Food for Thought: Systems of Categorization in Leviticus 11*

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In two interconnected theoretical works published in 1962, Lévi-Strauss[1] argued that the tendency among primitive societies to formulate animal classification systems and to express these systems ritually cannot be explained as a side-effect of social classification, as Durkheim and Mauss had argued,[2] nor can it be explained on the narrow materialistic grounds posited by Radcliffe-Brown and Malinowski.[3] The negative evidence adduced by Lévi-Strauss is empirical: animal classification systems are neither limited to societies in which there exists a fixed correlation between social groups and animal species, nor do they pertain to species that are of significant material or symbolic value to the classifying culture. According to Lévi-Strauss, the ritual expression of the mental act of classification functions like a language, containing "stressed" and "unstressed" elements[4] and aiming to convey theoretical messages.[5]

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[1] Claude Lévi-Strauss, *Le Totémisme aujourd'hui* (Paris: Presses Universitaires de France, 1962); translated into English by Rodney Needham as *Totemism* (Boston: Beacon, 1963); and idem, *La Pensée sauvage* (Paris: Plon, 1962), translated into English anonymously as *The Savage Mind* (London: Weidenfeld and Nicolson, 1966).

[2] Émile Durkheim and Marcel Mauss, *Primitive Classification* (trans. Rodney Needham; London: Cohen and West, 1963), originally published as "De quelques formes primitives de classification: contribution à l'étude des représentations collectives," *Année Sociologique* 6 (1903) 1–72.

[3] A. R. Radcliffe-Brown, "The Sociological Theory of Totemism," in *Structure and Function in Primitive Society* (London: Cohen and West, 1952) 117–32; Bronislaw Malinowski, *Magic, Science and Religion and Other Essays* (Boston: Beacon, 1948) 27–28; Lévi-Strauss, *Totemism*, 56–71; *The Savage Mind*, 3.

[4] Lévi-Strauss, *The Savage Mind*, 103.

[5] Four years after the publication of these essays, and without explicitly referring to them, Mary Douglas (*Purity and Danger: An Analysis of Pollution and Taboo* [London: Routledge and

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Taking his cue from Bergson,[6] Lévi-Strauss shows that the reason primitive cultures tend to choose animal species as the basic units of their ritual classification systems lies primarily in the structure of these systems: animal taxonomy is a useful model for categorization, since in the division of animals into species nature offers primitive man a rare example of discreteness. Whereas most natural phenomena are encountered as a continuous spectrum (e.g., the light spectrum), animal taxa are by nature distinct.[7] Furthermore, there exists a homologous relationship between the distribution of individuals among social groups in a human society on the one hand, and the distribution of individual animals among species in the animal kingdom on the other hand. Thus, claims Lévi-Strauss, animal species have become the object of ritual attitudes not due to their material value, that is to say, not because they are "good to eat," but rather because they are "good to think," serving as a useful model for differentiating thought.[8]

However, in Lévi-Strauss's view, animal taxonomy was chosen as a model for categorization not merely because of its formal structure but also due to the primordial affinity between human and animal. Thus, the basic elements in the "language" of classification—animal species—are themselves a clue to what the contents of a message conveyed through a classification system might be: these messages pertain to what Lévi-Strauss considers the central problem of human culture—the relation between human and animal, between culture and nature.

This approach, which views animal classification systems as essentially theoretical in character, is faced with several difficulties. Firstly, it tends to ignore concrete social and economic needs, projecting whole systems of ritual onto an

Kegan Paul, 1966]) attempted to demonstrate how such a system of categorization might serve as a medium for conveying an ideological or religious message. Since 1966, Douglas has reformulated and revised several of the insights of *Purity and Danger*, without abandoning the general theory regarding the relation between impurity and anomaly.

[6] Lévi-Strauss, *Totemism*, 135–36. The core of this argument was already intimated by Durkheim and Mauss (*Primitive Classification*, 7–8). For a lucid discussion of the problem see Edmund Leach, "Anthropological Aspects of Language: Animal Categories and Verbal Abuse," in *New Directions in the Study of Language* (ed. E. H. Lenneberg; Cambridge: M.I.T. Press, 1964) 34–36.

[7] According to Daniel Sperber ("Pourquoi les animaux parfaits, les hybrides et les monstres sont-ils bons à penser symboliquement?," *L'Homme* 15 [1975] 5–34), taxonomy differs from other systems of classification in that the categorization of each element is exclusive and absolute: a single element cannot belong to two distinct categories simultaneously (unless one is a subset of the other), nor can it belong to a particular category to a greater or lesser extent. Empirical findings show that most known societies—modern as well as primitive—prefer taxonomy to cross-classification for animal categorization.

[8] The original context of this well-known aphorism is Lévi-Strauss's criticism (*Totémisme,* 128) of the materialistic interpretation offered by Radcliffe-Brown: "On comprend enfin que les espèces naturelles ne sont pas choisies parce que 'bonnes à manger' mais parce que 'bonnes à penser.' " The wording used above, "a useful model for differentiating thought" demands clarification in light of the general context of Lévi-Strauss's writings. Animal classification systems are not a model external to logic, which logic imitates; rather, thinking with the aid of animal species and ritual values, like the performance of mathematical operations using algebraic variables and operators, is an expression of the mental operation itself.

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intellectual plane.[9] Secondly, the need to express these theoretical systems of classification ritually remains unexplained.[10]

The most severe difficulty in applying Lévi-Strauss's general theory to particular systems of classification is that although he asserts that classification systems function like a language, conveying theoretical messages, his reticence regarding the possible semantics of such a "language" renders the possible contents of these messages rather obscure. Centering instead on the formal structure of classification systems, Lévi-Strauss only vaguely hints that these messages pertain to the relation between culture and nature.

One possible solution to this difficulty, hinted at in the last chapter of *Totemism*, is that the message lies in the very act of classification.[11] Thus, the mental act of categorization is to be considered the cultural act *par excellence*, distinguishing humans from animals and expressing the shift of human communities from nature to culture.

This solution accounts neither for the wide diversity of classification systems nor for the complexity of their inner structures. However, one may accept it as a partial solution, and still leave open the possibility that the details of the classification system, not only its very existence, convey a message pertaining to the relation between nature and culture. In order to determine whether this second possibility is in fact realized in a particular classification system, one must first analyze the basic elements constituting that system and the relations between them, and inquire: do the details of this system encode a message regarding the nature of the relationship between nature and culture that is different from what is implied in other, alternative systems of categorization? If the analysis offered here is correct, one may conclude that at least in the case of one ancient Israelite system of animal categorization, the system preserved in the text of Leviticus 11, the answer to this question is affirmative.

In order to accomplish this, it will first be necessary to examine two general categorization systems central to Biblical law, the system distinguishing between pure and impure and the system distinguishing between prohibited and permitted;[12]

[9] Marvin Harris, *Cows, Pigs, Wars and Witches* (New York: Vintage Books, 1974); idem, *Cultural Materialism* (New York: Random House, 1979); idem, *Good to Eat: Riddles of Food and Culture* (New York: Simon and Schuster, 1985).

[10] S. J. Tambiah, "Animals are Good to Think and Good to Prohibit," *Ethnology* 8 (1969) 453. Another problem is the lack of clarity regarding the question, what exactly is meant by *les espèces naturelles*, regarding the question of the so-called totemism. At times, it would seem that the term is designed to refer narrowly to fauna (e.g., Lévi-Strauss, *Totemism*, 20), but in many cases it obviously includes flora as well, in accordance with the empirical data (17, and the distinction regarding the Tikopia, 29).

[11] *Totemism*, 100–1. A similar intuition seems to underlie *Genesis Rabbah* 17, 4 (on Gen 2:19), which views the naming of the animals as an act which established human subjugation of the animal world.

[12] Biblical law expressly distinguishes between the categories "pure" and "impure," and the stems טמא and טהר are found, with diverse semantic values, throughout Biblical literature. By

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only then will it be possible to turn to the Biblical texts concerned with ritual taxonomy, particularly Leviticus 11 and its parallel Deuteronomy 14.

Impurity and Prohibition

The complex interrelations between impurity and prohibition are rooted, as Ricœur has argued, in a religious sphere that precedes—logically and chronologically—the texts preserved in Leviticus 11.[13] However, the Bible is steeped in echoes of these earlier stages, and they resound clearly in the theology of priestly literature.[14]

One attempt to record these echoes—or, more precisely, to delineate their boundaries—is Wright's distinction between "tolerated" and "prohibited" impurities.[15] Prohibited impurities stem from deliberate as well as inadvertent transgressions. Impurity stemming from inadvertent transgressions accumulates—as Milgrom has shown—in the sanctum instead of on the transgressor, and is removed from the sanctum by prescribed rituals of purgation.[16] Impurity stemming from

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contrast, there is no precise legal terminology in Biblical Hebrew for the categories "prohibited" and "permitted" (MH אסור and מותר are not attested in this sense in BH), although these legal categories do underlie Biblical legislation and may serve as an organizing principle of a set of rules (e.g., Lev 21:1–4). Biblical law distinguishes between these categories by juxtaposing two verbal clauses, e.g., two *yiqṭōl* verbs, one of which is negated (see Exod 12:16; Deut 23:21a); or the form *wᵉqāṭal . . . wᵉlō' yiqṭōl* (Deut 23:25, 26); see GKC §107s, and Aba Bendavid , *Biblical Hebrew and Mishnaic Hebrew* (Hebrew: *Leshon miḳra u-leshon ḥakhamim*; 2 vols.; 2d ed.; Tel Aviv: Dvir, 1967–1971) 2.518. The adjectives "permitted" and "prohibited" may be formulated periphrastically, e.g., אשר יאכל (Lev 17:13); אשר היא לכם לאכלה (11:39) or הנאכלת (as opposed to אשר לא תאכל, 11:47, compare אשר לא תעשינה, Lev 4:2, 13, 22, 27).

[13] Paul Ricœur, *The Symbolism of Evil* (trans. Emerson Buchanan; Religious Perspectives 17; New York: Harper and Row, 1967) 31: "The world of defilement is a world anterior to the distinction between the ethical and the physical."

[14] The term "Priestly" (capitalized) will be used in what follows to mean "pertaining to the document P (as distinct from H)," whereas the term "priestly" will be used in a more inclusive sense, to include H as well.

[15] David P. Wright, "The Spectrum of Priestly Impurity," in *Priesthood and Cult in Ancient Israel* (ed. Gary A. Anderson and Saul M. Olyan; JSOTSup 125; Sheffield: JSOT, 1991) 150–81. An earlier attempt is Frymer-Kensky's distinction between "moral" and "ritual" impurities (Tikva Frymer-Kensky, "Pollution, Purification and Purgation in Biblical Israel," in *The Word of the Lord Shall Go Forth: Essays in Honor of David Noel Freedman in Celebration of his Sixtieth Birthday* [ed. Carol L. Meyers and M. O'Connor; Winona Lake: Eisenbrauns, 1983] 399–413 and, with slight changes, eadem, "Pollution and Sacrifice: An Homage to Jacob Milgrom" [Seminar paper for the SBL Annual Meeting, 2001]). The same terminology is adopted by Jonathan Klawans, *Impurity and Sin in Ancient Judaism* (Oxford: Oxford University Press, 2000) 21–42. Both Wright and Frymer-Kensky echo D. Hoffmann, *Das Buch Leviticus übersetzt und erklärt* (2 vols.; Berlin: M. Poppelauer, 1905–1906), 1.340.

[16] Milgrom has elaborated on this point extensively; the *locus classicus* of this argument is perhaps Jacob Milgrom, "Israel's Sanctuary: The Priestly 'Picture of Dorian Gray,' " *RB* 83 (1976): 390–99. Although the term טומאה is not explicitly mentioned in the sacrificial instructions in Leviticus 4–5, Leviticus 16 explicitly states that the חטאת blood sprinkled "inside the veil" (v. 15) and elsewhere in the Tent of Meeting (16b) is used to purge (כפ"ר) the adytum and the Tent "of the pollutions (טמאות) and transgressions of the Israelites, including all of their sins" (v. 16). For a detailed discussion and

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deliberate transgressions may accumulate not only in the sanctum but also upon the transgressor and upon the land. It is removable from the sanctum by means of the ritual described in Leviticus 16, but no prescribed ritual enables the community to remove it from the land.

Tolerated impurities, on the other hand, stem from natural situations such as death and bodily emissions. Wright terms them "tolerated" since, though unwelcome, they often arise from involuntary situations or from situations that are desirable in and of themselves. Impurities of this type accumulate in physical bodies, are transmitted from one object to another according to a fixed set of regulations, and may be removed by a fixed set of purification rituals such as bathing and laundering. In addition, these impurities accumulate in the sanctum, contracted from afar like the prohibited impurities, and may be removed from the sanctum by a fixed set of purgation rituals.[17]

However, the dichotomy between "tolerated" and "prohibited" impurities is not always so clear-cut, and there are several borderline cases where an act is both defiling and prohibited. The most obvious examples are: sexual relations with a menstruant according to Lev 18:19 (cf. Lev 15:19–24); consumption of the flesh of an animal that was torn by wild beasts (according to Exod 22:30) or that died naturally (according to Deut 14:21);[18] and certain prohibitions pertaining to priests and nazirites in the priestly literature (Lev 21:1–4; 11; 22:8; Num 6:6–7).[19]

One such borderline case is the system distinguishing between pure (טהור) and impure (טמא) animal species. At first glance, the impurity of the so-called "impure" (טמא) species ought to belong to the realm of tolerated impurities, stemming from physical bodies (animal flesh) and contracted by direct physical contact. However, as opposed to other impurities stemming from physical situations, a large number of animal impurities are by no means tolerated by the law—in fact, the law explicitly prohibits all Israelites to contract them. It seems that the intuitions underlying the distinction between pure and impure animal species are quite different from

evaluation of Milgrom's theory see Roy Gane, *Cult and Character: Purification Offerings, Day of Atonement, and Theodicy* (Winona Lake: Eisenbrauns, 2005).

[17] See Lev 12:6–8; 14:19, 31; 15:15–30; 16; Num 6:11. Apparently, tolerated impurities within the camp affect the sanctum from a distance immediately, even if the impurity is removed from the individual (or vessel) soon after defilement. However, in order to minimize its effect, impure individuals are required to undergo purification as soon as possible, and if they fail to do so they pose a threat to the sanctum and to themselves (note the formula "he has defiled the Tent/Temple of YHWH," Num 19:13, 20). It is possible that P makes no ontological distinction between the impurity which applies to individuals and vessels, and the impurity which spreads out to affect the sanctum, especially when the two occur simultaneously (e.g., from touching a corpse). However, functionally they are clearly distinct, as is evident from the diverse rituals for their eradication.

[18] These laws assume that such flesh is impure, though this is not explicitly stated; see below, n. 70.

[19] In other situations, impurity and the prohibition may coincide, though they are of a different order, e.g., in the case of sexual prohibitions involving also "tolerated" ritual impurity, which Biblical law may refer to, perhaps figuratively, as "defilement" (Lev 18:20, 23; Num 5:13).

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those underlying the system of tolerated impurities. This distinction is aimed at the categorization of the animal kingdom as such and is only indirectly linked to death-related impurity.[20] Evidence for this is the fact that the species itself is termed "pure" (טהור) or "impure" (טמא) in legal as well as non-legal contexts, regardless of the status of the particular animal. Thus, even when the specimens in question are alive, the species is termed "impure,"[21] though live animals were certainly not considered ritually[22] defiling.[23]

The Ritual Classification of Animal Species in Ancient Israel

Information about the ritual classification of animal species in ancient Israelite religion, outside Leviticus 11 and Deuteronomy 14, is sparse.[24] One important

[20] Karl Elliger (*Leviticus* [HAT 1.4; Tübingen: Mohr, 1966] 150) correctly argues that, in contrast to other ritual impurities in the Bible, the ritual impurity attributed to animal species has "nicht immer religionsgeschichtliche Hintergründe." Elliger, however, adopts a rather narrow definition of *Religionsgeschichte* here, limited to theological views. According to this particular view, he assumes, all other impurities hark back to a common intuition—proximity to the sphere of Death, which stands in contrast to the "Living God." However, impurities stemming from death and bodily secretions, too, have a pre-theological history, and are in this sense no different from the "impurity" of animal species. Wright ("Spectrum," 154, 165–69) includes this subsystem among the "death-related impurities," but lists four reasons for regarding this group of impurities as exceptional within the spectrum of impurities. Clearly, the impurity of animal species is somewhat related to the general conceptions of impurity in ancient Israel, since impure species are not considered defiling while alive.

[21] See Gen 7:2, 8, Lev 27:11, 27, Num 18:15, all of which refer to live animals.

[22] Although all impurities discussed above are, strictly speaking, ritual, and though any system of categorization based upon them will be termed, in what follows, a "ritual classification system," the terms "ritually impure/defiling" will be used narrowly, only with reference to those impurities which, as described above, accumulate in physical bodies and are removed by a fixed set of rituals such as bathing.

[23] See Lev 11:8, 24b–25, 32. Furthermore, note that the term "their carcass" (נבלתם) and the pronoun "they" (masculine, i.e., the animals) are interchangeable (24b//26b [MT]; 33a//35aα; note the clarification "when they are dead" in vv. 31, 32; and Ibn-Ezra, *The Commentary of Abraham ibn Ezra on the Pentateuch* [trans. J. F. Schachter; vol. 3; Hoboken: Ktav, 1986] on v. 26). Martin Noth (*Leviticus: A Commentary* [trans. J. E. Anderson; OTL; London: SCM, 1965] 95) presumed that v. 26b refers to living beasts, but see Elliger, *Leviticus*, 152–53. LXX (or its Vorlage), apparently wishing to prevent such a misunderstanding, replaced בהם in 26b by τῶν θνησιμαίων αὐτῶν. In other ancient Near Eastern cultures, some animals were considered defiling while alive; see Herodotus, *Historia* 2.47; the Hittite "Instructions for Temple Officials," (*ANET*[3] 207–10); and James C. Moyer, "Hittite and Israelite Cultic Practices: A Selected Comparison," in *Scripture in Context* (ed. William W. Hallo, James C. Moyer and Leo G. Perdue; vol. 2: *More Essays on the Comparative Method*; Winona Lake: Eisenbrauns, 1983) 29–33. The Temple Scroll (46:1–3), according to Elisha Qimron's reasonable reconstruction (*The Temple Scroll* [Beer Sheva: Ben-Gurion University Press; Jerusalem: Israel Exploration Society, 1996] 66), requires that impure birds be kept away from the temple precincts (see *m. Mid* 4.6). This implies not only that the author considered impure birds to be ritually defiling (contrary to Mishnaic halacha), but also that they were considered defiling even while alive.

[24] Some data concerning the range of species commonly raised or hunted for food in different periods in ancient Israel, and concerning the more limited range of species commonly sacrificed, may be gleaned from historiographic and prophetic literature (e.g., Num 11:32, Judg 13:4, 7, 14, 1 Kgs

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source of information is the non-Priestly Flood narrative in Genesis (the J account, along with several interpolations),[25] which refers to species that are "pure" (טהרה) and "not pure" (אשר לא טהרה הוא; אשר איננה טהרה, Gen 7:2, 8; 8:20). For the present argument it will suffice to note that, according to this story, the distinction between pure and impure animal species is no innovation of Israelite religion, but was recognized in antediluvian times. Furthermore, since Noah is intuitively familiar with it, YHWH has no need to enumerate the pure and impure species.[26] Thus it appears that the distinction does not stem from a divine decree, but rather from naturally inherent traits, easily discernible by any human being, Israelite and non-Israelite alike.

Leviticus 11 and Deuteronomy 14

The remarkable similarity between Leviticus 11 and Deut 14:3–21a, especially in their respective lists of prohibited quadrupeds and birds, indicates that there exists a genetic relation between these two texts. Several models of this relation have been presented, scholars often emphasizing the textual evidence that accords with their general conception of the relationship between P and D, and explaining away the contradictory data accordingly. For the present context it will suffice to say that the most likely explanation is that a common Vorlage underlies the two texts, which can in fact be reconstructed with a relatively high degree of certainty.[27] This

5:3, 2 Kgs 6:25, Isa 33:4, Hos 9:4). The general picture that emerges from such passages roughly accords with the custom in Middle and Late Bronze Canaanite cities, to the extent that it is known from the osteonic findings from these periods and from the textual evidence from Ugarit, mostly regarding large mammals. Regarding non-mammals, birds and fish, evidence is particularly scanty. For a zooarchaeological survey of osteonic findings in Palestinian and Syrian cities, see Anneke T. Clason and Hilke Buitenhuis, "Patterns in Animal Food Resources in the Bronze Age in the Orient," in *Proceedings of the Third International Symposium on the Archaeozoology of Southwestern Asia and Adjacent Areas* (ed. H. Buitenhuis, L. Bartosiewicz and A. N. Choyke; *Archaeozoology of the Near East* 3; Groningen: ARC, 1988), 233–42. For a comprehensive summary, see Walter Houston, *Purity and Monotheism: Clean and Unclean Animals in Biblical Law* (JSOTSup 140; Sheffield: JSOT, 1993) 124–80.

[25] This piece of evidence deserves a separate study. For a short survey of the relation between the two accounts of the Flood, see Gordon J. Wenham, *Genesis 1–15* (WBC; Waco: Word, 1987), 168.

[26] John Skinner (*A Critical and Exegetical Commentary on Genesis* [ICC; 2d ed.; Edinburgh: T&T Clark, 1930] 152) and Claus Westermann (*Genesis 1-11* [trans. J. J. Scullion; Minneapolis: Fortress Press, 1994] 428, following Gunkel, *contra* Dillmann) correctly assert that the J narrative accords with the history of religion better than does the P version. However, their assumption that, according to P, the distinction is an innovation of Israelite religion is incorrect. There are other considerations which lead P to ignore the distinction between pure and impure species in the Flood story; see Baruch J. Schwartz, *The Holiness Legislation: Studies in the Priestly Code* (Jerusalem: Magnes, 1999 [in Hebrew]) 79. In the Creation narratives, neither P nor J refer to this distinction; Pseudo-Jonathan, disturbed by this, supplied this extra piece of information (1:21, 24–25).

[27] August Dillmann, *Die Bücher Exodus und Leviticus* (3d ed.; Leipzig: Hirzel, 1897) 525–26; S. R. Driver, *A Critical and Exegetical Commentary on Deuteronomy* (ICC; 3d ed., 1902; repr. Edinburgh: T&T Clark, 1951) 157, 163–64; Elliger (*Leviticus*, 143–44). It is possible that priestly

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will not be attempted here, but reference will be made to the presumed Vorlage as necessary.

Deuteronomy 14:3–21a

The general injunction at the head of the passage (14:3) indicates that the legislator is not attempting to define what is abominable and what is not. It is simply assumed to be common knowledge that certain species and the flesh of animals that died naturally are—by nature—תועבה, i.e., abominable (though not physically inedible). Based on this assumption, the legislator formulates categorical injunctions, addressed to the Israelites as a whole, prohibiting the consumption of such meat. Just as H forbids those whom it considers inherently holy, i.e., the priests,[28] to eat carrion (Lev 22:8), since, apparently, carrion is self-evidently, inherently impure, so D (like E, in Exod 22:30) prohibits those whom it considers inherently holy, i.e., all Israelites, to eat certain species as well as carrion, since these are self-evidently despicable by their very nature (14:21).[29] Further, the commands in vv. 11 and 20 (כל צפור טהרה תאכלו, "You may eat any pure bird"; כל עוף טהור תאכלו, "You may eat any pure winged creature"), presuppose that the audience knows which species are "pure" and which are not; the law simply asserts that whatever is known to be "pure" is permitted for consumption. No objection should be raised from the fact

literature was transmitted orally at first, and that the presumed common Vorlage never existed in writing (Houston, *Purity*, 64. However, the literal similarity between the two passages justifies the use of the term *Vorlage*, implying at least a fixed oral text. For a brief review of scholarly literature, see Willian L. Moran, "The Literary Connection between Lev 11:13–19 and Deut 14:12–18," *CBQ* 28 (1966) 271–77; Meir Paran, *Forms of the Priestly Style in the Pentateuch* (Jerusalem: Magnes, 1989 [in Hebrew]) 340.

[28] There is some disagreement among scholars regarding the precise difference between the holiness of priests and that of Israelites in H. According to Jacob Milgrom (*Leviticus: A New Translation with Introduction and Commentary* [3 vols.; AB 3, 3A, 3B; New York: Doubleday, 1991–2001] 2:1803), H considered only the priests to be holy, but required lay Israelites to strive for holiness, which may be attained through obedience to YHWH. Saul M. Olyan (*Rites and Rank: Hierarchy in Biblical Representations of Cult* [Princeton: University Press, 2000] 121–22, 173–34) has argued against this that the holiness of lay Israelites cannot be merely potential in H, since YHWH is often described in H as continually sanctifying the Israelites. However, he admits that there is a difference, at least in degree, between the holiness of priests and that of lay Israelites in H, as the laws concerning the consumption of holy meat clearly indicate. Although Olyan is correct in pointing out the similarity between the language employed in H to describe the holiness of priests and that used to describe the holiness of lay Israelites, there is an important linguistic distinction, which can hardly be fortuitous, namely that the predicate "holy" is attributed, even in H, only to the priests (21:23), never to lay Israelites. Hence it is reasonable to assume that the holiness of the priests in H (as in P) is viewed as inherent (or, at least, as resulting from a single act of sanctification at some point in history), whereas that of lay Israelites depends on constant activity on the part of YHWH. Note that neither the imperative, וקדשתו (21:8aα; rendered correctly as: "you must treat [him] as holy" [JPS]), nor the command קדש יהיה לך (he shall be holy to you; 8bα) imply that the priest is not holy to begin with. See Baruch J. Schwartz, "Israel's Holiness: The Torah Traditions, " in *Purity and Holiness: The Heritage of Leviticus* (ed. M. J. H. M. Poorthuis and J. Schwartz; JCPS 2; Leiden: Brill, 2000) esp. 52–58.

[29] See below, n. 70.

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that D enumerates the "impure" birds even though it assumes that they are known, or from the fact that, having listed the criteria for the purity of large quadrupeds, it proceeds to enumerate ten pure species. By analogy to a modern situation, this would be similar to a general ban on cheap meat, followed by a list of fast food chains for clarification.

D mentions four main categories of animals: large quadrupeds, water animals, birds and flying insects, consistently distinguishing between species permitted for consumption (תאכלו, "you may eat," 4, 6, 9, 11, 20) and species prohibited for consumption (לא תאכלו, "you shall not eat," 7f., 10, 12, 21, see 19). The adjectives טמא ("impure," 7, 8, 10, 19) and טהור ("pure," 11, 20) are distributed less symmetrically, but in a manner that leaves little doubt that the dichotomy in its entirety holds true in each of the four groups: the species permitted for consumption are all "pure" and the prohibited species are all "impure." What is not entirely clear is the precise semantic intent of these terms. The author may have intended "pure" and "impure" to serve as mere labels, designating species permitted and prohibited for consumption respectively, and nothing more; this is clearly how the terms are used in Gen 7:2, 8, Lev 27:11, 27, Num 18:15, where they refer to live specimens, which are certainly not considered ritually defiling. The author may, however, have been expressing the idea that species prohibited for consumption are also ritually defiling. We will return to this problem below.[30]

In light of D's general lack of interest in ("tolerated") ritual impurity, the former possibility seems more likely. It appears that D adopted the terms "pure" and "impure" from its Vorlage, deliberately or unintentionally ignoring the ritual implications of these labels. Of course, D does not deny the existence of ritual impurity per se; thus, it does not discard the command "and their carcasses you shall not touch" in v. 8. But for D, the main function of the terms טהור and טמא, when pertaining to animal species, is to indicate permissibility or impermissibility for ingestion, not the power to contaminate.

Deuteronomy 14 thus presents a simple dichotomy: "okay" species on the one hand, i.e., species that are termed טהור, which may be eaten; and "not okay" species on the other hand, i.e., species termed טמא, which may not be eaten.[31] Presumably, the author(s) of the Vorlage postulated the same simple dichotomy. This traditional dichotomy is also found in Lev 20:25, a passage belonging to the Holiness Code.[32]

[30] See page 226–27 in this article.

[31] In the terminology of Lévi-Strauss, Deuteronomy 14 reflects a rather "poor," or rudimentary system of categorization, inasmuch as it is based on a single binary opposition: pure and permitted on the one hand, impure and prohibited on the other hand (Lévi-Strauss, *The Savage Mind*, 63, 161, 217). However, it should be noted that this relative "poverty" pertains to the number of possible ritual values attached to the categories of species, not to the physiological characteristics that are taken into account in this taxonomy.

[32] The appendix of Leviticus 11 (vv. 43–45), attributed to H, reflects a similar view.

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It is necessary to keep in mind that although the formulation of this system in Deuteronomy is the work of a literate elite, its presence in several pentateuchal sources (D, H, J, and presumably in the Vorlage, as we have seen), and its correspondence to the little corroborating evidence that archaeology is able to supply,[33] suggests that it reflects widespread conceptions, and—at least in part—common practice.

Therefore, if one were to endorse Lévi-Strauss's approach in this case, and attempt a reconstruction of a theoretical message encoded in this system, this reconstruction would presumably reflect certain basic conceptions prevalent in the society where the system was practiced. Such an attempt to reconstruct the unconscious conceptions of a culture no longer alive, through the medium of the texts its literary elite has produced, is fraught with tremendous difficulties.[34] As we shall see, the situation in Leviticus 11 is quite different.

Impurity and Prohibition in Leviticus 11

In contrast to the simple dichotomy in Deuteronomy 14, Leviticus 11 presents a complex legal grid, which will be examined in what follows.[35] In order for this complex grid to become apparent, it will be necessary to reconsider some widely circulating preconceptions and, in my view, misunderstandings, pertaining to the text of Leviticus 11 and to the perception of the relation between impurity and prohibition in Priestly literature. As will become apparent, the "Milgrom school" has done much to point out the misconceptions of previous interpretations in this regard, but in reality, Priestly legislation is even more radical in its innovative classification than Milgrom and some of his students have been disposed to acknowledge. The following analysis of Leviticus 11 will show that the legal categories, "impure," "prohibited for consumption," and "prohibited for contact" are entirely contingent, and—wherever possible—legally unrelated.

However, before analyzing the system portrayed in Leviticus 11, one must first acknowledge a general tendency in the priestly writings: The priestly legislators generally refrain from prescribing the required measures for ritual purifications in cases where ritual contamination should not have occurred in the first place.

[33] See above, n. 24.

[34] In this case, in particular, there are a number of insurmountable difficulties: many of the species mentioned by name are unidentifiable; one is often at a loss regarding any symbolic or other meaning which these species may have had; it is unclear whether the physical and behavioral characteristics listed for some of the species were considered to be the reason for their classification as pure or impure, or merely a means of identification; and a structural interpretation is impeded by the fact that one lacks information about the structure of the system of purity/impurity in ancient Israel beyond what the text offers. For a general discussion of the methodological difficulties in applying anthropological tools to the study of Biblical texts, see *Anthropological Approaches to the Old Testament* (ed. Bernhard Lang; Issues in Religion and Theology 8; Philadelphia: Fortress; London: SPCK, 1985) 1–20.

[35] The English translation cited here closely follows that of Jacob Milgrom, *Leviticus* 1:643–45. Where my own translation departs significantly from Milgrom's, reason is given below.

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Thus, no purification instructions are prescribed for impurity contracted through the consumption of animals that are forbidden for consumption, or—as argued below—for impurity contracted through contact with animals whose carcass one is forbidden to touch. Priests, who are forbidden to eat carrion, are not told how to purify themselves if they do so (Lev 22:8); but Israelites, who may freely contaminate themselves by eating carrion according to the priestly legislators (though certainly not according to Exod 22:30 and Deut 14:21a), are told exactly how to purify themselves (Lev 11:40; 17:15).[36]

Thus one may formulate a rule of thumb, which can serve as a working hypothesis elsewhere in priestly literature: wherever the author supplies instructions for purification from impurity, the impurity in question is "tolerated"; but where the author does not supply these instructions, the impurity is of the prohibited type. Once this characteristic is acknowledged, it is possible to demonstrate how the authors of Leviticus 11 understood the relation between impurity and prohibition.

The First Tetralemma in Leviticus 11

The chapter treats several groups of animals, presented in a seemingly disorderly manner: large quadrupeds (2bβ–8), water animals (9–12), large flying creatures (or, for the sake of simplicity, "birds," 13–19), flying insects (20–23), again large quadrupeds (24–28), land swarmers (29–38), again large quadrupeds (39–40), and once again land swarmers (41–44). An explanation of this apparent disorder would entail a detailed diachronic analysis of the text, which is outside the scope of the present study.[37] For the sake of clarity, the discussion will be confined at first, for the most part, to the text in its final form; only in conclusion will detailed reference be made to the strata of the chapter.

It has long been noticed that in the main body of the chapter (vv. 1–42, 46–47),[38] the terms שקץ and טמא appear to be mutually exclusive. An animal is either termed שקץ or טמא, never both. Hence, Milgrom's insightful distinction, intimated in the Sifra and noticed by David Zvi Hoffmann,[39] is basically true: טמא, when attributed

[36] This tendency is logical enough, for evidently the legislators did not deem it necessary to offer purification instructions where contamination should not exist. Interestingly, the tendency is consistently carried through even in the absence of these logical considerations. This is true especially in the case of the Nazirite (Num 6), who is forbidden to come into contact with the dead. The priestly legislator discusses the possibility of inadvertent defilement of the Nazirite (v 9), and prescribes the measures to be taken by the Nazirite in order to perform expiation and renew his oath; however, nothing is said of the (apparently obvious) need for the Nazirite to purify himself. This tendency may even underlie the much disputed case of the menstruant and the זבה in P; see Milgrom, *Leviticus* 1:940–41 and below, n. 72.

[37] See below, n. 64.

[38] The term "the main body of the chapter" is used here to designate the P section. This does not include the concluding exhortation (vv. 43–45 at least), long recognized as stemming not from P but from H. See Israel Knohl, *The Sanctuary of Silence: The Priestly Torah and the Holiness School* (Minneapolis: Fortress, 1995), 69; Milgrom, *Leviticus* 1.683–88, 694.

[39] Hoffmann, *Leviticus*, 1:340; Jacob Milgrom, "Two Biblical Hebrew Priestly Terms: *Šeqeṣ*

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to a species, designates "ritually defiling, *and also* prohibited for consumption"; שקץ indicates "prohibited for consumption, but *not* ritually defiling." However, if one wishes to account for the MT of 7:21, which, unless emended, mentions an impure שקץ, and to take the term וכל in 11:41 as covering all land-swarmers, including the impure ones listed in vv. 29–30, it may be more accurate to modify Milgrom's definition of שקץ to "prohibited for consumption" (with nothing said of ritual impurity). Furthermore, contrary to a common misconception, there is little reason to imagine that in P's view, שקץ animals could ritually defile even through ingestion.[40]

Milgrom notes correctly that the author of the H appendix (vv. 43–45, according to Milgrom) was unaware of this distinction, as terms derived from the stems שק"ץ and טמ"א are used interchangeably in those verses.

The terminological distinction between שקץ and טמא has immediate legal implications: not every animal that is prohibited for consumption is considered ritually impure. Thus, only the flesh of large quadrupeds and of eight species of land-swarmers, which are termed טמא, may convey ritual impurity (see Lev 5:2, as well as the precise wording of 11:29a and 22:5, regarding land-swarmers).[41] All other land-swarmers, as well as all birds and water animals, whether permitted for consumption or not, are ritually pure; i.e., they convey impurity neither by contact nor by consumption. Like any other transgression in P, consumption of prohibited birds or fish may give rise to a miasma-like substance, which clings to the sanctum and must be purged by the blood of a purgation offering,[42] but the individual remains pure: he need not undergo ritual ablutions or wait until sunset before approaching the sanctum.

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and *Ṭāmēʾ*," *Maʿarav* 8 (1992) 107–16.

[40] This view is found even in the writings of the "Milgrom school." Milgrom himself is at times somewhat unclear about the matter. In one place, for example, he states that the animals termed שקץ "defile not by contact but only by ingestion" (*Leviticus* 1:648, see also 656, 694), insinuating that these animals are ritually impure, though defiling only through ingestion (like the flesh of an animal that dies of itself in most strata of P, except for Lev 11:39–40, on which see below, n. 43). However, he also explicitly states that "*šeqeṣ* animals are cultically pure" (656), indicating that in the above-mentioned use of "defile", he may have meant metaphoric defilement. Wright, however, presumes that "all the prohibited animals . . . probably polluted by eating" ("Spectrum", 167, n. 1; see also idem, *The Disposal of Impurity: Elimination Rites in the Bible and in Hittite and Mesopotamian Literature* [SBLDS 101; Atlanta: Scholars, 1987] 203–4), meaning that the prohibited water animals, birds and flying insects conveyed ritual impurity by ingestion, though not by contact. I find little textual evidence for this presupposition.

[41] All three texts indicate that some but not all land swarmers convey ritual impurity. Lev 5:2 mentions "the carcass of an impure swarming thing," implying that there are also (carcasses of) pure swarm. Similarly, 22:5 speaks of "a man who touches a swarming thing by which he is made unclean or any human being by whom he is made unclean" (או איש אשר יגע בכל שרץ אשר יטמא לו או באדם אשר יטמא לו), indicating that not every swarming thing conveys impurity (just as not every human conveys impurity). The precise wording of 11:29a, "The following shall be impure for you from among the things that swarm on the earth" (וזה לכם הטמא בשרץ השרץ על הארץ), with its use of the partitive -ב, unambiguously implies the same.

[42] See above, n. 16.

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The other side of this legal distinction between impurity and prohibition is that not every animal said to be impure, i.e., that ritually contaminates, is prohibited for consumption. Although every *species* that is termed טמא is, in fact, prohibited for consumption, there is a type of meat that, though ritually contaminating, is permitted for consumption. Verses 39–40 specify that if a quadruped of a species permitted for consumption—e.g., a cow—dies of itself, its carcass is ritually contaminating. However, here, as elsewhere in priestly literature,[43] it is evident that lay Israelites are permitted to become contaminated by eating the flesh of a cow that died of itself; it is only priests that are prohibited to do so (7:24; 22:8). To understand this point in context, it need only be remembered that in priestly literature, becoming ritually impure is generally not considered a vice—though subsequent purification may be demanded. Impurity is often inevitable, and it is even expected of Israelites as well as priests to become ritually impure at times (e.g., 15:18, 21:2–3).

Application of the rule of thumb we have formulated above confirms this. When discussing the eight impure land-swarmers (v. 31) and most quadrupeds (vv. 24–25), the legislator offers instructions for purification from external contact only, not from consumption, since such flesh should not be consumed in the first place. By contrast, vv. 39–40 supply instructions for purification from touching, carrying *and* eating the flesh of a permitted quadruped that died naturally, since contacting and eating such flesh are equally permitted.

Thus it becomes evident that in the ritual taxonomy of Leviticus 11 a simple dichotomy has been replaced by a tetralemma, where all combinations are possible: pure and permitted for consumption, pure and prohibited, impure and permitted, impure and prohibited, as demonstrated in Tables 1 and 2.

[43] As opposed to D and E; see Milgrom, *Leviticus* 2:1484–86. The law in vv. 39–40, however, diverges from the commonly accepted law in priestly literature in one aspect. Whereas elsewhere P and H imply that the נבלה of "pure" animals ritually defiles only by ingestion, the law in vv. 39–40 explicitly states that it ritually defiles by external contact as well; see idem, *Leviticus* 1:681–82, where the proof from Lev 5:2; 7:21; 22:8 (but not the additional argument based on 7:24; 22:5) is conclusive.

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Table 1: The Traditional Dichotomy

Pure and Permitted	Impure and Prohibited
Cow	Cow (Carcass)
Carp	Crayfish
Canary	Crow
	Cockroach

Table 2: Leviticus 11 (Consumption)

Consumption	A. Pure	B. Impure
1. Permitted	Cow	Cow (Carcass)
2. Prohibited	Crow	Camel

However, this is only half of the picture. For the legislators have in fact created a much more complex system of categorization, applying this differentiating logic ("compartmentalizing," as Klawans would term it),[44] not only to the consumption of animals but also to contact with their carcasses.

The Second Tetralemma in Leviticus 11: The Same Pattern Repeated

Verse 3 creates a simple distinction: quadrupeds with split hoofs that chew their cud may be eaten, all others by implication may not. In vv. 4–8 four species are named—the only examples known to the author—which were believed to fulfill one of the criteria but not the other.[45] Verse 8 clearly declares these four species impure, and forbids both touching their carcasses and eating their flesh.

Since the laity is not normally commanded to avoid ritual impurity, commentators ancient and modern have refrained from interpreting the command "and their carcasses you shall not touch" (8aβ) literally.[46] Instead, some have viewed these words as a precaution, a warning not legally binding, to keep away from prohibited flesh.[47] However, the unequivocal imperative does not warrant exegetical twists of

[44] Klawans, *Impurity and Sin*, notably in his discussion of Tannaitic literature, e.g., 93.

[45] The question of whether the criteria for a quadruped's purity are formally counted as two (having split hoofs; chewing its cud) or three (being hoofed; the hoofs being split; chewing its cud) may remain unanswered, as the grammar of Lev 11:3, Deut 14:6 allows both readings. For the sake of clarity, the former method of counting is followed here.

[46] In this I refer to commentators who were aware of the general distinction between impurity and prohibition in P. Paradoxically, commentators such as Noth (*Leviticus*, 93), who simply assumed that in the dietary system, every species that is טמא or שקץ is also ritually defiling and furthermore—must not be contacted, had no qualms about interpreting this verse literally.

[47] See Milgrom, *Leviticus 1–16*, 654, who suggests that this prohibition is not punishable; Edwin Firmage ("The Biblical Dietary Laws and the Concept of Holiness" in *Studies in the Pentateuch* (ed. J. A. Emerton; VTSup 41; Leiden: Brill, 1990) 207; B. A. Levine, *Leviticus* (The JPS Torah

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this sort, and leaves little doubt as to the general purport of the verse, prohibiting the laity from becoming ritually defiled by the carcasses of (at least) four animals.[48]

Presumably, this law, which is paralleled in Deut 14:8 and probably derives from the common Vorlage,[49] was originally intended to apply to quadrupeds lacking both criteria as well, such as dogs and donkeys; in their original context, the four exceptions were probably named simply to remove all doubt. Yet, in the context of Leviticus 11, I submit, an interesting transformation took place.

Technically speaking, though quadrupeds lacking both criteria are prohibited for consumption by implication (v. 3), vv. 2–8 say nothing at all of their ritual impurity, leaving at least two theoretical possibilities open: a) pawed quadrupeds and *perissodactyla* (e.g., donkeys) are ritually pure, like the prohibited birds and all but eight species of land-swarmers; or b) they are ritually impure, but in contrast to the four exceptional species, it is permissible to become defiled by touching their carcasses, just as lay Israelites are permitted to become defiled through contact with a human corpse.

Verses 24–28 solve this dilemma, addressing precisely those groups of animals not discussed in vv. 2–8: quadrupeds lacking both criteria for purity, having either plain hoofs or no hoofs at all. The very fact that these verses settle what vv. 2–8 had left unsettled suggests that they are logically dependent upon them. Furthermore, their dependency on vv. 2–8 is demonstrable on grammatical grounds as well, as soon as one recognizes the precise purport of the opening words of v. 24, ולאלה תטמאו. Milgrom and others understand this formula simply to mean "and by these you shall become impure";[50] but this formulation probably has a more

Commentary; Philadelphia: JPS, 1989) 67. Some medieval commentators, following the *Sifra*, offer a constrictive interpretation of the verse, applying it only to the time of the festivals, when pilgrims were in constant contact with the sancta; see Houston, *Purity*, 40.

[48] *Sifra* (Shemini, 2) suggests this reading and rejects it. Ibn Ezra [*Commentary*, 3:42] adheres to the literal sense of the verse, contrary to rabbinic halakhic tradition. Many scholars who understand this prohibition literally simply suppose that defilement by contact with *any* impure animal is prohibited, some even extending this supposition to the carcass of a "pure" animal that died of itself. See C. F. Keil and F. Delitzsch, *The Pentateuch* (vol. 1 of *Commentary on the Old Testament*; trans. J. Martin; Grand Rapids: Eerdmans, 1986) 361; Noth, *Leviticus*, 93; and more recently J. E. Hartley, *Leviticus* (OTL; Dallas: Word, 1992) 158. David P. Wright correctly proposes that the legislators prohibited contact with the carcasses of these four animals only ("Spectrum," 166). For an appraisal of Mary Douglas's interesting insight on the special significance of these four exceptional species, see Houston, *Purity*, 40, 98.

[49] It is unlikely that the law ובנבלתם לא תגעו is a late interpolation (thus A. B. Ehrlich, *Leviticus—Numeri—Deuteronomium* (vol. 2 of *Randglossen zur hebräischen Bibel* [Leipzig: Hinrichs, 1909; repr. Hildesheim: Olms, 1968] 38), since it appears in Deuteronomy 14 as well.

[50] The formula ולאלה תטמאו, as most commentators note, is the beginning of a new passage. See Rolf Rendtorff, *Die Gesetze in der Priesterschrift. Eine gattungsgeschichtliche Untersuchung* (FRLANT, n.F. 44; Göttingen: Vandenhoeck & Ruprecht, 1954) 41–42 and n. 15; Noth, *Leviticus*, 94; Levine, *Leviticus*, 69; Milgrom, *Leviticus* 1:667. However, several scholars adopt the view held by Ibn Ezra, that the demonstrative here refers back to the species mentioned in the previous verses; see B. D. Eerdmans, *Das Buch Leviticus* (Alttestamentliche Studien 4; Giessen: A. Töpelmann, 1912) 60. Dillmann and Wright opine that two readings are possible: a minimalist reading, according to

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precise legal thrust. A nearly identical formulation, in which the indirect object irregularly precedes the *yiqṭōl* form of a verb, is found in Lev 21:3 in a similar context, where it is both connective and contrastive in relation to what precedes it. The formula לה יטמא, used by the priestly legislators in Lev 21:3, indicates that whereas it is generally forbidden for a priest to become defiled through contact with the dead (21:1b, 4b), he is nevertheless permitted to become defiled through contact with the corpse of a close relative, such as his virgin sister. Therefore, these words should be translated "by *her* (in contrast to most others) he is permitted to become defiled."[51] Similarly, in Lev 11:24, this contrastive and connective formula should be translated: "By *these*, however, you are permitted to become defiled." This rendering has immediate legal implications: it appears that the legislators wished to contrast the law of the four exceptional quadrupeds with that of all other quadrupeds prohibited for consumption. Whereas one is forbidden to become ritually defiled by contacting the former (8aβ), the latter—though no less defiling—may be touched at will.

This counterintuitive conclusion stands in contrast to the ancient view, held by modern commentators as well. However, it seems to be the correct reading, since, aside from the fact that it accords with the simple words of the legislators, which could not be more explicit, this view is also supported by the fact that, according to the rule of thumb we have formulated, the priestly legislators tend to offer instructions for purification only where defilement is not prohibited in the first place. In contrast to the elaborate laws of purification from contact with the eight impure land-swarmers, *perissodactyla* and hoofless animals, in the case of the four exceptional species, no instructions for purification are offered at all, since, as v. 8 explicitly states, it is forbidden to eat or touch their carcasses.

The juxtaposition of vv. 2–8 and 24–28, noted above, establishes the distinction between impure animals whose carcasses may be touched and impure animals whose carcasses may not be touched. As for the ritually pure animals, based on all that is known about ancient Israelite religion, there ought to be no reason to prohibit physical contact with their carcasses. And yet, in addition to the prohibition against eating the flesh of certain species of water animals (11bα), v. 11 also contains a prohibition against coming in contact with their carcasses (11bβ: ואת נבלתם תשקצו, "and you shall abominate their carcasses"), even though they are ritually pure!

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which the demonstrative ולאלה refers only to what follows, and a more inclusive reading, according to which both what precedes and what follows are intended. See Dillmann, *Exodus und Leviticus*, 545; Wright, *Disposal*, 204.

[51] Regarding the use of a simple *yiqṭōl* to connote permission, see above, n. 12. Note that the idiom טמא ל- indicates becoming impure *by* (i.e., by coming in direct of indirect contact with) a ritually contaminating person or object (see Lev 22:5). In the case of Lev 21:3 (though clearly not in 11:24), the idiom may carry overtones of becoming defiled *for the sake of* (burying) a person, though this is probably not the primary reading (see Num. 9:6–7). For an attempt to draw important theoretical conclusions from the distinction between טמא ל- and טמא ב-, see Hoffmann, *Leviticus*, 1.340. However, the linguistic data adduced by Hoffmann are inconclusive (see for example Lev 5:3).

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This command has been a stumbling block for commentators ancient and modern.[52] It has been explained away as an interpolation, as a stylistic device aimed at mirroring v. 8, or as a mere attempt to lend force to the prohibition against consumption, but carrying no legal force of its own.[53] However, these attempts only reveal how difficult it has been for commentators to accept the unequivocal command as it stands, contradicting, as it were, their own preconceptions about the relation between prohibition against contact on the one hand, and ritual impurity on the other hand. Rather, it appears that here, the legislator made use of the non-technical sense of the verb שקץ, attested in Deut 7:26 and elsewhere, refining its meaning to carry a new legal sense: prohibition of contact that is unlinked to ritual impurity.

This counterintuitive hypothesis is supported by two facts: firstly, 11b is structurally identical to 8a. One may infer that just as the syndetic structure in v. 8 serves to present two distinct prohibitions (מבשרם לא תאכלו ובנבלתם לא תגעו, literally: "Of their flesh you shall not eat, and their carcasses you shall not touch") linked to a single definition (טמאים, 8b), by the same token, the same structure in 11b (מבשרם לא תאכלו ואת נבלתם תשקצו, literally: "Of their flesh you shall not eat, and their carcasses you shall regard as detestable") indicates two different prohibitions, linked to a single definition (שקץ, 10–11a). Secondly, the choice of the term נבלה ("carcass") in 11bβ, as opposed to בשר ("flesh") in 11bα is significant: it indicates that the first command refers to the status of the carcass as potential food (meat), whereas the second refers to its status as a material body (a carcass) susceptible to physical contact. This same exact terminological distinction is found in v. 8: בשר is the object of dietary laws, whereas נבלה is the object of legislation concerned with ritual impurity.[54]

[52] Again, I refer here only to those commentators who were in fact aware of the legal distinction between שקץ and טמא. Paradoxically, commentators who were not aware of this distinction had no qualms about understanding this command literally, and therefore interpreted it correctly (e.g., Noth, *Leviticus*, 93).

[53] The assumption that no particular prohibition is implied here, or that these words are a stylistic device intended to mirror v. 8 or to lend force to the prohibition of consumption (Hoffmann, *Leviticus*, 333; Milgrom, *Leviticus* 1:656), is unlikely, considering the legal, technical nature of the text. It is even less likely that an interpolator or "editor" would insert an unequivocal prohibition only in order to create a link with v. 8 (Ehrlich, *Randglossen*, 38; Houston, *Purity*, 41). Pseudo-Jonathan did attribute a legal force to this command, which he understood as a prohibition against profiting from such flesh. Houston (*Purity*, 40) admits that it is difficult to assume a practical distinction between the two commands, ובנבלתם לא תגעו (v. 8) and ואת נבלתם תשקצו (v. 11).

[54] The distinction between בשר ("flesh") and נבלה ("carrion, carcass") here is not in the way in which the animal is killed (*contra* Milgrom, *Leviticus* 1:653), as Exod 22:30 indicates, but in the point of view of the writer. The cadaver of an animal may be termed בשר only inasmuch as it is conceived as potential food (even prohibited food, 8aα, 11bα, or food for animals Gen 40:19, II Kgs 9:36). When it is viewed not as food, but as a physical body carried or touched, it is termed נבלה (8aβ, 11bβ, 25).

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This intriguing legislation completes the logical symmetry of P's ritual taxonomy: not only is there a distinction between animals that are pure and permitted for consumption; pure and prohibited for consumption; impure and permitted for consumption; or impure and prohibited for consumption; but also between species that are pure and permitted to touch; pure and prohibited to touch; impure and permitted to touch; or impure and prohibited to touch, as demonstrated in Table 3.

Table 3: Leviticus11 (Contact)

Contact	A. Pure	B. Impure
1. Permitted	Cow, Canary	Cat, Chameleon
2. Prohibited	Crayfish	Camel

Theoretical Implications: Conceptual Legislation and Normative Legislation

The complex system of classification we have identified in Leviticus 11 is, admittedly, not laid out explicitly and systematically in the text. From the substantive point of view as well, it definitely appears to be an artificial (literary) construction, not common practice in ancient Israel. Yet this is the edifice created by the priests who formulated the chapter, not a figment of the modern reader's imagination: all eight permutations enumerated above are indeed present in the chapter in its given form.

Most likely, the complex system crystallized in Leviticus 11 never took root in Israelite society. It stands to reason that a farmer, finding a dead mouse (which, according to Leviticus 11, one is permitted touch, though it is ritually defiling) in the barn, would be likely to refrain from touching it, and that the same farmer would find it more practical to drag away a dead camel (which, according to Leviticus 11, one is prohibited to touch or carry) than to ask a non-Israelite to do so. Even if one does not accept the position that P originated as a secret document, known

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only to priests,[55] it is doubtful that Leviticus 11 ever served as a normative basis for Israelite society at any given historical period. The very fact that the law refers to seemingly unlikely situations (e.g., touching a dead shark, eating a bat) and to species that according to textual evidence as well as osteonic findings were not commonly considered potential food in ancient Israel,[56] indicates that the legislators' interest was conceptual rather than normative.[57]

What was the theoretical goal that the authors hoped to achieve by arranging the animal kingdom according to two contingent systems of classification? What motivated them to reject the traditional dichotomy and reclassify the animal kingdom in a more complicated and less practicable way than their predecessors?

The traditional conception, which the authors of Leviticus 11 rejected, assumed that the set of species prohibited for consumption and the set of species designated as "impure" are equal sets, as are the set of species permitted for consumption and the set of species designated as "pure." Thus, according to Deuteronomy 14, the status of a species as permitted or prohibited for consumption follows from its natural status[58] as "pure" or "impure," respectively. D's law, which reads literally "any pure bird—you may eat" (כל צפור טהרה תאכלו, Deut 14:11), says simply: that which is by nature known to be pure is permitted as food.

The Priestly legislators, too, accepted the basic assumption that the impurity of certain species is naturally inherent and obvious to all human beings, Israelite and

[55] Some of the law codes in the Bible and in the ancient Near East were apparently never implemented, see the opening caveat in David Daube, *Studies in Biblical Law* (Cambridge: University Press, 1947). This is true even if one rejects the radical approach of Cohen and Haran, that P was a secret document (Chayim Cohen, "Was the P Document Secret?," *JANESCU* 1 [1969] 39–44; Menahem Haran, "Behind the Scenes of History: Determining the Date of the Priestly Source," *JBL* 100 [1981] 321–23; Milgrom, *Leviticus* 2:1410–11). Leviticus 11, as opposed to Chapter 16 and the Babylonian New Year's ritual text published by Thureau-Dangin, is explicitly addressed to the whole community (11:1).

[56] The ancient prohibition of "impure" animal species recorded in Leviticus 11 and Deuteronomy 14 appears to have had little affect on the eating habits of the society in Palestine in the Late Bronze Age. The sole exception is the pig, which was eaten to a small extent in some Canaanite cities, see above, n. 24.

[57] See Wright, "Spectrum," 153, and Houston, *Purity*, 231, who views the laws as "utopian." At first glance, the verses seem to contain further evidence of this. It has been noted that the legislators choose examples based on numbers divisible by four (four exceptional impure quadrupeds, four types of locust, eight impure land swarmers, twenty birds, four of which are followed by למינהו/למינה/למינו). This would corroborate the view that the authors are interested in theoretical formulations, not merely in practical legislation. However, textual evidence is somewhat uncertain (LXX has five למינו/ה/הו, and the reading ואת החסידה ואת האנפה may be preferable to ואת החסידה האנפה, thus making twenty–one birds). Furthermore, some of these "quadruples" were not formulated by P but were dictated by the Vorlage (twenty birds) or determined by the zoological horizons of the authors (four quadrupeds lacking partial criteria for purity). At best, the authors of Leviticus 11 may have noticed the (fortuitous) phenomenon in the Vorlage and imitated it, as in the case of the locusts and the eight land swarmers (assuming that this list is not a legacy from an earlier source). In Deut 14 this numerical order is not observed, since D inserted a list of ten permitted quadrupeds.

[58] For an interesting attempt to couch the distinction between "pure" and "impure" species in the context of Creation, see Milgrom, "Two Biblical Hebrew Priestly Terms," esp. 110–11.

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non-Israelite alike.[59] However, they sought to sever the link between impurity, a biological trait they assumed to be present in specific species since creation, and prohibition, a religious category.[60] In fact, what we have here is a clash between νόμος and φύσις in ancient Israelite religion. By claiming that the status of an animal as permitted or prohibited for consumption or contact is independent of its status as pure or impure, the legislator argued that permission and prohibition are divine decrees, which are imposed upon, not derived from, the natural order.

It should be noted that the juxtaposition of the categorization systems permitted/prohibited and pure/impure is not only implicit in the legal system of Leviticus 11; it is also explicitly referred to in the colophon of the chapter (v. 47): "to make a distinction between the impure and the pure, and between the living creature that may be eaten and the living creature that may not be eaten."[61] In light of Lévi-Strauss's theory, which views animal categorization systems as a framework within which societies tend to formulate their conceptions of the relation between culture and nature, it is striking that an explicit juxtaposition of the two categorization systems, pure/impure and permitted/ prohibited, is found only in Leviticus 11, a chapter dedicated to the ritual taxonomy of animals, and nowhere else in Biblical law.

[59] Houston (*Purity*, 224, 243–4, 249) ascribes to D and P the position that the distinction between pure and impure species is universal and inherent in Creation. There is much truth in his assertion that the difference between the two sources is that D forbade Israelites to eat impure flesh for considerations of national dignity, whereas P forbade them since they were cultically unacceptable. See also idem, "Towards an Integrated Reading of the Dietary Laws of Leviticus," in *The Book of Leviticus: Composition and Reception* (ed. Rolf Rendtorff and Robert A. Kugler; VTSup 93; Leiden: Brill, 2003) 159, where he argues that this conception was common to J and H as well; see Howard Eilberg-Schwartz, *The Savage in Judaism: An Anthropology of Israelite Religion and Ancient Judaism* (Bloomington: Indiana University Press, 1990) 195–99, whose theoretical model regarding "status assignation" (ascription vs. achievement) is only imperfectly applicable here.

[60] The wording of the recurrent phrase, "it is (or: they are) impure *for you*" (לכם, vv. 4, 5, 6, 8, etc.), should not mislead one to conclude that the authors considered the animals to be impure only from an Israelite point of view. By the specification, "for you," the authors wished to indicate that the legal implications of this universally acknowledged impurity apply to Israelites only. A telling example of such usage is found in Exod 31:12–17. Although the holiness of the Sabbath is clearly believed to be inherent in nature, stemming from Creation (v. 17), the legislator still refers to it as holy "*for you*" (v. 14), since the legal implications of this natural holiness apply to Israelites alone.

[61] Regarding the relative dating of the colophons (vv. 46–47), see Milgrom, *Leviticus* 1.694–5. Theoretically, 47b may be read as an explanation of 47a ("between the impure and the pure, *that is*, between animals which may be eaten and animals which may no be eaten"), but this is syntactically unlikely. Elsewhere in Hebrew Bible, the syntactic chain Y ובין X ובין B ובין A בין always designates two distinct dichotomies which do not overlap, as in Gen 13:8, where the two dichotomies refer to two distinct aspects of a conflict; in Lev 10:10; 20:25, 1 Sam 20:42, where two distinct applications of a single treaty are indicated; and in Ezek 22:2; 44:23. When two dichotomies fully overlap, the structure is asyndetic (see Mal 3:18). Thus, the colophon perfectly summarizes the two main distinctions made in the chapter, between pure and impure animals on the one hand, and between animals prohibited and permitted for consumption on the other hand.

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The Text-History of Leviticus 11

Thus far it has been shown that Leviticus 11, in its final form, encodes a theoretical argument in the innovative, complex ritual taxonomy that it presents. However, the complex symmetrical structure, reconstructed in the tables above, was not arrived at at once, but is rather the result of gradual crystallization.

In the early 1990's, Milgrom and Wright engaged in a discussion aimed at reconstructing the text-history of Leviticus 11.[62] According to Milgrom's hypothesis, accepted for the most part by Wright, the chapter consists of three Priestly strata (designated P_1, P_2 and P_3, respectively) and one stratum of H.[63] Though their relative dating of these strata may require further examination,[64] it is clear from internal evidence that there are in fact at least three Priestly strata in the chapter, each logically dependent upon its predecessors. Furthermore, when read in light of Lévi-Strauss's theory, it is evident that the three Priestly strata in the chapter were aiming at a single theoretical goal: the complete distinction between the natural category, "impure," and the cultural category, "prohibited." Each stratum pressed this theoretical development a step further, so that the distinction took shape gradually. This process may be described in short as follows:

The ancient text that served as the Vorlage of the chapter (and, it will be recalled, of Deuteronomy 14 as well),[65] referred to four groups of animals: large quadrupeds, water animals, birds, and flying insects. In each group, the species prohibited for consumption were defined as "impure," and at times the author added the phrase "you shall not eat" (לא תאכלו) or "they shall not be eaten" (לא יאכלו). Regarding four exceptional species listed by name, a command was added prohibiting contact with their carcasses, but context made it clear that all impure large quadrupeds (at least) were included in the prohibition.

The earliest Priestly stratum (P_1, which consisted of vv. 1–23, 41–42), was a reworking of this Vorlage. In the alterations introduced by P_1 in this Vorlage we can detect, in a nascent form at least, the distinction between the prohibited and the impure, which presents the two systems as independent. P_1 argued that not all animals prohibited for consumption were ritually defiling. In order to make this

[62] J. Milgrom, "The Composition of Leviticus, Chapter 11," in *Priesthood and Cult in Ancient Israel* (ed. G. Anderson and S. M. Olyan; Sheffield: JSOT Press, 1991) 182–91; idem, *Leviticus* 1:691–8; vs. Wright, *Disposal*, 201; "Spectrum," 168 n. 1; and quoted in Milgrom, *Leviticus* 1:698 ("postscript").

[63] We will follow Milgrom and Wright (n. 62) in using these *sigla*. It should be noted that the distinction between three strata which are closely related in language and in ideology, and one which is distinct in these respects, derives from the internal evidence of Leviticus 11 alone and is therefore independent of Milgrom's distinction between P_1 and P_2 elsewhere in Leviticus (*Leviticus* 1:61–63).

[64] For a reevaluation of the opinions of Milgrom and Wright and an alternative relative dating of the strata in the chapter, see N. S. Meshel, "The Structure and Composition of Leviticus 11: A New Proposal" [forthcoming].

[65] See above, 209–12.

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point, P_1 coined a new, technical use of the term שקץ, and claimed that only the prohibited large quadrupeds were ritually impure, whereas the prohibited water animals and birds were ritually pure.

The author who appended P_2 (vv. 24–38) to P_1 recognized the conceptual innovation of P_1 and wished to develop it, distinguishing between impure animals whose carcasses one may touch and become ritually contaminated by, and other impure animals whose carcasses must be avoided. Furthermore, this author noted that eight of the land-swarmers, and those eight alone, are ritually impure, and that it is perfectly permissible to touch their (ritually contaminating) carcasses.

The third stratum, P_3 (vv. 39–40), in an unprecedented, strict ruling, defying what is known from other priestly laws,[66] formulated the missing example necessary to complete the symmetry—an animal permitted for consumption but ritually defiling by contact (Table 2, category B-1).[67]

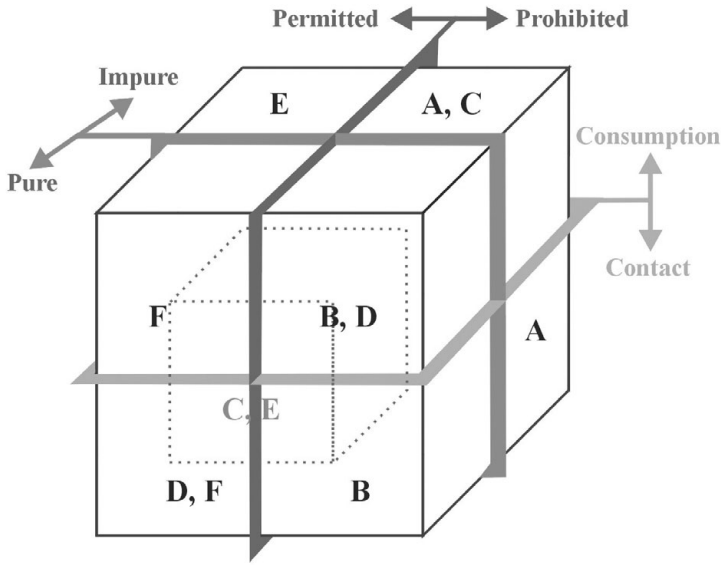
Already with the juxtaposition of P_2 and P_1, a distinction was made between impure animals whose carcasses may be touched at will and impure animals whose carcasses should not be touched. According to the text at this stage (P_1 + P_2) there was no reason to prohibit physical contact with the carcass of a ritually pure animal. However, an interpolator, perhaps the very same author of P_3,[68] formulated a counterintuitive law, prohibiting physical contact with the carcasses of water animals that are prohibited for consumption, although they are considered ritually pure (Table 3, category A-2). With the interpolation of this injunction, the legislator elegantly achieved complete symmetry pertaining to contact as well as consumption, as illustrated in the following diagram:

[66] See above, n. 43.

[67] The accepted law in P, according to which consumption of נבלה is permitted though ritually contaminating, is no innovation of P_3 and would have sufficed to complete the symmetry demonstrated in Table 3. However, the symmetrical distribution of the elements in the following diagram is attained—incidentally or intentionally—by the stringent legislation, according to which the נבלה communicates impurity not only by consumption but also through contact.

[68] The same tendencies towards exceptional stringency and attainment of symmetry are found both in vv. 39–40 and in vv. 10–11; however, one need not suppose that P_3 inserted vv. 10–11. The interpolator of vv. 10–11 refers to the consumption of prohibited water animals as eating "from their flesh" (מבשרם, 11bα), whereas P_3 speaks of the consumption of permitted quadrupeds as eating "from its carcass" (מנבלתה, 40aα); see above, n. 54.

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Legend:

A four exceptional quadrupeds (camel, hyrax, hare, pig)
B aquatic animals lacking fins and/or scales
C eight types of land-swarmers; most quadrupeds (non-ruminants lacking split hoofs)
D twenty types of birds; all but four types of flying insects; all but eight types of land-swarmers
E carcass (נבלה) of ruminant artiodactyla (e.g., cow not properly killed)
F *artiodactyla* (with the exception of the pig) properly killed; all but twenty types of birds; four types of locust; fish with scales and fins

Reconstructing the Logical Process

The position of P in two instances discussed so far—the flesh of the נבלה and that of certain animal species—is that the status of an animal as pure or impure does not determine its status as prohibited or permitted (for contact or for consumption). However, the logical process of arriving at this position is not identical in both cases: in the case of an animal that died of itself, P adheres to an ancient law[69]

[69] The fact that Exod 21:29 specifically prohibits the consumption of the flesh of a bull stoned to death suggests that this ancient law assumes that animals do not normally have to be slaughtered in a particular manner in order to be eaten; it is likely that these legislators permitted the consumption of an animal that died of itself. The laws of P and H, like the Book of the Covenant, do not acknowledge a possibility of non-sacral killing of cattle for food. Therefore, they assume that if mutton or beef are eaten outside the sacrificial system, it is usually because the animal died a natural death. The law in D, permitting non-sacral killing of cattle for food, demanded that in such cases, too, the

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which considered the נבלה impure, but prohibited only the holy—that is, the priests—to eat from its flesh. The innovators in this case were E (Exod 22:30) and D (Deut 14:21), who—viewing all Israelites as holy—extended the scope of the prohibition accordingly.[70]

In the case of the animal categorization systems, the process was apparently complex: in the Vorlage, the term טמא may simply have been a fossilized term referring to species prohibited for consumption. P rejected the traditional terminology and asserted that a distinction should be made between species that are ritually defiling and species that are prohibited for consumption, though ritually pure. D and H, on the other hand, accepted the traditional terminology, emphasizing that it is unbecoming to a holy nation (D) or to a nation continually sanctified by YHWH (H)[71] to eat of the "impure" species.[72]

It is unclear whether the Vorlage or Deuteronomy 14 considered the "impure" water animals, birds and flying insects to be ritually defiling (in which case P would be rejecting the traditional practice as well as the traditional terminology). The question as such may simply not have arisen for the legislators responsible for these texts, who did not formulate their thoughts in terms of a complex system of ritual contamination and stages of purification, but commanded rather generally, in the cases of the "impure" quadrupeds—"you shall not touch their carcasses" (ובנבלתם לא תגעו, Deut 14:8). However, there is reason to hypothesize that the terms טהור and טמא served in these legal codes as mere labels indicating "permitted for consumption" and "prohibited for consumption" respectively, and did not indicate ritual purity or impurity.

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animal be slaughtered (Deut 12:15–21), so that its blood may be drained; the legislators probably expected game to be slaughtered when captured alive, or drained of its blood after its death; see Schwartz, *The Holiness Legislation*, 121–23.

[70] This does not mean that the formulation of these laws in E and in D postdates that of the laws of the נבלה in Leviticus. However, the wording of the rationale for prohibiting the consumption of the טרפה and נבלה in E (Exod 22:30a) and in D (Deut 14:21aβ) respectively suggests that the impurity of such flesh preceded its prohibition logically and chronologically. Both legislators presuppose that the holy may not consume impure flesh; and since both require of the Israelites what is normally expected only of the holy (e.g., the priests), they prohibit all Israelites to consume such flesh. On the other hand, the wording of P suggests that the legislator assumed the נבלה to be permitted, since P does not find it necessary to explicitly permit it, but only provides the instructions for purification from eating it (Lev 11:30a). Furthermore, several other laws in priestly literature suggest that the permission for Israelites to eat the flesh of an animal that died of itself is not an innovation but a presupposition (7:24; 17:15; 22:8).

[71] See above, n. 28.

[72] Another case which deserves a separate study is that of the menstruant in P. If one assumes that P permitted sexual relations with the (impure) menstruant, then this permission is presented not as an innovation but as a given fact (Lev 15:24). If P did not permit sexual relations with the menstruant but only chose to discuss her impurity independently of the prohibitions stemming from it, then P seems to be driving at a logical distinction between impurity and prohibition. If so, P might be considered innovative in this case as well (vis-à-vis the law preserved in H [Lev 18:19; 20:18] and apparently reflected in Ezekiel [22:10]). Regarding the many difficulties involved in solving this problem, see Milgrom, *Leviticus* 1:940–41.

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The evidence for this last hypothesis is circumstantial. The terms טהור and טמא are laden with positive and negative metaphoric meaning. That they *may* serve as labels to indicate permission or prohibition for consumption is evident from the fact that the Holiness Code, which, in the context of ritual impurity (Lev 22:5) admits that not all land-swarmers are ritually impure, still refers to all land-swarmers as טמא in the context of food prohibitions (Lev 20:25, see also 11:43 [H]). Furthermore, even P, in a slip of the tongue, uses the phrase "pure (טהרות) birds" (14:4), though according to P there is no such thing as a bird that is *not* ritually pure. This slip indicates that in the parlance of the time, with which the authors of P were naturally acquainted, the term טהור served as a label similar in meaning to "of which you may eat" (אשר היא לכם לאכלה, Lev 11:39).[73]

Conclusion: Sagacious Savages

Thus far we have distinguished between a popular, relatively simple system of categorization that appears to have been prevalent in ancient Israel and is widely attested in pentateuchal literature and an alternative, relatively complex system, found in P. Textual analysis provides unequivocal evidence that the latter system presupposes the former, and was devised to replace it. Internal analysis of Leviticus 11 suggests that the Priestly system itself is the product of a gradual process, in which each textual stratum appears to be a conscious reaction and response to its predecessors.

Lévi-Strauss's theory has been instrumental in elucidating these ancient Israelite classification systems in several ways. Methodologically, we have followed Lévi-Strauss in approaching the classification systems from a purely formal point of view. We have not inquired why a particular species came to be regarded as impure whereas another was considered pure, but have centered instead on the structural categories that constitute the system of classification, and on the relations between them.

This approach, though it takes us a step further away from the concrete objects that are subject to classification, is practically essential in the case of ancient Israelite society, where one lacks firsthand evidence of any symbolic or other meaning that may have been attributed to the species referred to in the texts, even in those cases where the species are identifiable. The vast variety of interpretations of the meaning of the classification systems in Deuteronomy and Leviticus is in itself evidence of how precarious such guesswork can be at times.[74] The interpretation offered here

[73] The use of the terms טמא and טהור as such labels is found in Lev 27:11, 27, Num 18:15, referring to live animals. However, the argument cannot be proved from these verses, since the use of the label טמאה would not be a mistake in the system of P, since the "impure" animals really are, in a sense, more (ritually) impure than the "pure" animals. Firstly, an "impure" animal is always ritually defiling after death, regardless of how it is killed. Secondly, in P (with the exception of P_3) the impurity of the carcass of "impure" animals is graver than that of "pure" animals.

[74] For a short survey and classification of some of these interpretations see Houston, *Purity*, 123–68. Note that many structuralist interpretations, beginning with Mary Douglas's *Purity and*

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avoids these stumbling blocks since it obviates the necessity to identify the species and to guess what their symbolic value may have been. In Lévi-Strauss's terms, the same system could have been inverted, with all pure animals designated as impure and all impure animals designated as pure, and it would still convey the same message;[75] for it is not the species themselves, to use Lévi-Strauss's terminology once again, but the differences between the species that are of interest.[76]

Furthermore, it has been possible to demonstrate, particularly in the case of Leviticus 11, that the formulation of the ritual taxonomy was not motivated merely by materialistic considerations, but rather testifies to a consistent mental operation, carried through in a series of binary oppositions: pure // impure; prohibited // permitted; external contact // internal ingestion.

Most importantly, it appears that Lévi-Strauss's theory, despite its faults, has predicted quite accurately what the contents of a message "encoded" in a classification system might be: a coherent argument regarding the relation between culture and nature. As we have seen in the case of Leviticus 11, this argument is not expressed by means of abstract terminology. Instead, it is presented through a complex ritual grid that can be likened to a logical formula in which animal species serve as variables, and ritual categories serve as logical operators.

This brings us to the question of the applicability of Lévi-Strauss's theory to the Biblical texts examined here. In *The Savage Mind*, Lévi-Strauss's methodology appears, at times, to be etic in the extreme[77]: the anthropologist encounters complex systems practiced among preliterate societies, and regards them as an encoded message which the practitioners themselves may never have been conscious of, though they may have somehow divined the message intuitively. The interpretations of the practitioners themselves are often irrelevant, or even obstructive, to the understanding of these "encoded" messages.[78] This is particularly evident from the analogy to deciphering the grammar of a language, an analogy that Lévi-Strauss often invokes.[79] This attitude, however, is hardly commensurable with another general tendency of Lévi-Strauss's writings, to portray the preliterate societies, with unconcealed admiration towards the veritable complexity of some of their ritual systems, as "savage philosophers," employing a complex logic in no way inferior to that current in societies that are technologically more highly advanced.[80]

Danger, attempt to explain why particular species are categorized as impure whereas others are categorized as pure. This question is distinct from the question we have addressed here.

[75] *The Savage Mind*, 102–3.

[76] Ibid., 115.

[77] But cf. idem, "Structuralism and Ecology," *Social Science Information* 12 (1972) 20–23.

[78] Fore examples, see *The Savage Mind*, 115–17.

[79] See Claude Lévi-Strauss, "Structural Analysis in Linguistics and Anthropology" in *Structural Anthropology* (trans. B. G. Schoepf; New York: Basic Books, 1963) 31–54; *The Savage Mind*, 18–19, 102, 131, 158–60; and esp. 223.

[80] *The Savage Mind*, 35–75 (*passim*), 153, 251–52, 267–68. In some cases, Lévi-Strauss asserts that the logical edifice is consciously acknowledged in the society where it is found (9–10) or, at least,

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In the concluding chapter of *The Savage Mind*, Lévi-Strauss suggests a solution to this problem, though not without some uneasiness: the complex and rigid logic current among preliterate societies is often expressed, he suggests, not "spontaneously and forcefully in the *praxis* of groups" (i.e., like the unconsciously internalized grammar of a spoken language) but in "the conscious and deliberate rules by which these same groups—or their philosophers—spend their time in codifying and controlling it."[81]

Despite the belated and half-hearted nature of this recantation, and its adverse effect on his theory as a whole,[82] it is worth considering at least for methodological purposes, when applying Lévi-Strauss's insights to the Biblical texts. We have already suggested that the systems preserved in Leviticus 11 and Deuteronomy 14 are not of the same nature. Though both systems have been preserved in a textual form, I have suggested that the system described in Deuteronomy 14 is to a certain extent descriptive, i.e., it records what was probably common practice in ancient Israelite society. It is quite possible that this system encodes an (unconscious) underlying belief that cultural and natural categories are congruous and mutually dependent. However, here one is on precarious footing, as I have noted.[83]

In the case of Leviticus 11, on the other hand, one is on relatively solid ground. The text of Leviticus displays a conscious, gradual, consistent differentiation of the categories "impurity" and "prohibition," presented not in abstract terms but through a grid of ritual regulations. The system does not reveal an underlying "grammar" which the practitioners were unaware of, but—to the contrary—it is in itself a formulation of such a "grammar," to be thought out rather than acted out.

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that their interpretation of their own *praxis* corresponds with that of the anthropologist (57).

[81] Ibid., 251–52. The concession, "or their philosophers," gives the theory an unexpected twist; cf. 263–64.

[82] The fact remains that the vast majority of the examples quoted in *Totemism* and in *The Savage Mind* are of practices performed by preliterate societies, without their conscious awareness of the contents of a message which their practices encode. In a number of instances, their own interpretation actually excludes the possibility of such awareness (e.g., 115–16). However, Lévi-Strauss does offer at least one clear example of a scheme which is more theoretical than practical (the Yoruba sexual taboos, *The Savage Mind*, 132–33).

[83] Above, p. 212.

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