

**Biblical Law Section**  
**Abstracts for 2008 Session on Priestly Law**

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*Where There Is Dirt, Is There System?: Revisiting Biblical Purity Constructions*

This paper will address two interrelated topics concerning biblical and Israelite purity constructions. 1. It will critique the tendency exhibited by virtually all of those who have written on these concepts to systematize, synchronize, and homogenize biblical purity constructions, rather than recognizing the multiplicity of ideas that one finds in different biblical texts. 2. It will suggest that the overall concept of impurity, not only in ancient Israel but elsewhere, is closer to ideas of hygiene than many anthropologists and many biblical scholars have posited. Mary Douglas famously wrote: “Where there is dirt, there is system.” Her attempt to uncover the system of thought behind Israelite dietary laws, and behind purity ideas the word over, has of course been incredibly influential. I will argue that virtually all biblical scholars who have written on Israelite purity ideas since the publication of *Purity and Danger* have followed Douglas’s lead in attempting to find the system behind Israel’s purity laws. This is the case even in recent works by Jonathan Klawans and Christine Hayes, both of whom, despite their delineation of two or more categories of impurity, have glossed over the differences between biblical texts in order neatly to frame the categories they posit. Klawans, for instance, brackets the dietary laws out of his discussion because of his inability to fit them into either of his categories of ritual or moral impurity. Both he and Christine Hayes ignore or explain away the impurity language in Nehemiah 13 because it, too, does not easily fit into the categories they have put forth. My paper will argue that these tendencies towards systematization are misguided and lead us away from rather than towards a fuller understanding of what different Israelites in different times and places agreed upon regarding defilement. Furthermore, the paper will question whether or not anthropologists and others have let go too easily of the idea of a materialist basis for impurity concepts. While there is no question that the earlier proposals for a materialist basis were often extremely simplistic and displayed a Eurocentric bias, there is reason to believe that materialist (i.e., hygiene-based) and non-materialist concerns are interwoven in the purity ideas of not only the ancient Israelites, but many groups throughout the world.

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*Sexual Pollution in the Hebrew Bible: A New Perspective*

The subject of purity and pollution in biblical Israel has been widely studied, and numerous schemata have been proposed for understanding the biblical purity “system.” However, none of these studies has closely examined the theme of sexual pollution, nor has any proposed schema fully accounted for its attributes. I will argue that sexual pollution, while it shares a basic conceptual framework with ritual pollution, is a concept unto itself with its own distinct characteristics, and that scholars who have subsumed it under a broader category of “moral,” “spiritual,” “metaphorical,” or “prohibited” pollution have generally failed to fully appreciate its

character. An analysis of the biblical texts in which pollution terminology is used to describe sexual unions indicates that in biblical Israel, any sexual union that departed from the ideal of lifelong marital fidelity of a female to a male was considered polluting, regardless of its legality. Sexual pollution was generally understood as a condition that affected females alone. The Holiness legislation (H) expands the concept dramatically, applying it to males as well as females, using it to describe a wide variety of sexual relationships, and linking the idea of sexual purity to the theological narrative of Israel's conquest and retention of its land. The significance of these expansions has not been fully appreciated because of a failure to discern the parameters of sexual pollution in the rest of the Bible.

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*Women in the Priestly Laws: A Reassessment*

Mayer Gruber's 1987 article, "Women in the Cult According to the Priestly Code," is often touted as the authoritative work on women in P's legal material, and in the twenty years since its appearance, no major challenge to his claims has been mounted. Gruber's argument that P treats women in an even-handed fashion, offering them ample opportunities for cultic participation, is also seen as bolstering Phyllis Tribble's claim that P's creation account depicts men and women as equals and thus that the Priestly material reflects women's relatively high social status. Judith Romney Wegner has begun to pick away at this consensus in her article "Coming Before the Lord: The Exclusion of Women from the Public Domain of the Israelite Priestly Cult," but more attention needs to be paid to this neglected topic. A detailed look at the Priestly laws shows that Gruber's overly-optimistic view of P's attitude toward women is belied by the evidence. While women are equally culpable with men in matters of cultic impurity, P in no way depicts a cult in which women may even begin to approach the level of cultic participation of men. This assessment of P's limited cultic role for women is bolstered by the narrative material, where women are involved only insofar as they enhance the role of men in the narrative.

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*Revisiting the "Monasticism" of the Community Rule: Sociological and Scriptural Models for the Common Life of the Yahad*

The idea that members of the yahad governed by the Community Rule were celibate men who lived an ascetic, cenobitic monastic life has recently come under attack by scholars who point out that cenobitic monasticism does not appear in the historical record until the emergence of Christian Syriac and Egyptian communities in the fourth century CE. While the argument is a radical departure from mainstream views, it raises important points. What do we mean when we talk about the yahad as a "monastic" or "cenobitic" community? How useful are models of later Christian monasticism for our understanding of the yahad? Is it historically implausible to imagine that a group of sectarian Jewish men separated themselves en masse from mainstream Jewish society, established spatially separate living quarters, and subjected themselves to the rigors of celibacy and a regimented lifestyle, when we find no evidence for similar voluntary

associations, Jewish or otherwise, engaging in similar activities in the several centuries on either side of the Covenanters' floruit? In this paper, which elaborates on the findings of my forthcoming monograph in the STDJ series, I argue that while historical precedents for a celibate, ascetic, highly regimented communal life among voluntary associations are missing, revisionist scholars are mistaken in their fundamental assumptions about how the formation of voluntary associations in antiquity occurred: associations did not develop their organization and rules through the "influence" of one association upon another. Rather, as modern sociological models of associational formation predict, associations draw upon the organization, protocol, and law in the various spheres of the state. The most basic forms and ideals of military organization offer compelling analogies to the "monasticism" of the yahad: in Jewish, Greek, and Roman military encampments we find all-male communities that were spatially separate from the rest of the population, ideally celibate, subject to rigorous discipline and a system of authority, and "communitarian" in their property, meals, and daily cultic practices. If the general analogies between the yahad and contemporary military practice are intriguing, militaristic language in the Rule Scrolls should provide convincing evidence that the Covenanters drew a great deal of inspiration from the military sphere of the state as they developed their particular form of "monasticism." Finally, in addition to the contemporary practices of armies in the Hellenistic-Roman era, the yahad seems to have drawn upon the laws of the war camp in Deuteronomy to explain and justify their particular way of life. Ultimately the term "monasticism" remains satisfactory as a description of the yahad's way of life, but our understanding of its particular form and origins may be improved through careful attention to the models of associational formation through which we understand the sect.