. 10 and 21.

Table 5.21

¹⁰ לֹא יִחַלֵּיפֶנּוּ וְלֹא־יִמִּיר אֹתוֹ טוֹב בְּרַע אֹרֶע בְּטוֹב וְאִם־הִמִּיר יִמִּיר בְּהֵמָה בְּבֵהֵמָה וְהָיָה־הוּא וְתִמְוִרְתּוֹ יִהְיֶה־קֹדֶשׁ׃
¹⁰ Another shall not be exchanged or substituted for it, either good for bad or bad for good; and if one animal is substituted for another, both that one and its substitute shall be holy.
²¹ וְהָיָה הַשָּׂדֶה בְּצֵאתוֹ בִּיבֵל קֹדֶשׁ לַיהוָה כְּשָׂדֶה הַחֹרֵם לְכֹהֵן תִּהְיֶה אֲחֻזָּתוֹ׃
²¹ But when the field is released in the jubilee, it shall be holy to the LORD as a devoted field; it becomes the priest's holding.

The first example in the last two clauses of v. 10, is really different from previous examples, because the verb היה actually refers to two different subjects. The first refers to the original dedicated animal and the latter to the one that it has been exchanged with. The second example is better, although the second line is much shorter than the first. We did have a similar example in Leviticus 25:29. Both these phrases refer to the field that will “go out” in the Jubilee and that will then be “for YHWH”, which in Leviticus 27 means “for the priest”, but now we are already approaching what is actually more part of the persuasive or rhetorical features of this text.

To sum up, there are some grammatical features which Leviticus 27 shares with 25 and 26, like the wc. + perfect chains and these parallelistic chiasms, but in both cases they are both similar and different. The former is dominated by וְהָיָה which is very scarce in Leviticus 25 and the chiasms are often also somewhat different as I have pointed out above. The next question then is, whether Leviticus 27 shares any rhetorical or persuasive features with the other two chapters?

5.3.2 Persuasive features (and ideological traces)

With regards to the persuasive features identified above in chapters 25 and 26, chapter 27 has very little in common. For instance, it is totally different with regards to address, because it is always in the third person and the landowners are never directly addressed. There is the problem with the second person singular suffix in

עֲרֵכָהּ, but most scholars do not know whom this is addressing. According to Bertholet (1901: 97) one can either regard it as referring to Moses or as a scribal error, because we do not find any of these in the LXX. Yet even if we do regard it as referring to Moses, then it still is something totally different from chapters 25 and 26.

Motivation functions also differently in chapter 27. We do not find a single motivational כִּי²⁹ and none of the formulas with “I am YHWH.” In stead, in Leviticus 27 the closest we find to a motivational clause is the multiple examples of “it shall be holy for YHWH” or different variations of it.³⁰ The portrayal of YHWH is also different. He is never referred to as the liberator from Egypt, but we find many examples of לִיהְוָה where it usually expresses benefit to YHWH.³¹ He is always on the receiving end of what has been consecrated and YHWH never gives anything in chapter 27. The addressees or the אֲדָמָה are also never presented as benefiting. The only other person that benefits is found in v. 21 to which I already referred to above as a good example of parallelistic chiasm. If we regard that as some kind of parallelism then it means that in that case לִיהְוָה actually means לְכַהֵן. We should take note of the fact that when a field is consecrated to YHWH it ends up as the אֲדָמָה of the priest. Once again I would argue that the persuasive features in the text allows us to peek into the ideology of the authors and readers. The fact that the אֲדָמָה ends up with the priests probably gives us a further glimpse of the interests of the authors. In this regard I can imagine that chapters 25 and 26 (especially the blessing part) were much more persuasive since the addressees were often portrayed as benefiting, but here it is only YHWH and the priests who are benefiting. If there is something to the scholarly view that these texts originated in priestly circles then it means that the authors managed to “camouflage” their interests much better in chapters 25 and 26.

The point is that even if I were to stick to reading these texts synchronically, paying no attention to any diachronic questions, even then it does not seem that chapters 27 and 25 have that much in common. Chapters 25 and 26 do share many similar features on both grammatical and persuasive levels, even though the characters of the texts are different (25, being apodictic and casuistic law and 26 being mostly parenetic). Chapter 27 only shares some grammatical features and these are not all that convincing. On the persuasive level it seems to be different altogether and in this regard one could also add that the interests of the authors or not that hidden.

²⁹ In the chapters from 16 onwards, we find motivational כִּי in every chapter, see 16:2; 16:30, 17:11 (x2), 17:14 (x2), 18:10, 18:13, 18:24, 18:27, 18:29, 19:2, 19:8, 19:20, 20:3, 20:7, 20:19, 20:23, 20:26, 21:7, 21:8, 21:12, 21:15, 21:24, 22:7, 22:16, 22:25, 23:28, 23:43, 24:9, 24:15, 24:17 and 24:22.

³⁰ The root קדש occurs nothing less than 19 times in Leviticus 27. Of these 9 (verses 9, 10, 14, 21, 23, 28, 30, 32, 33) seem to occur in nominal clauses that could be understood as “motivational.”

³¹ These include vv. 2, 9, 11, 14, 16, 21, 22, 23, 26, 28 (x2), 30 (x2) and 32.

Yet one of the biggest characteristics of chapters 25 and 26 that is missing in chapter 27 is a feeling of vulnerability when it comes to the possession of land. We do find the term *שָׂדֵה* in Leviticus 27 on three occasions (vv. 24 and 30(x2)), but usually the text is more interested in “fields” (*שָׂדֵה*) that were consecrated to YHWH. The term occurs 12 times especially towards the end of chapter 27 (vv. 16, 17, 18, 19, 20(x2), 21(x2), 22(x2), 24 and 28). Still one do not get the impression that land-possession is under threat or that people will not have enough to eat as we had in chapters 25 and 26. These things do not seem to be in jeopardy. The only issue is that YHWH should receive his due. If YHWH was a liberator and provider in chapters 25 and 26 (excluding the curses part), he now turns into a tax collector.

In short, I do not find the proposals by Douglas and Smith convincing. Chapter 27 simply *reads* differently from 25 and 26 and is something else. Furthermore, I cannot help but feel chapter 27 does not even pretend to be about “liberation”, but seems to be more about a sanctuary that wants to make money.

5.4 Chapter 24

My treatment of chapter 24 will be considerably different from that of chapters 26 and 27. Chapters 25 and 26 were woven together by the inclusio formed by 25:1 and 26:46 and this made them into some kind of closed unit. The two chapters also shared many grammatical and persuasive features, not to mention the ideological traces that I identified in both. We also saw that, except for some grammatical features, Leviticus 27 was something different. The relation between chapter 24 and its surrounding texts is far more problematic and as we will shortly see, this has always been one of the main issues amongst scholars. The stumbling block then usually is the fact that chapter 24 is partly narrative. After taking a closer look at the grammatical and rhetorical features of chapter 24 and after finding very few similarities, we then will need to explore other avenues. One concern that chapter 24 shares with chapter 25 is the *נָר* and exploring this will provide us with more glimpses into the world-view or ideology of the authors and intended readers of these chapters.

5.4.1 Grammatical and persuasive features

I would divide the text into vv. 1-4, 5-9 and for the time being vv. 10-23. The first text is concerned with a lamp that Aaron is to arrange in the tent of meeting and the second with twelfth loaves of bread which Moses apparently is to bake and which Aaron must arrange every Sabbath. The latter text is a mixture of narrative and laws. If we take a closer look at vv. 1-4 then it is only v. 1 and the first clause of v. 2 (*צוֹ אֶת־בְּנֵי יִשְׂרָאֵל*) that are more or less familiar in the sense that it is about YHWH

telling Moses something. Yet then the rest of this text is grammatically totally different from what we had in chapters 25 and 26.

Table 5.22

<p>² צו אֶת־בְּנֵי יִשְׂרָאֵל וַיִּקְחוּ אֵלֶיךָ שֶׁמֶן נִיחַ נָדָה כְּתִית לְמִאֹר לְהַעֲלֹת נֵר תָּמִיד: ³ מִחוּץ לְפָרֹכֶת הָעֵדֻת בְּאֹהֶל מוֹעֵד יַעֲרֹךְ אֹתוֹ אֶחָד מֵעֲרָב עַד־בֹּקֶר לִפְנֵי יְהוָה תָּמִיד חֻקַּת עוֹלָם לְדֹרֹתֵיכֶם: ⁴ עַל הַמְּנֹכַח הַטְּהַרָה יַעֲרֹךְ אֶת־הַנְּרוֹת לִפְנֵי יְהוָה תָּמִיד</p>
<p>² Command the people of Israel to bring you pure oil of beaten olives for the lamp, that a light may be kept burning regularly. ³ Aaron shall set it up in the tent of meeting, outside the curtain of the covenant, to burn from evening to morning before the LORD regularly; it shall be a statute forever throughout your generations. ⁴ He shall set up the lamps on the lampstand of pure gold before the LORD regularly.</p>

We find no wc. + perfect chain here, but instead the text starts with a *wayyiqtol* or wc. + imperfect. Then we find four clauses of which the second and third might be nominal clauses and the other two seem to be cases of marked word order with an adjunct of place preceding the verb. It might also be possible to regard the two nominal clauses as further adjuncts of time and place to the third clause. That is not so important, but the point is that this text is grammatically different from what we had before.

With regards to address it is also different. When the second person plural suffix is used in v. 2 (אֵלֶיךָ) it actually addresses Moses himself, not some land-owning Israelite. We do find some reference to the second person plural at the end of v. 3 and then it is “your generations” (לְדֹרֹתֵיכֶם). Whenever the third person is referred to it actually refers to Aaron. Thus, now we can actually put names to most of those addressed or referred to, although the second person plural probably still refers to the collective of landowners. Before we move to vv. 5-9 we should also take note of the fact that תָּמִיד occurs three times in this very short text, a word often translated with “continuity” (e.g. see Brown, Driver & Briggs 1972: 556).

Verses 5-9 have features that remind of what we had in chapters 25 and 26, because most of the text consists of a wc. + perfect chain. Most of these verbs are in the second person singular and once again it is Moses who is addressed, with Aaron apparently also playing a role in v. 8. The text is also unconditional and is concluded in v. 9 with a כִּי clause motivating why Aaron and his sons are supposed to eat these loaves. The motivation is not really by means of repetition as we often had in chapter 25, since it actually declares for the first time that these loaves are holy. The text is further characterised by the fact that the word YHWH features a lot. We have two occurrences of לִפְנֵי יְהוָה (vv. 6 and 8) and one of לִיהוָה (v. 7) and then also a

reference to the “offering of fire of YHWH” (v. 9). We also have the word תָּמִיד again (v. 8) that we had three times in the previous text. To conclude, there are some grammatical features of this text that is reminiscent of chapters 25 and 26, but on a rhetorical level the text is totally different because Moses is addressed and we find no references to the second person plural.

Verses 10-23 are also grammatically totally different from chapters 25 and 26. A *wayyiqtol* chain dominates the narrative parts (vv. 10-12 and 23), which is typical for a Biblical Hebrew narrative. We have a short *wc.* + perfect chain following an imperative in v. 14. The rest of the text, which includes the famous *jus talionis* or law of talion, is casuistic law and it reminds of laws throughout Leviticus where the protasis of the condition is often introduced by means of a combination of כִּי and אִישׁ. In Leviticus 25 we had two examples thereof in vv. 26 and 29. The first example in 24:15 starts with a double אִישׁ which can also be found in other parts of Leviticus (e.g. 15:2; 17:3, 8; 18:6; 20:2 and 22: 4, 18). In most of these examples it is used at the start of a group of laws. This is also the case here in chapter 24. Thus, apart from the two cases of combining אִישׁ and כִּי there is not that much in vv. 10-23 that reminds of chapter 25, not in terms of what I have described as grammatical features. In this regard one should also add that there are no examples of the chiasmic parallelisms that were so salient in both chapters 25 and 26.

In the whole text from v. 10 to v. 21 there is no reference to the second person either singular or plural, but then in v. 22 we have an example of לָכֶם. The text states that there will be only one law (בְּשֵׁפֶט) for both the גֵּר and the אֲזִיקָה and then it is motivated by means of כִּי אֲנִי יְהוָה אֱלֹהֵיכֶם. One could regard this לָכֶם as similar to the ones in chapter 25 as expressing benefit. Thus v. 22 is the one verse within vv. 10-23 that has the most in common with some of the rhetorical features that we identified in chapter 25. We even find “motivation by means of YHWH”, but we find no reference to YHWH as the liberator from Egypt. Verses 10-23 share also one other feature with chapter 25, which we did not have in Leviticus 26 and that is the גֵּר. This term is always used alongside a further term that we do not find in either chapters 25 or 26 namely the אֲזִיקָה.

But to return to the issue of rhetoric, we should remember that the study of Watts (1999) was especially interested in the combination of law and narrative in the Pentateuch and in chapters 25 and 26 (and for that matter 27) we have not had any narratives. Yet now we have a narrative which precedes chapter 25 and the question now becomes, what effect this narrative might have on the understanding of chapter 25? And one should add, a narrative, which is like chapter 25 interested in the fate of the גֵּר.

5.4.2 A strange combination of law and narrative

This problem of the relation with the texts preceding and succeeding 24:10-23 is not the only problem. Another problem that scholars usually debate about is the relation between the narrative frame (24:10-15a and 23) and the laws imbedded into the narrative (24:15b-22). To illustrate this second problem we could use the following presentation by Hutton (1997: 152) of the legal part:

For the resident alien as for the native (v. 15b-16) [cursing God's name will result in the death penalty - EEM]

Striking (to death) a human (v. 17)

Striking (to death) an animal (v. 18)

lex talio for bodily injury (vv. 19-20)

Striking (to death) an animal (v. 21a)

Striking (to death) a human (v. 21b)

One law for the resident alien and for the native (v. 22a)

It is clear that we have a concentric structure here with the *lex talio* forming the "centre" surrounded by laws on striking animals, then striking humans and then the laws referring to the legal status of a נָכְרִי. The first of this latter "circle" (vv. 15b-16) links these laws to the narrative by specifically referring to "cursing" (Pi of קלל) or "swearing" (נִקְבָּ) at God. One question would be the relation between verses 17-21b and the story. Some scholars³² do not see any logic connection between the two. They would argue that the story is about blasphemy, not about killing and hurting.³³

The other problem is that this narrative is one of only two narratives (see also Lev 8-10) surrounded by a vast landscape of different laws in the rest of Leviticus. Chapter 23 is, as we will see below, concerned with the many feasts of the sanctuary. The first nine verses of chapter 24 are, as we saw above, concerned with the lights in the tabernacle and the twelve breads that Moses has to bake every Sabbath. Still, both texts have a very obvious cultic focus³⁴ and then suddenly we have the blaspheming

³² See the discussion by Hutton (1997: 152-153). Or see the following summary from Grünwaldt (1999).

³³ I'm not that convinced that this is so illogical. In some cases in the Hebrew Bible where the root נִקְבָּ is used, one often finds that people get injured. One good example would be in Exodus 21:22 where two men fight and a pregnant woman gets injured. This is also followed by the *jus talio*. Fighting could thus not just lead to blaspheming, but also to injuries and death and in that sense these laws could be appropriate here.

³⁴ Ruwe actually treats the whole text from 23:1-24:9 as one unit on the following grounds (1999: 298):

Thematisch paßt dieses Stück sehr gut zum Festkalender 23,1-43. Indem 24,1-9 die religiösen Rituale für die kleineren Zeithorizonte (jeden Sabbat und jeden Tag) thematisiert, fügt es sich inhaltlich stimmig an den Festkalender an, der die religiösen Feste und Anlässe im größeren Zeithorizont des Jahres behandelt.

I do think that Ruwe has a very strong case here.

half-Israelite in the rest of Leviticus 24. That is not to mention the succeeding chapter 25, which is also quite different. But why is this story of the blaspheming half-Israelite placed here, between texts about religious acts and festivals and a text with seemingly more social implications?

A diachronic way out of the problem would be to argue that it was added later and many scholars³⁵ have argued this and many are still doing so. Grünwaldt (1999: 92-93) states that research has been convinced up to now that the narrative is much younger than the laws. He summarises the three main reasons for this conclusion as follows:

- 1) This narrative is similar to other narratives in the priestly text namely, Num 9:6-14; 15:32-36; 27:1-11 and 36:1-12.³⁶
- 2) Only vv. 15b, 16 and 22 are in terms of content connected to the narrative.
- 3) Vv. 15-22 have linguistic similarities to the Holiness Code.

He himself does not rate the first and third criteria that highly and focuses more on the second. Eventually he agrees with these findings, be it with a slightly different argument.³⁷ For him the story is indeed added as an illustration of the legal part.³⁸ Having done this he is satisfied and does not really bother further with either interpreting or dating the narrative part. One could still ask, whether it would not be a legitimate question to ask what the latter redactor might have wanted to achieve with this combination? That is, if we do accept that it was a later editor and that the two parts were not originally composed together.

The most recent commentary of Milgrom (2001: 2105) insists that this narrative and the laws imbedded in it “were inextricably woven into each other not just in the present introverted structure of the text, but also from the beginning.” For Milgrom (2001: 2111) the legal question addressed by this text was: “Does the death penalty apply to a non-Israelite (or half-Israelite) blasphemer?” Hutton (1997: 145-163)

³⁵ Thus Otto (1995: 391) thinks that “der spätpentateuchische Ergnzer” added this whole chapter (along with 21:24 and 23:44) some time after completing the rest.

³⁶ See also Milgrom (2001: 2101) who does not mention Numbers 36.

³⁷ He (1999: 93-94) acknowledges that both the narrative and the legal part use verbs like *קָלַל* and *נִקְבַּ* (Pi) to express the offence of the half-Israelite. This might be seen as evidence that the two are interconnected, but in the narrative these verbs are much more compactly used. In vv. 15b-16 we find *בִּיְקִלְלָהּ אֱלֹהֵיוּ* and *וְנִקְבַּ שֵׁם יְהוָה*. In both instances the verbs have clear objects. Yet in the story (v. 11) it is *אֶת־הַשֵּׁם... וְנִקְבַּ*, thus only “the Name” now without YHWH and only *וְנִקְבַּל* without any object whatsoever. The terseness of the version in the story, thus for Grünwaldt, presupposes that the story is a commentary on the laws and therefore later. The shorter version builds on the longer version and not the other way around.

³⁸ Similarly Ruwe (1999: 56-57) understands this text as a “nachkompositionelle Ergnzung” that is added to the composition “um die Gleichbehandlung des Fremden (גֵר) und des Einheimischen (אֲזִרָח) in strafrechtlichen Fragen noch in der Sinaigesetzgebung zu verankern oder um ein bestimmtes Verfahren von Rechtfortschreibung auf der Grundlage von Gottesbefragung als am Sinai praktiziert zu legitimieren.” For him the obvious similarities with the narratives in texts like Numbers 9:6-14; 15:32-36; 27:1-11 and 36:1-12 mean that it should be regarded as a text that was not originally part of the Holiness Code. He argues this in spite of the fact that he describes his study as mostly synchronic (see Ruwe 1999: 134).

argues that the narrative's position is not random, but has a rhetorical aim when placed in the bigger structure of the book and also wants to read the two together.

Other scholars also argue that the narrative plays an important role in the whole structure of Leviticus. In these views the role of the narrative in chapter 24 is usually compared and related to the other narrative in Leviticus namely chapters 8-10. Mary Douglas has provided at least two different but related proposals. Her first proposal (Douglas 1993a) was a kind of ring-composition where two halves (1-18 and 19-27) of Leviticus mirror each other. In these two halves chapter 24 is as Milgrom (2001: 2106) puts it, "in Leviticus, the counterpart to chapter 10: the Name defiled balancing the Holy Place defiled." In a latter work by her Douglas (1999: 223) proposes a new structure for the whole book, but now the two narratives also function together in the sense that they define "borders" to the three different parts of Leviticus. Douglas (1999: 195) understands both as being "about encroachment on the divine prerogative." Similarly to Douglas, Smith (1996: 25-26) understands the narrative in chapter 24 as introducing the last part of Leviticus, which consists of chapters 25-27, as we saw above when discussing chapter 27.

I will try to build on many of these observations, although I am not in total agreement with all of them. What they (i.e. Milgrom, Hutton, Douglas and Smith) all have in common is that they are not satisfied with separating either the narrative from the laws, or chapter 24 from the surrounding context, but insist that we should treat the whole. *The question remains what the objective was of combining law and narrative in such a manner and why it was placed here in Leviticus?*

We have treated the contribution by Watts (1999) extensively in the previous chapter and especially the fact that he is interested in the combinations of law (or "list" as he calls it) and narrative in the Pentateuch. I have used his distinctions between address, motivation and repetition/variation extensively with regards to chapter 25 and to a lesser extent when discussing chapters 26 and 27. The problem with chapter 24 is that he does not really engage with this chapter. Similarly to Milgrom he understands it as follows (Watts 1999: 87):

The case of the half-Egyptian blasphemer (Lev 24:10-14) becomes an occasion to emphasize the universal application of not just the laws on blasphemy, but the criminal statutes as well (vv. 15-22).

He compares chapter 24 to Num 32 and 36 and then concludes further (1999: 87):

The reasons for placing the blasphemy case in Leviticus 24 are less apparent, but probably derive from a wish to restate in summary fashion at this point in the Holiness Code the universality of the most basic religious and criminal laws. All three stories [i.e. Lev 24 along with Num 32 and 36 - EEM] further the didactic

concerns and issues of the lists, rather than the plots and themes of the larger narrative.

Yet we should remember that the kind of rhetorical criticism that Watts proposes is not a-historical and these questions will eventually have to be answered by constructing a historical context where this text was designed to have some kind of rhetorical effect on people living in that context. Ultimately most of the questions asked here can only be settled in the next chapter where the issue of historical context would be addressed. Then the ultimate question would be what kind of rhetorical effect might a story have had about a half-Israelite cursing God? Before we go there it might be helpful to ask how a גֵּר is presented in the texts preceding chapter 24. We know what chapter 25 does with the גֵּר and if this is some issue or feature that the two texts have in common we should ask how the גֵּר is presented in the preceding texts. In chapter 25 the גֵּר is usually referred to along with the תּוֹשֵׁב³⁹ and now the גֵּר is mentioned along with the אֲזֹרָח and we need to ask how these groups of people are presented in the text preceding chapters 24 and 25. By doing this I am thus already discussing some of the preceding chapters and already asking what these have in common with chapters 24 and 25. Doing this runs the risk of repeating myself later on, but I will try to focus now specifically on the גֵּר in these chapters and thus on a specific theme. Repetition is unfortunately inevitable. The interesting thing is that the גֵּר often features where another familiar theme also presents itself namely the land. We are thus once again very much within the domain of ideology and group-identity.

5.4.3 The גֵּר in the Holiness Code

The first time that the term גֵּר is mentioned, is in Leviticus 16:29,⁴⁰ where it is stated that the גֵּר is, like the אֲזֹרָח, not allowed to work on the Day of Atonement. Then in 17:8 the גֵּר is also commanded to bring his offerings to the tent of meeting and in 17:10, 12 and 13 they are not allowed to eat blood either. In these verses they are always contrasted with “a person from the house of Israel” (וְאִישׁ אִישׁ מִבֵּית יִשְׂרָאֵל). In both these cases (not bringing the offering and eating blood), the penalty is being cut off (כִּרְתָּ) from his people (מִמֵּעַמּוֹ). In v. 15 the גֵּר is juxtaposed with the אֲזֹרָח and any person of either group who eats torn meat or “what dies of itself” should wash himself and be unclean until evening. It thus seems that “a person from the house of Israel”

³⁹ Rendtorff (1996: 79) points out that although the term גֵּר is often used along with the תּוֹשֵׁב, it is never used along with the שִׁכְרִי, but the latter is often paired with a תּוֹשֵׁב.

⁴⁰ Chapter 16 is not usually regarded as part of the Holiness Code, but scholars like Ruwe (1999) and Smith (1996) would argue that it functions as some kind of “hinge” between the collections of 11-15 and 17-26. It could thus be read along with 17-26 as some kind of “introductory text.” These issues will be explored later.

and an אֲזֻקָּה are the same. If these two groups are the same then by implication it means that the גֵּר is not from the house of Israel. It is here that Rendtorff (1996: 82) points out that most of these texts are about what the גֵּר and the אֲזֻקָּה have in common although they apparently are groups who are contrasted with each other. The interesting issue would then be what these groups do not have in common. I shall return to this question later.

In chapter 18 we find a long list of sexual taboos, which are followed by a warning not to defile the land (vv. 24-25) and both the גֵּר and the אֲזֻקָּה are once again encouraged to obey these laws. Otherwise, the land will spit them all out (vv. 26-27) as it did with the predecessors. Then in chapter 19 we have two further occurrences where in v. 10 the Israelites are commanded not to collect the whole harvest, but to leave something for the עֲנִי and the גֵּר. Now the גֵּר is thus juxtaposed with somebody else, namely the עֲנִי. In v. 33 we have a further sentence, which has many “echoes” with chapter 25. When a גֵּר sojourns with you, you shall not oppress (יַדָּהּ, like in 25:14 and 17) him. You shall treat him like an אֲזֻקָּה and the motivation is that the Israelites were גֵּרִים in Egypt.

In 20:2 it is stated that neither an אֲזֻקָּה nor a גֵּר shall sacrifice their children to Molech. YHWH himself promises to “cut these persons off.” In 22:18 it is prohibited for both an Israelite (again אִישׁ מִבֵּית יִשְׂרָאֵל) and a גֵּר to bring an animal with a blemish (מוּם). In 23:22 (similar to 19:10) the Israelites are asked to leave something for the עֲנִי and the גֵּר when they harvest. The next occurrence of the term is then chapter 24.

I would like to categorise these laws into two broad groups namely laws laying obligations on the גֵּרִים and laws that seem to be providing some privileges or protection.⁴¹ Most of the laws named above could be understood as laying obligations on the גֵּר. These include all the laws where the גֵּר features along with either the אֲזֻקָּה or the Israelite and where both parties are prohibited to do certain things. In 19:10 and 23:22 where the גֵּר is presented along with the עֲנִי the laws seem to be protecting the גֵּר or providing the גֵּר with some privileges. The same goes for 19:33 where the Israelites are not allowed to maltreat a גֵּר, but where they are

⁴¹ Milgrom (2000: 1496) argues as follows with regards to the legal status of the גֵּר:

Whereas the civil law held the citizen and the גֵּר to be of equal status (e.g., Lev 24:22; Num 35:15), the religious laws made distinctions according to the following underlying principle: the גֵּר is bound by the prohibitive commandments, but not by the performative ones.

For him there is the common fear that the גֵּר might also pollute the land. This is thus one reason for the “obligations” that I identified above.

commanded to treat him like an אֲזִיקָה. They are then reminded that they themselves were גֵּרִים in Egypt.

With regards to chapter 24 the question would thus be what kind of law is this, is it spelling out an obligation or providing protection? When one reads v. 22 alone it sounds protecting, but within the larger context it becomes more constraining. The laws are aimed against people cursing God and maiming each other.⁴² Thus both the גֵּר and the אֲזִיקָה are prohibited doing these things and the consequences in this event are clearly spelled out.

The גֵּר is presented in the chapters preceding chapter 24 as somebody who either shares many obligations along with the Israelite, or who seems to be rather vulnerable and needs to be protected. I already mentioned above that when the גֵּר is referred to along with the אֲזִיקָה and the Israelite it actually expresses what these two groups have in common, what they both are obliged to do. The question that I asked above, but which I did not answer was, with regards to what these two groups differ. If I were correct that the people that were addressed in chapters 25 and 26 were the land-owning males, or the people that in the eyes of the authors had a legal claim to land, then could we not argue that the גֵּרִים were those that did not have legal claims to land? Rendtorff actually argues that by referring to Ezekiel 47:22 (1996: 85):

According to this statement, the only thing that distinguishes a permanent גֵּר from an Israelite is the participation in the possession of the land. If this situation changes, there will no longer be any difference at all.

I would like to support his argument by referring to Leviticus 19:33 and some of the other mentioned occurrences of the גֵּר again.

Table 5.23

<p>וְכִי יִגְוֹר אִתְּךָ גֵּר בְּאֶרֶץְכֶם³³ לֹא תוֹנֶנּוּ אֹתוֹ: כְּאֲזִיקָה מִכֶּם יִהְיֶה לְכֶם הַגֵּר הַגֵּר אִתְּכֶם³⁴ וְאַחֲבַתְּ לּוֹ כְּמוֹךָ כִּי־גֵרִים הָיִיתֶם בְּאֶרֶץ מִצְרַיִם אֲנִי יְהוָה אֱלֹהֵיכֶם:</p>
<p>³³ When an alien resides with you in your land, you shall not oppress the alien. ³⁴ The alien who resides with you shall be to you as the citizen among you; you shall love the alien as yourself, for you were aliens in the land of Egypt: I am the LORD your God.</p>

⁴² I find the following quote by Milgrom (2000: 1496) quite useful and cannot help but agree with him:

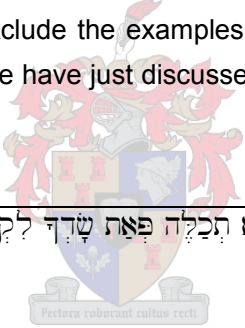
The injunction that “there shall be one law for you and for the resident stranger” (Num 15:15; cf. Exod 12:48-49; Lev 7:7; 24:22; Num 9:14; 15:29-30) should not be misconstrued. It applies only to the case given in the context; it is not to be taken as a generalization (contra van Houten 1991:150, 156; cf. Ibn Ezra).

I am rather at a loss at what he means by Leviticus 7:7.

Most of this text is addressed at the second person plural, with only the second clause in v. 34 addressed at the singular and the אִתְּךָ in v. 33. This mixture of second person singular and plural should in itself remind us of Leviticus 25. But add to that the root ינה (Hi) in v. 33; which only occurs here and in vv. 15 and 17 of chapter 25; and the כִּי clause referring to the addressees being גֵּרִים in Egypt, then the picture is even clearer. The most interesting thing about this text is the expression “your land” (אֶרְצְכֶם) in v. 33. We should keep in mind that the expression occurs only 12 times⁴³ in the whole Holiness Code. We already had six of them in chapter 26 and the authors thus used it rather sparingly. It is clearly stated that the land belongs to the addressees and the גֵּר is actually sojourning in the land of the addressees (in “your” land), implying that the land does not belong to the גֵּר. Or, to rephrase it, implying that the גֵּר has no legitimate claim to the land in the eyes of the authors. The גֵּר is thus obliged to obey many laws along with the אֲזֻרָה or the Israelite, although he does not have any legitimate claim to land.

A quick look at some of the other examples of אֶרְצְכֶם might also help to formulate my argument more clearly. If we exclude the examples in chapter 26 then we have six examples remaining. Of these we have just discussed one, but in chapter 19 we also find this expression in v. 9.

Table 5:24

	<p>^{19:9} וּבְקִצְרְכֶם אֶת־קְצִיר אֶרְצְכֶם לֹא תִכְלֶה פֶּאֶת שְׂדֵךְ לְקַצֵּר וְלִקֵּט קְצִירְךָ לֹא תִלְקֹט: ¹⁰ וְכִרְמֶךָ לֹא תְעוּלֵל וּפְרֹט כִּרְמֶךָ לֹא תִלְקֹט לְעֹנֵי וְלְגֵר תַּעֲזֹב אֹתָם אֲנִי יְהוָה אֱלֹהֵיכֶם:</p>
<p>^{19:9} When you reap the harvest of your land, you shall not reap to the very edges of your field, or gather the gleanings of your harvest. ¹⁰ You shall not strip your vineyard bare, or gather the fallen grapes of your vineyard; you shall leave them for the poor and the alien: I am the LORD your God.</p>	

Most of this text is addressed at the second person singular with the first part of the first clause in the plural. The text thus addresses the collective of land-owners first, before it zooms in on the individual and is thus like vv. 33-34 reminiscent of chapter 25. Yet the most interesting fact here is that in the next verse we find reference to the גֵּר and the same is true of Leviticus 23:22.

⁴³ See Leviticus 19:9, 33; 22:24; 23:22; 25:9 and 45 and 26:1, 5, 6, 19, 20 and 33.

Table 5:25

<p>^{23:22} וּבִקְצֹרְכֶם אֶת־קְצִיר אֶרְצְכֶם לֹא־תִכְלֶה פֶּאֶת שְׂדֵךְ בִּקְצֹרְךָ וּלְקַט קְצִירְךָ לֹא תִלְקַט לְעֹנִי וְלְגֵר תַּעֲזֹב אֹתָם אֲנִי יְהוָה אֱלֹהֵיכֶם: ׀</p>
<p>^{23:22} When you reap the harvest of your land, you shall not reap to the very edges of your field, or gather the gleanings of your harvest; you shall leave them for the poor and for the alien: I am the LORD your God.</p>

This verse is very similar to 19:9-10 and as in that example “your land” is later followed by a reference to the גֵּר. We should add 25:45, which we have discussed on more than one occasion, but where we also find the same combination. The only examples where these two entities are not used in each other’s vicinity are 25:9 and 22:24, although the latter refers to the נֶכֶד. We could also add 25:6-7 where the singular suffixes are used, but where “your land” and “your גֵּר” are also used alongside each other.

My question now is why the authors so often used the expression “your land” when a reference to the גֵּר followed. Excluding the six examples in Leviticus 26 we thus have four occurrences out of six for the rest of the Holiness Code, plus the example with the singular forms in 25:6-7. Is this really a coincidence that the authors used “your land” when they wanted to say something about the גֵּר? I would venture that these examples provide us with a further glimpse into the world-view or ideology of the authors. It also suggests (to me at least) that the גֵּר did indeed lay claim to the land, but that this claim was not acknowledged by the authors. Therefore they tended to express clearly that the land only belonged to the addressees whenever the words אֶרֶץ and גֵּר were used in the same vicinity. They intended to remind the addressees that it is their land and nobody else’s. Do these “slips of the tongue” betray an underlying struggle, a land dispute? That is what I would want to guess, but I will revisit this issue in the next chapter.

To sum up, apart from the laws prohibiting the גֵּרִים from doing certain things, we also find the laws that attempt to protect the גֵּר and even provide him with some privileges as we saw above in especially the cases where the גֵּר is juxtaposed with the עֲנִי. Yet one never has the impression that the גֵּר is treated unfairly, apart from the fact that he has no claim to land. This changes when we reach chapter 25 and some of the laws now seem rather exploitive when compared to the previous laws, especially the notorious vv. 44-46. But why this change after chapter 24? Does the narrative have anything to do with it?

In order to answer these questions we first need to address another question and that is how the other narrative functions in Leviticus? This narrative is not a part of what has traditionally been regarded as the Holiness Code, but the narrative might provide us with some clues as to the functioning of the current narrative.

5.4.4 The first narrative

Ruwe (1999: 45-52) understands this narrative as being both the climax of the Priestly Sinai Narrative and as a narrative that adds an ethical appeal to the understanding of the Priestly Sinai Narrative (Ex (19:1f*)24:15b - Num 10:10).⁴⁴ But first we need to understand his description of the basic theme (“Leitthematik”) of the Sinai Priestly Narrative, which he bases on the work of Blum (1990). Blum understands (see Ruwe 1999: 40-45) the Priestly Sinai Narrative, to put it very short, as the story of God’s return or “come back.” Things went wrong between God and his people (as told in Gen 1-10), but God starts approaching his people and eventually in the Sinai Priestly Narrative God’s presence (כבוד) and glory is once again experienced amongst his people. The climax of the whole Sinai Priestly Narrative is in the narrative of Leviticus 8 and 9, where the tabernacle is consecrated and God’s presence (כבוד) is experienced once again amongst the people (Lev 9:23-24).

Ruwe (1999: 45-52) agrees with Blum’s views, but wants to take it one step further by focusing stronger on the ethical part of this climax of the Priestly Sinai Narrative. In order to do this he explores chapter 10 of Leviticus, which he thinks should be read along with chapter 9. This story is for him about two different responses of YHWH to two different kinds of human acts and thus makes an ethical appeal. But he also regards the divine words in 10:8-11 as an intricate part of the story and especially vv. 10 and 11 where Aaron is instructed to distinguish between the holy and the profane and clean and unclean. The two collections following this narrative are exactly about these issues. Chapters 11-15 are concerned with clean and unclean (הטמא/הטהור) and chapters 17-26^{*45} with profane and holy (הקדש/החל) and this is similar to what Smith (1996) argues. The point is thus that both of them argue that part of that narrative’s purpose was to function as some kind of introduction for what is to follow. One could say to “pave the way” for what followed, to introduce the two collections following this speech and, of course, to persuade readers to take these two collections seriously.

Both narratives share other features as well. Both “disturb” the “build-up” in the book towards a sanctuary where YHWH is present amongst his people and both are a

⁴⁴ See similarly Watts (1999: 54).

⁴⁵ We have seen above when discussing chapter 26 that Ruwe unfortunately does not regard 26:3-46 as part of the Holiness Code.

strange mixture of law and narrative. The question would thus be whether both might also be functioning in the same way in the sense that they prepare the reader for the laws that follow? But then for what exactly do they then prepare the reader? Or, what possible rhetorical effect are they to have?

Another interesting fact about the placement of the narrative in chapter 24 is the possible relation to the contents of chapter 23. It is as if chapter 23 and 24:1-9 describe some kind of cultic “paradise” where the people of YHWH celebrate the different festivals in a yearly, monthly, weekly and even daily rhythmic cycle, but then this “tranquillity” is cruelly disturbed by this incident. It is as if things have nicely settled down after the previous disastrous incident in chapter 10. We have worked through the laws on clean and unclean (11-15) and now the laws focusing on holy and profane (17-24:9). Everything seems to have been returning to normality. Society was getting sorted out again, getting ordered into neat categories, where everything and everyone seemed to have had his/her place, and now this rather unfortunate disturbance. Verse 24:9 is nicely concluded with a phrase expressing the Holiness of the twelve pieces of bread that Moses were to bake and Aaron were to arrange on every Sabbath and now this peaceful bliss is scattered by a terrible profanity, somebody swearing at the Name. And who is the culprit? A half-caste who’s name is not even mentioned and who by implication should be regarded as a גֵּר .

Then following the narrative, and after the culprit has been removed from society (v. 23), chapter 25 is the chapter of the Holiness Code which introduces laws that really make a second class citizen of the גֵּר , who is extensively opened up to exploitation. They are the ones from whom (vv. 44-46) the Israelites are allowed to take slaves who will not be set free at the Jubilee, but who could be kept for perpetuity. They seem (vv. 47-55) to have the ability to gain land and some wealth, but if Israelites were to end up with them as slaves they should immediately be redeemed from them.

What then was the intention of chapter 24? To disturb the blissful cultic situation spelled out by 23-24:8 by means of a story about a blaspheming “bastard”? Was this maybe to remind the hearers about the (perceived) threat that these mixed persons or בְּנֵי גֵרִים posed to their society? It was after-all one of them who cursed the Name! Were the authors hoping that it would get the hearers/readers in the right mood for the exploitation that was to follow in chapter 25? They needed to forget laws like those in chapter 19 who asked them to treat the גֵּר like themselves. Instead they needed to be reminded of the dangers entailed in the presence of the “mixed” people and גֵּר in their midst. Maybe then the laws in chapter 25 would not have understood as being at such odds with those in chapter 19?

These questions can only be settled when we know more about the possible historical setting of these texts and can thus only be answered in the next chapter. For the time being I think that the most valuable insight that we gained from looking at how the נָר featured in the preceding texts is the fact that the נָר did not have legal claims to the land. Land does not really feature in chapter 24, but in the preceding texts it often features in the vicinity of the נָר. This also provides us with a glimpse into the worldview or ideology of the authors. I argued that it shows that some land-dispute was taking place between those who called themselves the children of Israel, or an אֱזֹרָה and those that were called נְרִים. An interesting question would have been what the latter called *themselves*, but that is an impossible question to answer.

5.5 Chapter 23

Before we take a short look at the grammatical and especially rhetorical features of Leviticus 23 it might be useful to discuss Ruwe's (1999) understanding of the second half of the Holiness Code. He attempts to find a basic theme (Basisthematik) for the Holiness Code and he (1999: 90-97) starts by dividing the Holiness Code into two parts and then discusses the second part first (23:1-25:55*). This part is then divided into two further sub-units namely Leviticus 23:1-24:9 and Leviticus 25:1-55. With regards to 23:1-24:9, Ruwe (1999: 91) argues that only some of the laws, like the festival of weeks (vv. 15-22), or the festival of booths (vv. 33-44) and maybe the festival of trumpets (vv. 23-25) have what he calls "festspezifischen Ritus." With most of the other festivals these specific rites are lacking. This observation helps him to reach the following conclusion about the main intention of Leviticus 23 (Ruwe 1999: 91):

Seine Hauptintention scheint vielmehr darin zu liegen, für alle Feste gleichermaßen gültige Festtagsnormen zu formulieren und einen übergreifenden konzeptionellen Rahmen für den Jahresfestzyklus im ganzen zu schaffen.

The "norm" that he then identifies is the Sabbath, which seems to be the basis of all of these festivals. This concept did not play such an extensive role in the other texts on Festival Calendars⁴⁶ (Ruwe 1999: 91). Ruwe (1999: 92-93) provides many more

⁴⁶ The texts that Ruwe (1999: 91-92) refers to include, Ex 23:14-17; 34:18-23; Dt 16:1-17 and Ez 45:18-25. He thus accepts that these texts were "literary ancestors" of Leviticus 23 and that the latter developed the contents of these texts further. This is an aspect of Ruwe's work that might seem confusing; if he calls his study "synchronic", why then does he bother with texts that he thinks are older than the Holiness Code? Is that not turning it into a diachronic study now? I think that this tendency is actually a strongpoint of Ruwe. Although he is mainly interested in studying the text as it is now, he also acknowledges that the text did develop and that other texts were reworked. The way in which he does this helps him to describe more accurately the features that are present in the text as we have it now. It is obvious from a normal synchronic reading of the text that the word Sabbath is rather important here. But when we compare it with (presumably) earlier texts and we discover that the concept was absent there, it helps us to understand the role that Sabbath now plays so much better. His study thus shows that the traditional distinction between what biblical scholars would call synchronic and diachronic studies is not that clear-cut.

detailed observations about the role played by the Sabbath and then concludes that all yearly festivals were “revamped” on the institution of the Sabbath (1999: 94):

Insgesamt dürfte deutlich sein, daß der Kalender 23,1-24,9 ganz wesentlich von der Sabbatthematik bestimmt wird. Absicht der priesterlichen Autoren, für die der *שבת* bekanntlich der Tag schlechthin ist (vgl. nur Gen 2,2-3 und Ex 16,23ff), scheint es zu sein, alle Jahresfeste (bzw. deren Anfangs- und Abschlußtage) mit dem Charakter des *שבת* zu versehen. Offenbar wollten sie den in ihren Abläufen und Inhalten durchaus unterschiedlichen Jahresfesten – zum Teil sind es Ernte-, zum Teil heilgeschichtliche Feste – einheitlich jene Dignität verleihen, die der siebte Tag für sie hat. Das übergreifende Thema von 23,1-43 sind also die Jahresfeste, sofern sie Formen des *שבת* sind.

The same is more-or-less true of chapter 25 and Ruwe (1999: 94-97) argues that it is here especially important that the Sabbath year is something new. He argues (1999: 95-98) that Leviticus probably used the seventh year concept found in Ex 23:10-11 and “married” it to the Sabbath concept. Similarly the Jubilee year is build on the seven-year cycle. He concludes that like the “Festkalender” in chapter 23 the “Brachjahr- / Loslassungsjahr-komplex” in chapter 25 is build on the “Grundlage der Sabbatvorstellung.” The important point for our discussion is that this is something that chapters 23 and 25 have in common, that everything was revamped by using the Sabbath. The Sabbath became the foundation on which these two chapters were rebuild.

On a critical note we could ask again why Ruwe then left out chapter 26? We saw that towards the end of that chapter when the land lay empty it had the opportunity to enjoy its Sabbaths (vv. 34, 35 and 43) and we actually found *שבת* being the subject of the verb *שבת* on three occasions (vv. 34 and 35(x2)). This is clearly a concern that chapter 26 shares with chapters 23 and 25. The character of chapter 26 is different in the sense that it is parenetic, but still it knows about the importance of the Sabbath, like chapters 23 and 25 also do. Apart from this oversight on behalf of Ruwe, I still think that his description is quite accurate of these two chapters. Both chapters are related and they are not only related in terms of their concern with the Sabbath, but also in terms of the features that I have described as grammatical and rhetorical. I will shortly argue this below in support of Ruwe.

5.5.1 Grammatical and persuasive features

Chapter 23 is especially reminiscent of 25:2-13 and thus the part that introduced the basic laws on the Sabbath and Jubilee years and the part that was also more unconditional or apodictic. As in that part we find many features like nominal clauses,

marked word order, the occasional wc. + perfect, the occasional motivational כִּי⁴⁷ and chiasmic parallelism in chapter 23. Some of these are already present in v. 3 of chapter 23.

Table 5.26

3 שֵׁשֶׁת יָמִים תַּעֲשֶׂה מְלָאכָה וּבַיּוֹם הַשְּׁבִיעִי שַׁבַּת שַׁבְתוֹן מִקְרָא־קֹדֶשׁ ~ כָּל־מְלָאכָה לֹא תַעֲשׂוּ שַׁבַּת הוּא [לַיהוָה] בְּכֹל מוֹשְׁבֹתֵיכֶם: פ
³ Six days shall work be done; but the seventh day is a sabbath of complete rest, a holy convocation; you shall do no work: it is a sabbath to the LORD throughout your settlements.

The first clause is a near replica of the first two clauses of 25:3 (see table 3.2). There the text was concerned with years and now it is about days. We also had the phrase שַׁבַּת שַׁבְתוֹן in 25:4. The third clause is an example of marked word order where the object is fronted similarly to the marked word order clauses that we had in vv. 4, 5 and 12. This specific clause occurs a further eight times in the rest of the chapter (vv. 7, 8, 21, 25, 28, 31, 35 and 36) stating every time that no work is to be done on that specific festival. It is only left out with regards to two festivals, namely the festival of the first fruits and the festival of booths. In these two cases we have other examples of marked word order stating what extraordinary thing is to be done on this festival, or what is not allowed to happen.⁴⁸ The last clause of v.3 is a nominal clause proclaiming that it is a Sabbath for YHWH. The following example is also reminiscent of the start of Leviticus 25:

Table 5.27

10aβ כִּי־תָבֹאוּ אֶל־הָאָרֶץ אֲשֶׁר אֲנִי נֹתֵן לָכֶם וּקְצַרְתֶּם אֶת־קְצִירָהּ וְהֵבֵאתֶם אֶת־עֹמֶר רֵאשִׁית קְצִירְכֶם אֶל־הַכֹּהֵן: 11 וְזָנַף אֶת־הָעֹמֶר לִפְנֵי יְהוָה לְרִצְוֹנְכֶם מִמִּחֶרֶת הַשַּׁבָּת יַעֲשֶׂה הַכֹּהֵן:
When you enter the land that I am giving you and you reap its harvest, you shall bring the sheaf of the first fruits of your harvest to the priest. ¹¹ He shall raise the sheaf before the LORD, that you may find acceptance; on the day after the sabbath the priest shall raise it.

The first clause is an exact replica of 25:2aβ and we have the root קָצַר again (also 25:5 and 11). The latter verb actually introduces a short wc. + perfect chain which is interrupted by a further familiar feature, a chiasmic parallelism. In this case the verb is

⁴⁷ There is actually only one example in v. 28: כִּי יוֹם כִּפְּרִים הוּא. It is concerned with the day of reconciliation and it reminds of “motivation by means repetition” that I identified in chapter 25.

⁴⁸ Thus in v. 14 we have the following clause stating what may not be eaten at that specific time: וְלֶחֶם וְקֹלֵי וְכַרְמֶל לֹא תֹאכְלוּ. Note that the objects are also fronted. In v. 42 we have the following clause stating that the Israelites are to stay in huts: בַּסֹּכֶת תֵּשְׁבוּ שִׁבְעַת יָמִים. In this case it is not the object that is fronted but the place where they are to stay.

נִרְיָ (Hi) and the first example is a wc. + perfect whereas the second is the normal imperfect. The kind of parallelism that we have here is slightly different in the sense that the first clause refers to the place (before YHWH), whereas the second refers to the time (at the evening) when it will happen. The following example is also slightly different from the examples that we saw in chapters 25 and 26.

Table 5.28

⁴¹ וְחִנַּתֶּם אֹתוֹ חַג לַיהוָה שִׁבְעַת יָמִים בַּשָּׁנָה חֲקַת עוֹלָם לְדֹרֹתֵיכֶם בַּחֹדֶשׁ הַשְּׁבִיעִי תִּחְגְּלוּ אֹתוֹ: ⁴² ~בַּסֻּכּוֹת תֵּשְׁבוּ שִׁבְעַת יָמִים ~כָּל־הָאֻזְרַח בְּיִשְׂרָאֵל יֵשְׁבוּ בַסֻּכּוֹת:
⁴¹ You shall keep it as a festival to the LORD seven days in the year; you shall keep it in the seventh month as a statute forever throughout your generations. ⁴² You shall live in booths for seven days; all that are citizens in Israel shall live in booths,

In v. 41 we have a similar case where the verb חָגַג is used, but the chiasm is somewhat spoiled with the phrase חֲקַת עוֹלָם לְדֹרֹתֵיכֶם added between the two repetitive clauses. Both clauses refer to time, but the first clause refers to a period of time and the last to a specific point in time. Still I do think that this repetition adds to the aesthetics of the text and also to the persuasiveness of the text, but the next verse is even more interesting for our purposes. We find a repetition of the verb יָשַׁב and although it is not a chiasm, there is something else rather fascinating about the two verbs. The first example is in the second person plural and thus is directly addressing our addressees, but the second example is in the third person. In the first clause the addressees will live in booths and in the second every אֻזְרַח of Israel will live there. It thus means, or that is how I read it, that the addressees and the אֻזְרַח are the same people. This adds further support to my argument that the addressees are those who in the eyes of the authors have a legal claim to land.

That brings us to the issue of address in Leviticus 23. Most of the text is addressed at the second person plural as should be clear from the few texts that I quoted above. There are occasions where the text slips into the third person as, for instance, in v. 20 where the actions of the priest is described with the elevation offering, but still it is the addressees who bring the offering in v. 19. In vv. 29 and 30 we also find a text that seems to be more conditional. It is introduced with כִּי כָל־הַחַיִּיב and refers to anybody who does not comply with the prescriptions for the day of Reconciliation. Yet these two verses seem to act as further motivation for the prescriptions preceding and succeeding these verses stating that the addressees are not allowed to work. It is thus imbedded within a second person plural text.

The text as a whole is thus directed at the second person plural, but there is one exception where the text targets the individual landowner in v. 22. We did discuss this verse above (see table 5.25) because it was one of those few examples of "your land" used in the vicinity of the concept גֵר.

Table 5.29

<p>וּבְקַצְרְכֶם אֶת־קְצִיר אֲדָצְכֶם²² לֹא־תִכְלֶה פֶּאת שְׂדֵךְ בְּקַצְרְךָ וְלִקֵּט קְצִירְךָ לֹא תִלְקֵט ~ לְעָנִי וְלְגֵר תַּעֲזֹב אֹתָם ~ אֲנִי יְהוָה אֱלֹהֵיכֶם: ס</p>
<p>²² When you reap the harvest of your land, you shall not reap to the very edges of your field, or gather the gleanings of your harvest; you shall leave them for the poor and for the alien: I am the LORD your God.</p>

This is the last verse on the festival of weeks and seems to be a general stipulation not necessarily applicable to that festival only. But one should keep in mind that the festival of weeks builds further on the festival of first fruits, which starts in v. 9 with “when you shall enter the land.” The first clause is directed at the plural and as I said above we find another example of “your land” (out of only 12 in Leviticus). But then the texts zooms in again on an individual and as before it is the individual who owns a field (שְׂדֵךְ) and thus also a harvest (קְצִירְךָ). This individual is asked to leave the edges of his field and the gleanings for the גֵר and the עָנִי. The first is concluded with the longer version of “I am YHWH.” It thus seems that we have the same kind of *power-consciousness* that I described in especially the first half of chapter 25.

The point is that Leviticus 23 and 25 do not only share the fact that both chapters were built on the Sabbath concept as Ruwe argued. There are other similarities also in terms of both the grammatical and persuasive features that I have identified. These similarities are especially clear with regards to vv. 1-13 of Leviticus 25.

With regards to ideological traces I would think that the most important remark above was the fact that I identified the addressees with the אֲנִי־יְהוָה. The text thus shares this ideological presupposition with chapter 25-26 that the addressees are those with a legal claim to land. The גֵר only features here as a vulnerable person that needs to be taken care of.

5.6 Chapters 17-22

My treatment of the second half of the “Holiness Code” will be much briefer and totally different from my discussion of those texts that were either immediately preceding or succeeding chapter 25. These chapters are mostly concerned with other issues and in terms of the grammatical and persuasive features that I have discussed above they are usually somewhat different. Ruwe (1999: 98-120) argues

that the basic theme of the first part (17:1-22:33) is the “Furcht des Heiligtums” which we can translate with the “fear of the sanctuary”, or “respect for my sanctuary.”⁴⁹ It is a much longer and more complicated argument than the one in which he argued that the Sabbath is the basic theme for chapters 23-25. The argument partly entails regarding 26:1-2 as a conclusion⁵⁰ to the whole Holiness Code where we find the following clause: *וּמִקְדָּשִׁי תִירָאוּ*. Ruwe (1999: 99-100) then argues that *שְׁבֵתֹתַי* refers to the second part (23:1-25:55*) and that *מִקְדָּשִׁי* refers to the first part. He (Ruwe 1999: 103-115) also discusses the fact that *מִקְדָּשִׁי* has some kind of “schöpfungsrestitutive Funktion” in the Priestly texts.⁵¹ Ruwe (1999: 115-120) then focuses on the “schöpfungsrestitutive Funktion” of *מִקְדָּשׁ* in the first part of the HC.⁵² He concludes his findings as follows (1999: 120):

Der erste Hauptteil (17,1-22,33) hat in der „Furcht des Heiligtums“ sein systematisches Prinzip und ist auf die schöpfungsrestitutive Funktion des Heiligtums zentriert. Der zweite Hauptteil (23,1-25,55) zielt dagegen auf die Sabbatinstitution ab.

I do think that Ruwe has a good argument here although it tends to be too compact a theme to sum up everything that is written in chapters 17-22. The word “sanctuary” only appears here in the first half of the Holiness Code (19:30, 20:3, 21:12(x2) and

⁴⁹ Ruwe (1999: 115) sometimes opts to translate it with “mit Respekt zu beachten.”

⁵⁰ Ruwe (1999: 98-99) first argues that chapter 25 is concluded with v. 55 and that 26:1 is a new start. But then he argues that since vv. 1 and 2 are a legal text and from v. 3 onwards is actually a parenetic text that we should regard 26:1-2 and 26:3-45 as two different texts. So if 26:1-2 is not part of the preceding text, nor part of the succeeding text, then it means that they are isolated and he then concludes (Ruwe 1999: 99):

Weil die Passage 26,1f am Ende aller materialen Rechtsabschnitte des Heiligkeitgesetzes steht, unmittelbar vor der auf das Ganze bezogenen Schlußparänese, liegt die Vermutung sehr nahe, daß auch 26,1f auf das Ganze des Heiligkeitgesetzes bezogen ist und also eine Art Unterschrift zu 17,1-25,55 darstellt.

This argument is totally different from what I argued with regards to chapter 26. In my presentation chapters 25 and 26 are intertwined, but I must acknowledge that vv. 1-2 are indeed “standing out”. One does have the impression that they sort of “come from nowhere.” I would thus ask whether we could not regard them as some kind of “summary” of the code, even if I do not think that they stand at the end of the code. We do find a similar clause in 19:30 and there it is also in the “middle of nowhere.”

⁵¹ Ruwe (1999: 105-106) argues that there are many echoes between creation texts and sanctuary texts (e.g. Gen 1:31a and Ex 39:43a) and that the focus of these “Schöpfung-Heiligtum-Bezüge” is to present “Schöpfungswerk” and Heiligtumsbau” as parallel activities. He (1999: 106-112) focuses especially on Genesis 1 and argues that the building of the sanctuary functions as a partly restitution of the original creation. Genesis 1 presented a well-ordered universe (three layers), but then things were “mixed up” and destroyed by the entrance of “violence” (*חַמָּס*) as portrayed in Genesis 6:1-4 (see Ruwe 1999: 113). The sanctuary partly restores this previous “orderliness” (Ruwe 1999: 113):

Wenn also die Errichtung des Heiligtums mit der ursprünglichen Schöpfung parallelisiert und als eine analog segmentierte und durch Zuordnungen bestimmte Welt herausgestellt wird, dann ist angesichts der Akzentsetzung in der Flutgeschichte (Gen 6-9, P) klar, daß das nur im Sinne einer Art Wiederherstellung der ursprünglichen Schöpfung gemeint ist.

⁵² One of the important principles that he (along with many other scholars of course) identifies in Genesis 1 is the principle of “Trennung/ Scheidung.” This principle is now executed again in the establishment of the sanctuary and Ruwe (1999: 115) describes the functioning of the first part of the HC as follows:

Der erste Hauptteil des Heiligkeitgesetzes zielt u.E. insofern darauf ab, die schöpfungsrestitutive Funktion des Heiligtums im Bereich der Ethik gleichsam forzusetzen.

21:23) and twice in chapter 26 (vv. 2 and 31). As we will see chapters 17 and 21-22 are partially addressed at the priests and these are thus issues that concern the sanctuary. It is also in these chapters that we are introduced to YHWH as a god who “sanctifies” and if we were wondering why this Code is called the Holiness Code, it should become clear in the short discussion below. I will specifically try to focus more on those texts that share some similarity with the ones that we have discussed already. As we will see the kind of features that I identified in the chapters above often appear when similar issues are touched upon like the relationship between land, YHWH and addressees.

5.6.1 Chapters 21-22

These chapters are mostly directly concerned with the priests. Thus chapter 21 starts with YHWH telling Moses to say something to Aaron and his sons (אֶל-הַכֹּהֲנִים בְּנֵי אַהֲרֹן). Later in chapter 21 in v. 16 we find Aaron specifically being addressed (אֶל-אַהֲרֹן). Likewise we have אֶל-אַהֲרֹן וְאֶל-בָּנָיו at the start of chapter 22. Thus it is either the priests as a group, Aaron or both that are addressed. It would therefore not be possible to argue here that the addressees are those with legal claims to land. The addressees here are simply the priests and it cannot be anyone else. Yet the larger part of the text is not directly addressed to this group, but is mostly in the third person, both plural⁵³ and singular. This changes radically from 22:17 onwards, but apart from that we have only one verse in chapter 21 where the second person is addressed.

Table 5:30

<p>וְקִדְשֵׁתוּ⁸ כִּי-אֲתִלְחַם אֱלֹהֶיךָ הוּא מִקְרִיב קֹדֶשׁ יִהְיֶה-לְךָ כִּי קֹדֶשׁ אֲנִי יְהוָה מִקְדָּשְׁכֶם:</p>
<p>⁸and you shall treat them as holy, since they offer the food of your God; they shall be holy to you, for I the LORD, I who sanctify you, am holy.</p>

I do not want to get bogged down in how we are to translate this verse or who the addressed singular might be. This verse also reminds somewhat of vv. 10-12 of chapter 25 with the wc. + perfect in the first clause, the nominal sentence in the second and the two כִּיs. What interests me most is the second כִּי clause and the way in which YHWH introduces himself. In chapters 23-26 we became accustomed to a YHWH who only introduced himself as “your (pl.) God” or sometimes as “their God” (e.g. 26:44). Now YHWH presents himself as a God who sanctifies, who makes holy and it seems that this sanctifying process is specifically directed at the priests. In chapters 21-22 I find five examples of this, namely 22: 8, 15, 24 and 23: 9 and 16. In

⁵³ See 21:5-7; 22:2, 9 and 15-16. The rest of the text is mostly dominated by the third person singular.

each case it refers to YHWH who sanctifies some or other priest or priests. Thus although I think that we will find grammatical features that are similar to what we had in chapter 25, on all other possible levels these two chapters are different. It is not a land-owning class that is addressed, but a class of priests and YHWH is presented as sanctifying this class or group. The text is thus concerned with the relationship between YHWH and the priests and not with YHWH, the land and the land-owning class. The *נָר* does not even feature, but we do find one short reference to the *שְׂכִיר* and the *תּוֹשֵׁב* in 22:10 where they are not allowed to eat from the offerings. Taking 22:11 into consideration it makes it very clear that the *שְׂכִיר* and *תּוֹשֵׁב* were not bought by the priests, but this is something that we already suspected, that they were a class above the *עֶבֶד*, who could be bought.

The text does become more familiar from 22:17 onwards. Now YHWH instructs Moses to talk to Aaron, his sons and all the Israelites (*אֶל-אַהֲרֹן וְאֶל-בָּנָיו וְאֶל כָּל-בְּנֵי יִשְׂרָאֵל*) and we thus have a combination of the priests and the sons of Israel. Ruwe (1999: 278) argues that 22:17-33 is the conclusion to his first part of the Holiness Code (17:1-22:33). He also thinks that it forms a frame with chapter 17 that surrounds this first part of H.⁵⁴ Both are concerned with basic laws with regards to offerings. Here in 22:17-33 the larger part of the text is specifically concerned with unblemished animals. It makes sense that both Israelites and priests are being addressed, because the former will be bringing the animals and the latter will be slaughtering them. The text is a mixture of third person singular and second person plural forms with only v. 23 using a second person singular verb. At the end of this text YHWH introduces himself by means of both this sanctifying role and the one who delivered from Egypt.

Table 5.31

³¹ ושמרתם מצותי ועשיתם אתם אני יהוה: ³² ולא תחללו את-שם קדשי ונקדשתי בתוך בני ישראל אני יהוה מקדשכם: ³³ המוציא אתכם מארץ מצרים להיות לכם לאלהים אני יהוה: פ
³¹ Thus you shall keep my commandments and observe them: I am the LORD. ³² You shall not profane my holy name, that I may be sanctified among the people of Israel: I am the LORD; I sanctify you, ³³ I who brought you out of the land of Egypt to be your God: I am the LORD.

⁵⁴ Chapter 17 seems to be the only other chapter that is introduced by addressing both the priests and the sons of Israel within the Holiness Code: *אֶל-אַהֲרֹן וְאֶל-בָּנָיו וְאֶל כָּל-בְּנֵי יִשְׂרָאֵל*.

Verse 31 is a near carbon copy of many other examples of this kind of parenetic text in the Holiness Code. In v. 32 we find YHWH again sanctifying the addressees, after he has apparently been sanctified. I take it that the addressees now include both priests and Israelites (i.e. land-owners). Verse 33 is a further example of YHWH stating that he wants to be the God of the addressees (see 25:38 and 26:45). We also find that the *גֵר* features in v. 18 and it is similar to chapter 17 where the *גֵר* is also included in some of the basic laws on bringing sacrifices, although the issue there was more bringing the sacrifices to the right place and not to drink the blood.

I do not think that there is much more to say about chapters 21-22. Most of it is directed at the priests, whom YHWH sanctifies. The text is not really concerned with the relationship between YHWH, land and addressees, but more with the relation between YHWH and priests. YHWH is also presented slightly different and this only changes towards the end of chapter 22. This is also where the *גֵר* enters in a similar fashion as in chapter 17.

5.6.2 Chapters 18-20

Chapters 18-20 are somewhat more interesting, because although the relationship between land and addressees is not presented at the centre of the discussion, it still is present and plays a big part in the persuasive strategy of the text. Chapters 18 and 20 are both concerned with sexual taboos, but they are different in terms of form. Chapter 18 is mostly apodictic and addressed at the second person singular, whereas chapter 20 is casuistic and dominated by third person forms (mostly singular). We do not need to treat these sexual taboos in any detail, but we need to take a look at the parenetic texts that precede and follow these sexual taboos. In these parenetic texts the issue of YHWH, אֱלֹהִים and addressees are once again part and parcel of the persuasive force of these chapters.

Table 5.32

אֲנִי יְהוָה אֱלֹהֵיכֶם: ^{2b} ³ כַּמַּעֲשֵׂה אֶרֶץ-מִצְרַיִם אֲשֶׁר יִשְׁבַּתְּם-בָּהּ לֹא תַעֲשׂוּ וְכַמַּעֲשֵׂה אֶרֶץ-כְּנַעַן אֲשֶׁר אֲנִי מְבִיא אֶתְכֶם שָׁמָּה לֹא תַעֲשׂוּ וּבְחֻקֵּיהֶם לֹא תֵלְכוּ: ⁴ אֶת-מִשְׁפָּטֵי תַעֲשׂוּ וְאֶת-חֻקֹּתַי תִּשְׁמְרוּ לְלַכֵּת בָּהֶם אֲנִי יְהוָה אֱלֹהֵיכֶם:
I am the LORD your God. ³ You shall not do as they do in the land of Egypt, where you lived, and you shall not do as they do in the land of Canaan, to which I am bringing you. You shall not follow their statutes. ⁴ My ordinances you shall observe and my statutes you shall keep, following them: I am the LORD your God.

I would want to argue that these verses set the stage for the whole text that is to follow. It is the first time that YHWH is introduced like this in the Holiness Code and the introduction of YHWH is immediately connected with *land*. The addressees are

presented as on their way between Canaan and Egypt and both of these are presented as bad examples that the addressees should not follow. YHWH presents himself as the one that has orchestrated this journey and by the power of who he is and what he has done his request of the addressees is not to act as either Egypt or Canaan did. At the end of chapter 18 it becomes clear why they should not follow the lead of Canaan. This text follows after the sexual taboos of vv. 7-24 and it is also parenthetic.

Table 5.33

<p>²⁴ אֵל־תִּטְמְאוּ בְכָל־אֱלֹהִים ²⁵ כִּי בְכָל־אֱלֹהִים נִטְמְאוּ הַגּוֹיִם אֲשֶׁר־אֲנִי מְשַׁלֵּחַ מִפְּנֵיכֶם: וְתִטְמְאוּ הָאָרֶץ וְאֶפְקַד עֲוֹנָהּ עָלֶיהָ וְתָקִיא הָאָרֶץ אֶת־יֹשְׁבֵיהָ: ²⁶ וְשִׁמְרֹתֶם אֹתָם אֶת־חֻקֹּתַי וְאֶת־מִשְׁפָּטַי וְלֹא תַעֲשׂוּ מִכֹּל הַתּוֹעֵבוֹת הָאֵלֹהִים הָאֲזֹרָח וְהַגֵּר הַגֵּר בְּתוֹכְכֶם ²⁷ כִּי אֶת־כָּל־הַתּוֹעֵבוֹת הָאֵל עָשׂוּ אַנְשֵׁי־הָאָרֶץ אֲשֶׁר לִפְנֵיכֶם וְתִטְמְאוּ הָאָרֶץ: ²⁸ וְלֹא־תָקִיא הָאָרֶץ אֶתְכֶם בְּשִׂמְאֹכֶם אֹתָהּ כְּאֲשֶׁר קָאָה אֶת־הַגּוֹי אֲשֶׁר לִפְנֵיכֶם:</p>	<p>²⁴ Do not defile yourselves in any of these ways, for by all these practices the nations I am casting out before you have defiled themselves. ²⁵ Thus the land became defiled; and I punished it for its iniquity, and the land vomited out its inhabitants. ²⁶ But you shall keep my statutes and my ordinances and commit none of these abominations, either the citizen or the alien who resides among you ²⁷ (for the inhabitants of the land, who were before you, committed all of these abominations, and the land became defiled); ²⁸ otherwise the land will vomit you out for defiling it, as it vomited out the nation that was before you.</p>
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In v. 24 the text changes from addressing the singular to addressing the plural and now it becomes clear why the addressees should not follow the example of their predecessors in the land of Canaan. They are asked not to defile themselves in any of these named ways and then we find two כִּי clauses (vv. 24 and 27) which both spell out more or less the same scenario. The first כִּי clause is followed by a *wayyiqtol* chain that describes how the events followed each other. The land became defiled, YHWH visited her (i.e. punished), and she spitted out. The spitting or vomiting land returns again in v. 28. The fact that the land is the subject of the verb קִיא (Hi) is reminiscent of chapters 25 and 26 where the land was the subject of the verb שָׁבַת and רָצָה. In chapter 26 we also had the land of the enemies being the subject of the verb אָכַל, in which case the addressees were the rather unfortunate objects (i.e. food). In v. 26 we also find the גֵּר who is sojourning and he is also prohibited from doing these things along with the אֲזֹרָח. These texts are important because it already hints at the fact that the relationship between YHWH and the land is much closer than that between YHWH and the addressees. He had a relationship

with the land long before he apparently had a relationship with the addressees. YHWH and the אָרֶץ “go way back” when compared to YHWH and the addressees.

This same scenario is presented at the end of chapter 20 when this parenetic text follows the casuistic sexual taboos.

Table 5.34

<p>וְשַׁמְרֵתֶם אֶת־כָּל־חֻקֹּתַי וְאֶת־כָּל־מִשְׁפָּטַי וְעִשִּׂיתֶם אֹתָם וְלֹא־תִקְיֵא אֶתְכֶם הָאָרֶץ אֲשֶׁר אֲנִי מְבִיא אֶתְכֶם שָׁמָּה לְשִׁבְתָּ בָּהּ: וְלֹא תִלְכוּ בְּחֻקֹּת הַגּוֹי אֲשֶׁר־אֲנִי מִשְׁלַח מִפְּנֵיכֶם כִּי אֶת־כָּל־אֱלֹהֵי עֲשׂו וְאֶקֶן בָּם: וְאָמַר לְכֶם אֲתֶם תִּירְשׁוּ אֶת־אֲדָמָתָם וְאֲנִי אֶתְּנֶנָּה לְכֶם לְרִשְׁתָּ אֹתָהּ אֶרֶץ זָבַת חֶלֶב וְדִבְשׁ אֲנִי יְהוָה אֱלֹהֵיכֶם אֲשֶׁר־הִבְדַּלְתִּי אֶתְכֶם מִן־הָעַמִּים:</p>
<p>²² You shall keep all my statutes and all my ordinances, and observe them, so that the land to which I bring you to settle in may not vomit you out. ²³ You shall not follow the practices of the nation that I am driving out before you. Because they did all these things, I abhorred them. ²⁴ But I have said to you: You shall inherit their land, and I will give it to you to possess, a land flowing with milk and honey. I am the LORD your God; I have separated you from the peoples.</p>

Once again the addressees are encouraged to do these “statutes” and “ordinances”, or “threatened” would probably be more accurate. If they do not do these laws they will end up where their predecessors did, somewhere without land. In v. 24 there is reference to a promise that YHWH made to the addressees, to provide them with a land of milk and honey (חֶלֶב וְדִבְשׁ). YHWH is also presented differently as the one who has “separated them from the peoples.” In the following v. 25 the addressees are also asked to separate between pure and impure and this verse is reminiscent of the kind of topic that we find in Leviticus 11. Verse 26 includes the famous “be holy, for I am holy.” We also find this clause in v. 7 which is also a parenetic text, but where there is no reference to land. It is fitting to find this phrase here before chapters 21-22 where YHWH presents himself as the sanctifying God. This quest for “holiness” was also absent from chapter 18, where the main motivation was simply the possibility of land loss.

The important issue with regards to these parenetic texts in chapters 18 and 20 is that both share a certain interest in land with especially chapters 25 and 26. Here it seems that the possession of land is also under threat. The text only presents a promise of land, but this promise is steeped in threats that the land might be lost. The text also provides some kind of moral justification for the fact that the addressees received the land. The predecessors are portrayed as people who brought the loss of

their land upon themselves. These texts thus share the same ideology of land that we find in chapters 25 and 26. All of these texts quoted above are also directed at the second person plural. Once again I would thus conclude that the addressees are those who in the eyes of the authors have a legal claim to the land.

Chapter 19 is imbedded within these two surrounding chapters concerned with sexual taboos and land possession. This chapter is a strange mixture of different kinds of laws, some addressing issues that we would regard as “social” and others that we would regard as “cultic”. It is the chapter in Leviticus where we find the most occurrences of “I am YHWH”. We find seven of the longer forms and eight of the shorter ones (see Ruwe 1999: 194). I have referred to some verses from chapter 19 when I discussed the נָר above (see 5.4.3) and these were vv. 9-10 and 33-34 (see tables 5.24 and 5.23). These verses were important because they often referred to the land (i.e. “your” land) and the נָר in the same vicinity. On the face of it these laws protect the נָר, but as I argued above they do keep them landless. Leviticus 19 thus does share a concern for the אֶרֶץ, but it is not as clearly formulated as in the parenetic parts of chapters 18 and 20. We also find one example where the אֶרֶץ is the subject of a verb and that is in verse 29.

Table 5.35

	<p>29 אֶל-תְּחַלֵּל אֶת-בִּתְּךָ לְהוֹנוֹתָהּ וְלֹא-תוֹנֶה אֶת-אֶרֶץ וּמְלֹאָהּ אֶת-אֶרֶץ וּמְדָה:</p>
<p>²⁹ Do not profane your daughter by making her a prostitute, that the land not become prostituted and full of depravity.</p>	

This text is addressed at the second person singular and probably targets the individual father who has a daughter and thus once again the person who can make the difference. In the second clause we find that the land is the subject of the root וָנָה. The NRSV has not translated it as such, but presents the land in a more passive role. Yet I do think that chapter 19 shares this tendency with chapters 18 and 20 as well as chapters 25 and 26 to portray the אֶרֶץ as an acting entity. This action is often in response to what others have done to her, but still the land plays an active role. Thus, although chapter 19 has other more cultic and social concerns, these concerns are part of a bigger world-view where the land also plays an important role. As in chapters 18 and 20 the relationship between land, addressees and YHWH and other contenders like the נָר, forms part of the larger canvass on which these texts paint their ethical demands. As we already saw the נָר appears for the first time in the chapter preceding the Holiness Code.

5.7 Chapter 16⁵⁵

Seidl (1999: 219) starts his essay by stating that recent research has made the following clear with regards to Leviticus 16:

Im Pentateuch bildet Lev 16 die Mitte von Geschichtserzählung wie Gesetzesverkündigung (Ex 20 - Num 10: “Die Sinaiperikope”), in der Priesterschrift, speziell in ihrem Kernstück, dem Buch Levitikus, steht das Kapitel nach Opfertora (1-7) und Priesterordination (8-10) in der Mitte zwischen Reinheitstora (11-15) und Heiligkeitsgesetz (17-26); es enthält mit seinen vielfältigen Reinigungs- und Entsündigungsriten die Bedingung der Möglichkeit, “Reinheit und Heiligkeit” der קהל ישראל zu erlangen, und zwar begleitet von Opfern (1-7) und vermittelt durch Priester (8-10).

Chapter 16 thus forms some kind of “hinge” between the two collections in 11-15 and 17-26. It also precedes all the texts that we have discussed up to now. I did mention Leviticus 16 above when I discussed the נֶגֶר in the Holiness Code (see 5.4.3) and we saw that the first time that the נֶגֶר is mentioned is in Leviticus 16:29. This is an important verse, because it is here that the “address” changes in the text. Until v. 28 the text is in the third person singular and it changes in v. 29 to the second person plural. This feature is one of the main reasons why many historical-critical scholars regarded this text as a later edition.⁵⁶ In the larger part of Seidl’s (1999: 225-243) essay he does not engage with these verses and it is only at the end (1999: 243-244) when he compares it to Leviticus 23:26-32 that this text features again. In 16:29 the day on which this ritual will happen is clearly indicated: בַּחֹדֶשׁ הַשְּׁבִיעִי בְּעֶשֶׂר לַחֹדֶשׁ. This phrase is repeated again in 23:27 and in 25:9, where it was part of that chiasmic parallelism. In chapters 23 (v. 28) and 25 (v. 9) this day is also specifically called the “Day of Atonement” (יּוֹם הַכִּפּוּרִים), whereas we do not find this term in chapter 16. In 16:31 the Day of Atonement is also called a שַׁבָּת שְׁבֻעוֹן, something that we also find in 23:3 (with reference to the Sabbath), 23:32 (with reference to the Day of Atonement) and 25:4 and 5 (with reference to the Sabbath year).

The point is just that Leviticus 16 does not only share an interest in the נֶגֶר, with chapters 23 and 25, but also in the festival calendar and especially with the Sabbath. The Day of Atonement is thus also portrayed as some kind of Sabbath. In this regard

⁵⁵ We do not need to discuss chapter 17 in any detail. I have discussed the most important features above when I referred to the way in which the נֶגֶר is also prohibited from drinking blood and also commanded to bring his offering to the tent of meeting (see 5.4.3). It is also a text that is like 22:17-33 addressed at both the priest and the Israelites.

⁵⁶ Seidl sums up this “Konsens” as follows (1999: 222):

Die Vv. 29-34 repräsentieren eine andere literarische Hand als der vorausgehende Text: Er ist ein im paränetischen Stil der 2. Pl. angehängter Kolophon, der anders als der vorausgehende Ritualtext den Akzent ausschließlich auf die Entsündigung des Volkes legt, Fasten und Arbeitsruhe hervorhebt, den Sündenbock nicht erwähnt und die offene Zeitbestimmung von 2c auf den Feiertag am 10.07. festlegt und damit alle vorausgehenden Riten zu agendarischen Vollzügen dieses einen Tages, des “Versöhnungstages” macht.

Ruwe (1999: 360) understands the relation between the three institutions, Day of Atonement, Sabbath year and Jubilee year as follows:

Versöhnungstag, Sabbatjahr und Jobeljahr sind somit drei Institutionen im Heiligkeitgesetz, die, obzwar in unterschiedlicher Weise und bezogen auf unterschiedliche Lebensdimensionen, gemeinsam dazu dienen, in Israel periodisch immer wieder eine ursprüngliche Nähe zu Gott und zu ursprünglichen Lebensverhältnissen herzustellen. Offenbar aufgrund dieser konzeptionellen Analogie wird der Versöhnungstag als Proklamationstag des Jobeljahres gefaßt.

He argues this in response to the question as to why the Jubilee is proclaimed on the Day of Atonement. These three institutions are thus part of the same theological system in which a constant return to some or other original state is the objective. The point is just that it is not only chapter 25 that is “obsessed” with returning to an original state, but some of the other chapters also share this interest and they are chapters 16 and 23. I would thus think that it is fitting for chapter 16 to precede the Holiness Code, since it already exposes the reader to some of the fundamental principles of the kind of world-view that is also visible in the following texts.

5.8 Conclusion

This chapter was an attempt to describe the kind of “affinities” that one can find between chapter 25 and surrounding chapters. The questions that were asked included: What did these chapters have in common with 25? Which chapters manifested the same grammatical and persuasive features than chapter 25? And in which chapters could we detect the same kind of concerns and interests? By far the largest part of this chapter was concerned with Leviticus 26. The reasons for this were fairly clear. I identified similar grammatical and persuasive features and I identified a common concern with land and living off land. It seems to me that the loss of land is dreaded in chapters 25 and 26. It is as if there is a fair amount of concern and even trepidation in these texts with regards to land. I also referred to the three presentations of land in chapters 25 and 26. There was the land of Egypt from where the addressees came. Egypt is portrayed as the house of slavery, but the addressees were on their way to Canaan the land of promise. In the distant future then loomed the land of the enemies, another place where they did not want to be. Along with this fear of losing the land, my argument was that both texts were addressed at those who had legal claims to the land, at least in the eyes of the authors.

My treatment of Leviticus 27 was much shorter and it was mostly an attempt to counter the arguments of Douglas (1999) and Smith (1996) that one should read chapter 27 along with chapter 25 as some kind of frame around chapter 26. My argument was simply that chapter 27 read differently and despite the fact that there

were some grammatical similarities the text was vastly different with regards to the persuasive strategies used. My synchronic analysis thus agrees with previous diachronic explanations. I would say that it is a text with a different character, while they would call it a later edition.

I discussed Leviticus 24 also very differently. The narrative in that text just makes it so different and therefore I had to resort to the scholarly debate about this strange combination and had to treat issues like the presentation of the נָר in the whole Holiness Code (including chapter 16). I also had to ask how the first narrative in Leviticus 9-10 functions. Eventually I ended that discussion with some open questions to which I will return in the next chapter. For the time being it will suffice to say that chapters 24 and 25 share a certain interest in the נָר.

With regards to Leviticus 23 I used the work of Ruwe who pointed out that both shared a kind of cultic interest in the Sabbath and both chapters build their institutions on the institution of the Sabbath. But I also identified other grammatical and persuasive similarities between chapters 23 and 25, and at stages the same interest in land. In verse 22 I found the same kind of “zooming in” technique that we so often had in chapter 25, which I called “power-conscious.”

The most interesting feature that I identified in chapters 17-22 was the “ideology of land” that is especially present in chapters 18 and 20 and to a lesser extent 19. Chapters 21-22 are totally different and are interested in the priests and even YHWH is presented differently. But in chapters 18, 20 and 19 we find the same sense of trepidation with regards to the possession of land. The loss of land seems to be a constant threat. These texts are also interested in the relationship between YHWH, the אֱלֹהִים and the addressees. The parenthetic texts in chapters 18-20 also provide reasons for why the addressees possessed the land in the first place. We also find the land acting, functioning as the subject of a verb and I would thus argue that we have the same concerns that were so clear in chapters 25 and 26. This “ideology of land” thus justifies why the addressees are the legal claimants of the land and the נָרִים and other groups not. The next question would then be to ask when these texts were composed in order to find a rhetorical context where the identified persuasive strategies would have been most effective. That is what I will attempt in chapter 6.

CHAPTER 6

POSSIBLE SOCIO-HISTORICAL CONTEXT

6.1 *Introduction*

The issue addressed in this chapter is the possible socio-historical context of not only Leviticus 25, but also the rest of the Holiness Code. This does not mean that I think that there is no older material in the text. I acknowledge that parts of the text might be much older, but I am rather sceptic when it comes to determining the exact nature of these. What I am arguing instead is that I want to envisage the text as we have it now in a specific historical context, or it would probably be better to say a specific rhetorical context. I want to imagine that the rhetorical or persuasive strategies that I identified were aimed at addressees living in a specific context, or as Watts (1999: 131) puts it (already quoted in chapter 4):

Rhetoric has therefore always drawn attention to the motives and ideologies of speakers or writers and to the social situation and commitments of their audiences. Not only rhetorical theory but also the legal contents of the Pentateuch point to the historical and social world outside the text, for legislation aims to have real consequences on human behavior and even idealized laws propose critical standards for legal conduct. So both legal material and rhetorical method draw our attention to the historical conditions and process that gave rise to the Pentateuch.

I am in some doubt as to whether his “always” is really applicable of how rhetoric has been used in biblical studies, but as to the rest I am in agreement with him. He also uses the term “ideology” and he uses it along with “motives” which adds to how I concluded chapter 4, namely that the persuasive strategies that I identified gave us glimpses of the ideology of the authors. It helped us to construct what they wanted to achieve or what their objectives were and it helped us to understand how they thought about themselves and how they understood each other.

Now I will attempt to look for a context where these rhetorical strategies might have been effective, or where these motives and interests and traces of ideology that I identified might have been “at home”. In the first part of what follows, I will critically engage with the issue of dating Leviticus 25 and the Holiness Code and will mostly offer the opinions of scholars who date these texts in the post-exilic or second-temple period. The second part will focus more on studies, which have described the kind of society that we found in the Persian period in Palestine and studies that have focused on the kinds of conflict that arose there.

In the third part I will focus on the debate about the “myth of the empty land” that the late Robert Carroll started. This discussion will be thoroughly ideological-critical and

will not only describe the ideology of the authors, but will claim that a fair amount of distortion was taking place. Following this discussion I will revisit the debate about the H^c . In the previous chapter (see 5.4.3) we did treat this issue when we discussed Leviticus 24, but there I attempted to stay within the literary confines of the text and now I will go further and speculate about a historical context. I will also then attempt to answer the question with regards to Leviticus 24 that I have left unanswered until now.

6.2 A post-exilic dating

What are the main arguments for dating the Holiness Code in the post-exilic community? Of the four monographs that appeared in 1999 on either Leviticus or the Holiness Code, two of them (Ruwe 1999 and Warning 1999) do not bother with this question, while the other two (Douglas 1999 and Grünwaldt 1999), argue for a post-exilic dating. Douglas (1999: 7) does not really offer any arguments for this dating, but accepts what she calls “the largest scholarly consensus”, which “points to the post-exilic period, the Second Temple community in the fifth century.” This dating then refers to the final form of Leviticus and she has no interest whatsoever to construct different layers in the text, nor in the difference between the Holiness Code and the rest of Leviticus. Her study is thus synchronic, be it historical.

Grünwaldt (1999) has a much more complicated view and his study focuses only on the Holiness Code and not on the whole of Leviticus. It is also important that Grünwaldt’s study is a genuine diachronic study, which attempts to do *Literarkritik* and to identify the “original H.”¹ The text that he thus dates in the second temple period is not the whole Holiness Code, but what he has identified as the “oldest” or “original” H.

By identifying the traditions that were used in H, Grünwaldt (1999: 375-381) can then argue that H is later than these traditions. These traditions include P^G, Ezekiel, as well as influences from Deuteronomistic theology and maybe even Deutero-Isaiah. This then means at least late exile. If one further argues that P, Deutero-Isaiah and Ezekiel originate from the Diaspora and that the Deuteronomistic laws as well as Deuteronomistic literature originate in Palestine, then it must have been at a later date when these traditions had the opportunity to interact with each other. Or, when all of them were at least available. Along broadly similar lines Otto (1999: 125-196) argues

¹ See especially his (Grünwaldt 1999: 23-130) third chapter, named “*Literarkritik*”, where he attempts to identify the “Ursprüngliche Gestalt” of H. It is important to note that his attempt is much more modest than some of his German academic ancestors (i.e. Elliger 1966a and Cholewinski 1976). He (1999: 23) is adamant that the only criteria that he will use are “Widersprüche, unvereinbare Spannungen” and “störende Doppelungen.” For a summary of all the “additions” (German: “Zusätze”) that he identifies in the whole Holiness Code, see Grünwaldt (1999: 130). With regards to Leviticus 25 he removes vv. 1, 2a, 6-7 and 44-46.

similarly. This essay by Otto focuses more on the relation between the Holiness Code and other texts in the Pentateuch. For him the relation is clearly that of the Covenant Code, Deuteronomy and the Priestly text (both what he calls P^G and P^S) preceding the Holiness Code. The latter is then often integrating and even “correcting” the former as the following quote explains (Otto 1999: 134):

Wichtig ist die Einsicht, daß in Lev 17-26 mit priesterlicher Terminologie gegen die Priesterschrift polemisiert wird im Dienste einer Integration des Deuteronomiums in die Priesterschrift, um andererseits aber auch Korrekturen am deuteronomischen Reformprogramm, insbesondere in Lev 17 und 25, vorzunehmen:

He argues this by accepting the views of Cholewinski as well as disagreeing (mostly) with the views of Knohl and Milgrom (see 6.2.1 below). Thus based on this (rather complicated) argument of him, which he describes as “inner biblical exegesis”,² he excludes a pre-exilic dating of Leviticus 17-26 (contra Knohl and Milgrom) and wants to look for the “literarische und historische Ort” in the post-exilic period.³ At the end of his essay Otto (1999: 182) concludes that this redaction of the Pentateuch (i.e. the “Redaktor” who wrote H) “ist damit nicht nur antiköniglich, sondern vor allem auch antiprophetisch bis auf die Knochen” which for Otto once again means belonging to the “nachexilisch-persischen Zeit.” Otto’s dating of this text is thus solely based on his construction of the development of the different texts in the Pentateuch. If H uses the other collections then the dating of H is thus later than those. Otto’s basic argument is thus similar to Grünwaldt’s, but the latter adds six more specific motivations for his dating (Grünwaldt 1999: 380-381):

- a) Leviticus 26:13 addresses the Israelites as delivered people, thus after the exile.
- b) The same goes for the rest of chapter 26, which addresses different generations of people, left behind. In v. 39 we find the people addressed with whom JHWH wants to make a new start, which Grünwaldt understands as a new beginning in the land.

² What he understands with “innerbiblische Exegese” is best explained by means of what he does with individual texts. With regards to Leviticus 25 (see Otto 1999: 161-172) he assumes that the author (which he calls “der Redaktor”) builds further on texts like Exodus 23:10-11 and Deuteronomy 15. Otto not only explores what is changed, but also what is left out as the following quote illustrates (Otto 1999: 168):

Nur wenn nicht nur erkannt wird, was der Redaktor aus den Vorlagen übernommen oder reformuliert hat, wird seine Intention begreiflich, sondern vor allem auch dann, wenn aus das geschaut wird, was er nicht übernommen hat.

³ I must emphasise that Otto and Grünwaldt only agree “in broad terms.” Otto (2001: 418-422) actually criticises Grünwaldt extensively on many grounds including the way Grünwaldt goes about doing *Literarkritik* (focusing especially on Lev 17). He is also critical of Grünwaldt’s view that the “introductory formulas” of the Priestly Sinai Narrative (for Otto seemingly part of P^S) are later than H. Yet Otto does not criticise Grünwaldt’s dating of H since he mostly agrees with that.

- c) Based on the detail of the prescriptions found in Leviticus 17; 21-23 (be it not as detailed as Ex 28-29 and Lev 1-7) and the fact that these texts are concerned with the “theologische Bedeutsamkeit”, Grünwaldt further thinks that the re-opening of the temple should not be too far away. He thinks this might be in the vicinity of 520-515.
- d) One has the impression from the Holiness Code of a society in a time when life was characterised by a “integrative Tendenz gegenüber den Fremden.” The foreigners were often rich and as we saw in Leviticus 25 Israelites often ended up in their debt (see discussion below).
- e) Then there is also the 50-year period in chapter 25, which also points to a post-exilic date. He thinks that the 50 years of the Jubilee “sind nicht nur eine Potenzierung des Sabbatjahres, sondern entsprechen auch ziemlich genau der Zeit zwischen der zweiten Exilierungswelle und der Machtübernahme Kyros II. in Babylon.” Grünwaldt does not understand this as a “problem”,⁴ that these laws might have been written to justify the return of land to the “original” owners returning from exile.
- f) From chapters 17 and 23 Grünwaldt also deduces that we have here a rather “eng begrenztes Wohngebiet” which fits nicely into post-exilic Palestine. The six festivals of chapter 23, for instance, would only have been possible if people were not living too far from the temple and according to Grünwaldt these conditions “sind am ehesten im nachexilischen Juda gegeben, wo kein Ort mehr als 30-40 km vom Heiligtum entfernt ist.”

We have to return to especially b), d) and e) above. Grünwaldt’s discussion in Leviticus 26 in b) is important, because my own explanation for the change of person (see 5.2.2.1 above), from second to third, in especially v. 36 onwards was rather precarious. As I said then it was as if the lot of the “survivors” were projected “into the future”, especially from v. 40 onwards, where we find no reference to the second person plural anymore. I ventured then that it might be an attempt to stay within the narrative frame of the Sinai Priestly Narrative, in the sense that the addressees are portrayed as being at Sinai, whereas the survivors will only feature somewhere in the distant future. Yet Grünwaldt does not have any problem with identifying these survivors as the returnees in the post-exilic period. For Grünwaldt the people reading this text in the post-exilic period would thus identify with these survivors, because they have already returned (and “survived” for that matter). The text thus projects into the future, but the possible hearers of the text recall the past. This is how I would eventually read this text, if I were to read it in this historical context.

⁴ By “problem” I mean the theological-ethical problem of using this text in modern-day debates on ethical issues like “land-restitution.” This means that Leviticus 25 becomes the text of the returning elite who wanted their land back. See discussion below and in next chapter.

With regards to d) one might be surprised that Grünwaldt characterises the view of foreigners as “integrating.” Here one should however keep in mind that he has removed vv. 44-46 of chapter 25 by means of *Literarkritik*. How and why he did this is not that important now,⁵ but the point is that if that text is removed then the view towards גֵּרִים is quite positive.⁶ It also seems that Grünwaldt would think that the גֵּרִים were really “foreigners” in the sense of being a “Nichtisraeliten” (Grünwaldt 1999: 167). My own understanding of these texts differ considerably from what Grünwaldt argues here under d). My reasons for this will become clear in the rest of this chapter.

To turn to e), Grünwaldt is not the first to argue that the 50 years period has to do with the return after the exile. The first person to have argued this appears to have been Willis (1969: 337-345) who was puzzled by the fact that the seven year period (in Ex 23 and Dt 15) is changed to a fifty year period, or as he puts it (1969: 341):

Alle Passagen von Lev. 25 sollen persönliche Freiheit und Grundbesitz gewährleisten und nicht schmälern. Warum sollte man Formen, die sich ursprünglich doch wohl mit dem Zyklus von sieben Jahren verbanden, jetzt auf ein halbes Jahrhundert umgestellt haben?

His (Willis 1969: 342-343) answer to this question is that one should understand it as related to the period of exile and that the Judeans in exile were thinking about how to get the land back if they ever had the chance of going back. Their main question was whether their rights to land had not become superannuated. The fifty years of the Jubilee were thus their attempt to counter the loss of land and to receive their land back when they returned to Palestine. But Willis does not think that this ever

⁵ Grünwaldt’s (1999: 109-112) main argument for removing vv. 44-46 is that he thinks that the author deviates from his discussion and that it does not really fit into the text. Verses 39-41 are about prohibiting the oppression of the fellow Israelite who is in debt. This is theologically grounded in v. 42 and is further reiterated by an admonition to fear God in v. 43. Until here everything is said that could be said about a poor brother in debt and it is nicely concluded with v. 43 (וְיָרֵאתָ מֵיְהוָה כִּי לַיהוָה אֱלֹהֶיךָ) like for instance in v. 17). But then “suddenly” in vv. 44-46 the topic changes to buying foreign slaves and therefore Grünwaldt calls this an excursus.

⁶ I do not find this argument of Grünwaldt (1999: 109-112) convincing, especially not the notion that vv. 44-46 are a change of topic. Is it not a logical place to address this question? If the laws are stating that you are not allowed to treat a fellow Israelite as a slave, could it not be anticipated that the reader or hearer might be wondering, “so from where could I buy slaves then?” It seems that vv. 44-46 are addressing a question that is really closely connected to this case, something that I did argue above in chapter 4. This is not the first time that this chapter addressed questions that might be “lingering” in the mind of the hearer or reader. Another good example was vv. 20-22, which Grünwaldt does not want to “remove.” There it seemed that the author was anticipating a question that the hearer or reader might be asking namely, “what shall we eat in the seventh year?” There it is definitely at odds with the surrounding texts, simply because it refers back to the Sabbath year whereas the preceding and following texts are concerned with the Jubilee already.

The point is just that Grünwaldt is not consistent in his argumentation and his claim that vv. 44-46 change the topic/subject is not enough to remove these verses, because then he should have removed other texts also. Another question that he does not answer properly is when this text was added then. We will see later that this text does not feature again in Grünwaldt’s book, not when he dates the whole code and especially not when he discusses the theological and ethical implications of the whole text (see chapter 7).

happened because the initial return to the land after the decree by Cyrus was very meagre and thus the deadline of 50 years expired.

A scholar like Cholewinski (1976: 248-249) supports the conclusion of Willis and adds that he thinks that Leviticus 25 was probably written in the hope “ein dauerndes Gut in der israelitischen Gesetzgebung zu bleiben.” This did not happen because of many possible reasons:

Vielleicht ist im Bewusstsein der Späteren die Erinnerung daran geblieben, dass die Jubeljahrgesetzgebung hauptsächlich für die einmalige Situation der Rückkehr aus dem Exil verfasst wurde, oder ...

Cholewinski is not willing to speculate any further, but it is thus this tradition started by Willis and continued by Cholewinski that Grünwaldt uses as part of his argument for the dating of H in the post-exilic period. Other German scholars⁷ have also argued along similar lines, especially in articles concerned with the relevance of biblical texts in modern society.⁸ Dietrich (1997: 350-376), for instance, does well to describe the possible “tug-of-war” between the returnees and the people that stayed behind with regards to the land. He uses the study of Smith (see 6.3 below) in support of his argument that the well-off returning exiles wanted their land back and also the article by Willis (1969). With regards to the oft-occurring root שׁוּב he argues (Dietrich 1997: 369), “dann könnte sich hinter dieser Formulierung eine konkrete Hoffnung und ein handfester Anspruch der Exilierten verbergen: daß sie nach fünfzig Jahren Exil in die Heimat und auf den eigenen Grund und Boden ‘zurückkehren’ könnten.” Yet, Dietrich’s (1997: 376) most interesting idea is the notion that Leviticus 25:23 was an effort not to side with one specific party in this struggle for land, but to relativise the claims of both groups. In essence land belongs to God and the only people that can use it are those in the right relationship with him. But then the question becomes, which party presents their relationship to God as the “right” one.

One should also place this dating of both Grünwaldt and Otto and the scholars relating the 50 year Jubilee to the 50 year in exile within a broader debate of scholars who have argued that the Persian period is the most probable time for the dating of the “formation” of the final form of the Pentateuch. Some have argued that it was actually under Imperial pressure that the Pentateuch came into being and that this forced the Priestly and Deuteronomic schools/groups/political parties (or whatever we want to call them) to reach a “compromise.”⁹

⁷ See for instance, Crüsemann (1992: 330-331).

⁸ Two very good examples of this would be Kessler (1999) and Crüsemann & Crüsemann (2000). See discussion in next chapter. One other example is Robinson (1991) who imagines a similar post-exilic scenario (see especially 1991: 476-480), but does not see any injustice in that.

⁹ See, for instance, Blum (1990: 333-360), or Watts (1999: 131-161) who actually disagrees with Blum by arguing that the impetus came from inside the Jewish community and not from outside as Blum argues.

Until now I have thus offered arguments that pointed towards an exilic or post-exilic dating. That in itself should warn us that it is extremely precarious to attempt to pinpoint a specific historical context. The fact that some have argued that the 50-year period of Leviticus 25 could be traced back to specifically the exilic period (i.e. Willis and Dietrich), while most of the other scholars seemed to favour the post-exilic period once again shows that the text did develop. We thus have a notion possibly originating in the exilic period, but then used later in a post-exilic context. Still I would want to think that all of this was part of the heritage, or identity, or then ideology of the group that returned from Babylon. It was part of the way in which they understood themselves.

We need to state one last question with regards to Grünwaldt's a) above. He dates the code in the post-exilic period because the Israelites are being addressed as free people, meaning they have been delivered from exile. If "delivered from Egypt" thus actually means "returned from Babylonian exile", does it then mean that the borders in the post-exilic community were drawn between those who experienced the exile and those that did not? Might it then not be that those who did not experience the exile were called a נִגְרָא or a תּוֹשֵׁב or a שְׂכִיר? I will continuously explore these questions in the following discussion, but first we need to consider the opposite view and then we need to tap into the latest discussion on what the post-exilic community looked like.

6.2.1 A pre-exilic dating

There are some scholars who do argue for a pre-exilic dating of the Holiness Code of which I think the best examples would be Knohl (1995) and Milgrom (e.g. 1991 and 1999). These are thus Jewish scholars who are often critical of Wellhausen's original theories with regards to the post-exilic origins of the priestly source. These scholars also follow in the footsteps of the famous Israeli scholar Yehezkel Kaufmann who argued for a pre-exilic dating of the priestly source.¹⁰ Both Knohl (1995) and Milgrom (e.g. 1999 and 2003) share the view that H follows P, which is thus broadly speaking similar to the views of Grünwaldt and Otto above, but they differ with regards to the extent of H. Their H (i.e. Knohl¹¹ and Milgrom¹²) is much more extensive than that of

Berquist (1995: 131-146) also argues similarly to Blum that the Persians provided the impetus to the creation of law. He (Berquist 1995: 138-139) specifically attributes this to the time of Darius. He describes the Pentateuch as internally representing "the old Israelite traditions", but also externally "its final form represents Persia's imposition of a text upon Yehud." Or, see Otto (1995) who thinks that "compromise" is not appropriate since P won the battle and that the final redaction of the Pentateuch favours P over against D. Still all four of them understand the final redaction of the Pentateuch as taking place in the Persian period.

¹⁰ See Blenkinsopp (1996: 495-518) for a critical discussion of Kaufmann's work, but see also Milgrom (1999: 10-22) for a critical response. For a Jewish post-exilic dating, see Levine (2003: 11-23).

¹¹ See the summary of Knohl (1995: 104-106) of his two layers, P and H, which both run all the way through Genesis to Numbers. H does include most of the traditional Holiness Code.

Grünwaldt and Otto who focus mostly on the traditional Holiness Code (i.e. Lev 17-26*).

Knohl (1995: 199-224) is very specific about when he dates what he calls HS (i.e. Holiness School) which for him is the time-period of Ahaz and Hezekiah. We do not need to go into the details of his argument,¹³ but I will shortly focus on how he treats the curses in chapter 26 which “warn of the destruction of the land and the exile of its inhabitants to the land of the enemy” (Knohl 1995: 205). In the rest of his discussion the last part of Leviticus 26 that presumably refers to the exile is not really addressed thoroughly. Knohl (1995: 213) does mention that the “theme of the return of the remnant of Israel to God is common to both Isaiah and HS (Is 10:20-22; Lev 26:39-45).” He also states that the exile referred to in Leviticus 26 is that “of Israel to Assyria” and he then describes this migration of people as follows (Knohl 1995: 223):

After the destruction of the northern kingdom, many of its inhabitants migrated to Jerusalem, bringing their spiritual heritage with them. The immigration of the northern peoples to Jerusalem is confirmed by the rapid expansion of the city under Hezekiah. The influence of the traditions of the refugees was felt in the amazing development of spiritual life in Judea.

Could one then deduce that the “survivors” or “remnant” referred to in Leviticus 26 were these “refugees” that came from the North? But that would mean that they actually thought of Judah as the “land of their enemies” (26:34-39) where they were rotting away and where they were eaten by this land! This does not make sense and would be a rather unthankful way of referring to the land that took the refugees in and the land whose “spiritual life” benefited from this influx of refugees (according to Knohl). Or, does this mean that there did exist an expectation that those taken into captivity would return after paying for their sins in Assyria? Then does it mean that the land that is enjoying its Sabbaths is the land of Samaria? This is very hard to “proof” or “disproof” especially in the light of the fact that nobody apparently ever returned from the Assyrian exile. The dating of Knohl just complicates everything considerably and the simplest solution is to regard Leviticus 26 as a reference to the

¹² With regards to Leviticus Milgrom (1999: 12 and 2003: 24) distinguishes between P (chapters 1-16) and H (chapters 17-27). For other texts, which belong to H (or actually H_R) outside Leviticus, see Milgrom (2003: 29-40).

¹³ After providing a summary (Knohl 1995: 204-205) of the main issues that the Holiness Code addresses (as a sub-unit of HS), he then concludes (Knohl 1995: 205):

Based on this survey, we may propose that the origin of HS and the composition of the Holiness Code were a response to the following developments: the incursion of idolatrous practices into Israel, especially the worship of Molech and soothsaying and conjuring of familiar spirits; the development of social polarization leading to the uprooting of farmers from their lands and their enslavement to the rich; and the detachment of morality from the cult. We may notice that the formation of HS is linked to the centralization and purification of the cult; however, the traditions of popular worship are not invalidated. Finally, the curses at the conclusion of the Holiness Code reflect the impact of forced mass exile on the people.

exile of Judah. Then at least we know of survivors who did eventually return. I will thus join the ranks of those scholars that date these texts to the post-exilic period.¹⁴

6.3 *The post-exilic society*

A scholar who has attempted to describe the Judaic community of the exilic and post-exilic period extensively, is Daniel Smith(-Christopher) (see Smith 1989, 1991 and Smith-Christopher 1994, 1996, 1997). In his first study, Smith (1989) attempts to develop a sociological model to describe what happened when communities experience exile. He arrives at this analysis by studying four case studies of situations and societies where people were forcibly removed from their homelands (see Smith 1989: 69-90). He is especially interested in how people survive such a traumatic event.¹⁵ Based on this analysis he identifies four “survival mechanisms” that such groups develop which he then applies to selected texts from the Hebrew Bible. These mechanisms are:

1. They adapt structurally, combining traditional structures with innovation (Smith 1989: 93-126).
2. They develop new leadership that can be for or against radical change (Smith 1989: 127-138).
3. They acquire ritual behaviour (Smith 1989: 139-151).
4. They develop hero stories (Smith 1989: 153-178).

All these result in the evolution of different communities. Such differences usually become apparent when these communities return to the place of origin and this is where Smith's study becomes very relevant for ours. As a result of these differences conflict arises. In a latter essay by Smith (1991: 73-97) he argues this point further by providing a sociological and anthropological analysis of the book of Ezra. The conflict arises around the survival mechanisms of those who returned. In order to survive the exile the community had to maintain their boundaries and view themselves as an exclusive group (Smith 1991: 82-84). Those who returned formed a survivor group, the so-called children of the Diaspora. They survived because they could resist the destructive effects of deportation by building solidarity, by maintaining boundaries against others and by adapting groupings imposed on them. The pressures of deportation can be understood in the light of Neo-Assyrian practice as well as Neo-Babylonian deportations. One should remember that deportation meant that people were cut off from the things that gave them their identity. Such things might be the

¹⁴ Another rather unconvincing attempt to date the Holiness Code somewhere in the pre-exilic period is that of Joosten (1996). When Joosten (1996: 203-207) presents his final argument for this dating he ignores the issue of Leviticus 26 referring to the exile altogether. The reader is only in a footnote (1996: 207 n.23) referred to an earlier footnote (1996: 9 n. 30) where he argued that the prediction in chapter 26 “might be genuine.”

¹⁵ See especially Smith-Christopher (1997: 7-36) for an attempt to describe the trauma caused by the exile.

land on which they lived (therefore the title of Smith 1989), the community which they knew, the symbols of their society, their religion and leaders. Thus, deportation puts people under pressure to lose identity. The only way of surviving such an ordeal is to find new ways to preserve identity. It is then in this light that Smith (1991: 85-86) understands the preoccupation of P with the root בָּדַל as especially manifested in Leviticus 11 (see also Smith 1989: 146-149).

In the last part of this essay, Smith (1991: 86-96) examines the social conditions at the return of the exiles to the land. By means of analysing Hag 2:10-14 Smith (1991: 90) concludes that “Haggai is referring to pollution from some group outside the community he is addressing”, but the question is then who this group is and Smith still thinks that this group is part of the larger Jewish community. After considering different options Smith (1991: 90-96) concludes that conflict arose between the returnees and those who were already there, who were now in possession of the land. Those who stayed behind had developed on their own, while those who went into exile were shaped by that event. When the exiles returned from Babylon it became clear that there were big religious differences between those who had remained in the land and those who were coming back. The returnees formed a community whose bonds were forged in exile. But even within the group of returnees conflict was possible, such as conflicts based on historical differences or class differences. Smith (1991: 96) concludes:

I would argue that the separate religious, social and structural development of the exiles, apart from those that stayed behind, was antagonized by the arguments over property and finances, but that such conflicts had many other causes as well. In any case, all the evidence, as we have seen, does not lead to an exclusively religious explanation, either.

Those who returned from exile had undergone a separate religious, social and structural development. These differences from those in the land were sharpened by arguments over property and money. Smith is not so clear about what these “other causes” might have entailed. Berquist (1995: 133) adds another source of tension in this society when he refers to the immigrants that came from Persia:

These immigrants were distinct ethnically and culturally; certainly there were differences of birth location and language. In general, these immigrants probably considered themselves to be the true inheritors of the Davidic monarchy and Jerusalem's past; they often termed themselves “Jews” in distinction to the inhabitants of the land whose families had not experienced the dislocation of exile at the beginning of the sixth century. Immigration became Persia's chief means for exerting state influence upon Yehud.

Many of the things that he mentions above concur with what Smith argues that the experience of the exile changed the people that went away and that eventually came

back (although I am not so sure as to what Berquist means with “ethnically” above). Yet what Berquist adds, is the possible political objective of the greater Persian Empire. For Berquist these immigrants became tools of the empire to exert its power. They understood themselves as being the true claimants to the land of Judah, but the larger empire might have exploited this understanding. This obviously added more to the pressure in the post-Exilic society.

To this discussion we could also add the scholarly debate about the mixed marriages issue in texts like Ezra 9-10 and Nehemiah 13. Smith-Christopher (1996: 123) argues “that some of these ‘mixed’ marriages—particularly in Ezra¹⁶—were probably not ‘mixed’ at all in truly racial/ethnic sense of the term, and may well have represented marriages between Jews who were not a part of the exilic formed ‘Sons of the Golah’, with those who were.” For Smith-Christopher (1996: 124) Ezra’s “group” is “consisting only of former exiles (Ezra 9:4).” Smith-Christopher (1996: 125-126) is also interested in the fact that the Priests and the Levites are portrayed as being part of those guilty of mixed marriages (Ezra 9:1). This leads him to conclude (Smith-Christopher 1996: 126):

...we appear to have grounds for seeing Ezra 9-10 as a disagreement *between Jews, and specifically priests*, as to the acceptability of these people that Ezra is calling “foreigners.”

But it is also quite possible that the *only* basis for Ezra’s objection is that those he called “foreigners” were simply Jews who were not in exile.¹⁷ [italics his - EEM]

All these remarks point further to the possibility that the exile became some kind of dividing line in the post-exilic community which caused a fair amount of friction and stress. The group that came back was changed by this experience and they distanced themselves from those that never went away. They were thus culturally different and they could also be understood as a group closely associated with the Persian Empire (as Berquist argued). This is the context in which I think we should read Leviticus 25 and the other chapters of the Holiness Code. This is also the

¹⁶ Smith-Christopher (1994: 258-261 and 1996: 126-127) argues that Nehemiah 13 is more concerned with political interests and might be referring to marriages with “real” foreigners.

¹⁷ See also the essay by Eskenazi & Judd (1994: 266-285). They offer interesting arguments from modern Israel on how more conservative groups would not regard other groups as Jews, although the latter would regard themselves as Jews. They conclude their essay as follows (Eskenazi & Judd 1994: 284-285):

Like the illustrious *haredi* European rabbis in the 1930s, Ezra arrived from diaspora late, after certain patterns had been established. He offered a more stringent definition of who is a Jew, which gained popular support among some segments of the population, leading to further legal reformulation of the issues and to communal tension. In this process, previously sanctioned relations had to be re-evaluated.

Given this interpretation, the women of Ezra 9-10 could have been Judahites or Israelites who had not been in exile and who, in the eyes of the early returnees, were appropriate marriage partners.

They thus offer the same conclusion as Smith-Christopher, but they offer insights from the situation in modern Israel in support of their argument.

context in which the addressees of Leviticus 25 and surrounding texts were being addressed.

Yet, lately some scholars have been questioning the traditional view that the exile had a great impact on the “Judaic” society, or one should say that some scholars have been questioning the way that this exile was portrayed. To use terms that I have used before, these scholars argue that the way in which the exile is presented smacks a bit of *distortion*. To a certain extent these argument might question some of the findings of Smith. We now need to pay some attention to this debate.

6.4 *The myth of the empty land*

In a recent volume on historical methodology and the “exile”, Grabbe (1998: 149) summed up some of the main issues that were debated in that volume as follows:

If most of the original community was left in the land and not deported, and if most of the descendents of those deported did not return to the original homeland, how accurate is it to speak of ‘the return’? Particularly, how accurate is it to speak of a ‘restoration’?

We are in a sense starting at the end now, but the point is that some biblical scholars question whether the exile was such a big event as many (from the days of Wellhausen onwards) would argue and of whom Smith-Christopher is also a good example. Two questions are thus asked in the above quote namely, whether the first deportation was really as “big” as often thought? And, whether that many people did return from “exile” at all? Along with these questions another question would thus be whether it is accurate to speak of “exile”, since exile entails going away and then returning. But if we are not sure anymore that that many went away in the first place, nor that that many returned, then “exile” is not such an appropriate term.¹⁸

A landmark article in the debate has been the article by Carroll (1992) with the title “the myth of the empty land”, which introduced both questions, but which focused slightly more on the first question as to whether that many people did go into exile? Or one should probably say, whether so few people were left behind as some biblical texts claim? Carroll then specifically analyses certain texts like 2 Chr 36: 17-21 and Leviticus 26: 27-39 where it seems that the land was left desolate in order to enjoy the Sabbath that it never had (1992: 80-81). Yet, other texts (2 Kgs 24:14, 25:12, Jer 39:10, 52:15) describe a slightly different picture with only “the poorest people of the

¹⁸ Davies complicates the use of the term even more by stirring the problem of land-ownership into the “stew” (1998: 133):

‘Exile’ is already an interpretation. It interprets those ‘exiled’ as belonging to a piece of land, and indeed constructs that piece of land as belonging to them (and implicitly to no one else, including present inhabitants); it also interprets the land as definitive of identity, for an assimilated exile ceases to be an exile, though without necessarily losing all ethnic affiliation.

land” being left behind (1992: 81). Carroll connects this myth “of the empty land” with another, namely the “land polluted by its Canaanite inhabitants” (1992: 79).

In both cases he offers an ideological-critical reading of these texts which uncovers that the “texts substitute for political action where serious political power is absent” (1992: 79). Carroll (1992: 80) describes the language in Kings and Jeremiah as “brutal realism” and the language in the Chronicler’s account as “that of ritual values.” This “emptiness” in the land portrayed in Chronicles and Leviticus only ends when Cyrus gains power and provide the opportunity for the people of JHWH to return to the land of Judah (Carroll 1992: 80):

This *`aliyyâ* to the homeland is the beginning of the second temple period and it is based on the idea of a land purified from pollution and empty of people.

For the Chronicler the poor people who remained in the land and who received the vineyards and fields (Jer 19:10; cf. 2 Kgs 15:12) are *invisible* (1992: 80). Carroll also refers to the depiction of the return in the book of Ezra (1992: 81):

Great wealth also endowed the returning deportees, so that their appearance in the ravaged land accompanied by such enormously conspicuous wealth must have set them apart from the local inhabitants and have given rise to considerable opportunities for social oppression. Much of the story which follows the account of the deportees’ return to the ancestral homeland in Ezra 1 is an account, imaginary or otherwise, of the establishment of the hegemony of the deportees over the people of the land.

In the rest of the essay Carroll argues in his typical “ideological-critical-expecting-the-worst” fashion (which we saw in chapter 2) that these particular texts are very good at silencing the voices of the people left behind by the first two deportations (Carroll 1992: 83):

The image of the land paying for its sabbaths (Lev 26: 34-35, 43) echoes the notion of a land cleared of all its occupants. For the root metaphor of sabbath is a cessation of activity, and only a land evacuated of people could be said to be keeping (*rsh*, “pay off”) sabbath by having nobody working it in the normal agriculturalist senses. An empty land is therefore also an image of possibility for the future. Even though the devastated land and the deported people represent territory available for occupation by invading forces (cf. Lev 26: 32), such occupants do not appear to count against the notion of sabbath-keeping. That is because such foreigners are invisible in terms of divine plans.

Texts like Leviticus 26 thus present a picture where the people left behind are simply invisible and it is interesting that Carroll uses the term “foreigners” here. In the rest of the article he also focuses on the group of people that came back from “deportation” and whose “ideologies” determined what was written in the Hebrew Bible (Carroll 1992: 85):

Much—in some sense perhaps all—of the literature of the Hebrew Bible must be regarded as the documentation of their claims to the land and as a reflection of their ideology. The representation of the people(s) of the land must also be seen as the depiction of the losers in that particular ideological struggle.

We do not need to go into further detail of Carroll's argument, but the importance of this article by him is that it provides us with further arguments for engaging with what we have found in Leviticus 25. It is also useful that he treats Leviticus 26, which we saw is closely connected to Leviticus 25 and they most definitely share the same traces of ideology. It provides us with a further argument to associate these texts (Lev 25 and 26) with the post-exilic community. They do share some of the ideological features that can be found in the Chronicler for instance. Carroll does not really argue this dating, he just accepts it and it is part of his accepted foundation on which he builds his argument. The other important issue is that Carroll prefers not to use the term "exile", because that would mean buying into the ideology of the group that seized the Hebrew Bible to further their own political causes.¹⁹ *When we use this term we then partake in the silencing of the majority that was never deported and the silencing of the majority that never returned.*

Thus, Carroll and Smith have many things in common, in the sense that they both understand the time after the deportation and the time of the return as important and that it did have an impact on the Judean society. Yet, Smith tries to describe by means of sociological tools what happened to the group that was deported and what this experience might have done to them. Smith sounds also rather sympathetic towards this group who were deported and who returned. Carroll also engages with this scenario, but for him it is important to pay attention to the *silenced voices*. His "sympathies" lies more with those that were left behind when the others were deported (and even those who stayed behind when the others returned). He questions whether both the deportation and the return were really that "big." And he argues that what was really "big" about these returnees was their power and their ability to let large parts of the Hebrew Bible speak for their political interests, while silencing the interests and the voices of those left behind on both occasions.

Other scholars have continued to build further on what he suggested in this article, like Barstad (1996) who wrote a book with the same title as Carroll's article. Apart from analysing the biblical texts (Barstad 1996: 25-45), he also added some archaeological arguments (Barstad 1996: 47-55)²⁰ to support the argument by

¹⁹ See also Carroll (1998c: 66-67):

My sense of disquiet with such titles [i.e. titles using the term "exile" - EEM] arises from my point of view that to use the term 'exile' in a book title is to connive at, conspire or collaborate with the biblical text in furthering the myth represented by the ideological shaping of biblical history.

²⁰ His main argument is that although some cities were indeed destroyed, large parts of the country were left more or less intact as the following quote shows (Barstad 1996: 47-48):

Carroll, which was only based on “textual evidence.”²¹ An important part of his argument that Judah was no *tabula rasa* and not that utterly destroyed is the fact that this would not have been such an economically favourable decision by the Babylonian rulers (Barstad 1996: 61-76). Nebuchadnezzar mostly needed Judah “for *economic* reasons” (Barstad 1996: 67). Judah was simply such an important producer of especially agricultural commodities needed in Babylon that to have utterly destroyed the whole country would have meant to have “killed the goose who lays the golden eggs” (Barstad 1996: 70-76).

In a recent article by Blenkinsopp (2002: 169-187), he also uses archaeology to come to a similar conclusion as Carroll did (Blenkinsopp 2002: 187):

I have tried to show that what has become known as the ‘the myth of the empty land’ originated with the dominant Judaeo-Babylonian elite in Judah under Persian rule, and is inscribed most clearly in the book of Chronicles ...

Another scholar who has provided archaeological evidence, which is relevant for the question of how many people were deported in the first place, is Willi (1995). Willi (1995: 18-39) argues that there was not really a break in the “material culture” of Palestine until much later in the Persian period. He characterises this first phase as a phase of “continuity” with the culture of the late monarchic period. Like Carroll, Willi (1995: 21-25) offers a critique of texts like 2 Chronicles 36 and Leviticus 26²² which depicts a kind of *tabula rasa* and then he contrasts it with threefold evidence to the contrary (Willi 1995: 22):

...die alttestamentliche Quellen, vor allem Hag, Sach, Teile der Bücher Jer (Kap. 37-44.52), Ez, Kigl und nicht zuletzt Deuterocesaja sowie das wohl im Lande zusammengestellte deuteronomistische Geschichtswerk; sodann der

Whereas the archaeological evidence from such sites as Jerusalem, Tell Beit Mirsim, Beth-Shemesh, Lachish, and Ramat Rachel shows clear traces of the destruction brought about by Nebuchadnezzar’s campaigns in the west, settlements in the northern part of Judah and Benjamin were not affected by the event. Several cities lying north of Jerusalem, in the traditional area of Benjamin, were not destroyed at all. In contrast to sites excavated south of Jerusalem, these places in fact prospered in the later sixth century. Thus, it was mainly the hill country of Judah that suffered deportations and destructions under Nebuchadnezzar. The rest of the country was left more or less intact.

See also the discussion by Albertz (2001: 66-67)

²¹ It seems that Carroll (1998c: 72-73) was often reluctant to make too specific connections between the world of the biblical text and the world outside the text:

It is much more the case that there is not really anything to be done here because the connections between the biblical text and the world outside of the text are far too few to be of any consequence and far too problematic to warrant the over-confidence of traditional biblical scholarship’s reading of the text. We have no grid on which we can map the details of the biblical narrative alongside the external date available in order to create a reliable historical picture which would satisfy normal historians (if such things as ‘normal historians’ can be said to exist).

This statement comes in response to criticism by Willie McKane who accuses Carroll “of laziness here, of conveniently not having to do the historical research entailed.” I do find this statement slightly puzzling, because Carroll usually does not hesitate to read texts within the second temple period. See especially Carroll (1991 and 1994). Or would that count as a not “too specific connection”?

²² See also Albertz (2001: 20-22).

archäologische und historische Befund und schließlich eine sorgfältige Interpretation der eingangs angeführten Stelle 2 Chr 36,20f.

With regards to archaeological evidence, Willi (1995: 24-26) refers to the evidence that suggests that although many cities were destroyed it seemed as if life in especially rural areas went on as normal and in some instances even flourished. With regards to life in these rural areas he suggests (Willi 1995: 25):

Verhältnismäßig unangetastet mag das Leben in den Dörfern und Landschaften Judas weiter seinen Gang genommen haben. Es ist gut denkbar, daß hier nun die alten religiösen und politischen Grundlagen und Strukturen Judas ihre bewahrende Kraft erwiesen und so eine kontinuierliche Fortführung des Lebens ermöglichten.

So, life in a sense went on as normal for many people, the majority of people who continued to live in the land and older systems of government (which for Willi especially meant the so-called “people of the land”) that were part of the traditional tribal organisation regained power.²³ Eventually Willi (1995: 26) concludes:

Die Archäologie ergänzt und bestätigt diese Sicht der Dinge. Immer deutlicher ergibt sich das Bild einer weitgehend unveränderten Übernahme und Fortführung vorexilischer Zustände. So gesehen bedeuten das Exil und die erste nachexilische Periode keinen Einschnitt. Das tägliche Leben der materiellen Kultur verrät Kontinuität und ungebrochene Fortdauer der Gewohnheiten.

In the rest of his book he argues that things only changed later, more-or-less in the middle of the Persian period when he thinks that the Jewish community started to develop a new identity. This had to do with the formation of the Persian province of Jehud (see Willi 1995: 82-90). The most fascinating (or maybe puzzling) aspect of his study is the fact that although he presents the initial deportation as not that substantial, he does not describe a picture of such conflict between the returnees and the people who stayed behind (as we had from Smith-Christopher and Carroll). He (Willi 1995:59-60), for instance, criticises the notion of a “Jerusalem Kultgemeinde” of scholars like Noth as being a “Fiktion” or as he puts it (1995: 60):

Für Esr-Neh ist nicht eine mehr oder minder fiktive “Jerusalem Kultgemeinde” Erbin und Nachfolgerin des alten Israel, sondern das *Volk* als ganzes,²⁴ die in

²³ Albertz argues similarly when he refers to life in Judah after the assassination of Gedaliah in 582 (2001: 84):

Die einfache Landbevölkerung war von der Deportation und den Abwanderungen im Jahr 582 weit weniger betroffen. Auch wenn die babylonische Provinzverwaltung den Druck erhöhte, so leistete man nun die Steuern, Fron- und Spanndienste kaum anders als ehemals für die eigenen Könige. Darum ist zu vermuten, daß sich die Versorgungslage auch jetzt bald wieder stabilisierte. Es gibt sogar Hinweise, daß es möglich war, unter der babylonischen Provinzverwaltung eine beschränkte Selbstverwaltung auf der Basis von Ältesten aufzubauen (Thr 5,14). Weitere Konfrontationen blieben offerbar aus.

See also Berquist (1995: 17) who argues that “effects on the rural people would have been only minor.”

²⁴ For the opposite view, see the essay by Dyck (1996: 89-116) that contrasts the kind of “ethnicity” that we find in Ezra-Nehemiah with that of Chronicles. In Ezra-Nehemiah Dyck (1996: 99-104) describes it as

der Diaspora lebenden Nachkommen des Zwölfstämmevolks und besonders des ehemaligen Königreichs Juda so gut wie die in der Heimat lebenden Bewohner der jungen Provinz Jehud, die "Juden" in der alten wie in der neuen Bedeutung des Wortes also, die sich religiös und ethnisch ebenfalls primär als Glieder des alten Israel der zwölf Stämme verstanden. [italics mine - EEM]

Thus, for Willi those that never went into exile and those who stayed behind became one "Volk" later without experiencing that much conflict.²⁵ Willi (1995: 61) thinks that to use a term like "Gemeinde" to describe this society would be rather anachronistic. But then the question would be whether his use of "Volk" in the quotation above could not be regarded as another example of an argument that is "anachronistisch und unzulässig"? Could one thus ask (along with Carroll maybe) whether Willi does not fall for the ideology of these authors?

A further important feature of Willi's book (that we already mentioned above) is his insistence that the "Wende" in post-exilic Palestine only came much later when the exiles returned. Smith-Christopher (1997: 8 n.3) regards the book by Willi as "another attempt to depreciate the crucial significance of the exile", which he, of course, contrasts with his own (Smith 1989) as an attempt to take this event seriously. Smith-Christopher thus thinks that because of this Willi's study is mostly at odds with his.

"vertical ethnicity" where the focus is on those that experienced exile. It is thus a very exclusive kind of ethnicity where membership is clearly defined (Dyck 1996: 100-101):

Membership in one of these communities, which were organised along kinship lines, determined access to the cult and established one's right to land. In this way the "exilic" concept of ethnic identity, determined in the first instance by kinship, figured in every aspect of community life, helping to concentrate and focus social interactions within the community and functioning as a redemption myth that legitimated the community's claim to land. All this points in the direction of an ethnic group which emphasises vertical depth and territorial compactness.

Dyck (1996: 104-108) describes the ideology of identity that we find in Chronicles as lateral. Their perspective is more inclusive, it refers to "all Israel" (as Willi also points out) and it does not establish "an inside/outside distinction" (Dyck 1996: 106). Yet, Dyck (1996: 108-114) makes it clear that this inclusion creates a "hierarchy within" where the returning Elite is still the ones with power. The way in which he describes it makes one want to change "inclusion" into "annexation." Dyck (1996: 116) has no illusion that this "inclusion" was also mostly about power:

In my view the Chronicler's ideology of identity, aimed at generating an integrating belief in greater Israel, was simultaneously an ideology of legitimacy and power that functioned in the interests of Jerusalem, its institutions and its ruling classes.

I think the views of Willi and Dyck on Ezra-Nehemiah are largely divergent, while there will be more similarities when it comes to Chronicles. Willi, though, does not share the "power-conscious" or one could say "ideological-critical" perspective of Dyck. See also Willi (1994: 146-162).

²⁵ With regards to Ezra 9-10, Willi (1995: 80-81) is not willing to regard these chapters as "discriminating" or "exclusive":

Es wäre abwegig, diesen Kapiteln wie Esr-Neh überhaupt diskriminierende, exklusive Gesichtspunkte zu unterstellen. Wie könnten solche einem Werk zugrundeliegen, das alles daransetzt, nachzuweisen, daß der heidnische Oberherr die Initiative zum Bau des Tempels ergriffen habe und daß er dabei von Gott inspiriert gewesen sei! Das Heiligtum, wie es nun steht, wirkt als Saat und Keim; es verlangt eine heilige Umgebung. Seine universal ausgerichtete sühnende und bewahrende Funktion ruft danach. Das ist alles.

It thus seems as if Willi constructs a kind of theology here where the temple has to be kept "pure" in order that all the "impure" peoples could be saved by it. One finds no mention from Willi that these "foreign wives" might have been some of the people who actually stayed behind.

Yet, I do not think that it is and I do not think that Willi is actually not taking the “exile” seriously. Willi does not question that a deportation happened, nor a return for that matter. It is more a case of “from whose point-of-view” they approach their studies. Willi approaches it from the land of Palestine and what happens there to the people living there. In this light his argument is then that the biggest impact was not when deportation took place, but when the “return” happened, when Jews living in Babylon immigrated to Palestine. The “return” is very much a part of the “exile” and therefore Willi most definitely does not “depreciate the crucial significance of the exile.” Smith-Christopher on the other hand mostly attempts to describe the impact that the deportation had on the (small?) group that experienced it. For this group it was a “Wende” from the start all the way through to their partial return to reclaim the land. Yet it was this return that impacted on Palestine and in this sense I think that Smith-Christopher and Willi would agree, although they obviously disagree on the kind of conflict that this community experienced.

We have until now started with some of the recent theories for dating Leviticus 25 and more specifically the Holiness Code as such which all boiled down to the Second Temple Period. Then I moved to the work by especially Smith(-Christopher) who used sociological analyses to describe what might have happened to the people who were deported and who returned. This helped us to acquire some possible insight into the kinds of conflict that might have been prevalent in that society. We also paid attention to the recent debates on the exile, which often tended to ask more ideological-critical questions, or more exactly argued that the view that we have of the exile is fairly distorted.

The question addressed at Grünwaldt after summing up his argument for the dating of the Holiness Code was, if he used the “brought out of Egypt” refrain for dating the text in the post-exilic period, could we then argue that we should read “Babylon” instead of “Egypt”? This would then entail that the post-exilic community was divided between those who were in exile and those who never went away and that the returning community understood themselves as the “true standard bearers” of old Israel. Rainer Albertz expresses it well when he describes the way in which the exile is portrayed in Second Chronicles (2001: 21):

Erstens: Diese Exilzeit sind *Tage der Verwüstung*, d.h. das Land lag während dieser Zeit vollständig menschenleer und brach da (vgl. Lev 26,43). Zweitens: Es wurde – noch totaler als in den Königsbüchern – die gesamte noch lebende Bevölkerung Judas (und Benjamins) exiliert (2.Chr 36,20); von im Land Zurückgelassenen ist nicht mehr die Rede. Und drittens: Eine Kontinuität zwischen dem vorexilischen und dem nachexilischen Israel gab es nur noch über die babylonische Gola. Nur die Heimkehrer aus dem babylonischen Exil, die das radikale Gericht Gottes voll durchlitten hatten, konnten für sich beanspruchen,

das "wahre Israel" zu sein (Esr 2,1ff.; 3,1; 5,16), und waren berechtigt, dessen Geschichte, die JHWH mit der Erweckung des Kyros hatte anheben lassen (2.Chr 36,22; Esr 1,1), fortzuführen (Esr 4,3f.; 5,16,19f.).

His first and second remarks fit well into what scholars like Carroll, Barstad and Blenkinsopp have argued. The land is empty and those that stayed behind are not mentioned anymore, or as Carroll puts it, have become invisible. Yet his third remark, which concurs with the work of Smith(-Christopher), is even more important for it states that the true Israel are those who went into exile, those that were in Babylon. I would add that whenever the Holiness Code refers to those brought out of Egypt, it is actually aiming at those who came from Babylon. This is the ideology of the authors and addressees of Leviticus 25 and surrounding texts. This is how they understood their past and their present. *They* were the true Israel and they were the true claimants to the land of Israel *and* they were the true people of YHWH. They were in the "right" relationship to him, because he claimed them when he delivered them from Babylon.

A related question that we should shortly address now, before we return to a previous issue that we have not concluded, is whether the authors of these texts were priests or not. This has more-or-less been the consensus view of the Priestly texts and even if we understand the Holiness Code as later than most of the rest of P, many scholars would still regard this as a Priestly text.²⁶ Until now the group of people that would have profited most from Leviticus 25 and other surrounding texts were not priests, but "normal" land-owners who wanted to have access to land and live from it. The only text that is blatantly favouring the priests is Leviticus 27, which I argued was somewhat different from the rest of the Holiness Code. With this text I am tempted to just call it a later edition, maybe at a time when the sanctuary was in need of some money. My question is simply that if the priests were not the only ones profiting, but also a class of returning land-claiming Elite, is it really viable to regard the priests as the only possible authors of these texts?

Grünwaldt (1999: 384) has also recently questioned this. He understands chapter 21-22 as an attempt by lay people to control the priests. These two chapters lay obligations on the priest and it thus limits their power. He also thinks that the ethical side of the Holiness Code does not fit into a priestly world-view. I am not sure whether I want to go that far. Yes, chapters 21-22 do lay obligations on the priests, but it still leaves them out of power. To be sanctified by YHWH as the priests are, would still provide one with a position of power in that society. I would rather venture that the people who wrote the Holiness Code were the returning Elite, which included a land-claiming class, but also a priestly class. The laws that are propagated here

²⁶ See, for instance, Crüsemann (1992: 331) or even Knohl (1995: 216).

would be in the interest of both these groups, if they were two groups in the first place.

There is one issue that I would like to revisit now which is closely related to the problem of who had legal claims to the land. When discussing Leviticus 24 in the previous chapter (see 5.4.3 above) I argued that the basic meaning of the word גֵּר is that of somebody who does not have any legal claims to the land, at least not in the eyes of the authors. I have done this mainly by analysing the particular texts in the Holiness Code where the term occurs and my argument was thus mainly based on an immanent reading of the text. Yet I have not really engaged with the larger scholarly debate, nor have I considered socio-historical issues. The time is now ripe to revisit these groups in the Holiness Code that often featured along with the addressees. I do not only refer to the גֵּר, but also to the תושב and the שִׁבְיָהּ who often featured with the former, especially in chapter 25.

6.5 The גֵּר in the Holiness Code, revisited

Two monographs, Van Houten (1991) and Bultmann (1992), that appeared on the גֵּר in the nineties have two almost opposite views of these people in the Holiness Code. Both of them attempt to determine the different diachronic layers in the text and both of them date them to certain time-periods. I will start with Bultmann and then move on to Van Houten.

For Bultmann the גֵּר in the Deuteronomic Code, which he mostly dates to the seventh century BCE, signifies a “lower layer” in the class society of the day (Bultmann 1992: 213):

Der גֵּר is fremd an dem Ort seines Aufenthalts, und es läßt sich für keinen Beleg in dem genannten Quellenbestand nachweisen, daß die Fremdheit in dieser Relation von der Fremdheit in einer möglichen zweiten Relation überlagert würde, nach der der גֵּר eine Gestalt nicht-israelitischer Herkunft wäre, d.h. aus den benachbarten oder sogar entfernten Völkern im Umkreis der Monarchie Juda stammte.

For him (Bultmann 1992: 214) they occupy a niche between the land-owning upper class and slaves and they depend on getting employment from the land-owning farmers. The fact that they have no land means that they are not so connected to a certain place and that they moved around and therefore they were often depicted as גֵּר (“stranger” or “sojourner” etc.). The meaning of the term does not change much in the sixth century when the deuteronomic laws develop further (Bultmann 1992: 216), but a real shift in meaning takes place when we turn to the fifth century and the time of the exile and the Return.

In Bultmann's (1992: 175-196) discussion of the use of this term in the Holiness Code²⁷ he scrutinizes texts like Leviticus 19 (vv. 9-10 and 33-34), 25 (vv. 47-55) and 17 (vv. 1-14). In all three he identifies three slightly different uses of the term. Bultmann (1992: 176-179) regards parts²⁸ of vv. 9-10 in chapter 19 as dating from the end of the sixth century when the Judaic Monarchy ended. The meaning of גֵּר here is thus similar to that of deuteronomic law, a social term describing somebody of a lower class. This changes already when we turn to vv. 33-34, in which we once again find layers, only this time three.²⁹ It is in these layers where Bultmann spots the change of meaning of the term גֵּר from a social term referring to a kind of person within Israel who needs to be protected to somebody who seems to have the same social status as the אֲזִיקָה and who is "sakralrechtlich" equal to the אֲזִיקָה. When he then turns to Leviticus 25 Bultmann (1992: 179-190) starts with the following quote (1992: 179):

In Lev 25 ist ein erstaunlicher Gebrauch der Bezeichnung *ger* belegt, der sich von dem in Lev 19,9f. deutlich unterscheidet. Die Gestalt des *ger* ist hier nicht eine *persona misera*, auf die aus religiösen Gründen besondere Rücksicht zu nehmen wäre, sondern sie ist ökonomisch selbständige und gelegentlich überlegene Gestalt, die außerhalb der durch die Jahweverehrung gebundenen Gemeinschaft steht.

The problem with his presentation is that he mainly focuses on vv. 47-55 where we do have (what I have called) "the problem of the rich גֵּר." His argument is that the גֵּר is not a *persona misera* (as in chapter 19), but has economic power and engages

²⁷ The name of this chapter (Bultmann 1992: 175-212) is actually "Heiligkeitsgesetz und Sakralrecht" whereby he acknowledges that although the exact character of the Holiness Code is not clear, it is evident enough that "die Gesetzestexte im engeren oder weiteren literarischen Anschluß an die priesterschriftliche Erzählung der Vorgeschichte Israels und der Einsetzung seiner religiösen Ordnungen umfaßt" (1992: 176).

²⁸ In true German "Literarkritik"-fashion Bultmann (1992: 176) distinguishes between different layers in the text, by means of the difference between plural and singular forms of the second person. The plural parts are from the hand of the redactor and dated in the middle of the sixth century, while the singular parts are from after the fall of the Monarchy. Why this is so, is not clear, but he uses the works of Cholewinski and Elliger extensively to champion his cause.

²⁹ The three layers that Bultmann (1992: 177) identifies are presented as follows:

וכי יגור [II אֲזִיקָה] גֵּר בארְצְכֶם לֹא תִינּוּ אֹתוֹ	I v. 33a.b
[כֹּאדָרַח מִכֶּם יִהְיֶה לְכֶם הִגֵּר הַגֵּר אֲזִיקָה]	III] v. 34aa
וְאָהַבְתָּ לּוֹ כְּמוֹךָ [II] v. 34aβ
כִּי גֵרִים הֵייתֶם בְּאֶרֶץ מִצְרַיִם	I v. 34aγ
אֲנִי יְהוָה אֱלֹהֵיכֶם	I v. 34b

The first layer (I) still refers to the land as a concrete reality where people work on the fields and where there is the need to leave parts of the harvest for the destitute and the גֵּר (as in verses 9f. and 23ff.). But the second and third layers (II and III) use prepositions like אֲזִיקָה not to express a social problem anymore, but instead a "sakralrechtliche im Vergleich zum אֲזִיקָה." In these verses Bultmann thus already sees a move from a social problem within the Judaic society to a religious problem more concerned with giving these people access to the sanctuary (Bultmann 1992: 179):

Im jetzigen Gebotstext Lev 19,33f. überschneiden sich die beiden Stränge des biblischen Wortgebrauchs von *ger*. Das Gebot gerät damit in die Spannung von sozialer Orientierung und religiöser Ordnung.

with Israelites in trade. The fact that the **נִכְרִי** institution has to be used to rescue the **נִכְרִי**, implies for Bultmann that the **נִכְרִי** is somebody from “outside.” He dates this text in the latter half of the fifth century in a similar historical context to Nehemiah 5:1-13 (Bultmann 1992: 189):

Da sich von dem Gesetz und seinen Nachklängen her für Lev 25 eine Datierung in das 5. Jahrhundert nahelegt und da noch kein Einfluß von Lev 25 auf Neh 5,1ff feststellbar ist, kann als hinreichend wahrscheinlich gelten, daß die Jubeljahr-Konzeption eine Nachwirkung des Impulses der Seisachthie Nehemias ist.

Thus (see Bultmann 1992: 190) here the **נִכְרִי** is somebody from “outside” the community who has economical power and who poses a threat to the society and therefore the society needs to draw boundaries here. These people did not want to become part of the religious community either. According to Bultmann (1992: 190) this is the only use of **נִכְרִי** in this manner in the whole OT. Van Houten, though, has the opposite view.

Van Houten’s (1991) study with regards to the **נִכְרִי** produces more-or-less the opposite result from that of Bultmann. For Van Houten (1991: 110-117) most of the laws pertaining to the **נִכְרִי** in the priestly texts are from the historical context of the restoration after the exile. Or, as she puts it (Van Houten 1991: 117):

The laws pertaining to the alien as well as the bulk of the Priestly legislation are illuminated when they are understood as a creative response to the crisis brought about by the exile, and the subsequent reuniting of the returnees with those who had remained in Judah.

She (1991: 117) uses the analyses of Smith (1989) extensively in order to describe the kind of society that we found after the exile and the fact that they were obsessed with their “borders”:

When they returned, they had to become integrated with a group who claimed the same religious heritage, but had not undergone the profound ideological and sociological transformation as the group that had survived the Babylonian exile.

She then discusses the references in the Priestly Laws under four groups namely (1991: 120):

- a. laws which juxtapose the alien and the poor;
- b. laws in which the alien is considered along with the temporary resident;
- c. laws which set the alien alongside the native of the land; and
- d. laws which treat the alien as equal with the native or the Israelite.

Of these categories only b. is specifically referring to examples in Leviticus 25, while a. refers to examples like those in Leviticus 19 and 23. Examples of d. are also plenty

in Leviticus, or one should actually say in the Holiness Code, because apart from chapter 16 the word *גֵּר* does not feature in the part of Leviticus that precedes the Holiness Code. C. refers to examples that we do not find in Leviticus and therefore I will only treat the other three (b., a. and d.).

Examples of a. include those in Leviticus 19:10 and 23:22. She concludes that the *גֵּרִים*, which we meet here are similar to those that were found in Deuteronomic law, in the sense that the *גֵּרִים* “are defined in socioeconomic terms” (Van Houten 1991: 124). But she continues that “the manner in which the Israelite is approached, and the motivation³⁰ for obedience are quite distinct.”³¹

With regards to b., Van Houten (1991: 125) maintains that the combination of *גֵּר* and *תּוֹשֵׁב* is not to be found in either the Covenant Code or the Deuteronomic laws and in terms of legal texts are thus unique to the Priestly legislation.³² In most of the other cases (like 1 Chr 29:15, Ps 39:13 and Gen 23:4) it is clear (to Van Houten at least) that these terms mean the same thing, but she does not necessarily want to accept that they have the same meaning in the Priestly Code. The first obstacle in the way of understanding the two as similar is the fact that we find three cases (according to her Ex 12: 43-47; Lev 22: 10-13 and 25:6) where the *שְׂכִיר* and the *תּוֹשֵׁב* are mentioned together with regards to eating holy food. In these cases there does not seem to be much of a difference between them.³³ She continues (1991: 126-127) to make the interesting point that these laws arose because all these people were members of the household and that it would not have been a problem if the *שְׂכִיר* and *תּוֹשֵׁב* would have eaten apart from the land-owners. When she then (Van Houten

³⁰ What she means by “motivation” is the “I am the Lord your God” phrase that we find 16 times in Leviticus 19 and two times in Leviticus 23. Van Houten (1991: 124) argues that the “Israelites are motivated to obey the laws in Leviticus not because they understand the reason for the law, nor out of gratitude, but because the law derives from the Lord, their God. This phrase is an appeal to authority.” She continues to describe the kind of society in which she thinks this kind of motivation might have been successful (1991: 124):

This type of motivation is more at home in an authoritarian, hierarchical community than in an egalitarian, democratic one. It is such a community, and such a world, that we meet in these laws. People as well as animals are hierarchically ordered. The order is based on purity and holiness as defined by these laws. The priest is the most holy, and can come the closest to God, while the infirm, the foreign and the female are furthest from God.

³¹ She rejects the idea though that Leviticus was written as a response to Deuteronomy (Van Houten 1991: 122).

³² According to Van Houten (1991: 125) we do find fourteen examples of this word in the Hebrew Bible. These include, Genesis 23:4; Exodus 12:24; Leviticus 22:10; 25:6, 23, 35, 40, 45, 47; Numbers 35:15; 1 Kings 17:1; 1 Chronicles 29:15; Psalms 39:13.

³³ Van Houten (1991: 125-126) then makes a strange comment stating that “in none of these laws is the alien mentioned along with other dependent people, i.e. slaves, maidservants, manservants, daughters.” I can understand that this is applicable to the first two examples where the *גֵּר* is not mentioned, but in Leviticus 25:6 (as in v. 44) we find reference to *תּוֹשֵׁב* *הַגֵּר*, thus the *תּוֹשֵׁב* who is “sojourning” (participle of *גָּר*). Van Houten does not mention this and I do not think that 25:6 belongs with the other examples, it is in any case not about “holy eating”, but about sharing the whole harvest amongst everyone.

1991: 127-131) focuses on the Jubilee laws she dates this text to the post-exilic period (Van Houten 1991: 128):

These laws are best explained as justifying the re-appropriation of the land of Judah by the returning exile in the early years of the restoration.

She continues (Van Houten 1991: 128-129) to argue that the terms *גֵּר*, *תּוֹשָׁב* and *שְׂכִיר* are used “interchangeable” in texts like vv. 35, 40, 44 and how the Israelites are contrasted with these groups as having special status based on the deliverance from Egypt. She makes it clear that these texts were written from the vantage point of the “Israelites”, which does not want to acknowledge that the *גֵּר* is on par with them, although it is obvious that they were permanent residents. Then she continues (1991: 129-130):

The law envisions the alien as economically secure, even wealthy, and in the land for several generations. If the Jubilee laws are set in the historical context of the restoration community, then it is possible that the aliens are the Judeans who remained in the land, and were not considered true Israelites by the returnees.

Eventually Van Houten (1991: 130) does conclude that the term *גֵּר*, *תּוֹשָׁב* and *שְׂכִיר* are used “more or less synonymous.” But let us turn now to the relation between the *גֵּר* and the *אֲזָרָה*.³⁴

The examples of d., where the *גֵּר* and the *אֲזָרָה* occur together, are plenty,³⁵ especially in Leviticus, although none in chapter 25. Despite this fact her discussion on the *אֲזָרָה* is important because it provides further support for her dating of P. Of the 17 occurrences in the OT only three (Ez 47:22, Josh 8:33 and Ps 37:35) are not in P. For van Houten (1991: 139) the term *אֲזָרָה* in P should be linked to “P’s notion of the sanctity of the land”, or as she puts it:

It is the belief in the land as a holy place, a land set apart for God, which would lead to the designation of the Israelites as natives, i.e. drawing attention to their relationship to the land.

Van Houten (1991: 139) also argues that the land is personalised, for instance, it “vomits out” (Lev 18) and that this “metaphor is part of a warning which makes it clear that all in the land are responsible for keeping the land pure.” This theology of the land plays a further important role in the blessing and curses of Leviticus 26 where it is specifically the land (along with the covenant) that is remembered. She concludes her discussion of *אֲזָרָה* and the *אֲרָץ* as follows (Van Houten 1991: 140):

³⁴ We do not need to discuss “the Alien and the Native of the Land” (Van Houten 1991: 131-138) since all the examples are limited to Exodus and Numbers.

³⁵ According to Van Houten (1991: 138) these include, Leviticus 16:29; 17:8, 10, 12, 13, 15; 18:26; 19:33, 34; 20:2; 22:18; 24:16, 22; Num 15:14, 15, 16, 26, 29, 30; 19:10.

These two things—hope for the future based on God’s remembering the land, and the nature of these laws as a charter for the returning exiles in order to prevent them from repeating history—explain the prominence of the land theology, and the concomitant designation of God’s people as natives.

The returnees thus stake their claim to the land by presenting themselves as the real owners and the real “locals” although they actually come from the outside!

We do not have to pay attention to her discussion of the individual occurrences of אֲזָרָה in the rest of Leviticus (16:29; 18:26; 19:33, 34; 20:2; 22:18; 24: 16, 22 and 17:8, 10, 12, 13, 15), but could settle for her summary on the identity of the Alien in the Post-Exilic Community (Van Houten 1991: 151-155). She argues (1999: 152) further that the Israelites who went into exile remained Israelites and considered themselves to be the true Israelites. *They* called themselves the אֲזָרָה and they disregarded “the people who would have been living in Palestine during the time of the exile.” In this sense Van Houten already anticipated a debate that would shortly follow in the academic guild about the “emptiness of the land” during exile (which we already discussed above) and the fact that the remaining inhabitants were “invisible.” In her reconstruction we thus have the אֲזָרָה or Israelites who came back from exile and who came into conflict with those that had stayed behind. These people who stayed behind probably also regarded themselves as Israelites and they also wanted to worship and therefore the many laws that also regulate how the גֵּרִים are to worship. Yet the returnees always regarded the ones that stayed behind as the “others” and therefore they were called גֵּרִים and in chapter 25 also תושבים and שְׂכִיר. Van Houten thus reaches the opposite conclusion as Bultmann who thinks that the גֵּרִים were non-Israelites.

I would think that the biggest difference between these two is that Bultmann sticks to more traditional historical criticism (especially source-criticism) whereas Van Houten uses the sociological insights generated by the study of Smith (1989). The end-result is a different kind of criticism that they direct at the text. Bultmann channels his criticism into *Literarkritik* looking for different layers and making different semantic constructions of this word in each layer, but still he takes the text fairly seriously. If the text says “Israelites” then he accepts that the authors viewed themselves as such and the גֵּרִים as not. This is where the “sociological-sensitivities” that Van Houten has gained help her to state a further question and that is whether it might not have been possible that the גֵּרִים actually viewed themselves as Israelites as well? The text thus portrays them as non-Israelite, but she is suspicious of what the text claims and directs her criticism against the text. In Carrollian terms, Bultmann partakes in the silencing of the “invisible” people who stayed behind, while Van Houten succeeds in

giving them some kind of voice. Bultmann “falls” for the ideology of these authors, while Van Houten does not and uncovers some distortion.

I would like to return to the question that I left unanswered when I discussed chapter 24. The main question was what kind of rhetorical effect would a story about a blaspheming half-Israelite have who by implication is a גֵר? If Smith(-Christopher) and Van Houten are correct that the main source of the conflict in the post-exilic society was between those that returned and those that never went away what might the objective of such a story have been? I would venture that if this story were told in a context where there was a struggle for land and power between the returned Elite and those that stayed behind (i.e. the גֵר), then the effect of the story would have been to present the גֵר as a danger in society. It creates an image of a גֵר as a person who is inclined to curse YHWH, as a person who is inclined to threaten the “cultic bliss” of the post-exilic society. Above (see 5.4.4) I described the kind of “stability” or “orderliness” that returned to Leviticus after the previous disastrous event in chapter 10. But why is this “bliss” disturbed by a half-Israelite? If the story simply wanted to say that neither אֲזַרְחָה, nor גֵר should curse YHWH, why could the blasphemer not have been an אֲזַרְחָה? Why did the culprit have to be a גֵר? Could the story not have been told with an אֲזַרְחָה doing the cursing? The authors could still have added afterwards that this penalty against cursing will be applicable to the גֵר as well.

In Leviticus 25 some of the גֵרִים (excluding the rich גֵר) end up as a slaves of the addressees. In chapter 24 the גֵר in the story ends up dead. I would thus argue that the objective of this story was to remind the returned Elite that those that were not regarded as belonging to their group were a threat to them. This opened the way for exploitation and that did follow in the next chapter.

6.6 Conclusion

It should be clear by now why I regard the Second Temple Period as the most probable rhetorical context of Leviticus 25 and the rest of the Holiness Code. I started by summing up the main arguments of scholars who date Leviticus 25 to this period. It seems that the majority of OT scholars would share this view and my own analyses of these texts did not offer anything against these arguments, to the contrary. Apart from the 50 years issue,³⁶ I think that the strongest indication of a

³⁶ A further example of a scholar who uses the 50 year period as an indication of a post-exilic dating is Gottwald (1999: 36-37) who imagines the following circumstances in which the Jubilee might have been proposed:

The extension of the seven-year sabbatical to 49/50 years by a priestly party vying for leadership in restored Judah could have offered an attractive fresh start. It proposes a “clean slate” to sweep away past economic and political encumbrances on land. It would be attractive for returning exiles whose land had fallen into other hands in their absence. It would also promise to honour the just claims of those remaining in the land who had fallen prey to Samaritan, Babylonian or other non-Yehudite

post-exilic dating is the interest of chapters 25 and 26 with land, gaining land, returning to land and losing land. I can only deduct that this text was born amongst people who lost that land, who returned to it and who were scared of losing it again. This also made me reject any attempts to date this text in the pre-exilic period.

My depiction of the society of the Second Temple Period drew immensely from the work of Smith-Christopher and the ultimate aim of that part was to point out that the main source of conflict in the Second Temple Period was the fact that some experienced exile and others did not. When the former then came back they were different from the others. This led us to the “myth of the empty land”, because it was in the interest of this returning or returned Elite to present the land in their absence as empty. It was in their interest to make the people that were probably leading a normal life in the land in their absence invisible. That at least might have made their attempt to repossess the land easier to accomplish. This failure to present the others or to acknowledge their presence, is ideology, distorting ideology.

I then revisited the issue of the גֵּר in the Holiness Code and I fortified my previous definition of the גֵּר being those that do not have any legal claim to the land, not at least in the eyes of the authors. Now I would argue along with Van Houten that the גֵּר were those that were left behind in the land and that is of course why they were not regarded as legitimate claimants to the land. They were not in exile and they did not share the special (or “right” as Dietrich argued) relationship with YHWH. Therefore they were not the legal possessors of the land. I thus identified the “invisible people” of Leviticus 26 with the landless גֵּר (and תּוֹשָׁב and שְׂכִיר) of Leviticus 25. I also contrasted the way in which Bultmann read the text with that of Van Houten. Both of them addressed criticism at the text, or were suspicious of some aspect of the text. Yet Van Houten’s suspicion was different in the sense that it attempted to speak on behalf of those voices that were silent and it did not fall for the ideology of the authors.

The addressees identified throughout Leviticus 25 and surrounding texts were thus the returned Elite in the post-Exilic period. They apparently came with money and political support from the Persian authorities and they came to repossess the land. They were the true Israel, in their own eyes at least, whom YHWH has delivered from Egypt (i.e. Babylon). Whether they actually did acquire the land is another story, but

creditors or expropriators. ... The 50 years between the fall of Jerusalem in 587 and the edict of Cyrus in 538 could have been the historical impetus to begin the jubilee programme with all possible speed following the restoration of Judah.

Gottwald includes a possibility here that I have actually excluded in this chapter. For him the Jubilee might also have been beneficial to those who were left in the land and not only to the returnees. My argument in this chapter actually steered away from that possibility, because I constructed one of the most important dividing lines in the post-exilic world as running between the exiles and those that stayed behind.

they wanted to and they understood themselves as having a legal claim to the land. The fact that some of the אֲרָמִים were rich (25:47-55) and were possessors of land and the fact that some of the addressees apparently became poor and lost their land suggest that everything did not happen as the returnees hoped it would. This I think was what Carroll meant when he said that “texts substitute for political action where serious political power is absent” (1992: 79).

Reading Leviticus 25 (and surrounds) in this rhetorical context radically changes the image of the text. Suddenly the text becomes a political tool in the hands of a returning elite who wanted their “original” land back. They regarded themselves as the legal owners of the land, but still when I describe it like this, then most modern readers would probably experience some discomfort. The text claims that the original state of affairs should be restored, but is this justice? Was the original distribution of land just? This I think is where some of our discomfort originates. We then realise that any claim that the original was better should compel us to ask a counter question namely, whose “original” is that? We should remind ourselves that the old saying of the “victors writing history” is not that far off the mark. For the returning Elite who apparently had the blessings of the Persian Empire, their “original” was an original where only they previously possessed the land. This is one issue that I will engage with in the text chapter.

But there is another related issue at which I already hinted above when I said that Smith-Christopher’s work tended to be sympathetic towards those who went into exile, in other words, the elite that lost everything. He is very successful at describing the suffering that this groups might have experienced and he is very clear that the strategies they develop to survive is a result of this terrible experience. They are thus portrayed as victims and he argues that we should not “judge” them when he discusses the issue of mixed marriages in Ezra 9-10,³⁷ because they were still

³⁷ See especially the following quote by him where he refers to the way that commentators have treated the incidents in Ezra 9-10 and Nehemiah 13 (Smith-Christopher 1996: 122-123):

In dealing with this episode in the Persian period, contemporary commentators are frequently unsettled from typical “scholarly reserves” when they approach these events—note Williamson’s view that “The treatment described in these two chapters of how Ezra tackled the problem of mixed marriages is among the least attractive parts of Ezra-Nehemiah, if not the whole Old Testament,” and David Clines’ view that he is “appalled by the personal misery brought into so many families by the compulsory divorce of foreign wives [and] outraged at Ezra’s insistence on racial purity, so uncongenial to modern liberal thoughts.”

In favour of Williamson and Clines I would at least say that they did not make the “ethical fault” that Clines (1995) warned against in a later publication. They are honest in the sense that they evaluate the biblical text in terms of modern values. Smith-Christopher’s response to them then shows why he remains sympathetic to this group (Smith-Christopher 1996: 123):

I have previously [i.e. Smith-Christopher 1994 - EEM] suggested that approaching these events from a sociology of a threatened minority may shed considerably different light on these actions—by considering such actions as attempts to preserve identity and culture, etc.

Smith-Christopher thus helps us to understand at least where these strategies came from, but still he continues to view them as victims, while I do not think that they were that anymore.

applying the strategies that they developed when they were victims. I would argue that it is because he understands this group as victims that he consistently stays sympathetic to them, even when the returnees start doing things that modern readers find offensive. His sympathies stay with this group, because from the start he has portrayed them as victims who needed to survive.

The sympathies of Carroll and other scholars like Barstad, Blenkinsopp, and even Van Houten seemed to lie more with the people that stayed in the land. They were the victims in these portrayals and the exiles and returnees were the culprits who wanted to force their ideologies onto those that stayed behind. Were the exiles thus initial victims who turned into eventual culprits? Did their struggle for survival change into a struggle to occupy or conquer? We have thus returned to the issue of being both a culprit and a victim and this will also be explored in the next chapter.

The point is just that reading Leviticus 25 in this socio-historical context radically changes the liberating image that this text has. The strangest thing about the way in which Leviticus 25 was portrayed in the Jubilee 2000 movement, is the fact that by presenting the text as liberating it actually bought the ideology of the authors. By presenting the text as a liberating text that spoke on behalf of the voiceless in our modern world it participated in the ideology of the authors and it participated in silencing the ancient voices. Along with the authors of this text, it deemed the people who stayed behind in the land as invisible and it participated in their oppression.

Would it be ethically responsible to attempt to give a voice to the voiceless today, while at the same time silencing many ancient voices? Would it be a price worth paying to support the legitimate claims of many modern suffering people and at the same time ignore the legitimate claims of many ancient suffering people? We are thus in a situation where the first two objectives that I identified in chapter 2 (see 2.6) are competing with each other.

CHAPTER 7

THEOLOGICAL-ETHICAL OBSERVATIONS

7.1 Introduction

In the previous chapter we attempted to construct a possible historical context in which the Jubilee laws could make sense. Or, it would be better to regard it as an attempt to construct a rhetorical context in which the rhetorical strategies identified in previous chapters would have been at its most persuasive. These persuasive strategies could also be called “traces of ideology” in the sense that it gave us glimpses of how the authors understood themselves and how they understood their possible target audience. It gave us glimpses into their world-view, of who they thought they were, of where they came from and of how they understood their relation towards YHWH, the land and “others.” These “others” were mostly those that did not *in their eyes* have this relation with YHWH and with the land.

I have already described these relations between the addressees and YHWH, but I need to treat that in more detail now *and* I need to ask what this might mean for us? What implications does this have for us today in (South) Africa and are these implications “good” and “liberating”? Or, could they be a threat to the very liberation that we strive for in our society? This we said was part of the critical task of a biblical critic, to make a value-judgement, or to put it more plainly, to say whether we like it or not.

Towards the end of the previous chapter I attempted to clarify the issues a bit more. These are the issues that I think we need to address before we attempt to ask how the God of Leviticus 25 and surrounding texts is portrayed and what implications this might have for us. As I said above, we are actually confronted with some kind of paradox, since if we use this text to provide a voice for the poor and the vulnerable in our modern-day, then we partake in the silencing of many ancient voices. We thus experience a tension between the modern voiceless and the ancient voiceless. This is just one problem. Another problem that I identified was the way in which we view the different groups in the biblical texts and how we decide on where our sympathies should be. I argued that this is closely related to whether we portray a particular group as victims or as culprits.

Under the next sub-heading I will explore these issues further, before I specifically engage with the way in which “God” is portrayed in Leviticus 25 and surrounding texts. The first (and larger) part of this chapter will thus have a much more “negative” feel to it, in the sense that I continue to problematise these different aspects. Even the portrayals of JHWH are problematised as having exploitive potential. This is in a

sense where an ideological-critical approach brings one. Yet above (see 2.6 above) I said that eventually I would want to go beyond this ideological-critical reading and look for the “unlocked potential” in the biblical text. I will eventually reach that point at the end of this chapter under the last heading, but it is a slow process and it does not come easy, especially not after exposing so many dark sides to the text.

7.2 Important issues

What follows are three important issues that I think we need to clarify before we can say anything about the relevance and meaning of Leviticus 25 in our current context.

7.2.1 Whose original?

Walter Houston (2001: 42-45) identifies five “key values” that guide the “whole system” on which Leviticus 25 is based. His first key value has to do with idealising the past as “perfect” (Houston 2001: 42-43):

The proper ordering of society is to be found in the past. In this belief Leviticus is at one with the ancient Near East generally; but it expresses the idea in a way distinctive of the Old Testament. When the Israelites entered Canaan, they received just allocations of land; but the misfortunes of some and the advantage taken of them by other have led inevitably to the loss of this *original just ordering*. The task of the lawgiver is to ensure that this *original justice* is restored. ... It is not necessary to this belief that the old just order should really have existed, needless to say. [italics mine - EEM]

I think that he is correct that this chapter expresses some kind of desire to return to the past when everything was apparently far better and when society was regarded as just. The predominance of the root **שׁוּב** supports that assessment. In order to return there has to be something in the past, some previous more desirable state of affairs to which one can return. Yet it is especially Houston’s last sentence that is interesting where he acknowledges that it is not necessarily so that this old order ever really existed. Apart from that problem, I think that one could add a further ethical problem and that is that this original order might not have been that just in the first place. The portrayal of this past as just thus means that the portrayal is in the interest of some part of society. Once again the words ideology and also distortion come to mind. The previous just order to which the returning exiles want to return is to a state-of-affairs where they owned the land. It is thus their original and not necessarily an original that ever really existed. It is an original that they would want to create in the light of their views of their own claims to the land.

Two very good examples of scholars who have mentioned this issue are Kessler (1999) and Crüsemann & Crüsemann (2000). Both articles are attempts to support the ideas of the Jubilee 2000 movement and the writing off of debt in the Third World by means of referring to biblical traditions like Leviticus 25. Yet, despite the fact that

both mostly portray the text as liberating and thus as supporting the writing off of debt and supporting the poorest of this world, they both mention the possibility that the text might not have been so liberating and might have had other objectives. Both (Kessler 1999: 26 and Crüsemann & Crüsemann 2000: 22) argue that the text is about returning the possession of the land to a previous state of affairs, but warn that this can only be just if this previous state of affairs was just. Kessler (1999: 26) also points out that the time period of the exile was close enough to 50 years:

Es spricht einiges dafür, daß diese Grundbesitzer nach der Möglichkeit der Rückkehr aus dem babylonischen Exil von 538 v.Chr. an – das sind ziemlich genau fünfzig Jahre nach besagter Landreform! – gerade unter Berufung auf das Jubeljahrgesetz ihren alten Besitz zurückverlangen.

Eine restitution in integrum kann dazu führen, daß geschehenes Unrecht wieder gutgemacht wird. Sie kann aber auch zu neuem Unrecht führen, wenn die Verhältnisse, die wiederhergestellt werden sollen, selbst nicht gerecht waren. Die Geschichte des Grund- und Hausbesitzes in der ehemaligen DDR nach deren Eingliederung in die Bundesrepublik Deutschland liefert dafür Beispiele in Fülle.

Crüsemann & Crüsemann (2000: 22) argue similarly that this kind of restitution can only be just if a “just” original did indeed exist:

Und wenn nach 50 Jahren alle auf ihren ehemaligen Grundbesitz zurückkehren dürfen, ist das nur gerecht, wenn die Landverteilung und mit ihr die gesamte Gesellschaft vorher gerecht war, und alle z.B. gleichen Anteil am Land besaßen.

As with Kessler it seems that their experience of the incorporation of the DDR has sensitised them to ask the question of whether “that ever was the case” (Crüsemann & Crüsemann 2000: 22):

Aber wann war das jemals der Fall? Wir haben ja etwas durchaus Vergleichbares real erlebt, als nach dem Zusammenbruch der DDR alte Besitzverhältnisse wiederhergestellt wurde, – ohne zu fragen, ob denn diese ihrerseits gerecht und rechtmäßig zustande gekommen waren.

They then also argue (as I did in the previous chapter) that the fifty-year period points to the possible situation at the end of the exile (Crüsemann & Crüsemann 2000: 22):

Vieles spricht dafür, dass diese Vorstellung einer Wiederherstellung nach einem halben Jahrhundert speziell für die Probleme konzipiert wurde, die sich mit dem Exilsende und der Rückkehr von Teilen der ehemaligen Oberschicht stellten, zumal es keine Hinweise auf ältere Traditionen gibt. Hier war ja zu entscheiden, wem denn nun welches Land gehört (vgl. Dietrich).¹ Die alte prophetische Kritik an den Großgrundbesitzern und dem Zustandekommen ihres Besitzes wäre dabei in Rechnung zu ziehen.

¹ The essay that they refer to is that of Dietrich 1997, to which I referred to towards the end of 6.2 above.

Both of them thus draw from their experience and evaluation of the *Wiedervereinigung* in Germany. What apparently² happened was that after reunification West Germans who previously owned land and houses in the East claimed back that property. They previously were the legal owners of that land, but the East German people who inhabited the land in the mean time actually bought it from the government of the DDR. They thus also claimed that they legally bought it and had a legal claim to it. To complicate matters further was the fact that the West Germans were usually well off and the East German fairly poor. Yet the West Germans often took back their previous land and houses renovated it (to increase the value) and then rented it again to the East Germans at rates that the latter could not afford. This “restitution” was thus a classic example of making the rich richer and the poor poorer and that probably made many Germans wonder whether this was really justice. It is this discrepancy that both Kessler and the Crüsemanns refer to. The basic question that this leads to is whether the original was just in the first place. Was it really fair for these original land-owners to have owned so much land in the first place?

That is the ultimate question that we need to address when it comes to Leviticus 25. If we are correct that this is a text of the returning Elite who wanted back what they previously owned, then are we really convinced that that was a just state-of-affairs in the first place? The Crüsemanns argue that we should take the prophetic critique into account that that was most definitely not the case and one could add a text like 1 Kings 21, to name just one. It then means that the “original” that this text wants to return to is the “original” of the Exiles, who understood themselves as the only legal claimants of the land. All the other people who were in the land when they were absent were, after all, invisible to them. If I put it like this then it sounds again like the rich getting richer and poor being returned to a previous state of poverty.

It is thus the old question of who had what land first? This is a question that South Africans are also quite familiar with. Beinart (2001: 65) described (quoted above in 2.5.1) the kinds of moral issues that were debated after the South African war as issues like “who got there first; who invaded whose land; who ignored whose rights; to whom did the wealth and resources of the country belong?” In the South African context the answer could be answered quite clearly, depending, of course, on how far back you are willing to go. It would be simple to say that 350 years ago there were no white people in this country and that land obviously did not belong to them (or us then). But nobody is willing yet to redistribute land on such a scale, although it is happening in Zimbabwe with disastrous consequences for that country. The point

² My description of this situation is based on a discussion that I had with Prof. Rainer Kessler himself in October 2002.

that I am trying to make is how problematic a straight-forward application of this text in our context will be. To which “original” do we need to return? Even if we literally wanted to return to how land was distributed 50 years ago, then it would not help much, because then most of the land was already in the hands of white people.

The text does remind us that in a situation like this different parties with different interests will have different views of what the “original” might have been and also of what “just” might mean. This kind of discussion will eventually have to be resolved by means of criteria that simply cannot be deduced from this ancient text.

7.2.2 Siding with victims and exposing culprits

Previously (see 2.5.1) I constructed my own Afrikaner identity as oscillating between being either a victim or a culprit. The culprit part has, of course, only emerged recently from the 1990s onwards after Apartheid collapsed,³ but the victim part was very much part-and-parcel of the identity with which I grew up. This victim-ideology did entail some distortion in the sense that it camouflaged the fact that the ultimate victims in South Africa were not the Boers or the British, but the original Khoisan and black people. Part of Afrikaner identity has always been this quest for survival and the portrayal of the group as an entity that has suffered, but which has survived and will continue to struggle for survival, or that at least is how I understand “us.” It is in this light that Giliomee (2003: 447-486) names his chapter in which he describes the birth of Apartheid as “the making of a radical survival plan.” The perceived threat was not from the English anymore, but it now came from the black majority. The Afrikaners understood themselves as having survived and outlasted the English and now they were preparing themselves for the next struggle against the black majority. Giliomee (2003: 470) puts it as follows:

Afrikaner nationalists argued that their survival as a volk was inseparable from maintaining racial exclusivity, and that apartheid was the only policy that systematically pursued that end. But apartheid with its racist outcomes was not a goal in itself; political survival was.

The point is that Afrikaners were still convinced that survival was the ultimate objective. Yet from the outside things started to look different now, especially from an ethical perspective. Outsiders were not convinced that it was about survival anymore, in stead from the outside it looked like massive exploitation, although from the inside it was still perceived as a quest for survival.⁴ Here the distinction between an emic

³ By this I mean that Afrikaners were only confronted with this image after the country itself has changed. Before 1994 most were probably quite successful at ignoring it.

⁴ In this chapter of Giliomee (2003) he often mentions the role that “fear” played. When he discusses the role that the DRC played in legitimating Apartheid, he argues that despite many dissenting voices in the late 1940s, which were warning against this policy the church did not listen mainly to appease its members with their survival fears (Giliomee 2003: 464):

and an etic perspective (see discussion of Brett 1996 below) is valuable. Afrikaners, and thus from the emic perspective, did not understand what they were doing as exploitation, but rather as survival. Yet from an outside etic perspective it was not convincing anymore, because the quest for survival was happening at the cost of others and it thus turned into exploitation. But why this change, at least, when looking from the outside?

In an essay named “Interpreting ethnicity: method, hermeneutics, ethics”, Mark Brett (1996: 3-22) starts by describing the tension between a homogenising global culture and the attempts of, for instance, the Australian Aborigines to retain their identity. Brett (1996: 5) then states that he “would argue biblical critics have an ethical responsibility to address this complex web of issues. There can be no denying that the Bible has had, and continues to have, an influence on many cultures, and a specialist knowledge of this ancient library is something which carries moral and political implications—whether scholars possess particular faith commitments or not.” Like West (see 2.6 above), he acknowledges that the Bible still has powerful influence in modern day society and that we as biblical critics have an ethical responsibility to engage with these issues.

Apart from referring to the useful distinction between “emics” (the native insider point of view) and “etics” (the critical outsider point of view), Brett consistently points out that the concept of ethnicity can be viewed as both positive and negative. This is for instance clear when Brett (1996: 8) argues that “ethnic categories have been used to manipulate and to rule, but they have also been used as modes of resistance.” The former, I would think, is usually looked upon in a negative light while the latter could be understood as more positive. What I mean by that is that the former is usually seen as being “hegemonic”, of forcing a dominant culture unto people who do not have the means to resist, but the latter is usually seen as “liberation” from a dominant culture. As Brett (1996: 17) further states “ethnocentrism is only malign when it is combined with homogenizing political power.” Or, an approach of holding unto cultural identity “might be perceived as ‘racism’ in the hands of a dominating group, it is ‘resistance in the hands of a subaltern collective.’” Yet I think his most important insight is the following (Brett 1996: 20):

It is ethically important to take asymmetries of power into account. But even if we agree that ethnocentrism is only pernicious when imposed by force, and it is a different matter when it is adopted as a strategy for subaltern resistance, there

But it was these survival fears that made it difficult for the church to listen to the warnings of Oglethorpe, Keet and Marais, and for white South Africans in general to heed their conscience. Alan Paton, a devout Christian, leading liberal and author of the internationally acclaimed *Cry, the Beloved Country*, told the *New York Times* in 1949: ‘We in South Africa also have a conscience. But our fears are so great that our conscience is not so clearly apparent.’ Although Paton did not share these fears, he knew his white countrymen, of whom he was indubitably one.

are nevertheless some ethical issues remaining for subaltern collectives. ...
Dominated communities are not entirely free of ethical constraints.

Brett is not really that clear about these “ethical constraints”, but I think that he is spot-on when he says that we should take the “asymmetries of power” into account. To return to the Afrikaners, it is fairly easy to look sympathetically at them (or “us”), when they did not have the power under British rule. When they were the victims of a bigger hegemonic culture and when we, for the time being, forget that they were not the ultimate victims. Yet when they do acquire the power and when they start to exploit the black majority, then the sympathies towards them change. Now that they have gained the power, people tend to judge by a different set of rules. It is as if we have some kind image of an ideal situation where power is distributed evenly. We become uncomfortable when a specific group acquires all the power. This is probably the legacy of western democratic culture that attempts to distribute power evenly between different contenders for power.

The same, I would argue, is true of the debate with regards to the exile of Judah. We are sympathetic towards the Exiles when we understand their struggle in exile as one for survival, as Smith-Christopher’s work has showed. But when this Elite returns and when they (in my construction at least) start to force these strategies of theirs unto the majority that stayed behind, then they forfeit our ethical sympathies. If that construction were true then we will tend to side with the people that stayed behind in the land, the people that we perceive had the lessor power, the people who were the proverbial underdogs and the people who then lost their land. Why do we change sides here? Is it some kind of built-in human tendency to side with those that are regarded as underdogs? I think that the answer to this question is yes, but as to why that is so, I do not think that I could venture an answer.

What are the ethical constraints that Brett refers to? Is it not a case of “everything goes” for a powerless group that struggles against an overwhelmingly powerful regime? The problem is that the same strategies that are used to resist can later be used to oppress! For the oppressing group, from the inside at least, it all looks the same, it is still about survival. Nothing has really changed for them, yet from the outside it has become clear that powerless people are once again getting hurt.

Is it maybe because we as outsiders see more than the insiders? We at least have a view of those that suffer under this “survival strategy.” We can see that there are other people involved that are actually invisible to the in-group, since they only tend to see themselves. They only experience their own suffering, while we tend to see the suffering of the opponents. I have not really answered all the questions that I stated above, but I think that this discussion has showed again why biblical critics should play this outsider role, why we should make visible those people that the text

regards as invisible. This is our ethical responsibility and if we do not do this we might partake in the abuse and the exploitation of these invisible peoples.

7.2.3 Making the invisible visible

I would argue that it is when people who are visible to us, but invisible to the culprits, suffer that we cry “injustice” and that our “ethical sensitivities” are aroused. Could it be possible that the experience of exile or the loss of power create strategies in a group which make it difficult for them to see beyond themselves? That they cannot fathom that the others, whom they are at once exploiting and ignoring could have the same needs as they themselves have? That the others could be human just as they are human?

In one of the most disturbing chapters in Antjie Krog’s (1998: 177-190) book named “truth is a woman”, she describes the kind of violence that was aimed at women in Apartheid South Africa. She concludes this chapter by referring to a conversation she had when she was a little girl, the kind of conversation that most Afrikaners would probably be able to recall (Krog 1998: 190):

I’m visiting a friend in town, someone I have known since Sub A.⁵ In their backyard lives a maid. ‘Doesn’t she miss her children?’ I ask, thinking of the large families on the farm.

‘Maids don’t feel like other people about their children. They like to be rid of them. Anyway, Alina likes me now.’

On a previous visit. ‘Why doesn’t she have a heater?’

‘Maids don’t get cold like white people.’

The reason she stinks I already know from the farm, where water is rolled along to the houses in big drums – they don’t like washing.

Black people do not like their children and black people do not get cold, or that at least is what the little friend believes. The woman living in the backyard reminds me of the invisible people of Leviticus 26. She is not really human for the little girl, or she does not have the same needs, as the little girl would expect from “white people.” In terms of this world-view “white people” are the only “real people.” She is not visible on a “human level” and therefore she does not have the needs of other “humans.” There is a kind of blindness here that is the most normal thing for the little girl, but that we find appalling and evil. Krog (1998: 190) then continues to define how she understands a “myth”:

A myth is a unit of imagination which makes it possible for a human being to accommodate two worlds. It reconciles the contradictions of these two worlds in a workable fashion and holds open the way between them. The two worlds are the inner and the outer world.

⁵ “Sub A” refers to the first year of school now called “Grade 1.”

Myth makes it possible to live with what you cannot endure.

And if the myth has been learnt well it becomes a word – a single word that switches on the whole system of comforting delusions.

...

The function of a myth is to provide a logical model capable of overcoming a contradiction. The myth proves that things have always been like this, that things will never change.

I would understand “myth” here as a story that is part of a greater “world-view” or “ideology.” It thus functions within this greater scheme of things. I also think that she specifically chooses the word “myth” to point out that it is “not true”, in the sense that there is distortion here. This is similar to Carroll’s use of the word myth in his “myth of the empty land.”⁶ There is a discrepancy here between a little girl that wants to know why the maid does not have the needs of other human beings and another little girl who believes that she is not really “human” and therefore does not have these needs. Just as there is a discrepancy between a text that portrays a land as empty, while other texts point to a land where people were continuing their lives as before.

Could we not argue that the myth that “YHWH delivered us from Egypt” could have functioned similarly, drawing a line between “us” and “them”? It was used to remove the discrepancy between the fact that the returnees claimed the land as their own, but that other people that were there already claimed the same. Or, the discrepancy between the returnees believing that they had a special relationship with YHWH, while others in the land claimed the same. It might be useful now to ask who this YHWH was, or how he was portrayed in this text?

7.3 The God of Leviticus 25 and surrounding texts

I have consistently argued above that Leviticus 25 and surrounding texts are especially interested in the relationship between YHWH, the land and the addressees. I need to summarise the remarks that I have made above in order to understand how YHWH is portrayed and I would ultimately argue, “used” in this text. I will start by focusing on these two relationships separately. From these two discussions two different portrayals of God emerge. He is presented as both the ultimate “land-possessor” and the ultimate “slave-owner.” I use these two images specifically to make the modern reader uncomfortable with these representations. This discomfort becomes especially clear when people start to argue that we should use a model like the “imitation of God” as a modern ethical model.

⁶ See especially Dyck’s (2000: 110) fifth definition of ideology:

... ideas and beliefs which help to legitimate the interests of a ruling group or class specifically by distortion and dissimulation;

This “myth” or story is thus part of a greater system of beliefs that distorts reality in order to justify why the ruling group has all the power.

7.3.1 YHWH, the great land-possessor

As I pointed out above (see 6.2), when YHWH is introduced for the first time in the Holiness Code (Lev 18:2-5), it is clear that he has a close relationship with the land. Leviticus 18:3 immediately introduces a contrast between the land of Egypt and the land of Canaan. Both lands are used as an example of what the addressees should *not* do. They are portrayed as having lived in Egypt and as being brought to Canaan by YHWH (v 3). Later in the chapter (vv. 24-29) it is clear that YHWH has a very close and intimate relationship with Canaan. In v. 24 YHWH is the one who was actually “casting out” the גֵּרִים before the addressees. Verse 25 provides a further explanation of why this happened. The land became defiled, then YHWH “visited” or “judged” the land and it spitted out the inhabitants. YHWH is thus portrayed as having *power* over the land (i.e. Canaan) that allows him to decide who will live there and who will not. He is presented in this fashion in the parenetic frame of Leviticus 18 that surrounds the sexual taboos in that chapter. The same can be said of the parenetic text at the end of chapter 20 (vv. 22-27). Once again YHWH is closely associated with the “vomiting” or “spitting” land. In v. 24 we find the first example of YHWH openly stating that he will give (נָתַן) the land to the addressees (וַאֲנִי אֶתְנֶנָּה לָכֶם לְרִשְׁתָּהּ אֶתֶּה אֶרֶץ זָבַת חֶלֶב וּדְבַשׁ). The land is also called the land of “milk and honey”, but the most important thing about this portrayal is that the land is YHWH’s to give.

As we said before, the issue of land disappears in chapters 21-22, but then in 23:10 we have the clause, כִּי תִבְאוּ אֶל־הָאָרֶץ אֲשֶׁר אֲנִי נֹתֵן לָכֶם which later returns in 25:2. Once again the land is YHWH’s to give. This is ultimately claimed in 25:23 when it is motivated why land should not be sold permanently, כִּי־לִי הָאָרֶץ. YHWH is thus presented as the one who has the power to give the land and ultimately to take it away.⁷ In chapters 18 and 20 it is quite clear that he was the chief instigator behind the land vomiting out its previous inhabitants. It thus seems as if part of YHWH’s “job description” entails to find suitable inhabitants for the land. He is the ultimate landlord and if the tenants do not shape up, then he simply gets rid of them. This was how we

⁷ I do not altogether agree with the argument by Kessler (1996: 214-232) that 25:23 does not really refer to YHWH possessing the land, but rather to YHWH’s responsibility for the fertility of the land. I agree that YHWH’s relationship to the land includes this maintenance of its fertility. Texts like 25:18-19 and especially 26:2-13 support that notion and Kessler (1996: 217-220) does well to describe this. Kessler (1996: 217) also argues that YHWH gave (נָתַן) the land to the Israelites without any property reservation (“Eigentumsvorbehalt”). In this regard I differ from him and I would argue that in the light of how the relationship between YHWH, land and addressees is portrayed in Leviticus 25 and surrounds, that it is clear that the relationship between YHWH and the land is much more permanent than that of the addressees with the land. Yet I do agree with him that this is probably a post-exilic development (see Kessler 1996: 220). It is the response of people who have already lost the land and we should keep in mind that Kessler’s main argument is an attempt to counter claims that YHWH was perceived as the ultimate land-owner in *pre-exilic Judah*.

read 25:23 and the point was that the relationship between YHWH and the land was much more intimate and certain than that of YHWH and the addressees.

Leviticus 26 is also very clear about how quickly things can change for the inhabitants of the land. It is clear that the land can rapidly change from a sustaining place to a rejecting place. Once again YHWH is the chief instigator in both, he has the power to make the land into a sustaining place and he has the power to make the land turn on its inhabitants. He also has the power to make the land “desolate”, although we saw that that was a rather distorted picture (see 6.4). When he remembers the land in 26:42 we are reminded of this landlord image again, of YHWH playing the role of somebody whose responsibility includes finding suitable tenants for the land. As if he remembers that the land has been lying empty and that the land should actually have inhabitants, for its own sake, it seems.

If I present YHWH as the ultimate land-possessor then there does not seem to be anything offensive about it. Our world could do with this kind of respect for the land, of being reminded that the land does not really belong to human beings. This kind of respect is needed today, especially in the light of our threatening ecological crisis. Above I referred to Dietrich (1997: 376) who argued that this claim might actually have functioned in order to solve the tension in the post-exilic community with regards to land-ownership. He thought that it helped to relativise the competing claims of the different landowners (Dietrich 1997: 376):

Die Größe der Maxime von Lev 25,23 liegt darin, daß in ihr solche Besitztitel nicht der anderen Seite ab- und der eigenen zugesprochen, daß sie vielmehr insgesamt relativiert und der Beziehung zu Gott untergeordnet werden.

This might have helped in the sense that it reminded everybody that the land was not theirs to give, but YHWH's. This also sounds rather liberating, but then Dietrich adds, “it is subordinated to the relationship to God.” Thus only those people who are in the proper relationship to God will have any claims. So, they could not “give” the land away, but they could receive the land. Yet now the question becomes what this “proper relationship” might have entailed and who decides who has this relationship with YHWH? Who decides who actually is a גֵר or a תושב or even an עֶבֶד of YHWH? If I were to understand myself as being either an עֶבֶד or a גֵר of YHWH, then it would entail that I were to have access to the accompanying “perks.” The main benefit here will then be access to land.

7.3.2 YHWH, the great slave-owner

YHWH is also from 18:2 onwards presented as the liberator from Egypt. Whereas he owns Canaan, he apparently does not own Egypt, but he brought the addressees from there and therefore he owns the addressees. In 18:2 it is implied that YHWH

brought the addressees from Egypt, but the first time that it is clearly stated is in 19:36, where we find the following phrase, אֲנִי יְהוָה אֱלֹהֵיכֶם אֲשֶׁר-הוֹצֵאתִי אֶתְכֶם מֵאֶרֶץ מִצְרַיִם, which is thereafter often repeated (22:33; 23:43; 25:38, 42, 55; 26: 13 and 45). Most of these are similarly constructed with an אֲשֶׁר as here, but the two examples in 22:33 and 23:43 are somewhat different. The former uses a participle to refer to YHWH and the latter an infinitive to refer to the time when YHWH brought the Israelites from Egypt and let them stay in huts. These references to deliverance from Egypt then reaches some kind of climax towards the end of the Holiness Code in chapters 25 and 26. In chapter 25 the latter two examples (vv. 42 and 55) both refer to the Israelites in the third person and call them the slaves of YHWH.

This is thus an image for YHWH that one finds in Leviticus 25. He is the big slave-owner, but the slaves are only those that he brought from Egypt. These are then the Israelites, but the interesting thing here is that liberation is expressed by means of slavery. To be liberated means to be a slave of YHWH. Leviticus 25 cannot imagine existence without having a “master.” In a religious sense a state where somebody has no “master”, no “owner”, or no “god” is not imaginable. There is no liberation without a master, but instead liberation entails changing a bad master for a good master. “We” will thus always be slaves and it is just a question of who will be our “master.” The text then presents YHWH’s mastery as being better than that of any other master. This kind of liberation is probably strange to most modern people, since westerners often imagine themselves as being free. This might be an illusion, but still we should not too easily forget that to talk of YHWH as a “slave-master” in a world that despises slavery might not be the best of marketing strategies for the Bible and Christianity in our modern world.

Some biblical scholars have also described this image similarly, although they do not necessarily anticipate the same problem that I just did. Thus Milgrom (2001: 2226) also argues that freedom “means solely a change of masters; henceforth, the Israelites are slaves of God.” Joosten (1996: 97-98) also describes this similarly:

Through the Exodus, the Israelites were subjected to a change of master: no longer would they be slaves of the Egyptians (cf. 26:13 “I am the Lord your God, who brought you forth out of the land of Egypt, that you could not be their slaves”), but slaves of YHWH. Thus, the relationship between YHWH and the Israelites was defined in legal terms. ... Of course, the point of the whole motif is not the utter and irredeemable wretchedness of the Israelites, but their supreme and perennial dignity.

Joosten (1996: 98) continues that we should not forget that this is essentially a metaphorical expression. He also reminds us that it is stated in many places in H (i.e.

22:33, 25:38 and 26:45) that the explicit aim of YHWH's bringing them out of Egypt, was to be the God of the Israelites. He then continues (Joosten 1996: 98):

Thus we observe that the juridical aspect of the Exodus expressed by the master-slave analogy is not naive. What YHWH did to the Israelites when he led them out of Egypt may be described in legal terms on the analogy of a mighty kinsman who redeems slaves or prisoners from a foreign power. The relevance of this analogy, however, is limited to contexts where the subject matter is the social status of the Israelites.

Joosten thus warns that although we have an image of a slave-owner here, we should not get too carried away with it. This portrayal of Jahweh attempts to limit abuse amongst human beings. If your brother is the slave of YHWH, then you cannot enslave him. But would it not be possible to argue that this kind of image might be open for abuse? Especially if people start using arguments like “it is asked of the Israelite to act towards his fellow Israelite, in the same way as God acted towards him.” We are thus venturing into the debate about imitating God, or the so-called *imitatio Dei*.

7.3.3 Imitating God

Many scholars have argued with regards to Leviticus 25 that the addressees are in a sense asked to imitate God, thus to act towards their fellows as he did towards them. Milgrom (2001: 2234) argues that it is specifically applicable with regards to the first and fourth stages of poverty (i.e. vv. 25-34 and 47-55), but first he describes what he calls the “underlying theology”:

The underlying theology needs to be underscored. YHWH redeems on both a national and an individual scale. YHWH is the redeemer of the people of Israel whenever it is subjected to (i.e. enslaved by) a foreign nation. This was the case in the Egyptian bondage (Exod 6:6; 15:13; cf. Isa 63:9; Ps 106:10). And according to Second Isaiah, such will be the case in the Babylonian Exile (Isa 35:4, 9; 43:1; 44:22, 23; 48:20; 51:10; 52:3; 63:9; cf. Mic 4:10). Thus the example of divine intervention whenever any part of his land is lost (i.e., the jubilee) is to be duplicated whenever any of his people is lost (i.e., enslaved). Just as the nearest relative is obligated to redeem the land of his kinsperson sold (or forfeited) to another, so is he obligated to redeem the person of his kinsperson sold to (i.e. enslaved by) a non-Israelite.

The Israelite is thus supposed to act like YHWH has acted, by bringing either the land or the kinsperson back to where it or he belongs. YHWH has done this on two occasions, i.e. Egypt and Babylon. But as we said this “principle of *imitatio dei*” is only applicable to the first and the fourth case and thus only in those parts where the root לָקַח dominates. Although Grünwaldt (1999: 343) does not specifically use the term *imitatio dei* he has a similar understanding of the fourth case, when he argues that the verb לָקַח is taken from Exodus terminology:

... so handelt der den Verwandten loskaufende Israelit in *Entsprechung* zum Handeln YHWHs an den in Ägypten versklavten Israeliten. Aus dem hier herrschenden Geist einer Ethik der Nachahmung YHWHs erklärt es sich auch, daß für die beim Schutzbürger arbeitenden Israeliten Auslösung erlaubt, ja geboten ist, für die beim „Bruder“ in Schuld geratenen aber nicht: Die Knechtschaft, aus der YHWH befreit hat, war ja die Knechtschaft bei einem *fremden Volk*.

Just as YHWH has delivered the whole “Volk” from strangers, so the fellow Israelites should do the same and in that sense it is an imitation (“Nachahmung”) of YHWH. If the פִּקֵּן then ends up with a fellow Israelite, then the concerns of the authors have been addressed. The פִּקֵּן in trouble still has a master, but he at least is not a stranger anymore and thus a better master. Liberation or redemption is still portrayed as a change of master, a foreign master is exchanged for a kinsperson master. In Apartheid South African terminology it would have meant for a white person to have a white master instead of a black or brown one.

Another word used to express this “master-subordinate” relationship is the word “patronage.” Houston (2001: 40) is adamant that we are dealing here with patronage and he adds, “patronage is not to be despised. It is a relationship which can give great security to the client, and which unlike the tax-funded welfare state supplies a motive to the patron to act generously.” The motive that Houston identifies is that of acquiring honour in an honour-shame culture. The patron thus acts generously to acquire honour in the eyes of other members of the group. Later Houston (2001: 44-45) identifies the following metaphor which echoes what has been said above:

One can distinguish here a metaphor derived from the subject matter of the chapter, and a rhetorical aim. The metaphor is God as patron, who stands in the same relation to the people of Israel as they, or their better-off representatives, may from time to time stand towards their own impoverished brethren, except that this relationship is permanent. ... As YHWH has graciously delivered his people from slavery in Egypt and enabled them to live before him, so they are required to deliver their own kin from slavery to live with them.

All three scholars that I have mentioned have argued similarly, just as YHWH has acted towards the Israelites so they should act towards each other when they are in trouble. Just as YHWH is the ultimate land- and slave owner, or master, or patron, or whatever we want to call it, so they are to act similarly towards their fellows.

There is definitely an attractive side to this presentation, the fact that we have a responsibility to act towards our fellow human beings. We have to perpetuate the grace that God has shown towards us. But will this image of a master or patron still work in our modern world and will it not be possible to be abused by some? In what follows I will attempt to shortly explore the abusive potential of imitating God in this

sense in our modern world by once again referring to the South African context and history.

Another fascinating chapter in the Afrikaner history by Giliomee (2003: 88-129) has a title that might just as well have been the title of a chapter in a book on Leviticus 25. It is named “Masters, Slaves and Servants: The Fear of *Gelykstelling*.” The first half of the title speaks for itself, but it is difficult to find an English word for *Gelykstelling*. Giliomee tends to translate it with “social equality”. This chapter describes mostly the time at the beginning of the 19th century before slaves were set free in 1838, but it also attempts to describe the kind of relationships that existed between different racial groups in this century. The term “masters” obviously refers to the white Dutch settlers or burghers, whereas servants refer to the Khoisan people that were often living in a virtual state of slavery on white farms. The slaves were imported from other colonies, often of Malay descent. Giliomee (2003: 90-91) describes the situation as follows:

Slave-ownership was remarkably widespread among the burghers themselves, and even the status of non-owners depended on their membership of a slave-holding community. Most slaves passed from one generation in a family to the next at the owner’s death. Selling slaves out of the family occurred mostly as a result of bankruptcy. The ideology of paternalism remained intact despite the transfer of power to the British. As a Graaff-Reinet slave-owner remarked in 1826: ‘[Do] not deprive me of my paternal authority, under which both my children and slaves are happy, and which is necessary for their and my peace.’ Slave-owners could not conceive of peace in or outside the house were the paternalistic relationship to be disturbed.

I am specifically interested in this “ideology of paternalism”, which as described here presents the master as occupying a benevolent position of taking responsibility for either the Khoisan servants, or the slaves. The master thus believes that he (it always is a “he”) is doing a good thing, or as Giliomee (2003: 49) explained in an earlier chapter the “real purpose of paternalism was to justify slavery not to the slave but to the master and to boost the master’s own self-respect.” It also helped this farmer from Graaff-Reinet to boost his “self-respect” and to justify the kind of relationship that he had with his slaves. This reminds of how Krog defined a “myth” above (see 7.2.3), that it “reconciles” contradictions. It soothes the conscience of the master who eventually understands himself as doing a good thing. It is also very clear from the following quote (Giliomee 2003: 49):

The concept of a bonded extended ‘family’⁸ was emphasized by the common worship of the Lord by both masters and slaves. By the end of the eighteenth

⁸ On the previous page Giliomee (2003: 48) described the “ideology of paternalism” as follows:

The ideology of paternalism had to bear the brunt of the burden in reconciling slaves to their fate. Owners propagated the myth that slaves were members of the household and even part of the extended

century it became common practice for masters to admit their most trusted slaves and servants, usually squatting or standing against a wall, to the family prayers held every day. In the master's mind the action of inviting the slave briefly into the inner sanctum of his family demonstrated his benign and moral intent. The 'benevolence' was a counterpoint to the violence inflicted on erring servants, and it boosted the burghers' belief in themselves as Christian colonizers of the land.

It should be apparent that this "ideology of paternalism" can be very dangerous and has a fair measure of distortion to it. It camouflages the exploitation that is taking place by presenting this exploitation as something good, something Christian, even as some act of worship to God. This "ideology of paternalism" that later became "trusteeship"⁹ paved the way for Apartheid that came some centuries later.

This would be my main problem with the "imitating God" model especially if the role-model (i.e. YHWH) is presented by means of the image of a master or a slave-owner. It could lapse into a camouflaging strategy that dresses up an exploitive relationship with "pretty language." That did happen in South Africa and it became a myth that reconciled obvious contradictions in the society. I can imagine that it has happened in many places on this world and that it still can happen. I am thus rather suspicious when it comes to "imitating God", especially the God of Leviticus 25 and surrounding texts. This could be a very exploitive model.

Yet there is some difference between the way in which "patronage" is portrayed in Leviticus 25 over against the way in which it was understood in South Africa. In Leviticus 25 the addressees only have this responsibility towards fellow land-owners and not towards the different "non-Israelite" groups. In the South African context

family, consisting of the patriarch's immediate family, some brothers or sisters and their families, one or more bywoner families, Khoikhoi servants and slaves. The master called the slaves and servants his 'volk' (people). Paternalism was supposed to represent a bargain. At the most elemental level, slaves were expected to display loyalty and respect towards the master or mistress. The master class acted as if they were fathers, rewarding faithful slaves and disciplining those who had erred, as they did in the case of their children. They also cared for them, fed them properly, and nursed them when sick.

I am tempted to compare this little scenario with vv. 6-7 of Leviticus 25. Similar to these verses we do have a household or extended family here. We also have different categories of landless people namely the "slaves", the "servants" and the "bywoners." The latter is an Afrikaans word that refers to white people that became landless and also ended up under the supervision of a land-owning burgher. This word is usually used to translate the Hebrew עֲשֻׁבִּים, which is similarly translated into German as "Beisasse."

⁹ Giliomee (2003: 286) describes the different ways with which Afrikaans- and English speaking whites justified white supremacy by the late 1880s as follows:

English South African politicians and journalists drew particularly on the concept of biological hierarchy of races and on the (social) Darwinian theory of the survival of the fittest. By contrast, Afrikaans and Dutch publications seldom considered the biological concept of race. They focused on an idealized picture of paternalism, depicting the white master as caring for faithful servants, and punishing them when erred. The more modern among them sketched a world of competing organic nations, each with its own distinctive cultural heritage and needs, co-existing under aegis of white supremacy. Later both English and Dutch/Afrikaans publications fostered the idea of white 'trusteeship', under which blacks could gradually progress upwards to the levels Europeans had already reached.

This is a good example of that "ethnocentrism" that is "pernicious" as Brett (1996:20) argued above "when imposed by force".

paternalism was addressed towards the so-called “out-group”, whereas in Leviticus 25 it was aimed at the “in-group”, the $\Pi\S$ in trouble and thus the fellow addressees who had legal claims to land, but who lost it (i.e. the returned Elite in my historical construction). Their objective was to keep the group to which they belonged intact. That was their struggle for survival, a remnant of the experience of exile. It might thus be that we have two different kinds of paternalism here. In the South African context it was a “world-view” or “ideology” of which the aim was to disguise the fact that exploitation of outsiders was taking place. In Leviticus 25 exploitation of outsiders is not disguised (i.e. vv. 44-46), but this kind of paternalism seems to have the protection of the “in-group” as objective. Yet I would still want to ask whether even this patronage towards the “in-group” could not have been a case of “prettying up” an exploitive reality. We should also add that from a modern perspective the idea of having an “in-group” and an “out-group” is as such ethically problematic.

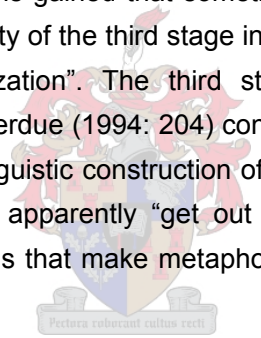
I have described these portrayals of YHWH above by means of the word “image” and I have consciously attempted to avoid the word “metaphor.” That word did eventually slip in above, because Houston used it. I would like to take a short look at this concept, which has become very technical and the danger is that one could get bogged down in a larger academic discussion. In this light Perdue (1994: 201) remarks “the effort to understand how metaphor works as an important element of language is often a slippery and elusive task.” Fortunately he does continue to describe some of the important features of a metaphor (Perdue 1994: 201-202):

Rather, a metaphor says that one thing is something else. In describing its grammatical and linguistic character, metaphor in essence interfaces two distinctly different things (tenor and vehicle) within a sentence. The tenor is the principal subject that is conveyed by a vehicle, or secondary subject. Quite often the tenor, being somewhat enigmatic, is described by a vehicle that is better known. The vehicle serves as a lens through which to observe and then to attempt to describe and define the tenor. A new insight or a point of similarity between the two is seen as being true. And in the relationship between tenor and vehicle, meaning for the sentence is constructed.

If I thus were to say that “YHWH is a slave-owner” or that “YHWH is a patron” then YHWH is the tenor and “slave-owner” or “patron” the vehicle. By means of the latter I thus attempt to describe YHWH who is the “enigmatic” party in this interface. Perdue (1994: 202) continues that intrinsic in this relationship is a tension between the “is” and the “is not.” Thus YHWH *is* a slave-master or patron, but at the same time he *is not*. Perdue (1994: 202) adds that “[w]hen this tension between the two collapses, then the metaphor dies or is transformed into something else, either absurd or sterile.” I would think that it is more-or-less here in this tension that modern people experience discomfort when I say “YHWH is slave-master.” We associate the latter

with modern images of slavery and abuse and our “is not”-part of the metaphor bothers us, probably to such an extent that we miss the “is” part. In Leviticus 25 this image actually has a liberating intent as Joosten (1996: 98) also pointed out above. The “is” part of the metaphor lies in the fact that YHWH owns the addressees, but the objective of this claim is that no other human being can own these people. The Israelites are thus portrayed as having this divine, benevolent owner, with the result that it excludes any other kind of ownership. That is the “is” part of metaphor, one small *protecting act* by a patron or slave-owner and it excludes a fairly large amount of “is not” characteristics.

Perdue (1994: 203) also discusses three stages in which a metaphor works. The first he calls “destabilization” which results in an experience of surprise or shock on the side of the hearer, because it is “blatantly false.” It is as if the “is not” parts of the metaphor strike the hearer and this also happens when modern people hear that YHWH is a slave-owner, as I said above. The second stage is then called “mimesis” which means that “[t]hrough new and even contradictory associations brought to the tenor by its vehicle, the insight is gained that something in this relationship is true.” This then opens up the possibility of the third stage in which the audience experience “transformation” and “restabilization”. The third stage also opens up liberating possibilities for the audience. Perdue (1994: 204) continues, “[a] new world has been created, all by means of the linguistic construction of reality.” Yet this is not the only possibility, but metaphors can apparently “get out of hand” and the seed of the problem lies in the very tensions that make metaphors so powerful in the first place (Perdue 1994: 204):



While it may seem ironic, these very tensions provide metaphors and the world they build with life-giving and life-sustaining energy. When tensions are removed, especially by those who wish to misshape metaphor into literal and factual definitions, metaphors either die or become distorted, inflexible, and unyielding. Thus tenor merges with vehicle, not for moments of imagination and creative reflection, but as permanent and concrete distortions. This all too frequent occurrence of linguistic dogmatism is destructive to the reality systems in which root metaphors play an important role.

I would think that this is what happens when we take the metaphor of God as slave-owner and we make this into a model of human behaviour. The danger is that all the tensions collapse and that no differences exist anymore between the “is” and the “is not” part of the metaphor. Human beings could then use everything that the vehicle has to offer as a model to imitate and it then becomes a “distorted, inflexible and unyielding” image that leads to abuse.

Thus to use two metaphors like a “land-owner” or “slave-owner” is not by itself an exploitive act. Exploitation only becomes possible when people forget that these are metaphors and turn them into models that should be imitated.

Should we thus imitate the God of Leviticus 25 and surrounding texts? We could imitate some of his actions like “liberating” people, although we will have to define what that means. But we cannot imitate him if our “factual definition” of him is a “land-owner” or “slave-owner”. That would mean to abuse the metaphoric language that is used to describe his liberating acts. And that would sound too much like using God for our own exploitive interests.

7.3.4 Whose YHWH is it anyway?

Above when I discussed the presentation of YHWH as a big landowner I referred to the argument by Dietrich that the clause כִּי־לִי הָאָרֶץ, could have been used to relativise the claims of different groups to land. Dietrich added that the claim to land is “subordinated under the relationship to God.” I then hinted at the fact that this would mean that those who understood themselves as having the proper relationship to God would have had access to the land. In v. 23 this clause is followed by another, כִּי־גֵרִים וְתוֹשְׁבִים אַתֶּם עַמִּדִי, which portrays the addressees as having a relationship with YHWH. If the land belongs to YHWH and if he is the great land-possessor then it might not be such a bad thing to be a גֵּר or תוֹשֵׁב in his household. The גֵּר and the תוֹשֵׁב would thus have access to the land, because they are usually portrayed as working for other landowners on the land. If YHWH is thus the ultimate landowner and the addressees are his גֵּרִים and תוֹשְׁבִים, then they have the land!

I am interpreting v. 23 much more positively than I did before (see especially 4.2.3 above). I would still argue that the relationship between the land and YHWH is portrayed as much more stable than the relationship between YHWH and the addressees. Yet if the addressees were גֵּרִים and תוֹשְׁבִים with YHWH, then they were still far better off than people who had *no* relation with YHWH. The land is in a better position than the addressees, but the addressees are still in a far better position than anyone else, who might want to use the land. Even if the text later refers to the Israelites as the עֲבָדִים of YHWH, it does not change anything. The addressees and the Israelites are all part of the little household of YHWH, whether they understand themselves as his גֵּר or תוֹשֵׁב or עֶבֶד, they all have a relationship with YHWH and they are thus allowed to use his land.

Thus the fact that YHWH is the ultimate land-possessor does not really relativise all the different claims to land, to the contrary, it supports the position of those who can claim that they have a special relationship with him and those that have the power to enforce this view. In chapter 6 I argued (along with many other scholars) that the

most probable group, which would have had both the power and the experience (i.e. exile) to claim this, was probably the returning or returned Elite.

This means, to put it rather crudely, that instead of describing how “YHWH is portrayed” in Leviticus 25 and surrounding texts, we should probably rather describe it as how “YHWH is used” in these texts. If the returning Elite portrayed themselves as having this special relationship with YHWH, then it would have been helpful to achieve what they wanted to achieve, which probably included getting back the land that they claimed they previously had. The question that I asked in chapter 6 was whether the *בְּנֵי* of Leviticus 25 and surrounds did not understand themselves as also worshipping and also having a relationship with YHWH? We cannot really know that, since we do not have their side of the story, but I argued that this might have been the case. The fact that so many of the laws referring to them from Leviticus 16 onwards regulate their participation in the cult, I would argue, does point in this direction. It might have been a strategy of the returned Exiles to satisfy some of the claims of the *בְּנֵי* that they were also part of Israel, but it still kept them apart and it did not acknowledge their claims to the land. It satisfied their cultic needs and kept them in that sense content, but still landless and dispossessed.

So whose YHWH was it then? If the addressees were the returned Exiles, then the text claims that YHWH “belonged” to them.

7.4 *So what about “relevance”?*

So, what do we do with this rather “dark” interpretation where people abused God to get back what they thought belonged to them?

In chapter 2 we touched on the issue that one of the biggest reproaches used against historical-critical methods was the fact that they were too interested in the asking of genetic questions. This often leads to the fact that they did not really bother with what implications the text might have in contemporary contexts (see Barton 1998b: 10-11). I also referred to Heikki Räisänen who summed up this complaint by referring to the work of Sugirtharajah (Räisänen 2000: 10):

... the “original sin of the historical-critical method” is the notion of a division of labor “between biblical scholarship and theological enterprise”; the “hermeneutical gap” between the biblical milieu and the present day is thus a problem created by this method.

Thus the problem identified seemed to be that scholars tended to spend too much time on the “biblical past” and not much on the “present day.”¹⁰ These studies were

¹⁰ Knut Holter (1998: 248-249) also thinks that Western OT scholarship runs the risk of becoming irrelevant and he argues that African OT scholarship can challenge Western OT scholarship in this regard:

I believe African OT scholars, in their emphasizing of the question of relevance, challenge their Western colleagues on a crucial point, the basic definitions of OT scholarship's what and why. And without

too “historical” and not “ethical” enough, or too antiquated and not contemporary enough. We saw that Barton (1998b: 15) thought that this was not true. Yet if one were to look at most studies done in the previous century in the German speaking world on either Leviticus¹¹ as a book or the Holiness Code¹² we find very few examples of scholars actually constructing something “theological” or engaging with the ethical implications of these texts. Most scholars were indeed content with just presenting their historical-critical results which in most cases meant simply identifying different layers and trying to date them to hypothetical historical contexts.

The only exceptions were Baentsch (1893), Bertholet (1901), Feucht (1964),¹³ Gerstenberger (1993) and now Grünwaldt (1999). There were other scholars who from time to time did venture into asking questions about “relevance”, but this was usually done in different articles or essays and not presented as the “results” of a critical monograph and most of these appeared in the nineties.¹⁴ Yet I think that this is changing now and I think that Grünwaldt (1999) is a very good example of this change, which I think is a very good thing. I will shortly use Grünwaldt as some kind of “sparring partner”, before this chapter is concluded. The main reason being the fact that he presents the relevance of the Holiness Code in a “positive light.” He does not identify the “dark sides” and “ulterior motives” that I did and it is useful to see where that leads him in order to compare it with where I ended up above, which some might say is “nowhere”.

The last part of the study by Grünwaldt (1999: 375-414) is named “Ergebnis”, where he draws his arguments together. He also dates the code and presents the theology of the code. The last subheading in this final part is named “Von der Relevanz des Gesetzes” (Grünwaldt 1999: 402-414).¹⁵ It is also here that Grünwaldt (1999: 403-404) identifies three criteria that could be used to “filter out” the out-dated laws and leave us with laws relevant for our context. These are, 1) whether they still fit into our scientific world-view (“Weltbild”) and thus an acknowledgement that these laws were

listening to these concerns, I fear that the guild of Western OT scholarship might ultimately face the danger of being of interest to nobody but itself.

¹¹ The literature on Leviticus as a whole that I looked at was the following: Baentsch (1900), Bertholet (1901), Eerdmans (1912), Heinisch (1935), Elliger (1966a), Noth (1966), Kornfeld (1983), and Gerstenberger (1993).

¹² With regards to the Holiness Code I consulted the following literature: Kornfeld (1952), Reventlow (1961), Kilian (1963), Feucht (1964), Cholewinski (1976), and Grünwaldt (1999). One should also add the two essays of Otto (1994a and 1999). Another example would be Baentsch (1893), a book that Grünwaldt (1999) refers to, but a book to which I did not have access.

¹³ Of these first three, Feucht (1964: 181-197) offered most by concluding with a chapter on the “Theologie des Heiligkeitsgesetzes.” He does not engage with the issue of “relevance” but discusses different aspects of his constructed theology like “anthropology” and “cosmology.”

¹⁴ Some good examples would include the contributions of Kessler (1999), Crüsemann & Crüsemann (2000), Otto (1994b) and Albertz (1990 and 1995).

¹⁵ It is thus noteworthy that Grünwaldt presents this theological and ethical discussion at the end of his monograph as his “results” and this makes him different from most of his German ancestors.

historically confined to a different world. Many laws like the prohibition of sowing a field with two kinds of seeds (19:19), or the mourning rituals, or the blood taboos, or the death penalty simply does not make sense any more. 2) A second criterion is that these laws were meant for a specific time (“Zeitbedingtheit”) when the world was different and one example would be the laws on sacrifices. They are simply impossible to execute, because the temple is not here anymore. 3) A third criterion is the New Testament view of these laws. Here Grünwaldt pays some attention to how these laws were re-interpreted in the Sermon on the Mount. His point is that the Sermon on the Mount does not want to replace these laws, but attempt to recover their “original sense” (Grünwaldt 1999: 405).

I would like to return to his first two criteria and I actually find it rather difficult to clearly distinguish between the two.¹⁶ They both remind us of that old distinction that Stendahl made in the 1960s (see 2.2.1 above). If we say that one of the “filtering out devices” is to ask whether the world view and understanding of humanity imbedded in the text is still compatible with ours, would there not be much more to talk about than just the death penalty, or the eating of blood (and the one or two other things that he mentions)? Grünwaldt (1999: 404) does mention the issue of human rights, but leaves it at that and one should also add that Grünwaldt (1999: 109-112) previously “solved” the slavery issue by means of *Literarkritik*.¹⁷

Grünwaldt’s idea of a “Weltbild” is, of course, far more innocent than our definition of “world-view” or “ideology” is. He apparently does not account for what Carroll called “allowance for distorting or deforming possibilities” (1996: 18). Yet I would think that most of the things that I mentioned in the previous part of this chapter should also be discussed here, along with the things that he mentions. For instance, what about the portrayal of JHWH as “slave-master”? Or the fact that liberation might mean changing a “bad” master for a “good” master? For the modern person these concepts are very foreign and we usually imagine ourselves as our own masters (as I said

¹⁶ Grünwaldt (1999: 404) partially admits that when he introduces the second criterion with, “Hiermit hängt das Kriterium der Zeitbedingtheit der Gebote zusammen.” It acknowledges that the second and first criteria are closely related.

¹⁷ This is indeed a very unconvincing part of Grünwaldt’s argument, the way in which he simply “removes” vv. 44-46 by means of *Literarkritik* and never mentions it again. Above, (see 6.2) I did offer some inconsistencies in his argument. Yet I think that what makes me very suspicious is the fact that he never engages with these verses again, not even in this “relevance” chapter of his. If his third criterion above is what the NT does with these laws then it entails some kind of approach where the whole Christian canon is taken into account. If Grünwaldt thus can use the traditions about Jesus and the writings of Paul to further his theological argument, how does he then manage to ignore all the texts that he “chopped away” by means of *Literarkritik*? Are they not in the canon also? Simply put, sometime *before* Jesus and Paul entered the Christian canon vv. 44-46 of chapter 25 also entered and even if they were added later than the largest part of the Holiness Code, they still cannot be ignored. In the light of the fact that his source-critical arguments were not convincing in the first place I would suspect that it is for “convenience” sake that he removes vv. 44-46 so that he does not have to engage with the theological-ethical implications thereof later.

above). This might be an illusion, but still the idea of “liberation” as presented in the Holiness Code in a sense becomes totally irrelevant for people living in modern Western and democratic societies. It might have a different ring to it in a society where people are suffering under a dictator or in the Third World where people are suffering under the burden of the First World. The images of God are all from another world and modern readers might find some of them offensive.

One of the biggest clashes in terms of world-view that I see between ancient and modern western society is the relation of the individual to the group. In an individual-driven society much of what is said in chapter 25 just does not make sense, or is too easily wrongly understood. Most modern readers understand Leviticus 25 as addressing every person in that ancient society, because for us most people are “visible”, including, women, children and poor people. For the authors of Leviticus 25 they were not really important and they were mostly invisible. We find no mention of children and the women are only referred to as female slaves. “Everybody” in that context probably meant as I argued “every male with a claim to land.” I further restricted the addressees to those that returned from exile, because they thought of themselves as having a special relationship with YHWH. The objective of the text was to protect this small elite of land-owning people, not “everyone” in the modern sense.

Later Grünwaldt (1999: 412) sums up the “main idea” of the Jubilee as follows:

Will man die theologische Grundidee des am Versöhnungstag beginnenden
Jubeljahres zusammenfassen, so lautet sie: Jeder soll – alle 50 Jahre – die
Gelegenheit zu einem völligen Neuanfang vor Gott und den Menschen erhalten.

This is a good summary, despite the fact that “everyone” in that context is not the same as “everyone” in ours. This does not stop us from arguing that all people today need opportunities like this to rectify past mistakes, or past injustices, but we need to consciously make those groups visible in our society that were invisible in the society of Leviticus 25 and surrounding texts.

But what does a “new start” mean in any case? Where do people start anew? Where is this “start”? My problem is how we should apply these questions to the problems facing (South) Africa. If the root of our problems lies in our colonial past, how can we possibly rectify that? Africa cannot go back to that past when there were no white people in Africa. Most poor people in Africa had a bad start in the first place, they started poor and there is no better past that they can return to. For the poor in Africa the “future” is probably the only “better place” that they can hope for, since the past is mostly an exploitive past.

Grünwaldt (1999: 412) does acknowledge that Leviticus 25 connects the ability to sustain oneself and one’s family with access to land and this in itself is totally

different in Germany (from where he writes). But he then continues (Grünwaldt 1999: 412):

Was weiterhin von Relevanz sein kann, ist der sich in Lev 25 ausdrückende Wille, Verarmung nicht nur zu bekämpfen, sondern von vornherein zu vermeiden.

It is nearly impossible to reconcile this statement with my interpretation above. Once again it operates from a premise that there is some kind of “better” state before poverty, how else can one prevent poverty? There is some truth in this statement in the sense that the Jubilee laws attempted to protect the landowning class from losing that property and it provided them with opportunities to regain it once they have lost it. But still this protection was only available to those who had legal claims to the land in the first place. The text is indifferent to the poverty of the גֵּר, תוֹשָׁב, שֹׁכֵר and עֶבֶד.

Or if we were to understand the text in the way that I interpreted it in chapter 6 then it was an attempt to reclaim land for the returnees with the result that many people might have been left landless. Instead of preventing poverty, it thus reinstated poverty.

We are thus in a sense “nowhere”, because it seems that there is very little in the text that we can honestly use in our modern society. Yet I do think that there are three things that we can consciously take from this text, if we make some adjustments, or if we take two criteria into consideration to which I have hinted above at stages. The first has to do with the groups-ethos that we find in this text and the second with the way in which YHWH acts.

As I have stated many times the text is only interested in protecting the rights of a small land owning (or land claiming) Elite. These protective strategies are good because they do offer some protection against poverty, but they are only in favour of the in-group and they actually discriminate against the out-group. One should also add that the “in-group” is much smaller in my construction than many other scholars would argue. The text might have had a slightly better image if I had included the people who stayed in the land, but I did not. The only way in which we could use this is when we were to consciously enlarge the borders of our modern-day “in-group.” If “everyone” could really become “everyone” as in every human being on this planet, then we could use these in-group values of Leviticus 25 to the benefit of all. If a person in the First World could have the same rights and opportunities and value as a person in the Third, then and only then can we take something liberating from this text. This is what the Jubilee 2000 movement did, but they unfortunately presupposed that the text claimed that in the first place, while it is actually foreign to the text. To open up these borders we could also use other texts from the Old and

New Testament and thus from the Christian canon. In the Old Testament we have texts like Jonah and Ruth that do challenge the ancient reader to think wider than the own in-group. These are texts that make the Moabites, the foreign sailors and the inhabitants of Nineveh visible, that present them as human beings and that challenge the in-group mentality of Leviticus 25. It also portrays them as people who could have a relationship with YHWH. The New Testament and especially the Jesus traditions also offer many possibilities that could help us to broaden the horizons of Leviticus 25. In that sense the third criterion of Grünwaldt is spot on.

I do also think that the way in which YHWH acts has some liberating potential if we consciously broaden the horizons and if we guard against using YHWH for political purposes. But then YHWH must not be the possession of those that regard themselves as delivered from Egypt. Above when I presented YHWH as a landowner and slave master, I argued that one could not use these as role models. That would make the metaphor sterile and would actually go against the grain of what a metaphor is supposed to be. It would do away with the very tensions on which a metaphor thrives and by means of which it creates new possibilities. It would merge the “is” and the “is not” parts of the metaphor. The liberating “is”-part of this metaphor lay in the owning act of YHWH, which meant that the addressees belonged to him and could not belong to any other human being. But that can only be liberating if all human beings were *הַיְהוָה* and *אֲדָמָה* of YHWH and it would mean that no human being could own another. That is, of course, also foreign to Leviticus 25 where only the Israelites, or the addressees had this relation with YHWH, which had to do with their understanding of themselves as delivered from Egypt and as having a special relationship with YHWH. David Clines (1995: 201) describes this (problematic) part of God’s character in the Pentateuch as follows:

The grain of the text, in short, assumes the centrality of the Jewish people and portrays a God whose intention is concentrated upon that nation. So long as we stay within the ideology of the text, we experience no discomfort with the portraiture. But the moment we position ourselves outside the text and become conscious of our own identities as non-Hebrew (which we might do even if we are Jews today), it becomes difficult not to take a more quizzical view of the character. If we do not actually approve of a universal deity having one favourite race, we are bound to take a different view of that deity’s character from a reader who happily embraces the ideology of the text.

If, in our case we were to take the view of the *אֲדָמָה*, or the *הַיְהוָה*, or especially of the *אֲדָמָה* and *אֲדָמָה* then the special relationship between the addressees and YHWH sounds again like abusing him to maintain power. We could also use the broader Christian canon and other traditions to say that all of us are the slaves of YHWH and that it means that none of us can be the slave of another, not to mention the priestly

tradition in Genesis 1 that presents both male and female as created in the image of God. In that sense this image can be liberating (unless, of course, it develops into a system where “all slaves are equal, but some are more equal than others”).

There is a further very attractive side to the text that I do not think that I have explored enough and that has to do with the sense of “returning” that we have in the Jubilee year. I have pointed out above that the Hebrew root שׁוּב is salient in this chapter. I can imagine that this is a feature of the text in which many dispossessed people on this world may find some hope. In Africa there are many examples of people groups who have been dislocated by catastrophies like war and famine. People who are now far away in another country, away from that land to which they are connected and away from their families and larger kin groups. The people in the Democratic Republic of the Congo will be a good example of such groups. Similar to the people of Judah, their experience of being torn away from everything that they hold dear, must have been extremely disrupting. Smith-Christopher’s work also provides us with some insight into what these people might be experiencing. For them at least this text will be full of promise, just as I think that the idea of going back was for the exiles. These displaced people will also hope to return one day and in the light of historical construction I would wonder what would await them when they go back? Will somebody else be using their land that they have been connected to for centuries; will somebody else be living in their houses? What will happen then? How will this conflict be resolved?

There are thus many aspects of Leviticus 25 that are irrelevant and there are others that are indeed dangerous and could be used to exploit as I have pointed out in the chapter above. But apart from these dark sides there are indeed liberating sides to this text that we can use in a critical way. We do find measures protecting landowners from permanently losing their land. We meet a God who claims that he liberated from Egypt and that he provides a sustaining land. This God also disallows his people to become the slaves of other human beings by claiming them as his property. These are things that could be liberating in our world if they could be applied to all people and if all people could be equal. Then this text provides the opportunity for everybody to start again every 50 years. That is no small thing.

CHAPTER 8

CONCLUSION

I formulated my problem above as a sense of “discomfort” with the way in which Leviticus 25 was used in the Jubilee 2000 debate. This problem was intensified by the fact that I supported the objectives of this movement and that I thus found myself in a position where I was drawn in two directions, i.e. my sympathies towards the movement and my reading of the text itself. My way of addressing the problem was actually to intensify it, in the sense that I argued that biblical scholars should not shy away from this, but should continue to play a critical role and should especially continue to engage critically with the biblical text. The kind of criticism that I argued for was “ideological criticism” especially as it was theorised and practised by Carroll. As I said above, this approach entails a suspicious reading of the text that attempts to identify political interests and ulterior motives in the text. These motives and interests are part of a bigger worldview in which the authors and readers of the text understand themselves as in a particular relationship with YHWH, the land and with “others.” Yet this kind of suspicion should also be addressed at the reader or interpreter and here Carroll used the concept of our “ideological holdings”, which play a role in how somebody reads a text. I argued that a large part of my ideological holdings would be Apartheid and the role that the Bible played in this ideology. This I argued has predisposed me to read in a certain manner. One could also say that this explained why I found an ideological-critical reading so attractive. The fact that I came from a tradition that used the Bible to legitimate Apartheid sensitised me to acknowledge the oppressive potential in the Biblical text.

With these objectives in mind I read the text mostly synchronically which for me meant not to “look for layers”, but to engage with the final composition of the text. It also meant that I did not exclude the possibility of dating the text. I started off by describing the grammatical features that were salient in Leviticus 25 and I used these observations to attempt a further rhetorical reading of the text. After describing the grammatical features the objective then became to specifically ask what strategies were used in the text to persuade. This I did by means of the kind of rhetorical criticism that Watts has applied to the Pentateuch. Most of that chapter was spend on “address”, but this engagement helped me to describe who I thought the addressees were and it helped me to portray their close-knit relationship to the land. The way in which YHWH was portrayed in the motivational parts of the text also helped us to express the kind of relationship that existed between the addressees and YHWH. Having done this we already had glimpses of the ideology of the people who wrote this text and the people for whom it was intended. They understood themselves as

having a very close relation to YHWH and the land, but they also understood themselves as being different from other groups, like the גֵּרִים and the תּוֹשְׁבֵי הָאָרֶץ.

In my discussion on the surrounding texts I specifically focused on the texts that immediately preceded and succeeded chapter 25. In this regard it was clear that chapter 26 had much in common with 25, on all the different levels that I identified, grammatical and persuasive and it also shared this concern with the land. My treatment of Leviticus 24 was totally different, because the text was so different, but eventually (see 6.5) I argued that Leviticus 24 shared a certain prejudice towards the גֵּר with chapter 25. I also argued that that explained why this narrative was inserted in front of chapter 25. Leviticus 23 shared a certain preoccupation with the Sabbath and festivals and with regards to the texts preceding these chapters I specifically focused on a shared ideology of land. This ideology motivated why the addressees were the only legal claimants of the land.

In chapter 6 I then eventually attempted to date the text and along with many other Old Testament scholars I argued that this text was composed in the post-exilic society. That is the rhetorical context in which I thought that the persuasive strategies that I have identified would have been at their most persuasive. In this regard my argument was not original and I mostly relied on what others have already said. Still I would think that my main contribution here lies in the fact that I added some very thorough analyses of these texts to support these arguments. It was in this chapter that the liberating image of Leviticus 25 was somewhat spoiled. In my interpretation the text is that of a returning Elite who wants their land back. I am not so convinced that this ever happened, but I would think that that was what they intended. It is thus not a text that wanted to prevent poverty, but a text that (if implemented) would have reinstated poverty. Jacob Milgrom (2001: 2243) refers to the following “personal communication” that he had with Norman Gottwald in which the latter argued:

The holdings of Israelites at the fall of Jerusalem in 586 B.C.E. were very unevenly distributed. Restoration of land to their previous owners would incorporate gross inequities and ensure the vulnerability of small landowners to indebtedness.

This is similar to what I argued in chapter 7, a return to this “original” would not have been justice. It is also similar to what Kessler and the Crüsemanns argued. But Milgrom refers to Gottwald in support of his argument that these texts should be regarded as pre-exilic. For him this could not have happened and therefore the text cannot be dated in the post-exilic period. Milgrom simply cannot imagine that a biblical text could have had such an oppressive objective. This is where an ideological-critical reading is different, because in a sense it actually expects that from a biblical text. That was also why I initially mentioned that I had the impression

that Robert Carroll read a biblical text with a kind of “expecting-the-worst” attitude and I still think that that is a fair description. I have explained how my Apartheid background has “predisposed” me to read similarly. One could of course use other words like, “biased” or even “prejudiced”, but at least I did not “smuggle in my commitments under cover of dark” as Barton previously said. The question then is whether this has “biased” me too much, to such an extent that I read into the text, and that I did not respect the integrity of the text; that I made it say what I wanted it to say? I do not think that it is really possible to answer this question, but I would want to ask whether it might have been different when I for instance came from a tradition that struggled against Apartheid, that read the Bible as a liberating book?

In my title I stated specifically that I would be interpreting this text from “a” South African perspective. This was an effort to acknowledge that there are many different contexts in South Africa. I thus only attempted to describe my own, namely an Afrikaner context. Previously I also remarked that I often thought that this name was used ironically, because “Afrika” is in the word, but in Apartheid ideology it functioned more like a synonym for European or non-African. In Dutch and German the word actually only means “African”,¹ but in South Africa it eventually acquired a different meaning. That is still an interesting debate that will continue for some time, the identity of Afrikaners, are we European or African, or something in-between? This debate has, of course, also implications for the way in which we approach the academy. With regards to my own study, I do not think that there is anything particularly “African” about this dissertation. The way in which I read this text was by means of “methods” that were developed in Western academic circles. Furthermore I often compared the values in the biblical text with “modern western values.” Most of these values are now part of the society in which I live (as expressed in our constitution), but I am not sure that they are typically African. I thus do not think that I have contributed much if any to that debate. I read the text in this manner because I am part of the small white minority in South Africa who for some time oppressed the majority. I cannot pretend that I am black or coloured, or female because I am not.

Thus in the light of the fact that I came from this Apartheid tradition, I attempted an ideological-critical reading. I wanted to learn from this experience and to make a contribution to this debate, or maybe to start a debate, since very few people talk about it in South Africa. It might have been different if I came from a black community where the Bible was used to struggle against Apartheid, where the Bible has a very liberating image. Where, one might argue (contra Carroll), that the Bible developed more than just a “rhetoric of liberation”, but indeed an “ideology of liberation.” But this is why I insisted on reading it from “a South African perspective”, because I am a

¹ See the way in which Gerstenberger uses the word in the second footnote of chapter 1.

white Afrikaner male and I cannot pretend to be anything else. I can read with “justice” in mind and I can argue that “justice” should be for all the other groups in my society, but that is still only my viewpoint of justice and I cannot really talk on behalf of those groups in my country that suffered under Apartheid. That would just be a further patronising act. I can be critical of who I am, but I cannot change it. But to return to the question that I stated above, what if I came from another tradition that did not use the Bible to oppress, but that used the Bible to liberate? Would that have changed the way in which I read?

There are some black scholars who have made similar critical remarks about the use of the Bible in Black and African Theology. The best example would be Itumeleng Mosala (1989) who did extensively criticise the use of the Bible by such Black theologians as Alan Boesak and Bishop Tutu. The Bible is no innocent text for Mosala and in that I do agree with him. Another recent example is Farisani (2002: 628-646) who is critical of some African theologians who use the text of Ezra-Nehemiah to construct an African theology. His problem with these efforts is that these African theologians “fall” for the ideology of these authors. He also argues that by uncritically using these texts they then participate in the silencing of ancient marginalized voices. Similar to my understanding of Leviticus 25 he argues that there is a prevalent ideology in the Ezra-Nehemiah text, “which is biased in favour of the returned exiles, but biased against the *am haaretz*” (2002: 643). He (Farisani 2002: 646) proposes what he calls a “sociological reading” which attempts to read “against the grain” of a text and “[i]t tries to retrieve the voices of the marginalised *am haaretz*, and also attempts to read the Ezra-Nehemiah text from the perspective of *the am haaretz*.” This does not seem that different from what I did with the text, although I called it *Ideologiekritik* as Carroll did. The result was also to give some voice or representation to the voiceless, like the אֲנָשִׁים² in especially chapters 24 and 25, or like the invisible people of Leviticus 26.

These two (i.e. Mosala and Farisani) have both been part of the struggle against Apartheid, but they have read the Bible with a similar suspicion as I have and came up with similar interpretations. One should also add that the theologians that they criticise are mostly systematic theologians. The suspicious readings that we share are thus probably more related to the fact that we are biblical critics and not that we come from different sides of the struggle. It is thus not a racial thing (which comes as a relief). Yet we are once again reminded of that old essay by Stendahl (see 2.2.1) where the main challenge to biblical criticism came from systematic theology. So, in

² We do find two references to the אֲנָשִׁים אֲנָשִׁים in Leviticus 20:2 and 4. They are to stone those to death who sacrificed their children to Molech, whether the culprit is Israelite or אֲנָשִׁים. I have not discussed this issue since it plays a marginal role in the Holiness Code. An interesting study would be to compare the way in which the אֲנָשִׁים are portrayed in the Holiness Code with the אֲנָשִׁים אֲנָשִׁים in Ezra-Nehemiah.

order to answer the question stated above, even if I did come from a tradition that used the Bible to liberate, even then I probably still would have read the Bible suspiciously as Mosala and Farisani did.

But where did the discussion lead us?

I have changed Leviticus 25 from a liberating text to something that is fairly close to Trible's (1984) "texts of terror." It is much more subtle and hidden than the texts that she discusses, but still it becomes one of those texts where groups are silenced and exploited. Although we do not find the explicit stories of violence against women that we find in the stories that she reads, women only feature in this text as female slaves (אִשָּׁה זָרָה). The end result of my reading is that I have also given a voice to groups who are silenced by the texts. I have read Leviticus 25 and 24 from the viewpoint of the אֲנָשֵׁי הָאָרֶץ, or Leviticus 26 from the viewpoint of those invisible people left in the land. By constructing their stories I have thus discovered distortion in the presentation of the Biblical text.

This I think should always be one of the vocations of biblical critics to talk on behalf of those ancient voices that were silenced and to give them some kind of representation. This is partly what criticism should entail, to be critical of the way in which the text presents the views of certain groups while it neglects and undermines the interests and view of others. Criticism should always include to be suspicious of the dominant view in a text and to ask which views were neglected.

In this sense I think that my concepts of "culprit" and "victim" were quite useful. It did not only help me to understand my own identity as an Afrikaner better, but it opened up avenues of engagement with ethical issues. It reminds us of how our presentations are influenced from where we look, from whose side we evaluate or simply put from which point of view we engage with something. In the academic work of Smith(-Christopher) he apparently always sides with the people that went into exile. His studies were immensely helpful and it really gave us insight into what that group might have experienced. It also helped us to understand the extent to which they suffered. They developed strategies to survive in the context of the Babylonian Empire and they did survive, but I have argued that these same strategies might have changed from means of survival to means of oppression when they re-entered the land with the blessings of the new Persian Empire. Then this group changed from being victims to becoming culprits, or that is how I represented them.

If ideology is the world-view of a particular group, the way in which they understand themselves, the story about who they are and where they came from. And if their ideology, their understanding of themselves, if this serves their interests, if this justifies the things they do to survive, to overcome the perceived threats to their

society, then how do we determine distortion? I would argue that we listen to the stories of their enemies in which they are no victims but culprits and in which they are a threat. Then we hear another distorted story, we hear another interest-ridden presentation of reality, but in this other presentation the former victims become culprits and the roles are changed. Whether it is the Nuer and the Dinka in Sudan, Tutsis and Hutus in Rwanda, Boer and Briton, or black and white in South Africa, in each of these ideologies or world-views the other is the threat and the culprit and the self is the victim. Thus no view of reality is without distortion and the only ethical responsible way of coping with this reality is to listen to as many different presentations of this world as possible. That is what I did when I attempted to give the גֵר, the תּוֹשֵׁב, the שְׂכִיר, the אֲמִיטָה and the other invisible people a chance to present their views. We cannot really hear their voices, but we can somehow imagine who they might have been and we can do this by reading the texts that refer to them carefully. That was what I attempted to do. Maybe I am right, maybe the גֵרִים were those who never went into exile, or maybe I am totally wrong, but whatever way the argument goes, it would still be worthwhile to ask who *they* thought they were? Did they also think of themselves as having a relationship with JHWH? Maybe?

In the previous chapter (see 7.3.4) I warned against an abuse of God in the sense that people portray God as “their” God as on “their” side. I do not think that we should stop talking about God, about who he is or about what his will for this earth might be. We should consistently explore and engage with these questions and we should attempt to construct theologies, but we may not forget that everything that we say about God is tainted with our own interests and our own ideologies. We should not stop talking about God, but we must talk carefully about him, for he is *not* our possession and it is actually the other way around. We should also keep in mind that our language is limited and the metaphors with which we describe him are just that, metaphors, with their own creative potential, but also with their own limitations and exploitive dangers.

In this light I think that despite the many dark sides to the text, the Jubilee year has some liberating potential. If the in-group could be enlarged to include all human beings and if the God of Leviticus 25 could become a God for all, then we might do liberating things with this text. If all could be equal before this YHWH, so that no human being can possess another, then this world will be a better place. If this text could provide a new start to every human being every half a century, then it truly would be a liberating text. Yet to do that we need to read the text critically and we need to enrich it with the values from our modern world, where more groups of people are “visible” than in the ancient world. We can, of course, also use the rest of the Canon and bring these texts into some kind of creative tension with Leviticus 25.

And from these texts we know the boundaries of the “in-group” has indeed been enlarged and that the JHWH of Leviticus 25 and surrounding texts is indeed a God for all the nations.



BIBLIOGRAPHY

- Albertz, R. 1990. *Der Mensch als Hüter seiner Welt*. Stuttgart: Calwer Verlag. (Calwer Taschenbibliothek 16)
- 1995. Die Tora Gottes gegen die wirtschaftlichen Sachzwänge. Die Sabbat- und Jubeljahrgesetzgebung Lev 25 in ihrer Geschichte. *Ökumenische Rundschau* 44, 290-310.
- 2001. *Die Exilzeit. 6. Jahrhundert v. Chr.* Berlin: Kohlhammer. (Biblische Enzyklopädie 7)
- Amit, Y. 1991. The Jubilee Law - an Attempt at Instituting Social Justice, in: Graf Reventlow, H. & Hoffman, Y. (eds.) *Justice and Righteousness. Biblical Themes and their Influence*. Sheffield: Sheffield Academic Press, 47-59. (JSOTS 147)
- Auld, G. 2003. Leviticus: After Exodus and before Numbers, in: Rendtorff, R. & Kugler, R.A. (eds.) *The Book of Leviticus. Composition and reception*. Leiden: Brill, 41-54. (VTS 93)
- Baentsch, B. 1900. *Exodus - Leviticus übersetzt und erklärt*. Göttingen: Vandenhoeck & Ruprecht. (HK I/2)
- Bandstra, B.L. 1982. *The syntax of the particle ky in biblical Hebrew and Ugaritic*. Yale: Unpublished PhD dissertation.
- Barr, J. 1995. *The Synchronic, the Diachronic and the Historical: A Triangular Relationship*, in: De Moor, J.C. (ed.) *Synchronic or Diachronic? A Debate on Method in Old Testament Exegesis*. Leiden: Brill, 1-14. (OTS 34)
- 2000. *History and Ideology in the Old Testament. Biblical Studies at the End of a Millennium. The Hensley Henson Lectures for 1997 delivered to the University of Oxford*. Oxford: Oxford University Press.
- Barstad, H.M. 1996. *The Myth of the Empty Land: A Study in the History and Archaeology of Judah During the 'Exilic' Period*. Oslo: Scandinavian University Press. (Symbolae Osloenses 28)
- Barton, J. 1998a. Introduction, in: Barton, J. (ed.) *The Cambridge companion to biblical interpretation*. Cambridge: Cambridge University Press, 1-6.
- 1998b. Historical-critical approaches, in: Barton, J. (ed.) *The Cambridge companion to biblical interpretation*. Cambridge: Cambridge University Press, 9-20.
- Bax, D. 1983. The Bible and Apartheid 2, in: De Gruchy, J. & Villa-Vicencio, C. (eds.) *Apartheid is a heresy*. Cape Town: David Philip, 112-143.
- Beinart, W. 2001. *Twentieth-Century South Africa*. Oxford: Oxford University Press.

- Bertholet, A. 1901. *Leviticus erklärt*. Tübingen: Mohr. (KHC III)
- Berquist, J.L. 1995. *Judaism in Persia's shadow. A Social and Historical Approach*. Minneapolis: Fortress.
- Blenkinsopp, J. 1991. Temple and Society in Achaemenid Judah, in: Davies, P.R. (ed.) *Second Temple Studies 1. Persian Period*. Sheffield: Sheffield Academic Press, 22-53. (JSOTS 117)
- 1992. *The Pentateuch. An Introduction to the First Five Books of the Bible*. New York: Doubleday.
- 1996. An Assessment of the Alleged Pre-Exilic Date of the Priestly Material in the Pentateuch. *ZAW* 108, 495-518.
- 2002. The Bible, Archaeology and Politics; or The Empty Land Revisited. *JSOT* 27 (2), 169-187.
- Blum, E. 1990. *Die Komposition des Pentateuch*. Berlin: De Gruyter. (BZAW 189)
- Boshoff, W. 2002. Can 'White' South African Old Testament Scholarship be African? *BOTSA* 12, 1-3.
- Botha, C.J. 1984. 'n Eeulange protes, in: Cloete, G.D. & Smit, D.J. (eds.) *'n Oomblik van waarheid. Opstelle rondom die NG Sendingkerk se afkondiging van 'n status confessionis en die opstel van 'n konsepbelydenis*. Kaapstad. Tafelberg, 74-90.
- Bodendorfer, G. 2003. אֲנִי יְהוָה: God's self-introduction formula in Leviticus in Midragas *Sifra*, in: Rendtorff, R. & Kugler, R.A. (eds.) *The Book of Leviticus. Composition and reception*. Leiden: Brill, 403-428. (VTS 93)
- Brett, M.G. 1996. Interpreting Ethnicity: Method, Hermeneutics, Ethics, in: Brett, M.G. (ed.) *Ethnicity and the Bible*. Leiden: Brill, 3-22. (Biblical Interpretation Series 19)
- Briggs, R. 1997. Review of: Patte, D. "Ethics of Biblical Interpretation: A Reevaluation." *Themelios* 22 (3), 62-63.
- Brown, F.; Driver, S.R. & Briggs, C.A. (eds.) 1972. *A Hebrew and English Lexicon of the Old Testament. With an appendix containing the biblical Aramaic*. Oxford: Clarendon Press.
- Bultmann, C. 1992. *Der Fremde im antiken Juda. Eine Untersuchung zum sozialen Typenbegriff "ger" und seinem Bedeutungswandel in der alttestamentlichen Gesetzgebung*. Göttingen: Vandenhoeck & Ruprecht. (FRLANT 153)
- Cardellini, I. 1981. *Die biblischen "Sklaven"-Gesetze im Lichte des keilschriftlichen Sklavenrechts. Ein Beitrag zur Tradition und Redaktion der alttestamentlichen Rechtstexte*. Bonn: Königstein. (BBB 55)

- Carroll, R.P. 1990. Ideology, in: Coggins, R.J. & Houlden, J.L. (eds.) *A dictionary of biblical interpretation*. London: SCM Press, 309-311.
- 1991. Textual Strategies and Ideology in the Second Temple Period, in: Davies, P.R. (ed.) *Second Temple Studies 1. Persian Period*. Sheffield: Sheffield Academic Press, 108-124. (JSOTS 117)
- 1992. The myth of the empty land. *Semeia* 59, 79-93.
- 1994a. On representation in the Bible: An *Ideologiekritik* approach. *JNSL* 20 (2), 1-15.
- 1994b. So What Do We Know about the Temple? The Temple in the Prophets, in: Eskenazi, T.C. & Richards, K.H. (eds.) *Second Temple Studies 2. Temple and Community in the Persian Period*. Sheffield: Sheffield Academic Press, 34-51. (JSOTS 175)
- 1995. An infinity of traces: On making an inventory of our ideological holdings. An introduction to *Ideologiekritik* in Biblical Studies. *JNSL* 21 (2), 25-44.
- 1996. Jeremiah, Intertextuality and *Ideologiekritik*. *JNSL* 22 (1), 15-34.
- 1997. Deportation and Diasporic Discourses in the Prophetic Literature, in: Scott, J.M. (ed.) *Exile: Old Testament, Jewish, & Christian Conception*. Leiden: Brill, 63-85. (JSJS 56)
- 1998a. Biblical ideolatri: *Ideologiekritik*, biblical studies and the problematics of ideology. *JNSL* 24 (1), 101-114.
- 1998b. Poststructuralist approaches New Historicism and postmodernism, in: Barton, J. (ed.) *The Cambridge companion to biblical interpretation*. Cambridge: Cambridge University Press, 50-66.
- 1998c. Exile! What Exile! Deportation and the discourses of Diaspora, in: Grabbe, L.L. (ed.) *Leading Captivity Captive. 'The Exile' as History and Ideology*. Sheffield: Sheffield Academic Press, 62-79. (JSOTS 278)
- 2001a. (South) Africa, Bible, Criticism: Rhetorics of a Visit, in: West, G.O. & Dube, M.W. (eds.) *The Bible in Africa. Transactions, Trajectories and Trends*. Leiden: Brill, 184-202.
- 2001b. Exile, Restoration, and Colony: Judah in the Persian Empire, in: Perdue, L.G. (ed.) *The Blackwell Companion to the Hebrew Bible*. Oxford: Blackwell, 102-116.
- Chilton, B. 2003. Jesus, levitical purity, and the development of primitive Christianity, in: Rendtorff, R. & Kugler, R.A. (eds.) *The Book of Leviticus. Composition and reception*. Leiden: Brill, 358-382. (VTS 93)
- Chirichigno, G.C. 1993. *Debt-Slavery in Israel and the Ancient Near East*. Sheffield: Sheffield Academic Press. (JSOTS 141)

- Cholewinski, A. 1976. *Heiligkeitsgesetz und Deuteronomium. Eine vergleichende Studie*. Rome: Biblical Institute Press. (AnBib 66)
- Clines, D.J.A. 1995. *Interested Parties: The Ideology of Writers and Readers of the Hebrew Bible*. Sheffield: Sheffield Academic Press. (JSOTS 205)
- Commitment to Jubilee. Strategies for Hope in Times of Crisis*. 1999. Geneva: WCC.
- Crüsemann, F. 1987. Fremdenliebe und Identitätssicherung. Zum Verständnis der "Fremden" - Gesetze im Alten Testament. *Wort und Dienst* 19, 11-24.
- 1992. *Die Tora. Theologie und Sozialgeschichte des alttestamentlichen Gesetzes*. München: Chr. Kaiser.
- Crüsemann, M. & Crüsemann, F. 2000. Das Jahr, das Gott gefällt. Biblische Traditionen von Erlass- und Jubeljahr. *Bibel und Kirche* 55, 19-24.
- Davies, P.R. 1991. Sociology and the Second Temple, in: Davies, P.R. (ed.) *Second Temple Studies 1. Persian Period*. Sheffield: Sheffield Academic Press, 11-21. (JSOTS 117)
- 1998. Exile? What Exile? Whose Exile? in: Grabbe, L.L. (ed.) *Leading Captivity Captive. 'The Exile' as History and Ideology*. Sheffield: Sheffield Academic Press, 128-138. (JSOTS 278)
- De Chirico, L. 1999. The Biblical Jubilee. *ERT* 23 (4), 347-362.
- De Gruchy, J.W. & Villa-Vicencio, C (eds.) 1983. *Apartheid is a heresy*. Cape Town: David Philip.
- Deist, F.E. 1991. 'Contextualisation' as nomadic existence. *Scriptura* S9, 47-66.
- 1994. The Dangers of Deuteronomy: A Page from the Reception History of the Book, in: Martínez, F.G. et al (eds.) *Studies in Deuteronomy, in honour of C.J. Labuschagne on the occasion of his 65th birthday*. Leiden: Brill, 13-30.
- 1995. On 'synchronic' and 'diachronic': wie es eigentlich gewesen. *JNSL* 21 (1), 37-48.
- 2000. *The material culture of the Bible. An introduction*. Sheffield: Sheffield Academic Press. (Biblical Seminar 70)
- De Villiers, E. 1986. Kritik uit die ekumene, in: Kinghorn, J. (ed.) *Die NG Kerk en Apartheid*. Johannesburg: Macmillan, 144-164.
- Dietrich, W. 1997. Wem das Land gehört. Ein Beitrag zur Sozialgeschichte Israels im 6. Jahrhundert v. Chr, in: Kessler, R; Ulrich, K; Schwantes, M & Stansell, G (eds.) *"Ihr Völker alle, klatscht in die Hände!" Festschrift für Erhard S. Gerstenberger zum 65. Geburtstag*. Münster: Lit Verlag, 350-376. (Exegese in unserer Zeit 3)
- Douglas, M. 1993a. The Forbidden Animals in Leviticus. *JSOT* 59, 3-23.

- 1993b. *In the wilderness. The doctrine of defilement in the book of Numbers*. Sheffield: Sheffield Academic Press. (JSOTS 158)
- 1999. *Leviticus as Literature*. Oxford: Oxford University Press.
- 2003. The go-away goat, in: Rendtorff, R. & Kugler, R.A. (eds.) *The Book of Leviticus. Composition and reception*. Leiden: Brill, 121-141. (VTS 93)
- Durber, S. 1992. The Female Reader of the Parables of the Lost. *JSNT*, 59-78.
- Dyck, J.E. 1996. The Ideology of Identity in Chronicles, in: Brett, M.G. (ed.) *Ethnicity and the Bible*. Leiden: Brill, 89-116. (Biblical Interpretation Series 19)
- 2000. A Map of Ideology for Biblical Critics, in: Carroll R., M.D. (ed.) *Rethinking contexts, rereading texts. Contribution from the Social Sciences to Biblical Interpretation*. Sheffield: Sheffield Academic Press, 108-128. (JSOTS 299)
- Erdmans, B.D. 1912. *Alttestamentliche Studien III. Das Buch Leviticus*. Gießen: Töpelmann.
- Elliger, K. 1966a. *Leviticus*. Tübingen: Mohr. (HAT I/4)
- 1966b. *Kleine Schriften zum Alten Testament. Zu seinem 65. Geburtstag am 7. März 1966 herausgegeben von Hartmut Gese und Otto Kaiser*. München: Kaiser. (Theologische Bücherei 32)
- Eskenazi, T.C. & Judd, E.P. 1994. Marriage to a Stranger in Ezra 9-10, in: Eskenazi, T.C. & Richards, K.H. (eds.) *Second Temple Studies 2. Temple and Community in the Persian Period*. Sheffield: Sheffield Academic Press, 266-287. (JSOTS 175)
- Fager, J.A. 1993. *Land Tenure and the Biblical Jubilee. Uncovering Hebrew Ethics through the Sociology of Knowledge*. Sheffield: Sheffield Academic Press (JSOTS 155)
- Farisani, E. 2002. The ideologically biases use of Ezra-Nehemiah in a quest for an African theology of reconstruction. *OTE* 15 (3), 628-646.
- Feucht, C. 1964. *Untersuchungen zum Heiligkeitsgesetz*. Berlin. (ThA 20)
- Firth, D.G. 2002. *Parallelismus membrorum* in prose narrative: The function of repetition in 1 Samuel 5-6. *OTE* 15 (3), 647-656.
- Fowl, S. 1995. Texts don't have ideologies. *Biblical Interpretation* 3 (1), 15-33.
- Gerleman, G. 1976. רָשָׁה *ršh* Gefallen haben, in: Jenni, E. & Westermann, C. (eds.) *Theologisches Handwörterbuch zum Alten Testament. Band II*. München: Kaiser, 810-811.
- Gerstenberger, E. 1993. *Das 3. Buch Mose. Levitikus*. Göttingen: Vandenhoeck & Ruprecht. (ATD 6)

- Giliomee, H. 2003. *The Afrikaners. Biography of a people*. Cape Town: Tafelberg.
- Gorman, F.H. 1990. *The Ideology of Ritual*. Sheffield: Sheffield Academic Press. (JSOTS 91)
- Gottwald, N.K. 1999. The Biblical Jubilee: In Whose Interests? in: Ucko, H. (ed.) *The Jubilee Challenge. Utopia or Possibility? Jewish and Christian Insights*. Geneva: WCC Publications, 33-40.
- Grabbe, L.L. 1998. Reflections on the Discussion, in: Grabbe, L.L. (ed.) *Leading Captivity Captive. 'The Exile' as History and Ideology*. Sheffield: Sheffield Academic Press, 146-156. (JSOTS 278)
- 2003. The priests in Leviticus—is the medium the message? in: Rendtorff, R. & Kugler, R.A. (eds.) *The Book of Leviticus. Composition and reception*. Leiden: Brill, 207-224. (VTS 93)
- Grünwaldt, K. 1992. *Exil und Identität. Bescheidung, Passa und Sabbat in der Priesterschrift*. Bonn: Anton Hain. (BBB 85)
- 1999. *Das Heiligkeitsgesetz Leviticus 17-26. Ursprüngliche Gestalt, Tradition und Theologie*. Berlin: De Gruyter. (BZAW 271)
- Harrington, H. 2003. The Rabbinic reception of Leviticus, in: Rendtorff, R. & Kugler, R.A. (eds.) *The Book of Leviticus. Composition and reception*. Leiden: Brill, 383-402. (VTS 93)
- Hartley, J.E. 1992. *Leviticus*. Dallas: Word. (Word Biblical Commentary 3)
- Heinisch, P. 1935. *Das Buch Leviticus übersetzt und erklärt*. Bonn: Hanstein. (HSAT I/3)
- Hoglund, K. 1991. The Achaemenid Context, in: Davies, P.R. (ed.) *Second Temple Studies 1. Persian Period*. Sheffield: Sheffield Academic Press, 54-72. (JSOTS 117)
- Holter, K. 1998. It's not only a question of money! African Old Testament scholarship between the myths and meanings of the South and the money and methods of the North. *OTE* 11 (2), 240-254.
- Horst, L. 1881. *Leviticus XVII-XXVI und Hezekiel. Ein Betrag zur Pentateuchkritik*. Colmar: Eugen Barth.
- Houston, W. 2001. What's just about the Jubilee? Ideological and ethical reflections on Leviticus 25. *Studies in Christian Ethics* 14 (1), 34-47.
- 2003. Towards an integrated reading of the dietary laws of Leviticus, in: Rendtorff, R. & Kugler, R.A. (eds.) *The Book of Leviticus. Composition and reception*. Leiden: Brill, 142-161. (VTS 93)
- Hutton, R.R. 1997. Narrative in Leviticus: The Case of the Blaspheming Son (Lev 24,10-23). *ZAR* 3, 143-163.

- Jonker, L.C. 2001. The Biblical legitimization of ethnic diversity in Apartheid Theology. *Scriptura* 77, 165-184.
- Joosten, J. 1996. *People and Land in the Holiness Code. An Exegetical Study of the Ideational Framework of the Law in Leviticus 17-26*. Leiden: Brill. (VTS 67)
- Jouön, P. & Muraoka, T. 1993. *A Grammar of Biblical Hebrew. Volumes 1 & 2*. Rome: Editrice Pontificio Istituto Biblico.
- Jüngling, H.-W. 1999. Das Buch Levitikus in der Forschung seit Karl Elligers Kommentar aus dem Jahr 1966, in: Fabry, H.-J. & Jüngling, H.-W. (eds.) *Levitikus als Buch*. Bonn: Philo, 1-45. (BBB 119)
- Kegler, J. 1992. Das Zinsverbot in der hebräischen Bibel, in: Crüsemann, M. & Schottroff, W. (eds.) *Schuld und Schulden. Biblische Traditionen in gegenwärtigen Konflikten*. München: Kaiser, 17-39.
- Kessler, R. 1989. Das hebräische Schuldenwesen. Terminologie und Metaphorik. *Wort und Dienst* 20, 181-195.
- 1992. Zur israelitischen Löserinstitution, in: Crüsemann, M. & Schottroff, W. (eds.) *Schuld und Schulden. Biblische Traditionen in gegenwärtigen Konflikten*. München: Kaiser, 40-53.
- 1996. Gott und König, Grundeigentum und Fruchtbarkeit. *ZAW* 108 (2), 214-232.
- 1999. Ein Gnadenjahr des Herrn. Schuldenerlaß für ärmste Länder ist biblisch begründbar. *Evangelische Kommentare* 32 (1), 24-26.
- 2002. *Die Ägyptenbilder der Hebräischen Bibel. Ein Beitrag zur neueren Monotheismusdebatte*. Stuttgart: Katholisches Bibelwerk. (Stuttgarter Bibelstudien 197)
- Kilian, R. 1963. *Literarkritische und formgeschichtliche Untersuchung des Heiligkeitsgesetzes*. Bonn: Hanstein. (BBB 19)
- Kinghorn, J (ed.) 1986. *Die NG Kerk en Apartheid*. Johannesburg: Macmillan.
- Klostermann, A. 1893. *Der Pentateuch. Beiträge zu seinem Verständnis und seiner Entstehungsgeschichte*. Leipzig: Deichert.
- Knohl, I. 1987. The Priestly Torah Versus the Holiness School: Sabbath and the Festivals. *HUCA* 58, 65-117.
- 1995. *The Sanctuary of Silence*. Minneapolis: Fortress.
- Koehler, L. & Baumgartner, W. (eds.) 1985. *Lexicon in veteris testamenti libros*. Leiden: Brill.
- Kornfeld, W. 1952. *Studien zum Heiligkeitsgesetz (Lev 17-26)*. Wien: Herder.
- 1983. *Leviticus*. Würzburg: Echter Verlag. (Die Neue Echter Bible 6)

- Korpel, M.C.A. 1993. The Epilogue to the Holiness Code, in De Moor, J.C. & Watson, W.G.E. (eds.) *Verse in Ancient Near Eastern Prose*. Kevelaer: Butzon & Bercker, 123-150.
- Krog, A. 1998. *Country of my skull*. Parktown: Random House.
- Küchler, S. 1929. *Das Heiligkeitsgesetz. Lev. 17-26. Eine literar-kritische Untersuchung*. Königsberg: Kümmer.
- Lemche, N.P. 1976. The Manumission of Slaves - the Fallow Year - the Sabbatical Year - the Yobel Year. *VT* 26, 38-59.
- Levine, B.A. *The JPS Torah commentary. Leviticus לךךך*. New York: The Jewish Publication Society.
- 2003. Leviticus: Its literary history and location in biblical literature, in: Rendtorff, R. & Kugler, R.A. (eds.) *The Book of Leviticus. Composition and reception*. Leiden: Brill, 11-23. (VTS 93)
- Loff, C. 1983. The history of a heresy, in: De Gruchy, J.W. & Villa-Vicencio, C. (eds.) *Apartheid is a heresy*. Cape Town: David Philip, 1-23.
- Malina, B.J. 1996. The Bible: Witness or Warrant: Reflections on Daniel Patte's Ethics of Biblical Interpretation. *Biblical Theological Bulletin* 26 (3), 82-87.
- Marx, A. 2003. The theology of the sacrifice according to Leviticus 1-7, in: Rendtorff, R. & Kugler, R.A. (eds.) *The Book of Leviticus. Composition and reception*. Leiden: Brill, 103-120. (VTS 93)
- Mey, J.L. 1993. *Pragmatics. An Introduction*. Oxford: Blackwell.
- Meyer, E.E. 2000. Interpreting Luke with the confession of Belhar. *Scriptura* 72, 113-120.
- 2001. The particle ׀, a mere conjunction of something more? *JNSL* 27 (1), 39-62.
- Mosala, I.J. 1989. *Biblical Hermeneutics and Black Theology in South Africa*. Grand Rapids: Eerdmans.
- Milgrom, J. 1991. *Leviticus 1-16. A New Translation with Introduction and Commentary*. New York: Doubleday. (AB 3)
- 1999. The Antiquity of the Priestly Source: A Reply to Joseph Blenkinsopp. *ZAW* 111, 10-22.
- 2000. *Leviticus 17-22. A New Translation with Introduction and Commentary*. New York: Doubleday. (AB 3A)
- 2001. *Leviticus 23-27. A New Translation with Introduction and Commentary*. New York: Doubleday. (AB 3B)

- 2003. HR in Leviticus and elsewhere in the Torah, in: Rendtorff, R. & Kugler, R.A. (eds.) *The Book of Leviticus. Composition and reception*. Leiden: Brill, 24-40. (VTS 93)
- Nicholson, E. 1998. *The Pentateuch in the twentieth century. The Legacy of Julius Wellhausen*. Oxford: Oxford University Press.
- Noth, M. 1966. *Das dritte Buch Mose. Leviticus*. Göttingen: Vandenhoeck & Ruprecht. (ATC 6)
- Otto, E. 1994a. *Theologische Ethik des Alten Testaments*. Berlin: Kohlhammer.
- 1994b. Das Heiligkeitgesetz Leviticus 17-26 in der Pentateuchredaktion, in: Mommer, P & Thiel, W (eds.) *Altes Testament. Forschung und Wirkung. Festschrift für Henning Graf Reventlow*. Frankfurt: Lang, 65-80.
- 1994c. Wirtschaftsethik im Alten Testament, *Informationes Theologiae Europae* 3, 279-289.
- 1995. Gesetzesfortschreibung und Pentateuchredaktion. *ZAW* 107, 373-392.
- 1997. Programme der sozialen Gerechtigkeit. Die neuassyrische (*an-*)*duraru*-Institution sozialen Ausgleichs und das deuteronomische Erlaßjahr in Dtn 15. *ZAR* 3, 26-63.
- 1999. Innerbiblische Exegese im Heiligkeitgesetz Levitikus 17-26, in: Fabry, H.-J. & Jüngling, H.-W. (eds.). *Leviticus als Buch*. Bodenheim: Philo, 125-196. (BBB 119)
- 2001. Review of Grünwaldt (1999) *Biblica* 82 (3), 418-422.
- Padilla, C.R. 1996. The relevance of the Jubilee in today's world (Leviticus 25). *Mission Studies* 13 1/2, 12-31.
- Patte, D. 1995. *Ethics of Biblical Interpretation. A Reevaluation*. Louisville: Westminster John Knox.
- 1996. *Discipleship according to the Sermon on the mount: four legitimate readings, four plausible views of discipleship, and their relative values*. Valley Forge: Trinity.
- Perdue, L.G. 1994. *The collapse of history. Reconstructing Old Testament Theology*. Minneapolis: Fortress. (Overtures to Biblical Theology)
- Petersen, D.L. & Richards, K.H. 1992. *Interpreting Hebrew Poetry*. Minneapolis: Fortress. (Guides to Biblical Scholarship)
- Räsänen, H. 2000. Biblical Critics in the Global Village, in: Räsänen et al. *Reading the Bible in the Global Village: Helsinki*. Atlanta: SBL, 9-28.
- Rendtorff, R. 1996. The קָרָן in the Priestly Laws of the Pentateuch, in: Brett, M.G. (ed.) *Ethnicity & the Bible*. Leiden: Brill, 77-88. (Biblical Interpretation Series 19)

- Reventlow, H. Graf 1961. *Das Heiligkeitsgesetz formgeschichtlich untersucht*. Neukirchen-Vluyn: Neukirchener.
- Robbins, K.V. 1996. *Exploring the texture of texts: a guide to socio-rhetorical interpretation*. Valley Forge: Trinity Press International.
- Robinson, G. 1991. Das Jobel-Jahr. Die Lösung einer sozial-ökonomischen Krise des Volkes Gottes, in: Daniels, D R; Gleßner, Rösler, M (eds.) *Ernten, was man sät. Festschrift für Klaus Koch zu seinem 65. Geburtstag*. Neukirchen-Vluyn: Neukirchener, 471-494.
- Rowland, C. 1995a. 'The Gospel, the Poor and the Churches': Attitudes to Poverty in the British Churches and Biblical Exegesis, in: Rogerson, J.W.; Davies, M. & Carroll R., M.D. (eds.) *The Bible in Ethics. The Second Sheffield Colloquium*. Sheffield: Sheffield Academic Press, 213-231. (JSOTS 207)
- 1995b. The 'Interested' Interpreter, in: Carroll R., M.D.; Clines, D.J.A. & Davies, P.R. (eds.) *The Bible in Human Society. Essays in Honour of John Rogerson*. Sheffield: Sheffield Academic Press, 429-444. (JSOTS 200)
- Ruwe, A. 1999. *"Heiligkeitsgesetz und Priesterschaft": Literaturgeschichtliche und rechtssystematische Untersuchungen zu Leviticus 17,1-26,2*. Tübingen: Mohr Siebeck. (FAT 26)
- 2003. The structure of the book of Leviticus in the narrative outline of the Priestly Sinai Story (Exod 19:1-Num 10:10), in: Rendtorff, R. & Kugler, R.A. (eds.) *The Book of Leviticus. Composition and reception*. Leiden: Brill, 55-78. (VTS 93)
- Schmidt, K. 1978. *Religion, Versklavung und Befreiung. Von der englischen Reformation bis zur amerikanischen Revolution*. Stuttgart: Kohlhammer.
- Schüssler Fiorenza, E. 1988. The ethics of biblical interpretation: Decentering biblical scholarship. *JBL* 107 (1), 3-17.
- 1999. *Rhetoric and Ethic: The Politics of Biblical Studies*. Minneapolis: Fortress Press.
- 2000. Defending the Center, Trivializing the Margins, in: Räisänen et al. *Reading the Bible in the Global Village: Helsinki*. Atlanta: SBL, 29-48.
- Seidl, T. 1999. Leviticus 16 - "Schußstein" des priesterlichen Systems der Sündenvergebung, in: Fabry, H.-J. & Jüngling, H.-W. (eds.) *Leviticus als Buch*. Bodenheim: Philo, 219-248. (BBB 119)
- Smith, C.R. 1996. The literary structure of Leviticus. *JSOT* 70, 17-32,
- Smith, D.L. 1989. *The Religion of the Landless. The Social Context of the Babylonian Exile*. Bloomington: Meyer-Stone.

- 1991. The Politics of Ezra: Sociological Indicators of Postexilic Judaeen Society, in: Davies, P.R. (ed.) *Second Temple Studies 1. Persian Period*. Sheffield: Sheffield Academic Press, 73-97. (JSOTS 117)
- Smith-Christopher, D.L. 1994. The Mixed Marriage Crisis in Ezra 9-10 and Nehemiah 13: A Study of the Sociology of Post-Exilic Judaeen Community, in: Eskanazi, T.C. & Richards, K.H. (eds.) *Second Temple Studies 2. Temple and Community in the Persian Period*. Sheffield: Sheffield Academic Press, 243-265. (JSOTS 175)
- 1996. Between Ezra and Isaiah: Exclusion, Transformation and Inclusion of the "Foreigner" in Post-exilic Biblical Theology, in: Brett, M.G. (ed.) *Ethnicity and the Bible*. Leiden: Brill, 117-142. (Biblical Interpretation Series 19)
- 1997. Reassessing the Historical and Sociological Impact of the Babylonian Exile (597/587-539 BCE), in Scott, J.M. (ed.) *Exile: Old Testament, Jewish, & Christian Conception*. Leiden: Brill, 7-36. (JSJS 56)
- Sonsino, R. 1980. Motive clauses in Hebrew Law. Biblical forms and Near Eastern parallels. Ann Arbor: SBL. (SBLDS 45)
- Stamm, J.J. 1971. *ג'ל* g'l erlösen, in: Jenni, E. & Westermann, C. (eds.) *Theologisches Handwörterbuch zum Alten Testament. Band 1*. München: Kaiser, 383-394.
- Stendahl, K. 1962. Contemporary Biblical theology, in: Buttrick et al (eds.) *The Interpreter's Dictionary of the Bible. An Illustrated Encyclopedia*. New York: Abingdon Press, 418-432.
- 1984. *Meanings: The Bible as Document and as Guide*. Philadelphia: Fortress.
- 2000. Dethroning Biblical Imperialism in Theology, in: Räsänen et al. *Reading the Bible in the Global Village: Helsinki*. Atlanta: SBL, 61-66.
- Steymans, H.U. 1999. Verheißung und Drohung: Lev 26, in: Fabry, H.-J. & Jüngling, H.-W. (eds.) *Levitikus als Buch*. Bodenheim: Philo, 263-307. (BBB 119)
- Sun, H.T.C. 1990. *An investigation into the compositional integrity of the so-called Holiness Code*. Unpublished Ph.D.-dissertation, Claremont Graduate School.
- Trible, P. 1978. *God and the rhetoric of sexuality*. Philadelphia: Fortress.
- 1984. *Texts of terror: Literary-feminist readings of biblical narratives*. Philadelphia: Fortress.
- 1994. *Rhetorical criticism: Context, method, and the book of Jonah*. Minneapolis: Fortress.
- Uehlinger, C. 1990. *Weltreich und 'eine Rede': eine neue Deutung der sogenannten Turmbauerzählung (Gen. 11: 1-9)*. Freiburg: Universitäts-verlag. (OBO 101)

- Van der Merwe, C.H.J.; Naudé, J.A. & Kroeze, J.H. 1999. *A Biblical Hebrew Reference Grammar*. Sheffield: Sheffield Academic Press.
- Van Houten, C. 1991. *The Alien in Israelite Law*. Sheffield: Sheffield Academic Press. (JSOTS 107)
- Van Wolde, E. 1994. *Words become Worlds. Semantic Studies of Genesis 1-11*. Leiden: Brill.
- Wagner, V. 1974. Zur Existenz des sogenannten "Heiligkeitgesetzes." ZAW 86, 307-316.
- Wallis, G. 1969. Das Jobeljahr-Gesetz, eine Novelle zum Sabbathjahr-Gesetz. *Mitteilungen des Instituts für Orient Forschung* 2 (15), 337-345.
- Waltke, B.K. & O'Connor, M. 1990. *An Introduction to Biblical Hebrew Syntax*. Winona Lake: Eisenbrauns.
- Warning, W. 1999. *Literary artistry in Leviticus*. Leiden: Brill. (Biblical Interpretation 35)
- Watson, F. 1994. *Text, church and world. Biblical interpretation in theological perspective*. Edinburgh: T & T Clark.
- Watts, J.W. 1999. *Reading Law. The Rhetorical Shaping of the Pentateuch*. Sheffield: Sheffield Academic Press. (The Biblical Seminar 59)
- 2003. The rhetoric of ritual instruction in Leviticus 1-7, in: Rendtorff, R. & Kugler, R.A. (eds.) *The Book of Leviticus. Composition and reception*. Leiden: Brill, 79-100. (VTS 93)
- Wenham, G. J. 1987. *Genesis 1-15*. Waco: Word Books. (Word Biblical Commentaries 1.)
- West, G.O. 1991. *Biblical Hermeneutics of Liberation: Modes of Reading the Bible in the South African Context*. Pietermaritzburg: Cluster Publications.
- 1999. *The academy of the poor*. Sheffield: Sheffield Academic Press.
- 2000. White men, bibles, and land: Ingredients in biblical interpretation in South African black theology. *Scriptura* 73, 141-152.
- 2001. Mapping African Biblical Interpretation: A Tentative Sketch, in: West, G.O. & Dube, M.W. (eds.) *The Bible in Africa: Transactions, Trajectories and Trends*. Leiden: Brill, 29-53.
- Willi, T. 1994. Late Persian Judaism and its Conception of an Integral Israel according to Chronicles, in: Eskenazi, T.C. & Richards, K.H. (eds.) *Second Temple Studies 2. Temple and Community in the Persian Period*. Sheffield: Sheffield Academic Press, 146-162. (JSOTS 175)

- 1995. *Juda – Jehud – Israel. Studien zum Selbstverständnis des Judentums in persischer Zeit.* Tübingen: Mohr Siebeck. (FAT 12)
- Willis, G. 1969. Das Jubeljahr-Gesetz, eine Novelle zum Sabbathjahr-Gesetz. *Mitteilungen des Instituts für Orient Forschung* 2 (15), 337-345.
- Wright, C.J.H. 1992. Jubilee, Year of, in: Freedman, D.N. (ed.) *The Anchor Bible Dictionary. Volume 3.* New York: Doubleday, 1025-1030.
- Zenger, E. 1999. Das Buch Levitikus al Teiltext der Tora/des Pentateuch. Eine synchrone Lektüre mit kanonischer Perspektive, in: Fabry, H.-J. & Jüngling, H.-W. (eds.) *Levitikus als Buch.* Bodenheim: Philo, 47-83. (BBB 119)
- Zimmerli, W. 1969. *Gottes Offenbarung. Gesammelte Aufsätze zum Alten Testament.* München: Kaiser. (Theologische Bücherei 19)

