**Kashrut: Israel’s Dietary Restrictions in Leviticus 11:1-23, 41-47.**

**Introduction**

Like many societies throughout the ages, Israel has defined and defended its values through ritual practices.¹ For Israel, even the simple, daily practice of eating meals could be used as means for learning the ways of God. Protestant preachers and commentators have been rather quiet on the book of Leviticus, because of both “a hermeneutics that teaches Christ’s fulfillment of the law” and the fact that after the Reformation, most Protestant traditions have been “decidedly iconoclastic and antiritualistic.”² Despite the abrogation of the dietary law for New Testament believers, both Jew and Gentile (Mark 7:14-19; Acts 10:9-16; 1 Cor 8:1-13), Leviticus 11 is worth investigating today, to appreciate its value for the Old Testament believer. This paper will examine the text of Leviticus 11 and explore various interpretations of the rationale behind the *kashrut*, seeking to ascertain the best method of understanding this text.

**Holiness**

The Book of Leviticus is composed largely of the regulations of Israel’s Holiness Code. The Levitical author repeats four times (twice in chapter 11) that Yahweh has called Israel to holiness because *he* is holy (Lev 11:44, 45; 19:2; 20:7). “Holiness” (Heb. *qadosh*) encompasses dimensions of hallowedness, sacredness, purity, cleanliness, and set-apartness.³ Caesarius of Arles found his definition of *holiness* in the Greek: “For *agios* is the Greek for ‘holy,’ and *agios* has the meaning ‘not of the earth.’ Therefore if we are more

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¹ Jacob Milgrom, *Leviticus: A Book of Ritual and Ethics*. (Minneapolis: Augsburg Fortress, 2004), 1: “Words fall from our lips like the dead leaves of autumn, but rituals endure with repetition. They are visual and participatory. They embed themselves in memory at a young age, reinforced with each enactment.”


³ Peter W. Gosnell, *The Ethical Vision of the Bible: Learning Good from Knowing God* (Downers Grove, Ill.: InterVarsity Press, 2014), 90: “Objects, or even people, considered holy for unique functions are to be reserved in a special category and handled with respectful care.”
solicitous for heavenly things than for those of the earth, this term is not unfittingly applied to us.”

Israel was a nation set apart because Yahweh claimed ownership over them as his children, and by his actions, he would make them holy. “God ultimately consecrates or sanctifies... although he may make use of persons and material means.”

A spectrum of holiness for Israelite society can be seen in the variety of Hebrew vocabulary. Qadosh (“holy”), sheqetz (“profane”), tahor (“clean”), and tame (“unclean”) represent different levels of holiness. Purity or cleanness stands between what is holy (or sacred) and what is unclean. Throughout the Pentateuch, the standard for purity is clearly “built on the view of God’s holiness and of human earthly existence being under the curse of death. Observance of ritual purity promotes a life blessed by God, while impurity points to death.” Yahweh has blessed Israel with the written form of his standards of holiness: the commandments (mitzvoth) are the means by which they may conform to his standards of purity. To adhere to God’s prescribed ethical law is to conform oneself, one’s family, and one’s people to the will of God and the holiness of God.

For Israel to conform to Yahweh’s standards of purity, it was necessary for him to dictate his law to Moses and Aaron. From Exodus 20 to Leviticus 11 and onward, all the commandments comprise the LORD’s criteria for holiness and cleanness. “Defilement is never

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4 Caesarius of Arles, Sermon 1.19 (Ancient Christian Commentary on Scripture 3:178).
6 Jenson, Graded Holiness, 40.
7 Jenson, Graded Holiness, 53: “Minor impurity is a common state of affairs to which no blame is attached, and which is dangerous only in proximity to the holy. Purity is a necessary but not sufficient condition for consecration.” The normal objects and activities of daily life can be categorized by the neutral concept of “cleanness.” Uncleanness is but a small offense.
8 John E. Hartley, Leviticus (WBC 4; Dallas: Word Books, 1992), 141.
9 Gershom M. H. Ratheiser, Mitzvoth Ethics and the Jewish Bible: The End of Old Testament Theology (New York: T & T Clark International, 2007), 181: “The consequence of this practice is social, political and religious liberating justice under the umbrella of God’s chesed and, ultimately, shalom.”
an isolated event. It cannot occur except in view of a systematic ordering of ideas.”\textsuperscript{10} This systematized ideology provides the context for following purity regulations. One could not know what holiness (\textit{qodesh}) is without having an understanding of what is unclean (\textit{tame}).\textsuperscript{11}

The sanctions and prohibitions of Leviticus are clearly handed down from the LORD, and must be read with the divine perspective in mind. Yahweh permits no room for compromise, but requires absolute holiness. He does not “concern himself with the question of whether or not the Israelites can observe his commandments.” However, close observation of the \textit{mitzvot} reveals “that the human propensity towards sin and uncleanness is assumed in the formulation of the prescriptions.”\textsuperscript{12}

Almost nothing in the human experience is as common as that of eating. For the LORD to attribute holiness and cleanness as well as categories of unclean and forbidden to food was for him to continue to imprint his Law upon the hearts and the lives of Israel by way of the most common, repetitive human practice.\textsuperscript{13}

\textbf{Leviticus 11:1-23, 41-47}

\begin{enumerate}
\item And the LORD spoke to Moses and Aaron, saying to them,
\item “Speak to the people of Israel, saying, “These are the living things that you may eat among all the animals that are on the earth.
\item Whatever parts the hoof and is cloven-footed and chews the cud, among the animals, you may eat.
\item Nevertheless, among those that chew the cud or part the hoof, you shall not eat these: The camel, because it chews the cud but does not part the hoof, is unclean to you.
\end{enumerate}

\textsuperscript{11} Douglas, \textit{Purity and Danger}, 50: The \textit{mitzvot} are “efficacious and not merely expressive: observing them draws down prosperity, infringing them brings danger. …this is a universe in which men prosper by conforming to holiness and perish when they deviate from it.”
\textsuperscript{12} Nobuyoshi Kiuchi, \textit{Leviticus} (Apollos Old Testament Commentary 3; Downers Grove, Ill.: InterVarsity Press, 2007), 28.
\textsuperscript{13} Kenneth A. Mathews, \textit{Leviticus: Holy God, Holy People} (Preaching the Word 3; Wheaton: Crossway Books, 2009), 104: “There is no more common and important feature than family and community meals. By virtue of the holy Tent of Meeting in the midst of Israel’s tribal encampment, the people were obligated to be consecrated to God in their daily activities. Thus, the human condition and community practices were deemed either fitting for God (that is “clean”) or unfitting (that is “unclean”).”
And the rock badger, because it chews the cud but does not part the hoof, is unclean to you.
And the hare, because it chews the cud but does not part the hoof, is unclean to you.
And the pig, because it parts the hoof and is cloven-footed but does not chew the cud, is unclean to you.
You shall not eat any of their flesh, and you shall not touch their carcasses; they are unclean to you.
“These you may eat, of all that are in the waters. Everything in the waters that has fins and scales, whether in the seas or in the rivers, you may eat.
But anything in the seas or rivers that does not have fins and scales, of the swarming creatures in the waters and of the living creatures that are in the waters, is detestable to you.
You shall regard them as detestable; you shall not eat any of their flesh, and you shall detest their carcasses.
Everything in the waters that does not have fins and scales is detestable to you.
“And these you shall detest among the birds; they shall not be eaten; they are detestable: the eagle, the bearded vulture, the black vulture, the kite, the falcon of any kind, every raven of any kind, the ostrich, the nighthawk, the sea gull, the hawk of any kind, the little owl, the cormorant, the short-eared owl, the barn owl, the tawny owl, the carrion vulture, the stork, the heron of any kind, the hoopoe, and the bat.
“All winged insects that go on all fours are detestable to you.
Yet among the winged insects that go on all fours you may eat those that have jointed legs above their feet, with which to hop on the ground.
Of them you may eat: the locust of any kind, the bald locust of any kind, the cricket of any kind, the grasshopper of any kind.
But all other winged insects that have four feet are detestable to you.
“Every swarming thing that swarms on the ground is detestable; it shall not be eaten.
Whatever goes on its belly, and whatever goes on all fours, or whatever has many feet, any swarming thing that swarms on the ground, you shall not eat, for they are detestable.
You shall not make yourselves detestable with any swarming thing that swarms, and you shall not defile yourselves with them, and become unclean through them.
For I am the LORD your God. Consecrate yourselves therefore, and be holy, for I am holy. You shall not defile yourselves with any swarming thing that crawls on the ground.
For I am the LORD who brought you up out of the land of Egypt to be your God. You shall therefore be holy, for I am holy.”
This is the law about beast and bird and every living creature that moves through the waters and every creature that swarms on the ground,
to make a distinction between the unclean and the clean and between the living creature that may be eaten and the living creature that may not be eaten.

(Leviticus 11:1-23, 41-47, ESV.)
Notes on the Text

Leviticus may be seen as the “natural sequel of Exodus,” in that the laws laid out in Leviticus “constitute the covenant’s very content”; God has brought Israel out of Egypt, and he desires that they become holy. Just as foods are divided into clean (tahor) and unclean (tame) categories, so holy (qadosh) Israel is separated from the world of the Gentiles. “Through this system of symbolic laws, Israelites were reminded at every meal of their redemption to be God’s people.”

The biblical author mentions a contrast between clean and unclean creatures as early as the Noahic narrative (Gen 7:2), also indicating that fellowship offerings must be made with animals that are clean (Gen 8:20). While this taxonomy of clean and unclean precedes the kashrut, “Leviticus 11 contains the most extensive zoological classification system found in the Israelite textual record,” making it vital to the understanding of “cleanness” in daily Israelite life. Consuming a tame animal defiles a clean person, regardless of any tangible effects; and the contaminated person must undergo ritual cleansing before he may enter God’s sanctuary. While tame foods contaminate a person, sheqetz (“profane,” “detestable”) is used as a “label of cultic disapproval,” but does not necessarily defile the person; in the verbal form, sheqetz means “to ceremonially spurn.” Sheqetz animals are prohibited without the consequence of defilement. To eat a sheqetz animal would be to break the mitzvah, but not to become impure.

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14 Kiuchi, Leviticus, 28.
20 Hawley, “The Agenda of Priestly Taxonomy,” 240: “Rather, the act is simply prohibited with no indication of consequence or contagious effect.”
The unacceptable animals are all distinguished between *sheqetz* and *tame*: the terms do not overlap, and these creatures are either one or the other.\(^{21}\)

**V. 1-2: Introduction to Kashrut**

**V. 1** - For the first time in Leviticus, Yahweh addresses both Moses and Aaron directly (although he does speak to Aaron in Lev 10:8). “The inclusion of Aaron in the formula here and in 13:1; 14:33; 15:1 accords with the focus of chaps. 11-15 on the priests’ important duty of making a distinction between the clean and the unclean (10:10-11).”\(^{22}\)

The Hebrew verb *achal*, “to eat,” occurs fifteen times in chapter 11 of Leviticus, more than any of the preceding or following chapters.\(^{23}\)

**V. 3-8: Land Mammals, Clean and Unclean**

The clean animals prescribed in this passage are all herbivores; and the following verses distinctly categorize carnivores as unclean.\(^{24}\) The Israelite pastoralists relied heavily on their flocks and herds for nourishment, adhering to the sanction to consume the meat of cloven-hoofed ruminants. Archeological evidence has shown an abundance of pig bones along the Philistine coastal area, but hardly any have been found in the Iron Age I central highlands, demonstrating the Israelites’ obedience to *kashrut* during the Settlement Period.\(^{25}\) The nature of *tahor* animals (cud-chewing and split-hoof-having) has generously provided many allegorical interpretations of the text (discussed below).

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\(^{22}\) Hartley, *Leviticus*, 152.

\(^{23}\) Robert I. Vasholz, *Leviticus* (Mentor Commentary; Ross-shire, Great Britain: Mentor Imprint, 2007), 129.

\(^{24}\) Jenson, *Graded Holiness*, 77.

\(^{25}\) Whitekettle, “One if by And,” 492.
V. 9-12: Water-Dwellers, Clean and Detestable

Rather than *tame*, the term *sheqetz* is repeated four times in reference to the water-dwellers that Israel may not eat. *Sheqetz* denotes an “abomination,” something that is “detestable,” “abhorrent,” or even “disgusting,” perhaps providing a connection with idolatry.26

The writer has included specific examples of *tame* land mammals, within the criteria of cloven hoofs and chewing the cud. Edible or *tahor* non-swarming birds are not included in the text, while the author exhaustively lists the twenty *sheqetz* birds of prey. Verses 9-10 divide water-dwellers by “swarming creatures” and “living creatures,” and again into categories of fish with fins and scales and *sheqetz* creatures without fins and scales. The sphere of water is the only one for which animals are not listed by species or family name. “Biblical literature as a whole demonstrates Israel’s lower level of knowledge and experience with the sea than with the other two spheres of land and sky.”27 The Israelites in this time did not need to think too often about clean and unclean water-dwellers, especially during their desert wanderings.28

V. 13-19: Detestable Birds

The clean birds acceptable to the LORD for sacrifice are the dove and pigeon (Lev 1:14), but no obvious distinguishing feature places these in the clean category.29 The paragraph about flying creatures is different from the land and water animal sections, in that no definite norms are given (such as having or not having cloven hoofs or fins).30 The detestable birds listed are widely known as birds of prey, giving credence to the idea that their carnivorous diet (especially

26 Philip H. Eveson, *The Beauty of Holiness: Leviticus Simply Explained*. (Webster, N.Y.: Evangelical Press USA, 2007), 149: “From the same word family comes the term used many times for idols and everything associated with idolatrous practices (cf. Deut. 29:17).”
28 Mathews, *Leviticus*, 105. What little fish the Israelites did eat would have been imported (Neh 13:16; 2 Chron 33:14) or sourced from the Sea of Galilee.
29 Eveson, *The Beauty of Holiness*, 154. Perhaps these birds are acceptable because they “do not live on dead carcasses or make their home in dark holes and desert places associated with demons, so this provides the norm.”
consuming blood and carrion – noted as unclean in Gen 9:4; Lev 17:10; etc.) made them sheqetz for the Israelites.\textsuperscript{31} Deuteronomy 14:12-18 provides a remarkably similar list of birds, and the Mishnah indicates that it is the carnivorous nature of the birds that makes them detestable.\textsuperscript{32}

The author lists twenty unclean birds by name here, although scholars have not come to a sure consensus of the exact identification of these species. The process of translating these bird names leans upon characteristics of the birds themselves or onomatopoeic translations of birdsong.\textsuperscript{33} The Levitical author gives five basic categories of forbidden birds: falcons, owls, ravens, vultures, and waterfowl. However, the eggs (of any bird) are never classified as unclean or abominable. “If the eggs are taken, there will be more. But, if the hen is eaten, that is the end of the eggs (Deut 22:6). All other birds not noted in Leviticus 11 are presumed to be edible. Clean birds are permissible to eat (Deut 14:11).”\textsuperscript{34}

\textbf{V. 20-23: Winged Insects, Clean and Detestable}

It is believed that as Israel sedentarized in Canaan during the Settlement Period, the community shifted from a pastoral economy to one of small-scale agriculture. This piqued farmers’ interest in the indigenous insect population - as they affected their crops - and led to a deeper knowledge and more extensive taxonomy of these insects.\textsuperscript{35} Richard Whitekettle asserts that as human societies develop and change, so do their systems of biological classification. “These changes occur because of a culture’s shifting ideas about what characteristics are to be used in determining which organisms are similar and which are dissimilar.”\textsuperscript{36}

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\textsuperscript{31} Rooker, \textit{Leviticus}, 176-177.
\textsuperscript{32} Wenham, “The Theology of Unclean Food,” 7-8.
\textsuperscript{33} Vasholz, \textit{Leviticus}, 130.
\textsuperscript{34} Vasholz, \textit{Leviticus}, 131.
\textsuperscript{35} Whitekettle, “One if by And,” 495.
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V. 41-43: Detestable Swarmers

The author repeats four times in verses 10-11 that the Israelites are to detest the sheqetz finless and scaleless water-dwellers; and he creates an inclusio around verses 20-23, repeating that the walking, winged insects are detestable. This pedagogical repetition serves to make the Israelite reader fully aware of the kashrut prohibitions, so that he may correctly carry out these rules in his daily life.\(^{37}\) Like the section concerning birds, the Hebrew vocabulary for various swarming reptiles is ambiguous to the modern reader, with perhaps less than half of the terms being identified with precision.\(^{38}\)

V. 44-45: “For I am the LORD your God.”

The passage concludes with God’s reasoning for the code of clean eating. “For I am the LORD your God. Consecrate yourselves therefore, and be holy, for I am holy” (Lev 11:44a). Because Yahweh chose, rescued, and redeemed Israel, they are to make known to the world that they are his people. They belong to the Holy One. “God is holy and His people must testify to His holiness by observing prescribed standards (Lev. 20:24-25).”\(^{39}\)

V. 46-47: Conclusion

Gordon Wenham notes a connection with the Creation narrative:

The threefold categorization of creatures into those that inhabit the land, sea, and air has affinities with Gen. 1:20ff. The author’s fondness for organizing his material into groups of three has already been noted in earlier chapters.\(^{40}\)

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\(^{38}\) Gordon J. Wenham, The Book of Leuiticus. (NICOT 3; Grand Rapids: Eerdmans. 1979), 164.
\(^{39}\) Vasholz, Leuiticus, 144.
\(^{40}\) Wenham, The Book of Leuiticus, 165.
Jacob Milgrom asserts that through three covenants, God has classified humans into three groups: the priesthood (Num 25:12-15); his chosen people Israel (Gen 17:2; Lev 26:42); and mankind in general (Gen 9:1-11, which includes animals).  

**Connections to Genesis**

Interestingly, no laws are given regarding the consumption of fruits or vegetables. This hearkens back to the Lord’s gift of plants as food to Adam and Eve (Gen 1:29-30). Many secular anthropologists hold to a theory that humans were primarily herbivores before they began consuming flesh. Going back to the Genesis narrative, this may reflect an aspect of man’s rebellion against God.

When God creates all animals in Genesis 1, he proclaims them all “good” (Gen 1:24-25), even those that swarm or creep on the ground. “They too perish in the flood (Gen. 7:21), but they are part of God’s post diluvian re-creation process (Gen. 8:17).” Some have said of the creeping animals that “such non predatory, vulnerable creatures represent ‘victims of predation’ - that is, the poor and oppressed and marginal in society. Not eating such creatures is a reminder to show justice and compassion to those who do not dwell in the cultural mainstream.”

The Noahic narrative states plainly that both clean and unclean animals were included as Noah gathered creatures for rescue from the deluge (Gen 7:2). Yahweh showed mercy to tame

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41 Milgrom, *Leviticus*, 102-103: “These three human divisions are matched by three animal divisions: (1) the priest is permitted to sacrifice only the domesticated and unblemished from among the edible animals; (2) Israel, a subdivision of humanity, is permitted to eat only a few animals as detailed in this chapter of Leviticus and in Deuteronomy 14; and finally (3) humankind in general is entitled to use all animals (except their blood).”

42 Milgrom, *Leviticus*, 104: “Adam and Eve are not satisfied with their role as the stewards of paradise. They want to be the active agents of their own destiny. They eat the forbidden fruit, for which they are punished with mortality and labor. And these new humans are also carnivorously inclined. No longer Adam, the ideal, but Noah, the real, he and his spouse insist on bringing death to living things to gratify their appetite and their need.” However, Milgrom overlooks the fact that the language of Genesis 9:3 is that of Yahweh freely giving, not Noah and his wife demanding.

as well as to *tahor* creatures.\(^{44}\) This indicates that although the unclean animals are not suitable for consumption, they are still considered “good.” A shift occurs in Genesis 9 when Yahweh blesses Noah and his sons, when he permits them to eat any animal, so long as it is drained of its blood (Gen 9:3-4).\(^{45}\)

**Connections to Deuteronomy 14**

The critical scholar notes that the *kashrut* of Leviticus 11 and Deuteronomy 14 are so alike, they must have originated from the same Priestly source. “The remarkable similarity between Leviticus 11 and Deut 14:3-21a, especially in their respective lists of prohibited quadrupeds and birds, indicates that there exists a genetic relation between these two texts.”\(^{46}\) We may indeed concur that the Mosaic Law in both books comes from the same author.

Deuteronomy 14 presents the *kashrut* in a much simpler way than Leviticus 11: only *tahor*/*’clean’* species and *tame*/*’unclean’* species are listed.\(^{47}\) Even the inedible water-dwellers are labelled *tame* (Deut 14:10). Unlike Deuteronomy 14, the more detailed list in Leviticus 11 “displays a conscious, gradual, consistent differentiation of the categories ‘impurity’ and ‘prohibition,’ presented not in abstract terms but through a grid of ritual regulations.”\(^{48}\)

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\(^{45}\) Martin Luther, *Lectures on Genesis 9:2 (Reformation Commentary on Scripture 1:291-2)*: “When these words were addressed to Noah and this privilege was granted to him, there was no need for it. A small number of human beings occupied the entire earth; so there was a superabundance of the fruits of the earth, and it was unnecessary to add the flesh of the beasts. But today we could not live on the fruits of the earth alone if this great gift had not been added, which permits us to eat the flesh of beasts, birds, and fish. These words, therefore, establish the butcher shop; attach hares, chickens, and geese to the spit; and fill the tables with all sorts of foods. … In this passage God sets Himself up as a butcher, for with His Word He slaughters and kills the animals that are suited for food, in order to make up, as it were, for the great sorrow that pious Noah experienced during the Flood. For this reason God thinks Noah ought to be provided for more sumptuously now.”

\(^{46}\) Meshel, “Food for Thought,” 209.

\(^{47}\) Meshel, “Food for Thought,” 211-212.

\(^{48}\) Meshel, “Food for Thought,” 229.
Theories of the Rationale behind Kashrut

1. Cultic Reasoning for Kashrut

A common rationale for the Mosaic dietary laws is that they may be used as a polemic against the idolatrous nations surrounding Israel. Indeed, this reason is given implicitly at the end of the chapter (Lev 11:45). Yahweh has elected Israel, rescued Israel, and desires for Israel to remain set apart as his people.\(^49\) They are to bow to no other gods at all. They were not to worship foreign gods, nor join pagans at the dinner table.\(^50\) Israel would be set apart (qadosh) and distinct from all other nations.\(^51\) Abstaining from unclean foods served as one way to accomplish this. Many have argued that the use of tame and sheqetz animals in pagan rituals led to their ban from the dinner plate in Israel.\(^52\)

To name animals as profane would impede an idolatrous form of totemism.\(^53\) Another spiritual aspect of this theory is that certain animals bore personal demons - and out of a superstitious animism the Israelites avoided danger by abstaining from spiritually polluted meats.\(^54\)

While this theory does provide grounds for Yahweh giving special purity laws such as the kashrut, it does not fully explain why each animal or types of animals were categorized as tahor, tame, or sheqetz. Certainly not every unclean animal was used in pagan worship, and pagan

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\(^49\) Joseph A. Seiss, The Gospel in Leviticus (Grand Rapids: Zondervan, 1955), 201: “They were to be the light and truth-bearing nation among the families of man. They were elected to perpetuate a knowledge of the true God; and, by their peculiar training, to prepare the way for Christ and Christianity. To fulfil this mission, they needed to be strongly fenced in, and barricaded against the subtle inroads of idolatry.”

\(^50\) Hartley, Leviticus, 144.

\(^51\) Rooker, Leviticus, 173.

\(^52\) Seiss, The Gospel in Leviticus, 202. The Egyptians held oxen as sacred, and did not eat them; while the Phoenicians consumed swine and dog meat; and Arabs used camels, hares, and jerboas (large-eared desert rodents) for food.

\(^53\) Geerhardus Vos, Biblical Theology: Old and New Testaments (Grand Rapids: Eerdmans, 1948; repr. Carlisle, PA: Banner of Truth Trust, 1992), 174: A type of superstition in which “tribes and families derive their origin from some animal or plant or some inanimate object, to all the specimens of which they pay religious reverence, after which they name themselves, and which they abstain from killing and eating.”

\(^54\) Vos, Biblical Theology, 177.
cults used some of the clean animals (cattle, rams, goats) ritually as well. Egyptian and Canaanite worship often included the bull, an explicitly clean animal in the kashrut.\(^{55}\) \(^{56}\)

2. Materialistic View of Kashrut

Some scholars have considered an aesthetic criterion, in which clean meat has a decent appearance and unclean or profane meat appears repulsive on the plate. However, this rationale is, of course, completely subjective.\(^{57}\) Besides the appearance of an animal, its usefulness to its owners may have borne some weight on the grounds for whether it is clean or unclean.\(^{58}\) Some have argued that it would have been costly and impractical to raise pigs in ancient Palestine, due to swines’ need for shade and moisture, and their omnivorous habits.\(^{59}\) However, “archaeological studies of Middle Bronze Age Palestine have demonstrated that pigs were eaten in the highlands, showing that the ban on pigs was not simply an environmental issue.”\(^{60}\)

Mary Douglas asserts that it was the Israelites’ pastoral lifestyle that led to the kashrut permitting primarily domesticated ruminants as food. “To be driven to eating wild meat is the sign of a poor herdsman.”\(^{61}\) She believes that Leviticus 11 can be understood as “an a posteriori generalisation of their habits,” because the animals the Israelites already kept were the animals they preferred to eat. In her view, this led to the sanction of wild game that shared the same distinctive characteristics of their livestock.\(^{62}\)

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58 Douglas, *Purity and Danger*, 55. For example, the pig merely fails to meet one of two criteria for cleanness. It has cloven hoofs, but does not chew the cud. No other reason is given for its uncleanness; “nothing whatever is said about its dirty scavenging habits. As the pig does not yield milk, hide nor wool, there is no other reason for keeping it except for its flesh.”
59 Swine do not eat grasses, but consume the same grains and vegetables that people eat, competing for food.
Whether an animal appears delicious or detestable does not function as grounds for the kashrut in the text itself. Also omitted is any consideration of whether an animal can be raised easily or whether it is an appropriate choice for pastoralists. The materialistic theory attempts to assign subjective criteria to Yahweh’s mitzvot, and this theory cannot stand.

3. Hygienic Rationale for Kashrut

Andrew Bonar comments, “The swine, in the East, if eaten, produces a tendency to itchy diseases, to leprosy, and, in short, to cutaneous diseases of all kinds.”63 In the hygienic theory view, if Israelites held that eating pork led to leprosy, they would abstain in order to avoid a further uncleanness (Lev 13). Health and hygiene are not given as grounds for Yahweh’s laws for eating; yet the benefits of the Israelite diet may have been a happy consequence of the Levitical dietary code, in a hot climate with no refrigeration available.64 However, because Israelites were permitted to give certain unclean foods to the Gentiles, and with the abrogation of kashrut in the New Testament, it appears that hygiene cannot be a primary reason for the cleanliness code.65

Gordon Wenham notes, “Motive clauses justifying a particular rule are a very characteristic feature of OT law, yet there is never a hint that these animal foods must be avoided because they will damage health. Yet this would surely have constituted an excellent reason for

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64 Hartley, Leviticus, 158. However, the bones of pigs excavated from sites throughout the Middle East (from Third Dynasty Egypt in the twenty-seventh century B.C., for example) prove that swine were not only domesticated but that the proper preparation of pork was common knowledge among Gentiles.
65 Eveson, The Beauty of Holiness, 158.
avoiding unclean food.”

Wenham also concurs with other scholars’ observations that Jesus’ abolition of kashrut disproves the hygienic theory.

4. Morphological View of Kashrut

A foundation of systematic ordering can be found in Mary Douglas’ renowned work on the Mosaic dietary law. She finds that locomotion in one’s element is the determining factor to whether a creature fully “belongs” to its class. Birds fly in the sky with wings, fish swim through water with fins, and four-legged animals traverse the earth by walking, running, or jumping. An animal that does not move according to the requirements of its element is “contrary to holiness.”

When creatures fully conform to their class, they represent wholeness and completeness. When the Israelite contemplated the “wholeness” of his food at every meal, this continually “inspired meditation on the oneness, purity and completeness of God.”

Further, Douglas sees an analogy between the body of the worshipper and the temple or altar. She says, “Whatever will render the altar impure will do the same for the Israelite’s body.” Therefore, Israel must consume only clean meats that are appropriate for sacrifice.

Douglas bases her findings on both the morphological aspects of the animal kingdom (in Israel’s eyes) and on Yahweh’s covenant. Douglas sees Yahweh’s covenant with Israel as

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66 Wenham, *The Book of Leviticus*, 168. Further, Wenham perceives another inconsistency with this theory: “Why, if hygiene is the motive, are not poisonous plants classified as unclean?” Indeed, if Yahweh were declaring certain foods as unclean or detestable on the basis of hygiene, why would he not warn his people about plants that could make them sick (by eating or by touching them)?


68 Douglas, *Purity and Danger*, 55-53: “Holiness requires that individuals shall conform to the class to which they belong.”

69 Douglas, *Purity and Danger*, 57. “By rules of avoidance holiness was given a physical expression in every encounter with the animal kingdom and at every meal.”

70 However, Douglas does not make reference to the Apostle Paul’s statements in Rom 12:1 or 1 Cor 6:19.


72 Douglas, *Leviticus as Literature*, 136. Israel’s livestock are even incorporated in the covenant, as they are included in the sanction of rest on the Sabbath (Exod 20:8) and the firstborn are to be consecrated (Exod 13:2, 13). This shows that “the pure animals come under the terms of the covenant of their masters, and their treatment is strictly regulated. The feudal relationship extends from God to his people and to their livestock.”
merely a promise of fertility contingent upon their loyalty and obedience, leaning heavily on the words of Deut 7:12-14. God’s high view of fertility (Gen 1:22; 9:7) leads to his compassion on the “teeming” creatures. Since he shows goodness and mercy to all of his creatures (Ps 145:8-9), says Douglas, he does not “detest” the “abominable” creatures, but rather commands Israel to “avoid or shun” certain animals, in order to protect them from human consumption. Yahweh shows his compassion on the teeming creatures in his very prohibition of human interaction with them. As a part of his “blessing on abundant fruitfulness,” the teeming creatures (“fertility exemplified”) are protected from inclusion in Israel’s diet.

Douglas notes that the covenant includes the kashrut, with the caveat that the tame animals are “unclean to you” (Lev 11:4-8, 26, 27, 28, 29, 38) or “detestable to you” (Lev 11:10, 12, 20, 23), and these regulations do not apply to anyone but the people of Israel – Yahweh’s vassals. This seems to undermine her ideology of protection for the “abominable,” teeming animals. If Yahweh seeks to protect the swarvers with the command to “shun” them, why does this rule only apply to Israel? All other peoples of the earth are permitted to impair the population of “teemers” by eating them. While Douglas does present an interesting classification system for Leviticus 11, she does not truly reach a foundational rationale for the kashrut.

5. Ethical Grounds for Kashrut

The theory in which kashrut is given on specific ethical grounds may find its origin in the ideology of “Aristeas, a first-century B.C. Egyptian Jew: ‘The dietary laws are ethical, since abstention from the consumption of blood tames man’s instinct for violence by instilling in him a

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77 Douglas, *Leviticus as Literature*, 137.
horror of bloodshed.”

Jacob Milgrom presents an interesting argument in which the animals are not so different from humans: he states that they also possess a nefesh (“soul”), and points out that they are responsible to obey the mitzvoth (Exod 20:10; 21:28; Lev 20:15; Deut 5:14). As the animals are living under Yahweh’s covenant, Milgrom sees the preciousness of the lives of animals as grounds for the kashrut. Only a few animals are permitted to Israel for food; the rest are protected under Yahweh’s label of “unclean.” Even the few cloven-hoofed ruminants that are available must be slaughtered in a special, humane way. In addition, the prohibition on consuming blood (Deut 12:23; 1 Sam 12:24; Acts 15:20) further shows how much God cherishes the animals. Deuteronomy 12:23 states clearly, “Only be sure that you do not eat the blood, for the blood is the life, and you shall not eat the life with the flesh.” This is why animals were carefully butchered. “The blood, which is the symbol of life, must be drained and returned to the universe, to God.” In doing this, Israel adheres to God’s ethical standards, working toward being holy as he is holy.

For some, tame brings the connotation of “forces of death,” and qadosh, “forces of life.” Milgrom’s interpretation of Leviticus 11 is founded upon reverence for life. The kashrut limits Israel’s dietary options to relatively few animals, protecting those marked “unclean.” However, one must ask why Yahweh would preserve the tame creatures and not the

79 Milgrom, Leviticus, 102.
80 Milgrom, Leviticus, 103. These “may not be killed by just anyone but only by those who can qualify by their skill and piety: skill in employing a hallowed technique of slaughtering that renders death painless, and piety in being aware of the divine sanction that has permitted such slaughter.”
81 Milgrom, Leviticus, 103.
tahor ones from the butcher’s block. Both Leviticus 11 and Deuteronomy 14 make no mention of the inviolability of animal life as grounds for the kashrut.

6. Allegorical Interpretation of Kashrut

Many commentators throughout the centuries have found that the various kinds of animals represent certain positive or negative characteristics or habits for the people of God to strive for or avoid. Philo found that “chewing the cud indicated contemplation and reflection while parting the hoof referred to making distinctions.” Clement of Alexandria claimed that the cloven hoof represented “evenly balanced justice,” and that the chewing of the cud symbolized the way a righteous person “holds the Word in his mouth” for spiritual nourishment.

In Charles H. Mackintosh’s allegorical interpretation of the text, the ruminating mammals represent Christians who enjoy calmly consuming and “inwardly digesting” the Word of God. Mackintosh assigns two characteristics to represent the split hoof of the clean animals. For him (citing 1 John 3:10) believers must walk in righteousness and love - and never one without the other. Further, Mackintosh asserts that like the clean fish, a Christian needs “fins” to navigate through the world, and also “scales” to protect himself from the penetrating, contaminating influence of the world. A. Bonar likens the clean sheep to the Israelite enjoying

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82 Hawley, “The Agenda of Priestly Taxonomy,” 243-244: “Milgrom’s theological stance is logically incoherent since it imagines God protecting the “unholy” animals.”
83 Rooker, Leviticus, 171: “This view, which has been adopted by J. Milgrom, seems difficult to support from the textual data in Leviticus 11 and Deuteronomy 14, where reverence for life does not in any way appear to be an issue in the contexts.”
84 Rooker, Leviticus, 171.
85 Clement of Alexandria, Christ the Educator 2.11.76 (Ancient Christian Commentary on Scripture 2:176-7).
86 Mackintosh, Notes on Leviticus, 205-209.
the safety of the pasture, under the watch of his Shepherd, the Lord. One may assign many particular sinful attributes to the unclean and detestable creatures.

However inspirational these allegories may be to the reader, both the Old Testament and the New Testament never cite Leviticus 11 (or Deut 14) as a didactic text. Jirí Moskala notes the inconsistency of the use of allegory to teach virtue to the Judeo-Christian reader, observing that many unclean animals are explicitly used to represent the things of God in Scripture. Allegory may make for a great sermon, but it is not the foundation for the dietary law.

7. Yahweh’s Decree: an Arbitrary Kashrut

The kashrut were given seemingly without reason, demonstrating the ultimate authority of Yahweh. The ultimate rationale for the dietary laws is a “matter of divine fiat.” Leviticus requires that the Israelites make themselves holy and must “be holy, for I am holy.” (Lev 11:44). Israel must aspire to imitate their fatherly King and Redeemer, even through their dietary choices. The simple act of discerning between clean and unclean reflected the choice between right and wrong, reminding the Israelites of the fallen world around them, despite their heavenly redemption.

Pastoral societies typically used animals of their own herds in cultic sacrifices. Yahweh directed Israel to use cloven-hoofed ruminants in their sacrifices to him, even before the kashrut

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87 Bonar, A Commentary on Leviticus, 215.
88 Seiss, The Gospel in Leviticus, 207-208: “Sin is the ugliness and spitefulness of the camel; the burrowing, secretive, wily disposition of the coney, the rabbit, and the fox; the filthy sensuality of the hog... Sin, enthroned in the soul, is the eagle clutching innocence in his talons, and tearing out its heart with his bloody beak. It is the vulture, with his base taste, seeking out what is abominable, and gormandizing upon foul putrescence. It is the owl taking advantage of darkness to surprise its prey, hooting about the abodes of quietness, and shrinking away to hide from approaching light. ... It is the abominable thing which God hateth.”
89 Moskala, “Categorization and Evaluation,” 14: “The unclean lion symbolizes the figure of the Messiah (Gen 49:9; Rev 5:5), the unclean eagle represents God’s wonderful care for His people in the time of need (Deut 32:9-12) ... and although believers in Jesus are like sheep, they should be as shrewd as a snake (Matt 10:16).”
was given. Thus, one might conclude that God limited his own “diet,” in a way, to these clean animals. As a means of fulfilling the *imitatio Dei* mandate (Lev 11:44-45), God’s people must imitate him dietarily. Indeed, “and thusly they imaged their Redeemer. They did so not for the sake of bodily health, but for their own spiritual sanctification. While *kashrut* and all other *mitzvot* taught Israel to trust in the Sovereign Lord, it seems unbiblical to assert that God arbitrarily assigns rules as a test of obedience (Deut 4:5-8; Ps 111:7-10); thus this rationale is a “last resort” approach to the *kashrut.*

8. *Kashrut - Origins in Genesis*

Yahweh, the Holy One, created the world in perfect order. His call to Israel to emulate him in holiness includes a striving toward a sense of order. The “strong boundaries” Leviticus 11 prescribes may reflect the “created order of Genesis 1, which portrays plants and animals each made after its kind.” The categories of land, water, and sky are present in both texts, and the “*sheqetz* animals are associated with the second and fifth days and the *tame* animals are associated with the third and sixth days.” The biblical author need not provide a materialistic or sociological explanation for the *kashrut* because of its divine origin.

Leviticus 11 shows the Israelites how to make distinctions. Just as Yahweh separated the light and the darkness (Gen 1:4), so Israel is commanded to separate the clean animals and the

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94 Hawley, “The Agenda of Priestly Taxonomy,” 245: “Israel’s diet is shaped around the anatomical criteria of those animals already eligible for sacrifice.”
100 Hawley, “The Agenda of Priestly Taxonomy,” 245.
102 Hawley, “The Agenda of Priestly Taxonomy,” 246-247: “[The Priestly writers] are more concerned with having the polar categories than with explaining the reason for having them.”
unclean animals (Lev 11:47). The *kashrut* thus serves as an “exhibition of their belief in God’s ordered world and their desire for Israel to live out its proper place within it.”

Nobuyoshi Kiuchi’s work is rather fascinating: he finds it remarkable that most modern scholars have brought Leviticus 11 into the context of the Creation story (where, as he says, “uncleanness is unlikely to be present in the good creation of God”), but not to the account of the Fall in Genesis 3. The subject of “eating and not eating” has its roots in Genesis 2:16-17. As a consequence of the Fall, fruit from “every tree of the garden” is not freely available, but Adam must now labor to bring forth “the plants of the field” (Gen 3:18). As a parallel, following the Flood, God declares that “every moving thing that lives shall be food for you” (Gen 9:3), and later decreases Israel’s access with the prohibitions of Leviticus 11.

As a result of Adam and Eve’s fall into sin, they were punished but not cursed directly by the Lord. “It was the serpent, the animal world and the ground that were cursed (Gen 3:14, 17).” Kiuchi finds that the animals labeled “unclean” or “detestable” all have attributes that resemble the serpent in some way, such as close contact with the ground, the lack of legs (or fins, for water-dwellers), and “swarming” (which is more heavily emphasized than the other attributes in vv. 41-44). He also finds that the carrion-eating birds listed as detestable “are directly connected with death.”

There is an interesting juxtaposition between the few *tahor* land animals and the serpent. While the ruminants chew their food more thoroughly than most other land animals, the serpent swallows his food whole. The cloven-hoofed creatures do not even contact the ground with their skin, as the unclean carnivores with paws do (11:27); but the serpent’s form of

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104 Kiuchi, *Leviticus*, 204.
105 Kiuchi, *Leviticus*, 204.
locomotion is creeping, never losing contact with the ground.\textsuperscript{107} Indeed, the serpent is very unlike the animals Yahweh selected as “clean.” Further still, Israel, the chosen seed of the woman, is to be as different from its enemy the serpent as possible.\textsuperscript{108}

The division of unclean and clean represents the spiritual condition of mankind: fallen men and those being sanctified. Kiuchi draws some parallels between the fallen, unredeemed human and characteristics of the unclean and detestable animals.\textsuperscript{109} Like the tahor ruminants, God’s people thoroughly “digest” and test the Word of God and human words, and “differentiate between the clean and unclean, what belongs to the Lord and what does not,” unlike those lacking the split hoof, especially the serpent (Prov 19:1).\textsuperscript{110}

**Conclusion**

The story of the seed of the woman and the seed of the serpent winds throughout the Pentateuch and the rest of Scripture, reaching its culmination at the crucifixion and resurrection of Christ (Gen 3:15; Gal 4:4; Heb 2:14). Israel, the offspring of the woman, seeks to be holy as Yahweh is holy, and to oppose the serpent in all ways. Yahweh has given prescriptions for holy and unholy eating, and, as Kiuchi has shown, the categories of clean and unclean foods relate to Israel’s opposition to the serpent. After Christ’s defeat of the serpent, the kashrut was no longer necessary (Mark 7:14-19; Acts 10:9-16); yet the people of the New Covenant may still benefit from studying Leviticus 11 in the context of Yahweh’s Code of Holiness.

\textsuperscript{107} Kiuchi, Leviticus, 206.

\textsuperscript{108} Kiuchi, Leviticus, 208: “Since the Israelites are summoned to be holy like their God, it is obvious they should shun all of the serpent’s spiritual characteristics: swarming, closeness to the ground, swallowing and death; i.e. the propensity towards forming groups, loving this world, indiscriminately ingesting both the words of God and humans - in a word, to love death.”

\textsuperscript{109} Kiuchi, Leviticus, 208-209. The swarmers live in the dust on the ground - the realm of death - and hide themselves, as the serpent does and as his seed does. Carrion-eating birds represent those whose vocations are of this world, the world of death. While hopping insects are clean, those winged insects who are unclean may not totally leave the ground. Kiuchi likens the hopping insects to “those people who have hearts not attached to this world, thus being able to see themselves objectively and free from the world of death.”

\textsuperscript{110} Kiuchi, Leviticus, 209.
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