



**University of
Zurich**^{UZH}

**Zurich Open Repository and
Archive**

University of Zurich
University Library
Strickhofstrasse 39
CH-8057 Zurich
www.zora.uzh.ch

Year: 2020

Purity, taboo and food in antiquity: theoretical and methodological issues

Angelini, Anna ; Altmann, Peter

Posted at the Zurich Open Repository and Archive, University of Zurich

ZORA URL: <https://doi.org/10.5167/uzh-196688>

Book Section

Published Version

Originally published at:

Angelini, Anna; Altmann, Peter (2020). Purity, taboo and food in antiquity: theoretical and methodological issues. In: Altmann, Peter; Angelini, Anna; Spiciarich, Abra. Food taboos and biblical prohibitions: reassessing archaeological and literary perspectives. Tübingen: Mohr Siebeck, 9-24.

Food Taboos and Biblical Prohibitions

Edited by
PETER ALTMANN,
ANNA ANGELINI,
and ABRA SPICIARICH

Archaeology and Bible

2

Mohr Siebeck

Archaeology and Bible

Edited by

Israel Finkelstein (Tel Aviv) · Deirdre Fulton (Waco, TX)
Oded Lipschits (Tel Aviv) · Christophe Nihan (Lausanne)
Thomas Römer (Lausanne) · Konrad Schmid (Zürich)

2



Food Taboos and Biblical Prohibitions

Reassessing Archaeological and
Literary Perspectives

Edited by

Peter Altmann, Anna Angelini,
and Abra Spiciarich

Mohr Siebeck

Peter Altmann, born 1974; 2010 PhD in Old Testament from Princeton Seminary; 2008–14 Assistant for Old Testament at the University of Zurich; 2016–2019 post-doc research on the dietary laws of Lev 11 and Deut 14 as part of the SNSF Sinergia Project “The History of the Pentateuch.” Since 2020 post-doc research on “The Social and Political Impact of Divine Laws in Ancient Israel and Judah” as part of the ERC Project “How God Became a Lawgiver” at the University of Zurich.
orcid.org/0000-0003-4622-7721

Anna Angelini, born 1979; 2008 PhD in Classics at the University of Siena; 2012–2013 Boursière d’excellence at the University of Geneva; 2014–2019 Post-doctoral research at the University of Lausanne. Since 2020 post-doctoral research in the ERC Project “How God Became a Lawgiver” at the University of Zurich.
orcid.org/0000-0003-2031-0412

Abra Spiciarich, born 1989, 2015 M.A. in Archaeology and Ancient Near Eastern Cultures at Tel Aviv University. Since 2016 doctoral candidate at Tel Aviv University in Archaeology and Ancient Near Eastern Cultures.
orcid.org/0000-0002-5713-6270

The prepress production of this book and the eBook were published with the support of the Swiss National Science Foundation.

ISBN 978-3-16-159355-0 / eISBN 978-3-16-159440-3
DOI 10.1628/978-3-16-159440-3

ISSN 2698-4520 / eISSN 2698-4539 (Archaeology and Bible)

The Deutsche Nationalbibliothek lists this publication in the Deutsche Nationalbibliographie; detailed bibliographic data are available at <http://dnb.dnb.de>.

© 2020 Mohr Siebeck Tübingen, Germany. www.mohrsiebeck.com

This work is licensed under the license “Attribution-NonCommercial-NoDerivatives 4.0 International” (CC BY-NC-ND 4.0). A complete Version of the license text can be found at: <https://creativecommons.org/licenses/by-nc-nd/4.0/>.

The book was typeset by Martin Fischer in Tübingen using Minion typeface, printed on non-aging paper by Laupp & Göbel in Gomaringen, and bound by Buchbinderei Nädele in Nehren. Published by Mohr Siebeck Tübingen, Germany. www.mohrsiebeck.com

Printed in Germany.

Table of Contents

<i>Peter Altmann, Anna Angelini, and Abra Spiciarich</i> Introduction: Setting the Table	1
<i>Peter Altmann and Anna Angelini</i> Purity, Taboo and Food in Antiquity. Theoretical and Methodological Issues	9
<i>Stefania Ermidoro</i> Animals in the Ancient Mesopotamian Diet. Prohibitions and Regulations Related to Meat in the First Millennium BCE	25
<i>Youri Volokhine</i> “Food Prohibitions” in Pharaonic Egypt. Discourses and Practices	43
<i>Abra Spiciarich</i> Identifying the Biblical Food Prohibitions Using Zooarchaeological Methods	57
<i>Jonathan S. Greer</i> Prohibited Pigs and Prescribed Priestly Portions. Zooarchaeological Remains from Tel Dan and Questions Concerning Ethnicity and Priestly Traditions in the Hebrew Bible	73
<i>Deirdre N. Fulton</i> Distinguishing Judah and Philistia. A Zooarchaeological View from Ramat Raḥel and Ashkelon	87
<i>Déborá Sandhaus</i> Continuity, Innovation and Transformation in Cooking Habits. The Central and Southern Shephelah between the Late Fourth and the First Centuries BCE	107
General Bibliography	121
List of Contributors	147

Index of Sources	149
Index of Modern Authors	153
Index of Subjects	157

Introduction

Setting the Table

Peter Altmann, Anna Angelini, and Abra Spiciarich

1. Context and Purposes of the Present Volume

This volume represents a number of contributions presented at “The Larger Context of the Biblical Food Prohibitions: Comparative and Interdisciplinary Approaches” conference that took place in Lausanne, Switzerland on June 14–15, 2017. The conference itself considered the topic of one subproject of the larger Swiss National Science Foundation Sinergia project entitled “The History of the Pentateuch: Combining Literary and Archaeological Approaches” carried out jointly by researchers at the Universities of Lausanne, Tel Aviv, and Zurich under the auspices of Konrad Schmid, Thomas Römer, Christophe Nihan, Oded Lipschits, and Israel Finkelstein. As part of the larger project, the aim of this conference and the resulting volume was to study the biblical food prohibitions from comparative and interdisciplinary perspectives.

The dietary prohibitions of the Hebrew Bible have long fascinated biblical scholars as well as anthropologists, and, more recently, have started to draw the attention of archeologists. These multiple areas of research have given rise to numerous publications in the different fields, but unfortunately they rarely cross the boundaries of the specific areas of scholarship. However, in our opinion the biblical food prohibitions constitute an excellent object for comparative and interdisciplinary approaches for several reasons: their very materiality, their nature as comparative objects between cultures, and their nature as an anthropological object. The present volume tries to articulate these three aspects within a perspective that is both integrated and dynamic.

Food prohibitions in general represent a topic concerned with both symbolic representations as well as with materiality. The symbolic dimensions of biblical food avoidances have received lengthy discussion in previous research, leading to highly relevant overarching theories, which continue to raise debate in biblical scholarship.¹ The material aspects of the food prohibitions have garnered less

¹ The huge discussion surrounding the work of Mary Douglas (DOUGLAS 1966, 1972, 1999)

attention in recent biblical scholarship. Such concerns merit a privileged role in theories concerning human consumption,² and the work of Houston points in this direction.³ By affirming this point, we do not, however, suggest a return to the past, i. e., to purely materialistic explanations, like those suggested by Harris,⁴ nor to exclusively functionalist theories. We instead propose an emphasis on the necessity of a more dynamic dialogue between biblical scholars, scholars of the broader ancient Mediterranean, and archeologists in order to outline more complex and appropriate approaches to the biblical dietary prohibitions.

On the one hand, within archaeology, the recent development of zooarchaeology offers a relevant contribution to a wider understanding of the context for the biblical food prohibitions. An excellent example of the way in which recent archaeological developments challenge part of the assumed knowledge regarding patterns of consumption in ancient Israel appears in the studies on the pig conducted by Lidar Sapir-Hen and others from the University of Tel Aviv.⁵ She convincingly demonstrates that pig avoidance does not reflect daily life in the Northern Kingdom of Israel in the Iron Age IIB, and, more generally, that the presence or absence of pig bones cannot work, *ipso facto*, as an ethnic identity marker concerning the presence or absence of Israelites. Overall, the newest methodological developments in the archaeology of food, such as organic residue, biomolecular, and DNA analyses, advance the discipline considerably and lead to the questioning of more traditional and “essentializing” approaches to foodways.⁶

On the other hand, the internal diversity of the logic underlying the formulations of food prohibitions requires attention from archaeology. This means, for example, that the textualization of the food prohibitions may not have served simply and always to regulate societal practice: *several divergent reasons* can give rise to the mention or the exclusion of certain animal types. Moreover, the chronological process involving the redaction of the food prohibitions requires adequate attention. In order to renew the discussion and to foster fruitful dialogue between archaeological and textual data, we shift the focus from the issues concerning the ultimate origins of these prohibitions, as well as from the related question of “what came first, the taboo or the criteria?”⁷ Instead, we draw attention to the multiple contexts surrounding the developments, transmission, and

constitutes a paradigmatic example. See further the essay of ALTMANN and ANGELINI in this volume.

² FOWLES 2008

³ HOUSTON 1993.

⁴ HARRIS 1975, 1979.

⁵ SAPIR-HEN et al. 2013; SAPIR-HEN 2016.

⁶ See, e.g., the recent conference organized by Aren Maeir and Philipp Stockhammer for the “Minerva-Gentner Symposium, Food and Identity Formation in the Iron Age Levant and Beyond: Textual, Archaeological and Scientific Perspectives,” Weltenburg Abbey, April 28th to May 1st, 2019.

⁷ MILGROM 1990, 184; see also HOUSTON 1993, 65–67.

enactment of dietary laws in antiquity. Such contexts offer better documentation both in texts and archaeology; moreover, they can also be contrasted with comparative evidence from other ancient Mediterranean societies.

In this regard, food prohibitions fit particularly well with the proposed approach. They constitute a common feature of many ancient cultures and are still at the heart of some contemporaneous religions and philosophies. They therefore provide an intriguing subject for comparison. Despite the fact that ancient as well as modern religious systems might share food avoidances, it is worth remembering that food prohibitions are *conceptualized divergently* in different cultures. One of our goals is to highlight such divergent conceptualizations. More specifically, the way in which the Hebrew Bible presents dietary prohibitions displays relevant similarities, but also significant differences from their formulations in neighboring cultures, such as Egypt and Mesopotamia, where food prohibitions largely concern locally oriented or specific cultic contexts. In this regard, the permanent and delocalized nature of biblical dietary prohibitions represents a rather exceptional situation in ancient contexts. However, the gaps between biblical formulations and what we can reconstruct about the sociology of food consumption in the ancient Levant calls for a reexamination of the relationship between the theory and the practice of the biblical dietary laws

2. The Essays in This Volume

In their opening contribution, Peter Altmann and Anna Angelini address the theoretical and methodological issues related to the peculiar nature of the food avoidances in ancient Israel. These issues point toward a more complex relation between the theory and the practice of the biblical food regulations. In this regard, a close collaboration between biblical scholars and archaeologists proves fruitful.

After presenting competing perspectives on dietary prohibitions from current anthropology with its focus on disgust and much of biblical scholarship that views the texts through a more structuralist lens, Altmann and Angelini turn to the texts of Lev 11 and Deut 14 themselves. They highlight a number of differences between the two chapters, leading to the conclusion that each individual text performs significant and partly distinct functions within its immediate context. Thus, a diversity of meanings prevails: in Leviticus the prohibitions evince a ritual dimension concerned with the purity and holiness of the sanctuary. In Deuteronomy on the other hand, the language of abomination (*to'ebah*) serves to connect dietary prohibitions with a number of other types of practices detested by Yhwh. Furthermore, the concern for meat consumption plays a larger role in Deuteronomy's legal statutes, providing insight to the use of Deut 14:4–5 to ground the prohibitions into Deuteronomy's point of view. Utilizing

the theoretical perspective provided by Dan Sperber, the essay fleshes out the significance of the diachronic and synchronic differences with regard to the genesis of the prohibitions as well as their reception in Judaism.

The essays of Yuri Volokhine and Stefania Ermidoro provide what we might call the “broader context” of the biblical food laws. By illustrating the characteristics of food avoidances, especially meat avoidance but also other foodstuffs, in the religious contexts of Egypt and Mesopotamia, they demonstrate the divergent ways in which these cultural-religious settings approached food prohibitions. The comparison casts the biblical texts in a new light. For unlike the ancient Near Eastern texts, the present form of the biblical texts conceives of the dietary laws as absolute prescriptions for Israel: i. e., as divine rules intended for everyday observance in every location, thereby constituting an *unicum* among the practice of food prohibitions in antiquity.

Ermidoro’s investigation of prohibitions in Mesopotamia in the first millennium BCE addresses ritual, omen, medical, and hemerological texts. From this survey, she concludes that all meat prohibitions concern temporary though detailed observances. One had to avoid different substances at different times or places such that no one item was completely banned. However, for the most part, these rules govern action in religious contexts, often serving the success of specific rituals. Generally speaking, the range of foodstuff prohibitions – as well as preparation techniques or etiquette – display considerably more diversity than what appears in Lev 11 and Deut 14 or the rest of the biblical material. Furthermore, the consequences for breaking the prohibitions in Mesopotamian contexts resulted, according to the texts, in a considerable variety of punishments, even for eating the same animal meat.

The essay by Volokhine highlights how the debate on dietary prohibitions in Egypt is largely constructed by Classical traditions. Ancient Greek and Roman authors considered Egyptians and Jews “nations of priests” who kept food taboos (especially the taboo of pork). However, such a discourse does not reflect social reality in any Egyptian contexts. Volokhine’s survey of the available Egyptian evidence (funerary texts, calendars, Ptolemaic lists of nomes, and other scattered documents) reaches conclusions similar to Ermidoro’s analysis of Mesopotamian materials. No permanent dietary taboos existed in Egypt, but only temporary and localized prohibitions. Purity concerns for the king might explain the avoidance of particular animals in specific circumstances, as it is the case for the fish and, occasionally, for pork. Calendar texts also provide mythical etiologies, which trace the origin of particular food prohibitions back to a specific god or cult. However, no link whatsoever seems to be attested between occasional dietary prohibitions and issues of “Egyptian” identity outside of Greek texts. This also proves that the “sociology” of diet in ancient Egypt was a rather complex phenomenon, regulated by more factors than just priestly rituals and religious concerns.

Within the broader context of ancient Near Eastern cultural-religious instances of food prohibitions, the volume also turns to discussions of the overlap between textual and material evidence within the southern Levant. Although some effort has been attempted in this direction,⁸ the time is now more fully ripe, we believe, to pursue this line of inquiry actively. While this collaboration helps biblical scholars by providing a concrete background against which to interpret biblical food prohibitions, it also serves zooarchaeologists from a methodological perspective, in order to evaluate the complexity of the relationship between the reconstruction of food prohibitions within the material culture and the information coming from the texts. To this end Abra Spiciarich addresses the methodological issues related to the identification of the biblical food laws in zooarchaeology.

Spiciarich, working from the archaeological perspective, uses zooarchaeological methods as a means to connect the physical remains to the textual sources. She argues that applying zooarchaeological principles and methods to the discussion of the biblical food laws sheds light on the extent to which these laws were incorporated into ancient daily life. The core of her exploration follows the methodological issues of presence versus absence of not only certain species, but also of specific body parts deemed pure or impure in the biblical texts. Her discussion results in the establishment of a series of parameters for the identification of the biblical food laws within archaeological assemblages.

This second section goes on to explore the relationship between biblical food laws and zooarchaeology with specific case studies. These essays discuss methodological issues, as well as new zooarchaeological data, addressing different patterns of animal consumption from different sites.

Jonathan Greer presents a case study from the site of Tel Dan in which he suggests that, while tentative, the avoidance of pig consumption at Tel Dan proves significant. In order to push the discussion further, he proposes that support from the other side of the spectrum of specialized food status, the priestly prescription of the right limb, demonstrates a link between cultic consumption and dietary prohibitions. Greer explores issues of ethnicity, socioeconomics, archaeological context, and environmental conditions in relation to the presence of the biblical food laws at the site of Tel Dan.

A further issue for exploration is constituted by the analysis of patterns of fish consumption, which was the subject of the presentation by Omri Lernau in the conference, although the author unfortunately did not choose to submit his work for publication in this volume. This analysis challenges the *communis opinio* of a generalized lack of interest in fish by ancient Israelites, thereby questioning the

⁸ See for example AMAR, BOUCHNICK, and BAR-OZ 2010 on the identification of some of the clean quadrupeds mentioned in Deuteronomy by crossing ancient literary witnesses with evidence coming from southern Levantine zooarchaeology.

assumption of a straightforward relationship between the theory and the practice of the food prohibitions, instead suggesting the necessary reexamination of the origins of the biblical prohibitions on unclean aquatic animals.⁹

The third section of essays focuses on the relevance of dietary practices for the beginning of processes of ethnogenesis in different historical contexts: the distinction between Judea and Philistia by Deirdre Fulton and the fashioning of Jewish identity during the Hasmonean period by Débora Sandhaus. The analyses of these processes also consider the role of other elements of material culture related to food, notably pottery.

Fulton's essay, "Distinguishing Judah and Philistia: A Zooarchaeological View from Ramat Raḥel and Ashkelon," investigates the overlap and differences between the zooarchaeological remains from two specific sites – one Judahite and the other Philistine – and their meaning for dietary prohibitions. She specifically presents data from the late-Iron II marketplace, located in Grid 50 and 51 in Ashkelon and several loci, including a festive pit in Locus 14109 from Ramat Raḥel. Her comparison yields a generally negative conclusion: little separates the consumption habits in the two locations, except for what arises from external economic pressures. Instead, both generally consume foods in accordance with the texts of the Pentateuch, though both exhibit consumption of Nile Catfish, a prohibited type.

On the other hand, the evidence collected by Reem from the Hellenistic period onwards (especially third-second century BCE), points towards a connection between patterns of food consumption and the expression of Jewish identity. She analyzes cooking assemblages in the central Shephelah, alongside the 'Ella Valley, a boundary zone between the provinces of Yehud/Judea (North) and Idumea (South), an area experiencing a large presence of foreigners. While the southern (Idumean) side developed significant openness to foreign pots beginning in the third century BCE, the expansion of Hasmonean hegemony over the entire valley resulted in the rejection of foreign pottery types, presumably to solidify the Hasmonean identity in the region. Once this was secured, a renewed openness to foreign types developed, these being now produced in the Central Hill region of Judea. The different and partly new cuisine practices emerging in the region, and sometimes coexisting with older culinary traditions, involve different strategies of acceptance, rejection, adoption, appropriation of foreign practices that eventually transformed the local cuisines.

⁹ However, one can see, e.g., the reports on fish bones in REICH et al. 2007; LERNAU 2008; LERNAU 2011; HORWITZ et al. 2012; and FULTON et al. 2015.

3. Results and Future Perspectives

With this volume we hope to offer a number of new and insightful perspectives on the dietary prohibitions. Especially viewed as a group, the contributions demonstrate the wide range of investigations required for understanding both the food laws specifically, and the more general ways in which these laws reach deeply into the archaeology, anthropology, and literature of the southern Levant and broader ancient Near East.

Several important directions for research and desiderata for future scholarship arise from the discussions in this volume. Integrating archaeological perspectives within the study of food prohibitions not only allows for the deconstruction of previous assumptions concerning both the rigidity and the extent of their applications as well as their supposed more or less symbolic meaning. It also substantially contributes to the appreciation of the complexity of the dynamics of exchange and cultural participation between ancient Israelites and neighboring societies.

In this regard, the dialogue between text and archaeology should extend to other areas of investigation related to foodways. A number of archaeological questions remain unexplored. While included in Omri Lernau's presentation on "Remains of Non-Kosher Fish in Excavated Jewish Settlements in Israel" in Lausanne, this volume does not offer a discussion of the widespread consumption of prohibited aquatic animals throughout the Iron Age and even later southern Levant. A similar overview discussion of the zooarchaeological evidence on birds could address this further category of prohibited animals.¹⁰

Moreover, the spectrum of the comparison with other prescriptions regarding food in antiquity requires further expansion. An important perspective could be offered through investigation of Persian, Greek, and Roman food avoidances. While these cultures remain a bit more removed from the likely provenance of the rise of the biblical dietary prohibitions, they offer suggestive ways of viewing animals and animal consumption that certainly influenced the reception of the biblical material, if not perhaps playing some role in their formulation. The enlargement of the comparative perspective should also carefully consider the role played by ancient discourses in associating foodways with issues of ethnic identity.

Finally, understanding the relationship between food consumption and processes related to the construction of identity in ancient Israel biblical dietary prohibitions calls for a larger complementary study of dietary habits and practices concerning ways of preparing, cooking, and consuming food. Patterns of storage and consumption of vegetables and liquids (notably oil, wine, and beer) should also be the object of an integrated analysis. This further venue is justified first

¹⁰ See, however, ALTMANN 2019.

by the fact that these items progressively became part of the Kashrut in ancient Judaism. Secondly, reconstructing discourses about identity requires interaction between food choices and the more complex dimensions involved in the entire sphere of a culture's cuisine.

On the whole, this volume provides a number of larger parameters and several depth discussions necessary for circumscribing and understanding the practices, causes, and meanings of the biblical dietary prohibitions in their broader archeological, cultural, and theoretical settings. As such, it both lays a foundation and provides a roadmap for further scholarly discussion.

Purity, Taboo and Food in Antiquity

Theoretical and Methodological Issues

Peter Altmann and Anna Angelini

Several methodological and theoretical issues arise with regard to topics that seek to combine the disciplines of ancient Near Eastern studies, archaeology, and Hebrew Bible studies, as intended in the contributions in this volume. The primary issues that this essay seeks to address are the questions of the nature, the structure, as well as the cultural meanings attributed to the practices in the texts of Lev 11 and Deut 14. In particular, we investigate the differences and overlap between the understandings of the dietary prohibitions in two different parts of the Pentateuch.

The discussion will develop as follows: (1) reflection on recent scholarship, (2) consideration of the biblical texts themselves, offering a discussion of their relationship with one another and their individual internal logics. (3) The identification of the complexity results in the need to articulate a different theoretical approach to account for the multiplicity of meanings throughout the compositional history of the prohibitions within their literary settings of Lev 11 and Deut 14. (4) The final section will highlight some of the meanings from their pre-scriptural origins to their reception in Hellenistic contexts.

1. Reflections on Explanations from Anthropology and Biblical Studies

Recent anthropological research highlights significant factors for the explanation of the emergence of food taboos, with particular focus on meat avoidances. Among these factors, a relevant role seems to be played by the combination of specific features of the environment with normative moralization, i.e., the tendency to attribute moral value to common patterns of behavior, and the subsequent prestige-biased transmission, that is, the propensity to conform to prevailing patterns of behavior.¹ Many studies underline the compulsive role of disgust

¹ E.g., FESSLER and NAVARRETE 2003.

in eliciting meat avoidance.² While these criteria may help with interpreting some of the aspects related to biblical dietary restrictions, such as the relationship between delineation of food taboos and exercise of power by self-interested parties, they tend to overlook the religious dimension of the food prohibitions. This dimension instead constitutes a prominent characteristic of food avoidance in antiquity.

Conversely, structuralist approaches, beginning with Mary Douglas' theories,³ and continuing on through all the explanations and corrections resulting from the numerous critiques that followed her work,⁴ point to a different series of issues that remain quite compelling for the study of ancient food restrictions. Largely viewing the food prohibitions as one piece of a larger cultural system, structuralist approaches are able to take into account the integration of food prescriptions within broader aspects of ancient societies. This includes the relationship between regulations concerning food and other purity rules, a relationship which is of primary importance, at least in the formulation of the dietary laws in the book of Leviticus. While the general questions raised by symbolic and structuralist approaches are central in approaching and interpreting biblical food prohibitions, the generalized view offered by structuralism, which tends to see the biblical food laws as a comprehensive system primarily conveying symbolic value, remains unpersuasive for a number of reasons.

First, as we will demonstrate below, biblical food prohibitions did not appear as a unified system from their beginning. They were instead the product of a long compositional and transmission process that developed in different historical moments. Moreover, the stages of this process are far from completely clear, and the two main corpora that preserve biblical food prohibitions, Lev 11 and Deut 14, still present significant differences from one another. Second, although we approach the ensemble of the biblical food laws in their final form as a meaningful synchronic body of regulations, the texts do not always display a strict unified logic, and multiple differences remain in the formulations of the various sets of rules. The prescriptions concerning quadrupeds, fish, birds, insects, and reptiles neither follow a single scheme nor a consistent order. Most of the given criteria classify animals based on their means of locomotion, but this is not always the case (e.g., chewing the cud is one of the main requirements for the cleanness of ruminants, and there is no connection between this criterion and means of locomotion). In some cases, such as the fish, only criteria appear without any examples of clean or unclean types or species. In other cases such as that of birds, no criteria appear at all, but we instead only find a list of prohibited types.

² ROZIN et al. 1997; for recent application of theories on disgust to biblical food prohibitions see KAZEN 2011, 71–81.

³ DOUGLAS 1966, 1993, 1999.

⁴ TAMBIAH 1969; SPERBER 1996b; EILBERG-SCHWARTZ 1990; MILGROM 1991; NIHAN 2011; MESHEL 2008; BURNSIDE 2016.

Furthermore, as we will explain below, a practical sacrificial pattern may have performed some functions in the case of the permitted and prohibited quadrupeds. In other cases, however, the species and types mentioned in the lists of unclean animals are such that it is hard to imagine that someone may have ever considered eating them, for example the bat or the vulture in the list of birds, and more generally the animals mentioned in the list of rodents and reptiles.

Due to this internal diversity, one can even question whether it is appropriate to speak of a “system” at all. For these reasons, the rigid application of the categories of structuralism, recently proposed again for the interpretation of the biblical food laws by Meshel,⁵ appears problematic. Reading the texts from a synchronic perspective and on this basis trying to discern a complete and coherent structure cannot avoid the risk of de-contextualizing them from their historical and cultural setting. Moreover, such an approach inevitably leads to a forced reading of the texts, in which one detects elements of a systematic classification that in most cases are simply not stated by the texts themselves.

The most recent attempt to detect a unified symbolic logic in the food prohibitions is found in Burnside’s article.⁶ The author proposes an explanation of them through what he calls a “narrative paradigm.” He reads the laws in terms of a narrative, meaning that one should read from beginning to end, assuming the logic of the earlier portions of the text as the necessary context and foundation for understanding the latter portions. Following this logic, one can, for example, derive the unstated paradigm for clean birds from the previous paradigm that is explicitly settled for clean quadrupeds, and so on. He argues that the laws were intuitively clear to their original audience because the legislator referred to an assumed and implicit social knowledge that derives from the environment and is organized by a series of typified images, themes, and stereotypes. The normativity of the laws would depend on everyday ancient practice and would be shaped by practical wisdom, although we, as moderns, are no longer able to reconstruct all the elements of this practice.

This fascinating hypothesis nonetheless raises a series of problems. We argue that reconstruction of the implicit paradigms for the animal categories reveals too high a degree of arbitrariness with regard to the excluded animals for one to conclude that it actually corresponds to the inner logic of the texts. For example, the fact that herbivores are the paradigm for the definition of clean quadrupeds and subsequently for the unnamed clean birds is not stated anywhere in the texts and cannot be easily proved.⁷ As a matter of fact, several herbivorous land animals, like the hare, are considered unclean. To provide another example, although the various kind of unclean lizards mentioned in Leviticus (11:29–30)

⁵ MESHTEL 2008.

⁶ BURNSIDE 2016.

⁷ *IBID.*, 232–33.

appear to us as “half land and half aquatic” creatures,⁸ there is no trace in the text of their connection with the paradigm of fish. Moreover, it remains difficult to reconstruct which sort of practice can have given rise to the prohibition of eating animals such as bats or various kinds of lizards. Finally, this theory still cannot completely account for the *internal diversity* in the formulations of the food prohibitions.

Such difficulties point to a further issue, namely to what extent we are able to reconstruct ancient Israelite animal taxonomy through the lists of animals provided in Lev 11 and Deut 14. Although these texts offer an important glimpse into Israelite, or rather Levantine, zoological classifications, one should avoid a straightforward application of modern taxonomic categories to them. In this regard, Richard Whitekettle’s attempts to derive a coherent system of animal classification from Lev 11 are perhaps too optimistic.⁹ First, the identification of many items in these lists remains problematic, especially regarding the names of birds and of insects. Second, ancient animal taxonomies differ from the modern Linnean classification, especially with regard to the criteria used to differentiate between animal species and the less systematic character of the classification, and therefore of the implied hierarchies. For example, while it is highly probable that the expression *lemino* (“according to its kind”) identifies a group of animals sharing similar features, it is difficult to evaluate whether this concept always operates as a specific species distinction or if it can serve also to separate between genera.

Instead of trying to detect consistency within the lists of Lev 11 and Deut 14 at all costs, we follow the line of research inaugurated by Houston, in his monograph *Purity and Monotheism: Clean and Unclean Animals in Biblical Law*,¹⁰ which remains a major reference for the study of biblical food prohibitions. His reply to Milgrom’s question, “which came first: taboo or criteria?”¹¹ contains one of Houston’s most important contributions for the research on biblical food laws. Houston correctly points out how two different cultural currents are actually merged in the text. On the one hand, the presence of a *formal* concern of organization through systematization and expansion is undeniable. On the other hand, the impact of *historical* dietary customs certainly played a relevant role, and this impact renders it probable that any system will remain imperfect, somewhat inconsistent, and sometimes absent.¹² The combination of both these tendencies, which represents at once the fascination and the complexity of the biblical food prohibitions, pushes Houston into an initial survey of the material and social context surrounding biblical dietary rules. We intend, therefore, to follow in the wake of Houston’s methodological impulse, seeking to articulate

⁸ *IBID.*, 231.

⁹ WHITEKETTLE 2003, 2009.

¹⁰ HOUSTON 1993.

¹¹ MILGROM 1990, 184.

¹² HOUSTON 1993, 64–66; earlier HUNN 1979, 112–14.

a robust methodological approach for these texts of dietary prohibitions in Lev 11 and Deut 14.

2. Leviticus 11 and Deuteronomy 14 in Their Biblical Contexts

The relationship between the two primary texts on dietary prohibitions, Lev 11 and Deut 14, raises numerous redactional and text-critical issues on which much has been written.¹³ While these questions largely remain outside the scope of this paper, we will highlight several observations in order to provide the overall textual framework for understanding food regulations in the Hebrew Bible and the related theoretical and methodological issues that form the focus below.

2.1. *The Relationship between Lev 11 and Deut 14*

Although scattered passages of the Hebrew Bible make reference to the consumption of unclean food (e. g., Hos 9:3; Isa 66:17; Ezek 8:10; Zech 9:7), the contents of the food prohibitions are largely concentrated in the texts of Lev 11 and Deut 14. As is well noted in scholarship, these texts, when taken together, comprise an exemplary case: an extensive set of instructions is repeated twice in the Pentateuch. These two chapters share many similarities and contain several identical passages, such that they constitute something of a double corpus. Nevertheless, a notable number of differences remain between the texts of Lev 11 and Deut 14. Multiple and diverse theories of diachronic development and possible derivation exist,¹⁴ although we would argue that no satisfactory model can explain the derivation of one corpus from the other. We find the theory of a shared source originally containing some of the instructions concerning prohibited animals the most plausible alternative. However, the development from original (oral or written) tradition to the current forms of the texts took on a complexity that lies beyond the reach of current scholarly methods and the available evidence.

A first glance at the overall structure and the contents of Lev 11 and Deut 14 provides a sense of some major differences between the two texts:

- As far as it concerns quadrupeds, Deut 14 (vv. 4–5) provides a list of five clean quadrupeds missing in Lev 11, where examples only appear for unclean species.
- Leviticus 11 has a longer section that includes a supplementary criterion in order to distinguish between clean and unclean flying insects (*šereš ha'of*, literally: “swarming flying things”), also providing a list of four kinds of permitted insects (vv. 20–22). The statement in Deut 14 (vv. 19–20) is much shorter and does not contain any such list. As a result, Leviticus exhibits a four-part

¹³ Cf. NIHAN 2011.

¹⁴ Cf. OTTO 2016; VEIJOLA 2004; MILGROM 1991.

structure and a more complex taxonomy within vv. 2–23, which parallels Deut 14:3–20: Lev 11:2b–8 addresses animals moving *over* the ground (*behemah*), Lev 11:9–12 aquatic creatures; Lev 11:13–19 large winged animals, and Lev 11:20–23 small-winged animals or swarming flyers. On the other hand, Deut 14 exhibits three categories, namely land animals (14:4–8), water animals (14:9–10), and air/flying animals (14:11–20): here the swarming flyers (*šereš ha’of*) in Deut 14:19 comprise a subsection *within* the third section on flyers.

- Leviticus 11 contains a longer and secondary section (vv. 24–40) dealing with impurity conveyed by different forms of contact with a carcass (*nebelah*) of both unclean and clean animals (cf. also Lev 11:8//Deut 14:8), and these verses provide instructions for purification. Within this section, rodents and reptiles are also listed among the unclean animals (*šereš šoreš ‘al ha’areš*, “swarming things that swarm on the ground,” vv. 29–30). This section is entirely absent from Deuteronomy. Moreover, this proposed addition provides for the clear distinction between subcategories of *šereš*, “swarming” or “creeping” animals, among those belonging respectively to the sea (v. 10), to the air (v. 20–21), and to the ground (vv. 29–30): these distinctions do not appear in Deut 14, which speaks only of *šereš ha’of*.
- Deuteronomy 14:21 contains a couple of final instructions missing from Lev 11, namely the reference to the prohibition of “cooking the goat kid in/by its mother milk” (cf. Exod 23:19; 34:26) and the permission to sell carcasses, which are unclean for Israelites, to foreigners.¹⁵

In addition to these main structural divergences, a large series of minor textual differences occurs in the passages shared by the two texts: these differences concern the use of pronouns, adjectives, and syntactical marks, as well as slight variations in the ways of listing unclean quadrupeds and birds.¹⁶ While we do not deal with these issues in detail here, the lack of structural uniformity in the texts points to diachronic development. We view this – which is a key point for our paper – as raising theoretical problems for synchronic, systematic, symbolic, and unitary explanations of the meanings of the prohibitions, as we will indicate below.

The transmission of the list of birds, shared by Lev 11 (13–19) and Deut 14 (12–18) constitutes a relevant example of the complexity involving the transmission of the food prohibitions into the Hellenistic Period.¹⁷ The earliest Greek manuscripts of Lev 11 and Deut 14 still show great fluidity in the transmission of the lists, characterized by a wide variance in the order of the birds’ appearance and by the absence of the raven (*oreb*) in both the lists in the earliest Greek texts. The texts, therefore, continued to interact and influence one another as each took on

¹⁵ Cf. ALTMANN, forthcoming a.

¹⁶ Cf. NIHAN 2011.

¹⁷ ANGELINI and NIHAN, 2020.

its *unique* structure and concerns. However, if the history of the textual relationship between Lev 11 and Deut 14 remains very hard to reconstruct in detail, it is still possible to consider how each individual text came to perform significant and partly distinct functions within its immediate context.

2.2. *The Logic of Dietary Prohibitions in Each Corpus*

The intent of biblical food prohibitions is stated quite clearly within each of the texts. The concluding verses of Lev 11 (vv. 44–45) summarize their scope. Deuteronomy 14 opens and closes the section on dietary laws with a very similar declaration (vv. 2, 21). These passages overlap in many respects:

Lev 11:44–45: For I am Yhwh your God, so you shall sanctify yourselves and you shall be holy, for holy am I. But do not defile yourselves with all swarmers slinking upon the ground. For I am Yhwh who brought you up out from the land of Egypt to be for you God, so you shall be holy because I am holy.

Deut 14:2, 21: For you are a people holy to Yhwh your God; it is you Yhwh has chosen out of all the peoples on earth to be his people, his treasured possession. ... For you are a people holy to Yhwh your God.

Though containing different formulations, both texts ultimately serve the intention of separating the Israelites to Yhwh, and for Deuteronomy apart from their neighbors. However, in the contexts of their final forms, the texts interact with the different logics of the particular literary corpora into which they are inserted, which at least partly account for their different structure. As such, the manner in which an earlier shared tradition on dietary restrictions has been incorporated into two different literary contexts shows how cultural representations of food avoidance could be radically reshaped to take on new meanings.

The text of Lev 11 presents the more detailed and developed structure regarding food prohibitions, and, especially in the second section (vv. 24–40), extends its concerns to include issues of pollution and purification deriving not only from ingestion, but also from the contact with dead animals (this aspect is not completely absent from Deut 14, which however provides a much shorter indication, cf. Deut 14:8, 21). This is unsurprising, as purity is one of the central interests of the Priestly groups considered responsible for the redaction of the book of Leviticus. In this regard, we could say that food prohibitions in Lev 11 have a ritual dimension, concerned with the purity and the holiness of the sanctuary. The focus on pollution transmitted by contact makes a connection between Lev 11 and Lev 12–15, which deals largely with various forms of impurity derived from skin diseases and human discharges. Overall, these rules aim at establishing and controlling the degree of sanctity that Israelites should maintain in relation to the sanctuary, close to which the community is imagined to live, and preventing

the community from any kind of defilement.¹⁸ In the logic of Leviticus, Israelites ultimately maintain their holiness in order to avoid defiling the sanctuary itself, where the deity resides and which therefore must remain in a permanent state of holiness.

Moreover, food prohibitions in Leviticus have a cosmological dimension through their connection with the description of the God's table (i. e., with the rules for animal sacrifice given in Lev 1). As scholarship has long noted, this cosmological link results in the division of the animal kingdom into three categories: sacrificial animals (God's table) – clean animals (Israelites) – unclean animals (the rest of humanity).¹⁹ This categorization creates a comprehensive dietary structure in which God's diet and humanity's diet are at once made parallel and ordered hierarchically. Moreover, in the narrative logic of the Pentateuch, the food prohibitions of Leviticus express an intermediate position between the purely vegetarian diet of the origins, described in Gen 1, and the postdiluvian uncontrolled consumption of meat (Gen 9): this equilibrium serves to move one step toward restoring the creational order, which was broken by the flood.²⁰

Finally, the food prohibitions in Lev 11 as a whole involve an epistemological dimension: the list of animals included in Lev 11 extends beyond the threefold division land-water-air, attempting to articulate the nature of the animal world more precisely through the mention of other categories or subcategories of animals such as the land and air swarmers, the small rodents, etc. This amplification of the animal taxonomy expresses a concern for biological classification. In this regard, the fact that "technical terms" like *lemino* are exclusively attested in writings associated with Priestly or priestly traditions (Gen 1; 6–9; Lev 11; Deut 14; Ezekiel) may suggest that zoological knowledge is a self-conscious intellectual interest of the Priestly élite.²¹

Unlike Lev 11, Deut 14 explicitly connects the food prohibitions to the land of Israel through the narrative logic of the book according to which Israelites should keep the food prohibitions once they have entered into the land. Eating, especially eating meat, relates closely to the Deuteronomistic concern with centralization to influence the hearers to embrace a communal Yahwistic identity. This identity is focused around a singular sanctuary and, at the same time, is diffused throughout the land as Israel.²² Deuteronomy balances the drive toward one chosen place with the allowance of domestic sacred slaughter and consumption of quadrupeds according to Deut 12. This connection provides special meaning to meat from clean quadrupeds, which are addressed in 14:4–5, a text missing from Lev 11 that concerns large game animals as noted above. As a result,

¹⁸ On this see JENSON 1992; NIHAN 2007, 296–394; 2013.

¹⁹ MILGROM, 1991, 721–22.

²⁰ HOUSTON 1993; NIHAN 2007.

²¹ WHITEKETTLE 2003, 165–66.

²² ALTMANN 2011.

Deuteronomy's logic of holiness transfers the exclusive link with the sanctuary to every Israelite household, at the domestic level.²³ Moreover, Deut 14:3 introduces the dietary rules with the general prohibition of eating abomination (*to'ebah*), absent in Lev 11. The word *to'ebah* appears often in Deuteronomy, generally indicating cultic faults that one might sum up as concerning "worshipping *to'ebah*." The term can also appear in ethical contexts, referring to non-cultic behaviors or speech incompatible with adherence to Yhwh, similar to the usage of the term in Proverbs. This is noted by Preuss:

Thus these *tō'ēbā* injunctions not only protect the purity of the cult (and not just from the practices of Israel's neighbors; cf. 17:1) but also prohibit conduct that is ethically incompatible with Yahweh and his people ("abomination in your midst": 13:15[14]). Israel must not adopt such practices (usually from its neighbors), because to do so would imperil its faith in Yahweh. ... In Dtn/Dtr texts, therefore, the use of the *tō'ēbā* concept is intimately associated with the idea of the people of God and the uniqueness and nature of Yahweh.²⁴

Deuteronomy 14, by placing dietary prohibitions in the category of *to'ebah*, broadens the category of improper worship to include seemingly mundane practices removed for a sanctuary, thus bringing together the "wisdom" and the "cultic" dimensions of the term.

Although the redactors of Deuteronomy seldom show concern with the topic of holiness and defilement, this theme does appear explicitly in the context of the announcement of the food prohibitions (Deut 14:1–2, 21): respecting the food prohibitions thereby becomes a quintessential practice of holiness, and the dietary laws become representative of the election of the Israelites. This special connection between the dietary prohibitions and Israel's election allows for a combined, and, in some regards, complementary reading of the food prescriptions of Leviticus and Deuteronomy. This combined reading, which underlines the universal and de-territorialized character of the food laws, contains their potential for becoming representative of the entire Torah. While this interpretation begins within the Hebrew Bible itself (for example in presumably late passages like Lev 20:25), the reference to dietary prescriptions as paradigmatic of the entire law will become a *topos* in the apologetic literature of the Hellenistic period, where keeping of the dietary laws becomes the sign par excellence of the Jewish identity.²⁵

To summarize, there are significant differences in some of the details of the two passages, in their conceptions of reasons for the prohibitions, and in their literary settings. However, there is little question that the ritual actions proscribed

²³ Cf. MARKL 2012; NELSON 2002, 176. Note that this opens an important question with regard to the nature of the overlap between the dietary prohibitions and household religious practice, a question that invites interdisciplinary discussion with household archaeology.

²⁴ PREUSS 2006.

²⁵ MOORE 2015, 204–54; ANGELINI, forthcoming.

by Lev 11:2–23 and Deut 14:3–20 largely coincide. As a result, the formulation as well as the literary setting of each text provides the shared practices with a different significance.

3. Thinking and Performing Dietary Prohibitions

While Lev 11 and Deut 14 mandate the same ritualizing actions, their different contexts invite divergent reflections on the actions prescribed, some of which we have described in the previous section. In other words, the dietary prohibitions do not have one single meaning, even in the texts of the Hebrew Bible. However, we will now take this hypothesis one step further: biblical food prohibitions, whose original background we can no longer fully reconstruct, were reworked and transmitted in different contexts throughout different times. This much has been argued many times within scholarship. Yet we contend that this process of transmission repeatedly transformed the laws, amplifying and adapting them according to the logic of the different groups responsible for their textualization while generally still retaining the possibility for a combined reading within the Torah as a whole. Once a particular reading was transmitted on its own terms, new modifications occurred, and new meanings could again be generated.

We turn to the work of the anthropologist D. Sperber to aid in explanation.²⁶ For one, Sperber's anthropological work offers a useful tool to understand such processes of transformation, such as those involved in the different diachronic formulations for the dietary prohibitions from an early written or oral stage and eventually resulting in the different extant MT and LXX texts of Lev 11 and Deut 14. He traces the mechanisms of the *transmission* of culture through the concept of what he designates the "epidemiology of cultural representations": that is, how actions and meanings of culture become broadcast through a given group. He describes it as follows: "An epidemiology of representations is a study of the causal chains in which these mental and public representations are involved: the construction or retrieval of mental representations may cause individuals to modify their physical environment."²⁷ Intrinsic to this conception is the overlap between ideas or mental representations and materiality, which he terms "physical environment" – or theory and practice.

A second seminal concept for Sperber are "cultural representations," that is, how humans communicate their individual understandings of shared practices to one another. Sperber explains:

When we talk of cultural representations ... we refer to representations which are widely shared in a human group. To explain cultural representations, then, is to explain why some

²⁶ SPERBER 1996a.

²⁷ *IBID.*, 62.

representations are widely shared. Since representations are more or less widely shared, there is no neat boundary between cultural and individual representations.²⁸

Sperber's conception provides insight in that it works to overcome the problem of the transmission of culture views of dietary prohibitions like those found in Lev 11 and Deut 14 from person to person, while allowing for variation among a particular group and over time. This contrasts with the notion of some kind of a structuralist system as argued by many interpreters of the dietary prohibitions since Douglas' epoch-making work,²⁹ which does not account well for diachronic differences between texts or literary traditions. Sperber's more materialist focus offers a number of improvements. His approach not only allows for overlap and differences between the textual representations in the various versions of Lev 11 and Deut 14, but it allows for them in the archaeological record as well. There can be widely shared representations, which means they provide explanations across a broad number of people in a shared tradition, but this need not imply that all individuals either understand or practice them in the same way. And, this is accomplished without needing to consider *one particular* formulation of the prohibitions (e.g., MT of Lev 11) as the most pristine conception.

Key to this analysis is his notion that "representations are transformed almost every time they are transmitted and remain stable only in certain limiting cases."³⁰ In other words, almost every time a bit of culture, like the dietary prohibitions, is passed on, it undergoes some change.

This *theoretical* point has far-reaching implications for our study of the dietary prohibitions in Lev 11/Deut 14 and the rest of the ancient literary and material remains addressed in this volume. Once we consider the dietary laws as cultural representations, we should *expect* transformation in meaning. This also obtains in those instances when the actual practice remains constant – in this case avoidance of the meat from a particular category of animal – in every iteration of the transmission of bits of culture like dietary prohibitions. It remains constant whether on the large scale of comparisons between Egypt, Greece, Assyria, and Israel, or on the much smaller scale of Leviticus and Deuteronomy's uses of a shared source and versions of one another on the road to their received forms. As a result, one should not expect complete systemizations such as those proposed by structuralists and those who continue to accept their methodology in their biblical, archaeological, and ancient historical studies, as we will discuss in the next section.

²⁸ *IBID.*, 82.

²⁹ DOUGLAS 1966.

³⁰ SPERBER 1996a, 25–26.

4. Meanings and Origins

Building on Sperber's insights, how can one view the origins and development of meaning biblical dietary prohibitions? One prominent hypothesis concerning the origins of the biblical food prohibitions, which appears to fit quite well with the framing concerns in Lev 11:44–45 and Deut 14:2, 21, interprets them largely as an exilic-period formulation to affirm a distinction between the "Israelites" and their neighbors.³¹

Beginning with this interpretation as an example of a global explanation, a problem arises for its application to the prohibitions as a whole. The dietary customs of Levantine, Mesopotamian, and Egyptian neighbors differ too little from those prescribed in the Pentateuch to render the desire for Israelites to differentiate themselves from the host culture a compelling singular explanation of their origins. A minimal number of animals appear in Egyptian and Mesopotamian documents and iconography that do attest to the consumption of some meat designated as unclean in the biblical sources. Mesopotamian deities found bandicoot rats delicious, which fall under the category of "swarmers upon the ground" (in the later text of Lev 11:29), but otherwise the menu of Mesopotamia deities consists of meats generally adjudged clean in the biblical texts, though the types of fish remain difficult to identify.³² Consumption of ostriches – prohibited if they are indeed denoted by *bat ya'anah* in Lev 11:16/Deut 14:15 – is attested primarily for Persians³³ and their eggs in Mari.³⁴ Some consumption of swine also appears in Mesopotamia and Egypt.³⁵ Finally, Arabian Bedouin tribes consumed camels.³⁶ Yet on the whole, these examples constitute exceptions: the greatest number of animals consumed – when they were consumed, given that meat constituted a high value and rare food throughout the ancient Near East,³⁷ it largely consisted of animals deemed acceptable in Lev 11 and Deut 14.

As a result, there are *some* types of prohibitions that could arise from the desire to distinguish the "Israelites" from others, as the two texts of Lev 11:44–45 and Deut 14:2, 21 imply was part of the basic motivation. However, too many other members of the list do not accord with this conclusion: vultures and bats represent two good examples. There is little evidence for the consumption of any sort of these types of birds across the ancient Near East. As a result, Sperber's approach proves amenable: the collective cultural representations of animal prohibitions allow for a degree of divergence among explanations for avoidance

³¹ GERSTENBERGER 2009, 185.

³² SCURLOCK 2002, 389–90.

³³ ATHENAEUS, *Deipnosophistae* 4.145.

³⁴ SALONEN 1973, 166.

³⁵ HOUSTON, 1993, 155, 177.

³⁶ *IBID.*, 87.

³⁷ ALTMANN, forthcoming b.

of certain types of meat. They could include but also extend beyond the explanations given in Deut 14:2 and Lev 11:44–45, which represent late texts in their respective contexts.³⁸

Given the lateness of this interpretive meaning within the texts, in terms of origins, we find it more probable that, as Houston already suggested, some of these laws originated in the context of preexilic Israelite sanctuary, from practices connected with a Yahwistic cultic setting.³⁹ In this regard, their original context probably did not differ significantly from what we understand of food prohibitions in other ancient cultures like Mesopotamia, Egypt, or Greece.⁴⁰ The best textual evidence for this conclusion may appear in the first category of animals addressed in the text of Lev 11 and Deut 14: the large land animals that formed the focus for the offerings of animals in the ancient Levant.

Nevertheless, the present forms and intrinsic explanations of the food law texts in the Hebrew Bible do not correspond to the way they originated. Their forms and meanings appear, instead, to have resulted from a process of progressive transformation that continued as long as the texts were undergoing modifications and expansions. By moving beyond a specific ritual setting and ritual time and losing their connection with the sanctuary, biblical food laws draw near to the realm of custom in that they aim to regulate everyday practice. However, this does not mean that dietary restrictions assumed a purely mundane character. As a “religiously based system of prohibitions,”⁴¹ biblical food restrictions remain more than a custom, and they can therefore be situated on a *continuum* between mundane custom and sanctuary ritual, which is populated, as Bell has shown, by various ritualizing actions.⁴²

This articulation of the biblical food prohibitions between ritual and custom has at least two important consequences for our discussion. The first one concerns the relationship between meat prohibitions and sacrificial patterns. A sacrificial paradigm, that is the selection of perfect specimens of pure types based on the primary animals that can be offered on the altar (i. e., cattle, sheep, and goats), seems to work as an explanation for the distinction between clean and unclean quadrupeds.⁴³ Yet a similar assumption appears more problematic in the case of other categories, especially the fish and insects, and doubts arise in the case of the birds. This discrepancy raises further issues with the possibility of detecting a singular overall logic that governs the formulation of the food laws as an ensemble. Moreover, this perhaps original sacrificial paradigm would not

³⁸ MILGROM 1991, 695–97; ALTMANN, forthcoming a.

³⁹ HOUSTON 1993, 123, 232; NIHAN 2007, 334; however, now see NIHAN 2011, 417.

⁴⁰ ERMIDORO 2014, 2019; VOLOKHINE, 2019; PARKER 1996, 358.

⁴¹ HOUSTON 1993, 16–17.

⁴² BELL 1992, 74.

⁴³ FIRMAJE 1990; MILGROM 1991, 713–36; and for a critique of the sacrificial paradigm as an exclusive explanation HOUSTON, 1993 114–22.

have continued to carry the same weight once the dietary prohibitions extend beyond the sacred space and the sacred time of the sanctuary.⁴⁴ In this regard, the relationship with “sacrificial consumption” and attending ritual actions proves more complicated than a singular explanation, once again indicating the problems with unified structuralist approaches.

The second consequence arising from the universalization of the biblical dietary laws and our reconstruction of their de-territorialization is their transformation into a paradigmatic case for the entire Torah. This is understandable partly because the practice of the food laws came to play a considerable role in processes of ethnogenesis and identity definition, as documented in later texts of the Hebrew Bible itself like Daniel or Judith, and especially in biblical writings in Greek, such as the books of Maccabees.⁴⁵ Furthermore, the textualization of biblical food prohibitions strengthened the ideological potential embedded in these laws, permitting them to survive the destruction of the Temple and to represent “Jewishness” in every time and in every space.

In this regard, the biblical dietary laws have often been studied as direct antecedents of *kashrut*, which developed in early Judaism, and which can actually be considered in many respects as “ritualized everyday behavior.”⁴⁶ However, the reception of the biblical food prohibitions in the early rabbinic period implies both the considerable amplification and transformation of these laws. Biblical and rabbinic dietary restrictions, in addition to belonging to different historical and cultural contexts, respond to different concerns, are organized differently, and perform different functions. To provide a few examples, in rabbinic sources *kashrut* regulations pay almost no attention to the selection of animals, for they take for granted the knowledge of which meat is edible and which is not. Instead, they focus on the definition of the participants in non-cultic slaughtering, and more generally on the proper ways to prepare and cook the food. Their concerns especially address issues of commensality, as the issue is no longer what Israelites can or cannot eat, but with whom Jews are allowed to share meals.⁴⁷ The function of separation, which was attributed to the dietary laws in the biblical texts, is then reinterpreted in a broader sense as prohibiting the sharing of meals with non-Jews.⁴⁸ To set the study of the biblical food

⁴⁴ That is, they bring only minimal “ritualizing” aspects of sanctuary practice into daily practice. Ritual consumption can also include the time, the place, a specific order, matters of commensality (questions concerning with whom one consumes), and methods of preparation, manners, or disposal (which make a minor appearance in the Hebrew Bible in Ezek 4:12–15).

⁴⁵ See, e.g., MACDONALD 2008, 196–218; also see the discussions of Deirdre FULTON and Débora SANDHAUS in this volume.

⁴⁶ This seems still to be the implied rationale of the recent volume of ROSENBLUM 2016.

⁴⁷ See, e.g., ROSENBLUM 2010.

⁴⁸ Furthermore, the focus of *kashrut* regulations extends to include bread, wine, and oil: products which can be defined as clean only if produced by Jews (see, e.g., GOODMAN 1990 on kosher oil).

prohibitions in their earliest contexts can therefore help correct the traditional view of the straightforward emergence of *kashrut* regulations from biblical texts. The complexity suppressed by the rabbinic view of the straightforward development from the biblical texts to *kashrut* consists in part in the attempt to identify an overarching meaning for the prohibitions of the specific animals or types of animals.

As a result, such a contextualization in the various periods of the historical development of the prohibitions serves to provide a framework to evaluate more precisely the processes of continuity and discontinuity between the different functions achieved by food prohibitions in ancient cultures. From this perspective, if the absolute value attributed to the biblical food prohibitions at a particular time differentiates them from the main tendencies observable in ancient cultures, this same value can nonetheless be compared with other purity regulations that are typical of sectarian movements of antiquity, such as Orphics, Pythagoreans, or Cynics, among whom dietary precepts function as part of a permanent way of life. Pythagorean doctrines are similar in some ways to biblical dietary rules in that they prohibit particular types of meat and fish (e.g., white rooster, red mullet, and others),⁴⁹ or specific organs of animals for purity reasons (e.g., genitals, bone marrow, heart, and brain).⁵⁰ Interestingly enough, these philosophies arise in polemics against the territorialized cult of the polis, and their followers conceived themselves as “citizen of the world” more than “citizen of the polis.”⁵¹ However, even in this case, significant differences emerge. Pythagorean and Orphic purity regulations do not focus exclusively on animals but also include abstention from certain kinds of vegetables (most notably broad beans). Moreover, in the traditions attributed to Pythagoras or Orpheus, condemnation of meat consumption is strictly associated with the critique of blood sacrifice. In this perspective, Pythagorean discourse is opposed to biblical prescription on quadrupeds, which seems to have been derived from, or shaped by sacrificial patterns, as we suggested above. Moreover, the scarcity of primary sources may point to a certain degree of difference between discourse and practice, as some prescriptions seem to have been circumscribed to cultic contexts.⁵²

⁴⁹ DIOGENES LAERTIUS, *Vita Pythagorae* 8.19, 33–34 (= ARISTOTLE, Fr 195 Rose); JAMBLICUS, *Protrepticus* 21; *Vita Pythagorae* 98. See on this BERTHELOT 2001.

⁵⁰ PORPHYRIUS, *Vitae Pythagorae* 34, 42–43; JAMBLICUS, *Vita Pythagorae* 109; cf. DIOGENES LAERTIUS, *Vita Pythagorae* 8.19.

⁵¹ See on this ANGELINI, forthcoming.

⁵² BORGEAUD 2013; on Cynics see NOTARIO 2015.

5. Conclusions

Scholarship since the twentieth century dealing with the topic of biblical dietary laws has primarily remained focused on questions concerning the origins of the practices mandated by the laws as well as the historical setting for their textualization. Such a perspective is often accompanied by a search for a consistent structure in the formulation of the laws, and/or for an overarching explanation of their meaning: even the most recent scholarship seems not to have escaped this path.⁵³

On the contrary, the more dynamic approach suggested here articulates formal concerns of organization related to the textualization of the laws within their historical development, which may have been largely based on current custom and cultic practice. We believe that such an approach accounts better for the inclusion of evidence from archaeology and comparative ancient Near Eastern cultures within the study of biblical foodways in antiquity, while at the same time it helps explain the so-called “gaps” in the formulation of the laws. Moreover, conceiving food laws as cultural representations that are “epidemiologically” transmitted, we suggest distinguishing the issues related to the origins of dietary laws from those concerning the composition and the transmission of the corpora containing such prescriptions. Within this perspective, we prioritize the study of the ways in which these texts functioned in their ancient literary and cultural contexts, which seem more complex than what is usually acknowledged. The study of such diversity therefore offers fruitful avenues for further research.

⁵³ MESHEL 2008; BURNSIDE 2016.