

Nathan MacDonald

Scribalism and Ritual Innovation

The ritual texts of the Pentateuch do not always reflect actual cultic procedures of the Second Temple. Two examples are examined where this is probably the case: first, the confusion of *tənûpâ* and *tərûmâ* and, second, the blood manipulation of Exodus 24. A careful examination of these two examples can lead to a better appreciation of the historical cult of Israel and the effects of textualization of rituals.

Keywords: Priestly literature, sacrifice, ritual practice, blood manipulation, textualization

In Wellhausen's judgement, it was with the prophet Ezekiel that "the sacred praxis [...] became a matter of theory and writing," rather than a matter of the correct performance of rituals that had been handed down through the generations. With the Jerusalem temple in ruins, the path of transmission came under threat. In the face of the potential loss of priestly lore, "it is easy to understand [...] how an exiled priest should have begun to paint the picture of it as he carried it in his memory, and to publish it as a programme for the future restoration of the theocracy."¹ This pithy account of how ritual came to be first written down amongst the ancient Judahites glosses over a number of complexities. On most assessments, Ezekiel's programme of the restored theocracy did not correspond to the cultic practice of pre-destruction Judah. Was this the result of Ezekiel's faulty memory, the programmatic and prophetic nature of the envisaged future cult, the transformation of sacred praxis into theory, or a combination of all three?

When biblical scholars began to appropriate contemporary anthropological research, including ritual theory, for understanding the text of the Hebrew Bible, the complexities of sacred praxis becoming a matter of theory and writing were overlooked. It was largely assumed that biblical writers

1 J. Wellhausen, *Prolegomena to the History of Israel with a Reprint of the Article Israel from the "Encyclopaedia Britannica"* (trans. J. Sutherland Black and A. Menzies; Edinburgh: Adam & Charles Black, 1885), 60.

sought to describe what was practiced.² The failure of some texts in the Hebrew Bible to adequately represent the ritual practices they were describing was appreciated, but this only made the case for an important part of the interpretive task being to articulate what might have been assumed or overlooked by the biblical writer. The commentator improved on the deficiencies of the text so that the modern reader could understand precisely how the ritual had been performed. It was also recognized that ritual texts could be aspirational rather than reflective of actual practice. Levine, for example, demonstrated that prescriptive texts were not always helpful evidence for actual practice, but this was as part of an argument that descriptive texts were a surer guide.³ Haran, on the other hand, saw the cultic texts as partially utopian.⁴ In all these cases, confidence in the ability of scholarship to reconstruct the Israelite cultus was not significantly diminished; the textualization of rituals was merely an obstacle to be overcome.

Some recent biblical scholarship, however, has begun to recognize that the textualization of the cult was both innovative and transformative. Texts are not rituals, and rituals are not texts.⁵ The consequences of this lack of identity are significant. As the ritual theorist Catherine Bell put it,

the relationship of texts and rites evokes wonderful complexities for us [...] What is the significance or functional effect of writing ritual down, both vis-à-vis ritual and as a written text? How does writing a text or depicting ritual in a text act upon the social relations involved in textual and ritual activities? Ultimately, how are the media of communication *creating* a situation rather than simply reflecting it; how are they restructuring social interactions rather than merely expressing them?⁶

Textualization results in new relationships with other ritual texts through processes of homogenization and systematization. In some cases, it results

2 For examples, see J. Milgrom, *Leviticus 1–16: A New Translation with Introduction and Commentary* (AB 3; New York: Doubleday, 1991); F. H. Gorman, *The Ideology of Ritual: Space, Time and Status in the Priestly Theology* (JSOTSup 91; Sheffield: JSOT Press, 1990); R. E. Gane, *Cult and Character: Purification Offerings, Day of Atonement, and Theodicy* (Winona Lake: Eisenbrauns, 2005).

3 B. A. Levine and W. W. Hallo, "Offerings to the Temple Gate at Ur," *HUCA* 38 (1967): 17–58, here 17–18; B. A. Levine, "The Descriptive Tabernacle Texts of the Pentateuch," *JAOS* 85 (1965): 307–318.

4 M. Haran, *Temples and Temple-Service in Ancient Israel* (Winona Lake: Eisenbrauns, 1985).

5 D. P. Wright, "Ritual Theory, Ritual Texts, and the Priestly-Holiness Writings of the Pentateuch," in *Social Theory and the Study of Israelite Religion: Essays in Retrospect and Prospect* (ed. S. M. Olyan; SBL Resources for Biblical Study 71; Atlanta: Society of Biblical Literature, 2012), 195–216; J. W. Watts, *Ritual and Rhetoric in Leviticus: From Sacrifice to Scripture* (Cambridge: Cambridge University Press, 2007), 27–32.

6 C. Bell, "Ritualization of Texts and Textualization of Ritual in the Codification of Taoist Liturgy," *HR* 27 (1988): 366–392, here 368–369.

in rituals being endowed with “meaning.”⁷ In other cases, it may even result in significant alteration to rituals, or even the invention of rituals where the textual logic demands it.⁸

Whilst there has been a growing recognition that literary renderings of ritual often reflect discursive and theoretical analysis, the radical consequences to which this might lead are not always embraced with ease and there can be an unwillingness to abandon the idea that at some level an actual ritual lies behind the biblical text. Rüdiger Schmitt, for example, in a recent essay identifies Leviticus 14 as an “intellectual ritual,” an instance of scribal reflection. Nevertheless, he protests that he has by no means given up the idea that the ritual was practiced: “To be clear right from the beginning: I have no doubt that the sacrificial and ritual texts in Leviticus reflect actual cultic procedures of the Second Temple.”⁹ In this essay I wish to examine two examples where there are some grounds for thinking that ritual texts do not reflect actual cultic procedures of the Second Temple. My two cases are, first, the confusion of *tənûpâ* and *tərûmâ* and, second, the blood ritual of Exodus 24. A careful examination of them will, however, lead to a better appreciation of the historical cult of Israel and the effects of textualization of ritual practice.

1. The Confusion of *Tənûpâ* and *Tərûmâ*

In the Priestly literature, sacrifices may experience a number of different manipulations. Two of these manipulations are identified as *tənûpâ* and *tərûmâ*,¹⁰ which have traditionally been rendered in English as, respectively, the “wave offering” and the “heave offering.” These designations are indebted to rabbinic texts which sought to unscramble the confusing portrayal in the Priestly texts of the Pentateuch. The critical step in resolving the confusion was Jacob Milgrom’s philological observation that whilst

7 Watts, *Ritual and Rhetoric*, 27–32.

8 N. MacDonald, “The Hermeneutics and Genesis of the Red Cow Ritual,” *HTR* 105 (2012): 351–371; C. Frevel, “Practicing Rituals in a Textual World: Ritual and Innovation in the Book of Numbers,” in *Ritual Innovation in the Hebrew Bible and Early Judaism* (ed. N. MacDonald; BZAW 468; Berlin: de Gruyter, 2016), 129–150.

9 R. Schmitt, “Leviticus 14.33–57 as Intellectual Ritual,” in *Text, Time, and Temple: Literary, Historical and Ritual Studies in Leviticus* (ed. F. Landy, L.M. Trevaskis, and B. D. Bibb; Hebrew Bible Monographs 64; Sheffield: Sheffield Phoenix, 2015), 196–203.

10 Throughout this section, I use the transliterations *tənûpâ* and *tərûmâ* for the manipulation of the sacrifices, and the Hebrew תנופה and תרומה for the discussion of the Hebrew lexemes.

the *tanûpâ* was done לפני יהוה, “before YHWH,” the *tərûmâ* is ליהוה, “for YHWH.”¹¹

On the basis of his observation, Milgrom argued that the *tanûpâ* is to be understood as a ritual act that was performed in the sanctuary. It was characteristically performed upon objects that could be sacrificed within the Israelite cult: sacrificial animals, oil and bread. Offerings subject to *tanûpâ* include the suet and right thigh of the consecration ram together with its bread offerings (Exod 29:23; Lev 8:26–27), the brisket of the consecration ram (Exod 29:26; Lev 8:29), the brisket of the well-being offering (Lev 7:30; 9:21; 10:14–15; Num 6:20; 18:18), the lamb of the skin-diseased individual’s reparation offering together with its oil (Lev 14:12, 21, 24), the sheaf of the first-fruits (Lev 23:11, 15), the bread and lambs of the feast of weeks (Lev 23:17, 20), and the meal offering of the woman suspected of adultery (Num 5:25).¹² In the ritual of *tanûpâ*, the offering or part of it is presented to YHWH by moving the offering in the direction of the deity, and we might translate תנופה as “a presentation.”¹³ The *tərûmâ*, on the other hand, is not a ritual act done in the temple. Rather it is the setting aside of a donation “for YHWH,” and the donation need not be brought into the sanctuary. The idea of donation is suggested by the verbs used in conjunction with the תרומה and by the fact that the *tərûmâ* can apply to a broader range of objects than may be subject to *tanûpâ*. This includes not only sacrificial offerings, such as the right thigh of the consecration ram (Exod 29:27), the right thigh of the well-being offering (Lev 7:32, 34) and the bread of the thank-offering (Lev 7:14), but also monetary gifts, such as the census silver (Exod 30:13–15), the tithe of the tithe (Num 18:24–29) and the spoils from war (Num 31:29, 41, 52).

11 J. Milgrom, “*Hattênûpâ*,” in *Studies in Cultic Theology and Terminology* (SJLA 36; Leiden: Brill, 1983), 139–158; J. Milgrom, “The Alleged Wave-Offering in Israel and in the Ancient Near East,” *IEJ* 22 (1972): 33–38; J. Milgrom, “The *Šôq Hattêrûmâ*: A Chapter in Cultic History,” in *Studies in Cultic Theology and Terminology* (SJLA 36; Leiden: Brill, 1983), 159–170.

12 For the moment I shall leave aside the problematic reappropriation of the term for the Levites’ dedication to temple service in Numbers 8.

13 Levine translates תנופה as “presentation offering” (B. A. Levine, *Numbers: A New Translation with Introduction and Commentary* [2 vols.; AB 4; New York: Doubleday, 1993], 276). Milgrom rejects the traditional translation “wave offering”, understood as a motion back and forth, and proposed “elevation offering.” Whilst this has become the accepted translation of תנופה in much anglophone scholarship, Milgrom’s account fails to explain why the rabbis – but not the Targumists – misunderstood the meaning of the root נוף and overlooks occurrences of נוף, such as Isa 10.15ba (with המשור “the saw”), where “elevate” makes no sense, but “move back and forth” would. Milgrom rightly draws attention to Egyptian texts and reliefs where offerings are presented to the deity. The biblical ritual of *tanûpâ* similarly seems to have involved some motion in the direction of YHWH’s presence, perhaps both forwards and upwards.

An important characteristic of the *tərûmâ* is that it is a portion that has been set apart from (מן) the whole, often for the benefit of the priest.¹⁴

A clear distinction between *tənuṣpâ* and *tərûmâ* is maintained in the additional instructions to the Israelites concerning the well-being offering in Leviticus 7. Unlike the burnt offering, which was wholly consumed on the altar, only the fat of the well-being offering was burnt. The meat was consumed by the offerer with the exception of two joints. As part of the sacrificial ritual, the brisket was presented before YHWH as a *tənuṣpâ*. Its suet was burnt on the altar and the brisket was given to the priests (vv. 30–31). The remaining meat did not undergo the ritual of *tənuṣpâ* and was consumed by the offerer. From this meat, the right thigh was given to the officiating priest as a *tərûmâ* (v. 32). Thus, the brisket underwent the ritual of *tənuṣpâ*, but was not *tərûmâ*. Conversely, the right thigh was *tərûmâ*, but not *tənuṣpâ*.

It is evident, however, that in some places the careful distinction drawn between *tənuṣpâ* and *tərûmâ* in Leviticus 7 has been lost. The clearest examples can be found in the instructions for the construction of the Tabernacle in Exodus 25–31 and its execution in Exodus 35–39. At the opening of his instructions about the Tabernacle's construction, God invites the Israelites to donate valuable items:

Tell the Israelites to take a donation (תרומה) for me. You are to accept my donation (תרומה) from every man whose heart is willing. This is the donation (תרומה) that you will accept from them: gold, silver, bronze ... (Exod 25:2–3).

In the account of the execution, God's invitation is met with overwhelming generosity. Both men and women give so generously that a halt has to be called on their donations (Exod 36:6). The execution account cannot decide what to label these gifts. In some places it identifies them as *tərûmâ* (35:5, 24; 36:3, 6), but in other places as *tənuṣpâ* (35:22; 38:24, 29). The consequences of the confusion are most apparent in 35:22 where the syntactic patterns of *tərûmâ* are employed with reference to *tənuṣpâ*. Thus, the benefactors of the Tabernacle are identified as “every person that presented a presentation of gold to Yhwh (זהב ליהוה),” rather than “before Yhwh (לפני יהוה).” In the following verses, the silver and bronze are offered as a *tərûmâ* (v. 24), but in Exodus 38 the same bronze is also the “bronze of the *tənuṣpâ*” (v. 29). It would appear that the terms תרומה and תנופה are viewed simply as stylistic variants of one another. Given that the Hebrew text already confuses the two terms, it is perhaps no surprise that the Septuagint's renderings throughout the Pentateuch collapse *tənuṣpâ* into *tərûmâ*.

14 J. Milgrom, “*šōq Hattērûmâ*”; T. Seidl, “*t̄rûmā* – die ‘Priesterhebe’? Ein angeblicher Kultermimus – syntaktisch und semantisch untersucht,” *BN* 79 (1995): 30–36.

תנופה is translated with a variety of different terms, including ἀφορίσμα and ἀφαίρεμα, which communicate the idea of something being taken away or set aside. Both Greek terms would be more suitable as translations of תרומה, and are commonly employed as such.¹⁵

The loss of any distinction between *tənûpâ* and *tərûmâ* has consequences for how the biblical text portrays the performance of the well-being offering. This makes its first appearance in what is likely a redactional addition to the priestly consecration ritual in Exod 29:27–28.¹⁶ According to Exodus 29, three animals were to be offered during the consecration of Aaron and his sons: a bull as a purification offering, a ram as a burnt offering, and a further ram as the consecration offering. The last of these, the consecration offering, is modelled on the well-being offering, but with some minor adjustments. One of the differences concerns the treatment of the brisket and the right thigh.¹⁷ In the well-being offering, as we have seen, the Israelite bringing the sacrifice presents the brisket as a *tənûpâ*. The brisket belongs to the entire priesthood, whilst the right thigh is given to the officiating priest as a *tərûmâ* (Lev 7:30–32). In the consecration offering the right thigh is placed in Aaron's hands together with the suet and some of the bread offerings and presented as a *tənûpâ*. The entirety is then immolated on the altar (Exod 29:22–25). The brisket is presented by Moses as a *tənûpâ* and is kept by him as his prebend (Exod 29:26). It is at this point that the redactional addition which concerns us is to be found. In order to prevent any reader deducing from the consecration offering that the priestly perquisites from the well-being offering could be reduced to just the brisket, the instructions that follow insist that both the right thigh and the brisket are priestly dues (Exod 29:27–28). The shared vocabulary indicates that the inspiration for this intervention is clearly the instructions about the well-being offering in

15 Similarly, some modern interpreters have despaired of distinguishing the two and regard them as synonymous (e.g. U. Cassuto, *A Commentary on the Book of Exodus* [Jerusalem: Magnes Press, 1987], 457–458; E. W. Davies, *Numbers* [NCB; London: Marshall Pickering, 1995], 65).

16 These verses have no parallel in the fulfilment account of Leviticus 8, and thus there are some grounds for believing that they are a redactional addition inspired by Lev 7:28–34 (C. Nihan, *From Priestly Torah to Pentateuch: A Study in the Composition of the Book of Leviticus* [FAT II/25; Tübingen: Mohr Siebeck, 2007], 130–132). These verses have a further unusual feature. Nowhere else is a sacrifice the object of the verb קדש. Elsewhere in the Priestly literature, the objects are priests and their vestments, the Tabernacle and its furniture.

17 This fact is emphasized by the text. When, from the perspective of a reader familiar with the well-being offering, the right thigh appears prematurely, the text clarifies “it is a ram of consecration” (Exod 29:22).

Lev 7:28–34,¹⁸ but the redactor clearly does not distinguish *tənuṗâ* and *təruṃâ* as Leviticus 7 does. Both brisket and thigh are to be presented (הוֹנִיף) and set aside (הוֹרֵם). In v. 28 both joints are identified as תְּרוּמָה, which appears to have become an inclusive term for both תְּנוּפָה and תְּרוּמָה.

If Exod 29:27–28 is to be followed, the right thigh is also to undergo the ritual of *tənuṗâ*, though this was not envisaged in the original instructions of Leviticus 7, and the descriptions of the well-being offering that follow in Leviticus 9–10 do indeed envisage the right thigh being presented as a *tənuṗâ*. In Leviticus 9, a ritual of incorporation occurs on the eighth day of the priest's consecration. An ox and a ram are offered as well-being offerings for the people. The fat is burned and the briskets and right thigh undergo *tənuṗâ* (Lev 9:21). Milgrom rightly observes that the Hebrew text is problematic. “Briskets” (הַחֲזוֹת) is plural as befits the act that an ox and a ram have been offered, but the “right thigh” (שׁוֹק הַיְמִינִי) is singular. A plausible explanation is that the “right thigh” was added to bring the description of the ritual of incorporation in line with the revised treatment of the right thigh. Milgrom observes the problem, but thinks that by identifying וְאֵת שׁוֹק הַיְמִינִי as a gloss “the problems disappear.”¹⁹ This is only partially true. Whilst it is possible to argue that v. 21 did not originally contradict the clear distinction made between *tənuṗâ* and *təruṃâ* in Leviticus 7, it is also apparent that this distinction was not upheld by a glossator in the Second Temple period. In Lev 10:14–15, the original distinction is preserved in the names of the joints – the brisket is “the brisket of presentation” (חִזְהַת הַתְּנוּפָה) and the thigh “the thigh set apart” (שׁוֹק הַתְּרוּמָה) – but both are to undergo *tənuṗâ*. The loss of ritual differentiation would also appear to have consequences for the consumption of the meat. Whilst originally the officiating priest kept the right thigh as a prebend, in Lev 10:14–15 both brisket and thigh are assigned to the priesthood in general. They may be eaten by the priests and any of their relations, provided that this is done in a clean place.

How might we make sense of this apparent confusion of *tənuṗâ* and *təruṃâ* in the later redactional layers of Exodus and Leviticus, and the translation of the Pentateuch into Greek? Milgrom contemplates this problem on a couple of occasions and proposes two different solutions. In a discussion of the Septuagintal renderings, Milgrom is perplexed that *tənuṗâ* and *təruṃâ* could have been confused:

One wonders how such confusion could have existed among the Alexandrian sages. Did they not see with their own eyes when they pilgrimaged to Jerusalem for the festivals

¹⁸ Nihan, *Priestly Torah*, 130–132.

¹⁹ Milgrom, “*Šôq Hattərûmâ*,” 164.

422 Nathan MacDonald

how the rituals of *tēnûpâ* and *tērûmâ* were performed? Or should we conclude that the rabbis' interpretation was the result of the midrashic method and lacked any basis in the reality of the Second Temple?²⁰

Milgrom is unwilling to admit either that elite Alexandrian Jews might have been ignorant of what occurred in the Jerusalem Temple or that the Temple worship might not have mirrored what is prescribed in the Pentateuch. He suggests, instead, that the two manipulations might have become indistinguishable to observers:

There is a more reasonable answer: since the *tēnûpâ* and *tērûmâ* were already combined in one ritual in the Hellenistic period, the onlookers could not tell them apart. Furthermore, in several ceremonials they saw no movement at all, since the ritual was only symbolic. For example. The priest who put his hands under the offerer's hands certainly did not move this huge pile, or it would topple. Thus the layman who brought his gifts for *tēnûpâ* and *tērûmâ* sometimes saw no movement at all, and in those ceremonials where motion took place (e.g. the *ōmer*, cf. *Lev. R.* 28:5) he saw movement in every direction without being able to distinguish between *tēnûpâ* and *tērûmâ*. Observers would discern the common factor in all the rituals, i. e., that when the priests put his hands under the offering he thereby dedicated it to the Lord. Therefore the LXX used several synonyms meaning dedication.²¹

The difficulty with this argument is that it requires Milgrom to reinstate the traditional understanding of *tēnûpâ* and *tērûmâ* as two rituals involving movement in a horizontal and vertical direction respectively. But it is precisely this understanding that he has been concerned to reject! As he has been at pains to show, the *tērûmâ* is not a ritual, and the dedication of the *tērûmâ* did not entail movement of the offering in a vertical direction. In addition, the offerings to which *tēnûpâ* and *tērûmâ* are to be applied are not at all identical, and so it is difficult to see how they could have been combined into one ritual unless the practice in the Second Temple departed markedly from the Pentateuchal prescriptions.

In another essay published in the same year, Milgrom ventures another solution. In light of the confusion of the terms in Exodus 29 and Exodus 35–39, Milgrom writes,

Indeed, in accordance with what has been said about the indeterminacy of cultic terminology, it is possible to think, at first, that the *tērûmâ* and *tēnûpâ*, judging by the examples above, are not univocal but are interchangeable. This is not so. The solution is simple and clear once we are convinced that the *tērûmâ* is not a ritual, and that its true sense is a dedication to God. *Tērûmâ*, then, is a necessary step preceding *tēnûpâ*. An offering requiring *tēnûpâ* must undergo a previous stage of *tērûmâ*, that is to say, its separation from the profane to the sacred. This process can be formulated as a rule: *Every*

²⁰ Milgrom, "*Hattēnûpâ*," 140 n. 8.

²¹ *Ibid.*

tēnûpâ requires tērûmâ. If so, tērûmâ and tēnûpâ are not identical, but are completely different from each other. And throughout all the citations, without exception, they retain their respective meanings and cannot be interchanged.²²

Yet, this argument is difficult to square with Milgrom's observation that the tārûmâ is taken from (ינ) the whole. Where tārûmâ is applied to monetary gifts, it would appear that the tārûmâ is set apart for sacral, rather than ordinary, use. This would accord well with the kind of argument that Milgrom makes. However, the application of tārûmâ to sacrifices does not. In Lev 7:14, the tôdâ consists of various breads and cakes, from which only one is set aside as the tārûmâ for the priest. On Milgrom's logic, however, the entire tôdâ is tārûmâ. Similarly, with the well-being offering, why is it that the right thigh is identified as tārûmâ (7:32–34) if the entirety of the well-being offering is tārûmâ?

Neither of Milgrom's suggested solutions work. There is a natural solution, though not one that Milgrom would have wished to admit. In later levels of P, the distinction between tēnûpâ and tārûmâ is not maintained, and the two are simply confused by later scribes and the translators of the Greek Pentateuch. But how can this confusion have occurred? As Milgrom rightly observes, the manipulations are not such that anyone who had observed the temple rituals could possibly have confused them. Rather, the confusion seems to result from the shared tēqûlâ form, which results in words that sound and look fairly similar. In other words, the confusion arose not in the temple court, but in the scriptorium. There are two reasons why this might have occurred: The first possibility is that the later redactors of P and the translators of the Greek Pentateuch had not observed the sacrificial rituals and their knowledge was mostly derived from the text. The second possibility is that what was practised in the Second Temple did not correspond to the instructions concerning tēnûpâ and tārûmâ. The arrangements set out by the Priestly authors in Leviticus 1–7 may never have been realized in the temple's rituals. In both scenarios there is a gap between ritual text and ritual practice, between the Pentateuch and the Second Temple.

2. The Blood Ritual of Exodus 24

The second ritual I wish to examine is the ritual that ratifies the covenant in Exodus 24. After the giving of the Ten Commandments and the Book of the Covenant, the elders of Israel are commanded to approach יַהְוָה

²² Idem, "Šôq Hattērûmâ," 162–163. Emphasis original.

together with Moses and his sons (vv. 1–2). An altar is set up at the foot of the mountain and oxen sacrificed. Moses collects the blood in basins and tosses half of it against the altar, and half of it over the people (vv. 3–8).²³ At the conclusion of the ritual, the elders ascend the mountain where they beheld God and feasted in his presence (vv. 9–11). It has long been recognized that Exodus 24 combines two distinct episodes. The revelation atop the mountain involves Moses, the priesthood and the elders, whilst the ritual at the foot of the mountain has a different cast consisting of Moses, the young men, and the people. The blood ritual in vv. 3–8 clearly detaches the divine instructions to Moses in vv. 1–2 from their fulfilment in vv. 9–11, and should be identified as the secondary element.

Within critical scholarship, the blood ritual was long regarded as a very ancient element. In his influential volume, *Origins and History of the Oldest Sinaitic Traditions*, Walter Beyerlin offered two proofs of its antiquity. First, the two-fold tossing is without parallel in the Old Testament. Secondly, the sacrifices are offered by young men rather than by priests.²⁴ The first argument assumes that uniqueness was a sign of antiquity, and has often been deployed in the study of Israelite ritual. The dangers of this kind of argument are not only its obvious subjectivity, but also its implicit assumptions about the steady rationalization of religious practice and belief. In the particular case of Exodus 24, Beyerlin's claim about the uniqueness of the twofold manipulation of sacrificial blood is only true if we insist that the single verb זרק be applied in a ritual on two different objects. As we shall see, the ordination ritual envisages blood being manipulated and applied to Aaron and his sons and to the altar, albeit using two different verbs. The second argument is rather weightier and was first advanced by Carl Steuernagel. In the Second Temple the act of sacrificing was restricted to the priests, but this does not seem to have been the case in earlier periods. In particular, Steuernagel pointed to Judges 17–18, the story of the Levite from Bethlehem, and 1 Samuel 2, the story of Samuel and his sons, as evidence that “young men” (נערים) functioned as cultic officials in the dying days of the pre-monarchic period.²⁵ In the middle of the twentieth century this apparent clue to the dating of the ritual was combined with theories about covenant renewal ceremonies in the amphicytony to argue that the blood

23 For the translation of זרק see W. K. Gilders, *Blood Ritual in the Hebrew Bible: Meaning and Power* (Baltimore: Johns Hopkins University Press, 2004), 25–27.

24 W. Beyerlin, *Origins and History of the Oldest Sinaitic Traditions* (Oxford: Blackwell, 1965), 38.

25 C. Steuernagel, “Der jehovistische Bericht über den Bundesschluss am Sinai,” *TSK* 72 (1899): 319–350.

sprinkling ritual was part of a ritual complex that was celebrated at either Shechem or Gilgal.²⁶

For a number of reasons, however, many contemporary scholars, argue that Exod 24:3–8, or at very least parts of it, is a post-deuteronomistic text. First, as Lothar Perlitt demonstrated Exod 24:3–8 must be considered together with Exod 19:3–8. In both passages Moses comes to the people and declares to the people what God has spoken. The people respond unanimously with an identical commitment that is found only in those two passages in the Hebrew Bible: “all that YHWH has spoken we will do” (ויאמרו ונעשה ככל אשר־דבר יהוה נעשה; 19:8; 24:7). In addition, both passages concern the covenant. Together they form a covenantal framework around the Sinai pericope in Exodus 19–24. Indeed, without these passages the Sinai pericope makes no mention of a covenant between God and his people.²⁷ Secondly, thanks to the work of Perlitt, Ernest Nicholson, and many others, the older critical view that covenant is a late concept has been firmly reasserted. In some models, covenant theology first emerges only in the context of Assyrian hegemony.²⁸ Thirdly, as Perlitt demonstrated the language is often redolent of Deuteronomy with references to “all the words,” God speaking, and the people’s agreement to do them.²⁹

Perlitt argued that there was an ancient rite in vv. 4aβ–6, 8, which had been subsequently reworked by the same Deuteronomistic author who had contributed 19:3–8, but if, as Perlitt had shown, Exod 19:3–8 could combine Deuteronomistic and Priestly ideas, it is equally apparent that this could be true of Exodus 24:3–8. Additional features point to the same conclusion. First, Nicholson demonstrated that the manipulation of the blood was best explained not by appeal to the idea of creating a blood bond between covenant partners – an idea without parallel in the Hebrew Bible – but to blood’s role as a means of sanctification.³⁰ In particular, blood is used to consecrate the priests in Leviticus 8, where it is sprinkled against the altar and sprinkled on Aaron and his sons. This important parallel for the sanctifying role of blood and many others are to be found in the broad Priestly tradition.

26 For covenant ceremonies at Shechem and Gilgal, see inter alia, E. Nielsen, *Shechem: A Traditio-Historical Investigation* (Copenhagen: G. E. C. Gad, 1959); E. Otto, *Das Mäzozfest in Gilgal* (BWANT 107; Stuttgart: Kohlhammer, 1975).

27 L. Perlitt, *Bundestheologie im Alten Testament* (WMANT 36; Neukirchen-Vluyn: Neukirchener, 1969), 156–238.

28 See esp. the work of E. Otto, *Das Deuteronomium: Politische Theologie und Rechtsreform in Juda und Assyrien* (BZAW 284; Berlin: de Gruyter, 1999).

29 Perlitt, *Bundestheologie*, 181–190.

30 E. W. Nicholson, *God and His People: Covenant and Theology in the Old Testament* (Oxford: Clarendon Press, 1986), 164–178.

Secondly, the mention of *זבחים שלמים* in v. 5 points, at the very least, to later reworking. The compound expression *זבחי שלמים* is a favourite of P and appears in relatively late texts that show P's influence.³¹ Thirdly, as Nicholson showed, the principal evidence for the ritual's antiquity was the presence of the "young men," but the problem was not insuperable, for *נערים* could be a technical term designating subordinate cultic officials, rather than young men with no cultic status.³²

What is the significance of the blood ritual? Three distinct interpretations have been proposed. First, the blood is a symbol of an imprecatory oath. Imprecation is a fairly effective explanation of the divided animals in Jeremiah 34, and there are many other examples from the ancient Near East. In such cases, however, the oath of imprecation is explicit, and this is not the case in Exod 24:3–8.

Secondly, the blood establishes a bond of covenant. In favour of this view we can note the fact that the blood is identified as the "blood of the covenant" in v. 8. This expression is found only here and in Zech 9:11, which appears to be dependent on Exodus 24. William Gilders argues that the blood is sprinkled on the two parties and represents the bond between them.³³ If that were the case, the altar would represent God. The problem with this suggestion is that there is nowhere else in the Hebrew Bible where the altar represents God. In addition, as Nicholson observes, there is no parallel to blood being understood in this way elsewhere in the Hebrew Bible.³⁴

Thirdly, the sprinkling of the people with blood might be an act of sanctification. Gilders rejects this interpretation because Exodus 24 and Leviti-

31 The only possible exceptions are 1 Sam 10:8 and 11:15. In both cases, Rendtorff argues that *שלמים* was original (R. Rendtorff, *Studien zur Geschichte des Opfers im Alten Israel* [WMANT 24; Neukirchen-Vluyn: Neukirchener, 1967], 150–151). 1 Samuel 10:8 is usually thought to interrupt vv. 7, 9 and anticipates 13:8–15 (L. Schmidt, *Menschlicher Erfolg und Jahwes Initiative: Studien zu Tradition, Interpretation und Historie in Überlieferungen von Gideon, Saul und David* [WMANT 38; Neukirchen-Vluyn: Neukirchener, 1970], 102), whilst 1 Sam 11:15 is somewhat overfull (e.g. the repeated *שם*) and the verse as a whole has sometimes been judged as unnecessary. (For the most detailed discussion, see R. Müller, *Königtum und Gottesherrschaft: Untersuchungen zur ältesten monarchiekritik* [FAT II/3; Tübingen: Mohr Siebeck, 2004], 149–158).

32 E. W. Nicholson, "The Covenant Ritual in Exodus 24:3–8," *VT* 32 (1982): 74–86, here 81. For further evidence of *נערים* as a technical term within the cult, see B. Peckham, "Notes on a Fifth-Century Phoenician Inscription from Kition, Cyprus (CIS 86)," *Orientalia* 37 (1968): 304–324. In some Ugaritic texts *n'r* seems to be a cultic profession, such as when it appears alongside *khn* and *qdš* (KTU 9.436). For further discussion of *נער* see J. MacDonald, "The Status and Role of the Na'ar in Israelite Society," *JNES* 35 (1976): 147–170.

33 Müller, *Königtum und Gottesherrschaft*, 149–158.

34 Nicholson, "Covenant Ritual," 82.

cus 8 “are not identical in form or purpose” and do not occur in the same source.³⁵ I do not find Gilders’ objections compelling. We may deal briefly with his observation that they do not occur in the same source, and cannot be used to interpret each other. Gilders’ source critical assessment has limited value because it is so blunt. He simply identifies Exodus 24 as non-P. But if Exod 24:3–8 is a late, post-Priestly composition, there is no reason to exclude the possibility that its scribal authors were aware of the ordination ritual in Leviticus 8 and consciously modelled the blood ritual on it. Nevertheless, Gilders is right to identify differences between Exodus 24 and Leviticus 8. Blood is applied to an altar and individuals in both accounts, but the ritual in Leviticus 8 includes anointing with oil and uses different terminology for the blood application. In Leviticus 8, the blood is dashed (זרק) against the altar, but placed (נתן) on the priest’s bodily extremities and sprinkled (*hiphil* נזה) on Aaron and his sons. In Exodus 24, the blood is dashed (זרק) on altar and people. It is possible that Exodus 24 has overlooked or ignored the fine technical distinctions of the Priestly instructions and, in doing so, emphasized the equivalence of the blood application to the altar and people.

The second important difference is, of course, the role of the young men in offering the sacrifices. In Leviticus 9, it is Moses who offers the sacrifices. As we have already seen, the appearance of the “young men” (נערים) has long been something of an interpretive crux. I want to cautiously suggest that in two respects their appearance here may, perhaps, reflect a scribal author seeking to fit the passage into its context. First, the “young men” may have been chosen as a counterpart to the “elders.” My only caution with this suggestion is that נער and זקן are not a frequently attested pair.³⁶ Secondly, the appearance of the “young men” might reflect a literary awareness that the priesthood will not be ordained for another twenty-four chapters.

In my view, the most compelling understanding of the blood ritual is that the blood sanctifies the people. As Nicholson puts it, “those over whom the blood of Yahweh’s sacrifices is cast now belong peculiarly to him, and are thereby also solemnly commissioned to his service, just as the consecration of priests was a commissioning to the office of priests.”³⁷ The ritual forms a fitting companion to the opening of the Sinai pericope, which promised that Israel would be “a kingdom of priests” (ממלכת כהנים; 19:6).³⁸ At the

³⁵ Gilders, *Blood Ritual*, 39.

³⁶ In the Hebrew Bible, they are only found in Ps 37:25 and Prov 22:6.

³⁷ Nicholson, *God and His People*, 172.

³⁸ For the interpretation of this famous crux, see W. Oswald, *Israel am Gottesberg: Eine Untersuchung zur Literaturgeschichte der vorderen Sinaiperikope Ex 19–24 und deren*

conclusion of the giving of the law at Sinai, the promise is realized ritually through the entire people undergoing a ceremony similar to the priestly ordination.

Nicholson's ascription of Exod 24:3–8 to a proto-Deuteronomic hand meant that he saw the ritual giving rise to the claim that Israel will be a "kingdom of priests": "Exod. xix 6a, belonging to a passage (vv. 3b–8) which is best understood as an anticipatory summary and interpretation of the Sinai pericope as a whole, may be understood as an interpretation of the ritual in xxiv 3 ff."³⁹ Whether or not the proto-Deuteronomic ritual originally had a meaning, the composer of Exod 19:3–8 has provided one. If, however, as I have argued, Exod 24:3–8 was composed by the same hand as Exod 19:3–8, a different possibility emerges: that meaning gave rise to a ritual. In other words, the blood ritual in Exodus 24 is nothing more than a literary creation which was composed so as to realize the promise that Israel would be a "kingdom of priests." Speculations that the nation as a whole were to have a priestly vocation appear to have arisen in the early Second Temple period (Isa 61:6), and the framing of the Sinai pericope can be insightfully viewed as part of that. The promise in Exod 19:3–8 and the ritual in Exod 24:3–8 are scribal speculations about the significance of Israel's encounter with YHWH at Sinai. The ordination of the Aaronide priesthood in Leviticus 8 is preceded by a claim that the entire people of Israel have been ordained as priests. There was no blood ritual for the entire people that preceded the scribal speculation, but the ritual was not without a precursor. The ordination of the Aaronide priests was the model for the blood ritual in Exodus 24.

An interesting question to ask is whether this ritual was ever practiced? The impediments to actual practice of the ritual have long been observed. How were the entire people to be dashed with sacrificial blood? But were attempts ever made to realize it? There is no evidence, so far as I am aware, of the ritual being practiced in the Second Temple period. Nevertheless, the existence of a ritual that is a scribal invention raises the intriguing possibility of textual speculation giving rise to ritual, rather than the text reflecting ritual practice.

historischem Hintergrund (OBO 159; Freiburg: Universitätsverlag, 1998), 31–33, and the literature cited there.

³⁹ Nicholson, "Covenant Ritual," 86.

Conclusion

Our two case studies have shown that the relationship between the texts describing rituals and any rituals that occurred in ancient Israel or Second Temple Judaism is far from straightforward. It is not simply that the transcribing of rituals inevitably refracts and simplifies the complexities of actual practice, but that the textual accounts of ritual practices are distorted, if viewed as representations of practice. The scribal authors of the Pentateuch describe rituals that may never have been practiced, or rituals they had not seen, or rituals that existed only as imaginations of the past. None of this is to say that we cannot learn anything about ancient cultic practices, but only that our knowledge of what was actually practiced will be far more modest and must be held more tentatively.

Nathan MacDonald
St John's College
St John's Street
Cambridge, CB2 1TP
United Kingdom
nm10011@cam.ac.uk