

Categorization and Evaluation of Different Kinds of Interpretation of the Laws of Clean and Unclean Animals in Leviticus 11¹

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Abstract

In the heart of the Pentateuch there are laws that divide all animals into two comprehensive taxonomy groups, namely clean and unclean (Lev 11:1-47 and 20:22-26; in abbreviated form and in a noncultic setting—Deut 14:3-21). Clean animals are fit and proper for human consumption, but unclean animals are unfit and unsuitable for food.

Jacob Milgrom said aptly that there are as many theories of interpretation of the laws of clean and unclean animals as there are theorists or exegetes.² The Mosaic dietary laws represent

¹This lecture was presented at the meeting of the Chicago Society of Biblical Research, University of Saint Mary of the Lake, Mundelein, IL, 24 February 2002. This paper is based on two chapters of my dissertation dealing with the historical-chronological survey of literature of the laws concerning clean and unclean animals/food and thematic review of literature of the Mosaic laws regarding dietary prohibitions. See my *The Laws of Clean and Unclean Animals in Leviticus 11: Their Nature, Theology, and Rationale (An Intertextual Study)* (Ph.D. dissertation, Andrews University, 1998). It was published by Adventist Theological Society: Berrien Springs, MI, 2000.

²Jacob Milgrom, "Ethics and Ritual: The Foundations of the Biblical Dietary Laws," in *Religion and Law: Biblical-Judaic and Islamic Perspectives*, ed. Edwin B. Firmage, Bernard G. Weiss, and W. Welch (Winona Lake, IN: Eisenbrauns, 1990), 159.

The scholarly literature on Lev 11 is voluminous. Recent and significant commentaries on Leviticus are Baruch A. Levine, *Leviticus* נִקְיָה, The JPS Torah Commentary (Philadelphia, PA: The Jewish Publication Society, 1989); Jacob Milgrom, *Leviticus 1-16*, The Anchor Bible, vol. 5 (New York: Doubleday, 1991); John E. Hartley, *Leviticus*, Word Biblical Commentary, vol. 4 (Dallas, TX: Word Books Publisher, 1992); R. K. Harrison, *Leviticus: An Introduction and Commentary*, Tyndale Old Testament Commentaries (Leicester: Inter-Varsity Press, 1980); G. J. Wenham, *Book of Leviticus*, The New International Commentary on the Old Testament (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1979); René Pêter-Contesse, *Lévitique 1-16*, Commentaire

"a long-standing hermeneutical puzzle in the interpretation of the Hebrew Scriptures."³ The classification and evaluation of many theories have been made to a certain extent by some scholars and interpreters of the Pentateuch.⁴ I classify various

de l'Ancien Testament, 3a (Geneva: Éditions Labor & Fides, 1993); Philip J. Budd, *Leviticus*, The New Century Bible Commentary (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1996); Erhard S. Gerstenberger, *Leviticus: A Commentary*, The Old Testament Library, ed. James L. Mays, Carol A. Newsom, and David L. Petersen (Louisville, KY: Westminster John Knox Press, 1996); Mark F. Rooker, *Leviticus: An Exegetical and Theological Exposition of Holy Scripture*, The New American Commentary (Nashville, TN: Broadman & Holman Publishers, 2000).

³David Smith, "Jesus and the Pharisees in Socio-Anthropological Perspective," *Trinity Journal* 6:2 (Autumn 1985): 151.

⁴The most extensive review of different explanations about the distinction between clean and unclean animals/food can be found in Walter Houston, *Purity and Monotheism: Clean and Unclean Animals in Biblical Law*, JSOT Supplement Series, 140 (Sheffield: JSOT Press, 1993), 68-123; David Bryan, *Cosmos, Chaos and the Kosher Mentality*, Journal for the Study of the Pseudepigrapha, Supplement Series, no. 12 (Sheffield: Sheffield Academic Press, 1995), 144-167; Walter Kornfeld, "Reine und unreine Tiere im Alten Testament," *Kairos* 7 (1965): 134-147; and in George Elmer Bryson, "The Various Rationales That People Have Seen for the Distinction Between Clean and Unclean Meats of Leviticus 11," unpublished term paper, Andrews University, 1975, 1-47. See also Gerhard F. Hasel, "The Distinction between Clean and Unclean Animals in Lev 11: Is It Still Relevant?" *Journal of the Adventist Theological Society* 2:2 (1991): 91-125; William H. Shea, "Clean and Unclean Meats," shelf document, unpublished paper, Washington, DC: Biblical Research Institute, 1988, 19-30; Levine, *Leviticus*, 244-248; Harry Rabinowicz, "Dietary Laws," *Encyclopaedia Judaica* (Jerusalem: Encyclopaedia Judaica, 1971-1972) 6:42-46; Kim-Kwong Chan, "You Shall Not Eat These Abominable Things: An Examination of Different Interpretations on Deuteronomy 14:3-20," *East Asia Journal of Theology* 3 (1985): 88-106; Peter Maarten van Bemmelen, "The Nature and Authority of the Law on Clean and Unclean Animals in the Pentateuch," unpublished MS, Andrews University, 1977, 25-54; James Roger Fisher, "A Critique of Rationales for Laws of Clean/Unclean as Applied to Animals in Leviticus 11," unpublished MS, Andrews University, 1982, 11-32; Wenham, *Book of Leviticus*, 166-171; David P. Wright, "Unclean and Clean (OT)," *The Anchor Bible Dictionary*, ed. David Noel Freedman and others (New York: Doubleday, 1992), 6:739-741; W. H. Gispen, "The Distinction between Clean and Unclean," in *Oudtestamentische Studiën*, ed. P. A. H. de Boer (Leiden: E. J. Brill, 1948), 5:190-196; Johannes Döllner, *Die Reinheits- und Speisegesetze des Alten Testaments in religionsgeschichtlicher Beleuchtung*, Alttestamentische Abhandlungen, no. 7:2-3 (Münster: Aschendorff, 1917); Isidor Grunfeld, *The Jewish Dietary Laws* (London: Soncino Press, 1972), 1:3-44, 158-160; S. H. Kellogg, "The Book of Leviticus," *The Expositor's Bible* (New York: A. C.

interpretations thematically and evaluate them in the light of recent exegetical and theological discussion. In this paper I concentrate mainly on the history of interpretation of the rationale behind the distinction of clean and unclean animals/food; I summarize and thus simplify 14 main theories of these Pentateuchal dietary regulations.

1. The Arbitrary Command Explanation

The arbitrary command interpretation holds that the division into clean and unclean animals is arbitrary from the human point of view; its rationale is known only to God. This distinction was given to the people to test their obedience to God.

An arbitrary rationale was introduced by Eleazar ben Azariah⁵ and supported by many rabbis, who state that dietary laws are "binding merely because they had been commanded by God."⁶ Rabbi Hayim Halevy Donin writes: "The faithful Jew observes the laws of kashrut not because he has become endeared of its specific details nor because it provides him with pleasure nor because he considers them good for his health nor because the Bible offers him clear-cut reasons, but because he regards them as Divine

Armstrong & Son, 1908), 2: 277-304; Thomas D. S. Key and Robert M. Allen, "The Levitical Dietary Laws in the Light of Modern Science," *Journal of the American Scientific Affiliation* 26 (June 1974): 61-64; Jacob Milgrom, "The Biblical Diet Laws as an Ethical System: Food and Faith," *Interpretation: A Journal of Bible and Theology* 17 (1963): 288-301; Herold S. Stern, "The Ethics of the Clean and the Unclean," *Judaism* 6 (1957): 319-327; A. Wiener, *Die jüdischen Speisegesetze nach ihren verschiedenen Gesichtspunkten zum ersten Mahle wissenschaftlich-methodisch geordnet und kritisch beleuchtet* (Breslau: S. Schottländer, 1895); Karl Wigand, "Die altisraelitische Vorstellung von unreinen Tieren," *Archiv für Religionswissenschaft* 17 (1914): 413-436; Bruce E. Nielsen, "Jewish Purity Practices Through the Eyes of the Christian Fathers," in *Proceedings of the Eleventh World Congress of Jewish Studies, Jerusalem, June 22-29, 1993, Division B, Volume 1, 9-16* (Jerusalem: The World Union of Jewish Studies, 1994); Rooker, 170-175.

⁵*Sifra Kedoshim* to Lev 20:26, 93b: "Eleazar ben Azariah said, 'A man should not say, I do not want to eat pork. He should rather say, I want to eat pork, but my Father in heaven has decreed against it!'"

⁶J. R. Porter, *Leviticus*, Cambridge Bible Commentary, New English Bible (Cambridge: Cambridge University Press, 1976), 83. See, for example, J. H. Hertz, ed., *The Pentateuch and Haftorahs*, 2nd ed. (London: Soncino Press, 1969), 448-449; Hayim Halevy Donin, *To Be a Jew: A Guide to Jewish Observance in Contemporary Life* (New York: Basic Books, 1972), 98; Wayne Dosick, *Living Judaism: The Complete Guide to Jewish Belief, Tradition and Practice* (San Francisco: Harper Collins Publishers, 1995), 268. It is interesting that rabbis usually combine the arbitrary rationale with other specific by-products of keeping dietary laws, such as morality, self-discipline, and/or health benefits.

commandments and yields his will before the will of the Divine and to the disciplines imposed by his faith.”⁷

Among modern writers this approach is held by Nehama Leibowitz, Eugene H. Merrill, and others.⁸ Jeffrey H. Tigay states: “The language of the dietary codes indicates that what was impure for Israel is so because God declares it to be so. . . . Thus, holiness is maintained by avoiding what is impure not by human standards, but by divine standards.”⁹ To a certain extent Jacob Milgrom also concurs with that explanation. He writes: “It is of no small significance that the dietary laws of the priestly system (Lev 11), which are contiguous with and inseparable from the bodily impurities in this list (covering Lev 12-15), are also governed by criteria, such as chewing the cud and having a split hoof, that are equally arbitrary and meaningless in themselves but serve a larger, extrinsic purpose.”¹⁰

The Mosaic dietary laws were classified as irrational laws, because no reason could be found for their existence. They were given as a demonstration of God’s authority. Jewish scholarship has traditionally assigned these laws to a special type designated by the term חֻקִּים because “their explanation is known only to God.”¹¹ Grunfeld, referring to “revelational” laws, says that “the divine imperative” is their “own self-

⁷Donin, 98.

⁸Nehama Leibowitz, *New Studies in Vayikra (Leviticus)*, vol. 1 (Jerusalem: Eliner Library, The World Zionist Organization, Department for Torah Education and Culture in the Diaspora, 1995), 155: “It seems, therefore, that the more we rationalize such prohibitions as intrinsically noxious to body and soul, the farther we drift from their actual basis [God commanded, I should obey].” Eugene H. Merrill, *Deuteronomy*, The New American Commentary, vol. 4 (Nashville, TN: Broadman & Holman Publishers, 1994), 235-238. Merrill holds an arbitrary explanation which he combines with the motive of separation. See also Roy Gane, “Covenant—Law—Sabbath,” unpublished paper, Andrews University, Theological Seminary, 1995, 74: “It almost looks as though God’s intention was to point out another ‘tree of the knowledge of good and evil,’ of which he says, ‘Don’t eat!’ without giving the reason. He simply wants people to obey, trusting that he has a good reason.”

⁹Jeffrey H. Tigay, *Deuteronomy* דברים, The JPS Torah Commentary (Philadelphia, PA: Jewish Publication Society, 1996), 138. Nevertheless, the primary rationale for dietary laws, according to Tigay, is sociological: to be separated from other nations.

¹⁰Jacob Milgrom, *Numbers* במדבר, The JPS Torah Commentary (Philadelphia, PA: Jewish Publication Society, 1990), 345.

¹¹Stern, 320.

sufficient motive."¹² In support of this view some proponents have drawn parallels with the test of Adam and Eve over the tree of the knowledge of good and evil in the Garden of Eden.¹³ Food laws test human obedience without asking for a reason. One does not need to understand why one should keep them; one simply has to obey.

It is true that we should obey God whether we understand the reason behind a law or not, but the claim that these laws are arbitrary commands "is contrary to the spirit of Moses' speech to Israel in Deuteronomy 6:7, where he repeatedly emphasizes the proper understanding of the laws, implying, therefore, that they are open to human reason."¹⁴

The stress on trust in God and His sovereignty¹⁵ are valuable aspects of this theory, but it does not fit together with the description of God's character. In the Bible God is not presented as arbitrary in His commands (Deut 4:5-8; Pss 19; 111:7-10; 119; Rom 1:19-20, etc.). In such an interpretation God can be seen as capricious and His true properties are distorted. God makes things with purpose and reason even if this reason is not always plainly stated. Thus this negative explanation has some good points, but it should be taken as an explanation of the Mosaic dietary laws only as a last resort when all other possibilities fail to explain the motivation behind these rules.

2. The Cultic Explanation

The cultic or religious explanation claims that some animals were declared unclean and prohibited, because of their place in the cult and practices of the pagan nations. Unclean animals are so perceived because of their close association with pagan religions where they were either worshiped or associated with deities. As a mark of fidelity to the covenant, Israel must shun these animals entirely. Thus, Mosaic dietary laws are the wall against paganism. This view is supported by Martin Noth, Jan Heller, John Döller and others.¹⁶

¹²Grunfeld, 39.

¹³Leibowitz, *New Studies in in Vayikra (Leviticus)*, 1:154-155; Gane, "Covenant—Law—Sabbath," 74-75.

¹⁴Stern, 320.

¹⁵Probably a better name for this type of interpretation should be coined, such as "The Sovereignty of God Explanation" or "The Radical Obedience Explanation."

¹⁶Martin Noth, *Leviticus: A Commentary*, rev. ed. (Philadelphia, PA: Westminster Press, 1965), 62; idem, *The Laws in the Pentateuch and Other Studies* (Edinburgh: Oliver & Boyd, 1966), 56-57; Jan Heller, "Leviticus 11," *Kostnické jiskry* 34-35 (1956): 2; Döller, 231-232; and in part by A. Noordtzi, *Leviticus*, Bible Student Commentary (Grand Rapids, MI: Zondervan Publishing

In favor of this position is the fact that Israel was to be a holy nation (Exod 19:5-6; Lev 11:44-45) separated from all the pagan nations (Lev 20:25-26). It is true that there are a number of unclean animals, particularly the pig,¹⁷ that were used in Egyptian, Canaanite, and other pagan cults.¹⁸

There are serious difficulties in sustaining the cultic interpretation of the dietary laws. It has in its disfavor that not all unclean animals were used in pagan worship¹⁹ and that some clean animals (such as bull, cow, ram, goat, some clean fish) have been used in pagan cults.²⁰ The bull, for example, was commonly used in Egyptian and Canaanite worship, and yet it was considered clean according to the Pentateuch and could be sacrificed on the altar. There is also no indication anywhere in the Pentateuch that pagan cults played a role in this prohibition. The same range of animals was sacrificed in the pagan rites as in Israel. It seems unlikely therefore that uncleanness derives primarily from the use made of animals in pagan religion.

A further point against this kind of explanation is the fact that there was once a cult of goat worship (in Hebrew שְׂעִירִים in ancient Israel.²¹ Yet, the goat was not declared an unclean animal. Levine correctly states: "The dietary laws give no evidence of a pattern wherein prohibited animals were ever revered or offered as sacrifice. Nor is there evidence of the opposite phenomenon, that any animal or bird suitable for sacrifice was ever prohibited as food."²²

House, 1982), 121-122; and others. Already Origen used this type of explanation (*Against Celsus* 4.93 [ANF, 4:538-539]); Rolf Rendtorff, "Speiseverbote, II. Im AT und Judentum," in *Die Religion in Geschichte und Gegenwart: Handwörterbuch für Theologie und Religionswissenschaft*, 3rd ed., ed. Kurt Galling (Tübingen: J. C. B. Mohr, 1962), 6:231.

¹⁷Frederick J. Simoons, *Eat Not This Flesh: Food Avoidances in the Old World* (Madison, WI: University of Wisconsin Press, 1961), 13-43.

¹⁸Kornfeld, "Reine und unreine Tiere im Alten Testament," 135-136; Roland de Vaux, "Les sacrifices de porcs en Palestine et dans l'Ancient Orient," *Beiträge zur Zeitschrift für die alttestamentliche Wissenschaft* 77 (1958): 250-265; A. Jirku, "Leviticus 11:29-33 im Lichte der Ugarit-Forschung," *Zeitschrift für die alttestamentliche Wissenschaft* 84 (1972): 348; Wenham, *The Book of Leviticus*, 167; Milgrom, *Leviticus 1-16*, 650-653. Compare Isa 65:4.

¹⁹Wenham, *Book of Leviticus*, 167; Kornfeld, "Reine und unreine Tiere im Alten Testament," 136.

²⁰Porter, 84.

²¹This reality is referred to in Lev 17:7. John H. Sailhamer, *The Pentateuch as Narrative: A Biblical-Theological Commentary*, (Grand Rapids, MI: Zondervan Publishing House, 1992), 50, 342-345.

²²Levine, *Leviticus*, 247.

Shea aptly writes: "This theory appears to put the cart before the horse. The animals were first determined to be either clean or unclean and then they were used accordingly in the cult. This is the proper biblical order of things. This theory advances the idea that certain animals were first selected for use in the cult and then they became clean thereby while the others that had not been used in the cult were then classified as unclean."²³ W. F. Albright characterizes this theory as "sheer nonsense." He explains: "The pig was sacred in certain places and periods, but large and small cattle were even more generally sacred, so that it is quite irrational to single out the economically and religiously much less important pig and to explain its prohibition in Israel by its alleged religious significance."²⁴

In view of our increasing knowledge of ancient cults, this theory cannot stand up to scrutiny.

3. The Sociological Explanation

The sociological explanation of the Mosaic dietary laws is a modification of the cultic theory (and usually linked with symbolic interpretation), although it is not based on the use of unclean animals in pagan worship, but on Israel's election to be a holy people. Israel has to separate herself from other nations. The Pentateuchal dietary laws were given in order to create and fortify her own national identity by separating Israel from pagan nations. In consequence, prohibited food rules are a fence against pagan infiltration.

Some biblical evidence can be cited as possible support for this separation theory (Lev 18:1-3; 20:22-26), already found as early as the *Letter of Aristaeas* and still favored by some modern commentators such as Soler, Levine, Kaiser, Gerstenberger, Merrill, Wenham, Rooker and others.²⁵

²³Shea, 14.

²⁴William Foxwell Albright, *Yahweh and the Gods of Canaan: An Historical Analysis of Two Contrasting Faiths* (London: Athlone Press, 1968; reprint, Winona Lake, IN: Eisenbrauns, 1994), 177-178.

²⁵Jean Soler, "The Dietary Prohibitions of the Hebrews," *The New York Review of Books* 26:10 (1979): 24: "Dietary prohibitions are indeed a means of cutting a people off from others"; Levine, *Leviticus*, 244, 248; Walter C. Kaiser, Jr., "The Book of Leviticus: Introduction, Commentary, and Reflections," in *The New Interpreter's Bible* (Nashville, TN: Abingdon Press, 1994), 1:1076-1077; Gerstenberger, 145: "They [dietary laws] serve to identify one's own group (confession) and to provide a delimitation in relation to the outside"; Merrill, *Deuteronomy*, 235: "Separation between pure and impure animals is a reminder of Israel's own separation from the world of nations"; to a certain extent also Gordon J. Wenham, "Clean and Unclean," *New Bible Dictionary*, 3rd ed. (Downers Grove, IL: Inter-Varsity Press, 1996), 211: "The food laws not only reminded Israel of her distinctiveness, but they also served to enforce it"; Rooker, 174; Milgrom, *Leviticus 1-16*, 721-725; Tigay, 138; Houston, *Purity and Monotheism*, 264-265,

The heavy objection to this sociological interpretation comes from the fact that God first chose and separated Israel in order to create one nation, and then He gave them the gift of the law. In addition, the dietary regulations form only one important part of the whole integral juristic corpus.²⁶

The identity of the nation is not built on one particular law or rule, but primarily upon the recognition to whom they belong and many other regulations and cultural aspects (such as family ties, language, customs, history, feasts, etc.). The dietary laws formed only one part of their religious beliefs. The totality of different features contributed to their feeling of national identity. The idea that dietary laws have the aim to separate Israel physically from other nations is foreign to the biblical teaching. This tendency to separate from others was developed during the intertestamental times.²⁷

Lev 20:25-26 is often explained in isolation. The primary intent of this passage is separation from the wrong sinful costumes, habits, and acts of pagan nations, and not from the people per se. This can be clearly discerned from such texts as Lev 18:3, 24-30; 20:23; Deut 18:9. Only in the situation where people identify themselves with the practice of idolatry, sexual perversion, and gluttony, and where there is no choice in regard to "clean" food, then there is no other way than to separate completely from the people. It is only in the situation of apostasy where force and mockery are present, and respect lost, that separation has to be maintained.

Separation from others can best be taken only as a result of and not as a cause of practicing dietary regulations. There is a difference between the purpose of these rules and their possible effects. Stern stresses: "It is as absurd to argue that these laws were designed to maintain Jewish identity as it would be to argue, for example, that the Bible prohibited child sacrifice for the purpose of differentiating the Jews from the people around them who did practice it."²⁸

This interpretation is usually combined with an allegorical or symbolic explanation.

280; Frances A. Joseph, "On the Dietary Laws: The Dietary Laws from a Woman's Point of View," *Jewish Quarterly Review*, Original Series 8 (1896): 643-651; James B. Jordan, *Pig Out? 25 Reasons Why Christians May Eat Pork* (Niceville, FL: Biblical Horizons, 1992), 27-29; Edwin Firmage, "The Biblical Dietary Laws and the Concept of Holiness," in *Studies in the Pentateuch*, ed. J. A. Emerton, Supplements to Vetus Testamentum, 41 (Leiden: E. J. Brill, 1990), 195.

²⁶Separation motive is very general and many Israelite laws can be associated with it. It means that this rationale is not specific. The purpose of the dietary laws is not to separate Israelites from other nations, because they were already separated.

²⁷See for example Jubilees 22:16; Tobit 1:10-11; Judith 12:2.

²⁸Stern, 320.

4. The Symbolic/Allegorical Explanation

This is one of the oldest interpretations of the Mosaic dietary laws dating back to the time of pre-Christian writers such as Aristeeas and Philo, and was common also among early Christian expositors.²⁹ This particular view of the food laws saw the clean and unclean animals as "living illustrations" symbolizing or representing virtues and vices to be either emulated or shunned. The symbolic interpretation of the food laws views the behavior and habits of the clean animals as living illustrations of how the righteous Israelite ought to behave, while the unclean represents sinful/pagan people. For example, chewing the cud made an animal clean, because it reminded men to meditate on the law. In that sense the dietary rules have a didactic function.

There are three main symbolic interpretations:

1. Allegorical (details have special meaning; symbols represent spiritual lessons; animals stand for types of behavior; usually combined with a didactic approach), as in the writings of Aristeeas, Philo, and many early Church Fathers. Among modern interpreters who defend this theory is Bonar, and lately Mary Douglas whose last two articles have an allegorical tendency. Also Jordan's interpretation tends to be allegorical.³⁰

2. Symbolic (only main features represent types of people; usually presented together with a separation motive), early (and late) Mary Douglas, Jordan, Milgrom, Wenham, Baylis, and Sprinkle.³¹

²⁹ See the *Letter of Aristeeas to Philocrates* and Philo's work *The Special Laws*. However, there is a striking difference between the allegorical Jewish and Christian exposition. Aristeeas and Philo argue in favor of the dietary laws and defend them before the Greek and Roman world, whereas Christian interpreters such as Barnabas, Irenaeus, Clement, Origen, and Novatian use the same allegorical method "to free themselves from the observance of these laws" (Bryson, 7-12).

³⁰ Andrew A. Bonar, *A Commentary on the Book of Leviticus* (Evansville, IN: Sovereign Grace Book Club, 1959), 214-215; Mary Douglas, "The Forbidden Animals in Leviticus," *Journal for the Study of the Old Testament* 59 (1993): 3-23; idem, "Sacred Contagion," in *Reading Leviticus: A Conversation with Mary Douglas*, ed. John F. A. Sawyer (Sheffield: Sheffield Academic Press, 1996), 86-106; James B. Jordan, *Animals and the Bible*, Studies in Food and Faith, no. 6 (Niceville, FL: Biblical Horizons, 1989), 13-15; idem, *An Introduction to the Mosaic Dietary Laws*, 3-8; Charles H. Mackintosh, *Notes on the Book of Leviticus* (New York: Loizeaux Brothers, Bible Truth Depot, 1880), 353-358.

³¹ The allegorical and symbolic explanations overlap. It is difficult to dissect them. Maybe it would be better to speak only about the allegorical/symbolic explanation. But because it is possible to see slightly different emphasis and intent behind them, we are able to discern between these two types of symbolic interpretation. See Mary Douglas, *Purity and Danger: An Analysis of Concepts of Pollution and Taboo*, (London: Routledge & Kegan Paul, 1966; rev. ed.,

3. Anthropological (see below under Anthropological Interpretation).

Bonar argued that the sheep was clean because it reminded the ancient Israelite that the Lord was his shepherd, whereas the dirty habits of the pig spoke of the "filth of iniquity."³²

A brief survey of the biblical data suffices to show the inconsistency of this theory. The biblical text does not support this interpretation. Even though the Bible does commend the virtues which some of the clean animals may be taken to symbolize, it is also important to note that "the characteristics of unclean animals are recommended, while on the other hand clean animals can represent the wicked."³³

For example, the unclean lion symbolizes the figure of the Messiah (Gen 49:9; Rev 5:5),³⁴ the unclean eagle represents God's wonderful care for His people in the time of need (Deut 32:9-12), the unclean ant is a symbol of diligent work (Prov 6:6-8); clean animals such as ram and he-goat represent the Gentile kingdoms of Medo-Persia and Greece (Dan 8:20-21), clean cows represent women who oppress the poor (Amos 4:1), David's enemies are compared to bulls and lions (Ps 22:12-13), a difference is made between rams and fat sheep (symbolizing wicked people) on the one hand, and goats and lean sheep (righteous people) on the other hand (Ezek 34:17-22; compare Matt 25:32-33), and although believers in Jesus are like sheep, they should be as shrewd as a snake (Matt 10:16).

London: Routledge & Kegan Paul, 1978); idem, *Natural Symbols: Explorations in Cosmology* (London: Pantheon Books, 1970.); idem, "Deciphering a Meal," *Daedalus* 101 (1972): 61-81, reprinted in *Implicit Meanings*, 249-275; idem, "Sacred Contagion," 86-106; Wenham, "Clean and Unclean," 211: "The food laws symbolize that Israel is God's people, called to enjoy his life, while Gentile idolaters are by and large opposed to him and people, and face death. The food laws also underline respect for life directly as well as symbolically. . . . The clean (edible) creatures symbolized Israel, whereas the unclean (prohibited) foods symbolized the Gentile nations." James B. Jordan, *An Exposition of Leviticus 11*, Studies in Food and Faith, 13 (Niceville, FL: Biblical Horizons, 1990); idem, *Introduction to the Mosaic Dietary Laws*; idem, *The Meaning of Clean and Unclean*, Studies in Food and Faith, 10 (Niceville, FL: Biblical Horizons, 1990); Milgrom, *Leviticus 1-16*, 721-723; Albert H. Baylis, *From Creation to the Cross: Understanding the First Half of the Bible* (Grand Rapids, MI: Zondervan Publishing House, 1996), 134; Joe M. Sprinkle, "Clean, Unclean," *Evangelical Dictionary of Biblical Theology*, ed. Walter A. Elwell (Grand Rapids, MI: Baker Books, 1996), 100-102.

³²Bonar, 214-215.

³³Van Bemmelen, 40.

³⁴For the messianic context of Gen 49, see Walter C. Kaiser, Jr., *The Messiah in the Old Testament*, Studies in Old Testament Biblical Theology (Grand Rapids, MI: Zondervan Publishing House, 1995), 50-53.

Joe M. Sprinkle is a modern defender of the symbolic interpretation. His statements are built on the symbolism mentioned in the studies of Mary Douglas and Jacob Milgrom: "The clean/unclean system divided animals, people, and land into three categories to teach separation from the Gentiles. Animals that could be sacrificed were "holy"; wild game and fish that could be eaten but not sacrificed were "clean"; and animals that could be neither eaten nor sacrificed were "unclean."³⁵

This conclusion, however, is not altogether correct. Nowhere in the Pentateuch or in the entire Bible is any living animal called "holy."³⁶ Also, if different types of animals represent different groups of people, then this symbolic interpretation leads to the separation of Jews from Gentiles as people, and not solely from their pagan practices and habits.

³⁵Sprinkle, 100.

³⁶It is true that some parts of the clean flesh used in the sanctuary or eaten there were called "holy," because they were consecrated to God (Lev 2:3, 10; 6:17, 25-29; Hag 2:12), but never is a sacrificial animal called holy (an animal cannot be consecrated) as priests are, nor is it made holy by its function.

Milgrom speaks about three covenants made with different groups of people, but he fails to present three different covenants made with animals. Animals as part of the covenant are mentioned only in connection with one of them (Gen 9:10—the Noachic covenant includes all living creatures) but are absent from the other two. That all animals are included only in the covenant with Noah is a great inconsistency. Nowhere in the Hebrew Bible are unclean or sacrificial animals used to represent special groups of people. In addition, with these three covenants, the royal covenant with David is missing (2 Sam 7:11-16; Jer 33:17-22). The picture about covenants is thus incomplete. The choice is superficial and speculative. In such an approach there is no safeguard.

There needs to be more in the above-mentioned symbolism in order to make it consistent. Among priests there is a high priest (people) and in the realm of the sanctuary there is the Most Holy Place (space). Which animal among the sacrificial animals represents the High Priest and what represents the territory of the Holy of Holies? It is interesting that only the High Priest could enter the Most Holy Place once a year.

The symbolic interpretation is a nice construction and hypothesis which demonstrates how the Jews in the second century B.C. and later could get the symbolic understanding of the dietary laws. It is true that Milgrom's (and Douglas's) inventions are nowhere reflected in the ancient Jewish writings. They merely present different symbolic/allegorical explanations. See for example *Aristeas to Philocrates (Letter of Aristeas)*, ed. and trans. Moses Hadas, Jewish Apocryphal Literature (New York: Harper & Brothers, 1951), 143-169; *Midrash Rabbah: Leviticus*, 13.5; *Midrash Taniama* (Shemini 8); Leibowitz, *New Studies in Vayikra (Leviticus)*, 1:159-161. Even in the New Testament one can find an echo of this symbolic theory which was alive and popular among the people in the time of Jesus and in the early Christian church. This interpretation is in the background of the problem reflected in Acts 10.

According to Gordon Wenham, the allegorical theory is "at best partial" and "at worst whimsical and capricious" and he adds that "biblical exegesis without controls is apt to run away into total subjectivity."³⁷ This theory leads to considerable inconsistency in its application and it is not, therefore, suitable as an adequate theory to explain the difference between clean and unclean animals.

5. The Didactic Explanation

This theory claims that the food laws have a didactic function. They teach recipients self-discipline and self-control. They have a moral lesson, because they teach obedience to the will of God and righteousness. They help one to be courageous to take a stand. One cannot hide one's own dietary practices. The people of God maintain the right status of relationship with God and holiness by keeping these dietary regulations. Disobedience takes away holiness and breaks integrity of the people.

The recommended or banned behavior of clean/unclean animals is an object lesson of how humans should or should not behave. The purpose of these laws is to help to build Godlike character.

The didactic interpretation goes back as early as the *Letter of Aristeas* and it was also supported by the author of 4 Maccabees, and by Philo, Justin, and others.³⁸ The medieval commentator Maimonides noted: "These ordinances seek to train us in the mastery of our appetites, they accustom us to restrain both the growth of desire and disposition to consider the pleasure of eating as the end of man's existence."³⁹

This didactic function of the dietary laws is stressed by some modern writers such as Douglas, Levine, Tigay, and others.⁴⁰

One cannot deny the didactic function of the Pentateuchal dietary laws, but this function is the result and not the cause of these regulations. It is a by-product. The rationale of these laws lies somewhere else.

³⁷Wenham, *Book of Leviticus*, 168-169.

³⁸*Letter of Aristeas* 147-151; 4 Macc 5:23; Philo *Special Laws*, IV 100 (trans. Yonge, *Works of Philo*, 625); Justin *Dialogue with Trypho* 20 (ANF, 1:204). This type of interpretation of the laws of clean and unclean animals/food can be also called "the aesthetic explanation."

³⁹Moses Maimonides, *The Guide for the Perplexed*, trans. M. Friedländer (London: Routledge and Paul, 1956), 372.

⁴⁰Douglas, "Forbidden Animals in Leviticus," 20-23; Tigay, 138; Samuel H. Dresner, *The Jewish Dietary Laws: Their Meaning for Our Time* (New York: The Burning Bush Press, 1959), 17-21, 52-54; Leibowitz, *New Studies in Vayikra (Leviticus)*, 1:155; Levine, *Leviticus*, 248: "Israel is kept from bestiality; their humaneness is enhanced."

6. The Psychological/Repulsiveness Explanation

C. L. Feinberg summarizes this theory in the following way: "The forbidden animals appeared either loathsome or begat a spirit of cruelty in those who ate them."⁴¹

The distinction between clean and unclean animals is based on natural abhorrence. There is a psychological reason of natural repugnance behind the prohibition of unclean animals. Already 4 Maccabees, Maimonides, and Luther, but also some others were of the opinion that unclean animals such as serpents, mice, swarming things, etc., are loathsome.⁴²

Filthy habits and the cruel behavior of some animals form the basis for a natural reaction against animals of a predatory or scavenger nature which are therefore prohibited upon aesthetic grounds. This creates natural negative feelings against some of them which play a key role in this theory. Cultural preference becomes the deciding factor. In that connection one should be reminded that this motivation can be linked with the curse on the serpent in the Garden of Eden (Gen 3:14).

While a number of the unclean animals are scavengers or dangerous predators, others are not, so this criterion for the distinction between them becomes somewhat arbitrary and inconsistent. It is also doubtful that ancient humans would have had the same aesthetic criteria for selecting animals to eat as moderns may have.

While it cannot be denied that many of the unclean animals are scavengers or predators, it seems inconsistent that some of the domesticated animals such as the donkey, horse, or camel, or even some wild animals such as the lion, tiger, or elephant should be considered unclean on the ground of abhorrence or aesthetics. Mary Douglas denies that there is a universal view of what is repulsive.⁴³

⁴¹C. L. Feinberg, "Clean and Unclean," *The New Bible Dictionary*, 2nd ed., ed. J. D. Douglas (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1962), 217.

⁴²4 Macc 5:8; Maimonides, 370-371; Martin Luther, *Lectures on Genesis: Chapters 6-14*, Luther's Works, 2, ed. Jaroslav Pelikan (Saint Louis: Concordia Publishing House, 1960), 134-135; Wigand, 413-436; Stern, 321-322, 326; C. F. Keil and F. Delitzsch, *The Pentateuch: Biblical Commentary on the Old Testament*, vol. 1-3 (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1952), 2:357-360; C. F. Keil, *Manual of Biblical Archeology II* (Edinburgh: T. & T. Clark, 1888).

⁴³Mary Douglas, "Critique and Commentary," in *The Idea of Purity in Ancient Judaism: The Haskell Lectures, 1972-1973*, Studies in Judaism in Late Antiquity, ed. Jacob Neusner, no. 1. (Leiden: E. J. Brill, 1973), 139; idem, "Sacred Contagion," 102.

7. The Taboo and Totemism Explanation

Kaufmann Kohler expressed well the main idea of this theory: "In view of the fact that almost every primitive tribe holds certain animals to be tabooed, the connection is that the forbidden or tabooed animal was originally regarded and worshiped as the totem of the clan."⁴⁴ This idea has developed from the application of the evolutionary concept of the history of religions to the dietary laws of the Bible. The forbidden animals were seen to be unclean due to the fact that they were originally totems of the Hebrew tribes, later forbidden in order to foster a sense of national unity.

This rationale was introduced by W. Robertson Smith,⁴⁵ and those who viewed the Israelite concepts of God and worship solely as end products of the natural evolutionary development of religion were particularly attracted by this theory. This interpretation enjoyed wide acceptance in critical circles in the beginning of the twentieth century. Smith's concept of taboo had great impact on such people as James Frazer,⁴⁶ Wilhelm Nowack,⁴⁷ Bernhard Stade,⁴⁸ and some others.⁴⁹

Many scholars have disputed this opinion.⁵⁰ Kohler called it an "ingenious conjecture,"⁵¹ incapable of being proven. Furthermore, its basic

⁴⁴Kaufmann Kohler, "Dietary Laws," *The Jewish Encyclopedia* (1903), 4:599. See also J. Jocz, "Clean," *The Zondervan Pictorial Encyclopedia of the Bible*, ed. Merrill C. Tenney et al. (Grand Rapids, MI: Zondervan Publishing House, 1975), 1:884.

⁴⁵William Robertson Smith, *Lecture on the Religion of the Semites: The Fundamental Institution*, 3rd ed. (London: A. & C. Black, 1927), 152-155. See Gispén, 191-192.

⁴⁶James Frazer, *The Golden Bough: A Study in Magic and Religion*, vol 3, *Taboo and the Perils of the Soul*, 3rd ed. (New York: Macmillan Company, 1935), 3:291-317. W. Robertson Smith and James Frazer closely collaborated and "it would be very difficult to decide who influenced whom at what point" (Franz Steiner, *Taboo* [New York: Philosophical Library, 1956], 53).

⁴⁷Wilhelm Nowack, *Lehrbuch der hebräischen Archäologie* (Freiburg i B., Leipzig: J. C. Mohr [P. Siebeck], 1894), 116-119.

⁴⁸Bernhard Stade, *Biblische Theologie des Alten Testaments* (Tübingen: J. C. B. Mohr, 1905), 1:135-142.

⁴⁹Adolphe Lods, *Israel, from Its Beginnings to the Middle of the Eighth Century* (London: K. Paul, Trench, Trubner & Co., 1932), 286-290. See also Theodor H. Gaster, *The Holy and the Profane* (New York: W. Sloane Associates, 1955), 204, 248; M. H. Pope, "Totemism," *Interpreter's Bible Dictionary* (Nashville, TN: Abingdon Press, 1962), 4:674.

⁵⁰Gispén, 195-196, who mentions scholars such as E. König, C. von Orelli, Holzinger, and G. C. Aalders. See also Stern, 320.

assumptions strike directly at the self-claim of the biblical record, i.e., the divine origin of the clean/unclean laws.

Stern has also correctly noted that "the modern position that these laws are tribal taboos implies that they have no sound justification for a rational person,"⁵² being only relics of ancient men endeavoring to cope with a hostile world full of mysterious forces.

According to Smith, both the concepts of holiness and of uncleanness developed originally from primitive taboos. The concept of taboo is incompatible with the Hebrew view of uncleanness and/or holiness.

There is no evidence that an idea of taboo or totemism ever existed among the Semitic people. While this humanistic and evolutionary-oriented concept was popular for a time, it has been given up because of its inadequacy⁵³ and the lack of evidence for the idea of taboo and totemism in the Old Testament.⁵⁴

8. The Death-Life Antithesis Explanation

The advocate of this theory has been Walter Kornfeld.⁵⁵ Using the approach of what he terms "phenomenology of religion" he suggested that the idea of unclean animals was developed from known carnivores and creatures that ate carrion, and animals that live in the desert or waste places and ruins aside from chthonic animals.⁵⁶ In other words the unclean animals were life-threatening (*lebenbedrohlich*). The primary reason they have been disqualified is to be discovered in their "life threatening practices and spheres

⁵¹Kohler, 599.

⁵²Stern, 320.

⁵³See Eduard König, *Theologie des Alten Testaments kritisch und vergleichend dargestellt* (Stuttgart: C. Belser, 1922), 28-29. Particularly insightful is the critique of Wigand, 427-431.

⁵⁴Walter Kornfeld, "Die unreinen Tiere im Alten Testament," in *Wissenschaft im Dienste des Glaubens: Festschrift für Abt. Dr. Hermann Feichl, O.S.B.*, ed. Josef Kissner and others (Vienna: Selbstverlag der Wiener Katholischen Akademie, 1965.), 12; Norman H. Snaith, *The Distinctive Ideas of the Old Testament* (London: Epworth Press, 1944), 9-50. For further critique see also Steiner, 78-93, Albright, 176-177; and Houston, 80-81.

⁵⁵Kornfeld, "Reine und unreinen Tiere im Alten Testament," 134-147.

⁵⁶Ibid., 146.

of existence.”⁵⁷ This is connected with the fact that carnivores eat blood which is life, i.e., life is destroyed. Shea summarizes this view in these words: “The idea behind this theory is that the Hebrews in an early stage were thought to have attributed to certain powers the ability to bring about danger, disease, and death. These powers were then identified with certain animals who, as scavengers, were associated with the realm of death. Given these connections these animals were then pronounced unclean.”⁵⁸

By way of contrast, the worship of the true God was centered in the hope of life, and therefore these things that had to do with death were to be avoided.

There are good points in this theory, but this interpretation is simplistic and can be criticized on several grounds. The first is its connection with demonic forces. “The motivation is no longer a desire for holiness, in emulating the holy God, but a desire for self-preservation through an avoidance of evil powers.”⁵⁹ Jacob Milgrom gives another valuable objection against this view: “This theory cannot explain the exclusion of such domesticated herbivorous animals as the camel, donkey, rabbit, or horse.”⁶⁰ It is not true that all the unclean animals are scavengers which would be associated with death.

It is difficult to find enough support for this hypothesis on the basis of the Old Testament itself, rendering it unsatisfactory. For this reason, it has not attracted many followers.⁶¹ Hence, the death-life antithesis theory as explained by Kornfeld, is not an adequate explanation for these biblical laws.

Death-life antithesis as an underlying cause for the biblical impurity system mentioned by Milgrom and Wenham⁶² seems to be a valuable theory,

⁵⁷Ibid.

⁵⁸Shea, “Clean and Unclean Meats,” 12.

⁵⁹Ibid.

⁶⁰Milgrom, “Ethics and Ritual,” 175; idem, *Leviticus 1-16*, 718.

⁶¹This rationale has been presented most recently in a master’s thesis by Vivienne J. Fletcher-Watts. See her “A Study of Deuteronomic Legislation with Particular Reference to Clean and Unclean Foods,” (M.A. thesis, Andrews University, 1982), 137-149. In its basic form this view focuses on a polemic existing against Egyptian practices associated with the cult of the dead. In the Egyptian theology of death, certain scavenger species of animals were defiled, presumably because of their frequent contact with death. In contrast, the worship of Yahweh centered on the hope of life. Yahweh, the living God, the source of life, mediated and dispensed the promise of life from the Sanctuary.

⁶²Milgrom, *Leviticus 1-16*, 732-733; idem, *Numbers*, 346; Wenham, “Clean and Unclean,” 210-211.

but should not be related to demonic forces. It is also interesting that Keil and Hoffmann supposed that some animals were considered unclean because of their association with death and sin.⁶³

9. The Anthropological Explanation⁶⁴

The anthropological explanation of the distinction between clean and unclean animals has come from social anthropologist Mary Douglas.⁶⁵ Her starting point in explanation of the distinction between clean and unclean animals is the Genesis Creation story which is taken as a symbol. This account reflects Hebrew society's understanding of the world, and thus values of life. She points out the relationship between symbolic system and social structures. Cleanness is a matter of wholeness or normality. "Anomalous creatures are unfit for altar and table."⁶⁶ The animals, birds, and fish that are clean are those that conform wholly to the class to which they belong.⁶⁷ Animals that have a split hoof and that chew the cud are clean, and those that lack one of these "normal" characteristics are unclean. Flying insects that walk on all fours exhibit confusion between the bird realm and insect realm and are thus not pure members of the class. Just as a priest had to be free from any physical deformity (cf. Lev 21:17-21), so any deviation from normality within a particular class rendered that member unclean. Her view presents an interesting variation on the symbolic interpretation of the food laws, which emphasized the similarities between clean animals and righteous Israelites.⁶⁸

⁶³Keil and Delitzsch, 2:357-360; David Hoffmann, *Das Buch Leviticus 1-11*, vol. 1 (Berlin: Poppelauer, 1905-1906), 315-319.

⁶⁴Rooker calls this theory "the morphological explanation" (172).

⁶⁵Mary Douglas, *Purity and Danger*; idem, *Natural Symbols: Explorations in Cosmology*; idem, "Deciphering a Meal," 61-81, reprinted in *Implicit Meanings*, 249-275. See Christopher J. H. Wright, *Deuteronomy*, New International Biblical Commentary, Old Testament Series, 4, ed. Robert L. Hubbard, Jr., and Robert K. Johnston (Peabody, MA: Hendrickson Publishers, 1996), 185-186; D. P. Wright, 6:739-741. Even though I characterize Douglas's interpretation as anthropological, it belongs to a symbolic type of explanation. She writes: "As an anthropologist I claim to find in the totality of the biblical purity laws a symbolic system" (Douglas, "Critique and Commentary," 138).

⁶⁶Douglas, *Implicit Meaning*, 266.

⁶⁷Douglas, *Purity and Danger*, 53.

⁶⁸The threefold division of animals—unclean, clean, sacrificial—parallels the divisions of mankind: the unclean, i.e., those excluded from the camp of Israel; the clean, i.e., the majority of ordinary Israelites; and those who offer sacrifice, i.e., the

Douglas defines a clean animal as "a perfect specimen of the category of being to which one belongs."⁶⁹ Porter states that "any creature which seems to diverge from its proper nature or proper sphere is therefore lacking in perfection and so 'unclean'."⁷⁰ Douglas specifies that "all animals are unclean which are imperfect members of their class or whose class itself confounds the general scheme of the world."⁷¹ In her view cleanness means conformity to normality.

Douglas's anthropological theory has been appreciated and advocated by some recent commentators such as Porter, Wenham, Budd, Wright, and others.⁷² Wenham says that Douglas avoids the danger of subjectivity because her interpretation is based on a comprehensive reading of all the laws and a reliance on the distinctions emphasized in Leviticus itself.⁷³

Her writings have also received considerable criticism.⁷⁴ Harris objects to Douglas's definition of normality and observes that since most animals are unclean, it is hard to see why clean animals should be regarded as the normal ones.⁷⁵

The animals that do not fit the proper order are unfit, or "dirt." Any deviation from normality within a particular class rendered this animal unclean. "Order" is fine, "disorder" is dirt. Douglas's anthropological theory was criticized by A. S. Meigs and lately by M. P. Carroll, Jacob Milgrom, and Edwin Firmage.⁷⁶ Meigs's criticism of the Douglas position

priests. The division into clean and unclean food corresponds to the division between holy Israel and the Gentile world.

⁶⁹Ibid., 55.

⁷⁰Porter, 84.

⁷¹Shea, "Clean and Unclean Meats," 14.

⁷²Porter, 168-71; Wenham, *Book of Leviticus*, 23-25, 164-176; idem, "The Theology of Unclean Food," *The Evangelical Quarterly* 53 (1981): 9-11; Budd, *Leviticus*, 159-160, 164; Ch. J. H. Wright, *Deuteronomy*, 185-186; John G. Gammie, *Holiness in Israel*, Overtures to Biblical Theology (Minneapolis, MN: Fortress Press, 1989), 10-11; Soler, "Dietary Prohibitions of the Hebrews," 24-30.

⁷³Wenham, *Book of Leviticus*, 169.

⁷⁴Sheldon R. Isenberg and Dennis E. Owen, "Bodies, Natural, and Contrived: The Work of Mary Douglas," *Religious Studies Review* 3 (1977): 1-17.

⁷⁵R. L. Harris, "Leviticus," *The Expositor's Bible Commentary* (Grand Rapids, MI: Zondervan Publishing House, 1990), 2:526.

⁷⁶Anna S. Meigs, "A Papuan Perspective on Pollution," *Man* 13 (1978): 304-318; M. P. Carroll, "One More Time: Leviticus Revisited," *Archives Européennes*

is built on the argument that many things may be out of place, but only a few pollute. In the words of H. Eilberg-Schwartz: "Douglas argues that the creation myth (Gen. 1:1-2:4) provides a conceptual model for understanding the universe. In Douglas's view, this account of Creation provides a cognitive scheme in which reality is demarcated and defined. Anything that violates the classifications that are established in this story is treated as a flaw in Creation and hence is considered abnormal and unclean."⁷⁷

Milgrom correctly argues that "though many phenomena are out of place only a few are pollutants,"⁷⁸ and "a blemished animal or priest is not impure but common."⁷⁹ The animals that conform to the classification of Creation are considered clean and holy.

Robert Alter has noted that the anthropological explanation does not explain why the chicken and the duck are considered clean since they are anomalous and do not fit the established classification.⁸⁰ The chicken has wings but does not fly and the duck has wings but lives largely on the water. This is a weighty objection,⁸¹ because it shows that the classification method does not consistently explain the variety of animals designated as unclean. Why is the duck clean, yet the swan swimming beside it is considered unclean?

On the whole Douglas's theory can be severely criticized for the lack not only of validity of her original criterion of locomotion, but also for "the value of the general statement of her thesis that the notion of impurity underlying the biblical dietary laws is based on the anomaly of the prohibited animals relative to their respective classifications (e.g., cattle, fish, fowl)."⁸²

de Sociologie 19 (1978): 339-346, reprint in *Anthropological Approaches to the Old Testament*, ed. Bernhard Lang, 117-126, *Issues in Religion and Theology*, 8 (Philadelphia, PA: Fortress Press, 1985); Milgrom, *Leviticus 1-16*, 721-722; idem, "Ethics and Ritual," 176-183; idem, *Numbers*, 345; idem, "When Durkheim Meets Leviticus," *Direction* 12:2 (1981): 4-6; Firmage, "Biblical Dietary Laws," 177-178.

⁷⁷Howard Eilberg-Schwartz, "Creation and Classification in Judaism: From Priestly to Rabbinic Conceptions," *History of Religions* 26 (1987): 358.

⁷⁸Milgrom, *Leviticus 1-16*, 721.

⁷⁹Milgrom, *Numbers*, 345.

⁸⁰Robert Alter, "A New Theory of Kashrut," *Commentary* 68:2 (1979): 49, where he actually objects to the use of these animals by Jean Soler, "Dietary Prohibitions of the Hebrews," 24-30. Soler and Douglas, however, have the same argument and so it applies to both.

⁸¹So Eilberg-Schwartz, "Creation and Classification in Judaism," 359.

⁸²Firmage, "Biblical Dietary Laws," 182.

Although Mary Douglas mentions that one of the signs of the clean quadrupeds is chewing, this sign plays no role in her purity system. In addition Douglas's argumentation fails by the simple observation that birds of prey also have two wings and two feet, but they are unclean; fish without fins and scales can also swim, and scales are not needed for locomotion. Thus her interpretation is open to the charge of subjectivity.

It needs to be stressed that Mary Douglas herself has lately abandoned some of her previous interpretation of the Pentateuchal dietary laws. In her latest articles about the Mosaic dietary laws published first in 1993 and reinforced in 1996,⁸³ she has tried a new approach toward the motivation behind these regulations. She has based her explanation on the prophetic message of Isa 1:10-17 and 58:7 about righteousness ("clean" here means to practice moral rules) and she has pursued her symbolic interpretation, which very much resembles the allegorical explanations of Aristéas and Philo. She has argued that the unclean forbidden animals were "the sufferers of injustice,"⁸⁴ even though she stressed along this line that unclean animals were predators and eat blood. "The rule for avoiding blood is based on a concept of honouring the life in the animal, while the rule for avoiding the listed unclean beasts is interpreted as based on disgust and repulsion."⁸⁵ In other words, Douglas put stress on the behavior of the predatory animals and the vulnerability of the unclean animals.

Douglas explains that "the forbidden animals are to be honoured as symbols of the victims of injustice, enacting Isaiah's concern for the fatherless and oppressed."⁸⁶ According to this new approach, holiness is "incompatible with predatory behavior." Douglas concludes with this summary: "Though this interpretation makes the dietary rules symbolic for virtues and vices, the permitted animals do not stand for any virtues, they simply keep the rule of avoiding blood, and the forbidden animals do not represent vices in their own bodies, but the effects of vicious actions on part of others."⁸⁷ Thus, according to Douglas, the forbidden animals "should be considered as objects of divine compassion and sympathy. I [Douglas] will argue that the meaning of the rules is not that they be hated but rather that

⁸³See her "Forbidden Animals in Leviticus," 3-23; and "Sacred Contagion," 86-106.

⁸⁴Douglas, "Forbidden Animals in Leviticus," 22.

⁸⁵Ibid., 4-5.

⁸⁶Ibid., 23.

⁸⁷Ibid., 23.

they are under divine protection.”⁸⁸ She puts the forbidden animals in “the class of blemished creatures.”⁸⁹

10. The Nature/Culture Boundary Explanation

Carroll criticizes Mary Douglas’s anthropological explanation of the Mosaic dietary laws, and he presents an alternative interpretation.⁹⁰ His position consists of making a difference between two distinctive categories of “nature” and “culture” which he borrows from Lévi-Strauss. The category of “nature” is that of animals, and the category of “culture” belongs to the world of human beings. “Clean” animals are those that are connected with their own proper world, i.e., nature, while “unclean” ones are those that blur the boundary between nature and culture. Carroll concludes his view: “Leviticus defines as unclean those things anomalous with respect to the *nature/culture* distinction, either because they are animals that eat meat or because they are things—like vermin, mold or mildew—that properly belong to *nature* yet invade the world of man.”⁹¹

A serious problem with this theory is linked to the fact that these two categories of nature-culture are imposed on the biblical material. The Bible is indeed concerned with the setting of boundaries, but the distinction is made between “holy” and “profane,” and between “clean” and “unclean” (Lev 10:10). Furthermore, not all unclean animals are carnivores and invade the world of men (for example elephants, zebras, horses, or camels—which usually enter the world of men “by invitation”). Also his categorization of five different classes of living things derived from the Creation story (fish, birds, cattle, beast of the earth, creeping things) is questionable.⁹²

11. The Ethical/Moral Explanation

Jacob Milgrom advocates an ethical/moral reason for the distinction between clean and unclean animals. His view of the rationale of the dietary

⁸⁸M. Douglas, “Sacred Contagion,” 101.

⁸⁹Ibid., 102. Douglas based her argument on the presupposition that prohibited animals have defective modes of locomotion compared with the herds and flocks (too many or too few legs, legs too short, or wrong hooves), and on her understanding of “blemish” as expressed in Lev 22:22-24 and 21:18-20.

Mary Douglas latest view is thus a combination of allegorical/symbolic, anthropological, and ethical approaches.

⁹⁰Carroll, 339-346, reprint, 117-126.

⁹¹Ibid., 124-125.

⁹²Ibid., 118-119. See James B. Jordan, *Interpretations of the Mosaic Dietary Laws, a Survey*, Studies in Food and Faith, 5 (Niceville, FL: Biblical Horizons, 1989), 41-43.

laws can be summarized in the following statement: restricted access to animal life as food teaches reverence for life.⁹³

Thus, the distinction between clean and unclean animals gives a moral lesson. This idea of the moral or ethical dimension of the dietary laws is not new and has received a fairly wide acceptance in modern times. The ethical explanation of the dietary laws is also advocated by scholars such as Dresner, Stern, and Goodman.⁹⁴ It is drawn from the idea of reverence for life: "Of all the theories, only the ethical one fits best with the facts; to teach reverence for life through restricted access to animal life as food."⁹⁵ One could logically extend this idea to vegetarianism.

The problem with the ethical motivation is that it does not really explain why the animals were divided exactly in the fashion as we find it in the Bible. Why, for instance, was the camel unclean from an ethical viewpoint? Or why is it more humane to slaughter a cow than a donkey?

Biblical data demonstrate that if somebody desired to eat meat, he could eat as much as he wanted (Deut 12:20-21). This is one of the two objections Wright has proposed toward Milgrom's interpretation: "The meat prohibitions do limit the choice of animal food, but do not limit the amount of meat consumed or the number of animals killed."⁹⁶ The same point was made by Firmage.⁹⁷

The tension between the different types of animals to be slaughtered for food and not to be slaughtered remains, hence this rationale does not adequately explain the biblical material dealing with the Pentateuchal dietary laws.

12. The Sacrificial Paradigm Explanation

A new approach toward the Pentateuchal dietary laws is proposed by Edwin Firmage. Food for the Israelites is based on the analogy with the food

⁹³Milgrom, *Leviticus 1-16*, 735. Dresner already in 1959 argued for the reverence for life as the primary rationale for the dietary laws: "Kashrut, therefore, may be defined as a part of Judaism's attempt to hallow the act of eating by teaching us reverence for life" (Dresner, 21).

⁹⁴Dresner, 21-54; Stern, 319-327; L. E. Goodman, "The Biblical Laws of Diet and Sex," in *Jewish Law Association Studies*, ed. B. S. Jackson (Atlanta, GA: Scholars Press, 1986), 2:17-57.

⁹⁵Stern, 320-321.

⁹⁶David P. Wright, "Observations on the Ethical Foundations of the Biblical Dietary Laws: A Response to Jacob Milgrom," in *Religion and Law: Biblical-Judaic and Islamic Perspectives*, ed. Edwin B. Firmage, Bernard G. Weiss, and John W. Welch (Winona Lake, IN: Eisenbrauns, 1990), 197.

⁹⁷Firmage, "Biblical Dietary Laws," 195.

for God. Clean meat is derived by analogy from the cult. Only the type of food which is acceptable for God in the form of sacrifices is suitable for human consumption.⁹⁸

Firmage's interpretation is built on three unwarranted presuppositions: (1) the sacrificial system precedes the dietary laws, i.e., dietary regulations are derived from the cultic laws, (2) domestic cattle have been regarded as clean, and (3) sacrifices are understood as food for God.

As a response to these three presuppositions one can also assert that sacrificial animals were derived from the dietary laws, and not vice versa. There is, however, a third and better possibility—both types of animals (sacrificial and clean/unclean) came in relatively the same period of time from a third independent source. This could be the case here, because sacrifice is first offered after sin entered the world and the distinction between clean and unclean animals is mentioned in connection with the Flood without explanation, which indicates that Noah already knew the difference. This means that it is not known when exactly the distinction between clean and unclean animals originated; it most probably did occur in connection with the Flood when a new Creation order was introduced (Gen 7:2-3; 9:1-7).

The Flood story in Gen 6-9 confirms that Noah knew about the distinction between the clean and unclean animals. At that time the sacrificial system was apparently not yet developed (even though Noah sacrificed some clean animals—Gen 8:20-21), but fully matures in the time of Moses (Lev 1-7, 16).

It is necessary at this point to raise the question as to whether the purpose for the distinction between clean and unclean animals/food in the time of Noah or prior to him was for sacrifices, or food, or both. I suggest that the distinction was made primarily for the purpose of human consumption and not for sacrifices, especially for three reasons:

1. It is significant that the distinction between permitted and forbidden animals is not stated in connection with the first sacrifice (Gen 4), but in relationship to the Flood (Gen 7), where for the first time consumption of meat is allowed (Gen 9).

2. It seems that until the time of Moses (when the sacrificial system was fully developed) the meat of animal offerings was completely burnt (Gen 8:20;

⁹⁸Ibid., 185-193. Firmage builds his view on Soler's assumption that "the fundamental difference between man and God is thus expressed by the difference in their foods. God's are the living beings, which in the form of sacrifices (either human victims, of which Abraham's sacrifice represents a relic, or sacrificial animals) serve as his 'nourishment,' according to the Bible. Man's are the edible plants" (Soler, "Dietary Prohibitions of the Hebrews," 24). Firmage (to his advantage) does not mention human sacrifices as a part of the picture.

Firmage build his theory only on the analogy with the land animals used for the altar. Bird and fish categories become speculative because no analogy exists between them and sacrificial animals. See Firmage, 186-196.

compare with Deut 33:10; Ps 51:19;).⁹⁹ The sacrifices were whole-burnt-offering, holocaust sacrifices, i.e., completely consumed on the altar (the *mincha* and *'olah* types were the only types known until the time of Moses). There is no case recorded in the book of Genesis in which the meat of the offered animals was eaten (Gen 4:3-5; 8:20; 22:13). When Abraham, Isaac, or Jacob built their altars to worship God, there is no indication that they ate the sacrifice (Gen 12:7-8; 13:4, 18; 26:25; 33:20; 35:1, 3, 7). Only later, when the Tabernacle was built in the wilderness, were meat portions of some sacrifices given as food to the priests (Lev 6:26, 29; 7:6-7, 31-34) and to the participants (Lev 7:15-17). This means that the knowledge of the distinction between clean and unclean animals in regard to eating was not necessary prior to the time of Noah, because when the patriarchs offered their sacrifices, they never ate from them. Nothing was left for food from a burnt offering.

3. Only a few clean animals were used for sacrificial purposes : three species of animal (cattle, sheep, and goat), two species of bird (turtledove and pigeon), and no fish.¹⁰⁰

It seems therefore unlikely that the distinction between clean and unclean animals was made primarily for the purpose of delineating animals that could be used for sacrifices. Sacrifices could be taken only from among the clean animals. However not all clean animals could be used in the sacrificial services.

⁹⁹For the discussion on *עלה* and *כליל*, see G. Lloyd, "*עלה et al.*," *TWOT* (1980), 2:666-668; John N. Oswalt, "*כליל*," *TWOT* (1980), 1:441-442.

¹⁰⁰The biblical text Gen 8:20 is ambivalent in regard to the precise species Noah sacrificed, because the meaning of the Hebrew phrase: *ומכל העוף הטהור ועל* "and taking some of all the clean animals and clean birds, he sacrificed burnt offerings on it [altar]" (NIV), is not clearly defined and can be understood mainly in two different ways: (1) specifically—Noah took from all different species of clean animals and birds and offered them; or (2) generally—Noah took only a sample ("some") of clean animals and birds and offered them to God as a burnt offering (the biblical text is silent as to which animals and birds he actually offered).

The expression *מכל* means literally "from all," or in the partitive sense of the preposition, "some of all." The biblical text does not say that Noah took all clean animals and birds and sacrificed them, nor that Noah took from all species of the clean animals and birds, but simply states that Noah took some of the whole group of clean animals and birds and offered them to God as a burnt offering. On the basis of the above analysis therefore I prefer the second possibility for translation as it is more probable. The NIV translation is accurate. The New Living Translation renders Gen 8:20: "Then Noah built an altar to the Lord and sacrificed on it the animals and birds that had been approved for that purpose." In addition, from the biblical account there is no indication that at any time game animals were sacrificed to God, despite the very old narrative about Isaac, Jacob, and Esau which demonstrates that game animals were eaten. See Gen 27:1-10.

Nowhere in the Hebrew Bible is there a hint that domesticated animals have been automatically considered clean. Such a presupposition is unwarranted. Domestic animals were not only bovine, sheep, and goat, but also included camel, donkey, and dog.¹⁰¹

The language used in the Bible for the sacrifices offered to God is significant. There are two quite different levels of understanding: terminology used (the words as symbols) and the meaning of the language itself. Unfortunately, Firmage does not distinguish between these two levels. He makes an analogy between food for humans and food for God on the terminological level without differentiating their meaning. He takes the language of food for God literally. But this procedure makes God into the image of man and the anthropomorphism is taken literally. The expressions "the bread of God" (Lev 21:6, 8, 17, 21-22; 22:25; Ezek 40:7) and "the table of the Lord" (Ezek 40:16; Mal 1:7, 12) are only metaphors. This fact can be clearly recognized with the theological interpretation of the text.¹⁰² Moreover, sacrificial language is the language of the covenant, and to the covenant belongs a meal. The sacrificial food is not for God (on the level of the meaning of the text) who is the Provider of all food, but for priests and for people as in the case of peace offerings.¹⁰³

In Hebrew thinking the meaning of sacrifices as real food for God is nonsense. This is explicitly stated in Ps 50:12-15. God is always a Provider of food. He does not need sacrifices. This is certainly the picture of God in the garden of Eden as well as during the forty years of wandering in the desert where He gave manna. He is the Giver of real food. Because of sin God invented a way of reconciliation and fellowship with His people. He longs for a close relationship. Sacrifices are God's means designated to renew a right relation between humans and God. They manifest our dependence

¹⁰¹See Edwin Firmage, "Zoology (Fauna)," *The Anchor Bible Dictionary*, ed. David Noel Freedman (New York: Doubleday, 1992), 6:1136-1144; George Soper Cansdale, *All the Animals of the Bible Lands* (Grand Rapids, MI: Zondervan Publishing House, 1970), 64-74, 121-124.

¹⁰²The different views on the meaning of the sacrifices are well explained in Rolf Rendtorff, *Studien zur Geschichte des Opfers im Alten Israel* (Neukirchen-Vluyn: Neukirchener Verlag, 1967); idem, *Leviticus*, III1, *Biblischer Kommentar Altes Testament* (Neukirchen-Vluyn: Neukirchener Verlag, 1985), 1-12; Milgrom, *Leviticus 1-16*, 440-443; Hartley, *Leviticus*, lxvii-lxxii; Gary A. Anderson, *Sacrifices and Offerings in Ancient Israel: Studies in Their Social and Political Importance* (Atlanta, GA: Scholars Press, 1987), 1-25.

¹⁰³Gen 18:1-15 cannot be taken as the basis for the idea that offering is food for God, or food gift for Him, because curds (yogurt) or milk was never served on the altar of God (v. 8). The eating here is mentioned in the setting of fulfillment of the covenant promise given to Abraham about the birth of his own son. Num 28:2 can be explained as an anthropomorphism. See also NIV translation of this verse.

upon Him. They are human expressions of gratitude and in that sense are gifts for God. Their true meaning depends on the correct understanding of God. Thus a covenant setting is the fundamental background for the sacrifices.¹⁰⁴

Firmage's explanation of God's permission to eat meat, not as a concession but the higher way in emulating a holy God, downgrades God to our image (making Him an "eater of the sacrifices" and making man mature by killing animals)¹⁰⁵ and makes primitives of the priests of Israel who need to create an analogy for this distorted view of the God who needs to be fed. In order to be holy like God, they are to kill animals and eat food like God. In order to be lords over life, they must have the right to kill. Thus it is like fabricating God to our image and making an analogy where there is no analogy. People can never compare themselves with God and imitate His sovereign acts.

Milgrom also rightly objects to Firmage's view: "His theory is flawed on two counts. It does not explain the admission of game, which neither qualify for the altar nor are inspected by the priest (nor as I contend, are all sacrificial animals inspected by the priest because, according to P, they may be slaughtered profanely). Nor does Firmage's sacrificial paradigm explain why Israel was not also commanded to restrict its vegetable diet to grain, wine, and oil—the only nonmeat products permitted on the altar."¹⁰⁶

¹⁰⁴ An analogical example can be seen with the sanctuary or temple of God which is called "house of the Lord" (Judg 19:18; 2 Sam 12:20; 1 Kgs 7:12, 40, 45, 51; 8:64; 9:10; 1 Chr 9:11, 13, 26; 16:33; 23:32; Neh 6:10; Zech 8:9), the place of God's dwelling and presence (Exod 25:8; 2 Chr 7:1-3), yet God did not live in the Temple (Acts 17:24). The meaning of the notion cannot be confined by the terminology employed. The expression "the house of the Lord" is a visible sign of God's dwelling, it is a metaphor for His presence.

¹⁰⁵ Firmage, "Biblical Dietary Laws," 196-197: "Man took a step up when he began to eat meat. . . . Man's diet therefore comes to resemble God's at the same time that he is given a measure of divine power in the right to take animal life with impunity." See also *ibid.*, 203-204. Firmage with his interpretation is against scholars such as A. Dillmann, U. Cassuto, S. H. Dresner, Claus Westermann, Jean Soler, and Jacob Milgrom, who take the story of Gen 9:1-6 as God's concession. See August Dillmann, *Handbuch der alttestamentlichen Theologie* (Leipzig: S. Hirzel, 1895), 366; Umberto Cassuto, *A Commentary on the Book of Genesis*, part 1, *From Adam to Noah: Genesis 1-6:8*, Publications of the Perry Foundation for Biblical Research in the Hebrew University of Jerusalem (Jerusalem: Magnes Press, Hebrew University, 1961, reprint, 1989), 58; Dresner, 26-27; Soler, "Dietary Prohibitions of the Hebrews," 24-30; Milgrom, *Leviticus 1-16*, 705-706; *idem*, "A Prolegomenon to Leviticus 17:11," *Journal of Biblical Literature* 90 (1971): 149-156; Claus Westermann, *Genesis 1-11: A Commentary* (Minneapolis, MN: Fortress Press, 1994), 463.

¹⁰⁶ Milgrom, *Leviticus 1-16*, 733.

Firmage presuppositions are weak and not attested in the Hebrew Bible. They even go contrary to the given revelation. Sacrifices are not a diet for God. This primitive idea is present in the pagan worship of gods, but not in the Pentateuch where God is unmistakably presented as the Food-provider and Meal-giver, never as somebody who is in need of sacrifices as food.

Firmage is followed in his main argument by Houston.¹⁰⁷ Milgrom comments on Houston's theory: "There are some minor errors that mar the book and one major one: The pig was definitely eaten and sacrificed in the Syro-Palestine area, especially among the Philistines, so that Houston's thesis that Israel permitted on its table only that which was permitted on the altar is called into question."¹⁰⁸

13. The Economic Explanation

Marvin Harris presented a theory which argues for an economic basis for the distinction between clean and unclean food. Clean animals are those which do not interfere with human consumption, whereas unclean animals devour what humans are eating. Thus, there is a competition for food between man and certain animals which do not eat food such as grass, leaves, and roots.¹⁰⁹

This theory has its deficits. The economic rationale is not an overall pattern to explain the uncleanness of animals. What may be applicable for the pig and some other unclean animals¹¹⁰ is completely out of the question in regard to others which were free and in abundant number in nature (all kinds of fish, insects, shellfish, wild animals, etc.).

14. The Hygienic/Health Explanation

¹⁰⁷Houston, 123.

¹⁰⁸Jacob Milgrom, review of *Purity and Monotheism: Clean and Unclean Animals in Biblical Law*, by Walter Houston, *Interpretation* 48 (1994): 424.

¹⁰⁹Marvin Harris, *Cows, Pigs, Wars, and Witches: The Riddles of Culture* (New York: Vintage Books, 1978), 34-37.

¹¹⁰See Marvin Harris, *Cannibals and Kings: The Origin of Cultures* (London: Fontana, 1977), 135. Harris in his *Cannibals and Kings* adds to the pig explanation some other examples to prove his economic point. He points out that horses, donkeys, and camels were used for transport and traction. These animals were too valuable to be eaten. He tries to explain the uncleanness of prohibited animals in cost-benefit terms.

Even though we accept that there is an element of truth in his interpretation, the fact is that this theory cannot explain the primary rationale for all unclean animals. The main motive for it must be found elsewhere.

The hygienic interpretation holds that the unclean creatures are unfit to eat, because they are carriers of disease. The clean animals are those that are relatively safe to eat. Thus the main motif is a concern for health.

Gordon Wenham states that the hygienic interpretation is "probably the most popular explanation of the food laws. . . . The unclean animals were recognized by the ancients as a danger to health, and were therefore pronounced unclean."¹¹¹ This interpretation of the Pentateuchal dietary laws emphasizes the fact that the forbidden animals are injurious to health, not good for human consumption. Therefore the reason for the distinction of clean animals from unclean has to do with their fitness or unfitness for food. Pork can be a source of trichinosis. The coney and hare are carriers of tularemia. Fish without fins and scales tend to burrow into the mud and become sources of dangerous bacteria, as do the birds of prey which feed on carrion.

A few scientific studies undertaken on meat of clean and unclean animals point to the advantage of using clean animals for human consumption.¹¹² There is need for an up-to-date study of the subject from a scientific viewpoint, but this goes beyond the scope of the present paper.¹¹³

The hygienic/health interpretation has had strong supporters in the past¹¹⁴ and is also defended by many modern scholars, including W. F. Albright, R. K. Harrison, R. L. Harris, and E. S. Kalland.¹¹⁵ Roland E.

¹¹¹Wenham, "Theology of Unclean Food," 6.

¹¹²David Israel Macht, "An Experimental Pharmacological Appreciation of Leviticus 11 and Deuteronomy 14," *Bulletin of the History of Medicine* 27 (1953): 444-450; idem, "A Scientific Appreciation of Leviticus 11 and Deuteronomy 14," *Ministry*, 26 September 1953, 26-28; Lester E. Harris, Frank L. Marsh, and Ernest S. Booth, "Forum: The Question of Clean and Unclean Meats," *Ministry*, 27 March 1954, 37-38; E. A. Widmer, "Flesh of Swine: Scientific Evidence Supports the Biblical Prohibition," *Ministry*, May 1988, 24-26; Winston J. Craig, "Pork and Shellfish—How Safe Are They?" *Health and Healing* 12:1 (1988): 10-12.

¹¹³Some scholars oppose these scientific evidences. See Chan, 98; M. Harris, *Cows, Pigs, Wars, and Witches*, 29-32.

¹¹⁴Samuel ben Mair, Comment on Lev 11.3; see Rabinowicz, 6:44; Maimonides, 370.

¹¹⁵For instance, D. Schapiro, *L'Hygiène alimentaire des Juifs, devant la Science moderne* (Paris: Erelji, 1930); Charles Rosenbury Erdman, *The Book of Leviticus: An Exposition* (New York: Fleming H. Revell Company, 1951), 57-58; Döller, S. H. Kellogg, "The Book of Leviticus," *The Exposition of the Bible* (Hartford, CT: S. S. Scranton, 1903), 1:306-313.; Ronald Ernest Clements, "Leviticus," *The Broadman Bible Commentary* (Nashville, TN: Broadman Press, 1970), 2:34; *Seventh-day Adventist Bible Commentary*, ed. Don F. Neufeld (Washington, DC:

Clements says: "What we have here [in Lev 11] is a simple and comprehensive guidebook to food and personal hygiene."¹¹⁶ R. Laird Harris strongly argues that most of these laws promoted the public health and would help protect the Israelites from the diseases of Egypt (Exod 15:26). By observing these laws, the Jews would have been largely free from parasites and worms and would have enjoyed more healthy living conditions in which to develop.¹¹⁷ Isidor Grunfeld, Hayim Halevy Donin, and Walter C. Kaiser, Jr., speak about the health benefits of these laws.¹¹⁸

Review and Herald Publishing Association, 1978), 1:753-757; Peter C. Craigie, *The Book of Deuteronomy*, The New International Commentary on the Old Testament (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1976), 231; Albright, 177-181, speaks of the dietary laws of Lev 11 and Deut 14 as "hygienic laws" or "hygienic regulations"; R. L. Harris, "Leviticus," 2:572. Earl S. Kalland, "Deuteronomy," *The Expositor's Bible Commentary* (Grand Rapids, MI: Zondervan Publishing House, 1992), 3:101: "The reason is basically spiritual, though there may be other reasons growing out of psychological and sanitary considerations as well." Roland Kenneth Harrison, *Introduction to the Old Testament* (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1969), 603-607; idem, *Leviticus: An Introduction and Commentary*, 124-27. Harrison makes a strong case for the hygiene/health rationale for the dietary laws. He lists various parasitic organisms and worms that can be contracted from unclean animals including pork and fish. *Seventh-day Adventists Believe . . . A Biblical Exposition of 27 Fundamental Doctrines* (Washington, DC: Ministerial Association, General Conference of Seventh-day Adventists, 1988), 285; Paul R. House, *Old Testament Survey* (Nashville, TN: Broadman Press, 1992), 62: "Most of these rules protect the people from health risks." Rousas John Rushdoony, *The Institutes of Biblical Law* (Nutley, NJ: Craig Press, 1973), 298-301; idem, *Law and Society*, 702; Howard B. Rand, *Digest of the Divine Law* (Merrimac, MA: Destiny Publishers, 1943), 43-46; Elmer A. Josephson, *God's Key to Health and Happiness*, 3rd ed. (Wichita, KS: Bible Light Publications, 1972.), 38-44; Paul N. Benware, *Survey of the Old Testament*, rev. ed. (Chicago: Moody Press, 1993), 62: "Some animals were identified as unclean because they were disease carriers, whereas others may have been so designated because of their associations with pagan worship."

¹¹⁶Clements, "Leviticus," 2:34. See also L. E. Froom, "Mosaic Law Nonapplicable," *Ministry*, August 1928, 26, who takes the view that the distinction between clean and unclean animals was not simply an arbitrary command but rather it was based on the nature of the beasts.

¹¹⁷R. L. Harris, "Leviticus," 2:529-530.

¹¹⁸W. C. Kaiser, "Leviticus," 1075; Donin, 102; Grunfeld, 1:13: "Physical health and longevity may be a secondary effect of conformity to them but they do not come within the category of Ta'amei ha Mitzvot—motives of the laws—as far as the dietary laws are concerned."

C. G. Montefiore, G. J. Wenham, J. Jordan, and others¹¹⁹ strongly oppose a hygienic interpretation. Wenham mentions four arguments against it:

1. "Some of the clean animals are more questionable on hygienic grounds than some of the unclean animals."¹²⁰

This assertion remains unproven because of the lack of scientific medical studies.¹²¹ Hasel aptly comments on the point: "We do not know as yet everything regarding the harm in short or long range terms of the consumption of unclean animals. Is it necessary to know all ramifications of the dietary instruction for it to be valid?"¹²²

2. If hygiene was a motive, why are poisonous plants not "classed as unclean?"¹²³ The reason may be very practical.

The regulations for plants good for human consumption were already given in Gen 1:29-30. Because the antediluvian world was vegetarian, they knew by experience what was fit for eating. A meat diet was not so obvious, as it was new; therefore God gave specific instructions.

3. The Old Testament gives no hint that health is the rationale of the dietary laws, because it lacks such a motive clause.¹²⁴

It is worthwhile to note that there is usually no motive clause in most of the laws and instructions in the Pentateuch. Whether the biblical text gives a hint regarding the health/hygienic issue depends especially on how one interprets the meaning of the call to holiness (Exod 22:31; Lev 11:44-45; 20:25; Deut 14:2, 21), which is the key motive of the dietary regulations.

¹¹⁹C. G. Montefiore, "Dr. Wiener on the Dietary Laws," *Jewish Quarterly Review*, Original Series 8 (1896): 392-413. See also a very good opposite reaction to his position in Frances A. Joseph, 643-651. Frances A. Joseph argues that the purpose of the dietary laws is to maintain Israel's separateness and holiness. Jordan, *Introduction to the Mosaic Dietary Laws*; Wenham, "Theology of Unclean Food," 6.

¹²⁰Wenham, *Book of Leviticus*, 167-68; idem, "Theology of Unclean Food," 6: "It is far from clear that all unclean animals . . . are harmful to health."

¹²¹Most of the present problems experienced with the quality of the meat of so-called clean animals are due to how they are fed and kept.

¹²²Hasel, 111.

¹²³Ibid. This objection was already used by Isaac Abravanel and then repeated after him. See his *Abarbanelis exordium commentariorum in Leviticum: quo omnis omnium sacrificiorum Ratio breviter ac dilucide disputatur* (Ann Arbor, MI: University Microfilms, n.d.).

¹²⁴Wenham, *Book of Leviticus*, 168.

4. "If health were the reason for declaring certain foods unclean in the first place, why did our Lord pronounce them clean in his day?"¹²⁵

This question assumes that the dietary laws were abolished by Christ and the apostles. This assumption is based on a particular exegesis of the New Testament passages. Some Christian commentators disagree with such an interpretation.¹²⁶ Unfortunately it is not possible to deal in depth with the New Testament material regarding dietary rules because of time and space limits in this paper.¹²⁷

I agree with Professor Kilgallen, who wrote: "The simplest supposition, that Jesus faced the Leviticus statement, and directly and explicitly canceled it, is not verifiable."¹²⁸ However, in an attempt to discover the possible reason for the abolition of the Mosaic dietary laws by early Christians, he

¹²⁵Ibid.; Wenham, "Theology of Unclean Food," 6: "Why did the early church allow their [OT dietary regulations] abolition in the first century AD?"

¹²⁶See for example Hasel, "Distinction between Clean and Unclean Animals in Lev 11," 111-119; and Shea, "Clean and Unclean Meats," 17-22. Compare also Houston, 260-282; Péter-Contesse, *Lévitique 1-16*, 178.

¹²⁷In order to understand many New Testament passages dealing with this subject and in order to interpret them correctly, one must take into consideration the difference between two Greek words, which reflect and represent two different concepts: ἀκάθαρτος (unclean) and κοινός (common, polluted). Only when this distinction is known and implemented in the study does the exegetical work do justice to the subject. The term ἀκάθαρτος means "unclean" according to Old Testament teaching, while the word κοινός means "common" or "polluted" according to the rabbinical view. The concept of κοινός represents the special rabbinical teaching adopted sometime in the intertestamental period (most probably in the second century B.C.). This important concept is known as defilement by association. See especially Colin House, "Defilement by Association: Some Insights from the Usage of Koinós/Koinón in Acts 10 and 11," *Andrews University Seminary Studies* 21 (1983): 143-153. Walter Houston writes: "There was no category of impure food in Greek culture, and the use of koinos is distinctively Jewish" (262).

It is very significant that the LXX always translates the Hebrew term כֹּהַל as βέβηλος, and not κοινός. The Septuagint never uses κοινός for "to make/declare common," but constantly employs βεβηλοῦν "to profane." In LXX the Hebrew word כָּהֵן is translated ἀκάθαρτος, and כָּהֵן is rendered κάθαρτος. The adjective κοινός in the sense of "common/profane" is absent from the LXX. The two pairs כָּהֵן-כֹּהֵל and כָּהֵן-כָּהֵן in Lev 10:10 are translated in the Septuagint in the following way: ἅγιος-βέβηλος, ἀκάθαρτος-κάθαρτος. κοινός with the meaning of cultic profanation is used for the first time in the apocryphal book 4 Macc 7:6. See also my Ph.D. dissertation, 369-381.

¹²⁸John J. Kilgallen, "All Food Is Clean," *The Bible Today* 19 (1981): 259-263.

states that "we must look for more indirect reasoning."¹²⁹ Bryson argues very strongly that the New Testament does not abolish the distinction between clean and unclean food.¹³⁰ Also Heiki Sariola explains that Mark 7:1-23 should not be understood in such a way that the author (Mark) "rejects the dietary laws."¹³¹

Houston concludes his study of the Mosaic dietary code by saying: "It is obvious that the New Testament is not sufficient as the basis of a whole way of life; despite its length, roughly comparable with that of the Torah, it is poor in minute particulars."¹³² He maintains that "minute particulars are needed not just for doing good, but for experiencing good and being good."¹³³

Péter-Contesse seems to correctly state: "As for the notion of cleanness and uncleanness, it seems at first glance that the perspective of the New Testament is diametrically opposed to that of the Old Testament. As we have already seen, Jesus declared that "all things are clean" (Mark 7:19; Acts 10:12-15). The community of the early Christians often discussed this issue (Rom 14:14; 1 Cor 8; 2 Cor 7:1; Phil 1:10; 1 Thess 4:7; Heb 9:13-14; Jas 4:8). But these texts do not deal with the distinction between what is clean and what is unclean as in the case of the Old Testament ritual (cultic) texts. The notions are spiritualized and the stress lies no longer on ritual purity, but on moral purity. Does it mean that there is a radical break between Old Testament covenant and New Testament covenant because of this question? We do not think so. The break which Jesus brings is not demonstrated in relationship to the fundamental Old Testament doctrine, but in contrast to the formalism of the scribes and Pharisees of his time, who maintained that cleanness and uncleanness is only a physical state, which essentially leads to 'separation.' For Jesus, in harmony with prophetic teaching, it means seeing cleanness not as a state 'in itself,' but as an overt relationship with God."¹³⁴

The hygienic/health interpretation is particularly attractive to moderns, obsessed by health care and medical science. One can assume that God in His providence did give rules that contributed to the health of the nation.

¹²⁹Ibid.

¹³⁰George Elmer Bryson, "Unclean Foods in the New Testament," *Ministry*, October 1983, 26-27.

¹³¹Heikki Sariola, *Markus und das Gesetz. Eine redaktionskritische Untersuchung*, *Annales academicae scientiarum Fennicae*, 56 (Helsinki: Suomalainen Tiedeakatemia, 1990), 242.

¹³²Houston, 280.

¹³³Ibid.

¹³⁴Péter-Contesse, 178. Translation mine.

But we must ask the question whether health was the *primary* concern of the unclean food as it is for some people today, and not only a by-product or health-benefit as a result of practicing these dietary regulations.

The most critical objection against the hygienic rationale lies in the fact that the health motive of these food laws is nowhere explicitly stated in the Pentateuch. This topic calls for further thorough investigation in the Hebrew Scriptures.¹³⁵

In recent discussions about Pentateuchal dietary laws a new element appears, namely, the close relationship between the laws of clean and unclean animals/food and Creation.¹³⁶ Scholars are pointing to this important observation. However, many of them mention the connection between dietary laws and Creation only generally, incidentally, or just in passing, usually by pointing out that the antediluvian people were vegetarians. For these commentators Creation does not play a crucial role in their explanation of the rationale of the Mosaic dietary laws. Among these scholars belong Milgrom (1963),¹³⁷ Soler (1979),¹³⁸ Alter (1979),¹³⁹ Landau (1984),¹⁴⁰ Shea

¹³⁵There is a possible connection between health, holiness and dietary laws. See my Ph.D. dissertation, 223-227.

¹³⁶First allusions to links between the dietary laws and the Creation account can be found in Tertullian *On Fasting* 4 (ANF, 4:104); *Midrash Rabbah: Leviticus*, 11.1 (Midrash 4:135); Rashi, *Commentary on the Torah*, vol. 1, *Bereishis/Genesis*, The Sapirstein edition, Artscroll series, ed. Yisrael Isser Zvi Herczeg in collaboration with Yaakov Petroff and Yoseph Kamenetsky (Brooklyn, NY: Masorah Publications, 1995), 12-13; idem, *Commentary on the Torah*, vol. 3, *Vayikra/Leviticus*, The Sapirstein edition, Artscroll series, ed. Yisrael Isser Zvi Herczeg in collaboration with Yaakov Petroff and Yoseph Kamenetsky (Brooklyn, NY: Masorah Publications, 1994), 114-115; Arama, *Akedat Yitzchak*, Shemini 60.

¹³⁷Milgrom, "The Biblical Diet Laws as an Ethical System: Food and Faith," 288: "The obvious point of departure in discussing Jewish dietary laws is the biblical assumption that man was originally a vegetarian." Nevertheless for Milgrom the real starting point of the discussion about dietary laws is the prohibition of blood in Gen 9:3. See also his commentary *Leviticus 1-16*, 704-742.

¹³⁸Soler, "Dietary Prohibitions of the Hebrews," 24-30; idem, "The Semiotics of Food in the Bible," in *Food and Drink in History*, ed. Robert Forster and Orest Ranum (Baltimore: Johns Hopkins University Press, 1979), 5:126-138.

¹³⁹Alter, "A New Theory of Kashrut," 48.

¹⁴⁰L. Landau, "'Forbidden Foods' and Structuralism," *Beth Mikra* 30 (1984): 103-111. Landau makes an interesting link with Creation. He examines the works of S. R. Hirsch, Mary Douglas, and J. Soler and stresses the connection between Creation and dietary laws via original diet.

(1988),¹⁴¹ Levenson (1988),¹⁴² Firmage (1990),¹⁴³ Blum (1990),¹⁴⁴ Hasel (1991),¹⁴⁵ Roh (1991),¹⁴⁶ Sailhamer (1992),¹⁴⁷ Gerstenberger (1993),¹⁴⁸ Grabbe (1993),¹⁴⁹ Houston (1993),¹⁵⁰ Watts (1995),¹⁵¹ Bryan (1995),¹⁵² and Averbeck (1997).¹⁵³ Some scholars build their explanation of the Pentateuchal dietary laws on the Creation story. Among scholars who are approaching forbidden food from the Creation perspective are Mary Douglas (who makes the fundamental and outstanding contribution toward this connection with her categories of anomaly, order, and wholeness, even if it is

¹⁴¹Shea, "Clean and Unclean Meats," 3, 40.

¹⁴²Jon D. Levenson, *Creation and the Persistence of Evil: The Jewish Drama of Divine Omnipotence* (San Francisco: Harper & Row, 1988), 118-119.

¹⁴³Firmage, "Biblical Dietary Laws," 196. For Firmage the sacrifices offered on the altar-table for God are the model of cleanness, and not the Creation paradigm. The sacrificial system is the criterion for purity.

¹⁴⁴Erhard Blum, *Studien zur Komposition des Pentateuch*, Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft, 189 (Berlin: Walter de Gruyter, 1990), 323-324.

¹⁴⁵Hasel, "Distinction between Clean and Unclean Animals in Lev 11," 91-125.

¹⁴⁶Se Young Roh, "Creation and Redemption in Priestly Theology" (Ph.D. dissertation, Drew University, 1991), 54-55, 171-176. "It is necessary, therefore, to understand the Priestly creation scheme in order to grasp the Priestly dietary prohibitions" (54).

¹⁴⁷Sailhamer, 39-40, 332-334.

¹⁴⁸Gerstenberger, *Leviticus*, 132-133. This commentary was translated from the German edition, which was published in 1993. He speaks about traditional subdivision of the animal world according to the Creation story.

¹⁴⁹Lester L. Grabbe, *Leviticus*, Old Testament Guides (Sheffield: JSOT Press for the Society of Old Testament Study, 1993), 56.

¹⁵⁰Houston, 254-256.

¹⁵¹James W. Watts, "Leviticus," *Mercer Commentary on the Bible*, ed. Watson E. Mills and Richard F. Wilson (Macon, GA: Mercer University Press, 1995), 167.

¹⁵²Bryan, *Cosmos, Chaos and the Kosher Mentality*, 134.

¹⁵³Richard E. Averbeck, "Clean and Unclean," *New International Dictionary of Old Testament Theology and Exegesis*, ed. Willem A. VanGemeren (Grand Rapids, MI: Zondervan Publishing House, 1997), 4:483: "Thus, the levitical theology builds off on the Gen cosmology in terms of the structure of the animal world."

done mainly for anthropological reasons; 1966, 1970, 1973, 1975),¹⁵⁴ Bolger (1993),¹⁵⁵ Doukhan (1994),¹⁵⁶ Kass (1994),¹⁵⁷ Wright (1996),¹⁵⁸ Carmichael (1996),¹⁵⁹ and Gorman (1997).¹⁶⁰ In this new approach it becomes evident that the purpose of the biblical dietary laws is more than ethics (respect for life/sensitivity for life), anthropology, or hygiene. In my opinion these observations are very significant and it is valuable to pursue them, to investigate and elaborate further. It is my claim that the explanation of these dietary laws must be based on the Genesis Creation cosmology. The theological reason for this distinction must be connected with Creation theology as well as linked with the Fall and new creation account of the Flood story.

Among scholars who explain the Pentateuchal dietary laws from the Creation point of view there are, however, striking differences. Douglas takes the Creation account as a symbol, as a cultural expression of the views of Israel's society, and she has lately abandoned even this type of interpretation and replaced it with an even more symbolic one (1993, 1996), whereas, for example, Doukhan (1994) and Kass (1994) accept the Creation story as reality.

There are some scholars who strongly oppose the idea to connect dietary laws with Creation, such as A. D. H. Mayes: "This treatment, however, leaves the dietary regulations very much in the realm of speculation, for the acknowledged link between the dietary laws and perception of the world is by

¹⁵⁴Douglas, *Purity and Danger*; idem, *Natural Symbols*; idem, "Critique and Commentary," 137-142; idem, *Implicit Meanings: Essays in Anthropology* (London: Routledge & Kegan Paul, 1975).

¹⁵⁵Eric W. Bolger, "The Compositional Role of the Eden Narrative in the Pentateuch" (Ph.D. Dissertation, Trinity Evangelical Divinity School, 1993), 209-212.

¹⁵⁶Jacques B. Doukhan, "The Future Adventist Understanding of Creation," unpublished paper, Andrews University, 1994, paper presented at La Sierra University, 24 February 1994, 22-23; idem, "The Law of Liberty: What Is the Value and the Authority of the Ancient Law of Moses for the Modern Man, Jewish or Christian?" *Shabbat Shalom* (April 1996): 12.

¹⁵⁷Leon R. Kass, "Why the Dietary Laws?" *Commentary* 97 (June 1994): 42-48.

¹⁵⁸Ch. J. H. Wright, *Deuteronomy*, 185-186.

¹⁵⁹Calum Carmichael, *The Story of Creation: Its Origin and Its Interpretation in Philo and the Fourth Gospel* (Ithaca: Cornell University Press, 1996), 96.

¹⁶⁰Frank H. Gorman, Jr., *Divine Presence and Community: A Commentary on the Book of Leviticus*, International Theological Commentary (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1997), 70-71.

no means satisfactorily understood simply through an indication of the connections between these dietary regulations and the Creation story.¹⁶¹

Some other scholars take a middle-of-the-road position, such as Howard Eilberg-Schwartz. He writes: "In contrast to Douglas, therefore, I am not claiming that the Creation story gave rise to the dietary laws but that the authors of Leviticus, in appropriating the dietary laws into their own system, attempted to link them to the Creation account."¹⁶²

Conclusion:

1. No consensus exists among biblical scholars for the rationale of the laws of clean and unclean animals/food and no adequate theory has been developed which satisfies and gives a consistent explanation of the Pentateuchal dietary laws.

2. Some truth may be found in most of the explanations, and it may not be necessary to select only one of them. Not one factor but a combination of them determined what was clean and unclean as God chose what was best for His people.¹⁶³

3. There is a need for finding a unifying overarching criterion for the Mosaic dietary laws, in order to know what factors to retain from these diverse theories. There must be a clear basis for doing it and the decision cannot be arbitrary but built on the biblical data. In my view this overarching criterion has to be a theological one and based on exegesis of actual biblical texts.

4. I propose that this unifying criterion is a Creation theology which is linked to life and the primary rationale of the Mosaic dietary laws is respect for the Creator who is the Giver of life. This new approach which links the Pentateuchal dietary laws with the Genesis Creation account, often expressed in only a few sentences or paragraphs by some authors, is very promising, valuable, and shows a new tendency in explaining the laws regarding clean and unclean animals. Under this umbrella important aspects of different theories discussed above may be included, such as holiness, natural repulsiveness, respect for life, health, a wall against paganism, etc. My

¹⁶¹A. D. H. Mayes, "Deuteronomy 14 and the Deuteronomistic World View," in *Studies in Deuteronomy: In Honour of C. J. Labuschagne on the Occasion of His 65th Birthday*, ed. F. García Martínez and others (Leiden: E. J. Brill, 1994), 178.

¹⁶²Eilberg-Schwartz, "Creation and Classification in Judaism: From Priestly to Rabbinic Conceptions," 361.

¹⁶³With this position concur Budd, *Leviticus*, 182; Péter-Contesse, 177; Houston, 122. By obeying these regulations and all of the other laws laid down in the Pentateuch, Israel could be a holy nation, enjoying the presence of a holy God. This suggestion was made by Herbert Wolf, *An Introduction to the Old Testament Pentateuch* (Chicago: Moody Press, 1991), 177.

conviction is that there is enough biblical material to demonstrate a close relationship between Lev 11 and Creation from the exegetical point of view¹⁶⁴ and to present a *theological interpretation* with the Creation-Fall-New Creation pattern and stress on the life-death principle behind the dietary laws in the Pentateuch.¹⁶⁵ This topic, however, goes beyond the scope of the present study and calls for another paper.

¹⁶⁴Jif Moskala, "Dietary Laws in Leviticus 11 and Creation," in *Creation, Life, and Hope: Essays in Honor of Jacques B. Doukhan*, ed. Jif Moskala (Berrien Springs, MI: Old Testament Department, Seventh-day Adventist Theological Seminary, Andrews University, 2000), 17-28.

¹⁶⁵For details, see chapter 4 of my Ph.D. dissertation, especially pp. 315-348.

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