

# Bloodless “Atonement”: An Exegetical, Ritual, and Theological Analysis of Leviticus 5:11–13

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# BLOODLESS “ATONEMENT”: AN EXEGETICAL, RITUAL, AND THEOLOGICAL ANALYSIS OF LEVITICUS 5:11–13

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## INTRODUCTION

The dependence on animal slaughtering and blood manipulation to explain the meaning of “atonement” (כפר *piel*) pervades the literature on Leviticus.<sup>1</sup> This is no modern phenomenon. From early Jewish interpretations<sup>2</sup> as well as medieval Christian theories,<sup>3</sup> “atonement” and blood seem to be inseparable. There is no doubt that one of the reasons for this history of interpretation is the application of Leviticus 17:11 as a kind of key for interpreting the meaning of the whole sacrificial system of Leviticus in general and “atonement” in particular.<sup>4</sup>

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<sup>1</sup> I would like to thank Anthony Lipscomb and prof. Eveline van Staaldvine-Sulman for reading and commenting on a previous version of this article. I am also grateful for the two anonymous readers, whose comments helped me improve my arguments significantly. I take full responsibility for any remained errors or weaknesses in this final version of the article.

<sup>2</sup> Tannaitic literature stresses the relation between “atonement” and blood strongly. In *Nedava* 3:9–10, commenting on Lev 1:4, where כפר *piel* appears in Leviticus for the first time, it is said: “And it shall be acceptable on his behalf in expiation [for him]—with the atoning agent. What is the atoning agent? The blood, as it says ‘because it is the blood that atones for the soul.’” For more examples and analysis of different texts in the *Sipra*, *Mishnah* and *Talmud*, see Shlomo Zuckier, “Manipulating Minhah: Rabbinic Restructuring of the Flour Offering” (paper presented at the Regional Seminar in Ancient Judaism, New York University, 2017).

<sup>3</sup> Most famously, Anselm of Canterbury (1033–1109), who advocate the atonement theory of vicarious satisfaction, in which the sacrificial victim takes on the punishment of the guilty party. Of course, Anselm is dealing with the sacrifice of Jesus and the guilty of all humanity. See Christian A. Eberhart, “Introduction: Constituents and Critique of Sacrifice, Cult, and Atonement in Early Judaism and Christianity,” in Henrietta L. Wiley and Christian A. Eberhart (eds.), *Sacrifice, Cult, and Atonement in Early Judaism and Christianity: Constituents and Critique* (Atlanta: Society of Biblical Literature, 2017), 12–13.

<sup>4</sup> For example, the already cited *Sipra Nedava* 3:9–10. This is also apparent in modern commentaries. For example, R. Laird Harris uses

But this is not the whole story. There is one case in which “atonement” does not require animal slaughtering and blood manipulation: Leviticus 5:11–13. One would expect a high volume of debate over this text, given its extraordinary prescription, but that is not the case. The legislation in Leviticus 5:11–13 is mostly described by commentators. No real engagement with its implications for how “atonement” functions, nor what it means, is presented.<sup>5</sup> There are some ancient and modern exceptions to this rule. Ancient Jewish literature, as will appear in examples from the *Sipra*, *Mishnah* and *Talmud*, has struggled with this possibility, providing some interesting answers even in regard to the מנחה offering (“tribute” or “cereal offering”).<sup>6</sup> The modern exception is Jacob Milgrom, who struggles with the implications of the text, although by somewhat questionable approaches, as I will show.<sup>7</sup> Still, some scholars are able to at least recognize that Leviticus 5:11–13 demonstrates that there is nothing so uniquely

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Lev 17:11 to say that interpreters of biblical sacrifices should “restrict [themselves] to the biblical texts [Lev 17:11] in elucidating the meaning of these sacrifices so largely associated with the blood of the victim” (“Leviticus,” in Frank E. Gaebelien [ed.], *The Expositor’s Bible Commentary* [Grand Rapids: Zondervan, 1990], 521). I will not offer an interpretation of this verse in this essay, but some discussions further on in this article might shed some light on its meaning.

<sup>5</sup> The clearest example appears in Jay Sklar, *Leviticus* (TOTC, 3; Downers Grove, IL: InterVarsity Press, 2013). He defines כפר *piel* in the traditional penal substitution terms (see, p. 50), but merely describes the ritual in Lev 5:11–13 (see, pp. 117–18). Nevertheless, description is even better than no consideration at all as it is the case with Gordon J. Wenham, *The Book of Leviticus* (NICOT; Grand Rapids: Eerdmans, 1979), Baruch A. Levine, *Leviticus* (Jewish Publication Society Torah Commentary; Philadelphia: Jewish Publication Society of America, 1989) and Yitzhaq Feder, *Blood Expiation in Hittite and Biblical Ritual: Origins, Context and Meaning* (Atlanta: Society of Biblical Literature, 2011). The absence of Lev 5:11–13 in Feder’s work is telling (Lev 5:13 appears three times in the footnotes in lists of verses with occurrences of the expression concerning “forgiveness” as the result of the ritual), because he is directly dealing with blood and expiation. Even when scholars recognize the problem, there is no attempt to make sense of it, for example, Roy E. Gane, *Cult and Character: Purification Offerings, Day of Atonement, and Theodicy* (Winona Lake, IN: Eisenbrauns, 2005), 17, n. 51, who sees how Lev 5:11–13 poses a problem for definitions of sacrifice that stress too much attention to the slaughtering of the animal, but never asks further questions about its implications for the function and meaning of כפר *piel*. Alfred Marx also recognizes the surprising possibility offered by Lev 5:11–13, but does not try to make sense of it directly (*Les offrandes végétales dans l’Ancien Testament: du tribut d’hommage au repas eschatologique* [Leiden: Brill, 1994], 120). From these examples, it is clear that the close association of “atonement” with blood is not a Christian or evangelical problem.

<sup>6</sup> The reason is that ancient Jewish literature treats Lev 5:11–13 as the מנחה of the sinner, or the מנחת חוטא (for example, *m. Zebahim* 10:3).

<sup>7</sup> Jacob Milgrom, *Leviticus 1–16* (AB, 3A; New York: Doubleday, 1991), 306, 315–16.

effective about blood in relation to “atonement.”<sup>8</sup> Nonetheless, no detailed investigation is presented.

What is necessary is to understand the ritual logic of the *חטאת*-like *מנחה* (“tribute-like purification offering”) that makes it able to effect its purpose of achieving “atonement” and “forgiveness” (*סלח*, v. 13). Therefore, I will attempt to answer the question: What are the features in the *חטאת*-like *מנחה* that achieve “atonement” and “forgiveness”? The ritual logic of the *חטאת*-like *מנחה* has to make sense in light of the other forms of the *חטאת* offering and vice-versa. Therefore, I will start with some considerations of the relationship between chapters 4 and 5 of Leviticus. Implicit in my research question are definitions of the *מנחה* and *חטאת* offerings, as well as “atonement” and “forgiveness,” that I will also present. Then, I will tackle the actual ritual logic presented in Leviticus 5:11–13. I will analyse three key ritual elements: a two-fold division of the offering, the transformation of the offering into something “most holy” (*קדש* *קדשים*), and the “consumption” (*תאכל*) of the offering by the altar’s fire and the priest. I will conclude with the theological implication of my analysis to the definition of “atonement” in the Priestly legislation.

## PART 1: CLEARING THE WAY

There are some issues to be considered before we turn to the more specific question of this article. First, what is the relation between Leviticus 5:1–13 to the preceding legislation on the *חטאת* offering (4:1–35)? Second, can the semolina option be explained by an economic concern? Third, what is the subject and object of *כפר piel* in v. 13?

### 1.1. THE RELATION BETWEEN LEVITICUS 4 AND 5

Leviticus 4:1–35 legislates on the *חטאת* offering according to the socioreligious status of the offerer, in which the last case (vv. 27–35) corresponds to the common Israelite. Leviticus 5:1–4, then, specifies four cases and prescribes three possible *חטאת* offerings (vv. 6–13). Although there are many interesting questions here,<sup>10</sup>

<sup>8</sup> See James W. Watts, *Leviticus 1–10* (HCOT; Leuven: Peeters, 2013), 365; Dorothea Erbele-Küster, “‘She Shall Remain in (Accordance to) Her Blood-of-Purification,’” in Henrietta L. Wiley and Christian A. Eberhart (eds.) *Sacrifice, Cult, and Atonement in Early Judaism and Christianity* (Atlanta: Society of Biblical Literature, 2017), 64–65; James A. Greenberg, *A New Look at Atonement in Leviticus: The Meaning and Purpose of Kipper Revisited* (University Park: Pennsylvania State University Press, 2019), 42.

<sup>9</sup> I am indebted to Benjamin Sommer for this expression, “Proto-Kabbalistic Elements in the Pentateuch’s Priestly Source” (paper presented at the summer meeting of the Society for Old Testament Study, London, July 2017). There is a textual evidence for this option as Lev 5:13 uses the expression *במנחה*, as observed by Naphtali S. Meshel, *The “Grammar” of Sacrifice with “Grammar” of Σ* (Oxford: Oxford University Press, 2014), 126.

<sup>10</sup> Some of these interesting questions appear in Greenberg, *New Look at Atonement*, 37–39.

I am only interested in deciding if the three **הטאת** offerings prescribed in vv. 6–13 are meant only for the four specific cases of 5:1–4 or also apply to the general **הטאת** offering of 4:27–35.<sup>11</sup>

Jacob Milgrom, following traditional rabbinical interpretation, considers Leviticus 5:1–13 as a distinct sacrificial category called “graduated **הטאת**.”<sup>12</sup> He lists five features that would separate the **הטאת** offering of chapter 4 from chapter 5: the discontinuity caused by the heading of 5:1 (**וּנְפֹשׁ כִּי**); the cases of vv. 1–4 are not violations of a prohibitive commandment (cf. 4:2, 13, 22, 27, 32); the requirement to make confession (5:5) and the feature of the offering as **אִשָּׁם** (5:6, 7) are never used in chapter 4; the expression “any of these matters,” in the plural (5:13; cf. 4b, 5a), can only relate to the cases of 5:1–4, as chapter 4 deals with one general case; and the offenses in 5:1–4 are never called “inadvertent” (root **שגג**), which is indispensable for the **הטאת** offering of chapter 4.<sup>13</sup>

There is no doubt that the four cases specified in 5:1–4 are distinguished from the general case of chapter 4. However, they are better seen as specific offenses that still fall under the general offenses prescribed in chapter 4,<sup>14</sup> instead of a conditional appendix to the general law of the **הטאת** for common Israelites.<sup>15</sup> The heading of Leviticus 5:1 does not create a complete break with chapter 4,<sup>16</sup> but is necessary because of certain specific requirements concerning these four cases. The specific qualification for the cases in 5:1–4, which is indicated by the requirement for recognition of being guilty by confession, is established by

<sup>11</sup> For discussions concerning the characteristics of the four cases in vv. 1–4, see Nobuyoshi Kiuchi, *A Study of Ḥāṭā’ and Ḥāṭṭā’ūt in Leviticus 4–5* (Tübingen: Mohr Siebeck, 2003), 10–14, 24–30; Milgrom, *Leviticus 1–16*, 307, 314–15.

<sup>12</sup> Jacob Milgrom, “The Graduated Ḥāṭṭā’ūt of Leviticus 5:1–13,” *JAO* 103.1 (1983), 250.

<sup>13</sup> Milgrom, “Graduated Ḥāṭṭā’ūt,” 249.

<sup>14</sup> Nobuyoshi Kiuchi, *Leviticus* (ApOTC, 3; Downers Grove, IL: InterVarsity Press, 2007), 92, rightly affirms that the specification of **הטאת בשגגה** implies other cases of **הטאת** offering. When it comes to the composition of Leviticus 4–5, Feder has advanced a convincing argument that the cases in Lev 4:1–21 are secondary. For him, vv. 22–35 is the original formulation concerning the **הטאת** offering, and I argue that Lev 5:1–13 must be considered a part of this original formulation. See Feder, *Blood Expiation in Hittite and Biblical Ritual*, 38–43.

<sup>15</sup> *Contra* Milgrom, *Leviticus 1–16*, 109–10. Although valid for some law cases, the notion of appendix can be misleading and defined according to the interpreter’s hierarchical notions of the value of each law. For many, for example, vegetable offerings are less valuable than animal offerings, tending to create a hierarchy that results in the vegetable offerings been interpreted as appendices to the animal offerings. In his great effort, Alfred Marx shows how misleading such interpretation is. See *Les offrandes végétales*, specifically pp. 33, 47–48, 84, 133.

<sup>16</sup> Greenberg does not even consider Lev 5:1 as a new heading. For him, the four cases of Lev 5:1–4 are special cases of the **הטאת** for common Israelites. See *New Look at Atonement*, 37.

the expression **לְאַחַת מֵאלֵה** (“in one of these,” 5:4a, 5b). The requirement for confession (5:5) and the qualification of **אִשָּׁם**<sup>17</sup> are necessary because these four cases are not “inadvertent.”<sup>18</sup>

Differently than what is suggested by Milgrom, the expression in 5:13 is not the same as in vv. 4b and 5a. In 5:13 we have **מֵאַחַת מֵאלֵה**, which explains the cases for which the three possible **חֲטָאת** offerings in vv. 6–13 can be used. While the expression in vv. 4b and 5a (**לְאַחַת מֵאלֵה**) has a clear partitive meaning (i.e. “in one of these things”), this is different in 5:13. The preposition **מִן** before an indivisible element (**אַחַת**, “one”) cannot be partitive.<sup>19</sup> Therefore, the expression means that one case stands for all other cases, or, as Kiuchi explains, the violation of one case would be the same as the violation of all cases.<sup>20</sup> I contend, then, that the expression in 5:13 means that to be guilty in one of the four specific cases of 5:1–4 is to be guilty of the general case that requires a **חֲטָאת** offering. In this case, the expression in 5:5a (**לְאַחַת מֵאלֵה**) means that to be guilty “in one of these,” i.e., the four cases in 5:1–4, requires a confession.

Considering these arguments, what differentiates these four cases from the general case of 4:27–35 is the necessity of confessing, because they were not “inadvertent.” After this specific requirement is fulfilled, these four cases require a common **חֲטָאת** offering.<sup>21</sup> This is clear by the case presented in verse 2: touching something impure. This is a condition of impurity that can be simply dealt with by washing and the passing of time (Lev 12:24–28). The offense that necessitates the **חֲטָאת** offering is most certainly not the impurity *per se*, but the negligence of the required washing procedure. For this reason that person has become guilty.<sup>22</sup> Therefore, the **חֲטָאת** offering here does not deal

<sup>17</sup> The translation of the term here varies among scholars. Milgrom (*Leviticus 1–16*, 339) suggests “he feels guilt”; Kiuchi (*Leviticus*, 215–16), suggests “he realizes his guilt”; Watts (*Leviticus 1–10*, 355) suggests “he became guilty.” Another possibility is that it means “to suffer guilt’s consequences,” as argued by Jay Sklar, *Sin, Impurity, Sacrifice, Atonement* (Sheffield: Sheffield Phoenix, 2015), 39–41, and supported by Christophe Nihan, “The Templization of Israel in Leviticus,” in Francis Landy, Leigh M. Trevaskis and Bryan D. Bibb (eds.), *Text, Time, and Temple: Literary, Historical and Ritual Studies in Leviticus* (Sheffield: Sheffield Phoenix, 2015), 109. The most recent proposal comes from Greenberg (*New Look at Atonement*, 25), who suggests the translation “compelled by guilt,” which is similar to Sklar’s suggestion. In any case, therefore, there is no reason to consider Lev 5:1–13 as part of the **אִשָּׁם** offering of 5:14–26[5:14–6:7] as in David Janzen, *The Social Meanings of Sacrifice in the Hebrew Bible* (Berlin: de Gruyter, 2004), 110; and Alfred Marx, *Les systèmes sacrificiels de l’Ancien Testament: formes et fonctions du culte sacrificiel à Yhwh* (Leiden: Brill, 2005), 183.

<sup>18</sup> Greenberg, *New Look at Atonement*, 38.

<sup>19</sup> *Contra* John E. Hartley, *Leviticus* (WBC, 4; Dallas: Word, 1998), 46.

<sup>20</sup> Kiuchi, *A Study of Ḥātāʾ and Ḥāṭṭāʾt*, 16–18.

<sup>21</sup> Milgrom himself recognizes this transition after the confession (*Leviticus 1–16*, 301–2).

<sup>22</sup> Cf. Watts, *Leviticus 1–10*, 358; Milgrom, *Leviticus 1–16*, 310. *Contra* Greenberg, *New Look at Atonement*, 38, who argues that the reason the

with impurity, but sin. The conclusion, then, is that the offering requirements that follow the confession, when the violation has become inadvertent, do not apply only to the four cases of 5:1–4, but to all cases of inadvertent violation for the common Israelite that is dealt with in 4:27–35.<sup>23</sup>

The argument can be strengthened by other factors. First, the details of the **חטאת** offering in Leviticus 5:5–13 depend on information given in 4:27–35.<sup>24</sup> Second, in every prescription of the **חטאת** offering in Leviticus 4:1–5:13 (4:20, 26, 31, 35; 5:6, 10, 13) the **כפר עליו הכהן** formula is exactly the same: **וכפר עליו הכהן**.<sup>25</sup> Third, according to the observation of James Watts, the prescription of v. 6 points to 4:32–35, forming an envelope around the digression created by the four specific cases of 5:1–4.<sup>26</sup> Fourth, although they do not appear as options in 4:27–35, the bird-**חטאת** and the **מנחה**-like **חטאת** offerings are presented as options for the parturient (Lev 12:8) and for the **המצרע** (“the one with skin disease,” Lev 14:21–22). Hence, the forms of **חטאת** offerings prescribed in 5:6–13 are better understood as a continuation of the gradation of the offering according to the different status of the offerer, so that it applies to the **חטאת** offering of the common Israelite, with an adequacy according to economic conditions.<sup>27</sup>

### 1.2. OPTION FOR THE POOREST OF THE POOR?

There is no need to explain why the two options given in 5:7–13 are accommodations for poor offerers. However, I think it is necessary to challenge the interpretation that the **מנחה**-like **חטאת** (vv. 11–13) is the option for those who are even too poor to afford the bird-**חטאת** offering.<sup>28</sup>

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legislator(s) make(s) this concession for intentional sins is that the offender is the only person who knows about the sinful act.

<sup>23</sup> Because he recognizes the transition to a common **חטאת** after the confession, Milgrom also recognizes that after the confession, the four cases are dealt with as a case of inadvertent violation (*Leviticus 1–16*, 301–2).

<sup>24</sup> Baruch J. Schwartz, “Leviticus,” in Adele Berlin and Marc Zvi Brettler (eds.), *The Jewish Study Bible* (Oxford: Oxford University Press, 2004), 215.

<sup>25</sup> Joshua M. Vis, “The Purgation of Persons through the Purification Offering,” in Henrietta L. Wiley and Christian A. Eberhart (eds.), *Sacrifice, Cult, and Atonement in Early Judaism and Christianity: Constituents and Critique* (Atlanta: Society of Biblical Literature, 2017), 48–49.

<sup>26</sup> *Leviticus 1–10*, 356. In the *Babylonian Talmud Zebahim* 11a:18, there is another observation of syntactical link. In a discussion concerning the unfitness of a **חטאת** offering, this tradition shows how the same criterion applies for both cases (those of the general cases in Lev 4:1–35 and those of the specific cases in Lev 5:1–13), as both share the expression **היא חטאת היא** (Lev 5:11), **הוא חטאת הוא** (Lev 4:24), the former uses the feminine singular pronoun, while the latter uses the masculine.

<sup>27</sup> See Schwartz, “Leviticus,” 216; Watts, *Leviticus 1–10*, 355–56.

<sup>28</sup> This interpretation is widely found in the secondary literature. For example, William K. Gilders, *Blood Ritual in the Hebrew Bible* (Baltimore: Johns Hopkins University Press, 2004), 120; Marx, *Les systèmes sacrificiels*, 68; Marx, *Les offrandes végétales*, 36; R. K. Harrison, *Leviticus*

That we are dealing with a matter of accommodation to the poor is clear by the expression in v. 11: “if his hand does not grasp” (וְאִם-לֹא תִשֵּׁג יָדוֹ). The expression uses idiom that appears in several priestly texts that are evidently about financial means (Lev 14:21, 22, 30; 25:26, 47, 49; 27:8; Num 6:21; Ezek 46:7). This is a slightly different expression than that found in v. 7, although the idiom is similar: “if his hand does not reach the amount of” (וְאִם-לֹא תִגִּיעַ יָדוֹ דֵּי), which is a *hapax*. The expression in v. 11 lacks the clear element about sufficiency (דֵּי) and uses the verb נִשֵּׁג, instead of נִגַּע. Although the expression in v. 11 is clearly about financial sufficiency,<sup>29</sup> the question of how the financial value of one-tenth of semolina, roughly 2.3 liters or the amount of a day’s bread consumption for one person,<sup>30</sup> is lower than two turtledoves (תְּרִים) or two “small” pigeons (בְּנֵי-יוֹנָה) is not so clear. Although the lower value of one-tenth of semolina is always assumed, it is never actually substantiated. The financial comparison between a couple of small birds, (תְּרִים, “doves”; בְּנֵי-יוֹנָה, “small” pigeons), with a grain product is truly impossible to do.<sup>31</sup>

In considering this impossibility, it is easier to think from a different angle than financial value. The most important difference between the use of two small birds or semolina is a matter of availability.<sup>32</sup> Every ancient Israelite household had easy access to some portion of semolina, which is, of course, a basic ingredient in ancient Israelite diet, even if semolina is a finer final product than common flour for bread. The availability of תֹּר and בְּנֵי-יוֹנָה is more complicated to assess. What can be said is that in Iron Age II Israel, these small birds<sup>33</sup> were common, especially in the Judean hills,<sup>34</sup> but their availability was not high

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(TOTC; Leicester: Inter-Varsity Press, 1980), 70; Kiuchi, *Leviticus*, 103; Schwartz, “Leviticus,” 215; Sklar, *Leviticus*, 117; Watts, *Leviticus 1–10*, 356.

<sup>29</sup> I would like to thank Anthony Lipscomb for engaging with this part of my argument in personal communication, which helped me improve my articulation.

<sup>30</sup> Milgrom, *Leviticus 1–16*, 306.

<sup>31</sup> Compared to the economic role played by the larger sacrificial animals prescribed in Leviticus, it is easy to understand why they would be less valuable. The same cannot be said about the comparison between them and the amount of semolina prescribed in Lev 5:11–13. In this case we would be comparing very different elements without any slight hint at their possible financial value in ancient Israel. For some other information concerning domestication and availability of these small birds, see Abra Spiciarich, “Birds in Transition: Bird Exploitation in the Southern Levant During the Late Bronze Age, Iron Age I, and Iron Age II,” *BASOR* 383 (2020), 61–78.

<sup>32</sup> Availability and financial value are closely related. However, we are dealing with two complete different elements with very different uses, so the impossibility of comparison of their financial value remains.

<sup>33</sup> They are actually the same species of *Columba livia*. See Peter Altmann, *Banned Birds: The Birds of Leviticus 11 and Deuteronomy 14* (Tübingen: Mohr Siebeck, 2019), 30.

<sup>34</sup> They represent 30% of all bird remains in Iron Age II period in



because they did not play an important role in Israel's domestic economy.<sup>35</sup> Semolina, on the other hand, was available to any household. Therefore, I suggest that the expressions in v. 7 and v. 11 do point to a gradation of financial value, characterizing both of them as options for the poor. However, between these two options, I insist that their difference is not about financial value, but availability.<sup>36</sup> In this case, the portion of semolina is not a mere substitute for an animal offering. The semolina is as

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the archaeological site of Ophel in the cultic capital of Jerusalem. See Spiciarich, "Birds in Transition," 74.

<sup>35</sup> When it comes to the availability of these small birds, we need to consider their possible domestication. Archaeological evidence points to clear features of domestication of the species in Palestine only in the Hellenistic period (see Oded Borowski, "Animals in the Religions of Syria-Palestine," in Billie Jean Collins (ed.), *A History of the Animal World in the Ancient Near East* [Leiden: Brill, 2002], 412–13; Altmann, *Banned Birds*, 30; Spiciarich, "Birds in Transition," 62, 75). In most of the scholarship, this species is considered domesticated, mainly because of a broader perspective of P's legislation concerning prescribed animals for sacrifices (for example, Milgrom, *Leviticus 1–16*, 168; Schwartz, "Leviticus," 208; Watts, *Leviticus 1–10*, 219–20; Borowski, "Animals in the Religions of Syria-Palestine," 412; Walter Houston, *Purity and Monotheism: Clean and Unclean Animals in Biblical Law* [Sheffield: JSOT Press, 1993], 188). Oded Borowski seems to have changed his conclusion, as he considered תור and יונה as "wild" in his earlier work (*Every Living Thing: Daily Use of Animals in Ancient Israel* [Walnut Creek: AltaMira Press, 1998], 151). Recently, Peter Altmann has advanced arguments against the domestication of these small birds in pre-Hellenistic Palestine (*Banned Birds*, 23–42). His general definition of "domestication," which works well for larger mammals, is too narrow for small species of birds. For example, he thinks the need to cage a bird is evidence for non-domestication (*Banned Birds*, 28). It would be going too far from the scope of this article to discuss these matters further. But I would like to point to two facts: תור and יונה played a role, even if small, in the domestic economy of ancient Israel in Iron Age II, as the archaeological evidence shows; and even if this species would be caught in the wild, it would stay in the household for a while, at least to be fattened, as was the case in Mesopotamia, before it would be used for cultic purposes (see Altmann, *Banned Birds*, 35). From this more modest assumption, Spiciarich's archaeological data are helpful. She reminds that these small birds represent the most common birds exploited in the region of Judah during the Iron Age I and II, especially because the Judean hills are ideal habitats for them ("Birds in Transition," 74). Her data show that, from the 19 archaeological sites considered in her study, remains of תור and יונה are most prevalent in areas near Jerusalem ("Birds in Transition," 70). She is clear that the data is not helpful to determine the domestication or not of these small birds in Iron Age II Israel ("Birds in Transition," 73). But she rightly comments that the scribes who were behind the composition of the Hebrew Bible were influenced by the ecology of their local environment ("Birds in Transition," 74).

<sup>36</sup> See René Pèter-Contesse and John Ellington, *A Handbook on Leviticus* (New York: United Bible Societies, 1992), 68. When the *Talmud* explains these possibilities, it groups the two, saying: "A poor person brings a bird offering or even a meal offering" (*b. Zebahim* 45b:9). It is clear that it does not qualify the latter as even cheaper than the former.

compatible substitute for the bigger animals as the two small birds are.<sup>37</sup> For the Priestly legislator,<sup>38</sup> to substitute the bigger animal with two small birds or semolina is equivalent, producing the same ritual results.

## PART 2: FUNCTIONS AND MEANING OF THE מִנְחָה AND תְּשֻׁבָּה OFFERINGS

Because I am calling the ritual in Leviticus 5:11–13 the מִנְחָה-like תְּשֻׁבָּה offering, it is necessary to clarify these terms. I will provide some information about the תְּשֻׁבָּה and the מִנְחָה offerings, and discuss their possible functions and meaning.

### 2.1. THE תְּשֻׁבָּה OFFERING

Among the many issues related to the תְּשֻׁבָּה offering, I am interested in how it was used for situations involving violations of YHWH's commandments and severe physical impurities, because this is essential to determine its function and meaning. The fact that a תְּשֻׁבָּה offering is required in cases of physical impurity of persons, such as the parturient (Lev 12:6) or the man with a “flux” (זֹבַח) condition (15:15), raises questions about the relation between sin and impurity.<sup>39</sup>

Milgrom's interpretation limits the function and meaning of the תְּשֻׁבָּה offering to matters of impurity related to the sanctuary and its sancta. Among his many arguments, he points to the fact that the תְּשֻׁבָּה offering is prescribed for persons and objects that cannot possibly have sinned.<sup>40</sup> The offenders are forgiven because of internal remorse, but they still need forgiveness because their violation contaminated the sanctuary.<sup>41</sup> In Milgrom's view, therefore, severe impurities and sinful behavior produce impurity that contaminates the sanctuary, which requires a process of purification effected by the rituals involved in the תְּשֻׁבָּה offering. There is a problem, however, when we come to Leviticus 4–5: impurity is never mentioned. A much better option is presented by Baruch Schwartz.<sup>42</sup> According to Schwartz, Leviticus 4–5 is

<sup>37</sup> Cf. Marx, *Les systèmes sacrificiels*, 84.

<sup>38</sup> Using the singular for convenience, as for sure more than one person could be involved in the composition of the Priestly legislation.

<sup>39</sup> The concept of impurity (טִמְאָה) is also applied to moral behaviors (see Lev 18:24). For the differentiation between ritual and moral impurity, see Jonathan Klawans, “Concepts of Purity in the Bible,” in Adele Berlin and Marc Zvi Brettler (eds.), *The Jewish Study Bible* (Oxford: Oxford University Press, 2004), 2041–47. For an overview of the discussion in the scholarship, see Susan Haber, “*They Shall Purify Themselves*”: *Essays on Purity in Early Judaism* (Atlanta: Society of Biblical Literature, 2008), 9–30.

<sup>40</sup> Milgrom, “Sin-Offering or Purification-Offering?” *VT* 21 (1971), 237.

<sup>41</sup> Milgrom, *Leviticus 1–16*, 256.

<sup>42</sup> Baruch J. Schwartz, “The Bearing of Sin in the Priestly Literature,” in David P. Wright, David Noel Freedman and Avi Hurvitz (eds.), *Pomegranates and Golden Bells* (Winona Lake, IN: Eisenbrauns, 1995), 3–21.

dealing with sin. The association of the **חטאת** offering with cases of impurity and sin demonstrates that both have similar effects on the person and on the sanctuary. They are both a kind of miasma that penetrates the realm of the sacred,<sup>43</sup> and both create a negative condition in the person.<sup>44</sup> What both of these effects do is to create a breach between the divine presence and the sanctuary (where the divine presence dwells), and the person who suffers from an impure condition or commits a sin. Therefore, be it a case of impurity or sin, it is necessary to complete the **כפר** process, of which the **חטאת** offering is a part.

Even if impurity and sin are similar, Schwartz shows clearly that they receive different conceptualizations in the Priestly legislation. Concerning the necessity of the **חטאת** offering, in the case of impurity, the relevant terms are **חטא** and **טהר** (“purification”), while in the case of sin, the term is **סלח** (“forgiveness”).<sup>45</sup> It is also possible to see a similarity in how the **כפר** process occurs in both cases that necessitate the **חטאת** offering. First, in the cases of impurity,<sup>46</sup> the person only comes to provide the **חטאת** offering after it is declared that he or she is purified (e.g. Lev 15:13–15). If we apply this order of things to cases of sin, as Schwartz does, then the negative condition of the person is dealt with by means of the confession, repentance, and actions of remorse, and only after it the **חטאת** offering can function in the **כפר** process.<sup>47</sup> Building on Schwartz’s arguments, I suggest that we have here two steps in the **כפר** process: the first concerns the purification and forgiveness of persons and the second concerns the purification of the sanctuary from the impurities and the sins of persons.<sup>48</sup> This second part of the **כפר** process, in cases of impurity, can also be called **חטא**, and in cases of sin, can also be called **נשא עון** (“bearing of sin,” Lev 5:1).<sup>49</sup>

If I am correct about this division in two steps for the **כפר** process, a very disputable issue becomes easier to solve. I am talking about the object of **כפר piel**.<sup>50</sup> The common discussion

<sup>43</sup> Schwartz, “The Bearing of Sin,” 6–7.

<sup>44</sup> *Ibid.*, 14.

<sup>45</sup> *Ibid.*, 7.

<sup>46</sup> Not all cases of impurity necessitate the **חטאת** offering. Most cases of impurities are dealt with washing and the passing of time (see Lev 11:24–25; 15:1–12, 19–27). See Janzen, *Social Meanings of Sacrifice*, 105; Jacob Milgrom, “The *Modus Operandi* of the *Ḥaṭṭā’t*,” *JBL* 109.1 (1990), 113.

<sup>47</sup> Schwartz, “The Bearing of Sin,” 20–21; cf. Feder, *Blood Expiation in Hittite and Biblical Ritual*, 80.

<sup>48</sup> Schwartz himself uses this division, but in relation to Lev 16, where you have actions of remorse and the scapegoat ritual (“The Bearing of Sin,” 16–17). Further, he continues using this notion of a divided process when interpreting the role of the two goats in Lev 16 (“The Bearing of Sin,” 18).

<sup>49</sup> Schwartz, “The Bearing of Sin,” 21.

<sup>50</sup> Theologically, the subject and object of **כפר piel** is highly important. In common evangelical perspectives of penal substitutive “atonement,” for example, it is essential that God be the object and subject, as he is the one who effects “atonement” and the one for whom “atonement” is effected for. However, it is quite clear that God

concerning the object of the verb *כפר piel* is the use of three prepositions that follow the verb, *על*, *בעד*, and *את*,<sup>51</sup> and the use of *מן* after the combination *על + כפר piel*.<sup>52</sup> The basic issue is that while *את + כפר piel* is always followed by sancta (Lev 16:20, 33) and *בעד + כפר piel* is always followed by persons (Lev 9:7; 16:6, 11, 17, 24), *על + כפר piel* can be followed by sancta or persons.<sup>53</sup> In Leviticus 4–5, *בעד + כפר piel* is never used, and in the specific text of Leviticus 5:13, what we find is *על + כפר piel* (*וכפר עליו*). Because the preposition *על* can be used in cases of sancta and persons, its use is not determinant for the object of the verb. The question is if it should be understood as a kind of direct object marker, a spatial preposition (“upon”), or as a preposition similar to *בעד* (“on behalf of”)? In the first two options, the object would be clearly the offerer, while in the last one, although the offerer is the beneficiary, he or she does not need to be the object.

Most famously, Jacob Milgrom argues that in Leviticus 4–5, the object of *כפר piel* can only be sancta and not the offerer, because the *כפר* material (he specifies it as the blood of the *הטאת* offering) is never applied on the offerer. Nonetheless, he recognizes that persons can be the object of *כפר piel* when it is followed by the preposition *על*.<sup>54</sup> Some new studies, offered by Joshua Vis<sup>55</sup> and Roy Gane<sup>56</sup> challenge Milgrom’s conclusion, and advance arguments in conclusion that the offerer is the object in Leviticus 4–5.<sup>57</sup> Both of them, however, concur that *כפר*

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is not the object of *כפר piel* in the Priestly view, something perceived as problematic for common Christian theologies of “atonement” since the 19th century (see Eberhart, “Introduction,” 15). Also clear is that God is certainly not the subject of *כפר piel*, because only the priest is the subject (Lev 4:20, 26, 31, 35; 5:6, 10, 16, 18, 26; 7:7; 10:17; 12:7, 8; 14:18–20, 21, 31, 53; 15:15; 16:6). See Gilders, *Blood Ritual*, 137; John W. Watts, *Ritual and Rhetoric in Leviticus* (Cambridge: Cambridge University Press, 2007), 133. One interesting exception is Lev 1:4. Watts (*Leviticus 1–10*, 326) sees the subject as being the hand placement rite, while Leigh M. Trevaskis (*Holiness, Ethics and Ritual in Leviticus* [Sheffield: Sheffield Phoenix, 2011], 195) advances a compelling argument that the subject of *כפר piel* in 1:4 is the character of the animal as *זכר תמים* (“male without defect”) in v. 3. Other subjects, mostly God, of the verb *כפר*, outside the Priestly writings, appear in Isa 6:7; 22:14; 27:9; Jer 18:23; Ps 65:4; 78:38; 79:9. Cf. Milgrom, *Leviticus 1–16*, 1083–84; Stephen B. Chapman, “God’s Reconciling Work: Atonement in the Old Testament,” in Adam J. Johnson (ed.), *T&T Clark Companion to Atonement* (New York: T&T Clark, 2017), 104.

<sup>51</sup> Technically *את* is not a preposition, but the direct object marker.

<sup>52</sup> See Vis, “Purgation of Persons,” 33–41.

<sup>53</sup> Nihan, “Templization of Israel,” 107.

<sup>54</sup> Milgrom, *Leviticus 1–16*, 254–56.

<sup>55</sup> Vis, “Purgation of Persons,” 46.

<sup>56</sup> Gane, *Cult and Character*, 106–43.

<sup>57</sup> Certainly not just a new phenomenon. Baruch Levine, for example, has supported this conclusion decades ago. See Levine, *Leviticus*, 18.

על + *piel*, in Leviticus 4:35 and 5:13, should be rendered as “concerning”<sup>58</sup> or “because of.”<sup>59</sup> In this case, the offerer is not the direct object of כפר *piel* (“to make ‘atonement’ concerning/ because of his or hers sins”), which is the case when we have כפר על + *piel* combined with מן (“to make ‘atonement’ of/ from his or hers sins,” see Lev 4:26; 5:5, 10).<sup>60</sup> Vis and Gane, to adapt this nuance to their interpretation, consider the offerer as the object of כפר *piel* indirectly. In these cases, כפר is directed towards sancta, which then effects כפר on the offerer.<sup>61</sup>

If the two steps in the כפר process are taken into consideration, this debate becomes less problematic. Sancta and offerer are affected by the כפר process, which can only be considered completed if both steps are concluded. Here, we must consider something that Milgrom<sup>62</sup> and Vis<sup>63</sup> take as essential, but from different perspectives: the relation between the sanctuary and Israel. A very good definition of this relation is presented by Christophe Nihan. For Nihan, the sanctuary plays a central role “within the community’s constitution and self-representation.”<sup>64</sup> Because the sanctuary reflects the community, it is not enough for the offerer to become pure or forgiven (the first step). This status must be reflected in the sanctuary, the dwelling place of the deity’s presence, aligning the status of the offerer in relation to the deity in reference to the sanctuary (second step). Therefore, even after the first step of the כפר process is completed, the second step is still necessary. Here enters the חטאת offering, which has sancta as its object, so that it aligns the persons and

<sup>58</sup> Gane, *Cult and Character*, 126.

<sup>59</sup> Vis, “Purgation of Persons,” 55.

<sup>60</sup> A distinction Vis does not consider crucial (“Purgation of Persons,” 56).

<sup>61</sup> See Vis, “Purgation of Persons,” 47, 49; Gane, *Cult and Character*, 129. Feder believes that sancta as the object of כפר *piel* is relatively late, while the notion of “personal” expiation is the earliest as seen in Lev 4 and 16 (*Blood Expiation in Hittite and Biblical Ritual*, 112–13).

<sup>62</sup> For Milgrom, the sanctuary is a reflection of Israel’s status before YHWH. The more impurities produced by Israel, the more contaminated the sanctuary becomes, and as Israel is purified, so it is the sanctuary. See Milgrom, *Leviticus 1–16*, 260; Jacob Milgrom, “Israel’s Sanctuary: The Priestly ‘Picture of Dorian Gray,’” *RB* 83 (1976), 398.

<sup>63</sup> As mentioned above, the “purgation” (Vis’ choice of translation for כפר) of the sanctuary is capable of effect “purgation” on the offerer. Not only that, Vis contends that “people can only be clean when the sanctuary is clean” (“Purgation of Persons,” 47).

<sup>64</sup> Nihan, “Templization of Israel,” 107 (cf. 96, 112, 126). I think Nihan’s interpretation is mistaken in concluding that this specific role of the sanctuary is limited to blood manipulation of the חטאת offering in Lev 4 (especially pp. 125–26). For an overall critique of Nihan’s approach, not necessarily of his interpretation of the relation between the sanctuary and Israel, see Christian A. Eberhart, “To Aton or Not To Aton: Remarks on the Day of Atonement Rituals According to Leviticus 16 and the Meaning of Atonement,” in Henrietta L. Wiley and Christian A. Eberhart (eds.), *Sacrifice, Cult, and Atonement in Early Judaism and Christianity: Constituents and Critique* (Atlanta: Society of Biblical Literature, 2017), 205–12.

the cultic community with that of the sanctuary. Therefore, the status of the person and the community as purified and forgiven is not attained, unless the complete process is done. That is why Vis’ and Gane’s recognition of the meaning of על + כפר *piel* as “concerning” or “because of” is relevant. This is highly agreeable with Schwartz’s interpretation of the חטאת offering in Leviticus 4–5. In a very clear way, Schwartz says that in the חטאת offering in Leviticus 4–5 sins of persons are removed *from* the sanctuary.<sup>65</sup> Given the close relation between sanctuary and cultic community, the כפר process can only be attained after both are aligned. That is why, when considering acts of remorse and the scapegoat ritual in Leviticus 16, Schwartz affirms that none of the steps are superfluous, they are both needed.<sup>66</sup>

According to my interpretation, the חטאת offering in Leviticus 4–5 is directed towards sancta and not the offerer, who has been forgiven by his or hers confession.<sup>67</sup> However, by “bearing the sin” of the offerer from the sanctuary, the חטאת offering aligns both, sanctuary and cultic community, which results in כפר *piel*. There is, however, another important function of the חטאת offering in relation to persons. In many cases, including those of Leviticus 5:1–4, there is no material evidence for the impure state or the sinful action. Therefore, the חטאת offering also functions to mark the previous state of the offerer. Not only that, it also functions to mark, rather than effect,<sup>68</sup> the new condition by promoting an encounter with the deity.<sup>69</sup> To mark a previous state of separation and the promotion of an encounter with the deity are both crucial functions of a מנחה, as we will see next. The concept of alignment becomes useful here, again. By aligning the state of offerer and sanctuary, the חטאת offering makes it possible for the sanctuary to become “the very place where relations between the community and its patron deity are established and renegotiated.”<sup>70</sup>

The most significant accomplishment of Schwartz’s article, in my opinion, is his sensibility to relate bigger concepts with

<sup>65</sup> Schwartz, “The Bearing of Sin,” 16 (emphasis original). In this case, it is not necessary to distinguish between 4:26; 5:5, 10, where מן appears, and 4:35; 5:13, where it does not. In all cases, the object of כפר *piel* is sancta in relation to the offerer’s offense. The presence or not of מן is only a problem when the offerer is considered the object of כפר *piel*.

<sup>66</sup> Schwartz, “The Bearing of Sin,” 19–20. The reflection between the sanctuary and the cultic community can be well perceived by the division of three חטאת offerings, which corresponds with three degrees of social status in the community. Also related to the degrees of social status in the community is the severity of the sin and impurity, which is then projected onto the three divisions of the sanctuary. The more severe, the more it penetrates into the sanctuary. See Feder, *Blood Expiation in Hittite and Biblical Ritual*, 98–99.

<sup>67</sup> Or, in the case of impurities, it marks that he or she has been purified by washings and the passing of time.

<sup>68</sup> See Janzen, *Social Meanings of Sacrifice*, 105.

<sup>69</sup> Encounter with the deity will be argued for in Part 4 of this article.

<sup>70</sup> Nihan, “Templization of Israel,” 127.

smaller ones. In the same way that “purification” and “bearing of sin” fall under the concept of כפר,<sup>71</sup> sin and impurity are both conditions that mark opposition to קדש (“holiness”). “Holiness” is broader than ethics, denoting a natural and cosmic identity of being divine, or related to the divine identity. In this case, the use of the חטאת offering to achieve כפר is a ritual recognition and overcoming of the separation between the divine realm and the human realm. From this perspective, for example, impurities that are not related to sin at all, such as the post-birth impurity and sexual-related impurities, together with the contaminated condition caused by sin, all point to conditions in which the distance between creation and deity became clearer. These conditions are mostly related to death and birth,<sup>72</sup> while sin is an obvious action against the deity’s holiness. Therefore, the persons involved in these conditions need to go through the כפר process to approach the divine realm, and the חטאת offering serves to mark the distinction between what is divine and what is not,<sup>73</sup> at the same time that it creates the right environment for the encounter between the two.

## 2.2. THE מנחה OFFERING

The prescription of the offering in 5:11–12 mirrors that of the מנחה offering in 2:2–3 in practical and meaningful ways. A simple reading of these texts is enough to see the similarities, so I will just point to what I consider most important.

The term מנחה has a clear secular origin that points to a transaction of tribute from a lower status party to a higher status

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<sup>71</sup> Building upon Kiuchi’s interpretation, Gilders affirms that כפר is a “hypernym” (*Blood Ritual*, 137); cf. Eberhart, “To Atoner or Not To Atoner,” 226. Kiuchi, in fact, calls it a “supernym” of קדש, חטאת, and טהרה, meaning that כפר *piel* “expresses some act which enables progression from uncleanness to cleanness, from cleanness to holiness and from uncleanness to holiness” (*The Purification Offering in the Priestly Literature: Its Meaning and Function* [Sheffield: JSOT Press, 1987], 97–98). In light of the discussion I provided above, we must add to this list the “bearing of sin” (נשא עון). For a more direct description of what I understand to be the meaning of the כפר process, see Part 4 of this article.

<sup>72</sup> This is not to say that deity and creation are opposites, but they belong to different categories that need to be recognized. Cf. Janzen, *Social Meanings of Sacrifice*, 113.

<sup>73</sup> Cf. Janzen, *Social Meanings of Sacrifice*, 113. There is much more to be said about this, but the scope of this article does not allow me to develop my thinking on the importance of this in relation to ancient Israelite cult and theology. Jonathan Klawans’ use of the *imitatio Dei* concept and Benjamin Sommer’s arguments based on monotheism to explain the rationale behind the impurity system in P, are both very helpful in this regard, although I think there are better ways to argue for their similar cases. See Jonathan Klawans, “Concepts of Purity,” 2044; idem, *Purity, Sacrifice and the Temple: Symbolism and Supersessionism in the Study of Ancient Judaism* (Oxford: Oxford University Press, 2006), 56–58; Benjamin Sommer, “Proto-Kabbalistic Elements.”

one.<sup>74</sup> The transaction not only serves a financial role, but more importantly, it serves to mark status difference. Therefore, it gained a special function for cases in which the status difference was disrupted and caused the higher status party to feel dishonored by the lower status one. In these cases, the *מנחה* served as a kind of gift of reconciliation, not because of the financial value of the gift, but for the recognition of the right status difference between the parties. Therefore, it is a status marker in moments when the parties will meet, especially, although not exclusively, after a disruption of the status difference. An interesting case, although not completely “secular,”<sup>75</sup> appears in the reencounter between Jacob and Esau, after their status difference was disrupted by Jacob, the younger brother, who had received from his father the benefits of Esau, the prior heir as the older brother. In their reencounter, Jacob offers Esau a *מנחה* (Gen 32:14[13], 19[18], 21[20] 22[21]; 33:10). Interestingly, the text records that Jacob’s intention with the offering of a *מנחה* is that he might *כפר piel* Esau. The final result of this process, according to Jacob’s intentions, is that he would see Esau’s face, so that Esau might “lift up mine [Jacob’s] face.”<sup>76</sup> Although there is much going on here,<sup>77</sup> it is clear that one of the clear results of Jacob’s *מנחה* is to have a good encounter with his brother Esau, which must be related to the meaning of *כפר piel*.

The context of a good encounter, resulting in a good favor from the high status party, will be an important element in Part 4 of this article. The fact that this aspect of the *כפר* process is a highly neglected one, pushes me to expand the discussion on the function of the *מנחה* offering in this light. Alfred Marx, who advances the most detailed analysis of vegetable offerings in the Hebrew Bible in general and in the Priestly legislation in particular, establishes encounter, union, and “bonds of communion,”<sup>78</sup> as the meaning and function of these vegetable offerings.

<sup>74</sup> See Marx, *Les offrandes végétales*, 80, 131; cf. Marx, *Les systèmes sacrificiels*, 163.

<sup>75</sup> See below, footnote 77.

<sup>76</sup> Meaning that Esau would be in favor of Jacob or well-disposed toward him. When the encounter takes place, the language is clearer by the use of the root *רצה* (Gen 33:10).

<sup>77</sup> In this whole narrative about Jacob’s encounter with Esau, there is a playful association between encountering the estranged brother and encountering God. After this explicit mentioning of the encounter by use of expressions using the word “face” (*פנה*), Jacob interprets his encounter and fight with “a man” (*איש*) as seeing God “face to face” (Gen 32:31[30]). In the conclusion of the narrative, Jacob relates seeing Esau’s face to seeing God’s face (Gen 33:10). See Gordon J. Wenham, *Genesis 16–50* (WBC, 2; Dallas: Word, 1998), 292; Walter Brueggemann, *Genesis* (Interpretation; Atlanta: John Knox, 1982), 266. As Wenham rightly observes, in Gen 32, the language is quasi-sacral. The probable reason is this association between encountering Esau and encountering God. Therefore, we cannot really dismiss this narrative as merely “secular.”

<sup>78</sup> In French, “liens de communion.” In the context, it seems like he is arguing from a covenantal perspective. He says that the *מנחה* offering “renforcera les liens de communion qui les unissent entre eux”



According to Marx, this is accomplished in three phases: the first is the handing of the offering to the priest by the offerer; the second is the placement, by the priest, of the offering on the altar, which is consumed by the altar's fire; and the third is the consumption of part of the offering by the priest.<sup>79</sup> Marx's emphasis is on the consumption by the deity and the priest of the exact same product, which does not occur in the case of animal offerings.<sup>80</sup> Therefore, he affirms that the vegetable offerings are the synthesis and the climax of the whole sacrificial system by establishing the closest communion possible between humankind and the deity.<sup>81</sup> Although the priest is in a privileged position in this case, we cannot forget that he is a mediator and his experience of communion with the deity is only possible by means of the offerer's bringing of an offering. Their mutual dependence as mediators, according to Marx, makes it a shared experience between priest and offerer.<sup>82</sup>

In light of the function of the **חטאת** offering to mark a previous state in which the offerer was in a condition of opposition to the divine "holiness," therefore, being farther from the divine presence than usual,<sup>83</sup> we can see how the **מנחה**, in its secular function as a gift to mark status difference, could be used in the same cultic function as that of the **חטאת** offering. Now, because there is more to the **חטאת** offering than this, especially when considering its function in the **כפר** process, it was necessary to add other cultic elements to the **מנחה** offering, such as the burning on the altar, and other qualifying terms were added for a more specific meaning, such as **אזכרתה** ("token portion") and **קדש קדשים** ("most holy").<sup>84</sup> In any case, the choice of the term by the Priestly legislator is significant to show that the **מנחה** offering is not a mere technical cultic practice, although it is this as well. More important, however, is that the term points to the purpose of the offering as a tribute to mark the recognition of

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(*Les offrandes végétales*, 141).

<sup>79</sup> Marx, *Les offrandes végétales*, 73–75.

<sup>80</sup> He does make a distinction between the **מנחה** offering in its three different states: semolina, bread, and roasted grains. It is true that the different states of the product make a difference, but not in the main purpose and function of the offering as Marx, sometimes, implies. See Marx, *Les offrandes végétales*, 83.

<sup>81</sup> *Ibid.*, 84.

<sup>82</sup> See *ibid.*, 82–83.

<sup>83</sup> Concretely, the person in such condition would not be allowed in the sanctuary, where the presence of the deity dwells, so he or she would be physically separated from the divine presence. That is, for example, the language used by Dorothea Erbele-Küster when speaking about the parturient of Lev 12. She says that her condition of cultic impurity is "a time of separation from the sanctuary" ("She Shall Remain in (Accordance to) Her Blood-of-Purification," 65).

<sup>84</sup> The **מנחה** offering is much more important for P than it is recognized in the scholarship. Alfred Marx is, obviously, an exception. He is definitely right to say that the **מנחה** offering can play different ritual roles, and P defines that by the term it uses in association with it. See Marx, *Les systèmes sacrificiels*, 35.

different status between two parties,<sup>85</sup> at the same time that promotes and reinforces the “bond of communion,” creating an opportunity for a safe encounter between them; in the cultic context, between deity and offerer.

Besides the secular use of the term, which already is related to כפר *piel*, as seen in the case of Jacob and Esau, the cultic use in 1 Samuel 3:14 shows clearly how the מנחה offering had the potential to effect כפר. There, it is affirmed that the עון (“iniquity”) of Eli’s family will not be כפר *bithpael* by any זבח (“sacrifice,” lit. “slaughter”) nor מנחה.<sup>86</sup> We can arrive at a similar conclusion for the Priestly legislation. Right at the beginning of the cultic legislation, we have the mentioning of כפר in Leviticus 1:4. It is true that this applies to the עלה offering, and then the verb will reappear only in Leviticus 4:20, which seems to indicate that it plays no part in the מנחה offering (Lev 2) and the שלמים offering (Lev 3). However, it is important to consider the rhetoric of the literary composition. James Watts concludes that “1:4 introduces the theme of *kpr* to characterize the purpose of bringing offerings in general.”<sup>87</sup> Building on this insight from Watts, and my own analysis, I consider that the mentioning of כפר in 1:4 points to the final goal of the whole Priestly cultic system, as can be implied by P’s naming of the altar as מיזבח העלה (“the altar of the ascension offering”).<sup>88</sup>

Another matter to consider concerning the כפר function of the whole cultic system is the relation between the עלה offering and the מנחה offering, which can point us to the particular function of the latter. It is interesting to mention that just as the מנחה legislation in Leviticus 2 comes right after the legislation concerning the bird-עלה (Lev 1:14–17), so too the מנחה-like חטאת comes after the legislation of the bird-חטאת. There is, therefore, a relation between the function of the עלה and that of the מנחה. Milgrom believes that such a relation is so intrinsic that the מנחה is actually the עלה option for the poor.<sup>89</sup>

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<sup>85</sup> Cf. Watts, *Leviticus 1–10*, 302. Eberhart, rightly in my opinion, even qualifies the reason to mark this status difference by means of the concept of YHWH as the divine king. See Eberhart, “To Atone or Not To Atone,” 216.

<sup>86</sup> Cf. Milgrom, *Leviticus 1–16*, 197.

<sup>87</sup> Watts, *Leviticus 1–10*, 326. Cf. Watts, *Ritual and Rhetoric in Leviticus*, 138–39.

<sup>88</sup> If my proposal that כפר is about a safe encounter with the deity, as I will argue in Part 4 of this article, then it makes sense that the verb does not appear in Lev 2 and 3. Greenberg argues: “However, the *šālāmîm* and *minhâ* offerings are prescribed for sharing a sacrifice with Yhwh and the priests and not for correcting a problem. Even though the *šālāmîm* and *minhâ* offerings connect the offerer to Yhwh, based on their usual use, it is conjectured that the Priestly legislators saw no need to include *kipper* in Lev 2 and 3” (*New Look at Atonement*, 48–49).

<sup>89</sup> *Leviticus 1–16*, 196. Cf. Schwartz, “Leviticus,” 208–9. I certainly disagree with the financial criteria, but this is a good example of how interpreters can still consider the כפר function of the מנחה, even when the verb is not used in Leviticus 2.

### PART 3: THE כפר PROCESS IN THE מנחה-LIKE הטאת OFFERING

As seen in the previous discussion, there are conceptual similarities between the functions and meaning of the מנחה and the הטאת offerings, as well as some ritual equivalence between the מנחה and עלה offerings, even if there are peculiarities to each of them. Here, I will present similarities between the מנחה-like הטאת and the הטאת of animals, this time more related to the rituals themselves and how the Priestly legislator defines them. Before doing so, I would like to present Milgrom's explanations for the use of semolina in the מנחה-like הטאת, because he is the only scholar who actually tries to provide one. But, as I will show, there are deficiencies in his arguments. After that I will present some rabbinic options as a way to introduce my own approach.

Milgrom provides two arguments, the first is that semolina was a purification material in ancient Mesopotamia,<sup>90</sup> and the second is that the legislator was not so sure what kind of impurities were produced by the cases of Leviticus 5:1–4, so they might not have sufficient force to pollute the sanctuary.<sup>91</sup> Although the first argument is not necessarily inadequate, it still focuses on the material itself as the means to cause the effects of the ritual, rather than paying attention to the ritual function of the offering itself. As I will show, the question is not the material used *per se*. Therefore, his first argument shows rather clearly what happens when one's interpretation of the הטאת offering is so dependent on a certain view of the material function of the blood, which is then transferred to another material, when other issues are more relevant to explain the function and meaning of the ritual. Concerning the second argument, it is very inadequate. If we can know something about the Priestly legislation is that it does not work with "maybes." In this case, Milgrom's explanation shows what happens when one's view of כפר is only limited to "purification" or "purgation," rather than considering a more complete process that encapsulates other functions and meanings that the ritual might have.<sup>92</sup>

If we turn to the rabbinic literature, although there is some emphasis on blood,<sup>93</sup> it uses another approach which pays attention to the rituals themselves. In *Sipra*, for example, the מנחה offering is used as the model of secondary offerings, like frankincense and oil. The reasoning is as follows:

Just like a flour offering, which comes as a [secondary] obligation along with the animal offering, can also be brought as a donation offering alone, so too frankincense, which

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<sup>90</sup> Milgrom, *Leviticus 1–16*, 306. He is followed with less certainty by Schwartz, "Leviticus," 216.

<sup>91</sup> Milgrom, *Leviticus 1–16*, 315–16.

<sup>92</sup> Something well noticed by Gilders, *Blood Ritual*, 223, n. 107.

<sup>93</sup> See above, footnote 2.

comes as a [secondary] obligation along with the animal offering, can be brought as a donation offering alone. (*Sipra Nedava* 8:3)

Although the *מנחה* offering is also recognized as a primary offering, by using it as a model of secondary offerings, the *Sipra* downgrades it as a sub-offering, a mere accompaniment to a “real” animal offering, because the latter contains blood.<sup>94</sup> There is, therefore, an effort to consider the ritual itself, but the real criterion is the material used.

Another example is the *Mishnah*. In this case, there is a real effort to consider the ritual itself. Shlomo Zuckier provides an important insight by putting *Mishnah Zebahim* side by side with *Mishnah Menahot*.<sup>95</sup> He observes that there is ritual equivalence between certain rites in animal and semolina offerings. Thus,

slaughter is replaced by *kemitzah*, or grabbing a fistful of flour; catching the blood in the utensil is replaced by placing the flour in the utensil; instead of carrying the blood to the altar we find carrying flour to the altar; and throwing the blood on the altar is supplanted by burning the flour on the altar, and turning it to smoke.<sup>96</sup>

These four ritual stages are equivalent in both offerings, the reason why they can both have the same ritual effect. I would like to suggest, however, that the fourth stage is more similar than it first seems. For offerings involving blood, this fourth stage is the “tossing upon” the altar (see, for example, Exod 29:16, 20, Lev 1:5, 11; 3:2, 8, 13; 7:2; 8:19, 24; 9:12, 18).<sup>97</sup> Even if the verb indicating this action (*זרק*) is never used for offerings involving semolina in general, it is worth noticing a peculiar characteristic of it.

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<sup>94</sup> See Zuckier, “Manipulating Minhah.” This same kind of reasoning also appears in recent modern evangelical theology. Consider, for example, this comment: “The burning of a memorial portion [Lev 5:12] gave the offering the status of a blood sacrifice, since the token was mixed with the other burnt sacrifices on the altar. There is thus no exception to the principle that without the shedding of blood there is no remission of sin (Heb 9:22). The flour served as a replacement for a blood sacrifice, thereby emphasizing the concept of vicarious or substitutionary offering, which is basic to Hebrew sacrificial thought” (R. K. Harrison, *Leviticus*, 70–71). In this interpretation, the only reason why the offering of Lev 5:11–13 is able to effect *כפר* is because one portion of it gets in contact with the blood of another (primary) animal offering. For a thorough refutation of the vegetable offerings as secondary, see Marx, *Les offrandes végétales*.

<sup>95</sup> From Zuckier’s observation, I concluded that the main comparisons should be considered between *m. Menahot* 1:1 and *m. Zebahim* 1:1, 4; *m. Menahot* 1:2 and *m. Zebahim* 2:1; *m. Menahot* 1:3 and *m. Zebahim* 2:2, 3; *m. Menahot* 1:4 and *m. Zebahim* 2:4, 5; *m. Menahot* 3:1 and *m. Zebahim* 3:3.

<sup>96</sup> Zuckier, “Manipulating Minhah.”

<sup>97</sup> For an argument in favor of this view against the view of the blood being “dashed against” the walls of the altar, see Naphtali S. Meshel, “The Form and Function of a Biblical Blood Ritual,” *VT* 63 (2013), 276–89.

The action depicted by זרק in biblical Hebrew is, necessarily, done with powdery and liquid substances.<sup>98</sup> What is highlighted by the action is the fact that the substance spreads through the air onto a determined object. In the case of blood, the motion of taking it from a vessel<sup>99</sup> and actually tossing it, makes it spread all over the area around the altar and upon the altar itself. Now, in the case of offerings involving semolina, the movement of bringing it to be burned in a handful, also makes it spread all over the area around the altar and upon the altar itself. Therefore, although this fourth stage of the ritual is not exactly the same for blood offerings and offerings involving semolina, the outcome of the action is the same: the substance held by the priest is spread throughout the floor near the altar and the whole altar from top to bottom.<sup>100</sup>

From this ritual analysis perspective, it is necessary to observe one important difference as well. While an animal offering has three portions—blood tossed upon the altar, the fat burned on the altar, and the meat—, the offering with semolina has only two portions—the handful burned on the altar and the remainder which is eaten by the priests. In this comparative scheme, the handful of semolina plays a dual role, being the equivalent to the blood and to the “fatty” portion burned on the altar.<sup>101</sup> Ritually, therefore, the offerings with semolina, be it a מנחה or a מנחה-like חטאת, can be effective for the כפר process, because it has the ritual equivalent to the blood and the fat of the animal: the handful portion.<sup>102</sup>

In what follows, it will become clear that my approach is somewhat similar to that of the *Mishnah*, especially considering the handful portion as the equivalent of the “fatty” portion burned on the altar. I will, however, present my own ritual analysis, focusing specifically on the חטאת of animals in comparison with the מנחה-like חטאת.

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<sup>98</sup> Meshel, “Form and Function of a Biblical Blood Ritual,” 278, n. 8.

<sup>99</sup> There is no mentioning of how the blood was collected and transported, but we must assume that there was some kind of container for that purpose. See Gilders, *Blood Ritual*, 113; Meshel, “Form and Function of a Biblical Blood Ritual,” 278, n. 8. Interestingly, the probable object used for that was the מזרק (Exod 27:3; 38:3), which is mentioned in the context of collection and transportation of offerings involving semolina (Num 7:13, 19, 25, 61, 67, etc.).

<sup>100</sup> In both cases, then, there is a chain of physical touch between the offerer and the altar, mediated by the priest. See Greenberg, *New Look at Atonement*, 33.

<sup>101</sup> Zuckier, “Manipulating Minhah.”

<sup>102</sup> Zuckier, therefore, concludes as follows: “[According to the *Mishnah*] how can flour offerings atone, or generally be effective, if they lack blood? The answer is that they *do* have blood, in the form of the handful of the offering” (emphasis original).

### 3.1. TWO-FOLD DIVISION

The first ritual element that is essential in the Priestly cult system is the division of the offerings in portions. Among other factors, such as spatial differentiation and priestly handlings, priests are able to create more sacred substances by means of apportionment.<sup>103</sup> Apportionment, however, does not create completely separate portions; to the contrary, they maintain their identity unified even when divided. This ritual identity between the different portions of the same offering can be conceptualized by the *pars pro toto* principle.

In the *pars pro toto* principle, at least two portions of an offering is needed. In the case of the מנחה-like חטאת the division in two portions is quite clear. From one offering of 2.3 liters of semolina, the priest gets a handful portion that is called אזכרתה (“token portion”). The token portion is carried and then burned on the altar and the remainder becomes an edible portion for the priest “like a מנחה” (Lev 5:13). Therefore, in 5:12–13 we are seeing an exact replication of the procedure in 2:2–3, with the difference that in the מנחה-like חטאת offering the addition of olive oil and frankincense is forbidden (5:11), marking it as a חטאת offering and not a מנחה offering. For many reasons, including the function and meaning of the מנחה offering, the term אזכרתה is seen as related to the covenant relationship.<sup>104</sup> I agree with that view, which points to the overall context of the offering as covenantal relationship between YHWH and Israel, which includes communion. However, this qualification is ritually necessary to make explicit the relation between the two portions: the one that goes to the altar is a token of the one that remains to be eaten by the priest. In the case of animal offerings, this is unnecessary, as each portion comes from the same animal, so that they have an essential unified character already. The exception, of course is the bird-חטאת (Lev 5:7–10), that requires two animals, but in that case there is also an intriguing way to relate one portion to the other as I will show briefly.

In all forms of חטאת offering prescribed in Leviticus 4, the offering is divided in two portions: its blood, which is applied to sancta, and its “fatty” portion (4:8–9), which is burned on the altar. Everything else that is not the blood or the “fatty” portion (4:11–12, 21), that I can conveniently call the “meat” portion, could be considered a third division. This third portion, especially when it is eaten by the priest, has an important ritual function and meaning, but when it is burned outside the camp, its ritual function and meaning is limited to a disposal rite.<sup>105</sup>

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<sup>103</sup> Kathryn McClymond, “Space and Sacrifice in Leviticus” (paper presented at the annual meeting of the Society of Biblical Literature, San Francisco, November 2011), 11.

<sup>104</sup> See Kiuchi, *Leviticus*, 68–70.

<sup>105</sup> See Watts, *Leviticus 1–10*, 347. I am speaking only about the חטאת offering. The three-portion division is considered basic in the *Mishnah*, as I mentioned above, because it deals with the general cases of animal offerings, including the עלה offering. In this case, the “meat” portion, of course, is not a disposal rite, but is part of the essential

The intrinsic relation between the portions of the offering is so important that we see a rhetoric trick in the case of the bird-**חטאת** offering. The prescribed legislation is that one bird functions as a **חטאת** offering and the other functions as a **עלה** offering (5:7). What is interesting about this case is that two birds would make up for four portions, because blood manipulation is required for both birds (cf. Lev 1:15). But that would mean that we have two distinct offerings, each with a two-fold division, but the Priestly legislator carefully constructs the ritual to avoid this conclusion. The text actually makes it appear as if the bird-**חטאת** offering has a two-fold division of portions. First, there is an explicit order not to divide the bird in two parts when breaking the neck (5:8). Second, it is expected that after the blood manipulation of the bird functioning as the **חטאת** offering, an order for the burning of the bird itself would come, but it does not.<sup>106</sup> Third, the text avoids mentioning the blood manipulation of the bird functioning as the **עלה** offering, by just saying that the process will be **כמשפט** (“according to the commandment,” 5:10). So, what we have explicitly described is one portion of blood (5:9) and one portion burned on the altar (5:10), which functions as the “fatty” portion.<sup>107</sup> As we will see below, the two-fold division, in which the two portions are existentially related to each other is crucial. The prescription of the bird-**חטאת** offering shows that the two-fold division is significant enough to make such a rhetoric effort to avoid conclusions that it would contain unrelated portions. The supplement of another bird, therefore, is ritually important, rather than just being a means to provide more material to be burned, as it is commonly interpreted.<sup>108</sup>

It seems, then, that the two-fold division is ritually important for the **חטאת** offering, be it a **חטאת** of animals or a **חטאת** of semolina. There is, however, one difference between the two forms: the blood of the animal gets in contact with sancta, while the remainder of the semolina never does.

### 3.2. “MOST HOLY”

Another ritually important element that is shared by all the forms of the **חטאת** offering, independently of its use of animal or semolina, is its depiction as **קדש קדשים** (“most holy”). This designation appears in relation to sancta in process of sanctification (e.g., Exod 29:37; 30:10; 40:10), with the interesting quality that everything touched by something **קדש קדשים** becomes “holy” (e.g., Exod 30:29). The most numerous cases, however, are related to offerings that are property of the priests. Interestingly, the designation never appears in Leviticus 4–5, but it seems that

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burning rite (Lev 1:8–9). The case of the **שלמים** offering is also different, because part of this third portion is eaten by the priest and by the offerer and his or her guests (Lev 7:14–15).

<sup>106</sup> See Gilders, *Blood Ritual*, 127.

<sup>107</sup> The term **עלה** itself is a reference to that which is burned and “ascends” as smoke.

<sup>108</sup> Cf. Schwartz, “Leviticus,” 216; Watts, *Leviticus 1–10*, 363.

the מנחה-like חטאת plays an important role here. The first offering to be classified as קדש קדשים is the מנחה in Leviticus 2:3 (cf. 2:10; 6:10[17]; 10:12), while it is applied to the חטאת and the אשם offerings only later (Lev 6:10[17], 18[25], 22[29]; 7:1, 6; 14:13). It can be said that it is the מנחה-like חטאת that mediates this later classification for these offerings.

The priestly property is explicit in many of the cases cited, including the special case of חרם (“devoted things,” Lev 27:28), but two other features should be considered. First, the designation is related to the eating of the offering by the priest (Lev 6:22[29]; 7:6; 10:12, 17; 24:9; Num 18:9–10; also in the case of the “showbread” in Lev 24:9) and where the eating takes place, i.e., the מקום קדש (“holy place,” Lev 6:19[26]; 7:6; 24:9). Just as the transference of “holiness” when something touches sancta, when the offerings called קדש קדשים touch anything, it becomes “holy” (Lev 6:20[27]).

I am sure the feature of these offerings as קדש קדשים serves to designate the priestly property<sup>109</sup> and where they were eaten, as to avoid the lay Israelites to incur in error of eating portions that do not belong to them.<sup>110</sup> But this designation is ritually important in cases of the חטאת offering.

Before arguing in this direction, it is necessary to describe Milgrom’s application of the *pars pro toto* principle. According to Milgrom, the application of blood on sancta serves to absorb the impurity that was clung there. The *pars pro toto* process, then, explains that this impurity is also transferred to the rest of the animal that is burned outside the camp, as a rite of impurity elimination.<sup>111</sup> Once the impurity is eliminated, the *pars pro toto* principle works the other way as well, so that the blood that is still in contact with sancta becomes pure.<sup>112</sup> Although Milgrom explains that the view of impurity as a miasma that is attracted to the realm of the sacred was common among Israel and her neighbors,<sup>113</sup> he never explains explicitly, neither does the Priestly legislation, why blood is able to absorb impurity.<sup>114</sup> That is why Schwartz and Gilders propose that the blood, instead of absorbing the impurity and the sin, simply eliminates it.<sup>115</sup> Both of them,

<sup>109</sup> For a comprehensive study of the use of קדש קדשים, see Trevasakis, *Holiness, Ethics and Ritual*, 251–61.

<sup>110</sup> The ownership of offerings, be it by YHWH, priests or offerers, is important enough in the Priestly legislation for it to include a special compensation ritual, the אשם, for misappropriation of קדש (Lev 5:15). Cf. Levine, *Leviticus*, 18; Stephen Finlan, *Problems with Atonement* (Collegeville, MN: Liturgical Press, 2005), 15.

<sup>111</sup> Milgrom, “The *Modus Operandi* of the *Ḥattā’t*,” 112–13.

<sup>112</sup> *Ibid.*, 113.

<sup>113</sup> See Milgrom, *Leviticus 1–16*, 256–57.

<sup>114</sup> When describing Milgrom’s proposal I maintain the ritual limited to impurity, but as I have shown above, I prefer Schwartz’s view that Leviticus 4–5 is about sin and not impurity.

<sup>115</sup> Schwartz, “The Bearing of Sin,” 17; Gilders, *Blood Ritual*, 130. Cf. Watts, *Leviticus 1–10*, 338.



however, recognize that the burning of the rest of the animal outside the camp might play a role in the elimination process.<sup>116</sup>

I contend that Milgrom is pointing in the right direction, but his proposal needs serious changes.<sup>117</sup> First, as I demonstrated above, the rest of the animal that is burned outside the camp is not part of the **כפר** process, so it is not one of the ritual portions. Therefore, as I will show in the next section, attention must be drawn to the burning of the “fatty” portion. Second, and related to our present topic, the relation between impurity and sin to what is “holy” deserves a better explanation.

Impurity and sin are not merely attracted to the sacred realm of the sanctuary and its sancta. I want to argue that impurity and sin are attracted to what is “holy.” Milgrom, for example, compares the function of the **חטאת** offering with the function of the priest’s **ציץ** (Lev 8:9), which is also called **נזר הקדש** (“holy diadem”). In his view, both of them attract the impurity, and I must add the sin here, from the sanctuary, so that they are absorbed by the priest, who eliminates them by the ingestion of the “meat” portion.<sup>118</sup> My argument, therefore, is that the designation of the offerings as **קדש קדשים** serves as a ritual explanation to indicate that impurity and sin would be attracted to them, and this does not depend on physical touch.<sup>119</sup>

### 3.3. **תאכל** (“CONSUMPTION”)

Having established that the **חטאת** offering depends on a two-fold division and the character of the offering as **קדש קדשים**, neither of which is exclusive features of the slaughtering of the animal and blood manipulation, we can pay attention to the third element that is essential for the **חטאת** offering: the burning on the altar.

Before turning to the burning on the altar in general, I want to argue that the handful portion of semolina in the **מנחה** offering is equivalent to the “fatty” portion of the **עלה** offering, and the same goes for the handful portion of semolina in the **מנחה**-like **חטאת** offering to the “fatty” portion of the **חטאת** offering. A simple argument is that this is the portion that is burned on the altar, so it has to reflect the portion that is burned on the

<sup>116</sup> Schwartz, “The Bearing of Sin,” 17, n. 55; Gilders, *Blood Ritual*, 130.

<sup>117</sup> The misunderstanding of Milgrom’s application of the *pars pro toto* principle is the reason why Greenberg’s proposal of the meaning of atonement is deficient. He only considers Milgrom’s application of the principle concerning the horn of the altar as representing the whole altar. See, *New Look at Atonement*, 29–34. He sees a close relationship between YHWH and the altar, but not between the sanctuary and the cultic community, which is essential to understand **כפר** as I will show.

<sup>118</sup> Milgrom, *Leviticus 1–16*, 624.

<sup>119</sup> For many interpreters, physical touch is essential. For example, Eberhart, “To Atone or Not To Atone,” 205; Gilders, *Blood Ritual*, 223, n. 107.

altar in the **עלה** offering and the **חטאת** offering.<sup>120</sup> But I want to propose another comparison.

It is common to explain that the “fatty” portion is burned on the altar to the deity, because it was thought to be the best and more tasteful part of the animal.<sup>121</sup> This explanation, however, has the evidence against it. The fat described in Leviticus 3:3–4 or 4:8–9 is inedible,<sup>122</sup> and organs were included in this portion, specifically the “kidneys” (**כלית**, Lev 3:4; 4:9). The “fatty” portion is specifically called **חלב**, which is exclusively used for the suet, or the fat that covers the internal organs described in the texts. It is not the subcutaneous soft fat that covers the muscle.<sup>123</sup> Although limited to certain organs, it is clear that the **חלב** is picked up by its function of covering the entrails (Lev 3:3; 4:8),<sup>124</sup> which was thought to be the center of life and being.

I will take into consideration this covering or protective role of **חלב** in Part 4 of this article. For now, I want to point in a different direction. The use of the term **חלב** to characterize this portion might be related to its use in contexts that describe abundance, such as in Genesis 45:18, when Jacob’s family is given a **טוב ארץ** (“good land”), to eat from the **חלב הארץ** (“fat of the land”).<sup>125</sup> When we turn to the **מנחה** and the **מנחה**-like **חטאת** offerings, there is an odd emphasis on abundance by the use of the terms **קמץ**, **מלוא**, **קמצו** (2:2; 5:12), even if the measure specified in 5:11 (2.3 liters) is quite small. My proposal, therefore, is that this emphasis on abundance is used to equate this portion, which is burned on the altar, with the “fatty” portion from the offerings that use animals. As I demonstrated above, *Mishnah Menahot* equates the handful portion with the blood of animal offerings by means of similar ritual order and actions.<sup>126</sup> As well noticed by Shlomo Zuckier, this handful portion, however, also plays the role of the “fatty” portion in this ritual analysis, and I

<sup>120</sup> That is how Milgrom explains it in the case of the **מנחה**-like **חטאת** offering. See Milgrom, *Leviticus 1–16*, 306. And that is also the logic behind the comparison between animal offerings and the semolina offering in the *Mishnah*, as I demonstrated above.

<sup>121</sup> See Schwartz, “Leviticus,” 210; Sklar, *Leviticus*, 103.

<sup>122</sup> Milgrom, *Leviticus 1–16*, 207. Mary Douglas, therefore, is right to say that this explanation should not be taken seriously. See Douglas, “Atonement in Leviticus,” *JSQ* 1.2 (1993–1994), 119.

<sup>123</sup> See Levine, *Leviticus*, 16.

<sup>124</sup> See Hartley, *Leviticus*, 40; Douglas, “Atonement in Leviticus,” 127–28.

<sup>125</sup> Milgrom is right to dismiss this text and this rendering as a justification to understand this portion of the sacrificial animal as the good part of the fat (see Milgrom, *Leviticus 1–16*, 210–11). He does not, however, consider the option of “abundance.”

<sup>126</sup> In the *Mishnah*, the relation between the handful portion and the blood is stronger than with the “fatty” portion, because it almost completely ignores the burning on the altar as an important element of the offerings in general. Zuckier affirms that “a quick survey of *Mishnah Zebahim* would show the prioritization of the blood manipulation of the offering, over and above the burning of the flesh. This is a departure of sorts from the biblical account, where the burning of flesh is of great importance” (“Manipulating Minhah”).

strengthen this comparison by this rhetoric move that, in my view, conceptualizes this portion in a way that reflects that kind of “abundance” associated with the חלב in the ancient Israelite imagery.

As we saw in Milgrom’s proposal of how the *pars pro toto* principle works, the burning on the altar plays no role, while the burning outside the camp is considered essential. This must be corrected. First, the burning on the altar and the burning outside the camp are referred to by different words. The latter takes the verb שרף (Lev 4:12, 21) and the former takes the *biphil* of קטר (Lev 4:10, 19; 5:12). The latter is coupled with other important terms such as אשה (“fiery offerings”) and ריח ניחה (“pleasing odor”) (cf. Lev 2:2; 3:5; 4:31).<sup>127</sup> Second, the burning on the altar is a common feature of all forms of the חטאת offering.<sup>128</sup> Third, the indication that the offering resulted in כפר always follows the burning on the altar (4:20, 26, 31, 35; 5:13),<sup>129</sup> indicating that burning outside the camp and, for that matter, the blood manipulation are not the determinant elements in the כפר process, but the burning on the altar is.<sup>130</sup> Not only that, what is burned is of great importance as well, and that is why the text seems to make an effort to relate the handful portion of semolina with an “abundant” portion that is equated with the “fatty” portion.<sup>131</sup>

I contend that the burning on the altar marks one part of the encounter between YHWH and the offerer, which is the intended result of the כפר process and functions for all offerings in the Priestly sacrificial system. If, however, the focus is specifically the חטאת offering, and how it deals with sin and impurity, the burning on the altar marks their overcoming.

<sup>127</sup> See Christian A. Eberhart, “A Neglected Feature of Sacrifice in the Hebrew Bible,” *HTR* 97.4 (2004), 489, n. 15. Cf. L. Michael Morales, *Who Shall Ascend the Mountain of the Lord?* (Downers Grove, IL: InterVarsity Press, 2015), 132.

<sup>128</sup> It is actually common to all forms of offerings in Lev 1–7. According to Eberhart, it is the burning on the altar that defines what is considered an offering (קרבן) and what is not in the Priestly legislation. Therefore, the Passover or the scapegoat are absent in the list of sacrifices in Lev 1–7. See Eberhart, “To Atone or Not To Atone,” 214–15.

<sup>129</sup> See Nihan, “Templization of Israel,” 99–100; Eberhart, “To Atone or Not To Atone,” 217–18.

<sup>130</sup> It is better to think, as it will be clear soon, that the כפר process is the result of the whole ritual. See Nihan, “Templization of Israel,” 112. More than this, in Leviticus, the slaughtering of the animal and the pouring of its blood on the altar’s base (Lev 1:5; 4:4, 7) are never attached to any specific ritual effect, hence it is not the determinant ritual activity for the כפר process. See Eberhart, “To Atone or Not To Atone,” 200.

<sup>131</sup> Even the order in which the portions are burned seem quite important. Eberhart shows how the burning of the “fatty” portion of the חטאת offering, on the Day of Atonement (Lev 16) is postponed after its blood manipulation, so that the עלה offering could be burned first (cf. Lev 16:11, 15–16, 18–19, and then 16:24, 25), and then the “fatty” portion of the חטאת offering can be burned upon portions of other types of sacrifice called “offerings by fire” (אשׁי, Lev 4:35). See Eberhart, “To Atone or Not To Atone,” 217–18, n. 68.

Part of the meaning of the burning on the altar is the divine “consumption” (תאכל) of this portion that carries the sin and the impurity that was previously clung on the sanctuary and its sancta. The term is used in two essential texts. At the conclusion of the cult preparation by Aaron and his sons, in Leviticus 9:24, the fire on the altar comes directly “from YHWH’s presence” (מלפני יהוה), and it “consumes” (תאכל) the עלה offering and the החלבים (“the fats”). The fire on the altar is a direct manifestation of YHWH, the reason why it cannot go out (Lev 6:5–6[12–13]). It is in this context that the term תאכל is also used to define what the fire on the altar does: it “consumes” (Lev. 6:3[10]). As a direct manifestation of YHWH, this means that YHWH himself “consumes” this portion, which carries sin and impurity in the case of the הטאת offering. Of course, for the Priestly legislator, the manifestation of YHWH’s presence that lights the fire on the altar lies behind the meaning of all the sacrificial legislation that literally, but not ritually, precedes the event of chapter 9.

This begs the question: why not burn the whole offering, then? The question is reasonable, because if the הטאת offering attracts sin and impurity, why should another portion be left on the sanctuary? The answer touches an important ritual function and meaning. In Leviticus 4 the destination of the third portion of the הטאת offering is never mentioned, and the destination of the second portion of the מנחה-like הטאת offering is mentioned only after the כפר *piel* declaration is made (5:13). While this could indicate an irrelevant role of those portions in the כפר process, it seems like Leviticus 6 and 10 present the “consumption” of those portions by the priests as essential for the whole ritual.

In Leviticus 6:9[16], after the term “consumes” (תאכל) is used for what the altar’s fire does to the עלה offering (6:3[10]), the same term describes what the priest does to the remainder portion of the מנחה offering. There is, thus, an important relation between the altar’s fire and the priest.<sup>132</sup> Among the many interesting issues concerning Leviticus 10:12–20,<sup>133</sup> one thing is clear, the “consumption” of the edible parts of the הטאת offering is an obligation for the priest. The reason behind this obligation, according to this narrative, is that the “consumption” by the priest completes the כפר process.<sup>134</sup> This can be adduced from Leviticus 10:17. The “carrying away the sin of the community,” as one aspect of the כפר process, is directly related to the “consumption” of this קדש קדשים portion.<sup>135</sup> Although the burning of the “meat” portion outside the camp has an important ritual function of disposal of sin and impurity, it seems like the “consumption” of this portion by the priest is not only a matter of disposal, but an integrated part of the כפר process,

<sup>132</sup> See Trevaskis, *Holiness, Ethics and Ritual*, 256.

<sup>133</sup> A complete discussion can be found in Milgrom, *Leviticus 1–16*, 635–40.

<sup>134</sup> Milgrom, *Leviticus 1–16*, 638.

<sup>135</sup> Cf. Schwartz, “The Bearing of Sin,” 16.

even if its declaration in Leviticus 4–5 is unrelated to the “consumption” by the priest.<sup>136</sup>

If the “consumption” of the offering by the altar’s fire and the priest are related, then the latter is also concerned with the overcoming of sin and impurity. Both of them are more than elimination rites, hence I am calling it an “overcoming,” otherwise they would be just like disposal rites by the burning outside the camp. As demonstrated above, the altar’s fire is a manifestation of YHWH, so it does not merely eliminates sin and impurity, it overcomes them by the power of YHWH’s glory (כבוד), the manifestation of his holy presence. Once this is effected, by the *pars pro toto* principle, the portion left to be eaten by the priest and the blood that is still on sancta become not only “pure,” but holy.<sup>137</sup> Part of the כפר process, as mentioned above, is to align the status of sanctuary and offerer. Here we see another element in this process: the alignment of the status of the priesthood with the sanctuary and the offerer. By “consuming” this holy portion, in a holy place, the ritual completes the alignment of all elements necessary in the cultic community of Israel to experience the encounter with the divine presence.

Now we can answer the question: why not burn all the portions on the altar? Because the two-fold division, or three-fold in the case of הטאת offering of animals, is important to include the priests and the sanctuary in this process of alignment of status of the whole community of Israel with the divine presence among them in the sanctuary.<sup>138</sup> This overcoming of sin and impurity by YHWH’s holy presence, although directly related to the sanctuary and the priesthood, also has serious implications for the offerer. As we have seen, the “purification” and “forgiveness” of the offerer is attained previously, but they also depend on the הטאת offering for an alignment of status between cultic community and sanctuary. Because the הטאת offering results in more than “purification” and “forgiveness,” it results in כפר, something else is happening here. I will argue that the כפר process attained by the הטאת offering in general is comparable to the כפר process attained by the עלה offering, which can be defined as an encounter with the deity resulting in sanctification and divine favor.<sup>139</sup>

Before moving on, I would like to present a clear version of the *pars pro toto* principle in light of my interpretation above. The presentation and preparation of this קדש קדשים offering in

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<sup>136</sup> Alfred Marx affirms: “En associant ainsi, dans les deux cas où il décrit le rituel des offrandes végétales, la combustion et la consommation de la matière sacrificielle par les prêtres, P indique clairement que ces deux rites ne sauraient être dissociés” (*Les offrandes végétales*, 75).

<sup>137</sup> Cf. Gilders, *Blood Ritual*, 131.

<sup>138</sup> The alignment of the sanctuary, however, does not depend on the consumption of the priest, because the two-fold division in the עלה, with the blood portion and all the rest, is enough for that purpose.

<sup>139</sup> Gilders affirms: “Purity is a precondition for holiness . . . Holiness is added to purity through rites of consecration that establish a new identity for the person or object being consecrated” (*Blood Ritual*, 131).

the sanctuary,<sup>140</sup> attracts the sin and the impurity that were clung there. The division of the offering in portions is ritually significant, so that the other portions left on sancta, or to be eaten by the priest, marks the means of holiness in the cultic community of Israel, and the role of the priest and the sanctuary in the כפר process. The “consumption” of the “fatty” portion by the altar’s fire mark YHWH’s direct holy presence overcoming sin and impurity, while the “consumption” by the priest of the remainder of the מנחה-like חטאת offering or of the “meat” portion of the חטאת offering of animals, and the permanence of the blood in the realm of the sanctuary, mark their alignment with the status of holiness derived from the divine glorious presence.<sup>141</sup>

#### PART 4: THE PRIESTLY SACRIFICIAL SYSTEM AND “ATONEMENT”

If overcoming sin and impurity would be the sole function and meaning of the חטאת offering and the כפר process, this article could be considered concluded. However, as I pointed out already, there is more to this offering, because the offering is “consumed” by YHWH’s glorious and holy presence as well as by the priest. I will argue that the כפר process includes an encounter with the deity, resulting in sanctification and divine favor.

Although much of the discussion concerning the meaning of כפר *piel* relates to etymology and morphology,<sup>142</sup> I believe we are closer to its function and meaning when we analyse, as I did in this article, the rituals and how they work. As Milgrom shows, the function and meaning of כפר *piel* depends much on narrative and ritual context.<sup>143</sup> Besides possible meanings from different etymologies and morphologies, it is important to remember that כפר is a “hypernym” for specific terms such as חטא (“purify”), טהר (“cleanse”), קדש (“consecrate” or “sanctify”), נשא עון (“bearing of sin”), and סלה (“forgive”).<sup>144</sup> And it is not as if the כפר process “enables progression,” as expressed by Nobuyoshi Kiuchi,<sup>145</sup> from one state to another; rather, it comprehends all of these progressions. Such a characteristic makes sense in light of the use of the term right at the beginning of the sacrificial

<sup>140</sup> That the holiness of the offering is prior to its presentation, see Milgrom, *Leviticus 1–16*, 485–86. Cf. Trevaskis, *Holiness, Ethics and Ritual*, 258.

<sup>141</sup> Why, then, in some cases are the priests forbidden to “consume” the “meat” portion? Leviticus 6:23[30] explains that if the blood portion enters the “tent of meeting” (אהל מועד) the priests cannot consume the “meat” portion, it has to be disposed by fire. A reasonable explanation is that those sins and impurities are more serious, because they enter a holier part of the sanctuary. So, this prohibition also marks an hierarchy of holiness of the sanctuary itself, but also between YHWH, sanctuary and priests. Cf. Milgrom, *Leviticus 1–16*, 637.

<sup>142</sup> See Gilders, *Blood Ritual*, 29; Nihan, “Templization of Israel,” 100; Watts, *Ritual and Rhetoric*, 131–33.

<sup>143</sup> Milgrom, *Leviticus 1–16*, 1079–84.

<sup>144</sup> Kiuchi, *Purification Offering*, 109. See footnote 71.

<sup>145</sup> *Ibid.*, 97–98.

legislation in Leviticus 1:4, and it is in this context that I think we can find a good understanding of the term.

The whole sacrificial system in Leviticus could be characterized by the legislator's favorite term for the offerings, קרבן.<sup>146</sup> The Priestly view of the cult is one of "drawing near" to YHWH.<sup>147</sup> It culminates at the sanctuary, but starts at the Israelite home and includes the whole process of pilgrimage.<sup>148</sup> Even better, the cultic legislation is one of the implications of having YHWH dwelling among Israel,<sup>149</sup> which includes the possibility of encounter with the divine presence and the dangers of this presence for humans. I contend that כפר, therefore, implies a process that guarantees a safe encounter between offerer and YHWH, as well as the result of this safe encounter. Of course this affirmation supposes that there is a relation of identification between the offerer and the offering, which is important to explain.

The domestication of animals, and all that it implies, is relevant here.<sup>150</sup> The physical—caring, feeding, protecting, guiding, selecting for breeding—and psychological—derived from the physical effort, but also by means of the emotional attachment that a small farmer might develop by living in close proximity with his or her animals, even under the same roof<sup>151</sup>—energy necessary for raising them is important for considering the offerer's experience in the cultic rituals.<sup>152</sup> When, therefore, the portion of the animal is "consumed" by the altar's fire as a manifestation of the divine presence, the offerer's life is being "consumed" as well; when the portion of the animal "ascends" in the form of smoke to the heavenly realm,<sup>153</sup> the offerer's life also "ascends" to the heavenly realm. And this, given the concrete and even material identification between the animal and the of-

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<sup>146</sup> Every offering is called by that term at some point (Lev 1:2, 3, 10, 14; 2:1, 4, 7, 12; 3:1, 7, 12, 14; 4:23, 28, 32; 5:11; 7:13, 14, 16, 38b). See Eberhart, "Neglected Feature," 491.

<sup>147</sup> Morales, *Who Shall Ascend the Mountain of the Lord?*, 124.

<sup>148</sup> Eberhart, "To Atone or Not To Atone," 218.

<sup>149</sup> Cf. Alfred Marx, "The Theology of the Sacrifice According to Leviticus 1–7," in Rolf Rendtorff and Robert A. Kugler (eds.), *The Book of Leviticus: Composition and Reception* (Leiden: Brill, 2003), 105–6.

<sup>150</sup> I will not be able to elaborate much on this here, but there is much to explore in Jonathan Z. Smith's article about the relation between sacrifices and animal domestication. See "The Domestication of Sacrifice," in Jeffrey Carter (ed.), *Understanding Religious Sacrifice: A Reader* (London: T&T Clark, 2003), 325–41.

<sup>151</sup> If the reader thinks I am romanticizing the farmer-animal relation here, even from a modern perspective derived from a "pet" culture, please consider the illustration offered in Nathan's parable in 2 Samuel 12:1–4. Although a parable, for Nathan to get his message across he had to have developed it with language and imagery that would be understood as reasonable by his audience. Therefore, the parable only makes sense if the farmer-animal emotional attachment was built on common experiences in ancient Israelite culture.

<sup>152</sup> See Klawans, *Purity, Sacrifice and the Temple*, 58–62.

<sup>153</sup> See Eberhart, "To Atone or Not To Atone," 218.

ferer, is no mere symbolism, it is an existential experience derived from an embodied and concrete reality.<sup>154</sup> In light of this identification, which also depends on the rite of the “hand placement” (סמך יד),<sup>155</sup> the basic attitude of the offerer that leads to this experience of being in contact with the divine presence is self-surrender.<sup>156</sup> And the surrender of the offerer’s life, by offering an animal that represents a great deal of his or her own

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<sup>154</sup> This is what anthropologist Nancy Jay calls “index.” She applies Charles Peirce’s classification of signs as symbol, icon, and index to the analysis of sacrificial systems. The representation of its object in each relation will be quite different, as it will be the meaning derived from them. Symbol is related to its object by convention; an icon exhibits its object; an index is in existential relation to its object. She says that “sacrificial victims may symbolize different things, but on the index level, eating a sacrificial victim creates an existential relation with the victim.” See Nancy Jay, *Throughout Your Generations Forever: Sacrifice, Religion, and Paternity* (Chicago: University of Chicago Press, 1992), 6–7. The indexical signs here would be the animal representing the life energy of the offerer, and the whole sanctuary modeled as YHWH’s house, the whole ritual as one of approaching the deity’s indwelling, therefore, the divine presence, and more specifically the altar’s fire as an index of the divine presence.

<sup>155</sup> This rite, of course, is a matter of great debate in scholarship. It has been interpreted in five basic categories: devotion to the deity, transfer of sin, identification or substitution, designation, and attribution (see David Calabro, “A Reexamination of the Ancient Israelite Gesture of Hand Placement,” in Henrietta L. Wiley and Christian A. Eberhart (eds.), *Sacrifice, Cult, and Atonement in Early Judaism and Christianity: Constituents and Critique* [Atlanta: Society of Biblical Literature, 2017], 116–17). As Calabro argues, these categories are not mutually exclusive (120). His conclusion, however, is that the rite appoints the animal to a specific role or status (123–24). Although I think this is part of the performative element of the rite in its cultic context, I prefer to combine it with identification and attribution (“propriety”), because they are both relevant in the context of animal domestication. Morales relies on identification (*Who Shall Ascend the Mountain of the Lord?*, 129), while David P. Wright is famously known for advancing the attribution perspective (“The Gesture of Hand Placement in the Hebrew Bible and in Hittite Literature,” *JAO* 106.3 [1986], 433–46). Alfred Marx implies the categories of devotion and attribution (“Theology of the Sacrifice,” 113). For an overview of the matter, besides Calabro, see Milgrom, *Leviticus 1–16*, 150–51; Gane, *Cult and Character*, 244–46.

<sup>156</sup> See Morales, *Who Shall Ascend the Mountain of the Lord?*, 129–30. I would qualify Morales’ view here, because he limits this to the rite of slaughtering the animal and calls it a “self-sacrifice,” which is a dangerous concept, given how this is used in modern culture to justify the compulsory death of someone to justify the survival of another, as seen in military rhetoric. See Watts, “The Rhetoric of Sacrifices,” in Christian A. Eberhart (ed.), *Ritual and Metaphor: Sacrifice in the Bible* (Leiden: Brill, 2012), 12–13. For an overview of the identification of the offerer with the animal, see Trevaskis, *Holiness, Ethics and Ritual*, 178–96. I see this as one of the reasons why there is no possibility in the Priestly legislation for the offerer to buy an animal at the sanctuary. This is something that Deuteronomy 14:22–29 not only permits but legislates, and then becomes the standard practice in the later post-exilic period.



life-force,<sup>157</sup> results in the offerer's sanctification by the consumption of the offering by the altar's fire and the priest.

This, of course, might be true about the animal, but this article concerns an offering that does not include an animal. What, then?

We should consider that the type of identification between offerer and animal, based on how much the latter's life is dependent on the input of the former's life-force, finds some similarities in a vegetable offering as well. The vegetable materials used are not plants and fruits caught in the wild, but the products of human interference in nature, demanding expertise and work not only to grow them, but also to process them into edible items.<sup>158</sup> Therefore, in the vegetable offerings we also have a representation of the offerer's life-force offered up to YHWH.<sup>159</sup>

A further argument can be used here if we return to the reason why the מנחה-like חטאת offering is permitted in the first place. As I argued above, it is an economic compromise for those who are too poor to offer a bigger animal, and who has no availability of two small birds. However, if I am right about the identification between offerer and animal, resulting in the meaning of self-surrender, then we have a very interesting case also for the מנחה-like חטאת offering. In the *Babylonian Talmud*, when the same question about the effective potential of the מנחה and the מנחה-like חטאת offerings is raised, it mentions a solution given by Rabbi Yitzḥak. From the textual difference that occurs between Leviticus 1 and 2 concerning who brings the offering (in Lev 1 it is אדם, and in Lev 2 it is נפש), Rabbi Yitzḥak infers: "Whose practice is it to bring a meal offering? It is that of a poor individual; and I will ascribe him credit as if he offered up his life [נפש] in front of Me" (*b. Menahot* 104b). Although the offering of an animal makes it clearer the existential identification between offerer and animal, here we learn that the offering of semolina, because it is from a poor person who gives all he or she has, is also able to point to the action of self-surrender that

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<sup>157</sup> This is very different from an argument based on Lev 17:11 and the association of blood with "life" (נפש). For a convincing critique of the use of Lev 17:11 to explain the cultic use of blood to expiate/atone, see Feder, *Blood Expiation in Hittite and Biblical Ritual*, 196–207. Feder attempts at a historical explanation for the meaning of כפר and concludes that it comes from matters related to the compensation and payment for bloodshed so as to avoid a negative process of retribution, be it by the deity or someone related to the victim, who would function as the blood avenger (*Blood Expiation in Hittite and Biblical Ritual*, 173–93). His case for this origin is quite compelling. But I contend that my interpretation of Lev 5:11–13 poses a serious question to how he applies this origin to P's meaning of כפר in a similar manner (see, for example, p. 196 and 206). Feder's focus on the restitutory act as a means to avoid adverse consequences is definitely correct, but the absence of any mentioning of the effects on the relationship between offender and the deity is faulty.

<sup>158</sup> See Marx, *Les offrandes végétales*, 43–44.

<sup>159</sup> Alfred Marx goes as far as to say that the vegetable offering is also alive, or at least that they have a life cycle (they are born, grow, and die). See Marx, *Les systèmes sacrificiels*, 76.

will result in the encounter with the divine presence with important consequences for the offerer. Such conclusion does not depend on this rabbinic reasoning. Semolina truly represents the basic ingredient, although in a finer form, of ancient Israelite diet. To offer the basic element that nurtures and sustains ancient Israelites would function and mean the surrender of the offerer’s life-force to YHWH.

The process of burning on the altar is especially telling about this encounter and why **כפר** is necessary. In this “consumption” of the altar’s fire, the encounter is deadly. While many interpreters will consider this deadliness as a manifestation of divine wrath over human sinfulness,<sup>160</sup> I propose a different explanation. I agree with Mary Douglas that the priestly legislation is “a philosophy of the universe presented in archaic form.”<sup>161</sup> In this philosophy of the universe the divine holy and glorious presence “consumes” everything and transforms it into something holy, so that it is transferred to the sacred realm.<sup>162</sup> This, of course, creates a problem and the Priestly philosophy of the universe creates a whole system of how divine holiness can be related to everything that is not holy.<sup>163</sup> Therefore, we arrive at concepts of gradation of holiness in the sanctuary and in creation as a whole, priestly mediation, and the counter gradation of impurity and sinfulness, etc.

In the burning of the altar’s fire, therefore, the offerer enters in a safe encounter with YHWH by means of his or her offering,<sup>164</sup> but the result of this encounter is also an essential feature of the **כפר** process. Besides the features we saw concerning the **מנחה** offering of “bonds of communion,” which is also true for the **מנחה**-like **הטאת** offering, we must stress the importance of how this is achieved by means of foodstuff. Especially relevant for the vegetable offerings is the fact that the vegetable products offered represent the most common and basic diet of ancient Israelites. As products of the promised land, given by YHWH as part of his covenant with Israel (Gen 17:8; Lev 14:33–34), they work as an index of Israel’s life, provided by YHWH, in P’s sacrificial system.<sup>165</sup> Because these products are also the result of the offerer’s work, hence they are also an index of the offerer’s life, surrendered to YHWH, as argued above. There is here, therefore, the reinforcement of a covenant or bond that requires mutual beneficial exchange.<sup>166</sup> The sacrificial system in

<sup>160</sup> See, for example, Janzen, *Social Meanings of Sacrifice*, 102, 112; Finlan, *Problems with Atonement*, 18; Levine, *Leviticus*, 7; Sklar, *Leviticus*, 50.

<sup>161</sup> “Atonement in Leviticus,” 128.

<sup>162</sup> Cf. Christian Eberhart, “Sacrifice? Holy Smokes! Reflections on Cult Terminology for Understanding Sacrifice in the Hebrew Bible,” in Christian A. Eberhart (ed.), *Ritual and Metaphor: Sacrifice in the Bible* (Leiden: Brill, 2012), 28–29.

<sup>163</sup> Douglas, “Atonement in Leviticus,” 129. Cf. Antony Cothey, “Ethics and Holiness in the Theology of Leviticus,” *JSOT* 30.2 (2005), 147.

<sup>164</sup> Cf. Eberhart, “Neglected Feature,” 491.

<sup>165</sup> See Marx, *Les systèmes sacrificiels*, 85.

<sup>166</sup> See *ibid.*, 87.

general and the vegetable offerings in particular, including the מנחה-like offering, promote a cycle of life between the cultic community of Israel and YHWH.<sup>167</sup> Life is offered and consumed at the same time.

An important theological message of the burning of the “fatty” portion, or its equivalent of the handful portion of semolina, on the altar is that YHWH’s glorious and holy presence that “consumes” this portion also consecrates the offering, or makes it holy. Milgrom describes this as the defeat of death (impurity) by life (holiness).<sup>168</sup> I highly agree with Milgrom, but would include sin in the realm of death, and I also see an implication for the status of the offerer. The offerer, who is identified with the offering, is also consecrated, or enters in a relation with YHWH that promotes sanctification, or life.<sup>169</sup> A safe encounter with the divine presence that results in holiness, or life, thus could be said to be the final result and purpose of the כפר process. The other effects, like “purgation,” “purification,” “forgiveness,” “bearing of sin,” are all steps leading to this culmination. Therefore, the כפר process, just like the term itself, which is a “hypernym,” includes all the steps leading towards this safe encounter with the divine presence in which its life—giving power that makes everything holy—is not deadly.<sup>170</sup>

Greenberg,<sup>171</sup> in his up-to-date monograph, arrives at a similar conclusion when he is trying to explain the possibility of the כפר process in Leviticus 5:11–13. He says:

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<sup>167</sup> See *ibid.*

<sup>168</sup> *Leviticus 1–16*, 638.

<sup>169</sup> Cf. Morales, *Who Shall Ascend the Mountain of the Lord?*, 139. This might explain many of the conceptualizations in the Priestly theology concerning the purity and impurity system, as well as the כפר process, because life and death become categories attach to that which will cause purity or impurity, and will be able to effect כפר *piel*. That is why Eberhart affirms: “Blood is then seen in analogy to body fluids such as sperm or mother’s milk that appear to contain secret life power” (“To Atone or Not To Atone,” 205).

<sup>170</sup> The deadly encounter would be the result of an encounter without the right “covering,” just as the suet that composes the “fatty” portion has a protective role for the internal organs that are offered. This is one reason, among others, for Douglas’ preference for the rendering of כפר as “covering.” See “Atonement in Leviticus,” 128.

<sup>171</sup> My proposal is similar to Greenberg’s, but different in important matters. Based on his view that there is a close relationship between YHWH and the altar, he concludes that כפר points to a protective connection between offerer and YHWH, which has been broken, avoiding divine punishment (*New Look at Atonement*, 33–34). In my proposal, the danger of the encounter is not related to the sinfulness of the offerer or divine punishment, because on the personal level this has been dealt already by confession, remorse or the passing of time. I agree with Greenberg concerning the relational meaning of כפר, but his proposal is merely personal, excluding any relation between the meaning of כפר and the ritual effect on sancta. The evidence, however, shows that both elements are essential and interconnected. Hence, my proposal for the personal aspect of the כפר process depends on the mediation of the sanctuary, because it is intrinsically related to the divine presence and

... the *ḥattā't* offering repairs the protective connection that was broken with Yhwh as a result of the sin of doing an act that Yhwh has prohibited. The unbroken chain of touch, resulting from the offerer bringing grain to the priest and the placement of the grain by the priest on the altar (5:11–12), yields the same result as a blood and flesh offering. Also, as observed in Exod 30:16, this grain offering creates a memorial (*ʿazkārātā*, 5:12), reflecting a positive connection with Yhwh.<sup>172</sup>

Given this function and meaning of the *כפר* process, I believe the best rendering of the term would be “atonement.” This term is the only one that is able to mark an experience of encounter, of resuming the relationship between offerer and deity, bonding that which is separate, “at-one-ment.”<sup>173</sup> For sure this term is loaded with many meanings that do not really correspond to the ritual function and meaning of *כפר*, due to a long theological history of misuse, but it is still worth adopting it, even if it is by means of a rhetorical device, similar to that used by the Priestly legislator when terming the offerings.<sup>174</sup>

I would like to conclude with two observations. The first is that it is quite surprising that the *חטאת* offering, commonly viewed in more negative terms,<sup>175</sup> because it is related to sin and impurity, is also characterized by an opportunity of encounter with the divine presence.<sup>176</sup> But it seems like all offerings are intended to result in this encounter, this “at-one-ment,” so that the offerer and cultic community, priesthood and sanctuary, are aligned with the divine presence among them, resulting in life. For some offerings, like the *חטאת* and the *אשם*, there are some other requisites and steps to go about for this encounter, but the end result for all offerings should be the encounter, communion bonding, and alignment with the glorious and holy divine presence as a means of life. Second, and related to this, is that the use of the *מנחה* offering for this exact purpose of encounter and

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the identity of the cultic community.

<sup>172</sup> *New Look at Atonement*, 42.

<sup>173</sup> Cf. Eberhart, “Neglected Feature,” 487. The term was coined in 1526 by William Tyndale (see Watts, *Leviticus 1–10*, 345). For some insightful information concerning ritual interpretation and translation options, see Feder, *Blood Expiation in Hittite and Biblical Ritual*, 253–60. My option for atonement, which is an option that focuses on the relationship between humans and divinity, is not in contradiction to the ritual mechanics and logic concerning sancta, as implied in Feder’s argument (*Blood Expiation in Hittite and Biblical Ritual*, 256–57). This apparent dichotomy disappears when we consider the sanctuary and its paraphernalia as means of encounter between the cultic community and the deity, as I showed above.

<sup>174</sup> See Watts, *Leviticus 1–10*, 302, 333; Watts, *Ritual and Rhetoric*, 87, 89, 91, 95. Cf. Michael B. Hundley, *Keeping Heaven on Earth: Safeguarding the Divine Presence in the Priestly Tabernacle* (Tübingen: Mohr Siebeck, 2011), 191.

<sup>175</sup> See Marx, “Theology of the Sacrifice,” 111.

<sup>176</sup> Cf. Gilders, *Blood Ritual*, 116, 124.

alignment, just as the **עלה** offering,<sup>177</sup> shows an independence from animal slaughter and blood manipulation. And now I have articulated that the same can be said of the **מנחה**-like **חטאת** as well.

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<sup>177</sup> Cf. Marx, “Theology of the Sacrifice,” 114.