

Behind the Scenes of a Priestly Polemic: Leviticus 14 and its Extra-Biblical Parallels

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The treatment of disease in the Priestly writings¹ presents a formidable puzzle. In particular, the relationship between disease, pollution and sin raises several questions. Regarding the cause of disease, does the absence of explicit statements relating disease to sin like those found elsewhere in the Hebrew Bible presuppose that this relationship is taken for granted, or that it is rejected? Regarding the effects of disease, why are skin diseases (Lev 13–14) and genital disorders (15:2–15, 25–30) treated as sources of pollution (*tum'ah*) with no mention of illness or healing? Were defilement and disease understood as being synonymous, or was defilement a secondary effect of disease?

None of these questions has a simple answer which can be derived from explicit statements in the text. One reason is that the issue of disease is not dealt with directly in these chapters. This absence is particularly striking in light of the abundance of ancient Near Eastern rituals and diagnostic texts which openly address bodily disorders. However, to judge from ancient and modern interpretations of the corresponding biblical texts which take their focus on purification (not healing) for granted,² it appears that the Priestly authors have succeeded at disguising the elephant in the room.

¹ In this article, I will use Priestly writings or P to include also the Holiness Source (H) and possibly later layers. On a few occasions, a more differentiated view will be presented, as will be clear from the context.

² The Rabbis codified the purity laws as focusing almost exclusively on contact with the sacred realm (e.g., m. Kelim 1:7–10), following the implications of sources like Lev 15:31 and Num 5:1–4 (see below). Likewise, modern scholars employing a synchronic approach have been led to a similar understanding of disease as impurity, e.g., D.P. Wright's categorization of "tolerated impurities," "The Spectrum of Priestly Impurity," in G.A. Anderson and S.M. Olyan (eds.), *Priesthood and Cult in Ancient Israel* (JSOTSup, 125; Sheffield: JSOT Press, 1991), 152–58; likewise J. Klawans, *Impurity and Sin in Ancient Judaism* (New York: Oxford University, 2000), 21–25, employing the designation "ritual impurity."

Nevertheless, some scholars—most notably Yehezkel Kaufmann—have attempted to read between the lines of these Priestly texts and have found traces of an implicit polemic, though the characterization of this polemic—and even its existence—remain hotly contested.³ Even scholars who discern a polemical subtext offer widely varying interpretations of the nature of the purported dispute, introducing analytic dichotomies (e.g., monotheism vs. paganism, symbolic vs. magical rites) whose correspondence to the conceptual world of P cannot be simply taken for granted.⁴ In short, disagreement regarding how disease relates to pollution and how both disease and pollution relate to sin in the Priestly rituals persists to the present day. Meanwhile, the possibility of understanding the purported biblical polemic becomes more remote as it becomes enveloped in the more proximate scholarly polemics.

The present article will seek to move the discussion of disease in P onto more solid ground by means of a sustained comparison with primary sources, namely extra-biblical parallels whose analogous subject matter can illuminate the rationale and possibly even the origins of the biblical texts. Specifically, this analysis will focus on instructions for the diagnosis and treatment of the disorder called *šara'at* in Lev 13–14 as a lens by which to reexamine the relationship between pollution, disease and healing. This pericope is of particular interest, since it has found itself in the center of a modern scholarly debate regarding the role of “magic” in P. This problem will be reexamined here in light of several Mesopotamian parallels, with a focus on several whose implications have not been fully recognized in modern research. In fact, the most important of these—a ritual for the treatment of a similar disease discovered in Emar—has not yet been incorporated into discussion of the Priestly ritual. These comparisons will enable us to evaluate more accurately the possibility of an implicit polemic.

CONTEXTUALIZING LEVITICUS 13–14

Lev 13 and 14 deal with the diagnosis and purification of *šara'at*, a term which designates a skin disease as well as analogous conditions which affect garments and houses. Much debate has surrounded the correct medical identification of this disease, particularly its relationship to “leprosy” (Hansen’s Disease), as it is commonly translated.⁵ Without engaging here in a full discussion of this

³ Throughout this article, I employ the term “polemic” to designate a position taken in an argument. More specifically, I will be applying this term to Priestly writings to designate their position vis-à-vis other Israelite ritual traditions. For a general discussion of biblical polemics, including implicit and hidden polemics, see Y. Amit, *Hidden Polemics in the Hebrew Bible* (trans. J. Chipman; Leiden: Brill, 2000), 3–58, 93–98.

⁴ Needless to add, the use of terms with pejorative connotations such as “pagan” and “magical” also threaten to undermine an objective inquiry into the background of these texts. The relevance of these terms for the present discussion will be examined in the final section of this article.

⁵ See e.g., E.V. Hulse, “The Nature of Biblical ‘Leprosy’ and the Use

problem, it is important to recognize that much of the discussion has been distorted by anachronistic assumptions regarding ancient medical diagnosis. In particular, it is important to point out that the same ambiguities plague discussion of the Akkadian disease called *saḥaršubbû* (a loanword derived from Sumerian *saḥar.šub.ba*, “covered with dust”). This highly infectious skin disease is mentioned in numerous texts of various genres (lists of workers, incantations, oath-curses, rituals) from the early second millennium B.C.E. and onwards.⁶ The Akkadian term is often rendered “leprosy,” as it referred to a condition which covered the body of its victim like a garment and lead to his or her stigmatization and banishment from the community. Often the victim was forced to literally roam the steppe. Like *šara’at*, it was often viewed as a divine punishment or curse.⁷ Without engaging in a full discussion of this problem, it now seems likely that leprosy was at least one of the ailments referred to by these terms, if not the main one.⁸ Consequently, although the translation “leprosy” is imprecise from a modern medical perspective, it correctly captures the fear and repulsion associated with these diseases, as well as the stigmas attached to their victims.

Turning to the procedures described in Lev 13–14, some scholars have noted some significant differences between these rituals and therapeutic rites found among adjacent cultures to ancient Israel. Building on Kaufmann’s observations,⁹ scholars have found three main points which highlight the distinctiveness of these chapters:

of Alternative Medical Terms in Modern Translations of the Bible,” *PEQ* 107 (1975), 87–105; J. Milgrom, *Leviticus* (AB; 3 vols.; New York: Doubleday, 1991–2001), 1:816–20.

⁶ See CAD S, 36–37; M. Stol, “Leprosy: New Light from Greek and Babylonian Sources,” *Jaarbericht van het Vooraziatisch-Egyptisch Genootschap (Ex Oriente Lux)* 30 (1989), 22–31; J. Scurlock and B. Andersen, *Diagnoses in Assyrian and Babylonian Medicine* (Chicago: Indiana University Press, 2005), 70–73, 231–33, 723–24 nn. 139–40; J. Klein, “Leprosy and Lepers in Mesopotamian Literature,” *Korot* 21 (2011–2012), 9–24 (Hebrew); Y. Feder, “Defilement, Disgust and Disease: The Experiential Basis of Akkadian and Hittite Terms for Pollution,” *JAOS* (forthcoming).

⁷ Kazuko Watanabe has analyzed these curse formulas in detail as attested in documents from the 14th–7th cent. B.C.E. in his article “Die literarische Überlieferung eines babylonisch-assyrischen Fluchthemas mit Anrufung des Mondgottes Sin,” *Acta Sumerologica* 6 (1984), 99–119.

⁸ For discussion of this disease and its relationship to Hansen’s disease, see the comments of Stol, Scurlock and Andersen (n. 6 above).

⁹ Y. Kaufmann, *The Religion of Israel* (trans. M. Greenberg; Chicago: University of Chicago, 1960), 107.

1. These rites do not heal the leper and begin only after the disease has abated.
2. They focus on the *purification* of the leper, not the removal of any ‘demonic’ force which has caused the threat.
3. More fundamentally, *šara’at* is a symbolic disease, not corresponding to any real phenomenon.¹⁰

These claims have not gone uncontested. Against the second point, Baruch Levine has argued that the distinction between “impurity” and “disease” is unjustified: “Disease is classified as *tûme’āh* ‘impurity.’ Disease is a real source of danger. Ergo: *tûme’āh* can be a real source of danger!”¹¹ Indeed, this observation can be reinforced by the use of the terminology of purity and impurity in reference to the Mesopotamian ailment *saḥaršubbû*. Indeed, the curability—or more commonly, the incurability—of the latter disease was designated with the idiom of purification (*ebbu/ebēbu*), as in the following curse: “May Šin cover his entire body with incurable *saḥaršubbû* so that he will not be pure/healed (*ā ibbīb*) until the end of his days!”¹²

The comparison with *saḥaršubbû* also largely undermines the third point. The wide variety of symptoms associated with this disease included several distinct types of lesions, discolorations and accompanying characteristics.¹³ The broad range of symptoms associated with a single term or set of terms is hardly surprising in light of the nature of ancient medical knowledge, since different diseases often share common symptoms and a single disease may pass through several stages with distinct manifestations. Thus, variability should hardly be taken as grounds for viewing a disease as fictitious or symbolic.

More problematic is Levine’s attempt to counter the first point. Denying that the absence of healing in Lev 14 was theologically motivated, he claims that the disease discussed in the chapter is not “actual” *šara’at*, that is: “infectious” *šara’at* (צרעת (ממארת), mentioned in Lev 13:51–52 and 14:44. In the latter case, the person would be infected until his death, unless God miraculously intervened. Levine suggests that magical rites for disease did exist (like the treatment of snakebites in Num 21:6), but only for less serious ailments than *šara’at*.¹⁴ However, Levine’s attempt to distinguish between “actual” and apparent cases of the disease is not consistent with the language of Lev 13–14, nor is his attempt

¹⁰ J. Milgrom, *Leviticus*, 1:816–20; H.G. Reventlow, “Krankheit – ein Makel an heliger Vollkommenheit. Das Urteil altisraelitischer Priester in Leviticus 13 in seinem Kontext,” in T.R. Kämmerer (ed.), *Studies on Ritual and Society in the Ancient Near East: Tartuer Symposien 1998–2004* (Berlin: W. de Gruyter, 2007), 282–90.

¹¹ B.A. Levine, *In the Presence of the Lord* (Leiden: Brill, 1974), 84.

¹² See CAD E, 4.

¹³ See Scurlock and Andersen, *Diagnoses*, 70–73.

¹⁴ Levine, *In the Presence*, 84.

to explain the absence of a biblical ritual for healing the leper convincing.

To this day, many scholars continue to minimize the differences between biblical and extra-biblical rituals dealing with disease. For example, Erhard Gerstenberger makes the following remarks on Lev 14: “Hence this tradition appropriates to an unusual extent universal, popular customs and religious ritual material. There is no evidence for the frequently advocated suspicion that this takes place precisely for the sake of thwarting ‘pagan’ practices . . . This is not a struggle against Canaanite religious notions.”¹⁵ Most recently, Isabel Cranz has rightfully challenged the view that the Mesopotamian notion of pollution was, by definition, “demonic,”¹⁶ but this polemic leads her to disparage any significant differences between Priestly ritual and its Assyrian and Babylonian counterparts. She suggests that the absence of exorcistic elements in P is the (coincidental?) result of P’s focus on the sanctuary:

Demonic possession . . . was a problem that only affected the individual and as such it fell outside the scope of Priestly responsibility . . . Consequently, it may be argued Priestly forms of impurity contain no explicit demonic element because demons are simply not relevant in (the) context of the sanctuary and its maintenance.¹⁷

However, this argument fails to do justice to Lev 14, which addresses the needs of the formerly diseased individual but nevertheless avoids any reference to demons or other dangerous forces.

One point which emerges from this discussion is that arguments for an implicit polemic are unlikely to convince skeptics, since they are based on purported gaps in the Priestly text. Such an impasse would be unlikely to be resolved in the absence of new evidence. Fortunately, a recently published ritual for the treatment of *saḥaršubbû* may provide the necessary basis for a more conclusive evaluation of this problem.

¹⁵ E. Gerstenberger, *Leviticus: A Commentary* (trans. D.W. Stott; Louisville: Westminster John Knox, 1996), 186.

¹⁶ I. Cranz, “Priests, Pollution and the Demonic: Evaluating Impurity in the Hebrew Bible in Light of Assyro-Babylonian Texts,” *JANER* 14 (2014), 68–86. For the sake of precision, it should be recognized that Mesopotamian texts do not have an impersonal notion of pollution comparable to biblical *tum’ah*. Therefore, a more exact formulation would be that Assyrian and Babylonian texts do not focus on demonic influence as the exclusive cause for disease, often referring to curses, witchcraft, divine anger and other personalized forms of agency. See further: Feder, “Defilement, Disgust and Disease.”

¹⁷ *Ibid.*, 86. I have supplied the word in parentheses.

THE EMAR RITUAL FOR TREATING *SAḤARŠUBBŪ*

In 1999, Akio Tsukimoto published a privately owned medical text apparently composed in Emar (located on the bend of the Euphrates River in Syria) in the 13th cent. B.C.E.¹⁸ Based on an analysis of this text's script and language, Yoram Cohen has shown that this tablet probably reflects an originally Mesopotamian ritual tradition, though its current scribal formulation also reflects Syro-Hittite and local Emariote influences.¹⁹ Lines 37–84 of this tablet contain the only known ritual for the treatment of *saḥaršubbū*, also referred to in the text as *epqannu*.²⁰ This section contains an incantation (ll. 37–42), treatment (43–84) and a rite following recovery (85–93). The medical treatment section distinguishes between different types of the disease and offers specific instructions for each one. Interestingly, ll. 50–84 focus on skin discolorations (white, yellow, red, black and different combinations), and the appropriate treatment is determined accordingly. For example, the text states that if “the leprosy is yellow and red, it is the hand of Šin. To remove it, you should anoin[t him] with human semen for seven days [and he will recover]” (60).

Most striking, however, is the section dealing with the recovery of the patient. The bandages used in healing the patient are to be removed and thrown in a fire. An incense altar and table with offerings are presented to Šamaš. Then the following rite takes place (ll. 87–89):

¹⁶GIG BI *ana* IGI ^dUTU ^ri ^ṽ-za-az 1 MUŠEN *ḥur-ri u al-lu-ut-ta ana*
IGI ^dUTU *ta-qa-al-lu [u] iš-tu* MUŠEN *ḥur-ri ra-ma-an-šu tu-kap-*
pár-ma ú-maš-šar

This patient stands before Šamaš. You shall burn one partridge and a crab before Šamaš, [and] with (another) partridge you shall wipe his body and he will let (it) go.

The fact that these lines have not yet been compared with the rite in Lev 14 is surprising, but one reason may be Tsukimoto's problematic translation of l. 89: “[and] purify his body (with the blood of [?]) the partridge and let (him) go.” According to this understanding, the rite involves a single partridge, whose blood is used to purify the patient, and then the patient is released to go home. This interpretation is untenable for the following reasons:

¹⁸ A. Tsukimoto, “By the Hand of Madi-Dagan, the Scribe and *Apkallu*-Priest’ – A Medical Text from the Middle Euphrates Region,” in K. Watanabe (ed.), *Priests and Officials in the Ancient Near East* (Heidelberg: Winter, 1999), 187–200. I thank Yoram Cohen and Avigail Wagschal for their helpful insights for interpreting this text.

¹⁹ Y. Cohen, *The Scribes and Scholars of the City of Emar in the Late Bronze Age* (Winona Lake: Eisenbrauns, 2009), 217–19, 232. More specifically, he characterizes the script as primarily Syro-Hittite, though reflecting indicators of the “Assyro-Mittannian” scribal tradition attested also in medical-ritual texts found in the Hittite archives of Ḫattuša.

²⁰ For this later term, see Scurlock and Andersen, *Diagnoses*, 232.

1. The partridge of l. 88 is burned (*qalû*) together with a crab. Whether this rite was understood as a burned offering²¹ or as destroying a symbol of evil influence,²² one would expect that they were completely burned, leaving no further remains. Indeed, there is no further mention of a crab in the text.²³
2. Against Tsukimoto's interpretation, there is no mention of blood in this passage.²⁴ Furthermore, the verb *kuppuru* when used in ritual contexts refers to a concrete act of wiping, such that the translation "purify" is incorrect.²⁵ The text explicitly states that the partridge (MUŠEN *hurri*)²⁶ itself is wiped on the patient. This must refer to a separate partridge from the burnt one mentioned in the previous line.²⁷ This use of the partridge to absorb the disease seems to correspond to its role in Hurro-Hittite waving rites where the MUŠEN *hurri* is used to remove pollution

²¹ The burnt offering of birds is a well-documented ancient Syro-Hittite practice found also in Emar. See V. Haas and G. Wilhelm, *Hurritische und luwische Riten aus Kizzuwatna* (AOAT-Sonderreihe, 3; Neukirchen-Vluyn: Kevelaer, 1974), 54–58; B. Janowski and G. Wilhelm, "Der Bock, der die Sünden hinausträgt: Zur Religionsgeschichte des Azazel-Ritus Lev 16,10.21f," in B. Janowski, K. Koch and G. Wilhelm (eds.), *Religionsgeschichtliche Beziehungen zwischen Kleinasien, Nordsyrien und dem Alten Testament* (OBO, 129; Freiburg: Universitätsverlag, 1993), 145–51; G. Minunno, *Ritual Employs of Birds in Ancient Syria-Palestine* (AOAT, 402; Münster: Ugarit-Verlag, 2013), 21–45, passim.

²² See D. Schwemer, *Abwehrzauber und Behexung: Studien zum Schadenzauberglauben im alten Mesopotamien* (Wiesbaden: Harrassowitz, 2007), 199–205; T. Abusch and D. Schwemer, *Corpus of Mesopotamian Anti-Witchcraft Rituals. Volume 1* (Leiden: Brill, 2011), passim.

²³ For both of these uses of *qalû*, see CAD Q, 69–71. The function of the crab here is obscure. See CAD A/1, 360–61.

²⁴ The blood of a partridge as well as that of a lizard and a frog are mixed together with other substances and are wrapped in a bandage in a previous section of this text (ll. 81–4). However, this remedy has nothing to do with the rite described in the present passage.

²⁵ B. Janowski, *Sühne als Heilsgeschehen. Studien zur Sühnetheologie der Priesterschrift und zur Wurzel KPR im Alten Orient und im Alten Testament* (WMANT, 55; Neukirchener Verlag, 1982), 46–58; D.P. Wright, *The Disposal of Impurity: Elimination Rites in the Bible and in Hittite and Mesopotamian Literature* (SBLDS, 101; Atlanta: Scholars Press, 1987), 291–99.

²⁶ For this bird, sometimes identified as a shelduck, see Y. Feder, *Blood Expiation in Hittite and Biblical Ritual: Origins Context and Meaning* (Atlanta: SBL, 2011), 21, n. 54; Minunno, *Ritual Employs*, 44.

²⁷ The absence of a separate designation 1 before MUŠEN in l. 89 may have led Tsukimoto to assume that this is the same bird. This omission may perhaps be attributable to the fact that this partridge is not an offering. Alternatively, it is possible that the scribe accidentally omitted the "1" sign in l. 89. According to this view, 1 MUŠEN in l. 88 should be understood as referring to "one" partridge, implying a second, and not as a single bird employed in both rites

or other metaphysical threats from persons or objects and then eliminated.²⁸

3. From here, it becomes clear that it not the patient who is “released” (*umaššar*) but rather the second partridge, which has now absorbed the impurity from the patient’s body and is released in order to banish the threatening force from the community.²⁹ Despite recognizing that the verb is a third-person form (noted in parentheses), Tsukimoto nevertheless translates this verb in the second-person as addressing the priest. Leaving the grammatical form as it is, it should be understood as referring to the patient who releases the bird.³⁰

Ironically, Tsukimoto seems to have been influenced by the biblical text in rendering these lines, but the resulting translation has distorted their meaning beyond recognition. According to the interpretation offered here, one can recognize the clear parallel between the Emar rite and the bird rite of Lev 14. In both of these texts, we find the use of two birds, one of which is killed and the other which is used to carry the pollution away from the community. Since these rituals pertain to essentially the same type of disease, this similarity is quite significant.³¹

²⁸ See V. Haas, *Materia Magica et Medica Hetbitica. Ein Beitrag zur Heilkunde im Alten Orient. Volume 1* (Berlin: W. de Gruyter, 2003), 488–89; R. Strauß, *Reinigungsrituale aus Kizšuwatna* (Berlin: W. de Gruyter, 2006), 75–76. This bird (or its body parts) appears in several different types of Mesopotamian rituals (see CAD I–J, 207–8), including those to ameliorate a negative omen or to convey male potency, but these are less similar to its function in the present text.

²⁹ For the release of the MUŠEN *hurri* after absorbing evil forces in Hurro-Hittite swinging rituals, see previous note.

³⁰ In the previous section of this ritual (ll. 72–84), the patient is referred to in the third-person with instructions on how to participate in his treatment. For (*w/m*)*uššuru* in reference to the release of birds, see CAD U/W, 312. When this verb is applied to humans, it generally refers to release from captivity (313–16). The following lines of our text (89–93) seem to describe further instructions for the patient, which also militates against interpreting l. 89 as referring to letting the patient go home. An even more interesting interpretation can be proposed in light of the fact that this verb is used also with a disease as the subject to describe the release of a person from illness (ibid., 316–17). According to this suggestion, one would translate *umaššar* “it [i.e., the disease] will release (him).” However, since other examples explicitly address the disease as agent, this interpretation is unlikely in the present context.

³¹ Nevertheless, one should not ignore the differences between the two rituals, particularly the use of blood in Lev 14, which seems to reflect a separate tradition related to the sin offering, as is apparent from the analogous goat rite in Lev 16. For a related Hurro-Hittite ritual of Syrian origin involving a blood rite, see Feder, *Blood Expiation*, 125–34. Incidentally, there is no indication that the bird slaughtered in Lev 14:5 is considered an offering, contra R. Schmitt, *Magie im Alten Testament* (AOAT, 313; Münster: Ugarit Verlag, 2004), 31.

Having demonstrated the close similarity in subject matter and content relating the Emar ritual and Lev 13–14, a comparison of the overall structure of these texts leads to the most important point. The elaborate diagnostic procedures outlined in Lev 13 parallel the detailed symptomology of *saḥaršubbû* as indicated in ll. 50–84 of the Emar tablet, with the primary diagnostic criteria in both texts being skin discolorations. In turn, Lev 14 parallels the section in ll. 85–89 dealing with the leper “after he recovers” (*kimē iballuṭ* [TI-*uṭ*]). From this comparison, it becomes clear that the main difference between the two texts is the striking absence of any treatment for the leper in the biblical text. Hence, it is difficult to avoid the conclusion (against Levine) that such rites were known to the Israelite priesthood but were deliberately omitted.³² As a result, this comparison brings into sharp relief the fact that the rites preserved in Lev 13–14 have been carefully selected from a larger body of ritual tradition to which the priests and the Israelite population in general were privy. In the following sections, we will examine several additional Mesopotamian parallels to Lev 13–14 with the aim of clarifying the theological or ideological considerations governing this selection process.

HOUSE FUNGUS

The rules for *šara’at* in houses (Lev 14:33–53) provide an additional opportunity to compare the Priestly view with extra-biblical parallels. Several ancient Near Eastern rituals for the purification of houses have been identified and discussed in modern scholarship. Of particular interest are the Mesopotamian *namburbi* rituals which seek to counter-act the threats portended by ominous signs in a house.³³ Though apparently originating at an earlier period, the vast majority of these texts were composed in Babylonia and Assyria during the first millennium B.C.E..³⁴ A Hittite ritual (with Hurrian characteristics) for the purification of a house (CTH 446) also seems to originate from this body of tradition, with ominous signs being taken as indications that impurity, bloodshed, curses, witchcraft and other evil forces have ‘infected’ the house.³⁵

³² Though some scholars might question how this 13th cent. tradition could have found its way into the much later Priestly writings, it is now well-established that Late Bronze Age Syria was a melting pot of ritual traditions of varied origins, many of which are recognizably preserved in P. For further examples, references and discussion, see Feder, *Blood Expiation*, 123–25, 243–52. The Emar tablet is itself representative of this multi-cultural ritual *koiné*, with links to Mesopotamian, Hittite and Ugaritic traditions. See Tsukimoto, “By the Hand,” 189; I.L. Finkel, “Magic and Medicine at Meskene,” *NABU* (1999), 28–30; Cohen, *Scribes and Scholars*, 217–19.

³³ See S.M. Maul, *Zukunftsbewältigung* (Baghdader Forschungen, 18; Mainz: Zabern, 1994), 97–101.

³⁴ *Ibid.*, 159.

³⁵ Note especially the priest’s address to the Sungoddess of the Earth at the beginning of the text: “Why is this house gasping (*tuhhaitt[a]*)? Why

Of these purification rituals, the most similar to Lev 14:33–53 is a namburbi ritual dealing with *katarru* fungus. Like Lev 14, the treatment of *katarru* focuses on the identification of discoloration in the walls of the house, requiring removal and purification. The potential danger portended by this fungus is outlined in the twelfth tablet of the omen series *Šumma ālu*, which is devoted to different manifestations of this fungus.³⁶ Aside from the case of a black fungus that is viewed as a sign of success, other possible colors, including white, red and green, portend calamity. In comparison, Lev 14:37 specifies that *šara'at* expressed in red or green discoloration requires purification.

Measures to thwart the danger of *katarru* fungus are provided in a specific namburbi ritual.³⁷ The precise location of the fungus determines which member of the household is in mortal danger. For example, it specifies: “[If] there is fungus on a man’s house on the outer northern side, the owner of the house will die and his [house] will be scattered.”³⁸ If it is on the east, the victim will be his wife, and so on. In order to counter-act this threat, the namburbi ritual requires that the priest observe the fungus, scrape it off with a special tool and dispose of it. Without engaging in a detailed comparison (which has already been done),³⁹ it is clear that the biblical rite follows the same basic contours, involving diagnosis of the fungus and removal of the contaminated stones. In addition, the biblical text includes a purification rite involving two birds, which is clearly based on the analogy of *šara'at* for a human being (vv. 4–7 // 49–53).

There are clear indications that the pericope on house purification is a later addition to Lev 13–14. The secondary nature of this section is demonstrated clearly by the chapter’s colophon in vv. 54–57. As noted by Michael Fishbane and others, v. 55 which deals with *šara'at* of clothing and houses is an obvious interruption between vv. 54 and 56, which follow the order of *šara'at* in humans as outlined in 13:1–46. From this interpolation to the colophon, one can identify the sections on clothes (13:47–58) and houses

does it look upward to heaven?” (I 10–11). See H. Otten, “Eine Beschwörung der Unterirdischen aus Boğazköy,” *ZA* 54 (1961), 116–17, 142–43; English translation: B.J. Collins, “Purifying a House: A Ritual for the Infernal Deities,” *COS* 1:168. Taken literally, it would seem that the house is appealing to the gods to save it from dangerous influence. The physical phenomenon prompting this inquiry is not clear, but it is tempting to compare a namburbi for purifying a house (K 8819+) which refers to creaking beams (GIŠ.ÛR.MEŠ *inamziqū*) among other warning signs; see Maul, *Zukunftsbewältigung*, 374, l. 3’.

³⁶ See S. Meier, “House Fungus: Mesopotamia and Israel (Lev 14: 33–53),” *RB* 96 (1989), 187; Maul, *Zukunftsbewältigung*, 174.

³⁷ See *ibid.*, 354–66.

³⁸ *Ibid.*, 358, l. 28. English translation: *idem*, “Namburbi Texts in the British Museum,” *Or* 40 (1971), 144, l. 23’; R. Caplice, *The Akkadian Namburbi Texts: An Introduction* (Sources from the Ancient Near East, 1/1; Los Angeles: Undena; 1974), 18.

³⁹ Meier, “House Fungus.”

(14:33–53) as later additions.⁴⁰ Whether it is assumed to have been composed in the exilic or post-exilic period, the late provenance of Lev 14:33–53 strengthens the assumption of Babylonian influence, which is independently supported by the similarities to the namburbi rituals for *katarru*-fungus cited above.

Once one acknowledges that the biblical and extra-biblical texts draw on a common body of tradition, several of the differences between them become highly significant. The first major distinction between Leviticus 14:32–52 and its Babylonian parallels is that the biblical text shows no indication that *šara'at* is dangerous. As far as can be seen, it is a case of pollution, but nothing more. This difference corresponds to some broader tendencies discernable in the Priestly literature's depiction of the relationship between disease and impurity (see below).

An additional point of interest in the biblical text is the specification in v. 36 that all of the belongings be removed from the house before the priest enters to make his diagnosis:

The priest will order the house cleared before the priest comes to inspect the plague, so that he will not defile (by his pronouncement) everything in the house. Afterwards, the priest will inspect the plague.

The rationale for this dispensation, as is explicitly stated, is to enable the house-owner to save his possessions from needing to be discarded (or at least purified) as carriers of pollution. This example within scripture of a concern for a person's material possessions was duly noted by the Rabbis.⁴¹

Yet this element was not entirely unique. One may compare an additional namburbi (LKA 120) for purifying a house after the appearance of ominous signs (but fungus is not explicitly mentioned), in which the following procedure is prescribed:⁴²

⁷You have a stranger, who does not know the man's house, take in his hands ⁸a bow, seven arrows with iron heads, seven with copper heads, ⁹seven with wooden heads. An iron dagger ¹⁰(and) an axe you bind at his waist. He enters the owner's house, ¹¹takes an arrow and shoots it. He sets aside the bow there. Then on the threshold, ¹²the doors (and) the lock of the owner's house, with the iron dagger and the axe he makes an incision. ¹³Whatever possessions are lying in the courtyard of

⁴⁰ M. Fishbane, "Biblical Colophons, Textual Criticism, and Legal Analogies," *CBQ* 42 (1980), 440–442. For further arguments, see also M. Noth, *Leviticus. A Commentary* (trans. J.E. Anderson; OTL; London: SCM Press, 1965), 104; K. Elliger, *Leviticus* (HAT; Tübingen: Mohr, 1966), 177; also Milgrom, *Leviticus*, 1:886–87, who notes stylistic affinities to H. For a comprehensive discussion of the composition of these chapters, see C. Nihan, *From Priestly Torah to Pentateuch* (FAT II, 25; Tübingen: Mohr Siebeck, 2007), 271–81.

⁴¹ See m. *Negaim* 12:5; Milgrom, *Leviticus*, 1:869.

⁴² LKA 120; edition: Maul, *Zukunftsbewältigung*, 484–94. English translation adapted from Caplice, *Akkadian Namburbi Texts*, 21.

the owner's house, ¹⁴as much as he can carry, you have that man pick up. (Then) ¹⁵you bind his arms behind him and take him away and have him cross a river ¹⁶. . . and take him to an unknown place. ¹⁷Then the evil is erased. It will no longer approach the owner and his house.

In this ritual, a stranger performs a mock invasion of the house and makes incisions on the locks and doors, and apparently these scrapings will then be disposed of according to the principal of *pars pro toto*.⁴³ More interesting for our present purposes, the stranger is then instructed to pick up as many possessions as he can carry from the courtyard and carry these articles across a river where further rites are performed (ll. 13–17). Apparently, the aim of this procedure is to distance 'contaminated' objects from the house.⁴⁴ By this means, the Babylonian priests were able to circumvent excessive economic losses or inconvenience by purifying the house. Indeed, only the possessions in the courtyard—and only those which he could carry—were removed.⁴⁵ In short, this ritual reveals on one hand a concern with the defilement of the objects, but on the other hand the ability to manipulate and control the economic implications of this pollution by ritual means, hence serving as an interesting analogue to Lev 14:36. Still, it seems that a much more radical solution is reflected in the latter, ascribing to the priest total authority to determine the impurity of the house through his speech-act, such that nothing which was previously in the house is rendered impure. In sum, this comparison reveals a common set of concerns informing the namburbi LKA 120 and Lev 14:36, though the latter takes an even more extreme position in denying any potential danger which might be attributed to the appearance of house fungus.

From the foregoing comparisons with the ritual for treating *saḥaršubbû* from Emar and Assyro-Babylonian namburbi rites, it is clear that the Priestly rituals of Lev 13–14 are not *sui generis* but rather a particular expression of a corpus of traditions disseminated across a broader region.⁴⁶ This shared heritage allows greater appreciation of the points where the biblical rites differ from their Mesopotamian counterparts. In the following section, I will seek to clarify the tendencies which underlie these disparities.

⁴³ For a typology of this type of purification, see Maul, *Zukunftsbewältigung*, 97–101.

⁴⁴ So *ibid.*, 79–80.

⁴⁵ Moreover, the binding of the stranger's arms, symbolizing the restraint of the forces of evil (see *ibid.*, 77), would further limit his carrying capability. In fact, the latter specification is difficult to reconcile with the requirement to carry the objects across the river, but the alternative possibility, that he merely lifts the objects only to place them back on the ground (not stated) is a less likely interpretation of l. 14.

⁴⁶ As noted regarding the namburbi rituals, a point of contact in the Babylonian exile offers a likely context of transmission to the Israelite priests. Regarding the Emar ritual, see above, n. 32.

UNCOVERING THE PRIESTLY POLEMIC

Though the distinctive nature of Priestly ritual has been recognized by many scholars, a precise identification of its unique characteristics has proved elusive. Scholars have viewed these texts as polemics against “demonic,” “pagan,” or “magical” rites, often contrasted with the “symbolic” function of the biblical rites. Note, for example, Jacob Milgrom’s conclusion regarding the house purification rites of Lev 14: “In short, Israel’s priesthood has eviscerated the magical and demonic from the rites of the fungous house prevalent in the contiguous cultures and, as in the case of the scale-diseased person has incorporated them into its overarching symbolic system that proclaims the victory of the forces of life over the forces of death.”⁴⁷ Though it correctly emphasizes the polemical aspect of the biblical ritual text, the weakness of this interpretation (and others like it) is that it fails to articulate which Priestly terms, if any, correspond with these modern analytic categories. In the following discussion, I will seek a more empirically-based characterization of the underlying Priestly agenda, focusing on the points of continuity and discontinuity in comparing Lev 13–14 and other Priestly sources with the above-cited Mesopotamian traditions in their treatment of disease, pollution and sin. The hope is that these comparisons can enable us to better identify the key issue(s) at stake for the party responsible for the present form of these chapters.

A first point, which should be addressed at the outset, pertains to the use of the terminology of pollution in relation to *šara’at*, which has been construed by many scholars as implying that *šara’at* was not a source of concern as a contagious disease. Even Scurlock and Andersen, in their compendium of Assyrian diagnostic texts, attempt to distinguish the biblical disease from its Mesopotamian counterparts on the following basis: “The point is that *šara’at* is not a cognate of *saḥaršubbû*, *epqu*, or *garābu*, and that *šara’at* is inextricably linked with concepts of cultic purity and impurity that most scholars would *à priori* assume to be peculiar to ancient Israel.”⁴⁸ It is surprising that these authors overlooked the fact that Mesopotamian texts also employ the terminology of purity and impurity (usually *ebbu*) to designate the healing or incurability of *saḥaršubbû*, as noted above. Indeed, even Naaman, the Aramean general stricken with leprosy, seeks a cure for the disease using the terminology of purification (2 Kgs 5:12): “Are not the Amanah and the Pharpar, the rivers of Damascus, better than all the waters of Israel? I could bathe in them and be clean (וטהרתִי)!” This statement, attributed to the ‘pagan’ general, can hardly be expressing a uniquely Israelite conception of disease. Though these scholars appear to be on the right track, a more precise formulation is needed. In fact, it is noteworthy that the unanimous view repre-

⁴⁷ *Leviticus*, 1:865; for further elaboration on the proposed symbolism, see *ibid.*, 1002–3.

⁴⁸ Scurlock and Andersen, *Diagnoses*, 724 n. 139 (emphasis added).

sented by the biblical sources is that people suffering from *sara'at* must be banished from the community (e.g., Lev 13:46; Num 5:2–4; 12:14; 2 Kings 7:3–10). This stringency continued to be practiced throughout the Second Temple Period,⁴⁹ even among the Rabbis, despite their tendency towards leniency regarding other forms of impurity.⁵⁰

More generally, it seems that Levine was correct in arguing that the Israelite notion of pollution was not always as innocuous as it may appear from the canonical form of P. Indeed, the types of pollution associated with disease seem to have originally been associated with punishment and curse, as indicated by David's curse of Joab (2 Sam 3:29) which refers to leprosy and gonorrhoea. It seems hardly coincidental that these types of "impurity" require expiatory sacrifices in the Priestly instructions. In a previous article, I have argued at length that the biblical notion of pollution is based in part on a folk theory of infection, specifically regarding severe conditions such as leprosy, gonorrhoea and death—all of which could be expected to instill a fear of contagion.⁵¹

However, according to the explicit rationale given by the text, the concern for these types of impurity is limited exclusively to the sacred realm, as indicated by Lev 15:31: "You shall set apart the Israelites from their impurities lest they die in their impurities by

⁴⁹ Temple Scroll 48:14–7; Josephus, *Against Apion* 1.281 (trans. H.S.J. Thackeray, *Josephus: The Life. Against Apion* [LCL; Cambridge, MA: Harvard University Press, 1926], 276–277). For evidence of exclusion in NT, see T. Kazen, *Jesus and Purity Halakhab* (Stockholm: Almqvist & Wiksell, 2002), 116–18.

⁵⁰ Specifically, m. Kelim 1:7 bans lepers from walled cities. For discussion, see V. Noam, " 'Choosing the Path of Lenience': Qumranic Stringency or Tannaitic Leniency?," *Meghillot* 8–9 (2010), 211–26 (Hebrew); idem, *From Qumran to the Rabbinic Revolution: Conceptions of Impurity* (Jerusalem: Yad Ben Zvi, 2010), passim (Hebrew); Y. Feder, "The Polemic Regarding Skin Disease in 4QMMT," *DSD* 19 (2012), 64–67.

⁵¹ See Y. Feder, "Contagion and Cognition: Bodily Experience and the Conceptualization of Pollution (*tum'ah*) in the Hebrew Bible," *JNES* 72 (2013), 159–64. I have since found that the medical anthropologist Edward Green has recently come to a similar conclusion regarding notions of pollution in southern Africa, as elucidated in his monograph *Indigenous Theories of Contagious Disease* (Walnut Creek, CA: AltaMira, 1999). The view that the biblical rites originally addressed demonic influences (e.g., Elliger, *Leviticus*, 186–87) correctly identifies their apotropaic basis, but fails to recognize that an impersonal force (i.e. pollution) could be perceived as the source of danger, with no need to postulate personalized demonic entities. Ironically, Cranz ("Priests, Pollution and the Demonic") notes that the Mesopotamians attributed disease to multiple causes, yet in relation to Israel emphasizes the role of demons. For broader discussions of the issue of demons in the Hebrew Bible, see H. Anthes-Frey, *Unheilmächte und Schutzgenien, Antivesen und Grenzgänger: Vorstellungen von "Dämonen" im alten Israel* (OBO, 227; Göttingen: Vandenhoeck & Ruprecht, 2007); J.M. Blair, *De-Demonising the Old Testament: An Investigation of Azazel, Lilith, Deber, Qeteb and Reshef in the Hebrew Bible* (FAT II, 37; Tübingen: Mohr Siebeck, 2009).

defiling my Tabernacle that is among them.” Even the banishment of lepers, gonorrhoeics and bearers of corpse impurity in Num 5:1–3 is now situated in relation to the sacred camp. As elucidated by the divine speech, the rationale for this banishment is “so that they will not defile the camp where I reside in their midst” (3).⁵² These sources reveal a startling anomaly: the causes of “pollution” which most closely resemble the perceived causes of infection in other ancient and traditional cultures⁵³ are in fact banished from the community, but only under the pretense of not defiling the sanctuary! This strange situation is best understood as the result of a diachronic development in which a previously dangerous notion of pollution was reinterpreted as merely a cultic concern. It is in fact noteworthy that these sources, Lev 15:31 and Num 5:1–3, are now widely recognized to pertain to the latest layer(s) of Priestly redaction,⁵⁴ which suggests that the earlier notions of pollution may have been substantially different.⁵⁵ Pollution has been transformed from a threatening cause of disease to a secondary effect, whose implications are limited for the most part to the sacred domain.

A similar tendency to minimize the threat posed by pollution can be detected in Lev 14. A salient point noted above is the provision that the fungous-infected house does not pollute its contents until after the priest has declared it ‘impure.’ This particular exam-

⁵² For the correct interpretation of this verse, it is necessary to recognize that **מחניהם** is a singular form (“their camp”), corresponding to **מחנה** in the previous verses. One can compare the form **מחניך** alongside **מחנך** in Deut. 23:15, both meaning “your camp” (singular). So correctly, e.g., ASJ; NJPS; B.A. Levine, *Numbers 1–20* (AB; New York: Doubleday, 1993), 182, 186.

⁵³ Already early second millennium letters B.C.E. from Mari reveal a clear awareness of the dangers of contagion in the ancient Near East, but, importantly, this problem was conceptualized and treated as a metaphysical danger requiring purification. See J.-M. Durand, “Trois études de Mari,” *MARI* 3 (1984), 143–49 (§I/9. Maladies); E. Neufeld, “The Earliest Document of a Case of Contagious Disease in Mesopotamia (Mari Tablet ARM X, 129),” *JANES* 18 (1986), 53–66; W. Farber, “How to Marry a Disease: Epidemics, Contagion, and a Magic Ritual against the ‘Hand of a Ghost,’” in H.F.J. Horstmanshoff and M. Stol (eds.), *Magic and Rationality in Ancient Near Eastern and Greco-Roman Medicine* (Leiden: Brill, 2004), 119–22. On contagious disease in general, see Scurlock and Andersen, *Diagnoses*, 17–20. For the important observation that leprosy and sexually transmitted diseases are some of the most obvious cases of interpersonal contagion, see Green, *Indigenous Theories*, 248–49.

⁵⁴ Milgrom, *Leviticus*, 1:946–7, 2:1337, 1344; I. Knohl, *The Sanctuary of Silence: The Priestly Torah and the Holiness School* (Winona Lake: Eisenbrauns, 1995), 69–70, 86; Nihan, *Priestly Torah*, 283; C. Frevel, “Purity Conceptions in the Book of Numbers in Context,” in C. Frevel and C. Nihan (eds.), *Purity and the Forming of Religious Traditions in the Ancient Mediterranean and Ancient Judaism* (Leiden: Brill, 2013), 400–5.

⁵⁵ For extensive discussion of the socio-religious implications of this reinterpretation, see Y. Feder, “The Wilderness Camp Paradigm in the Holiness Source and the Temple Scroll: From Purity Laws to Cult Politics,” *JAJ* 5 (2014), 290–310.

ple reveals a much broader tendency to downgrade the perceived seriousness of impurity. Here I can only agree with Milgrom's conclusion that "we are dealing with an impurity that has been eviscerated of its principal potency."⁵⁶ Yet we would be mistaken to assume that the concern associated with these types of pollution had always been confined to the sanctuary.⁵⁷

A further striking point pertaining to Lev 13–14 is the absence of an association of disease (or pollution) with sin. In stark contrast with other biblical sources (Num 12:10; 2 Sam 3:29; 2 Kgs 5:27; 2 Chr 26:19–20), there is no explicit indication in these chapters that *šara'at* is a divine punishment.⁵⁸ Even the statement in 14:34 which introduces the laws of house impurity, "When you enter the land of Canaan that I give you (נתן) and I place (ונתתי) 'leprosy' upon a house in the land you possess" implies nothing other than that YHWH is viewed as its source. This view is a standard biblical conception of disease in general—and *šara'at* in particular (see below)—which does not inherently imply sin. Indeed, the immediately adjacent נתן in the positive context of bestowing the land weighs against interpreting the idiom נתן נגע as expressing divine punishment.⁵⁹ Hence, in contrast with Rudiger Schmitt, who deduces from the extra-biblical parallels (especially the Hurro-Hittite ritual CTH 446) the existence of a similar connection between house impurity and sin in Israel,⁶⁰ these comparisons only serve to call attention to the absence of such statements in Lev 13–14, thereby emphasizing the disparity between the attitudes underlying these texts. The anthropologist Mary Douglas duly noted the absence of what she called "forensic impurity," i.e., defilement as an indication of sin, in Leviticus: "I was amazed to find in this book of religious laws that illness and misfortune are not diagnosed as punishments for individual sin . . . Biblical silence about forensic impurity is a major deviation from taboo behavior everywhere else."⁶¹

⁵⁶ *Leviticus*, 1:889.

⁵⁷ For all the deficiencies in her understanding of the biblical text, Kristeva correctly notes that sources of pollution such as menstruation, gonorrhoea and leprosy have no inherent relationship to the sanctuary: "It is thus in a secondary fashion, through a metaphor, that impurity concerns the relation to the Temple" (*The Powers of Horror: An Essay on Abjection* [New York: Columbia University, 1982], 93).

⁵⁸ J.S. Baden and C.R. Moss, "The Origins and Interpretation of *šara'at* in Leviticus 13–14," *JBL* 130 (2011), 643–53.

⁵⁹ Furthermore, one may compare Exod 4:6–7 where Moses' hand is stricken with this disease and then immediately healed as a display of divine power, not as a punishment.

⁶⁰ Schmitt, *Magie*, 311–16; R. Albertz and R. Schmitt, *Family and Household Religion in Ancient Israel and the Levant* (Winona Lake: Eisenbrauns, 2012), 418. Milgrom (*Leviticus 1–16*, 867–68), Baden and Moss ("Origins," 652–53) are ambivalent on this point, attributing this verse to H, but the comparison to Lev 26:16, 25, which deal with collective violations of the covenant and follow the well-known pattern of vassal treaty curses is not relevant here.

⁶¹ M. Douglas, *Jacob's Tears: The Priestly Work of Reconciliation* (Oxford:

A similar tendency can also be found elsewhere in Lev 4:1–5:13, where sin offerings are prescribed for cases of unknown sins. Repeatedly, the text refers to the matter being hidden from the perpetrator (נעלם דבר), who only later finds out about the misdeed. What were the circumstances in which these previously unknown sins became known? While it is conceivable that, in some cases, other members of the community may have observed one of these misdeeds and rebuked the oblivious perpetrator,⁶² it is doubtful that such a case was sufficiently regular to warrant this detailed set of instructions. A more likely *Sitz im Leben* for Lev 4:1–5:13 would be in response to illness or personal distress, perhaps leading to an oracular inquiry, such that the suffering itself or the results of this inquiry would serve as the basis for bringing a sin offering.⁶³ This reconstruction finds support through comparisons to extra-biblical rituals like the Mesopotamian *Šurpu* ritual, in which litanies of incantations and rites are performed to address the *possible* causes of illness,⁶⁴ not to mention *ilī ul īdī* (“My god, I did not know”) incantations to make amends for unknown sins.⁶⁵ Importantly, however,

Oxford University, 2004), 167. In a previous work, she explained this view in terms of an attempt to prevent malicious accusations within the community (“Sacred Contagion,” in J.F.A. Sawyer [ed.], *Reading Leviticus: A Conversation with Mary Douglas* [JSOTSup, 227; Sheffield: Sheffield Academic, 1996], 95–99), but she later came to adapt Milgrom’s view that sin leads to collective (not individual) punishment through the defilement of the sanctuary (*Jacob’s Tears*, 169).

⁶² Such an explanation could account for the distinction between the passive formulation in v. 14 (נודע החטאת), and the active form הודע אליו חטאתו in vv. 23 and 28, whereby the first case refers to when the entire community transgressed with no one left to point out the error (cf. Milgrom, *Leviticus*, 1:243). Nevertheless, as the passive formulation in v. 14 itself indicates, rebuke was not the only—and probably not the most common—catalyst for addressing a previously unknown sin. Interestingly, the Qumran scrolls (especially CD 9:2–8) attest to an institutionalized practice of rebuke with legal sanctions, based explicitly on Lev 19:17–18 (see L. Schiffman, *Sectarian Law in the Dead Sea Scrolls: Courts, Testimony and the Penal Code* [Chico, CA: Scholars Press, 1983], 89–109), but which may also be implicitly based on Lev 4–5. See A. Shemesh, “Rebuke, Warning and Obligation to Testify—in Judean Desert Writings and Rabbinic Halakha,” *Tarbiz* 66 (1997), 154 (Hebrew), who relates this institution to Lev 5:1b.

⁶³ This line of interpretation is largely consistent with A. Schenker’s understanding of אש"ם (“to be liable”), in which misfortune is taken as symptomatic of guilt, as in 1 Sam 6; see Schenker, *Recht und Kult im Alten Testament. Achzehn Studien* (OBO, 172; Freiburg: Universitätsverlag, 2000 [1990]), 107; idem, “Once Again, the Expiatory Sacrifices,” *JBL* 116 (1997), 697. See also J. Sklar, *Sin, Impurity, Sacrifice, Atonement: The Priestly Conceptions* (Sheffield: Sheffield Phoenix Press, 2005), 39–41; Feder, *Blood Expiation*, 106–8.

⁶⁴ This comparison was already made by M.J. Geller, “The *Šurpu* Incantations and Lev. V. 1–5,” *JSS* 25 (1980), 181–92.

⁶⁵ W.G. Lambert, “DINGIR.ŠĀ.DIB.BA Incantations,” *JNES* 33 (1974), 267–322.

this background is missing from the current form of Lev 4:1–5:13. Here too, we may suspect that it has been suppressed in a deliberate attempt to dissociate disease from sin.

Though the focus of the present discussion has been on disease, it is important to note that P also clearly distinguishes between pollution and sin. As several scholars have recognized, the sources of pollution discussed in Lev 11–15 and Num 19 are unrelated to sin, and, aside from the dietary laws of Lev 11, all stem from normal or abnormal physiological conditions.⁶⁶ Moreover, the expiation formulas associated with the sin offering required for these conditions is differentiated from those pertaining to sin (as described in Lev 4–5; Num 15), with the former mentioning purification (טה"ר) and the latter forgiveness (סל"ח).⁶⁷ This distinction supports the conclusion that P sought to view pollution (caused by normal and abnormal bodily conditions) as a 'natural' phenomenon, divorced from moral implications.

To summarize, the treatment of disease in Lev 13–14 is characterized by the following distinctive aspects:

1. The non-threatening depiction of pollution.
2. The absence of an explicit causal link between sin and disease.
3. The absence of any healing ritual.

In seeking a unified rationale for these characteristics, it can be observed that the elimination of pollution/ contagion (1) and sin (2) as causal factors to disease removes the metaphysical basis for ritual therapy (3). The resulting implication is that recovery from *sara'at* is dependent on God alone.⁶⁸

⁶⁶ So D.P. Wright, who labeled these types "tolerated impurities" ("Spectrum," 152–58) and Klawans who distinguished "ritual" from "moral" impurity: J. Klawans, *Impurity and Sin in Ancient Judaism* (Oxford: Oxford University, 2000), 21–42. See also following note.

⁶⁷ See R. Gane, *Cult and Character: Purification Offerings, Day of Atonement, and Theodicy* (Winona Lake: Eisenbrauns, 2005), 112–24. Elsewhere, the language of defilement (טמ"א) is not generally used in relation to sin except in the context of sexual violations (Lev 18; 20) and bloodshed (Num 35:34), which are described as defiling the *land* and lack any cultic purification (see Klawans, *Impurity and Sin*, 21–42). For further discussion, see Feder, "Wilderness Camp Paradigm," 305–8.

⁶⁸ Once external personalistic forces (e.g., demons, witchcraft) and sin are ruled out as ultimate causes for disease, the Priestly conception begins to resemble a naturalistic theory. Consider the following tantalizing remark from medical anthropologist Murray Last: "Monotheistic religions and centralized states are commonly promoters of such theories [of natural causes], but signs of failure in either kind of authority provoke a renewed search for a further, ultimate cause for illness; then answers like 'that the way it is, it's natural', or 'it's just bad luck', or 'it's God's will', prove to be no longer an adequate response to the questions 'why us, why me? Why *always* us, why *always* me?' " ("Non-Western Concepts of Disease," in W.F. Bynum and R. Porter [eds.], *Companion Encyclopedia of the History of Medicine* [London: Routledge, 1993], 1:646). Other investigators

In order to gain further insight into the underlying theological conception of Lev 13–14, it may be helpful to compare another Israelite source, the biblical narrative of Naaman, the Aramean general stricken with *šara'at* (2 Kgs 5). When Naaman appeals to the king of Israel, the latter tears his garment and expresses complete helplessness (7): “Am I God who can kill and bring to life that this one writes to me to heal a man from his leprosy?!” But when the prophet Elisha intervenes and advises Naaman to bathe in the Jordan River, it is the latter who is skeptical and initially refuses to comply. Ultimately, he accedes to the urgings of his servants, follows the prophet’s instructions and is healed.⁶⁹ The Aramean general undergoes a dramatic internal transformation: he pledges to worship only Yhwh—and even requests a plot of earth from the Holy Land to this effect—though this new faith will remain ‘in the closet’ when he returns to Aram. Naaman’s ecstatic response aptly summarizes this part of the story and forms an ideological inclusio with the king of Israel’s plea of helplessness in v. 7. Recognizing that only Yhwh has the power to heal *šara'at*, he declares (15): “Now I know that there is no God in the whole world except in Israel!”

The story takes a twist when Elisha’s servant, Gehazi, accepts Naaman’s gift of gratitude, which was initially refused by his master. When the fact becomes known to Elisha, the prophet curses Gehazi (27): “The leprosy of Naaman shall cling to you and your offspring forever!” And so it was. By accepting the gift and thereby ascribing the miraculous cure to the work of his master and not God, the consequence is an ironic reversal of fortunes: the healed Aramean returns home to declare the supremacy of Yhwh, while the Israelite Gehazi, the prophet’s helper who failed to properly acknowledge God’s intervention, is left with Naaman’s disease.⁷⁰

At first glance, the treatment of *šara'at* in this narrative is quite different from that found in Lev 13–14, where little attention is given to Yhwh’s role in disease (aside from 14:34) and no explicit association is made between this disease and sin. Upon closer inspection, however, it becomes apparent that the points emphasized in 2 Kgs 5 correspond to the conspicuous gaps in Lev 13–14. First, the simple rite of healing which initially angered Naaman

of African ethnomedicine have observed that idioms such as “illnesses of God” do not refer to divine punishment, but rather to diseases “that simply happen,” with similar implications to the Western notion of “natural causes” (see Green, *Indigenous Theories*, 42–44 and passim). I hope to further examine possible naturalistic tendencies in P in a future article.

⁶⁹ As in P and in Mesopotamian literature (see above), healing is here designated *וִיטָהֵר*, using the idiom of purity.

⁷⁰ K. van der Toorn, *Sin and Sanction in Israel and Mesopotamia: A Comparative Study* (Assen: Van Gorcum, 1985), 74. Cf. Amit, *Hidden Polemics*, 64–66, who correctly identifies the polemical nature of 2 Kgs 5, but frames it as a dispute between monotheism and “magic,” employing the common notion of magic as coercion, which in my mind obscures more than it clarifies.

served to emphasize that its efficacy could only be attributed to miraculous divine intervention,⁷¹ and this point corresponds to the absence of a healing rite in Lev 14. The second point, even more remarkable, is that the transmission of leprosy from Naaman to Gehazi is not depicted as the consequence of interpersonal contagion but rather as a divine punishment effected by the prophet's curse, corresponding with the non-threatening conception of impurity (i.e., contagion) reflected in Lev 14. As a result, despite differences between these sources in genre and content, they share similar (but not identical) conceptions of disease. Specifically, these sources reflect radically monotheistic views of disease, emphasizing Yhwh's complete control over infection and healing and implying that he is the only significant causal force.⁷²

These considerations support the conclusion that the ritual traditions reflected in Lev 13–14 have been deliberately adapted to conform to a particular Priestly worldview. A similar tendency can be identified in the chapter on birth pollution (Lev 12), which immediately precedes the chapters on skin disease. Interestingly, the sin offering rite of the parturient—in which the blood of the offering is smeared on the horns of the altar—finds an interesting parallel in the set of Hurro-Hittite rituals from Kizzuwatna, on the border between Southern Anatolia and Northern Syria. At least five of these rituals involve a blood rite (*zurki*) in which blood is smeared on the birthing apparatus.⁷³ In all of these cases, as in Lev 12, the blood is derived from a bird. In most of these cases, however, the blood-smearing takes place before the woman gives birth.⁷⁴ The rationale for this practice, elucidated explicitly in the Papanikri ritual, is to avert potential danger to the woman and child in the birth process, which could be caused by various dangerous influences—especially sins against the gods.⁷⁵ The function of the biblical sin offering, performed after the birth, is less clear. The Rabbis suggested facetiously that the parturient needs to undo her

⁷¹ See Milgrom, *Leviticus*, 1:964–65.

⁷² The problems with the term “monotheism” and its attribution to ancient Israel have been emphasized in recent research, e.g., B. Pongratz-Leisten (ed.), *Reconsidering the Concept of Revolutionary Monotheism* (Winona Lake: Eisenbrauns, 2011), with references. In the present context, the term is used as a short-hand to designate P's efforts (especially as represented in Lev 13–14) to identify Yhwh as the ultimate cause of disease and healing within a unified system of causality (see also n. 68 above). Cf. Konrad Schmid's attempt to address the question of monotheism in the narrative sections of P (“The Quest for ‘God’: Monotheistic Arguments in the Priestly Texts of the Hebrew Bible,” in *ibid.*, 275–93).

⁷³ For an analysis of the relationship of these texts with the biblical sin offering, see Feder, *Blood Expiation*, 125–43, esp. 140–43.

⁷⁴ See *ibid.*, 141 nn. 101–2, referring to the rituals in G. Beckman, *Hittite Birth Rituals* (Studien zu den Boğazköy-Texten, 29; Wiesbaden: Harrassowitz, 1983).

⁷⁵ KBo 5.1 I 1–47; Text edition: Strauß, *Reinigungsrituale*, 286–88. For discussion, see also Feder, *Blood Expiation*, 9–13.

vow to never have relations with her husband again.⁷⁶ In light of these extra-biblical parallels, including the *saḥaršubbû* ritual from Emar, a more serious explanation can be suggested. Just as Lev 14 deliberately omits the rites for healing *sara'at*, it is possible that the Priestly author has deliberately reordered the offerings in Lev 12 from rites which anticipate birth to those which are performed afterwards. Such a reordering would constitute a transformation of the rite from one which seeks to avert danger to the mother and child to a purification performed after the fact. In other words, these rituals exhibit a common tendency to eliminate any apotropaic rites, focusing only on purification.

At this point, it is worthwhile to reexamine Kaufmann's original remarks:

Now the distinctive feature of biblical purifications when compared with those of paganism is that they are not performed for the purpose of banishing harm or sickness. The pagan seeks to avert harm; his purgations are in effect a battle with baleful forces that menace men and gods. Biblical purifications lack this aspect entirely. Lustrations play no part in healing the sick. The woman who bears a child, the leper, the gonorrhoeic, the "leprous" house, are all purified after the crisis or disease has passed.⁷⁷

The above examination of rituals dealing with *saḥaršubbû* disease and *katarru* fungus in a house, which were unknown to Kaufmann, offer powerful corroboration to his astute observations. These texts, which preserve extra-biblical traditions apparently known in some form to the author(s) of Lev 14, call our attention to the striking absence of any therapeutic or exorcistic activities in Priestly ritual. It is further noteworthy that Kaufmann makes reference here also to Lev 12, which may also reflect a deliberate transformation of an apotropaic rite into a mere purification, as noted above. Since Kaufmann's arguments were based to a large extent on silences in the Priestly text, they have been justifiably questioned by more recent scholarship. This lack of clear positive evidence has been addressed in the present article. Through comparison of the biblical text with close parallels from Emar and Babylonia, Kaufmann's basic claims (though not necessarily all of his interpretations)⁷⁸ find striking confirmation.

THE IMPLICIT POLEMIC OF LEV 14: ITS AUDIENCE AND IMPLICATIONS

Having demonstrated that Lev 14 has a polemical subtext, it remains to be asked: who is the out-group whose views are being rejected? Contrary to the common characterization of the non-

⁷⁶ b. Nidda 31b.

⁷⁷ *Religion of Israel*, 107.

⁷⁸ For example, his view of "pagan" religion (*Religion*, 21–59), which requires a separate treatment.

Priestly world-view as “pagan,” it is doubtful that the Priestly authors were interested in debating with their Babylonian counterparts, at least in this case.⁷⁹ It seems more likely that Lev 13–14 reflect an existing Israelite practice, accepted among worshippers of Yhwh, which has been appropriated and systematically modified to fit the more strictly monotheistic views of the Priestly authors.⁸⁰

Accordingly, this implicit polemic should probably be understood as responding to popular apotropaic practices in ancient Israel. Compensating for a relative paucity of textual testimony, these practices have left considerable archaeological evidence, including an abundance of ritual artifacts, especially figurines and amulets, from Late Iron Age and Persian Period Judah.⁸¹ Recently, Brian Schmidt has even questioned the widespread assumption that the blessings found on the Ketef Hinnom amulets are citations of Num 6, arguing instead that the biblical text originated in popularly-circulating apotropaic formulas which were appropriated by the Priestly author of Num 6.⁸² While this particular example remains far from certain,⁸³ the proposed type of “bottom-up” process, in which the Priestly elite borrows and adapts elements from

⁷⁹ Hence, the implicit polemic of Lev 13–14 should be contrasted with the caricatures of Babylonian religion found in many biblical sources from the exilic period. See N.B. Levtow, *Images of Others: Iconic Politics in Ancient Israel* (Winona Lake: Eisenbrauns, 2008), 40–85. Levtow asserts that the authors of “icon parodies” were reacting to their disempowered position in Babylonian society and aimed “to reassert their own ritual system in an act of symbolic resistance” (84). While a similar approach *might* be inferred when comparing Gen 1 with Enuma Eliš (cf. K.L. Sparks, “Enūma Elish and Priestly Mimesis: Elite Emulation in Nascent Judaism,” *JBL* 126 [2007], 625–48), the placement of Lev 13–14 alongside the other authoritative ritual instructions in Lev 1–16 warrants approaching these chapters as part of the corpus of Israelite ritual traditions. See further below.

⁸⁰ One might employ P.L. Berger and T. Luckmann’s notion of “universe maintenance,” typically carried out by an intellectual elite: *The Social Construction of Reality* (New York: Doubleday, 1966), 97–107.

⁸¹ See J.D. Smoak, “May YHWH Bless You and Keep You from Evil: The Rhetorical Argument of Ketef Hinnom Amulet I and the Form of the Prayers for Deliverance in the Psalms,” *JANER* 12 (2012), 202–36; B.B. Schmidt, “The Social Matrix of Early Judean Magic and Divination: From ‘Top Down’ or ‘Bottom Up,’” in B.J. Collins and P. Michalowski (eds.), *Beyond Hatti: A Tribute to Gary Beckman* (Atlanta: Lockwood Press, 2013), 279–94; E. Darby, *Interpreting Judean Pillar Figurines: Gender and Empire in Judean Apotropaic Ritual* (FAT2; Tübingen: Mohr Siebeck, 2014).

⁸² Schmidt, “Social Matrix,” 284–93. For the updated edition of these texts, see G. Barkay, M.J. Lundberg, A.G. Vaughn and B. Zuckerman, “The Amulets from Ketef Hinnom: A New Edition and Evaluation,” *BASOR* 334 (2004), 41–71.

⁸³ In particular, two points warrant skepticism: 1) the significant possibility that these amulets should be dated to the post-exilic period (see N. Na’aman, “A New Appraisal of the Silver Amulets from Ketef Hinnom,” *IEJ* 61 [2011], 186–88); and 2) the likely existence of additional biblical allusions, e.g., the apparent paraphrase of Deut 7:9 (also Neh 1:5; Dan 9:4) in Amulet I, lines 2–7 (see Barkay et al., “Amulets,” 55).

popular religious practice, remains a valid model, and it could offer a plausible explanation for the relationship between Lev 14 and the extra-biblical traditions surveyed above. This view can also account for the disproportionate number of references to “the priest” in Lev 13–14, no less than 95 occurrences (!), which seems to reflect a need for these rites to be kept under close supervision.⁸⁴ However, against Gerstenberger and others who would emphasize materialistic motives (“job-creation for the priests”),⁸⁵ the present analysis suggests an agenda that is thoroughly theological in its focus.

In fact, it is possible that the Priestly viewpoint reflected in Lev 14 was not only elitist but decidedly unpopular. Among the distinctive aspects of this chapter noted above is the absence of any explicit connection between disease and transgression. This attitude contradicts numerous biblical sources and surely went against the grain of popular religious sentiment. More dramatically, the absence of any ritual measures by which diseased individuals (or their family) could seek to overcome the illness contradicts the basic human need to seek control over the otherwise uncontrollable forces of disease.⁸⁶

Scholars may also invoke the term “magic” to characterize the opposing system contrasted with Priestly ritual, but the utility of this term as an analytic concept has been rightfully questioned in recent decades.⁸⁷ One major cause for reservations in using this term is its pejorative connotations, which have accompanied it from its inception. *Magia* was employed by Hippocratic healers to deride the value of their opponents as charlatans (though their treatments were usually as fanciful as their opponents).⁸⁸ This derisive connotation would likely express the sentiments of the Priestly authors towards popularly-practiced apotropaic rites, whose efficacy they surely denied. However, this term offers little clarity in specifying the rationale for this rejection.

⁸⁴ See Albertz and Schmitt, *Family and Household Religion*, 418, and the following note.

⁸⁵ Gerstenberger, *Leviticus*, 183–84, quote from p. 192.

⁸⁶ So Bronislaw Malinowski’s classic formulation that magic is founded “on the belief that hope cannot fail nor desire deceive” (*Magic, Science and Religion and Other Essays* [Glencoe, IL: Free Press, 1948], 67). For overviews of the therapeutic options available in ancient Israel, see H. Avalos, *Illness and Healthcare in the Ancient Near East: The Role of the Temple in Greece, Mesopotamia, and Israel* (HSS, 54; Atlanta: Scholars Press, 1995), 238–420 (see especially the summary diagram on p. 405); P.J. King and L.E. Stager, *Life in Biblical Israel* (Louisville: Westminster John Knox Press, 2001), 68–84.

⁸⁷ For discussion of the viability of this term in religious studies, see B.-C. Otto and M. Stausberg, *Defining Religion: A Reader* (Sheffield: Equinox, 2013). Regarding “magic” and Priestly religion, see R. Schmitt, “The Problem of Magic and Monotheism in the Book of Leviticus,” *JHS* 8 (2008), 1–12 (http://www.jhsonline.org/Articles/article_88.pdf).

⁸⁸ See G.E.R. Lloyd, *Magic, Reason and Experience* (Cambridge: Cambridge University, 1979), 10–125; idem, *Demystifying Mentalities* (Cambridge: Cambridge University, 1990), 39–72.

With analytic terms like “pagan” and “magical” proving to be of limited value, it is necessary to make recourse to the native Priestly terminology. However, since these writings are only implicitly polemical and focus on the level of action rather than words, there are no explicit terms to describe the viewpoints being rejected. Nevertheless, a key term for consideration is *tum’ah*. Contrary to the common view, the application of the terminology of pollution and purity to the domain of disease does *not* in itself signal a distinctively Israelite notion. Rather, the key to understanding P’s innovation is understanding the subtle yet subversive manner in which this source employs this term. Instead of outlining an alternative approach to disease and healing or articulating a fundamental critique of opposing viewpoints, the Priestly writings reinterpret the traditional terminology and rites dealing with *tum’ah*, viewing it as mere uncleanness—not as a dangerous force of infection. In denying the threatening aspect of pollution, the need for apotropaic rites is removed.⁸⁹

Such a low-profile approach to effecting religious reform—through subtle semantic changes and ostensibly minor changes to existing practices—has much to commend it. The medieval Jewish legal codifier and philosopher Maimonides offered an apologetic approach to the biblical sacrificial system, suggesting that scripture sought to gradually wean the Israelites off of their need to sacrifice, arguing that “it is not possible (for a civilization) to move suddenly from one extreme to another.”⁹⁰ Though such a view is inadequate to explain the centrality of sacrifice in the Hebrew Bible, it does seem to fit the treatment of apotropaic ritual traditions in the Priestly writings.⁹¹ Accordingly, the tendencies found here suggest a strong rebuttal to the view that Priestly notions of purity reflect Zoroastrian influence in the Persian Period.⁹² If such were the case,

⁸⁹ This aim would account for the tendency to deemphasize the concern for infection in the Priestly treatment of pollution, which I had recognized previously (“Cognition and Contagion,” 163–64) but was unable to explain. In the terminology of that article (165), it could be stated that P reconceptualized forms of pollution previously associated with “infection” to be treated as mere “uncleanness” (subordinating the former category to the latter) in a deliberate program to reject apotropaic rites.

⁹⁰ *Guide for the Perplexed* 3:32 (my translation).

⁹¹ Even without addressing the historical contexts of these writings, it is difficult to ascertain from a purely literary perspective whether this reinterpretation is found already in P, or whether it reflects the ideology of H or later Priestly editors, mediating our access to these earlier materials. Cf. E. Blum, “Issues and Problems in the Contemporary Debate Regarding the Priestly Writings,” in S. Shechtman and J.S. Baden (eds.), *The Strata of the Priestly Writings: Contemporary Debate and Future Directions* (Zürich: Theologischer Verlag; 2009), 31–44. Nevertheless, due to the explicit statements to this effect in the late redactional supplements (Lev 15:31; Num 5:1–4; see n. 54 above), I am inclined to view it as a distinctively late viewpoint.

⁹² This theory has been discussed in detail recently by T. Kazen, “Persian Period Purity Practices,” paper presented at the SBL Annual Meeting,

to the extent that these notions were deemed offensive, it would have been much easier to stigmatize them as foreign. Since the threatening conception of pollution was indigenous to Israel, more subtle tactics were required to neutralize it.

Only at a much later point would the rabbinic viewpoint emerge which would deny any real basis to the notion of impurity. This development is captured in the famous statement attributed (probably apocryphally) to Rabban Yohanan regarding the red cow ritual for corpse impurity of Num 19. At first, in answering a heathen, the rabbi is willing to propose disingenuously (in his mind, through probably correctly from a religio-historical perspective) an exorcistic basis of the rite—to dispel evil spirits. However, when approached by his outraged students, he provides them with the ‘authentic’ explanation: “The corpse does not defile, nor do the (ash) waters purify: rather, it is a decree of the Holy One!”⁹³ Although this view, which utterly denies any natural basis to the notion of pollution, cannot yet be found in the biblical sources,⁹⁴ the dispensation in Lev 14:36 whereby the impurity of a house is dependent on the priest’s decree reveals a similar willingness to subject the behavior of pollution to the authority of divine law. In other words, the reinterpretation of pollution insinuated by P would ultimately lead to the treatment of this notion as a mere legal status, an arbitrary divine decree lacking any corresponding effects on external reality.

In conclusion, the considerable confusion surrounding the relationship between disease and pollution in the Priestly writings is understandable in light of the complex manner in which it is manifested in the relevant texts. This article has argued on the basis of comparison with related traditions attested in extra-biblical documents that the Israelite priesthood subtly yet deliberately manipulated existing apotropaic practices in order to adapt them to their monotheistic worldview. A key element in this transformation was the reinterpretation of pollution, transforming it from a notion of dangerous contagion to merely a source of uncleanness bearing on the temple. In this manner, they maintained continuity with existing traditions and minimized friction with the populace, meanwhile effecting significant religious reform behind the scenes. These observations should be viewed from the perspective of the growing recognition in biblical studies of the rhetorical function of ritual texts—as texts.⁹⁵ Without dismissing the possibility that these texts

Baltimore, MD, November 23rd, 2013.

⁹³ *Pesiq. Rab Kab* 4:7 (my translation), cited also in Milgrom, *Leviticus 1–16*, 270–71. For the relative lateness of this notion, see V. Noam, “Ritual Impurity in Tannaitic Literature: Two Opposing Perspectives,” *JAJ* 1 (2010), 65–103. Though Num 19 has not been the focus of the present article, a similar type of development can be discerned there, as shown by J. Milgrom, “The Paradox of Red Cow,” *VT* 31 (1981), 69–72.

⁹⁴ As correctly noted by Y. Kaufmann, *The History of Israelite Religion. Volume 1* (Tel Aviv: Dvir, 1956), 537–38 (Hebrew).

⁹⁵ For some recent analyses of Leviticus incorporating these perspec-

were intended for practical implementation even at a late stage of their formulation, it is nevertheless clear that their most profound impact would be on the scholastic cultures of Judaism and Christianity after the Second Temple was in ruins.

tives, see W.J. Bergen, *Reading Ritual: Leviticus in Postmodern Culture* (London: T&T Clark, 2005); J.W. Watts, *Ritual and Rhetoric in Leviticus* (Cambridge: Cambridge University, 2007).