

## Loving the Neighbour and the Resident Alien in Leviticus 19 as Ethical Redefinition of Holiness<sup>1</sup>

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### ABSTRACT

*"Loving the neighbour" is generally accepted as fundamental to Judeo-Christian theological ethics. However, few reflect on the implications of extending "loving the neighbour" (Lev 19:18) to "loving the resident alien/foreigner" (Lev 19:33-34) within the context of the Holiness Code (Lev 17-26). This contribution argues that "holiness" is redefined in Leviticus 19 by combining the instructions related to cultic rituals (aimed at the priests) in Leviticus 1-16 with the theological-ethical issues (aimed at all Israelites) in Leviticus 17-26; thereby moving from "ascribed holiness" (granted by divine decree to cultic officials) to "achieved holiness" (available to all Israel through obedience) in the post-exilic period.*

KEYWORDS: loving the neighbour, loving the resident alien, Leviticus 19, holiness.

### A INTRODUCTION

From the start, any investigation of "love your neighbour as yourself" must be cautioned by way of Richard Elliot Friedman's comments<sup>2</sup>: "One of the most famous lines from the Bible. Impressive. Fascinating. Inspiring. Capable of a thousand interpretations and raising a thousand questions."

At first some comments are made on Leviticus 19 as closely related to the so-called Holiness Code (Lev. 17-26) and taking into consideration the trend in recent scholarship to interpret it within a postexilic context. Then the instructions

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<sup>1</sup> This contribution is in appreciation of the scholarship of Willie Wessels who was one of the first South African biblical scholars to employ ideological criticism in terms of prophetic texts and who did not shy away from its theological-ethical implications. My reinterpretation of holiness in this contribution attempts to resonate with his scholarship.

<sup>2</sup> Richard E. Friedman, *Exodus*. (New York: HarperOne, 2017), 199. He continues by pointing out that there are numerous claims that "neighbour" refers to "one's fellow Jews or Israelites", i.e. "a member of one's own group" – an assumption he strongly disagrees with.

to "love the neighbour" (Lev. 17:18) and "love the resident alien" (Lev. 19:33-34) are discussed within their possible literary and historical contexts; after which it is reflected on how the underlying concept of "holiness" is probably influenced by the love commands in question. The methodological approach of this discussion can be characterised as a diachronically informed synchronic discussion of Leviticus 19, leaning towards situating it in a post-exilic context, possibly before the construction of the Second Temple (i.e. leading up to Ezra – Nehemiah).

## B BRIEF COMMENTS ON LEVITICUS 19

Ever since August Klostermann suggested that Leviticus 17-26 be called "Das Heiligkeitsgesetz", Leviticus 19 has been considered by the scholarly community to be part of the instructional section of the Pentateuch and several subsequent studies have focused on the legal dimension of chapter 19 as instructions that form part of a codex or collection of legal instructions.<sup>3</sup> In similar vein Samuel Driver (1891:43-48) identified a link between an older Exodus 20-23 and a younger Leviticus 19 as collections of diverse religious and ethical instructions.<sup>4</sup> In his influential commentary on Leviticus, Martin Noth described Leviticus 19 as part of a legal codex that is made up of diverging instructions applicable to daily life.<sup>5</sup> More recently Andreas Ruwe also paid special attention to the different types of instruction found in Leviticus and made a distinction between apodictic (chapters 11-18, 26-27) and casuistic (chapters 5-10, 20-25) laws.<sup>6</sup>

Jewish scholars have made influential contributions to the interpretation of the Holiness Code and the book of Leviticus, indicative of the importance attached to this book in Judaism. Baruch Levine argued for a close link between the Ten Commandments and Leviticus 19. Despite the diversity amongst the instructions collected in chapter 19, he is of the opinion that the theme of holiness provides cohesion within the chapter and resonates with the expression "a kingdom of priests in Exodus 19:6".<sup>7</sup> In his extensive commentary Jacob Milgrom made an important observation that the Holiness Code changes the emphasis in Leviticus 1-16 on ritual or cultic impurity to ethical uncleanness in

<sup>3</sup> August Klostermann, "Beiträge zur Entstehungsgeschichte des Pentateuchs," *Zeitschrift für die gesammte Lutherische Theologie und Kirche* 38/3 (1877) 416.

<sup>4</sup> Samuel R. Driver, *An Introduction to the literature of the Old Testament* 2 ed. (Edinburgh: T&T Clark, 1991), 43-48.

<sup>5</sup> Martin Noth, *Das dritte Buch Mose: Leviticus*. ATD. (Göttingen: Vandenhoeck & Ruprecht, 1966), 109-110.

<sup>6</sup> Andreas Ruwe, "Heiligkeitsgesetz" und "Priesterschrift". *Literaturgeschichtliche und rechtssystematische Untersuchungen zu Leviticus 17,1–26,2*. FAT 26 (Tübingen: Mohr & Siebeck, 1999), 187-220.

<sup>7</sup> Baruch Levine, *Leviticus*. JPS. (Philadelphia: Jewish Publication Society, 1989), 124-125.

chapters 17-27. According to Milgrom Leviticus 19 not only forms the centre of chapters 18-20, but also of the book of Leviticus and the Pentateuch as a whole.<sup>8</sup>

Within the context of the so-called Holiness Code Jay Sklar noted that chapters 18 to 20 form a chiasm, because chapters 18 and 20 address similar issues. Where chapter 19 is focused on what "holy practices" Israel should be doing, chapters 18 and 20 are concerned with what they should avoid.<sup>9</sup>

At first glance Leviticus 19 seems to address some diverging and disparate topics that do not allow for easy classification; but once note has been taken of the frequent use of the expression "I am the Lord (your God)", this chapter can be subdivided into 16 paragraphs<sup>10</sup> and three sections.<sup>11</sup> "Loving the neighbour" (Lev. 19:18) accordingly forms part of verses 11 to 18 focused on "good neighbourliness", while "loving the resident alien/stranger" (Lev. 19:34) forms part of "miscellaneous duties".<sup>12</sup> An important rhetorical device is the echoing of commands in different sections: loving the neighbour and the resident alien in verses 18 and 34; the fear of God motivates treating the weak fairly and honouring the old in verses 14 and 32.<sup>13</sup> An emerging scholarly consensus was eventually formulated by Lloyd Bailey when he identified the following subsections in Leviticus 19: a) fourteen sections ending with either "I am the Lord" or "I am the Lord your God"; b) the chapter begins (vv. 1-2) and ends (v. 37) with calls and exhortations for holiness to form an *inclusio*.<sup>14</sup>

Besides the use of fixed expressions as indicators of the possible structuring of the theological-ethical argumentation in chapter 19, Erhard

<sup>8</sup> Jacob Milgrom, *Leviticus 17 – 22*. AB. (New York: Doubleday, 2000), 212-245.

<sup>9</sup> Jay Sklar, *Leviticus*. TOTC 3 (Downer's Grove: IVP Academic, 2014), 241.

<sup>10</sup> Christophe Nihan, *From Priestly Torah to Pentateuch*. FAT II/25. (Tübingen: Mohr Siebeck, 2007), 460-461 identified sixteen paragraphs or sections following on the introduction to the divine speech in vv. 1-2a: 2b; 3; 4; 5-10; 11-12; 13-14; 15-16; 17-18; 19-25; 26-28; 29-30; 31; 32; 33-34; 35-36; 37.

<sup>11</sup> According to Gordon J. Wenham, *The Book of Leviticus*. NICOT (Grand Rapids: Eerdmans, 1979), 264 the first section in Lev 19:2b-10 consists of four paragraphs "each concluding with the motive clause 'I am the Lord your God', while in the next section (19:11-18) there are also four paragraphs, but this time ending with 'I am the Lord', reaching a climax in 19:18)." The concluding section (19:19-37) begins and ends with "Keep my rules" in verses 19 and 37, and make use of both motive clauses ("I am the Lord" and "I am the Lord your God").

<sup>12</sup> Wenham, *Leviticus*, 263.

<sup>13</sup> Wenham, *Leviticus*, 264.

<sup>14</sup> Lloyd R. Bailey, *Leviticus – Numbers*. Smyth & Helwys Bible Commentaries. (Macon: Smyth & Helwys, 2005), 227.

Gerstenberger advanced the interesting argument that it is also important to take note of what instructions are formulated in the singular and what in the plural<sup>15</sup>:

- vv. 9-10 on the harvest (singular);
- vv. 11-12 on the behaviour towards the neighbour and God (plural);
- vv. 13-14 on social behaviour (singular);
- vv. 15-16 consist of legal proceedings (singular);
- vv. 17-18 on behaviour within the community (singular);
- v. 19 has a taboo against mixing (singular);
- vv. 26-28 on religious behaviour (plural);
- v. 29 prohibits prostitution (singular);
- v. 31 contains rules for religious behaviour (plural);
- v. 32 demands respect (singular);
- vv. 33-34 on strangers or resident aliens (the first prohibition is plural, while the second commandment is singular);
- vv. 35-36 concern honesty in commerce (plural).

The singular instructions seemed to be focused in vv. 9-18 and address “an individual male within the framework of his clan or immediate community”<sup>16</sup>. Although there is some similarity between the singular and plural instructions in chapter 19, one can identify a different life context in vv. 11-12, 26-28, 30-31 since it seem to presuppose “assembled listeners” and not individual instructions within the context of the (extended) family.<sup>17</sup> John Rogerson also takes specific note of the use of the second person singular and the second person plural, in close connection with the use of apodictic (no exceptions or conditions are mentioned) and casuistic (specific context or circumstances are pointed out) instructions. The second person singular instructions are presumed to be related to issues concerning social justice, while

<sup>15</sup> Erhard S. Gerstenberger, *Leviticus. A Commentary.* OTL. (Louisville: Westminster/John Knox, 1996), 26-264.

<sup>16</sup> Gerstenberger, *Leviticus*, 262.

<sup>17</sup> Gerstenberger. *Leviticus*, 262 is very specific when he identifies the audience of the plural priestly instructions as being “the Jewish religious community during the Persian period”.

the second person plural instructions resemble seven of the Ten Commandments.<sup>18</sup>

With the exception of the so-called Kaufman School, the dating of Leviticus 19 in recent scholarship has oscillated between exile and post-exile<sup>19</sup>. While Ruwe opted for an exilic dating due to the need to redefine holiness outside of Israel in the Diaspora<sup>20</sup>, Henk Jagersma considered Leviticus 19 to be a summary of the most important ideas in the Old Testament in the time during and after the exile to enhance and maintain identity after the demise of the Judean monarchy: a) the prophetic tradition in 19:13-18; b) the priestly and cultic traditions in 19:9, 19, 23-31, 33-36 and 37<sup>21</sup>. Leviticus 19 has even been depicted by Michael Rooker as "the highest development of ethics in the Old Testament", which might be somewhat of an overstatement, but it at least can be taken into consideration as to "what it meant for Israel to be a holy nation" – as described in Exodus 19:6.<sup>22</sup>

Although many scholars in the past disputed the literary coherence of Leviticus 19, some detected a "manifest similarity of some laws with the Decalogue" and thus recent research has attempted to identify a "comprehensive structure in this chapter" corresponding with the Ten Commandments, even though no consensus has been reached on this point either<sup>23</sup>. Scholars like Rogerson consider it probable that Leviticus 19 "contains an expanded version" of the Ten Commandments, that "it is made up of a combination of at least two originally separate collections of commandments" and that "it is an attempt to redefine the meaning of holiness<sup>24</sup>". Rogerson goes as far to identify social justice as an important concern in chapter 19: a) vv. 9-10 require the owner of a field not to harvest the edges and "to leave some produce for the poor and the sojourner" etc.; b) v. 13 protects the hired day labourer; c) according to v. 14

<sup>18</sup> John W. Rogerson, "Leviticus 19 and the meaning of Holiness." In *Leviticus in Practice*, (ed. John W. Rogerson, Dorset: Deo Publishing, 2014), 48-53. It is also possible to argue that the instructions in the plural are older and the instructions in the singular represent the exilic and postexilic focus on individual responsibility as opposed to older corporate responsibility.

<sup>19</sup> Like Milgrom, *Leviticus*, 2000, Israel Knohl, *The Sanctuary of Silence: The Priestly Torah and the Holiness School* (Minneapolis: Fortress, 1995) denied that the Holiness Code made use of Deuteronomic material and that although the so-called Holiness redaction was younger than Priestly source material both are situated before the Babylonian Exile – circa 8<sup>th</sup> Century B.C.E.

<sup>20</sup> Ruwe, "Heiligkeitsgesetz", 187-220.

<sup>21</sup> Henk Jagersma, *Leviticus 19*. (Assen: van Gorcum, 1972), 9-11 & 133-144.

<sup>22</sup> Michael F. Rooker, *Leviticus*, NAC 3A. (Nashville: Broadman & Holman, 2000), 250.

<sup>23</sup> Nihan, *Priestly Torah*, 460.

<sup>24</sup> Rogerson, "Leviticus 19", 43.

there is a prohibition on cursing the deaf or causing the blind to stumble; d) v. 15 enjoins "impartiality in justice"; e) v. 18 prohibits the taking of vengeance.<sup>25</sup>

In a major commentary on Leviticus Thomas Hieke points out that Leviticus 19 is, in many ways, a peculiar ("einzigartiges") chapter that established itself as central to the Torah due to subsequent rabbinical interpretation. Despite the obvious fact that it contains an extensive collection of diverging social and religious instructions, cohesion is created by the consistent interconnectedness of cult and ethics ("das Kultische und das Ethische [sind] untrennbar miteinander verknüpft") and by the repeated call to be "holy" ("Aufruf zur Heiligkeit dient als Überschrift")<sup>26</sup>. The interconnectedness of cultic practice and ethics must not be understood as a linear progression from cult to ethics, since cultic practice also co-existed with the ethical emphasis in the time after the exile. Esias Meyer develops this argument by Hieke when he points out that the Holiness Code was aimed at different Jewish faith communities: "both people living in the land with access to the cult and those living in the diaspora with no cult in sight."<sup>27</sup>

### C 'LOVING THE NEIGHBOUR' IN LEVITICUS 19:18

Before sharpening the focus on 19:18, one must take note that in verses 13–18 both negative and positive instructions are directed to the neighbour (*rēa'*) do not defraud or rob your neighbour (v. 13) and do not endanger your neighbour's life (v. 16). Juxtaposed to the negative formulations, two positive points are then emphasised<sup>28</sup>: i) To rebuke your neighbour when sin was committed in verse 17. ii) To love your neighbour as yourself in verse 18.

As pointed out by James Watts Leviticus 19:18 has been one of the most influential verses, not only in the book of Leviticus, but possibly in the whole of the Hebrew Bible or Old Testament because both New Testament and Rabbinic literature cite it as foundational for all biblical law. Leviticus 19:18 "provides a religious basis for principled (deontological) approaches to ethics" and in

<sup>25</sup> Rogerson, "Leviticus 19", 43-54. The related instructions on resident aliens or foreigners in vv. 33-34 will be discussed later on.

<sup>26</sup> Thomas Hieke, *Levitikus 17-26*. HThKAT (Freiburg: Herder, 2014), 702-703. In this regard Bailey, *Leviticus*, 25 draws attention to the fact that the refrain-like motivations, "I am the Lord" and "I am the Lord your God", are with one exception, only to be found in Leviticus 18-26 and this "suggests that these chapters have a separate origin"; and in similar vein the admonition "You shall be holy", with also one exception, is "found only in chapter 19 and following".

<sup>27</sup> Esias Meyer, "The Reinterpretation of the Decalogue in Leviticus 19 and the Centrality of the Cult", *SJOT* 30:2 (2016), 214.

<sup>28</sup> Sklar, *Leviticus*, 247.

addition "it provides the rationale for setting aside or reinterpreting many of the Pentateuch's other laws and regulations..."<sup>29</sup>

Against the background of the research on Hebrew prepositions by Ernst Jenni<sup>30</sup>, John Rogerson points out that the verb *'ahāb* / "to love" is not followed by the direct object in both vv. 18 and 34, but the indirect object indicated by the preposition *l'*, meaning "you shall show love *to*" or more actively "act generously towards"<sup>31</sup>. Thus the phrase "as yourself" in both vv. 18 and 34 can best be understood as "who is like yourself". Stephen Sherwood (2002:77) concurs with Abraham Malamat (1990:50-51) that the unusual construction *'ahāb l'* (instead of the more usual *'ahāb `et*) can best be translated as "to be of use to" and in view of the three other occurrences (1 Kgs. 5:1, 15; 2 Chr. 18:28-19:2) "it would be best to understand the phrase in terms of covenant relationship."<sup>32</sup>

The first reference to *rēa'* / "neighbour" in the Old Testament is in Genesis 11:3. As part of the etiological story of the tower of Babel or Babylon, that explains "the origin of different nations and languages." It involves every person on earth: "and they said each to his *rēa'* ..." <sup>33</sup> A similar trend can be found in the next reference to *re`a* in Genesis 38, in the story of Judah and Tamar. Here Judah refers to Hirah (an Adullamite and a Canaanite) as a *rēa'* Friedman recently came to the conclusion: "Those people who have been reading the verse as meaning just-your-own-kind were misreading the immediate context of the passage and completely missing its total context in the Bible."<sup>34</sup>

Before focusing on the research conducted during last few decades one can refer to early Jewish scholarship since the reception of the command to "love your neighbour as yourself" within rabbinic scholarship reveal different modes of interpretation that were continued in subsequent interpretation up to the past century<sup>35</sup>: While Hillel reformulated the positive commandment in a negative manner ("What is hateful to you, do not do to your comrade")<sup>36</sup>, Akiba considered the commandment to be "a central principle in the Torah" and this

<sup>29</sup> James W. Watts, *Leviticus 1-10*. HCOT (Leuven: Peeters, 2013), 133.

<sup>30</sup> Ernst Jenni, *Die hebräischen Präpositionen III. Die Präposition Lamed*. (Stuttgart: Kohlhammer, 2000), 122.

<sup>31</sup> Rogerson, "Leviticus 19", 45.

<sup>32</sup> Stephen K. Sherwood, *Leviticus, Numbers, Deuteronomy*. Berit Olam (Collegeville: Liturgical Press, 2002), 77. Abraham Malamat, "Love your neighbour as yourself: What it really means." *BAR* 16/4 (1990), 50-51. Fortunately, the certainty of the latter contribution did not inhibit further research – who can claim to know what any text "really means"?

<sup>33</sup> Friedman, *Exodus*, 209-210.

<sup>34</sup> Friedman, *Exodus*, 212.

<sup>35</sup> Levine, *Leviticus*, 130.

<sup>36</sup> Levine, *Leviticus*, 130.

allows an interesting comparison with the early Christian communities as reflected in the New Testament. Joel Kaminsky highlighted the fact that Rabbi Akiba was convinced "that this commandment applies to all humanity and not just one's fellow Israelite."<sup>37</sup>

One should be cautious not to jump to any anachronistic and superficial conclusions about the meaning of the instruction to love the neighbour. Although "loving" in the Old Testament had an affectionate side to it (Gen. 29:18 & 34:3), it is also often used in close relationship to the covenantal relationship between Israel and God<sup>38</sup>. Therefore, it is dangerous to misunderstand "love" in this context primarily as romantic or even charitable, because "love" in the Ancient Near East was "wholly community-related and for that reason also a 'political' term" that resonated with loyalty.<sup>39</sup>

Echoing the debate between Leo Baeck and Adolf von Harnack, continued by Martin Buber, Andreas Schüle considered whether the Jewish and Christian receptions of the command to love your neighbour can be used as examples to juxtapose Judaism as a "Religion des Altruismus" and Christianity as a "Religion des Egoismus". According to Judaism the self is completed through love and justice for the neighbour or other, while Christianity presupposes the completeness of humankind and of the self that is complemented by self-love.<sup>40</sup> Schüle concludes that Judaism cannot be depicted as the religion in which only the neighbour but not the enemy is loved, nor can Christianity be explained with the generalisation that it is egocentric due to taking the self-love as yardstick for the love of the other<sup>41</sup>. Thus, the emphasis is on the equivalence between self and other with a qualified priority of the other in this asymmetrical relationship<sup>42</sup>.

During the previous year Dorothea Erbele-Küster developed the following thesis with regards to the interpretation of the love command<sup>43</sup>: the

<sup>37</sup> Joel S. Kaminsky, "Loving One's (Israelite) Neighbour: Election and Commandment in Leviticus 19", *Interpretation* 62/2 (2008), 132.

<sup>38</sup> Kaminsky, "Loving", 125.

<sup>39</sup> Gerstenberger, *Leviticus*, 272.

<sup>40</sup> Andreas Schüle, "'Denn er ist wie Du'. Zu Übersetzung und Verständnis des alttestamentliche Liebesgebot in Lev 19,18", *ZAW* 113 (2001), 515-534.

<sup>41</sup> Schüle, "Liebesgebot", 534.

<sup>42</sup> Richard A. Albee, "Asymmetrical Continuity of Love and Law between the Old and New Testaments: Explicating the Implicit Side of a Hermeneutical Bridge, Leviticus 19:11-18", *JSOT* 31/2 (2006), 166.

<sup>43</sup> Dorothea Erbele-Küster, "Zur Anthropologie der Ethik der (Liebes) Gebote," in *Individualität und Selbstreflexion in den Literaturen des Alten Testaments*. VWGTh 48 (eds. Andreas Wagner & Jürgen van Oorschot; Leipzig: Evangelische Verlagsanstalt, 2017), 341-347. She is interested in the anthropology of the ethics of the love commandments, especially in the Holiness Code of Leviticus and in Deuteronomy. This



love commandment implies the self and the ability to self-reflect. She does not juxtapose love as an emotion and as a rational or political concept, because she combines both by presupposing the embodiment of love (in agreement with Judith Butler), with the heart, as the centre and or locus of decision making. Leviticus 19 is considered by her to be a summary ("Kompendium") of the theology and ethics of the Holiness Code that is characterised by the combination of cultic and ethical issues and that contain examples overlapping with elements of the Decalogue, Covenant Code and Deuteronomic Code. Leviticus 19 contains an ethic of imitating God (*imitatio Dei*), more specifically, imitating the acts of God that takes special care of the afflicted and the vulnerable members of society – such as foreigners and resident aliens.

#### **D "LOVING THE RESIDENT ALIEN" IN LEVITICUS 19:33-34<sup>44</sup>**

There seems to be a tendency in Leviticus 19 to develop an issue mentioned in the first half of the chapter in the second half of the chapter. For example, the "issue of oppression appears in both v. 13 and v. 33" and refers to "problems that develop from boundaries between neighbours of the same nation"; in a similar way the love for the neighbour in v. 18 is developed by the love for the sojourner or resident alien in v. 34<sup>45</sup>. This trend was also identified by other scholars like Wenham when he observed that the "great command to love one's neighbour as oneself is specifically extended here" (vv. 33-34) "to cover the foreign residents" by using "almost identical phraseology"<sup>46</sup>. In similar vein Nihan (2007:475) pointed out that the "last three units of ch. 19, v. 32, 33-34 and 35-36 conclude the second half of the chapter" and all three are "consistently built in parallel with v.13-18" complementing this ethical series by an exegesis of the Ten Commandments, the Covenant Code and the Deuteronomic Code<sup>47</sup>.

In verse 33 the command not to mistreat the "stranger" or "resident alien" possibly alludes to "economic exploitation" since certain legal rights, like the

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approach is predicated by the question whether humankind in the Hebrew Bible or Old Testament experienced a sense of individuality that allowed persons to self-reflect and make conscious decisions on how to act ("Die Frage ist also, wie das Verhältnis des Einzelnen zur sozialen und religiösen Ordnung zu denken ist.")

<sup>44</sup> The term *gēr* has been translated differently: foreigner, immigrant, sojourner, stranger etc – in this contribution I have opted for "resident alien" since it describes a category that combines being part of a local society and having a history of coming from somewhere else.

<sup>45</sup> Jin-Myung Kim, *Holiness and Perfection: A Canonical unfolding of Leviticus 19* (Bern: Peter Lang, 2011), 60.

<sup>46</sup> Wenham, *Leviticus*, 273.

<sup>47</sup> Nihan, *Priestly Torah*, 475 continues by arguing the importance of this literary procedure that "mirrors the entire process of inner-biblical exegesis upon which the legislation of ch 19 as a whole is built".

owning of property, were denied<sup>48</sup>. The "proper treatment of the alien is a common theme in the Old Testament that is often juxtaposed, as in this context, to the reality that the Israelites themselves were once slaves in the land of Egypt (19:36; Ex 22:21; 23:9; Deut 10:19; 24:17-18)"<sup>49</sup>.

Verse 34 links up with the previous verse, but now commands Israel "to treat resident aliens with full justice", similar to the "neighbour" or "native-born" in verse 18<sup>50</sup>. The term *gēr* is usually translated as "resident alien" or "sojourner", referring to a foreigner who lives inside Israel or later Yehud.<sup>51</sup>

There is a difference of opinion on whether the concern for the foreigner or resident alien only refers to those who live in Israel or whether all foreigners outside Israel are also included. Some scholars like *Jin-Myung Kim* are of the opinion that Leviticus 19 "does not refer to people who live outside of the land, but to those who live inside the land" and therefore it is argued that "the commandment of love for the sojourner in v.34 does not include all foreigners and other nations, and is different from Jesus' commandment of love for humanity (Matt 5:44; 10:25-37)"<sup>52</sup>. Other scholars argue that the instructions to love the neighbour and the resident alien or stranger must be interpreted within the context of "the shared connection and mutual responsibility of human beings living in a community of faith" and the specific mentioning of the resident alien in 19:34 is a clear indication of its inclusion in the faith community and that a "new dimension (is) now given to the old familial ethos"<sup>53</sup>.

The related term "*'aezrāḥ*" is translated as "native-born" who possesses the land.<sup>54</sup> In this regards Hieke (2014:754-756, 1147) develops the following argument.<sup>55</sup> Following on the caring for the elderly, the "resident alien" (*ger*) is addressed in 19:33 and the "Einheimische" (*'aezrāḥ*) as someone born in Israel according to 19:34. There is a surprising equivalence between *gēr* and *'aezrāḥ* in this development of the concept of the "resident alien". God seems to provide the example in Deut 10:18-19 on how to care for the foreigner or resident alien by feeding and clothing – love for the resident alien is thus "weniger emotional,

<sup>48</sup> Levine, *Leviticus*, 134.

<sup>49</sup> Rooker, *Leviticus*, 263.

<sup>50</sup> Sklar, *Leviticus*, 252.

<sup>51</sup> According to Mark A. Awabdy, *Immigrants and Innovative Law. Deuteronomy's Theological and Social Vision for the 'ger'*. FAT 2/67. (Tübingen: Mohr Siebeck, 2014), 3 the noun *gēr* is used 92 times and the verb *gur* 83 times in the HB/OT and generalising conclusions about the respective meanings are ill advised because they "are not interchangeable in each context due to different subjects and locations of residence."

<sup>52</sup> Kim, *Holiness and Perfection*, 60-61.

<sup>53</sup> Gerstenberger, *Leviticus*, 272.

<sup>54</sup> Kim, *Holiness and Perfection*, 60

<sup>55</sup> Hieke, *Leviticus*, 754-756 & 1147.

sondern eher praktisch ausgerichtet"<sup>56</sup>. The social-historical background to this development of the love for the neighbour and the resident alien is the post-exilic period when "Israel" existed in a "mixed society" ("Mischgesellschaft"). The "intergrierte Fremde" becomes a characteristic of the self-understanding of "Israel" that critiques an exclusive perception and advocates an inclusive approach to being Israel.

Although the "wirkungsgeschichtliche Höhepunkt" of Leviticus 19 is the command to love the neighbour in 19:18, it is crucial to note the "neighbour" ("der Nächste") is reinterpreted in 19:33-34 to include the "resident alien" or "stranger"<sup>57</sup>.

It is therefore not surprising that the "resident alien" or "stranger" is often referred to in the second half of the book of Leviticus. The instruction to take care of the resident alien or stranger does not endanger the holiness of Israel, since it becomes a prerequisite for its holiness! Similar to the discussion concerned with the neighbour, Rogerson argues that the expression "as yourself" should be translated as "who is like yourself" and therefore the "stranger shall be like a native among you, and you shall treat him generously because he is like yourself".<sup>58</sup>

The reason why a resident alien or foreigner resided in Israel or Yehud probably influenced the way in which the concept of a *gēr* was understood. Bailey drew scholarly attention to the fact that: "Foreigners attached themselves to Israel for a variety of reasons... according to 2 Chr 2:17, Solomon's census revealed that there were 153,600 'aliens' in the country... mostly labourers with marginal sustenance and thus linked with the poor and needy (Lev 19:10; 23:22; 25:6)".<sup>59</sup> The "bottom line" motivation for caring for the stranger is clear: "Israel's ancestors had once been aliens in the land of Egypt..." The memory of their status, as well as awareness of God's mercy in delivering them, became a powerful motivation to ethical concern for those of similar status in subsequent ages.<sup>60</sup> Therefore, the memory of Israel as sojourners or resident aliens in Egypt motivates the prohibition of oppression in v. 33 and the love for resident aliens in v.34.

<sup>56</sup> Hieke, *Levitikus*, 755.

<sup>57</sup> According to Hieke, *Levitikus*, 1147 the "neighbour" seems to be anyone in need of compassion and care: "Auch der Arbeits-migrant, der sich an seiner Notlage heraus in Israel niedergelassen und um Lohn verdungen ist, ist ein Mensch "wie du" – für seine Bedürftigkeit fordert das göttliche Gebot entsprechende Abhilfe."

<sup>58</sup> Rogerson, "Leviticus 19", 45.

<sup>59</sup> Bailey, *Leviticus*, 240

<sup>60</sup> Bailey, *Leviticus*, 240-241. This observation by Bailey must be read in close conjunction with the contrasting opinion argued by Albertz summarised in the following paragraph.

When discussing the *gēr* in the Holiness Code one has to take into consideration how Deuteronomy formulated instructions related to foreigners and resident aliens. Rainer Albertz agrees with Dieter Vieweger that the social status of the *gerîm* in the Holiness Code differs from its status presupposed by the Deuteronomic Code<sup>61</sup>. According to Deuteronomy 16:9-15 "resident aliens" were admitted to some of the pilgrimage feasts at the central sanctuary, but their inclusion in cultic meals can be considered to be a form of charity because these *gerîm* were so poor that they could not sacrifice themselves.

By contrast, priestly scribes responsible for the so-called Holiness Code (Lev 17-27) in the fifth century BCE, "opened the central cult to wealthy resident aliens of the Persian province Jehud, who were able to bring their own sacrifices, even expensive holocaust offerings."<sup>62</sup> Being sensitive to the use of anachronistic terminology Awabdy formulates certain caveats for using "immigrant" as translation for *gēr* in Deuteronomy that are pertinent to the discussion of the Holiness Code: "modern ethno-political connotations must not be superimposed onto *gēr* in the OT" because the Old Testament is "not explicitly interested in the *birth, language and culture* of the *gēr*, nor the length of time that a *gēr* chooses to live in Israel or Judah..."<sup>63</sup>

To take one step back again: the instruction to love the resident alien has significant implications for the interpretation of the instruction to love the neighbour: recently Friedman again countered the claim that 19:18 is only applicable to fellow Israelites or Jews by pointing out that there are 52 instructions in the Pentateuch that demand "just, equal treatment of aliens".<sup>64</sup> Friedman considers this concern for the stranger or resident alien as "an emphasis unique to the Hebrew law codes" that is absent in other ancient Near Eastern law codes.<sup>65</sup>

<sup>61</sup> Rainer Albertz, "Are Foreign Rulers Allowed to Enter and Sacrifice in the Jerusalem Temple?" In: *Between Cooperation and Hostility. Multiple Identities in Ancient Judaism and the Interaction with Foreign Powers* (eds R. Albertz & J. Wöhrle, Göttingen: Vandenhoeck & Ruprecht, 2013), 120 and Dieter Vieweger, "Vom 'Fremdling' zum 'Proselyt': Zur sakralrechtlichen Definitionen des *ger* im späten 5. Jahrhundert v.Chr" In: *Von Gott reden: Beiträge zur Theologie und Exegese des Alten Testaments* (ed, E Waschke, Neukirchen-Vluyn: Neukirchener Verlag, 1995), 276-278.

<sup>62</sup> The ritual instructions in Num 15:13-14 (second half of 5<sup>th</sup> Century) go a step further than the Holiness Code (first half of the 5<sup>th</sup> Century) and were valid for each '*aezrāh*' ("native citizen") and *gēr* residing in the province of Yehud who were now permitted to sacrifice.

<sup>63</sup> Awabdy, *Immigrants*, 4-5.

<sup>64</sup> Friedman, *Exodus*, 200-203. A few examples of the instructions related to the resident aliens: Ex 12:49; 22:30; 23:9; Lev 19:33-34; Deut 10:19; 23:8; 24:17-18.

<sup>65</sup> Friedman, *Exodus*, 203 makes the remarkable suggestion that the Levites were the only component of what eventually become known as 'Israel' to sojourn in Egypt as

I agree with Esias Meyer that different views of the *gerîm* can be found in the Holiness Code, but more in the sense of the co-existence of views than a linear progression from one view to another. The *gēr* was not only perceived as a vulnerable object of charity, but also as an economically and socially upwardly mobile resident alien who had to obey the instructions or prohibitions applicable to Israel (early Jewish communities). Leviticus 19: 33-34 introduced a third view that love (as care and loyalty) was due to resident aliens as a prerequisite to being holy.<sup>66</sup>

## E REDEFINING 'HOLINESS' IN LEVITICUS 19 AND THE HOLINESS CODE

Several scholars, such as Gerstenberger, focus on the post-exilic period to make sense of how a changing priestly understanding of the concept of holiness impacted on how the instructions to love the neighbour and the resident aliens were interpreted and appropriated<sup>67</sup>. It is clear that "holiness" was now perceived to be prescriptive for both cultic and everyday life. Furthermore, the double reference that "holy" applies to both God and the addressees is significant, and although it is only explicitly mentioned in the introductory superscript, it is implied throughout the whole of the chapter.

The demand to be "holy" not only impacted on the way in which cultic rituals were performed, because the audience were required to become and remain "holy" by being obedient to the divine commandments and submitting to the will of God – commandments that include the injunction to love the neighbour and the resident alien. According to Gerstenberger holiness "is a sphere of power and purity unique to God" and therefore his "house" (usually the temple in Jerusalem) forms part of the holy sphere resulting from his holy presence and access to the holy space required a holy life-style.<sup>68</sup> Leviticus 19 is focused on the establishment and maintenance of this holy lifestyle that would resonate with the holiness of God and the rituals discussed in the first half of the book of Leviticus. It is also important to take note how the individual Israelite is addressed in chapter 19<sup>69</sup>: once as a "brother" (*'āh*), but three times as a "neighbour" or "fellow Israelite" (*rēa'*) and as a "fellow in faith" (*'āmîṭ*).

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'aliens'. This brings him to the following contentious conclusion: "The experience of being aliens, of being oppressed, apparently led Israel's clergy and teachers, the Levite priests, to say: 'You must never do that.'"

<sup>66</sup> Esias E Meyer, "Liefde vir die Vreemdeling in Levitikus 19: uiteenlopende sienings oor vreemdelinge in die Heiligheidswetgewing" *LitNet Akademies* 12/3 (2015): 489-490.

<sup>67</sup> Gerstenberger, *Leviticus*, 281-286.

<sup>68</sup> Gerstenberger, *Leviticus*, 282.

<sup>69</sup> Gerstenberger, *Leviticus*, 283 – 286 came to the conclusion that the entire Israelite or early Jewish community, including the most vulnerable elements thereof, are now

It is interesting how different definitions of what "holiness" in Leviticus 19 entails, persist to co-exist: Milgrom goes against the established definition of *qđš* as "separation" (from the supposed root meaning "to cut") and develops a more positive sense of holiness by suggesting "that separation *presupposes* rather than makes holiness".<sup>70</sup> Bailey persists with the traditional understanding of holiness that it meant "in part, to be distinct, separate, and thus not accept certain aspects of Canaanite culture".<sup>71</sup> But according to Nihan Leviticus 19 commences with an "exhortation to the Israelites to lead a holy life, that is, in conformity with Yahweh's holiness" and this is concluded in verse 37 with a final exhortation to keep all God's statutes (*hukôt*) and ordinances (*mishpatîm*) – establishing a clear link between obedience to the love commands and the keeping of all legal prescriptions.<sup>72</sup>

One must also take note that there seems to be a strong structural emphasis on what "holy practices" entail (Lev. 19), since it is framed by what "unholy practices" one must avoid (Lev. 18 & 20). Holiness is defined both negatively and positively: to avoid "unholy practices", as well as being holy characterised by "the practice of righteousness"<sup>73</sup>.

The importance of "holiness" in Leviticus 19 becomes clear when one realises that the refrain, "I am YHWH" or "I am YHWH your God" abbreviates the command "you shall be holy, for I YHWH your God am holy". In the Old Testament "holiness" is often related to "separation" because that which is considered holy "is separated from common use and devoted to the service of God".<sup>74</sup> Rogerson argues further that "this idea of holiness as separation is challenged and enlarged in Leviticus 19" due to several examples in chapter 19 of "social justice and respect for the natural world"... Leviticus 19 demonstrates that "holiness" is not focussed on "religious matters" only but "embraces... aspects of daily life".<sup>75</sup>

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defined in terms of their God and not in terms of land possession, nationality or the monarchy.

<sup>70</sup> Jacob Milgrom, *Leviticus. A Continental Commentary* (Minneapolis: Augsburg, 2004), 219-220 and Mark W. Elliot, *Engaging Leviticus: Reading Leviticus theologically and with its past interpreters* (Eugene: Cascade, 2012), 199.

<sup>71</sup> Bailey, *Leviticus*, 227.

<sup>72</sup> Nihan, *Priestly Torah*, 456 argues for a causal relationship between Israel's holiness and obedience to the statutes and ordinances of the Lord that are "explicitly defined in the first exhortation of ch. 20 v.7-8, where these two notions are taken up and developed."

<sup>73</sup> Sklar, *Leviticus*, 241. Hans-Peter Mathys, *Liebe deinen Nächsten wie dich selbst*. OBO 71. (Freiburg: Universitätsverlag, 1990), 173 concluded in similar vein that the command to love the neighbour must be seen in close connection with righteousness.

<sup>74</sup> Rogerson, "Leviticus 19", 53.

<sup>75</sup> Rogerson, "Leviticus 19", 53-54.

Some recent Leviticus scholarship recognises the profound impact that a changed understanding of holiness had on the love commandments. Hieke refers to the change in the understanding of the concept of holiness as a "*Quantensprung*"<sup>76</sup>: in the first 16 chapters "holiness" is confined to cultic (especially sacrificial) rituals and the participation of priests and Levites. However, from chapter 17 onwards holiness becomes part of social interaction in general – daily life now had to comply with being holy.<sup>77</sup>

One can appreciate the fact that the destruction of the temple in Jerusalem in 586 B.C.E. and the subsequent deportation into exile of a significant number of Judeans inevitably had a major impact on the understanding of holiness. Cultic purity and the opportunity to sacrifice outside the Jerusalem temple and beyond the "Holy land" became a challenge. The Holiness Code in the second half of Leviticus (17-26) is "permeated by paranesis referring back to the identity of YHWH and the relationship it established with Israel..."<sup>78</sup>. Being "holy" was now determined by the "holy" being of YHWH. Israel and the early Jewish communities in Yehud and the Diaspora now became holy through obedience to the laws and instructions of YHWH, not only to perform cultic rituals like sacrifices, but also to change their social behaviour, not only loving the neighbour but also the foreigner and the resident alien.

Holiness is now possible not only through separation but by a new form of inclusion – by imitating God new inclusive social relations became possible. However, the imitation of God can hardly be perceived as the centre of all Old Testament ethics because certain aspects of God cannot be imitated, some should not be imitated, but some acts of God (such as loving the neighbour and the resident alien) ought to set an example.<sup>79</sup> By imitating acts of God and by orientating ourselves to the vulnerable "other" something authentic of being created in the image of the holy God can be manifested – the "*imitatio Dei*" enabling the "*imago Dei*" through ethically defined holiness!

<sup>76</sup> Hieke, *Levitikus*, 703 summarises: "so wird jetzt der Gedanke verfolgt, diese Heiligkeit in den Alltag der Israeliten hineinzutragen."

<sup>77</sup> Hieke, *Levitikus*, 1146-1147: "'Heilig sein' heist auch, so ist es schon angeklungen, 'anders sein.'"

<sup>78</sup> Paavo N. Tucker, *The Holiness Composition in the Book of Exodus*. FAT 2/98. (Tübingen: Mohr Siebeck, 2017), 188.

<sup>79</sup> There is a potential dark side to the presupposition to imitate God. Esias Meyer, "The Dark Side of the *Imitatio Dei*. Why imitating the God of the Holiness Code is not always a good thing" *OTE* 22/2 (2009), 380 pointed out that there are several images of God in the Holiness Code that should hardly be imitated: for example, YHWH is described as a landowner and slave owner in Leviticus 25: 23, 42 and 55.

## F CONCLUSION

Despite the anachronistic ring to the term 'catechism', one can appreciate Gerstenberger's depiction of chapter 19 as "a broad if not comprehensive catechism of religious life-rules for the early Jewish community".<sup>80</sup> This collection of life-rules operationalised the ritual prescriptions of the first 16 chapters of the book and provided a distinctive ethical cutting edge to programmatic refrain "to be holy" in chapters 17-26.

The love for the neighbour and the resident alien contributes to the redefinition of "holiness" in Leviticus that is not the result of ritual practices, but the relational bedrock or cause of ritual and sacrifice. In agreement with Hans-Peter Mathys's conclusion that Leviticus 19:18 makes it clear that "Gerechtigkeit und Liebe die beiden Grundforderungen der alttestamentlichen Ethik sind" – one should emphasise that it is not only "love" as a noun, but "love" in action<sup>81</sup>.

Leviticus 19 is a remarkable example of inner-biblical exegesis that reinterprets several existing laws (i.e. Covenant Code, Deuteronomic Code etc.). It also redefined the requirements of a holy life in the time after the Babylonian Exile<sup>82</sup>. This reinterpretation of existing instructions can probably be taken as an indication of "the observance of the *entire* Torah..."<sup>83</sup>. Furthermore, the clear connection between ethical behaviour and holiness is "a complete innovation" in comparison with some of the other older collections of legal instructions in the Old Testament.<sup>84</sup>

Whereas Rudolph Otto defined holiness as the numinous and awe-inspiring characteristic of God that no human could achieve or comprehend<sup>85</sup>, Mircea Eliade perceived divine holiness to be present in the world around us and accessible to humans – space (temples, sanctuaries etc.), time (Sabbath, Passover etc.) and people (priests, Levites) can become "holy"<sup>86</sup>. This study of Leviticus 19 argues that the concept of holiness presupposed in the first half of Leviticus presuppose a type of holiness according to which God appointed certain humans

<sup>80</sup> Gerstenberger, *Leviticus*, 265. The reference to an "early Jewish community" implies a postexilic dating for Leviticus 19 as a type of "catechism" that attempted to combine the interests of diverging Jewish groups in Yehud and the diaspora.

<sup>81</sup> Mathys, *Liebe*, 172.

<sup>82</sup> Lev 19 has parallels in several other legal codes: it is a commentary on several of the Ten Commandments; there are also clear references to Ex 20-23, Deut 12-26 and Lev 1-16.

<sup>83</sup> Nihan, *Priestly Torah*, 466-467.

<sup>84</sup> Nihan, *Priestly Torah*, 475 described how holiness entailed the rejection of "unclean alimentary customs" (Ex 22:30; Deut 14:21) and non-Yahwistic rituals (Deut 7:5-6; 14:2).

<sup>85</sup> Rudolph Otto, *The Idea of the Holy*. (London: Oxford University Press, 1923).

<sup>86</sup> Mircea Eliade, *The Sacred and the Profane: The Nature of Religion*. (San Diego: Harcourt, 1959).



to be considered holy (priests and Levites) and that the second half of Leviticus argues that holiness can be redefined and achieved through obedience to divine instructions (loving the neighbour and the resident alien)<sup>87</sup>.

Against this background I conclude in conjunction with Naomi Koltun-Fromm that "holiness" constitutes a central category for self-definition in the formation of postexilic identity<sup>88</sup>. During this process of identity formation, the Hebrew Bible or Old Testament reflects diverging concepts of holiness: one group saw holiness as "ascribed" (i.e. inherited through genealogy, like the priests and Levites in Lev. 1-15); and another group perceived holiness as "achieved" (though ritualised behaviour and obedience to commandments to love the neighbour and the resident alien in Lev. 19). Obedience to the instructions to love the neighbour and the resident alien made it possible for "all Israel" and beyond to become holy without the mediation of priests. However, Leviticus 19 does not make priests or the cult redundant, but the inclusive instructions to love both the neighbour and the resident alien made it possible for those living in the diaspora, who did not have access to priests and the cult, to become holy – establishing a consistent interconnectedness between cult and ethics.

Closely related to the above, one should take note of Eberhard Jüngel's definition of love as "an event where even the highest degree of self-reference dissolves into an even higher self-giving".<sup>89</sup> Against this background I also concur with Andreas Schüle that loving the neighbour and the stranger involves special kinds of creative acts that open up new and transformative spaces and relations in all regions of social life, usually divided by race, economic class, gender orientation and religion<sup>90</sup>. Holiness is thus achieved not through

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<sup>87</sup> At this point one should also give credit to Martha Himmelfarb, *A Kingdom of Priests. Ancestry and Merit in Ancient Judaism* (Philadelphia: University of Pennsylvania Press, 2006), 10 who proposed that biblical authors had to negotiate the tension between the theological perception that Israel was holy by birth (ancestry) and an Israel (corporate and individually) that was holy by piety (merit through obedience). She also suggests that this tension undergirds ancient postbiblical Judaism.

<sup>88</sup> Naomi Koltun-Fromm, *Hermeneutics and Holiness. Ancient Jewish and Christian Notions of Sexuality and Religious Community* (New York: Oxford University Press, 2010), 4-6, 31-34, 239. This study of Leviticus 19 is interested in how definitions of holiness allowed and disallowed access to God – these definitions also had profound implications for the exercise of power in postexilic Jewish communities of faith.

<sup>89</sup> Eberhard Jüngel, *Gott als Geheimnis der Welt: Zur Begründung der Theologie des Gekreuzigten im Streit zwischen Theismus und Atheismus*. (Tübingen: Mohr & Siebeck, 1986), 435: love as "ein Ereignis einer inmitten noch so grosser Selbstbezüglichkeit immer noch grösseren Selbstlosigkeit."

<sup>90</sup> Andreas Schüle, "Sharing and Loving. Love, Law and the Ethics of Cultural Memory in the Pentateuch". In: Andreas Schüle, *Theology from the Beginning*. FAT 2/113 (Tübingen: Mohr Siebeck, 2017), 321.

exclusion or separation but by an inclusive attitude, thereby including those who are different from you.<sup>91</sup>

In the final analysis it boils down to the question: How do we live "holy" lives that do not separate but include the most vulnerable, accepting the challenge that taking care of the vulnerable "other" will allow us to be obedient to the instructions to love our neighbours and resident aliens?<sup>92</sup>

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<sup>91</sup> Future research on this chapter might be well advised to go beyond the Old Testament discussions of the topic and be informed by related research in theological and philosophical ethics. For example: the philosophical-ethics of Emmanuel Levinas, *Otherwise than Being*. (Dordrecht: Nijhoff, 1974) has the potential to contribute to the multidisciplinary interface between exegesis and ethics that takes as point of departure not the "responsibility of being" but the "responsibility of the other". There is no symmetry between the "self" and the "other", but rather asymmetry that is rooted in the priority of the other: The self is itself when and only when it is fore-the-other.

<sup>92</sup> A question that rings true not only in Africa, but also in many parts of America, Asia and Europe where communities of faith are all the more confronted by the challenge and the responsibility of taking care of the rapidly growing migrant "vulnerable other".

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