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Land in the Holiness Code (Lev 17-26)

ABSTRACT

The article attempts to describe the way in which land is presented and understood in the Holiness Code. Land as such has at least two faces in the Holiness Code. On the one hand we find a presentation of Egypt, Canaan and the land of the enemies that is hostile and threatening, and on the other hand Canaan is presented as a sustaining land that makes life possible. Another feature of land is that it has a certain amount of freedom and plays a role in the code along with two other “characters” namely JHWH and the addressees. The Holiness Code is also very clear that life is not possible without access to such a sustaining land.

1. INTRODUCTION

The following discussion is an attempt to describe how land is portrayed and understood in the Holiness Code. I start by presenting a summary of the different occurrences of the term land (אֶרֶץ) in the Holiness Code and then I focus on the images or “faces” of the land that we find in the code. The question would thus consistently be how land is presented in the text and what this might tell us about how the authors and addressees understood themselves in relation to the land.

The fascinating thing about these faces is that they make it very clear that for the people who produced this text, life as such was not possible without being imbedded in a piece of land. Without land people have no means of sustenance, no means of acquiring food and eventually no means of living. This is a state of affairs, which we might want to call “poverty” today. Yet our definitions of “poverty” nowadays often have more to do with the inability to acquire basic things like food, housing and clothing and is not always that directly connected to the loss of land. But in South Africa we have also learned that many people became poor when they were forcefully removed from their ancestral land. This is something that the authors of the Holiness Code already knew when these texts were written.

The following article thus attempts to be descriptive and is not interested in engaging with the larger scholarly debate on this text. Some of these issues will feature in the footnotes from time to time.

2. OCCURRENCE

According to Warning’s (1999:185) concordance of Leviticus the word “land” (אֶרֶץ) occurs 81 times in the whole book. Of these, 69 are in what has traditionally been called the “Holiness Code”,¹ or then chapters 17-26 of Leviticus. In the rest of Leviticus, chapter 11 is the chapter with

¹ We do not need to go into the current debate with regards to the character of the so-called Holiness Code. The traditional view that it was an original independent code which was later incorporated into the

the most occurrences, namely eight and if one were to count them chapter by chapter, in the Holiness Code, then chapters 25 and 26 catch the eye. In the former we find 20 occurrences of the term and in the latter 23. Apart from these, chapters 18 and 19 would share the third place with seven each and then chapters 20 and 23 with four each, while chapter 22 has only two. Chapters 17, 21 and 24 have nothing whatsoever to do with land. This quoting of statistics does not help much apart from pointing out that the issue of land was higher up on the agenda of chapters 25 and 26 than in the rest of the code. The question still remains what the word “land” refers to? Which piece of land, where? Apart from that we also need to ask how land is characterised in this code? What does the land do? And what is done to the land?

When we were to ask “which piece of land?” then it is important to note that the land is never referred to as the “land of Israel”. The only direct reference to the piece of land that we would call either Palestine or Israel today, depending on our political views, would be the land of Canaan (ארץ כנען). This concept occurs twice (Lev 18:3 and 25:38) in the Holiness Code and on every occasion it is contrasted with Egypt (ארץ מצרים). In Leviticus 18:2-4 we find the following description:

Table 1: Leviticus 18:2-4

<p>דַּבֵּר אֶל־בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵיהֶם אֲנִי יְהוָה אֱלֹהֵיכֶם ³ כַּמַּעֲשֵׂה אֶרֶץ־מִצְרַיִם אֲשֶׁר יָשַׁבְתֶּם־בָּהּ לֹא תַעֲשׂוּ וְכַמַּעֲשֵׂה אֶרֶץ־כְּנָעַן אֲשֶׁר אֲנִי מְבִיא אֲתֶכֶם שָׁמָּה לֹא תַעֲשׂוּ וּבְחֻקֵיהֶם לֹא תֵלְכוּ: ⁴ אֲחֻזְמוֹתַי תַּעֲשׂוּ וְאֲחֻזְמוֹתַי תִּשְׁמְרוּ לְלַכֵּת בָּהֶם אֲנִי יְהוָה אֱלֹהֵיכֶם:</p>

² Speak to the people of Israel and say to them: I am the Lord your God. ³ You shall not do as they do in the land of Egypt, where you lived, and you shall not do as they do in the land of Canaan, to which I am bringing you. You shall not follow their statutes. ⁴ My ordinances you shall observe and my statutes you shall keep, following them: I am the Lord your God.²

In these two verses we find the first occurrence of the term land and thus the scene is set for what is to follow. In the “story world” of the Holiness Code as part of the Sinai Priestly Narrative, the Israelites (בְּנֵי יִשְׂרָאֵל) are always on their way somewhere between Egypt and the new promised Canaan. Leviticus 18:2-4 is not only the first occurrence of the term land in the Holiness Code, but also the first occurrence of the phrase that is often regarded as characteristic of the Holiness Code, namely “I am the Lord your God” (אֲנִי יְהוָה אֱלֹהֵיכֶם). JHWH enters and it is his claim to fame that he is the one that established this state of affairs. *He* brought the people addressed by the code out of Egypt and *he* will take them to Canaan and it is on *these* grounds that he demands that the Israelites must obey his stipulations. Later when we find the term Canaan again JHWH adds another objective and that is to be a God for the people addressed as 25:38 states:

priestly redaction has been challenged lately by scholars like Otto (1999) and Grünwaldt (1999), to name just a few.

² All the biblical quotes are from the NRSV

Table 2: Leviticus 25:38

<p>אֲנִי יְהוָה אֱלֹהֵיכֶם * אֲשֶׁר הוֹצֵאתִי אֹתְכֶם מֵאֶרֶץ מִצְרַיִם לָתֶת לָכֶם אֶת־אֶרֶץ כְּנָעַן לְהוֹיֹת לָכֶם לְאֱלֹהִים: ט</p>
<p>³⁸ I am the Lord your God, who brought you out of the land of Egypt, to give you the land of Canaan, to be your God.</p>

But to return to 18:2-4, this text sets the stage for what is to come and it shows that one of the main issues in the Holiness Code is *land* or especially *ownership of land*. It is about a God who claims to have delivered and who promises land and it is further concerned with a people, those addressed by the code, who apparently are without land and on their way to this promised land called Canaan. It is also important to understand that from the outset land, JHWH and the addressees are the main “actors” or “characters” in this text. The Holiness Code is thus interested in this relationship between people, land and divinity.

In what follows I will try to present what I would call the different “faces of the land” and with each different “face” the question is what role the other two main characters play in this code. What do they do or neglect to do that triggers these different faces or, which brings these faces to the fore? The first face of land in this code is the “threatening” land, the land that acts dangerously, the land that is not sustaining.

3. THE UNDESIRABLE AND THREATENING LAND

3.1 Egypt

Egypt never gets “good press” in the Holiness Code. It features a total of ten times of which I have already mentioned two (see Tables 1 and 2 above), where it is paired with Canaan. On a further two occasions it is depicted as the land where the Israelites were either strangers (נְגִיִּים, 19:34) or slaves (עֲבָדִים, 26:45). In the first example it is used to motivate why the addressees should treat the strangers like a local inhabitant (אֶזְרָא), because they themselves were strangers in Egypt. Yet in probably the most cases Egypt is referred to in order to say something about JHWH, which often has some kind of persuasive function in that particular text. Sometimes it follows or precedes a short parenetic text (e.g. 19:36, or 22:33), or, for instance, it motivates why there is such a thing as the festival of booths (23:43). Or it simply motivates why JHWH claims lordship over the Israelites (25:38, 42, 55). This is especially true in chapter 25 where it is used on two occasions to claim that the Israelites are the slaves of JHWH and thus they are not allowed to be sold as slaves to others. In line with this persuasive function it thus often occurs in a **כי**-clause (e.g. 19:34; 23:43 and 25:42 and 55). That then is the land of Egypt, the place where the Israelites were slaves and strangers, a place where the only seemingly recommendable option was to leave that land.

3.2 Canaan

Canaan, the place where they were going to, also has a rather dark or threatening side to it. It is especially clear in chapter 18. Following the reference to Canaan that we saw above (Table 1), we find a long list of sexual taboos (vv 6-23) apodictically formulated. This in its turn is followed by a further parenetic text (vv 24-30) where the addressees are threatened that they should not defile the land as the previous inhabitants did. Verse 25 is especially important.

Table 3: Leviticus 18:25

<p>25 וְהָטְמָא הָאָרֶץ וְאֶפְקַד עוֹנָהּ עָלֶיהָ וְהִקָּא הָאָרֶץ אֶת־יֹשְׁבֵיהָ:</p>
<p>25 Thus the land became defiled; and I punished it for its iniquity, and the land vomited out its inhabitants.</p>

The verse describes something that sounds like a chain-reaction. The land became defiled, JHWH punished her³ and she vomited out the inhabitants. This is what happened to the predecessors of the Israelites in the land of Canaan⁴ and it will happen to Israel too, if they were to do the same (vv. 27-30). The land will vomit or spit out as it has done before (v. 28). At the end of chapter 20 we find a similar parenetic text and again the warning that if the addressees were not to do these stipulations the land, presumably Canaan, will vomit them out. Here it also follows a long series of sexual taboos, similar to those in chapter 18, although now in casuistic form.

Table 4: Leviticus 20:22

<p>22 וְשָׁמַרְתֶּם אֶת־כָּל־חֻקֵּי וְאֶת־כָּל־מִצְוֹתַי וְעָשִׂיתֶם אֹתָם וְלֹא־תִקְיֵא אֶתְכֶם הָאָרֶץ אֲשֶׁר אֲנִי מְבִיא אֲתֶכֶם שָׁמָּה לְשֹׁכֵת בָּהּ:</p>
<p>22 You shall keep all my statutes and all my ordinances, and observe them, so that the land to which I bring you to settle in may not vomit you out.</p>

This is thus how the land of Canaan is presented in the Holiness Code, also referred to as a land of milk and honey (20:24), the land whereto JHWH is bringing the addressees (see 20:22, but also, 19:23, 23:10 and 25:2). Yet she is a highly dangerous land with a rather “weak stomach” that has a tendency to vomit out her inhabitants. The addressees are thus on the way, away from Egypt, the land where they were slaves and strangers, to Canaan, a promised land of abundance, but with a tendency to vomit out non-complying inhabitants.

3.3 The land(s) of the enemies

Yet, there is another land in the Holiness Code, even more ominous than Egypt and Canaan, a land that has a different predisposition. This land is not a land of slavery, neither does she vomit out her inhabitants, to the contrary, she has an alarmingly “big appetite” and she is indeed known for consuming and devouring her inhabitants. This is the land of the enemies and she features right at the end of the Holiness Code (26:38).

Table 5: Leviticus 26:38

<p>38 וְאָכְלָה אֲתֶכֶם אֶרֶץ אֹיְבֵיכֶם וְאָבְדוּתֶם בְּגוֹיִם:</p>
<p>38 You shall perish among the nations, and the land of your enemies shall devour you.</p>

We find reference to the “land of the enemies” on four occasions (26:34, 38, 41 and 44) and twice the text refers to the “lands of the enemies” (26:36 and 39). The addressees will end up in that land

3 In the rest of this article I will use feminine pronouns to refer to the land. This is unusual for English (and grammatically unsound), but my objective with this is to present the land as an “actor” or “character” in the Holiness Code and therefore the personal pronouns in stead of the rather impersonal “it”. I use the feminine because the word is feminine in Hebrew.

4 Although the land is not specifically called the “land of Canaan” towards the end of chapter 18, I continue to call it that, because the land that JHWH will bring the addressees to is called Canaan in v. 3. It is the same land that returns in v 25, or that is how I read it.

if they do not abide by the code. There in the land(s) of the enemies things will not go their way, apart from being consumed there, Leviticus 26 also describes the psyche of the “survivors” as very vulnerable, as people really traumatised by this event (especially vv 36-37). It sounds as if they are “paranoid” and scared of everything, even the sound of a falling leaf (v 36). There in the lands of the enemies they, the survivors will waista away (v 39, Ni of **מקק**).

Thus the people addressed in the Holiness Code have a rather precarious relationship with land in general. They were delivered from the land of Egypt, a land of slavery. They are on the way to Canaan, a land known for vomiting out its inhabitants; and in the distant future looms the threat of the land of their enemies who will devour them, that is, after they have been spitted out by Canaan. These are the negative or dark sides of land, but there is also another positive depiction of the land and the positive presentation only refers to the land to which the addressees are going and thus by implication Canaan.

4. THE SUSTAINING LAND

Canaan is also the land that provides or gives sustenance and life. It is especially described in two verses in chapter 25 (vv 18-19) and in the blessings part of chapter 26 (vv 3-13). In both of these texts the land is often the subject of the verb “to give” (**נתן**).

Table 6: Leviticus 25:19 and 26:4

25:19 וְנָתְנָה הָאָרֶץ פְּרִיָּהּ וְאָכַלְתֶּם לְשִׂבְעָה וְיָשַׁבְתֶּם לְבִטְחָה עָלֶיהָ:
25:19 The land will yield its fruit, and you will eat your fill and live on it securely.
26:4 וְנָתַתִּי נְשִׁמְיֹכִים בְּעִתָּם וְנָתְנָה הָאָרֶץ יְבוּלָהּ וְעֵץ הַשָּׂדֶה יִתֵּן פְּרִיָּו:
26:4 I will give you your rains in their season, and the land shall yield its produce, and the trees of the field shall yield their fruit.

Both of these texts follow verses commanding the addressees to obey the laws and stipulations provided by JHWH and are thus parenetic. If they (i.e. the addressees) were to do this, then the land will give either her fruit, or her harvest. In the second example it is JHWH who provides the rain first and then the land provides her produce, but the end result is people having enough to eat and people living on the land securely. The word “securely” (**בִּטְחָה**) appears again in the next verse of chapter 26.

Table 7: Leviticus 26:5

5 וְהָשִׁיג לָכֶם דִּישׁ אַחַדְבָּצִיר וְקִבְצִיר יִשֵּׁי אַחַדְזֶרַע וְאָכַלְתֶּם לְחֵמְקֵיכֶם לְשִׂבְעָה וְיָשַׁבְתֶּם לְבִטְחָה בְּאַרְצְכֶם:
5 Your threshing shall overtake the vintage, and the vintage shall overtake the sowing; you shall eat your bread to the full, and live securely in your land.

This is the positive image of the land providing for her inhabitants and which allows her inhabitants to eat (**אָכַל**) until they are content. In this case the land is a provider, a source of life, a place that actually makes life possible. The people thus have high expectations of the land and they expect to live from her and to receive life from her. We should also keep in mind that it is

only Canaan that plays this sustaining role whereas Egypt and the land of the enemies are only presented as having a destructive side. Canaan, at least, has both.

5. THE LAND AS A “PERSON”?

An interesting aspect of both these faces that I pointed out above, which has led to a fair amount of discussion,⁵ is the fact that the land is often the *subject* of a verb. We have mentioned some of the examples above, but I would like to add some more examples from the Holiness Code. Some of these examples could also be divided into the two “faces” of the land that I identified above, while others do not fit in that clearly. The following are manifestations of the threatening side of the land that I have not mentioned above.

Table 8: Lev 18:28, 19:29 and 20:22

	<p>18:28 וְלֹאֲדַקְנִיתָ אֶת־אֶרֶץ אֲחֵיכֶם בְּמַטְמְאֵם אֹתָהּ כַּאֲשֶׁר קָמָה אֶת־דָּגוֹן אֲשֶׁר לְפָנֶיכֶם:</p>
18:28 otherwise the land will vomit you out for defiling it, as it vomited out the nation that was before you.	
	<p>19:29 אַל־תְּחַלְּלִי אֶת־בֵּתְךָ לְשׂוֹמְרֵהָ וְלֹאֲדַקְנִיתָ אֶת־אֶרֶץ וּמְלֵאָהּ אֶת־אֶרֶץ זָמָּה:</p>
19:29 Do not profane your daughter by making her a prostitute, that the land not become prostituted and full of depravity.	
	<p>20:22 וְשָׁמַרְתֶּם אֶת־כָּל־חֻקֹּתַי וְאֶת־כָּל־מִשְׁפָּטַי וַעֲשִׂיתֶם אֹתָם אֲחֵם וְלֹאֲדַקְנִיתָ אֶת־אֶרֶץ אֲשֶׁר אֲנִי מְבִיא אֲחֵיכֶם שָׁמָּה לְשֹׁכְתָ בָּהּ:</p>

20:22 You shall keep all my statutes and all my ordinances, and observe them, so that the land to which I bring you to settle in may not vomit you out.

We have discussed the vomiting or spitting land above, but we find a further example in 19:29 where the land acts as a prostitute.⁶ That happens because a father has forced his daughter to act as a prostitute. It thus seems, once again, as if what the inhabitants do on the land has a direct effect on the land herself. If they do impure things, then she has the same fate, if they act as prostitutes then she becomes the same.

We should also add to these examples the image of the land of the enemies consuming the addressees that we discussed above (Table 5) from Leviticus 26:38. In that case the land is the subject of the verb “to eat” (אָכַל). The only other possible subjects for this verb in the rest of the Holiness Code are the addressees themselves. They usually do the eating, often after the land has given; yet now their roles are turned around, and the land (albeit the land of the enemies) does the eating and they become the objects.

On the positive side we have already seen the land providing on two occasions, but there are some more examples of land being the subject of a verb. These do not necessarily fit into the two

5 See especially Joosten (1996).

6 The NRSV opts for a “softer” translation of this text with “that the land not become prostituted”. I would prefer to translate it as an active verb as I did above.

profiles that I identified above and all these examples come from Leviticus 25-26 where we already said that the concept of land is very salient.

Table 9: Leviticus 25:2, 26:34 and 43

<p style="text-align: right;"> ^{25:2} דַּבֵּר אֶל־בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם כִּי תָבֹאוּ אֶל־הָאָרֶץ אֲשֶׁר אֲנִי נֹתֵן לָכֶם לְשַׁבְּתָהּ הָאָרֶץ שִׁבְעַת לִיהוָה: </p>
<p>25:2 Speak to the people of Israel and say to them: When you enter the land that I am giving you, the land shall observe a sabbath for the Lord.</p>
<p style="text-align: right;"> ^{26:34} אִם תִּרְצֶה הָאָרֶץ אֲחֻשְׁבוֹתֶיהָ כָּל יְמֵי הַשָּׁמָה וְאַתָּם בְּאֶרֶץ אֹיְבֵיכֶם אִם תִּשְׁבַּת הָאָרֶץ וְלִרְצֶה אֲחֻשְׁבוֹתֶיהָ: ³⁵ כָּל־יְמֵי הַשָּׁמָה תִּשְׁבַּת אֵת אֲשֶׁר לֹא־שָׁבְתָהּ בְּשַׁבְּתֵיכֶם בְּשִׁבְתֶּכֶם עָלֶיהָ: </p>
<p>26:34 Then the land shall enjoy its sabbath years as long as it lies desolate, while you are in the land of your enemies; then the land shall rest, and enjoy its sabbath years. ³⁵ As long as it lies desolate, it shall have the rest it did not have on your sabbaths when you were living on it.</p>
<p style="text-align: right;"> ^{26:43} וְהָאָרֶץ תִּעֲזֹב מֵהֶם וְלִרְצֶה אֲחֻשְׁבוֹתֶיהָ בְּהַשָּׁמָה מֵהֶם וְהֵם יִרְצוּ אֲחֻשְׁתָּם יָגֵן וּכְיָגֵן בְּמִשְׁפָּטֵי קָאָסֵי וְאֲחֻשְׁתָּם יִגְלֶה וּפְשָׁעֵם: </p>

⁴³ For the land shall be deserted by them, and enjoy its Sabbath years by lying desolate without them, while they shall make amends for their iniquity, because they dared to spurn my ordinances, and they abhorred my statutes.

In all these examples land is the subject of two Hebrew roots namely, **שָׁבַת** and **רָצַה**. It seems once again that the land of Canaan is implied. The first has the basic meaning of stopping to do something, maybe even of taking a break, which became specifically applied to the Sabbath and in this case the Sabbath year. ⁷ The verb **רָצַה** has the basic meaning of “taking pleasure in something”, of “enjoying something”, or of “finding something good”. But in this case it seems to have an added meaning of “paying off”, or “atoning”. ⁸ In verse 43 we also find a “they” who is the subject of the same verb. This “they” refers to the so-called “survivors” (**הַיֹּשְׁבֵי**) that we found in 26:36 and 39. Many scholars have described the use of the root here as a kind of “word play” and the German scholar, Bertholet (1901: 96) said more than a hundred years ago that “the author seems to be enjoying his word plays” (“Der Autor scheint an Wortspielen Freude zu haben”). Thus, the land will “enjoy” (**רָצַה**) her “Sabbaths”, but the survivors will “pay off” (also **רָצַה**) their “iniquities”. I do have the impression that it has a more positive meaning when the

⁷ See Stolz (1995: 863-869).

⁸ See, especially the discussion by Gerleman (1995: 810-814).

land does it, as if the meaning of the verb is closer to the basic meaning of “enjoying something”. Yet, when the people who are in this case specifically referred to as the “survivors” do it, then it has a very negative meaning in the sense of paying off and in the sense of suffering and in that lies the “word-play”.

The point that I was trying to make is that land is personified to a certain extent. She does act, but in all these examples she always acts in response to one of the other two actors, namely JHWH and the addressees. She does not really have the freedom to act by herself. When she spits out, it is in reaction to the addressees not complying with the laws of JHWH and specifically because JHWH then punishes her (see 18:25). When she gives or provides it is because the addressees have complied and in 26:4 her reaction of giving is triggered by JHWH giving the rain first. Even when the land “rests”, it is only because the addressees have allowed her to rest. Without their consent she is helpless. Eventually she does rest (chapter 26), but then because JHWH has emptied her of all the non-complying inhabitants. The land is thus in a sense a person who can act, but she never acts alone, she only acts in response to the other two characters. I would therefore think that apart from the land being “threatening” and “sustaining” we could add the adjective “vulnerable” when we attempt to describe her character in the Holiness Code. Canaan is thus mostly a victim, apparently open for abuse by both inhabitants and god, but she also has power of her own.

6. CONCLUSION

The preceding description of how land is portrayed in the Holiness Code has made one thing clear and that is that the authors of this code could not have imagined life without land, and in their case, specifically Canaan. It is especially the “sustaining face” of Canaan that makes life possible. The addressees have the expectation that Canaan will provide them with what they need to live. Canaan will give and they will eat what she gives. When Canaan spits out then life takes a turn for the worst and the addressees end up in the land of their enemies where they are eaten by that land.

Nowadays, many biblical critics would date this text to the exilic and the post-exilic period. This would imply that the text thus originated amongst people who have experienced the loss of land and possibly also return to this land. It also explains why they have these two images of land as both a threatening place and a sustaining place. They have experienced *both* “faces” of the land and it has become part of the cultural heritage and part of their understanding of land.

This ancient text thus accentuates what many modern peoples in Africa have learned from first-hand experience. Without having access to a sustaining land, life is not possible. People end up in strange places where life is hard, where food is hard to come by and where they are eventually poor and helpless. The Holiness Code thus adds an ancient voice that testifies to this fact, a fact that many poor people in Africa have also learned the hard way, by means of experience.

I am rather reluctant to equate this landless state to what we would call poverty today. Landlessness as such does not mean poverty, not at least in our modern society. In our modern world there are many people with more than enough money and the means to live, without owning land. We could thus find rich people who are landless in the sense that they are not connected to land and we could also find poor people who actually do have access to land. Thus for us land and life as such are not that closely connected as it was to these ancient people. This does not mean that we could find many examples of poor people whose state of poverty is the direct result of them losing their land, as I explained in the previous paragraph.

Yet I do think that the text also reminds modern westerners that also our livelihood and future depend on how we treat the land and our earth as such. If we do not treat her with respect and if we keep on polluting her, she (i.e. mother earth) might also eventually spit us out as her daughter

(i.e. Canaan) has done a long time ago. Even if we do not directly connect land and life in our modern world-view in the same manner as the authors of the Holiness Code did, it might not be a bad time to remind ourselves of this ancient insight.

7. BIBLIOGRAPHY

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