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FORM, CONTENT, AND MEANING IN LEV 24:10–23: A DIACHRONIC ANALYSIS

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The narrative of the blasphemer in Lev 24:10–23 is among five narratives within the Priestly text (P/H)[1] that share a common structure: an inquiry or problem is presented to Moses, who initially lacks an answer.[2] Moses subsequently seeks counsel from

[1] The narrative in Lev 24:10–23 is the second story in the book, following the account of Nadav and Abihu's in Lev 8–10, which similarly involves a sin leading to death. In this context, it is worth noting the threefold structure of the Tabernacle: Outer court (Israel), the Sanctuary (priests), and the holy of holies (high priest)—which, according to *Ramban* (Exod 25:1) parallels the hierarchical divisions at Mount Sinai: the bottom of the mount (the people), the middle of the mount (Aaron, his two sons, and seventy elders), and top of the mount (Moses). Building on this framework, Mary Douglas argued that the book of Leviticus itself is structured in three hierarchical divisions: Lev 1–16, 17–24, and 25–27. In her view, the two narrative episodes in Lev 8–10 and 24 function as structural markers within this tripartite division. The episodes in Lev 8–10 acts as a מסך (a screen) between the first and second sections, while the episode in Lev 24:10–23 serves as a פרכת (a partition) between the second and third sections. See Mary Douglas, *Leviticus as Literature* (Oxford: Oxford University Press, 1999), 219–25. According to her interpretation, this triangular, stepped structure, which progressively narrows, symbolizes a pilgrimage route to a shrine during a period when the temple no longer existed. Along this path, the immigrants also encounter sites that had previously been inaccessible to them—namely, the most sacred places, which only the High Priest or Moses had the privilege of experiencing firsthand.

[2] All these narratives (apart from ours) are found in the Book of Numbers (Num 9:6–15; 15:32–36; 27:1–11). The fifth, often omitted from discussion of the above four, is the account of the tribe of Manasseh approaching Moses following his judgment in the case of the daughters of Zelophehad (Num 36). In Chavel's analysis of these narratives, which he terms "Oracular Novellas," he identifies only four. However, he references Num 36 in connection with the fourth narrative, noting that it "makes a certain amount of sense" to view it as a fifth story (p. 8). He ultimately refrains from including it, considering it a continuation of the previous rather than an independent one. See Simeon Chavel, *Oracular Law and Priestly Historiography in the Torah,* FAT II 71 (Tübingen: Mohr Siebeck, 2014). In contrast, Johnson initially identifies five, rather than four. Johnson divides them into parts, and with each part, he attempts to find a parallel in the legal world of the Ancient Near East. Some of Johnson's comparisons are convincing,

God, who not only offers a solution to the problem but also establishes a new legal provision.[3] The structure of the story is quite straightforward. Two individuals, one Israelite and the other of Israelite-Egyptian origin (an Israelite mother and an Egyptian father), engage in a dispute within the camp. During the dispute, the Israelite-Egyptian man blasphemes the name of God (נקב) and utters curses against Him (קלל). This act (or possibly these acts) results in the man being brought before Moses. He awaits God's decision concerning the appropriate punishment. The response is notably severe: the man is to be taken outside the camp and stoned to death by the community. The narrative concludes with the fulfillment of this verdict. Between the verdict and its execution, there is a legal unit consisting of casuistic laws pertaining to acts of violence between individuals or against another person's property. These laws are framed in a *lex talionis* style, closely resembling the legal formulations found in the Covenant Code (CC) in Exod 21:23–25.

Nevertheless, the straightforward structure of the narrative has numerous linguistic, stylistic, and thematic problems.

1. THE PROBLEMS

1. The narrative opens with a difficult phrasing, characterized by repetition and redundancy. For example, the location of the scene is described as both "within the sons of Israel" and "in the camp." Furthermore, the phrase "son of the Israelite woman" is repeated three times. The reference to the man who curses—"And he (וְהוּא) is the son of an Egyptian man"—also appears syntactically irregular, further contributing to the linguistic irregularity of v. 10.[4]
2. The exact nature of the offense committed by the man is unclear. V. 11 employs two verbs: נקב and קלל.[5] The

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while some only partially align. See Dylan R. Johnson, *Sovereign Authority and the Elaboration of Law in the Bible and the Ancient Near East*, FAT II 122 (Tübingen: Mohr Siebeck, 2020). Scholars have observed that these narratives do not follow a unified sequence. Two of them (Lev 24 and Num 15) address the clarification of a sin committed by an individual (איש), while the other narratives focus on legal clarifications that suddenly arose. See Chavel, ibid., 4–5.

[3] However, the blasphemer's narrative differs in a significant aspect from the others: instead of merely establishing a one law, it includes a comprehensive set of (casuistic) laws presented as an addendum to the narrative (Lev 24:15–22).

[4] See Mark Leuchter, "The Ambiguous Details in the Blasphemer Narrative: Sources and Redaction in Leviticus 24:10–23," *JBL* 130.3 (2011): 431–50, here 443.

[5] Scholars have debated whether the verb וַיִּקֹּב should be understood as נקב (to pierce), נקב (to utter, to invoke), or קבב (to curse). Presently there is consensus that the correct root is נקב (to utter, to invoke), as it is the only one that usually aligns with שֵׁם (name). See Henry T. C. Sun, "An Investigation into the Compositional integrity of the so-called Holiness Code (Leviticus 17–26)" (PhD diss., The

relationship between them raises questions: is this a single offense related solely to the act of cursing God, or do the verbs indicate two distinct prohibited actions? The majority of ancient Jewish commentators maintain that this passage pertains to two separate transgressions, with the first being the utterance of God's name, the Tetragrammaton (יהוה), and the second being cursing God.[6] Among scholars, at least six different interpretations have been proposed to explain the meaning of these two verbs. Kamionkowski outlines six options: (a) He blasphemed the Name and cursed the Israelite; (b) He blasphemed the Name and then cursed the Name; (c) He invoked the Name to curse the Name; (d) He disdainfully pronounced the Name; (e) He invoked the Name, thereby dishonoring the Name; (f) He invoked the Name improperly, thereby dishonoring the Name.[7]

3. If we accept the interpretation that two distinct offenses are being committed—נקב (uttering God's name) and קלל (cursing God)—it raises the question of why the man is consistently referred to as הַמְקַלֵּל (the one who cursed) throughout the narrative, which only highlights the second offense. One would expect the author to either follow the precedent of the wood-gathering narrative, using a neutral descriptor like איש (man), or to refer to him based on the first offense, such as נקב שם יהוה (the one who uttered God's name).

4. Following the verdict, two verses (15–16) address two separate laws concerning individuals who either utter God's name or curse God. These laws are clearly divided into two distinct parts.

15b					אִישׁ:	אִישׁ
	חֶטְאוֹ	וְנָשָׂא	אֱלֹהָיו		יְקַלֵּל	כִּי
16a	יוּמָת	מוֹת	יְהוָה	שֵׁם	וְנֹקֵב	
16bβ	יוּמָת			שֵׁם	בְּנָקְבוֹ	

The difference between the two separate laws seems

Claremont Graduate School, 1990), 423. For a comprehensive overview of all available options, including insights from recent research, see Johnson, *Sovereign Authority*, 74–80.

[6] See, for example, *Rashi*, *Ibn Ezra*, *Ramban*, *Rashbam*, and many others. *Onkelos* translated: וּפָרֵישׁ (to pronounce).

[7] See S. Tamar Kamionkowski, "Leviticus 24,10–23 in Light of H's Concept of Holiness," in *The Strata of the Priestly Writings: Contemporary Debate and Future Directions*, eds. Sarah Shectman and Joel S. Baden, AThANT 95 (Zurich: Theologischer Verlag, 2009), 73–84, here 76. Hutton outlines the range of options as follows: 1. He did A and then he did B (sequential parallelism); 2. He did A in a B manner (adverbial modification); 3. He did A with the result that B happened (resultative coordination); 4. A happened when he did B (inverse resultative coordination); 5. He did A; that is to say, he did B (synonymous equation). See Rodney R. Hutton, "The Case of the Blasphemer Revisited (Lev. xxiv 10–23)," *VT* 49.4 (1999): 532–41, here 533.

evident. A person who curses God (אלהיו) is said to "bear his sin," meaning that his punishment may not be immediate or perhaps not occur at all.[8] In contrast, one who utters the name of YHWH is sentenced to death by stoning, carried out by the entire community.

Given this, the problem of the man being consistently referred to as הַמְקַלֵּל (the one who cursed) resurfaces. Logically, he should have been labeled according to the more serious offense—נקב שם יהוה (the one who uttered YHWH's name)—rather than being identified with the lesser offense of cursing. This inconsistency becomes even more perplexing when considering v. 14, which stipulates that the man who cursed is to be stoned by the entire community after they lay their hands upon his head. Since cursing alone does not warrant stoning, but only uttering God's name does, this discrepancy complicates our understanding of both the offense and the corresponding punishment.

5. Vv. 17–21 presents a series of casuistic laws based on the *lex talionis* formula, dealing with violence and property damage between individuals. This legal unit raises several questions:

   a) Although the legal unit appears cohesive (and indeed, many scholars have identified a chiastic structure within it, as is discussed below), it presents a mixture of two distinct *lex talionis* formulas. On the one hand, the כאשר formula: כאשר √x כן √x לו/בו (as one x, so shall it be x to him). On the other hand, there is the תחת formula: x תחת x (x for x). This mixture of formulas raises questions about the internal consistency of the unit.

   b) Why is this unit of laws, which deals with interpersonal violence and financial damage, inserted into a narrative about blasphemy and cursing God? The laws seem to shift focus away from the religious offense toward civil matters of compensation and retaliation.

   c) What is the thematic relationship between the blasphemer's punishment and the principle of *lex talionis*? The insertion of these laws may suggest a broader reflection on justice and proportionality, but how this connects to the specific case of blasphemy remains unclear.

   d) While the laws emphasize the principle of direct retribution for physical and property harm, it is curious that the severe punishment of death by stoning for the blasphemer does not seem to fit this framework of

[8] See Baruch J. Schwartz, "The Bearing of Sin in the Priestly Literature," in *Pomegranates and Golden Bells: Studies in Biblical, Jewish, and Near Eastern Ritual, Law, and Literature in Honor of Jacob Milgrom*, eds. David P. Wright, David N. Freedman, and Avi Hurvitz (Winona Lake, IN: Eisenbrauns, 1995), 3–21.

measured retribution. How should we understand the juxtaposition of these laws with the narrative's emphasis on divine justice for religious transgression?[9]

6. The presence of this unit in the Holiness Code (H) prompts further inquiries regarding its purpose, particularly considering those scholars who contend that H is later than P, CC, and Deuteronomy (D) and that the author was likely acquainted with the legal provisions found in other collections that address the prohibition of divine curses and the law of *lex talionis*.[10] Consequently, one must ask: what innovations did the author introduce?
7. Finally, this is the sole story within H. This prompts the question: what compelled the author to begin this unit with a narrative? The associated laws could exist independently without the narrative framework, as the author has done with the other legal provisions included in H.[11]

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[9] The last three questions have prompted many scholars to distinguish between the narrative and the legal elements within the story. However, there is no consensus on the issue of precedence: some argue that the law preceded the story, while others maintain that the story was established prior to the law. See Sun, "An Investigation," 432–38. See also Christophe Nihan, *From Priestly Torah to Pentateuch: A Study in the Composition of the Book of Leviticus*, FAT II 25 (Tübingen: Mohr Siebeck, 2007), 512–14.

[10] There is a consensus today, particularly following Israel Knohl's influential research, that H is later than P. However, there remains ongoing debate regarding the nature of H's relationship to P: whether H seeks to update the laws in P (Knohl); reshape the laws in P, CC and D (Nihan); to serve as a bridge between P and CC and D (Otto); to function as an addition to P (Schwartz); make the rules in CC and D irrelevant (Stackert). See Israel Knohl, *The Sanctuary of Silence: The Priestly Torah and the Holiness School* (Minneapolis: Fortress Press, 1995); Jeffrey Stackert, *Rewriting the Torah: Literary Revision in Deuteronomy and the Holiness Legislation,* FAT 52 (Tübingen: Mohr Siebeck, 2007); Nihan, ibid., 545–58; Eckart Otto, "Das Heiligkeitsgesetz Leviticus 17–26 in der Pentateuchredaktion," in *Altes Testament: Forschung und Wirkung. Festschrift für Henning Graf Reventlow*, eds. Peter Mommer and Winfried Thiel (Frankfurt am Main: Lang, 1994), 65–80; Baruch J. Schwartz, *The Holiness Legislation: Studies in the Priestly Code* (Jerusalem: Magnes, 1999 [Hebrew]), 25, n. 32. For a comprehensive overview and further references on this topic, see Julia Rhyder, *Centralizing the Cult: The Holiness Legislation in Leviticus 17–26*, FAT 134 (Tübingen: Mohr Siebeck, 2019), 25–36.

[11] This question has led many scholars to conclude that the story is a later addition (see the list of scholars in Rhyder, *Centralizing the Cult*, 41, n. 64) and was not originally part of H. Further supporting this view is the story's perplexing placement within a unit dedicated to sacred time, which encompasses the Sabbath, festivals, Temple-related rituals tied to time, as well as the laws of *Shemitah* and Jubilee. Nevertheless, Rhyder argues (based on C. Nihan) that despite its late insertion, the story's current position within the "holy time" section—spanning chapters 23–25—is logical, primarily due to its connection with the

2. COMPOSITION AND AUTHORSHIP

I will start the discussion by examining the composition of this unit. This subject has garnered significant attention from numerous scholars.[12] Central to this discourse is the peculiar connection between the narrative and the law pertaining to blaspheming God's name, as well as a series of casuistic laws of *lex talionis*, which pertain to violence to humans and property. The common thread among all the various opinions is the treatment of the opening narrative as a single cohesive unit. I wish to propose that this unit can be understood as the result of a literary development occurring in (at least) two stages. As will be demonstrated below, the original unit of the narrative is attributed to the Priestly source (P). This unit was extensively revised by the writers of the Priestly circle associated with the Holiness School (HS), leading to a complete transformation of its structure and meaning.

10 וַיֵּצֵא [*בֶּן אִשָּׁה יִשְׂרְאֵלִית וְהוּא בֶּן*] אִישׁ [*מִצְרִי*] בְּתוֹךְ בְּנֵי יִשְׂרָאֵל
[*וַיִּנָּצוּ בַּמַּחֲנֶה בֶּן הַיִּשְׂרְאֵלִית וְאִישׁ הַיִּשְׂרְאֵלִי* 11 *וַיִּקֹּב בֶּן הָאִשָּׁה
הַיִּשְׂרְאֵלִית אֶת הַשֵּׁם*] וַיְקַלֵּל וַיָּבִיאוּ אֹתוֹ אֶל מֹשֶׁה [*וְשֵׁם אִמּוֹ שְׁלֹמִית
בַּת דִּבְרִי לְמַטֵּה דָן*] 12 וַיַּנִּיחֻהוּ בַּמִּשְׁמָר לְפָרֹשׁ לָהֶם עַל פִּי יְהוָה 13
וַיְדַבֵּר יְהוָה אֶל מֹשֶׁה לֵאמֹר 14 הוֹצֵא אֶת הַמְקַלֵּל אֶל מִחוּץ לַמַּחֲנֶה
[*וְסָמְכוּ כָל הַשֹּׁמְעִים אֶת יְדֵיהֶם עַל רֹאשׁוֹ*] וְרָגְמוּ אֹתוֹ כָּל הָעֵדָה 15
וְאֶל בְּנֵי יִשְׂרָאֵל תְּדַבֵּר לֵאמֹר אִישׁ אִישׁ כִּי יְקַלֵּל אֱלֹהָיו [*וְנָשָׂא חֶטְאוֹ*
16 *וְנֹקֵב שֵׁם יְהוָה*] מוֹת יוּמָת רָגוֹם יִרְגְּמוּ בוֹ כָּל הָעֵדָה [*כַּגֵּר כָּאֶזְרָח
בְּנָקְבוֹ שֵׁם יוּמָת* 17 *וְאִישׁ כִּי יַכֶּה כָּל נֶפֶשׁ אָדָם מוֹת יוּמָת* 18 *וּמַכֵּה נֶפֶשׁ
בְּהֵמָה יְשַׁלְּמֶנָּה נֶפֶשׁ תַּחַת נָפֶשׁ* 19 *וְאִישׁ כִּי יִתֵּן מוּם בַּעֲמִיתוֹ כַּאֲשֶׁר עָשָׂה
כֵּן יֵעָשֶׂה לּוֹ* 20 *שֶׁבֶר תַּחַת שֶׁבֶר עַיִן תַּחַת עַיִן שֵׁן תַּחַת שֵׁן כַּאֲשֶׁר יִתֵּן מוּם
בָּאָדָם כֵּן יִנָּתֶן בּוֹ* 21 *וּמַכֵּה בְהֵמָה יְשַׁלְּמֶנָּה וּמַכֵּה אָדָם יוּמָת* 22 *מִשְׁפַּט
אֶחָד יִהְיֶה לָכֶם כַּגֵּר כָּאֶזְרָח יִהְיֶה כִּי אֲנִי יְהוָה אֱלֹהֵיכֶם*] 23 וַיְדַבֵּר מֹשֶׁה
אֶל בְּנֵי יִשְׂרָאֵל וַיּוֹצִיאוּ אֶת הַמְקַלֵּל אֶל מִחוּץ לַמַּחֲנֶה וַיִּרְגְּמוּ אֹתוֹ
אָבֶן וּבְנֵי יִשְׂרָאֵל עָשׂוּ כַּאֲשֶׁר צִוָּה יְהוָה אֶת מֹשֶׁה.

The presumable P layer contains a concise narrative about a man who cursed God in the presence of the Israelites.[13] Those who heard the curse brought the man to Moses. After seeking divine guidance, Moses received a directive to execute the man by stoning. Following this, a general decree was issued regarding the judgment of anyone who curses God. This layer concludes with the fulfillment of the verdict, as the man is taken outside the camp and stoned by all the people.

Sabbath. This is because, beyond the Temple precincts, the Israelites can desecrate God's name and the Sabbath. See, Rhyder, ibid., 40–42.

[12] See the review in Sun, "An Investigation," 432–38; Nihan, *From Priestly Torah*, 512–14 and the literature cited within the notes.

[13] This layer indeed contains Priestly language. See Alfred Cholewiński, *Heiligkeitsgesetz und Deuteronomium: Eine vergleichende Studie*, AnBib 66 (Rome: Biblical Institute Press, 1976), 97–98. While Cholewiński argues that the entire unit primarily belongs to P, he notes exceptions (such as the term עמית), which are not necessarily characteristic of the language of H.

Some evidence supporting the structure of the early Priestly unit can be found through its comparison with the corresponding unit in Num 15:32–36, which reveals a striking similarity, with only minor variations.

Lev 24:10–23 (P's layer)	Num 15:32–36
וַיֵּצֵא *אִישׁ* בְּתוֹךְ בְּנֵי יִשְׂרָאֵל	וַיִּמְצְאוּ *אִישׁ*
וַיְקַלֵּל	*מְקֹשֵׁשׁ* עֵצִים בְּיוֹם הַשַּׁבָּת
וַיָּבִיאוּ *אֹתוֹ אֶל מֹשֶׁה*	וַיַּקְרִיבוּ *אֹתוֹ* הַמֹּצְאִים אֹתוֹ
	מְקֹשֵׁשׁ עֵצִים *אֶל מֹשֶׁה*
וַיַּנִּיחֻהוּ בַּמִּשְׁמָר לִפְרֹשׁ לָהֶם עַל	*וַיַּנִּיחוּ אֹתוֹ בַּמִּשְׁמָר כִּי לֹא פֹרַשׁ*
פִּי יְהוָה	מַה יֵּעָשֶׂה לוֹ
וַיְדַבֵּר *יְהוָה אֶל מֹשֶׁה* לֵאמֹר	וַיֹּאמֶר *יְהוָה אֶל מֹשֶׁה* מוֹת יוּמַת
הוֹצֵא אֶת הַמְקַלֵּל	הָאִישׁ
אֶל מִחוּץ לַמַּחֲנֶה וְרָגְמוּ אֹתוֹ כָּל	*רָגוֹם אֹתוֹ* בָאֶבֶנִים *כָּל הָעֵדָה*
הָעֵדָה	*מִחוּץ לַמַּחֲנֶה*
וְאֶל בְּנֵי יִשְׂרָאֵל תְּדַבֵּר לֵאמֹר	
אִישׁ אִישׁ כִּי יְקַלֵּל אֱלֹהָיו מוֹת	
יוּמָת רָגוֹם יִרְגְּמוּ בוֹ כָּל הָעֵדָה	
וַיְדַבֵּר מֹשֶׁה אֶל בְּנֵי יִשְׂרָאֵל	
וַיּוֹצִיאוּ אֶת הַמְקַלֵּל	*וַיֹּצִיאוּ* אֹתוֹ כָּל הָעֵדָה
אֶל מִחוּץ לַמַּחֲנֶה וַיִּרְגְּמוּ אֹתוֹ	*אֶל מִחוּץ לַמַּחֲנֶה וַיִּרְגְּמוּ אֹתוֹ*
אָבֶן	*בָּאֲבָנִים* וַיָּמֹת
וּבְנֵי יִשְׂרָאֵל עָשׂוּ *כַּאֲשֶׁר צִוָּה*	*כַּאֲשֶׁר צִוָּה יְהוָה אֶת מֹשֶׁה*
יְהוָה אֶת מֹשֶׁה	

Both accounts revolve around an unidentified man (**איש**) who committed a singular offense for which Moses was initially unaware of the appropriate punishment.[14] In both cases, the man awaited God's judgment, which ultimately prescribed the punishment of stoning. Additionally, both stories describe the execution of the sentence outside the camp. The sole difference is that Lev 24 includes an additional commandment intended for future generations.[15]

The P layer addresses several of the issues previously raised. For instance, it resolves the linguistic and repetition concerns in v. 10. Additionally, it clarifies the consistent reference to the man as הַמְקַלֵּל, as this is the sole transgression attributed to him within this layer.[16] Moreover, the act of the crowd placing their hands on the curser's head does not belong to the original layer,

[14] The verb וַיְקַלֵּל lacks a direct object, unlike in v.15, where it states, יְקַלֵּל אֱלֹהָיו. However, on two occasions within the narrative, he is referred to as הַמְקַלֵּל also without a specified direct object. See Johnson, *Sovereign Authority*, 79, n. 27.

[15] See Meike Röhrig, "Gesetz und Erzählung in Num 15: Redaktionsgeschichtliche Überlegungen zum Sabbatsünder (Num 15,32–36)," *ZAW* 131.3 (2019): 407–21, here 413–17. She asserts that the text from Lev 24 predates the one from Num 15, despite the additions in Lev that are often interpreted as evidence of its secondary nature. However, based on my proposition that the original text was more concise, her argument is no longer tenable, leaving the question of which text is the earlier of the two.

[16] See also Jacob Weingreen, "The Case of the Blasphemer (Leviticus XXIV 10 ff.)," *VT* 22.1 (1972): 118–23, here 121.

which explains the omission of this act during the execution of the sentence (23). The key point that emerges from this unit is the imposition of the death penalty by stoning an individual who curses God.

The HS rewrote this unit in a manner that transformed both the story and the associated law beyond recognition.[17] Cursing God (אלהים) has become a secondary prohibition, with a relatively light punishment described as "bearing his sin,"[18] while the severe prohibition now pertains to the utterance of the name of God, the Tetragrammaton (יהוה), which warrants stoning. This interpretation effectively clarifies the two prohibitions presented in vv. 15–16.[19] The curse of God, which in the P source is punishable by stoning—has been redefined so that punishment is now limited to those who invoke the Tetragrammaton inappropriately.[20] This distinction negates the necessity of linking the

[17] If we accept this proposition, it seems prudent to question Nihan's (*From Priestly Torah*, 514) definitive assertion: "the story of v. 10–14, 23 and the divine instruction in v. 15–22 are so closely tied that it is entirely arbitrary to dissociate them."

[18] See Schwartz, "Bearing of Sin," 8–10.

[19] Chavel (*Oracular Law*, 64) contends that the two verbs essentially denote the same act: influencing one's surroundings through speech directed toward the divine realm in negative tones, connotations, or implications with notable potency. He explains their alternation as the result of an artistic interplay between the reapplication of an older apodictic law (Exod 22:27) and a distinct Priestly theological innovation. Regarding the distinction between cursing the deity and uttering His name in vv. 15–16, Chavel (ibid.) contends that "there is no difference between cursing the deity and exclaiming His name; anyone who commits such an act bears guilt and should be subjected to capital punishment." However, in my view, the disparity between the concept of bearing guilt and the sentence of death precludes such a harmonious interpretation.

[20] I chose to interpret the verb ויקב in this manner, despite the considerable ambiguity surrounding its meaning in research. A survey of its usage in the Bible (Gen 30:28; Num 1:17; Isa 62:2; Amos 6:1; Ezra 8:20; 1 Chr 12:32; 16:41 vs. Num 23:8, 25; Job 3:8) reveals an inclination toward the interpretation by most Jewish biblical commentators—namely, that the verb refers to the utterance of God's name. See also John B. Gabel and Charles B. Wheeler, "The Redactor's Hand in the Blasphemy Pericope of Leviticus xxiv," *VT* 30.2 (1980): 227–29. I included the phrase "inappropriately" based on the assumption that the invocation of God's name occurred within the context of a quarrel, where His name was misused. This misuse may have taken one of two forms: either the individual invoked God's name to gain an advantage in the dispute, or he did so to mock the Israelite opponent, ridiculing his inability to prevail despite being a full Israelite, born to an Israelite father and mother. Compare to Kamionkowski's ("Leviticus 24,10–23," 80) proposition: "I conclude that a נקב is neither a simple utterance of the Name nor a curse, but rather some sort of penetration into the divine-human nexus akin to an unwelcome entry in the Holy of Holies." Nevertheless, her statement offers limited clarity regarding the exact nature of this penetration. She seems to recognize that it takes place after the invocation of God's name, which, in some manner, reduces the reverence toward Him.

curse to the quarreling.[21] The curse of God does not inherently result from a quarrel (as is also evident in Exod 22:27; 1 Kgs 21:10; Isa 8:21; Job 3:8). The invocation of God's name, however, takes place within the context of the quarrel and can be interpreted in two ways: either the half-Egyptian man sought to invoke the God of Israel as a means of gaining an advantage over the Israelite man, or he intended to mockingly invoke God's name, suggesting that God had failed to assist the Israelite man in his dispute.

The HS's revised version introduced an element that was not originally present in the earlier P text: before the stoning, the audience who heard the blasphemy places their hands on the man's head. This act (as opposed to that of the priests) is a rare practice in priestly traditions, suggesting that something of the sin clung to those who heard, even if involuntarily. Consequently, they must transfer this sin to the man, similar to the practice in P where the priest or the owner of the sacrifice lays hands on the head of the offering (for example, Lev 1:4; 3:2; 13; 4:4). This revision aligns well with the philosophy of H, which sought to broaden participation in worship beyond just the priests, involving the community. Additionally, the HS sought to expand the prohibition against desecrating the name of God to include individuals who were not fully Israelite, thereby encompassing גרים (16b, 22). To this end, it explicitly stated at the outset of the narrative that the offending individual was of mixed heritage—Israelite through his mother but Egyptian through his father.

However, the most significant contribution of the HS is undoubtedly the series of casuistic laws articulated within the legal principle of *lex talionis* (17–21). Here, it is necessary to first provide a brief introduction to the modus operandi of the HS when they set out to enact new laws. They formulate these laws based on analogous legal traditions from other sources, such as P, D, or the CC. The dependence of H on P is widely accepted among scholars and does not require extensive discussion.[22] However, there is some disagreement regarding the relationship between

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[21] In one of the Assyrian texts (Middle Assyrian Palace Decrees, §10) cited by Johnson (*Sovereign Authority*, 85–86) an incident is described in which two women quarreled (*ina ṣalti*), and during the dispute, one of them invoked (*ana masikte*) the name of a deity. The choice of this specific term (*ana masikte*), as opposed to *šuma zakāru*, is a matter of debate. Chavel (*Oracular Law*, 76) argues that it reflects the woman's deliberate intention, whereas Johnson (ibid., 87) contends that the context of the quarrel suggests minimal intentionality. Within the biblical text, Chavel's interpretation appears more convincing, as the severity of the punishment implies a deliberate and calculated invoking, intended to directly address the quarrel or its ramifications.

[22] See Christophe Nihan, "The Holiness Code between D and P: Some Comments on the Function and Significance of Leviticus 17–26 in the Composition of the Torah," in *Das Deuteronomium zwischen Pentateuch und Deuteronomistischem Geschichtswerk*, eds. Eckart Otto and Reinhard Achenbach, FRLANT 206 (Göttingen: Vandenhoeck & Ruprecht, 2004), 81–122.

H and D or the CC. Some scholars argue that H primarily draws from CC.[23] In contrast, others maintain that H relies heavily on D. Some propose that an analysis of the language in the overlapping laws between H and D, as well as the CC, not only indicates H's reliance on D and the CC but also reveals a more profound interaction: H restructured the materials in both D and the CC to create a "super law." Jeffrey Stackert has commented on this phenomenon, stating that:

> [the] Holiness Legislation, through its simultaneous revision of existing Priestly law on the one hand and the Covenant Collection and Deuteronomy on the other, creates a thoroughly "learned" composition, a sort of "super law" that collects and distills the several law collections (CC, D, P) that precede it. By accommodating, reformulating, and incorporating various viewpoints from these sources, the Holiness authors create a work that is intended to supersede them all.[24]

We will now return to the additions made by the HS in our story. Regarding the root **נצה**, the HS adopted this verb from D (Deut 25:11) and, more specifically, from the CC (Exod 21:22), where *lex talionis* laws directly follow the root **נצה**.[25] It can be assumed that P was unfamiliar with this verb, and, likely, the concept of *lex talionis* was also unfamiliar to him. The sole apparent instance in P that might suggest a *lex talionis* formula is found in Gen 9:6: "Whoever sheds the blood of a human, by a human shall their blood be shed." However, as Amar has recently argued, this post-flood unit (Gen 9:1–7) is not attributable to P but rather to the HS.[26] In both cases where the root **נצה** appears in D and CC, it pertains to a conflict between two men and a woman. In the narrative from CC, the focus is on a pregnant woman who suffers a miscarriage during the altercation after one of the men accidentally strikes her stomach. In the account in D, the story involves the wife of one of the combatants, who intervenes by grabbing the other man's genitals to assist her husband. Both cases, therefore, address situations where a conflict results in wrongful actions. In our narrative, this principle is extended to the case of desecrating God's name. Here, the third party in the conflict is God, whose name is blasphemed during the quarrel between the two individuals.[27]

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[23] See Jonathan Vroom, "Recasting Mišpaṭîm: Legal Innovation in Leviticus 24:10–23," *JBL* 131.1 (2012): 27–44, here 41.

[24] Jeffrey Stackert, *Rewriting the Torah*, 224–25.

[25] See Bernard S. Jackson, *Studies in the Semiotics of Biblical Law*, JSOTSup 314 (Sheffield: Sheffield Academic, 2000), 292–93.

[26] See Itzhak Amar, "Genesis 9:1–7: P, H or D?", *ZAW* 136.4 (2024): 505–23.

[27] As Johnson (*Sovereign Authority*, 94–96) has demonstrated, a quarrel was a common backdrop in Ancient Near Eastern writings in which various types of offenses could occur. Struggle serves as a mitigating factor in the sanctions for offenses committed during a fight, unless the harm caused is particularly severe, in which case special circumstances may apply.

However, despite the linguistic link between Lev 24 and CC, a crucial difference emerges: in CC, the quarrel (21:22) serves as the backdrop for creating the *lex talionis* laws in 21:23-25, whereas in Lev 24, the connection seems far more tenuous. Because of this, Johnson and other scholars have argued that the *lex talionis* laws in Lev 24:17–21 are undoubtedly a secondary addition.[28] Conversely, the quarrel and the blasphemy of God are integral to the original layer of the story. This distinction is a critical point, highlighting the complexities inherent in this narrative, as discussed earlier. However, an analysis of the methods employed by the HS reveals that their revision of biblical laws, such as those in the CC or D, was not merely a duplication but rather a reformulation based on their understanding. This approach often diverged from the original intent of the laws, reflecting the HS's unique interpretive and theological priorities. Therefore, it is unnecessary to assert that these laws are secondary to the laws of blasphemy. It is entirely plausible that the connection between these two sets of laws was deliberate and served a specific purpose, as will be further elaborated below.

The collection of laws addressing the prohibition of blaspheming and the laws of the *lex talionis* in various contexts (the majority of which arise from disputes between individuals) were therefore added concurrently with the modifications to the opening story. It is important to note that these additions (16b–22) form a chiastic structure, which can be outlined as follows[29]:

A כַּגֵּר כְּאֶזְרָח בְּנָקְבוֹ שֵׁם יוּמָת

B וְאִישׁ כִּי יַכֶּה כָּל נֶפֶשׁ אָדָם מוֹת יוּמָת

C וּמַכֵּה נֶפֶשׁ בְּהֵמָה יְשַׁלְּמֶנָּה נֶפֶשׁ תַּחַת נָפֶשׁ

D וְאִישׁ כִּי יִתֵּן מוּם בַּעֲמִיתוֹ כַּאֲשֶׁר עָשָׂה כֵּן יֵעָשֶׂה לּוֹ

E שֶׁבֶר תַּחַת שֶׁבֶר עַיִן תַּחַת עַיִן שֵׁן תַּחַת שֵׁן

D' כַּאֲשֶׁר יִתֵּן מוּם בָּאָדָם כֵּן יִנָּתֶן בּוֹ

C' וּמַכֵּה בְהֵמָה יְשַׁלְּמֶנָּה

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[28] See Johnson, ibid., 136.

[29] See Jackson, *Semiotics of Biblical Law*, 292. According to Jackson, the chiastic structure of the *lex talionis* laws in Lev 24:10–23 indicates that the text underwent literary revision, as the law was primarily formulated through oral tradition (see also his discussion in pp. 215–25). See also Nihan, *From Priestly Torah*, 513, n. 457. In his view, the chiastic structure leaves little room for flexibility in analyzing the composition of this unit. While I concur with this assessment, I contend that the chiastic structure represents a later editorial layer. Further efforts have been undertaken to incorporate additional verses into this framework (see, e.g., Timothy M. Willis, "Blasphemy, Talion, and Chiasmus: The Marriage of Form and Content in Lev 24,13–23," *Bib* 90.1 [2009]: 68–74, here 69; Chavel, *Oracular Law*, 26–27). However, in my view, expanding the chiastic structure introduces a noticeable asymmetry (for instance, in elements D and F in Willis's proposition), undermining the perception that Lev 24:13–23 is cohesively constructed around a chiastic structure.

B' וּמַכֵּה אָדָם יוּמָת

A' מִשְׁפַּט אֶחָד יִהְיֶה לָכֶם כַּגֵּר כָּאֶזְרָח יִהְיֶה כִּי אֲנִי יְהוָה אֱלֹהֵיכֶם

At the center lies the *lex talionis* formula (**תחת**), which, as mentioned, is also found in the CC (Exod 21:23–25). However, as noted above, difficulty arises from the author's use of two distinct *lex talionis* formulations:

1. **תחת**—x for x.

2. **כאשר**—as one x, so shall it be x to him.

In our case the HS follow their characteristic *modus operandi*: on the one hand, they favored the use of the formula **תחת** from the CC rather than its equivalent in D, which replaces **תחת** with the letter **ב** (נֶפֶשׁ בְּנֶפֶשׁ עַיִן בְּעַיִן שֵׁן בְּשֵׁן יָד בְּיָד רֶגֶל בְּרָגֶל). On the other hand, they adopted the **כאשר** formula from D.[30]

CC	Lev 24	D
Exod 21:23–25		
נֶפֶשׁ *תַּחַת* נָפֶשׁ	• נֶפֶשׁ *תַּחַת*	• נֶפֶשׁ בְּנֶפֶשׁ עַיִן בְּעַיִן
עַיִן *תַּחַת* עַיִן שֵׁן	נֶפֶשׁ שֹבֵר	שֵׁן בְּשֵׁן יָד בְּיָד רֶגֶל
תַּחַת שֵׁן יָד *תַּחַת*	*תַּחַת* שֶׁבֶר עַיִן	בְּרָגֶל (19:21)
יָד רֶגֶל *תַּחַת* רָגֶל	*תַּחַת* עַיִן שֵׁן	• *וְעָשִׂיתֶם לוֹ כַּאֲשֶׁר*
כְּוִיָּה *תַּחַת* כְּוִיָּה	*תַּחַת* שֵׁן	*זָמַם לַעֲשׂוֹת*
פֶּצַע *תַּחַת* פָּצַע	• *כַּאֲשֶׁר עָשָׂה* כֵּן	← לְאָחִיו (19:19)
חַבּוּרָה *תַּחַת*	*יֵעָשֶׂה לּוֹ*	
חַבּוּרָה		

In his seminal study on the biblical law, Bernard Jackson sought to demonstrate that the *lex talionis* laws underwent a developmental process, evolving from oral traditions to their eventual codification in written form. According to Jackson, two distinct oral formulas of *lex talionis* played a role in this process. The first is the **תחת** formula, in which repetition serves as a key mechanism for transmitting oral traditions. The second is the **כאשר** formula. These formulas were widely used in oral traditions, each serving a distinct legal function. The **כאשר** formula represents qualitative retribution, often characterized by an unrestricted or disproportionate response to the initial harm. Jackson, for example, cites the story of Samson and his destruction of the Philistine fields. Samson justifies his actions by declaring, "As they did to me, so I did to them" (Judg 15:11; cf. Judg 1:4–7). However, it is evident that his statement does not imply a

[30] See Andreas Ruwe, *"Heiligkeitsgesetz" und "Priesterschrift": Literaturgeschichtliche und rechtssystematische Untersuchungen zu Leviticus 17,1–26,2*, FAT 26 (Tübingen: Mohr Siebeck, 1999), 334. According to Jackson (*Semiotics of Biblical Law*, 289–90), the exchange carries far greater significance than it may initially appear, as the letter **ב** denotes a form of punishment that must be visibly manifested on the body of the offender. But "the stress is laid upon the effects on the observer. They will continually be reminded of the offence, both of its iniquity and of the consequences of performing it." Such an interpretation, of course, precludes the possibility of substituting the physical injury with monetary compensation (**כופר**).

quantitatively equivalent retribution; rather, his response far exceeds the initial harm inflicted upon him by the Philistines. In contrast, the תחת formula conveys proportional-quantitative retribution, ensuring that the damage inflicted is compensated by an equivalent loss, whether financial or physical, suffered by the perpetrator.[31] In this manner, HS ensures that all three potential outcomes presented in Lev 24 are addressed: death (for killing a person), monetary compensation (for killing an animal), and proportional retribution (for injuring a person).

Now that we have outlined the *modus operandi* of the HS writers and their additions to the earlier P unit, the question arises: can we explain the seemingly tenuous connection between the desecration of God's name and the series of casuistic laws in the form of *lex talionis*? This seemingly tenuous connection provided some answers in research. According to Mary Douglas, insults or curses towards God are comparable to acts of violence against a friend or animal, and thus, the punishment is appropriately severe: stoning.[32] Milgrom argues that harming another person distorts the divine image, and in the view of the priestly legislator, this constitutes harm against God Himself, just as cursing damages God's honor.[33] Similarly, Nihan suggests that this legal unit bears a resemblance to the priestly passage immediately following the Flood, which also upholds the principle of *lex talionis*: "Whoever sheds the blood of man, by man shall his blood be shed" (Gen 9:6). These principles from the priestly epilogue of the Flood narrative, when compared to the priestly account of creation, in which humanity is made in God's image, lead him the conclusion that honoring God begins foremost with respecting His creation—humanity and animals alike.[34] Vroom proposes that the connection between these two legal systems was intended to transform the *lex talionis* principle in CC, which carries a distinct national-Israelite character, into a universal law ap-

[31] See Jackson, *Semiotics of Biblical Law*, 271–79. According to Jackson, the case of the blasphemer in the Priestly source presents an intermediate scenario not found in the parallel laws of the CC nor D. In those texts, two extremes of criminal acts are depicted: either a premeditated killing (Exod 21:14) or an unintentional act (Deut 19:4). In contrast, "it is only when we reach the priestly account that we find regulation of intentional but unpremeditated killing" (287). Furthermore, within the Priestly legislation, punishment became formalized, either ascribed to the priests or to Moses himself, diverging from earlier legal norms that involved local, natural retribution by the community for offenses. This represents another phase in the codification of law, transitioning from oral tradition to written legal statutes.

[32] Douglas, *Leviticus as Literature*, 207.

[33] Jacob Milgrom, *Leviticus 23–27: A New Translation with Introduction and Commentary*, AB 3B (New York: Doubleday, 2001), 2132–33.

[34] Nihan, *From Priestly Torah*, 516–18. Chavel (*Oracular Law*, 74–75) offered a similar explanation. In his view, the connection between these two sets of laws—cursing God on the one hand and harming a person on the other—is reflected in the shared imposition of the death penalty. This equivalence underscores the idea that harming God is comparable to harming a person, who is, after all, a creation of God.

plicable to all people, including foreigners. The HS's transformation of this law reflects their understanding of the land's sanctity: anyone residing within it has the potential to defile it, and thus, the laws apply equally to all inhabitants. The association between the desecration of God's name and the potential desecration of the land through acts of violence is encapsulated in the phrase כַּגֵּר כָּאֶזְרָח.[35] Leuchter situates the socio-historical context of the HS as key to understanding this connection. The destruction and exile dealt a significant blow to God's reputation and status as the protector of the people, the land, and the temple. The prohibition against cursing God emerges as a countermeasure to this degradation of His name. Disrespecting God's name became a grave offense warranting the death penalty precisely because the destruction provided the conditions, and perhaps the justification, for such curses. The connection to *lex talionis* laws, in this instance, serves to restore God's honor by affirming that after the destruction and exile, these laws are now synonymous with the elevation of God's honor. Observance of these laws and commandments is thus a recognition of God's greatness.[36]

Apart from Leuchter's view (which I will address later), the other interpretations do not fully resolve the issue of the unclear connection between the desecration of God's name and the principle of *lex talionis*. For instance, in Douglas's analysis, it remains unclear what constitutes blasphemy in invoking God's name, which is an offense punishable by stoning rather than cursing God. Moreover, Nihan's attempt to harmonize this unit with Gen 9:1–7 is problematic, given that, in this Genesis passage (unlike Gen 1:28–30, for example), the treatment of animals worsens, as humanity is now permitted to consume all living creatures. The dominion over animals resembles a form of a 'holy war' (מוֹרַאֲכֶם וְחִתְּכֶם).[37] Vroom's position also presents difficulties: Why did H choose to introduce the *lex talionis* laws from the CC specifically within the context of desecrating God's name, in order to suggest that these laws had evolved from national to universal laws binding upon all who reside in Israel?

I, therefore, argue that it is essential to consider, as Leuchter does, the theology and ideology of H, considering the socio-historical context that influenced the authors in their creation of a new composition utilizing the sources at their disposal. Investigating this ideology can shed light on the underlying motivation behind the creation of these laws, as well as the potential connections between them. I aim to examine this by analyzing two new motifs integrated into the narrative: the desecration of God's name through its utterance (נקב) and the mixed origin of

[35] Vroom, "Recasting Mišpaṭîm," 36–40.

[36] Leuchter, "Ambiguous Details," 448–50.

[37] See Martin Arneth, *Durch Adams Fall ist ganz verderbt…: Studien zur Entstehung der alttestamentlichen Urgeschichte*, FRLANT 217 (Göttingen: Vandenhoeck & Ruprecht, 2007), 73. Furthermore, as previously noted, we have addressed Amar's assertion that this unit is unrelated to P.

the individual who curses, being of both Egyptian and Israelite descent.

3. THE THEOLOGY AND IDEOLOGY OF THE HS

3.1 GOD'S NAME

I will begin my examination in Lev 22:32. This verse contains three distinct declarations, all of which center on the theme of holiness:

1 וְלֹא תְחַלְּלוּ אֶת שֵׁם קָדְשִׁי
2 וְנִקְדַּשְׁתִּי בְּתוֹךְ בְּנֵי יִשְׂרָאֵל
3 אֲנִי יְהוָה מְקַדִּשְׁכֶם

Each of these three statements contains a dual reference: one to God and the other to the people of Israel. Together, they form an interdependent chain of holiness, where each link relies on the preceding one:

1. When God's name is sanctified,
2. He is sanctified among the people of Israel,
3. And the people of Israel are sanctified by God.

Profaning God's name initiates a "domino effect" that diminishes God's holiness, thereby limiting His capacity to be sanctified among the children of Israel. Consequently, the people of Israel themselves cannot attain sanctification.[38] Thus, the holiness of the people of Israel is inextricably tied to the sanctification of God's name. The reference to God's name using the term שם appears frequently in H (although it is essential to differentiate between the direct desecration of God's name and its indirect desecration through various transgressions):

1 וּלְחַלֵּל אֶת שֵׁם קָדְשִׁי (18:3)
2 לֹא תְשָׁבְעוּ בִשְׁמִי לַשָּׁקֶר וְחִלַּלְתָּ אֶת שֵׁם אֱלֹהֶיךָ (19:12)
3 כִּי מִזַּרְעוֹ נָתַן לַמֹּלֶךְ לְמַעַן טַמֵּא אֶת מִקְדָּשִׁי וּלְחַלֵּל אֶת שֵׁם קָדְשִׁי (20:3)
4 וְלֹא תְחַלְּלוּ אֶת שֵׁם קָדְשִׁי (22:32)
5 וַיִּקֹּב בֶּן הָאִשָּׁה הַיִּשְׂרְאֵלִית אֶת הַשֵּׁם (24:11)

All these verses address the blasphemy of God's name.[39] As Schwartz has observed, the desecration of God's name is not

[38] See Kamionkowski, "Leviticus 24,10–23," 75. See also Jacob Milgrom, "The Desecration of YHWH's Name: Its Parameters and Significance," in *Birkat Shalom: Studies in the Bible, Ancient Near Eastern Literature, and Postbiblical Judaism Presented to Shalom M. Paul on the Occasion of his Seventieth Birthday*, eds. Chaim Cohen et al. (Winona Lake, IN: Eisenbrauns, 2008), 69–81. *Contra* Johnson, *Sovereign Authority*, 82.

[39] Chavel (*Oracular Law,* 64) identifies a thematic link between the root נקב (puncturing or creating a hole) and the root חלל, which in Hebrew signifies the same meaning. However, it appears that the connection between these two roots lies in the interpretation of חלל as a desecrating the sacred by rendering it profane (חֻלִּין). As a result, the root חלל is almost invariably accompanied by the root קדש. See, e.g., Exod 31:14; Lev 19:8; 20:3; 21:6, 12, 15, 23; 22:9, 15, 32; Num 18:32.

restricted to specific actions or any single category of sin. Based on Lev 22:31–33, it is implied that observing the commandments is the only way to prevent the profanation of God's name. Consequently, every transgression has the potential to desecrate God's name.[40]

H presents a noteworthy theological development: not only is God's essence recognized as the source of holiness (Lev 19:2), but His name itself possesses such inherent sanctity that it can be offended without the necessity of direct cursing.[41] Most importantly, God's name serves as a vital link between His intrinsic holiness and the potential for the people of Israel to attain sanctification. Honoring God's name is the key to opening the possibility of bringing His holiness into the Israelite community—conversely, any form of disrespect towards God's name results in the obstruction of this holiness process. As noted, from H's perspective, disrespect for God's name does not solely occur through explicit cursing. Although cursing God is explicitly prohibited in earlier biblical sources (for example, Exod 22:27),[42] H innovates by expanding this concept: any transgression has the potential to desecrate God's name. Furthermore, even the improper or irreverent use of God's name constitutes desecration to such an extent that the punishment for this violation is more severe than for someone who explicitly curses God.

I concur with Leuchter's conclusion concerning the factors that drove this process:

> The construction of H during the exile, in fact, best explains a theme not only at the heart of the blasphemer narrative but running throughout the legislation of Leviticus 17–26: the status of the divine name. In the context of the exile, the hypostatic name of YHWH must have lost its majesty in some quarters. This is understandable in view of the close connection between the divine name, the Jerusalem temple, and the royal Davidic house, which had been humiliated by Babylon. However, the H author by no means keeps a distance between his work and the divine name. At almost every turn, the name YHWH is used to legitimize and justify the H legislation. H's rhetoric is predicated on the understanding that YHWH's name is not associated with the fallen Jerusalem temple but is now on and the same as the law itself.[43]

In an effort to cultivate public awareness of theodicy—a theological discourse that aims to vindicate divine actions throughout

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[40] See Schwartz, *Holiness Legislation*, 221.

[41] As noted by Kamionkowski ("Leviticus 24,10–23," 74–76), in H the name of God "exited" the temple precincts, as P repeatedly represents, entering the public sphere of Israel. For a detailed discussion on the conceptual differences between H and P regarding the nature of holiness; see Rhyder, *Centralizing the Cult*, 340–45.

[42] However, in rabbinic literature, the term אלהים in this verse was interpreted to mean judges. This interpretation was also codified as halachic law by the *Rambam* in *Mishneh Torah*, laws of the Sanhedrin, 26:1.

[43] Leuchter, "Ambiguous Details," 449–50.

history, including the exile, the destruction of the Temple, and, most notably, the dire circumstances of Yehud during the post-exilic period—H presents a renewed interpretive framework. This perspective underscores the prohibition against even the pronunciation of God's name. This development highlights a fascinating shift: cursing God, once seen as a grave offense, becomes a secondary prohibition, while the mere utterance of God's name improperly now carries a more severe punishment, culminating in death by stoning. This late prohibition signals the *locus classicus* that led to a further distancing from the pronunciation of God's explicit name, a trend that intensified during the Second Temple period.[44]

3.2 THE EGYPTIAN MAN

As noted, one significant element introduced in the opening narrative by the HS is the man's mixed identity: his father is Egyptian, and his mother is an Israelite from the tribe of Dan. This detail has led the HS to underscore that the laws applicable to an Israelite also extend to the גרים (16b, 22), particularly concerning the sanctity of God's name and the *lex talionis* laws. This raises the question of whether the designation "Egyptian man" carries particular significance. While it is plausible that this attribution is incidental and devoid of deeper meaning, a careful examination of Lev 17–26 suggests that Egypt represents a unique historical source of negative influence, particularly during the period of Israelite enslavement. From H's perspective, there are two endpoints: the land of Egypt, associated with oppression, and the land of Canaan, which the Israelites are destined to reach. The connection between these two endpoints is articulated through a parallel structure in Lev 18:3:

כְּמַעֲשֵׂה אֶרֶץ מִצְרַיִם אֲשֶׁר יְשַׁבְתֶּם בָּהּ	לֹא תַעֲשׂוּ
וּכְמַעֲשֵׂה אֶרֶץ כְּנַעַן אֲשֶׁר אֲנִי מֵבִיא אֶתְכֶם שָׁמָּה	לֹא תַעֲשׂוּ

The lands of Egypt and Canaan each symbolize sources of negative influences; however, the distinction between them lies in

[44] See Gabel and Wheeler, "The Redactor's Hand," 227. In rabbinic literature, there are explicit expressions of the effort to maintain distance from the direct pronunciation of God's name. For instance, on *Yom Kippur*, the High Priest would mention the explicit name of God ten times, and each time the people would fall on their faces (Mishna, Yoma 6:2). Additionally, it is noted that the priests ceased pronouncing the explicit name during the Priestly Blessing in the Temple after the death of Shimon the Righteous, out of fear that an unworthy individual might misuse it (Talmud, Yoma 39b). See also Talmud, Kidushin 71a, where God's name has become further distanced, transitioning from יהוה to אֲדֹנָי. In current practice, this name is also prohibited from being pronounced, and it is deemed sufficient to refer to it simply as השם ("the name"). Alongside the practices in the Temple, which sought to avoid the pronunciation of God's name, there is written evidence that reflects this distancing, such as the Psalms scroll from Qumran (11QPs[a]), where the name "Yahweh" is consistently written in ancient Hebrew script, presumably to remind the reader of the holiness of God's name.

the context of the cautionary message conveyed. The Israelites had already lived in Egypt and were thus influenced by its culture. However, since they had not yet entered Canaan, the admonitions served more as future warnings rather than immediate directives.[45] It is unsurprising that H repeatedly emphasizes the sojourn in Egypt, particularly the exodus (11:45[46]; 19:34, 36; 22:33; 23:43; 2:38, 42, 55; 20:13, 45). Such frequent reiteration within a relatively short section is characteristic only to D. The exodus was imperative because the Israelites, as a nation of enslaved people, were adversely affected by Egyptian culture.[47] Yet, the assertion that Egypt serves as a center of corrupt cultural influence over the Israelites is not explicitly articulated in the Pentateuch. Consequently, one must ask: upon what grounds does the author base this historical insinuation? In this context, I would like to point to the book of Ezekiel as a possible source. The vast connections between H and Ezekiel have long been noted.[48] The question of which text influenced the other—whether Ezekiel influenced H or *vice versa*—is indeed complex

[45] Chavel (*Oracular Law*, 91) identifies an intriguing connection between this narrative and Lev 18:3. He argues that the comparison between Canaan and Egypt parallels the relationship between the Israelite woman from the tribe of Dan, who represents Canaan (as depicted in Judges 18), and the Egyptian man. In this context, the narrative embodies certain themes and principles that guided the authors of the Holiness Code, particularly as articulated in Lev 18–22.

[46] See Knohl, *Sanctuary of Silence*, 69.

[47] See Matthias Hopf, "Fremd-Sein im Heiligkeitsgesetz," in *Migration und Theologie: Historische Reflexionen, theologische Grundelemente und hermeneutische Perspektiven aus der alt- und neutestamentlichen Wissenschaft*, eds. Benedikt Hensel and Christian Wetz, ABIG 74 (Leipzig: Evangelische Verlagsanstalt, 2023), 249–66.

[48] The identification of these connections' dates back to the late 19th century (see, e.g., Karl H. Graf, *Die geschichtlichen Bücher des Alten Testaments: Zwei historisch-kritische Untersuchungen* [Leipzig: T. O. Weigel, 1866], 32–85); however, the initial assumptions of the research at that time are not necessarily aligned with current perspectives, particularly regarding the widely accepted view that H is later than P. Among contemporary scholars, there is ongoing debate concerning the nature of these connections, specifically regarding who preceded whom and who influenced whom. In light of Nihan's research, which highlights a certain complexity in these connections and critiques the assumption of linear relationships between the texts, it appears that even scholars who previously supported linear connections—typically from H to the book of Ezekiel—now acknowledge the need for caution in drawing such conclusions. See Christophe Nihan, "Ezekiel and the Holiness Legislation: A Plea for Nonlinear Models," in *The Formation of the Pentateuch—Bridging the Academic Cultures of Europe, Israel and North America*, eds. Jan C. Gertz et al., FAT 111 (Tübingen: Mohr Siebeck, 2016), 1015–40. And see Michael A. Lyons, *From Law to Prophecy: Ezekiel's Use of the Holiness Code*, LHBOTS 507 (New York: T&T Clark, 2009) vs. idem., "How Have We Changed?—Older and Newer Arguments about the Relationship between Ezekiel and the Holiness Code," in *The Formation of the Pentateuch—Bridging the Academic Cultures of Europe, Israel and North America*, eds. Jan C. Gertz et al., FAT 111 (Tübingen: Mohr Siebeck, 2016), 1055–74.

and cannot be thoroughly addressed within this limited scope. Nonetheless, the possibility that H may have adopted the approach found in Ezekiel in this context cannot be dismissed.[49] Ezek 20 describes the Israelites as idolaters in Egypt (7–8).[50] This passage represents one of the few cases in the biblical text that explicitly addresses the influence of Egyptian culture on the Israelites and acknowledges that they had already been susceptible to these influences while still residing in Egypt. The text underscores the notion that the Israelites' exposure to and entanglement with Egyptian practices predated their exodus and subsequent identity formation. Such an assertion suggests a formative period in which Egypt played a significant, albeit negative, role in shaping aspects of Israelite behavior or worship.

Considering this evaluation, the designation of "Egyptian man" is not surprising. From H's perspective, an individual of Egyptian descent embodies the corrupting influence of Egyptian culture, transmitted negatively from the father to the son, which ultimately leads the latter to engage in conflict and to profane the name of God. H's recurrent emphasis on Egypt among all nations, highlighting its history of slavery and the religious risks it poses, particularly concerning mixed marriages, may suggest a deliberate reflection of events from the fifth century BCE onwards.[51] In the latter half of Persian rule, due to repeated rebellions in Egypt and its eventual independence with the support of Greek allies, the Persian Empire launched extensive military campaigns to suppress the uprisings and subsequently reassert control over the region. As a result, Yehud became a strategic frontier province against Egypt, situated along the principal military route, the Via Maris. During these campaigns, the satrapies and provinces along this route were tasked with provisioning the Persian army with food and water. Yehud, as one of the final supply stations before entering Egyptian territory, played a critical logistical role in these military operations.[52] Thus, it is plausible that the partial successes of Egypt's rebellions, along with the

[49] Furthermore, the sole occurrence of the term גִּלּוּלִים in H seems to have been influenced by the Book of Ezekiel. The verse וְנָתַתִּי אֶת פִּגְרֵיכֶם עַל פִּגְרֵי גִלּוּלֵיכֶם (Lev 26:29) is unusual within its context, as the term גִּלּוּלִים in the HB consistently refers to inanimate objects rather than the body of a person or animal. Consequently, it seems likely that this formulation originates from Ezekiel 6:6. See Ariel Kopilovitz, "Israel's Future in Ezekiel's Restoration Oracles (Ezekiel 33–37)," (PhD diss., Hebrew University, Jerusalem, 2018 [Hebrew]), 38.

[50] See Moshe Greenberg, "Notes on the Influence of Tradition on Ezekiel," *JANES* 22.1 (1993): 29–37, here 35.

[51] In this context, it is important to highlight the Aramaic letters from Elephantine, which demonstrate a notable absence of Egyptian religious symbols in the daily life of the Jewish community in Elephantine. This lack of Egyptian cultural markers could suggest a deliberate distancing or reservation regarding the religious and cultural aspects of Egyptian society.

[52] See Jaeyoung Jeon, *From the Reed Sea to Kadesh: A Redactional and Socio-Historical Study of the Pentateuchal Wilderness Narrative*, FAT 159 (Tübingen: Mohr Siebeck, 2022), 55–56.

subsequent Persian oppression—which often required passage through and, at times, a temporary settlement in Yehud—prompted the author to issue warnings not only against the Egyptians but also against the Canaanites. This caution is particularly evident in matters concerning mixed marriages and idolatry.

It is essential to acknowledge, however, that the renewed story emphasizes not only the Egyptian heritage of the man who curses but also the Israelite identity of his mother. She is designated as an "Israelite woman," a phrase that recurs no fewer than three times in our narrative. When considering all references to the mother, one observes a model of 3+1[53]:

וַתֵּצֵא בֶּן אִשָּׁה יִשְׂרְאֵלִית

וַיִּנָּצוּ בַּמַּחֲנֶה בֶּן הַיִּשְׂרְאֵלִית

וַיִּקֹּב בֶּן הָאִשָּׁה הַיִּשְׂרְאֵלִית

וְשֵׁם אִמּוֹ שְׁלֹמִית בַּת דִּבְרִי לְמַטֵּה דָן

As Zakovitch suggested, in this structural arrangement, the first three components are uniform, while the fourth typically presents an unexpected element. In our narrative, this surprise manifests as an unusual detail regarding the man's mother and her tribal affiliation, articulated in a manner reminiscent of the DtrH formulas typically used to reference the Queen Mother formula (וְשֵׁם אִמּוֹ). Various interpretations have arisen regarding the significance of identifying the mother's name and tribal lineage; unfortunately, many of these remain speculative. One may concur with Leuchter, who posits that the author was familiar with the Book of Kings, particularly concerning the Queen Mother formula[54]; however, his conclusions regarding the name and tribal origin of the mother lack convincing evidence.[55] Attempts to attribute symbolic meanings to the mother's name in relation to the curse—such as Dibri (דבר=speak) and Shlomit (שלום=peace)—appear overly speculative.[56]

In general, a fruitful path of inquiry may lie in the appendix to the account of the story of *Ba'al Pe'or* (Num 25:1–5), which details Pinchas's jealousy and the reward he received consequently (Num 25:6–18). Some scholars have noted that this narrative incorporates concepts and expressions more aligned with

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[53] See Yair Zakovitch, " 'For three and for four': The three-four literary model in the Bible" (PhD diss., Hebrew University, Jerusalem, 1977 [Hebrew]).

[54] See Leuchter, "Ambiguous Details," 435.

[55] According to Leuchter, the name reflects remnants of an ancient, cryptic tradition from the time of Solomon. In his view, the curser's mother is Bathsheba, and the curser's son is likely Solomon. However, as noted, his opinion built on a tenuous ground.

[56] This interpretation was already articulated in rabbinic literature (see *Va'yikra Rabbah 32:5*) and has been adopted by some contemporary scholars as well. See Leigh M. Trevaskis, "The Purpose of Leviticus 24 within its Literary Context," *VT* 59.2 (2009): 295–312, here 310–12.

the style and ideology of H.[57] A comparison between our narrative and the account of Pinchas's jealousy reveals similarity. In both narratives, the author adopts a similar approach. He first describes the forbidden act without naming the individuals involved and subsequently reveals their identities at the conclusion of the story. In our case, the narrative begins with "And the son of an Israelite woman came out," while the account in Numbers opens with "And there came a man from the children of Israel." In both cases, the forbidden act is detailed without identifying the perpetrator by name. Our story states, "and the Israelite woman's son and a certain Israelite began fighting in the camp. The Israelite woman's son blasphemed the Name in a curse." In Numbers, "one of the Israelites came and brought a Midianite woman into his family." Only after the description of the sin does the identity of the curser emerge: the son of Shlomit, daughter of Dibri from the tribe of Dan. Similarly, after Pinchas's act of retribution, the sinful couple is identified as Zimri, son of Salu, from the tribe of Reuben, and Cozbi, daughter of Zur, daughter of one of the Midianite leaders.

This narrative strategy—describing first the act and later revealing the names—reflects the author's approach in H when addressing relationships between an Israelite man or woman and a foreign counterpart. This strategy culminates in a heightened focus on the characters who are implicated. Revealing their identities serves as a form of lineup in which a victim identifies a suspect. Thus, it can be inferred that Shlomit, daughter of Dibri, who bore a son after her interaction with an Egyptian, is perceived as complicit in the transgression, just as Zimri and Cozbi are understood to be culpable for their actions. This emphasis on those whose actions lead to sin, particularly regarding prohibited relationships with surrounding nations, resonates with H's overarching teaching regarding the necessity of separation and differentiation between the people of Israel and foreign nations. This principle of differentiation is consistently articulated throughout the HS, as reflected in prohibitions against idolatry, divination, mediums, spiritualists, and various transgressions, including those related to the worship of Molech. A similar illustration is observed in our case, where the relationships of an Israelite woman with an Egyptian underscore the potential consequences of mixed marriages, especially the risk of bearing a child who might blaspheme the name of God. In H's legal framework, instances warranting immediate death are rare; typically, punishment is expressed through the concept of כרת, which does not imply immediate retribution. However, desecrating God's name through such acts—particularly those involving forbidden relationships or severe transgressions—entails immediate consequences, placing it within a small category of offenses that carry immediate punishments.

[57] See Knohl, *Sanctuary of Silence*, 96–97.

CONCLUSION

Weighing the outcomes of preceding discussions reveals a nuanced depiction of the influences guiding the authors of the HS. If we situate this work within the post-exilic period, our revised narrative reflects a deliberate effort to forge a new societal framework. The people of Yehud find themself amidst a social crisis, marked by a diversity of identities—returnees from exile, residents, and migrants from neighboring provinces—resulting in a fragmented society where religious and social norms are in constant instability. The HS aimed to establish guidelines to guide the revitalized populace on their land. Issues such as intermarriage, reverence for God, neighborly relations with the locals, Israelites or foreigners, and concerns about cultural assimilation were central to this discourse. Amidst the prevalent fear of foreign influences, it is important to acknowledge the empathy that H demonstrates towards the גרים (19:34). This is not unexpected, considering the status of the people of Israel, who, having left Egypt and not yet arrived in Canaan, are themselves foreigners without a homeland.[58] The integration of inclusivity and exclusivity can be achieved only when the unifying factor between them acknowledges one of the fundamental principles of holiness: not merely the recognition that God is the source of holiness but that His name itself becomes a source of holiness. To achieve this objective, the authors adapted an early priestly narrative, originally addressing an individual who cursed God and was punished by death through stoning. They reinterpreted it such that cursing became an offense punishable by bearing sin, while the improper invocation of God's name was elevated to a graver offense, warranting stoning. In line with their systematic *modus operandi*, these authors incorporated additional legal materials from other sources, such as CC and D, to construct a more comprehensive collection of laws related to the principle of *lex talionis*. However, these laws were refined to transcend the boundaries of the community, applying universally to all individuals, including גרים. Accordingly, the original narrative was modified to introduce an ethnically mixed context, featuring an Israelite mother and an Egyptian father. Under the heading "You shall have one law for the alien, and for the native-born, for I am the Lord your God" (24:22), the authors strive to establish a unified framework amidst the diversity of thoughts and opinions, believing that only through such unification can the overarching mandate, "You shall be holy, for I the Lord your God am holy" (19:2) be effectively realized.

[58] See Hopf, "Fremd-Sein."