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Time for a New Diet? Allusions to Genesis 1–3 as Rhetorical Device in Leviticus 11*

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Introduction

Leviticus 11 with its seemingly archaic dietary prohibitions has both bored casual readers and vexed trained exegetes. The diachronic and historical issues presented by this text are complex; the result has been a history of kaleidoscopic interpretation.[1] Yet many recent approaches to the text have been indelibly shaped by a number of questionable assumptions.

The first is simply that chapter 11, along with the rest of the book's purity regulations, is at best undeniably dull and at worst puerile, even irrelevant.[2] While this sentiment may be regularly encountered in the pew, it also appears with surprising frequency within the academy. P, the putative source behind Leviticus 11, has been labelled "stiff,"[3] "arid,"[4] and "prosaic,"[5] labels which have influenced subsequent scholarship.[6] The chapter's genre designation as

* Versions of this paper were presented at the Tyndale Old Testament Study Group and at SBL International in July 2013. I am grateful to those who provided feedback and asked penetrating questions. I trust the final product is sharper as a result of their input.

[1] For a comprehensive history of interpretation, see Jiří Moskala, *The Laws of Clean and Unclean Animals in Leviticus 11: Their Nature, Theology, and Rationale: An Intertextual Study* (Berrien Springs: Adventist Theological Society Publications, 2000), 15–111.

[2] Cf. Samuel H. Kellogg, *The Book of Leviticus* (3rd ed.; Armstrong & Son, 1899; repr., Minneapolis: Klock & Klock, 1978), 277.

[3] Julius Wellhausen, *Prolegomena to the History of Israel* (Edinburgh: A&C Black, 1885; repr., Atlanta: Scholars Press, 1994), 6.

[4] Cf. R. Norman Whybray, *The Making of the Pentateuch: A Methodological Study* (Sheffield: JSOT Press, 1987), 58.

[5] Hermann Gunkel, *Genesis* (trans. Mark E. Biddle; Macon: Mercer University Press, 1997), lxxxi.

[6] The outworking of assumptions about the nature of P can be seen, for example, in Sean McEvenue, *The Narrative Style of the Priestly Writer* (Rome: Biblical Institute Press, 1971), 22. For further explication of the anti-law bias inherent to Old Testament studies, see Walter Brueggemann and Davis Hankins, "The Invention and Persistence of Wellhausen's World," *CBQ* 75/1 (2013).

'instruction manual'[7] is also unfortunate, because as Kalinda Stevenson notes, "assumptions about genre determine interpretation."[8] An 'arid,' 'prosaic,' instruction manual hardly invites exploration of theological message and persuasive rhetoric.[9]

Furthermore, source-, form- and tradition-critical examinations of Leviticus 11 have inevitably emphasised diachronic issues. As a result the text has been mined for clues regarding its compositional history, its underlying oral traditions, and the reconstruction of early Israelite history. Determining the rationale for the dietary prohibitions has dominated discussion of the chapter: How and when did these laws originate? Why these particular animals?[10] Jiří Moskala identifies fourteen distinct answers given.[11] Most solutions, however, appeal to *extra*-textual factors to elucidate the text.[12] Yet with interpretative keys being sought outside the text, consideration of how Leviticus 11 *works as literature* is lacking. As a result, the chapter's theological and persuasive intent has been muted.

Purpose and Approach

The contention of this paper is that an important dimension of Leviticus 11 has not been fully appreciated: namely its intertextual connection to the creation-fall narratives of Genesis 1–3. A connection to Genesis 1 is not controversial, as both texts are assigned to P. Hence Jacob Milgrom finds the same creation theology, word use, and ideology in the two texts,[13] even stating that, "Lev 11 is rooted in Gen 1."[14] A connection to Genesis 2–3, however, is more contentious as Genesis 2–3 is usually assigned to J. Nevertheless,

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[7] E.g., William H. Bellinger, *Leviticus and Numbers* (Carlisle: Paternoster, 2001), 17; Gordon J. Wenham, *The Book of Leviticus* (Grand Rapids: Eerdmans, 1979), 47, 112. Cf. John E. Hartley, *Leviticus* (Dallas: Word Books, 1992), 157; Martin Noth, *Leviticus: A Commentary* (Rev. ed.; London: SCM, 1977), 15.

[8] Kalinda R. Stevenson, *The Vision of Transformation: The Territorial Rhetoric of Ezekiel 40–48* (Atlanta: Scholars Press, 1996), 11.

[9] So, e.g., Samuel R. Driver, *An Introduction to the Literature of the Old Testament* (8th, revised ed.; Edinburgh: T&T Clark, 1909), 129: "[P] nowhere touches on the deeper problems of theology."

[10] Kellogg, for example, invests twenty-four out of twenty-eight pages on Leviticus 11 discussing rationale related matters (Kellogg, *Leviticus*, 277–304).

[11] Jiří Moskala, "Categorization and Evaluation of Different Kinds of Interpretation of the Laws of Clean and Unclean Animals in Leviticus 11," *BR* 46 (2001): 7–40.

[12] For critique of the major views consult Moskala, "Categorization"; Edwin B. Firmage, "The Biblical Dietary Laws and the Concept of Holiness," in *Studies in the Pentateuch* (ed. J. A. Emerton; Leiden: Brill, 1990); Jacob Milgrom, *Leviticus 1–16: A New Translation With Introduction and Commentary* (New York: The Anchor Bible, 1991), 718–736.

[13] Milgrom, *Leviticus 1–16*, 656, 658, 689.

[14] Milgrom, *Leviticus 1–16*, 47.

connections have been posited. Robert Alter, for example, commenting on Leviticus 11:42 says, "[t]his phrase, of course, is another allusion to the Creation story, or rather, to the end of that story in the Garden of Eden."[15] However, Alter does not define what he means by 'allusion.' Nor does he comment further about the intentionality implied, the purpose such an allusion might have, or the hermeneutical implications of inter-source referencing.[16]

My purpose, therefore, is to expand on suggestive comments like Alter's by demonstrating that Leviticus 11 intentionally alludes to Genesis 1–3 and that it does so for rhetorical and theological reasons. Before we commence, however, a comment is necessary concerning the approach this paper will take. We all have our presuppositions as we come to interpretation; at the least we should make them explicit. My starting point is encapsulated by John Barton's comment: "the Pentateuch does now exist and must presumably have been assembled by *someone*: it is not a natural phenomenon. And the person who assembled it … no doubt intended to produce a comprehensible work.'[17] Irrespective of compositional history the Pentateuch has been authored or redacted as a final text. It is the intertextuality present within this *final form* that I will explore as a means to elucidate theological and rhetorical intent. Therefore, while not dismissing diachronic concerns, this study is explicitly synchronic. My focus will be on the product rather than the process.

Establishing a Methodology

Ellen van Wolde notes that intertextuality has become 'trendy.'[18] The recent interest in appropriating this field for Old Testament studies has been widely noted.[19] Nevertheless, the necessity of a clearly articulated and theoretically sound methodology is illustrated by several factors.

The first is a scholarly penchant towards what Samuel Sandmel calls 'parallelomania.'[20] By parallelomania Sandmel is referring to the tendency displayed by some scholars to 'find' non-existent parallels. Secondly, however, is

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[15] Robert Alter, *The Five Books of Moses: A Translation With Commentary* (New York: W.W. Norton & Co., 2004), 588.

[16] Cf. the similar lack of elaboration in Richard E. Friedman, *The Exile and Biblical Narrative: The Formation of the Deuteronomistic and Priestly Works* (Chico: Scholars Press, 1981), 121.

[17] John Barton, *Reading the Old Testament: Method in Biblical Study* (Philadelphia: Westminster Press, 1984), 43 [emphasis his].

[18] Ellen J. van Wolde, "Trendy Intertextuality?" in *Intertextuality in Biblical Writings: Essays in Honour of Bas van Iersel* (ed. Sipke Draisma; Kampen: Kok, 1989).

[19] E.g., Michael R. Stead, *The Intertextuality of Zechariah 1–8* (New York: T&T Clark, 2009), 18; Wolde, "Trendy Intertextuality?" 43; Tryggue N. D. Mettinger, "Intertextuality: Allusion and Vertical Context Systems in Some Job Passages," in *Of Prophets' Visions and the Wisdom of the Sages: Essays in Honour of R. Norman Whybray on his Seventieth Birthday* (ed. Heather A. McKay and David J. A. Clines; Sheffield: JSOT Press, 1993), 257.

[20] Samuel Sandmel, "Parallelomania," *JBL* 81/1 (1962).

an alternate proclivity of finding genuine, yet insignificant, connections. Jiří Moskala, for example, in his intertextual study of the food laws makes much of the shared use of words like ארץ and כל in Leviticus 11 and Genesis 1, but he does not take into account their ubiquitous use throughout the Old Testament.[21] In the light of these tendencies Timothy Beal is wise to ask: "How does the reader impose limits on the innumerable intertextual possibilities of a particular biblical text?"[22] This is an important question, especially considering the infrequent use of citation formulae by Old Testament authors[23] as well as the tendency of Hebrew literature to be implicit rather than explicit.[24] Thus, in order to ensure that allusions are not simply in the eye of the beholder, defined methodology becomes essential.

To that end, a number of different systems have been proposed for establishing connections between texts. One of the clearest is the set of eight diagnostic criteria outlined by Jeffery Leonard in his 2008 article in the *Journal of Biblical Literature*.[25] His eight criteria for establishing the validity of intertextual connections are as follows:

1. *The use of shared language*.[26] This is the primary condition for establishing a connection between texts. Risto Nurmela concurs, suggesting that uncovering lexical parallels remains the most objective criterion for determining the presence of an intertext.[27] An implied, but important, consideration is whether the *quoted* text was available to the *quoting* author.[28] However, as this study focuses on connections within the *final form* of the Pentateuch, the diachronic problems are minimised: Genesis 1–3 in its canonical setting anticipates Leviticus 11.

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[21] Moskala, *Laws*, 200–202.

[22] Timothy K. Beal, "Ideology and Intertextuality: Surplus of Meaning and Controlling the Means of Production," in *Reading Between Texts: Intertextuality and the Hebrew Bible* (ed. Danna Nolan Fewell; Louisville: Westminster, 1992), 28.

[23] Cf. Richard L. Schultz, *The Search for Quotation: Verbal Parallels in the Prophets* (Sheffield: Sheffield Academic Press, 1999), 219. For discussion of the methodological issues surrounding the New Testament use of the Old, see Gregory K. Beale, *Handbook on the New Testament Use of the Old Testament: Exegesis and Interpretation* (Grand Rapids: Baker, 2012), 29–40.

[24] Cf. Robert Alter, *The Art of Biblical Narrative* (Rev ed.; New York: Basic Books, 2011), 143–162.

[25] Jeffery M. Leonard, "Identifying Inner-Biblical Allusions: Psalm 78 as a Test Case," *JBL* 127/2 (2008).

[26] Leonard, "Allusions," 246.

[27] Risto Nurmela, "The Growth of the Book of Isaiah Illustrated by Allusions in Zechariah," in *Bringing Out the Treasure: Inner-Biblical Allusion in Zechariah 9–14* (ed. Mark J. Boda and Michael H. Floyd; London: Sheffield Academic Press, 2003), 246. See also the qualifications suggested by Stead, *Intertextuality*, 29–30.

[28] Gregory K. Beale, *We Become What We Worship: A Biblical Theology of Idolatry* (Downers Grove: IVP, 2008), 24.

2. *Shared language is more important than non-shared language.*[29] Accordingly Leonard states, "that a text contains additional language that is idiosyncratic or not shared *in no way* undermines the possibility of a connection."[30]

3. *The distinctiveness of shared language.*[31] Rare terminology indicates a higher likelihood of intentional allusion between texts than the sharing of commonplace terms.

4. *The use of shared phrases.*[32] Shared phrases and syntactical constructions indicate a stronger likelihood of allusion than shared individual words.

5. *Accumulation of shared language.*[33] This criterion is identical to Richard Hays' category of "volume,"[34] and holds that *multiple points of contact* between two texts present stronger evidence of a genuine connection than single occurrences of terms or phrases.[35]

6. *Shared context.*[36] Here Leonard suggests that shared language used in contextually similar ways evidences a stronger connection than shared language alone. Richard Schultz also highlights the importance of context: "a quotation is not intended to be self-contained or self-explanatory; rather a knowledge of the quoted context also is assumed by the … author … [I]f a quotation's source is not recognized, there is an unfortunate semantic loss."[37]

7. *Shared language need not be accompanied by shared ideology.*[38] The fact that later writers may advance differing ideologies than those of an alluded-to text has no bearing on the validity of a prospective connection.[39]

8. *Shared language need not be accompanied by shared form.*[40] Leonard notes: "Common form could actually point away from an allusion by raising the possibility that commonalities between texts are the result of parallel rather than dependent development."[41] Michael Fishbane agrees, arguing that reinterpretation presents stronger evidence of dependence than verbatim repetition.[42]

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[29] Leonard, "Allusions," 249.

[30] Leonard, "Allusions," 249 [emphasis his].

[31] Leonard, "Allusions," 251.

[32] Leonard, "Allusions," 252.

[33] Leonard, "Allusions," 253.

[34] Richard B. Hays, *Echoes of Scripture in the Letters of Paul* (New Haven: Yale University Press, 1993), 30.

[35] Cf. Gregory K. Beale, *The Use of Daniel in Jewish Apocalyptic Literature and in the Revelation of St. John* (Lanham: University Press of America, 1984), 307.

[36] Leonard, "Allusions," 255.

[37] Schultz, *Search*, 224–225.

[38] Leonard, "Allusions," 255.

[39] Leonard, "Allusions," 256.

[40] Leonard, "Allusions," 256.

[41] Leonard, "Allusions," 256.

[42] Michael Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford: Clarendon Press, 1988), 285. Cf. Schultz, *Search*, 219–21.

As is evident from the preceding criteria, evaluation of potential allusion presents a spectrum of likelihood, moving from unlikely to extremely probable. Gregory Beale is correct: "All such proposed connections have degrees of possibility and probability."[43] However, as Hays comments, "[t]he more [criteria] that fall clearly into place, the more confident we can be in rendering an interpretation of the echo effect in a given passage."[44] Thus the cumulative effect of multiple criteria becomes persuasive.

Parallels between Leviticus 11 and Genesis 1–3

So what do we find when we apply these eight criteria to Leviticus 11 with respect to Genesis 1–3? The results are intriguing, with connections evident at lexical, syntactical and conceptual levels.

Firstly, at a lexical level Leviticus 11 displays considerable overlap with Genesis 1–3.[45] However, as already suggested and contra Moskala, lexical overlap alone is insufficient to demonstrate significance.[46] Thus, the examples I offer relate to terminology that is both *shared* and *distinctive*. A number of terms fit the criteria. גחון appears only twice in the Old Testament: in Genesis 3:14 and Leviticus 11:42. מין, appearing 30 times in the Pentateuch,[47] is used only in connection with creation, flood and food law texts.[48] Twenty-five out of twenty-seven uses of the שׁרץ root are found in the same three contexts.[49] Similarly clustered is the cognate root רמשׂ.[50] חיה in noun form appears thirty-one times in the Pentateuch.[51] Two thirds of occurrences cluster in Genesis 1–3,[52] the flood narrative,[53] and Leviticus 11.[54] The עוף root occurs in the

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[43] Beale, *Worship*, 24.

[44] Hays, *Echoes*, 32.

[45] See the lists presented in Moskala, *Laws*, 200–201, 228, 231–232.

[46] For example, Moskala's argument based on the respective frequencies of כל is unpersuasive (Moskala, *Laws*, 202). Moreover, כל appears forty times in Leviticus 11 despite his count of thirty-six. This forty-fold (i.e., 4x10) use of כל is perhaps intended to symbolise that the *entire* animal world is under consideration. Cf. Ethelbert W. Bullinger, *Number in Scripture: Its Supernatural Design and Spiritual Significance* (3rd ed.; London: Eyre & Spottiswoode Ltd., 1913), 123, 243.

[47] Its only occurrence outside the Pentateuch is in Ezekiel 47:10.

[48] Gen 1:11, 12(x2), 21(x2), 24(x2), 25(x3); 6:20(x2); 7:14(x4); Lev 11:14, 15, 16, 19, 22(x4), 29; Deut 14:13, 14, 15, 18.

[49] Gen 1:20(x2), 21; Gen 7:21(x2); 8:17; 9:7; Lev 5:2; 11:10, 20, 21, 23, 29(x2), 31, 41(x2), 42(x2), 43(x2), 44, 46; 22:5; Deut 14:19. Remaining Pentateuch uses are in relation to people (Exod 1:7) or animals (Exod 7:28 [8:3]).

[50] Gen 1:21, 24, 25, 26(x2), 28, 30; 6:7, 20; 7:8, 14(x2), 21, 23; 8:17(x2), 19(x2); 9:2, 3; Lev 11:44, 46; 20:25. There is only one other Pentateuch occurrence (Deut 4:18).

[51] Interestingly, חיה appears four times each in both Genesis 1 and Leviticus 11.

[52] Gen 1:24, 25, 28, 30; 2:19, 20; 3:1, 3:14.

[53] Gen 7:14, 21; 8:1, 17, 19; 9:2, 5, 10(x2).

[54] Lev 11:2, 27, 47(x2).

Pentateuch thirty-seven times with Genesis 1–2,[55] the flood narrative,[56] Leviticus 11,[57] and parallels[58] accounting for thirty uses. Also of note is the אכל root. It is used 4 times in Genesis 2 to relay positive and negative commands regarding food (2:16–17). A further seventeen uses in Genesis 3 play a key role in the narration of the fall.[59] Notably, אכל also appears seventeen times in Leviticus 11 where its use similarly concerns both positive and negative dietary commands.[60] Thus, at the lexical level, there are some interesting correspondences between our respective texts, satisfying the first three of Leonard's criteria.

Lexical overlap alone, however, does not signify incontrovertible allusion. Leonard's fourth criterion concerns parallel syntactical constructions. The presence of shared phrases and word combinations raises the probability of definite connection between Leviticus 11 and Genesis 1–3. Again, some examples will illustrate.

Firstly, the שׁרץ and רמשׂ roots are used in conjunction only in Genesis 1:21, Leviticus 11:44–46 (twice), and in the flood narrative.[61] Secondly, there is a parallel formed by the use of אכל with נגע in Genesis 3 and Leviticus 11.[62] More specifically, the second masc. plural *qal* imperfect forms of these two verbs only appear in conjunction three times: in Genesis 3:3, Leviticus 11:8, and its parallel in Deuteronomy 14:8. Thirdly, the assignment of 'all of' (מכל) a food source in combination with a prohibition (לא + אכל) of a particular aspect occurs only three times in the Old Testament (Gen 2:16–17; 9:3–4; Lev 11:2–4).[63] Fourthly, the syntactical combination of the noun גחון,[64] the preposition על and the verb הלך occurs only twice in the Old Testament: in Leviticus 11:42 and Genesis 3:14. In both cases the reference is to movement (lit. 'walking') upon the belly. In Genesis 3 the subject is the cursed serpent; in Leviticus 11 the reference is to the detestable creatures which similarly crawl on their bellies. Interestingly, both verses also attest a form of אכל which, as noted earlier, is a *Leitwort* in both contexts.[65] I will return to consid-

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[55] Gen 1:20(x2), 21, 22, 26, 28, 30; 2:19, 20.

[56] Gen 6:7, 20; 7:3, 8, 14, 21, 23; 8:17, 19, 20; 9:2, 10.

[57] Lev 11:13, 20, 21, 23, 46.

[58] Lev 20:25(x2); Deut 14:19, 20.

[59] Gordon J. Wenham, *Genesis 1–15* (Waco: Thomas Nelson, 1987), 75; Robert H. O'Connell, "אכל," in *NIDOTTE* (ed. Willem VanGemeren; Grand Rapids: Zondervan, 1997), 1: 395.

[60] Cf. Seth D. Postell, *Adam as Israel: Genesis 1–3 as the Introduction to the Torah and Tanakh* (Eugene: Pickwick, 2011), 117, fn. 153.

[61] Gen 7:21; 8:17.

[62] Postell, *Adam*, 109, fn. 131; John D. Currid, *Leviticus* (Darlington: Evangelical Press, 2004), 146; Firmage, "Dietary," 206.

[63] Noted by Leigh M. Trevaskis, *Holiness, Ethics and Ritual in Leviticus* (Sheffield: Sheffield Phoenix Press, 2011), 97.

[64] Itself a rare term, as already noted.

[65] Noted by Trevaskis, *Holiness*, 98.

er the rhetorical force of this particular parallel, but for now an intertextual connection seems apparent. Moreover, the use of the same unique combination of terms but with slightly different forms fulfils Leonard's eighth criterion.

So not only are there lexemes that are both shared and distinctive, but there are also unique syntactical combinations that link Leviticus 11 to Genesis 1–3. However, as Paul Noble notes, verbal parallels independent of similar context are not sufficient to establish deliberate allusion.[66] Necessary, he suggests, are "meaningful variations on essentially the same underlying plot."[67] Similarly, according to Leonard's sixth criterion, shared terms and phrases used in *contextually similar ways* evidence a stronger connection than shared language alone. Therefore a number of conceptual similarities between Leviticus 11 and Genesis 1–3 become important.

Firstly, Leviticus 11 and Genesis 1–3 share the same spatial conception and taxonomy. In both, three spheres of existence are understood: land, water, and air. Additionally, contra Mary Douglas,[68] the *four-fold* classification of the creatures that inhabit these spheres in Genesis is also apparent in Leviticus 11: land animals, flying creatures, aquatic life and 'swarmers.' This four-fold taxonomy is emphasised by the structure of Leviticus 11 which groups all its named examples in multiples of four: four prohibited quadrupeds (11:4–7), twenty prohibited birds (11:13–19), four acceptable insects (11:22), and eight detestable land swarmers (11:29–30).[69]

Secondly, there is a shared conception of Eden. Theologically, Eden, or at least the garden in proximity to it, functions as the place where humanity and Yahweh may co-inhabit.[70] In Leviticus 26, Canaan is conceptualised as a new Eden with blessing promised in specifically edenic language.[71] So, while accepting Gordon McConville's proviso of restricted and provisional access,[72]

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[66] Paul R. Noble, "Esau, Tamar, and Joseph: Criteria for Identifying Inner-Biblical Allusions," *VT* 52/2 (2002): 228. [change to *VT* 52/2 as per your formatting]

[67] Noble, "Criteria," 233.

[68] Mary Douglas, *Purity and Danger: An Analysis of the Concept of Pollution and Taboo* (London: Routledge, 2002), 69–70, argues for a three-fold classification of animals, one for each sphere.

[69] Cf. Hartley, *Leviticus*, 153. The noun חיה also appears four times in Leviticus 11.

[70] Cf. Jacob Milgrom, *Leviticus 23–27: A New Translation With Introduction and Commentary* (New York: The Anchor Bible, 2000), 2302; T. Desmond Alexander, *From Eden to the New Jerusalem: Exploring God's Plan for Life on Earth* (Nottingham: IVP, 2008), 20–31.

[71] The people will be fruitful (פרה) and will increase (רבה) (Lev 26:9; cf. Gen 1:28), they will enjoy abundant food supply (Lev 26:10; cf. Gen 2:9, 16; 3:17–19), Yahweh will no longer expel them (Lev 26:11, cf. Gen 3:24), but will dwell and walk (הלך, *hitpa'el*) among them (Lev 26:12; cf. Gen 3:8).

[72] J. Gordon McConville, "'Fellow Citizens': Israel and Humanity in Leviticus," in *Reading the Law: Studies in Honour of Gordon J. Wenham* (ed. J. G. McConville and Karl Möller; New York: T&T Clark, 2007), 21.

Leviticus nevertheless portrays its implied readers as being on the way to re-enter 'Eden.'

Thirdly, within this general evocation of Eden the command(s) in both texts mirror one another: a positive command regarding eating (Gen 2:16; Lev 11:3) is accompanied by dietary restriction (Gen 2:17; Lev 11:4). Likewise, the consequences for transgression display similarity. In Genesis 2:17 disobedience is forecast to result in death, and in 3:24 the man (האדם) is driven out from Yahweh's presence. Thus, against Barr,[73] death in Genesis 3 is understood as punitive exclusion from the presence of Yahweh.[74] As John Walton rightly notes, "the overwhelming loss was not paradise; it was God."[75] Against this background, Leviticus opens (Lev 1:2) with the possibility of 'a man' (אדם) once again entering the presence of Yahweh, a presence now situated in the tabernacle (Lev 1:1; cf. Exod 40:35). But transgressing the dietary prohibitions of chapter 11 made a person unclean until evening (Lev 11:24), and hence effectively banished them from Yahweh's tabernacle presence.[76] Thus the food laws of Leviticus 11 display remarkable conceptual parallels to the events of Eden. Israel, pictured as a new Adam, faced the same choice of obedience in relation to food with parallel consequences. Fidelity to the word of Yahweh is concretised in terms of diet, just as it had been in Eden.

In sum, applying Leonard's intertextual criteria to our texts demonstrates that parallels between Leviticus 11 and Genesis 1–3 exist at lexical, syntactical and conceptual levels.[77] While individual connections may not be decisive in and of themselves, the cumulative evidence is persuasive. Taken together, the *accumulation* of shared language, across *multiple* points of contact, strongly suggests a genuine intertextual connection, a conclusion supported by the fact that shared language is being used in contextually analogous ways. Thus it is highly probable that Leviticus 11 alludes to both creation *and* fall. Interestingly, the probability of allusion to Genesis 2–3 is higher than it is for Genesis 1, which raises questions regarding the seeming reticence among scholars to discuss the connection. To speak of allusion, however, is to infer intention. But can intent be demonstrated? That becomes a critical question if we want to consider theological and rhetorical function.

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[73] James Barr, *The Garden of Eden and the Hope of Immortality* (London: SCM, 1992), 11: "there is no breakdown of relationship between God and [Adam and Eve]."

[74] Trevaskis, *Holiness*, 99; R. W. L. Moberly, "Did the Serpent Get it Right?," *JTS* 39/1 (1988): 18. This is not to say that physical death is not in view. Barrosse's concept of 'total death' helpfully holds together the physico-spiritual nuances (Thomas Barrosse, "Death and Sin in Saint Paul's Epistle to the Romans," *CBQ* 15/4 (1953): 449–450). [Change to CBQ 15/4 in line with formatting]

[75] John H. Walton, *Genesis* (Grand Rapids: Zondervan, 2001), 231.

[76] Roland K. Harrison, *Leviticus: An Introduction and Commentary* (Leicester: IVP, 1980), 156.

[77] Discussing the notable lexical overlap with the flood narrative is beyond the scope of this present paper.

Demonstrating Intentional Allusion

How does one demonstrate that parallels are intentional and not merely coincidental? Three criteria become important indicators. First, *multiple*, *specific* parallels *to the same text* indicates deliberate allusion.[78] Lyons formulates the key quantitative question thus: "Do the shared locutions occur in a significantly higher proportion in the source and target texts than in other texts?"[79] If they do, then, "the presence of multiple common words, the combination of which is rare … suggest[s] dependence."[80] Regarding this, we found an accumulation of shared language across multiple points of contact, with lexical and syntactical features throughout Leviticus 11 connecting to Genesis 1–3. Of further significance is the specificity of the parallels noted. A number of terms and word combinations are used in the Pentateuch only in relation to Genesis 1–3, the flood narrative, and Leviticus 11 and its parallels. Such repeated linking to the same text, at lexical, syntactical and conceptual levels, serves to draw attention to the connection, lessens the chance of 'semantic loss' for the reader, and in doing so, demonstrates intention. As Bonnie Kittel notes, "allusion is used to recall a *specific* passage to … mind."[81]

An important caveat regarding the availability of options needs to be made at this point. Parallels between two texts may simply indicate syntactic or lexical constraints. However, as Lyons makes clear, "if a locution shared by two texts could have been selected from a number of semantically equivalent locutions, it is more likely to be the result of a purposeful and conscious choice."[82] Thus the availability to the Legislator of suitable synonyms—for example, זן for מין, בטן or כרשׂ for גחון—suggests deliberate word choice in order to link our two texts.

A second criterion for determining intentional allusion is the presence of *re-interpretation for a new context*.[83] Verbatim parallels may simply illustrate that both texts are making independent use of another tradition.[84] Thus interpretative reuse is stronger evidence of deliberate connection. Michael Lyons notes that such "creative interaction" can take numerous forms: "an author can interpret an earlier text, use it as a basis for an argument, disagree with it, or reuse its words to create a new argument."[85]

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[78] See Hays, *Echoes*, 30; Michael A. Lyons, *From Law to Prophecy: Ezekiel's Use of the Holiness Code* (New York: T&T Clark, 2009), 68–70; Schultz, *Search*, 224–225.

[79] Lyons, *Law*, 68.

[80] Lyons, *Law*, 69.

[81] Bonnie P. Kittel, *The Hymns of Qumran: Translation and Commentary* (Chico: Scholars Press, 1981), 50 [emphasis hers].

[82] Lyons, *Law*, 72.

[83] See Fishbane, *Interpretation*, 285; Leonard, "Allusions," 256; Schultz, *Search*, 219–221.

[84] Cf. Peter R. Ackroyd, "Criteria for the Maccabean Dating of OT Literature," *VT* 3/2 (1953): 114–118.

[85] Lyons, *Law*, 73.

Such reinterpretation is exactly what we find in Leviticus 11; for instance, with the unique syntactical connection formed by the combination of גחון, על and הלך. The respective forms in both texts are as follows:

על־גחנך תלך 'on your belly you will move' (Gen 3:14)

כל הולך על־גחון 'everything which moves upon [its] belly' (Lev 11:42)

The direct address *of the serpent* in Genesis 3:14 is reflected in the second person forms of both verb and pronominal suffix. Leviticus, in contrast, reworks the same verb, preposition and noun combination in order to delineate *a category of creature* which recalls the edenic serpent's cursed mode of locomotion. The allusion functions to connect the commands in Leviticus 11 with the primordial infidelity and its catastrophic consequences, viz. Leviticus 11:42 reworks Genesis 3:14 for a new theological purpose. The implied journey of the Israelites towards 'paradise regained'[86] provides a rationale for such allusion, thereby further indicating that the intertextual connection is intentional.

A third indicator of intentional allusion is the *merging of intertextual connections with the other rhetorical features of a text*. That is what we find in Leviticus 11 in relation to what Yairah Amit terms 'rhetorical progression.' She defines rhetorical progression as,

> a rhetorical technique, or contrivance, that organizes the data for the author in a multi-phased, hierarchical structure, wherein the elements are arranged in an ascending or descending order: from the general to the particular, or vice versa; from minor to major, or the reverse; from the expected to the unexpected; the impersonal to the personal, and so on. Often the final step in the progression is the climactic one, while each of the preceding steps plays its part in expanding or narrowing the sequence, and thereby shedding more light on the subject.[87]

The organisation of a text in this fashion reveals intent. Hence, if it can be demonstrated that any rhetorical progression in Leviticus 11 incorporates intertextual connections to Genesis 1–3, then further support for intentional allusion will be garnered.

However, the unity of Leviticus 11 has frequently been challenged.[88] Verses 24–40 are usually understood to be an interpolation as they interrupt the flow of the chapter.[89] Milgrom concludes that 11:24–40 "sticks out like a

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[86] Cf. Magnus Ottosson, "Eden and the Land of Promise," in *Congress Volume: Jerusalem 1986* (ed. J. A. Emerton; Leiden: Brill, 1988), 177.

[87] Yairah Amit, "Progression as a Rhetorical Device in Biblical Literature," *JSOT* 28/1 (2003): 9.

[88] See Noth, *Leviticus*, 91–92.

[89] Milgrom, *Leviticus 1–16*, 692. So also, Samuel E. Balentine, *Leviticus* (Louisville: John Knox Press, 2002), 98; Erhard S. Gerstenberger, *Leviticus* (trans. Douglas W. Stott; Louisville: Westminster John Knox, 1996), 132; David P. Wright, "The

sore thumb."[90] However, the noted disjuncture may in fact indicate rhetorical device rather than interpolation,[91] for Leviticus 11 *as a whole*[92] evidences Amit's rhetorical progression.[93]

First, stress is placed on the land swarmers. As we noted beforehand, Leviticus 11 divides all animal life into land, water and flying creatures as well as the שׂרץ which occupy each sphere. However, the land swarmers appear out of sequence as a separate category and not as subsets like the water and flying שׂרץ (cf. 11:10, 20–23). Furthermore, they receive the most detailed discussion (11:29–38), they alone have the potential to make objects and food unclean (11:32–38),[94] and they are uniquely contrasted with the imperative to be holy like Yahweh (11:44). Second, there is an interrelated movement towards increasing uncleanness. Use of טמא in 11:1–8 for quadrupeds is replaced by the stronger שׁקץ in 11:10–23 for the prohibited fish and birds.[95] But *both* terms are used to describe the land swarmers (11:29, 41). Furthermore, while touching the carcasses of clean and unclean animals makes one unclean (11:24–28, 39–40), the carcasses of land swarmers defile not only people (11:31), but also objects and food (11:32ff.). Even *part* of their carcass (מנבלהם) is enough to impute uncleanness (11:35). In 11:43 the land swarmers even have the ability *to make people detestable* (שׁקץ).[96]

Spectrum of Priestly Impurity," in *Priesthood and Cult in Ancient Israel* (ed. Gary A. Anderson and Saul M. Olyan; Sheffield: Sheffield Academic Press, 1991), 168.

[90] Milgrom, *Leviticus 1–16*, 693.

[91] See also the devastating critique of Milgrom's position on stylistic grounds by Wilfried Warning, *Literary Artistry in Leviticus* (Leiden: Brill, 1999), 49–56.

[92] The chapter may be outlined as follows:
11:1–2a Superscription
11:2b–23 Categories of clean and unclean animals
11:2b–8 Land creatures
11:9–12 Water creatures
11:10 Water swarmers
11:13–23 Flying creatures
11:20–23 Flying swarmers
11:24–40 Defilement potential of death & land swarmers
11:24–28 Defilement caused by unclean animal carcasses
11:29–38 Defilement caused by land swarmers
11:39–40 Defilement caused by clean animal carcasses
11:41–45 Defilement versus holiness
11:46–47 Postscript

[93] See also Trevaskis, *Holiness*, 81–107; Wenham, *Leviticus*, 176.

[94] The exception is clothes that are made unclean due to contact with carcasses (11:25, 28).

[95] For understanding שׁקץ as a more intense category, contra Milgrom, *Leviticus 1–16*, 684, see Nobuyoshi Kiuchi, *Leviticus* (Nottingham: Apollos, 2007), 196; Bellinger, *Leviticus*, 74; Michael A. Grisanti, "שׁקץ," in *NIDOTTE* (ed. Willem VanGemeren; Grand Rapids: Zondervan, 1997), 4: 243–4.

[96] Trevaskis, *Holiness*, 103.

These two emphases merge in the climactic section of the text (11:41–45), a merger reinforced by the wordplay formed between שׁרץ and שׁקץ.[97] The supremely defiling land שׁרץ are the only animals mentioned;[98] they function to picture the epitome of anti-Yahweh existence (11:44). Critically, the rhetorical progression in Leviticus 11 climaxes at the very point where the land swarmer's intertextual connection to the cursed serpent of Genesis becomes most evident, for these שׁרץ are creatures which 'walk on the belly' (11:42).[99] This interweaving of intertextuality and rhetorical progression again indicates that allusion to Genesis 1–3 by Leviticus 11 is intentional.

In the light of these considerations, allusion to creation and fall appears to be an intentional strategy employed by Leviticus 11. But what rhetorical and theological functions do such allusions perform for the text's readers?

The Function of Allusions to Genesis 1–3 in Leviticus 11

Recognition of Leviticus 11's intertextual connection to Genesis 1–3 becomes critical for understanding how its rhetoric works. By deliberately recalling the creation-fall narrative, Leviticus 11 sets its stipulations against a cosmic background in which Israel is envisioned as a new Adam. The lexical, syntactical and conceptual connections to Genesis 1–3 combine to indicate that Israel now faces the same choice (obedience to Yahweh's commands), relating to the same sphere of life (eating), with potential temptation and defilement coming from the same source (animals). As we have seen, it was precisely those animals which recalled the Genesis serpent that Israel was to be most careful to guard against. Israel must not repeat Adam's failure. The persuasive nature of Leviticus 11 regarding this point is seen most clearly in its explication of the consequences of disobedience.

Contravention of Leviticus 11's regulations resulted in a person (or object) becoming unclean until evening (e.g., 11:24). This uncleanness (טמא), perhaps the central concern of chapter 11,[100] is generally understood only as ritual impurity in relation to the cult.[101] An ethical dimension is usually only supposed in H (Lev 17–26).[102] However, this reading of טמא is based on the

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[97] This may explain the preference shown in Leviticus 11 for using שׁרץ rather than רמשׂ.

[98] 11:42 delineates three types of land swarmers. See Milgrom, *Leviticus 1–16*, 683.

[99] The unexpected non-mention of 'serpent' as one of the eight listed examples (11:29–30) serves to further heighten the connection by conspicuous omission. See Nobuyoshi Kiuchi, *A Study of Hata' and Hatta't' in Leviticus 4–5* (Tübingen: Mohr (Siebeck), 2003), 105.

[100] Leviticus 11's thirty-four uses of the טמא root, the most occurrences in any chapter of the Old Testament, signal the focus. טמא appears only three times antecedent to Leviticus (Gen 34:5, 13, 27).

[101] David J. A. Clines, ed., *The Dictionary of Classical Hebrew* (8 vols.; Sheffield: Sheffield Academic Press, 1993), 3: 366; *HALOT*, 2: 375; *BDB*, 379.

[102] Cf. Richard E. Averbeck, "טמא," in *NIDOTTE* (ed. Willem VanGemeren; Grand Rapids: Zondervan, 1997), 2: 365–6.

questionable assumption that Leviticus 1–16 is only an 'instruction manual' for ritual practice. But is making assertions about ritual procedures all that the text is doing?

Important for elucidating the issue is the work of Mary Douglas. In her seminal *Purity and Danger* she noted that 'to be unclean' works symbolically to reflect the values of a particular society.[103] So what, therefore, did uncleanness symbolise for the Israelites? If all creatures are part of God's good creation (Genesis 1), then why should certain ones be detested?[104] While appeal is sometimes made to innate impurity,[105] the text does not seem to make that connection.[106] If such animals were intrinsically unclean then contact with live animals should also defile.[107] Thus many scholars suggest a symbolic connection with death and disorder,[108] but they do not develop how or why the symbolism works. In this regard, the connections we have established to Genesis 1–3 are illuminating.

Inappropriate eating or touching (the verbal forms used in conjunction connect to Genesis 2–3) of animals made persons unclean (יטמא) until evening (עד־הערב), and hence prohibited them from entering God's presence at the tabernacle (11:24; cf. 7:21).[109] Likewise, death in 11:39 makes previously clean animals, suitable for food and sacrifice, unclean, and disqualifies them from table and sanctuary. Thus, a conceptual connection is established between טמא and מות in their ability to exclude from Yahweh's presence.[110] Furthermore, Leigh Trevaskis draws attention to the highly unusual use of the

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[103] Douglas, *Purity*, 45, 158.

[104] Trevaskis, *Holiness*, 86; Paul Copan, *Is God a Moral Monster? Making Sense of the Old Testament God* (Grand Rapids: Baker, 2011), 81. Cf. Ephraim Radner, *Leviticus* (Grand Rapids: Brazos Press, 2008), 115.

[105] E.g., Wenham, *Leviticus*, 176. Milgrom's conclusion that such animals are "impure genetically" seems to be derived more from rabbinical speculation than biblical exegesis (Jacob Milgrom, *Leviticus: A Book of Ritual and Ethics* (Minneapolis: Fortress 2004), 115).

[106] Rather, the prohibited animals are simply 'unclean *for you*' (טמא הוא לכם; 11:4 *et passim*).

[107] Also, how could intrinsically unclean animals like the eagle become paragons of virtue, e.g., in Exodus 19:4?

[108] For instance, Carl F. Keil and Franz Delitzsch, *Biblical Commentary on the Old Testament* (trans. J. Martin; 25 vols.; Grand Rapids: Eerdmans, 1968), 2: 372; Andrew A. Bonar, *A Commentary on Leviticus* (Edinburgh: Banner of Truth, 1966), 225; Milgrom, *Leviticus 1–16*, 686; Hartley, *Leviticus*, 145.

[109] Although purification procedures are outlined for clothes (11:28) and defiled objects (11:32), the omission of purification rites for people, "serves to make the person's exclusion from the holy sanctuary until after evening emphatic," (Trevaskis, *Holiness*, 88).

[110] Cf. Trevaskis, *Holiness*, 92.

noun מָוֶת in Leviticus 11 to signify animal death.[111] Its peculiar use here may intentionally provoke remembrance of the first occurrence of the root in the Eden narrative. Either way, the parallels with Genesis 2–3 suggest that an unclean status in Leviticus 11 symbolised the consequence of Adam's rebellion, viz. the death of his punitive exclusion from the presence of Yahweh (cf. Gen 3:23–24).[112]

Intertextuality thus proves to be a core feature of Leviticus 11. The Legislator, faced with the predilection of the Israelites to sin, required weighty persuasion; allusion to the creation-fall narratives provided the means. This "clever embedding" of allusion becomes a central facet of the text's persuasive ability.[113] Thus we can see that Leviticus 11 is concerned about far more than ritualistic instruction. The text's structure emphasises the land שרץ, creatures that allude to the Genesis serpent (11:42); its preoccupation with uncleanness symbolically connects to the death experienced by Adam; its motivational clause is to be holy as Yahweh is holy (11:44–45).[114] Thus Knierim is correct in his assessment of Leviticus: while "[t]he surface level of a text communicates to the reader explicit information … it also points to aspects beneath itself … which generate and control its form and content."[115] Consequently, the common assumption that Leviticus 11 is *primarily* about dietary laws is at best questionable.[116] Baruch Schwartz is correct, legal texts aim to do far more than merely legislate.[117]

Thus, even as the text of Leviticus 11 makes assertions regarding unclean animals, its matrix of Genesis allusions performs a number of additional illocutions. Firstly, the allusions *remind* the reader of Eden. Secondly, the quantity and specificity of connections serve to *illustrate* the multiple parallels between Israel and Adam; Israel is deliberately being placed into Adam's shoes.[118] Thus, thirdly, the text *warns*. On her way to re-enter 'Eden,' Israel

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[111] The only other possibility is Ecclesiastes 10:1, although the text is ambiguous. See Trevaskis, *Holiness*, 91, fn. 185; Choon-Leong Seow, *Ecclesiastes: A New Translation With Introduction and Commentary* (New York: Doubleday, 1997), 311–312.

[112] Trevaskis, *Holiness*, 89.

[113] Cf. Ziva Ben-Porat, "Forms of Intertextuality and the Reading of Poetry: Uri Zvi Greenberg's Basha'ar," *Prooftexts* 10/2 (1990): 273–4.

[114] The command of 11:43–45 is generally understood as reflecting the ethical view of H (e.g., Milgrom, *Leviticus 1–16*, 695). However, Trevaskis argues that H may simply be making explicit what was already implicit in the text (Trevaskis, *Holiness*, 106). In light of our investigation, Trevaskis seems correct.

[115] Rolf P. Knierim, *Text and Concept in Leviticus 1:1–9: A Case of Exegetical Method* (Tübingen: Mohr (Siebeck), 1992), 1.

[116] Cf. Kiuchi, *Leviticus*, 203–204.

[117] Baruch J. Schwartz, "The Prohibitions Concerning the 'Eating' of Blood in Leviticus 17," in *Priesthood and Cult in Ancient Israel* (ed. Gary A. Anderson and Saul M. Olyan; Sheffield: Sheffield Academic Press, 1991), 66.

[118] For further discussion of the similarities between Adam and Israel, see Postell, *Adam*, 114–119.

faced the same choice of life or death: life if she remained in Yahweh's presence, death if she followed Adam's example of disobedience; the immediate, albeit temporary, 'death' of banishment from tabernacle, but also the more permanent death of exile and extinction (Lev 26:14ff.). Hence, fourthly, Leviticus 11 marshals all its resources—including allusion—to *persuade* the Israelites to choose Yahweh and life, and so "escape the domain of death,"[119] with all its multifaceted implications at spiritual, physical and eternal levels.[120] Thus, the primary illocution of the text, encapsulated by the chapter's motivational clause, is a *call* to be holy as Yahweh himself is holy. *Imitatio Dei* was to be the goal and means of Israel's life with Yahweh.

Implications for Pentateuch Scholarship

Our investigation of Leviticus 11 vis-à-vis Genesis 1–3 has been revealing: Leviticus 11 not only shares affinities with Genesis 1 but also intentionally alludes to Genesis 2–3 for rhetorical and theological reasons. However, while such connectivity within the final-form Pentateuch has been hinted at by others, for example, Alter's comment above, the *implications* are generally left unexplored. For that reason it is worthwhile to conclude with some brief thoughts regarding the potential impact of our findings for Pentateuch scholarship more broadly.

Firstly, at least in relation to Leviticus 11, consideration of the intertextuality present within the final-form Pentateuch opens fruitful exegetical avenues. Thus, while not by itself commenting on the validity of source-critical approaches, this study suggests that we need to move beyond merely diachronic appraisals.[121]

Secondly, the evident allusions to Genesis 2–3 made by Leviticus 11 raise further questions for consensus approaches to the text. The interdependence of a P text with one normally assigned to J lends support to Norman Whybray's suggestion that it may be better to speak of an *author* of the Pentateuch rather than *redactors*: viz. a "single historian" acting as a "controlling genius."[122] The reason for this is made clear by Noble. He states,

> [I]t is difficult to conceive how a theory [i.e., the Documentary Hypothesis] which rests so much upon the supposed independence of origin and development of a book's various parts can account for the multitudinous allusions of one part to another that we find in its final

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[119] Alexander, *Eden*, 145.

[120] Cf. Barrosse, "Death," 449–450.

[121] Klawans' point is apt: "we may do well to put history of religion on the backburner and focus for a while on the meanings of our texts," (Jonathan Klawans, "Methodology and Ideology in the Study of Priestly Material," in *Perspectives on Purity and Purification in the Bible* (ed. Baruch J. Schwartz, et al.; New York: T&T Clark, 2008), 95).

[122] Whybray, *Making*, 233, 235.

> form. Allusion entails authorship; and wide-ranging allusion entails wide-ranging authorship.[123]

As any compositional theory must account for *all* the main features of the text, including its intertextual connections, Noble likewise concludes that it is better to speak in terms of 'author.'[124]

Thirdly, our study highlights the literary artistry and persuasive rhetoric of this particular legal text. Although these terms are often reserved for the Bible's narrative and poetic sections, it is perhaps time to begin to more seriously consider the rhetoric of its legislative texts.[125] As Dale Patrick suggests, "explicit rules—laws—are only the tip of the iceberg of the phenomenon of Law."[126] Appreciation of the persuasive rhetoric of Leviticus 11 opens a window into the text's theological intent. This is no arid, prosaic, instruction manual, conveying a redundant message for a post-Resurrection age. Instead, Leviticus 11 has rich theological depths that have not yet been fully plumbed.

Finally, this paper has something to contribute towards the neglected question of how the Pentateuch's legal and narrative sections relate. It would seem that the complex merger of genre- and content-divergent material in the Pentateuch creates a final-form *Gestalt* that is greater than the sum of its parts. As we have seen, the embedding of legal material in an underlying narrative greatly increases the rhetorical power of the legislation. Thus attention to *narrative sequence* becomes a hermeneutical necessity for hearing the persuasive voice of, not only Leviticus 11, but the Pentateuch as a whole.

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[123] Noble, "Criteria," 247.

[124] Noble, "Criteria," 247–248.

[125] The neglect is readily apparent. No Old Testament texts are examined in Stanley E. Porter and Dennis L. Stamps, eds., *Rhetorical Interpretation of Scripture: Essays From the 1996 Malibu Conference* (*JSOTsupp*; Sheffield: Sheffield Academic Press, 1999). Of the nineteen chapters in Thomas H. Olbricht and Anders Eriksson, eds., *Rhetoric, Ethic, and Moral Persuasion in Biblical Discourse: Essays From the 2002 Heidelberg Conference* (New York: T&T Clark, 2005), only one examines an Old Testament text (Chronicles). Two texts each are examined in Anders Eriksson, Thomas H. Olbricht, and Walter Ubelacker, eds., *Rhetorical Argumentation in Biblical Texts: Essays From the Lund 2000 Conference* (Harrisburg: Trinity Press International, 2002)—Kings and Chronicles—and in Stanley E. Porter and Thomas H. Olbricht, eds., *The Rhetorical Analysis of Scripture: Essays From the 1995 London Conference* (JSOTSup; Sheffield: Sheffield Academic Press, 1997)—Judges and Job. In David J. A. Clines, David M. Gunn, and Alan J. Hauser, eds., *Art and Meaning: Rhetoric in Biblical Literature* (Sheffield: JSOT Press, 1982), five out of twelve chapters focus on Pentateuch texts, but all are on narrative sections.

[126] Dale Patrick, *Old Testament Law* (London: SCM, 1986), 4.