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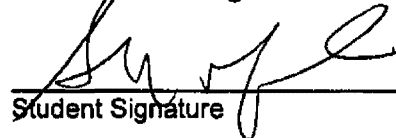## SUBMISSION AND RECEIPT OF COMPLETED THESIS

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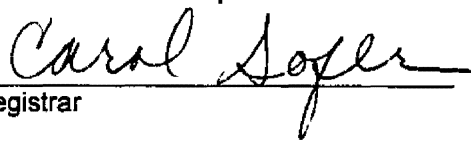*"Rest on the Sabbath as if all your work were done"*

A Study of Senior Jewish Communal Professionals in Los Angeles

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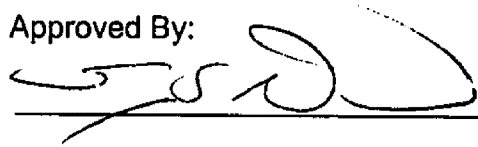   Date

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SCHOOL OF POLICY, PLANNING, AND DEVELOPMENT

"REST ON THE SABBATH AS IF ALL YOUR WORK WERE DONE"
A STUDY OF SENIOR JEWISH COMMUNAL PROFESSIONALS IN
LOS ANGELES

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"REST ON THE SABBATH AS IF ALL YOUR WORK WERE DONE"
A STUDY OF SENIOR JEWISH COMMUNAL PROFESSIONALS IN
LOS ANGELES

By

Sarah Raful

A thesis presented to the Faculty of the School of Policy, Planning, and Development of the University of Southern California in co-operation with Hebrew Union College-Jewish Institute of Religion, California School in partial fulfillment of the requirements for the degree of Master of Public Administration

May, 2005

"Rest on the Sabbath as if all your work were done"
A Study of Senior Jewish Communal Professionals in Los Angeles
Sarah Raful

Partial Fulfillment for Masters Degree in Jewish Communal Service

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Executive Summary

Many researchers have studied the struggle between work life and family life, between spending more and more time at work and taking personal time for one's own interests. Organizations, agencies, authors, and activists have suggested many options for the time frame of a work day, yet none has remained a constant. The true constant, found in the texts of the Torah, is Shabbat, the day of rest which is celebrated every seventh day for twenty-five hours. Shabbat can provide the opportunity for Jews, especially in the fast-paced lives of Americans, to stop, to rest, and to be refreshed. This study explores the relationship between the observance of Shabbat and being an executive director of a Jewish communal organization.

The survey questionnaire was sent to a list of executive directors (and one associate director) in the Los Angeles area. The results from the closed- and open- ended questions are summarized and incorporated into charts and coded in order to find similar views and opinions, respectively. The patterns found show that Shabbat plays a significant role in the lives of the majority of those surveyed and that most of their observance levels have, in fact, not changed during their years of working within the Jewish community.

Introduction

The culture of overworking is a modern challenge, especially in the United States. The idea of overemployment, when people work longer hours than the employee desires, is increasingly becoming a problem; specifically, the rate has risen from 6% in the '80s to 9% in the late '90s (Golden, 2003). At the same time, the federal government's General Social Survey found that the percentage of people preferring fewer hours, even though earning less money, rose from 5.7% in the 1988-91 period to 10.3% in 1998 (Golden, 2003).

Why are Americans working so hard? And why are they not taking time for their personal/leisure time?

Work demands it.

Americans work more because they believe it to be one of the primary ways they can get ahead. Arthur Miller (www.iww.org) believes one of the main reasons the American public works overtime is basic: The employer demands it, and the worker wants to keep the job. Traditionally, hard work has been ranked with motherhood and apple pie, both as a religious virtue and as a form of patriotism (Swart, 1978). In today's world, in contrast to earlier decades, American workers do not have faith in the implicit contract between labor and management or that hard work will guarantee a secure future (Robinson 2003). With this uncertainty, "defensive overworking," defined as demonstrating more loyalty than anyone else, boosting hours voluntarily, and/or skipping vacations, ensues (Robinson 2003).

on the placing of the Pentateuch as early as possible. Since the narrative within which

the prophecies of Ezekiel are placed is so datable, and that date is considered by those

wanting an early Pentateuch as late, it is not surprising that many still attempt to bring

Ezekiel in line with the Pentateuch, under the assumption that he knew its material and

found it normative. For others, it is easy to take Ezekiel at his word. He claims to be a

priest writing during the exile. If the Pentateuch was the handbook of the priest (again

relying on the 2 Kings 22 narrative for its existence in some form), then it is only logical

to assume that Ezekiel must have known the work.[5]

However, as can be seen from the example of the portrayal of God, the

Pentateuch does not contain always consistent depictions, and those depictions are

frequently at odds with Ezekiel's treatment of the same material. Further, if we allow for

different chronologies for the composition of Torah, then we are left with several

questions. What religious or ideological connections can be established between Ezekiel

and the Pentateuch? Do they employ the same ideology? Is their understanding of the

components of their religious systems the same? What are the implications of the

similarities and differences that are found? To approach these questions, we must define

a hermeneutic that will allow us to perform this kind of investigation, create a certain

understanding of what is involved in cultural systems, and identify a general approach to

the composition of the two works in question, with the understanding that this approach

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5. An excellent example of this kind of interpretation can be found in Martin Sweeney's commentary to Ezekiel in the *Jewish Study Bible*.

is impacted significantly by the hermeneutic that we define.

The hermeneutic that we will employ is the one developed by D. Z. Phillips in his *Religion and the Hermeneutics of Contemplation*. There he presents the struggle that the contemporary discussion about the biblical text faces. There are two ideological camps, and it would seem that scholars become warriors who must choose a side and fight the other side to the finish.[6] These camps are frequently depicted as the maximalist and minimalist position concerning the historicity of the biblical text. Another way of depicting them is by using the two kinds of hermeneutic established by Paul Ricœur, namely the hermeneutic of recollection and the hermeneutic of suspicion. The first of these reflects back onto the text its own concerns and accepts the presentation of subject matter in a straight-forward manner. The hermeneutic of suspicion assumes that there is always an unspoken motive behind what the text presents and that it is the job of the interpreter to uncover that motive. Frequently, these two hermeneutics are facilely presented as the religious believer and the atheist respectively. It is assumed that one cannot cross over and that it is necessary to choose one of the two positions.

Phillips is not satisfied with the depiction of the hermeneutic decision being either/or. He is looking for a more nuanced approach which will allow for a hermeneutic that falls between the maximalist and minimalist positions. He calls this approach the hermeneutic of contemplation. Such a hermeneutic embraces the general contemplative

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6.   Anyone familiar with scholarship will not be surprised by the militaristic imagery used here, but for a concrete example, see the report of the dispute between William Dever and Israel Finkelstein in the Nov./Dec. 2004 issue of Biblical Archaeology Review.

character of philosophy and allows the scholar to entertain interpretations without endorsing them. As Phillips writes, "to contemplate possibilities of sense is different from advocating those possibilities." [7] Since Phillips is moving the pendulum to the middle with his hermeneutic, there is a perception that he is trying to move it all the way to the other side, and he has received some criticism for his approach by those who claim that it is just the hermeneutic of recollection in another guise. Phillips, however, strongly resists that depiction.[8] Instead he sees it as a method of expanding the sense of the text instead of restricting it by taking either the position of recollection or suspicion.

Phillips also makes a firm distinction between concepts presented in a work and the interpretation given to those concepts. Through this distinction, we will be able to identify elements that are held in common between the Pentateuch and Ezekiel and still be able to assert their different treatment in those works. Further, by employing the hermeneutic of contemplation in this study, we will be able to question the interpretation of those concepts in each work without denying to those concepts a real religious meaning for the author. In other words, if we find both the Pentateuch and Ezekiel refer to, say, the sojourn in Egypt, we will be able explore the sense of the Egyptian sojourn in the different texts without assuming the need to reconcile the two. Similarly, if we find disagreements between the texts we will not need to assert that any deception is being perpetrated; rather we will be able to affirm the religious meaning of each text within its

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7.   Phillips, p.5
8.   Phillips, p. 5 & 27

own context as genuine.

This approach to the difference between concept and interpretation is strengthened by employing the method of cultural analysis developed by Clifford Geertz in his *The Interpretation of Cultures*. As he writes, "the whole point of a semiotic approach to culture is... to aid us in gaining access to the conceptual world on which our subjects live so that we can, in some extended sense of the term, converse with them."[9]

Geertz's view of religion is that it is

> a system of symbols which acts to establish powerful, pervasive, and long-lasting moods and motivations in men by formulating conceptions of a general order of existence and clothing these conceptions with such an aura of factuality that the moods and motivations seem uniquely realistic.[10]

Geertz lays out a method of identifying these conceptions and the aura clothing them (which corresponds to concept and interpretation respectively) which he calls thick description.[11] This method of description attempts to reveal the established "structures of signification... and determine their social ground and import."[12]

One of the levels of import that we will have cause to identify is the ideology behind the use of a particular concept. Geertz lays out two approaches to the study of ideology: interest and strain.[13] The interest theory essentially indicates that people's ideology exists in order to serve their material interests, and Geertz notes that this theory

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9. Geertz, *Interpretation*, p. 24
10. *Ibid.*, p. 90
11. A notion that Geertz borrows from Gilbert Ryle, c.f. *ibid*, p. 6
12. *Ibid.*, p. 9
13. *Ibid.*, p. 201

is very well developed in Marxist literature. The strain theory asserts that ideology arises as a response to "sociopsychological disequilibrium."[14] In other words, it is a response to the malintegrated nature of society and the individual interacting with that society. By using the strain theory, we will be able to bring into focus where the Pentateuch and Ezekiel disagree and on what points they find agreement.

We can now turn to a general understanding of the chronology of the development of Pentateuch. As was mentioned above, it is unusual for the traditional *Torah miSinai* to be accepted by scholarship. Throughout most of the 20th century, the primary approach to the authorship of the Pentateuch was the Documentary Hypothesis, first given expression by J. Wellhausen in the 19th century. This hypothesis essentially divided the Pentateuchal narrative into four strands, each considered to be part of a document written by a single author. These four authors were assigned letters as names: J, E, P, and D. Over time, it was supposed, the J and E elements were brought together to create a new document, JE. This document was redacted with the P document to create JEP. Finally, D (or Deuteronomy) was grafted onto the end of the document with several D edits in the body of JEP. The result was the Pentateuch as we have it, and the dates assigned for this process began in the period of the Davidic monarchy and placed the final editing (but not composition) during the early part of the Babylonian exile.[15]

Although this hypothesis is still widely held within the field, R.N. Whybray

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14. *Ibid.*
15. Gottwald, *The Hebrew Bible*, p. 137 - 141, and the chart on p. 100.

presents arguments for dismissing all of the pillars of the Documentary Hypothesis.[16] He points out that these pillars rest on assumptions that Wellhausen and his followers made which come out of 19th century understandings of religion and history. For instance, he writes, "they assumed that the purpose of each of the authors of the documents was to write a consistent and continuous account of the origins and early history of Israel."[17] This assumption essentially renders the 19th century Western European historian of the Biblical text into the counterpart of the ancient Israelite penning the Pentateuch. By seeing their task as so similar to the task of the Biblical authors, they polluted the yield from their studies considerably.

Whybray's critique has one central component and that is the assumption of consistency with which the proponents of the Documentary Hypothesis approach their supposed authors and redactors.[18] Whybray points out that in order to assign a segment of text to a particular document one must assume the existence of an author who would allow for no inconsistency within his text - precisely because it is on the basis of common elements that a document determination can be made. There is a certain circular logic at work here, but even more damaging for the Documentary Hypothesis is the need for redactors who work in the complete opposite way. As Whybray says,

> the hypothesis depends, equally, on the concept of the
> *in*consistency apparent in the larger works which are supposed to
> be the work of the redactors: that is to say, the actual distinction
> made by the critics between one passage or phrase and another as

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16.   Whybray, *The Making of the Pentateuch: A Methodological Study.*
17.   Whybray, p. 47
18.   Whybray pp. 29, 49- 50, among others

having originally belonged to different documents is made on the basis of the redactor's having left two conflicting passages or phrases side by side with no attempt to conceal their incompatibility. Thus the hypothesis can only be maintained on the assumption that, while consistency was the hallmark of the various documents, *in*consistency was the hallmark of the redactors.[19]

Because of the reliance on standards of complete consistency that no other author in any known literature achieves for the demarcation of the documents, a reliance on the opposite standard for the redactors of the work, and the fact that no generally accepted definition of the criteria by which one would make a demarcation has ever been created,[20] we can conclude safely that we need not subscribe to the Documentary Hypothesis for the composition of the Pentateuch. That conclusion will free us to entertain other compositional theories that will allow for a meaningful comparison between the Pentateuch and Ezekiel.

What Whybray does not do in his book is suggest a fully developed alternative of his own. Several scholars have done so however, one of whom is E. Theodore Mullen, Jr. His approach to the text is dramatically different from the Documentary Hypothesis, starting with the fact that he does not concern himself with source analysis, for which he claims there is no basis other than a scholar's imagination since there are no extant source documents to which to refer. Instead he takes more of a canonical criticism approach, looks at the Pentateuch as we have it, and tries to identify why someone would have put it into the form that we have received. His approach to the Pentateuch has two organizing

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19. Whybray, p. 49 (emphasis original)
20. Whybray, p. 41

principles, one literary and the other ideological.

From a literary point of view, he sees a great divide between Deuteronomy and the rest of the Pentateuch, and he bases that decision on essentially literary grounds. He views Deuteronomy as the introduction to the Deuteronomistic history, which spans the period of Joshua, the kingship of David, the divided monarchy, up to and including the restoration. The rest of the Pentateuch for Mullen is background information that would be needed to put Moses' speeches into context. Establishing Deuteronomy as first and placing it as part of a whole Deuteronomistic history has serious implications for the dating of both Deuteronomy and the rest of the Pentateuch. Since Deuteronomy is for Mullen the introduction of a history that includes the rebuilding of the Temple, it must have been written after the rebuilding took place. If the first four books of the Pentateuch (or Tetrateuch) are essentially the prequel to Deuteronomy, they must have been written even later.

From an ideological point of view, Mullen stresses the need of the returnees from the Babylonian exile to establish their authority over the population resident in the land, and he sees this function as more significant for establishing the dating than the literary reason cited above. For Mullen, the point of the Tetrateuch is to create an ethnic identity for the restoration community.[21] This identity establishes a certain cohesion by creating the myth that the "returnees" are being faithful to the ancestral and true practice of their

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21.   Mullen, *Ethnic Myths and Pentateuchal Foundations*, p. 67

religion while at the same time enables them to function as able vassals of the Persian state.[22] Mullen points out that it was the policy of the Persian government to create these "restorations" throughout their vassal states by establishing Persian-trained officials as the leaders of the traditional cultic institutions in those states. The Persian vassal state of Yehud was no exception.

For the purpose of this thesis, we will not necessarily be embracing this theory of composition for the Pentateuch. Instead we will be following the hermeneutic of contemplation outlined above by being open to different possibilities. When we find elements in tension between Ezekiel and the Pentateuch, we will examine those tensions and attempt to determine some kind of priority of sequence recognizing that such a determination may well prove to be impossible. That being said, I must admit to my own prejudice against early dating of the Pentateuch. I find the work of Mullen very persuasive, and my own understanding of how religions develop looks to naturalistic explanations first. With that caveat in mind, we will examine the texts as openly as possible.

To summarize the approach of this thesis, we will be employing a hermeneutic of contemplation that does not take for granted that a reference to the exodus from Egypt automatically includes the entire Exodus narrative as found in the Pentateuch in order to examine concepts found in Ezekiel that are also found in the Pentateuch. By applying

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22. Mullen follows Phillip Davies and Thomas Thompson in asserting that it is not at all certain that there was any genuine continuity between those who went into exile and those whom Persia sent to rebuild the Temple.

Chapter Two - Law

In this chapter, we will be analyzing the use of Law in Ezekiel and the

Pentateuch. As will be seen in the chapter, this comparison is necessarily limited by the

narrow use of Law in Ezekiel. In Ezekiel, laws are only given concerning the Temple

and certain functions of the priestly cult. Therefore, we will first look at the use of the

word *torah*. As we are comparing *torah* between the texts, one issue that will arise is the

divergence between Deuteronomy and the first four books of the Pentateuch, also called

the Tetrateuch, in their approach to this word.[23] While we are addressing that issue, we

will next address the proper location of sacrifice which provides another take on this

divergence. We will then look at the two time-bound festivals mentioned in Ezekiel,

Shabbat and *Pesach*.

תורה *Torah*

Considering that the Pentateuch is commonly referred to as "The *Torah*" in

Jewish religious situations, one could expect that there would be a certain common use of

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23. As we discussed in Chapter One, the differences between these are not surprising regardless of whether one follows the Documentary Hypothesis or some other modern theory of composition history. They are only problematic and in need of harmonization if one takes the traditionalist view that all five books were given together as a unit from a divine source. Since this study does not take such a traditionalist view nor are we concerned with developing a coherent compositional history for the Pentateuch, we will not spend too much time trying to resolve the issues of which text influenced which, the sequence of compostion, etc. Here we are mainly concerned with bringing to the fore issues of similarity and difference between Ezekiel and the Pentateuch, therefore our discussion will focus there, and we will note that the Pentateuch is multi-vocal on some issues.

the term within the Pentateuch itself. However, that is not the case. The relationship between the word *torah* and the Pentateuch is a complex one, and it is only after the Pentateuch was put together that it could become the *"Torah* of Moses."[24] Within the Pentateuch, the word has three essential referents. After looking at what those are, we will address the question of the meaning of *torah* for Ezekiel and if he would have associated it with something like a *"Torah* of Moses."

In the Pentateuch, there is a great divide between the Tetrateuch and Deuteronomy on the meaning of this word. For the Tetrateuch, there are essentially two meanings. In some instances, it is treated as simply another category of law on par with משפט "rule," חוק "law," or מצוה "commandment." In these instances, JPS renders the word "teaching" or "instruction." An excellent example of this is Leviticus 26:46 אֵלֶּה הַחֻקִּים וְהַמִּשְׁפָּטִים וְהַתּוֹרֹת אֲשֶׁר נָתַן יְהוָה בֵּינוֹ וּבֵין בְּנֵי יִשְׂרָאֵל בְּהַר סִינַי בְּיַד-מֹשֶׁה "These are the laws, rules, and instructions that YHWH established, through Moses on Mount Sinai, between Himself and the Israelite people." Here, we see the word presented in the plural along with rules and laws; there is nothing to distinguish it as something over and above the rules or laws. *Torah* is used in this sense in the following instances: Genesis 26:5, Exodus 12:49, 16:28, 18:16, 18:20, 24:12, Leviticus 26:46, Deuteronomy 17:11, and 33:10.

The second use which is dominant in the Tetrateuch is not inconsistent with the

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24. The complexities of this relationship are covered in detail in Mullen, *Ethnic Myths and Pentateuchal Foundations*, pp. 19 - 55.

first use, but it is defined more precisely. Predominantly in the book of Leviticus, *torah* is a special ritual instruction given to the priests. An example of this usage is Leviticus

6:2 צַו אֶת-אַהֲרֹן וְאֶת-בָּנָיו לֵאמֹר זֹאת תּוֹרַת הָעֹלָה הִוא הָעֹלָה עַל מוֹקְדָה עַל-הַמִּזְבֵּחַ כָּל-הַלַּיְלָה עַד-הַבֹּקֶר וְאֵשׁ הַמִּזְבֵּחַ תּוּקַד בּוֹ "Command Aaron and his sons thus: This is the ritual of the burnt offering: The burnt offering itself shall remain where it is burned upon the altar all night until morning, while the fire on the altar is kept going on it." Here we can see an identification of a ritual procedure as *torah*, in this case תורת העלה 'ritual of the burnt offering,' and then there is a description of the procedure. This usage occurs in Leviticus 6:2, 7, 18, 7:1, 7, 11, 37, 11:46, 12:7, 13:59, 14:2, 32, 54, 57, 32, Numbers 5:29, 30, 6:13, 21, 19:2, 14, and 13:21.

In Deuteronomy, we find a different use for this word. Here it refers to the body of God's law as a whole, with a subset of uses that also refer to a written text. An example of the main category is Deuteronomy 4:8, וּמִי גּוֹי גָּדוֹל אֲשֶׁר-לוֹ חֻקִּים וּמִשְׁפָּטִים צַדִּיקִם כְּכֹל הַתּוֹרָה הַזֹּאת אֲשֶׁר אָנֹכִי נֹתֵן לִפְנֵיכֶם הַיּוֹם "Or what great nation has laws and rules as perfect as all this Teaching that I set before you this day?" We can see in this verse that instead of being on par with laws and rules, those elements are here considered subsets of the Teaching. This usage is found in Exodus 13:9, Deuteronomy 1:5, 4:8, 44, 17:19, 27:26, 29:28, 31:12, 32:46, and 33:4. An example of the subset which refers to the writing of the Torah is Deuteronomy 31:24 - 26:

כד וַיְהִי כְּכַלּוֹת מֹשֶׁה לִכְתֹּב אֶת-דִּבְרֵי הַתּוֹרָה-הַזֹּאת עַל-סֵפֶר עַד תֻּמָּם: כה וַיְצַו מֹשֶׁה אֶת-הַלְוִיִּם נֹשְׂאֵי אֲרוֹן בְּרִית-יְהוָה לֵאמֹר: כו לָקֹחַ אֵת סֵפֶר הַתּוֹרָה הַזֶּה וְשַׂמְתֶּם אֹתוֹ מִצַּד אֲרוֹן בְּרִית-יְהוָה אֱלֹהֵיכֶם וְהָיָה-שָׁם בְּךָ לְעֵד

> When Moses had put down in writing the words of this Teaching to
> the very end, 25 Moses charged the Levites who carried the Ark of
> the Covenant of YHWH, saying: 26 Take this book of Teaching
> and place it beside the Ark of the Covenant of YHWH your God,
> and let it remain there as a witness against you.

We can see in this quote the importance that the concept "Book of the Teaching" acquires

in Deuteronomy; it is placed next to the Ark, which is considered God's throne. Further,

the book is placed there specifically to be a witness against the people. This concept of

the Book of the Teaching is far removed from being a simple ritual instruction manual.

As we turn to Ezekiel, we will evaluate the uses of the word *torah* as found in the

book and decide if it is used in any of the ways that we have found in the Pentateuch. In

particular, we would want to find a usage like that of Deuteronomy, because that usage is

the most ideologically charged. Such a use would indicate some kind of connection

between the two documents, whereas the other uses that we found are relatively free of

ideology and therefore generic. Unfortunately, the uses that we find in Ezekiel are all

generic.

The first use is in chapter 7:26: הֹוָה עַל-הֹוָה תָּבוֹא וּשְׁמֻעָה אֶל-שְׁמוּעָה תִּהְיֶה וּבִקְשׁוּ

חָזוֹן מִנָּבִיא וְתוֹרָה תֹּאבַד מִכֹּהֵן וְעֵצָה מִזְּקֵנִים "Calamity shall follow calamity, and rumor

follow rumor. Then they shall seek vision from the prophet in vain; instruction shall

perish from the priest, and counsel from the elders." Here *torah* is translated as

instruction, but there is no real supporting information to give us some insight into what

is behind the word. What is clear, however, is that *torah* is the unique possession of the

priest, and, by inference with the other two examples that surround it, *torah* should

provide answers to the questions that priests ask. As the unique possession of the priest, this usage is similar to the Pentateuchal use in Leviticus in which *torah* is the instruction for a priestly ritual, but the connection to ritual is tenuous here.

Chapter 22 contains another example similar to this usage. Ezekiel is listing a hierarchy of authorities from Israel and impugning each one. He goes through the prince, the priest, the official, and the prophet; each one in its way has failed the people.[25] Of the priest, Ezekiel writes in 22:26, כֹּהֲנֶיהָ חָמְסוּ תוֹרָתִי וַיְחַלְּלוּ קָדָשַׁי בֵּין־קֹדֶשׁ לְחֹל לֹא הִבְדִּילוּ וּבֵין־הַטָּמֵא לְטָהוֹר לֹא הוֹדִיעוּ וּמִשַּׁבְּתוֹתַי הֶעְלִימוּ עֵינֵיהֶם וָאֵחַל בְּתוֹכָם "Her priests have violated My Teaching: they have profaned what is sacred to Me, they have not distinguished between the sacred and the profane, they have not taught the difference between the unclean and the clean, and they have closed their eyes to My sabbaths. I am profaned in their midst." Here, JPS renders *torah* as Teaching with a capital T. In this way, the JPS translators are expressing the opinion that *torah* here has the Deuteronomic sense, but in the explication that follows in the verse, the concern is with elements of ritual purity. Making *torah* the unique possession of the priest and indicating that it deals with the distinguishing between the sacred and profane, etc., puts it very much within the context of the Leviticus usage.

The next use occurs in the Temple instructions in 43:11-12

יא וְאִם־נִכְלְמוּ מִכֹּל אֲשֶׁר־עָשׂוּ צוּרַת הַבַּיִת וּתְכוּנָתוֹ וּמוֹצָאָיו וּמוֹבָאָיו
וְכָל־צוּרֹתָו וְאֵת כָּל־חֻקֹּתָיו וְכָל־צוּרֹתָו [צוּרֹתָיו] וְכָל־תּוֹרֹתָו [תּוֹרֹתָיו]

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25. I follow Zimmerli and Greenberg in emending 22:25 נביאי to נשיאי following the Septuagint, even considering the concerns raised by Greenberg. C.f. Zimmerli *Ezekiel I*, p. 465 and Greenberg, *Ezekiel 21 - 37*, p. 461 - 462.

הוֹדַע אוֹתָם וּכְתֹב לְעֵינֵיהֶם וְיִשְׁמְרוּ אֶת־כָּל־צוּרָתוֹ וְאֶת־כָּל־חֻקֹּתָיו
וְעָשׂוּ אוֹתָם: יב זֹאת תּוֹרַת הַבָּיִת עַל־רֹאשׁ הָהָר כָּל־גְּבֻלוֹ סָבִיב | סָבִיב
קֹדֶשׁ קָדָשִׁים הִנֵּה־זֹאת תּוֹרַת הַבָּיִת

11 When they are ashamed of all they have done, make known to them the plan of the Temple and its layout, its exits and entrances—its entire plan, and all the laws and instructions pertaining to its entire plan. Write it down before their eyes, that they may faithfully follow its entire plan and all its laws. 12 Such are the instructions for the Temple on top of the mountain: the entire area of its enclosure shall be most holy. Thus far the instructions for the Temple.

Here, *torah* is used on the same level as חוק in one verse, but then used alone in the next. Further, here we see that *torah* is something that is written down and that it comes from God by the hand of a prophet. This usage brings us very close to a Deuteronomic usage, but the content of *torah* here is far removed from what *torah* means in Deuteronomy. Here, it is only the instructions for building the Temple. There is no sense of it being promoted to contain all of the laws that Israel is to follow, let alone be something that is worthy of being set next to the Ark of the Covenant to serve as a witness against Israel.

In the following chapter, Ezekiel continues to describe the building of the Temple, and again the word *torah* appears. In verse 5, we read וַיֹּאמֶר אֵלַי יְהֹוָה בֶּן־אָדָם שִׂים לִבְּךָ וּרְאֵה בְעֵינֶיךָ וּבְאָזְנֶיךָ שְׁמָע אֵת כָּל־אֲשֶׁר אֲנִי מְדַבֵּר אֹתָךְ לְכָל־חֻקּוֹת בֵּית־יְהֹוָה וּלְכָל־תּוֹרֹתָו [תּוֹרֹתָיו] וְשַׂמְתָּ לִבְּךָ לִמְבוֹא הַבַּיִת בְּכֹל מוֹצָאֵי הַמִּקְדָּשׁ "Then YHWH said to me: O mortal, mark well, look closely and listen carefully to everything that I tell you regarding all the laws of the Temple of YHWH and all the instructions regarding it. Note well who may enter the Temple and all who must be excluded from the Sanctuary." We

find *torah* at the same level as חוק law, and the continuation of the chapter describes

purity rules of which the priests must be aware while they administer the Temple. The

usage here is very similar to the usage in Ezekiel 22:26; there is a concern with

distinguishing between the sacred and profane which is the essential concern of the

Levitical mindset.

At the end of chapter 44 we find Ezekiel's final use of the word *torah*. Verse 24

reads וְעַל-רִיב הֵמָּה יַעַמְדוּ לְ שָׁפֵט [לְמִשְׁפָּט] בְּמִשְׁפָּטַי וּשְׁפָטֻהוּ [וִישְׁפְּטֻהוּ] וְאֶת-תּוֹרֹתַי

וְאֶת-חֻקֹּתַי בְּכָל-מוֹעֲדַי יִשְׁמֹרוּ וְאֶת-שַׁבְּתוֹתַי יְקַדֵּשׁוּ "In lawsuits, too, it is they who shall act

as judges; they shall decide them in accordance with My rules. They shall preserve My

teachings and My laws regarding all My fixed occasions; and they shall maintain the

sanctity of My sabbaths." This verse contains an expansion of the prerogative of the

priest; he is now to officiate in legal courts. However, the *torah* in this verse does not

refer to the law courts; instead it is in reference to all of the holy days of the year, which

puts it in the context of the ritual duties of the priest. Zimmerli is convinced that this

verse is a later addition, and if so that would mean that a later source could use the word

torah in the Leviticus mode with no sense of the expanded Deuteronomic connotation of

the word.[26]

The conclusion that we can come to quickly from looking at the uses of the word

torah is that there is a difference between Deuteronomy on the one hand and the

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26.   Zimmerli, *Ezekiel II*, p. 461. In the expansion in the legal area, Zimmerli sees an indication of a
       post-exilic period in which the monarchy is no longer responsible for maintaining order.

Tetrateuch and Ezekiel on the other. Nowhere in either Ezekiel nor in the Tetrateuch do we find a use of this word that resembles the Deuteronomic use.[27] Further, the uses in Ezekiel are consonant with the uses in the Tetrateuch. *Torah* is the possession of the priest, and concerns some kind of ritual instruction. The main difference between these two can be found in the ideology that Deuteronomy has fused into this word. The Deuteronomic author is concerned with promoting his book above everything else, and therefore Moses' prophecy above all others. This motivation has lead him to the idea of creating a book that encompasses all of the rules in one place. It is not clear why he chose *torah* to designate this book, and not, for example, משפט regulation. But it is possible that as part of the Deuteronomic author's campaign of weakening the priesthood he took the quintessential priestly possession - *torah* - and put it into the hand of a prophet.[28]

This observation raises the issue of the discordant element of having a prophet distribute *torah* at all. We are so familiar with, and today's religious systems accept as normative, the idea of Moses the prophet giving the *Torah* and all the laws contained therein. But when we look at the literary prophets, we do not see prophets distributing

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27. Except for Ex. 13:9 which due to lexical choice, thematic usage, and ideology we can assert is a Deuteronomic insert into the text.

28. However, by seeing this difference, we are forced to ask a question. If Deuteronomy was the first text written in the Pentateuch (as espoused by Mullen and some other post-Documentary Hypothesis theorists), then how is it that the rest does not make use of this concept of torah? All later Judaisms do make use of it, starting with Ezra and continuing into ancient Rabbinic Judaism down to today. Granted, the understanding of torah was expanded, but the essential meaning - a collection of all of God's law as given by Moses - was maintained. Their failure to use this concept is a problem for those theorists. However, for our purposes, the fact that Ezekiel does not make use of the concept indicates that either he did not know of it or he did not consider it normative.

laws. They cry out warnings, call people to account, and promise restoration in the future, but they do not receive law.[29] When they refer to *torah*, it is almost invariably associated with the priest, and the content of that *torah* is never elucidated. Ezekiel, however, exists in a middle ground. The first 39 chapters are consistent with the rest of literary prophecy in this respect. Then Ezekiel recounts his Temple Vision.

God is depicted as giving law to Ezekiel only in chapters 40 - 48 in the context of the Temple Vision. Ezekiel is brought in a vision to Jerusalem and is escorted by a man around the various parts of a rebuilt Temple. The Presence of God enters the Temple, takes up residence in the Holy of Holies, and then addresses some legislation to Ezekiel. These laws concern the design of the Temple, certain sacrificial rituals for the priests, and a few rules for the prince which will maintain the purity of the Temple. For instance, in chapter 43:10 - 11 God says

> י אַתָּה בֶן-אָדָם הַגֵּד אֶת-בֵּית יִשְׂרָאֵל אֶת-הַבַּיִת וְיִכָּלְמוּ מֵעֲוֹנוֹתֵיהֶם
> וּמָדְדוּ אֶת-תָּכְנִית: יא וְאִם-נִכְלְמוּ מִכֹּל אֲשֶׁר-עָשׂוּ צוּרַת הַבַּיִת וּתְכוּנָתוֹ
> וּמוֹצָאָיו וּמוֹבָאָיו וְכָל-צוּרֹתָו וְאֵת כָּל-חֻקֹּתָיו וְכָל-צוּרֹתָו [צוּרֹתָיו]
> וְכָל-תּוֹרֹתָו [תּוֹרֹתָיו] הוֹדַע אוֹתָם וּכְתֹב לְעֵינֵיהֶם וְיִשְׁמְרוּ אֶת-כָּל-צוּרָתוֹ
> וְאֶת-כָּל-חֻקֹּתָיו וְעָשׂוּ אוֹתָם:

10 Now you, O mortal, describe the Temple to the House of Israel, and let them measure its design. But let them be ashamed of their iniquities: 11 When they are ashamed of all they have done, make known to them the plan of the Temple and its layout, its exits and entrances—its entire plan, and all the laws and instructions pertaining to its entire plan. Write it down before their eyes, that they may faithfully follow its entire plan and all its laws.

29.　Ehud Ben Zvi proposes the idea that the literary prophets were anthologies of a particular kind of literature that were intended to be read and re-read in the effort to elucidate the will of God. For Ben Zvi, literary prophecy does not reflect actual historical circumstances, but rather presents short vignettes that are not connected with one another that reflect religious sensibilities of the authors and reader communities. Ben Zvi, *Micah*, pp. 1-13.

Since only these chapters and the Pentateuch use the device of God delivering law to the prophet, we are left with a question: is there any similarity of purpose to be found in the use of the same device to communicate these laws?

In order to answer this question, we need to understand that both the Pentateuch and Ezekiel acknowledge that there is law in existence outside of their collections. For Ezekiel, this is almost self evident. The scope of the law therein contained is so restricted that there must be other law. But in addition, Ezekiel discusses those laws, for instance he mentions the Sabbath and the requirement of centralization of worship in the Temple in Jerusalem. For the Pentateuch, the acknowledgment is not as clear. Because the scope is so broad, there is a tendency to consider the laws in the Pentateuch as a code like the Roman code. However, as Martha Roth makes clear, the "codes" from the Ancient Near East that we possess, including the Pentateuch, are not complete presentations of all the laws of a society.[30] An example of what is left unmentioned is laws of marriage. We know that there must have been some kind of law for creating a marriage because such is implied in the laws of leverite marriage. By putting some of their laws into the mouth of God, the writers of Ezekiel and the Pentateuch are able to achieve absolute authority for these particular laws over and above any others that may exist. Ezekiel's program of change was focused on proper and pure worship of God, as attested by his portrayal of the evil done in the basement of the Temple in chapter eight. There is an implicit

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30.   Roth, *Law Collections from Mesopotamia and Asia Minor.*

understanding that he is presenting new regulations, and therefore, he needed absolute authority in order to do so. The implication is that the writers of the Pentateuch also were fully cognizant of the newness of their presentation, if not in terms of content, then in terms of form and structure.[31]

As part of the need to develop the authority of their programs, there is the corresponding need to undermine the authority of others who claim also to be speaking in the name of God. The Pentateuch does this in two ways. First, it presents others who prophesy and contrasts them against Moses. Second, it presents Moses providing a method by which the Israelites could evaluate other prophets.

The first method is presented in the reading of Numbers 11 and 12 together. Numbers 11 presents the story of 70 elders who are designated to assist Moses. In 11:25, God comes down and, after speaking to Moses, וַיָּאצֶל מִן-הָרוּחַ אֲשֶׁר עָלָיו - a very difficult phrase to translate. JPS renders this phrase, "He drew upon some of the spirit that was on him." One could also render it, "He took back some of the spirit that was his." The idea being communicated is that some of what Moses had was distributed by God to the 70 elders. They immediately begin to prophesy. There are, however, two others who were designated but did not attend the meeting. Eldad and Medad remained in the camp, but when the prophesying began, they too began to prophesy. Joshua wants to stop them, but Moses replies וּמִי יִתֵּן כָּל-עַם יְהֹוָה נְבִיאִים כִּי-יִתֵּן יְהֹוָה אֶת-רוּחוֹ עֲלֵיהֶם

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31.   Levinson describes the Deuteronomic depiction of Passover as "revolutionary." Levinson, *Deuteronomy and the Hermeneutics of Legal Innovation*, p. 93.

"Would that all YHWH's people were prophets, that YHWH put His spirit upon them!"
This passage accomplishes two things. On the one hand, it acknowledges the situation in
which there is a group of official prophets and provides legitimacy for the lone prophet
outside of that official organization. On the other hand, by indicating that these people
were only able to prophesy - even Eldad and Medad - through an extension of Moses'
spirit, it still reserves the pride of place of Moses' prophecy. Moses may want all of
God's people to become prophets, but if they do, it is through an extension of Moses'
authority. Moses will not be contradicted.

Numbers 12 follows up on this theme directly. In this chapter, Aaron and Miriam
are questioning Moses' leadership of the people. In the first verse there is a claim that the
issue was who Moses married (a non-Israelite), but immediately the real problem is

revealed: וַיֹּאמְרוּ הֲרַק אַךְ-בְּמֹשֶׁה דִּבֶּר יְהוָה הֲלֹא גַּם-בָּנוּ דִבֵּר "They said, 'Has YHWH
spoken only through Moses? Has He not spoken through us as well?'" In this instance, a
direct challenge is made to the quality of Moses' prophecy. Neither Aaron nor Miriam
received their prophecy through an extension of Moses' spirit; they might be able to
claim prophecy in their own right. The author of this chapter responds by having God
describe the priority of Moses' prophecy:

ו וַיֹּאמֶר שִׁמְעוּ-נָא דְבָרָי אִם-יִהְיֶה נְבִיאֲכֶם יְהוָה בַּמַּרְאָה אֵלָיו אֶתְוַדָּע
בַּחֲלוֹם אֲדַבֶּר-בּוֹ: ז לֹא-כֵן עַבְדִּי מֹשֶׁה בְּכָל-בֵּיתִי נֶאֱמָן הוּא: ח פֶּה
אֶל-פֶּה אֲדַבֶּר-בּוֹ וּמַרְאֶה וְלֹא בְחִידֹת וּתְמֻנַת יְהוָה יַבִּיט וּמַדּוּעַ לֹא
יְרֵאתֶם לְדַבֵּר בְּעַבְדִּי בְמֹשֶׁה: ט וַיִּחַר-אַף יְהוָה בָּם וַיֵּלַךְ:
6 and He said, "Hear these My words: When a prophet of YHWH
arises among you, I make Myself known to him in a vision, I speak
with him in a dream. 7 Not so with My servant Moses; he is trusted

throughout My household. 8 With him I speak mouth to mouth, plainly and not in riddles, and he beholds the likeness of YHWH. How then did you not shrink from speaking against My servant Moses!" 9 Still incensed with them, YHWH departed.

As a result of God's anger, Miriam is struck with leprosy and must remain outside of the camp: a warning to those who would question Moses.

The second method that the Pentateuch uses to safeguard the authority of the prophet is presented both in Deuteronomy 13 and 18. In both of these chapters, Moses is speaking of a hypothetical time in the future when a prophet will appear, and he provides instruction as to how to evaluate the truth claims of such a prophet. In Deuteronomy 13, the prophet is encouraging the people to worship other gods, and even if the magic that he performs really occurs, the Israelites are to put him to death. According to this chapter, no valid prophet will divert the Israelites from the worship of God. In chapter 18, Moses deals with a case that is not so clear. First, he acknowledges that genuine prophets will arise; they will have God's words put into their mouths. However, there are also prophets who only claim to be speaking in God's name. What is an Israelite to do? The criteria set out by Moses in this chapter accomplish two goals. On the one hand, they guarantee that a genuine prophet is essentially an extension of Moses; Moses says that the prophet will be כָּמֹנִי "like me." Secondly, the method of determining if the prophet is like Moses requires a test of the veracity of what the prophet predicts. Obviously, this cannot be performed beforehand. As a result, the Israelite is only safe if he follows the guidelines set out by the Torah of Moses. In other words, this chapter

acknowledges and dismisses other prophets all at the same time.[32]

Ezekiel's efforts of undermining the authority of others can be seen in chapter 13. There he addresses two prophecies to those who are using prophet-like abilities in order to lead the people in what he thinks is the wrong direction. The first is against the נביאי ישראל prophets of Israel who have false visions. They mislead the people by directing them away from the actual problems. Ezekiel uses the image of building a plaster wall and pretending that it will withstand an assault. The second prophecy is against women who הַמִּתְנַבְּאוֹת מִלִּבְּהֶן "prophesy out of their own imagination." (13:17) These women have certain magical accoutrements with which they claim to be able to protect or condemn people. God condemns both of these groups and promises to save Israel from their hands.

When Ezekiel addresses the problem of false prophecy, there is a greater feeling of immediacy than in the Pentateuch. The image of building a wall that will not survive an assault is poignant when placed in the context of the destruction of Jerusalem. Similarly, the feeling of verisimilitude created by describing the women's garments increases the feeling that he is responding to some real circumstance. Deuteronomy 18 is written about the hypothetical situation and is phrased as such. Indeed, Ezekiel 13 would seem to be a good case in which to apply the rule propounded in Deuteronomy 18. We might even expect some kind of reference back to this chapter; after all, they both address

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32.   Much of the insight into this chapter comes from B. Levinson's commentary to Deuteronomy in Berlin, et al., *The Jewish Study Bible*, p. 408.

the same topic. However, an analysis of lexical density reveals little connection, and

there are no rhetorical structures that the two have in common. Further, the ideology that

we were able to see behind the Deuteronomy and Numbers passages is absent - the

priority of Moses' prophecy is not mentioned. The fact that they both deal with the

problem of false prophecy is not in itself an indication of some kind of connection

between the two passages; this problem is resident with any system of competing

precognistication.

The Proper Location of Sacrifice

The law restricting Israelite sacrifice to the Temple is another example that shows

very different uses between the Tetrateuch, Deuteronomy, and Ezekiel. Within the

Tetrateuch, this law is non-existent. In Deuteronomy, the centralization of Israelite

worship at the Temple is a main part of the Deuteronomic author's agenda. For Ezekiel,

the law is in force, but it is not an issue for Ezekiel in the way that it is for Deuteronomy.

Instead it is an assumed quality of proper Israelite worship. In the book of Deuteronomy,

the name of the place is never mentioned; instead the phrase המקום אשר יבחר יהוה 'the

place which YHWH chooses' is the euphemism that the writer uses to avoid the

anachronistic specification of the Temple in Jerusalem. In putting together the words

בחר 'choose' and מקום 'place,' the writer brought together two concepts that are charged

with meaning in the Deuteronomic system. We will look at the use of those words in

Deuteronomy, the Tetrateuch, and Ezekiel to determine if there is any connection between them. Next we will look at alternate ways that the texts use to designate the location. Finally we will examine the ideology that is present in this law to determine the stressors motivating their use.

Deuteronomy uses the construction מקום אשר יבחר יהוה 'place that YHWH will choose' a total of 22 times: 12:5, 12.11, 12.14, 12.18, 12.21, 12.26, 14.23, 14.24, 14.25, 15.20, 16.2, 16.6, 16.7, 16.11, 16.15, 16.16, 17.8, 17.10, 18.6, 23.17, 26.2, 31.11. As can be seen, usually when the text uses this phrase, it will use it again within close proximity; there is a need to over-emphasize this law. Both words 'place' and 'choose' are significant for Deuteronomy when they occur on their own as well. There are eleven instances of מקום 'place' without בחר 'choose.' They are 1.31, 1.33, 9.7, 11.5, 11.24, 12.2, 12.3, 12.13, 21.19, 26.9, and 29.6. The three in chapter 12 use the word to refer to locations of idol worship. The instance in chapter 21 refers a public place in an Israelite town to which the wayward and defiant son is taken. All of the other instances refer to הַמָּקוֹם הַזֶּה "this place," and the referent is the land of Israel, including the areas on the far side of the Jordan which the Israelites conquer and distribute among the Reubenites, Gadites, and the half tribe of Menasseh. בחר 'choose' occurs nine times without מקום 'place:' 4.37, 7.6, 7.7, 10.15, 14.2, 17.15, 18.5, 21.5, 30.19. In all but one of these (30:19), the choice is God's choice. The first five refer to God's choice of the people or their ancestors as the indicator of the special quality of the people. 17:15 refers to God choosing a king to rule over Israel, and the last two refer to God's selection of the tribe of

Levi to serve in the sacrificial cult. The narrow range of meaning for these seemingly generic words show that, for the Deuteronomic writer, they are technical terms used with intention. The linking of them together is also with intention.

The intentionality of Deuteronomy can be seen in the contrast with the Tetrateuch. There בחר 'choose' never occurs with מקום 'place.' The closest that the Tetrateuch comes to this expression is Exodus 20:24 בְּכָל-הַמָּקוֹם אֲשֶׁר אַזְכִּיר אֶת-שְׁמִי אָבוֹא אֵלֶיךָ וּבֵרַכְתִּיךָ "...in every place where I cause My name to be mentioned I will come to you and bless you." However, the context is just the opposite of what is intended by Deuteronomy's usage. Here is a tacit acknowledgment that sacrifice will occur in multiple locations and a promise that God will bless each one. בחר 'choose' only occurs eight times in the Tetrateuch: Genesis 6.2, 13.11, Exodus 14.7, 17.9, 18.25, Numbers 16.5, 16.7, 17.20. Only in Numbers does it refer to God's choice; chapter 16 is Korach's rebellion and God's choice of Moses, and chapter 17 is God's choice of Aaron's staff above those of the other tribes. These two uses are consonant with the Deuteronomistic use, but the others are generic uses of the word. The word מקום 'place' occurs 100 times in the Tetrateuch, and there is no special connotation to the word. In Leviticus, it is sometimes used with קדש 'holy,' and in those instances refer to areas in the Tabernacle.

When we look to Ezekiel, we find only one use of בחר 'choose' in 20:5. It is very much within the range of meaning that Deuteronomy gives the word because in this instance it is God's choice of the people during the exodus. מקום 'place,' however, is

not consonant with the Deuteronomy usage. It occurs 15 times: 3.12, 6.13, 10.11, 12.3, 17.16, 21.35, 34.12, 38.15, 39.11, 41.11, 42.13, 43.7, 45.4, 46.19, 46.20. Like the Tetrateuch, there is no predominant ideological thrust to this word here. In 6:13 it refers to a site of idol worship; it refers to the location of exile in 12:3, 17:16, and 34:12. The last five instances are used in construct with קדש 'holy' and designate areas in the Temple; this usage is the corollary to the Tetrateuch's usage referring to areas in the Tabernacle.

The surprising result is that the use of these words is similar between Ezekiel and the Tetrateuch which do not agree regarding the restriction of sacrifice, but they are not similar between Ezekiel and Deuteronomy which do agree about the restriction. Ezekiel does refer to the law, but not through the use of these words. For instance, 20:40 reads כִּי

בְהַר־קָדְשִׁי בְּהַר מְרוֹם יִשְׂרָאֵל נְאֻם אֲדֹנָי יְהֹוֶה שָׁם יַעַבְדֻנִי כָּל־בֵּית יִשְׂרָאֵל כֻּלֹּה בָּאָרֶץ שָׁם

אֶרְצֵם וְשָׁם אֶדְרוֹשׁ אֶת־תְּרוּמֹתֵיכֶם וְאֶת־רֵאשִׁית מַשְׂאוֹתֵיכֶם בְּכָל־קָדְשֵׁיכֶם "For only on My holy mountain, on the lofty mount of Israel—declares the Lord YHWH—there, in the land, the entire House of Israel, all of it, must worship Me. There I will accept them, and there I will take note of your contributions and the choicest offerings of all your sacred things." This verse makes it quite clear that it is only on the Temple mount that Israel may worship, and it does so without Deuteronomistic language.

Ezekiel also makes clear his understanding of this requirement through negative example. Chapter six is his tirade against the mountains of Israel. Verses 3 - 4 read:
ג וְאָמַרְתָּ הָרֵי יִשְׂרָאֵל שִׁמְעוּ דְּבַר־אֲדֹנָי יְהֹיִה וְהֹ כֹּה־אָמַר אֲדֹנָי יְהֹוֶה
לֶהָרִים וְלַגְּבָעוֹת לָאֲפִיקִים וְלַגֵּאָיֹת [וְלַגֵּאָיוֹת] הִנְנִי אֲנִי מֵבִיא עֲלֵיכֶם

חָרֵב וְאָבַדְתִּי בָּמוֹתֵיכֶם: ד וְנָשַׁמּוּ מִזְבְּחוֹתֵיכֶם וְנִשְׁבְּרוּ חַמָּנֵיכֶם וְהִפַּלְתִּי
חַלְלֵיכֶם לִפְנֵי גִּלּוּלֵיכֶם:

3 and say: O mountains of Israel, hear the word of the Lord
YHWH. Thus said the Lord YHWH to the mountains and the hills,
to the streams and the valleys: See, I will bring a sword against you
and destroy your shrines. 4 Your altars shall be wrecked and your
incense stands smashed, and I will hurl down your slain in front of
your fetishes.

Here we can see Ezekiel's rejection of a distributed worship system. This usage brings

into focus the difference with the Tetrateuch. Nowhere do we find in the Tetrateuch the

kind of vitriol that Ezekiel reserves for worship outside of the Temple.

If we try to identify the ideology that is driving the depictions of this law, we see

in Deuteronomy evidence of a struggle for recognition and control that is absent from the

others. The repeated insistence on the location indicates that it is being written at a time

that the centralized sacrificial system is not considered the norm, and the writers of

Deuteronomy believe it to be an essential element of a proper worship of God. Although

they are certainly concerned with restricting idol worship, they are also concerned that

the Israelite God not be worshiped in any place but the Temple. There is the difference in

the ideology behind Ezekiel. He has fully bought into Zion mythology, even though the

name Zion does not appear.[33] In his wildest imagination, he does not depict Israel

worshiping God in other locations, instead he is convinced that idol worship is occurring.

The great sin that he understands as causing Israel's current predicament is the secret

importing of idol worship onto God's Holy Mountain, as described in chapter 8.

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33.   Zimmerli, *Ezekiel 1*, p. 41

For the writers of the Tetrateuch, the situation is yet different. The traditional way to understand the depiction of free-roaming sacrifices in the Tetrateuch was to say that an earlier time in Israel's history was being depicted, before the Deuteronomic law was promulgated. This idea is consistent with the Documentary Hypothesis, but what if one posits that Deuteronomy is first? As we can see in Ezekiel, it is possible to agree with Deuteronomy's general position in ways that are not consonant with Deuteronomy's language and ideological mind-set. If the writers of the Tetrateuch were operating in a cultural milieu that had fully accepted worship in a central location, then the battle was over. Depicting worship of the Israelite God apart from the Temple would then no longer be problematic, especially since they were retrojecting back to a time in which there was no Temple. They also had a goal that was different from Ezekiel and Deuteronomy. They were trying to create an introduction to Deuteronomy that would depict positive role models to whom God could give the promise of the land. As we will see in the next chapter, the patriarchs do not function for Ezekiel. He envisioned all previous generations of Israel as sinful. It would only be in the future that Israel could achieve righteousness. The writers of the Tetrateuch could not take that approach because they needed to create a claim to the land. A righteous patriarch was necessary to their story, and since righteousness involved proper worship of God, he had to be portrayed as offering sacrifices. Without a Temple, he was depicted as using the hilltops for his sacrifices.

שבת *Shabbat*

As we consider the use of *Shabbat* between Ezekiel and the Pentateuch, there are certain elements of *Shabbat* that all of the uses have in common. In every instance, *Shabbat* is the seventh day.[34] It is a day of rest, and it is almost invariably associated with holiness. As part of its holiness, there are special sacrifices at the Temple. When we look for what distinguishes the uses of *Shabbat* both within our texts and between them, one element stands out beyond the ideology laying behind the word. In Ezekiel, *Shabbat* is treated on the same level as other words indicating a body of law. Therefore, Ezekiel 20:19- 20 reads: יט אֲנִי יְהֹוָה אֱלֹהֵיכֶם בְּחֻקּוֹתַי לֵכוּ וְאֶת-מִשְׁפָּטַי שִׁמְרוּ וַעֲשׂוּ אוֹתָם "I YHWH am כ וְאֶת-שַׁבְּתוֹתַי קַדֵּשׁוּ וְהָיוּ לְאוֹת בֵּינִי וּבֵינֵיכֶם לָדַעַת כִּי אֲנִי יְהֹוָה אֱלֹהֵיכֶם your God: Follow My laws and be careful to observe My rules. 20 And hallow My sabbaths, that they may be a sign between Me and you, that you may know that I YHWH am your God." In the Pentateuch, however, *Shabbat* is one law among many, as can be seen in a listing of the Ten Commandments. There are a couple of indicators that such was not always the case; for instance Exodus 16 portrays the giving of *Shabbat* as a separate act from the giving of the laws at Sinai. This use is an exception, however.

The other elements of difference that can be found between the uses of *Shabbat* concern the significance that the author invests in his ideology of *Shabbat*. There are

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34.　However, see Fishbane's connection of *shabbat* with the Akkadian *sapattu* meaning full moon as a way of explaining the frequent connection of חודש 'new moon' and *shabbat*. *Biblical Interpretation*, p. 149.

four categories of this significance. The first links *Shabbat* to the exodus from Egypt.

The second links *Shabbat* to creation. The third makes *Shabbat* a sign. The final

category is devoid of other significance. When we look at the distribution of the verses

among these four categories, we find that the first three have very few and the vast

majority fall in the final category.

The only instance of *Shabbat* in the book of Deuteronomy occurs in the Ten

Commandments of Deuteronomy 5. It is also the only instance of *Shabbat* being

historicized into the context of the exodus. Deuteronomy 5:12 - 15 read

יב שָׁמוֹר אֶת־יוֹם הַשַּׁבָּת לְקַדְּשׁוֹ כַּאֲשֶׁר צִוְּךָ יְהוָה אֱלֹהֶיךָ: יג שֵׁשֶׁת יָמִים
תַּעֲבֹד וְעָשִׂיתָ כָּל־מְלַאכְתֶּךָ: יד וְיוֹם הַשְּׁבִיעִי שַׁבָּת לַיהוָה אֱלֹהֶיךָ
לֹא־תַעֲשֶׂה כָל־מְלָאכָה אַתָּה | וּבִנְךָ־וּבִתֶּךָ וְעַבְדְּךָ־וַאֲמָתֶךָ וְשׁוֹרְךָ וַחֲמֹרְךָ
וְכָל־בְּהֶמְתֶּךָ וְגֵרְךָ אֲשֶׁר בִּשְׁעָרֶיךָ לְמַעַן יָנוּחַ עַבְדְּךָ וַאֲמָתְךָ כָּמוֹךָ:
טו וְזָכַרְתָּ כִּי עֶבֶד הָיִיתָ בְּאֶרֶץ מִצְרַיִם וַיֹּצִאֲךָ יְהוָה אֱלֹהֶיךָ מִשָּׁם בְּיָד
חֲזָקָה וּבִזְרֹעַ נְטוּיָה עַל־כֵּן צִוְּךָ יְהוָה אֱלֹהֶיךָ לַעֲשׂוֹת אֶת־יוֹם הַשַּׁבָּת

12 Observe the sabbath day and keep it holy, as YHWH your God
has commanded you. 13 Six days you shall labor and do all your
work, 14 but the seventh day is a sabbath of YHWH your God; you
shall not do any work—you, your son or your daughter, your male
or female slave, your ox or your ass, or any of your cattle, or the
stranger in your settlements, so that your male and female slave
may rest as you do. 15 Remember that you were a slave in the land
of Egypt and YHWH your God freed you from there with a mighty
hand and an outstretched arm; therefore YHWH your God has
commanded you to observe the sabbath day.

In these verses, we can see evidence of the elements that all of the uses of *Shabbat* share,

such as holiness and rest. The final verse makes it explicit that one should observe the

sabbath because God freed the Israelites from slavery. In no other place is that

connection made.

The uses of creation as the meaning behind *Shabbat* are more numerous than that

of the exodus, but not by much. In Genesis 2:2-3 God ceases from work on the seventh

day and sanctifies the day. Here we see all of the generic elements of *Shabbat*, and it is

told in connection with the story of creation. However, the noun שבת *Shabbat* does not

occur; the day is not named. The use of this root does occur in verb forms, such as 2:2's

וַיִּשְׁבֹּת בַּיּוֹם הַשְּׁבִיעִי "...and He ceased on the seventh day," but the day is only referred to

as the seventh day.

The second instance of *Shabbat* being linked to creation is in the Ten

Commandments of Exodus 20. Verses 8 - 11 read

חזָכוֹר אֶת-יוֹם הַשַּׁבָּת לְקַדְּשׁוֹ: ט שֵׁשֶׁת יָמִים תַּעֲבֹד וְעָשִׂיתָ
כָּל-מְלַאכְתֶּךָ: י וְיוֹם הַשְּׁבִיעִי שַׁבָּת לַיהוָה אֱלֹהֶיךָ לֹא-תַעֲשֶׂה כָל-מְלָאכָה
אַתָּה | וּבִנְךָ וּבִתֶּךָ עַבְדְּךָ וַאֲמָתְךָ וּבְהֶמְתֶּךָ וְגֵרְךָ אֲשֶׁר בִּשְׁעָרֶיךָ: יא כִּי
שֵׁשֶׁת-יָמִים עָשָׂה יְהוָה אֶת-הַשָּׁמַיִם וְאֶת-הָאָרֶץ אֶת-הַיָּם
וְאֶת-כָּל-אֲשֶׁר-בָּם וַיָּנַח בַּיּוֹם הַשְּׁבִיעִי עַל-כֵּן בֵּרַךְ יְהוָה אֶת-יוֹם הַשַּׁבָּת
וַיְקַדְּשֵׁהוּ:

8 Remember the sabbath day and keep it holy. 9 Six days you
shall labor and do all your work, 10 but the seventh day is a
sabbath of YHWH your God: you shall not do any work—you,
your son or daughter, your male or female slave, or your cattle, or
the stranger who is within your settlements. 11 For in six days
YHWH made heaven and earth and sea, and all that is in them, and
He rested on the seventh day; therefore YHWH blessed the sabbath
day and hallowed it.

Just as in the Deuteronomy Ten Commandments, we find all of the generic *Shabbat*

elements. There is a difference between the verb which commands the sabbath - here

'remember' and there 'observe' - but the real difference comes in the final verse. Verse

11 historicizes the sabbath into creation and does so with language that is very consonant

with the language in Genesis 2.

The final usage which refers to creation is appended to the only use in the

Pentateuch of *Shabbat* only as a sign. Exodus 31:13 - 17 read

יג וְאַתָּה דַּבֵּר אֶל-בְּנֵי יִשְׂרָאֵל לֵאמֹר אַךְ אֶת-שַׁבְּתֹתַי תִּשְׁמֹרוּ כִּי אוֹת
הִוא בֵּינִי וּבֵינֵיכֶם לְדֹרֹתֵיכֶם לָדַעַת כִּי אֲנִי יְהוָה מְקַדִּשְׁכֶם: יד וּשְׁמַרְתֶּם
אֶת-הַשַּׁבָּת כִּי קֹדֶשׁ הִוא לָכֶם מְחַלְלֶיהָ מוֹת יוּמָת כִּי כָּל-הָעֹשֶׂה בָהּ
מְלָאכָה וְנִכְרְתָה הַנֶּפֶשׁ הַהִוא מִקֶּרֶב עַמֶּיהָ: טו שֵׁשֶׁת יָמִים יֵעָשֶׂה מְלָאכָה
וּבַיּוֹם הַשְּׁבִיעִי שַׁבַּת שַׁבָּתוֹן קֹדֶשׁ לַיהוָה כָּל-הָעֹשֶׂה מְלָאכָה בְּיוֹם הַשַּׁבָּת
מוֹת יוּמָת: טז וְשָׁמְרוּ בְנֵי-יִשְׂרָאֵל אֶת-הַשַּׁבָּת לַעֲשׂוֹת אֶת-הַשַּׁבָּת לְדֹרֹתָם
בְּרִית עוֹלָם: יז בֵּינִי וּבֵין בְּנֵי יִשְׂרָאֵל אוֹת הִוא לְעֹלָם כִּי-שֵׁשֶׁת יָמִים
עָשָׂה יְהוָה אֶת-הַשָּׁמַיִם וְאֶת-הָאָרֶץ וּבַיּוֹם הַשְּׁבִיעִי שָׁבַת וַיִּנָּפַשׁ:

13 Speak to the Israelite people and say: Nevertheless, you must
keep My sabbaths, for this is a sign between Me and you
throughout the ages, that you may know that I YHWH have
consecrated you. 14 You shall keep the sabbath, for it is holy for
you. He who profanes it shall be put to death: whoever does work
on it, that person shall be cut off from among his kin. 15 Six days
may work be done, but on the seventh day there shall be a sabbath
of complete rest, holy to YHWH; whoever does work on the
sabbath day shall be put to death. 16 The Israelite people shall
keep the sabbath, observing the sabbath throughout the ages as a
covenant for all time: 17 it shall be a sign for all time between Me
and the people of Israel. For in six days YHWH made heaven and
earth, and on the seventh day He ceased from work and was
refreshed.

In verse 17, the connection to creation is made, but it overlaps with the framing of

Shabbat as a sign. In this instance, the meaning of the 'sign' is creation; *Shabbat* is a

double signifier. However, verse 13 contains the other Pentateuchal use of *Shabbat* as a

sign, and in that instance the meaning of the sign is the holiness that comes through being

consecrated by God. Since we established earlier that holiness is a generic quality of

Shabbat, verse 13 is empty of deeper meaning. The fact that *Shabbat* is a sign is what is

important. Somewhere between verse 13 and verse 17 there is a seam in the text, and the

textual element containing both creation and sign has been added to this section.

Although one can see some repetition within this unit, there is no clear place to make the

break, but one could make the argument that there are three textual elements that have

been concatenated together: 13, 14 - 15, and 16 - 17. Each one of these textual segments

begin with the command to keep the sabbath, and each reflects a slightly different focus.

Regardless of where the break is, the difference between 13 and 17 is one of significance.

The rest of the Pentateuchal usages of *Shabbat* fall into the fourth category: no

ideology. These are Exodus 16:23 - 30, 23:12, 34:21, 35:2-3, Leviticus 19:3, 30, 23:3,

24:8, Numbers 15:32 and 28:9 - 10. In each of these cases, the generic elements of

Shabbat are mentioned; granted in some instances one will receive greater attention than

the others. For instance, the uses in Leviticus are focused on the special sacrifices that

are made on the day. However, in these cases *Shabbat* does not carry a meaning beyond

the generic.

As we turn to Ezekiel, we find that the categories of ideology are more limited;

there are only two: sign and no ideology. The instances in which there is no ideology are

Ezekiel 20:16, 22:8, 26, 23:38, 44:24, 45:17, 46:1, 3-4, 12. Notice that half of these fall

within the Temple Vision and, like the Leviticus uses, focus on the special activities of

the day. In addition, the other generic elements are mentioned.

The instances of *Shabbat* being a sign only occur in chapter 20. Chapter 20 is

Ezekiel's telling of the exodus from Egypt, and we will return to this telling in great

detail in the next chapter. Our focus in this context is on verses 12 - 13 and 20 - 21.

יב וְגַם אֶת-שַׁבְּתוֹתַי נָתַתִּי לָהֶם לִהְיוֹת לְאוֹת בֵּינִי וּבֵינֵיהֶם לָדַעַת כִּי אֲנִי
יְהוָה מְקַדְּשָׁם: יג וַיַּמְרוּ-בִי בֵית-יִשְׂרָאֵל בַּמִּדְבָּר בְּחֻקּוֹתַי לֹא-הָלָכוּ
וְאֶת-מִשְׁפָּטַי מָאָסוּ אֲשֶׁר יַעֲשֶׂה אֹתָם הָאָדָם וָחַי בָּהֶם וְאֶת-שַׁבְּתֹתַי
חִלְּלוּ מְאֹד וָאֹמַר לִשְׁפֹּךְ חֲמָתִי עֲלֵיהֶם בַּמִּדְבָּר לְכַלּוֹתָם:

12 Moreover, I gave them My sabbaths to serve as a sign between
Me and them, that they might know that it is I the LORD who
sanctify them. 13 But the House of Israel rebelled against Me in
the wilderness; they did not follow My laws and they rejected My
rules—by the pursuit of which a man shall live—and they grossly
desecrated My sabbaths. Then I thought to pour out My fury upon
them in the wilderness and to make an end of them;

כ וְאֶת-שַׁבְּתוֹתַי קִדֵּשׁוּ וְהָיוּ לְאוֹת בֵּינִי וּבֵינֵיכֶם לָדַעַת כִּי אֲנִי יְהוָה
אֱלֹהֵיכֶם: כא וַיַּמְרוּ-בִי הַבָּנִים בְּחֻקּוֹתַי לֹא-הָלָכוּ וְאֶת-מִשְׁפָּטַי
לֹא-שָׁמְרוּ לַעֲשׂוֹת אוֹתָם אֲשֶׁר יַעֲשֶׂה אוֹתָם הָאָדָם וָחַי בָּהֶם
אֶת-שַׁבְּתוֹתַי חִלֵּלוּ וָאֹמַר לִשְׁפֹּךְ חֲמָתִי עֲלֵיהֶם לְכַלּוֹת אַפִּי בָּם בַּמִּדְבָּר

20 And hallow My sabbaths, that they may be a sign between Me
and you, that you may know that I the LORD am your God. 21 But
the children rebelled against Me: they did not follow My laws and
did not faithfully observe My rules, by the pursuit of which man
shall live; they profaned My sabbaths. Then I resolved to pour out
My fury upon them, to vent all My anger upon them, in the
wilderness.

Immediately one can see how similar these two citations are; there is a structure behind

them that each is fulfilling.[35] Beyond the similarities, however, is the injection of 'sign'

into the meaning of *Shabbat*. Again, like in Exodus 31:13, the sign of *Shabbat* only

points to holiness, a generic quality of *Shabbat*. Although these verses occur within the

context of the Exodus, *Shabbat* is not historicized into it. As we remarked earlier, in

Ezekiel *Shabbat* is one of several kinds of laws that are treated together. Just as the laws

and rules are not contextualized as pointing to the exodus, neither is the sabbath.

How do we explain this situation? In the vast majority of cases, *Shabbat* does not

point to anything beyond itself. It remains focused on its own concerns: sanctification,

rest, the seventh day. Further, *Shabbat* is found in a context of other time festivals.

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35.   Indeed, the structure continues beyond the verses cited.

However, in the few cases that *Shabbat* is infused with other ideology, the presence of

the other time festivals is lacking. In these cases, the writers felt the need to justify the

existence of *Shabbat*, for that is what each of these three ideologies do. One states that

Shabbat exists in order to remember creation, the next that it is a kind of reward for the

years of forced labor endured before the exodus, the last that it exists in order to serve as

an external marker of the holiness of the people's task. In most of these cases, *Shabbat* is

given this greater meaning in the context of making a covenant with God. At the moment

of forming the relationship with God, each of these writers use *Shabbat* as the focus of

what he considers the essential element in the relationship. In this way, we can see that

these writers are participating in the same cultural milieu, but there is no evidence that the

different ideologies are influencing each other except for Exodus 31:17. This verse is the

exception because it shows influence from two of the ideologies and it is not given in the

context of forming the covenant.

פסח - *Pesach* Passover

Much has been written about the relationship between the description of the

Pesach in Exodus and Deuteronomy. The differences have been catalogued; sources

have been identified; antiquity has been ascribed. It is not our intent here to do a

complete analysis of the change that occurs and the reasons for it between these two

accounts.[36] Instead we will look at the descriptions in Exodus, Deuteronomy, and

Ezekiel, focusing on the questions of who, where, when ,what, and why and how those

questions are answered. After this review, we will address questions about what is

driving the ideology in each text and speculate about what our analysis implies about the

antiquity of *Pesach*.[37]

The description of *Pesach* that appears in Exodus can be found in chapter 12:1 -

28 and 12:43 - 49. In the ritual described there, it is noted that this month is the now the

first month for the people, and therefore the first day is a new year's day. The head of the

household takes an animal from the herd, either goat or sheep, and guards it from the

tenth day until the fourteenth day. The man then slaughters the animal at the door of the

dwelling-place at twilight and paints all four sides of the door with blood.[38] All of the

people in the household then eat the flesh of the animal roasted, leaving none of it until

the morning. The reason for performing this ritual is to protect the people from the

משחית destroyer who is going through Egypt slaying the first born (there is some

ambiguity as to whether it is God doing the destroying or if God has appointed an agent

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36. The reader who is interested can consult Propp, *Exodus 1 - 18*, pp 355 - 461, Mullen, *Ethnic Myths and Pentateuchal Foundations*, pp. 181 - 191, van Seters, *The Life of Moses*, pp. 113 - 127, and Levinson, *Deuteronomy and the Hermeneutics of Legal Innovation*, pp. 53 - 97. An array of possibilities will be presented to answer the question of the development of *pesach*.

37. An essential part of the question of *pesach* is how it is involved with מצות *matzot*, the Festival of Unleavened Bread. Since Wellhausen, the scholarly community is almost universal in acknowledging that they were separate observances originally, and at some time in the development of Israelite religion they were merged. The disagreements involve the question of when. One can review the above listed bibliography for a variety of opinions. In this study, we will only be addressing this issue peripherally.

38. I am following B. Levinson's understanding of the word סף found in Exodus 12:22. C.f. Levinson, *Deuteronomy and the Hermeneutics of Legal Innovation*, pp. 59 - 60.

for this task).

Pesach in Deuteronomy looks somewhat different. The description is found in Deuteronomy 16:1 - 8. In this ritual, the slaughter is not performed by the head of the household; instead the instruction is for "you" in the singular; therefore each individual Israelite is responsible. Further, there is a specific injunction that one may not perform the sacrifice in an Israelite settlement but only אֶל-הַמָּקוֹם אֲשֶׁר-יִבְחַר יְהוָה אֱלֹהֶיךָ לְשַׁכֵּן שְׁמוֹ שָׁם "at the place where YHWH your God will choose to establish His name." (Deut. 16:5) Since the Temple is clearly indicated by this reference, there must be some priestly involvement in this sacrifice. So the sacrificing agents are now the individual assisted by a priest. The animal sacrificed is either from the flock or the herd, and it will be slaughtered at sundown on an unspecified day of the month of Aviv, with the implication being the first. The reason given for this sacrifice is as a remembrance of the exodus from Egypt; sundown is identified as the time that the Israelites went free. There is no indication of what one does with the blood of this animal and there is no mention of the slaying of the first born, but the flesh is to be boiled and then eaten where it is sacrificed.

When we read Ezekiel's only reference to the *Pesach*, in chapter 45:18 - 21, we are provided with yet a third picture. Again, there is a focus on the first day of the first month, but on that day the priest is to take a bull and sacrifice it in order to cleanse the sanctuary. The blood of this animal is smeared on the doorposts of the Temple, the four corners of the altar, and the doorposts of the inner court. The procedure is then repeated on the seventh day. On the fourteenth of the month, the sacrifice designated as the

Pesach is performed. The prince provides a bull for a sin offering, and then for seven

days provides seven bulls, seven rams, one goat, a meal offering for each bull and each

ram, and a measure of oil for each meal offering.

For ease of comparison, refer to the following table.

	Exodus	Deuteronomy	Ezekiel
Who	head of household	"you"/ priest	priest / prince
Where	house, blood on the door	Temple, no blood	Temple, blood on door and altar
When	1 -10 - 14 progression twilight בין הערביים	Unspecified day at sunset כבוא השמש	1 - 7 - 14 progression, no specific time for sacrifice
What	goat / sheep: flock	animal of flock or herd	bull: herd
Why	Exodus and protection ritual for 10th plague	Exodus	purification of the Temple

As can be seen from this table, the Ezekiel version has only superficial

resemblances to the *Pesach* of the Pentateuch; without the verse that specifically

designates this as the *Pesach*, one might not think that the ritual described therein was

Pesach. Upon closer examination, it would seem that this verse is inserted into the

passage and is not original to it.   When we read this passage without verse 21, a

different picture develops.

English	Hebrew
18 Thus said the Lord GOD: On the first day of the first month, you shall take a bull of the herd without blemish, and you shall cleanse the Sanctuary. 19 The priest shall take some of the blood of the sin offering and apply it to the doorposts of the Temple, to the four corners of the ledge of the altar, and to the doorposts of the gate of the inner court. 20 You shall do the same on the seventh day of the month to purge the Temple from uncleanness caused by unwitting or ignorant persons.	יח כֹּה-אָמַר אֲדֹנָי יְהוִה בָּרִאשׁוֹן בְּאֶחָד לַחֹדֶשׁ תִּקַּח פַּר-בֶּן-בָּקָר תָּמִים וְחִטֵּאתָ אֶת-הַמִּקְדָּשׁ: יט וְלָקַח הַכֹּהֵן מִדַּם הַחַטָּאת וְנָתַן אֶל-מְזוּזַת הַבַּיִת וְאֶל-אַרְבַּע פִּנּוֹת הָעֲזָרָה לַמִּזְבֵּחַ וְעַל-מְזוּזַת שַׁעַר הֶחָצֵר הַפְּנִימִית: כ וְכֵן תַּעֲשֶׂה בְּשִׁבְעָה בַחֹדֶשׁ מֵאִישׁ שֹׁגֶה וּמִפֶּתִי וְכִפַּרְתֶּם אֶת-הַבָּיִת:
21 On the fourteenth day of the first month you shall have the passover sacrifice; and during a festival of seven days unleavened bread shall be eaten.	כא בָּרִאשׁוֹן בְּאַרְבָּעָה עָשָׂר יוֹם לַחֹדֶשׁ יִהְיֶה לָכֶם הַפָּסַח חָג שְׁבֻעוֹת יָמִים מַצּוֹת יֵאָכֵל:
22 On that day, the prince shall provide a bull of sin offering on behalf of himself and of the entire population; 23 and during the seven days of the festival, he shall provide daily—for seven days—seven bulls and seven rams, without blemish, for a burnt offering to the LORD, and one goat daily for a sin offering. 24 He shall provide a meal offering of an ephah for each bull and an ephah for each ram, with a hin of oil to every ephah.	כב וְעָשָׂה הַנָּשִׂיא בַּיּוֹם הַהוּא בַּעֲדוֹ וּבְעַד כָּל-עַם הָאָרֶץ פַּר חַטָּאת: כג וְשִׁבְעַת יְמֵי-הֶחָג יַעֲשֶׂה עוֹלָה לַיהוָה שִׁבְעַת פָּרִים וְשִׁבְעַת אֵילִים תְּמִימִם לַיּוֹם שִׁבְעַת הַיָּמִים וְחַטָּאת שְׂעִיר עִזִּים לַיּוֹם: כד וּמִנְחָה אֵיפָה לַפָּר וְאֵיפָה לָאַיִל יַעֲשֶׂה וְשֶׁמֶן הִין לָאֵיפָה:

There is a stress on seven days which is maintained between the two remaining sections. Nowhere else in the Bible is there a 1 - 7 - 14 day distribution; instead there is a 1 - 10 - 14 distribution attested for the first month and the seventh month. When we look at the problematic verse in question, we can see that verse 21 has a number of internal problems as well. In the first place, there is the strange word order in הַפָּסַח חָג; one would expect חָג הַפָּסַח. There is also the strange matter of the pointing of the word שְׁבֻעוֹת. From its context, it should be שִׁבְעַת, but a scribe desiring to find all three of the festivals pointed it so that it would read as *Shavuot*, which otherwise is not mentioned in this passage (*Sukkot* being mentioned in verse 25). It is also only within this verse that

any mention of unleavened bread is made. By inserting this verse, a ritual that was similar to *Pesach* only by the smearing of blood on a door was reframed and made into *Pesach* itself.[39]

Even if we leave the questionable verse in place, however, we are left with some problems. The first is the involvement of *Pesach* with the exodus. The Exodus version indicates that *Pesach* is not only in memory of the exodus, but specifically as a protection from the plague of the first-born. In Deuteronomy, *Pesach* is only in memory of the exodus; if the Deuteronomy author was aware of plague traditions he suppressed them. In Ezekiel, there is no connection to the exodus from Egypt. This festival in the Pentateuch is made to reflect this essential element of Israelite mythology. Ezekiel is invested in elements of the exodus mythology, but he is not concerned with making all of Israelite religion reflect it.

The greater concern of Ezekiel is rather the impurity which has polluted Israelite worship, in this context specifically the impurity of the prince. By involving the prince directly within this purification ritual, Ezekiel is able to control the danger that the prince represents to the religious system. Neither Deuteronomy nor Exodus are concerned with the actions of the prince. Deuteronomy's main concern in his telling of *Pesach* is centralization of worship at the Temple.[40] Three times in the eight verses the restriction of the sacrifice to the Temple is mentioned. Exodus, on the other hand, is in no way

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39. Zimmerli, *Ezekiel 2*, pp. 480 - 486 for the textual issues. His conclusion differ from ours.
40. Levinson, *Deuteronomy and the Hermeneutics of Legal Innovation*, p. 62.

concerned either with the prince or with centralization. The driving motivation for the Exodus portrayal is demonstrating that *Pesach* has significance within the context of the exodus story. This goal is accomplished by making the *Pesach* a response to the Plague of the First-born; the ritual, however, could not have functioned as described in that context.[41] In each of these contexts, the writers are working through stressors that function for themselves but not for the others and are using an established category within Israelite religion to resolve the problems. If we accept that the Ezekiel *Pesach* verse is a later addition, then we are faced with a situation in which Ezekiel is unaware of *Pesach*, and a later hand who is familiar at least with the combination of *Pesach* and *Matzot* has tried to bring him in line with the rest of Israelite tradition.

The implication carried in both of these alternatives is the lateness of the Pentateuch's framing of *Pesach*. If before Ezekiel wrote the Pentateuch had already accomplished the framing of *Pesach* into the mythology of exodus which is so central to Israelite religion , how could he have ignored it? He either did not know it or did not consider it normative. Further, he is describing rituals with surface similarities to *Pesach* as described in Exodus but which are unattested in any other extant document. If we believe his self description as a priest and account to him some knowledge of priestly practice in his day, the disagreement between Pentateuch and Ezekiel is problematic regardless of when "his day" is assumed to be.

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41. One problem among many is the requirement of watching the animal from the tenth day. Since this command was given on the fourteenth day, the ritual is already violated before it could begin.

In conclusion, we have seen how exceptional Ezekiel is when it comes to law. Although the scope of law that he gives is very restricted, he is breaking with the paradigm set by the other literary prophets by communicating any law at all. The kind of law that Ezekiel gives, *torot*, is in line with Leviticus, but very different from Deuteronomy. However, by looking at *Shabbat* and *Pesach*, we can see that Ezekiel is out of step with Leviticus as well. His understanding of *Shabbat* is divorced from the other time festivals and instead imbued with ideology related to the covenant of the exodus narrative. Further, his concept of the Spring Festival is completely at odds with *Pesach* as it develops. So, from the point of view of Law, Ezekiel is a book that participates in the general repertoire of the rituals of Leviticus, but at the same time violates the norms of that repertoire.

Chapter Three - Narrative

In this chapter, we will be addressing a selection of the narrative elements that are found in common between Ezekiel and the Pentateuch. Obviously, there are many narrative elements that find no commonality between these texts; they are telling different stories, and the parts of the story that directly affect the immediate context would not be found in both narratives. The elements that would be found in both attest to commonalities in the cultural milieu in which both texts were composed. There are three categories of commonalities that we will examine. The first are instances in which there is a brief reference in one text which is more fully developed in the other text. We will examine two examples in this category: the use of Gog of the land of Magog and the use of the Garden of Eden. The second category is a narrative theme which occurs in non-contiguous sections that can be compiled to create an understanding of the writers' points of view on a particular topic. Our example in this case will be ownership of the Land. The third category is contiguous narrative. In this case, our example is the exodus from Egypt. Through an analysis of these narrative elements we will see that the writers of these texts were driven by some of the same stressors, but they created narrative solutions that differed but were none the less built out of narrative units that were selected from a common cultural heritage.

Category One: Brief Reference to Developed Narrative

Our first example in this category is Magog. In Genesis 10:2, we find the name

of Magog: בְּנֵי יֶפֶת גֹּמֶר וּמָגוֹג וּמָדַי וְיָוָן וְתֻבָל וּמֶשֶׁךְ וְתִירָס "The descendants of Japheth:

Gomer, Magog, Madai, Javan, Tubal, Meshech, and Tiras." These names, and those

listed in the following verses which indicate the sons of Gomer and Javan, are examples

of the Pentateuch's penchant for associating geographic areas with the name of an

ancestor, and the identifiable locations of the descendants of Japheth are all to the north

of the land of Israel. Magog is not one for which we have a location, but since the

geographical distribution is otherwise consistent, we are safe in assuming that Magog lies

somewhere to the north.[42] This is the only mention of Magog in the Pentateuch.

In Ezekiel, there are two chapters of prophecy against Gog of the land of Magog:

chapters 38 and 39. These prophecies tell the story of a battle that takes on cosmic

dimensions when Gog and his hordes enter the land of Israel. At that time God's anger

will be displayed and,

> וְרָעֲשׁוּ מִפָּנַי דְּגֵי הַיָּם וְעוֹף הַשָּׁמַיִם וְחַיַּת הַשָּׂדֶה וְכָל-הָרֶמֶשׂ הָרֹמֵשׂ
> עַל-הָאֲדָמָה וְכֹל הָאָדָם אֲשֶׁר עַל-פְּנֵי הָאֲדָמָה וְנֶהֶרְסוּ הֶהָרִים וְנָפְלוּ
> הַמַּדְרֵגוֹת וְכָל-חוֹמָה לָאָרֶץ תִּפּוֹל
> "The fish of the sea, the birds of the sky, the beasts of the field, all
> creeping things that move on the ground, and every human being
> on earth shall quake before Me. Mountains shall be overthrown,
> cliffs shall topple, and every wall shall crumble to the ground."
> (Ezek. 38:20)

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42.   C.f. Zimmerli, *Ezekiel 2*, pp 300 - 302 for speculations as to the location of Magog and the identity
      of Gog.

Zimmerli presents the argument that these prophecies are the combination of Jeremiah's prophecies concerning a foe from the north and Isaiah's prophecies concerning the destruction of a foe on the mountains of Israel.[43] Ezekiel, in contrast to Jeremiah, has given the identity of the foe. That he is from the north is explicitly stated, and further he is assoicated with the other nations that are listed in Genesis 10:2-3. He is the "chief prince of Meshech and Tubal" (38:2) and "Gomer and all its cohorts, Beth-Togarmah [in] the remotest parts of the north"(38:6) accompany Gog in his expedition. It is difficult to identify a connection between these texts, but what we can say is that Ezekiel has taken an element of old mythology about the northern nations and imbued it with symbolic imagery.

Our second example has a little more yield in the comparison between our texts, and that is the Garden of Eden (Gen. 2-3). Ezekiel refers to the Garden in chapters 28, 31, and 36.[44] In chapter 36, YHWH is describing how and why He will restore Israel to its land. In the process, the contrast is made between the land which is currently a desolation and its restored state after the people have been cleansed. Verse 36:35 depicts an expression that people will say, וְאָמְרוּ הָאָרֶץ הַלֵּזוּ הַנְּשַׁמָּה הָיְתָה כְּגַן-עֵדֶן וְהֶעָרִים הַחֲרֵבוֹת וְהַנְשַׁמּוֹת וְהַנֶּהֱרָסוֹת בְּצוּרוֹת יָשָׁבוּ "And men shall say, 'That land, once desolate, has become like the garden of Eden; and the cities, once ruined, desolate, and ravaged, are now populated and fortified.'" In this instance, no explanation of Eden is given; there

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43. *Ibid*, pp 299-300.
44. Outside of Genesis and Ezekiel, the Garden of Eden, also called the Garden of God or of YHWH is only found in Isaiah 51:3 and Joel 2:3.

is no explication that will put Eden into context other than the situation of the restored land. Therefore, we can infer that Eden was a category that the writer of Ezekiel expected his audience to be familiar with. We can infer from the context also that Eden was a place that was well tended and produced abundance. The theme of the expulsion can be detected in this chapter, but it is reversed somewhat. Instead of people being expelled from a garden and then the land outside the garden being cursed, here we have a cursed land becoming the garden and the people are restored to it. Further, in the verse, the parallel to the Garden of Eden is "populated and fortified." A developed Eden is at odds with the vision of Eden in Genesis. So the comparison is fuzzy. Clearly, Ezekiel expected to be understood by his audience, and he used an image of a garden which involves an expulsion. We cannot, however, indicate if it is the story of Genesis to which he is referring or some other Garden of Eden myth, nor is there enough material here to include some ideology behind the use of Eden.

Returning to the first use by Ezekiel of Eden, we find in chapter 28 the King of Tyre being compared to a perfect being in the garden of Eden. There are a number of elements in this chapter that resonate with Genesis 2-3. Eden is called the garden of God, it is associated with creation through the use of the verb ברא in verses 13 and 15, there is a cherub who performs a shielding action, and because of a sin the being is cast out of Eden. There is an overlap between their uses of Eden.

The discordant elements between the this chapter and Genesis are dramatic, however. The first is the adorning of the being with nine named stones. More striking is

the presence of God's holy mountain. Further this story is associated with a king and not with the first human, and the Genesis story of the garden does not include a perfect being. The perfect being is found in Genesis 1 which has no garden. Also, the sin of this being is commercial and not sexual in nature. Verse 16 reads in part, בְּרֹב רְכֻלָּתְךָ מָלוּ תוֹכְךָ חָמָס וַתֶּחֱטָא וָאֲחַלֶּלְךָ מֵהַר אֱלֹהִים " By your far-flung commerce You were filled with lawlessness And you sinned. So I have struck you down From the mountain of God." Even the figure of the cherub is the cause of some dispute. Because of a difficulty in the text, it is unclear if the angel accompanies the being or if he is the being.[45] From these differences, we are lead to wonder what the relationship between these texts is.

Van Seters, in his effort to present the J author as a late source, argues that the Genesis account is derived from the Ezekiel account, which in turn is a combination of several Ancient Near Eastern myths.[46] He argues that the scenario of a created being put into a paradise and then expelled from that paradise is the creation of Ezekiel; he can find no text from the Ancient Near East which also contains this scenario. J then, according to van Seters, transforms Ezekiel's account by turning the king into the first man, the adornment of precious stones into the clothes that the deity provides them after the expulsion, and excising the reference to the holy mountain.

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45. The verse reads אַתְּ-כְּרוּב מִמְשַׁח הַסּוֹכֵךְ which associates a female pronoun with a male noun. One solution for this problem is to read אַתְּ as אֶת 'with.' Zimmerli follows the Septuagint and the Syriac by reading the angel as a separate being, but Greenberg makes a convincing argument based on Biblical parallelism for reading them as the same creature. JPS agrees with Greenberg. Zimmerli, *Ezekiel 2*, p. 85. Greenberg, *Ezekiel 21 - 37*, pp. 587 - 590.

46. van Seters, *Prologue to History*, pp. 119 - 122.

The weakness of this argument is that it could be made in reverse taking Genesis 2-3 as primary. There is very little lexical commonality between these two sections of text; Ezekiel 28 is associated with creation through the use of ברא, but it is not a cosmogony. There are no rhetorical or literary structures that the two share. Furthermore, Ezekiel 28 makes the assumption that the audience knows what Eden is; there is no need for explanation. Therefore, there must be something in the cultural context that Ezekiel is relying on. The Genesis account does not make the same assumption; it fully explains what Eden is and gives a description of its environs. This situation by no means necessitates the Genesis passages to precede the Ezekiel passage, but it makes van Seters argument that there is no text that they both point two questionable.

Another connection that critics look for is between the series of stones and the breastplate of Aaron. Greenberg, seconded by an editorial addition to his text by David Noel Freedman, assert that Ezekiel is connecting the High Priesthood to creation by putting these elements together.[47] They are not able, however, to provide a reason that the list is in a different order and missing three stones. Their argument is that dressing the High Priest in Exodus with this kind of vestment is an example of giving the attributes of the king to the priest, but if that step had already been taken and Ezekiel accepted it to the point that he would make the linkage they are claiming, why would he return these symbols to the king? Such an action would undermine the intent that

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47.   Thereby reversing the priority asserted by van Seters. Greenberg, *Ezekiel 2*, pp. 581 - 583.

Greenberg and Freedman are attributing to Ezekiel. Further, Ezekiel is invested in kingship; he does not envision an Israel without a king, as can be seen in chapters 34, 37, and 44 - 48.

An understanding of Ezekiel's intent can be brought into focus when we identify the ideology behind this prophecy. As was pointed out by van Seters, one of the large differences between this prophecy and Genesis 2 - 3 is the person at the center of attention. In Genesis, the problem that the author is explaining is the condition of humankind; the focus is on a kind of everyman because he is the first man. In Ezekiel, the focus is on the king, and the problem that he is explaining is the fall of the great; how could someone so great and powerful lose everything? When we bring the setting of God's Holy Mountain and the accusation that the king desecrated sanctuaries (verse 18), we can see that this prophecy is not directed at the king of Tyre, or even kings in general, but rather at the kings of Israel. The Temple Vision makes clear that the location of the king's palace on the Temple Mount was a source of pollution, and the future Temple would avoid such proximity. What would be the point of directing this prophecy at the king of Tyre? He would never have the opportunity to hear it, but the exiled community of Israel can understand their situation and that of their exiled king from this prophecy.

What is now missing is an understanding of the relationship between these two passages. Unfortunately, we cannot yet make such an assessment because the situation is more complex; there is another passage in which Ezekiel refers to Eden. Chapter 31

likens Pharaoh to Assyria who is described as a great cedar, overwhelming in its height.[48]

Because the tree is so great, וַיְקַנְאֻהוּ כָּל-עֲצֵי-עֵדֶן אֲשֶׁר בְּגַן הָאֱלֹהִים "And all the trees of

Eden which are in the garden of God envied it." (Ezekiel 31:9, my translation) However,

the tree becomes haughty and it is destroyed and thrown down into the underworld. The

trees of Eden are also brought down into the underworld where they are consoled at the

fall of the great cedar. Here we have another telling of a fall from greatness, and like the

Genesis 2-3 story, a tree figures prominently. This tree, however, is not the Tree of

Knowledge of Good and Evil. This tree is not even in the garden itself. There is much

greater lexical density between this chapter and Genesis than there was between Ezekiel

28 and Genesis (תהום "the deep," עוף השמיים "birds of the sky," חיית השדה "beasts of

the field") but there is no thematic connection to creation. Instead, this chapter is rooted

in the story of the fall of Assyria, and it violates the understanding of the Eden myth that

is asserted in Genesis by making the trees of Eden represent the different nations in the

Ancient Near East who will each in their turn descent to the lowest reaches of the

underworld.

When we take all three of these examples of Eden from Ezekiel together, we can

see that he is playing with a cultural image with which he expects his audience to be

familiar. In each instance that Eden is invoked, the passage involves a fall from greatness

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48. There is some confusion created by tree's double reference to both Assyria and to Pharaoh. There are those who suggest that instead of אשור, the text originally read תאשור "cypress." We will follow the traditional reading which makes an object lesson of the fall of Assyria. For a fuller discussion, c.f. Greenberg, *Ezekiel 21 - 37*, pp. 636 - 637.

/ perfection occasioned by a sin.[49] One chapter refers to a being in Eden, another refers to the trees of Eden, but it is clear that neither of these is referring to Genesis 2 - 3. The lexical commonalities are sparse, there is little thematic unity, the ideological function varies, there are no rhetorical structures held in common between the two. It is therefore very unlikely that either the author of Genesis was reading Ezekiel or that Ezekiel was reading Genesis when each composed their respective text. Instead we can conclude that they were relying on shared cultural idea of a perfect place called Eden, which is the garden of God, from which there is a fall due to sin. We might speculate that there was some text that told its story that they both relied on. that text, however, if it existed, is no longer extant.

Narrative Theme: Ownership of the Land

This category consists of those narrative elements, such as a theme, that are not found in contiguous narratives, but rather are dispersed throughout the entire text. By looking at the different ways in which a theme is presented, the use to which the theme is put can be identified. Our example for this category is ownership of the land.

Both the Pentateuch and the book of Ezekiel are extremely concerned with possession of the land. While in of itself, this concern hardly makes them unique in the

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49. Chapter 36 inverts this motif by presenting the fall due to sin and then the restoration. Eden is only invoked once the restoration occurs.

corpus of Biblical literature; much of the literature shows a concern with the land.

However, most of the Pentateuch and Ezekiel are specifically set outside of the land.

With the exception of Genesis 12 - 28 (minus part of 24) and 33 - 38, the entire

Pentateuch is set outside of the land. Ezekiel begins by noting that he is among the exiles

at the Chebar Chanel and remains outside of the land except when he is transported to the

land by a male figure who appeared to him and וַיִּשְׁלַח תַּבְנִית יָד וַיִּקָּחֵנִי בְּצִיצִת רֹאשִׁי

וַתִּשָּׂא אֹתִי רוּחַ בֵּין־הָאָרֶץ וּבֵין־הַשָּׁמַיִם וַתָּבֵא אֹתִי יְרוּשָׁלַ מָה בְּמַרְאוֹת אֱלֹהִים אֶל־פֶּתַח שַׁעַר

הַפְּנִימִית "stretched out the form of a hand, and took me by the hair of my head. A spirit

lifted me up between heaven and earth and brought me in visions of God to Jerusalem, to

the entrance of the Penimith Gate."(8:3)[50] While it is true that parts of the Pentateuch

show evidence of having been composed in the land and there are critics that believe

much of Ezekiel was written in the land, it is none the less framed in a narrative that

places the characters outside of the land.[51]

Despite the concern that they both share, they take different attitudes about the

owners of the land in the past. Ezekiel is uninterested in the idea that the land at one time

belonged to another group. For him, it is ארץ ישראל "the Land of Israel" and always has

been. At one point, he indicates that Israel came forth within the land itself. He writes,

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50. Ezekiel is so transported in chapter 8, 11, and 40. This method of transportation is unattested in the rest of the Bible. There is similarity between this and Elijah's ascent to heaven, but here terrestrial transport is accomplished.

51. An example of the Pentateuch's in-land perspective can be seen in the first verse of Deuteronomy: אֵלֶּה הַדְּבָרִים אֲשֶׁר דִּבֶּר מֹשֶׁה אֶל־כָּל־יִשְׂרָאֵל בְּעֵבֶר הַיַּרְדֵּן "These are the words that Moses addressed to all Israel on the other side of the Jordan." Clearly the speaker sees himself on the west side of the Jordan. For a discussion of the different scholars who place the authorship of Ezekiel in the land, c.f. Zimmerli, *Ezekiel 1*, pp. 5-8.

וְאָמַרְתָּ כֹּה-אָמַר אֲדֹנָי יְהוִה לִירוּשָׁלַם מְכֹרֹתַיִךְ וּמֹלְדֹתַיִךְ מֵאֶרֶץ הַכְּנַעֲנִי אָבִיךְ הָאֱמֹרִי וְאִמֵּךְ

חִתִּית "and say: Thus said the Lord YHWH to Jerusalem: By origin and birth you are

from the land of the Canaanites—your father was an Amorite and your mother a Hittite."

(16:3) Even though the phrase 'land of the Canaanites' is used, Israel is not separate

from these entities; rather it came out of them. When he does tell the story of the exodus

(see below), he ignores the actual process of entering the land which would involve some

kind of conquest. Showing a conquest narrative would be contrary to his intent in that

passage as it would be in every passage; the land is and has been Israel's.

Such is not the case with the Pentateuch. When Abraham enters the land for the

first time, we are told that הַכְּנַעֲנִי אָז בָּאָרֶץ "The Canaanites were still in the land." (Gen

12:6) When the land is described, it is frequently depicted as being inhabited by a group

of nations.[52] It is ארץ כנען "the Land of Canaan." Abraham is never portrayed as owning

the land; when he wants to bury his wife the narrator recounts an extensive haggling

process for the purchase of a burial plot. (Genesis 23) Further, after the exodus, the

Israelites send in spies to view the land, and those spies return with tales of the gigantic

stature of those dwelling there. (Numbers 13) It is clear that something will have to be

done to these inhabitants who currently occupy the land; the Pentateuch's solution is

military conquest, although such conquest is only accomplished for the east side of the

Jordan in the Pentateuch itself. The rest of the land is conquered in Joshua.

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52. The secondary nature of the list of these groups is most obvious in Genesis 15:18. There the list of nations does not participate in a complete thought and has clearly been appended to a chapter that shows much evidence of editing.