

SHORT STUDY

**Leviticus 24:15b–16:
A Crux Revisited**

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The occurrence of אלהיו in the first law (v. 15b) of Lev 24:15b–16 has led to the understanding that the law envisions a distinct circumstance (for example, an insult directed at other deities) in contrast to that of the second law in v. 16 (an insult directed at the name of God). This article argues that both laws (vv. 15b and 16) have the same case in view (explicitly stated in v. 16) by demonstrating that the use of אלהיו is part of a literary pattern displaying a movement toward specificity through the course of vv. 15b–16.

Key Words: blasphemy, divine name, Lev 24:15–16

A series of two laws in Lev 24:15b–16 prescribes penalties for the abuse of the divine person and name.

איש איש כִּי־יקלל אלהיו ונשא חטאו	Any man, if he disparages his God, he shall bear his crime. (v. 15b)
ונקב שם־יהוה מות יומת רגום ירגמו־בו כל־העדה כגר כאזרח בנקבר־שם יומת	The one uttering the name of the LORD surely shall be put to death; indeed, the whole congregation shall hurl rocks upon him. Just as the sojourner so the native, by his uttering the name surely shall be put to death. (v. 16)

The designation for the object of the insult in the first law (v. 15b), אלהיו, has led to a series of conflicting interpretations for the group of promulgations as a whole. Dillmann and, more recently, Fishbane follow Philo in understanding אלהיו to refer to deities other than Israel's God.¹ Dillmann

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1. Philo, *Moses* 2.204; A. Dillmann, *Die Bücher Exodus und Leviticus* (Leipzig: Hirzel, 1897), 657; M. Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford: Oxford University Press, 1985),

and Fishbane do not take the following imprecise statement of a consequence (וּנְשָׂא חֲטָאוֹ) as the prescription of a penalty. For Dillmann, the mention of the penalty for a disparaging remark against foreign deities is a cipher: the statement is without substance and consequence because the foreign deities (as opposed to Israel's God) do not exist. This statement of the first law (v.15b) stands in stark contrast to the prescription of death for the abuse of the name of Israel's God in the second law (v. 16). According to Fishbane, the obscurity of וּנְשָׂא חֲטָאוֹ serves to underscore the legislator's lack of concern for the assignment of a penalty in v. 15b; in relation to the penalty of death in the second law (v. 16), the rhetorical import of v. 15b, as in Dillmann's interpretation, is one of contrast. Another interpretation for the significance of אֱלֹהֵי (in contradistinction to שֵׁם-יְהוָה in v. 16a) is that the disparaging remark of concern in v. 15b is made with reference to a surrogate name, or without explicit reference to divinity by verbal designation.² Accordingly, וּנְשָׂא חֲטָאוֹ is understood to be a declaration that the detection of the crime and its required measure of retribution are in the hands of God. These interpretations of אֱלֹהֵי, therefore, bear consequence for the semantic relationships within the passage of laws as a whole.

Such readings of Lev 24:15b–16 precipitated by the occurrence of אֱלֹהֵי and the absence of a specific form of punishment in v. 15b (וּנְשָׂא חֲטָאוֹ) understand the laws to handle two separate, albeit related sets of circumstances. The points of distinction and contrast vary in accordance with the interpretation of אֱלֹהֵי. The element of contrast between the laws of vv. 15b and 16 is between a transgression against other deities and one against Israel's God. Alternatively, the contrast is between an illicit act in stealth (through the obscurity of the object of the insult) and an overt (and public) assault on the deity.

More recently, Jacob Milgrom has rejected the suggestion that the occurrence of אֱלֹהֵי designates the use of a surrogate name, for the reason that the pronominal suffix would be an oddity within such an interpretation of the term. The occurrence of אֱלֹהִים without a pronominal suffix is the expected designation for the use of a surrogate name.³ Furthermore, Milgrom observes that the Holiness Code often refers to God, not an appellation as an entity in itself, by deploying אֱלֹהִים with a pronominal suffix.

101. Here and throughout the review of scholarship, the reference to opinions concerning the passage is not meant to be exhaustive but only to be representative of the main currents of thought on the subject of discussion.

2. Rashi, *Pentateuch: Leviticus* (translated and annotated by M. Rosenbaum and A. M. Silbermann; New York: Hebrew Publishing, 1965), 112a; D. Hoffmann, *Das Buch Leviticus* (2 vols.; Berlin: Poppelauer, 1905–6), 2:314; K. Elliger, *Leviticus* (HAT 4; Tübingen: Mohr, 1966), 331; cf. *b. Sanh.* 56a. Rashi and Hoffmann advocate the understanding that the law has in view a verbal assault upon God by the designation of a surrogate name; Elliger envisions a case where the object of derision is not mentioned explicitly.

3. J. Milgrom, *Leviticus 23–27: A New Translation with Introduction and Commentary* (AB 3B; New York: Doubleday, 2001), 2115–18.

The proposition that the term refers to foreign deities (not Israel's God) also is improbable in the absence of the more explicit term **אלהים אחרים** employed elsewhere (Deut 13:3, 7, 14; 17:3). In eliminating these options, Milgrom settles on the interpretation that the first law (v.15b) has in view cases where God, as the object of derision, receives no mention through any nominal designation. This distinctive feature of v. 15b stands in contrast with the specific address of the insult to the name of God within the following law (**ונקב שם־יהוה**) in v. 16a.⁴

However, Milgrom's interpretation of another feature of Lev 24:15b–16 undermines the aforementioned reading of the text. In explaining the omission of the verbal form **קלל** as part of the statement of the crime in the second case (v. 16), Milgrom proposes that the occurrence of either **קלל** or **נקב** in Lev 24:10–23 suggests the virtual presence of the action denoted by the other verb.⁵ The partial expression of the illicit act is an index to and an abbreviation for the full statement, which receives expression in the narrative preceding the laws and providing the setting for the legal proclamation: **ויקב בן־האשה הישראלית את־השם ויקלל** (v. 11a).⁶ In support of his argument, Milgrom points to the designation of the perpetrator of the same crime as **המקלל** in the narrative following the laws denoting the community's compliance with the divine pronouncement (v. 23a). The same designation, **המקלל**, without its verbal counterpart (**נקב**) occurs in the divine instruction in v. 14a for the community to put the culprit to death.⁷ Milgrom's appeal to a preference for simplicity in expression through the deployment of synecdoche (**קלל** or **נקב** standing for the occurrence of both actions) is to be preferred as an explanation for the interchange between the terms **קלל** and **נקב** throughout vv. 10–23. This initiative is a welcome alternative to the awkward proposition that **שם־יהוה** in v. 16 implies by itself, without the inference of **קלל**, an assault on the divine name.⁸ Further

4. *Ibid.*, 2117.

5. *Ibid.*, 2118.

6. Numerous commentators have alluded to the complementary nature of the two verbs in defining aspects of the illicit act in v. 11. See, for example, Dillmann, *Die Bücher*, 656; Hoffmann, *Leviticus*, 312; J. Weingreen, "The Case of the Blasphemer," *VT* 22 (1972): 119; B. Levine, *Leviticus* (JPS Torah Commentary; Philadelphia: Jewish Publication Society, 1989), 166; J. E. Hartley, *Leviticus* (WBC 4; Dallas: Word, 1992), 409.

7. In the light of v. 11a, it is clear that both statements (vv. 14a and 23a) use **המקלל** with reference to the individual who performed both aspects (**קלל** and **נקב שם־יהוה**) of the illicit act.

8. The Aramaic versions deploy **פרש** for the Hebrew verbal root **נקב**. The further qualification **בגדפין** for clarity of expression within the context of the passage occurs in *Tg. Neofiti*; similarly, *Tg. Ps.-Jonathan* offers detail of an explanatory nature with its phrase **דמפרש ומחרף**. The verb **ὀνομάζω** in the LXX, in agreement with the use of **פרש** in the Targums, retains the restricted sense of pronouncement inherent to the Hebrew verb (cf. *m. Sanh.* 7:5). Arnold B. Ehrlich (*Randglossen zur Hebräischen Bibel* [7 vols.; Hildesheim: Olms, 1968], 2:88) circumscribes the problem of **נקב** standing for the act of verbal abuse by emending MT's **ונקב** to **ונקב ונקב**. Furthermore, Ehrlich suggests the deletion of **חטאי** in v. 15b; consequently, the act of pronouncing (**נקב**) the divine name would follow directly upon **איש איש כ־ייקלל אלהיו** (v. 15b) in the form of a consecutive clause, providing a complement to **קלל** just as in v. 11.

in support of Milgrom's postulation of synecdoche as a literary device in the complex of narrative and law, a second example of the literary maneuver may be seen in the clauses of vv. 15b–16. The phrase בַּנְקִבְר־שֵׁם (v. 16b) is almost certainly anaphorically related to the full expression in the preceding clause, וְנִקַּב שֵׁם יְהוָה, of v. 16a; the complete expression provides the expected absolute nominal constituent to stand at the end of the construct chain beginning with שֵׁם in v. 16b: כָּגֵר כְּאֹזֶרֶחַ בַּנְקִבְר־שֵׁם [יְהוָה] יוֹמֵת: שֵׁם. ⁹ However, the perception of קָלֵל and נִקַּב as a fixed lexical pair throughout the passage through co-reference undermines Milgrom's other suggestion that the laws of vv. 15b–16 deal with two distinct cases. The coexistence of the two acts as a set despite the mention of only one action means that v. 15b, in contrast with v. 16, cannot be perceived as a situation where a disparaging remark is made without the mention of any appellation for divinity. Consequently, the prescriptions of vv. 15b–16 ought to be perceived as multiple legal pronouncements with the same circumstantial detail in mind: an attack on the deity through the abuse of the divine name.

In holding on to the proposition that the laws of Lev 24:15b–16 are legal pronouncements on the same set of circumstances, an alternative explanation ought to be sought for the occurrence of two legal statements (vv. 15b and 16) regarding the same situation, while employing different terms for crime and punishment. The outline of an answer already exists in comments by those who would endorse the interpretation of two distinct cases in the passage of laws. Broadly stated, there exists a pattern of interpretation considering the first law to prescribe a general statement of retribution (the culprit bears the penalty) for a general circumstance regarding verbal abuse (disparaging remarks against God or gods). The second law refers to particular, and often concrete, aspects of crime and punishment that may be perceived as varieties of the broader semantic categories espoused by the first law.¹⁰ This proposition of a movement from the general to the specific through the clauses of vv. 15b–16 is applicable as a stylistic feature, even while the interpreter maintains that the legal passage addresses the circumstances of a single case. As an interpretation of vv. 15b–16, the proposed reading has the merit of identifying a literary strategy behind differences in the lexical choices within the laws, while avoiding the difficulties in discerning legal distinctions between the circumstances of the

9. Hoffmann, *Leviticus*, 314. This interpretation explains the absence of the definite article for שֵׁם in v. 16b (cf. v. 11a) without recourse to the assumption of scribal error. The rendition of the clause in question by LXX and *Tg. Onqelos* notes the grammatical incongruity of the absence of the definite article and fills in יהוה in their reading of the clause. The postulation of synecdoche and anaphoric reference as literary features in the passage, therefore, offers resolution for a second textual difficulty in the passage. Noteworthy is the fact that the different positions of the related phrases within their clauses (כָּגֵר כְּאֹזֶרֶחַ precedes בַּנְקִבְר־שֵׁם in v. 16b, whereas the same verbal root followed by שֵׁם יְהוָה in v. 16a stands at the front of the clause) does not disturb the ability of נִקַּב (verbal root) followed by שֵׁם in v. 16b to be an index to the preceding full expression in v. 16a.

10. See, e.g., Elliger, *Leviticus*, 331; Hartley, *Leviticus*, 410; E. S. Gerstenberger, *Leviticus: A Commentary* (trans. Douglas W. Stott; OTL; Louisville: Westminster, 1996), 364.

crime in the two laws. The movement toward a more specific expression of crime and punishment in the course of the passage of laws may be observed through the comparison of a network of words and phrases that effect the progression of thought in the legal formulation.¹¹

The act of insulting the deity (קלל) in v. 15b receives the additional specific detail of pronouncing the divine name through the use of the other verbal form (נקב) in the lexical pair in subsequent prescriptions (vv. 16a and 16b). The divine name as the object of abuse (שם־יהוה / שם) in vv. 16a and 16b is an elaboration of אלהיו from the previous prescriptive statement of v. 15b. The penalty, ונשא חטאו (v. 15b), subsequently is declared to be the penalty of death (מות יומת / יומת) in vv. 16a and 16b; the statement of v. 16aβ stipulates, with even greater precision, that stoning is to be the form of execution. Two more statements of specification emerge in the clauses of prescription later in the set of commands. The declaration in v. 16b that the penalty applies whether the perpetrator of the crime is a sojourner or an Israelite (כגר כאזרח) is a bipolar categorical elaboration of the generic designation of the culprit by איש איש in v. 15b. The agent of justice, which is obscure in the earlier statements of retribution in vv. 15b and 16a (ונשא חטאו; מות יומת), emerges with clarity and specificity in v. 16aβ: כל־העדה.

As a body of legal prescription on a particular topic, Lev 24:15b–16 demonstrates cohesive unity through the progressive development of its stipulations in their degree of specificity and the complementary nature of the concepts inherent in its parts.

11. The literary feature witnessed here is not unlike the function of close correspondence between “parallel” lines in Hebrew poetry. For a brief but comprehensive survey of recent opinion on the forms and uses of “parallelism” in poetry, see J. Kenneth Kuntz, “Biblical Hebrew Poetry in Recent Research, Part I,” *CurBS* 6 (1998): 40–47, 57–58. Leviticus 19 provides several examples of groupings of two or three clauses on closely related matters in legal prescriptions: see vv. 4a, 11, 13, 15, 18, 31a, and 35–36a. Of the examples listed, the parallel members of vv. 4a, 13, and 15 display movement from general statements to specific concerns in prescription.