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# Roles and Relations in Biblical Law: A Study of Participant Tracking, Semantic Roles, and Social Networks in Leviticus 17-26

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# 2. TOWARDS A SOCIAL NETWORK ANALYSIS OF THE HOLINESS CODE

## 1.0. The Holiness Code in Modern Scholarship

There is no question that Lev. 17–26 stands out from the rest of Leviticus. It is full of exhortations and motivations which distinguish this part of the book from the first half of Leviticus (and Exod. 25–40 for that matter). Most distinctive are the so-called divine *Selbstvorstellungsformeln* (אֲנִי יהוה 'I am YHWH'; e.g., Lev. 18.2), a term originally coined by Walther Zimmerli (1963), which occur 47 times in this text.[1] By contrast, this phrase occurs only twice in Lev. 1–16 (11.44, 45). The *Selbstvorstellungsformeln* function as strong, theological motivations for adhering to the law (Preuß 1985). Another distinct feature of Lev. 17–26 is the collation of groups of legislation in paraenetic frames in which the divine *Selbstvorstellungsformeln* are often placed, most evidently in Lev. 18.1–5, 24–30.[2] This part of Leviticus certainly has

[1] The *Selbstvorstellungsformeln* are formulated in varied ways, sometimes in connection with reference to the exodus: "I am YHWH your God, who brought you out of the land of Egypt" (19.36; 22.33; 23.43; 25.38, 42, 55; 26.13, 45); see also Müller (2015).

[2] Apart from the paraeneses in 20.7–8, 22–27, which seemingly mirror those in Lev. 18, the paraenetic frames in H are not undisputed. Otto (2009, 140) suggests 19.1–4, 36b–37; 22.8, 31–33; 25.18–19, 38, 42a, 55; 26.1–2. Grünwaldt (1999, 132), however, does not regard 19.3–4 and 20.27 as part of the paraenetic framework (see also Blum 1990, 319–22).

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a particular flavour, or “besondere Farbe,” in the words of Erhard Blum (1990, 319).[3] Structurally, moreover, the text resembles other legal collections in the Pentateuch: the Covenant Code in Exod. 20.22–23.33 and the Deuteronomic Code in Deut. 12–26 (Jürgens 2001, 126). All of these texts are characterised by introductory altar legislation concerning sacrifices, the place for sacrifices, and blood (Exod. 20.22–26; Deut. 12.1–14.21; cf. Lev. 17), and by concluding exhortations (Exod. 23.20–33; Deut. 27–28; cf. Lev. 26). In between, these texts contain various social and cultic legislation. Apart from its structure and *Farbe*, Lev. 17–26 is distinguished from the rest of the priestly material by its vocabulary, content, and style (see Joosten 1996, 6–7). Moreover, whereas the first half of Leviticus is concerned with the cult, “Lev. 17–27 offers another look at cultic procedures from the larger perspective of the community and nation as a whole” (Averbeck 1996, 914).

It was Graf (1866) who first argued for the original independence of these chapters.[4] According to him, Lev. 18–26 was originally an independent document authored by the prophet

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[3] Unlike most previous scholars, however, Blum (1990, 319–22) was not led by this phenomenon to consider Lev. 17–26 an originally independent document or a later expansion of the priestly document (P). Rather, according to Blum, the high frequency of paraenetic material in Lev. 17–26 does not point to a qualitative difference from P, only a quantitative one. Blum argues that the paraenetic tone of Lev. 17–26 crucially depends on the content matter of these chapters. The paraeneses are not arbitrarily distributed but correlate with specific legislation.

[4] For an extensive review of previous research on the Holiness Code, see Sun (1990, 1–43; see also Tucker 2017, 10–28).

Ezekiel, an argument made on the grounds of linguistic similarities between H and the book of Ezekiel (1866, 81–83).[5] Graf was soon supported by August Kayser (1874, 64–79), who added Lev. 17 to the corpus, and by Wellhausen (1927; originally published 1883) who popularised the view as part of his new documentary hypothesis of the history and religion of ancient Israel. For Wellhausen, H marked a transition between early Deuteronomy and the later priestly document.[6] The name 'Holiness Code' (*Heiligkeitsgesetz*) itself was first coined by August Klostermann (1893).[7] Whereas Klostermann merely used the label as a convenient way to refer to Lev. 18–26, later generations of scholars willingly used

[5] To be sure, even before Graf, scholars had noted the distinctiveness of Lev. 17/18–26 (e.g., Ewald 1864, I:131–32, 140).

[6] "Jedoch die Sammlung Lev. 17–26 ist bekanntlich von diesem [i.e., the priestly redactor] nur überarbeitet und recipirt [*sic*], ursprünglich aber ein selbständiges Korpus, welches auf dem Übergange vom Deuteronomium zum Priesterkodex steht, bald diesem, bald jenem sich nährend" (Wellhausen 1927, 83 n. 1).

[7] Ironically, although the name 'Holiness Code' suggests otherwise, Klostermann (1893, 376–77) did not regard H as anything but a 'colourful mix of fabrics': "Daraus erklärt sich mir die unvergleichlich fragmentarische Natur, die bunte Mischung der Stoffe, der sonderbare Kontrast zwischen der in den identischen Formeln zu Tage tretenden Absicht, alles zu erschöpfen, und zwischen der wirklichen Lückenhaftigkeit, Unordnung und Unvollständigkeit des mit jener Tendenz Gegebenen, welche dem ausmerksamen Beobachter als charakterische Merkmale von Lev. 18–26 entgegentreten."

the name as designating a coherent, pre-existing law code.[8] For more than a century, the independence and integrity of the Holiness Code as a pre-priestly document remained almost undisputed.[9] The scholarly consensus, however, was shaken when Karl Elliger (1966) contended that H should rather be seen as a series of expansions (*Ergänzungen*) to the Priestly Code (P).[10]

In 1987, Israel Knohl published his article 'The Priestly Torah versus the Holiness School', which was soon to become very influential. Knohl argued that the differences between P and H were not merely distinctions or variations, but discrepancies requiring the conjecture that there existed a Holiness School (HS) with a polemical agenda against P. Thus, H now became the product of post-priestly Holiness redactors. Knohl's thesis was later substantially supported by Jacob Milgrom (1991; 2000; 2001; 2003) and marked a turning point within the scholarly debate on Leviticus. A group of scholars including Robert A. Kugler (1997), David P. Wright (1999; 2012), Christophe Nihan (2007),

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[8] Early scholars include Wurster (1884), Kornfeld (1952), Elliot-Binns (1955), Reventlow (1961), Kilian (1963), Feucht (1964), and Thiel (1969). Most recently, Grünwaldt (1999) has revived the hypothesis.

[9] Not all scholars accepted the Graf-Wellhausen hypothesis. Hoffmann (1906, II:380–90) contended that there was no substantive difference between P and H. Also, Eerdmans (1912, 83–87) argued that Lev. 17 was not a fitting introduction to an independent law code and that the youngest parts of Lev. 17–26 did not constitute a coherent whole. Küchler (1929) objected that there was no internal structure justifying the notion of an independent code.

[10] Elliger's thesis was later supported by Cholewiński (1976), who noticed in H a general polemic against the so-called priestly *Grundschrift*.

Jeffrey Stackert (2007; 2009), and Reinhard Achenbach (2008) adopted and further developed the Knohl-Milgrom hypothesis. Most recently, Thomas King (2009), Megan Warner (2012; 2015; 2018), and Paavo N. Tucker (2017) have argued for a HS redaction in Genesis and/or Exodus.[11]

Although the contributions of King, Warner, and Tucker indicate a growing consensus assuming the existence of a late Holiness School, the Knohl-Milgrom hypothesis has not gone unchallenged. To begin with, others attribute the redaction of H to the final redaction of the Pentateuch rather than to HS (e.g., Otto 1994a; 1994b, 233–42; 2009; 1999; 2015). Furthermore, Baruch J. Schwartz (2009) has warned against assigning all redactional activity to HS, because it undermines the identification of H in the first place.[12] The most radical critique was raised by scholars

[11] King (2009) argues that the priestly narratives in Gen. 1–Exod. 6 were compiled by HS alongside the priestly legal material. Similarly, Warner (2012; 2015; 2018), with her focus on the ancestral narratives in Genesis, proposes that the redactional material in these texts, thought by some to be Deuteronomistic, could be attributed to HS. Tucker (2017, 29), relying on the assertion of Milgrom, Knohl, and King, among others, that Exod. 6.2–8; 29.43–46; 31.12–17 should be attributed to the H-redactor due to affinities with the Holiness Code, considers all the priestly material in Gen. 1–Lev. 26 a so-called 'H-composition'. In addition, in his commentary on Genesis, Arnold (2009) proposes HS as the final editor of Genesis.

[12] According to Schwartz (2009, 9), "if all redactional activity is automatically attributed to HS, the catalogue of features associated with HS will soon come to include a number of those having no connection with

who rejected the notion of a Holiness Code altogether. Henry T. C. Sun (1990), in an extensive redaction-critical study of H, concluded that the theory of an originally independent law code in Lev. 17–26 cannot be justified, due to the chapters' lack of internal coherence, the different dating of various sections, and, most importantly, the fact that no pervasive compositional layer throughout the entire text can be identified.[13] Erhard S. Gerstenberger (1996, 18) also denied the existence of H as a distinct source or redactional layer and dubbed the notion of an independent Holiness Code nothing more than a "wishful phantom of scholarly literature."[14]

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H whatsoever and whose only qualification for inclusion among the literary features of the Holiness School is that they appear in redactional passages in the Pentateuch."

[13] A similar critique was already raised by Noth (1977, 12), who claimed that "Chapters 17 and following do not admit of division under major themes into sections classed according to content, as in the first half of the book. Here in general each chapter contains in itself more or less coherent groups of instructions relating to widely differing subjects" (see also Blenkinsopp 1992, 224).

[14] According to Gerstenberger, Lev. 1–10 follows logically after the construction of the sanctuary narrated in Exod. 35–40. The remainder of the book, however, seems to be arbitrarily ordered. For example, Gerstenberger (1996, 17) argues that one would expect the legislation on impurities (Lev. 11–15; 21–22) to be placed prior to the inauguration account (Lev. 8–9) rather than being interspersed around the book. Gerstenberger explains the "disparate structure" of Leviticus and other Pentateuchal material as the result of an extensive scribal process of composing the text from various sources. According to Gerstenberger (1996,

Similar conclusions were reached by a series of other scholars, although on a quite different basis. These scholars did not consider Lev. 17–26 a mere blend of laws, nor an independent law code or a post-priestly redaction. Rather, according to Blum (1990), the unit should be considered an integral part of the priestly composition of Gen. 1–Lev. 26, the so-called *priesterliche Komposition.*[15] Frank Crüsemann (1992) also rejected the traditional notion of an independent H, as well as Knohl's argument for a radical discrepancy between P and H. On the contrary, according to Crüsemann (1992, 323–25), Lev. 17–26 is closely connected to the priestly compositional layer and the overall Sinai legislation.[16] These objections echo the early critique by Volker Wagner (1974), who proposed an alternative structure of Leviti-

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18), Lev. 16–26 "thus seems to derive from an extended process of collection and interpretation that is no longer transparent and probably took place quite independently of the composition of the first fifteen chapters."

[15] According to Blum (1990, 318–29), the occurrences of *Selbstvorstellungsformeln* ("I am YHWH") and related statements outside H (e.g., Exod. 6.2–8; 12.12; Lev. 11.44–45) imply that these characteristic features cannot be used to identify H as a distinct source. Blum, therefore, concluded that the distinctiveness of Lev. 17–26 is not due to its exclusive use of exhortations and *Selbstvorstellungsformeln*, but rather to the concentration of these expressions within this text. Remarkably, the same observations led Knohl (1987) to argue for a Holiness School being responsible for redactions outside H.

[16] Nevertheless, Crüsemann (1992, 325) considers Lev. 17–26 "in der Priesterschrift ein relativ selbständiger Teil."

cus, treating parts of H as a subunit of previous priestly material.[17] In subsequent contributions, Blum and Crüsemann have been followed by Rainer Albertz (1994; 2012; 2015) and Andreas Ruwe (1999).

The 1990s witnessed a boom of novel, synchronic readings of Leviticus. Despite their obvious differences, a common denominator of these studies was the quest to grasp the rhetorical intent of the final form of the text. In other words, far from seeing the ritual and social laws as arbitrarily scattered throughout the book, scholars began to consider these laws to have been purposefully employed and structured by an author or editor. Mary Douglas (1993; 1995; 1999) pioneered a new way of reading Leviticus. Since her work also relates more specifically to new literary trends, a more detailed account of her work is provided below (§2.0). Erich Zenger (1996a) suggested a seven-fold chiastic structure of Leviticus, based on linguistic similarities and differences in the speech-introducers in Leviticus, as well as the subscriptions of the passages.[18] Since he subsumes chapters 16–17

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[17] Wagner (1974, 314) divided Exod. 25–Lev. 25 into four major sections: Blueprint and inventory of the sanctuary (Exod. 25–31); rituals (Lev. 1–7); cultic impurities (Lev. 11–22); calendar (Lev. 23–25). Somewhat similar is Ska's (2001, 346–49) macrostructure of Leviticus, dividing it into two major units: inauguration of the cult (Lev. 1–10) and ethical prescriptions (Lev. 11–27). The latter unit can be divided into four blocks: Lev. 11–15; 16; 17–24; 25–27.

[18] The seven-fold structure proposed by Zenger (1996b, 37; 1999) consists of concentric rings around Lev. 16–17: A: Sacrifices (Lev. 1–7); B:

into one coherent unit marked by “starke sprachliche, vorstellungsmäßige und strukturelle Querverbindungen” (Zenger 1999, 64), his argument brings into question whether Lev. 17 can reasonably be regarded as an introduction to H as a distinct unit.[19] Christopher R. Smith (1996) likewise proposed a seven-fold structure of Leviticus, in this case from the viewpoint of genre. Apart from noting that the legal material of the book is clustered into collections of related material, signalled by conclusions, final exhortations, summaries, compliance reports, and speech-introductions, he claimed that the material was organised at an even higher level, genre. Accordingly, Smith proposed a seven-fold structure of Leviticus based on alternations between law and narrative.[20] A rather different approach to reading Leviticus is found in the work of Wilfried Warning (1999), who investigated patterns of word repetitions. In addition to identifying lexical patterns within smaller textual units, he also found lexical patterns spanning larger segments of the book, even crossing the tradi-

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Priests (8–10); C: Everyday life (11–15); D: Atonement (16–17); C’: Everyday life (18–20); B’: Priests (21–22); A’: Sacrifices and festivals (23–26; 27).

[19] Along similar lines, Britt and Creehan (2000) argued for considering Lev. 16 and 17 to be a compositional unit. They supported their claim by suggesting that 16.30–17.11 forms a chiasm, thus effectively bridging the two chapters.

[20] Smith’s (1996) suggested structure is as follows: Lev. 1–7 (law); Lev. 8–10 (narrative); Lev. 11–15 (law); Lev. 16 (narrative); Lev. 17.1–24.9 (law); Lev. 24.10–23 (narrative); Lev. 25–27 (law). His proposal, however, requires Lev. 16 to be a narrative, which is questionable.

tional boundaries between P and H. One example is the distribution of the lexeme יצק 'pour', which occurs eight times in Leviticus and, according to Warning (1999, 136–38), forms a chiastic structure.[21] Whereas the three first and the three last occurrences deal with the pouring out of oil, the two middle attestations concern the pouring out of blood. According to Warning, this chiastic structure, centred around the pouring out of blood, suggests that the distribution of יצק 'pour' is no mere accident. The first seven instances of יצק are found in P, and the eighth is found in H; hence, if the distribution of יצק is indeed evidence of a creative author/redactor, a clear-cut distinction between P and H is compromised. Finally, in his identification of a sabbatical calendar constituting the backbone of the priestly *Grundschrift*, Philippe Guillaume (2009) breaks down the traditional distinction between P and H, because Lev. 23 and 25 are added to this calendar.[22] According to Guillaume, the sabbatical calendar ranges from the creation week (Gen. 1) to the Passover celebration in Canaan (Josh. 5), and, while the non-sabbatical elements of the Pentateuch do not comprise a coherent narrative, the priestly sabbatical calendar—including Lev. 23 and 25—does.[23] According to

[21] יצק 'pour' occurs in Lev. 2.1, 6; 8.12, 15; 9.9; 14.15, 26; 21.10.

[22] Guillaume argues for a priestly *Grundschrift* underlying the extant text from Gen. 1–Josh. 18.

[23] It should be noted, however, that in reconstructing the basic priestly *Grundschrift*, Guillaume (2009, 12) disregards intervening, non-priestly material. Thus, while the claimed 'coherent narrative' is argued to be a once independent source, it now appears as a redactional layer in the extant text.

Guillaume (2009, 168), this suggests that the sabbatical calendar is not a secondary addition to the *Grundschrift* but its "*raison d'être*."

To summarise, then, the history of research on the composition and origins of Lev. 17–26 displays a trajectory not unusual for Biblical scholarship. While the vast majority of critical scholars maintained and supported the idea of an originally independent, pre-priestly Holiness Code for more than a century, the first major objections to this idea in the 1960s eventually led to a lack of any consensus whatsoever. Today, scholars could hardly be more divided over this question, ranging from those who assume the Knohl-Milgrom hypothesis almost as an axiom, and who further the hypothesis of a Holiness School responsible for editing most parts of Genesis–Leviticus, to scholars who propose novel suggestions for structuring Leviticus irrespective of the traditional boundary between P and H. Finally, one group of scholars has rejected both the idea of a redactional layer associated with H and the notion of coherence in Lev. 17–26, and in the entire book for that matter. Thus, while probably no one would question that Lev. 17–26 distinguishes itself by its paraenetic style, emphasis on holiness for the entire people, and resemblance to other legal collections of the Pentateuch, there is no consensus about what to make of these features.

## 2.0. Leviticus as Literature

Biblical scholarship has seen another development during the last three or four decades. As a consequence of the disappointing results of classical source- and redaction-critical approaches and an

increasing interest in the authors of the received text, Biblical scholars began turning to synchronic readings of the extant text.

There was a growing awareness that the Biblical text as we now have it is not just a compilation of disparate sources, but the creative product of an author or authors. With respect to Biblical law, historical-critical scholarship had (and has) a tendency to distinguish narrative and law, often considering the narratives of the Pentateuch to be the earliest layers and the laws later expansions. Rhetorical criticism, on the other hand, is occupied with the extant text and aims to investigate the meaning of the text at large.[24]

From a literary point of view, then, Leviticus is a book in a five-book collection, the Pentateuch.[25] Even more than that, Leviticus is commonly seen as the central book around which the

[24] "The techniques of literary criticism are necessary to appreciate the organisation of a piece of literature, the ideas it embodies, and the standpoint of the writer. Rhetorical criticism links the concerns of literary and historical criticism. It attempts to show how an author writing in a particular context organised his work to try to persuade his readers to respond in the way he wanted" (Wenham 2000, 3).

[25] Whether Leviticus is a book in its own right or the result of a somewhat arbitrary division of the Pentateuch into five pieces is the topic of much scholarly debate. For one thing, the narrative of Leviticus is part of the Sinai story (Exod. 19.1–Num. 10.10; see Ruwe 2003), as indicated by the opening sentence of Leviticus, וַיִּקְרָא אֶל־מֹשֶׁה 'and he called upon Moses', a narrative form without explicit subject—a rather unusual introduction to a book. This train of thought has led to the argument that the five books of Moses do not form a Pentateuch but a Triptych, and that Exodus–Leviticus–Numbers is just one book (Koorevaar 2008). On the other hand, it has been argued that Num. 1–10 is related more

storyline of the Pentateuch evolves (Zenger 1996b, 36). The book is framed by wilderness accounts, describing the exodus and arrival at Sinai (Exodus), and the departure from Sinai (Numbers). An outer frame depicts the creation and promises of the land (Genesis) and instructions for living in the promised land (Deuteronomy). These frames set the Sinai revelation in Leviticus at the centre of the entire Pentateuch. Numerous proposals as to the structure of Leviticus have been made. Some consider the inauguration of the cult to be the climax of Leviticus (Watts 1999; 2013; Ruwe 2003), others the Day of Atonement (Smith 1996; Zenger 1996b; 1999; Warning 1999; Jürgens 2001; Morales 2015), and others the 'holiness chapter', chapter 19 (Douglas 1993; 1995; 1999; Kline 2005; 2015). Nihan (2007, 109) sees a linear development of "Israel's gradual initiation (by Yahweh himself) into the requirements of the divine presence" in three successive stages: 1) the public theophany as a divine response to the inauguration of the priesthood (Lev. 9.23–24); 2) the theophany inside the inner sanctum (Lev. 16.2); and 3) the promise that YHWH will walk in the midst of his people (Lev. 26.12). Thus, the debate on the structure of Leviticus and its role within the composition of the Pentateuch is far from settled.

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closely to Exod. 19–40 than to Leviticus, and that the division of the Pentateuch into five books bears on thematic and conceptual differences (Nihan 2007, 69–74; Blum 1990). Moreover, a number of studies have proposed separate structures for Leviticus, assuming the book to form a cohesive whole (Douglas 1993; 1995; 1999; Smith 1996; Zenger 1996a).

More generally, literary and narrative approaches tend to struggle with the fact that laws comprise the vast majority of the text in Leviticus. In his commentary on the Pentateuch, John H. Sailhamer (1992) exposited the five books of the Pentateuch as a narrative by emphasising narratological devices, such as parallel structures, narrative plot, and recurrent *Leitwörter*.[26] This approach works well in Genesis and Exodus, which are predominantly formed by narratives. As for Leviticus, Sailhamer demonstrated a number of significant parallels between the primeval history (Gen. 1–11) and Leviticus. Thus, according to Sailhamer, the narrative of Leviticus is purposefully crafted as a continuation of the story begun in Genesis. Nevertheless, Leviticus is not lent much space in the commentary in comparison to Genesis and Exodus, probably due to the fact that Leviticus is considerably more difficult to interpret with traditional narratological tools.[27]

The deficiencies of narratological readings acknowledged, other strategies were applied to capture the structure and message of Leviticus. The pioneer of this trend was Douglas (1993; 1995; 1999), who advanced the idea of analogical reading. According to Douglas (1999, 15–20), Leviticus has been completely misunderstood, because the structure and the rationale of the book were investigated from a Western point of view. While

[26] As an example of Sailhamer's (1992, 143) narratological hermeneutics, repetitions are interpreted as rhetorical means by which it is emphasised that "the matter has been firmly decided by God and that God will act quickly to bring about his promise."

[27] The same critique can be levelled against the narratological readings by Clines (1978) and Mann (1988); see Watts (2013, 48).

Westerners are used to reasoning in terms of causality, logical entailments, and abstractions, analogical reasoning works through correlations, that is, one phenomenon is given meaning by its correlation to another phenomenon. By implication, meaning evolves gradually and circularly and not according to a linear, narrative plot. According to Douglas, the most significant analogy with which to capture the deeper meaning of Leviticus is the analogy of the Tabernacle. In particular, she argued for structuring Leviticus according to three concentric rings correlating to the tripartite division of the tabernacle. In light of this analogy, it is not surprising that the theme of holiness, normally attributed to the Holiness Code, is far more explicit in the latter half of the book. By analogy, in chapters 18–20, the reader has now entered the Sanctum from the courtyard of the sanctuary and, in 25–27, proceeds to the Holy of Holies.

Douglas' proposal has not gone unchallenged, but she certainly became a great inspiration for interpreters of Leviticus.[28] A decade later, Moshe Kline (2008; 2015) likewise proposed structuring Leviticus according to three conceptual rings, seeing chapter 19 as the centrepiece—the 'fulcrum'—of Leviticus. According to Kline (2015, 243), the 'fulcrum' is surrounded by three concentric rings: an inner ring (Lev. 16–18; 20.1–22.25), a middle ring (8–12; 22.26–24.23), and an outer ring (1–7; 25–27). This structure is analogous to that of the Taberacle, such that, by delving into Leviticus, the reader gradually approaches the Holy

[28] Douglas' novel ideas occasioned the anthology *Reading Leviticus: A Conversation with Mary Douglas* (1996). For critical evaluations of Douglas' approach, see Watts (2007, 15–27) and Nihan (2007, 84–85).

of Holies. Thus, like Douglas, Kline argued that the book should be read not linearly but rather according to its conceptual rings and the textual 'weave' they constitute. The intriguing structures proposed by Douglas and Kline have not met widespread acceptance. One reason might be that Douglas' three proposals were all different, indicating that an analogical reading is somewhat subjective and lacks linguistic evidence. Moreover, it is curious that, in contrast to other ancient literature, Leviticus never explicates the analogies (see Watts 2013, 49).

Nevertheless, narratological and analogical readings of Leviticus paved the way for a new appreciation of Leviticus as literature. Although none of the paradigms reviewed above have gained widespread recognition, they signal the beginning of paying more attention to narratological and rhetorical features and of appreciating the entire text with its curious mix of rituals, social laws, speeches, narratives, and exhortations.

## 3.0. Law as Rhetoric

Rhetorical analysis of Biblical law is another strategy for reading the extant text and grasping its meaning and intention. However, whereas narrative approaches tend to prioritise the narrative storyline of the text, rhetorical analysis does not necessarily prioritise one genre over the other. Indeed, one strength of rhetorical analysis is its potential for revealing how different genres work together rhetorically in the final form of the text. In his *Reading Law* (1999), James W. Watts explored the rhetoric of the Pentateuch, in particular with respect to the rhetorical effects of combining narrative, laws, and exhortations. According to Watts,

the combination of narrative (story) and law (list) is one of the strongest features in the persuasiveness of the Pentateuch. Drawing upon the work of John D. O'Banion (1992), Watts (1999, 38–39) argued that laws and narratives are interdependent in order to achieve the highest possible level of persuasion. While lists are powerful tools for systematic expressions of any kind, including laws, they need the justification and explanation provided by narratives. Narratives, although not void of ethics, cannot stand alone if they are to persuade because they do not directly dictate or prohibit any action.[29] Thus, "The story alone may inspire, but to no explicit end. The list alone specifies the desired actions or beliefs, but may not inspire them" (Watts 1999, 45). Besides these two elements, Watts (1999, 45) points to divine sanction as a third component of Pentateuchal rhetoric. The Pentateuch appeals to YHWH and his blessings and curses as rhetorical means of impressing the audience. This phenomenon is especially apparent in Deuteronomy, but also in H, which concludes with an appeal to the audience to obey the law, enacted by means of invoking divine sanctions (Lev. 26). The priestly legislation (Exod. 25–Num. 9) at large makes use of all three rhetorical components, although it is dominated by lists (Watts 1999, 52–55). While the lists describe the ideal priesthood and ideal community in blessed

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[29] Wenham's *Story as Torah* (2000) is a similar account of the relationship between law and narrative, yet from the opposite perspective. In his book, Wenham explores the books of Genesis and Judges with an eye to their ethical implications. His work also illustrates that narratives require more (and a different kind of) interpretation in order to grasp their underlying ethical messages than do law texts.

coexistence with YHWH, the narratives intruding the lists illustrate the dangers of disobedience. The only exception is Lev. 8–9, which, according to Watts (1999, 54), is the climax of the entire Pentateuch and "narrates the fulfilment of the priestly ideal in the Tabernacle worship." The idealism and the warnings come together in Lev. 26, although the warnings occupy most of the space. However, through reference to YHWH's promises to the ancestors (Lev. 26.42–45), the entire discourse "becomes more than a statement of obligations enforced by threats; it unveils a vision of hope grounded in YHWH's covenant commitment to Israel" (Watts 1999, 55). The same three components can explain the structuring of the Pentateuch as a whole, beginning with the long stretches of narratives in Genesis and Exodus, followed by the priestly legislation, and concluded by the divine sanctions in Deuteronomy. The "intent and effect" of this composition, along with other rhetorical devices, are to "persuade readers to accept it as *The Torah* and use its norms to define themselves as Israel" (Watts 1999, 156; italics original).[30] According to Watts (1999, 88), then, although the composition of the Pentateuch is complex and its origins even more so, the narratives, laws, and exhortations together "create the rhetorical force of Torah."

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[30] As for Leviticus, Watts (2013, 98) argues that its rhetorical intent is "the authority of Torah and the legitimacy of the Aaronide priests' monopoly." It has been questioned, however, whether the Pentateuch (and Leviticus in particular) was indeed composed by Aaronide priests to legitimate their monopoly (Gane 2015). After all, the priests do not play the most significant role in the social network implied by Lev. 17–26 (a point to be discussed in chapter 7, §5.1.4).

The rhetoric of law and narrative has also been explored from the perspective of ritual theory, in particular by Bryan D. Bibb in his *Ritual Words and Narrative Worlds in the Book of Leviticus* (2009). While synchronic approaches to Biblical literature have sometimes—if not often—been aimed at smoothing out the 'knots' of the texts, it is safe to say that Bibb goes in another direction. According to Bibb, the literary quality of Leviticus as it now stands is in fact due to the very internal tensions that have so often tempted modern critics to drive fissures into the book. One of the most striking features of Leviticus is its blend of narrative and ritual. That is, Leviticus contains narrative descriptions of rituals but also seemingly timeless prescriptions of ritual performance. Thus, Leviticus cannot be reduced to either descriptive or prescriptive, narrative or law. As Bibb (2009, 34) puts it, "Leviticus is not a priestly manual, a descriptive account of ritual behaviour, or a fictional narrative with literary purposes. Actually, to some degree it is all of these things, but none of them define the book. These various generic elements interact in the final mix of the book to form a genre called here 'narrativized ritual'." The blend of narrative and (ritual) law is not supposed to negate either element. As Bibb (2009, 37) describes, the implied reader of Leviticus, the later Israelite, reads a description of rituals to be performed by his ancestors; however, the laws are not merely descriptive but "normative descriptions of the past." Put differently, "historic instructions to the ancestors function as ongoing requirements for the descendants." Thus, by means of its narrative style, the text creates a gap between past and present, but at the same time it also bridges the gap by connecting the

reader with the glorious past of the ancestors. In the words of Bibb (2009, 57), “The interplay between ritual and narrative construct a ritual world in the past that the present reader can inhabit, creating a literary world in which temporal distinctions are meaningless.” Bibb also addresses the visible tension between the two halves of Leviticus. Whereas chapters 1–16 predominantly restrict holiness to the priestly domain, chapters 17–27 broaden holiness to a quality to be strived for by the entire community, most explicitly stated in 19.2: “You shall be holy, because I, YHWH your God, am holy,” addressing the whole congregation. While the borders of holiness are thus transcended, the old borders nevertheless still remain. On the one hand, the entire community is to be holy, and all of the Israelites are responsible for adhering to the law, for example, to distinguish clean and unclean animals. On the other hand, even in H, the special requirements for priests still remain.[31] This tension suggests that the cultic holiness established in the first half of Leviticus is maintained in the latter half alongside an apparent expansion of the concept. Thus, holiness is a dynamic concept that creates a tangible tension in the text. According to Bibb (2009, 164), far from undermining the literary quality of Leviticus, the tension rather adds to it:

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[31] There are precise regulations for when the priests can access the altar (Lev. 22.1–9), and lay people are certainly not allowed. There are strict rules as to whom the priests can marry (21.7), and even stricter rules for the high priest (21.13–15). For a general account of the priestly conception of holiness, see Jenson (1992).

> The temptation has been to draw the contrast between these two sections (P and H) too sharply, and to see each as part of its own theological and social world. Rather, the second half of the [*sic*] Leviticus addresses different topics while using much of the same language, giving rise to a dynamic tension through which each half of the book transforms and interprets the other.

Thus, in a ritual reading of Leviticus, the gaps, tensions, and inconsistencies of the text do not negate the book as a piece of literature. Rather, according to Bibb (2009, 165), "the text consciously presents itself as complete, rational, and reliable."

Another important study of law and narrative is Assnat Bartor's dissertation *Reading Law as Narrative* (2010). By combining narrative theory and cognitive psychology, Bartor analyses the narrative features of Pentateuchal casuistic laws.[32] According to her, these laws are well suited to a narratological interpretation in that they contain conflict and resolution, events and participants. As such, these laws are in fact "miniature stories" (Bartor 2010, 7). By recording within the individual case laws the inner

[32] Casuistic laws, or case laws, are laws that are conditional in nature and contain a protasis (the condition) and an apodosis (the legal consequence). By contrast, the so-called apodictic laws are unconditional and simply command or prohibit a particular act. The terms 'casuistic law' and 'apodictic law' were originally coined by Alt (1967). In her definition of case laws, apart from laws following a strict casuistic pattern, Bartor also includes laws which present legal cases in an atypical manner, e.g., by referring to the addressees directly in the second person instead of the regular third person address, or by introducing the case with a relative clause instead of the regular prefatory conjunctions כִּי 'when/if' or אִם 'when/if'.

thoughts and emotions of the participants, direct speeches, and the attitudes of the lawgiver, an illusion of reality is created "by means of imitation (i.e., *mimesis*)" (Bartor 2010, 85; italics original).[33] The reader or hearer of these laws can sympathise with the involved participants and be persuaded by the justice of the lawgiver, for the purpose of bringing about obedience (Bartor 2010, 184). Bartor (2010, 25) surveys the "participation" of the lawgiver and the addressees in the laws; fundamentally, "The delivery of the laws is an event involving an encounter between the lawgiver and the law's addressees." Most commonly, the encounter is established by a speech act by which the addressees are addressed by the lawgiver. However, other types of interaction occur as well. In her brief account of the Holiness Code, Bartor notes that one characteristic feature of H is the permanent presence of the lawgiver. The addressees are constantly reminded of the lawgiver (e.g., "I am YHWH your God"), and the lawgiver (YHWH) frequently promises to personally punish transgressors of the law (e.g., Lev. 17.10; 20.3, 5–6; 23.30), as well as laying claim to actions carried out for the benefit of the addressees, for example the exodus (19.36; 22.33; 23.43; 25.38, 42, 55; 26.13,

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[33] "The ability to create an illusion of reality by means of imitation (i.e., *mimesis*) is one of the signal characteristics of narrative. A vivid and dramatic description of the events in which the characters participate affords readers the illusion that they are seeing things with their own eyes, and direct transmission of the characters' conversation produces the (false) sense that they are hearing their voices. Reducing the narrator's role, as it were, to showing or voicing, gives the written text the ability to mimic the verbal and nonverbal events that make up reality" (Bartor 2010, 85).

45). Importantly, the 'presence' of the lawgiver and the interactions between the lawgiver and the addressees establish, or strengthen, a relationship between the two parties: "The participation of the lawgiver and of the addressees is the concrete embodiment of their relationship, for which the law (among other means) is a vehicle" (Bartor 2010, 57).

Bartor's narrative reading of Biblical law reflects a view of law where legal texts are treated as social literature. In other words, law is "a way of speaking about people and about the relationships between them" (Bartor 2010, 2). Thus, while laws often employ formal and abstract language, they have implications for concrete people in specific situations. As Bartor (2010, 5) explains, "All laws deal directly or indirectly with human affairs. They deal with realistic events that occur in time and in space and use true-to-life characters to establish norms and formulate policy. Laws present and represent stories about people, about their property and their ties to their communities, and about interpersonal relationships and the relationships between communities." Although this view of law does not exhaust the concept of law, it allows for the exploring of legal texts as something more than mere lists of rules. The laws are related to a metanarrative and convey experiences and values.[34]

[34] As Morrow (2017, 43) phrases it, "Law always has a narrative function, in that it 'tells a story' about what a particular society values, about who is an insider and who is an outsider, how the society is organized, and what it does when faced with certain forms of social disruption. By the same token, stories can be 'law' in that they have a prescriptive function: they can inculcate values and norms of behaviour that are as

To some extent, the social network model proposed in this study builds on Bartor's sociological approach. Bartor's strategy, however, was limited to the consideration of casuistic laws, because they exhibit the most narratological traits attested in Biblical law. Meanwhile, the apodictic laws are equally concerned with human affairs and are embedded in the same narrative contexts as the casuistic laws. Therefore, to represent a fuller scope of Biblical law and its social implications, we need to employ a less genre-centred framework. In what follows, I shall introduce the sociological framework required for capturing the social dimension of Lev. 17–26, not only as a collection of laws but as a structured document with narratives, laws, and exhortations.

## 4.0. Leviticus and Relational Sociology

The reading strategy adopted for this study is to conceive of Leviticus as a book that employs laws as well as narratives and exhortations to tell a story. The most important 'building blocks' of any story are its participants and the events happening among the participants. It is the participants with whom we identify and sympathise (or whom we despise) as we delve into the narrative world. Over the course of the story, the participants might undergo changes as a result of their experiences and involvements in various relationships. The participants are described in specific contexts and involved in interactions which affect their internal relationships and their community. Conflicts are the results of

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binding as any set of rules. Both functions come together in the first five books of Moses."

interactions gone wrong, whereas resolutions are new interactions restoring the community. In other words, the participants of a story, including those of Leviticus, form a network where the behaviour of one participant, or an alliance or conflict between two participants, affects the entire network. In order to analyse the 'story' of the Holiness Code, I shall analyse its participants and their interactions by applying social network analysis (SNA). While a technical introduction to SNA is postponed to chapter 7 (§2.0), at this point it is relevant to consider how SNA generates meaning from a network of participants, and how SNA applies to legal texts.

By itself, SNA is not an apt candidate for literary analysis. SNA offers a wide range of visual and statistical tools to describe interactions, clusters, and patterns of social networks. In this regard, SNA can be considered a toolbox, but it relies on a theoretical framework in order to generate meaning from numbers and graphs (see Scott 2017, 8). By 'meaning', I refer to *why* people interact as they do in some relationships and differently in other relationships. Or, put differently, *why* participants fulfil specific roles. The answers to these questions do not arise simply from statistical analysis but from a sociological framework that can explain the numbers or graphs in a meaningful way. One such theoretical framework is that of relational sociology (e.g., Groenewegen et al. 2017).[35] In essence, relational sociology aims towards a description of individual persons (or communities) that

[35] For general introductions to relational sociology, see Dépelteau (2018) and Donati (2011). Relational sociology is typically attributed to Harrison C. White (2008; originally published 1992).

balances both individual and community. Accordingly, relational sociology does not emphasise the community so much that the community would predetermine the role of a person. For example, poverty and wealth certainly have social aspects, but they are not systemic or predetermined. Nor are they solely individual qualities that exist prior to social interaction, as so-called substantialists would tend to argue. Substantialists treat individuals (and systems) as self-contained, independent substances and think of social roles in terms of innate, personal qualities. For example, power is viewed in terms of persons with or without certain inner qualities or proclivity towards power. Within Western philosophy, substantialist thinking can be traced back to Aristotle, who thought of entities in terms of discrete categories. A similar way of thinking is found in the publication *Individualität und Selbstreflexion* (Wagner and Oorschot 2017), which shows an interest in the literary construction and conception of individuals in the Hebrew Bible. Although perhaps not representative of the opinion of all contributors to the anthology, Bernd Janowski (2017, 339) argues that the social role of a person can be deduced from the correlation between the inner person (the self) and its outer expressions (name, tattoos, clothes, and personal objects).[36]

Thus, relational sociology rejects both substantialist and systemic descriptions of individuals. Poverty is neither the result of a system or an innate quality. Rather, poverty arises as the

[36] In another contribution, however, Schellenberg (2017, 382) argues that the focus of Biblical law is not on individuality (in the sense of self-reflection) but on conformity to the demands of the social group and the legislator. This approach aligns better with relational sociology.

result of often complex social interactions and involves both individual and community. Essential to this view is the idea that "Individual persons are inseparable from the transactional contexts within which they are embedded" (Emirbayer 1997, 287). By using the term 'transactional', Mustafa Emirbayer seeks to convey the notion of a dynamic situation involving persons who derive their identity and meaning from the roles they play in that situation. A transaction need not be a transfer of physical goods, but can be any exchange between two entities, be it conversations or non-verbal gestures (Gibson 2005). During these transactions, the identity and meaning of the participants are constantly negotiated in the ever-changing contexts of interaction. In short, therefore, relational sociology seeks to balance individual and community without putting excessive emphasis on either of these extremes. Or, put differently, it takes a middle path between a methodological *holism* (the social as an expression of a system) and a methodological *individualism* (the social as the product of individual conduct), as formulated by Pierpaolo Donati (2017). As a result, the smallest object under investigation is therefore not the individual but two individuals in some kind of interaction. In this light, power is not a quality possessed by some person but rather the product of at least two persons in interaction. What follows is that concepts such as power, equality, and agency are not something to be held by an individual and brought into concrete social settings. Neither are individuals predetermined by the structure of the community to be powerful or equal. On the contrary, equality is the outcome of social interaction; that is, "Inequality comes largely from the solutions that

elite and nonelite actors improvise in the face of recurrent organizational problems" (Emirbayer 1997, 292).

Interactions do not occur arbitrarily or in a void. Rather, they are guided by expectations. This fact is most clearly illustrated in trade transactions. These transactions are guided either by expectations formulated in concrete contracts or expectations based on previous experiences, for example, the cost of goods in previous transactions (Fuhse 2009, 52). The same principles essentially apply to all other social relationships. Expectations generally exist on two levels: 1) "interpersonally established expectations and cultural forms;" and 2) "individual perception and expectations" (Fuhse 2009, 53).[37] That is, the reason why individuals act in a particular way is a complex interplay of interpersonal (cultural) expectations and individual expectations. Adding to the complexity, the ever-changing network and fluid structural roles of the participants entail the addition of yet another component to the relationalists' understanding of networks, namely, time. The pioneer of relational sociology, Harrison C. White (1992, 67; quoted in Mische 2014, 82), advanced the idea of a "narrative of ties" in order to capture the phenomenon of ties being constructed and reconstructed over time.

Within a relational approach to the description of individual and society, then, interactions are the main component of

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[37] McLean (2017, 1) explains culture as follows: "The term culture is one of the most complex terms in the social sciences to define, but we can understand it broadly to refer to the knowledge, beliefs, expectations, values, practices, and material objects by means of which we craft meaningful experiences for ourselves and with each other."

analysis. They have often been ignored as researchers have focused primarily on structure and whether participants are related or not. To counter this structuralist bent, Jan A. Fuhse (2009) has called for increased focus on the content of relational ties, as well as on the personal expectations involved in transactions. However, Fuhse also claimed that the inner processes of the individuals involved are less important than what is actually transferred within the social network.

To summarise, then, relational sociology demands that meaning and social roles are not seen as predicated by the society at large or as something to be seized by the individual. Rather, the roles of individuals are attained through transactions. For a relationalist, the keyword is interaction or transaction. The transactions themselves are guided by personal and interpersonal (cultural) expectations, and the roles of the participants are thus open to (re)negotiation.

A relational approach poses particular challenges for analysing social structures and social roles based on an ancient text like Leviticus. One can hardly investigate the psychological expectations of the participants involved, nor fully apprehend the cultural forms of the relational ties. Deriving meaning from a text is thus more complicated than regular sociological fieldwork where quantitative data can be enriched with qualitative interviews. Moreover, the interactions and internal relationships between the participants are fixed in the text; hence, in this particular sense, in contrast to real-world networks, the text is static. In the next section, therefore, we need to ask how meaning can be derived from the social network of a text.

## 5.0. Social Network Analysis of Law Texts

A written text is fixed and comprehensive. The text is comprehensive in the sense that it provides a natural boundary for analysis. A finite number of individuals and interactions are recorded, and it would normally be meaningless to look for additional interactions. The present study focuses on Lev. 17–26, which attests 59 participants and 479 interactions (see chapter 7, §3.1). Obviously, more participants and more interactions could be added to the network, had the object of inquiry been expanded to include the rest of Leviticus or the Sinai-story (Exod. 19.1–Num. 10.10) or other parts of the Pentateuch. In any case, one has to make an informed choice as to the extent of the object. For this study, a case can be made for the literary distinctiveness of Lev. 17–26, given its focus on holiness and the community and its higher frequency of exhortations in comparison to the surrounding material of Leviticus. Thus, although the classical distinction between P and H has been challenged in recent times, no other structuring of the book has gained widespread recognition.

Like any other text, H presents a certain perspective on the social community implied by the text, and the interactions recorded naturally represent the author's view of the relationships.[38] If the text does indeed represent a real social setting, the participants would certainly have been involved in other interactions

[38] Even if one regards Leviticus as a compilation of different sources, the viewpoint of the extant text is that of the final redactor. The redactor may depend on the viewpoints of his or her text's sources, but the choice of which sources to collect and how to shape the text is essentially a creative choice made by the redactor.

not recorded in the text, and they might have viewed the other participants differently to the author. These constraints do not negate the value of the text. As a historical text, Leviticus provides a glimpse of social life in the ancient Near East. Obviously, like any other text, Leviticus presents a subjective view of history, and other historical documents may present alternative views. However, this situation of inescapable subjectivity is not so different from the typical domains of interest for social network analysts, who typically begin their analysis by recording the viewpoints of individuals. A historical, written text is extraordinary only because it ultimately presents one viewpoint, namely the author's viewpoint. This fact has an important implication. Due to the fact that Leviticus is a law text, it necessarily expresses the *expectations* of the lawgiver. Here is an important connection to relational sociology, which emphasises that expectations guide transactions and that expectations are moulded by culture. Simply put, the law text is an expression of the lawgiver's expectations, that is, his value system and the 'meaning' he ascribes to his social world. More concretely, we must distinguish between the implied social community and the author's expectations. On the one hand, it is clear that H is not a prescription of how the implied community should be organised. Rather, it assumes the existence of a priestly class, laypeople, and foreigners, among many other participants. In addition, the legislation also assumes various interactions. For example, it is entirely reasonable to assume that the blasphemer's cursing runs counter to the values and expectations of the author (Lev. 24.10–23). On the other hand, the author of H clearly has certain expectations as to how

the participants must behave in particular situations. With regard to the blasphemer, the author clearly expects and applauds capital punishment for blasphemy, at least within this concrete context. Thus, we must distinguish between the implied social network and the theological and ethical expectations of the author. Put differently, the author does not present an ideal community but prescribes certain interactions within the implied less-than ideal society. With this distinction in mind, we can scrutinise the author's expectations in light of the implied social network.

In an early essay, Lon L. Fuller (1969) explored the relationship between law and human interaction. According to Fuller, there are essentially two kinds of law. On the one hand, there is declarative law, which is probably the kind of law most people would intuitively think of as law, namely, an official, written decree. On the other hand, there is customary law, which is not the product of legislators but rather a subtle code of conduct that governs our behaviour towards one another. It is the latter type of law to which Fuller's essay directs most of its attention. Customary law, then, is an unwritten code of conduct, enforced through interaction. Indeed, it is "a language of interaction" (Fuller 1969, 2). As a code of conduct, customary law regulates the behaviour of individuals, often in an unconscious manner. The code is unwritten and implicit, but everyone knows when the code has been violated. The name of the law may be ill-chosen, as 'customary' may seem to imply an obligation that has arisen through mere repetition or tradition. Fuller (1969, 9–10) proposes the definition "a system of stabilized interactional expec-

tancy," which refers to a situation where the participants act according to a sense of obligation based upon certain expectancies for right behaviour. The expectancies need not be explicit. In fact, they typically only become explicit when they are violated. Another way of putting it is that customary law is "a program for living together" (Fuller 1969, 11), and customary law achieves this program by interlocking the individuals of the society into fixed roles of right behaviour. Fuller's view of law as based upon expectations is important, because it aligns well with relational sociology. Recall the relational view of the meaning of social networks as expressed through personal and interpersonal expectations. The implicit purpose of customary law is to facilitate interaction by leveraging personal and interpersonal expectations in order to fix individuals into social roles according to the value system of a particular culture. Now, Leviticus is not a customary law, but the interactional principles still hold. The genre of Leviticus is best described as common law, that is, a collection of laws comprised of real-life cases (Berman 2017).[39] In essence, the

[39] Berman (2017) argues that Biblical law is common law, that is, Biblical law is not a fixed and exhaustive 'code' like modern codes to which judges have to refer when deciding on concrete cases. According to Berman (2017, 109–10), "Within common-law systems, the law is not found in a written code which serves as the judges' point of reference and which delimits what they may decide. Adjudication is a process whereby the judge concludes the correct judgment based on the mores and spirit of the community and its customs. Law gradually develops through the distillation and continual restatement of legal doctrine through the decisions of courts. When a judge decides a particular case, he or she is empowered to reconstruct the general thrust of the law in

legal cases are interactional insofar as they prescribe the behaviour of individuals in specific contexts. Therefore, as Fuller (1969, 26) argues, common law is more deeply rooted in human interaction than modern law. A reading of Lev. 17–26 confirms this view. In fact, the text is composed of divine speeches to Moses, who mediates the speeches to the Israelites and the priests. As for the laws themselves, they are concerned with relationships among the Israelites, as well as the relationship between the Israelite community and outsiders. From a modern point of view, it may seem odd to analyse the social network of a law text. However, given the interactional nature of common law, it makes perfect sense.

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consultation with previous judicial formulations. Critically, the judicial decision itself does not create binding law; no particular formulation of the law is final. As a system of legal thought, the common law is consciously and inherently incomplete, fluid and vague." The characterisation of Biblical law as common law implies that Israelite judges would not consider the laws a "source" to be explicitly referred to, but rather a "resource" to consult (Berman 2017, 210). Thus, the purpose of Biblical law is not to provide an exhaustive compendium of laws to be applied in real cases, but rather to inform the ethical values of the judges. Bergland's (2020) characterisation of Torah (understood here as a genre) as "covenantal instruction" is important in this respect. By 'covenantal instruction', what is meant is that the Torah is not legislative in the modern sense, but that it certainly remains normative. According to Bergland (2020, 99), the normative dimension explains why there are so many literary parallels between the legal corpora of the Pentateuch.

## 6.0. The Participants of the Holiness Code and Their Roles

The Holiness Code contains 59 human/divine participants (see chapter 7, §3.1). A few of these are named, but most are anonymous, or hypothetical, indefinite 'persons' (e.g., the recurrent reference to אִישׁ 'anyone'). This study is certainly not the first one to explore the roles of these participants, but it has been common to explain the role of a participant with respect to one or two other participants (most frequently YHWH and the addressees of the text, the sons of Israel) or to a concept (e.g., holiness or purity). This is at least one of the reasons why scholarly work on the participants of H has reached diverging conclusions. In this section, previous work on the participants will be reviewed in order to qualify the research questions to be pursued by the SNA. Much scholarly work has focused on historical questions or more general portrayals of the participants, not necessarily restricted to the Holiness Code.[40] Those studies will not concern us here, as

[40] Hence, although much work has been dedicated to the study of YHWH and Moses in the Pentateuch, their roles have rarely been discussed with respect to H. One exception is Bibb (2009, 159–63) who offers a brief discussion of the triangular relationship between the Israelites, the priests, and YHWH. YHWH is characterised as representing "the sacred principle at the heart of society" on which the coherence of the society depends (Bibb 2009, 163). J. W. Watts (1999) presents a short examination of the characterisation of YHWH in H as part of a larger exposition of the "rhetorical characterization" of YHWH in the Pentateuch. According to Watts (1999, 102), at this point in the Pentateuch, the "divine name [...] has become richly evocative of the layers of characterization provided by preceding texts," including the depiction of YHWH as the

the present study is concerned with the literary roles of the participants within the Holiness Code.

## 6.1. The Addressees

The speeches that comprise H are addressed to the בְּנֵי יִשְׂרָאֵל 'sons of Israel', as well as the priests, Aaron and his sons (e.g., 17.2). To be sure, some speeches are addressed exclusively to Aaron and/or Aaron's sons (21.1, 17; 22.2), other speeches solely to the sons of Israel (e.g., 18.2; 19.2; 20.2). The role of the priests will be discussed later (see §6.5); hence, by 'addressees', I refer here to the sons of Israel. Within the speeches, the sons of Israel are commonly addressed by both 2MPl and 2MSg references. This *Numeruswechsel* has received much attention in scholarly research on H. The question is whether the *Numeruswechsel* should be seen as indicative of sources and redactional activity during the composition of the text, as has been the traditional understanding,[41] or whether participant shifts are intentional, rhetorical devices with specific meanings attached to them. Today, the

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saviour of Israel, cult-founder, holy God, and protective overlord. More generally, Watts focuses his discussion on how the Pentateuchal laws inform the image of God, in relation and contrast to the narrative sections of the Pentateuch.

[41] *Numeruswechsel* became a fundamental interpretative key in the form-critical approach advanced by Von Rad (1953), who identified a number of forms in Lev. 19 based on grammatical person and number, e.g., vv. 9–10 (2MSg) and 11–12a (2MPl). Apparently, these forms were collected by a redactor, the so-called *Prediger*, who also sometimes added paraeneses to address the community. Kilian (1963, 57–63), although

tendency to propose sources or redactions on the basis of *Numeruswechsel* is decreasing. For one thing, archaeologists have uncovered inscriptions with unexpected number shifts, a fact that challenges the dating of textual strata based solely on *Numeruswechsel* (Greenberg 1984, 187; Berman 2017, 4). Moreover, scholars have increasingly tended to investigate the overall structure of texts and, hence, do not attribute much compositional significance to small linguistic discrepancies. Moshe Weinfeld (1991, 15), in his commentary on Deuteronomy, argues that the number shifts in Deuteronomy "may simply be a didactic device to impress the individual or collective listener, or it may reflect the urge for literary variation." In some cases, according to

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not basing his source- and redaction-critical analysis of Lev. 17–26 entirely on number shifts, distinguished between a series (*Reihe*) of singular apodictic laws and a series of plural apodictic laws in Lev. 19 (see also Elliger 1966; Cholewiński 1976; Reventlow 1961). In his important study of apodictic laws in the HB, Gerstenberger (2009; originally published 1965) claimed that apodictic laws in the 2MPl could almost always be considered paraenetic additions by later redactors. More contemporary scholarly works likewise consider *Numeruswechsel* as a diagnostic clue for identifying redactional activity, e.g., Sun (1990), Hartley (1992), Bultmann (1992), and Grünwaldt (1999). To be sure, Sun (1990, 187) is hesitant to use participant shifts as signs of redactional activity, because, according to him, Lev. 19 cannot be reconstructed on the basis of *Numeruswechsel*. Nevertheless, in his discussion of Lev. 25, he asserts that the plural references in vv. 2–7 provide "a clue to the relative date of this unit" in relation to the parallel text in Exod. 23.10–11, which is entirely in the singular (Sun 1990, 503).

Weinfeld (1991, 15), number shifts may be due to quotation,[42] or may be rhetorical devices used to heighten the suspense of a discourse.

This scholarly trend is also reflected in the study of Leviticus. One example is Milgrom in his commentary on Lev. 25. Even though he generally admits the possibility of identifying different textual strata, with respect to Lev. 25, he calls this search "meaningless," because "The chapter, as is, flows logically and coherently" (Milgrom 2001, 2150). Ruwe (1999) also reads the number shifts in light of the overall structure of the text and the presumed functions of those shifts. For instance, according to Ruwe (1999, 132), the shifts between plural references in Lev. 18.1–5, 24–30 and singular in vv. 7–23 have a rhetorical function, namely, emphasising the difference between the introductory and concluding exhortations (Pl) and the legal core (Sg).[43] Finally, Nihan (2007, 522) rejects the ambitious reconstructions of Lev. 25 attempted by Elliger (1966, 335–49) and Alfred Cholewiński (1976, 101–18), among others, because, as he argues, "The resulting texts are too fragmentary to be coherent and in many cases the systematic alternation between singular and plural address (see, e.g., v. 13–17!) or between personal and impersonal formulation requires the text of Lev. 25 to be significantly

[42] Indeed, Milgrom (2001, 2155) suggests that the seemingly abrupt number shifts in Lev. 25.2–7 are due to the incorporation and expansion of Exod. 23.10–11 in Lev. 25. See also Stackert (2007, 126–27).

[43] In cases where rhetorical functions cannot be deduced from the participant reference shifts, Ruwe would not deny a source- or redaction-critical reason for those shifts (e.g., Lev. 19.27b).

emended to fit the theory." Therefore, most scholars today, while not denying a compositional growth of the text, would refrain from reconstructing the text on the basis of participant reference shifts.[44] Indeed, it is more common to see the participant reference shifts as rhetorical and structural devices.[45] The rhetorical function of the participant reference shifts in H will be discussed further in chapter 3 (§3.7).

Among the participants of the text, the addressees of the divine and Mosaic speeches in Lev. 17–26 have attracted the most attention. As one of the major participants, the sons of Israel engage in multiple relationships, and most of the remaining participants are identified with reference to them (e.g., 'your father' and 'the sojourner who sojourns among you'). Since the addressees are connected with so many different participants, they most

[44] Recently, however, Arnold (2017) has revived the classical quest to trace the origins of Deuteronomy 12–26 on the basis of *Numeruswechsel*. In fact, he claims that the rhetorical and stylistic readings of grammatical number are "overcorrections" which have missed the diachronic significance of those shifts (Arnold 2017, 165). Although he accepts the now common view that *Numeruswechsel* also has rhetorical functions, he argues that pericopes with a dominance of 2MSg references are older than pericopes with a mix of 2MSg and 2MPl references.

[45] To be sure, traditional historical-critical scholars also appreciated the rhetorical or communicative function of participant reference shifts. Reventlow (1961, 163), for instance, attributed the plural references in H to a so-called *Prediger* who used plural references to give his preaching a deep, personal address. One wonders, however, why a redactor would appreciate the dynamics caused by participant shifts, while the author of an original source would not.

likely fulfil different roles in different relationships. Social network analysis can shed more light on these roles and provide a clearer picture of the overall role of the addressees within the community implied by the author. Moreover, in this particular study, the addressees will be differentiated with respect to the specific ways in which they are referred to: the 'sons of Israel' (and other collective designations), the directly addressed individual (2MSg), and the indirectly addressed individual (3MSg), the latter of which makes frequent appearances in the casuistic laws. With this distinction recognised, it can be investigated whether certain relationships and events pertain to one or other of these subcategories of the addressees.

## 6.2. The Women

Judith R. Wegner (1998, 42–43) has claimed that "the largest and most important subgroup in Leviticus is the entire class of women." As concerns Lev. 17–26, women occur frequently in the anti-incest laws in chapters 18 and 20, and there are several references to women as members of the priestly family in chapters 21–22. Moreover, female handmaids are mentioned (19.20–22; 25.6, 44), as well as Shelomith, the mother of the blasphemer (24.10–11), and the women in the curses of Lev. 26 (vv. 26 and 29). In total, there are 20 distinct women in this part of Leviticus (see chapter 7, §5.3.1). Women are predominantly referred to by role (what they do), or by relationship (most commonly family relationships; Dupont 1989, 202). Only once is a woman referred

to by her name.[46] It has been a topic of debate whether the women are included in the designation בְּנֵי יִשְׂרָאֵל 'the sons of Israel'—the addressees of the text—or perhaps in its parallel expression בֵּית יִשְׂרָאֵל 'the house of Israel'.[47] It is clear that the women generally constitute a peripheral group within H. It is not so clear, however, what exact role they fulfil and what purpose they serve in the text. Some claim that the text pictures the women as the property of male Israelites, hence the anti-incest laws would amount to anti-theft laws (Wegner 1998, 45; 1988, 13; Noth 1977, 135).[48] More common is the viewpoint that the anti-incest laws in Lev. 18 and 20 should be interpreted in light

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[46] Interestingly, participants are rarely named in H. Apart from the mother of the blasphemer, Shelomith, only YHWH, Moses, and Aaron are named. Unlike these divine/male participants, Shelomith is never active and is only included to provide a subtle, polemical (?) identification of the blasphemer.

[47] The discussion is crucial because the overall picture of the women in Lev. 17–26 would significantly change if they were included among the addressees on a par with males. Joosten (1996, 34) suggests that בֵּית יִשְׂרָאֵל 'the house of Israel' may indeed include women, but this idea has been rejected by Milgrom (2000, 1412).

[48] Quite the opposite viewpoint is advanced by McClenney-Sadler (2007) in her investigation of the structure of Lev. 18. McClenney-Sadler (2007, 90) argues for a "hierarchy of duty" beginning with YHWH's legal rights (v. 6), then the mother's rights (v. 7a), and the father's rights (v. 7b–11), etc.. If this hierarchy is indeed true, it implies that "the importance of wives and mothers in ancient Israelite culture is emphasized literarily, thus balancing gender asymmetry in these laws" (McClenney-Sadler 2007, 91).

of the present holiness context, irrespective of whether the individual laws ever existed independently. According to Joanne M. Dupont (1989, 164–65), the incest prohibitions express a multifaceted picture of the women. The text depicts the women as potential threats to male holiness, but it also protects their legal rights and even regards them as legally responsible persons (see Lev. 20.10–21).[49] The women of Lev. 17–26 have also been considered free agents, because “the primary concern is for the woman and the man to protect a *third entity*—the boundaries constituting the classificatory system which constitutes their world. This is an ontological concern” (Ellens 2008, 296; italics original).[50] Finally, the role of the women has been considered “instrumental” for “Israel’s access to and continued relationship with its God” (Harrington 2012, 78).

In sum, although there is no dispute that the women in the Holiness Code are peripheral in that they are only referred to indirectly, there is still some doubt as to their role in the text. That they are peripheral within the outlook of the text does not necessarily correlate with social marginalisation. To my knowledge, no one has claimed that the father is marginalised, even though he is never focalised as an agent and is only referred to indirectly (e.g., ‘your father’; Lev. 18.7). The role of the women (and the

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[49] Dupont (1989, 164) accounts for this tension by suggesting that Lev. 20.10–21 reflects a later time “in which women, not only men, were considered legal persons with legal responsibilities.”

[50] This classification only pertains to the so-called ‘sex texts’ of Leviticus (15.18, 24, 33b; 18; 19.20–22, 29; 20.10–21; 21.9).

father) will be reconsidered in chapter 7 (§5.3) with respect to the social network of Leviticus.

## 6.3. The Brother/Fellow

The so-called golden rule ("Love your fellow as yourself;" Lev. 19.18) has been a central topic for Jewish and Christian interpreters (Mathys 1986; Schenker 2012; Barbiero 1991, esp. 319–24).[51] It is commonly accepted that the fellow is an ethnic member of the Israelite community (Milgrom 2000, 1654; Mathys 1986, 38–39; Moenikes 2012, §2.2.1; Crüsemann 1992, 377; Noth 1977, 141–42). Firstly, רֵעֲךָ 'your fellow' occurs in the immediate context of אָחִיךָ 'your brother', עֲמִיתֶךָ 'your fellow countryman', and בְּנֵי עַמֶּךָ 'sons of your people', all terms that indicate members of the community.[52] Secondly, the similar command to love the sojourner as oneself (19.34) suggests that the term 'fellow' is limited to ethnic members of the society. Thus, the fellow is a member of the society who has certain rights to be respected by the addressees of the text. If, however, רֵעֲךָ is synonymous to אָחִיךָ, עֲמִיתֶךָ, and בְּנֵי עַמֶּךָ, another important passage adds to the picture of the fellow, namely chapter 25, with its recurrent references to אָחִיךָ 'your brother' who has fallen into severe poverty. Moreover, in Lev. 25, the brother/fellow is not only related to 'you' (Sg) but also to the sojourner to whom he reaches out for help (25.47–54), as well as his family members by whom he is

[51] For references to early Jewish interpretations of the רֵעַ 'fellow', see Neudecker (1992, 499–503).

[52] "Clearly, all these synonyms refer solely to Israelites" (Milgrom 2000, 1632).

allowed to be redeemed from debt (25.25, 48–49). Thus, although the fellow/brother is certainly not one of the most central figures in the speeches of H, he is engaged in a variety of interactions with different participants. Thus, the fellow/brother is an important character for understanding the social dynamics of the community implied by the text, and deserves closer attention.

## 6.4. The Foreigners

H refers to a number of non-Israelite persons, most frequently גֵּר 'sojourner', but also בֶּן־נֵכָר 'son of a foreigner', עֶבֶד 'slave', and בְּנֵי הַתּוֹשָׁבִים 'sons of resident (sojourners)'. Most scholarly debate has been focused on the identity of the גֵּר. The traditional understanding of the גֵּר was developed by Alfred Bertholet (1896), who argued that the characterisation of the גֵּר underwent a change from a *persona misera* in Deuteronomy to a proselyte in post-priestly literature. Thus, according to Bertholet, in P, including H, the גֵּר is a non-Israelite who has assumed most of the religious stipulations of the Israelite. In H, then, "Ger ist ganz und gar ein religiöser Begriff geworden" (Bertholet 1896, 174).[53] This tradi-

[53] This understanding remained the consensus until recently (Baentsch 1893, 137; Kellermann 1977, 446; Mathys 1986). Mathys (1986, 45) concludes that some of the references to the גֵּר (Lev. 17.8; 22.18) probably refer to a proselyte, but admits that there is not an unequivocal example in H. A number of recent scholars have retained Bertholet's construal of the גֵּר as a religious entity, although it has become more common to envisage a Northern Israelite identity for the גֵּר (Cohen 1990; Douglas 1994). Thus, according to these historical reconstructions, the גֵּרִים are not gentiles who have converted to Judaism, but

tional notion has been challenged by scholars who see a religious/cultic distinction between the גֵּר and the ordinary Israelites and emphasise the social and ethnic aspects of the characterisation of the גֵּר.[54] Finally, it has also been argued that H does not present a coherent picture of the גֵּר; hence, the גֵּר is a compositional entity in the text.[55]

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"half-brothers, not-quite-kin, fellow-worshippers of the same God" (Douglas 1994, 286). Achenbach (2011, 41), although not considering the גֵּרִים to be "proselytes," argues that H assumes them to be "fully integrated members of the religious community, despite their ethnic, political and economic status, where their position is different from the native-born Israelite citizen."

[54] Milgrom (2001, 2236) posits that the term גֵּר consistently refers to a social—and not a cultic/religious—category, a "resident non-Israelite," landless by definition, although a few of these resident non-Israelites could acquire wealth and "presumably unarable" land (for his general discussion of the role and identity of the גֵּר, see Milgrom 2000, 1493–1501). The opposite stance is taken by Nihan (2011, 117), who argues that the גֵּר is predominantly "economically independent" in H and that Lev. 19.9–10 is an exception to this portrayal. Like Milgrom, however, Nihan rejects the traditional understanding of the גֵּר as a proselyte or 'half-brother' (see also Albertz 2011, 57–58; Vieweger 1995, 274–75). Rendtorff (1996) analyses the גֵּר in relation to other participants of H, namely the עָנִי 'poor', תּוֹשָׁב 'alien/resident', שָׂכִיר 'labourer', עֶבֶד 'slave', אָח 'brother', and אֶזְרָח 'native'. According to Rendtorff, in light of these various participants, the term גֵּר appears to refer to a social and ethnic category on the margins of society.

[55] So Bultmann (1992, esp. 175–96), who argued for a mixed picture of the גֵּר in H due to the compositional growth of the text. According to Bultmann, Lev. 19 shows a mixed picture of the גֵּר, with the term referring partly to the same Israelite minority as in Deuteronomy, and partly

Construal of the גֵּר is complicated by the rather different contexts in which the participant appears. In Lev. 17, the גֵּר is portrayed as a person engaged in Israelite cultic activities, indicating that the גֵּר is somewhat integrated into the religious community. This impression is furthered by the claims in 18.26 and 24.22 that the laws listed in these respective pericopes pertain to both the native Israelite and the גֵּר. On the other hand, the mentioning of the גֵּר along with the poor in 19.10 suggests that גֵּר is not only an ethnic category but also a social one. The command to love the גֵּר as oneself (19.34) is paralleled by the command to love one's neighbour (19.18), supporting an ethnic interpretation of the גֵּר. Finally, in chapter 25, the גֵּר is apparently a rich person to whom even an Israelite can become a debt slave (25.47). However, just a few verses earlier, the Israelites are allowed to purchase slaves from the בְּנֵי הַתּוֹשָׁבִים הַגָּרִים עִמָּכֶם 'sons of the resident (aliens) sojourning among you' (25.45).[56] The suggestion that this last designation is semantically identical to גֵּר is generally

to a religious category equal to the native of the land. In Lev. 17, the term גֵּר refers exclusively to members of a wing of the Judaic community, while Lev. 25 provides a unique case where גֵּר refers to a non-Israelite. Van Houten (1991), although reaching a quite different conclusion as to the identity of the גֵּר, argues that the complex characterisation of the גֵּר is due to the efforts of an editor to integrate different conceptions into H. In the resulting text, according to Van Houten (1991, 151–55), the גֵּרִים are those Israelites who stayed behind during the exile.

[56] This translation largely follows Milgrom (2001, 2229).

rejected.[57] Milgrom (2001, 2187), however, argues that the complex phrase גֵּר וְתוֹשָׁב 'resident (and) sojourner' (see 25.23, 35) is a hendiadys denoting that the גֵּר has settled down in a community. Although תּוֹשָׁבִים occurs independently in 25.45, the hendiadys is implied (Milgrom 2001, 2229). Thus, in these cases, the term תּוֹשָׁב does not represent an additional participant, but a specification of the residential status of the sojourner. Two other complications arise from chapter 25. Firstly, the addressees of Moses' speech, the sons of Israel, are called גֵּרִים וְתוֹשָׁבִים 'resident sojourners' in YHWH's land (25.23). Secondly, the singular addressee is commanded to help his poverty-stricken brother by

[57] Most scholars would differentiate between גֵּר and תּוֹשָׁב. Joosten (1996, 74) argues that, in contrast to the term גֵּר, which denotes a juridical status, תּוֹשָׁב refers to a social condition, a person "who immigrated from another locality and who must typically attach himself to a free citizen in order to assure his livelihood." Zehnder (2005, 346) adds that, in some cases at least, תּוֹשָׁב can refer to ethnicity (25.44–45). Following Joosten, Nihan (2011) sees a social distinction between גֵּר and תּוֹשָׁב. A resident alien with the juridical status of גֵּר can lose this status and become תּוֹשָׁב. In this situation, he is not protected by the law and "he may legitimately be forced to sell his children as debt slaves (Lev. 25.45–46)" (Nihan 2011, 123; see also McConville 2007, 30). In contrast, Achenbach (2011) sees the difference between גֵּר and תּוֹשָׁב as one of belonging. The תּוֹשָׁב and the גֵּר have equal juridical rights, but the גֵּר is a full member of religious society (Achenbach 2011, 41, 46). According to Achenbach (2011, 47–48), then, the lexeme תּוֹשָׁב, presumably belonging to the late strata of the priestly law, has taken over the former meaning of גֵּר as found in Deuteronomy, namely the *persona misera*.

treating him as a גֵּר וְתוֹשָׁב ‘resident sojourner’ (25.35). These overlapping terms are curious, because they appear to break down the distinction between the גֵּרִים and the Israelites.

In sum, the construal of the role of the גֵּר is complicated by the various religious and social contexts in which the גֵּר is mentioned, as well as the characterisation of other participants as גֵּרִים and תוֹשָׁבִים. In general, however, the גֵּר is interpreted as a person on the margins of society. As José E. Ramírez Kidd (1999, 62) argues, the גֵּר seems to take a middle position between the foreign nations, which are certainly outside the bounds of the law and Israelite society, and the Israelite community. The question is how proximate the גֵּר is to the Israelite community. To capture the status of the גֵּר, Milgrom (2000, 1496) distinguishes between the civil law, where the גֵּר enjoys full equal status, and the religious law, where the גֵּר “is bound by the prohibitive commandments, but not by the performative ones.”[58] Nihan stresses the dissymmetry between the גֵּר and the native Israelites even more. Firstly, since only the native Israelites can own land, “the land

[58] Similarly, Joosten (1996, 55) argued that גֵּר is a technical term for “a person (possibly a family or group) conceded a certain juridical status because of the fact that he has settled among a foreign tribe or people.” Although the גֵּר is generally a free agent and is not obliged to live like an Israelite in all aspects of life, he is nevertheless bound by “prohibitions, such as those prohibiting sacrifices to other gods or the eating of blood” (Joosten 1996, 66; see also Ramírez Kidd 1999, 63). It has, however, been objected that the distinction between prohibitions and performative commandments is not so sharp, and that Lev. 16.29, albeit not in H, undermines the distinction (Zehnder 2005, 349 n. 1).

remains in H the central foundation for the legal distinction between Israelites and resident aliens" (Nihan 2011, 124). Secondly, Nihan (2011, 124–29) argues that the dissymmetry is even bigger within the cultic domain, because some cultic laws are only addressed to the Israelites (e.g., Lev. 17.3–7) and because the requirement of holiness only applies to Israelites. However, although only the Israelites are directly commanded to be holy (19.2), holiness plays into the characterisation of the גֵּר as well. As Weinfeld (1972, 232) explained, "The author of the Priestly Code, to whom sacral-ritual matters are of primary importance, is concerned with preserving the sanctity and purity of the congregation inhabiting the *holy land* and therefore takes steps to ensure that this sanctity be not profaned by the *ger*" (italics original; see also Barbiero 2002, 240). Ramírez Kidd (1999, 48–71) added that the matter of the role of the גֵּר in P and H is secondary to that of holiness.[59] Thus, the laws of the Holiness Code are not so much concerned with the legal status of the גֵּר, but rather "show a particular concern [...] to adjust the conduct of the גֵּר to the rules of cultic purity which preserve the holiness of land and people" (Ramírez Kidd 1999, 62; see also Jenson 1992, 116).

Although much research has been focused on the legal status of the גֵּר *vis-à-vis* the Israelites, some studies have also turned

[59] It should be noted, however, that Ramírez Kidd's argument rests upon a redaction-critical reconstruction of the text in which the statements that include the גֵּר are often regarded as late additions (e.g., Lev. 17.15; 18.26). It seems that Ramírez Kidd attributes less value to these late additions—and thus to the role of the גֵּר—because the laws are thought of as originally pertaining exclusively to the Israelites.

to the relationship between the גֵּר and other presumably socially marginalised participants (Achenbach 2011; Rendtorff 1996; Joosten 1996, 73–76). In particular, Rolf Rendtorff (1996, 79) proposed a social hierarchy of the minority groups in Lev. 25: גֵּר 'sojourner' > תּוֹשָׁב 'resident/alien' > שָׂכִיר 'hired labourer' > slave. Rendtorff cautions, however, that the three first participants can be ordered in various ways. Only 'slave' unambiguously belongs to the lowest layer of society. The שָׂכִיר 'hired labourer' is a "laborer resident on the person's land" (Milgrom 2001, 2161). The Holiness Code also mentions the בֶּן־נֵכָר 'son of a foreigner'[60] and זָר 'stranger'.[61] The challenge of capturing the roles of these minor participants is the scarcity of references to

[60] According to Joosten (1996, 75), בֶּן־נֵכָר means "one who is ethnically not a member of the people of Israel" (see Gen. 17.12). The term occurs only once in H (Lev. 22.25), and that verse has typically been interpreted as a prohibition against acquiring blemished animals from foreigners (Elliger 1966, 300; Noth 1977, 163; Wenham 1979, 295–96). In fact, Gerstenberger (1996, 330) simply describes the בֶּן־נֵכָר as an "animal merchant." Achenbach (2011, 44) remarks that the בֶּן־נֵכָר, a "non-resident alien," is completely absent from H (except, of course, for Lev. 22.25) because he is considered "excluded from the cultic and religious community."

[61] The זָר occurs in H only in Lev. 22.10–13 and relates to a prohibition against eating sacred food. According to Wuench (2014, 1137–39), this term is the most general term for 'stranger' and does not typically imply a value judgment of the person. In other words, the זָר is an outsider, sometimes also ethnically (see also Milgrom 2000, 1861; Wenham 1979, 294). Achenbach (2011, 45) makes a sharper judgment of the זָר in H when he describes the זָרִים as people "who are not willingly integrated as *gerîm* into the social-religious community of Israel."

them and, importantly, the fact that they occur even less frequently as independent participants. The שָׂכִיר 'hired labourer', for example, occurs twice in a dependent construction (19.13; 25.6), three times as a predicate (25.40, 50, 53), and only once as an independent participant (22.10), if its juxtaposition with תּוֹשָׁב should not be interpreted as a hendiadys, thus signifying a resident labourer (see Milgrom 2000, 1861).

To conclude, the scholarly discussion of the identity, social and legal status, and role of the גֵּר 'sojourner' in the Holiness Code reveals the complex characterisation of this participant. Irrespective of whether the text is compiled of different sources and thus (unintentionally?) combines rival notions of the גֵּר, a social network analysis will analyse the participant as it is presented in the extant text. Moreover, social network tools allow for a controlled analysis of the sojourner with respect to all its relationships (e.g., the Israelites, the fellow/brother, YHWH, the women, the father, among others), as well as providing a quantifiable basis on which the participant can be compared to other participants of the social network, even if the participants are not directly connected. Social network analysis does not directly reveal the ethnicity or historical identity of the sojourner, but it provides a framework for analysing where the sojourner is socially situated with respect to the implied community of the text.

### 6.5. The Priests

Although the Holiness Code involves a shift of focus from cult to community, the priests remain central figures. They are referred

to as 'Aaron', 'the sons of Aaron',[62] or simply הַכֹּהֵן 'the priest' (e.g., 17.5; 23.11). Specific regulations pertain to the sons of Aaron (21.1–9) and to Aaron (21.10–23). Most of the time, Aaron and his sons are addressed together (e.g., 17.2; 22.2). As has already been noted with reference to Bibb, there is a marked tension between the conceptions of holiness found in the first and second parts of Leviticus (see §3.0). While in P, holiness is associated with the cult and the priests, H calls for communal holiness. This tension has led to two very different understandings of the origins and writers of H. While Klaus Grünwaldt (2003) suggested that laypeople were responsible for H, given its democratisation of holiness and the limited role of the priests, Knohl (1988, ix; quoted in Milgrom 1991, 27) argued that H was an "attempt by priestly circles in Jerusalem to contend with the prophet's criticism" of the rituals and temple institutions (see also Knohl 2007). These different theories illustrate the difficulties in conceptualising the role of the priests within the text. On the one hand, the priests continue to serve an important role in H, as illustrated by Lev. 17 and 23, where sacrifices are handled by the priests. Moreover, according to Nihan (2007, 485), "Contrary to the community, priests are no longer exhorted to become holy by keeping Yahweh's laws, they are *innately* holy *because* they have been set aside (consecrated) to present Yahweh's 'food'" (italics original). This role entails greater responsibility, which explains the prohibitions against priestly blemishes in Lev. 21.16–24 (Schipper and

[62] The sons of Aaron are also called הַכֹּהֲנִים 'the priests' (21.1).

Stackert 2013, 477; Bibb 2009, 161).[63] At the same time, the conception of holiness and the privileged cultic role of the priests seemingly undergo a change in H. In fact, in most of the speeches, all of Israel is addressed, even in cultic matters, and Milgrom (2000, 1451) ascribes an "egalitarian thrust" to H.[64] Lev. 21.8 is a key verse in this respect.[65] If the 2MSg 'you' in וְקִדַּשְׁתּוֹ D 'you shall sanctify him' does indeed refer to the addressees, it may be that the people are to 'transfer' the priest into a status of holiness, which would imply that priestly holiness is not so different from that of the people (so Grünwaldt 2003, 239; Christian 2011, 368–69). Another, more common interpretation assumes a declarative meaning of the verb, hence, 'treat as holy' (Milgrom 2000, 1809; see also Müller 2015, 83).[66] Nevertheless, even Milgrom (2000, 1410) argues that the people "is charged with the responsibility of overseeing the priests," since the priestly legislation is addressed to the entire people in 21.24. More radically, according to Mark A. Christian (2011, esp. 352–96), the role of the priests has effectively been reduced to a matter of handling blood rituals,

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[63] Schipper and Stackert (2013, 466–68) do not relate blemishes directly to holiness. According to them, the problem of blemished priests is not that they are not holy, but that YHWH will not accept them in his proximity because they would threaten the holiness of the sanctuary. In other words, sacrificial and priestly blemishes pertain to holiness only indirectly.

[64] See also Knohl (2007, 192), who argued that the Holiness School strove "to create a deep affiliation between the congregation of Israel and the Tabernacle-Temple and its worship."

[65] See chapter 3, §3.5 for a detailed discussion.

[66] See the discussion of קדשׁ 'holy' in chapter 6, §3.2.1.

while the people has become a nation of "lay quasi-priests" (Christian 2011, 380). For one thing, it is not priestly activity which effected the sanctification of the people in the first place, but rather YHWH's unmediated salvation of his people from Egyptian bondage (22.32b–33). Secondly, according to Christian, the people has received direct revelation from YHWH concerning the distinction between clean and unclean animals, an otherwise priestly task.[67] Christian (2011, 388–89), therefore, views "the difference between priests and laity" as "pragmatic rather than theological."

In sum, the role of the priests in the Holiness Code remains unresolved. Have the priests lost their privileged role in favour of the people, who are now their overseers? Or do the priests still play a cultic role in Israelite society? In my network analysis of the text, I shall consider the role of the priests by looking at the interactions between the priestly participants and their third parties (i.e., participants interacting with the priests), and also by considering the interactions between the third parties themselves,

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[67] Christian, however, overlooks the fact that the instruction to distinguish between clean and unclean animals is *not* unmediated. As a matter of fact, Moses is the mediator of all divine speeches in Leviticus (except for the divine speech to Aaron in 10.8–11). The phrase וָאֹמַר לָכֶם 'and I said to you' in 20.24 is embedded in Moses' speech. It likely refers back to the instructions in 11.44 (see Christian 2011, 381 n. 1703), but those instructions are themselves embedded in a speech by Moses and Aaron. Thus, the instructions in Leviticus are not direct, unmediated revelation to the people, but mediated by Moses, and sometimes also Aaron, the high priest.

in order to determine how embedded the priests are in the community.

## 6.6. The Blasphemer

In the only narrative in the Holiness Code (Lev. 24.10–23), a man who is half-Israelite and half-Egyptian holds a curious role. The man has often been called 'the blasphemer', for want of a real name, and due to his cursing of the divine Name for which he received capital punishment. It has been taken for granted that the blasphemer is a גֵּר 'sojourner' (Hutton 1999; Meyer 2005).[68] Curiously, however, the blasphemer is never explicitly called a גֵּר, but repeatedly הַמְקַלֵּל 'the curser' (24.14, 23). As the narrative goes, the congregation does not know what to do with the blasphemer, apparently because he is not a 'pure' native Israelite. In other words, is the blasphemer exempt from punishment since only his mother is an Israelite? The legal principle *lex talionis*, put forward as a response to the blasphemy, is said to apply to both the native and the sojourner. By implication, then, if even non-

[68] Meyer (2005, 202) dubs the blasphemer a "half-caste [...] who by implication should be regarded as a גֵּר." This designation apparently stems from his interpretation of Lev. 24.10–23 as a whole, which, he argues, functions "to remind the returned Elite that those that were not regarded as belonging to their group were a threat to them. This opened the way for exploitation"—an exploitation that did indeed happen in chapter 25, according to Meyer (2005, 252). Thus, according to Meyer, chapter 24 represents a transition towards a more negative view of the גֵּר. Meyer's interpretation requires the blasphemer to be a גֵּר despite the fact that he is never called one in the text.

Israelite sojourners must be punished for blasphemy, the blasphemer must too, since he falls in between native Israelites and non-Israelite sojourners.

The blasphemer has been characterised as the stereotypical outsider of the society (Rooke 2015; Holguín 2015). Recent deconstructionist approaches have emphasised an outsider perspective by pointing to the fact that the blasphemer is only introduced by his mother's name and is identified as a half-Egyptian (Rooke 2015, 167).[69] The blasphemer has also been likened to a *mestizo* (Spanish for a person of mixed racial origin) who has become the "victim of impossible demands that a closed community places upon the marginalized individuals who live on its fringes" (Holguín 2015, 99). In agreement with Deborah W. Rooke, Julián A. G. Holguín presents the *mestizo* as the paradigmatic outsider, in contrast to his opponent, אִישׁ הַיִּשְׂרְאֵלִי 'an Israelite man', who is the paradigmatic insider.

The characterisation of the blasphemer as a paradigmatic outsider, however, does not seem to do full justice to the role of the blasphemer in H. Unlike many other participants, the blasphemer does in fact instigate an event and is generally more

[69] In addition, Rooke (2015, 161–62) argues that, while the identity of the community of H is constructed in masculine terms, e.g., addressing the community as 'the sons of Israel', the blasphemer is introduced as the son of an Israelite woman, Shelomith, and his act of cursing the divine name (נקב 'curse') is expressed by the same root from which the word that P uses for 'feminine' (נְקֵבָה) is formed. According to Rooke (2015, 165), then, by using gendered language, the author of Lev. 24.10–23 draws a picture of "the innermost heart and the outermost boundary of the community."

agentive than many other participants (e.g., most of the women). Moreover, the blasphemer's curse occasions a speech by YHWH to Moses in which the important legal principle, the *lex talionis*, is unfolded. Thus, as will be argued, the blasphemer has a rather significant structural role within the discourse of H (see chapter 7, §5.2.3). In sum, therefore, characterisation of the blasphemer must account for the fact that the blasphemer is both quite agentive *and* becomes the subject of imprisonment and capital punishment.

## 6.7. The Land

Perhaps surprisingly, some scholars have considered אֶרֶץ 'land' as a participant almost on a par with human participants. Indeed, as several commentators have noted, the land occasionally occurs as an agent and is seemingly personified in H (Hieke 2014, 1095; Barbiero 2002, 240).[70] Esias E. Meyer (2015b) discusses all cases in H in which the land occurs as the syntactic subject of a proposition. The land can be defiled (18.25, 27), spit out (18.25, 28), prostitute herself (19.29), rest (25.2; 26.34, 35), give her crops (25.19; 26.4, 20), take pleasure (26.34, 43), and eat (26.38). Notable in Meyer's contribution is his exploration of the triangular relationship between YHWH, the people, and the land. According to Meyer (2015b, 442), the strongest relationship is between YHWH and the land, because the land is said to belong to YHWH,

[70] Nihan (2007, 560) explains the relationship between the land and its inhabitants as "almost organic."

while the people are only tenants of YHWH (25.23).[71] The land has an intermediary role, since YHWH's blessings and curses are mediated by the land (e.g., 18.24–30; 26.4; Meyer 2015b, 443–45). In an extensive treatment of the land in H, Jan Joosten (1996, 152–54) dedicates a few pages to remarks on the so-called personification of the land in H. He describes the land as an "independent agent" and "an animate being far more powerful than its inhabitants" (Joosten 1996, 152–53). Joosten notes that there is a tension in H because the land belongs to both YHWH and the Israelites at the same time. The tension can be explained in terms of the cultic conception of H: "the land is YHWH's because he dwells there, it is Israel's because of their relationship to YHWH and his temple" (Joosten 1996, 181).[72] More recently, Joosten (2010) has explored the conception of the land in H from a rhetorical point of view. In particular, he argues that the land has a rhetorical role as "the significant third" (*le tiers significative*; Joosten 2010, 392–94). The land is frequently referred to as 'your land', but occasionally also as 'my land'. The rhetorical implication of this "play on pronominal possessive suffixes" (*jeu de pronoms possessifs*) is to enhance the relationship between the divine speaker and his audience by means of relating the discourse to a

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[71] Milgrom (2000, 1404–5) remarks that H never describes the land as the נַחֲלָה 'possession' of Israel but only as their אֲחֻזָּה 'holding', thus eschewing the notion of permanent possession.

[72] Cf., however, Milgrom (2000, 1404), who rejects the idea that YHWH's ownership of the land is due to his dwelling in the land. In many other respects, Milgrom agrees with Joosten's understanding of the role of the land.

third, concrete entity to which the audience can readily refer.[73] Stackert (2011) emphasises the agency of the land in H in his article on land and sabbath. According to Stackert (2011, 240), the land is personified and idealised as a “holy servant of the Israelite god.” In particular, the land has an active role and “is required” to observe the sabbatical year (Stackert 2011, 247 n. 22). Indeed, the land is depicted as an “idealized Israelite” in parallel to the people itself (Stackert 2011, 246).

While the role of the land is certainly interesting, the present study will restrict itself to the human/divine participants and leave the role of the land open for further research.

## 6.8. Summary and Implications

Most accounts of the participants in the Holiness Code are limited to the study of individuals or small sets of participants. The strengths of these traditional approaches are readily apparent in that they often combine literary and historical considerations. A significant limitation, on the other hand, is that they do not take the entire network of participants into account, at least not in any structured way. Consequently, although a number of participants are often claimed to be marginalised—for example, the women, the blasphemer, and the sojourner—such conclusions would be more valid if these participants were compared to one another, in order to account for their respective roles in light of the remaining participants and their impact on the community. In

[73] Christian (2011, 363) adds to Joosten’s rhetorical analysis that the people seems to have a mediating role in Lev. 25.5 in allowing for the land to rest.

other words, the role of a participant cannot satisfactorily be measured independently of the network of participants, because roles are dynamic and interdependent.

The aim of the present study is to classify the participants and their roles based on their interactions and relationships with other participants and in light of their position within the social network. The advantage is that all participants and interactions are included in the calculation, so that the characterisation of one participant is always seen in light of the entire network of participants. By applying SNA, statistical methods can be employed to measure the structural roles of the participants, and interactions and relationships can be quantified. It is thus possible to compare the roles of all participants in the network despite differences in frequency and distribution across the text. In other words, the roles of the women can be compared to that of the blasphemer, although they never interact. Given its emphasis on the participants and verbal interactions of the extant text, a social network analysis of the Holiness Code has its own limitations. Firstly, it is not concerned with historical questions, for example, the 'real-world' identity of the גֵּר 'sojourner'. Secondly, it only includes clauses with a minimum of two participants and a verbal event, at least in the method applied here. Thus, if the text characterises the participants by other linguistic means, these will not be included in this analysis (see chapter 7, §3.1 for further discussion).

More concretely, the review of previous research has revealed a number of inconsistencies in the profiling of the participants. Several important questions can more readily be addressed with SNA:

- The addressees: Does the subcategorisation of the addressees (Pl vs Sg) entail different roles in the social network of the text? (chapter 3, §3.7 and chapter 7, §5.1.2)
- The women: What is the role of the women? Are they profiled as free agents, patients, or instruments? (chapter 7, §5.3.1)
- The brother/fellow: How should we understand the role of the brother/fellow within the dynamics of clan, society, and foreigners? (chapter 7, §5.2.2)
- The sojourner: Where is the גֵּר 'sojourner' situated with respect to the Israelite community? Is he situated on the fringes of society, or is he closer to the core of the community than other presumably marginalised participants? (chapter 7, §5.1.3)
- The priests: What is the role of the priests *vis-à-vis* the roles of the people and YHWH? (chapter 7, §5.1.4)
- The blasphemer: How should the role of the blasphemer be accounted for in light of his active involvement in the unique narrative event in H on the one hand, and his miserable fate at the hands of the Israelite congregation on the other hand? (chapter 7, §5.2.3)