

Priestly Purity and Social Organisation in Persian Period Judah*

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As can be deduced from the title, the present author assumes that there is a connection and, probably, a mutual interdependence between concepts of priestly purity and the actual social organisation of Achaemenid Judah. We shall address that point in a moment. First of all, however, I shall have to define what I mean by priestly purity. The term is here used to denote the concept – or rather: concepts – of purity that informed the post-exilic Judaeen priesthood and determined its actions and that can be grasped in writings such as the book of Ezekiel, the Priestly Document, the Deuteronomistic History and, of course, the books of Ezra-Nehemiah and of Chronicles. I shall try to gain insights into these concepts of purity, especially into that of P. I shall then try to relate them to the social reality of Achaemenid Judah. My lead question will be: what kind of interaction, if any, was there between the order imposed by priestly purity rules and the order of society in general? What was the relation between purity, holiness and the cult, and how did it affect the way society worked?

In her classic, *Purity and Danger*,¹ M. Douglas summarizes the results of her discussion of Lev. 11:2-32, 41-42 and Deut. 14:3-20 by stating that „holiness is exemplified by completeness. Holiness requires that individuals shall conform to the class to which they belong. And holiness requires that different classes of things shall not be confused.“² Holiness is concerned with order, and purity is a means towards holiness. Purity thus upholds holy order, not just among classes of things, but also among classes of people. By the same token, purity provides security. It is easy to see, therefore, that purity can be of prime importance to a whole society. Also, the concept of purity upheld by one segment of society necessarily affects other segments of that society. Inasmuch as the view of purity defines the membership of a given group, it precludes others from that membership. The enforcement of such borders between groups, however, is considered, at least by some of the groups concerned, as necessary and useful.³

In this paper, we shall have to be very careful to differentiate between *concepts* of priestly purity and of society in Achaemenid Judah and the social and political *reality* during that period. The Priestly Document and the Holiness Code, to name just two examples, paint the picture of an elaborately structured, hierarchical Israel with precise lines of demarcation between basically three strata of society, i.e. the priests (with the High Priest at their head), the Levites and the Israelites. However, the Israel painted by the

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¹ M. DOUGLAS, *Purity and Danger: An Analysis of Concepts of Pollution and Taboo*, London 1966 (repr. London 2002).

² M. DOUGLAS, *Purity*, 67.

³ On establishing status and hierarchy in the priesthood, cf. S. M. OLYAN, *Rites and Rank: Hierarchy in Biblical Representations of Cult*, Princeton 2000.

Priestly Writing only vaguely reflects the pattern of Judaeen society in the Persian period. Rather, it is a *conservative utopia* that propagates a concept of order – holy order, indeed – that was presumably shared only by a minority of Judaeans at the time. The same holds true for the concepts of priesthood and the functions of the Levites and the Israelites put forward in the Holiness Code, Ezek. 40-48 and other such texts. P. P. Jenson describes the conservative utopia of P rather appropriately when he says that „[a]ccording to the Priestly world-view, Israel’s social order demonstrated a harmonious and closely related hierarchy of groups, each of which took on particular roles in relation to the cult. Priests, Levites and members of the tribes played roles corresponding to their distance from the sanctuary and their status. The priests were consecrated . . . and had responsibilities in the sanctuary, while the Levites were appointed to guard it Within these groups there is further grading and differentiation, so that the high priest was superior to his sons . . . , the Kohathites to the other two Levitical clans . . . , and Judah to the other tribes . . .“⁴

This, of course, was too ‚harmonious‘ to be quite true. Why this was so, we shall see soon. Let us just note here in passing that the Priestly Document’s way of establishing order through the imposition of purity rules was applied not just to its vision of society – with the ensuing stratification of that society along the lines of purity and holiness –, but also with regard to the sanctuary and the ritual, and, indeed, the concept of time. P thus established what Jenson aptly calls a „holiness spectrum“⁵ that encompasses social as well as ritual and cosmic order. None of the three can be analyzed independently of the others. From the point of view of P, the life of society is structured according to the relation the social groups constituting that society have *vis-à-vis* the cult.

So much for the moment with regard to the utopia propagated by P. What, then, do we know about the social and political reality of Judah in the Persian period?

It was the Persian-appointed פָּחָה who held the ultimate position of power in the province. However, he was not at the head of a Judaeen administrative hierarchy. Rather, he should be thought of as an „overseer“ who kept an eye on the internal self-administration of the province.⁶ If no serious trouble was at hand, he would not interfere with the province’s internal politics. This seems to be the reason for the dearth of information about these functionaries in the Bible. The Judaeans properly took notice of them only in times of crisis. Thus, an important governor like Bagohi is practically absent from the Hebrew Bible (but cf. Ezr. 2:14, 8:14 and Neh. 7:7, 18), whereas Nehemiah is given a vast amount of coverage.

The high priest, ranking next to the פָּחָה, was the second most important man in Achaemenid Judah.⁷ This becomes obvious from Haggai 1:1 where Zerubbabel ben Shealtiel, the פָּחָה, and Joshua ben Jehozadak, the כֹּהֵן גִּדְלוֹ, are mentioned. The high priest

⁴ P. P. JENSON, *Graded Holiness: A Key to the Priestly Conception of the World* (JSOTS 106), Sheffield 1991, 147.

⁵ P. P. JENSON, *Holiness*, 56-88.

⁶ Cf. J. SCHAPER, „Numismatik, Epigraphik, alttestamentliche Exegese und die Frage nach der politischen Verfassung des achämenidischen Juda“, in: *Zeitschrift des Deutschen Palästina-Vereins* 118 (2002), (150-168) 155-159.

⁷ Cf. J. SCHAPER, „Numismatik“, 160-165.

was the head of the college of priests, not just a *primus inter pares* but rather a superior to his colleagues. The temple personnel consisted of the high priest, the priests, the Levites and subordinate officials.

Another important institution of public life was the council of elders, or, in Nehemiah's terminology, the *חריים* (cf., for example, Neh. 2:16). They are also called *ראשי האבות* (cf. Ezr. 2:68). In Aramaic texts, they are designated as *שבי יהודיא* (Ezr. 5:5, 9; 6:7, 8, 14).⁸

In AP 30:18-19 we find the phrases *כהניא זי בירושלם יהונן כהנא רבא וכנחה* and *אוסתן אחזה זי ענני וחרי יהודיא* that also denote these institutions.⁹

The Jewish polity was organised along the lines of the *אבות* בית, and the heads of these *בתי אבות* (those of the laymen as well as those of the priests) congregated in the council of elders as well as in the college of priests.¹⁰ It becomes obvious from Neh. 12:23-24 and Neh. 11:13, 12:12, 22 that Levites and priests, too, were organised in *בתי אבות* (also cf. Ezr. 2:36-39, 40, 61-62; Neh. 7:39-42, 43, 61-63). It is difficult to tell whether Levites and other non-priestly temple personnel belonged to the college of priests.¹¹ I think it rather unlikely since it was only under Nehemiah that Levites were admitted to the committee responsible for overseeing the temple treasury.¹² In any case, the college of priests was subordinate to the High Priest, as is clear from AP 30:18 where „the High Priest and his colleagues, the priests“ are mentioned.

It is obvious what range of possibilities the new office of High Priest carried in the early post-exilic period.¹³ The High Priest controlled and influenced the decisions of one of the three most important institutions in Achaemenid Judah, i.e. those of the college of priests. The other two were the governor and the council of elders. We can safely assume that all three institutions were in constant communication which does not mean, however, that measures taken by the governor had to be agreed with the college of priests and the council

⁸ Cf. R. ALBERTZ, *Religionsgeschichte Israels in alttestamentlicher Zeit* (GAT 8), 473.

⁹ Cf. A. E. COWLEY, *Aramaic Papyri of the Fifth Century B.C.*, Oxford 1923, 108-119 (especially 112) and B. PORTEN and A. YARDENI, *Textbook of Aramaic Documents from Ancient Egypt: Newly Copied, Edited and Translated into Hebrew and English, I: Letters. Appendix: Aramaic Letters from the Bible* (The Hebrew University Department of the History of the Jewish People Texts and Studies for Students), Jerusalem 1986, 68-71 (especially 68).

¹⁰ Cf. J. WEINBERG, „Das *Bēit 'Abōt* im 6.-4. Jh. v.u.Z.“, in: *Vetus Testamentum* 23 (1973), (400-414) *passim*. The *אבות* בית is comparable with agnatic groups in ancient Iran; a *בית אבות* was bigger than a family (cf. *ibid.*, 405). Concerning the lay people's *בתי אבות*, Weinberg concludes that the majority of them had pre-exilic roots and thus had genetic ties with the Judaeian population of the first half of the first millennium B.C. (*ibid.*, 412). Also, he states: „Das „*bēit 'abōt* der achämenidischen Zeit befindet sich in genetischem Zusammenhang mit der *mišpāhā* oder *bēit 'ab* der vorexilischen Gesellschaft. Nur darf dieser Zusammenhang nicht vereinfacht und das *bēit 'abōt* als geradlinige Weiterentwicklung der vorexilischen Institutionen betrachtet werden, denn dazwischen liegt die Vernichtung des jüdischen Staates, die wiederholten Deportationen, die hauptsächlich den südlichen Teil Judas betrafen.“

¹¹ Cf. R. ALBERTZ, *Religionsgeschichte*, 473.

¹² Cf. J. SCHAPER, „The Temple Treasury Committee“, in: *Vetus Testamentum* 47 (1997), 200-206.

¹³ Cf. J. SCHAPER, „Hohepriester. I. Im Alten Testament“, in: *Religion in Geschichte und Gegenwart*⁴, vol. III, Tübingen 2000, col. 1835-6.

of elders¹⁴ – although it is likely that governors consulted both Judaeen institutions when grave matters were at hand.¹⁵

There was yet another political institution in Persian period Judah whose influence, however, was rarely felt: the קהל („people’s gathering“; cf. Ezr. 10:1, 12, 14; Neh. 8:2; 2 Chron. 20:14; 23:2) or קהלה (Neh. 5:7). Such gatherings were called only in rare cases and had no part in the day-to-day running of the province, but they could act as a corrective¹⁶ or to confirm a decision.¹⁷

From this brief sketch of the social and political reality of Achaemenid it should have become obvious in what sense the Priestly Document, Ezek. 40-48 and the book of Chronicles provide us with *utopias* of Israel rather than mirrors of its post-exilic situation. The latter seems to be more or less accurately reflected in the book of Ezra-Nehemiah, read in conjunction with the Elephantine documents.

There is, however, a certain degree of overlap between the structure of the ideal Israel and that of Achaemenid Judaeen society. Both ideally and historically, the High Priest is the highest-ranking Judaeen and is surrounded by concentric circles of cultic personnel. Both in the priestly utopia and in Judaeen reality, there is the vast majority of those who have no official role in the cult. But there also is one significant difference: the utopian ideal paints the cult as *the* all-important institution around which the whole of Israel is gathered, with which every Israelite is aligned and to which everyone, to a greater or lesser degree, contributes. Judaeen reality, however, was a different matter. Both Nehemiah and Ezra had to deal with problems that originated from what one may call a lack of interest in correct cultic procedure on the part of both the laity and the priests, including other temple personnel.

However, such behaviour is not at the centre of attention of the present study. I am interested, rather, in the way concepts of purity – especially priestly purity – affected the society of Achaemenid Judah. A prime example is the usage of the term ברל in certain parts of the Hebrew Bible and the insight it provides into the relation between concepts and actions during that period. As C. E. Carter has pointed out, the term has three major meanings in its different contexts.

The first usage confers the notion „to designate or separate for a specific purpose“, such as military service (1 Chron. 12.9), or the cities of refuge (Deut. 4.41; 19.2, 7). When applied to the cultus, this usage of the word refers to the selection of people or tribes for particular cultic duties.¹⁸ In this way, the Levites are „separated“ from Israel in Num. 8:14. This usage is found right across the board; cf. Num. 8:14; Deut. 4:41, 10:8, 19:2,7; 1 Chron. 12:9, 23:13, 25:1.

¹⁴ Cf. K. GALLING, *Studien zur Geschichte Israels im persischen Zeitalter*, Tübingen 1964, 163.

¹⁵ Cf. GALLINGS remarks (ID., *Studien*, 163) concerning the requested directed at Bagohi by the Jews of Elephantine.

¹⁶ Attendants were able to use the opportunity to protest against a measure that was being planned, cf. Ezr. 10:15. In one case, the קהל was entirely devoted to protest (Neh. 5:7).

¹⁷ Cf. the function of the קהל during the reading of the Torah (Ezr. 8,2): the occasion is used to familiarize the people with the Law and to enlist their support for its introduction (cf. Ezr. 8:9, 12).

¹⁸ C. E. CARTER, *The Emergence of Yehud in the Persian Period: A Social and Demographic Study* (JSOTS 294), Sheffield 1999, 312.

The second usage carries the idea of physical separation, as in the creation account of Gen. 1 and in the story of Israel's separation from the rebellious men around Korah, Dathan and Abiram in Num. 16:21.¹⁹ In like manner, the term is applied to the separation of the Israelites from their foreign wives and from foreign people generally in Ezr. 10:11 and Neh. 9:2; 13:3. For similar usage, cf. also Exodus 26:33, Deut. 29:20 and Ezek. 42:20.

The third usage carries the meaning „to separate or to sever“;²⁰ it serves as a cultic term used in the context of sacrifice where the treatment of sacrificial animals is concerned; cf. Lev. 1:17; 5:8.

The interesting point is that the term ברל bridges the gaps between various different strands of Old Testament literature. As we have seen, it occurs in Priestly passages as well as in Deuteronomy, Ezra-Nehemiah and Chronicles. Concerning Ezra-Nehemiah, Carter rightly points out that „[a]lthough many of the nuances of ברל discussed above are present in Ezra-Nehemiah, the idea of physical separation is most common and is developed in two ways. This separation is always from some type of uncleanness, usually related to foreigners; sometimes the emphasis is placed on the act of separation itself, while in other cases one separates oneself *from* the impurity of the nations *to* or *for* obedience to YHWH and/or the Torah.“²¹

Obviously ברל is a many-sided term. It is a remarkable feature of the uses it is put to in the Hebrew Bible that they all converge in the underlying concept of „making a distinction“²² and that it is a term which came to prominence only in the exilic and the Persian periods. The first important question we shall have to address is how exactly the term is used to bridge gaps between different aspects of Judaeen life during that period. A prime example is provided by the use of ברל in P. The tone is set by its use in the creation account of Genesis 1 to denote God's action of separating the elements and day and night; cf. Genesis 1:4, 6, 7, 14, 18. As W. H. Schmidt has demonstrated, God is here described as a God of *order* rather than a mythic *producer* of the elements.²³ Since the creation account set the tone for all that followed in P – and, later, for the whole of the Pentateuch –, *order* is right from the start associated with the deity. As B. Jacob points out in his monumental commentary on Genesis, „order equals separation“: „Nach der ersten Schöpfung von Himmel und Erde besteht Gottes Werk in Ordnung, Ordnung aber ist Scheidung.“²⁴ Whenever ברל occurs in later parts of P – and, by extension, in the Pentateuch – the reader is reminded of God's first act of separation in Gen. 1, an act constitutive of creation. The implication is that all those who engage in acts of ברל in a way partake in God's activity

¹⁹ Cf. C. E. CARTER, *Yehud*, 312.

²⁰ Cf. C. E. CARTER, *Yehud*, 312.

²¹ C. E. CARTER, *Yehud*, 312.

²² C. E. CARTER, *Yehud*, 311.

²³ W. H. SCHMIDT, *Die Schöpfungsgeschichte der Priesterschrift: Zur Überlieferungsgeschichte von Genesis 1, 1-2, 4a und 2, 4b-3, 24* (WMANT 17), Neukirchen-Vluyn 1967, 99-103, 167-169.

²⁴ B. JACOB, *Das Buch Genesis*, Berlin 1934 (repr. Stuttgart 2000), 33. Cf. *ibid.*: „Bei keinem Werke, bis auf den Menschen, fehlt das Wort Scheidung oder Artung, dieses für die organischen Wesen (Pflanzen und Tiere), jenes bei den Ordnungen für Zeit und Raum: Tag und Nacht, Himmel und Erde (Festland und Meer). Nach der ersten Schöpfung von Himmel und Erde besteht Gottes Werk in Ordnung, Ordnung aber ist Scheidung. Darin spricht sich ein priestertlich-aristokratischer Sinn für Gliederung und Schranke, Maß und Eigenart, die Abneigung gegen Vermischung und Unterschiedslosigkeit aus.“

and contribute to the *creatio continua*. Each act of ברל constitutes in its own, small way a *restitutio in integrum* of creation. It is not surprising that ברל is predominantly used with reference to *priestly* activity.

ברל is essentially a wholeheartedly positive term. In P, it often refers to acts that are constitutive of the ideal Israel, as becomes obvious from, say, Num. 8:14 and 16:9 that speak of the separation of the Levites from the Israelites by Moses and YHWH respectively (cf. Deut. 10:8; YHWH as „separator“). Furthermore, the term denotes, in P, the elevated position of certain priests; cf. Num. 16:21. This use of ברל is also reflected in Chronicles and Ezra-Nehemiah, books that are heavily influenced by the P document; cf. 1 Chron. 23:13; Ezr. 8:24 and also 1 Chron. 25:1, Ezr. 10:16. In Deut. 29:20 and Ezr. 10:8, the term refers to the exclusion of transgressors from the community.

As is obvious, and has been pointed by, among others, J. Begrich²⁵ and, following him, B. Otzen,²⁶ there is an intimate connection between the term ברל and the dichotomies between pure and impure and between holy and profane; cf. Lev. 10:10 (!); 11:44, 47; 20:25-26. For priests not to separate the holy from the profane and the pure from the impure is considered a violation of God's Torah and indeed a desecration of God himself; cf. Ezek. 22:26 and Ezek. 44:23.

To differentiate (ברל) between pure and impure, holy and profane was one of the main preoccupations of the religious élites of post-exilic Judah. To extend the concept of ברל to the separation of Israel from the nations must have seemed natural; cf. Exodus 19:6 and, following it, Ezr. 6:21, Neh. 9:2; 10:29. ברל thus assumed yet another meaning; from then on it has been intimately bound up with the concept of the election of Israel. It is further applied to divorcing foreign wives (Ezr. 9:1; 10:11) and to separating from those who are perceived as foreigners (Neh. 13:3; Isa. 56:3).

We have several instances of a concept of establishing order through separation. One could sum up all of the above by saying that the Priestly Document deals with a binary world.²⁷ pure and impure, holy and profane, priests and non-priests, Israel and the nations. It is decisive to realise that social anthropology offers a way of understanding this phenomenon. D. P. Wright adopts models of social anthropology to the understanding of, in Wright's words, the „spectrum of priestly impurity“.²⁸ Wright's study provides one central insight that is relevant to this study: the system of graded impurities imposed on the Israelites „creates“, in Wright's words, „for the society's members a ubiquitous and perpetual experience of purity and impurity. . . . Members of society might tend to categorize actions by one of the two states. Even when the system has not specifically labeled the nature of an act, the structure of thought could lead to classification“.²⁹

²⁵ J. BEGRICH, „Die priesterliche Tora“ (1936), in: ID., *Gesammelte Studien zum Alten Testament* (Theologische Bücherei 21), München 1964, 232-260, especially pp. 235-236.

²⁶ B. OTZEN, „ברל“, in: TWAT 1 (1973), col. 518-520.

²⁷ Cf. S. M. OLYAN, *Rites*, 3-5 and *passim*.

²⁸ D. P. WRIGHT, „The Spectrum of Priestly Impurity“, in: G. A. ANDERSON and S. M. OLYAN (eds.), *Priesthood and Cult in Ancient Israel* (JSOTS 125), Sheffield 1991, 150-181.

²⁹ D. P. WRIGHT, „Spectrum“, 176.

It was the aim of the Priestly Writing to inculcate in the Israelites a sense of that binary world, to make them think in terms of pairs of opposites in order to sharpen their sensibility for matters of purity. The ultimate aim was to constitute Israel as a holy people, i.e. a people in accordance with its god. As it says in Lev. 19:1: „Say to all the congregation of the people of Israel, You shall be holy; for I the LORD your God am holy.“ (RSV) As M. Douglas points out, „[t]he precepts and ceremonies alike are focussed on the idea of the holiness of God which men must create in their own lives. So this is a universe in which men prosper by conforming to holiness and perish when they deviate from it.“³⁰ Of course, no segment of life could be considered exempt from that. Lev. 20:24-26 provides a perfect example of the intertwining of the individual and the social and the divine and the human:

„But I have said to you, ,You shall inherit their land, and I will give it to you to possess, a land flowing with milk and honey.‘ I am the LORD your God, who *have separated* you from the peoples. (אֲנִי יְהוָה אֱלֹהֵיכֶם אֲשֶׁר־הִבְדַּלְתִּי אִתְּכֶם מִן־הָעַמִּים)

You shall therefore *make a distinction* (וְהִבְדַּלְתֶּם) between the clean beast and the unclean and between the unclean bird and the clean; you shall not make yourselves abominable by beast or by bird or by anything with which the ground teems, which *I have set apart* for you to hold unclean. (הָאֲדָמָה אֲשֶׁר־הִבְדַּלְתִּי לָכֶם לְטֵמָא)

You shall be holy to me; for I the LORD am holy, and *have separated* (וְאַבְדַּלְתִּי) you from the peoples, that you should be mine.“ (RSV)

This passage, although not taken from P, but from the Holiness Code, contains the quintessence of the priestly view of purity and holiness. The term *בדל* opens the door into the binary priestly world. The authors behind P tried to impose their view of the matter on the populace of Persian period Judah but, as we deduced earlier from Ezra-Nehemiah and the Elephantine papyri, never really succeeded. Many Judaeans will have been indifferent, some actively opposed to the Priestly concept, cf. Isa. 59:2 and its polemics against the concept of *בדל* as employed in Lev. 20:24, 26 and 1 Kings 8:53.

Much later, however, the Priestly concept succeeded, having been transformed and extended to *all* Judaeans by the Pharisaic movement. In the Persian period, though, the gap between the cultic and social utopia of P and the social reality of Achaemenid Judah could not be closed. The authors behind P and its successive extensions and those influenced by their thought, not least Nehemiah and Ezra, never quite succeeded. The Levites and the Pharisees carried on their work and *did* succeed, but not until several centuries later.

³⁰ M. DOUGLAS, *Purity and Danger*, 63.