The Meaning and Function of the HATTA'T Offering

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Abstract

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This study investigates the symbolism of the ḥaṭṭā'ṯ offering in the priestly literature of the Pentateuch, especially Leviticus. It starts by discussing the relationship between the occasions for bringing ḥaṭṭā'ṯ and its basic function, with special reference to J. Milgrom's thesis that the ḥaṭṭā'ṯ purifies only sancta and not persons. The examination of the relevant texts shows that his view is one-sided. The ḥaṭṭā'ṯ deals with both ḥaṭṭā'ṯ (sin) and uncleanness; when sancta are purified, so is the offerer (chapters 1-2). A deeper dimension of 'purification' is set out in Lev 17:11 (chapter 4) and is manifested in contagion of the ḥaṭṭā'ṯ, viz. setting substitutionary death over against death caused by sin and uncleanness (chapter 5).

Exegesis of Lev 10:16-20 (chapters 2-3), a *crux interpretum*, forms the basis of inquiry into the various types of ḥaṭṭā'ṯ ritual, opening up the possibility that behind the variety of atonement ceremonies in Leviticus there is a coherent system. The episode in that section shows the inadequacy of the eighth-day service in the face of Nadab and Abihu's sin and adumbrates the ritual in Lev 16 (chapter 3). Then from Lev 10:17 and other texts it is inferred that the concept of *kipper* includes 'purification' and 'bearing guilt' (chapter 4).

It is argued that the modes of blood manipulation in the ḥaṭṭā'ṯ depend on the nature of the occasion, whereas the modes of disposal of the ḥaṭṭā'ṯ-flesh hinge on whether the agent of atonement is also its beneficiary (chapter 5).

These conclusions provide a rationale for the Azazel-goat ritual (Lev 16). By purifying sancta Aaron bears guilt. Then that guilt is removed from the sanctuary by the Azazel goat when Aaron confesses the sins of all the Israelites over it and sends it away to Azazel (chapter 6).

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Preface

I would like to express my gratitude to those people who have assisted me in producing this thesis.

Dr. G. J. Wenham, who is my director of study, has supervised this work from the beginning with great care and patience. To him I owe a great debt of gratitude.

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Lastly, to Mr. G. C. Chirichigno goes my sincere appreciation who typed this thesis on an Apple™ Macintosh computer and printed it on an Apple™ LaserWriter, thus making it possible to produce a text containing diagrams, and Greek and Hebrew scripts.

A word is necessary about the conventions followed in this thesis. References to books, commentaries, and journals in the footnotes are abbreviated. Complete references to these works can be found in the Bibliography.

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AB	Anchor Bible
AV	Authorized Version
BDB	F. Brown, S.R. Driver, C.A. Briggs, *A Hebrew and English Lexicon of the OT* Oxford 1929
BM	Beth Miqra
BS	Bibliotheca Sacra
CBQ	Catholic Biblical Quarterly
DB	*Dictionary of the Bible*, Edited by F.C. Grant and H. H. Rowley Edinburgh 1963^2
DBS	Supplément au Dictionaire de la Bible
EI	Eretz Israel
EJ	Encyclopedia Judaica, 16 vols. Jerusalem 1971
EM	Encyclopedia Miqrait (Biblica), 8 vols. Jerusalem 1950-1982
EQ	Evangelical Quarterly
ET	Expository Times
FS	Festschrift
GK	*Gesenius' Hebrew Grammar*, Oxford 1910^2
HDB	Hastings Dictionary of the Bible
HUCA	Hebrew Union College Annual
IDB	Interpreter's Dictionary of the Bible
IDBsup	Supplement to Interpreter's Dictionary of the Bible (1976)
JAOS	Journal of the American Oriental Society
JBL	Journal of Biblical Literature
Joüon	P. Joüon, *Grammaire de l'hébreu biblique*, Rome 1923
JQR	Jewish Quarterly Review
JSS	Journal of Semitic Studies
JTS	Journal of Theological Studies
KBL	Koehler, L. und Baumgartner, W., *Hebräisches und aramäisches Lexikon zum Alten Testament*, Leiden 1967-1983
LXX	Septuagint
MT	Masoretic Text
MTZ	Münchener Theologische Zeitschrift
NASB	New American Standard Bible
NEB	New English Bible
OT	Old Testament
OTS	Oudtestamentische Studiën
OTWSA	Ou-Testamentiese Werkgemeenskap van Suid-Afrika

Introduction

Aim and Scope

The חטאת offering is the sacrifice in the OT most prominently associated with atonement. This thesis aims at clarifying the meaning and function of this sacrifice in the priestly literature of the Pentateuch.[1] While relevant passages in Exodus and Numbers will be discussed, the חטאת in Leviticus will be the central concern of the study.

History of the Investigation

Since the last century the חטאת offering has been studied in connection with various theological issues. There are three major contexts in which the חטאת has been discussed by theologians and exegetes. Firstly, since the חטאת like the אשם has commonly been regarded as an expiatory sacrifice, the differences between these two sacrifices have been vigorously discussed mostly within the particular context of Lev 4:1-5:26.[2] Secondly, being an animal sacrifice like the עולה and שלמים, the חטאת has been discussed in connection with substitution, the symbolism of blood, the imposition of hand(s) and so on. Thirdly, the חטאת has been most often taken up in the discussion of 'atonement', 'expiation', and 'propitiation'. This is understandable since

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[1] Exod 29:10-14,36; 30:10
Lev 4:1-35; 5:1-13; 6:10,17-23; 7:7,37; 8:2,14-15; 9:2-3,7-15,22; 10:16-20; 12:6-8; 14:13,22,31; 15:15,30; 16:3,5,6,9,11,14-15,18-19,25,27-28; 23:19
Num 6:11,14,16; 7:16,22,28,34,40,46,52,58,64,70,76,82,87; 8:7,8,12; 15:24,25,27; 18:9; 19:9,17; 28:15,22; 29:5,11,16,19,22,25,28,31,34,38.

[2] J.H. Kurtz, *Sacrificial Worship* (1863) p.182ff.; C.F. Keil, *Archäologie* (1875) p.230ff.; G.B. Gray, *Sacrifice* (1925) p.55ff.; D.Schötz, *Schuld-und Sündopfer* (1930) pp.32-52; A. Medebielle, 'expiation' *DBS* (1938) col. 57ff.; P.P. Saydon, *CBQ* 8(1946) pp.393-398; R. de Vaux, *Studies* (1964) p.98ff.; N.H. Snaith, *VT* (1965) pp.73-78.

the term כפר, which has by and large been translated 'expiate for' or 'atone for', is most frequently mentioned in connection with the חטאת.

However, although these theological issues are closely related to the question of the function of the חטאת and indeed constitute part of the חטאת problem, it is surprising that the חטאת has rarely been studied in its own right. Indeed there are various views about the above theological issues and the texts related to the חטאת, yet as far as the basic function of the חטאת itself is concerned, there is little discussion; its function is seen either as expiatory or purificatory, or both. Setting aside detailed arguments about the individual elements of the חטאת or of its ritual for later discussion, we shall briefly delineate below how the major function of the חטאת has been seen.

In the LXX of the Torah the term 'חטאת' (offering) is consistently translated ἁμαρτία except in Num 8:7 (ἁγνισμός); 19:9 (ἁγνισμα), 17 (ἁγνισμός). This deviation is ascribed by S. Daniel to the circumstance that in the eyes of the Greek translators this agent of purification, i.e. a red heifer, had nothing in common with the sacrificial animals prescribed in contexts such as Lev 4, which are more associated with expiation.[3]

With regard to the Rabbinic tradition it has been noted by J. Milgrom that some sages made a distinction between the חטאת for expiation (Lev 4; Num 15:22,31) and the חטאת for purification (e.g. Lev 12), but that the majority of rabbis held the function of the חטאת to be purificatory.[4]

In the NT a clear idea about the function of the חטאת in the OT ritual is expressed by the author of Hebrews, as follows:

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[3] S. Daniel, *Recherches sur le vocabulaire du culte dans la Septante* (1966) pp.299-316 here p.306. Cf. G. Stählin, 'ἁμαρτάνω' *TDNT* vol. 1 pp.293-296.
[4] J. Milgrom, *Cultic Theology*, p.68. Cf. further A. Büchler, *Sin and Atonement*, p.270ff.

For if the blood of goats and bulls and the ashes of a heifer sprinkling those who have been defiled, sanctify for the cleansing of the flesh, how much more will the blood of Christ, who, through the eternal Spirit offered Himself without blemish to God, cleanse your conscience from dead works to serve the living God? (Heb 9:13-14, NASB)

Thus the חטאת on the day of Atonement (Lev 16:5) and the ashes of a red heifer (Num 19:9) are equally assumed to *cleanse the flesh*.[5]

From the last century till today most Christian theologians have assumed the function of the חטאת to be expiatory, not only in contexts where the verb חטא appears, but also in contexts where apparently only purification is spoken of. For example, on the nature of the ritual for the parturient (Lev 12) Keil wrote:

For her restoration to the Lord and his sanctuary, she was to come and be cleansed with a sin-offering and a burnt-offering, on account of the uncleanness in which the sin of nature had manifested itself; because she had been obliged to absent herself in consequence for a whole week from the sanctuary and fellowship of the Lord.[6]

Thus uncleanness is viewed by Keil as a manifestation of the nature of sin. Similarly, referring to various kinds of uncleanness J.H. Kurtz said:

These conditions and functions, the whole of which, with the single exception of conjugal intercourse, were involuntary and to a certain extent inevitable, are not treated in the law as sinful in themselves, or as connected with special sins... Yet by requiring a sin- or trespass-offering for the removal of the higher forms of uncleanness, it indicates a primary connection between them and sin, so far, that is to say, as the processes occurring in the body are dependent upon the influences and effects of the universal sinfulness. And it was this sinfulness,..., which required sacrificial expiation by

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[5] Cf. 2Cor 5:21 and R. J. Daly, *Christian Sacrifice*, pp.237-240; S. Lyonnet-L. Sabourin, *Sin*, p.185ff.
[6] Keil, p.377.

means of sin-offerings, in the same manner as sinful acts unconsciously performed.[7]

Kurtz's work shows how intensively the symbolic meaning of every component of the חטאה ritual (slaughtering, imposition of hand(s), blood manipulation etc.) was discussed in the last century, a trait not dominant in recent study of the חטאה.

An additional circumstance, which has affected the study of the חטאה even until the present, is the place of Lev 17:11 in the study of sacrificial symbolism. In view of the fact that this is the sole passage which explicitly refers to the meaning of blood manipulation it would be understandable if a question such as whether the חטאה is expiatory or purificatory appeared to have only secondary importance for scholars who concentrated on the exact meaning of the passage. At any rate, despite the consensus that Lev 17:11 should be applied to other animal sacrifices, it is a fact that the passage has not been meaningfully considered in connection with some specific features of the חטאה.

On the whole this kind of approach to the function of the חטאה has not basically changed until today,[8] except for a few dissenters mentioned below culminating in J. Milgrom's thesis (1970).

In his work on expiation L. Moraldi (1956) pointed out that the terms, 'expiation', 'expiatory' with judicial overtones, are unsuitable for describing the function of the חטאה in view of the purely purificatory contexts such as Num 19:9,17; 8:7; 31:23.[9] However, without abolishing

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[7] Kurtz, op. cit., p.416. Cp. J. Köberle, Sünde und Gnade (1905) p.333.
[8] Cf. for instance, I. Benzinger, Archäologie (1927) pp.367-368; J. Pedersen, Israel, vols. 3-4 (1940) p.369ff.; R. Dussaud, Origenes (1941) pp.117-129; de Vaux, op. cit., pp.91-95; W. Eichrodt, Theology I (1961) pp.161-162; G. von Rad, Theology I (1962) pp.251,258ff.; K. Elliger (1966) p.69; N.H. Snaith (1967) p.40; W. Kornfeld (1983) p.20. Porter (1976), in p.37, says "sin- and guilt-offerings are made on occasions where 'sin', in our usual understanding of the word, is hardly involved (cp. 5:1-3; 14:1-20; 16:16)".
[9] L. Moraldi, Espiazione, p.154.

the term 'expiatory' he proposed to retain it on the understanding that it has nothing to do with our modern concept of expiation with judicial overtones.[10]

In 1963 J. Barr contributed an article on 'sacrifice and offering' in which he briefly expressed his view on the חטאת.[11] According to him the חטאת (sacrifice for sin) is not directly related to 'sin' in the light of חטא (Lev 8:15; Ezek 43:20-23), which refers to purifying or purging. From this usage the term חטאת acquired a secondary sense of purification. Barr then concludes that "'purification offering' better expresses to the modern mind the purpose of the חטאת than does 'sin offering', with its misleading association".[12]

In the last fifteen years two new theories on the חטאת have been proposed by the Jewish scholars, B. Levine and J. Milgrom.

According to Levine[13] there are two types of חטאת: (1) the חטאת for safeguarding the sanctuary and its ministering priesthood from contamination (e.g. Lev 4:1-21); (2) The חטאת for expiating the offences of the individual. This latter is expiatory rather than purificatory. The two types of חטאת are distinguished by the identity of the donor of the sacrifice; the חטאת of the priests comes from Aaron or priests and safeguards the sanctuary, whereas the חטאת of the people comes from the people and expiates them.

This characterization of the two kinds of חטאת by its donor has been rejected by J. Milgrom[14] (see below) on the following grounds: (1) The sacrificial goat on the day of Atonement is burned outside the camp but it

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[10] Ibid., Cp. Daniel, *op. cit.*, p.306ff.
[11] J. Barr, 'Sacrifice and Offering' *DB* (1963) p.874.
[12] Ibid.
[13] B. Levine, *Presence* (1974) p.103ff.
[14] Milgrom, *op. cit.*, p.72.

is brought by the people (Lev 16:5,27). Further in Lev 4:13-21 the sanctuary is purged by a חטאה but it is brought by the people. (2) The burnt חטאה is not "safeguarding", since it has no apotropaic function. Neither does it purify the priesthood, since the purgative element, the blood, is never placed on an individual, not even the priest. (3) The eaten חטאה cannot be expiatory because it is impossible to assume sin or sinfulness in physical impurity (e.g. Lev 12).

In a series of articles since 1970[15] J. Milgrom has established himself as the leading modern authority on the interpretation of the חטאה. His basic view of the חטאה is as follows:

The חטאה should be translated 'purification offering' for the following reasons. The term חטאה is a derivative of a pi'el verb חטא which means 'to cleanse, expurgate, decontaminate' (Lev 8:15; Ezek 43:22,26). Moreover "the חטאה is prescribed for persons and objects who cannot possibly have sinned."[16]

The חטאה is prescribed for an unclean person (Lev 12-15) and for a sinner (e.g. Lev 4). Yet in the former the uncleanness is removed by ablution whereas in the latter the sinner "has undergone inner purification"[17] by "feeling guilty (אָשֵׁם)".[18] Since the חטאה blood is applied to the sancta, it must be concluded that the blood purifies the sancta and not the person. This is supported by the prepositions כִּפֶּר takes. When כִּפֶּר is followed by inanimate objects (e.g. Lev 16:16ff.), the prepositions עַל and ב should be taken literally, whereas when the object

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[15] Milgrom, *Tarbiz* 40(1970) pp.1-8; *idem, Cultic Theology,* pp.67-95.
[16] *Cultic Theology,* pp.67-69.
[17] *Ibid.,* p.75.
[18] *Cult ,* (1976) pp.3-12.

of כֹּפֶר is a person the prepositions על and בעד mean 'on behalf of'.[19]

The idea of sin/uncleanness contaminating the sanctuary is common to all ancient Near Eastern cultures, and in Israel the defilement of the sancta is envisaged in three stages: (1) The sin of an individual and severe uncleanness pollute the outer altar (Lev 4:25,30; 9:9ff.). (2) The sin of the anointed priest or the whole congregation defiles the shrine (Lev 4:5-7,16-18). (3) Wanton, unrepented sin defiles not only the outer altar and the shrine but the כַּפֹּרֶת, and this uncleanness is purified on the day of Atonement (Lev 16:16-19).[20]

The two kinds of חטאת, the eaten and the burnt, are both purificatory. The eaten חטאת purges lower degrees of uncleanness; thus it can be eaten by the priests. By contrast the burnt חטאת purges higher degrees of uncleanness caused by the sin of the high priest, the whole congregation and wanton sinners. Since the חטאת flesh is dangerously contagious, it has to be burnt outside the camp.[21]

Lastly, Milgrom holds that Lev 17:11

כי נפש הבשר בדם הוא

ואני נתתיו לכם על המזבח לכפר על נפשתיכם

כי הדם הוא בנפש יכפר

refers only to the שלמים: he excludes its application to the blood manipulation of other sacrifices.[22]

Z. Weinberg[23] agrees with Milgrom that the function of the חטאת is purification. Like Milgrom he emphasizes those contexts in which the notion of sin is unlikely to be present, such as Lev 12:6-7; 15:14-15,29-30;

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[19] *Cultic Theology*, pp.76-77.
[20] *Ibid.*, pp.77-79.
[21] *Ibid.*, pp.70-74.
[22] *Ibid.*, pp.96-103.
[23] Z. Weinberg, *BM* 55(1973) p.524ff.

14:19,22,31; Num 6:10-11,14. He therefore infers that the term כפר in those contexts is unlikely to be related to 'expiation'. Weinberg points out, however, that Milgrom's view fails to explain the חטאת of the Nazirite, offered on the day of completing the vow (Num 6:13ff.), which is associated neither with 'purification' nor with 'forgiveness'. For this kind of context he suggests the idea of 'renewal of right relationship' between God and the offerer.[24]

In his recent exhaustive work on כּפֶּר B. Janowski includes some criticisms of Milgrom's major theses on the חטאת and כּפֶּר.[25] Janowski argues against Milgrom that it is insufficient just to point out that חטא means 'to cleanse, expurgate, decontaminate' (Ezek 43:22,26; Ps 51:9) to establish the translation of the חטאת as 'purification offering'. It should not be overlooked, he says, that חִטֵּא is a privative denominative verb of חַטָּא, which means 'de-sin' (Exod 29:36; Lev 8:15; 14:49,52; Num 19:9; Ezek 43:20,22,23; 45:18; Ps 51:9). Indeed Janowski admits that purification is the function of the חטאת in contexts such as Ezek 43:26 (טִהַר//כּפֶּר), Lev 12:7ff. and Num 6:10ff.. But he argues that if, as Milgrom says, atonement consists in the purification of the sanctuary from material uncleanness, that notion is incompatible with that of a man being guilty. With regard to the cultic כּפֶּר Janowski consistently translates it

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[24] A.M. Rodriguez, in his *Substitution* (1979), has examined in some detail Milgrom's view of the חטאת as part of his argument for 'substitution'. On the whole he agrees with Milgrom only partially. However his view of the basic function of the חטאת appears obscure; for on the one hand he holds that "in cultic legislation sin and impurity are synonyms" (p.82 n.3), but on the other he observes that the חטאת is prescribed for "situations in which the idea of sin seems to be absent" (p.101), referring to contexts like Lev 12-15.

[25] B. Janowski, *Sühne* (1982) p.241 n.287, p.230 n.226, p.236 n.251 Especially p.241 n.287.

'sühnen',[26] by which he envisages 'eine stellvertretende Lebenshingabe' achieved by application of blood to sancta, as is summarized in Lev 17:11.[27]

The Problem

As the above brief delineation of the various views of the חטאת shows, the central problem regarding the function of the חטאת is whether it is expiatory or purificatory. However in view of the fact that the חטאת has tended to be unquestioningly translated 'the sin offering', the observation that it appears in contexts in which the notion of sin is unlikely to be present seems to be of vital importance.

However whether the חטאת is expiatory or purificatory is the question that arises from observing only the occasions of the חטאת ritual; for instance Lev 4 concerns 'expiation', whereas Lev 12 'purification'. That this definition may be misleading or superficial is indicated by the following considerations.

Firstly, in both contexts the חטאת ritual involves the same blood manipulation and the disposal of the חטאת flesh. Unless a historical change in the symbolic meaning of these acts is assumed, the rituals in both contexts must concern essentially the same thing.

The same inference may be drawn from the usage of כִּפֶּר. It appears in both expiatory and purificatory contexts. If the sense of כִּפֶּר were invariable in those contexts, the function of the חטאת could be the same which must be something more essential than 'expiation' or 'purification'. Even at this dimension, though, there remains the problem of translating

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[26] *Ibid.*, p.185 n.5.
[27] *Ibid.*, p.241 n.287, p.218ff., p.247. Milgrom's review of Janowski's work is found in *JBL* 104(1985) pp.302-304, in which Milgrom reemphasizes his own standpoint.

the 'חטאת'.

Another problem with the חטאת lies in the circumstance that its ritual varies with different occasions. Although this circumstance itself may not affect the basic function of the חטאת, it calls for an explanation why, for instance, the blood is brought into the shrine in Lev 4:1-21 but not in Lev 4:22ff., or why the חטאת flesh is on one occasion eaten by the priests but on another burned outside the camp (Lev 6:17-23).

It is clear then that every aspect of the חטאת offering requires reassessment. However we judge that whether correct or not Milgrom's contribution to the חטאת is of paramount importance because he offers the most sytematic view of the חטאת offering. Therefore our discussion will constantly interact with his view.

Method and Procedure

Most modern critics, especially in Germany, have tended to show a great deal of interest in the formation of the present text of Leviticus. While this approach is in itself justified, it is rather one-sided where it has not been coupled with an equal amount of interest in the meaning of the rituals, above all, the חטאת ritual.[28]

In this thesis we do not intend either to support or to reject, in principle, any particular literary analysis such as that of G. von Rad, K. Koch, R. Rendtorff, K. Elliger ~~and~~ or B. Janowski.[29] But with Milgrom[30] we take the present text of Leviticus as the starting point for our inquiry into the חטאת symbolism.

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[28] See G. Wenham, *Numbers* (1981) p.29ff.

[29] G. von Rad, *Priesterschrift* (1934); K. Koch, *Priesterschrift* (1959); R. Rendtorff, *Gesetze* (1963); *idem, Studien* (1967); K. Elliger, *Leviticus* (1966); B. Janowski, *op. cit.*

[30] Milgrom, *Levitical Terminology*, pp.1-2; *idem, Cultic Theology*, p.101 n.28. See the review of the first fascicle of R. Rendtorff's *Leviticus* (1985), in *Old Testament Abstracts*, 9,1(1986) p.101.

This approach is justified, we believe, for the following reasons. Firstly, source-critical judgements often presume the intention of a final editor. However the variety of interpretations of the present text of Leviticus, which will be shown in this thesis, indicates that the intentions of the final editor have not been firmly grasped by modern critics. Thus though we do not intend to devalue traditional disciplines such as source-, form- and redaction criticism, we hold with Milgrom that these methods will not be meaningful until we know the intention of the final editor, hence the importance of the present text.

Secondly, source-critical judgements are often based on unevenness of style and ideology. But how one should evaluate the phenomenon is itself a great problem and raises numerous questions concerning the criteria of distinguishing literary strata. Yet conventional source- and form criticism have operated without a thorough reexamination of those criteria.[31]

Practically, then, it seems more sound to start from the present text because to enter into the history behind the present text involves, at the present stage of scholarship, too many extra problems, and particularly for any study of the meaning of a sacrifice like this one source criticism is unlikely to be fruitful.

This thesis mainly concerns the symbolism of the חטאת. And herein lies a great difficulty. Because the text rarely mentions explicitly the symbolic meaning of ritual acts, we know very little about the meaning of the ritual. Whereas, as modern anthropologists and some Biblical scholars have emphasized,[32] it is unlikely that the ancient Israelites performed their ritual acts without being aware of their symbolic meaning; rather the meaning of the ritual acts are rarely spelled out because they were self-evident to them. Nevertheless, we shall endeavour to point out some hints in the text itself. In the case of multiple interpretations the criterion

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[31] Cf. R. Knierim, *Interpretation* 27(1973) pp.435-468; Wenham, *op. cit.*, pp.18-21; J. Barton, *Reading the Old Testament* (1984).
[32] See Wenham, *Ibid.*, p.32ff.

of choice will be whether a suggested interpretation can be coherently applied to the same acts in other contexts. It is hoped that the use of this criterion will reduce any arbitrariness or sheer guess work to a minimum.

It is not only the meaning of the חטאת and various ritual acts in the ceremony that we know little about. A series of studies by Milgrom on cultic terms[33] has shown how inadequately we presume their meaning, whereas a subtle difference in the meaning of a single cultic term can affect one's way of looking at the cultic text and even a whole cultic theology (e.g. כִּפֶּר). Thus the importance of detailed rigorous exegesis is obvious. So we shall devote a great deal of space to discussing the meaning of words, phrases and sentences which appear in relevant texts, interacting with medieval Jewish commentators, 19th century writers such as Kurtz and more recent commentators.

It is hoped that our exegesis of particular sections of Leviticus will contribute, in a small way, to the future discussion of the formation of the book.

Our discussion of the חטאת divides into the following chapters. Ch.1 The חטאה offering in Lev 4:1-5:13 Ch.2 The חטאה offering in other sources Ch.3 Lev 10 and Lev 16 Ch.4 כִּפֶּר problem Ch.5 Some components in the חטאה ritual Ch.6 The חטאה offering in Lev 16.

Chs.1-2 investigate the relevant חטאה sections in an attempt to discover the basic function of the חטאה with special reference to Milgrom's view. In ch.2 special emphasis is laid on the exegesis of Lev 10:17 which links the function of the חטאה with כִּפֶּר. Based on the interpretation of Lev 10:17 ch.3 attempts to clarify the enigmatic episode in Lev 10:16-20, in which Moses argues with Aaron about the people's

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[33] Milgrom, *Levitical Terminology* (1970); *idem, Cult* (1976); *idem, Cultic Theology* (1983).

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חטאת mentioned in Lev 9:7,15. The interpretation of this incident as well as the Nadab and Abihu incident (Lev 10:1-7) leads to a reassessment of the nature of the ritual in Lev 9 and also to a discussion of the relationship between Lev 10 and Lev 16. Ch.4 is devoted, first of all, to the clarification of the concept of כִּפֶּר, and the various prepositions it takes. Drawing on the conclusions of ch.2 we shall discuss whether the notion of 'purification' is foreign to 'bearing guilt', seeing that each is related to כִּפֶּר. Then Lev 17:11, which is the only explicit clue to the symbolism of blood manipulation, is discussed with reference to Milgrom's restriction of the passage to the שלמים. Ch.5 discusses three components of the חטאת ritual: the imposition of hand(s), the blood manipulation and the disposal of the חטאת flesh. The first and the third concern the question whether the חטאת flesh becomes unclean or not, while the second is related to the problem of the variety of ritual types created by the הִזָּה and נָתַן gestures. Ch.6 addresses the function of the חטאת in the day of Atonement ceremony, based on the conclusions of all the previous chapters. The central question here is how the Azazel-goat ritual is related to the חטאת which purifies the sancta. The solution of this question will confirm the inferences drawn in the previous chapters about the relationship between uncleanness and guilt (chs.2,4), the relationships between Lev 10 and Lev 16 (ch.3) and between Lev 4:3-21 and Lev 16:14ff. (ch.5). Lastly a suggestion will be made about how this atonement ceremony should be seen in relation to other atonement ceremonies.

Limitations

For the reasons stated above we shall not enter into the literary analysis of the texts related to the חטאה. This task is also impossible within the scope of the present work.

In addition there are several areas of research which we touch upon in the course of discussion but which we cannot investigate thoroughly, because of the limited scope of this work. They are: (1) the אשם offering and its relationship with the חטאה. (2) cleanness-uncleanness regulations (3) the relationship between sancta and the people (4) the scope of purgation of the חטאה (5) the material of the חטאה sacrifice. Each of these issues requires separate investigation and is germane to a deeper understanding of the חטאה.

Nevertheless we believe that our approach to the חטאה is urgently needed in view of the wholesale but superficial treatments of the Israelite sacrifices in the past. We suggest that similar studies should be made of each of the other four major sacrifices (אשם, שלמים, מנחה, עולה) in ancient Israel with a view to producing a comprehensive interpretation of their sacrificial system.

Chapter 1

The חטאת Offering in Lev 4:1-5:13

Introduction

We begin our study with Lev 4:1-5:13,[1] the fullest set of regulations dealing with the חטאת, because this pericope prescribes exactly why and when the sacrifice is to be brought to the sanctuary. At this stage we aim to clarify some of the general principles implied in this passage. We shall leave some of the more difficult problems about the differences between the rites for later discussion.

Lev 4 deals with the so-called inadvertent violation of a divine prohibition,[2] and its expiatory ritual is classified according to four cultic representatives viz. the anointed priest,[3] the whole congregation,[4] a tribal leader and a lay individual.[5] The ritual for the anointed priest is the same as that for the whole congregation. The main elements of the ritual include bringing the blood into the shrine, sprinkling it towards the פרכת-veil, daubing the horns of the incense altar with it and burning the flesh outside the camp. The fact that only Lev 4:3-21 and Lev 16:12-17 prescribe the bringing of blood into the shrine suggests some relationship between the two sections. By contrast the ritual for a tribal leader is essentially the same as that for a lay individual. An important feature of the normal חטאת ritual is daubing the horns of the altar of burnt offering

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[1] On the problem of Lev 5:6-7 see B. Janowski, *Sühne*, pp.256-257.

[2] The "commandments" include not only cultic but ethical ones. See Dillmann, p.414; A.M. Rodriguez, *Substitution*, pp.87,100; R. Knierim, *Hauptbegriffe*, p.62. However Çp. Porter, p.37.

[3] I.e. the high priest, with most commentators. See J.H. Kurtz, *Sacrificial Worship*, p.329 n.1; G.J. Wenham, *Leviticus*, pp.96-97. We thus assume that Lev 4 does not deal with expiation of the sin of ordinary priests. See n.5 below.

[4] Cf. J. Liver *EM* s.v. עדה; J. Milgrom, *Cultic Theology*, pp.1-18 esp. pp. 2-12; Wenham, *op. cit.*, p.98. [5] The phrase עם הארץ does not appear to include ordinary priests. Cp. P. Heinisch, p.29.

with the blood. Though nothing is prescribed for the הַמְטָאת flesh, it is generally assumed from Lev 6:17-22 that it is consumed by the officiating priest. The above two types of ritual have in common the imposition of a hand, slaughtering, pouring the rest of the blood at the base of the altar of burnt offering and the burning of fat.

Lev 5:1-4 deals with four particular sins, the exact nature of which will be discussed below. The ritual assumed in v.6 could be the same as that of Lev 4:32ff.[6] However it is followed by two concession-sacrifices (vv.7-13) taking account of the economic status of the sinner.

At first sight it appears that the function of the sacrifice is reflected in the ritual itself. And it may well be so. But the complex of ritual details may be related to the concept of כִּפֶּר which appears at the end of the sacrificial ritual. On the other hand, in Lev 4-5 differences in ritual procedure appear to vary with the kinds of sin. These considerations suggest that the ritual elements should be dealt with separately and that the protases (Lev 4:2-3, 13-14a, 22-23a, 27-28a; 5:1-4) and their relationship with the ritual as a whole must be first investigated to approach the essential function of the חטאת. The study thus looks first at the overall structure of the protases (A), then at the concepts of the שׁגג (B) and אָשֵׁם (C), and finally at the consequence of sin (D).

A. Overall structure of the protases

The protases in question include Lev 4:2-3, 13-14a, 22-23a, 27-28a; 5:1-4. We shall discuss first the structure of the first four protases and then Lev 5:1-4.

Formally the law in Lev 4 begins with נפשׁ כי (v.2) followed by four sub-cases with אם (v.3), ואם (v.13), אשׁר (v.22)[7] and ואם (v.27). Conceptually, however, v.2 has been regarded as almost the same as

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[6] The assumption is that if the ritual is different, it must be prescribed as in Lev 5:8-9.
[7] See Dillmann, p.425.

vv.13,22,27.[8]   This view does not seem correct when v.2 is looked at more closely. It reads:

v.2a ... נפש כי תחטא בשגגה מכל מצות ה' אשר לא תעשׂינה

v.2b ... ועשׂה מאחת מהנה.

The exegetical problem in v.2 centres on the meaning of מן which appears three times. Though there is no problem about the third one, which is clearly partitive, the first two have been basically taken as either partitive[9] or 'against'.[10]

The first view, that the first two מן are partitive, seems to be based on the assumption that the whole chapter deals with the violation of one divine prohibition.[11] Though this is correct, it is not until v.2b that the breach of only one command is mentioned. Thus to take the first two מן as partitive will make v.2b virtually redundant. But since הנה in v.2b refers back to כל מצות, it is clear that v.2b, and not v.2a, expresses the idea of 'part', and that therefore there is no redundancy between v.2a and v.2b. Hence the first מן is unlikely to be partitive. Further the second one is also unlikely to be partitive because the third one is enough to express the idea of 'part'.

The second view that מן marks the object of sin, thus "against", is more likely. The same usage seems to be found in Lev 5:13. If so, מן should be connected with חטא rather than with בשגגה.

However if the above interpretation of מן is correct, the general meaning of v.2 is still ambiguous simply because the passage appears to speak of the violation of one prohibition, and not all the prohibitions.[12] If

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[8] So assumed explicitly and implicitly, to my knowledge, by all commentators.
[9] See Rashi and D. Hoffmann, *ad loc.*
[10] Shadal, *ad loc.*; K. Elliger, p.53.
[11] Cp. *GK*, p.382 n.2.
[12] Cp. Elliger, *ibid.*

there is no redundancy between v.2a and v.2b there appears to be no alternative but to assume that v.2b explains v.2a; *waw* in ועשה being explicative (cp. vv.13,22,27). Thus the general meaning of the passage should be: "if anyone sins inadvertently against all the divine prohibitions in that he does one of them". Therefore the passage seems to assume that even the violation of one divine prohibition is equal to that of the whole.[13]

This idea is, however, not expressed in vv.3,13,22 and 27. Therefore v.2 presents a principle covering all the four sub-cases, not only formally but conceptually. Nevertheless it could be observed that vv.13,22,27 use the same expressions or expressions similar to those found in v.2, whereas v.3 is much shorter than vv.13,22,27. This could well have been caused by the distance of vv.3,13,22,27 from v.2; vv.13,22,27, being distant from v.2, remind a reader of v.2 by using the same or similar expressions whereas v.3 could afford to be shorter, coming immediately after v.2.

Lev 5:1-4 gives an impression entirely different from Lev 4 in that it presents four particular sins, and though it begins with ונפש כי, it is not followed by an אם-clause introducing sub-cases. Traditionally the four cases have been regarded as protases independent of one another. A. Spiro[14] and M. Noth[15] have, however, proposed that vv.2-4 hinge on v.1, which "enjoins a potential witness to give testimony against a man whom he has seen commit a sin or of whom he has knowledge that he has committed a sin. Verses 2-5 bid the observer, the witness of verse 1, to tell or remind his fellow man that he finds himself in a situation where he is liable to commit a sin."[16] According to Spiro והוא ידע ואשם (vv.3,4) refers to the witness in v.1, while either והוא טמא in v.2 should be emended to והוא ידע as in vv.3-4, or v.2b as a whole should

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[13] Cp. Num 15:22; Ezek 18:10-11 (with M. Greenberg, *Ezekiel* (AB) *ad loc.*); James 2:10.

[14] A. Spiro, *PAAJR* 28(1959) pp.95-101.

[15] M. Noth, p.44.

[16] Spiro, *op. cit.*, p.95.

be omitted as in the LXX.[17] In addition ואשם is understood by Spiro to mean "failure to do [tell] so is a sin."[18]

The nature of the sins and the clause ונעלם ממנו והוא ידע will be discussed below at length. But even in other respects the above view seems quite unlikely.

Firstly, vv.2-4 are introduced by או which appears to present alternatives to v.1 as a whole,[19] but which can hardly serve to present possible instances of witnessing in v.1.

Secondly, מאחת מאלה in v.13 appears to disprove the interpretation because the phrase most naturally refers to the four independent cases in vv.1-4.

Thirdly, to assume "the failure to tell the fact" between והוא ידע and ואשם seems forced particularly in view of the fact that והוא ידע is missing in v.2 (see below).

Thus Spiro's proposal, though ingenious, is unlikely. As stated above the particle או functions to present sentence-level alternatives. Now the peculiarity of this section lies in that the alternatives in vv.2-4 begin in forms rather similar to ונפש כי in v.1; או נפש אשר (v.2), או כי (v.3) and או נפש כי (v.4). These introductory terms suggest the cases are independent. However Chapman and Streane suggest that "all four verses should be taken as forming one long protasis to which v.5 is the apodosis." In view of this proposal, which appears highly plausible, ונפש כי תחטא in v.1 could be taken as subsuming four particular cases. [20] In other words, conceptually vv.2-4 correspond to ושמעה ff. in v.1. This type of relationship between a main case and sub-cases has been noted above in

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[17] *Ibid.*, p.99 n.6.

[18] *Ibid.*, p.100.

[19] Cf. F. Andersen, *Sentence*, p.145.

[20] See Chapman - Streane,p.21. Also N. Snaith, p.48; Orlinsky, *Notes, ad loc.*

Lev 4. A possible explanation of the similar beginnings in vv.1-4 is that, contrary to Spiro's proposal each verse emphasizes its independent character by imitating the beginning of v.1.

In a word, the four independent cases are conceptually subsumed under ונפש כי תחטא (v.1) and followed by v.5.

Another question is how Lev 5:1-13 is related to Lev 4. The widespread view[21] that Lev 5:1-13 is a continuation of Lev 4, particularly vv.27-35, has been rightly corrected by Milgrom for the following reasons:[22] (a) The introductory formula ונפש כי (Lev 5:1) signifies the beginning of a new law. (b) The law of Lev 5:1-13 concerns any of the four cases enumerated in vv.1-4 (see vv.5,13). Further, as Milgrom notes there are definitive differences in the nature of sins between Lev 4 and Lev 5:1-4. But the above two reasons seem sufficient to prove that Lev 5:1ff. deals with a new law.

To summarize: In Lev 4, v.2, which says that the violation of one divine prohibition is equal to that of the whole, covers the four sub-cases in vv.3,13,22,27, while Lev 5:1-4, a section distinct from Lev 4, presents the four independent cases, subsumed under ונפש כי תחטא and followed by v.5.

B. שגג (שגה)

Having clarified the structure of the protases in Lev 4:1-5:13 we must now examine the use of the key term שגג in this section. It is important to clarify this term to discover the nature of the sins the חטאת atones for. Are they done consciously or not?

The general term for sin חטא is often modified by the root שגג both

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[21] E.g. Heinisch, p.30; Elliger, p.57. For the whole issue see A. Bertholet, p.11 and W.H. Gispen, p.86

[22] Milgrom, EM s.v. קרבן p.241; idem., 'Sacrifice and offerings' IDB sup. p.768; idem., JAOS 103(1983) pp.249-250.

in the חטאת and the אשׁם pericopes (Lev 4:2,13,22,27; 5:15,18). As we shall see the root שׁגג (שׁגה) is important for understanding the nature of sin in Lev 4-5 and the meaning of אשׁם. The verb שׁגג (or שׁגה) is generally rendered "go astray, err".[23] As Milgrom notes,[24] one important aspect inherent in the root throughout its occurrence is that the root expresses the idea of motion. With Milgrom and others the English term 'inadvertence' is adopted in the following discussion.

While the notion of 'unintentionality' constitutes the basic element of the meaning of שׁגג, a specific problem has been raised by Milgrom when he argues that the root שׁגג or שׁגה presumes the notion of consciousness about an act.[25] He reasons. All the חטאת cases assume that the sacrifice should be brought only after the sin becomes known to the sinner either by his own realisation or by others pointing it out. But the term אשׁם itself excludes the notion of 'consciousness of an act'. This means that the consciousness of an act must be presumed in the previous phrase בשׁגגה. Thus the חטאת pericope deals with 'conscious acts' which were later realised to be sinful. The absence of the root שׁגג in Lev 5:1-4 is due to the fact that those sins are deliberate.[26]

R. Knierim claims, however, that this theory is untenable and holds that in most cases where the term appears the consciousness of a sinner is hardly reflected, and that, even if it is, each case should be observed contextually. In principle he assumes that the concept designates the objective result of an unpremeditated act or involuntary error,

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[23] Cf. *BDB;* Knierim, 'שׁגג' *THAT* p.870ff.; Milgrom, *Cultic Theology*, p.123 n.5. However B. Jackson (in *Essays in Jewish and Comparative Legal History*, p.91), assumes 'lack of premeditation' rather than 'unintentionality' in a case of murder. Cf. also G. Quell, 'ἁμαρτάνω', *TDNT* 1 pp.267-286 esp. pp.274ff.; D. Daube, *RIDA* 2(1949) pp.189-213. It appears that both error and accident are related to שׁגג.

[24] *Op. cit.*, p.122ff. Cf. A. Noordtzij, p.55.

[25] *Ibid.*, pp.124-125 with n.11,13.

[26] Ibid.

irrespective of the consciousness of a sinner.[27]

Janowski,[28] following Knierim, opposes Milgrom's view that the sins in Lev 5:1-4 are deliberate, and maintains that they are caused by ignorance. In support of this view Janowski refers to the root עלם in Lev 5:2,3,4; 4:13; Num 5:13; Lev 20:4. With K. Elliger Janowski judges those sins as a "Mischung von Irrtum und Verantwortlichkeit", and assumes that the whole section of Lev 4:1-5:13 deals with sins which begin unconsciously.[29]

In comparing these two opposing views it is important to note that אשם is translated 'feel guilt' by Milgrom, whereas it is translated 'be, or become guilty' by Knierim and Janowski, and that Milgrom emphasizes that an unintentional act can be performed consciously. Why Knierim and Janowski cannot accept Milgrom's view may be traced partly to the former's understanding of אשם. If the term describes the objective status of a sinner 'become guilty', there arises no need to inquire about a subjective element in the previous phrase בשגגה. By contrast Milgrom's suggestion on שגגה focuses on the subjective situation of a sinner who has become aware of his offence, either by feeling guilty or by having his sin drawn to his attention (vv.22-23a,27-28a).[30] It is logical to hold that if a sin comes to be known to a sinner, he must have been conscious of his act.

Does the phrase בשגגה, then, contain the notion of consciousness, as Milgrom insists?

Two basic considerations are in order at this point. Firstly, there is a consideration about the definition of the meaning of a word. Though Milgrom does not say that the consciousness of an act forms part of the

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[27] Knierim, *op. cit.*, col. 871 followed by Rodriguez, *op. cit.*, p.84 and others.
[28] Janowski, *op. cit.*, p.255 n.378.
[29] *Ibid.* So D. Schötz, *Schuld und Sündopfer*, p.46. He equates נעלם מן with בשגגה.
[30] The problem of או will be discussed later.

meaning of שגגה, in principle the meaning of a word (including denotation and connotation) should be distinguished from information or situation inferred from the context. Thus when the consciousness of an act is said to be contained in the phrase בשגגה, it is questionable whether it constitutes the meaning of the phrase or whether it is simply inferred from the situation.[31] Secondly, and more importantly, the very meaning of שגג 'going astray,erring' suggests the existence of norm or rules, which are divine prohibitions in the context of Lev 4. It is only in the context of rules that an act can be known as sinful. However it is clear from the context of vv.13-14,22-23,27-28 that when a person commits an inadvertent sin he is not aware of it. This situation already suggests that if שגג presumes something, it is unconsciousness of sin and not consciousness of an act.[32] The latter appears too self-evident to be at issue. As will become clear in the arguments below the distinction between consciousness of an act and consciousness of the act's being a sin is crucial to the understanding of שגגה.

With these considerations in mind we examine below the concept of שגגה and its related expressions, והוא לא ידע and נעלם מן in the order of Lev 5:17-19; 4:13; 5:1-4; the first and second passages include שגג whereas the third one does not.

Lev 5:17-19[33] ----- The clauses ולא ידע and שגגתו...ידע in vv.17-18 deserve close scrutiny. First of all, the crucial exegetical problem with ולא ידע in v.17 is what the offender does not know. Some traditional Jewish exegetes have assumed that the clause means that a sinner did not know whether he sinned or not, but he suspects that he may

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[31] The same is noted by Rodriguez, *op. cit.*, p.84 n.7.

[32] With Noordtzij who comments "...this lack of awareness or "being hidden" naturally does not mean that the party in question was unconscious of his deed, but only that it did not dawn on him that this deed constituted a sin." (*op. cit.*, p.55)

[33] For the rabbinic view of this section cf. Rashi, *ad loc.*; Hoffmann, pp.148-150; Milgrom, *Cult*, n.268,269.

have.[34] Ibn Ezra, followed by Shadal, assumes that the offender did not know that what he did was prohibited.[35] It seems that the interpretative gloss 'suspect' is unwarranted. But the view adopted by the majority of exegetes that the clause refers to sinning without realising it seems correct.[36] For it appears most natural that the clause refers to the preceding sentence תעשׂינה...ועשׂתה *as a whole* which expresses nothing but the concept of חטאת. Thus ולא ידע is unlikely to mean unconsciousness of an act. Moreover it must be argued that the ignorance of having committed a sin does not necessarily mean the unconsciousness of the act.

Secondly, the clause שׁגגתו אשׁר שׁגג והוא לא ידע deserves attention. For it will be reasonable to assume that the object of ידע is שׁגגתו, and that the whole clause is a combination of שׁגגתו אשׁר שׁגג and שׁגגתו אשׁר הוא לא ידע. If so, it follows that the root שׁגג itself does not refer to the self-consciousness of an offender (והוא לא ידע).[37] In the light of this interpretation the widespread assumption that ולא ידע in v.17 corresponds to בשׁגגה in Lev 4:22[38] may be misleading. However seen as a whole Lev 5:17-19 appears to deal with the same situation as in Lev 4; inadvertent sin.[39] Some linguistic peculiarities of Lev 5:17-19 should be noted, the term שׁגגה comes instead of חטאת in Lev 4; the qal form שָׁגַג (v.18) appears only here in Lev 4-5; in Lev 4 the same situation is expressed by using בשׁגגה and not

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[34] See Rashi, *ad loc.*; Hoffmann, p.148.   [35] Ibn Ezra, Shadal, *ad loc.*

[36] It is not clear whether Milgrom makes a distinction between consciousness of an act and that of a sin. Cp. *Cult*, p.9 and *Cultic Theology*, p.123 n.7 with *Cult*, p.76. He assumes that the sin remains unknown forever. This position is adopted by Dillmann, p.437; Gispen, pp.95-97; Chapman-Streane, p.24; Wenham, pp.107-108 and others.

[37] Thus the phrase does not speak of "an accidental act performed unconsciously" as Milgrom assumes in *Cultic Theology*, p.123 n.7.

[38] E.g. Kurtz, *op. cit.*, p.199; Bertholet, p.17; Schötz, *op. cit.*, pp.10-11; cf. Hoffmann, p.148 n.1.

[39] Thus the position in n.36 above should be excluded.

.ולא ידע

Therefore from Lev 5:17-19 it may be tentatively concluded that שגג itself is unlikely to refer to the subjective consciousness of the offender.

In Lev 4:13 the fact that all the congregation has erred (ישגו) is followed by ונעלם דבר מעיני הקהל. The subject of נעלם (be hidden)[40] is not the fact of ישגו but דָּבָר; although the usage of the article in Biblical Hebrew is not consistent, the word דבר means 'something' rather than 'the matter' or 'the thing'.[41] Then the word (דבר) appears to be explicated by ועשה ff.. Therefore ונעלם ff. explicates the concept of ישגו. In other words, this passage indicates that the concept of שגה is made of two elements, the violation of a divine prohibition and the hidden nature of the act. At any rate, it is clear that the passage concerns the question where and what the fault is, and not whether the people are conscious of a certain act.

We now return to Lev 5:1-4, where the root שגג is missing, to see what sort of sin is envisaged in this section. We have already suggested that there are four separate cases here. V.1 appears to deal with withholding witnessing. Vv.2-3 deal with the contraction of uncleanness and presuppose something like the cleanness-uncleanness regulations in Lev 11-12,15. V.4 appears to deal with a rash oath. Though each verse is somewhat obscure, the crux of the section for our present purpose lies in vv.2-4, particularly the clause ונעלם ממנו והוא ידע in vv.3-4.

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40 *BDB* 'be hidden'; *KBL* 'verborgen sein'. Cp. H. Orlinsky, *Notes, ad loc.*
41 See *BDB*, p.183.

The following three approaches have been proposed to this clause.

(a) An act (contraction of uncleanness or a rash oath) was performed consciously and was forgotten (ונעלם ממנו), but it was later discovered (והוא ידע).[42]

(b) An act was performed unconsciously (ונעלם ממנו) but it was later discovered (והוא ידע). This view is adopted by most exegetes who translate אָשֵׁם 'be guilty', in which case והוא ידע is translated 'when he knows it'.[43]

(c) An act was performed knowingly (והוא ידע) but it was forgotten.[44] Unlike the above two views this one assumes that the contraction of uncleanness is a deliberate act.

First of all, the subject of נעלם is clearly the acts that are mentioned before it. The problem is the meaning of ונעלם מן. In (a) and (c) it is taken to mean 'forget', '(the fact) escape' whereas in (b) 'be hidden'. This difference in meaning is significant, (b)'s interpretation, 'be hidden', is a correct literal translation. But the more essential problem is whether the meaning 'be hidden' makes sense in the context. For since the sin, whatever it may be, becomes known in the end (התודה, v.5), it is unlikely that the initial act was performed unconsciously. Moreover the very term בטא, 'speak rashly or thoughtlessly' (v.4), indicates that the act is unlikely to be an unconscious act despite its thoughtless nature. Thus ונעלם cannot be taken as circumstantial to the foregoing as it is in Lev 4:13; it must follow the foregoing consecutively, meaning 'and (the fact)

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[42] Wenham, pp.86,93.
[43] F. Keil, pp.310-311; Heinisch, pp.30-31; S.R.Driver-H.A.White, p.67. Cf. further Ibn Ezra, *ad loc.*; Hoffmann, pp.141-142; Chapman-Streane, p.21; Elliger, p.55; Noordtzij, p.65. AV,RSV; Schötz, *op. cit.*, p.47.
[44] Milgrom, *Cultic Theology*, p.124 n.13; *idem.*, *Cult*, p.109 with n.406,408. But in *JAOS* 103(1983) p.250 Milgrom translates "and, though he has known it, the fact escapes him but (thereafter) he feels guilt."

was hidden from him'. Then this meaning is not essentially different from 'he forgot it' or 'the fact escaped him'.[45] The question then becomes whether והוא ידע is linked with the foregoing or the following, since obviously נעלם ממנו cannot be simultaneous with והוא ידע (cp. נעלם and נודע in Lev 4:13-14).[46] In other words, does והוא ידע refer to the initial act or to an act *after* נעלם ממנו? The latter possibility, represented by approaches (a) and (b), seems unlikely for the following reasons.

Firstly, Lev 4:13-14,22-23,27-28 show that the root ידע does not come *before* אָשֵׁם. This implies that in Lev 5:3-4 והוא ידע is not followed consecutively by ואשם.

Secondly, if knowledge of an act precedes אָשֵׁם, the assumption cannot explain the present text of v.2 where והוא טמא appears instead of והוא ידע as in vv.3-4. Indeed scholars have either omitted v.2b as in the LXX or emended והוא טמא to והוא ידע in conformity with vv.3-4.[47] Overlooked by such emenders is the fact, however, that in the MT והוא טמא is resumed in v.3a in the form of אשר יטמא בה. If v.2b were not original, אשר יטמא בה would refer only to human uncleanness, which is unlikely. Therefore the MT in v.2b must be retained. In that case, by syntactic analogy with והוא טמא, והוא ידע in vv.3-4 could be taken as a circumstantial clause[48] and translated 'though he had known it'. This means that v.2, though it lacks והוא ידע, presumes the consciousness of the act.

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45 For the inchoative force of the Hebrew verbs see Orlinsky, *op. cit.*, p.34.
46 Cp. Milgrom's translation in n.44 above.
47 Dillmann, p.428; Bertholet, p.14; Heinisch, p.30; Elliger, pp.55-56.
48 With F. Andersen, *op. cit.*, p.85 and Milgrom, *JAOS* 103(1983) p.250 n.15. Andersen, however, gives a stative meaning to ידע.

To sum up: vv.2-4 deal with the cases in which an act was consciously performed (והוא ידע) but it was forgotten (ונעלם ממנו). Here we concur with Milgrom. But what sort of sins are envisaged in this passage?

With regard to the sins in vv.2-4 traditional Jewish interpretation has held that vv.2-3 refer to "the unlawful eating of sacrificial food or eating in the sanctuary while unclean, while v.4 refers to the violation of the oath."[49] The majority of modern scholars assume that vv.2-3 refer to the omission of a purification ritual, while v.4 speaks of "the pronouncing an oath rashly and thoughtlessly but subsequently realising that it was impossible of fulfilment."[50] But as Spiro rightly says, vv.2-3 mention no act except the contraction of uncleanness, which cannot be a sin.[51] Spiro argues further that if the failure to undergo purification rituals were the main concern of the law, the clause ונעלם ממנו would be entirely superfluous.[52] To this could be added a question: If eventually a person performed his purification ritual or carried out his oath, is he free from sin? Spiro also rightly judges both traditional and modern assumptions with regard to the rash oath as meaningless or groundless. However it has been argued above that Spiro's own proposal is also unlikely.[53] Milgrom has proposed that the acts in vv.2-3 are deliberate,[54] but that since the prolongation of the impurity, being caused by forgetfulness, is not deliberate it is expiable by a חטאת.[55] That the acts in vv.2-3 are deliberate does not seem to conform to our exegesis of והוא ידע, which holds that though the sinner was conscious of his action he was not aware that it was sinful; 'deliberately' is different from 'consciously'. At any rate Milgrom assumes that the prolongation of impurity constitutes a sin.[56] But this too seems unlikely in that it postulates the omission of a

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[49] Spiro, *op. cit.*, pp.95-96. [50] *Ibid.*, p.96. But some commentators remark that the very act of a rash oath is sinful in view of Exod 20:7. See Chapman-Streane, p.21; Noordtzij, p.66, In our view the rashness explains the cause of forgetfulness.
[51] Ibid. [52] *Ibid.*, p.97. [53] Section A above.[54] See n.44 above.
[55] Milgrom, 'Sacrifice and Offerings' *IDB sup.* p.768; *idem.*, 'קרבן' *EM* 7 col.241.
[56] *JAOS* 103(1983) p.250ff.

purification ritual. Rodriguez has recently proposed that vv.1-4 all deal with "the intentional concealment of a sinful act", by translating ונעלם ממנו "it is hidden *by* him'.[57] This interpretation does not appear, however, to be warranted by any occurrence of נעלם מן.

It seems then that throughout the history of the interpretation of these passages there has been a persistent preconception that forgetting the contraction of uncleanness is itself not enough to constitute a sin. We rather suggest that the sins in vv.2-4 lie in 'forgetting' the initial acts, because 'forgetting' the contraction of uncleanness or an oath is, however unintentional, tantamount to disregarding the cultic and judicial ordinances.

Now what is the sin in v.1?[58] Though it is clear that the sin lies in not testifying, various interpretations have been proposed as to the situation envisaged in ושמעה קול אלה. Noth assumes that someone unlawfully utters a curse and someone else who is the witness of it fails to report the matter.[59] This is difficult. Clearly the notional subject of שמעה is the witness(עֵד). In addition there is nothing in the text to suggest that the curse is unlawful. The majority of scholars assume from Prov 29:24 and Judg 17:1-3 that this passage concerns a witness, who has heard a solemn adjuration to testify and does not.[60] However A. Phillips argues that the text does not suggest קול אלה was addressed to the witness.[61] Rather it was a curse pronounced on the wrongdoer. Hence he assumes that v.1 deals with "the witness who had heard the public proclamation of the curse

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[57] Rodriguez, *op. cit.*, pp.95-96. Cf. NEB 'concealed by him' and Orlinsky, *op. cit.*, on Lev 4:13.

[58] R. Porter (p.41) sees this passage as out of context of the sin offering because "it is concerned with an offence with which the sacrificial system could not deal". But sins which are not inadvertent are also expiable in Lev 5:21ff. Cf. A. Phillips, *JThS* 36(1985) pp.146-150.

[59] Noth, p.44.

[60] E.g. H.C. Brichto, *The Problem of 'Curse' in the Hebrew Bible*, Philadelphia 1968 pp.42-43.

[61] A. Phillips, *Ancient Israel's Criminal Law*, Oxford 1970 p.138 n.46.

on the unknown thief, and subsequently fails to testify".[62] This last interpretation seems to be most satisfactory. The sin in v.1 lies not just in 'withholding the testimony', but 'neglecting or defying אלה', i.e. denying divine justice.

In sum the sins in vv.1-4 could be characterised, if put abstractly, as 'neglect of judicial and cultic order'. They are all concerned with people showing indifference to divine norms.

So why does not the root שגג appear in Lev 5:1-4? Milgrom says that it is because the sins described are deliberate in nature.[63] But on our interpretation v.1 may well speak of a deliberate sin, whereas vv.2-4 deal with unintentional sins. Thus it may be inferred that the intentionality of sin played little part in bringing together these four cases. Two reasons may be put forward to explain the absence of שגג in this section. First, the root implies that the sinner is conscious of his act though not that it is a sin, whereas here acting unconsciously (vv.2-4) or not acting (v.1) itself constitutes a sin. Second, the root is inherently related to the notion of 'movement', as in violation of a prohibitive commandment, but here no act in its primary sense is mentioned. In short the nature of the four cases is in conflict with the root meaning of שגג.

From the above examination of Lev 5:17-19: 4:13; 5:1-4 the following conclusions could be drawn with regard to שגג (שגגה).

(a) The root meaning of שגג is 'to move in error'. It presumes the unconsciousness of a sin more immediately than the consciousness of an act, which Milgrom argues for. But the latter is indeed presumed in all the protases examined above.

(b) On the above interpretation of Lev 5:17-19 and 4:13 the root שגג

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62 *Ibid.*, p.138. It is not clear as he claims, though, that the אלה is restricted to cases of theft, but the latter seems to be envisaged by the term. See *ibid.*, p.139 and *idem. JThS* 36(1985) 146-150.

63 See n.44 above.

(שגה) does not refer to the self-consciousness of a sinner who does not know that he is sinning. Rather the term describes an objective situation of an inadvertence, as Knierim assumed.[64]

C. אשם

In discussing the meaning of שגג we have already noted different understandings of אשם which go together with different interpretations of שגג.

In the word-group of אשם the verb אשם poses the most crucial problems in understanding both the protases of the חטאת - and the אשם - offerings and the function of the חטאת offering.⸱ Those problems are the meaning of אשם and its relationship with the sacrifice. In this section the former problem is discussed on the basis of the above conclusions on the שגג, while the latter will be dealt with in the next section.

Over against the standard translation of אשם 'be, become guilty'[65] Milgrom, partly anticipated by various exegetes, has recently proposed a new and systematic interpretation of אשם.[66] According to him the term refers to punishment in general, and particularly in the cultic realm it refers to the 'self-punishment of conscience'. Hence his preferred translation is 'feel guilt'.[67] He states:

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[64] Knierim, 'שגג', THAT II p.871.
[65] BDB s.v.; KBL 'sich verschulden'.
[66] Cult , pp.3-12.
[67] Ibid., pp.11-12.

> Thus, contrary to usual translations, אשם without an object does not refer to a *state* of guilt, but in keeping with its consequential meaning, denotes the *suffering* brought on by guilt, expressed now by words such as qualms, remorse, and contrition. אשם would then mean to be conscience-smitten or guilt-stricken...[the emphasis is Milgrom's][68]

The appropriateness of this interpretation is supported by the following considerations.

Firstly, in Lev 5:21-22 it is reasonable to assume that the sinner is conscious about his act and its sinful nature even while planning it since the sin envisaged is not an inadvertence. Then the term אשם in v.23 must definitely refer to an element distinct from consciousness of sin. The rendering 'be conscience-smitten' seems to fit the context (but see below).

Secondly, if 'be guilty' were the meaning of אשם, the protases in Lev 4-5 would lose much of their prescriptive function. For, when should one bring the sacrifice, if אשם is simply an objective declaration? Since the term usually comes just before the mention of bringing the sacrifice or of the confession (e.g. Lev 5:5,17), it is most likely that the term refers to the existential situation of a sinner.[69]

Nevertheless there seem to be two problems latent in Milgrom's solution 'feel guilt', viz. his exclusion of 'consciousness of sin' from אשם and the pure subjectiveness of 'feeling guilt'. In the following discussion we concentrate on the former problem, assuming provisionally 'feel

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[68] *Ibid.*, pp.8-9.

[69] Rodriguez admits the meaning 'feel guilt' only in four passages: Lev 5:5,17,23; Num 5:6 in *op. cit.*, p.156 n,1, p.167 n.4. However his view that נשא עון in Lev 5:1 is synonymous with אשם (*ibid.*, p.90) cannot be accepted. See Lev 5:17. H.Jagersma, on Num 5:6, comments that if 'feel guilt' is the right meaning here, the offender who does not feel guilty will not have to make reparation (p.100). Both Rodriguez and Jagersma, however, seem to fail to present convincing reasons why אשם should not be 'feel guilty'.

guilt'. Our own proposal for אשם will come at the end of the discussion.

The exclusion of 'consciousness of sin' from אשם is inferred from Lev 5:23 and 5:17. In Lev 5:23, Milgrom argues, the consciousness of sin and guilt exists in the sinner before אשם. Therefore אשם cannot simply mean 'be guilty'. Whereas in Lev 5:17 the act in question is said to be ולא ידע, i.e. an unconscious act: only later does the sinner אשם.[70] Hence, according to him, only the element of contrition is expressed by אשם. One wonders, however, whether the realm of conscience can be separated from that of consciousness so neatly.[71] That אשם excludes the consciousness of sin, however, does not appear to fit the contexts of Lev 5:23,17 and Lev 4:13 -14a, 22-23a ,27-28a as the following examination shows.

First of all, a sinner in Lev 5:21-22 may well be aware of his sin and guilt before feeling guilty. But it would be reasonable to assume that when he is conscience-smitten (אשם), he is *then* acutely conscious about his sin and guilt (cp. Gen 4:11-13; 2Sam 12:1-13; 24:10). Therefore Milgrom's presupposition that "even while planning his crime the wrongdoer is fully aware of his guilt"[72] seems to be erroneous. It seems, then, unnatural or artificial to make a clear distinction between conscience and consciousness in such a context.

By contrast Lev 5:17 is taken by Milgrom to mean that the offender did not know even his act. In this passage אשם is construed by Milgrom as "suspecting that he has done wrong".[73] But how can one even suspect that he has done wrong, if he is not conscious of his own act? Indeed, as A. Dillmann and P. Heinisch[74] contemplate, a situation could be envisaged where the offender, though he remembers his act *vaguely*, cannot pinpoint

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[70] *Cultic Theology*, p.124 n.11; *Cult*, pp.9-10.
[71] Cf. D. Daube, *Ancient Jewish Law*, Leiden 1981 p.123ff.
[72] *Cult*, p.10.
[73] *Ibid.*, p.9.   [74] Dillmann, p.437; Heinisch, p.34.

what the sin was, and suspects that he has done wrong.[75] But this view appears to be in conflict with ולא ידע which does not mean 'suspect', but did not know at all. Another possible way of retaining the view that ולא ידע refers to the unconsciousness of an act is to suppose that the offender started to feel guilty because he was suffering physically.[76] But this view too seems to assume what is not explicitly mentioned in the text.

In fact Milgrom, with L. Moraldi, suggests that in this case it is the ancient fear of unknown sins rather than the above two possibilities that is contemplated.[77] On this view the offender knows that he is suffering mentally or physically or both and therefore concludes he must have sinned somehow. So the nature of the whole passage is described by Milgrom "as the legal formulation of the psychological truth that he who does not know the exact cause of suffering imagines the worst: he affronted the Deity...".[78] However despite the ancients' fear of unknown sins, this view seems fallacious regarding Lev 5:17. For the law presupposes as an objective fact that a person has committed a sin.[79] In other words, the law does not envisage a case in which the person suspects either unnecessarily or wrongly that he has done wrong. Rather *since* he has done wrong, he feels guilty: when he feels guilty, he knows what the sin was. The inference is inevitable, then, that אשם includes in it the consciousness of sin.

Lastly the above arguments also affect the interpretation of Lev 4:13-14a,22-23a and 27-28a. First of all, the presence of או in vv.23,28

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[75] The situation was assumed by the traditional Jewish interpretation but the attention was paid more to ידע than to אשם.

[76] Dillmann, ibid. Actually he combines the two imaginable situations.

[77] Milgrom, *op. cit.*, p.76.

[78] Ibid.

[79] See Shadal *ad loc.* In our view an actual case for this law is found in Gen 20. Cp. Gen 12:17; 26:10ff. and see Knierim, *Hauptbegriffe*, p.68 with n.132.

has been suspected[80] because in v.14 *waw* appears instead of אִי and that

אָשֵׁם has been taken to mean 'be, become guilty'. Now that the translation

is proven to be erroneous, there is no need to emend או to *waw*. או can be

taken as introducing an alternative to the preceeding וְאָשֵׁם.[81] If,

however, the consciousness (or knowledge) of sin were excluded from

אָשֵׁם it would have to be assumed that a sinner feels guilty without

knowing his sin. Since the root שׁגג presumes the unconsciousness of sin,

the consciousness of sin must be included in אָשֵׁם. Vv. 13-14a present a

m o r e complicated problem. If אָשֵׁמוּ in v.13b presumes the

consciousness of sin as we argue, why should the same be repeated by

נודעה? The relationship between v.13b and v.14a is unlikely to be

consecutive; if it were, it would follow that the congregation is still in the

dark as to the offence when they feel guilty. So the most plausible

interpretation is that וְאָשְׁמוּ is explicated by נודעה.[82]

From the above examination of the passages it could be concluded that

אָשֵׁם includes the consciousness of sin. Now in our discussion on Lev

5:21-22,17 it has also become clear that since the sinner is guilty, he feels

guilty. In other words the meaning of אָשֵׁם has both objective and

subjective aspects. Therefore we propose that אָשֵׁם means 'realise guilt'.

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[80] Bertholet, p.13; Elliger, p.56. Cf. Rodriguez, *op. cit.*, p.156 n.3. According to Ehrlich (*Randglossen*, on v.23) and K. van der Toorn (*Sin and Sanction in Israel and Mesopotamia*, 1985, p.92) או indicates two possibilities; in one the sinner suffers the punishment of sin (וְאָשֵׁם) and in the other he is forgiven after the חַטָּאת ritual. However אָשֵׁם is unlikely to be synonymous with נְשׂא עָוֹן. See Lev 5:17.

[81] So Milgrom, *Cultic Theology*, p.124. As Dillmann (p.425) correctly remarks, או here does not mean 'if' but 'or if'. From this he infers that "durch בִּשְׁגָגָה וְעָשָׂה וְאָשֵׁם v.22 ein Wissen um den Fehltritt nicht aussondern eingeschlossen ist..."(*ibid.*).

[82] Milgrom, in *op. cit.*, p.124 n.10, translates "and they suffer guilt when the error is discovered."

In sum the protases in Lev 4:1-5:13 mean in general that the חטאה ought to be brought to the sanctuary when the sinner realises his guilt or is informed by others.[83]

D. Consequence of sin ?

Now that the various problems of the protases in Lev 4:1-5:13 have been discussed it is possible to consider the relationship between the protases and the sacrificial ritual.

In general, sins have consequences. Texts outside sacrificial contexts make it abundantly clear that sin is, or ought to be, followed by its consequence, e.g. physical or spiritual suffering. This relationship had been widely understood in terms of divine retribution, until K. Koch proposed that the relationship represents 'schicksalwirkende Tatsphäre'.[84] Unfortunately, though this term properly describes the inseparable nature of sin and its consequence, his whole argument in support of what the term describes has tended to give an impression that it excludes both the idea of 'punishment' and divine intervention in the relationship. There have been various criticisms against Koch's view, most of which point out its one-sidedness.[85] Knierim,[86] for instance, emphasizes that what Koch calls 'schicksalwirkende Tatsphäre' *is* the act of God and that the two are in fact one. Indeed the recognition of this fact leads to an important question: how can God, who is holy by nature, intervene in the process of sin and its consequence? At any rate, the correctness of Knierim's view is assumed in the following arguments.

However in the חטאה pericope it is not clear, first of all, what constitutes the consequence of sin. Has the consequence of sin in this case anything to do with the guilt-feeling, or with what the sacrifice deals with,

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[83] With Orlinsky, *op. cit.*, on 4:13.

[84] *ZThK* 52(1955) p.1ff.

[85] See M. Weiss, *Tarbiz* 31(1962) pp.236-263 esp. p.245 n.43. And cf. literature referred to in Rodriguez, *op. cit.*, p.223 n.1.

[86] *Op. cit.*, p.77ff.

or with something else?

As already mentioned[87] Milgrom sees in the guilt-feeling the punishment of sin. But more significantly this view appears to be an important assumption in his theory of the חטאת offering. Milgrom writes:

> The inadvertent offender needs forgiveness not because of his act *per se* - as indicated above, his act is forgiven because of the offender's inadvertence and remorse - but because of the consequence of his act. His inadvertence has contaminated the sanctuary and it is his responsibility to purge it with a חטאת.[88]

Whether the central function of the חטאת is purificatory will be discussed in the next chapter. Here it is more urgent to examine whether Milgrom's understanding of the relationship between the guilt-feeling and the sacrifice is correct. We shall argue that his view is subject to criticism on two major counts.

(a) The statement that an inadvertent act is forgiven before the purging of uncleanness finds no support in the text.

Sequentially forgiveness (נסלח) is always granted after the *kipper*-acts and never before them (Lev 4:20,26,31,35; 5:10,13). This fact suggests that it is not the aftermath or the consequence of an inadvertent sin but the very inadvertence that the *kipper*-acts, particularly the חטאת offering, deals with. This is indicated by the term חטאת (sin) in Lev 4:3,14,23,26,35; 5:10,13 which refers unequivocally to the violation of a divine prohibition. This misunderstanding by Milgrom could be caused partly by his use of the term 'an inadvertent *act*'. As argued above in connection with שגגה it is not the inadvertent act but the inadvertent sin that the laws address.

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[87] Section C above. But note that Milgrom, in *Cult*, p.6, translates Lev 5:6 "He shall bring his penalty to the Lord...as a חטאת".
[88] *Cultic Theology*, p.77.

(b) It is doubtful whether, as Milgrom assumes, the term אשם refers to the punishment of sin. According to him the root אשם is similar to חטא, פשע, עון, and רעה in that it connotes both the wrong and the retribution.[89] But as the context of Lev 4 shows, אשם is certainly different from those roots in that it does not stand for the wrong itself, though it presupposes it, whereas those roots can refer both to the wrong and its consequence. In addition there are some reasons to doubt that אשם in Lev 4-5 refers to the punishment of sin.

(i) In Lev 4:23,28 the case is envisaged that an offender is informed of his sin by others. Since the particle או introduces an alternative to ואשם, it could be argued that on knowing the sin he ought to bring the sacrifice even without the guilt-feeling. In this case it appears that if the term punishment should be retained, it should be related, at least, to what the sacrifice does.

(ii) In Lev 5:17 the phrase ונשא עון appears after אשם. The phrase appears to *declare* that the offender must bear the legal consequence of his sin.[90] This means that when the offender *realises his guilt* he has not yet, at least fully, borne the punishment.

(iii) Milgrom includes in אשם both spiritual and physical suffering. This seems, however, too broad a definition for the term אשם which mainly concerns conscience-issues in Lev 4-5. It may be that the offender is led to the guilt-feeling after he has suffered from disease.[91] In this case it is inappropriate to regard the guilt-feeling alone as punishment.

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[89] *Cult*, p.4.
[90] Cp. Lev 5:1; 7:18; 17:16; 19:8.
[91] See Gen 42:21. Cp. Milgrom, *op. cit.*, p.5 n.17.

These two major criticisms of Milgrom's view give rise to the following considerations and implications.

It has been suggested in (a) that what the sacrifice or the *kipper*-act deals with is חטאה (sin) and not merely the consequence of sin. This certainly posses a serious problem; for, as we shall see, the חטאה in other contexts strongly points to the notion of uncleanness, but here the חטאה appears, if the above observation is correct, to be related to what moderns would call a sin with moral overtones. But it is a fact that the חטאה offering deals with חטאה (sin).[92] And even if the notion of uncleanness is meant here, the fact that the חטאה deals with sins could already disprove Milgrom's thesis that the sin defiles the sanctuary *as its consequence*. Rather it can be shown that Lev 4 pictures both sin and its aftereffects as somehow being within the sanctuary, as some older commentators dimly realised, and both being dealt with by the חטאה.

The view that the sacrificial ritual does not deal with the consequence of sin alone as opposed to the act of sin committed, but with the sin and its consequence, raises the question what constitutes, then, the consequence of sin. However this question cannot be discussed at this stage. Yet at least we shall argue that the consequence of sin is punitive. We have argued above in (b) that אשם can hardly express the punishment of sin. But this statement requires qualification. For even if the term does not represent punishment of sin in its full sense, it must be admitted that the term אשם implies the notion of 'punishment' in that it means 'realise guilt'. This suggests that the consequence of sin must be related to punishment. This is also indicated by the phrase נשא עון in Lev 5:1 which is followed by the forgiveness formula (v.13).[93] Nevertheless exactly what constitutes the punishment of sin depends on the definition of the term 'punishment'.

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[92] Cp. Jer 17:1.
[93] Cf. Rodriguez, *op. cit.*, p.144.

Therefore, without using the term punishment we infer that the ritual deals with both the sin and its consequence, and that the consequence of sin is punitive.

At this point it seems necessary to discuss the formulaic phrase וְנִסְלַח

לוֹ (לָהֶם) which appears at the end of each prescription. Admittedly it can be translated 'he shall be forgiven'. The clause is constructed in the passive though the agent of forgiveness is self-evidently God. But since 'God' is not explicitly mentioned in the clause, Noth, assuming the clause as a reflection of a declaration by the priest, inferred that "in the sin-offering, at least in its formulation, the notion of *ex opere operato* is fairly deeply embedded."[94] Over against this conception it has been repeatedly argued that the passive form rather emphasizes that forgiveness does not depend on the priest,[95] or that it is not inherent in the ritual.[96] Though these explanations are plausible, they are not totally convincing. For could it happen that a sinner cannot be forgiven after his remorse and the priest's expiatory work? This consideration suggests that the statement 'he shall be forgiven' is, in nature, a promise, and that the use of the passive is not particularly intended to suggest divine sovereignty over the ritual.[97] It appears that the question whether the relation between expiation and forgiveness is automatic or not is one created by postulating too great a distinction between the magical and the monotheistic worlds.[98] It seems, then, to be out of place to argue against the notion of *ex opere operato* from the passive form. The reason for the passive form is not clear. But the fact that the passive form is used despite God's being the agent of forgiveness may, at least, reflect an anthropocentric concern: a

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[94] p.41. See also Janowski, *op. cit.*, p.251 n.349.
[95] B. Maarsingh, p.41. Cp. J.J. Stamm, *Erlösen*, pp.128-129.
[96] Elliger, p.71; Porter, p.39; Milgrom, *Tarbiz* 40(1970) pp.3-4; *idem.*, *Cult*, p.13 n.44; Rodriguez, *op. cit.*, p.86 n.2; Janowski, *op. cit.*, p.251.
[97] Note that all the ritual is instituted by God himself. See Janowski, *op. cit.*, p.252.
[98] J. Barr, in *DB* p.875, holds that "terms like 'validity', 'efficacy' and '*ex opere operato*' are inappropriate to OT thinking".

sinner being the central concern of the ritual.[99]

This is clearly highlighted by the fact that the text says "*he* shall be forgiven" and not "*his sin* shall be forgiven". This fact implies that by breaking one divine prohibition the *whole* existence of the sinner is at stake. Thus the inference is inevitable that since the sinner is forgiven because of the expiation of his sin, the expiatory ritual also concerns the salvation of the whole existence of the sinner. This is different from holding that the ritual deals with a sin which is envisaged as being in some sense separate from the sinner.

Our reasoning thus far may be reinforced by recalling the fact noted above that the ritual deals with *sin* and its consequence. This fact itself suggests strongly that the sin and its consequence are envisaged when the sinner stands before the Lord; this would not be the case if the ritual concerned only the consequence of sin.

At any rate the significance of these observations and the question how the ritual deals with both sin and its consequence will be pursued in the following chapters.

Summary

The study of the protases in Lev 4:1-5:13 has examined two major terms שגג (שׁגה) and אשׁם. The root שגג has the basic meaning 'to move in error' but it does not contain in it a reference to the subjective situation of the sinner. It presumes unconsciousness of sin rather than consciousness of an act which Milgrom assumes. אשׁם, referring to both objective and subjective aspects of guilt, can be best rendered 'realise guilt'.

The sin with which the חטאת deals is the inadvertent violation of a divine prohibition or the neglect of cultic and judicial order.

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[99] Cp. the corresponding formulaic expression כפר עליו וטהר and Isa 53:5.

Milgrom's view that אשם expresses the punishment of sin is untenable, though the term implies the notion of punishment. It is thus inadequate to assume that the חטאת concerns uncleanness alone and not inadvertence. Rather the text says that the חטאת deals with חטאה (sin). In view of the expressions אשם, נשא עון, and נסלח which connote punishment, it was inferred that the חטאת deals with both sin and its consequence, which is punitive. This means that the ritual has in view the act of sin and its consequence, of a sinner.

All this suggests that if, as Milgrom argues, the חטאת deals with uncleanness, חטאה (sin) is not essentially different from uncleanness. Thus two major questions are left open: (1) whether the major function of the חטאת is purification or not, and (2) how purification is related to expiation. To answer these questions we shall turn to other חטאת texts in the next chapter.

Chapter 2

The חטאת Offering in Other Sources

Introduction

In the preceding chapter we examined the חטאת in Lev 4:1-5:13 and concluded that the rituals there deal with חטאת (sin). We now turn to חטאת texts, many of which deal with unique situations or fixed liturgical celebrations.

Apart from Lev 4:1-5:13 the חטאת also appears in the following priestly texts.

Exod 29:10-14,36-37	Consecration of priests and the altar
Lev 8:14-17	Consecration of priests and the altar
Lev 9:2-3,7-15	The eighth-day service
Lev 10:16-20	The חטאת flesh incident
Lev 12:6,8; 14:19,22,31; 15:15,30; Num 19:9,17	
	Purification from natural uncleanness
Lev 16	The day of Atonement
Num 6:11,14	Purification of the Nazirite
Num 8:7,8,12	Purification of the Levites
Lev 23:19; Num 7; 15:22ff.; 28-29	
	Festive and unique occasions

The primary aim of this chapter is to discuss the central function of the חטאת in the above texts and its possible relationship with the חטאת in Lev 4:1-5:13.

These texts present various literary and theological problems. But we concentrate only on the theological significance of the חטאת in each ritual, examining these texts as they stand. It will be useful, then, to set out in advance some of the major critical issues relating to the function of the חטאת and the nature of the texts concerned as a prelude to surveying the variegated material on the חטאת offering.

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Firstly, Milgrom has argued that the חטאת blood as a ritual detergent purifies sancta from uncleanness.[1] Indeed texts such as Lev 8:15 and Lev 16:14-19 appear to support his thesis that the חטאת blood purifies sancta and not its offerer. However Rodriguez has recently argued that in a context like Lev 12:6 it is rather the offerer who is purified, and that there is no clear evidence that sancta are purified.[2] Whether this view is valid will be discussed later, but there is certainly a problem how the purification of the sancta is related to that of the offerer.

Secondly, though the חטאת in the above-mentioned texts is presumably related to 'purification', it is questionable whether 'defilement of sancta' can always be assumed. For instance, Milgrom assumes that both in Lev 8:15 and Lev 12:6-7 the same 'uncleanness' is present in the sancta. However, while it can be easily envisaged that in Lev 12:6-7 the blood discharge defiled the sancta, it is not clear what kind of defilement is envisaged in Lev 8:15. Is it really justified to assume that uncleanness is always present in the sancta before purification?

Thirdly, there has been a tendency to impose, because of Lev 4:1-5:13, the concept of 'sin' or 'sinfulness' on חטאת passages which are dominated by the idea of purification. By contrast Milgrom has so strongly stressed that purification is the central function of the חטאת, that sin has been seen by him as something essentially foreign to uncleanness. Thus how sin is related to uncleanness in the context of the חטאת is another moot point.

We shall discuss below these fundamental issues of the חטאת under the following headings: A. The חטאת in Lev 8-9   B. Lev 10:17   C. Other purificatory occasions D.Sancta pollution E.חטאת (sin) and uncleanness.

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[1] For the following see Introduction.
[2] Rodriguez, *Substitution*, pp.104-105.

A. The חטאה in Lev 8-9

(a) Lev 8:14-17 (Exod 29:10-14,36-37)

Lev 8 describes a unique occasion on which the altar is consecrated and the ordination of the priests was begun. In the course of this ceremony a חטאה was offered.

Lev 8:15 describes Moses' cleansing and sanctification of the altar, preceded by the imposition of hands by Aaron and his sons on the חטאה sacrifice. The unique character of the occasion must be underlined. Since Aaron and his sons are not ordained, Moses acts as a priest. But why should Aaron and his sons lay their hands on the sacrifice, if the purpose of the ritual is sanctification of the altar? In Lev 4, for instance, it seems to be assumed that he who lays his hand receives the benefit of atonement (cf. Exod 29:10ff.). On this principle it follows that the sanctification of the altar leads to, or is equivalent to, that of priests.

Kurtz also wrote:

> That the blood of sacrifice, when brought to the altar, purified the altar as well as the person sacrificing, is distinctly stated in Lev viii,15.[3]

As will be argued this theology, far from being restricted to this passage, constitutes one of the most important aspects in atonement theology and thus casts some doubt on Milgrom's thesis that the חטאה blood purifies only the sancta.

Now it is obvious that vv.14-15aβ (ויגש---באצבעו) finds its parallel in Exod 29:10-12a. However how can v.15aɣ (ויחטא את המזבח) and v.15bɣ (ויקדשהו לכפר עליו) be explained? Elliger and others hold that these phrases are incompatible with the anointing of the altar in v.11

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[3] Kurtz, *Sacrificial Worship*, pp.144,147. See also Porter, p.66; Rodriguez, *ibid.*, pp.110,123. Cp. D. Schötz, *Schuld- und Sündopfer*, pp.20-21.

because both v.11 and v.15 mention sanctification of the altar (קדשׁ) thus creating redundancy.[4] But they also observe that these phrases are related to Exod 29:36-37.

Two comments are in order. Firstly, repetitiveness of any kind could be inherent in the ritual,[5] and in this particular case too there seems to be nothing strange in the fact that sanctification (קדשׁ) is achieved in two different ways, anointing with oil[6] and daubing with blood. Secondly, in view of the proposed interpretation of Lev 8:15, it is likely that Lev 8:15 combines and adapts Exod 29:10-12 (consecration of priests) and Exod 29:36-37 (consecration of the altar).[7]

The nature of the חטאת ritual in Lev 8:15 may be related to the distinctive nature of the ceremony in Lev 8 as a whole, particularly in contrast with the ritual in Lev 4:3-21. In Lev 4 atonement of the anointed priest and the congregation is made by Aaron's entering into the Tent, whereas here inner sancta such as the adytum and the incense altar play no part in the ritual. Moreover, while the חטאת is a bull both in Lev 8:15 and Lev 4:3 and the burning of the חטאת is prescribed both in Lev 8:17 and Lev 4:11-12, in blood manipulation Lev 8:15 is more similar to Lev 4:25,30,34 than to Lev 4:6-7,17-18.

Various attempts have been made to explain the incongruity between the rituals in Lev 4 and Lev 8. The simplest approach is to assume that in Lev 8-9 the incense altar is not known.[8] But the force of the argument is slightly weakened by the fact that in Lev 4:3-21 the ritual concerns not

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[4] Elliger, p.113. See Gispen, p.145.

[5] Cf. Wenham, *Num*, p.38.

[6] Cf. Wenham, *Lev*, p.70; Kurtz, *op. cit.*, p.289ff.

[7] So Wenham, *ibid.*, p.144.

[8] J. Wellhausen, *Prolegomena*, pp.65-66; *idem, Composition*, pp.137-139. See also Chapman-Streane, pp.xii-xiii. Archeologically this view seems to have been disproved. See M. Haran, 'מזבח' *EM* 4 cols. 778-779; Milgrom, 'Altar' *EJ* 2 cols. 760-767; Wenham, *Lev* , p.68 n.1. Only the literary problem of Exod 30:1ff. seems to remain unsolved. Cf. D.W. Gooding, *The Account of the Tabernacle* (1959) esp. p.66ff.; A.H. Finn, *JTS* 16(1915) pp.449-482; V.Hurowitz, *JAOS* 105(1985) pp.21-30.

only the incense altar but the פרכת veil which appears most important. If the whole ritual in the Tent concentrated on the incense altar, the presence or absence of it would be significant. But the rite on the incense altar is only part of the ritual in the Tent.

Furthermore opinions are divided among commentators as to the nature of the blood manipulation in Lev 8:15. One stream of interpretation, which is, to some extent, influenced by Lev 4, suggests that the חטאת was designed for "a precautionary cleansing of the priests about to be instituted from any 'unwitting trespass'" [9] or that it "originally served as purifying the priests from unwitting sin".[10] The other stream of interpretation stresses the difference of occasion between Lev 4 and Lev 8. Chapman-Streane comments that "until they (sc. priests) are consecrated the ritual of the offering is the same as that prescribed in the case of private individuals (cp. iv,30,34)."[11] Similarly Porter observes that since Aaron and his sons are not yet fully priests, they are also not entitled to enter the Tent.[12] Further Noordtzij holds that the situation envisaged in Lev 4 comes after the rituals in Lev 8-9.[13]

The first approach seems to be unlikely for the following reasons. Though the function of purification may be present in Lev 8:15 (חטא, קדש), it would be forced to assume that the purification concerns uncleanness caused by particular sins. Nowhere in Lev 8 is there a hint that the purification of the altar was necessitated by particular sins of Aaron and his sons. Since the occasion is the consecration of the altar and priests, could it be that the purification concerns uncleanness which is assumed to be present before the common becomes holy?

The second approach holds that the different occasion on Lev 8 (ordination) prompts different rituals. However, Chapman-Streane's idea

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[9] Noth, pp.70,78.
[10] Elliger, p.118.
[11] p.46.
[12] p.65.
[13] pp. 97-98,114.

that the blood manipulation in Lev 8:15 is the same as that in Lev 4:30,34 does not prove that would-be priests are regarded as laymen. At least, Chapman-Streane's view is based on a loose comparison of Lev 8 with Lev 4; note the word סביב in Lev 8:15 and the burning of the חטאת outside the camp in v.17; both are absent in Lev 4:30,34. Except for this point, however, it does appear that the difference in ritual between Lev 4 and Lev 8 is caused by the difference of occasion; It is short-sighted to compare them paying attention only to the formal aspects of the rituals and to assume different traditions behind them. Their present contexts ought to be considered first.

So the חטאת ritual in Lev 8:15 is unlikely to be necessitated by a specific sin like Lev 4. Rather, as suggested above, it is more likely that the ritual here deals with uncleanness which is assumed to be present before the common becomes holy.

(b) Lev 9:7-15

Another unique occasion on which a חטאת was offered was at the completion of the ordination of the priests, i.e. the eighth-day service.

The purpose of the eighth-day service is theophany (vv.4b, 7b, 23b-24a). While it is agreed that the eighth-day service is marked off from the seven-day consecration which precedes it, there has been little scholarly discussion about the exact nature of the eighth-day service. However, in view of the theophany which is the purpose of the occasion, it would be reasonable to assume, as Milgrom points out,[14] that the eighth-day service is the climax of the seven-day consecration.

A simple but crucial question is: Why should atonement (v.7) or various sacrifices (vv.2-4) be necessary for the manifestation of divine glory? It is not sufficient to say that "cleanness is required because the glory of the Lord was to appear to the congregation";[15] for the

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[14] Milgrom, 'קרבן' EM 7 col. 250.
[15] Rodriguez, op. cit., p.112.

congregation is presumed to be ritually clean before atonement (see v.5b). Moreover in the case of the priests they are not only clean but holy having completed the consecration period. Why do the priests require atonement in addition to being holy? The question brings us back to the nature of the occasion i.e. the theophany. But what is the purpose of the theophany? The divine fire in v.24 and in Judg 6:21; 1K 18:38; 1Ch 21:26 seems to suggest that the idea is divine approval or acceptance. Yet the fact that the eighth-day service ends with the joyful response of the people (v.24b) tends to make one forget the serious nature of the atonement which precedes it. The seriousness of the atonement could be best underlined by the belief that seeing God incurs death.[16] Thus although God obviously does not seek to destroy the people on this occasion, it is natural that atonement is needed to make possible a particular manifestation of divine glory.

Another general comment should be made on v.7 in which Moses commands Aaron to offer the חטאת and the עולה both for himself and the people. The LXX seems to translate בעד ביתך instead of בעד העם in the MT. Despite Elliger's suspicion that the LXX is to be preferred,[17] the LXX seems to be harmonizing the phrase in the MT with Lev 16:6,11,17. The obvious question is then how the twofold atonement for the people can be explained. Keil comments:

> ...when Moses says in v.7 that Aaron is to make atonement for himself and the nation with his sin-offering and burnt-offering, the atoning virtue which Aaron's sacrifice was to have for the nation also, referred not to sins which the people had committed, but to the guilt which the high priest, as the head of the whole congregation, had brought upon the nation by his sin (chap. iv,3).[18]

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[16] Exod 19:21; 20:19; 33:20; Judg 13:22; Isa 6:5-7.
[17] Elliger, p.125; Kennedy, p.75. Cp. Gispen, p.155.
[18] Keil, p.346; Dillmann, p.469.

But it is misleading to link Lev 4:3 with Lev 9:7 in the way Keil does, since the latter passage does not speak of any specific sin. Also it seems problematic to use the term 'sin' in this context. But these points are discussed below. In spite of the problematic nature of Keil's comment, however, it has one merit in that it sees a common principle behind Lev 4:3 and Lev 9:7; Aaron, the high priest, is responsible both for his own sinfulness (see below) and for the guilt imputed to the people on account of his sinfulness.[19]

After these two general observations we consider next some fundamental problems of the חטאת in this context. As in Lev 8:14ff. the blood is daubed on the horns of the outer altar (v.9) and the חטאת flesh is burned outside the camp. In contrast with Lev 8:14-15, however, Lev 9:8ff. does not mention the imposition of hands nor use the term סביב (Lev 8:15). In addition the חטאת blood in Lev 8:15 functioned to consecrate Aaron and his sons as priests, whereas in Lev 9:8ff. the blood appears to remove some uncleanness in order to make the divine manifestation possible.

But what does the חטאת purify, priests and people or the altar? Rodriguez has asserted that "here nothing is said about a purification of the sanctuary or the altar" and that "the object of the חטאת is the priesthood and the people".[20] This assertion seems simply erroneous. Daubing of blood in v.9 should be taken most naturally as a purificatory rite in the light of Lev 8:15 (see above). However against Milgrom we argue, by analogy with Lev 8:15, that the blood is presumed to purify priests and people as well as the altar.

Now Lev 9 also poses the same question as Lev 8: why does not Aaron enter the Tent as he does in Lev 4:3-21? One of the reasons given above, that Aaron and his sons are not yet priests, must now be excluded. For

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[19] So Ehrlich, *Randglossen, ad loc.*
[20] Rodriguez, *op. cit.*, pp.111-112.

obviously they were ordained by the end of the consecration period and became priests in Lev 9. Moreover, judging from the fact that a similar ritual procedure is prescribed both in Lev 8:15,17 and Lev 9:9,11, a similar reason for him not entering the tent may be operating in both sections, though what it is, is not clear. At least though it is wrong to argue that Aaron and his sons could not enter because they were not yet priests, not only in Lev 9:9,11 but also in Lev 8:15,17.

But Porter notes that the reference to the outer, and not inner, altar is made "because Aaron only enters the Tent for the first time in verse 23".[21] Indeed throughout Lev 8-9 Aaron has nothing to do with the inner sancta. In Lev 8:10 the inner sancta are sanctified by Moses, and only in Lev 9:23 is he said to have entered the Tent with Aaron. Thus if Lev 9 may be seen as the climax of the consecration period, it may be inferred that Aaron and his sons were not entitled to enter the Tent before the manifestation of God's glory which signified divine acceptance of both priests and the people. This means that in a sense all the rituals in Lev 8-9 have the purpose of enabling Aaron and his sons to work in the Tent, and that therefore the eighth-day service marks a stage preliminary to the regular service. In view of this, Noordtzij's view that the situation envisaged in Lev 4 comes after that of Lev 8-9 becomes more likely, because Lev 4 presupposes priesthood (see Lev 4:25,30,34).

It should be borne in mind that this view explains why in Lev 8-9 Aaron does not perform rituals in the Tent and why the blood manipulation takes place in connection with the outer altar, but it does not explain why the חטאה flesh is burned outside the camp. The latter question will be taken up in chapter 5. At this stage one remark is in order with regard to the meaning of Lev 9:15 which states that the חטאה for the people was brought or sacrificed as a כָּרִאשׁוֹן, חטאה. This passage has

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[21] Porter, p.73; Wenham, p.149.

erroneously been taken by some scholars[22] to mean that this חטאת was also burned or to be burned outside the camp. Though this passage undoubtedly has a significant bearing on Lev 10:16ff. which we shall discuss presently, Lev 9:15 itself does not warrant this interpretation for two reasons. (a) The verb חטא in this context refers only to the blood manipulation and is unlikely to refer to the disposal of the חטאת flesh (see Lev 6:19). (b) 'The burning of the 'חטאת always constitutes part of the ritual and is always explicitly mentioned (see Exod 29:14; Lev 4:11-12,21; 8:17; 16:27). By contrast the priestly consumption of the חטאת flesh prescribed in Lev 6:17-22 does not appear to be an essential part of the חטאת ritual. That is why the consumption of the flesh by priests is not mentioned in Lev 4:22-35 and Lev 9:15.[23] In short, nothing is mentioned in Lev 9:15 about the disposal of the חטאת flesh.

All in all, the reason why the rituals in Lev 8-9 take place in connection with the outer altar lies in the circumstance that the occasions for those rituals are preliminary in nature to the regular service.

Conformably what the חטאת in Lev 9 deals with, is not particular sins but rather general sinfulness or uncleanness, assumed in the encounter of man - whether he is a priest or not - with God on any special occasion (see further below).

Milgrom's thesis that the חטאת blood purifies only sancta and not the offerer, proves unconvincing in the חטאת ritual in Lev 9 simply because it is difficult to assume 'sancta defilement' in this context.

Thus it may be tentatively concluded that the חטאת in Lev 9 deals with general sinfulness, and that it purifies sancta as well as priests and people. To be more specific about this it is necessary to invesigate a

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22 Wellhausen, *Composition*, p.147; Chapman-Streane, p.57; Noth, p.88. On כראשון see Ehrlich, *Randglossen, ad loc.*
23 See Dillmann, p.422.

further reference to the eighth-day service in Lev 10:17.

B. Lev 10:17

Lev 10:16-20 deals with an episode concerning the eating of the חטאת which is generally assumed to be the one mentioned in Lev 9:15 (i.e. the חטאת for the people). Moses expostulates with Eleazar and Ithamar about their not having eaten the חטאת (vv.17-18), whereas Aaron, presumably representing the two sons, appears to justify their act (v.19).

Unfortunately the whole episode is not clear, or rather has been said to be unclear. The section as a whole will be elucidated in the next chapter in connection with its relationship with Lev 10:1-7. Here our major concern lies in v.17, which appears to give a theological reason for eating the חטאת.

v.17   מדוע לא אכלתם את החטאת במקום הקדש כי קדש
קדשים הוא ואתה נתן לכם לשאת את עון
העדה לכפר עליהם לפני ה':

Because of the importance of this passage to the חטאת ritual we present below a detailed exposition of this *crux interpretum*.

Two widely different approaches to the interpretation of the passage have been proposed. The issue focuses on the philological problem of the preposition *lamed*, a problem which simultaneously has far-reaching theological implications.

One stream of interpretation which has been found since the LXX is that the first *lamed*, i.e. in לשאת, expresses purpose, so that the eating of the חטאת constitutes an essential part of the atonement ceremony.[24] This

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[24] Siphra, cited in Hoffmann, p.208; Keil, p.355; R. Smith, *The Religion of the Semites*, p.349. Cp. Dillmann, pp.473-474.

view has been further elaborated by modern theologians who assume that the חטאת flesh absorbs iniquity or uncleanness, and that by eating the flesh the sin is removed.[25] This interpretation is connected with a theory which holds that the imposition of hands tranfers the sin/guilt to the animal in a quasi-physical way (Lev 16:21).

This rather traditional view has been contested since the last century. The majority of objections seem, however, to concentrate on the conceptual aspect of the חטאת flesh and not on the meaning of the *lamed* in לחטאת. First of all, Kurtz objected to the above view by pointing out that since the חטאת flesh is explicitly termed קדש קדשים (e.g. Lev 10:17a), it cannot be deemed unclean, having absorbed sin and guilt.[26] Ehrlich,[27] followed by Milgrom,[28] holds that the phrase נשא עון does not mean 'remove sin/guilt' but 'bear responsibility'. So the meaning of v.17b is, according to Milgrom, "and I (*sic*) have given (the חטאת) to you for bearing the responsibility of the community by performing purgation rites before the Lord on their behalf."[29] Milgrom further holds that "there is no evidence anywhere in the ancient Near East that impurity was removed by eating".[30] In the same vein Janowski[31] reasons that even if the phrase נשא עון means 'bear guilt', it does not follow that the removal of guilt is achieved by eating the חטאת. Rather the phrase, being explicated by לכפר (GK§114o), signifies that the priests are assigned to bear the guilt for the congregation of Israel as mediators by making

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[25] von Rad, *Theology* I, p.248; R. Rendtorff, *op. cit.*, p.215ff. Cp. Chapman-Streane, p.57. Most recently Rodriguez has even argued, in *op. cit.*, pp.130-136, that "the ritual of the eating of flesh can take the place of the ritual of the sprinkling of blood"(p.135).

[26] Kurtz, *op. cit.*, p.228ff. [27] Ehrlich, *Randglossen, ad loc.*

[28] Milgrom, *Cultic Theology*, p.70; *idem,* 'קרבן' *EM* 7 p.237.

[29] Milgrom, ibid.

[30] *Ibid.*, p.71. But see D.P. Wright, *Disposal*, p.344 n.22.

[31] Janowski, *Sühne*, p.239 n.272. He concurs with J. Scharbert's view in *idem, Heilsmittler im Alten Testament und im Alten Orient*, p.104 n.15.

atonement for them with the חטאת. The reason why the חטאת flesh is called קדש קדשים is that it is related to the cultic act which is commanded by God and is significant for the salvation of the people, and not that the sin is transferred into it. Finally, Elliger notes that the idea that atonement depends upon the eating of the חטאת contradicts the context in which, despite the ritual mistake, the efficacy of the sacrifice is not in doubt.[32]

These criticisms against the view that atonement depends, at least partially, upon the eating of the חטאת all assume that the חטאת flesh is a perquisite of the priests. And from a contextual and conceptual point of view there appears to be no doubt about the correctness of this assumption (but see below).[33] However apart from the meaning of נשא עון, which will be discussed later, there remains the question of the meaning of the

lamed in לחטאת. Presumably the second *lamed*, i.e. in לכפר, could be translated either 'by' or more preferably 'thus making atonement...' expressing the result. But it appears problematic to translate the first *lamed* 'for', as Ehrlich and Milgrom suggest, even if the conceptual considerations on the חטאת flesh seem to require it. This is because *lamed* when combined with the infinitive construct is unlikely to mean 'for'. At any rate, just because of the lack of grammatical discussion on the first *lamed,* the arguments put forth by Ehrlich, Milgrom and Janowski are not conclusive. The first *lamed* appears to mean 'to' expressing purpose. If so, the idea that atonement depends on eating the חטאת flesh may still be valid, though such an idea does not seem to be expressed anywhere else in the cultic law.

Here we submit an approach totally different from the above two, an approach which focuses on a feature of the term חטאת and the tense of

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[32] Elliger, p.139.
[33] Cf. also our remark on Lev 9:15 on p.58.

First of all, it may be noted that the term חטאת normally refers to the sacrificial animal as a whole (see Lev 4:25,29,30,33,34; 6:18,20). However in Lev 6:19,23 and our passage (Lev 10:17) the term חַטָּאת appears to refer *practically* to the חטאת *flesh*, because in these passages the term חטאת appears with the verb אכל.

However, is it adequate to assume that because of the presence of אכל the term חטאת means חטאת *flesh*? If so, it follows that the meaning of חטאת changes with its context; it normally means 'the animal as a whole', but when it is conjoined with אכל it means the flesh of the animal. An examination of the following three passages (Lev 6:19,23; 10:19), however, seems to show that the term חטאת in אכל חטאת is unlikely to mean the חטאת *flesh*.

Lev 6:19 reads:
הכהן המחטא אתה יאכלנה במקום קדש תאכל בחצר אהל מועד

Here יאכלנה ,אתה and תאכל all refer to the החטאת mentioned in the previous verse, which refers to the sacrificial animal as a whole. Moreover in a single sentence like הכהן המחטא אתה יאכלנה it appears forced to argue that the suffix in אֹתָה is essentially different from the suffix in יֹאכְלֶנָּה.

Lev 6:23 reads:
וכל חטאת אשר יובא מדמה אל אהל מועד לכפר בקדש לא תאכל באש תשרף

The two verbs תאכל and תשרף refer practically to the flesh. However the suffix of מדמה definitely refers to the whole animal. Thus to determine the meaning of the term חטאת from the viewpoint of the

meaning of the conjoined verb creates a contradiction even in a single sentence like this. It may be added that the same problem occurs in Lev 10:18 which reads:

הן לא הובא את דמה --- אכל תאכל אתה בקדש

Thus it is unlikely that the term חטאת changes its meaning according to the verbs it is conjoined with (שרף,אכל,שחט).

Based on the above observations we argue that the 'חטאת' in Lev 10:17 can be taken in the same way. The חטאת in v.17a is taken up by אתָה in v.17b. But neither the former nor the latter means 'the חטאת flesh'; both refer to 'the חטאת'.

This exegetical possibility is strengthened by the literary relationship between Lev 6:18ff. and Lev 10:17ff.. It is clear that Moses' theory is based on Lev 6:18ff. not only in topic but also in terminology (cp. Lev 6:18-19 with Lev 10:17, and Lev 6:23 with Lev 10:18). More specifically, the following relationship may be observed. In Lev 6:18 חטאת refers to the whole animal and then in v.19 the problematic phrase אכל חטאת appears. It may be observed that this order is simply reversed in Lev 10:17; in v.17a the phrase אכל חטאת appears first and then the חטאת is taken up by ואתָה in v.17b. It is clear then that if the term חטאת is conjoined with שרף, אכל,שחט it refers to the same whole sacrificial animal.[34]

Next, the tense of נָתַן has been taken as preterite ('has given' or 'gave'). But it seems more natural to take the tense as pluperfect because, as stated above, what ואתה ff. addresses is not the function of the חטאת *flesh* but the relationship between the priests and the 'חטאת'.

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[34] Linguistically the phrase אכל חטאת parallels a modern metonymical usage such as 'repair a car'.

Specifically, החטאתff. speaks about the function of the priests in handling the החטאת! Since self-evidently the eating of the חטאת follows the blood manipulation and Moses' words begin with לא אכלתם, i.e. in the past tense, the verb נתן can best be construed as pluperfect. Further, since the verb נתן is pluperfect, it could be inferred that v.17b speaks about the priests' function in their manipulation of blood (and the burning of fat) rather than about their eating the חטאת. In other words, v.17b declares that through the blood manipulation the priests bear the guilt (see below) of the congregation.

This mention of bearing guilt נשא עון demands an investigation of its meaning. To this end we first survey the occurrences of the phrase in the priestly literature in general and then consider the meaning of it in this particular passsage, Lev 10:17.

The term עון basically means 'iniquity'.[35] But since, being a dynamic concept and deep-rooted in Israelite 'Ganzheitsdenken' it expresses the iniquitous *act* and its consequence, or any combination of these ideas. Inevitably it must be translated 'iniquity', 'guilt', 'punishment' according to the context. For convenience sake we adopt the translation 'bear guilt' for נשא עון in the following discussions. The phrase can be classified into two categories from the viewpoint of subject-object relationship; in one the offender bears his own guilt (Exod 28:43; Lev 5:1,17; 7:18; 17:16; 19:8; 20:17,19; Num 5:31) and in another someone bears the guilt of someone else or something else (Exod 28:38; Lev 10:17; 16:22; Num 18:1(bis),23; 30:16). A problem arises with Lev 5:1,17 where the offender is to bear his own guilt but simultaneously the law enjoins him to bring a sacrifice. We presume that in these cases the offender is absolved of his guilt by the ritual.[36]

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[35] See Knierim, *Hauptbegriffe*, pp.237ff.,252ff.; *idem*, עָוֹן *THAT* II cols. 243-249.
[36] With Rodriguez, *op. cit.*, p.132.

In Exod 28:38; Lev 10:17; 16:22; Num 18:1,23 the phrase raises the question what specific situation is envisaged by it. But each passage should be examined separately.[37]

With regard to the phrase in Lev 10:17 in particular, Milgrom, following Ehrlich,[38] has heavily criticized a common translation 'remove the guilt/sin' by pointing out:

> Thus the eating of the חטאת does not "remove sin" but is the largess granted the priest for assuming the burden, indeed the hazard, of purging the sanctuary on behalf of the offerer of the חטאת.[39]

Thus Milgrom translates the phrase 'bear the responsibility'. We concur with him that נשא means 'bear'. However it is questionable whether עון means 'responsibility'.

Firstly, as Knierim[40] rightly criticizes Zimmerli[41] who suggested the same translation, the meaning of עון is not as neutral as the modern term 'responsibility' implies.

Secondly, by לשאת את עון העדה Milgrom envisages that the priests make purgation rites on behalf of the congregation who defiled the sanctuary.[42] But as already argued, it is inadequate to assume in the context of Lev 9 that the sanctuary was defiled by the congregation before the purification ritual. Indeed, as Milgrom assumes, it is certainly

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[37] So Knierim, *Hauptbegriffe*, pp.221-222; Rodriguez, *op. cit.*, p.133ff. Cf. von Rad, *op. cit.*, pp.270-271. For Exod 28:38 cp. Dillmann, p.310; Elliger, *Lev*, p.229 n.33; Rodriguez, *op. cit.*, pp.133-134. For Num 18:1,23 cp. Ibn Ezra, Shadal, *ad loc.*; Dillmann, p.99; Gray, p.219; Knierim, *op. cit.*, p.242; Levine, *Presence*, pp.76-77; Milgrom, *Levitical Terminology*, p.22ff. It seems to me that Milgrom's interpretation of the phrase in Num 18:1 (=encroachment on sacred objects) is too narrow in the light of v.7. The phrase in Lev 16:22 will be discussed in chapter 6.

[38] Ehrlich, *Randglossen*, ad loc.

[39] Milgrom, *Cultic Theology*, p.70. Cp. C.A. Ben-Mordecai, *JBL* 60(1941) pp.311-314.

[40] Knierim, *op. cit.*, p.220 n.88. See Rodriguez, *op. cit.*, p.134 n.2.

[41] W. Zimmerli, *ZAW* 66(1954) p.10.

[42] See Introduction. On עדה (='congregation') representing all Israel, see Wenham, *Lev*, pp.98-99.

possible to envisage the idea of purging the sanctuary in Lev 9:15 behind לשאת את עון העדה in Lev 10:17, though his translation for the latter phrase 'for bearing---' proved to be erroneous. And this becomes probable now on our interpretation of Lev 10:17, according to which v.17b rather speaks of blood manipulation. Thus, if the notion of uncleanness is envisaged in the חטאת ritual of Lev 9, the purification of the uncleanness appears to be concurrent with the bearing עון העדה. Therefore it is clearly erroneous to construe עון העדה as 'responsibility of the congregation'. Rather the phrase נשא עון must be taken in a substitutionary sense, in which case it means 'bear guilt'. Yet it must be noted that the term עון in Lev 10:17 cannot simply be translated 'guilt', for 'guilt' has moral overtones which are not necessarily present in the Hebrew term. In this connection Knierim's comment on Isa 6:7 may provide an apposite characterisation of the עון in Lev 10:17:

> Die Erkenntnis der Unreinheit und damit des Charakters von עון bezieht sich nicht auf wissentliche oder beabsichtigte Vergehen, sondern auf den - verantwortlich zu tragenden - schuldhaften Zustand, dessen der Mensch infolge der Begegnung mit Gott inne wird. עון wird offenbar, wenn Gott dem Menschen begegnet, gleich, ob der Mensch den עון wissentlich beging oder nicht und ob er sich zunächst die Entstehung des עון erklären kann oder nicht.[43]

Nevertheless, since there is no modern term corresponding exactly to this Hebrew term in such a context, we shall make do with the term 'guilt' bearing in mind the above comment.

Moses' words in Lev 10:17ff. could be further analysed in the following way on the above interpretation of v.17b. The sentence כי קדש קדשים הוא in v.17a is not the reason why the חטאת ought to

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[43] Knierim, *op. cit.*, p.241.

have been eaten. It is rather the reason why the חטאה ought to be eaten in a holy place. In other words, since the חטאה is most holy it must be eaten as befitting its holy character. Nor is v.17b the reason why the חטאה ought to have been eaten; it explains the priestly function in blood manipulation. Therefore it may be inferred that the reason why the חטאה ought to have been eaten is given for the first time in v.18, because its blood was not brought into the Tent.

With regard to the symbolic meaning of eating the חטאה we do not accept the view that atonement depends on eating the חטאה, simply because v.17 does not suggest this idea nor does any other passage.[44] Eating the חטאה does not belong to the atoning process. Then what about Milgrom's view that the חטאה flesh is the perquisite of the priests? Again this view is not confirmed by v.17b because the passage does not address it. Yet the idea may well be reflected in Moses' words in v.17a. But if so, since those words are imbued with reproachful overtones, the term 'perquisite' can hardly describe the nature of the חטאה flesh.[45] It seems reasonable to assume, then, that eating the חטאה is both a privilege and a duty, and that to see the two aspects as contradictory is unnecessary.

Our interpretation of Lev 10:17 throws further light on the nature of the חטאה ritual in the eighth-day service. It has been stressed that,though the whole ceremony ends on a joyous note, the חטאה ritual deals with some serious aspect of atonement. This is now confirmed by the presence

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[44] See further our observations made in A(b) above.

[45] Hos 4:8 appears to describe the avarice of the children of the chief priest in their abuse of the חטאה flesh. It is unnecessary to take חטאה and עונם as synonymous as Rendtorff (op. cit., pp.62,63,241) and F. Andersen/D.N. Freedman (Hosea (AB) ad loc.) assume. As noted by Medebielle ('expiation' DBS col. 68), the passage seems to presume the practice in Lev 10:17. The sons of the chief priest "lift up their throat" because the more the people sinned the more they could partake of the flesh. It is obvious that in v.8b the prophet is insinuating the proper function of the priests, i.e. נשא עון.

of the term עוון in Lev 10:17. This means that, though the uncleanness or sinfulness of the people is of general nature, it involves עוון (guilt).

However by far the most significant corollary arising out of our interpretation of Lev 10:17 is the fact that through the blood manipulation assumed in Lev 9:15 the priests bore the guilt of the congregation. If the blood manipulation concerns purification of the altar, thus uncleanness, it could be inferred that the two notions, uncleanness and עוון (guilt) are both dealt with by the blood manipulation. Though Lev 10:17 is different in context from Lev 4:1-5:13, this assumption perfectly suits our conclusion in Chapter 1 (d) that the חטאת ritual deals with both the act of sin and its consequence. This corresponds to the notion of עוון expounded by Knierim.

C. Other Purificatory Occasions

The חטאת also appears on the following occasions.

(a) Purification from uncleanness	Lev 12:6,8; 14:19,22,31; 15:15, 30; Num 8:12
(b) Purification of the Nazirite	Num 6:11,14
(c) Num 15:22ff.	
(d) Festive occasions	Num 28-29; Lev 23:19; Num 7

Again as with the various theological issues set out at the beginning of this chapter we approach the central function of the חטאת on these occasions. Yet one additional problem should be mentioned here, namely that the ritual procedure of the חטאת (handling of blood, fat, flesh etc.) is not prescribed on any occasion in the above list. Does this mean that the ritual procedure is presumed? It is reasonable to assume so, but the question is: what ritual procedure is presumed? On the majority of the occasions mentioned above it is prescribed that the ritual should take place at the entrance of the Tent (Lev 12:6; 14:11,23; 15:14,27; Num 8:9;

6:10,13), i.e. in connection with the outer altar. Since the ritual procedure of the חטאה, which takes place at the entrance of the Tent, is prescribed only in Exod 29:10-14; Lev 4:22-35; 5:7-13; 8:14-17; 9:7-15, we postulate that those occasions listed above have something to do with these texts.[46]

(a) Purification from natural uncleanness

The חטאה is prescribed for a woman after childbirth (Lev 12:6-8), a leper (Lev 14:19,22,31), individuals with serious discharges (Lev 15:15,30). In these contexts the חטאה clearly functions to purify some uncleanness since the purpose of the ritual is purification. However the question is whether, as Milgrom has forcefully argued, the חטאה cleanses sancta and not the offerer. As already mentioned, Rodriguez has recently opposed this view by pointing out that Lev 12:7 explicitly states "she shall be clean from the flow of the blood", and that nothing is stated about the purification of sancta.[47] However does this negative evidence imply that sancta are not purified? The inference cannot be justified, if Lev 12:7-8 as well as Lev 14:19,22,31; 15:15,30 presuppose a certain ritual procedure for the חטאה.

Presumably the ritual of the bird-חטאה in Lev 12:7-8; 14:22,31; 15:14-15,29-30 would have followed the prescription in Lev 5:7-9,[48] apart from which there exists no prescription for the bird-חטאה in the whole OT, whereas the ewe-lamb a year old in Lev 14:10,19 for the חטאה would have been treated in accordance with the prescription in Lev 4:32ff.. In other words, it is reasonable to assume that those texts all presume Lev 4:32ff. and Lev 5:7-9.

In support of this assumption Lev 14:10, where three sacrificial

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[46] With Rodriguez, *op. cit.*, pp.101-102.
[47] *Ibid.*, pp.104-105.
[48] With Rodriguez, ibid.

animals are enumerated, could be adduced. It is not clear which of the three should be assigned for the חטאת and the עולה except that כבש is used for the אשם (v.12). Ramban noted that this is because the text presumes the knowledge of the עולה and the חטאת in Lev 1 and Lev 4, according to which the עולה must be male (כבש) whereas the חטאת must be female (כבשה).[49]

On the other hand, Rodriguez's emphasis that in Lev 12:7-8 a parturient becomes clean deserves attention. Granted that חטאת blood purifies the outer altar, does the mention וטהרה (Lev 12:7,8) imply that the parturient becomes clean after the purification of the altar? It seems that just as in Lev 4 it is inadequate to separate forgiveness (ונסלח לו) from the preceding ritual, it is also artificial to separate clean status from the preceding ritual and to argue that the חטאת blood purifies the altar and not the parturient. The mention of 'becoming clean' comes after כפר because cleanness is the purpose of the כפר act just as forgiveness is. But this does not mean that cleanness or forgiveness is independent of the ritual. Rather the very ritual appears to involve the process of gaining cleanness or forgiveness. Therefore we infer, by analogy with Lev 8:15, that when the altar is purified, so is the offerer in Lev 12:6,8; 14:19,31; 15:15,30.

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[49] Ramban *ad loc.*

(b) Dedication of the Levites (Num 8:7,8,12)

In the dedication of the Levites the חטאת serves as a sacrifice by which Aaron makes atonement for the Levites (v.12). Since the whole ritual aims to purify the Levites for their task in the Tent (vv.15,21), it is reasonable to infer that the חטאת also functions to purify them by presumably purifying the outer altar. Thus the whole ceremony consists of a series of purification rites (vv.7,12,15). In that the sacrificial animal is a bull and the Levites have no particular cause of defilement, the ceremony resembles that of the consecration of priests (Lev 8:2,6). However the fact that while the priests become holy the Levites are never so described[50] suggests that, as the holy status is grounded upon divine calling, the accumulation of purificatory rites does not necessarily make a person holy. This inference may make it inadequate to assume degrees of cleanness in the term טהר.

At any rate, since no cause of sancta defilement is mentioned, it is unnecessary to assume that the חטאת purifies only defiled sancta and not persons.

(c) The Nazirite's ritual (Num 6:11,14)

The חטאת must be sacrificed (1) when someone dies near the Nazirite (vv.9-12) and (2) when he successfully completes his term (v.13ff.).[51]

(1) When someone dies near him, he defiles his vow (v.9ff.). On the seventh day he shaves his hair and on the eighth day he brings either two pigeons or two turtle-doves for the חטאת and the עולה. On the same day he rededicates his hair and his term, and brings a lamb for the אשם.

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[50] See Milgrom, *Levitical Terminology*, n.103.

[51] We presume the exposition of this chapter by Wenham (pp.85-89).

Why should the Nazirite bring a חטאת for expiation? Keil and Milgrom maintain that it is because the Nazirite was defiled by a corpse.[52] However strictly this is not what v.11 states; it states that the priest makes atonement for what the Nazirite has sinned (חטא) with regard to the corpse (על הנפש). Normally uncleanness caused by a corpse does not constitute a sin and is purified by the מי חטאת (Num 19:14ff.). The reason why the defilement constitutes a sin (cf. Lev 22:9) may well be that the Nazirite is holy like the high priest (Lev 21:11).[53]

However the modern tendency to make a clear distinction between sin and uncleanness must be queried here. For on the one hand v.9b clearly concerns a purification rite (cp. Lev 14:9) and the ritual in vv.9b-12 appears to follow the calendrical pattern of seven days and then the eighth which pervades purification rituals (Lev 8-9; 12:2-3; 14:9-10,23; 15:13-14,28-29). But on the other hand v.11a deals with the expiation of sin. This is not to say that there was no distinction between sin and uncleanness; but at least the term 'sin' with its moral overtones hardly matches the term חטא here.

If, however, the above inference that the corpse contamination constitutes a sin because of the unusual holiness of the Nazirite is right, it may be inferred, at least in this context, that the sin (חטא) is not essentially different from 'uncleanness', and that a condition is called a sin when it involves a clash of holiness with uncleanness.

Again it is not clear whether the sin defiled the altar, but that the חטאת blood purifies the altar and resanctifies the person may be inferred.

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[52] Keil, p.37; Milgrom, *Cult*, p.68. Milgrom notes, in *Cult* n.246,250, that the requirement of sacrificial expiation in this case contradicts P's system which requires only sprinkling of מי הנדה (Num 19:14ff.). But the latter law is unlikely to be addressed to the high priest with whom the Nazirite's holiness is comparable. Cp. Dillmann, p.36.

[53] See Kurtz, *op. cit.*, p.446.

(2) The חטאת is also required when the Naziritehood is over (v.13ff.). Some scholars have seen the nature of the whole ceremony in vv.14-20a as legitimate desanctification of the Nazirite from holiness to the common (see v.20a).[54] Though this characterisation may be right, two general remarks should be made before considering the חטאת in vv.14,16. Firstly, that characterisation indeed fits the character of the occasion as a whole, but it seems doubtful whether it has a direct bearing upon the function of individual sacrifices in the ceremony (מנחה, עולה, חטאת, שלמים).[55] Secondly, since the ceremony takes place at the end of the Naziritehood, it could mark the culminating point of the Naziritehood expressing the special relationship between God and the Nazirite.[56] Thus 'desanctification' seems rather secondary in the essential nature of the ceremony.

Now the question why the Nazirite ought to offer the חטאת (vv.14,16) has puzzled exegetes throughout the ages. While there are no grounds for linking this חטאת with a particular sin,[57] Milgrom's thesis that the חטאת blood purifies sancta hardly answers the question either. He admits as much when he says that it is difficult to explain the reason for the חטאת here.[58] Nevertheless some scholars including Milgrom prefer to see the motive of bringing the חטאת as desanctification.[59] But as stated above 'desanctification' may not be directly related to the reason for the חטאת.

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[54] Noth, p.51; Milgrom, op. cit., p.68; Rodriguez, op. cit., p.121.

[55] For instance, see Wenham's exposition of the שלמים (p.88).

[56] Cp. Lev 8:33; 12:4,6; Num 6:5,13 where מלאת occurs.

[57] Keil, p.39; Dillmann, p.36.

[58] Milgrom, 'קרבן' EM 7 col. 249. See also Introduction. Siphre bammidbar 6:11; Ramban ad loc.

[59] Authors cited in n.54 above and Milgrom, ibid.

We shall suggest that this problem can be resolved by comparing this ceremony with those related to the priestly installation in Lev 8-9, especially Lev 9. First, the very fact that the status of the Nazirite is similar to that of the high priest justifies the comparison. Second, the combination of sacrifices the Nazirite brings resembles that of the priests in Lev 8-9; they both offer four sacrifices מנחה, עולה, חטאת and שלמים.

Now given the analogy between this ceremony with that in Lev 9 it may further be observed that the circumstance prior to the bringing of the חטאת is common in both contexts; the priests who have completed the seven-day ordination and the Nazirite are both holy. Thus based on the above discussion of Lev 9 we infer that just as the priests, who are already holy after the seven-day ordination, still need expiation/purification when they approach God, so does the Nazirite who has been holy during the period of his vow. In short, the Nazirite needs expiation/purification simply because he approaches God (v.13) just as the priests do in Lev 9, though it is not said that atonement is made for the Nazirite.

It may be inferred that the חטאת purifies the altar and thus the Nazirite, but it seems inadequate to assume that the altar has been defiled by a particular offence of the Nazirite. Rather the Nazirite has to offer a חטאת because he approaches God.

(d) Num 15:22ff.

The section appears to deal with another version of Lev 4 in that it prescribes rituals for the expiation of inadvertent sin. Despite some recent attempts,[60] however, the literary relationship between Num 15:22ff. and Lev 4 has not been satisfactorily clarified. Because of lack of space the issue cannot be discussed here. However we shall draw attention to one point which has escaped scholars' attention, viz. the occasion of the

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[60] See references in Milgrom, 'Purification,' p.215.

ceremony.

V.22 has tended to be taken as introducing a new law, but the introductory וכי seems to subsume it under v.18b which introduces the law on the חלה (vv.19-20). Since vv.17-18 parallel vv.1-2 and וכי appears also in vv.8,14, it is useful to see how the laws are presented in this chapter.

וידבר ה' אל משה לאמר	17	וידבר ה' אל משה לאמר	1
דבר אל בני ישראל	18	דבר אל בני ישראל	2
ואמרת אליהם		ואמרת אליהם	
בבאכם אל ארץ	18	כי תבאו אל ארץ משבותיכם	2
אשר אני מביא אתכם		אשר אני נתן לכם	
והיה באכלכם ...	19	ועשיתם... והקריב	3
וכי תשגו ...	22	וכי תעשה... והקריב	8
והיה אם ...	24	וכי יגור ...	14
ואם ...	27		

Vv.17-18a are the same as vv.1-2a. A small difference between בבאכם in v.18b and כי תבאו in v.2b deserves attention. As rabbis noticed,[61] the beginning of v.18b (בבאכם) is unique. V.2b or similar phraseology is a standard way of introducing laws which take effect in Canaan. The difference between vv.2b-3 and vv.18b-19 is that whereas v.2b gives a general background to v.3ff.,[62] the relationship between v.18b (בבאכם) and v.19 (והיה באכלכם) is consecutive. This means that בבאכם in v.18b refers to a specific point of time (entry into Canaan), and that the law of חלה must be observed when the Israelites first eat the produce of the land of Canaan. V.20b, though, appears to rule that the law must be observed permanently.

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[61] E.g. Rashi *ad loc.*
[62] See Elliger, *Lev*, p.349 n.1.

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Now it could be argued that just as וכי in vv.8,14 is subordinated to v.2b, וכי in v.22 is also subordinated to v.18b; v.22 parallels v.19. Thus we infer that the law of inadvertent sin in v.22ff. is intended to be observed, at least, upon the Israelites' entry into Canaan.

Why the law of inadvertent sin comes after the law of חלה remains unclear unless the symbolic meaning of the latter is taken into account. From Ezek 44:30b it would be reasonable to infer that the חלה guarantees divine blessing. More specifically, however, the idea may be that, as in offering other first fruits, by dedicating the (best) part of the dough the divine blessing extends to all of it. In view of this symbolic meaning it seems that the law of inadvertent sin is concerned with the purity of the Israelites, at least, at their initial stage of life in Canaan.[63]

That v.22ff. is intended for a special occasion could well be reflected in the combination of sacrifices, namely עולה, מנחה, נסך and חטאת, which resembles the combination in Lev 9:3-4; 23:17-20. Furthermore it may be noted that in the חטאת for the individual a female goat must be *a year old*. There is a possibility that this age qualification, irrespective of the kind of sacrifice, appears on occasions marked by 'newness' or 'beginning' as in Exod 12:5; Lev 9:3; 12:6; 14:10; 23:12,19; Num 6:12,14; 7:15.

Therefore we infer that the law in Num 15:22ff. has in mind the time when the Israelites enter the land of Canaan.

As for the nature of sin, the term מצות in v.22 could include both performative and prohibitive commandments. But vv.27-31 imply that it refers only to prohibitive commandments (cp. vv.39,40).[64] If so, what is the meaning of "not observing all these commandments" in v.22? On the

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[63] Cf. Josh 5:11-12. It may also be noted that the חרם in Josh 6-7 has a character of first fruits. See M. Greenberg, 'Herem' *EJ* 8 cols. 347-348.

[64] Milgrom, in *op. cit.* pp.211-214, does not decide on this matter.

basis of our exegesis of Lev 4:2[65] it may be suggested that this non-observance of all the commandments is practically the same as the violation of one commandment. And this appears to be assumed in vv.27-31.

However in both v.22 and v.24 it is not clear whether the law practically deals with the violation of one prohibitive commandment. There are two possible reasons for this ambiguity. First, the law probably presumes Lev 4. Second, and, more immediately, it is the intention of the law to stress the totality of the commandments (see vv.22-24,39-40) rather than "one violation" of all the commandments as in Lev 4. And this intention, we suggest, parallels the symbolic meaning of חלה, which guarantees the overall divine blessing on the Israelites.

(e) Festive occasions

The חטאת is also prescribed for festive occasions in Lev 23:15-21; Num 7; 28-29. Why it is required then is not clear. Particularly the function of the חטאת offered for the dedication of the altar (Num 7) is highly obscure.[66] The rabbinic tradition holds that the חטאת on festive occasions atones for uncleanness produced in sancta.[67] According to Rodriguez the חטאת on these occasions expresses "a recognition of their [the Israelites'] sin/impurity before the Lord and of their dependence on Yahweh's continuous and gracious forgiveness".[68] Indeed the obscure nature of the חטאת stems from the fact that no particular sin or uncleanness can be envisaged on these occasions. Yet we rather suggest that the situation could be the same as in Lev 9; some general sinfulness or uncleanness is envisaged when the Israelites encounter with God on special

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[65] See chapter 1 (A).
[66] Cf. Wenham, *Num,* p.93.
[67] Mishnah, Shebuoth 1:4.
[68] Rodriguez, *op. cit.,* p.108.

occasions. It may be noted that both in Lev 9 (v.3) and on those occasions the חטאת is consistently שעיר (עזים).

Recapitulating: A survey of the חטאת on various occasions except Lev 4:1-5:13 has led to the following conclusions and implications.

(1) There is no doubt that the חטאת purifies sancta. But contrary to Milgrom's thesis it appears to purify both sancta and person(s). This may be clearly inferred from Lev 8:15 and possibly presumed in other relevant passages as well. The essential question is whether sancta are defiled before purificatory rituals. The possibility is unlikely in the contexts of dedication (Num 8:6ff.), consecration (Lev 8:15) and desanctification (Num 6:14ff.). But in contexts where particular causes of uncleanness are explicitly mentioned such as Lev 12:6; 14:19; 15:15,30; Num 6:11; 15:25,28 it is certainly possible to assume defilement of sancta. Yet in view of the fact that Milgrom tends to assume sancta defilement in all the above contexts they require reexamination.

(2) The חטאת for the people in Lev 9 could be typical of the חטאת on various festive occasions. In both the חטאת expiates general sinfulness or uncleanness which is assumed when the people approach God on special occasions.

D. Sancta Pollution

That the חטאת deals with sancta pollution has already been mentioned several times. Now it is time to examine this notion more carefully.

It is J. Milgrom who has insisted that the idea of sancta pollution is central in the חטאת ceremony. According to him this pollution occurs without any contact with sancta. However our examination of Lev 8:15 and the חטאת rituals concerning natural uncleanness casts doubts on the

very presence of the sancta pollution, at least, in the passages we have examined. Since we need not assume the idea in the contexts of dedication, consecration and desanctification, we shall confine our examination of the idea to the החטאה for natural uncleanness.

Milgrom asserts:

> Clearly, physical impurity is removed by ablution: "he shall wash his cloths and bathe in water" (Lev xv,8 *inter alia*).[69]

The החטאה is required from an unclean person because he has defiled sancta by his uncleanness. According to this theory, it is not the unclean person but the uncleanness in the sancta that is cleansed by the החטאה blood. But is this the correct way of looking at the purification ritual which is finalized by the החטאה? Indeed in the החטאה rituals in Lev 12-15 an unclean person must be clean before bringing the החטאה. But it seems misleading to infer from this that the sacrifice does not purify the unclean person. We shall demonstrate this point by taking the leper's case as an example.

In Lev 14:2-20 the leper is declared 'clean' three times: (a) before he enters the camp (v.8), (b) on the seventh day (v.9), and (c) after the ritual in the sanctuary (v.20). It is debatable how one should see the threefold 'clean'. But at least it is clear that the החטאה in v.19, even if it purifies sancta, also concerns the uncleanness of the leper (מטמאתו). It seems that here the leper is envisaged to be standing before the Lord as a person who needs purification, and not as one who is clean in himself but requiring purification of the sancta. Indeed one may argue that since the

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[69] *Cultic Theology*, p.75. As far as Lev 15:8 and the similar passages are concerned, the ablution does not purify the unclean person in a material sense since he is unclean until evening.

leper is already clean in (b), he himself does not need purification in (c).[70] But the fallacy of this reasoning is obvious because, if so, even (b) would not have been necessary since the leper is already clean in (a).

Then should one assume degrees of cleanness in the three stages? This assumption appears reasonable at first sight; the leper in (b) looks cleaner than in (a) in that he is closer to the sanctuary. However though the assumption may appeal to the modern mind, it also seems one-sided.[71] For a theory of degrees of cleanness implies that at stage (a) the leper is not clean enough. But it seems difficult to assume that the same word טהר expresses various degrees of cleanness.

Thus the most plausible approach seems to be the one that fully admits the repetitiveness of the declaration "he shall be clean". This means that the leper is clean enough for stage (a), but that one stage should not be compared with another from the viewpoint of the degrees of cleanness because the declaration "he shall be clean" itself does not refer to the previous stage.

Therefore the leper stands before the Lord (v.10ff.) as a person who needs to be purified. The same applies to other purification rituals as in Lev 12; 15:13-15,28-30. If so, it is unnecessary to postulate that sancta must have been defiled before a purification ritual in the sanctuary takes place. These rituals serve primarily to cleanse the offerer. Whether they also cleanse the sanctuary will now be addressed.

The recognition that the החטאת ritual in the sanctuary deals with unclean persons and not with defiled sancta provides a fresh way of looking at the החטאת ritual in the sanctuary. For the question why a person declared clean needs further purification in the sanctuary is typologically similar to asking why the priests who are already holy (Lev 8) have to be further purified or atoned for on the eighth-day service (Lev 9). And it seems that the purification of the individual in the sanctuary has

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[70] Cp. Schötz, op. cit., p.20.
[71] E.g. Janowski, op. cit., p.225 n.204.

the same purpose as in Lev 9, i.e. divine acceptance. This would be supported by the calendrical pattern seven days-eighth day both in Lev 8-9 and the חטאה rituals in Lev 12-15. If a conceptual parallel exists between Lev 9 and the חטאה rituals for natural uncleanness, it would be even more difficult to assume 'sancta pollution' because, as already argued, the idea is unlikely to be present in Lev 9.

But why does the priest apply blood to sancta, if the sancta are not defiled? At this point it seems necessary to clarify the notion of sancta pollution in terms of its timing. Milgrom assumes that sancta become defiled when a person becomes unclean. Consequently sancta are defiled before the priest undertakes purification rites: since the sancta are defiled, the priest cleanses them. We rather assume that uncleanness is envisaged in the sancta when an unclean person stands before the Lord, i.e. at the entrance of the Tent, and that when the priest purifies the sancta, the unclean person becomes clean concurrently. Thus the חטאה blood indeed purifies the sancta but not the sancta that have been defiled for a lengthy period.

To understand more fully this parallel between the cultic status of an offerer and what happens on the altar, it is necessary to inquire further into the meaning of purification on the one hand and the substitutionary character of the חטאה blood on the other. Both will be addressed in connection with Lev 17:11 in chapter 4.

Contrary to all the above, a few passages do suggest long-term 'sancta pollution'. They are Lev 15:31 and Lev 16:16,19.[72]

Lev 15:31 could be translated, "You shall warn the Israelites against uncleanness, that they die not in their uncleanness when they defile my tabernacle that is in the midst of them".[73] The latter half of the sentence appears to envisage the failure to observe cleanness/uncleanness laws,

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[72] These passages will be discussed more fully in chapter 6.
[73] See Elliger, p.192.

which results in death. Therefore the passage hardly implies that the uncleanness dealt with in Lev 15:2-30 defiles the tabernacle. Rather what v.31 says is that when the rules in vv.2-30 are not kept, that defiles the tabernacle. Thus Lev 15:31 does not contradict our proposal that the חטאה ritual in Lev 12-15 does not assume sancta pollution in Milgrom's sense. Seen this way Lev 15:31 closely resembles Num 19:13,20, though in the latter the *karet* penalty is prescribed. As in Num 19:13,20 it is unnecessary to assume, as the rabbis did, that in Lev 15:31 defiling the tabernacle meant or involved actual entry into the sanctuary in an unclean state.[74] At any rate Lev 15:31 is the first clear reference in Lev 11-15 to the idea of sancta pollution.

Lev 16:16,19 cannot be fully examined here. But they also strongly suggest that the sancta have been defiled for a certain period of time.

Thus we conclude that the חטאה purifies sancta such as the outer altar, and unclean persons, though the sancta do not appear to be defiled by unclean persons, except in Lev 15:31 and Lev 16:16,19. And this pollution is caused by failure to undergo the prescribed cleansing procedures, not by the person contracting uncleanness.

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[74] With Milgrom, *op. cit.*, p.78. See further Büchler, *Sin and Atonement*, pp.264-265.

E. חטאה (sin) and uncleanness

As presented in the Introduction,[75] whether the חטאה offering is expiatory or purificatory constitutes a major problem of the חטאה offering. A related question concerns the relationship between sin and uncleanness. However it becomes complicated not only because the English term 'sin' may not correspond to the Hebrew term חטאה, but because it may well be used with different connotations by different modern scholars. Thus some would conceive the two notions in the cultic text as mutually incompatible with each other, whereas others would take them to be synonymous with each other.

In what follows we shall confine ourselves to discussing the relationship between חטאה (or חטא) which appears in the חטאה context and uncleanness. For one thing, to discuss a general question like the relationship between sin and uncleanness goes beyond the scope of our inquiry. For another, to use the Hebrew term חטאה rather than the ambiguous term sin reduces potential notional confusion. First we shall briefly address the notion of uncleanness, and then we shall compare it with חטאה (חטא) within the context of the חטאה offering.

The term unclean(ness) is the translation of טמא. The concept appears repeatedly in the cleanness/uncleanness regulations in Lev 11-15 and Num 19. Questions concerning 'uncleanness' are generally abstruse. Here only one issue which appears most germane to the חטאה offering is addressed, viz. the symbolic meaning of 'uncleanness'.

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[75] See p.15.

The sense of טמא, i.e. 'unclean', can be either tangible or metaphorical. When טמא has a tangible meaning it means 'dirty'.[76] But it is used metaphorically in almost all its occurrences in cultic law. To ask, then, the meaning of uncleanness is to ask why certain things and conditions are designated as 'unclean'. Indeed this question has perplexed commentators on Leviticus throughout the ages, but we presume that explanations based on hygiene and cultic polemic against pagan cult are only partial and unconvincing as Wenham has meticulously argued.[77] Here we rather take up the explanation, which has been offered by some scholars[78] and which seems most plausible, that uncleanness is related to 'death'.

This is clear from various uncleanness regulations. For instance, in Lev 11:24ff. uncleanness is contracted by physical contact with animals only when they are dead. In other words only dead animals can convey uncleanness. Num 19:13ff. deals with the contagion of uncleanness produced by human death and is probably presupposed by Num 31:19-24 which speaks of contact with corpses in war. Uncleanness is also accompanied by various diseases: serious skin diseases (Lev 13)[79] and serious male and female discharges (Lev 15:2-15,25-30). Naturally these diseases could be seen as the manifestation of death.

Furthermore it has been demonstrated by Wenham[80] that an opposition between life and death can explain four categories of animals, reflected in cultic law; (i) animals suitable for sacrifice (holy) (ii) suitable for eating (clean) (iii) inedible (unclean but not polluting) (iv) inedible and untouchable (very unclean and polluting). The same opposition of life

[76] Cf. J. Neusner, *The Idea of Purity in Ancient Judaism*, p.1. See also M. Douglas' critique on Neusner's method on p.138ff. of the same work.
[77] Wenham, pp.165-168; *idem*, 'Christ's Healing Ministry and His Attitude to the Law' in *D. Guthrie Festschrift*, pp.117-118.
[78] Dillmann, *Exod-Lev*, p.479; W. Kornfeld, *Kairos* 7(1965) pp.146-147; W. Paschen, *Rein und Unrein*, (1970) p.63; N. Füglister, 'Sühne', pp.157-160; E. Feldman, *Biblical and Post-Biblical Defilement and Mourning*, (1977).
[79] See Wenham, p.200.
[80] Wenham, *ZAW* 95(1983) pp.432-434.

and death can also answer why menstruation and emission of semen are defiling; they are regarded as the loss of 'life liquid'. Thus with Wenham we postulate that uncleanness symbolizes an 'aura of death'.[81]

Now in connection with the חטאה offering these cleanness/uncleanness regulations pose a basic question why the חטאה is required on some occasions (Lev 12:6,8; 14:10,19,22,31; 15:14-15, 29-30) but not on every occasion a person becomes unclean. It seems probable that the defilement on those occasions is regarded as more serious than other cases for which only washing clothes and ablution is required, though the exact criterion of the degrees of uncleanness is debatable.

With the above comments on the cleanness/uncleanness regulations we shall attempt to clarify the relationship between חטאה (חטא) and uncleanness within the context of the חטאה offering. The following data can be obtained from the foregoing discussion of the sections related to the חטאה.

A	Lev 4:1-5:13	חטאת	כפר
B	Lev 5:2-3	uncleanness------> חטאת	כפר
C	Lev 12-15	uncleanness	כפר
D	Num 6:9ff.	uncleanness------> חטא	כפר
E	Lev 8:15; 9:9; 10:17	uncleanness* עון	כפר
F	Num 6:14ff.	uncleanness*	-----
G	Num 19	uncleanness	-----

* = inferred

In the first place it may be argued that חטאה (sin) is distinguished from 'uncleanness' in the above texts. For the fact that in contexts C and G the natural defilement, however severe , is never associated with חטאה or

[81] *Ibid.*, p.434.

חטא suggests that there is a clear distinction between חטאה (sin) and uncleanness.[82] The same inference can be drawn from Lev 15:31 and Lev 5:2-3, that as long as the purification rules are observed, the defilement itself is not regarded as sinful.

Yet does this distinction correspond to the modern distinction between sin with moral overtones and uncleanness, which tend to be regarded as foreign to each other? We shall point out below a possibility that the difference between חטאה (sin) and טמא (uncleanness) is essentially related to the dimension of uncleanness rather than to two mutually exclusive notions as their English equivalents suggests.

(1) As noted above the case in D appears to indicate that sin is regarded as just a severer or special case of natural uncleanness. This is clear from the fact that the expiatory rite is preceded by the purificatory rite (cp. Num 8:7,12).

(2) As postulated above, in C the natural defilement for which the חטאה is required is severer than other cases for which no sacrifice is prescribed. Thus conversely it may be inferred that because the defilement is severer, the law demands the חטאה as well as washing clothes and ablution.

(3) The term חִטֵּא may also shed some light on the relationship between חטאה (sin) and uncleanness. It has been translated either as 'de-sin' or 'purify'.[83] Which meaning is more suitable is difficult to determine in a context like Lev 8:15. However in the contexts of Lev 14:49,52; Num 19:9 it seems difficult to translate חִטֵּא 'de-sin' because

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[82] With Wenham who postulates "Uncleanness establishes boundaries of action but as long as these are not transgressed no guilt is incurred" (*Lev*, p.220). Yet this 'guilt' should be replaced by 'sin' for two reasons; (1) As Lev 10:17 has shown עון (guilt) is present even when sin in our sense is absent. (2) As will be discussed in chapter 4 כפר seems to include 'נשא עון' as its semantic component even in a context like Lev 12:7.

[83] See Introduction.

חמטאה or חטא does not appear. In these contexts there is first something or someone that is unclean. And then this status is transformed to clean status through the act of חטא. Thus there is no room for 'sin' to come in the process. The term חטא definitely points to the meaning of 'purge' or 'cleanse'. And there seems to be no particular reason to deny the same meaning in the other occurrences of the term.

All these observations lead to the inference that at least in the examined cases, חטאה (sin) is unlikely to be regarded as a notion essentially incompatible with 'uncleanness';[84] rather it is a kind of uncleanness, produced on a dimension different from that of natural uncleanness, namely by breaking a divine prohibition (Lev 4), neglecting cultic and judicial order (Lev 5:1-4) and the Nazirite's being defiled by a corpse (Num 6:9ff.).

Since uncleanness symbolizes the aura of death it follows that 'חטאה' (sin) symbolizes a more intense aura of death.

But all this implies that the חטאה offering is simply a higher form of purification agent.

Tentative Conclusions on the Function of the חטאה

Our task in this chapter has been to determine the function of the חטאה. An examination of the relevant texts except Lev 4:1-5:13 led to conclusions, though still tentative, rather different from Milgrom's view. We agree with him that the חטאה blood purifies sancta. But except for this point we differ from him on all the crucial issues on the חטאה.

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[84] Cp. Lev 16:30b.

(1) Milgrom's view that the חטאת blood purifies only sancta is unlikely. The blood appears to purify sancta and by doing so also persons who need purification.

(2) It also seems misleading to assume that sancta are defiled by uncleanness in the camp, except in Lev 15:31; 16:16ff.

(3) Our study of the nature of the חטאת in Lev 9 has revealed the hitherto overlooked fact that the presence of 'guilt' is assumed (Lev 10:17) even in a context where a specific sin is not envisaged. This suggests that the חטאת ritual in Lev 9 concerns both 'uncleanness' and 'guilt', and that the concept of priests' 'purifying' parallels that of their 'bearing guilt' in some way.

(4) In the examined חטאת texts the concept of חטאת (sin) seems to be distinguished from 'uncleanness'. But the comparison of the contexts, particularly Lev 5:2-3; Num 6:9ff,; 8:7-12 suggests that there is no essential distinction between purification and expiation. Thus since the verb חטא is also deeply rooted in the idea of purification it may be inferred that חטאת (sin) is a kind of uncleanness. Further, since 'uncleanness' symbolizes an aura of death, so does 'חטאת' (sin).

(5) In the light of the above (3) and (4) it is highly plausible that the חטאת in Lev 4:1-5:13 deals with uncleanness as well as guilt. If so, it follows that since the חטאת in this section deals with חטאת (sin), uncleanness and guilt constitute some aspects of the חטאת (sin).

Chapter 3
Leviticus 10 and Leviticus 16

Introduction

In the preceding chapter we examined the role of the חטאת on unique occasions such as the climax of the consecration of the priests on the eighth day. We suggested cleansing was necessary to prepare for the theophany. But sadly the divine acceptance of the priests and the people (Lev 9:24) is followed by the death of Nadab and Abihu (Lev 10:1ff.). And this incident is referred to again in Lev 16:1 to introduce the ritual on the day of Atonement. Thus in the present book the death of Nadab and Abihu connects both Lev 9 with Lev 10 and Lev 10 with Lev 16, though this still leaves open how much of each chapter contributes to these literary connections.

The purpose of this chapter is to discuss the significance of the Nadab and Abihu incident in its relation to Lev 9 on the one hand and Lev 16 on the other, both of which contain much material pertinent to an understanding of the חטאת.

That this incident is relevant to the חטאת offering is indicated by Lev 10:16-20, for on our interpretation of v.17[1] the following observations may be made; (1) In v.17 the function of the חטאת is associated with 'atonement'. (2) To judge from Moses' words (v.18) the problem in the episode concerns two types of atonement ceremony (see Lev 6:17-23). (3) V.19 indicates that the reason why Aaron did not eat the חטאת has something to do with the Nadab and Abihu incident.

Indeed these points appear to be related more to atonement theology or the חטאת symbolism than to the function of the חטאת itself. But needless to say, a fuller understanding of the function of the חטאת cannot

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[1] See chapter 2 B above.

be obtained without considering various rituals related to the חטאת. This is especially true since our interpretation of Lev 10:17 has suggested a close relationship between the חטאת and the role of the priest in bearing guilt.

Now Lev 10 consists of narrative and laws, and as often in such cases the chapter has been assigned to various literary strata by modern critics.[2] However, though the alternation of narrative and laws may strike the modern mind as odd, it must be underlined that no serious attempt has been made to understand the significance of the Nadab and Abihu incident. This may well be reflected in the modern exegetes' failure to give any satisfactory reason, based on the present context of Lev 10, why Aaron did not eat the חטאת (v.19); instead they have assumed the pericope of vv.16-20 reflects some developments in cultic history.[3]

We shall argue below that this solution is unnecessary if the present text is interpreted accurately, and that the two incidents in Lev 10 (the Nadab and Abihu incident and the חטאת flesh incident), far from giving merely factual information, illuminate some aspects of atonement theology regarding both the eighth-day service and the day of Atonement.

So the question why Aaron did not eat the חטאת appears to form a nexus of various literary and ideological questions not only within Lev 10 but possibly with Lev 9 and Lev 16 too. To answer the question we shall

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[2] For instance, Elliger believes that only vv.1-9 belong to Pg (= priesterliche Grundschrift) (vv.1-7=Pg[1], vv.8-9=Pg[2]), and that the rest of Lev 10 consists of various additions which presuppose Lev 1-7 and Lev 11-15. See *idem*, pp.11-12,132-136. Similar judgements are found in Baentsch, pp.349-353; Bertholet, p.31ff.; Noth, p.83; Chapman-Streane, p.160ff.; von Rad, *Priesterschrift*, p.84; Koch, *Priesterschrift*, pp.72-73; Kornfeld, p.42.

[3] Chapman-Streane, pp.57-58; Noth, pp.87-88; Elliger, pp.135-136; Porter, pp.80-81. The former three exegetes assume that the חטאת flesh was burned outside the camp in Lev 9:15, which we have held to be erroneous on p.58 above. According to Milgrom this episode (Lev 10:16-20) echoes a conflict between magical belief in the potential power of the חטאת flesh and the official Israelite belief that the חטאת flesh should be eaten. See *idem, Cultic Theology*, p.74. Other views of this episode will be mentioned in the course of the discussion.

first comment on vv.1-7 (A) and then interpret vv.16-20 with reference to vv.1-7 (B). Based on the interpretation of Lev 10 as a whole we finally ask how Lev 16:1ff. is related, literarily and ideologically, to the Nadab and Abihu incident (C).

A. The Nadab and Abihu Incident: An Exegesis of Lev 10:1-7

The episode begins enigmatically:

ויקחו בני אהרן נדב ואביהוא איש מחתתו ויתנו בהן אש

וישימו עליה קטרת ויקריבו לפני ה׳ אש זרה אשר לא צוה

אתם

It is unclear why Nadab and Abihu burned incense on their censers and brought it before the Lord. Yet the phrase אש זרה אשר לא צוה אתם appears to point out the nature of their sin.

Over against the common translation of the phrase אש זרה 'illegitimate fire' Dillmann and others reason that if the phrase meant 'illegitimate fire', one would expect ויתנו בהן אש זרה, and that therefore אש in the phrase must mean 'fire-offering' like אִשֶּׁה, which also fits in well with the sacrificial term ויקריבו.[4] But two objections can be lodged against this view. First, אש hardly means 'fire-offering'. Second, הקריב could mean 'bring near' and not necessarily 'offer' with sacrificial overtones. The real question on Dillmann's view would be rather why the burning of incense is called אש and not קטרת.

Laughlin and others,[5] calling attention to אשר לא צוה אתם, argue that the sin consists in not taking the fire from the altar. This view is supported by Lev 16:12-13, where the fire was indeed taken from the altar in connection with the incense burning (cf. Lev 6:6), provided that a

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[4] Dillmann, p.471. For other views see Dillmann, ibid.

[5] J.C.H. Laughlin, *JBL* 95(1976) p.561; Milgrom, 'קטרת' *EM* 7 col.113; Haran, *Temples*, p.232.

contrast is intended between Lev 10:1 and Lev 16:12-13. The advantage of this view is that it gives a partial reason why the text says אש זרה and not קטרת זרה. Nadab and Abihu are priests and fully entitled to burn incense. There is nothing wrong in the burning of incense itself. What is wrong is the nature of the fire, that it was taken from some source other than the altar. Another possible reason why the text says אש זרה may be that the author intended to express a talionic principle by the concord of offence and punishment (v.2).[6]

Thus v.2 states that "a fire came out from the Lord and devoured them". The fact that the same expression is found in Lev 9:24 strongly suggests that fire in both passages is the same fire, though in Lev 9:24 it is the fire of acceptance, whereas in Lev 10:2 it is the fire of punishment.

The next problem is posed by Moses' words in v.3:

בקרבי אקדש ועל פני כל העם אכבד. They are poetically formulated and appear to be addressed to Aaron as an explanation of the incident. Provisionally the sentence could be translated "In those who are close to me I am sanctified and before all the people I am honoured". In what way, however, can these words be a comment on the Nadab and Abihu incident? Ehrlich comments:

> Durch die unparteiische exemplarische Bestrafung dieser beiden privilegierten Personen hat JHVH seine heilige Würde behauptet und somit angesichts des gesamten Volkes seine Ehrenkränkung gerächt.[7]

Ehrlich thus sees in Moses' words an exact description of what happened to Nadab and Abihu. However, though this view is possible, it is doubtful whether it is adequate to restrict the highly general language of Moses to the particular incident of Nadab and Abihu. If Moses' words express some principle, they need not be taken to refer only to the divine

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[6] So Ehrlich, *Randglossen, ad loc.*
[7] Ehrlich, *ibid., ad loc.*

punishment, especially because the combination of the roots קדש and

כבד appears in contexts other than that of punishment (e.g. Exod 29:43b).

The large majority of commentators have, in effect, adopted the following view of Dillmann:

> ...je näher einer Gott steht, desto sicherer und stärker hat er es zu erfahren, dass seine heilige Majestät sich nicht ungestraft antasten lässt, und desto strenger muss er sich zu pünktlichster Beobachtung des göttlichen Willens verpflichtet halten.[8]

This view may also be possible, but it seems unclear how such an interpretation can be produced from vv.1-3.

Earlier exegesis still leaves some points unclarified. Now, if Moses' words should be taken as expressing a principle, בקרבי אקדש would mean 'I am sanctified in my priests'.[9] Yet it is clear that Nadab and Abihu did not sanctify God. Therefore בקרבי אקדש by referring to the divine punishment that they suffered is insisting that they should have been holy in approaching God.

However, since Moses' words consist of two parts, בקרבי אקדש and

על פני כל העם אכבד, one must ask first how the two parts are related to each other before discussing the meaning of the isolated

בקרבי אקדש. This is highlighted by the fact that the second half

(על פני ff.) cannot stand apart from the first half, because, as

על פני כל העם shows, the second half refers to the concurrent effect of the manifestation of God's holiness on the people. In other words, the glory of God before the people is contingent upon the fact that God is sanctified by priests. Thus the whole sentence essentially means: "When I

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[8] Dillmann, pp.471-472.

[9] With Dillmann, p.471 and *contra* Elliger who supposes that קרבים refers to 'all the people', assuming the couplet to be *parallelismus membrorum* (p.133). See Num 16:5; Ezek 42:13; 43:19.

am sanctified in those who are close to me, then I am honoured before all the people." What is clearly enunciated by Moses' words is, therefore, the heavy duty of the priests, because the sentence clearly implies that by failing to sanctify God the priests mar the glory of God. On this interpretation Dillmann's view cited above is indeed right in that it stresses the heavy responsibility of priests, though it seems slightly over-subtle.

The third issue raised by this episode concerns the treatment of the dead priests by their brothers. After the corpses of Nadab and Abihu are carried away from the sanctuary (v.4), Moses enjoins Aaron and his two remaining sons (1) not to mourn for Nadab and Abihu; that ought to be done by the whole people (v.6), and (2) not to leave the entrance of the Tent of meeting. Apparently the two injunctions are grounded upon כי שמן משחת ה' עליכם (v.7aβ).[10] Why are they forbidden to mourn or leave the sanctuary?

Based on Lev 21:10ff. commentators have rightly taken these two injunctions to indicate that Aaron and his remaining two sons are regarded as having the status of the high priest.[11] Yet by looking at the injunctions only from the viewpoint of Lev 21:10ff., they also have tended to minimize the impact of the sin of Nadab and Abihu on their family and the people. We shall point out below that it is wrong to see the death of Nadab and Abihu as nothing more than them bearing their own guilt and to see vv.6-7 simply as the priest's observance of the law in Lev 21:10ff.

V.6a states that if the priests mourn, they will die, and the divine wrath will fall upon all the congregation. The assumption that the sin of

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[10] V.7 involves two major issues which cannot be discussed here; (1) its relationship with Lev 8:33-35 and (2) the problem of anointing; Aaron's sons are said to be anointed in Lev 10:7 whereas only Aaron is anointed in Lev 8:12. Cp. Hoffmann, pp.205-206; Chapman-Streane, pp.55,160; Gispen, pp.165-166. Nevertheless as regards (2) it should be noted in the light of the ensuing discussion that perhaps Aaron's sons are regarded as anointed in Lev 10:7 not because they were actually anointed but because they are included, as it were, in the person of Aaron.

[11] So Rashbam, ad loc.; Hoffmann, p.205; Chapman-Streane, p.55; Noth, p.86; Wenham, p.157; Maarsingh, p.85.

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the anointed priest makes the whole people the object of the divine wrath appears to be common with Lev 4:3;[12] but more immediately it leads to the idea expressed in v.3 (see above). At any rate, v.6a implies that as long as the priests keep the commandment, they are not at risk and there will be no outburst of divine wrath on the whole congregation. But it must be stressed that all this does not necessarily imply the priests are innocent; v.6a does not say that Aaron and his remaining sons have nothing to do with the Nadab and Abihu incident.

In v.6b the mourning is entrusted to the whole house of Israel. Undoubtedly the whole house of Israel is assumed to become defiled by this mourning.[13] However, as Ehrlich notes,[14] it is striking that the object of the bewailing (בכה) is הַשְּׂרֵפָה (=the burning), though v.6b as a whole obviously refers to the mourning for the death of Nadab and Abihu; normally בכה is followed by a personal object (cp. Num 20:29; Deut 34:8). This unusual form may be explained by assuming that the mourning on this occasion is not something natural. Indeed as אֲשֶׁר שָׂרַף ה׳ stresses, it rather bears the character of the after-effect of the divine punishment on Nadab and Abihu.

Yet the unusual form points to an even more significant aspect of the Nadab and Abihu incident; v.6b is in stark contrast with Lev 9:24. In other words, in contrast with the fact that the whole people rejoiced (וירנו) at the sight of divine fire devouring the sacrifices on the altar

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[12] It is natural to wonder why there was no outburst of divine wrath (קצף) in the wake of the sin of Nadab and Abihu (cf. Ehrlich, *Randglossen* on v.6). However it should be noted that while in Lev 4:3 and Lev 10:6 divine prohibitions are assumed to be known, in Lev 10:1-2 there is as yet no direction from God about burning the incense. Since on our interpretation the direction is implicitly given in Lev 16:12-13, we assume that this circumstance makes the divine punishment lenient.

If Lev 10:6 is comparable with Lev 4:3, it follows that the חטאת offering is propitiatory rather than expiatory in a narrow sense.

[13] Yet it is uncertain how Lev 10 is related to Num 19 where the defilement of death contamination is dealt with.

[14] Ehrlich, *Randglossen, ad loc.* One would expect הַשְּׂרֻפִים as in Num 17:4.

(Lev 9:24), they ought this time to bewail (בכה) the divine fire's devouring of Nadab and Abihu. Thus it must be assumed that the situation of Lev 9:24 has been reversed, involving not only Nadab and Abihu but *the whole people*.

Thus from v.6b it is clear that the sin of Nadab and Abihu involved both their family and the whole congregation. True, Aaron and his remaining sons could escape from death by performing what Moses commanded and by so doing withhold the outburst of divine wrath against the people, but the fact remains that the whole people are *now* far from being accepted before the Lord.

With this background we now tackle the חטאת flesh incident in vv.16-20.

B. Lev 10:16-20 and its relationship with 10:1-7

We now turn to Lev 10:16-20 to discuss again the enigmatic חטאת-flesh incident which appears to be related to the Nadab and Abihu incident. Earlier we devoted much discussion to the interpretation of v.17. We suggested that v.17b shoud be translated: "and it (the חטאת) had been given to you to bear the guilt of the congregation, thus making atonement for them before the Lord", and that eating the חטאת does not belong to the atoning process. The next crucial verse in vv.16-20 is v.19.

Before attempting an exegesis of v.19, however, we should note one point about v.18a. Since the reason in v.18a (הן לא הובא...) is given in connection with the people's חטאת mentioned in v.17b, the חטאת about which Moses is talking is the people's חטאת and not the priests' חטאת.[15]

Now most problematic is Aaron's reply in v.19. Obviously here

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[15] This implies that Moses admits the correctness of the ritual procedure, particularly the burning of the priests' חטאת outside the camp, in Lev 9:11. Cp. Noth, p.88.

Aaron is justifying the burning of the people's חטאת. His main argument appears to lie in v.19a: "Even though they offered before the Lord their חטאת and their עולה today, things like these have happened to me...".

Why did Aaron and his remaining sons not eat the people's חטאת?

In an attempt to answer this important question we examine v.19 philologically and ideologically below.

In the first place, which sacrifices do חטאתם and עלתם in v.19 refer to, to the priests' or to the people's? The context of Lev 10:17-19 suggests that Aaron is *justifying* his sons' act of burning the people's חטאת. Thus, at least, the pronominal suffixes in חטאתם and עלתם can best be taken as referring to Aaron's two surviving sons, Eleazar and Ithamar.[16] However, against Dillmann,[17] who restricts the pronominal suffixes toEleazar and Ithamar, it must be argued that since Aaron is referring to what is recounted in Lev 9:8-14, the pronominal suffixes may include Nadab and Abihu as well.

Secondly, it may be admitted that ותקראנה אתי כאלה refers, at least, to the death of Nadab and Abihu. Yet in view of כאלה it seems better to take the clause as referring to both their death and its consequences, i.e. what is recounted in Lev 10:1-7.

Thirdly, by saying ואכלתי חטאת Aaron appears to be responding to Moses' rebuke. Thus חטאת here refers to the people's חטאת. As already argued, eating the חטאת does not belong to the atoning process.[18] Therefore the fact that Aaron did not eat the חטאת does not imply that the atonement of the people in Lev 9 was invalidated. It rather implies that Aaron, for some reason, abandoned his right and privilege of eating the חטאת.

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[16] With Rashbam *ad loc.*; Dillmann, pp.473-474.
[17] Ibid.   [18] Chapter 2 B above.

Thus it may be inferred from the above that in v.19 Aaron is contrasting the ritual in Lev 9:8-11 with the Nadab and Abihu incident in Lev 10:1-7. Yet most remarkable is the fact that in response to Moses' rebuke Aaron is, first and foremost, pointing and appealing, to the atonement of *priests* in contrast with Moses who thinks only of the atonement of the *people* (vv.17-18). These considerations also suggest that the reason for Aaron's abandoning his right and privilege of eating the חטאה should be sought in his family situation, viz. how he evaluated the incident in Lev 10:1-7.

Some Jewish exegetes explained the reason for Aaron's not eating the חטאת by pointing out that Aaron and his sons were in mourning.[19] However, as Dillmann noted, this view is inconsistent with vv.6-7 where their participation in the mourning is explicitly prohibited.[20] Another objection to the 'mourning' approach is given by Ehrlich; if they did not eat the חטאה on the ground that they were in mourning the text would have read 'ואכלתי בקדשים' or 'בקדשי ה'' instead of 'ואכלתי חטאת' because they, being unclean because of mourning, are to be debarred from all the holy things and not only from the חטאת.[21] Ehrlich also infers that Nadab and Abihu died after they offered their חטאת,.and that therefore Aaron and his remaining sons knew that the חטאת was not accepted by God.[22] These two observations by Ehrlich are criticized and developed below in reverse order.

First of all, there is no evidence in Lev 9-10 to support the idea that Nadab and Abihu were killed after they offered the חטאת. Rather Lev 9 as a whole shows that the purpose of the eighth-day service, i.e. the

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[19] See Rashi *ad loc.*
[20] Dillmann, p.474.
[21] Ehrlich, מקרא כפשוטו, *ad loc.*
[22] Ibid.

appearance of God's glory, is successfully achieved by various offerings including the חטאת and the עולה (cf. Lev 9:23). There is no hint in the text itself, which suggests that something went wrong. Thus it must be assumed that the glory of God was manifested to the people because both Aaron and the people were atoned for by Aaron's offering of the חטאת and the עולה. Indeed one may argue that this may be the author's (or redactor's) view though not necessarily Aaron's; Aaron may have misunderstood the meaning of the event in Lev 9. But at least in Lev 10:17-18 Moses clearly assumes that the people were atoned for by the חטאת. And if there were no common understanding between Moses and Aaron that Aaron and the people were indeed atoned for by the sacrifices prescribed in Lev 9, Aaron might well have expressed his view in v.19. Yet it appears that in saying ואכלתי חטאת Aaron agrees with, and presupposes, the correctness of Moses' theory in vv.17-18.

Now the mention of חטאת and עולה in v.19 is, as Ehrlich noted, highly significant. It has been argued above that Aaron is stressing the atonement of the priests in contrast with Moses who thinks of the atonement of the people. This is clearly observable in the following comparison of Moses' words in v.17b and Aaron's words in v.19a as well.

V.17b (atonement of the people)

ואתה נתן לכם לשאת את עון העדה <u>לכפר עליכם לפני ה'</u>

V.19a (atonement of the priests)

הן היום <u>הקריבו את חטאתם ואת עלחם לפני ה':</u> ...

It seems likely that the underlined part of v.19a parallels conceptually כִּפֶּר in v.17b because the purpose of offering the חטאת and the עולה is to make atonement (see Lev 9:7). If this is admitted then the contrast between the two passages becomes even sharper in terms of the beneficiary of atonement; in v.17b the congregation and in v.19a the

priests.

However it may also be noted that the mention of עלהם is superfluous if Aaron's reply is compared only with Moses' words. Moreover חטאת in ואכלתי חטאת (v.19b) may refer indefinitely to any eaten חטאת, and not particularly to the חטאת which should have been eaten. From these observations it may be inferred that Aaron is appealing to some definite principle rather than referring to the particular חטאת Moses is making a fuss about (cp. 'החטאת' in vv.16-17). Nonetheless in that in ואכלתי ff. Aaron now mentions only חטאת instead of 'their חטאת and their עולה', this implies that Aaron is now referring more directly to Moses' rebuke.

Then the question arises why the חטאת and the עולה are singled out from various offerings offered in the eighth-day service to be contrasted with the Nadab and Abihu incident. As hinted above,[23] we assume that this is because the two sacrifices are expiatory or propitiatory, being related to כפר (Lev 9:7). Thus the contrast in v.19a between the atonement of the priests and the Nadab and Abihu incident can be expressed in the following two ways. Firstly, though Aaron and his sons could avert the wrath of God, they still experienced it in the divine punishment on Nadab and Abihu even on the same day. Secondly, it illustrates the two aspects of bearing guilt; in Lev 9 Aaron bore the guilt of the priests, but in Lev 10:1ff. Nadab and Abihu bore their own guilt and died. But this still leaves it unclear how the atonement of priests in Lev 9 is related to the Nadab and Abihu incident.

In an attempt to pinpoint the exact reason why Aaron did not eat the חטאת, thereby abandoning his right and privilege to it, it seems necessary to reemphasize that the priests and the people were indeed atoned for in

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[23] See n.12 above.

Lev 9. Furthermore it must be borne in mind that the idea that atonement can be annulled or invalidated after it is made is not mentioned in the cultic law, and that more immediately both Moses and Aaron appear to assume in Lev 10:16ff. the validity of the atonement in Lev 9. Therefore one cannot say that the atonement of priests in Lev 9 was invalidated by the sin of Nadab and Abihu. What did Nadab and Abihu's sin do then? Did it create a new need of atonement? In addition it has been argued above that the mourning approach contradicts Lev 10:6.[24] What, then, made Aaron shrink from eating the חטאת? There are some considerations which may lead to an answer to these questions.

(1) Although atonement was indeed made in Lev 9 and could not be cancelled by the Nadab and Abihu incident, as the contrast between

ותקראנה אתי כאלה and הקריבו את חטאתם ואת עלתם in Lev 10:19 suggests, the main reason why Aaron did not eat the people's חטאת appears to lie in the overriding cultic (not emotional) impact of the Nadab and Abihu incident on Aaron. Thus the death of Nadab and Abihu could be compared to the following situation: A man committed a minor crime and it was expiated, but later he committed a murder and suffered capital

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[24] If not 'mourning', some commentators have assumed some emotional cause in Aaron which prevented him from eating the חטאת. See for instance, Rashbam *ad loc.*; Baentsch, p.353; Kornfeld, p.43. In my judgement, any attempt to attribute emotional cause to Aaron's not eating the חטאת is possible by itself but, as Shadal correctly remarks, it fails to explain why Aaron said הן היום הקריבו את חטאתם ואת עלהם. Perhaps the major reason why exegetes could not read v.19 meaningfully is that they have assumed the ritual of the חטאת and עולה simply to be external acts with no theological meaning. Nevertheless the following paraphrase by Shadal seems to be most close to the intention of Aaron.

"אני עם ארבעה בני הקרבנו את חטאתנו ואת עולותינו לכפר בעדנו,
ואעפ"כ קרו אותי כאלה שמחו שני בני,א"כ הרי איך אנחנו רצויים
לפני המקום, וא"כ אם אכילת החטאת היא, כאשר אמרת, לכפר על
העדה, הייתכן שנכפר אנחנו על העדה בהיותנו אנחנו נזופים למקום?
ואם בכל זאת היינו אוכלים אותה והיינו מחברכים בלבנו שעדיין
הרי אנו רצויים לפניו והרי אנו כדאי לכפר על העם, הייטב בעיני
ה'? הלא יותר תבער בנו חמתו על זדון לבנו לבנו זה" (Shadal, *ad loc.*)

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punishment. In this case if the expiation remains valid and the death penalty is inflicted just for the murder, the expiation of the minor offence may well be regarded as meaningless or insignificant when it is seen in the light of the man's subsequent execution. Is this not the situation Aaron had in mind when he compared the atonement of priests with the Nadab and Abihu incident in Lev 10:19?

(2) As noted above, in vv.6-7 Eleazar and Ithamar are regarded as equal to Aaron in their holiness (Lev 21:10-12). Indeed several texts in Lev 9-10 regarding the relationship between Aaron and his sons rather point to the circumstance that Aaron's sons are included in the person of Aaron. This shows the equal holiness of Aaron and his sons.

In Lev 9:7 Aaron is commanded to make atonement for himself and the people but his sons assist him in the blood manipulation (vv.9,12,18). In Lev 10 acts of Aaron's sons are often attributed to Aaron himself. So in v.3 Aaron is rebuked for the act of Nadab and Abihu. In v.6, as mentioned above, it is assumed that a sin of the anointed priest makes the whole people the object of divine wrath. And in v.16 Moses rebuked Eleazar and Ithamar for burning the people's חטאת, but it was Aaron who replied to Moses, which suggests that Aaron's sons acted under Aaron's supervision. This is most clearly reflected in the change of number in Aaron's reply in v.19; from the third person plural to first person singular. Thus it is reasonable to assume that though Nadab and Abihu died bearing their own guilt, Aaron is held responsible for the incident as the head of the family; so this case should not be confused with the one in Lev 4:3 where the anointed priest himself commits a sin.

As has been argued, the Nadab and Abihu incident put the whole congregation in a situation opposite to that in Lev 9:24. In view of the above assumption that Aaron's four sons are included in the person of Aaron, it can be concluded that in v.19 Aaron assumes that he caused the whole situation by the sin of Nadab and Abihu, i.e. he is guilty in his

capacity as the head of the family.[25]

The same conclusion can also be reached by another route. On the theological postulate that Aaron's atonement reflects the people's atonement (Lev 9:7; 4:3; 10:3), the very fact that the whole people are mourning and no more acceptable to the Lord proves that Aaron (thus the priesthood as a whole) is in need of expiation or atonement.

Thus it can be concluded from the above that the sin of Nadab and Abihu is a sin of the priestly family as well as that of Nadab and Abihu, and that Aaron is guilty of it in his capacity as the head of the family.

(3) The contrast in Lev 10:3 between priests (קרובים) and the people, viz. that when God is sanctified by the priests He is honoured by the people, corresponds perfectly to the contrast in v.19 between the atonement of the priests (הן...כאלה) and the atonement of the people (ואכלתי חטאת). In both passages the priority of priestly duties over the people's is emphasized. In the light of this parallel, Aaron appears to be arguing in v.19 that unless he is atoned for, it is meaningless for him to exercise his right to the people's atonement, or to put it another way, that since he is *now* not atoned for, he is unworthy of enjoying his right to the people's חטאה. Either way it is clear that Moses' remark in v.3 is utilized by Aaron in justifying his action. Furthermore it may also be noted that וידם אהרן in v.3 is contrasted with וייטב בעיניו in v.20. The latter implies divine approval, which is expressed by the author using the same phrase that Aaron used. And this again forms a contrast with Moses' words in v.3a, which originated in God.[26]

It is clear then that Aaron acted tacitly and even confidently in

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[25] Two additional notes are in order. First, the term 'guilty' should be taken in its widest sense in view of the meaning of עון in Lev 10:17. Second, the fact that Aaron and his sons are anointed and holy does not mean that they have no need to be atoned for. This is best demonstrated by the fact that Aaron, having been anointed in Lev 8, still needs to be atoned for in order to enter into his regular duty.
[26] Cf. Wenham, p.132.

accordance with the principle uttered from the very mouth of Moses.[27]

(4) The twice-repeated היום in Lev 10:19 also deserves note. The emphasis is unlikely to imply that Aaron can eat the חטאת the next day. Rather the emphatic היום seems to imply that the eighth day must be of one piece with its purpose. Yet it must be stressed that this motive is shared by both Aaron and Moses. The difference between them was that whereas Moses wished Aaron and his sons to implement their priestly duties concerning the eighth-day service, Aaron held that, being guilty, he could no more exercise his right to the people's חטאת.

The above four points thus lead to the following conclusions. The reason why Aaron did not eat the people's חטאת is that Aaron, being in the unatoned-for status in the wake of the Nadab and Abihu incident, thought it inappropriate to enjoy his priestly right of eating the חטאת, based on the principle that atonement of Aaron, i.e. of his house, is of paramount importance.

This situation indeed creates a ritual difficulty for Aaron owing to the fact that the day was the eighth day. For the ceremony on the eighth day (Lev 9) is not designed to expiate a particular sin of the priestly house, yet Aaron is still bound by the principle that his (=priests') atonement must take priority (Lev 10:3,19).

Therefore Lev 10, particularly vv.16-20, implies that the ritual in Lev 9 is incomplete in view of the sin of Aaron's house, and it demands an atonement system which is different from the one in Lev 9 and which atones for the sin of Aaron's house in an all-sufficient manner.

We shall argue below that all the above arguments are highly relevant to the interpretation of the day of Atonement ceremonies described in Lev 16.

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[27] Therefore it seems wrong to assume that Aaron made a ritual mistake.

The literary character of Lev 16 as a whole has been variously evaluated since the last century.[28] It is a fact that the chapter contains peculiar vocabulary and style which are not found in other parts of the priestly literature. Also from the ideological point of view the chapter presents a highly complicated atonement ritual which has no parallel in other parts of the OT. Thus with some exceptions the majority of scholars have seen the chapter as composite, though no consensus has been achieved as to the analysis of the text. Normally the existence of various literary strata in the chapter has been inferred on the basis of unevenness in vocabulary, style and ideology.

A comprehensive evaluation of the literary character of Lev 16:1-28 will not be made in this thesis. In what follows we limit our discussion only to the literary framework of the chapter (vv.1-2,34b), and to the fundamental theme of the ritual set out in vv.3-28 as it relates to Lev 10 as discussed above. So the central question pursued below is how the prescription of the ritual is related to the historical framework: why the mention of the death of Nadab and Abihu, and the ban on Aaron's entry into the adytum (vv.1-2) should be followed by various atonement ceremonies by Aaron (vv.3-28) and the institution of the day of Atonement (vv.29-34a). Our suggestion on this question will inevitably be tentative until our further discussion in chapter 6.

Here we shall (a) discuss the meaning and significance of vv.1-3, (b) make a comparison between Lev 10:1-11 and Lev 16:1ff. and (c) examine the ideological connection between Lev 10 and Lev 16:3ff.

(a) Interpretation of vv.1-3

V.1 begins with the introductory formula "And God spoke to Moses" and then refers to the death of Nadab and Abihu. From the fact that the

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[28] See K. Aartun, *ST* 34(1980) p.73ff. for a survey of the literature.

introductory formula is repeated in v.2 von Rad and Koch[29] infer that v.2 is an introduction independent of v.1. The implausibility of this interpretation is well argued by Elliger, who points out that the repetitive introduction in v.2 in the form of ויאמר instead of the usual לאמר is caused by the historical reference אחרי מות...וימחו.[30] Also against von Rad's view that ולא יבא is a second part of God's command, Elliger rightly adduces passages like Lev 22:2; 24:2, in which indirect speech is introduced by *waw* + jussive.[31] So with Elliger it should be concluded that v.1, though its syntax is unusual, is naturally followed by v.2.

The exegetical problems in vv.1-3 seem to revolve around the two prepositional phrases, בכל עת in v.2 and בזאת in v.3, the interpretation of which affects one's approach to the whole chapter. The problems are presented below.

Usually the phrase בכל עת has been translated 'at any time' or 'at all times'. However, whatever meaning the phrase itself has, the more crucial question is whether v.2a, being a negative sentence, implies a total prohibition against entry, i.e. Aaron should never enter the adytum, or a partial prohibition, i.e. he could not enter the adytum at all times. On the former interpretation it would follow that v.3ff. forms an exception to the prohibition in v.2a, since v.3ff. appears to show that with proper precautions Aaron may enter the adytum. On the latter interpretation v.3ff. explains how Aaron should enter the adytum when he enters.

However the fact that the specific date for Aaron's entry into the adytum is not given until vv.29,34a led Dillmann and others to assume that v.2 originally included fixing a date, which we do not have now; this was later changed or shortened in conformity with later practice on the day of Atonement. This is reflected in vv.29,34a.[32]

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[29] von Rad, *op. cit.*, p.85; Koch, *op. cit.*, p.92.
[30] Elliger, pp.202-203.
[31] Ibid. Cf. *Joüon* §177 j.
[32] Dillmann, pp.523-525.

Benzinger,[33] though he by and large agrees with Dillmann, still hesitates to decide whether the mention of בכל עח necessarily implies the fixing of a date when Aaron may enter the adytum, and suggests the possibility that the phrase explains the gap between v.2 and v.3; "nicht zu jeder Zeit ohne weiteres sondern erst nach der Erfüllung der Bedingungen 1) Sündopfer 2) heiliges Gewand."[34]

According to Ehrlich[35] the phrase בכל עח is unlikely to be contrasted with 'once a year' in v.34, firstly, because the two are so far from each other, and secondly because 'once a year' is said not about the entry into the adytum but about the performance of the ritual. Thus Ehrlich holds that בכל עח is contrasted with בזאח in v.3, according to which the author of v.2 is not contemplating the fixing of a date for Aaron's entry into the adytum. Consequently he concludes that the exact meaning of בכל עח is not 'zu jeder Zeit' but 'unter beliebigen Umständen'.

These earlier interpretations have therefore left the following questions unresolved.

(1) The meaning of בכל עח, particularly when the phrase is found in the negative sentence.

(2) The meaning of בזאח in v.3.

(1) To begin with, is it right to presume that בכל עח is a temporal phrase in the way it has been taken? Wilch[36] has convincingly demonstrated that עח denotes not only time but also, and more importantly, "a certain quality or peculiarity" of it. Thus he translates the phrase 'on every occasion'. And this translation seems to reflect the meaning of עח more

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[33] I. Benzinger, *ZAW* 9(1899) pp.67-68.
[34] *Ibid.*, p.68 n.1.
[35] Ehrlich, *Randglossen ad loc.*
[36] J.R. Wilch, *Time and Event*, (1969) pp.32-33,43-44,162.

exactly than the alternative 'at any time' or 'at all times'.[37] In view of this it would be misleading to take the phrase simply as a temporal one.

Furthermore this proposed translation of the phrase may explain the structure of Lev 16. For the fact that עת denotes both time and quality, with more emphasis on the latter, perfectly fits in with the arrangement of the material in the chapter; vv.3-28 concerns the ritual on certain occasions, whereas vv.29b,34a give the date. In the context of Lev 16:1-2 then the phrase בכל עת implies 'an occasion like the eighth-day service' because, as argued above, v.2 makes an allusion to the death of Nadab and Abihu on account of the juxtaposition of v.1 and v.2.[38]

Thus v.2a says that Aaron must not enter the adytum on every occasion. This means that there might be one or two occasions on which he can enter it.

(2) What, then, does בזאת in v.3 mean? A common view holds that it means 'with this' or 'with the following'[39] while the LXX understands it to mean οὕτως. However against the former view it must be argued that if ב in בזאת meant 'with' just as ב in בפר the text should have read באלה and not בזאת. Rather it seems more likely to connect v.3b with v.4 and to put a colon between v.3a and v.3b. Indeed various speculations have emerged as regards v.3b over the fact that a ram for the עולה is unlikely to be brought into the adytum.[40] But this problem disappears if v.3 is interpreted as above. Then the עולה in v.3b can refer to the one in v.24b.[41]

In view of the other occurrences of בזאת (Gen 34:15,22; Num 16:28-30; Josh 3:10) the phrase in our passage may be translated 'thus'

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[37] The translation 'at all times' is unlikely since עת is singular.
[38] For the connection between Lev 10:1-2 and Lev 16:1 see further below.
[39] Dillmann, p.527; Elliger, pp.200,203.
[40] See Ibn Ezra, *ad loc*. Snaith (p.111), and Noordtzij (p.159) assume that the ram is to be sacrificed for the preparatory cleansing of Aaron. Cp. Benzinger, *op. cit.*, pp.75-76.   [41] Porter, p.124.

(LXX) or 'herewith' or 'in the following'. It may be added that on this translation v.3a can refer not just to vv.3b-4 but even to vv.3b-24.

With regard to the relationship between v.2 and v.3a the following comments are in order.

First, the following chiastic word order in v.2a and v.3a implies that v.3a is formulated in view of v.2a.

V.2a   ...ואל יבא בכל עת אל הקדש מבית לפרכת

V.3a   ...בזאת יבא אהרן אל הקדש

Second, since בזאת is not preceded by particles like רק, אך or *waw*, v.3a is unlikely to intend to give an exception to the rule in v.2a; v.3a marks a new paragraph.[42]

Third, Exod 18:22(26)

ושפטו את־העם בכל־עת והיה כל־הדבר הגדל יביאו אליך

וכל־הדבר הקטן ישפטו־הם...

is illuminating. Here Moses' judicial burden is, on the advice of Jethro, allotted to various chieftains of the people. The phrase בכל־עת can be translated 'on every occasion', but והיה ff. does not in fact appear to be concerned about the time element. Rather the sentence והיה ff. can best be taken as explicating, i.e. giving the detail of, the preceding general principle. And it seems that this general-detail relationship is also found in Lev 16:2-3.

Thus we propose that the general and allusive rule in v.2 is detailed, firstly in v.3ff. in terms of the occasion of Aaron's entry to the adytum and secondly, in v.29ff. in terms of its date.

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[42] See F. Andersen, *Sentence*, p.170ff.

(b) A comparison between Lev 10:1-11 and Lev 16:1ff.

Because of its connection with v.1 Lev 16:2 becomes a highly allusive sentence. Thus it is possible to infer that Nadab and Abihu even entered the adytum.[43] Furthermore v.2 appears to imply that only Aaron can enter the adytum on a definite occasion. Therefore Lev 16:1-2 adds to אש זרה in Lev 10:1-2 three more pieces of information on the sin of Nadab and Abihu: their entry into the adytum, its untimeliness and their trespass on Aaron's right.

In fact Lev 10:9 may add another circumstance to the sin of Nadab and Abihu; they were drunk.[44] Though this view is not adopted by the majority of modern exegetes, it seems highly plausible as the following considerations show.

Lev 10:1-2 mentions only אש זרה as the sin of Nadab and Abihu. This is probably because the passage intends to pinpoint the immediate cause of their death. Were other aspects of their sin as in Lev 16:1-2 mentioned in Lev 10:1-2, the literary effect of presenting a dynamic contrast between the two 'divine fires' (Lev 9:24; 10:1-2) would have been greatly weakened.

As for Lev 10:9 it could be observed that if one aspect of the sin is alluded to, the passage as a whole does not refer specifically to their sin. However this is fully in accord with the purpose of vv.8-11, which is to lay down the priestly duties. This is reflected, firstly, in the fact that Aaron is addressed as being responsible both for his and his sons' duties (cp. Num 18:1), and secondly in the mention of אהל מועד, which suggests that

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[43] So Ibn Ezra on v.1; Dillmann, p.471. N. Messel, in *ZAW* 27(1907) 1-15, denies the connection between Lev 10:1-7 and Lev 16:1, pointing out that לפני ה׳ (Lev 10:1-2) or קדש (v.4) is unlikely to refer to the inner sancta, and suggests that Lev 16:1 is either "blosse Übergangsformel" or "redaktionelle Glosse". However, as he himself admits, these Hebrew terms are ambiguous, and it seems unnecessary to determine, from the context of Lev 10:1-7, whether Nadab and Abihu really entered the adytum. Cp. Haran, *op. cit.*, p.172 n.50.

[44] So Gispen, pp.162,166; Harrison, p.114. Cf. Rashi on v.2.

priests in general do their duties there as well.[45] Thus in the light of the general purpose of vv.8-11, it would have been inept for the author to refer explicitly to the entry into the adytum at this point.

With the above considerations in mind we propose below a kind of 'climactic parallelism' between Lev 10:1-11 and Lev 16:1ff.. Firstly, it is striking that Lev 10:9a mentions the entry into the Tent and ends with ולא תמתו while Lev 16:2 concerns the entry into the adytum and also says לא ימות. Secondly, Lev 10:9-11 concern not only Aaron but his sons, whereas the law in Lev 16:2ff. deals exclusively with Aaron's work. And lastly, assuming that Nadab and Abihu were drunk, both Lev 10:1-11 and Lev 16:1ff. are indeed similar to each other in that the two laws enacted (Lev 10:9-11 and 16:2-28) are based on the same actual event, the death of Nadab and Abihu. In Lev 10 the law in v.9 alludes to the sin of Nadab and Abihu, but it also expresses a general principle. Then this slightly allusive law is followed by the mention of the general priestly duties in vv.10-11. Similarly Lev 16:2 (parallel to Lev 10:9) alludes to various aspects of the sin of Nadab and Abihu, but can be a law independent of v.1. Again this allusive passage v.2 is followed by the prescription of Aaron's work in the adytum (v.3ff.), which appears to be remote in topic from the death of Nadab and Abihu, just as Lev 10:10-11 does.

It seems that the above literary-stylistic feature is not accidental but deliberate.

Therefore we conclude that apart from אש זרה various aspects of the sin of Nadab and Abihu are reflected in the law of Lev 10:9 and 16:2, and that Lev 10:1-11 shows remarkable literary-stylistic similarity to Lev 16:1ff. in the relationship between the narrative and the law.[46]

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[45] Haran's assertion, in *op. cit.*, p.206, that only Aaron, and not his sons, could enter the tent of meeting seems forced. See Lev 21:23 and Num 18:7.

[46] ולא ימות ff. in Lev 16:2 is indeed a crux and needs separate discussion. Cp. Elliger, pp.203,210; Janowski, *Sühne*, p.268 n.442.

These observations help to clarify the mention of the חטאת in Lev 10:16ff., and the relationship of this episode with the day of Atonement.

(c) An ideological connection between Lev 10 and Lev 16:3ff.

As already mentioned the main purpose of our study of Lev 16 in this chapter is to answer the question why the mention of Aaron's entry to the adytum begins with a ritual prescription and then moves on to the institution of the so-called day of Atonement. In connection with this problem we have suggested three points. Firstly, the question of Aaron's entry is answered in two stages; v.3ff. and v.29ff.. Secondly, there is a literary style common to Lev 10:1-11 and Lev 16:1ff., which lies in a transition from a specific historical event to a general law. Thirdly, we have also suggested that Lev 16:12-13 polemizes against the sin of Nadab and Abihu.

These observations seem to be sufficient for the assumption that Lev 16:1-28 is closely related to Lev 10. Especially Lev 16:1-2,12-13 may suggest that the relationship is that of type and anti-type; for these passages appear to contrast the incorrect way of entering the adytum and burning incense with the correct one.

However these observations are made on the basis of certain passages within the two chapters and do not appear to be related to the whole Lev 10 or Lev 16:1-28.

We suggest here an idea which links Lev 10 with Lev 16 far more closely than scholars have hitherto assumed; it is the atonement theology discussed in Lev 10:16-20. It has been argued that the חטאת flesh incident in Lev 10:16-20 demands an atonement system in which Aaron can atone for his house in an all-sufficient manner because the atonement ceremony in Lev 9 is not designed to expiate the specific sin of the priestly family like Nadab and Abihu's. When this fact is recalled it would be simple to see the fulfilment of this need in the ritual in Lev 16, the central purpose of which is to make atonement for sancta because of uncleanness and the transgressions of priests and people (vv.16a,19).

This seems to be reflected in Lev 16 in the following ways.

(1) If vv.1-3 are read as we have suggested, the historical reference in v.1 indicates that the author of Lev 16 intends to answer questions raised by the Nadab and Abihu incident. The questions include, in our opinion, the one of entry into the adytum (v.2) and more importantly how atonement of Aaron's house can be made. (v.3ff.).

(2) For the first time the idea appears in Lev 16 that Aaron makes atonement for *his house* as well as for himself (Lev 16:6,11,17b). This may well reflect the posing of the problem in Lev 10:16-20 as we have suggested.

(3) The order of the ritual in Lev 16:14-15 confirms the idea expressed in Lev 9-10 that atonement of priests must precede that of the people.

(4) In Lev 16 Aaron is the sole agent of atonement except in the problematic v.10.[47] He is said to make atonement (כִּפֶּר) for himself, his house and the people. However, as noted in chapter 2 כִּפֶּר may be related to the concept of נשׂא עון. In view of the above overall literary and ideological relationship between Lev 10 and Lev 16, the same may apply to כִּפֶּר in Lev 16; Aaron bears the guilt of himself, his house and the people. Indeed it may be said that in Lev 10 Aaron could not bear the guilt of his house, which was caused by the specific sin of Nadab and Abihu. Thus it may be suggested that this theological predicament is resolved by the Azazel-goat ritual; the guilt Aaron bears is to be transferred onto the Azazel goat (v.21ff.) and removed to the wilderness. This proposal certainly requires further detailed arguments and substantiation in the following chapters.

However even if this last point is inconclusive, it seems certain that the ritual in Lev 16:3ff. is prescribed, at least partly, with a view to answering the question implicit in Lev 10:16-20, how the sin of Aaron's house is to be atoned for.

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[47] The verse will be discussed in chapter 6.

Conclusions

(1) The crux of Lev 10:16-20, why Aaron did not eat the חטאה, can be resolved by observing that Moses thinks of atonement of the pōeple whereas Aaron, on the basis of v.3, emphasizes that the death of Nadab and Abihu made the atonement ceremony of the eighth-day service virtually meaningless, hence the assumption is being made that Aaron became guilty of the sin of Nadab and Abihu as the head of the house. Thus it is the intention of the author of Lev 10:16-20 to present the above problem. To see the controversy between Moses and Aaron as reflecting historical changes in cultic practice is unnecessary and misleading.

(2) Lev 10:1-11 parallels Lev 16:1ff. stylistically in the transition from historical account to stipulation of general laws. In content Lev 10:1-11 stands in a climactic relationship with Lev 16:1ff. in that the former deals with the priests' (including Aaron) work in general whereas the latter concentrates on Aaron's work in the adytum. Since the two incidents in Lev 10 (the Nadab and Abihu incident and the חטאה flesh incident) show together the inadequacy of the atonement ceremony of the eighth-day service, they may also imply the inadequacy of the atoning work of the priests in the shrine and the fore court, in the face of the sin of the priestly family such as Nadab and Abihu's.

(3) As stated above the essential problem posed by the two incidents in Lev 10 is that of atonement for Aaron's house, which is dealt with neither in Lev 4:3 nor in Lev 9:7. In view of the circumstances that כפר may be related to נשא עון (Lev 10:17), and that in Lev 16 the Azazel goat removes the guilt of all the Israelites, the demand in Lev 10:16-20 for a more effective atonement may ultimately be met by the Azazel-goat ritual.

Chapter 4

The כִּפֶּר problem

The term כִּפֶּר appears frequently in connection with the חטאת, but so far the meaning of this fundamental term has not been discussed. While forgiveness (ונסלח) or cleanness (וטהר) constitutes the purpose of the חטאת ritual in Lev 4:1-5:13 and Lev 12-15, the final result of the ritual appears to be expressed by כִּפֶּר. If this term were unambiguous, the חטאת ritual would have been understood without much ado. However the history of the research into the term has shown various approaches to the term, thus inevitably to atonement theology in general.[1]

This chapter certainly does not intend to resolve all the critical questions regarding the use of the term in the cultic law. However it aims at discussing those aspects of the concept of כִּפֶּר that are likely to shed light on the חטאת ritual, but which have not received sufficient attention from scholars. There are, at least, two fundamental problems concerning the cultic כִּפֶּר : the meanings of various prepositions which כִּפֶּר takes and the concept of כִּפֶּר. We shall look at both problems in turn. Our first task (A) is to determine the meanings of those prepositions; but it will be seen that that involves atonement theology, being far from a mere philological task. Then secondly (B) we shall reexamine the concept of כִּפֶּר: this small study does not attempt to propose a new meaning of כִּפֶּר. For convenience sake we prefer to translate it 'atone for' or 'make atonement for', as we have done thus far. But the term will be considered from various angles. Lastly, we shall discuss in detail the theologically indispensable passage Lev 17:11 in order to supplement and develop the above arguments. (C)

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[1] See the exhaustive work by Janowski, *Sühne*, esp. pp. 1-26 and bibliography listed there.

A. כִּפֶּר Constructions

כִּפֶּר in the cultic law takes the following syntactic relations.[2]

I. כִּפֶּר (alone) Lev 16:32

+ בְּ (*beth instrumenti*)	Exod 29:33; Lev 5:16; 7:7; 17:11b(?)[3]; 19:22; Num 5:8.
+ בְּ (*beth loci*)	Lev 6:23; 16:17a,27.[4]

II. כִּפֶּר + אֵת (*nota accusativi*) + sanctum — Lev 16:20a,33a; Ezek 43:20, 26; 45:20.

III. כִּפֶּר + עַל + sanctum — Exod 29:36,37; 30:10a; Lev 8:15; 14:53; 16:18.

מִן + כִּפֶּר + עַל + sanctum[5] — Exod 30:10b; Lev 16:16.

IV. כִּפֶּר with personal object

(a) עַל + כִּפֶּר

(1) + עַל (alone) — Exod 30:15,16; Lev 1:4; 4:20, 31;8:34; 12:7,8; 14:20,21; 16:30,33b; 17:11a; Num 8:12, 19,21;15:25,28 (bis); 28:22,30; 29:5; Ezek 45:15(Lev 16:10?)[6]

+ עַל + בְּ (*beth instrumenti*) — Lev 5:16; 19:22; Num 5:8.

+ עַל + לִפְנֵי ה' — Lev 5:26; 10:17; 14:18,29,31; 15:15,30; 19:22; 23:28; Num 31:50.

(2) עַל + מִן — Lev 4:26; 5:6,10; 14:19;16:34; Num 6:11.

(3) עַל + עַל — Lev 4:35; 5:13,18.

(b) כִּפֶּר + בְּעַד — Lev 9:7 (bis); 16:6,11,17b, 24; Ezek 45:17.

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2 Cp. Elliger, p.70ff.; F. Maass, 'כפר', *THAT* I cols. 842-857; Janowski, *op. cit.*, pp.186-189.
3 To be discussed in C below.
4 See n.13 below.
5 See Janowski, *op. cit.*, p.187 n.11.
6 To be discussed in Chapter 6.

For convenience' sake we discuss the above syntactic constructions in the order of IV, III and II.

Now when the translation 'atone for' or 'make atonement' is given to כִּפֶּר, nearly all the prepositions in IV acquire the following meanings which have been widely accepted. עַל or בְּעַד after כִּפֶּר means 'for' or 'on behalf of'. עַל or מִן after עַל (IV(2)(3)) refers to motives or reasons for atonement. בְּ (IV(1)) means 'by means of'.

However it is not clear how כִּפֶּר עַל differs from כִּפֶּר בְּעַד. Milgrom has argued that "the difference is that עַל can only refer to persons other than the subject, but when the subject wishes to refer to himself he must use בְּעַד (e.g. Lev 9:7; 16:6,11,24; Ezek 45:22)"[7] and adduced Job 42:8 as a confirmation.[8] Janowski[9] however demurs at his view on three grounds: (a) Passages like Lev 9:7b; 16:17,24 and Ezek 45:17 where Aaron (or הנשׂיא) makes atonement refer to the atonement not only of himself but also of the whole people. (b) In Job 42:8 כִּפֶּר does not appear but התפלל. (c) Milgrom's reference to Ezek 45:22 is misleading because it only speaks about the bringing of the חטאת and not about the נשׂיא making atonement. Janowski thus concludes that the semantic difference between כִּפֶּר עַל and כִּפֶּר בְּעַד is not as great as Milgrom assumes.

It seems that Janowski's criticisms are by and large valid.[10] However the above two arguments by Milgrom and Janowski appear to be slightly confused by failing to make a distinction between the two aspects of עַל

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[7] Milgrom, *Leshonenu* 35(1970) pp.16-17.
[8] *Ibid.*, p.17.
[9] *Op. cit.*, p.188 n.23.

[10] Although כִּפֶּר does not appear in Ezek 45:22 as Janowski points out, it should be noted that עשׂה in ritual contexts refers not only to bringing of sacrifices but also to blood manipulation. Cf. Milgrom, 'Purification', pp.212-213.

and בְּעַד : the meanings of כִּפֶּר עַל and כִּפֶּר בְּעַד, and their usage, i.e. in what contexts they appear. What Milgrom has drawn attention to is essentially about the usage of כִּפֶּר עַל and כִּפֶּר בְּעַד, and not about the meanings of the independent עַל or בְּעַד. In this regard it cannot be denied, as Milgrom observed, that, unlike כִּפֶּר עַל, כִּפֶּר בְּעַד appears in contexts where its subject is the object of atonement, though atonement is made for the whole people as well.

Another syntactic difference between the two phrases is that כִּפֶּר בְּעַד is followed only by personal objects whereas כִּפֶּר עַל has personal objects and simultaneously allows the impersonal detail of the rite (by עַל , מִן and בְּ) to follow after it.

However the difference in usage between the two phrases is not purely linguistic or syntactic. While כִּפֶּר עַל appears in various contexts (with subjects such as the priest, the high priest, the נָשִׂיא; with objects such as Israel, its representative, individual), כִּפֶּר בְּעַד appears only in the specific contexts where Aaron (or the נָשִׂיא) makes atonement for himself and the whole people. Furthermore these contexts are related to special occasions, such as the ordination of Aaron (Lev 9:7), the atonement of Aaron and his house on the day of Atonement (Lev 16:6,11,17b) and the atonement by the נָשִׂיא (Ezek 45:17). Although the occurrences of כִּפֶּר בְּעַד are limited, it could be suggested that, unlike כִּפֶּר עַל, כִּפֶּר בְּעַד expresses the personal effect of the atonement made by Aaron and the נָשִׂיא upon himself and the whole people.

Most problematic is the meaning of כִּפֶּר עַל in III. Is the meaning the same as that of כִּפֶּר עַל in IV? Unlike עַל in IV various interpretations have been proposed to 'כִּפֶּר + עַל + sanctum'.

First of all, Milgrom argues that when כִּפֶּר takes a non-human object in the context of the חַטָּאת, עַל means literally 'on, over'.[11] It is not clear why he has decided to make a distinction between human and non-human objects. However as long as the simple עַל can mean 'on, over', it would be fair to check how far the meaning suits כִּפֶּר in the חַטָּאת context. The meaning appears to suit the following passages: Exod 29:36,37; 30:10ab; Lev 8:15; 16:18. But it seems problematic for Lev 16:16. The interpretation of this passage hinges on the relationship between v.15 and v.16. However it is not correct to assume, as Milgrom does,[12] that the sprinkling of blood before and over the כַּפֹּרֶת is the meaning of כִּפֶּר in v.16; for הַקֹּדֶשׁ in v.16 cannot be identified with the כַּפֹּרֶת, though the latter is certainly part of the former. Since הַקֹּדֶשׁ should be understood as referring to the entire adytum, it is reasonable to assume that v.15 and v.16 deal with two different matters from two different viewpoints. Another objection to the interpretation that עַל means 'on, over' is that it is not clear what the significance of ' כִּפֶּר on the adytum' is. It is still not clear if כִּפֶּר is translated 'purge', as Milgrom suggests. Now it is certainly possible to argue that 'purging on the adytum' or the preposition עַל (='on') does not have to be given any special theological significance whatsoever. Nevertheless the interpretation of עַל as 'on, over' is not correct. Firstly, there appears a phrase כִּפֶּר בְּ in vv.17a,27, the preposition of which is undoubtedly locative.[13] What is the difference,

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[11] Milgrom, *Cultic Theology*, p.76; *idem, Tarbiz* 40(1970) pp.2-3.

[12] Ibid.

[13] Entry into הַקֹּדֶשׁ or אֹהֶל מוֹעֵד is expressed by בָּא אֶל. See Exod 28:29,35,43; 29:30; 30:20; 40:32,35; Lev 6:23; 10:9,18; 16:2,3,23 (bis). Thus בְּבֹאוֹ לְכַפֵּר בַּקֹּדֶשׁ in Lev 16:17a means 'from the time of his entering to make atonement in the adytum', and not 'from the time of his entering the adytum to make atonement'. *Contra* Rendtorff, *Studien*, p.232 n.1.

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then, between ' כָּפַר on' and ' כִּפֶּר in'? Secondly, it would be unreasonable to assume that עַל means 'on, over', if the adytum (הַקְּדֶשׁ) were understood as room.[14]

Since 'on, over' is unlikely to be the meaning of עַל in this passage, it is also dubious whether the general distinction between human and non-human objects can be justified.[15]

In contrast with Milgrom who translates the phrase כִּפֶּר עַל 'purge on', Janowski translates it 'Sühne schaffen für'.[16] Nevertheless Janowski notes the strangeness of the notion that the priest makes atonement *for* sancta just as he does *for* persons.[17] Drawing on I. Benzinger's reference to the parallelism between כִּפֶּר עַל and חִטֵּא עַל[18] Janowski calls attention to a close relationship between the blood manipulation and חִטֵּא/כִּפֶּר in Ezek 43:20 (and 45:18b,19), a passage which he assumes reflects the pre-priestly tradition. For him כִּפֶּר and the synonymous חִטֵּא in Ezek 43:20b comprise the blood manipulation on (עַל) the four horns of the altar of burnt offering, on (אֶל) the four corners of the ledge and on (אֶל) the rim round about, all of which result in the atonement of the altar. Hence עַל in וְנָתַן עַל is the same as עַל in כִּפֶּר עַל in P, meaning 'at,to' or simply expressing dative relation.[19]

Apart from Janowski's assumption that Ezek 43:20 reflects a pre-priestly tradition, the following criticisms may be lodged against his

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[14] Cp. Lev 14:53. As we shall argue it is artificial to distinguish between כִּפֶּר in the חַטָּאת context and that in other contexts.

[15] Regarding Lev 16:18-19 B. Levine adopts the view that עַל means 'on,over', but without argumentation. See Levine, *Presence*, pp.65,80.

[16] *Op. cit.*, p.185 n.5. However it does not seem that Janowski has substantiated this translation. Cp. Milgrom, *JBL* 104(1985) pp.302-304.

[17] *Op. cit.*, pp.231-232.

[18] As will be shown below, in Exod 29:36 חִטֵּא עַל is not parallel in meaning to כִּפֶּר עַל.

[19] Janowski, ibid.

linguistic observations.

Firstly, עַל in נָתַן עַל can mean 'on,over' and not necessarily 'at,to'. Then Janowski's analogy between נָתַן עַל and כִּפֶּר עַל leaves anyway some room for Milgrom's view that עַל in כִּפֶּר עַל means 'on,over'. In short, Janowski is not consistent because he offers the translation 'Sühne schaffen für' for כִּפֶּר עַל in one place, and 'Sühne schaffen zu' in another.

Secondly, the above analogy loses some of its force in view of the fact that Ezek 43:20 does not read כִּפֶּר עַל like Exod 29:36 but וְכִפַּרְתָהוּ. Without the analogy it is questionable whether כִּפֶּר עַל is the same in meaning as כִּפֶּר אֵת. On this point Janowski offers no comment.

In view of the above criticisms against Milgrom and Janowski the question inevitably arises: why should there be any necessity to preclude the notion that Aaron makes atonement *for* sancta? Undoubtedly behind the various proposals for giving a locative meaning to עַל there exists the presupposition that the כִּפֶּר act by the priest or Aaron affects persons and not *inanimate* sancta. However can this presupposition be warranted? We present below three or four arguments against the presupposition.

(1) The priestly writer(s) hardly distinguishes between human and non-human objects in the contexts of purification and sanctification. For instance, Aaron and the priests ought to be holy just like the altars (cp. Exod 29:33 with 29:37). Also not only Aaron and the priests but also their garments are said to become holy (Exod 29:21). Similarly, the ritual procedure for the leper (Lev 14:2ff.) resembles closely that for a house infected by disease (Lev 14:49ff.).[20] In view of the priestly writer's general view of uncleanness it seems artificial to make a semantic distinction between עַל in כִּפֶּר עַל + עַל + sanctum and עַל in כִּפֶּר עַל + עַל + person.

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[20] Cf. Porter, pp.116,66.

(2) In response to Janowski's translation 'expiate for' for כִּפֶּר עַל
Milgrom has recently pointed out that not only does the translation imply
personification of the sanctum, but it leads to the absurd idea that the
sanctum is capable of sinning. Rather Milgrom assumes that "*kipper* is
done directly to the sanctum" in contexts where sancta are *kipper*-ed, and
translates 'purge on'.[21]

First of all, it must be argued that to translate the עַל 'for' does not
personify the sanctum; 'for' simply refers to the 'beneficiary' of the
atonement. The idea of personification may stem from a sharp distinction
between human and non-human objects in atonement, coupled with the
idea that the object in atonement or expiation must be human. Thus we are
not of the opinion that there is no distinction between human and
non-human objects; there is such a distinction. Rather we are simply
emphasizing that Aaron can make atonement (or expiate) for sancta. On
the other hand, Milgrom's translation 'purge' for כִּפֶּר seems to be
problematical as the following observations show.

As already noted above it is unlikely that עַל in Lev 16:16 means
'on,over', because הַכַּפֹּרֶת in vv.14-15 cannot be identified with הַקֹּדֶשׁ in
v.16. The relationship between the two passages is rather as follows: The
sprinkling of blood on and before the כַּפֹּרֶת *effects* the atonement *for* the
entire adytum. In other words, vv.14-16 speak of the relationship
between the כַּפֹּרֶת and the entire adytum. Now it should be asked whether
the sprinkling of blood on and before the כַּפֹּרֶת (vv.14-15) can be the
meaning of כִּפֶּר in v.16. The answer is probably in the negative.
Certainly the sprinkling of blood constitutes an important part of the כִּפֶּר
rite. However the sprinkling of blood, even if its symbolic meaning is
taken into consideration (presumably 'purification', see v.19), is directed

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[21] *Op. cit.*, p.303.

only to the כַּפֹּרֶת, whereas the verb כִּפֶּר, whatever the exact meaning is, deals with a triangular relationship between Aaron, the כַּפֹּרֶת and the entire adytum. Therefore it could be argued that the meaning of כִּפֶּר lies in a dimension different from the symbolic meaning of the sprinkling of blood. Thus we tentatively infer that 'purge' is the symbolic meaning of the sprinkling of blood but not the meaning of כִּפֶּר in v.16.

(3) In the phrase כִּפֶּר אֶת [22] Milgrom seems to find one of the strongest support for his contention that "*kipper* is done directly to the sanctum",[23] and that it means 'purge'. However if our above argument is correct, it is unlikely that כִּפֶּר אֶת (Lev 16:20,33; Ezek 43:20,26; 45:20) means 'purge'. To discover its right meaning it seems important to examine the usage of the phrase. Clearly אֶת is *nota accusativi* (cp. Ezek 43:20), and this indicates that כִּפֶּר can be either transitive or intransitive, according to the context.

The most remarkable feature of the phrase is that it is always followed by sancta. The question is how the phrase is related to another one כִּפֶּר עַל. Lev 16:20a could be compared with Lev 16:16a.

וְכִלָּה מִכַּפֵּר אֶת־הַקֹּדֶשׁ וְאֶת־אֹהֶל מוֹעֵד וְאֶת־הַמִּזְבֵּחַ ...   v.20a

וְכִפֶּר עַל־הַקֹּדֶשׁ מִטֻּמְאֹת ...   v.16a

Why does כִּפֶּר take עַל in one case and אֶת in another? There is no obvious reason, except that כִּפֶּר אֶת is followed *only* by sancta (see III in the table above). But if, as suggested above, the sense of כִּפֶּר עַל remains the same whether the phrase is followed by a sanctum or a person, it could be posited that the use of כִּפֶּר עַל comprehends that of כִּפֶּר אֶת. This

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[22] See II in the table above.
[23] Ibid.

may be confirmed by Lev 16:33 where כִּפֶּר אֶת is conjoined by כִּפֶּר עַל followed by persons.

v.33 וְכִפֶּר אֶת־מִקְדַּשׁ הַקֹּדֶשׁ וְאֶת־אֹהֶל מוֹעֵד וְאֶת הַמִּזְבֵּחַ

יְכַפֵּר וְעַל הַכֹּהֲנִים וְעַל־כָּל־עַם הַקָּהָל יְכַפֵּר

This verse suggests that כִּפֶּר אֶת excludes any reference to the atonement of persons.

Now one might be tempted to assume from this passage that the *kipper* of sancta leads to the *kipper* on behalf of the priests and the people. But if כִּפֶּר has the same sense in the first and second halves of the passage, that assumption may be erroneous; the sancta *kipper* is somehow equivalent to, or parallel to, the *kipper* on behalf of the priests and the people. The same applies to the relationship between כִּפֶּר עַל (Lev 16:16) and כִּפֶּר בְּעַד (v.17). Then this same idea would militate against Milgrom's clear-cut distinction that purification is done to sancta and not to persons.

As to the meaning of כִּפֶּר we have disagreed with the translation 'purge'. However a word is in order since כִּפֶּר אֶת appears along with חִטֵּא and טִהַר in Ezek 43:20,26. As will be argued fully below these latter terms are neither synonymous with, nor parallel to, כִּפֶּר.
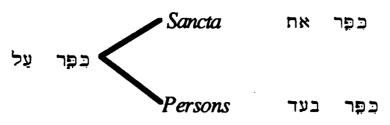
We tentatively draw the following conclusions:

(a) כִּפֶּר עַל means 'atone *for*' whether it is followed by a sanctum or a person.

(b) כִּפֶּר אֶת also means 'atone *for*'. אֶת is required here, simply because it is followed only by sancta and not because כִּפֶּר denotes 'purging'.

Thus the three major prepositions that כִּפֶּר takes appear to have the

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following relations.

כִּפֶּר אֵת — Sancta
כִּפֶּר עַל ⟨
כִּפֶּר בְּעַד — Persons

The above discussion on the כִּפֶּר constructions also shows that essentially there exist two types of חטאת ceremony behind the various constructions. One could be called 'the usual כִּפֶּר rite' in which the priest (or Aaron) makes atonement for himself, the whole congregation, the leader and the individual (e.g. Lev 4). The other could be called 'the special כִּפֶּר rite' in which Aaron (or Moses) makes atonement *for sancta* on special occasions such as the consecration days and the day of Atonement.[24] Each of these two types of ceremony also forms its text-group. The former includes Lev 4:1-5:13 and the relevant sections in Lev 12-15; the latter includes Exod 29; Lev 8-9 (10),16. How these two types of ceremony or text-groups are related to each other will be discussed in Ch.5 and Ch.6 on the basis of our investigation in Ch.3.

B. The Concept of כִּפֶּר

Recent trends in the study of the cultic כִּפֶּר[25] are largely characterised by two divergent approaches to the term. One seeks in כִּפֶּר a concrete meaning such as 'cover', 'wipe off' or 'purge'.[26] The other assumes that the meaning of כִּפֶּר lies in the result of all the priest's

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[24] For a possible idea behind this cf. Mettinger, *ZAW* 86(1974) pp.403-424.

[25] See Janowski, *op. cit.*, pp.1-26 for a thorough presentation of the history of the investigation of כפר, and p.252 for his view.

[26] Cf. Janowski, *op. cit.*, pp.1-26.

work.[27] This latter approach again divides into two views. One holds that since the priest's work consists mainly of the blood manipulation, כִּפֶּר expresses the symbolic meaning of blood manipulation.[28] The other holds that the blood manipulation by itself does not possess expiatory force but the ritual as a whole does.[29] In addition to these there are a number of scholars who think the connection between כֹּפֶר and כִּפֶּר significant.[30]

However what has been surprisingly inadequate in all these investigations seems to be the most fundamental inquiry into the alleged synonyms of כִּפֶּר or terms related to it. Indeed it does seem that part of the reason for the existence of the divergent approaches to כִּפֶּר lies in the inexactitude or insufficiency of that inquiry.

Although it is not our intention to determine the exact meaning of the cultic כִּפֶּר, it nevertheless seems necessary to investigate the concept of כִּפֶּר. This is partly because we have demurred at the translation 'purge', and partly because we have found, through the exegesis of Lev 10:17, that the concept of נָשָׂא עָוֹן is close to כִּפֶּר. Thus even if the following discussion should fail to give a definitive translation for כִּפֶּר, it may help to clarify the concept more fully than before.

After the investigation of the alleged synonyms of כִּפֶּר we ask an additional question: how כִּפֶּר is related to the different kinds of offerings.

[27] E. Jenni, *Das hebräische Pi'el*, Zürich (1968) p.241; G. Gerleman, 'Die Wurzel kpr im Hebräischen' in *idem, Studien zur alttestamentlichen Theologie*, Heidelberg (1980) pp.11-23; Janowski, *op. cit.*, pp.252-253.
[28] Authors in n. 27.
[29] H. Ch. Brichto, *HUCA* 47(1976) p.29 n.22.
[30] Cf. Janowski, *op. cit.*, p.22ff.

(a) כִּפֶּר and its semantically related words[31]

In some contexts כִּפֶּר appears in relation to the following terms.

I כִּפֶּר ----- חָטָא	Exod 29:36; Ezek 43:20; 45:18,20
II כִּפֶּר ----- חָטָא ----- טָהֵר	Lev 14:49, 52-53
III כִּפֶּר ----- קָדֵשׁ	Exod 29:33,37; Num 6:11
IV כִּפֶּר ----- טָהֵר ----- קֹדֶשׁ	Lev 16:18-19.
V (a) כִּפֶּר ----- טָהֵר	Lev 16:30; Num 8:21; Ezek 43:26
(b) כִּפֶּר ----- טָהֵר	Lev 12:7,8; 14:20
VI כִּפֶּר ----- נִסְלַח	Lev 4:20,26,31,35; 5:13,16,18,26; 19:22; Num 15:25,26,28
VII כִּפֶּר ----- חָטָא ----- קֹדֶשׁ	Exod 29:36; Lev 8:15
VIII כִּפֶּר ----- נָשָׂא עָוֹן	Lev 10:17
IX כִּפֶּר ----- נִרְצָה	Lev 1:4 [32]

From these related words it is clear that כִּפֶּר is a positive term. Furthermore it may be observed that the positiveness lies in forming a link not only between the unclean/sinful and the clean/forgiven (II,V,VI) but also between the common and the holy (I (?), III, VII) and even between the unclean and the holy (IV).[33]

The most obvious question is what conceptual relationship exists between כִּפֶּר and juxtaposed words such as חָטָא, טָהֵר and קָדֵשׁ. To answer this question we examine the following problematic passages: Exod 29:36-37; Lev 8:15; 16:14-19,30; Ezek 43:20.

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[31] This examination appears to be missing in Janowski's work.
[32] This passage will be discussed in Chapter 5.
[33] Cf. Wenham, *Leviticus*, p.19.

(1) Exod 29:36-37

This passage is important because כִּפֶּר appears to be related to חִטֵּא and קִדַּשׁ in some way.

v.36 וּפַר חַטָּאת תַּעֲשֶׂה לַיּוֹם עַל הַכִּפֻּרִים וְחִטֵּאתָ עַל הַמִּזְבֵּחַ
בְּכַפֶּרְךָ עָלָיו ...

v.37 שִׁבְעַת יָמִים תְּכַפֵּר עַל הַמִּזְבֵּחַ וְקִדַּשְׁתָּ אֹתוֹ ...

The problem in v.36 is the meaning of threefold עַל. The first one means 'for' and the third, as already argued,[34] also means 'for'. So the problem is חִטֵּא עַל. Elsewhere חִטֵּא never takes עַל. In fact, חִטֵּא usually takes a direct object, and if not, as in Ezek 43:22,23 the object is self-evident. In this regard חִטֵּא עַל in our passage appears unique. Now the term חִטֵּא itself can mean either 'de-sin,purify' or 'bring a חטאת offering, perform the rite of the חטאת'. However the lack of a direct object and the presence of עַל הַמִּזְבֵּחַ suggest that the idea of 'purify/de-sin the altar' is not the right one.[35] Rather another meaning of חִטֵּא 'offer a חטאת' better suits the context. Then it would be understandable that the omission of the direct object of חִטֵּא is caused by the mention of פַר חַטָּאת at the beginning of the passage. עַל could be translated 'upon' by analogy with 2 Ch 29:24.

More important is the meaning of בְּ in בְּכַפֶּרְךָ . It is commonly translated either 'when'[36] or 'in that'.[37] In view of the meaning of חִטֵּא here, however, the latter seems unlikely. Thus בְּכַפֶּרְךָ means 'when you make atonement for it (*sc.* the altar)'.

Since חִטֵּא means 'offer a חטאת offering' nothing can be deduced from this passage as to the conceptual relationship between כִּפֶּר and חִטֵּא

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[34] See the conclusion of A above.
[35] *Contra* Janowski, *op. cit.*, p.230 n.226.
[36] AV.   [37] Janowski, *op. cit.*, p.231.

(de-sin, purify). But it should be noted that in v.37a the consecration (קִדַּשׁ) of the altar appears to be the purpose of the כִּפֶּר act.

(2) Lev 8:15

Here again כִּפֶּר appears to be related to חִטֵּא and קִדַּשׁ.

וַיִּשְׁחָט וַיִּקַּח מֹשֶׁה אֶת־הַדָּם וַיִּתֵּן עַל־קַרְנוֹת הַמִּזְבֵּחַ
סָבִיב בְּאֶצְבָּעוֹ ...
וַיְחַטֵּא אֶת־הַמִּזְבֵּחַ וְאֶת הַדָּם יָצַק אֶל־יְסוֹד הַמִּזְבֵּחַ
וַיְקַדְּשֵׁהוּ לְכַפֵּר עָלָיו

It is clear that the daubing the horns of the altar with blood, the effect of which is described by חִטֵּא, leads to the consecration (קִדַּשׁ) of the altar. However the problem lies in the interpretation of לְ in לְכַפֵּר. It has been understood as either 'in order to'[38] or 'by means of'[39]. However in that the purpose of the rite is in the consecration of the altar, the former is incorrect. Here again it could be observed that כִּפֶּר is the act by means of which the unclean (or common) becomes holy. This suggests that the concept of כִּפֶּר overlaps that of חִטֵּא but is distinct from that of קִדַּשׁ.

(3) Lev 16:14-19

Enough has been said above regarding the relationship between vv.14-15 and v.16. It has been argued that the symbolic meaning of the blood manipulation in vv.14-15 cannot be identified with the meaning of כִּפֶּר. So we comment here on the relationship between v.18 and v.19.

v.18   וְיָצָא אֶל־הַמִּזְבֵּחַ אֲשֶׁר לִפְנֵי־יְהֹוָה וְכִפֶּר עָלָיו ...

v.19   וְהִזָּה עָלָיו מִן־הַדָּם בְּאֶצְבָּעוֹ שֶׁבַע פְּעָמִים וְטִהֲרוֹ
וְקִדְּשׁוֹ מִטֻּמְאֹת בְּנֵי יִשְׂרָאֵל

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[38] Rashi, Ibn Ezra, AV, RSV.

[39] Ehrlich, מקרא כפשוטו, ad loc.; Gispen, ad loc.; Wenham, p.135; Janowski, op. cit., p.230.

Unlike the majority of כִּפֶּר-statements, vv.18-19, which deal with the atonement of the altar of burnt offering, begin with the mention of כִּפֶּר (v.18) and then give the details of the rite (vv.18b-19). Undoubtedly, at least, the purification (טִהַר) and the consecration (קִדֵּשׁ) of the altar form part of the concept of כִּפֶּר. But it is arguable whether the concept of 'קִדֵּשׁ + טִהַר' can be identified with that of כִּפֶּר. For one thing כִּפֶּר here can be taken as a concept parallel to 'קִדֵּשׁ + טִהַר' and yet simultaneously referring to them. For another, the ambiguity of the relationship between כִּפֶּר and 'קִדֵּשׁ + טִהַר' is created by the circumstance that the object (or beneficiary) of the כִּפֶּר act is the same as that of טִהַר and קִדֵּשׁ. If it may be assumed, however, that vv.18-19 form a chiasmus with vv.14-16 in כִּפֶּר-statement and the mention of blood manipulation, כִּפֶּר in v.18 may well be different in concept from 'טִהַר + קִדֵּשׁ'.

(4) Lev 16:30a

כִּי־בַיּוֹם הַזֶּה יְכַפֵּר עֲלֵיכֶם לְטַהֵר אֶתְכֶם

The purpose of the כִּפֶּר -act is to purify the people. Similar constructions are found in Num 8:21 and Ezek 43:26.

(5) Ezek 43:20

וְלָקַחְתָּ מִדָּמוֹ ... וְחִטֵּאתָ אוֹתוֹ וְכִפַּרְתָּהוּ

As is noted by Janowski[40], de-sinning (חִטֵּא) of the altar is achieved by putting blood not only on its four horns but also on the four corners of the ledge and the rim round about. The juxtaposition of חִטֵּא and כִּפֶּר

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[40] *Op. cit.*, p.231.

tends to create the impression that the two are synonymous with each other. But really the fact that the two terms are juxtaposed indicates that they are not exact synonyms; חִמֵּא expresses the symbolic meaning of the blood manipulation but כִּפֶּר at least appears to add some new semantic dimension to חִמֵּא.

The above survey of the related words of כִּפֶּר leads to the following conclusions.

(a) כִּפֶּר is a term, the semantic level of which should be considered separately from those of טִהַר, קִדֵּשׁ and חִמֵּא. But it cannot be gainsaid that those concepts of טִהַר, קִדֵּשׁ and חִמֵּא are included in that of כִּפֶּר. These two aspects indicate, then, that כִּפֶּר is *supernym* of טִהַר, קִדֵּשׁ and חִמֵּא.[41] In other words, כִּפֶּר expresses some act which enables progression from uncleanness to cleanness, from cleanness to holiness and from uncleanness to holiness.

(b) The effect of blood manipulation certainly constitutes the central part of the concept of כִּפֶּר. But this effect should not be identified with the concept of כִּפֶּר, at least, in the context of the חַטָּאת. For as Lev 16:14-16 exemplifies, כִּפֶּר deals with a triangular relationship, i.e. sancta- the priest- the beneficiary, whereas the blood manipulation by the priest is directed only to the sancta. In this case the blood manipulation is a part of the כִּפֶּר-act and does not itself stand for the concept of כִּפֶּר. This distinction is of importance in judging the cases in which the beneficiary of the כִּפֶּר-act is the same as the object of purification, i.e. sancta, because in those cases one tends to identify the purifying act (חִמֵּא, קִדֵּשׁ, טִהַר)

41 For '*supernym*' and '*hyponym*' see B. Kedar, *Biblische Semantik*, p.76ff.

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with the concept of כִּפֶּר.

With the above conclusions in view we turn to the conceptual relationship between כִּפֶּר and נָשָׂא עָוֹן, which we have noted in Lev 10:17.[42] In this passage not only is כִּפֶּר juxtaposed to נָשָׂא עָוֹן but, according to our translation, it can be posited that the priest makes atonement for (כִּפֶּר עַל) the congregation by bearing their guilt (נָשָׂא עָוֹן). Apart from the concepts of טָהַר, קָדַשׁ and חָטָא which are essentially associated with 'purification', this phrase נָשָׂא עָוֹן appears to express another significant component of כִּפֶּר. Three other instances, though not explicit, make it likely that the bearing of guilt is constitutive of the concept of כִּפֶּר. Two instances may be found in Lev 5:1 and Lev 5:17. In Lev 5:1 the term אָשֵׁם does not appear. However if v.1 is to be read consecutively with v.5, it follows that נָשָׂא עֲוֹנוֹ in v.1 corresponds to the ritual presumed in v.6, since in v.1 the envisaged אָשֵׁם must precede נָשָׂא עֲוֹנוֹ.[43] In vv.17-18 it could be readily admitted that the bearing of guilt (v.17) is done by means of the אָשָׁם offering. These obvious instances seem to have been neglected partly because the interpretation involves 'penal substitution' and partly because the meaning of נָשָׂא עֲוֹנוֹ has not been clearly defined. To these two instances we add a parallel between Num 8:19 and Num 18:22ff., which Milgrom has established.[44] Both sections speak of the function of the Levites, which is bearing the guilt of the Israelites (נָשָׂא עֲוֹנָם, Num 18:23aβ) or making atonement for them (לְכַפֵּר עַל בְּנֵי יִשְׂרָאֵל, Num 8:19aβ). Furthermore if אָשֵׁם in Lev 4:1-5:13 implies the existence of guilt, as we have assumed, then

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[42] See Chapter 2 B.
[43] Cp. Rodriguez, *Substitution*, p.144.
[44] Milgrom, *Levitical Terminology*, pp.28-29.

כֹּפֵר in that section also seems to presuppose the notion of נָשָׂא עָוֹן.[45]

In view of the circumstance that the above instances come from variegated contexts it may safely be concluded that the cultic כֹּפֵר has נָשָׂא עָוֹן as a semantic component.

However it appears difficult to determine from the instances adduced above whether נָשָׂא עָוֹן is synonymous with כֹּפֵר. Yet the fact that the concept of כֹּפֵר includes the notion of 'purification' expressed by טָהֵר, קָדַשׁ and חִטֵּא while the latter is clearly distinct from the notion of 'bearing guilt' suggests that כֹּפֵר is also *supernym* of the concept of נָשָׂא עָוֹן.[46]

In short, כֹּפֵר is *supernym* of קָדַשׁ, טָהֵר and חִטֵּא on the one hand and נָשָׂא עָוֹן on the other.

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                        כֹּפֵר
                       /      \
                      /        \
                     /          \
  חִטֵּא ,  קָדַשׁ ,  טָהֵר               נָשָׂא עָוֹן
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(b) Offerings related to כֹּפֵר[47]

In the above consideration of the concept of כֹּפֵר we have tended to restrict the major data to כֹּפֵר in the חטאת context. However as the following list shows כֹּפֵר also appears in connection with other offerings, some of which are not bleeding.

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[45] For conceptual affinity between נָשָׂא עָוֹן and אָשַׁם, see further Lev 22:16 with Milgrom, *Cult*, p.65 and n.230.

[46] This may be supported if, as we have proposed, לְכַפֵּר in Lev 10:17 expresses the result of 'נָשָׂא עָוֹן'.

[47] Cp. Janowski, *op. cit.*, p.190ff.

I חטאת (alone);   Exod 29:36; 30:10b; Lev
                                          4:20,26,31,35; 5:6,13; 6:23;
                                          8:15; 10:17; 16:6,11,16,18;
                                          Num 15:28.

II עולה + חטאת ;   Lev 5:10; 9:7; 12:7,8;
                                          15:15,30; Num 6:11; 8:12.

III שלמים + מנחה + עולה + חטאת;   Lev 9:3-4 (see v.7).
    אשם + מנחה + עולה + חטאת ;   Lev 14:18-20,21-32;
                                          Num 15:25; Ezek 45:17.

IV עולה (alone);   Lev 1:4; 16:24.

V אשם (alone);   Lev 5:16,18,26; 7:7; 19:22;
                                          Num 5:8.

VI מִלְאִים - offering;   Exod 29:33; Lev 8:34.

VII Blood or נֶפֶשׁ in blood;   Lev 17:11.

VIII The Levites;   Lev 8:19.

IX כֶּסֶף הַכִּפֻּרִים;   Exod 30:15,16.

X Bird-rite;   Lev 14:53.

Thus the following fundamental questions will immediately arise:

(1) Is the subject of כִּפֶּר significant for the concept of כִּפֶּר? (2) How far

is the concept of כִּפֶּר contingent upon the kind(s) of offerings it is related

to?

(1) As regards the subject of כִּפֶּר Janowski asserts that except in Lev

1:4; 17:11b; Num 8:19 and Ezek 45:15,17 the agent of כִּפֶּר acts is always

the priest.[48] Although in the חטאת contexts the priest (or Aaron) is

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[48] Janowski, *ibid.*, p.187. We cannot accept Janowski's tendency to exclude Exod
30:15-16; Num 8:19; 31:50 in the consideration of the concept of כִּפֶּר (see, *ibid.*,
p.186 n.6). These passages may not belong to the theme of 'kultische Sühne' but are
relevant to the concept of כִּפֶּר.

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nearly always the agent of כִּפֶּר and the חטאת is the means of the כִּפֶּר act, this assertion by Janowski seems to lack exactness. For the logical subject of כִּפֶּר appears to be indefinite in passages like Lev 6:23; 8:34; 14:21; 16:27,30; 17:11aγ (?); Num 28:22,30; 29:5. This is because in these passages the author is concerned not about the agent of the כִּפֶּר act, but simply about the final purpose of the atonement. But it seems to go beyond the grammar and the intention of the relevant passages to assume that the agent of the כִּפֶּר act is the priest.

Now in IV,VII,VIII,IX above, blood, an עולה, the Levites and the atoning money are the agents of the כִּפֶּר act. Clearly in these instances כִּפֶּר appears on a dimension different from the חטאת context in which the priest is the agent of the כִּפֶּר act. However we see no reason to suppose that whether the object of כִּפֶּר is indefinite, or things or persons other than the priests, the concept of כִּפֶּר changes.

(2) A more important question is whether the concept of כִּפֶּר depends on the kind(s) of offering that כִּפֶּר is related to. Milgrom holds that כִּפֶּר in the context of the חטאת should be translated 'purge', but that in the contexts of the עולה, מנחה and אשם 'expiate'.[49] This distinction is partly supported by the difference in the mode of blood manipulation that in the חטאת there appear the sprinkling, the daubing and the pouring of blood, whereas in the other offerings only the pouring of blood around the altar appears. Further Milgrom assumes that the latter evolved from the former.[50]

This classification of the meaning of כִּפֶּר involves serious difficulties. Firstly, this division between כִּפֶּר in the חטאת and כִּפֶּר in the other

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[49] Milgrom, 'kipper' *EJ* vol.10 cols. 1039-44; *idem*, 'Atonement in the OT' *IDB sup.* p.78ff.   [50] Ibid.

offerings is based on blood manipulation, which, as we have argued above, is not central to the term כִּפֶּר. Such a division is particularly difficult when כִּפֶּר is applied to a combination of offerings such as עולה+חטאת. Moreover even the bloodless חטאת exists in Lev 5:11. Does the meaning of כִּפֶּר in Lev 5:13 differ from that in Lev 5:10? Secondly, the translation 'purge' does not appear to fit in with כִּפֶּר in the חטאת context, as it has also been argued above. 'Purge' is rather the meaning of חִטֵּא. Moreover the inadequacy of the translation 'purge' seems apparent when it is observed that in the חטאת context כִּפֶּר is also related to the burning of fat. Though important, blood manipulation is part of the whole כִּפֶּר ritual. Indeed there are some cases in which the כִּפֶּר act consists only of blood manipulation. Then the question would be whether the symbolic meaning of 'blood manipulation' means something different from 'blood manipulation + burning of fat', over against the concept of כִּפֶּר .

We thus conclude from the above (1) and (2) that arbitrariness tends to emerge when an attempt is made to classify the meaning of cultic כִּפֶּר either on the basis of the subject of כִּפֶּר, the names of offerings, or individual elements within the rite. Rather the concept of כִּפֶּר is related directly to 'uncleanness' or 'sin'. Therefore we venture to assume the existence of the homogeneous concept of cultic כִּפֶּר which probably consists of the two main elements, purification and bearing guilt.[51]

One may wonder why there are different sacrifices. This is a question with very wide ramifications which cannot be explored here. But as far as

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[51] Another important issue whether כִּפֶּר is expiatory or propitiatory cannot be discussed here. Provisionally refer to S.R. Driver, 'propitiation', *HDB* vol IV pp.128-132; J. Barr, 'propitiation', *DB* p.810; L. Morris, *The Apostolic Preaching of the Cross* p.144ff.; B. Lang, 'כִּפֶּר', *TWAT* IV col.308ff.; Janowski, *op. cit.*, p.1ff; D. Kidner, *TB* 33(1982) pp.119-136.

כֹּפֶר is concerned, it may be pointed out that not all sacrifices are related to כֹּפֶר, and that each animal sacrifice has its own emphasis on expiation; the חטאת maximal, the שלמים minimal (see below).

C. Lev 17:11

Finally we come to discuss Lev 17:11 and the light it sheds on the concept of כֹּפֶר.

v.11aα   כִּי נֶפֶשׁ הַבָּשָׂר בַּדָּם הוא

v.11aβγ   וַאֲנִי נְתַתִּיו לָכֶם עַל הַמִּזְבֵּחַ לְכַפֵּר עַל־נַפְשֹׁתֵיכֶם

v.11b   כִּי הַדָּם הוא בַּנֶּפֶשׁ יְכַפֵּר

This passage has been traditionally regarded as the sole passage which provides the rationale of blood manipulation in all the animal sacrifices.

If the passage may be applied so generally, it must also apply to the חטאת blood. However this traditional view has been recently challenged by J. Milgrom on contextual grounds (see below), and it needs to be reconsidered.

The passage also raises crucially important philological-theological issues; not only does it discuss the concept of כֹּפֶר explicitly which appears twice and the focus of our interest at the moment, it also poses the question whether 'substitution' is implied in sacrificial ritual.

These issues will be discussed below under the heads of (a) Context of Lev 17:11, (b) Exegesis of Lev 17:11 (c) The Etymology of כֹּפֶר (d) Substitution in Lev 17:11.

(a) Context of Lev 17:11

The passage is a motive clause to v.10, which prohibits the consumption of blood by the Israelites and the resident alien. As mentioned above, v.11 has been traditionally taken as speaking of all the

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animal sacrifices. However Milgrom[52] has levelled an incisive criticism by pointing out that v.10 concerns only the danger of partaking of blood while eating meat, the possibility of which exists only in the case of the שלמים . But according to Milgrom the שלמים does not possess כַּפֶּר function, whereas the phrase לְכַפֵּר עַל־נַפְשׁתֵיכֶם (by analogy with Exod 30:12ff. and Num 31:49) implies a capital offence against God. To the question why 'the danger of death' is envisaged in v.11 Milgrom finds a clue in vv.3-4, which declare that "animal slaughter constitutes murder except at the authorized altar"[53], and he links these verses with v.11. Thus he concludes; 'the blood must be brought to the altar to expiate for the murder of the animal because "the life of the flesh is the blood...for it is the blood, as life, that expiates."'[54] As for the non-expiatory nature of the שלמים Milgrom suggests that "Lev 17:11 may fit into an altogether different priestly theology."[55]

Milgrom's argument from the context of Lev 17:11, however, seems unlikely for the following reasons.[56]

(1) Milgrom may be correct in arguing that v.10 concerns the consumption of blood in connection with the שלמים. But this does not warrant the conclusion that the context of v.11 should be related only to the שלמים; for v.11, being a motive clause[57], may well speak of a general principle underlying the prohibition of blood consumption. And indeed all three parts of v.11 are couched in highly general language. It seems then that 'the blood' in v.11 could apply to the blood of all sacrifices. Nevertheless it must be admitted that if this is so, even the blood of the

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[52] Milgrom, *Cultic Theology*, pp.96-103 followed by H.Ch. Brichto, *HUCA* 47(1976) p.27 and D.J. Wold, *SBL Seminar Papers* (1979) p.9. Cp. Rodriguez, *op. cit.*, p.238ff; A. Schenker, *MTZ* 34(1983) pp.195-213 esp. 207ff.
[53] *Ibid.*, p.102.
[54] *Ibid.*
[55] *Ibid.*, p.103 n.34.
[56] Cf. N. Füglister, "Sühne durch Blut' in *Studien zur Pentateuch* p.147 n.17; Janowski, *op. cit.*, p.243 n.298. Both reject Milgrom's view without much discussion.
[57] Cf. R. Soncino, *Motive Clause in Hebrew Law*, California (1980) p.104ff.

שלמים possesses כִּפֶּר function. But this faces the objection that as Milgrom argues,[58] the שלמים is unlikely to be associated with כפּ, even in Ezek 45:15,17.

(2) It is arbitrary and forced to link vv.3-4 with v.11 in the way that Milgrom does. It is true that slaughtering the animal except at the altar is regarded as murder (v.4). But the *karet*-penalty is meted out for it. Similarly the consumption of blood is also punished by the *karet*-penalty (v.10). However no remedy for these sins is mentioned in Lev 17; v.11 simply gives the reason why blood should not be consumed. This highlights the fundamental problem with Milgrom's view: if the offerer brought a sacrificial animal to the sanctuary and slaughtered it, this act would constitute a totally *legitimate* act. It is not a sin; he has not committed a murder. In other words, vv.3-4 do not imply any capital offence to be expiated, and there is no reason to mention the fact that the blood may not be consumed. On the other hand, if the offerer killed his animal outside the sanctuary this passage offers no ritual remedy. In either case the comment in Lev 17:11 is irrelevant on Milgrom's interpretation.[59]

(3) That לְכַפֵּר עַל־נַפְשֹׁתֵיכֶם in v.11aγ implies a capital offence is deduced partly by the meaning of the independent word נֶפֶשׁ and partly by analogy with Exod 30:11-16 and Num 31:48ff.. But it is methodologically incorrect to infer from the identical phrase כִּפֶּר עַל־נַפְשֹׁתֵיכֶם that Lev 17:11 and Exod 30:11-16 both deal with similar capital offences. It is one thing to argue that כִּפֶּר has the same sense in both sections, but quite another to argue that the extra-linguistic situation of כִּפֶּר עַל נַפְשֹׁתֵיכֶם is also alike or identical in both sections.[60] As for the latter there is no

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[58] *Op. cit.*, p.100 with n.22. Cp. Janowski, *op. cit.* p.191 n.30.

[59] Certainly it may be admitted that v.11 can apply to the pouring of blood mentioned in v.6. In this case, expiation in covenantal contexts could be assumed. See v.7 and n.63 below.

[60] Cf. for instance, the substitutionary and non-substitutionary meanings of נָשָׂא עָוֹן.

support in the context of Lev 17.

Thus, since Lev 17:11 does not refer to the expiation of a murder but is a general statement, it seems reasonable to assume that it speaks of the blood of all animal sacrifices, this is the traditional understanding. The merit of Milgrom's criticism lies, however, in that he pointed out the apparently weak point in the traditional view, that the שלמים has hardly any expiatory function, yet it seems to be included in Lev 17:11.

Recently Rodriguez has criticised the alleged non-expiatory character of the שלמים , adducing Ezek 45:15,17 in which כִּפֶּר can comprehend the שלמים.[61] However, as Rodriguez himself admits,[62] it is a fact that this sacrifice is least associated with כִּפֶּר, and thus with the notion of expiation. Nevertheless it must be argued that the non-expiatory character of the שלמים does not necessarily lead to the conclusion that the *blood* in it is also non-expiatory. It may well be that since the *major* function of the שלמים does not lie in expiation, the sacrifice is not normally linked with כִּפֶּר; but it is an entirely different matter to draw the conclusion from this fact that the blood of the שלמים has no expiatory function, either. We therefore prefer the view of Kurtz:

> If the sprinkling of blood in connection with the burnt-offering and trespass offering served as an atonement (וְלְכַפֵּר עָלָיו), the sprinkling of blood of the peace-offering, which was performed in precisely the same way, must necessarily have had the same significance.[63]

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[61] Rodriguez, *op. cit.*, p.226ff. Cp. Milgrom and Janowski in n.58 above.
[62] *Ibid.*, p.227.
[63] Kurtz, *Sacrificial Worship*, p.74. So Benzinger, *Archäologie*, p.336. Milgrom has pointed out (*JBL* 104(1985) p.303) that the joyous character of the שלמים cannot match 'a death sentence' envisaged in Lev 17:11. In response to this it may be argued: (1) Joyous character is the major character of the sacrifice and does not exclude the idea of expiation, just as, conversely, the חטאת can have a joyous element (see Lev 4:31). (2) Expiation is required in the contexts of consecration and dedication as well. (3) As will be clarified, the term 'a death sentence' is misleading.

(b) Exegesis of Lev 17:11

Having established that Lev 17:11 may be referring to the function of blood manipulation in any sacrifice, we shall now seek by careful exegesis to determine precisely what it says about the role of blood in sacrifice.

The following discussion on this passage consists of (1) grammatical-syntactic overview of the passage and (2) the defining the meaning of בְּ in בְּנֶפֶשׁ.

(1) Grammatical-syntactic overview

The passage as a whole appears to consist of two motive clauses introduced by כִּי. The first כִּי introduces the reason why the consumption of blood is prohibited: because 'the life of flesh is in the blood and it is I who have assigned it[64] to you upon the altar to make atonement for your lives'. It appears that נֶפֶשׁ הַבָּשָׂר בַּדָּם הוּא presents a theological postulate, and that the chief reason for the injunction in v.10 is in וַאֲנִי ff.; because blood is the divinely appointed means of atonement.[65]

As for v.11b it is clearly not a simple repetition of v.11a. judging from the change from לְכַפֵּר עַל־נַפְשֹׁתֵיכֶם to יְכַפֵּר בַּנֶּפֶשׁ.[66] Thus the question arises: what in v.11a does v.11b explain? Ultimately this question cannot be answered without determining the meaning of בַּנֶּפֶשׁ in v.11b. However there is one preliminary question to be addressed before we answer the question. Who is the agent of לְכַפֵּר in the phrase לְכַפֵּר עַל־נַפְשֹׁתֵיכֶם 'to make atonement for your lives'?[67] There are four possibilities: (i) God (ii) blood (iii) the Israelites (iv) 'indefinite'.

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[64] With Milgrom, *Cultic Theology*, p.97.

[65] Thus it can be inferred that כרה (v.10) constitutes the antonym of כפר. See Num 15:27ff. and Janowski, *op. cit.*, p.255.

[66] With Rodriguez, *op. cit.*, p.245.

[67] Cf. A. Metzinger, *Biblica* 21(1940) pp.267-268; Daly, *Christian Sacrifice*, p.118.

(i) Since God is the one who assigned the blood upon the altar it is conceivable that He is also the agent of לְכַפֵּר. However, although this is certainly true theologically, it is questionable whether it is correct syntactically. For the emphasis of 'I'[68] appears to fall on נְתַתִּיו and does not necessarily appear to govern לְכַפֵּר. It therefore seems unlikely that God is the subject of לְכַפֵּר. (ii) Could 'blood' be the subject of לְכַפֵּר?[69] Yes, it could. However this does create redundancy between v.11a and v.11b, both of which emphasize then that the blood יְכַפֵּר. A different subject in לְכַפֵּר could avoid such redundancy. (iii) 'The Israelites' could be the agent of לְכַפֵּר, at least grammatically. But theologically that is highly unlikely; for the idea that the Israelites can atone for themselves contradicts not only priestly theology in general but v.11b. (iv) The agent of לְכַפֵּר could be indefinite. And this possibility commends itself most. Firstly, because v.11aβγ is then naturally followed by v.11b, which emphasizes the blood as the agent of יְכַפֵּר[70] and secondly, because the blood manipulation is normally performed by priests. In other words, as observed above[71] it is unnecessary to identify the agent of לְכַפֵּר here, because the phrase simply serves to express the purpose.

Then what does v.11b explain, v.11aα or 11aβγ, or both? It seems to be related to both, in the light of the following two observations. Firstly, כַּפֵּר appears both in v.11aβγ (לְכַפֵּר) and v.11b (יְכַפֵּר). As mentioned above, the relationship between v.11aβγ and v.11b can be taken in such a way that the indefinite subject of לְכַפֵּר in v.11aβγ is clarified by the emphatic כִּי הַדָּם הוּא...יְכַפֵּר in v.11b. Secondly, as Janowski has

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[68] See Elliger, p.228 n.32. T. Muraoka, *Emphatic Words and Structures in Biblical Hebrew*, Jerusalem-Leiden (1985) p.47ff.

[69] So Janowski, *op. cit.*, p.246.

[70] *Contra* Daly, *op. cit.*, p.129 n.97 who assumes the subject is impersonal.

[71] See B (b) above.

noted,[72] there is a chiasmus of נֶפֶשׁ and דָּם between v.11aα and v.11b:

v.11aa   כִּי נֶפֶשׁ הַבָּשָׂר בַּדָּם הוּא

v.11b   כִּי הַדָּם הוּא בַּנֶּפֶשׁ יְכַפֵּר

This chiasmus shows that though v.11b explains v.11aβγ, it is based on v.11aα in some way. To be more specific about this, the phrase בַּנֶּפֶשׁ must be clarified.

(2) בַּנֶּפֶשׁ

With regard to the meaning of בְּ three kinds of interpretation have been proposed.

Firstly, בְּ can be a *beth instrumenti* in conformity with the phrase בְּכֶּר in other contexts (e.g. Lev 5:16). According to this view the actual means of atonement is 'life' contained in the blood.[73]

Secondly, בְּ can be a *beth essentiae*; "For it is the blood, as life, that expiates."[74]

Thirdly, בְּ can be a *beth pretii* expressing the notion of 'price'. Some translate it 'for, at the cost of'[75], others 'in exchange of'.[76] In either case הַנֶּפֶשׁ in בַּנֶּפֶשׁ is taken to refer to human life unlike the above two views, which suppose it refers to the animal's life.[77]

As Rodriguez and Janowski[78] have pointed out the *beth essentiae* is

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[72] *Op. cit.*, p.245. [73] This is the commonest view. See Janowski, *op. cit.*, p.244 n.301. [74] E.g. Milgrom, *op. cit.*, p.96. [75] E.g. Levine, *op. cit.*, p.67ff.

[76] E.g. Rodriguez, *op. cit.*, p.248ff. For the LXX translation "ἀντὶ τῆς ψυχῆς" see Daly, *op. cit* ., p.127ff.; Rodriguez, *op. cit.*, p.251ff.; Janowski, *op. cit.*, p.244 n.303.

[77] Janowski, following H. Gese (*Zur Biblischen Theologie*, p.97ff.), takes בְּ as a *beth instrumenti* and assumes that the נֶפֶשׁ of the offerer is already identified with the sacrificial animal, particularly because the blood manipulation comes after the imposition of hand, which symbolizes the identification of the offerer with the animal. See Janowski, *op. cit.*, pp.245-246. We prefer, however, to take a more exegetical approach to Lev 17:11. [78] Rodriguez, *op. cit.*, p.247; Janowski, *ibid.*, p.245.

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most unlikely because v.11b is not a simple repetition of v.11aα. Either *beth instrumenti* or *beth pretii* would be appropriate. Yet the decision also depends on the question whether הַנֶּפֶשׁ refers to animal life or human life; if it refers to human life, then בְּ would inevitably be a *beth pretii*.

Following Levine, Rodriguez,[79] who takes בְּ to be a *beth pretii* and הַנֶּפֶשׁ to refer to human life, argues that if בְּ were a *beth instrumenti*, the text would have read בְּנַפְשׁוֹ instead of בַּנֶּפֶשׁ . However in view of v.11aα which does not read נפש הבשר בְּדָמוֹ הוּא (cp. v.14) Rodriguez's argument seems to be inconclusive.

Brichto argues that הַנֶּפֶשׁ cannot refer to human life on the ground that the redemption of human life is already mentioned in לְכַפֵּר עַל־נַפְשֹׁתֵיכֶם (v.11aγ) "for/on behalf of your lives".[80] This criticism, though pungent, overlooks three crucial points. First, the notion of 'for/on behalf of' is different from that of 'for/at (the cost of), in exchange of'. Second, as argued above, the agent of לְכַפֵּר is not 'blood' but indefinite. Third, it is not explicitly stated in v.11aβγ what actually takes place on the altar in order to make atonement for the Israelites, except that God assigned the animal blood on the altar. In other words, v.11aβγ (וַאֲנִיff.) speaks generally of the God-blood-altar-Israelites relationship, whereas v.11b specificies what takes place on the altar. In view of these considerations the *beth pretii* approach appears still possible.

However the *beth pretii* approach is unlikely for the following reason. As mentioned above there is a chiasmus of נֶפֶשׁ and דָּם between v.11aα and v.11b, while it is natural to take the article in בַּנֶּפֶשׁ as referring to a thing already mentioned before. And this consideration seems to be

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[79] Levine, *op. cit.*, p.68 n.37; Rodriguez, *ibid.*, p.249. Other arguments by Rodriguez against the *beth-instrumenti* approach (*ibid.*, pp.247-248) seem to be of minor importance.
[80] Brichto, *op. cit.*, p.27 followed by Janowski, *op. cit.*, p.244 n.303.

conclusive as to בְּנֶפֶשׁ. It then follows that בְּנֶפֶשׁ refers to animal life mentioned in v.11aα, and that the בְּ is a *beth instrumenti*.

Having excluded the *beth pretii* approach, however, we need to consider exactly how בְּ should be translated; 'by' or 'through'? As argued above, v.11b emphasizes the subject of יְכַפֵּר, the blood.[81] Then to translate בְּ 'by' appears to conflict with the very intention of v.11b since, according to this translation, the virtual means of atonement is 'life', not 'blood'. Since in v.11aα 'life' is said to be indissolubly united with the 'blood', the translation 'through' seems better.

To sum up, the relationships between v.11b and v.11aα on the one hand, and between v.11b and v.11aβγ on the other are as follows: Assuming the statement in v.11aα, v.11b explains what takes place on the altar, which is unspecified in v.11aβγ. This relationship between v.11aβγ and v.11b implies clearly the substitution of human נֶפֶשׁ (v.11aαγ) by animal נֶפֶשׁ (v.11b), whatever the exact meaning of כִּפֶּר in this passage.

(c) The Etymology of כִּפֶּר

Confirmation of this interpretation of כִּפֶּר is provided by the most likely etymology of the term.

That כִּפֶּר is probably related to the *qal* noun כֹּפֶר has been well argued by Milgrom.[82] According to him, this applies to כִּפֶּר in Lev 17:11 as well as "the kippûr function of the Levites (Num 8:19; 18:22ff.) and the kippûr death for homicide and idolatry (Num 35:33; 25:4,11,13)."[83]

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81 Cf. Muraoka, *op. cit.*, p.66.
82 Milgrom, *Levitical Terminology*, pp.28-33; *idem, Cultic Theology*, p.98 n.11,15. On כֹּפֶר see Janowski, *op. cit.*, p.153ff.; A. Schenker, *Biblica* 63(1982) pp.32-46. For other possible etymologies of כפר see Janowski, *op. cit.*, p.15ff.
83 *Cultic Theology*, p.98 n.15.

It seems that this כִּפֶּר-character matches our interpretation of Lev 17:11; animal blood serves as a כִּפֶּר of human life. Milgrom himself does not, however, apply this כִּפֶּר-כִּפֶּר connection to other כִּפֶּר-passages particularly in the חטאת context. But if, as we have argued, Lev 17:11 has in mind all the blood sacrifices, this כִּפֶּר-character may well be assumed in the כִּפֶּר of normal sacrificial contexts. In fact we have argued independently of Lev 17:11 that כִּפֶּר in the חטאת context includes the concept of נָשָׂא עָוֹן . Since כִּפֶּר substitutes for the death penalty, it clearly has conceptual affinity with נָשָׂא עָוֹן (=bear guilt). However one might argue that כִּפֶּר or נָשָׂא עָוֹן in the contexts of Num 8:19; 18:22ff.; 25:13; 35:33 appears on a dimension different from the dimension of sacrifice proper. This is true, but nevertheless, as we have argued in B above, the concept or the sense of כִּפֶּר, and not its extra-linguistic situation, can be invariable, especially in view of the fact that כִּפֶּר is related to נָשָׂא עָוֹן in some sacrificial contexts. Therefore it seems highly plausible to assume that כִּפֶּר is related to נָשָׂא עָוֹן on a substitutionary level, and that כִּפֶּר in sacrificial law has also כִּפֶּר-character.

(d) Substitution in Lev 17:11

The above interpretation of v.11 supports the view that the principle of substitution is at work on the altar: animal life takes the place of human life. However this statement must face two other different approaches.

Firstly, based on contexts like Exod 21:23; Lev 24:18; Num 17:3; Deut 19:21 and Exod 30:12,16 Milgrom has inferred that נֶפֶשׁ in Lev 17:11 connotes a capital crime, thus 'life in jeopardy', and that the passage

does not deal with the expiation of 'ordinary sin'.[84] It has been argued, however, that the passage does deal with the expiation of 'ordinary sin'. The question which this raises is whether it is right to assume that the sinner in Lev 4-5 is not in the state of 'life jeopardy'. However it seems arbitrary to hold that the sin in Exod 30:12ff. put a person's life in jeopardy whereas the sin in Lev 4-5 does not.

Secondly, those uncomfortable with the principle of substitution[85] have argued that the sacrificial system does not deal with 'the sin worthy of death'. In response to this, proponents of 'substitution' have emphasized the serious nature of what Milgrom calls 'ordinary sin'. Thus Rodriguez has pointed out that the sin related to the חטאת is not limited to inadvertent sin[86], while Kurtz assumed that even a trivial sin deserves the death penalty.[87]

However, apart from the question of 'substitution', the term 'the death penalty' seems to be misleading. For one thing, since the phrase מות יומת or the *karet*-penalty is not found in Lev 4-5 this suggests that these sins do not deserve the death *penalty*. For another, as Milgrom points out,[88] it is unintelligible to assume that the parturient deserves the death penalty. Thus it seems better to avoid using 'the death penalty' in discussing sacrificial expiation. We use the term 'death' instead.

Now in the above discussion about the 'substitution' there is erroneous reasoning shared by both proponents and opponents of 'substitution'. It is shown below along with what we think is the correct reasoning.

Sin/Uncleanness ———> Death	Sacrifice ———> Life
Sin/Uncleanness ———> Sacrifice	Death

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[84] *Ibid.*, p.97ff.
[85] E.g. W. Eichrodt, *Theolgy*, I p.165 n.2; Milgrom, *op. cit.*, p.103 n.34.
[86] *Op. cit.*, p.148.
[87] *Op. cit.*, p.103.
[88] *JBL* 104(1985) p.303.

The former envisages the death of a sinner as the result of sin/uncleanness but the sacrifice reverses this situation. The latter assumes that the ultimate end of sin/uncleanness is indeed death (see Lev 15:31), but that the connection is dissolved by a sacrifice. Although both approaches assume the connection between sin/uncleanness and death, the latter picture seems to do more justice to the idea of expiation than the former. But this still allows for the idea of substitution for the following reasons.

As has been shown in Ch.2, uncleanness, which symbolizes death or the aura of death, is ascribed not only to corpses or carcasses but to things and persons which have contact with them. The same is true for an inadvertent sin. Though it does not deserve the death penalty, the sinner is regarded as being in the realm of death.

However it would be artificial to argue from this that the חטאת deals with the *aura* of death and not death. Because if nothing is done to uncleanness or sin that will lead to a person's death, so it could be posited that a sacrifice indeed saves the life of a sinner or an unclean person, and that the exchange of נֶפֶשׁ in Lev 17:11b should be understood in this sense.

Lastly, though נֶפֶשׁ in Lev 17:11aα,b means 'life-essence', it would be reasonable to assume that this 'life' actually means 'life given up in death'.[89] For one thing, it is easily conceivable because the animal is slaughtered in the sanctuary. For another, as has been argued, the term כִּפֶּר itself connotes substitutionary death.

Since the blood symbolizes 'life', it may be assumed in connection with the חטאת that the purifying process expressed by such terms as טִהַר and קִדֵּשׁ are in fact 'life-giving' processes. Yet it must be borne in mind that the agent of purification or atonement in the חטאת context is almost always the priest, and that the priest bears guilt when he purifies sancta. In

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[89] With L. Morris, *op. cit.*, p.117.

view of this fact it could be posited that 'substitution' is envisaged on two levels, the blood and the priests.

Conclusions

The following conclusions can be drawn from our discussion on A. כַּפֶּר constructions, B. The concept of כַּפֶּר and C. Lev 17:11.

A. The discussion on the three prepositions עַל , אֶת and בְּעַד after כַּפֶּר has led to the inference that their use is differentiated by whether the beneficiary of the כַּפֶּר act is sancta or persons; עַל can be followed by both, whereas אֶת is followed exclusively by sancta and בְּעַד by persons.

B. The examination of various alleged synonyms of כַּפֶּר such as טַהֵר , קַדֵּשׁ and חִטֵּא has shown that those terms should be called *hyponyms* of כַּפֶּר. In the light of this conclusion another semantic component, וְנָשָׂא עָוֹן, could also be a *hyponym* of כַּפֶּר. In terms of what is happening on the altar all these terminological relations suggest that the priest cleanses the altar but simultaneously bears guilt. Since the cleansing act is the 'life-giving' process (Lev 17:11) it could be envisaged that the priest gives 'life' to the sancta (=purifies them) but simultaneously bears death on a substitutionary level. This means that comparing the חטאת blood to a detergent is inadequate.

C. Lev 17:11 concerns all kinds of blood sacrifices. It involves two major theological postulates. First, animal blood substitutes for human life on the altar (v.11aβγ-b). Second, that substitution was instituted by God Himself (v.11aβγ).

It seems then that our vague observation made in Ch.1 and Ch.2 that the חטאת deals with both uncleanness and guilt is confirmed by the conclusion of our study of כַּפֶּר that when the priest purifies sancta he bears the guilt associated with uncleanness.

Chapter 5
Some Components of the חטאת Ritual

Introduction

In the previous chapter we concluded that when the priest purifies sancta he bears the guilt associated with uncleanness, and that Lev 17:11 implies the principle of 'substitution'. With these conclusions we consider further some components of the חטאת ritual. Although ideally the meaning of all the components of the חטאת ritual should be discussed, that does not seem particularly constructive, for two reasons. First, it is likely to go beyond the scope of our investigation, because the ritual acts of slaughtering, burning of fat and so on are common to the עולה and שלמים offerings.[1] Second, the distinctive nature of the חטאת ritual seems to lie in rites such as the blood manipulation and the burning (eating) of the חטאת flesh. Therefore we shall concentrate our discussion on the three major ritual acts which seem to be directly relevant to the function of the חטאת, or at least to which special attention has been paid in the study of the חטאת. They are the imposition of hand(s), the blood manipulation and the disposal of the חטאת flesh.

In the חטאת ritual the imposition of hand(s) usually comes between the bringing of the חטאת to the entrance of the Tent and the slaughtering of it. Although this rite is common to the עולה (Lev 1:4) and the שלמים (Lev 3:2,8,13), it needs to be discussed, not because we assume that it is related to the essential function of the חטאת,[2] but mainly because there

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[1] Cf. Kurtz, *Sacrificial Worship*, p.101ff. On the term ריח ניחוח cf. J. Hoftijzer, *SVT* 16(1967) pp.114-134; A. Hurvitz, *Linguistic Study*, pp.53-63. On ריח ניחוח in Lev 4:31 see Moraldi, *Espiazione*, pp.155-156; Noordtzij, p.63; Noth, p.43; Rendtorff, *Studien*, pp.220-221; Janowski, *Sühne*, p.217; Dillmann, p.427.

[2] Cp. Janowski, *op. cit.*, p.199. It is not clear to me why Janowski thinks the imposition of hand(s) is important for the חטאת ritual.

has been a debate whether the transference of sin (guilt) is envisaged in that act. This question is, as will be shown, central to the function of the חטאת even apart from the meaning of the imposition of hand(s), though it will not be answered definitively until the disposal of the חטאת is discussed. Thus the imposition of hand(s) is studied not to determine the meaning of the rite so much as to introduce some theological issues which have been raised in connection with the gesture.

The חטאת ritual includes the distinctive blood manipulation, the daubing (נָתַן) and the sprinkling (הִזָּה) of blood. Although these undoubtedly symbolize purification of sancta, they raise not only the question whether the distinction of the two rites is significant, but they are also related to the problem of the חטאת symbolism; i.e. how the ritual in Lev 4:1-5:13 is related to the one in Lev 8-9.

Lastly, the חטאת ritual ends with the disposal of the חטאת flesh, either by a priest eating it in a holy place within the sanctuary or by burning it outside the camp. In pursuing the symbolic meaning of each act, the 'contagiousness of the חטאת flesh' will be the focus of the discussion; whether the חטאת flesh conveys uncleanness or holiness. So the problem of 'transference of sin' introduced in connection with the imposition of hand(s) will, it is hoped, be settled at this point.

A. The Imposition of Hand(s)

The idiomatic expression for the imposition of hand(s), סָמַךְ + יד/
על + ידים, is attested in the following contexts.[3]

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[3] It is not mentioned in connection with the אשם offering and the reason for this has been the subject of various speculations. Cf. B.D. Eerdmans, *Alttestamentliche Studien* IV, p.12; Chapman - Streane, p.3; Noordtzij, p.33 n.8; Milgrom, *Cult*, n.48; Kidner, *TB* 33(1982) pp. 134-135. It must also be borne in mind that the mention of the rite may be omitted, being presumed. For instance, see Lev 1:10-11,15; 5:8; 9:8.

Sacrifices:	עוֹלָה	Exod 29:15; Lev 1:4; 8:18
	שְׁלָמִים	Lev 3:2,8,13
	חַטָּאת	Exod 29:10; Lev 4:4,15,24,29, 33; 8:14 (2Ch 29:33)
	אֵיל הַמִּלֻּאִים	Exod 29:19; Lev 8:22
	עוֹלָה + חַטָּאת	Num 8:12
The Azazel rite		Lev 16:21
The case of blasphemy		Lev 24:14
Dedication of the Levites		Num 8:10
Appointment of Joshua		Num 27:18,23; Deut 34:9

In sacrificial contexts, with which our chief concern lies,[4] the imposition of hand(s) is performed by the offerer or the beneficiary of atonement. Hence it appears natural to assume that the gesture expresses some relationship between the offerer and the sacrificial animal. However despite abundant works on this gesture,[5] there seems to be as yet no scholarly consensus over its symbolic meaning. The investigation seems to have been hampered by the fact that no sacrificial text provides the key

to the symbolic meaning of the gesture except Lev 1:4 (the עוֹלָה) and the problematical Lev 16:21 (the Azazel-goat ritual). Moreover while Lev 1:4 appears to allow several interpretations of the gesture, Lev 16:21, which apparently refers to the meaning of the rite, has often been held as irrelevant to the imposition of hand(s) in sacrificial contexts. Recently R. Péter has added another dimension to the issue by arguing that the imposition of *one* hand is limited to sacrificial contexts, expressing 'identification of the offerer with the animal', whereas the imposition of *both* hands appears in non-sacrificial contexts (Lev 16:21; 24:14; Num 8:10 (?); 27:18 (LXX), 23; Deut 34:9), expressing the notion of

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[4] Thus an exposition of Lev 24:14; Num 8:10; 27:18,23; Deut 34:9 will not be offered here. On the whole we concur with Janowski. See *idem, op.cit.*, pp.201-205.

[5] See Janowski, *ibid.*, p.205ff. Various suggestions to the meaning of the imposition of hand(s) are classified also by Rodriguez under the heads of 1. Transfer and/or substitution theory 2. The identification theory 3. The consecration/dedication theory 4. The appropriation and/or designation theory 5. The manumissio theory (*substitution*, pp.201-208). The essential question is on which Biblical passage these theories are based.

transference.[6]

In view of this situation we first respond to Péter's thesis and then turn to the central issues surrounding Lev 16:21 and Lev 1:4.

Péter's distinction between the imposition of one hand and that of both hands is possible and may be significant. But whether that distinction corresponds to a distinction in the symbolic meaning of the gesture is another question; the difference in form as such does not necessarily imply a difference in the meaning of the gesture. In fact, the imposition of both hands in Lev 16:21 may simply solemnize the rite.[7]

The whole issue centres, however, on the question whether the meaning of the imposition of hands on the Azazel goat in Lev 16:21 can be applied to usual sacrificial contexts, though it is unanimously agreed that the passage speaks of 'transference of guilt'.

For the ancient Jewish exegesis the meaning of the imposition of hands in Lev 16:21, i.e. transference of sin, was the model on which other cases of the rite in sacrificial contexts should be construed.[8] This view, that by laying on his hand the offerer transfers his sins to the animal, still finds its proponents today.[9]

But the view has been rejected by the majority of modern exegetes on (a) contextual and (b) conceptual grounds.

(a) For instance, Janowski argues that Lev 16:21 must be excluded from the consideration of the meaning of the laying on of one hand in sacrificial contexts because the three elements which characterise the Azazel rite, (1) imposition of *both* hands on the head of the goat (2) transference of *materia peccans* to the evil bearer (3) sending off of the

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[6] R. Péter, *VT* 27(1977) pp.48-55 followed by Janowski, *ibid.*, p.201. The same direction is suggested by Milgrom in 'קרבן' *EM* p.235.

[7] Keil (p.404 n.1) and Elliger (pp. 215-216) adopt the view that the distinction is the matter of emphasis, while Snaith (p.115) and Kornfeld (p.64) see it as signifying 'certainty'. Cf. M.C. Sansom, *ET* 94(1983) p.326.

[8] Cf. Hoffmann on Lev 1:4.

[9] Authors cited in Janowski, *op. cit.*, p.205ff.; Wenham, p.62.

goat to the wilderness, are missing in sacrificial contexts. Above all he emphasizes that the Azazel goat is not a sacrifice.[10]

It is questionable, however, whether these points constitute the reason why Lev 16:21 should be excluded from the consideration of the imposition of a hand in sacrificial contexts. Firstly, as argued above, the imposition of both hands in Lev 16:21, as opposed to that of one hand, does not itself seem to prove anything. Secondly, the meaning of the imposition of both hands in Lev 16:21, i.e. unloading the guilt, should not be combined with the other features of the Azazel rite, such as sending off the goat to the wilderness, so as to invalidate the possibility that the imposition of a hand in sacrificial contexts expresses 'transference of sin'. To stress the special nature of the rite as a whole is one thing, but it is quite another to argue from that that the symbolic meaning of the imposition of hands in Lev 16:21 has nothing to do with its meaning in sacrificial contexts. Thirdly, Janowski presumes that in sacrificial contexts there occurs no 'elimination of *materia peccans*'. This may be true. But the fact is simply that no explicit mention is made concerning the meaning of the imposition of a hand except in Lev 1:4b. It is fairer, then, to say that 'the elimination of *materia peccans*' may or may not be present in sacrificial contexts. Lastly, the ritual in Lev 16:21ff. is treated by Janowski[11] and others as an isolated ritual having no meaningful relationship with the surrounding text. This issue will be discussed in the next chapter and Janowski's assumption will be challenged.

In short, the reasons Janowski has given for isolating Lev 16:21 in the consideration of the imposition of hand(s) are not sufficient to invalidate the application of the meaning of the imposition of hands in Lev 16:21 to sacrificial contexts.

(b) As the above arguments show, there have been two divergent approaches to the meaning of the imposition of hand(s). One stream of

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[10] *Ibid.*, pp.209-216 esp. p.215.

[11] *Ibid.*, p.210. Furthermore, according to Janowski the ritual does not belong to what he calls 'Sühne' (*ibid.*, pp.219-210).

interpretation, drawing heavily on Lev 16:21, holds that the sacrificial animal becomes sinful or unclean by the imposition of hands.[12] The other, rejecting Lev 16:21 and the idea of 'transference of sin', seeks in Lev 1:4 the meaning of the imposition of a hand in sacrificial contexts.[13] We shall examine the former standpoint first and then the latter.

The former approach, which assumes 'transference of sin', was criticized by J.C. Matthes who marshalled the following arguments:[14]

(i) The חטאת blood purifies; but that is unlikely if the animal is laden with sin and guilt.

(ii) In Lev 10:17 the חטאת flesh is called קדש קדשים.

(iii) The fact that the burning of the חטאת flesh is done in a clean place (Lev 4:12) also indicates that the חטאת is pure.

(iv) The contagion of the חטאת in Lev 6:20ff. and Lev 16:24,28 is that of holiness and should be distinguished from the defilement of a man who sends off the Azazel goat (Lev 16:26).

As these arguments by Matthes show, the meaning of the imposition of a hand in the חטאת context ultimately hinges on the status of the חטאת from the stage of blood manipulation to that of the disposal of the חטאת flesh. Later we shall discuss in detail the disposal of the חטאת (the above (iii) and (iv)). At this stage we question whether reasoning (i) is appropriate.

The fundamental fact is that sacrificial death on the altar is not regarded as defiling (Lev 17:11); it is rather 'life' taking the place of the death of the sinner, though the death of an animal outside the sanctuary may defile (e.g. Lev 11:39ff.). Therefore it seems wrong to assume that the חטאת becomes sinful or unclean in the wake of the imposition of a

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[12] See n.(9) above.
[13] See Janowski, op. cit., p.219 n.183.
[14] J.C. Matthes, ZAW 23(1903) pp. 97-119.

hand.[15]

However Rodriguez has recently argued that it is logically one-sided to hold that because the sacrifice is called קרש קרשים the transference of sin could not possibly have taken place.[16] Pointing out that in Lev 10:17 the חמאת flesh is assumed to have borne sin but simultaneously is termed קרש קרשים, Rodriguez concludes that "the sin that was borne by the animal, and later by the priest, did not affect their holiness."[17] This view could be characterised as one allowing for the coexistence in the חמאת of holiness, the function of bearing guilt and the transference of sin.

In our opinion, this view is worthy of note, though it seems to involve some misleading assumptions.

The view is valuable in that it does not see a contradiction in the sacrifice's being holy and simultaneously related to sin/guilt. This is also true for Lev 4:1-5:13 in which the חמאת has undoubtedly something to do with the sin.

However, Rodriguez's assumption that the חמאת bears the sin is problematical in a double sense. First, although it may be naturally envisaged that the חמאת has something to do with the guilt, it is the priests who bear it, and not the חמאת. Second, what is borne by the priests is, on our interpretation of Lev 10:17 and Lev 4:1-5:13, 'guilt' and not 'sin'.[18] It may be pointed out that generally the confusion of terms such as 'sin', 'guilt' and 'uncleanness' has obscured the whole issue of 'transference of sin/guilt'.

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[15] The assumption is shared further by Snaith, p.42; van der Merwe, *OTWSA* 5(1962) p.39.
[16] Rodriguez, *op. cit.*, p.216ff., anticipated by Medebielle, 'Expiation' *DBS* col.80.
[17] *Ibid.*, p.218.
[18] See chapter 4.

Now we have already argued that in the context of Lev 4:1-5:13 the חטאת deals with both the act of *sin* and its consequence.[19] If we are to follow the priestly terminology rigorously, we cannot apply directly the meaning of the imposition of hands in Lev 16:21 to the usual חטאת context, because if the notion of 'transference' is assumed, what is transferred in Lev 16:21 (= MT עונת) is different from what the חטאת deals with (= the act of sin and its consequence), as the following table shows.

Usual חטאת ritual	The Azazel rite
The חטאת animal has to do with the act of sin and its consequence (Purification of sancta follows) The priest bears the guilt.	(Purification of sancta is over) The Azazel goat bears the guilt.

It is striking that the priest's bearing the guilt corresponds to the Azazel-goat's, though it is not certain what the significance of the relationship is.[20] Thus it becomes doubtful whether the imposition of a hand in the usual חטאת ritual symbolizes the unloading of sin, i.e. transference of sin. However one way of preserving Lev 16:21 for the meaning of the imposition of a hand in sacrificial contexts would be to assume that, whatever is transferred, the rite expresses the idea of 'transference'.

Before deciding on this matter it seems necessary to examine more carefully the two crucial passages, Lev 1:4 and Lev 16:21.

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[19] See chapter 1.
[20] This point will be taken up in the next chapter.

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Lev 1:4 reads:

וְסָמַךְ יָדוֹ עַל רֹאשׁ הָעֹלָה וְנִרְצָה לוֹ לְכַפֵּר עָלָיו

Although it is generally agreed that v.4b interprets the meaning of the imposition of a hand in some way, some philological comments are in order for both נִרְצָה לוֹ and for לְכַפֵּר עָלָיו.

The root רצה[21] appears in v.3b (לִרְצֹנוֹ) as well as in v.4b (וְנִרְצָה). Since the noun רָצוֹן has been translated 'acceptance', 'pleasure', 'will', the phrase לִרְצֹנוֹ in v.3b has accordingly been translated 'of his own voluntary will',[22] '...ihm Wohlgefallen zuteil',[23] '...that he may be accepted'.[24] In the light of the phrase in other contexts which discuss whether sacrifices are acceptable or not, the rendering of רָצוֹן by 'will' seems most unlikely. Yet if רָצוֹן means either 'acceptance' or 'pleasure' and the pronominal suffix clearly refers to the offerer, it is still unclear what relationship exists between the sacrifice and the offerer. On the analogy, however, between לרצנכם in Lev 22:19 and לא לרצון יהיה לכם in Lev 22:20, it could be assumed that in Lev 1:3b too the relationship between רָצוֹן and its pronominal suffix is that of dative. Thus the meaning of לִרְצֹנוֹ in v.3b would be 'for acceptance on his behalf'.

As for נִרְצָה in Lev 1:4b it has a parallel form in Lev 22:25. From the context of Lev 22:19-25 it would be possible to infer that the meaning of לא לְרָצוֹן יִהְיֶה לָכֶם (v.25) is the same as that of לא יֵרָצוּ לָכֶם (v.20), and that consequently the same meaning can be applied to נִרְצָה לוֹ in Lev 1:4b. Thus the meaning of Lev 1:4bα is: "it (sacrifice) will be

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[21] Cf. Janowski, *op. cit.*, p.216 n.174; Gerleman, 'רצה', *THAT* II col. 811.
[22] AV; Ibn Ezra *ad. loc.*
[23] Elliger, p.26; Janowski; *op. cit.*, p.216.   [24] RSV.

accepted on his behalf". That the term רָצוֹן in the contexts cited above connotes 'substitution' rather than 'representation' seems to be implied in Lev 7:18 which reads, "If any meat from a peace offering is eaten on the third day, the man who offered it will not be accepted (לא ירצה

המקריב אתו)". It could be inferred that here the rejection of the sacrifice is identical with that of the offerer.

Then the fact that the imposition of a hand in Lev 1:4a is mentioned between the bringing of the sacrifice (v.3b) *for* acceptance on behalf of the offerer and the declaration that the sacrifice will be accepted on his behalf shows that the meaning of the imposition of a hand is implied in נִרְצָה לוֹ "it will be accepted on *his* behalf".

The next phrase לְכַפֵּר עָלָיו in Lev 1:4b poses a more crucial problem. Assuming that כִּפֶּר עַל means 'make atonement for', how should the *lamed* in לְכַפֵּר be construed? Broadly two approaches have been proposed.

    (1) "and it shall be accepted on his behalf *by* making atonement for him"[25]

    (2) "and it shall be accepted on his behalf *to* make atonement for him"[26]

Interpretation (1) raises the question whether atonement hinges on the imposition of a hand.[27] The question has been answered in the negative by some.[28] But if so, the interpretation makes the significance of the location

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[25] Benzinger, *Archäologie*, p.372; Baentsch, p.311; Elliger, p.26; Maarsingh, p.19; Janowski, *op. cit.*, p.216 Cf. *GK* §114 o; *Joüon* §124 o.

[26] NEB; Gispen, p.39; Cazelles, p.22; Wenham, p.48; Kornfeld, p.14 *Cf. GK* §114 f; *Joüon* §124 o.

[27] Benzinger (*op. cit.*, p.372) and Baentsch (*ibid.*) explicitly favour the possibility.

[28] Matthes, *ZAW* 23(1903) p.107 followed by Janowski, *op. cit.*, pp.217-218. Facing the alleged contradiction with Lev 17:11 where blood is said to make atonement, Matthes (ibid.) points out that (1) in Exod 29:33 and Lev 10:17 atonement is dependent on eating the חטאת flesh, and that (2) Lev 1:5 shows the blood manipulation plays a major role in the whole ceremony. Both points are, however, fallacious. In Exod 29:33 the priests are assumed to have been atoned for when they eat (note כֻּפַּר). On Lev 10:17 see our discussion in chapter 2 (B). Thus to render לְכַפֵּר in Lev 1:4b by '*by* making atonement' cannot be justified.

of Lev 1:4b minimal for the meaning of the imposition of a hand, because it assumes that the acceptance of the sacrifice (נִרְצָה לוֹ) is dependent on the ritual as a whole rather than on the imposition of a hand alone. Interpretation (2) is better in that it presents no such problem. It assumes that the meaning of the imposition of a hand is implied in נִרְצָה לוֹ alone,[29] and that the atonement (לְכַפֵּר עָלָיו) is the purpose of the acceptance of the sacrifice.[30]

We thus infer, in conclusion, that the imposition of a hand in Lev 1:4 simply expresses the idea of substitution.[31]

Can this meaning of the gesture be applied to other sacrifices such as the שלמים and the חטאת? Since the gesture is common in the rituals of the עולה, שלמים, and חטאת, the meaning of it should not be determined by overemphasizing any particular ritual: the symbolic meaning of the gesture in different sacrificial contexts must be the same. Now Janowski assumes that the gesture involves not only the identification of the offerer with the sacrificial animal but also substitutionary *death*.[32] This assumption appears natural in that all the sacrificial animals are slaughtered. However the assumption seems slightly speculative and unlikely for two reasons. First, in Lev 1:4 the idea of 'substitution', which could be the symbolic meaning of the imposition of a hand, is unlikely to include that of 'atonement'. Second, נִרְצָה לוֹ in Lev 1:4bα is not directly related to the slaughtering (v.5).[33] Thus Janowski's idea that the imposition of a hand also implies substitutionary *death* reads too much into this gesture, though this is not to say that such a concept may not be

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[29] With Ehrlich, מקרא כפשוטו *ad loc.*

[30] If the agent of לְכַפֵּר is the sacrifice, as we have assumed thus far, then it might be more appropriate to translate כַּפֵּר 'ransom' rather than 'make atonement'. See Ibn Ezra on Lev 1:4; Cazelles, p.22 n.(b); Wenham, pp.59-61.

[31] With Noth, p.22; Kornfeld, p.14 *et al.*

[32] Janowski, *op. cit.*, p.210.

[33] See n.28 above.

expressed by other parts of the sacrificial ritual. And we assume that the symbolic meaning of the imposition of a hand in Lev 1:4 can be applied to other sacrifices in this limited sense of 'substitution'. By placing one hand on the animal, the offerer is indicating that the animal is taking his place in the ritual.

We are now in a position to reassess the issue of 'transference of sin' based on our interpretation of Lev 1:4. For Gese and Janowski[34] the matter is clear; while the imposition of two hands in Lev 16:21 represents 'Objektabladung', the imposition of one hand in Lev 1:4 represents 'Subjektübertragung'.[35] Since we have established our standpoint with regard to the latter we address here the characterisation of Lev 16:21 as 'Objektübertragung'. Two remarks are in order. Firstly, it is true that in Lev 16:21 the guilt (= עוונת) is represented as if it were a substance. However it seems debatable whether only the sinful substance is transferred to the Azazel goat in contrast to the transfer of a person which Janowski sees in Lev 1:4. For when Aaron handles כל עונת בני ישראל it seems possible to assume that he affects the fate of all the Israelites, since the guilt cannot be envisaged separately from the persons who produced it. Secondly, as Aaron's imposition of hands is followed by his confession of sins rather than preceded by it, the imposition of hands by itself is unlikely to have involved an automatic transfer of sins.[36] Thus, although the *purpose* of the imposition of hands is certainly to transfer the guilt of the Israelites to the Azazel goat, the act *itself* does not necessarily symbolize the 'transference of guilt' mentioned in v.21bα. The meaning of the imposition of hands in Lev 16:21 does not seem to be 'transference of sin' as unambiguously as it has been assumed.

For these reasons it seems possible to argue that the imposition of

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[34] Gese, *Zur Biblischen Theologie*, pp.95-96; Janowski, ibid.
[35] For the religio-historical relationship between the two passages cf. Noth, p.22; Elliger, pp.34,37; Janowski, *op. cit.*, p.218 n.181.
[36] Dillmann, p.391. Cp. Hoffmann, p.89; Levine, *EI* vol.9 p.94.

hands in Lev 16:21 also symbolizes the idea of 'substitution' as in Lev 1:4. However, since on this occasion Aaron lays his hands on the goat on behalf of the Israelites, the question remains in what sense the substitution is envisaged.[37]

To summarize: The imposition of a hand in sacrificial contexts may express simply the idea of substitution as can be inferred from Lev 1:4. And this could also apply to the gesture in Lev 16:21. Since, however, the evidence is scanty for the meaning of the gesture, one should not read too much into it about the meaning of the sacrifice. More significant for the חטאת is our assumption inferred independently of the meaning of the imposition of hand(s), that if the sacrifice deals with sin/guilt, this does not affect the holy status of the sacrifice.

B. Blood manipulation in the חטאת ritual

In contrast with other sacrifices the חטאת ritual involves a distinctive manipulation of blood; the blood is sprinkled (הִזָּה) towards/onto the פָּרֹכֶת-veil, the כַּפֹּרֶת and presumably the incense altar, and smeared (נָתַן) on the horns of the altar of burnt offering. The occurrences of the הזה and נתן rites in the context of the חטאת could be shown diagrammatically in anticipation of the subsequent discussion.[38]

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[37] The question will be tackled in the next chapter. Cf. Cazelles, p.81 n. (b).

[38] Thus the הזה - and נתן rites in Exod 29:20ff.; Lev 8:23ff.; 14:14ff. are excluded, while Num 19 is included because the ashes of the heifer is called חטאת (vv.9,17).

הזה + נתן	הזה (the פרכת-veil) Lev 4:6-7, 17-18 ↓ נתן (the incense altar)	נתן (the altar of burnt offering) Lev 16:18-19 ↓ הזה
נתן (alone)	Exod 29:12 (the altar of burnt offering) Lev 4:25,30,34 (") Lev 8:15 (") Lev 9:9 (")	Ezek 43:20 (the altar of burnt offering) Ezek 45:19 (the post of the house, four corners of the settle of the altar, posts of the gate of the inner court)
הזה (alone)	Lev 16:14-15 (the כפרת) Lev 16:16b (the incense altar; implicit in ועשה)	Lev 5:9 (the wall of the altar of burnt offering) Num 8:7 (the Levites) Num 19:4 (towards the Tent) Num 19:18,19,21 (unclean persons)

Although the contexts of the הזה - and נתן rites clearly indicate that those rites symbolize 'purification', the existence of the two modes of blood manipulation raises the obvious question how and why they differ from each other, apart from the practical difference in blood application (sprinkling versus daubing). As will be clear in the course of discussion this question will lead to some typological aspects of the חטאת ritual, which are also highly relevant to the meaning of the disposal of the חטאת, to be discussd in the next section.

Traditionally it appears that the two acts (הזה and נתן) have not generally been differentiated and that more attention has been paid to the daubing (נתן) of blood.[39] Two general assumptions seem to explain this circumstance: one is that the altar represents the divinity and that the blood expiates sin; the other is that in Lev 4 the graver the sin, the further into the tabernacle is the blood brought.

With such situations in view Th. C. Vriezen devoted a comprehensive study to the הזה-rite.[40] According to Vriezen the הזה-rite concerns 'consecration of blood' in preparation for the main act of the נתן rite

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[39] See Eichrodt, *Theology*, I p.163 n.2.
[40] Th. C. Vriezen, *OTS* 7(1950) pp.201-235 Cf. also Snaith, *ET* 82 (1970-71) p.23.

which constitutes the כִּפֶּר - act.[41] Though the view has been accepted by some[42] it has been recently criticised by Janowski as follows: (1) No relevant text (Lev 4:6,17; 5:9; 16:14 [bis],15,19; Num 19:4) implies that God has accepted the sprinkled blood (2) The reverse sequence (the נתן-rite ---> the הזה - rite) is attested in Lev 16:18ff. (see the table above) (3) Any research into the הזה - rite should not be done without referring to the question of the traditio-historical location of the relevant texts and of the cultic-historical problem reflected in them.[43]

It seems that Vriezen's view is disproved by (1) and (2). However it seems right to look at Janowski's view of the texts relevant to the two modes of blood manipulation before we inquire into the matter independently.

According to Janowski[44] the חטאת rituals in Lev 4:1-5:13 are to be classified into two types of blood manipulation; the small blood-rite (Lev 4:25,30,34) which consists of daubing (נתן) the blood on the horns of the altar of burnt offering and pouring (שׁפך) the rest of the blood at the base of the altar, and the great blood-rite (Lev 4:5-7,16-18) which consists of sprinkling (הזה) blood towards the פָּרֹכֶת veil, daubing (נתן) the blood on the horns of the incense altar and pouring (שׁפך) the rest of the blood at the base of the altar of burnt offering. For the following three reasons the small blood-rite should be judged as more original than the great blood-rite from a traditio-historical point of view.[45]

(1) The literarily primary sections of Lev 4:1-5:13, i.e. Lev 4:22-26,27-31,32-35 know only the small blood-rite. (2) The incense

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[41] *Ibid.*
[42] Noth, p.39; Elliger, p.69; Rodriguez, *op. cit.*, p.124; Kornfeld, p.21.
[43] Janowski, *op. cit.*, pp.226-227.
[44] For the following see Janowski, *ibid.*, p.227ff.
[45] *Ibid.*, pp.232-233.

altar appeared only late in the official temple cult, which corresponds to the blood manipulation in Lev 4:6-7,17-18. (3) In Lev 8-10 (Pg), which is source-critically earlier than Lev 1-7, the חטאת ritual (Lev 8:14-17 Pg[1]; Lev 9:8-11 Pg[2]) still takes place in connection with the altar of burnt offering, and does not know the הזה - rite towards the פָּרֹכֶת veil.

Janowski believes[46] that the original 'small blood rite' is also found in pre-priestly texts such as Ezek 43:20; 45:18b,19, the tradition of which Lev 8:15aβ,bβ; Exod 29:36ff.; Lev 16:18 and Exod 30:10 also represent. Characteristic in these texts is the direct connection between the blood rite and the terms כִּפֶּר/חטאא. According to Janowski the original function of the חטאת is found in the above-cited Ezekiel tradition, according to which atonement of the altar and the whole sanctuary is achieved by applying the חטאת blood to the altar of burnt offering.

In addition to this Ezekiel tradition which was taken over by P, there existed in P a different tradition, according to which the חטאת blood atones not for sancta but for Israel, its cultic representatives and individuals.

The historical relationship between the two traditions, i.e. the consecration of sancta on the one hand and the sacrificial atonement for persons (Israel, its cultic representatives and the individuals) on the other is as follows.[47] Originally the small blood-rite was associated exclusively with the consecration of sancta (Ezek 43:20; 45:19) and of Aaron and his sons (Lev 8:15aα), and then secondarily with the cultic atonement for persons (Lev 4:22ff., 27ff.,32ff.). However the two-fold character of the great blood rite (Lev 4:6-7,17-18) for the atonement for the high priest and all Israel indicates a further development in cultic history. This is due to the influence of the הזה - rite in Lev 16:14ff., by which Aaron makes

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[46] *Ibid.*, p.233.
[47] *Ibid.*, pp.234-236.

atonement for himself, his house and all Israel. However because of the unique occasion of the day of Atonement and Aaron's privilege to enter the adytum that day, the author of Lev 4:6,17 changed 'the adytum' into 'the פָּרֹכֶת before the adytum'. So the great blood-rite, which represents a later stage of development in cultic history, shows an intensification compared with the small blood-rite, because in the former the blood is brought as close to God in the adytum as possible.

However noting that the two rites, the הזה and the נתן rites, which appear in atonement for persons, have always to do with sancta, Janowski concludes that conceptually the two traditions, חטאת for atonement of sancta and חטאת for atonement of persons, are not mutually exclusive.[48]

We have already interacted, though partially, with the above outline of the cultic history of blood manipulation. It has been noted that the assumption that the incense altar appeared only late in the official temple cult is unlikely.[49] Also it has been concluded that the reason why the חטאת ritual in Lev 8-9 takes place in connection with the altar of burnt offering is that Aaron enters the tent of meeting for the first time in Lev 9:23 and not that Lev 8-9 did not know the incense altar or the הזה-rite.[50]

Therefore it is dubious whether the חטאת rituals in Lev 8-9 represent a tradition earlier than the tradition in Lev 4, especially in Lev 4:3-21. If the above basic suppositions of Janowski are excluded, the difference between the חטאת ritual in Lev 4 and that in Lev 8-9 can be ascribed to the difference in occasion. Thus it may be argued that the חטאת ritual in Lev 8-9 concerns the priests' installation, while the ritual in Lev 4, presupposing the priesthood, concerns the expiation of particular sins on regular occasions. Our argument is that though the

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[48] *Ibid.*, p.240.
[49] See p.52 above.
[50] See chapter 2 (A).

חטאת rituals in Lev 4 and Lev 8-9 may reflect some developments in cultic history, that history is different from Janowski's.

We thus turn to our independent inquiry into the differences between the two gestures (הזה and נתן) and the symbolic problems related to them.

First of all, some simple possible explanations of the two modes of blood manipulation should be presented. A ready explanation would be that the נתן gesture is general, because it appears frequently in connection with the altar of burnt offering, whereas the הזה gesture is specific or special because it is performed mostly in connection with the inner sancta and is therefore infrequent. However one cannot say how frequently the הזה gestures in Lev 4,16 and Num 19 were performed in ancient Israel.

Or one may argue, that the הזה gesture takes place mostly in the Tent because inner sancta are so dangerously holy that even the high priest cannot have direct physical contact with them, as he does in the נתן gesture. However this can apply to Lev 4 and Lev 16:14-16, but it is not convincing regarding Num 19 and Lev 16:18-19 where both gestures appear in succession.

Having set forth the above general observations we add the following:

(1) The הזה gesture appears in connection with the Tent except in Lev 5:9[51] and Lev 16:19 where the blood is sprinkled to the outer altar, whereas the נתן gesture appears exclusively in connection with the altars.

(2) Lev 16:19 is the only passage in which the blood is said to be sprinkled onto the altar of burnt offering.

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[51] The large majority of commentators assume that the sprinkling of blood on the wall of the altar is necessitated by the practical circumstance that the blood is not sufficient. Rashi *ad loc.*; Dillmann, p.430; Elliger, p.75; Kornfeld, p.25. However even the bird חטאת seems to have sufficient amount of blood to be poured because it reads והנשאר בדם ימצה אל יסוד המזבח (Lev 5:9aβ).

(3) The reverse sequence of הזה - נתן in Lev 4:6-7,17-18 is found in Lev 16:18-19.[52]

These observations seem to call for a closer look at the rituals in Num 19:4; Lev 4:6-7 (17-18); 16:18-19 because what is unclear is the significance of the הזה gesture in its relation to the נתן gesture.

(a) Num 19:4

We have agreed above with Janowski that Vriezen's theory should be rejected. However, when it comes to Num 19:4, scholars including Janowski seem almost unanimous in holding that the sprinkling of blood seven times towards the Tent symbolizes consecration of blood.[53] This view seems to rest on the fact that the blood does not have actual contact with sancta. But this observation does not necessarily imply that the rite symbolizes consecration of blood.[54] Moreover why is there any necessity to consecrate the blood? Is the supervision of the priest (v.3) not sufficient to give the heifer a sacred character? An alternative view that the rite has something to do with the purity of the Tent deserves consideration;[55] for

if the object of the הזה gesture is purified (see vv.18,19), it appears reasonable to infer that in v.4 too the sprinkling of blood is somehow related to the purification of the Tent. Now the facts that the blood of the heifer is necessary for preparing the ashes, and that the ashes are destined for the purification water (vv.17-18), suggest that the heifer is supposed to purify the Israelites from the contamination caused by death. According to vv.13,20 this death contamination affects the purity of the Tent when the purification rules are not observed. Indeed this implies that uncleanness from corpses does not itself affect the Tent as long as the purification rules are observed.[56] But if nothing is done, the defilement

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[52] This is not to say that the order in Lev 4:6-7 was reversed in Lev 16:18-19. As will be discussed below the section comparable to Lev 4:6-7,17-18 is Lev 16:14-16 and not Lev 16:18-19.   [53] See Janowski, *op. cit.*, p.227 n.211.

[54] See Gispen, p.306. Cf. Rodriguez, *op. cit.*, p.124.

[55] As far as I know, no exegete seems to have suggested it.

[56] Cp. Lev 15:31, and our discussion in chapter 2 D.

(vv.13b,20b) affects the Tent, so the purification from corpse contamination, which the red heifer accomplishes, can be viewed as an indirect way of purifying the Tent. And indeed sprinkling of blood *towards* the Tent suggests this is the nature of the purification effected.

(b) Lev 4:6-7,17-18[57]

Lev 4:6-7 prescribes that when the anointed priest sins he should first sprinkle the blood seven times before the Lord towards/onto the פָּרֹכֶת veil of the adytum and then daub the horns of the incense altar with some of the blood. The prescription itself suggests nothing about the significance of the two modes of blood manipulation. However one wonders why the blood should be sprinkled towards/onto the פָּרֹכֶת veil.

A common answer has been that the blood ought to be brought in to that point because of the seriousness of the sin of the anointed priest.[58] Though widespread this view seems to require reconsideration. For in view of the similar formulation in Lev 4:2-3a,13,22,27 theoretically even the *same* sin can be envisaged for all the cases. This means that the notion of 'degrees of sin' is not the leading factor determining the modes of rituals. It is rather the cultic status of sinners that determines the ritual mode. Even if one argues that the same sin can have graver *consequences* when the sinner is the anointed priest, the situation remains the same; it all hinges on the cultic status of a sinner. In other words the common view has obscured what the determinant of the ritual in Lev 4 is. We thus argue that the sprinkling of blood towards/onto the פָּרֹכֶת-veil is necessitated by the fact that the sinner is the anointed priest or the whole congregation, rather than just by the fact that the consequence of sin, i.e. uncleanness, reaches there.

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[57] Cp. Rendtorff, *op. cit.*, pp.218-219; Rodriguez, *op. cit.*, p.127ff.
[58] For instance, Elliger, p.69; Milgrom, *Cultic Theology*, p.78ff.

But more importantly, according to Milgrom who understands אֵת פְּנֵי פָרֹכֶת הַקֹּדֶשׁ 'before the פרכת-veil', the הַזֶּה gesture here implies defilement of *the shrine*.[59] But this interpretation seems to be wrong for several reasons.

Firstly, the phrase אֵת פְּנֵי פָרֹכֶת הַקֹּדֶשׁ, particularly the term הַקֹּדֶשׁ, appears to refer to the adytum. Indeed though the הַזֶּה rite is to be performed before the פָּרֹכֶת-veil, the term הַקֹּדֶשׁ appears to relate the rite to the adytum. That special emphasis is placed on 'הַקֹּדֶשׁ' is evident in view of the fact that in other mentions of the פָּרֹכֶת-veil the term הַקֹּדֶשׁ never appears (cp. Exod 26:31,33,35; 27:21; 30:6; 35:12; 36:35; 38:27; 40:3,21,22,26; Lev 4:17; 16:12,15; 21:23; 24:3; Num 4:5; 18:7) except in Lev 16:2, though the veil is self-evidently assumed to separate the shrine from the adytum.

Secondly, that the פָּרֹכֶת-veil cannot be separated functionally from the כַּפֹּרֶת is clear from the fact that it is patterned with the cherubim (Exod 26:31; 36:35). We agree with Haran that the veil "serves as a kind of projection and 'shadow' of the kapporet behind it."[60]

Thirdly, the phrase אֵת פְּנֵי also deserves attention.[61] In connection with the הַזֶּה rite the phrase appears only in Lev 4:6,17. Although it can mean 'before' in the light of Gen 19:13,27; 33:18; 1Sam 2:17, it may well have the specific connotation of '*vis-à-vis*' because the meaning 'before' can be conveyed by לִפְנֵי, and there actually exists the phrase הִזָּה לִפְנֵי (Lev 14:16,27; 16:14,15). Whether the blood is actually to make contact with the פָּרֹכֶת-veil is difficult to decide. But since הַזֶּה is frequently

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[59] Ibid.

[60] Haran, *Temples*, p.161 Cp. 'פָּרֹכֶת הָעֵדוּת' in Lev 24:3.

[61] 'Before' - Gispen, p.73; 'in the direction of' - Harrison, p.61; Noordtzij, p.57; Porter, p.38; 'against' - Kurtz, *op. cit.*, p.215; Kornfeld, p.21. Cf. S. Izre'el, "'el = 'to, towards' in Biblical Hebrew" *Shnaton* III (1978) pp.204-212 esp. 211-212.

followed by עַל (Exod 29:21; Lev 8:11,30; 14:7; 16:15,19; 5:9; Num 8:7;19:18,19), אֶל (Lev 14:51) or עַל פְּנֵי (Lev 16:14) and apparently contact is assumed to be made, the rare phrase אֶת פְּנֵי may not imply contact but only the direction in which the blood ought to be sprinkled (cp. Num 19:4). At any rate it is undeniable that the phrase refers to the direction where the adytum is located.

On this passage Lev 4:6 Kurtz observed:

> The sprinkling seven times, whether against or in front of the curtain, had reference not to the curtain itself, which was not an instrument of expiation, but to the Capporet behind it, which was thus to be sprinkled not directly but indirectly.[62]

Indeed as Kurtz observed, what is really needed here is purification of the adytum such as is set forth in Lev 16:14ff. That the anointed priest cannot enter the adytum in Lev 4:6,17 because the day of Atonement is the only occasion on which he can enter there, has been recognized also by scholars such as K. Koch and B. Janowski, who explain the relationship between Lev 4:3-21 and Lev 16:14ff. by assuming some editorial work or historical development.[63]

So if we are asking which part of the sanctuary is being cleansed from uncleanness, it follows that, contrary to Milgrom's assumption, it is the adytum, not the shrine, that is assumed to be defiled by the sin of the anointed priest or the whole congregation. Thus the circumstance that the adytum is defiled but that it is not directly cleansed, gives the impression that the two rituals in Lev 4:3-21 are somehow incomplete. However what does the 'incomplete' ritual mean?

In support of the incomplete character of the הזה-gesture in Lev 4:6,17 another fact can be adduced: that in the ritual for the sin of the anointed priest the stereotyped formula, וְנִסְלַח-כִּפֶּר, does not appear,

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[62] Kurtz, op. cit., p.216. The notion of 'direct-indirect' purification is also adopted by Kornfeld (p.63).   [63] Koch, Priesterschrift, p.56; Janowski, op. cit., p.235.

whereas it does in the ritual for the sin of the congregation (Lev 4:20b). Indeed this negative evidence has been variously construed. Ramban inferred from this that the anointed priest was not forgiven.[64] If the omission of the formula is intentional, this view may well be correct.[65] But one would naturally ask what then the הזה - and the נתן gestures are for. Contrary to Ramban Abarbanel saw the formula for the anointed priest in v.20.[66] But it is forced to include the anointed priest in להם and עליהם in v.20b. The section of v.13ff., though it refers to vv.3-12 from the viewpoint of ritual procedure (see v.20a), deals with a different case and should not be confounded with the section of vv.3-12.

Recently M. Noth has commented:

> ...the complete dependence of the second section on the first suggests that the final sentence once stood at the end of the first section, and in the end disappeared from it only by mistake.[67]

However two facts, the systematic appearance of the formula and the independence of the first section from the second, will justify the search for a reason why the formula is missing in the first section.

One of the clues to the question seems to lie in the phrase לאשמת העם in Lev 4:3, which could mean 'causing guilt to the people'.[68] Needless to say, by his sin both the anointed priest and the whole people become guilty, and not just the whole people. The phrase could indicate, therefore, that the anointed priest never commits a sin without making the people guilty.[69] Conversely this suggests that atonement for the anointed priest is never made without it being accompanied by the atonement of the people. This assumption is confirmed by Lev 9:7 and Lev 16:14-17 in

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[64] ad loc.

[65] If not נִסְלַח, כֻּפַּר should be expected.

[66] ad loc.

[67] Noth, p.41.

[68] See Ehrlich, Randglossen, ad loc.

[69] With Hoffmann, p.125; Gispen, p.71ff.; Wenham, p.97.

which atonement is made for both Aaron and the whole people. But although the assumption is right in itself, it fails to explain the second case in Lev 4, in which כִּפֶּר - וְנִסְלַח appears.

In our view the rationale of the earlier omission of כִּפֶּר - נִסְלַח may be sought in the very concept of the term כִּפֶּר, for as argued above, it includes both the bearing of guilt as well as the cleansing of sancta. Now although purification of sancta might have been done in the first (Lev 4:3-12) and second (Lev 4:13-21) sections, there may well be a difference between the two occasions as far as 'the bearing of guilt' is concerned, in that in the second the anointed priest can bear the guilt of the congregation, whereas in the first there is no agent who can bear substitutionarily the guilt of the anointed priest and the whole people, since the anointed priest himself is guilty.

However it may be objected that Aaron makes atonement for himself in Lev 9:7 and Lev 16:6,11,17, and that therefore the principle that the guilty cannot bear his own guilt is not always valid. But this view is superficial.

Firstly, we have argued that the חטאת ritual in Lev 9 is different in nature from that in Lev 4, because the former deals with general, and not particular, sinfulness in the context of dedication, whereas Lev 4 deals with the expiation of particular sins.[70] Rather Lev 4 is similar to Lev 10 in that both concern particular sins; the former the sin of the anointed priest, the latter the sin of Aaron's sons.[71] Furthermore it has been argued that in Lev 10 the situation envisaged is that Aaron cannot bear the guilt of his house because of the death of Nadab and Abihu. Thus it may be inferred that Aaron cannot bear the guilt of particular sins committed either by himself or by his family members.

Secondly, atonement is indeed made for Aaron and the whole people in Lev 16. But on this occasion there exists an agent for bearing the guilt,

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[70] See chapter 2 A.   [71] See chapter 3 A.

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the Azazel goat. Certainly it is unclear at this stage how the atonement of sancta is related to the Azazel-goat ritual. However, if, as hinted in Ch. 3, it is possible to assume that the problem posed in Lev 10:16ff. (i.e. atonement of Aaron's family) is resolved in Lev 16, the principle that the guilty cannot bear his own guilt seems to be valid in Lev 10 and Lev 16. In other words, we are suggesting that both Lev 10 and Lev 4:3-12 assume each in its own way the Azazel-goat ritual, by which the guilt of all Israel is to be removed from the sanctuary.

What then does the blood manipulation in Lev 4:6-7 achieve? On the principle discussed above the blood manipulation cannot remove the guilt imposed on the people as well as that of the anointed priest. Nevertheless it could be assumed that the adytum and the incense altar are partially purified by the blood manipulation. That sancta are purified but people are not atoned for (כִּפֶּר - ed) is not as strange an idea as it appears at first sight. Various rituals make it clear that there is a stage between purification and atonement (Exod 29:4 versus v.10; Lev 14:5-20,49-53; Num 8:6-7 versus v.12 and v.21; Num 31:19-24 versus vv.49-50). The major difference between the case of Lev 4:3-12 and the cases cited is that in the former the purification - atonement spans two different occasions (Lev 4:3-12 + Lev 16:14ff.), whereas in the latter it takes place on a single occasion.

Recapitulating: The two rituals in Lev 4:6-7,17-18 relate the הזה gesture to the purification of the adytum, assuming the ritual in Lev 16:14ff. The reason for the omission of כִּפֶּר in Lev 4:3-12 is that Aaron cannot bear his own guilt.

(c) Lev 16:18-19

As noted above, along with Lev 5:9 this passage provides a rare case in which the blood is sprinkled to the outer altar.

Before considering the purification rite in this section, however, it

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seems appropriate to address the question which altar is referred to in v.18. The implausibility of the view advocated by traditional Jewish exegetes that הַמִּזְבֵּחַ in v.18 refers to the incense altar[72] is indicated by two points.[73] First, v.20 (v.33) shows that the atonement has been made in three stages, that of the adytum , the shrine and the altar. This means that the ritual envisaged in v.16b cannot be identified with the ritual in vv.18-19. Second, v.16b, which reads "and so shall he do...", excludes the possibilty of הַמִּזְבֵּחַ in v.18 being the incense altar. For, since sancta in the shrine (אהל מועד) differ from those in the adytum, by וְכֵן in v.16b the author must mean that the mode of blood manipulation is the same as that in vv. 14-15, which is clearly different from the blood manipulation in vv.18b-19. Thus it is assumed in v.16b that just as Aaron atones for the entire room of the adytum by sanctifying the כַּפֹּרֶת, he also atones for the entire room of the shrine by sprinkling the blood once onto the incense altar and seven times in front of it.[74]

The blood manipulation in vv. 18b-19 consists of the נתן gesture (v.18b) and then the הזה gesture in contrast with the reversed sequence of gestures in Lev 4:6-7,17-18. Further the effect of the blood manipulation is designated טִהֲרוֹ וְקִדְּשׁוֹ. Yet it seems artificial to construe טִהַר as referring to the נתן gesture and קִדֵּשׁ as referring to the הזה gesture. Equally artificial seems the proposal to make מִטֻּמְאֹת בְּנֵי יִשְׂרָאֵל belong only to טִהֲרוֹ.[75] Both gestures together could be taken to "cleanse and sanctify" the altar. It should be noted that vv.18bβ-19 show close linguistic affinity with Lev 8:15; (1) In both the phrase עַל קַרְנוֹת הַמִּזְבֵּחַ סָבִיב appears along with the verb נתן, but nowhere else in the whole

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[72] See Hoffmann, p.309.
[73] See Kurtz, op. cit., pp.392-393; Landersdorfer, Versöhnungstag, p.30ff.
[74] Thus the widespread view that the incense altar is unknown in Lev 16 is unlikely.
[75] So Baentsch, p.385; Orlinsky,Notes, ad loc.

cultic law, let alone in the חטאת context. (2) The altar of burnt offering is said to become 'sanctified' (קָדֵשׁ) only in Lev 8:15 (Exod 29:37) and Lev 16:19. Given this literary relationship it may be inferred that the ritual in Lev 16:18-19 aims at rededicating the altar of burnt offering.

Another important aspect of the blood manipulation in vv.18b-19 is given by the explicit instruction וְלָקַח מִדַּם הַפָּר וּמִדַּם הַשָּׂעִיר, viz. that the blood should come from that of the bull and the goat which has been already used in the purification of the adytum and the shrine. Thus it could be assumed in general that "using the blood of both animals symbolized the fact that the altar had to be cleansed from the defilement of priests and people".[76] The fact that the atonement of the outer altar follows that of the adytum and the shrine suggests strongly that the former is contingent upon the latter. More specifically, since the adytum is sanctified by the sprinkling of blood on and before the כַּפֹּרֶת, the sanctification of the outer altar is even contingent upon that of the כַּפֹּרֶת. In other words, the blood manipulation regarding the outer altar cannot be effective on this occasion, if it is not preceded by the sanctification of the כַּפֹּרֶת. This rationale may explain the single occurrence of the הזה gesture in connection with the outer altar; the outer altar which has been defiled has to be restored to its original sanctity; however, that can be achieved only by the הזה gesture which sanctified the כַּפֹּרֶת and is never performed on other occasions.

With the above exposition of Lev 16:18-19 we seem to be in a better position to see the relationship between Lev 4:6-7,17-18 and Lev 16:14ff. and to draw some inference with regard to the הזה - and נתן gestures.

It has been argued that the sprinkling of blood towards the פָּרֹכֶת-veil in Lev 4:6,17 presupposes defilement of the adytum and not the shrine

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[76] Wenham, p.232.

because אֶת פְּנֵי פָּרֹבֶת הַקֹּדֶשׁ alludes to the adytum. However is it adequate to characterise these rituals in Lev 4 as 'incomplete', as we have done? In view of our contention that the adytum is purified, though indirectly, by the הזה gesture in Lev 4, it would be inadequate to assume that the incomplete rituals in Lev 4:3-21 are completed or supplemented in Lev 16:14ff. The most plausible explanation of the relationship between the two sections is that the הזה gestures in Lev 4:6,17 *foreshadow* the הזה gesture in Lev 16:14-15, expressing the need for the full rite there. Therefore the apparent incompleteness of the rituals in Lev 4:6-7,17-18 should not be taken as if nothing substantial was achieved; the rituals are incomplete in the sense that they foreshadow fuller ones.

As regards the הזה - and נתן gestures, we conclude that both gestures symbolize purification of sancta. Yet we may point out two differences: (1) The הזה gesture is undoubtedly associated with the purification of the Tent (Num 19:4; Lev 4:6,17; 16:14,15,16b), while the נתן gesture with the altars. (2) The incense altar is purified by the נתן gesture in Lev 4:7(18), but by the הזה gesture in Lev 16:16b (assumed); while only in Lev 16:18b-19 is the purification of the outer altar associated with the הזה gesture. These data suggest that the הזה gesture is a form of blood manipulation, more potent that the נתן gesture.

C. Disposal of the חטאת flesh

Having discussed the blood manipulation we now examine another distinctive component of the חטאת ritual.

The חטאת ritual in various contexts is connected, explicitly or implicitly, with the two modes of the disposal of the חטאת flesh, eating of it by priests and burning of it outside the camp. Directions to the priests

concerning the disposal of the חטאת flesh are given in Lev 6:17-23. As already noted, the fact that the burning of the חטאת is always mentioned explicitly in the ceremony (Exod 29:14; Lev 4:11-12,21; 8:17; 9:11; 16:27) but the priestly consumption of it is not (e.g. Lev 4:26,31,35), gives the impression that the burning of the חטאת constitutes part of the חטאת ritual, whereas the priestly consumption does not.[77] And again, as will become clear, Lev 10:16-20 presents an episode significant for the relationship between the two modes of the disposal of the חטאת.

The two modes of the disposal of the חטאת become, however, slightly complicated when they are seen in connection with their corresponding modes of blood manipulation. Seen from this angle three types of חטאת ritual emerge:

(A) The application of blood to the outer altar + the burning of the flesh outside the camp (Exod 9:14; Lev 8:17; 9:11)
(B) The application of blood to the outer altar + [priestly consumption of the flesh] (Lev 4:25,30,34 et al.; Lev 6:17-22)
(C) The bringing of blood into the inner sancta + the burning of the flesh outside the camp (Lev 4:5-12, 16-21; 16:14ff.,27; Lev 6:23)

As this classification shows, the directions in Lev 6:17-23 correspond to types (B) and (C) but do not match type (A) presumably because they assume the completion of the installation of priests, hence regular occasions.

In the following discussion we shall address three major questions: (1) How are the above three types of ritual related to each other? (2) What does 'burning the חטאת' symbolize? (3) Is the חטאת flesh unclean? These questions will be discussed under the following heads: (a) Two approaches to the symbolism of the חטאת flesh (b) Symbolic meaning of

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[77] As will be shown our approach does not follow Janowski's. See *idem, op. cit.*, p.237.

the disposal of the חטאת flesh (c) Contagiousness of the חטאת.

(a) Two approaches to the symbolism of the חטאת flesh

The approaches of Janowski and Milgrom are quite different. B. Janowski adopts the traditio-historical method based on a particular literary analysis, while J. Milgrom, assuming by and large the homogeneity of the relevant texts, has recourse to the notion of uncleanness. We shall delineate each standpoint below with a view to focusing on crucial problems.

Drawing heavily on the literary analysis of Elliger, Janowski[78] starts, as in the case of blood manipulation, from the assumption that the rituals in Lev 4:5-7,16-18 are secondary to those in Lev 4:22ff. He contends that the rite of burning the חטאת in Lev 4 is not original on the ground that in all the texts except Lev 4:3-12,13-21 the rite belongs to the ritual associated with the altar of burnt offering (Ezek 43:19-21; Lev 8:14-17; 9:8-11), which is more original. Further, assuming that in the ceremonies in Lev 4:22ff. the *burning* of the חטאת-flesh is missing, Janowski asserts that the rule in Lev 6:17-23 about the disposal of the חטאת flesh emerged only after the development of the tradition concerning the remaining part of other sacrifices, particularly the אשם. As for Lev 10:16-20 Janowski accepts Elliger's view that the section, presupposing Lev 6:17-23 and Lev 4:3ff., attempts to adjust the differences in the disposal of the חטאת flesh between Lev 6:17ff. and Lev 9:15.

What has been pointed out above regarding Janowski's view of the blood manipulation applies to his view of the disposal of the חטאת flesh.[79] It is unwarranted to assume that the rituals in Lev 4:3-21 are secondary to those in Lev 4:22ff.. Here two additional counterarguments

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[78] *Ibid.*, pp.236-238.   [79] See B above.

may be added. (1) The assumption that in Lev 4:22ff. the burning of the חטאת flesh is missing is one-sided and unnecessary. The omission of directions how the חטאת flesh should be disposed of can be explained partly by our postulate that the priestly consumption of the חטאת is not part of the ritual, and partly by Lev 6:17-23 itself. (2) As will be shown below, it is true that Lev 10:16-20 presupposes Lev 6:17-23 and even Lev 4:3ff. However it is unnecessary to assume differences in ritual procedure between Lev 6:17ff. and Lev 9:15. The latter text refers to the blood manipulation alone and does not say that the congregation's חטאת should also be burned outside the camp.[80]

Thus we cannot support Janowski's reconstruction of the cultic history. Moreover in that delineation of the cultic history little attention seems to be paid to the symbolic meaning of the two modes of the disposal of the חטאת, on which Milgrom has much to say.

For Milgrom,[81] the חטאת to be eaten is "the largess granted the priest for assuming the burden...of purging the sanctuary".[82] By contrast, he argues, the burnt חטאת represents degrees of uncleanness higher than the eaten חטאת, which explains the contagiousness of the former (e.g. Lev 16:23-24,27-28).[83]

Milgrom thus wrote:

> The eaten חטאת purges the outer altar...At this lowest level, the impurity is not transferrable to the חטאת, hence, it is eaten by the priests for their services. The burnt חטאת, however, represents higher degrees of impurity caused by inadvertence of the high priest and community, and at its worst, by presumptuous sins. The impurity is powerful enough to penetrate into the shrine and adytum and is dangerously contagious.[84]

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[80] *Contra* Elliger, p.135.   [81] *Op. cit.*, p.70ff.   [82] *Ibid.*, p.70.   [83] *Ibid.*, p.73.
[84] *Ibid.* That the burnt חטאת represents a higher degree of holiness is also assumed by Noordtzij, p.80.

Therefore the חטאת is burned in the latter case. However, the theory, particularly the idea of 'degrees of uncleanness', hardly suits the burnt חטאת in Lev 8-9 where no particular or serious sin is envisaged. In other words Milgrom's theory fails to do justice to the חטאת of ritual type (A).

Thus the relationship of the three ritual types (A), (B) and (C) does not seem to have been explained satisfactorily either by Janowski or by Milgrom. Nor does Milgrom offer a convincing rationale of the disposal of the חטאת. It is unlikely that the two modes of disposal of the חטאת are conditioned by degrees of uncleanness the חטאת deals with.

Now it may be observed that whether the blood is brought into the inner sancta (the shrine or the adytum) or not, is conditioned by the nature of the occasion; when atonement is made for priests, the blood is brought into the adytum in Lev 16:14 but not in Lev 9:8ff.. The same holds true for the congregation (cp. Lev 16:15 with Lev 9:7). Can the same apply to the disposal of the חטאת flesh? The disposal of חטאת flesh appears to show a rationale different from that of blood manipulation; for instance, both in Lev 9:11 and Lev 16:27 the חטאת ritual includes the burning of the חטאת, and both in Lev 4:22ff. (assumed) and Lev 9:15 (10:16ff.) the priests are to eat the חטאת flesh. Thus some rationale, which is independent of the nature of the occasion, seems to be at work. So we shall attempt below to determine the symbolic meanings of the eating and burning of the חטאת and their rationale.

(b) Symbolic meaning of the disposal of the חטאת flesh

Of the two modes of disposal of חטאת flesh the meaning of the priestly consumption of the חטאת flesh has been discussed in connection with Lev 10:17.[85] It has been argued that it is the privilege and duty of the

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[85] Chapter 2 (B).

priests to eat it, but that eating does not belong to the atoning process. The section Lev 10:16-20 also seems to assume that the eaten חטאת is offered with the burnt חטאת (see vv.17-18).[86] Thus it seems possible to approach synchronically the symbolic meanings of eating and burning the חטאת.

As for the burning of the חטאת there are two major questions to be addressed here, which may be essentially one: the symbolic meaning of the act and its rationale.

It is certainly difficult to determine the meaning of the act because no cultic text explicitly explains it. However there are a few ideas which have been suggested by commentators.[87] First, burning can be taken as the means of preventing profanation of the חטאת flesh.[88] The difficulty with this view, however, arises from the consideration that if that were the case, profanation could have been prevented by eating the חטאת. Second, for the same reason it seems inadequate to regard the חטאת flesh as a useless part of a sacrificial animal, if it is holy or sacred.[89] Third, as the חטאת is purificatory, it can be assumed that its flesh, which becomes unclean, must be eliminated by burning it.[90] However though it may be true that the חטאת flesh is the source of defilement outside the camp, it is debatable whether it becomes unclean with the commencement of blood manipulation.[91] In our opinion, each of the above three explanations is

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[86] We use the terms 'the eaten חטאת' and 'the burnt חטאת' only for convenience sake. However one should not be misled to assume that the distinction is invariable; there are two kinds of חטאת *from the viewpoint* of the disposal of the חטאת flesh.

[87] Commentators have hardly been systematic on this matter.

[88] See Dillmann, p.422 Cp. Rodriguez, *op. cit.*, p.218 n.1.

[89] Cf. Rodriguez, *ibid.*; Wenham, p.158.

[90] Keil, p.307; Noordtzij, p.59; Gispen, p.77; Snaith, p.44; Levine, *Presence*, p.105. Milgrom, *op. cit.*, pp.73,87; D.P. Wright, *Disposal*, p.128ff. "The blood becomes impure because of its use in stripping away these impurities. Since the blood is used pars pro toto for the entire animal, the carcass by extension becomes likewise infected with these impurities." (*ibid.*, pp.128-129).

[91] See the discussion below.

possible in itself, but none of them can explain why burning is required instead of eating. Thus it seems necessary to consider this question before discussing the symbolic meaning of the burning of the חטאת. We again take Lev 10:17 as a starting point.

First of all, as argued above, Lev 10:17 gives the theological explanation of the people's חטאת; for v.17b means, "and it (the חטאת) had been given to you to bear the guilt of the congregation, thus making atonement for them before the Lord". However it would be unnatural to assume that only in the case of the eaten חטאת do the priests bear the guilt of the congregation, whereas the idea of bearing guilt is extraneous to the burnt חטאת. Rather it is reasonable to assume that as long as the eaten and the burnt חטאת concern expiation of sin (sinfulness), both of them are equally related to uncleanness and guilt.[92] In the case of the eaten חטאת it is priests who bear the guilt. The question is: who or what bears the guilt in the case of the burnt חטאת? There are two possibilities: either Aaron, who is the agent of atonement (e.g. Lev 9:7), or the חטאת flesh itself. Since in Lev 9:7 Aaron is the agent of atonement for himself as well as for the people, there is no reason to deny that Aaron bears the guilt in the case of the burnt חטאת as well. This is also the corollary of our thesis that כִּפֶּר includes in it the concept of 'bearing guilt'. But why, then, does Aaron burn the חטאת in Lev 9:11 instead of eating it? The reason can be sought in the circumstance that the bearing of guilt is a substitutionary or mediatory act in the eaten and the burnt חטאת. So in the eaten חטאת

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[92] In connection with the חטאת for the priestly consecration (Exod 29:14; Lev 8:17) and the eighth-day service (Lev 9:11) Milgrom has postulated that "priests are not to eat their own expiatory sacrifices" (*op. cit.*, p.74). In our opinion, this rationale is correct and should be applied to the burning of the חטאת in other contexts, though it is not specific enough. The same rationale is anticipated by Dillmann (p.422).

priests are entitled to eat the חטאת because they are the agent, and not the beneficiary, of atonement. But when Aaron himself is both the agent and the beneficiary of the atonement, there is some element of self-contradiction, or imperfection in the fact that Aaron bears the guilt of his own (including the guilt in his capacity as the high priest). There must be some agent for disposing of the guilt Aaron bears, other than Aaron himself. Since there is no cultic representative higher than Aaron, it may be inferred that the burning of the חטאת is related to the notion of 'removal of guilt'.

Lev 16:26-28 provides a significant datum for the symbolic meaning of the burning of the חטאת. It is remarkable that in v.28 and v.26 the person who burned the חטאת flesh outside the camp and the one who handled the Azazel goat are assumed to be unclean, and that the injunction to undergo purificatory rites is formulated in both verses in exactly the same words:[93]

יכבס בגדיו ורחץ בשרו במים ואחרי כן יבא אל המחנה

This latter fact appears to suggest that the author intended to bring the symbolic meaning of the burning of the חטאת to bear on what the Azazel goat does, i.e. bearing and removing the guilt.[94] Then it is highly likely that the burning of חטאת symbolizes the removal of guilt, as suggested above.

We now conclude provisionally: The priestly consumption of the חטאת signifies that priests have substitutionarily borne the guilt of the people, though the act of eating does not form part of the atoning process. The burning of the חטאת outside the camp probably symbolizes 'removal

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[93] Noted by Lyonnet-Sabourin, *Sin*, p.183 n.4; M. Löhr, *Das Ritual von Lev 16*, p.4.
[94] So Lyonnet-Sabourin, ibid.

of guilt'. Though constituting part of a ceremony, this act does not belong to the atoning process, either. The rite is grounded upon the rationale that Aaron (or the high priest) cannot bear his own guilt substitutionarily.

(c) Contagiousness of the חטאת

Our suggestions about the rationale for eating and burning receive further support from a consideration of the contagiousness of the חטאת.

Whether sin/uncleanness is transferred to the sacrifice has already been partially discussed in connection with the imposition of hand(s).[95] Although it was argued that in sacrificial contexts the idea of 'transference of sin/uncleanness' is dispensable, there are some problems which remain to be resolved. As noted above, Lev 16:28 prescribes washing of clothes and ablution of the person who burns the חטאת flesh outside the camp. Moreover the ashes of the red heifer, which constitute a חטאת (Num 19:9), also defile outside the camp those persons who have contact with the חטאת. Can these instances justify the supposition that the חטאת flesh is unclean? It thus seems necessary to inquire exegetically into the 'contagiousness' of the חטאת flesh, which is discussed in Lev 6:17-23; 16:21-22,23-24,28; Num 19.

(1) Lev 6:17-23

The section as a whole deals with the priestly dues regarding the חטאת flesh and in vv.20-21 makes some reference to the contagiousness of the חטאת flesh and blood.

Some commentators[96] have taken these verses as a whole to refer to *holiness* contagion, though apparently without being much aware of the opposite view. This view seems to be clearly supported by two points that the חטאת flesh is stated to convey *holiness* (v.20a), and that the splashed blood ought to be washed off in a *holy* place (v.20b).

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[95] Above (A).
[96] Heinisch, p.37; Porter, p.51; Kornfeld, p.30; Snaith, p.57.

However on the assumption that the חטאת blood absorbs uncleanness Milgrom assumes that though v.20a refers to *holiness* contagion v.20b and v.21 refer to *uncleanness* contagion.[97] This view seems to present a grave difficulty because it assumes the coexistence of holiness and uncleanness in the same חטאת, which is termed קדש קדשים. Furthermore the mention of 'a holy place' in v.20b suggests that the blood is nothing but holy.

However, Hoffmann takes the two verses differently from the above two views. According to him[98] v.20a indeed refers to *holiness* contagion but v.20b refers to *uncleanness* contagion, whereas v.21 is the continuation of v.20a, dealing with the חטאת flesh (note the root בשל). Hoffmann gives two reasons for taking v.20b as referring to *uncleanness* contagion: (1) Between v.20a and v.20b there exists such contrasts as יזה/יגע and מדמה/בבשרה. (2) The term חכבס suggests that cleansing from uncleanness is referred to. These reasons are, however, not compelling. It is true that the topic dealt with in each half verse differs: v.20a the flesh and v.20b the blood. But different topics do not necessarily mean different rules. It is also true that כבס appears in the context of purification from uncleanness (see e.g. Lev 11:35). However the prescription that only the splashed part of the clothes must be washed (אשר יזה עליה) suggests that what is washed off is not uncleanness but holiness. For if it were uncleanness, this law might well have prescribed that all the clothes ought to be washed.[99]

Therefore we infer that the eaten חטאת, both its flesh and blood, is קדש קדשים and conveys *holiness*, probably only to inanimate objects[100]

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[97] *Op. cit.*, p.87 followed by D.P. Wright, *op. cit.*, p.143ff.; *idem, VT* 35(1985) p.216 n.9. [98] Hoffmann, p.168.
[99] Nevertheless Hoffmann is surely right in seeing v.21 as the continuation of v.20a, and v.20b as parenthetic. This observation leads to a chiastic structure of vv.18b-22.
[100] See Milgrom, *SVT* 32(1981) p.278ff.

within the sanctuary.

(2) Lev 16:21ff.

Questions of uncleanness contagion are also raised by the Azazel-goat ritual.

It has been commonly assumed that by Aaron's imposition of hands the sins of the people materially transfer to the Azazel-goat, that the Azazel-goat becomes unclean accordingly, and that the person who sends out the Azazel-goat also becomes unclean.[101] The last two assumptions are problematic.

The fact that Aaron performs ablution and changes his garments (v.24) does not seem to indicate that he becomes unclean.[102] The rite corresponds to the one in v.4 and expresses the idea that even Aaron is unworthy to enter the holy of holies. That this change of clothing is not a mere formality is known by Exod 30:17-21, which says that the failure to wash hands and feet may lead to death. Yet as far as Lev 16:24 is concerned, it appears to express something more than Aaron's unworthiness in front of the holy of holies. V.24 specifies that Aaron must wash his body in a holy place (בְּמָקוֹם קָדוֹשׁ). Along with Aaron's leaving his garments in the shrine (v.23) this ablution does seem to express the idea that he washes off the high degree of holiness that has been contracted in the holy of holies (cf. Exod 29:37; 30:29).[103] At any rate it is unlikely that the rites in vv.23-24 are required of Aaron because of uncleanness caused by handling the Azazel goat.

Despite the above arguments, the fact that the handlers of the Azazel-goat and the חַטָּאת flesh need to wash their clothes and undergo ablution (vv.26,28) appears to disprove the assumption that the

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[101] Sabourin, *Sciences ecclésiastiques* 18(1966) p.37; Lyonnet-Sabourin, *Sin*, p.182; Cazelles, pp.82 n.(a),81 n.(e); Benzinger, *op. cit.*, p.371; Levine, *EI* vol.9 p.94.
[102] Cp. Matthes, *ZAW* 23(1903) p.113.
[103] With Porter, p.131; Baentsch, pp.385-386.

Azazel-goat and the חטאת flesh are not unclean. What is clear is that the handlers of the Azazel goat and the חטאת flesh become unclean. But it is not clear why or how they do so.

(3) Num 19

The idea that the instrument of purification defiles those who have contact with it finds a close parallel in Num 19 where all those concerned in preparing and employing the purification water become unclean. Most significantly this ritual too takes place outside the camp as in Lev 16:26,28.

The chapter deals with various rites concerning מֵי נִדָּה designed to purify persons and things defiled by corpses.[104] The peculiarity of the ritual lies in the fact that though the term חטאת appears (vv.9,17), the whole ritual differs radically from that of the usual חטאת ritual. A red heifer, instead of being slaughtered on the altar, is slaughtered outside the camp. And though the sprinkling of blood towards the shrine is prescribed, the whole heifer along with its remaining blood is burnt up. Furthermore it is the ashes of the red heifer that are needed for making the purification water.

The most difficult question to answer is why all those involved in preparing the ashes and sprinkling the purification water become unclean, whereas they need to be clean before those acts. Various suggestions have been offered to solve this paradox of the red heifer, though some of them have already been presented above in connection with the usual burnt-חטאת.

Firstly, there is a simple assumption that since the animal is unclean, it

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[104] For the following refer to Milgrom, *op. cit.*, p.85ff.

contaminates everything it has contact with.[105] However this explanation, if not unlikely, does not appear to be consonant with the 'unblemishedness' of the heifer (v.2), and the ashes being collected in a clean place (v.9a) by a clean person (v.9a) and being handled by clean persons (vv.18,19). A similar line of explanation can be found in the attempt to compare the slain red heifer to a carcass (נבלה, cf. Lev 11:39ff.). It too fails to explain the above facts, but more definitively it is unlikely that a simple carcass is analogous to the red heifer, which is a purification agent.

The second approach is to assume that the defilement is caused not by the purification agent but by the uncleanness which it removes.[106] This explanation is distinguished from the first approach in that it assumes the animal to be holy. However v.21bβ clearly implies that the ashes are the source of defilement.

The third approach is provided by a tannaitic saying 'Holy writ defiles the hand'.[107] The assumption that the red heifer and its ashes are holy appears to explain the paradox adequately. Since the clash between holiness and uncleanness must be avoided, it is only clean persons who can handle holiness, though that causes light defilement. But in one point this approach is unconvincing; if the red heifer cannot be unclean, it is never termed 'holy', at least, in this context. But this fact may be in keeping with other purification agents such as 'running water', 'hyssop' and 'scarlet stuff' (vv.6,17-18) which are not termed 'holy', either.

The examination of the above three approaches seem to raise the following points: (1) The ashes are not called 'unclean' but defile. (2) The source of defilement is in the ashes and the purification water (v.21bβ). (3) It seems problematic to consider the paradox of the red heifer in terms of 'holiness' and 'uncleanness' because neither of the terms explicitly

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[105] Noordtzij, p.170.
[106] Kurtz, op. cit., pp.422-432 esp. p.431.
[107] Lyonnet-Sabourin, Sin, p.278 n.37,38; S. Loewenstamm, 'פרה אדמה,' EM 6 p.580 Cf. G.B. Gray, p.255; I.E. Tooms, 'red heifer' IDB vol.4 pp.18-19.

qualifies the red heifer, the ashes and the purification water.

It may be suggested then that the concept 'death' is more appropriate to the nature of the ritual than 'uncleanness'. For it is highly likely that the person who burned the heifer became unclean because he had contact with the symbolic death of the red heifer.[108] Hence we infer that defilement is caused by the ashes or the purification water because the latter symbolizes the death of the red heifer. However, though this 'death' is similar to the death of a human corpse (v.14ff.) in that both defile, there is a crucial difference. As the qualification of the heifer, i.e. fullness of life (v.2), and throwing of purifying agents (v.6), show, the ashes are regarded as the extract of the purifying agents. Therefore the ashes have an ambivalent character in that they symbolize death, yet simultaneously are designed to counteract, as an antidote, the power of death caused by human corpses.

Further it seems possible to point out an aspect of this antidote by comparing the defilement caused by burning of the heifer with the defilement caused by preparation of the purification water. In the former the purification agents are reduced to ashes, which symbolize death though they have the potential power of purification, whereas in the latter they are added to water. In other words, in the preparation of the purification water the death which the ashes symbolize is, as it were, diluted by 'running water' and 'hyssop' which symbolize life. And perhaps this situation may be reflected in different degrees of defilement which the purification agents (the ashes and the purification water) cause to their handlers, as the following comparison shows.

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[108] It appears that the contagiousness of the heifer begins when the blood of the heifer is brought into connection with the sanctuary (v.4). Cp. Milgrom, *op. cit.*, p.90.

הכהן ---- <u>וכבס בגדיו</u> הכהן <u>ורחץ בשרו במים</u>	v.7
ואחר יבא אל־המחנה וטמא הכהן עד־הערב	
השורף ---- <u>יכבס בגדיו</u> במים <u>ורחץ בשרו במים</u>	v.8
וטמא עד־הערב	
האוסף ---- <u>וכבס</u> האסף את־אפר הפרה <u>את־בגדיו</u>	v.10
וטמא עד־הערב	

ומזה מי־הנדה <u>יכבס בגדיו</u>	v.21
והנגע במי הנדה <u>יטמא עד־הערב</u>	

One might argue that יכבס בגדיו or עד־הערב יטמא in v.21 is an abbreviated form. But that these prescriptions should be taken literally is indicated by the fact that within vv.7-10 וטמא עד־הערב is never abbreviated.[109] Moreover in vv.7-10 other purification rites appear to be graded subtly by the amount of uncleanness. Thus the priest (v.7) and the person who burns the red heifer (v.8) are required to undergo 'ablution', but the person who gathers the ashes is not. The reason for the difference may be that the former two actually had contact with the burning of blood whereas the latter did not. A further difference between v.7 and v.8, viz. the plus in v.7 of ואחר יבא אל־המחנה, might be caused by the fact that v.7 speaks of the priest while v.8 of a lay individual.[110]

To summarize: The red heifer represents purificatory death, an antidote to the death of human corpses. Because of the symbolic death it embodies, the handlers of the ashes and the purification water become unclean. However, thanks to the far lesser degree of defilement the red heifer causes, it can purify the seven-day corpse contamination.

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[109] Cp. Baentsch, p.564. The different degrees of defilement have been noticed by some commentators. Rashi on v.21; Noordtzij, p.170; Gispen, pp.311,318 Cf. Wenham, p.147.

[110] Note that Aaron does not participate in the ritual of Num 19 presumably because he is the high priest and cannot be defiled (Lev 21:11). See Dillmann, p.107.

Having surveyed the relevant sections of the חטאת contagion, we attempt below to draw some conclusions regarding the question whether the חטאת becomes unclean or not.

Our examination of Lev 6:17-23; 16:21ff.; Num 19 leads to the conclusion that the חטאת sacrifice conveys holiness within the sanctuary but that it defiles outside the camp. This implies that the contagiousness of the חטאת derives from the sacrifice itself but that the mode of its manifestation is dependent on the topographical distinction, whether the sacrifice is in the sanctuary or outside the camp.

However it seems that the whole issue whether the חטאת becomes unclean or not has been inadequately discussed because the very terms used in the discussion, namely 'uncleanness', 'guilt' and 'holiness' have not been reconsidered.

First of all, it seems appropriate to make a distinction between 'uncleanness' produced by natural causes or sins, and 'uncleanness' envisaged in sancta. For sancta (including sacrifices) are never said to be 'unclean' (טָמֵא), though they can be so envisaged (e.g. Lev 15:31; 16:16). Moreover the distinction seems necessary to avoid the contradiction that sancta are simultaneously holy and unclean. This also applies to the red heifer, which, though defiling, is never called unclean.

Secondly, and a step further, the term 'uncleanness' or 'guilt' may not be adequate for characterising the contagion in Lev 16:21ff.. In view of the fact that עון and טומאה are both associated with 'death', it may be better to assume that the handlers of the Azazel goat and the חטאת flesh are both defiled because they had contact with death. And this 'death' motif indeed seems to characterise better the nature of contagion in Num 19, as well.

Thirdly, this 'death' motif also seems to exist in Lev 6:20-21. For it is striking that this section shows close linguistic affinity with Lev 11:33,35;

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15:12 which stipulate how the contaminated things should be disposed of.[111] It seems plausible then that by adopting the similar expressions Lev 6:20bff. hints that the eaten חטאת appears to be holy but simultaneously and essentially symbolizes death.

It goes without saying that even when the term 'death' is adopted instead of 'uncleanness' for the description of the contagion of the חטאת, it is still necessary to make a distinction between the actual death and the substitutionary (or antidotal) death.

Conclusions

The following conclusions could be drawn from the above discussion of 'the imposition of hand(s)', 'the blood manipulation' and 'the disposal of the חטאת'.

In the light of Lev 1:4 the imposition of a hand in sacrificial contexts could symbolize 'substitution' and the same may apply to Lev 16:21. Though it has been almost unanimously agreed that the imposition of both hands in Lev 16:21 symbolizes 'transference of sin/guilt', this may not be the meaning of the act itself.

The symbolism of the חטאת ritual should not be pursued only from the viewpoint of the mode of blood manipulation, the הזה - and נתן gestures. For the varieties of the ritual are essentially motivated by their occasions. From this viewpoint there are essentially two types of ritual, both of which point to the ritual on the day of Atonement. One is the חטאת ritual designed to expiate the sin (sinfulness) of the priestly house (Exod 29:10-14; Lev 8:14-17; 9:8-14, atonement of the whole people included in that of Aaron). It is performed on the occasion of priestly

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[111] Noted by Dillmann, p.444; Baentsch, p.355.

installation. But as argued above, the Nadab and Abihu incident shows the inadequacy of the ritual, and points to the all-sufficient ritual on the day of Atonement. The other is the חטאת ritual which expiates the sin, or purifies the uncleanness, of the people (Lev 4:1ff.) on regular occasions. In this present chapter it has been shown that the rituals in Lev 4:3-21 foreshadow the ritual on the day of Atonement (Lev 16:14ff.), indicating incompleteness in the blood manipulation. Milgrom's thesis that the determining factor of the four (five) rituals in Lev 4 is the amount of uncleanness seems unnecessary.

Both the הזה - and נתן gestures symbolize purification of sancta. Yet the הזה gesture, being mostly associated with the Tent, may be more potent than the נתן gesture which by contrast is mostly associated with the outer altar.

Eating the חטאת is a priestly privilege and duty. It does not form part of the atoning process, nor is it likely to have been regarded as part of the חטאת ceremony. In contrast, the burning of the חטאת outside the camp appears to be part of the ceremony and may symbolize 'removal of guilt'. The rationale of burning the חטאת is that when expiation involves the sin (-fulness) of Aaron (not only as an individual but also in his capacity of the high priest) the חטאת must be burned outside the camp to remove his guilt.

The חטאת, whether it is the eaten or burnt one, is contagious. Yet the two kinds of חטאת appear to show disparity in their contagiousness. The eaten חטאת conveys holiness within the sanctuary, whereas the burnt חטאת probably conveys holiness within the sanctuary but defiles, like the Azazel goat, its handler outside the camp. In a deeper dimension it is the death which the sacrificial animal symbolizes that causes both the holiness and uncleanness contagions.

The חטאה Offering in Lev 16

As has already been mentioned in passing the חטאה offering plays a central role in the atonement ceremony on the day of Atonement (Lev 16:3-28).[1] In this final chapter we propose to discuss the ceremonies of this day more fully because they shed much light on the priestly theology of atonement and the function of the חטאה in particular.

According to Lev 16 Aaron is required to prepare five sacrificial animals, one חטאה bull and one עולה ram for the atonement of Aaron and his house, and two חטאה goats and one עולה for the atonement of all the Israelites.

We have, however, already discussed, albeit partially, various aspects of Lev 16 in the previous chapters (esp. chapters 3,4,5) and it only remains to clarify the function of those חטאה and the nature of the whole ceremony, based on the conclusions reached in the previous discussion.

As already mentioned,[2] it has been widely held by modern critics that Lev 16 is literarily composite. How one should explain this compositeness is not the question we shall attempt to answer in this chapter. Yet, though we do not deny the compositeness, it is the conviction of the present author that the atonement theology expressed through the ritual in Lev 16 is far more coherent than has hitherto been thought.

The central question raised by the חטאה in Lev 16 concerns the function of the Azazel-goat ritual (vv.5,8-10,21-22,26); why are two goats required (v.5)? And why is the Azazel-goat ritual necessary?

In an attempt to answer these questions we shall first offer an exegesis of passages relevant to the Azazel-goat ritual, especially vv.5,10 and 16/21 (A). Then in the second (B) we shall try to explain how the atonement ceremony on the day of Atonement is related to the other ceremonies, and

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[1] The term 'the day of Atonement' is used conventionally in the following discussion.
[2] p.105 above.

propose a possible interpretation of these rituals.

A. The Relationship of the Rites of Blood Sprinkling and the Azazel Goat

Presentation of the problem

By the two rites we mean the atonement ceremony performed for the purification of sancta (vv.9,11b-19) and the Azazel-goat ceremony (vv.5,10,21-22). It is clear that these two rites are distinct from each other.[3] But the existence of the two rites poses the obvious question how they are related to each other. The relationship between the two rites, however, goes back to the relationship between the two חטאת offerings taken from the congregation of the Israelites (v.5), since the Azazel goat is one of the two goats assigned to make atonement for the Israelites. Basically the question resolves into one simple but fundamental one: Why is the Azazel goat necessary, or to put it another way, why is removal of guilt required on this particular occasion?

It appears that modern critics have tended to ignore this question for two major reasons. First, it has often been presumed that Lev 16 is composite, made up of various sources or literary strata, so that any attempt to see the atonement ceremony as a whole has tended to be seen as extraneous to the nature of the text.[4] Second, various ideas expressed by the Azazel-goat ritual have tended to be seen as too unique to allow a contextual reading of the text related to the ritual. This tendency is well reflected in Elliger's following comment:

> Das letzte Hauptstück des Sühnerituals in seiner jetzigen Form ist die feierliche Entlassung des Sündenbockes. Es ist, wie oben zu 8-10 schon betont, offensichtlich das älteste und war einmal vermutlich das einzige des Versöhnungstages. Denn der Brauch, ein Tier mit der menschlichen Schuld, dieser aus sich heraus weiter Verderben wirkenden Macht, zu beladen und es dann vom Aufenthaltsplatz der Menschen weit entfernt in der

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[3] The 'distinctness' of the two rites does not necessarily mean that they have nothing to do with each other, as will be discussed below.

[4] See p.105 above.

Einöde auszusetzen, so dass für die Urheber keine Gefahr mehr besteht, ist eine in sich völlig geschlossene Sache und bedarf keiner Ergänzung, geschweige denn einer Parallele.[5]

Indeed as regards the Azazel-goat ritual scholars have paid attention almost exclusively to the non-sacrificial character of the goat and the enigmatic name Azazel.[6] However, although any investigation into the origin of the Azazel-goat ritual is justified and necessary, it is equally important to inquire into the meaning of the ritual in its present context, viz. what the supposed editor intended by incorporating this ritual into the present context. In the following section we shall attempt to answer this question by interacting with various commentators.

a. Various approaches to the two rites

In the history of the interpretation of Lev 16, however, there are some exegetes who have attempted to resolve the problem, assuming the present text describing the two rites. There seem to be three possible approaches to the relationship of the two rites, assuming that the two rites are distinct: (1) The two rites deal with two kinds of sin entirely different from each other. (2) The two rites are functionally continuous in some sense. (3) The Azazel-goat ritual expresses, in a different form, the meaning of the purification rite in the sancta, which has already been completed, without essentially adding anything new.

We shall critically examine below these approaches to the relationship of the two rites. As will be shown approaches (1) and (3) have some reference to one of the following passages, vv.5,10,16a/21a. These important passages will be, however, discussed separately.

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[5] Elliger, p.215. Further see Koch, *Priesterschrift*, p.92ff.; Janowski, *Sühne*, pp.210ff., 219ff.

[6] See Janowski, *ibid.*, p.268 n.447; Wenham, pp.234-235. The etymology of עזאזל is uncertain. However we prefer to follow the view suggested by Hoffmann, Hertz and Wenham that it means 'total destruction', assuming ארץ גזרה in v.22 as interpretive of עזאזל (see Wenham, p.235).

(1) Recently, drawing on Jewish tradition[7] Milgrom has maintained that "the slain bull and goat purge the shrine of the (physical) pollution, טמאה, of the Israelites and their brazen sins, פשעים (Lev 16:16; cf. 16:19), and the scapegoat carries off their iniquities, עונת (16:20)."[8] This view appears to be based on what the text says. However both Milgrom and the Rabbinic tradition assume that the source of sancta pollution is different from that of 'iniquities'. Furthermore it is inferred that the function of the חטאת on the day of Atonement includes purging 'rebellious sins' (פשעים).[9] Apart from the question how 'פשע' should be translated, the inadequacy of this classification of 'uncleanness' and 'sins' seems to be indicated by the phrase פשעיהם לכל חטאתם repeated in v.16a and v.21a; for this fact appears to indicate that the two rites deal with two aspects of the same sins. Moreover we have argued in connection with Lev 10:17, firstly that it is inadequate to see עון as a concept extraneous to טמאה, and secondly that when the priests perform purification rites, they bear the guilt of the congregation.[10] Thus it seems unlikely that the purification of sancta is unrelated to the Azazel-goat ritual in the handling of the sins. Nevertheless this view deserves note for calling attention to the sin terminology in vv.16a,21a.

(2) The majority of scholars have, however, made general comments on the relationship of the two rites, as follows:

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[7] Mishna, Shebuoth 1:4-7. 1:6 states, "For uncleanness that befalls the temple and its Hallowed things through wantonness, atonement is made by the goat whose blood is sprinkled within (the Holy of Holies) and by the Day of Atonement; For all other transgressions spoken of in the Law - venial or grave, wanton or unwitting, conscious or unconscious, sins of omission or of commission, sins punishable by Extirpation or by death at the hand of the court, the scapegoat makes atonement." (Danby, p.410).

[8] Milgrom, *EJ* 5 cols. 1384-87; *idem, IDB sup.*, pp.82-83; *idem, Cultic Theology*, p.81.

[9] Nevertheless it should be noted that Milgrom and the Rabbinic tradition hold the unity of the two rites. Cp. further D.P. Wright, *Disposal*, p.16.

[10] See chapter 2 B.

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> Durch die Sündopfer und besonders das Blutsprengen ist für die begangenen Sünden Begnadigung und Straflosigkeit erwirkt....Das gesühnte Volk ist seiner Sünden ledig und schickt sie nun, durch den HP. dem Bock aufgeladen, auf und mit diesem von sich weg...[11]

> ...through the ritual performed by the High Priest in the Tent, sin is removed from the sanctuary and through the laying on of hands, transferred to the goat.[12]

These explanations see the relationship of the two rites as one of *continuation,* or rather they dimly assume that Aaron's work in the sancta is completed by the Azazel goat. The idea itself is possible, but must face Kurtz's criticisms: (1) On this view, the confession of sins should precede the sprinkling of blood which re-established the God-man relationship, and not vice-versa. (2) If the sin were removed by the sprinkling of blood, the Azazel-goat ritual would have been unnecessary. If, conversely, the Azazel-goat ritual is required for the total annihilation of the sin, why is that sort of ritual not required in the ordinary חטאת ritual (e.g. Lev 4)?[13] Underlying these criticisms is Kurtz's conviction that through the sprinkling of blood atonement of sancta is entirely completed, with which we agree. Then why is the Azazel-goat ritual required? In our opinion this stalemate stems from the circumstance that the concept of 'atonement' has not been clarified.

(3) Referring to v.5 some scholars have argued that the two rites form one symbolic whole. Thus S. Landersdorfer wrote:

> Die tatsächlich Entsühnung erfolgt durch die Darbringung des ersten Bockes und durch die Sprengung des Blutes im Heiligtum. Der ritus mit dem zweiten Bock soll die bereits erfolgte Entsühnung nur symbolisieren, in anschaulicher, dem gemeinen Mann fasslicher Weise zur Darstellung bringen....Es sollen eben eigentlich an dem einen Opfertier zwei verschiedene Zeremonien vorgenommen werden, die des

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[11] Dillmann. p.531.

[12] Knobel cited in Kurtz, *Sacrificial Worship*, pp.411-412. So Driver-White, *HDB* p.202; Cazelles, p.79; Kornfeld, p.64; Rodriguez, *Substitution*, p.118.

[13] Kurtz, *ibid.*, p.412.

Opferns zur Bewirkung der Sühne und die der Entsendung in die Wüste zur Symbolisierung der Sühnewirkung. Da sich beide Handlungen an ein und demselben Individuum nicht vollziehen lassen, werden sie auf zwei Tiere verteilt, die aber der Idee nach ein einziges Opfertier darstellen.[14]

However it was Kurtz who underlined the importance of our problem and reached the above standpoint after detailed argument.[15] For Kurtz,[16] who starts from the assumption that atonement of sancta has been completed without the Azazel-goat ritual, the greatest problem is the phrase לְכַפֵּר עָלָיו in v.10, to which he gives the translation 'to perform an act of expiation *over* it'. Although Kurtz does not think that the imposition of hands on the Azazel goat is an act of atonement, he nevertheless includes the act of imposition of hands in the concept of atonement by assuming "the ideal unity of the two goats" (v.5). Thus he concludes that "the act of laying the sins upon the head of the goat had regard to the sins *already expiated*, and that they were sent into the desert to Azazel not as still unexpiated, and deserving the wrath and punishment of God but as expiated, covered, and deprived of all their power."[17] The corollary of this inference is that the unloading and removal of guilt performed by Aaron on this occasion is *implicitly* assumed even in ordinary חטאת ritual.[18]

Apart from Kurtz's interpretation of vv.5,10 his view of the two rites must face the following criticisms. Firstly, not only is there no Azazel-goat ritual in the ordinary חטאת ritual but, as shown in the previous chapter,[19] it is unlikely that the imposition of a hand in the ordinary חטאת ritual symbolizes the transference of guilt. Secondly, it is not clear what Kurtz means by "the sin already expiated". Modern terms like 'sin' and 'expiation' must be defined first. At any rate, if the sins are

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[14] S. Landersdorfer, *Versöhnungstag*, p.14. So Y. Kaufmann, תולדות I. pp.571-2; Noordtzij, p.161; C.L. Feinberg, *BS* 115(1958) p.324. [15] *Op. cit.*, p.385ff. [16] *Ibid.*, p.405ff. [17] *Ibid.*, p.411. [18] *Ibid.*, p.410. [19] p.157 above.

already disposed of in the purification of the sancta, the Azazel-goat ritual appears to be unnecessary as Kurtz himself realises.[20] Thirdly, not only does the rite in vv.21-22 give the impression that the guilt is unexpiated, being actualized by Aaron's confession, but the fact that the handler of the Azazel goat becomes unclean outside the camp indicates that the guilt loaded on the goat is not "expiated, covered, and deprived of all their power." This last point must be stressed against any attempt to see the Azazel-goat ritual as a mere symbolic act *emphasizing the completeness of the atonement for the sancta.*

From the criticisms of the above three approaches we set out the following assumptions as the starting point of our independent inquiry.

(1) While atonement (purification) of sancta is over, the removal of guilt is not over. This means that unlike Kurtz's view the relationship of the two rites must be one of continuation in some sense (cp. (2) above).

(2) It is likely that the sin terminology in vv.16a,21a refers to two aspects of the same sins.

In view of these points we suggest here the following hypothesis on the relationship of the two rites. The clue to the relationship, we argue, lies in the fact that the concept of כִּפֶּר includes both 'purification' and 'bearing guilt', as has been argued in chapter 4.[21] When this fact is applied to the atonement ceremony in Lev 16:14ff., the connection between the two rites becomes immediately clear. By purifying sancta from uncleanness Aaron bears the guilt of the Israelites. Then the guilt he has borne is devolved upon the Azazel goat when Aaron lays his hands on it and confesses the sins. To substantiate this hypothesis we shall turn to the examination of vv.5,10,16a/21a.

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[20] Another plausible explanation is given by A. Bonar; "Aaron alone had witnessed atonement in the innermost sanctuary; now he must set it forth in another manner. In order to leave no doubt that sin had been taken away, there must be a removal of it which all Israel could witness", which is followed by Feinberg, *op. cit.*, p.332. Though we admit that the purification of sancta is done (not 'witnessed') by Aaron and that the Azazel-goat ritual is witnessed by the people, it seems to us that this has no direct bearing on the symbolism of the two rites.

[21] p.149 above.

b. V.5

The passage reads:

וּמֵאֵת עֲדַת בְּנֵי יִשְׂרָאֵל יִקַּח שְׁנֵי־שְׂעִירֵי עִזִּים לְחַטָּאת וְאַיִל אֶחָד לְעֹלָה

How should the phrase לְחַטָּאת be construed? The most natural translation would be 'for the חטאת offering'. This phrase has, however, created an exegetical tension, because after Aaron casts lots, one of the two goats is explicitly called 'חטאת'(v.9b) whereas the other is not, though this fact may not imply that the Azazel goat is not a חטאת.[22] To avoid this apparent incongruity Dillmann proposed to translate the phrase לְחַטָּאת 'für die Beseitigung der Sünde'.[23] However this is unlikely in the light of the other occurrences of the phrase (e.g. Lev 4:3) and particularly of the following וְאַיִל אֶחָד לְעֹלָה; the 'חטאת' must be the name of the sacrifice.[24] As already mentioned some scholars have tried to explain the relationship of the two ceremonies by drawing upon v.5, which explicitly says the two goats are one חטאת. Against this approach Rodriguez has recently maintained that "since the goat for the חטאת has not been chosen yet (v.5), potentially either one of them was a חטאת".[25] Clearly Rodriguez assumes that the Azazel goat is not a חטאת. However, though this assumption appears natural, it seems to go slightly beyond the evidence since, as mentioned above, that is simply not explicitly stated in the text. Does וְעָשָׂהוּ חַטָּאת in v.9b necessarily imply that the other goat is not a חטאת? Moreover it seems difficult to assume that after two goats are destined for the חטאת, one of them ceases to be a חטאת, even if the

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[22] Cp. Porter, p.127.
[23] Dillmann, p.527. Similarly Bertholet, p.54.
[24] That 'חטאת' offering can be a collective noun is noted by Kurtz, *op. cit.*, p.395.
[25] Rodriguez, *op. cit.*, p.113.

casting of lots is taken into account. Strictly speaking, by Aaron's casting lots one goat is chosen for 'the Lord' as opposed to being chosen for 'the חטאה'.

In the following we shall argue that the most likely view is that the two goats form one חטאה. We shall do this by considering the disposal of the חטאה, which has been overlooked in connection with the interpretation of v.5. In chapter 5 we argued that there was a deliberate identification in vv.26,28 of the symbolic meaning of the burning of the חטאה with that of sending off the Azazel goat; in both cases guilt is removed. In the light of this it may be further argued that the Azazel-goat ritual is a special form of the burning of the חטאה. In other words, on other regular occasions 'the removal of guilt' is symbolized by the burning of the חטאה outside the camp, whereas only on the day of Atonement is that element of the חטאה ceremony solemnly expressed by the special form of eliminating the guilt. Since the חטאה flesh is also part of the חטאה, it is not implausible to infer that the Azazel-goat ritual is also regarded as functioning as the burning of the חטאה flesh.

However, though we agree that the two goats form the חטאה offering, our standpoint should not be confused with those who have attempted to explain the two rites by saying that the Azazel-goat ritual symbolizes the atonement that has taken place in the sancta. Rather we infer that the two rites are continuous in terms of symbolism and that the Azazel goat is viewed as a special form of the חטאה.[26]

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[26] Note the sequence of the topics in Lev 16: the חטאה (vv.14-19) → the Azazel goat (vv.21-22) → the Azazel goat (v.26) → the חטאה (vv.27,28). That the חטאה ritual on the day of Atonement is a remoulded form of the normal burnt חטאה ritual (Lev 4:3-21) can be inferred from the circumstance that the first and last symbolic acts in the normal ceremony, i.e. the imposition of a hand and the burning of the חטאה, are combined in the Azazel-goat ritual while the blood manipulation, which normally follows the imposition of a hand, comes first on the day of Atonement.

c. V.10

The next crucial passage is v.10 because it appears to refer to the Azazel-goat ritual in vv.21-22. It reads:

v.10 והשעיר אשר עלה עליו הגורל לעזאזל יעמד חי
לפני ה׳ לכפר עליו לשלח אתו לעזאזל המדברה

The phrase לְכַפֵּר עָלָיו in this passage has caused much difficulty in understanding the passage as a whole. Yet, as we shall argue, this phrase constitutes a clue to the relationship of the two rites. Five interpretations have been proposed concerning the meaning of this phrase.

Firstly, Levine holds that "the rites prescribed in verse 10 do not pertain directly to the scapegoat. They have as their referent the bull and the other goat, slaughtered as חטאת sacrifices".[27] Since Levine believes that כִּפֵּר + עַל means 'to perform rites of expiation in proximity to...',[28] he understands that "the scapegoat was merely stationed near the altar while the priest took some of the sacrificial blood for use in the expiatory rites."[29] This interpretation is, however, totally unlikely in that v.10 speaks only about the rite of the Azazel goat. Moreover it is doubtful whether כִּפֵּר עַל can mean 'to perform rites of expiation in proximity to...'.[30]

As is clear from Levine's interpretation, the problem of the phrase centres on the questions what עָלָיו refers to, and what or who the agent of לְכַפֵּר is, rather than on the meaning of כִּפֵּר.

The second possibility is to take it to mean 'to atone, or expiate for it (sc. the Azazel goat)'. Thus Keil construes it as meaning 'to expiate, i.e. to make it the object of expiation'.[31] This interpretation appears, however, meaningless, since the animal is normally an instrument of expiation and not the object of it. For this reason most modern exegetes regard the

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[27] Levine, *Presence*, p.80.
[28] *Ibid.*, p.65.   [29] *Ibid.*, p.80.
[30] See our discussion in chapter 4.
[31] Keil, p.398.

phrase as a scribal error or an interpolation: this is the third option.[32]

The fourth approach is to construe the phrase as 'the consecration of the scapegoat' for the rite in v.21.[33] But as is admitted by the proposer Dillmann, it is not clear why it is necessary to atone for the Azazel goat.

The fifth exegetical possibility is the view represented by traditional Jewish exegetes and some modern scholars that the phrase means 'to atone over it (sc. the Azazel goat)'.[34] However it should be noted that the interpretation is offered by scholars for different reasons. While Milgrom, for instance, translates it this way on the basis of his own assumption that when the reference is made to non-human being עַל כפר must be taken literally, others like Kurtz, regard the phrase in v.10 as exceptional. However we have argued that the distinction between human and non-human objects regarding כִּפֶּר is arbitrary.[35] If כִּפֶּר עַל in v.10, means 'to make purification rites over', this usage must be regarded as exceptional.

Now it is a fact that in vv.21-22 the preposition עַל serves four times to indicate the place, i.e. the head of the Azazel goat where the imposition of hands (על ראש השעיר), the confession of sins (התודה עליו), the transfer of guilt (נתן על ראש השעיר) and the removal of it (נשא השעיר עליו) occur. Does this fact support the view that כִּפֶּר עַל in v.10 means 'to atone over'? Against the temptation to identify the fourfold עַל with עַל followed by כִּפֶּר it must be borne in mind that a similar relation exists between כִּפֶּר עַל and נתן דם על, הזה דם על (see vv.18-19) whereas כִּפֶּר עַל is unlikely to mean 'to make atonement

32 Noth, p.121; Elliger, p.201; Aartun, ST 34(1980) pp.77-78; Maass, 'כפר', THAT I cols. 845,849; Janowski, op. cit., p.185 n.5.
33 Dillmann, p.528; Driver-White, p.81; Gispen, p.245. See Kurtz, op. cit., p.409.
34 Rashi ad loc.; Hoffmann, p.306; Milgrom, Cultic Theology, p.76 n.10; Kurtz, op. cit., p.410; Chapman-Streane, p.90; Cazelles, p.79; Noordtzij, p.163; Maarsingh, pp.135,277 n.19.
35 Chapter 4 A.

upon', as already argued. Moreover it is doubtful whether Aaron's rites over the head of the goat constitute an act of atonement.

It seems that each proposal presented above has some forced element. But the exegetical possibilities are not exhausted. It is proposed here that the third person pronominal suffix in כפר עֲלָיו refers to Aaron, and that the agent of לְכַפֵּר is the Azazel goat.[36] That this is the most natural (though theologically challenging) interpretation of the phrase is indicated by the following circumstances.

(1) V.10 stands alone from the preceding and the following passages in that the whole sentence is constructed in the passive. The subject is הַשָּׂעִיר and followed by יָעֳמַד, passive form of הֶעֱמִיד. In spite of Ehrlich's proposal that יָעֳמַד should be read יַעֳמִיד as in Sam.,[37] the passive construction as it now stands makes perfect sense. Moreover though the proposal may stem from the existence of הֶעֱמִיד in v.7, it must be noted that v.7 and v.10 speak of two different stages of the ritual; v.7 speaks of Aaron's stationing of the two goats before casting lots, whereas v.10 refers to the period of time till the purification of sancta is completed (v.20).

Now it is conspicuous that in vv.7-9 Aaron has been dealing with the two goats equally, but in v.10 the subject suddenly shifts to the live goat. More specifically it should be observed that in v.9 the slain goat is the object of Aaron's handling whereas in v.10 the live goat is the subject of the sentence. It could be assumed that the shift of subject has something to do with the casting of lots, since before the casting of lots it is Aaron who handles the two goats. In view of this observation the passive structure of v.10 could be deliberate, suggesting the reversal of the subject-object relationship in v.7.

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[36] In this case כפר בעד is not expected because here Aaron is the object, and not the subject, of atonement. See our discussion in chapter 4.

[37] Ehrlich, *Randglossen ad loc. Cf.* R. Weiss, *Studies*, p.148 n.400.

If v.10 as a whole were read with an awareness of the subject-object relationship in vv.7-9, it would not be strange that in v.10 the pronominal suffix in עָלָיו refers to Aaron, and that the agent of לְכַפֵּר is the Azazel goat. According to this reading the phrase לְשַׁלַּחff. can be translated impersonally, 'by sending it'. The whole sentence would thus mean: "But the goat on which Azazel's lot comes up must be stood alive before the Lord to make atonement for him (Aaron) by sending it to Azazel to the Wilderness."

(2) In the light of the above proposal the relationship between v.10 and vv.21b-22 can be clarified more clearly than it has been. The text runs as follows:

והשעיר אשר עלה עליו הגורל לעזאזל יעמד חי	v.10
לפני ה' <u>לכפר עליו</u>A<u>לשלח אתו</u><u>לעזאזל המדברה</u>B	
ונתן אתם על ראש השעיר <u>ושלח ביד איש</u>'<u>עתי המדברה</u>B	v.21b
<u>ונשא השעיר</u>'A<u>עליו את כל עונתם אל ארץ גזרה</u>	v.22
<u>ושלח את</u>''<u>השעיו במדבר</u>B	

In chapter 4 it has been argued that the concept of כִּפֵּר includes that of נשׂא עון.[38] So A' can be the כִּפֵּר act.[39] Then the change of subject in A and B is clearly reflected in A' and B',B''. Firstly, the fact that the agent of לְכַפֵּר in A is the Azazel goat matches A' where the Azazel goat is the subject of the sentence. Secondly, as proposed above the agent of לְשַׁלַּח in B is impersonal. And this interpretation seems appropriate in that the subject of וְשִׁלַּח in B' is Aaron, whereas that of וְשִׁלַּח in B'' is probably

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[38] See p.132.
[39] Cp. Num 8:10,19; 18:23.

אִישׁ עִתִּי (= a man appointed for the job);[40] in either case the subject is not the Azazel goat. It should be added that A' is the only section in vv.21-22 where the Azazel goat is the subject, a feature similar to v.10. These observations thus seem to warrant the assumption that A corresponds to A'.

(3) At this point we adduce Lev 1:4 which seems to support our interpretation of Lev 16:10,21-22 thematically and syntactically.

Lev 1:4 reads:

וְסָמַךְ יָדוֹ עַל רֹאשׁ הָעֹלָה וְנִרְצָה לוֹ לְכַפֵּר עָלָיו

Here the offerer who lays his hand on the sacrifice (v.4a) becomes the beneficiary of the atonement made by the sacrifice (v.4b).[41] This relationship in the imposition of a hand between the offerer and the sacrifice perfectly suits Lev 16:10,21-22 where we argue the Azazel goat makes atonement for Aaron. Also Lev 1:4b provides a fitting example in which לְכַפֵּר (the *lamed* expressing purpose) is preceded by a passive verb, i.e. נִרְצָה. This syntactical feature is common to Lev 16:10 where לְכַפֵּר is precededed by the passive יָעֳמַד. In the light of this parallel construction it may be inferred that just as in Lev 1:4b the agent of לְכַפֵּר is the sacrifice, in Lev 16:10 the agent of לְכַפֵּר is the Azazel goat.

As already stated, it can be assumed that Aaron bears the guilt of the Israelites when he makes atonement for sancta (vv.14-19), and that since he bears their guilt, he confesses it in v.21 (cp. Lev 5:5); the guilt is then devolved on the Azazel goat and the latter carries it off into the wilderness. This possibility seems to be strengthened by our interpretation of v.10 and its relationship with vv.20-21.

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[40] See v.26. Elliger takes the repetitiveness between וֹשׁלח...המדברה (v.21) and וֹשׁלח...במדבר (v.22) as indicating two literary layers (p.206). However the two sentences are not the same. Not only are the subjects of שׁלח different but the construction in v.22 is a pregnant one. See Williams, *Syntax*, §253.

[41] See chapter 5 A above.

Now it goes without saying that Aaron lays his hands on the Azazel goat on behalf of the whole people. However unlike earlier interpretations of the two ceremonies in Lev 16, this view strongly emphasizes the substitutionary aspect of the rite, that Aaron is not simply a representative of the people, but he himself is envisaged as bearing their guilt. In other words, the idea behind vv.21-22 is not that Aaron lays his hands on the goat instead of the Israelites, but that he himself is guilty in a substitutionary capacity. And it is probably in this sense that v.10 refers to Aaron in עָלָיו.

Though we think that the above interpretation is what v.10 says, the last point that the Azazel goat makes atonement for Aaron will become more understandable in the light of the following two points: one has already been made, and the other concerns a common misunderstanding of the text.

Firstly, it should be recalled that in Lev 9:7 and Lev 10:17 Aaron is to bear the guilt of the priests as a whole and the people. Although the intention of the atonement ceremony in Lev 9 is different from that of Lev 16, the basic principle seems to be reflected in Lev 16 as well. Therefore it would not be strange that Aaron is envisaged to be bearing guilt by purifying sancta, and that more significantly he bears the guilt of both priests and the people (see below).

Secondly, the purification of sancta and removal of guilt both concern the sins of בני ישראל (vv.16,21). However does this appellation include Aaron and his house? The obvious clue lies in vv.18-19 where the blood is said to come from that of the פַּר and the שָׂעִיר, used in the purification of sancta (vv.14-15), i.e. from both the priests' and the people's offerings.[42] Therefore בני ישראל in v.19 includes Aaron and his house. Consequently it is probable that v.16 is a theological explanation not only of v.15 but of v.14. This means that הָעָם in v.15[43] excludes Aaron and his

[42] See p.176 above.   [43] Cf. Elliger, p.214 n.11.

house whereas בני ישראל in v.16 includes them. This inference is confirmed by Lev 4:2-3; 9:7,15,18,22,23,24; 10:3;16:24.[44] Thus it should be concluded that בני ישראל in Lev 16:21 includes Aaron and his house as well as the people.[45] Thus, at least it is unlikely that Aaron, being *innocent*, lays his hands on the Azazel goat *instead of* the whole people. Rather Aaron is regarded as guilty on a substitutionary level when he lays his hands on the Azazel goat.

More aspects of the relationship between the two rites will be discussed below. For if our interpretation is right, we must discuss one remaining obstacle. Does the text suggest that the sins and uncleanness atoned for on this day are different in kind from those usually dealt with by the חטאת?

d. Vv.16,21

When the terms for sin in v.16a are compared with those in v.21a, it is striking that מפשעיהם לכל חטאתם in v.16a is repeated in v.21a.[46] As mentioned above this fact seems to indicate that the editor intended the two rites to have a common purpose, i.e. the removal of חטאת (sin).[47]

However the difference between the two passages is equally significant; in v.21a עונת appears instead of טמאת in v.16a. As has been argued in chapter 2, to construe עון as 'moral sin' is inadequate. Rather it denotes the necessary relationship between sin/uncleanness and its consequence, death. In this context too the term could be rendered 'guilt'.

Then the question arises how טמאת in v.16a is related to עונת in v.21a. Before answering this question it needs to be asked how לכל

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[44] In other instances of בני ישראל it may or may not include Aaron (and priests). See Lev 1:2; 7:23,29; 11:2; 12:2; 15:2; 18:2; 20:2; 23:2,10,24,34; 24:2; 25:2; 27:2; 19:2 'בני ישראל עדת כל'.   [45] Cp. 'עדת בני ישראל (v.5).

[46] Also in v.21a כל is attached to all the three sin terms. Cf. J.L. Kugel, *The Idea of Biblical Poetry*. (1981) pp.47-48.
[47] With D.P. Wright, *op. cit.*, p.20. Cp. Elliger, pp.208-209.

חטאתם in v.16a is related to the preceding.[48] Does it modify only

טמאת בני ישראל or פשעיהם as well? We translate חטאת 'sin' and

פשע 'transgression' for convenience sake.[49] Then, since פשעיהם is

clearly modified by לכל חטאתם (= with respect to all their sins),[50] the

question is whether the latter can govern טמאת בני ישראל.

The importance of this question should be underlined. If it can,[51] it

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[48] There is, in fact, another question whether *waw* before מפשעיהם is explanatory as Levine (*Presence*, p.76) and Kornfeld (pp.64-65) understand. However this seems to be unlikely in the light of the following discussion.

[49] Although vv.16a,21a concern the scope of purgation on the day of Atonement this issue requires separate treatment. The following five approaches show how diversely the scope of purgation has been viewed by scholars; (1) Keil believes that the atonement ceremony deals with sins which have not been atoned for in the course of the year (pp.394-395). So Baentsch, p.385. (2) Opposing Keil's view Kurtz argues that the language of Lev 16:16a implies the universality of the scope of purgation, and that therefore the ceremony deals with "all the sins of the whole nation without exception, known or unknown, atoned for or not atoned for" (*op. cit.*, p.386). (3) According to Milgrom the ceremony purges the uncleanness produced by the wanton, unrepented sin (*op. cit.*, pp.78,81). (4) In response to Milgrom's view Rodriguez holds that the ceremony deals with "the iniquities, rebellions, and sins of the sons of Israel, not of the wanton sinners" (*op. cit.*, pp.116,148). (5) Most scholars seem to assume that the ceremony deals with 'inadvertent sins' as opposed to presumptuous sins. So Hoffmann, p.308; S.R. Driver-H.A. White, *HDB* vol. 2, p.201; Gispen, p.248. Cp. Ezek 45:20; Heb 9:7.

It seems that Keil's view has no clear support in the text. But it is not easy to decide which of the other four views is most adequate. Undoubtedly, part of the problem lies in the meaning of 'פשע' and 'חטאת'. Firstly, that 'פשע' does not denote 'rebellion' let alone 'wanton sin' has been carefully worked out by Knierim, in *Hauptbegriffe*, p.176ff. and in 'פשע' *THAT* II cols. 488-495. According to him the basic concept of פשע denotes 'Verbrechen', rather than an attitude which is reflected in the translation 'rebellion'. It appears that since פשע is associated with crimes, פשעים in Lev 16:16 can include sins which the אשם offering deals with. Secondly, at least it seems possible to construe the meaning of 'חטאת' in the light of 'חטאת' in the context of the חטאת offering (Lev 4:3,14,23,28; 5:6,13). However whether 'כל חטאתם' in Lev 16:16 can include 'wanton sin' (Num 15:30-31) seems debatable. Cp. Porter, p.37.

[50] לכל basically means 'with respect to all' (cf. *BDB*, p.514; Orlinsky, *Notes*, p.30). The *lamed* functions to specify what precedes it (see *Williams, op. cit.*, §271) while כל expresses the totality of what follows it. In other words, לכל as a whole functions to specify what precedes it from a different viewpoint. Cp. Exod 28:38; Lev 5:3-4; 22:18; Num 5:9; 18:8. It seems to me that the common translation 'whatever their sins' is inexact. Cp. Milgrom, *Levitical Terminology*, n.237.

[51] So Dillmann, p.530; Porter, p.130.

follows that the 'uncleanness' refers, at least, to a kind of uncleanness which is produced or envisaged in sancta when purification rites are not observed (Lev 15:31, see below), and not to simple physical uncleanness (e.g.Lev 11:24ff.). If, however, לכל חטאתם does not modify טמאת בני ישראל,[52] the latter could refer to all kinds of uncleanness.

Since this question is unlikely to be resolved by observing the immediate context of Lev 16:16, another passage Lev 15:31 must be brought into the discussion in order to decide on this question.

Lev 15:31 appears to allude to the ritual on the day of Atonement, expecially to Lev 16:16b. There is an unmistakable linguistic affinity between the two passages;

וְלֹא יָמֻתוּ בְּטֻמְאָתָם בְּטַמְּאָם אֶת מִשְׁכָּנִי אֲשֶׁר בְּתוֹכָם	15:31b
לְאֹהֶל מוֹעֵד הַשֹּׁכֵן אִתָּם בְּתוֹךְ טֻמְאֹתָם	16:16b

Furthermore Lev 16:16b appears to presume Lev 15:31 in that the latter refers to the possibility of defiling the tabernacle while the former presumes the defiled sancta.

According to Elliger[53] Lev 15:31 is alien to the context of the cleanness/uncleanness laws in Lev 15 for the following reasons. First, Moses and Aaron are abruptly spoken to in this passage, which stands before the colophon vv.32-33. Second, the idea that God's dwelling is defiled is entirely new in Lev 11-15. But since the idea is found in Lev 16:16 and also the motif of ולא ימות (Lev 16:2,3) has a special role in Lev 8:35; 10:6,7,9 Elliger prefers to identify the author of Lev 15:31 with the redactor who inserted Lev 11-15 between Lev 10 and Lev 16.

It is beyond the scope of the present chapter to discuss the literary strata of Lev 15 or Lev 11-15. But as for Lev 15 the recognition that in Lev 15:31 Moses and Aaron are spoken to depends on v.1. However it seems unnecessary to assume that the introductory formula represents a

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[52] This standpoint seems to be taken by Milgrom. See n.(8) above. It seems that commentators have not tackled this syntactical question despite its crucial importance.
[53] p.196.

literary stratum different from that of the laws themselves. Rather stylistic features common to Lev 11 and Lev 15 should be noted at this point; Lev 15:1-2a closely resembles Lev 11:1-2a. The theological motivation (Lev 11:44-45; 15:31) comes just before the colophons (Lev 11:46-47; 15:32-33). In view of these features Elliger's proposal to separate Lev 15:31 from the surrounding text seems unnecessary. Except for this point, however, his observation that Lev 15:31 was inserted by the redactor of Lev 11-15 seems likely in the light of its relationship with Lev 16:16b mentioned above. In this case it follows that, though the idea of God's dwelling place being defiled is explicitly mentioned only here within Lev 11-15, the redactor intended to bring all the cleanness-uncleanness laws in Lev 11-15 under this theological principle.

What about the exact meaning of Lev 15:31? As it has been translated[54] it would mean "You shall warn the Israelites against uncleanness, that they die not in their uncleanness when they defile my tabernacle that is in the midst of them". The passage appears to envisage a failure to observe purification rules, which could lead to death. The cause of death in the event of the failure is twofold; uncleanness itself and the offence of defiling the tabernacle. Thus this passage appears to assume that the physical uncleanness set out in Lev 11-15 does not itself defile God's dwelling place as long as the purification rules are observed.

Now it must be stressed that מׁשכני (= 'my tabernacle') in Lev 15:31 refers to the complex consisting of the adytum and the shrine, whereas the term אהל מועד in Lev 16:16b, which is interchangeable with מׁשכן in other contexts,[55] is used in Lev 16 to designate only the shrine (see vv.17,20,23,33).[56] This means that the defilement of the adytum (מׁטאׁת בני ישׂראל ,v.16a) as well as that of the shrine (v.16b) is caused, at

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[54] p.81 above.

[55] Eg. Lev 17:4. See the index in Haran, *Temples*, p.364.

[56] Contra Haran, *ibid.*, p.179 n.10 who equates אהל מועד in these passages with the tabernacle.

least,by the failure to observe the purification rules and not by simple physical uncleanness. Therefore we conclude that in v.16a לכל חטאתם modifies טמאה בני ישראל. In other words, since both טמאה and פשעים are modified by חטאת, the purification of sancta deals with the uncleanness produced by sins. Furthermore, since the syntactical construction in v.16a regarding לכל חטאתם is the same as that in v.21a, it seems probable that עונת in v.21a expresses the other side of the same חטאת. This confirms the inference drawn in chapter 2 that חטאת (sin) consists of 'uncleanness' and 'guilt'.[57]

Recapitulating: The above examination of vv.5,10,16a/21a has led to the following conclusions.

(1) Despite the peculiarity of the Azazel-goat ritual, it can be seen, from the viewpoint of its symbolism, to be a special form of the burning of the חטאת.

(2) According to our new interpretation of v.10 the guilt that Aaron has borne in purifying the defiled sancta is devolved upon the Azazel goat. Thus the relationship of the two rites is a continuous one.

(3) This relationship is also confirmed by the fact that 'uncleanness' in v.16a corresponds to 'guilt' in v.21a, both of which constitute important aspects of 'חטאת'.

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[57] pp.87-88 above. On this interpretation v.16a virtually says:

וכפר על הקדש מכל חטאת בני ישראל.

Cp. Lev 16:30,34. For the relationship between טמא and פשע see Ezek 14:11; 37:23.

B. Relationship with other Atonement Ceremonies

According to our interpretation of v.16 and v.21 it follows that the adytum, the shrine and the outer altar are assumed to have been defiled by the sins of the Israelites. This is a strong piece of evidence for supporting 'sancta pollution'. Yet the fact that on the day of Atonement all the sins of the Israelites are to be purified creates apparent redundancy, since expiation has been made for the same sins on regular occasions (Lev 4:1-5:13). Thus this circumstance calls for an explanation of the relationship between this atonement ceremony and other ones on regular occasions. Are the latter to be regarded as insufficient?

We have already suggested that the rituals in Lev 4:3-21 and Lev 9 are insufficient because the day of Atonement rituals in some way cover the same ground.[58]

However it is problematic to regard the rituals in Lev 4 themselves as insufficient. For except in the first case the purpose of atonement, forgiveness, is granted after the priest makes atonement for the sinner.

Thus the total overlapping of atonement, that the sins which were once expiated are once again in view on the day of Atonement, should caution modern writers against overprecise reasoning. At this point our view concerning the repetitiveness of the ritual, which has been advanced in chapter 2,[59] should be recalled in an attempt to explain this relationship between the atonement ceremony on the day of Atonement and those on regular occasions.

Two things were inferred on the basis of the ritual for the purification of the leper. Firstly, the leper is clean enough at each stage of the ritual, so that it is inadequate to compare one stage of the ritual with another in terms of the degree of cleanness. Secondly, at the final stage of the ritual

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[58] Chapter 5 B and chapter 3 A respectively.
[59] p.78ff.

the leper is assumed to be standing before the Lord as a person who needs purification. We shall propose here that these two aspects can be applied most reasonably in another sphere, the relationship between the ceremony on the day of Atonement and other ceremonies.

Firstly, as sins are supposed to be cleansed on regular occasions, it seems inadequate to see the atonement on regular occasions to be insufficient. Rather it seems better to look at the ceremony on the day of Atonement in isolation without comparing it with other atonement ceremonies as far as their validity as means of atonement is concerned. Secondly, and conformably, on the day of Atonement it is assumed that all the Israelites need atonement; all the people stand before the Lord as guilty. Thus if the sancta are purified then, this should not be regarded as separate from the cultic status of the people; when the sancta are purified the people are also purified (cf. v.30). It thus appears that the term 'accumulation' of sins suggests the atonement ceremony on the day of Atonement is impersonal in character.

Based on these postulates we shall look more closely at atonement ceremonies on other occasions, focusing on Lev 4:1-5:13 and on the חטאת rituals in Lev 8-9,12-15.

As already argued in chapter 5,[60] the first two rituals in Lev 4 (for the anointed priest and the whole congregation) foreshadow the ritual in Lev 16:14-15 in that in Lev 4:6(17) defilement of the adytum appears to be assumed, whereas the actual sprinkling of blood in the adytum takes place only in Lev 16:14-15. This foreshadowing seems to be caused by the fact that the occasion in view in Lev 4 is not the day of Atonement. However it is also clear that the first two rituals in Lev 4 foreshadow the day of Atonement because these rituals refer to the adytum when it comes to the atonement of the anointed priest and that of the whole people. Thus apart from the nature of the occasion there seems to be a specific assumption in both Lev 4 and 16, that atonement of Aaron and of the whole people is to

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[60] Section B.

be made in the adytum.

By contrast the comparison of the second (Lev 4:13-21) with the third/fourth (vv.22-35) cases gives the impression that the two kinds of ritual are distinguished according to the criterion whether the sinner is individual or collective. In the third case it could be observed that the cultic status of נשיא is reflected in the sacrifice he must bring, which is slightly different from the lay individual's. Moreover not only in Lev 4:22ff., but also in all the other cases of atonement for individuals the rituals are performed in connection with the outer altar (see Lev 12:6; 14:11,19; 15:14-15,29-30; Num 6:10-11,13,16). In other words, the purification ritual is always performed in connection with the outer altar as long as the sinner or unclean person is a lay individual.

However does this mean that the sins of the lay individual defile only the outer altar and no further? The very fact that the whole people is constituted of individuals suggests that the sins of individuals are in some way related to the sins of the whole people, thus to the adytum. That this inference is not far-fetched is clearly shown in Lev 16:16a, where the adytum is assumed to be defiled by the sins of the Israelites.

Now it is striking that the atonement ceremony for the lay individual does not allude to the ceremony on the day of Atonement, unlike the ones for the anointed priest and the whole congregation in Lev 4:1-21.

This dichotomy between the two types of ceremony in Lev 4 can be explained first by assuming that the חטאת rituals in Lev 4:22ff. are regular ones based on the חטאת ritual in Lev 9. There the priests (Aaron) make atonement for the congregation in connection with the outer altar; for Lev 4:22ff. presupposes priests are already functioning because atonement is said to be made by the priest.

Second, the חטאת rituals in Lev 12-15 are also regular ones in that they too presume the priesthood and particularly the ritual procedures in

Lev 5:7-9; 4:32-35.[61] Yet at two points the חטאה rituals in Lev 12-15 show more similarity to the ritual in Lev 9 than to those in Lev 4:22ff.

Firstly, in the חטאה ritual in Lev 12-15 the physical uncleanness, if it is severe, is not assumed to defile the tabernacle as long as the rules are observed (Lev 15:31), whereas in Lev 4:22ff. any sin defiles the tabernacle (Lev 16:16). Secondly, the חטאה rituals in Lev 12-15 follow the same calendrical pattern, 7 days - 8th day, as in Lev 8-9.

At any rate we infer that the atonement ceremonies in Lev 4:22ff. and Lev 12-15 do not allude to the one on the day of Atonement because they are based on the atonement ceremony described in Lev 9.

In fact the above twofold atonement structure could be reduced to the relationship between the ceremony in Lev 9 and that in Lev 16. This assessment of the nature of the two ceremonies has been arrived (see chapter 3) through an analysis of the two incidents in Lev 10: the Nadab and Abihu incident and the חטאה flesh incident. These incidents show the inadequacy of the atonement ceremony in Lev 9 to deal with the sin of Nadab and Abihu, i.e. a sin of the priestly family, though that is not to say that the atonement itself was invalidated. The eighth-day service is designed to enable the priests to enter the shrine, thus to introduce the regular priestly work (Lev 9:23; 10:9). That the atonement ceremony on that day was insufficient to cope with priestly sins may well imply the inadequacy of the regular priestly work in the shrine and the fore court as a whole.

In the light of the above we conclude our discussion of the nature of the ritual on the day of Atonement as follows. Although the idea of sin defiling the sancta exists, this should not lead us to look at the sins in Lev 16 mathematically, i.e. in terms of 'accumulation' or 'amount', but in terms of the nature of the occasion, particularly of the atonement ceremony. In other words, all the sins over a certain period of time are

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61 See chapter 2 C.

envisaged as being atoned for again on the day of Atonement by the most potent blood manipulation. Conformably the guilt related to the sins is to be removed, not by the burning of the חטאת flesh, but uniquely by the Azazel goat which makes atonement for Aaron, thereby for all Israel.

Conclusions

In a sense most of the conclusions of our study of the חטאת are incorporated in our interpretation of the day of Atonement ceremony in the previous chapter. So here we shall outline those conclusions more systematically in accordance with the problems posed at the beginning of the study, which can be classified largely into two areas; (1) The basic function of the חטאת (2) The rationale of the variety of ritual types.

(1) The 'חטאת' should be translated, as Barr and Milgrom suggest, 'purification offering' or 'purgation offering' rather than the conventional 'sin offering'. This is because the former translation conveys more comprehensively to the modern mind the basic function of the חטאת than the latter, and not because the חטאת does not deal with sin. The חטאת indeed deals with 'חטאת' (sin) (Lev 4:1-5:13) as well as with uncleanness (the חטאת rituals in Lev 12-15), contrary to Milgrom's thesis that it only has to do with uncleanness. The problem of terminology arises from the fact that the cultic law distinguishes between physical uncleanness and חטאת (sin), whereas חטאת (sin) itself can be an intense form of uncleanness. This must be borne in mind when the חטאת is translated 'the purification offering'.

Uncleanness, whether specific or general, is envisaged to be present in the sancta when the offerer stands before God, and not as Milgrom assumes, when a person commits an inadvertent sin or becomes unclean.

And this assumption appears to do more justice to the חטאת in contexts where no specific cause of uncleanness is assumed, such as consecration and dedication. Thus the priest purifies sancta such as the altar of burnt offering (see below) but in so doing he also purifies the offerer. Lev 17:11, which can be applied to all the animal sacrifices, is the key to a

deeper dimension of this parallel between purification of the offerer and what takes place on the altar.

Firstly, Lev 17:11 confirms the above assumption because it assumes that the offerer is personally involved in the blood manipulation. Perhaps behind this relationship between the offerer and the sancta there lies an idea that the sancta invariably represent the people.

Secondly, the passage declares that blood contains life-essence. However that purification should not be pictured as neutralizing death by life is indicated by the fact that the חטאת blood itself can symbolize death in a substitutionary sense. In other words, the death caused by sin and uncleanness is annulled by substitutionary death. The alternative view that the חטאת blood absorbs sin and uncleanness and becomes unclean is inadequate mainly because of its failure to distinguish between uncleanness in the camp (טמא) and uncleanness envisaged in the sancta.

The function of the חטאת is inseparably connected with that of the priests because it is they who manipulate the חטאת blood to purify sancta, thus making atonement (כִּפֶּר) for the people. From the investigation of the concept of כִּפֶּר we have inferred that by purifying sancta the priest bears the guilt associated with uncleanness. In this context the phrase נשׂא עון should be construed in a substitutionary sense. Thus apart from the principle that the sacrificial blood substitutes for the offerer on the altar (Lev 17:11), the same principle of substitution seems to be assumed in the dimension of priests, a point which has not been emphasized by scholars.

At this point the importance of Lev 10:16-20 for the חטאת problem should be underlined in view of the fact that the section has long been enigmatic to exegetes or has been misinterpreted by modern critics. For

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the section affords clues not only to the basic function of the חטאה as described above, but also to the rationale of various ritual types as will be set out presently. Furthermore the section is significant in two respects. Firstly, since the section presupposes Lev 6:17-23 (and perhaps Lev 4 as well) and is presupposed by atonement theology in Lev 16, there is a strong possibility that the חטאה rituals in Leviticus have a coherent system. Secondly, though the section is narrative, it is inseparably united, at least in content, with the laws in Lev 10 and Lev 16. This calls for a reconsideration of sections in the Pentateuch, where narrative alternates with laws.

(2) The variety of the חטאה ritual is marked prominently by two factors; blood manipulation and the disposal of the חטאה flesh.

Both the -הזה and נתן gestures symbolize purification of sancta. Apparently the הזה gesture is more potent than the נתן gesture. The mode of blood manipulation is basically dependent upon the nature of the occasion (cp. Lev 16:14 with Lev 9:8ff., Lev 16:15 with Lev 9:7).

Eating the חטאה is the priestly privilege and duty, yet it has no direct bearing on the atoning process (כִּפֶּר). Nor is it part of the חטאה ceremony. By contrast Lev 10:17 and 16:26-28 suggest that the burning of the חטאה symbolizes the removal of guilt just as the Azazel goat does. These two modes of disposal of the חטאה are not invariably combined with a definite mode of blood manipulation. They are determined by whether Aaron bears his own guilt (including the guilt arising out of his capacity as the high priest).

The rituals in Lev 4:3-21 and Lev 9 are related each in its own way to the ritual on the day of Atonement. The הזה gesture in Lev 4:6-7,17-18 foreshadows the one in Lev 16:14ff.. Furthermore the two rituals in Lev

4:3-21 form a distinctive type of atonement ceremony over against those in Lev 4:22ff.. The difference between the two types of atonement ceremony largely parallels that between the eighth-day service and the day of Atonement ceremony. The latter is illuminated by the incidents in Lev 10 of Nadab and Abihu and the חטאת flesh, which show that the sin of Aaron's house is not adequately atoned for by the atonement ceremony in the fore court and the shrine. They demand a fuller ceremony in Lev 16.

Incorporating Lev 15:31 as well as the above two strands (Lev 4:3-21 --> Lev 16, Lev 9 --> Lev 16), the atonement ceremony in Lev 16 deals with all the sins (חטאת) of the Israelites including Aaron and the priests.

The central problem of the day of Atonement ritual lies in the relationship between the חטאת which makes purification of sancta, and the Azazel goat which carries the guilt of all the Israelites away into the wilderness. On the assumption that the concept of כִּפֶּר includes both 'purification' and 'bearing guilt' it is possible to hold that by purifying sancta Aaron bears the guilt associated with uncleanness, and that he lays it on the head of the Azazel goat when he confesses the sins of all the Israelites. On this interpretation the Azazel goat ritual can be seen to meet the demand in Lev 10:16-20 that the guilt Aaron bears as the head of the house must be removed.

Lastly, over against the usual scholarly tendency to see the Azazel-goat ritual as separate from the rest of the day of Atonement ceremony it is proposed that the Azazel goat itself is the חטאת, and that the ritual is the special form of the burning of the חטאת, designed to eliminate the guilt that Aaron bears. In view of all the above the Azazel goat ritual constitutes the climax of the Israelite system of atonement ceremonies.

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