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For the wages of sin is... banishment: An unexplored substitutionary motif in Leviticus 16 and the ritual of the scapegoat

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Introduction

Leviticus 16 is appropriately situated at the center of the book of Leviticus and the canonical center of the Torah.[1] It is appropriate because it describes an ancient Israelite ritual, the importance of which rivals all other rituals and traditions for both Jewish and Christian believers. This central chapter contains legislation for the Day of Atonement, a bipartite ritual in which blood manipulation of the purification offering cleanses the tabernacle from impurity and a scapegoat sent to the wilderness removes the iniquities of the Israelites.

The primary focus of this essay will be on the second act, the scapegoat ritual. In short, I argue that the scapegoat can be read through the lens of substitution, though not as substitution has been traditionally understood.[2] The traditional understanding of substitution is often linked to a satisfaction model of atonement and suggests that a sinner, or his/her substitute, is required to pay a penalty for sin, i.e. death, in order to quell the wrath of God. The substitution as described in this essay has some fundamental differences with the traditional model.

1 A point underscored by Rolf Rendtorff, 'Leviticus 16 als Mitte der Tora', *BibInt* 11 (2003): 252-58.

2 For a recent defense of a traditional substitutionary model of atonement in Leviticus 16, see Steve Jeffrey, Michael Ovey, and Andrew Sach, *Pierced for Our Transgressions: Rediscovering the Glory of Penal Substitution* (Wheaton: Crossway Books, 2007), 42-50. For traditional substitution in the Hebrew Bible, see Emile Nicole, 'Atonement in the Pentateuch', in *The Glory of the Atonement: Biblical, Historical, & Practical Perspectives: Essays in Honor of Roger Nicole* (ed. C. Hill and F. James III; Downers Grove, Ill.: InterVarsity Press, 2004), 35-50; David Peterson, 'Atonement in the Old Testament', in *Where Wrath and Mercy Meet: Proclaiming the Atonement Today* (ed. D. Peterson; Waynesboro, Ga.: Paternoster Press, 2001), 1-25. For a more general account of substitution, see Thomas R. Schreiner, 'Penal Substitution View', in *The Nature of Atonement* (ed. J. Beilby and P. Eddy; Downers Grove, Ill.: InterVarsity Press, 2006), 67-98.

In this essay I argue that the ritual of the scapegoat is not meant to appease a wrathful God but, instead, acts as a substitute to effect a necessary ontological change that must take place in order for a holy God to dwell with a people capable of becoming unholy. According to the logic of Leviticus, holy and unholy are mutually exclusive categories and, therefore, cannot coexist. A problem, therefore, is created when the Israelites become unholy through sin and impurity and attempt to live with a holy God in their midst via the tabernacle. The two cannot continue to live together in this way. One or the other must go. Though sin and impurity should result in Israel's separation from YHWH, in an act of mercy YHWH allows a scapegoat to be the separated one and wander in the wilderness (both symbolically and literally) in place of the Israelites themselves, thus solving the problem posed by an unholy people dwelling with a holy God. In this way the scapegoat becomes the substitute for the Israelites and bears the consequences that should have rightly fallen upon them, i.e. banishment.[3]

I. The Scapegoat ritual

Leviticus 16:6-10 provides a panoramic view of the Day of Atonement, the details of which are then described in vv. 11-28. There are two goats involved in the Day of Atonement. The priest casts lots on the goats, one 'for YHWH' and the other 'for Azazel'.[4] The former goat is ritually slaughtered as the purification offering for purging the tabernacle,[5] and the latter is presented 'alive' and acts as

3 Mary Douglas has recently attempted to remove any punitive element directed at the scapegoat arguing instead that sins are simply blotted out once placed upon the 'go-away goat', and the act of sending the goat into the wilderness was initially meant to serve as a beneficent act of setting the goat free comparing the act to the Exodus when Moses calls for the Pharaoh to 'let go' of the people ('The Go-Away Goat', *The Book of Leviticus: Composition and Reception* [ed. R. Rendtorff and R. Kugler; Leiden: Brill, 2003], 121-41). Despite the originality of this reading, it is difficult to see how one can get around the idea that the goat serves some kind of punitive role.

4 For the purpose of this paper, questions about the nature of Azazel must be shelved. For more on this interesting and complicated issue, see David Wright, *The Disposal of Impurity: Elimination Rites in the Bible and in Hittite and Mesopotamian Literature* (SBL Dissertation Series 101; Atlanta: Scholars Press, 1987), 25-30; Jacqueline C. R. de Roo, 'Was the Goat for Azazel Destined for the Wrath of God?', *Bib* 81 (2000): 233-42; Jacob Milgrom, *Leviticus 1-16: A New Translation with Introduction and Commentary* (Anchor Bible Commentary 3. New York: Doubleday, 1991), 1020-21; H. Tawil, 'Azazel, the Prince of the Steepe [sic]: A Comparative Study', *ZAW* 92 (1980): 43-59; Lester Grabbe, 'The Scapegoat Tradition: A Study in Early Jewish Interpretation', *JSJ* 18 (1987): 152-67; Robert Helm, 'Azazel in Early Jewish Tradition', *AUSS* 32 (1994): 217-26.

5 I prefer the term *purification offering* to the more traditional *sin offering*. The work of Jacob Milgrom has decisively shifted scholarly opinion on this matter. See his 'Sin Offering or Purification Offering', *VT* 21(1971): 237-39, and 'Two Kinds of Ḥaṭṭā't', *VT* 26 (1976): 333-37. Despite this shift in scholarship, most modern translations continue to use *sin offering*.

the scapegoat.[6] That the goat is explicitly 'alive' and is nowhere said to be slaughtered or dead is of no small significance.

It is only after the ritual sacrifice of the first goat that the scapegoat is presented (v. 20). The priest lays both hands upon the goat and confesses the iniquities of the people of Israel (v. 21). By laying two hands upon the goat rather than one hand, the priest is doing something that is repeated nowhere else in the Hebrew Bible.[7] The significance of the two hands is not made explicit in the text, though this act is one of a few unique acts found in the ritual as brought out in what follows.[8] What is explicit, however, is that after the priest declares the iniquities of the Israelites, the iniquities are placed onto the head of the goat (v. 21) presumably removing the sin from the Israelites and placing the sins on the goat. As Peterson has noted, Lev. 16:22 is the only place in the Hebrew Bible where an animal is said to 'bear on itself' the sins of Israel.[9] Two other factors that add to the ritual's uniqueness are, first, that nowhere else in the Bible do we find a reference to Azazel, the figure to whom the goat is sent, and, second, that the scapegoat ritual is only practiced on one day out of the year, the Day of Atonement. The uniqueness of the scapegoat ritual is given even greater significance when set in contrast to the regularity of the purification offering, the other half of the bipartite ritual, an act that is part of the daily workings of the sacrificial system. I argue that the uniqueness of this event combined with the centrality of this text, both canonically and theologically, serves to shine a spotlight on this act in such a way that it becomes a normative text by which other texts should be read.

Following the priest's confession of sin, the goat is taken into the wilderness by a designated person (v. 21). The goat bears on itself the iniquities of the Israelites to a separate place where it is then 'set free' (v. 22). That the goat is not a sacrifice is clear for three reasons. First, the goat is nowhere said to be killed, and death, of course, is an integral part of ritual slaughtering. Twice, in vv. 10 and 21, the text clearly states that the scapegoat is presented alive, a fact that is not said about the first goat. According to the narrative, the scapegoat is simply left in the wilderness without any indication of what happened to it. Second, blood manipulation is a critical part of every sacrifice in Israel's sacrificial system. Since the scapegoat was not killed, there is not a single word about blood manipulation here. Without blood manipulation, it is difficult to see how one could consider the goat a sacrifice. Third, recent scholarship has convincingly argued that the one taking the goat to the desert is not a priest but likely a criminal or a

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6 The use of the term scapegoat has a problematic and complex history. The term when used as a translation for 'Azazel' is simply inappropriate. As a description of the role of the goat, however, it is an appropriate term. I, therefore, will use the term with reference to the second goat but not to Azazel.

7 There are other biblical examples of laying two hands on a person, but never on an animal during a sacrifice (see Num. 27:23; Deut. 34:9; Lev. 24:14).

8 See David Wright, 'The Gesture of Hand-Placement in the Hebrew Bible and in Hittite Literature', *JAOS* 106 (1986): 433-46.

9 Peterson, 'Atonement in the Old Testament', 15.

marginal figure of society.[10] Such a figure would most certainly not be allowed to perform a ritual sacrifice.

Before returning to the camp, the person who led the goat into the wilderness is required to clean both clothing and body, an act that parallels the high priests cleansing after the purification offering (vv. 23-24, 26). After proper cleaning, he or she may reenter the camp.

II. Suggested purification motifs for the scapegoat (non-substitutionary)

In order to discuss the way purification is effected in the scapegoat ritual, I will begin with the work of David Wright who, through Hittite and Mesopotamian examples of purification rituals, establishes categories for understanding purification in the ancient world.[11] These categories are not meant to be binding (which is simply to say, one should not expect the ancient Israelites to always conform to the cultures around which they were situated), but comparative literature can help shine a light on a world that is, in many ways, completely and utterly different from our own.[12]

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10 See Raymond Westbrook and Theodore Lewis, 'Who Led the Scapegoat in Leviticus 16:21', *JBL* 127 (2008): 417-22; and the response by Meir Malul, 'אִישׁ עִתִּי' (Leviticus 16:21): A Marginal Person', *JBL* 128 (2009): 437-42. Westbrook and Lewis conclude that contrary to the popular belief that a priest is tasked with taking the goat, a convicted criminal is sent to do the task (Malul, largely agreeing with Westbrook and Lewis, simply wishes to broaden the category to liminal peoples in general ['אִישׁ עִתִּי']). Through a comparison with Greek and Hittite texts that contain similar rituals, they determine that the figure who either sends the scapegoat or, in the case of the Greek example, acts as the scapegoat himself, is typically a marginal member of society, one who is capable of bridging the divide between the world of the pure and the world of the impure. As Malul notes, 'The leper, the unclean person, and the *assinnu*, then, were chosen to serve as carriers of the sins and afflictions out of the city precisely because of their existential quality of being persons who occupied marginal positions, persons who strode both the sphere of the city – the sphere of law and order, of civilized society – and the sphere of the steppe – the sphere of chaos and disorder, the lawless sphere – where other denizens like them, as well as other dark forces of chaos, roam' ('אִישׁ עִתִּי', 440). In light of the research of Westbrook and Lewis and Malul, the fact that the marginal person in Leviticus' scapegoat ritual is allowed to return to the camp upon washing his or her body and clothes is all the more remarkable. As Westbrook and Lewis note, the reason for the return of the sender is quite logical, 'Since the purpose of the biblical ritual is to remove not a plague (or similar divine punishment for sin) but the actual sins of every Israelite, the criminal must have had his sin removed as well' ('Who Led the Scapegoat', 422). It is more than logical; it is exceedingly gracious.

11 Wright helpfully delineates ten purification motifs found in ancient Hittite rituals. For a full description of the ten motifs see David P. Wright, *The Disposal of Impurity*, 31-45. I will only discuss three of them: transfer, disposal, and substitution.

12 We find Wright's methodology, what he calls *contrastive comparison*, to be helpful. He takes care not to read other cultures' meanings and expectations into the text.

When compared to purification motifs found in Hittite and Mesopotamian literature, the scapegoat ritual contains everything one would expect from the motifs of transfer and disposal.[13] In the transfer motif, impurity is removed from a person or an object and transferred to another object, which then becomes the carrier of impurity. In Lev. 16:21, when the priest lays both hands on the goat and confesses the iniquities of the Israelites, he is effectively *transferring* the sin from the people of Israel to the goat and by doing so is cleansing the people of Israel of their iniquity.

Often, the second half of the purification process includes the disposal of the impurity. The disposal motif is required in order to insure that the newly impure object does not infect other people, places, or objects. Disposal represents the second half of a two-part process in which impurity is both transferred to an object and then disposed of, whether through fire, banishment, death, or some other means. This disposal process is clearly represented in Leviticus 16 when the scapegoat is taken away to a separated place and the one who led the goat to that place is required to cleanse himself or herself thoroughly.

As an example of the transfer motif, Wright cites the Hittite Telepinu myth. In this myth, a person attempts to transfer evil from a patient to an object by waving the object over the patient:

> I have waved over Telepinu this way and I have waved that way. I have taken from Telepinu's body his evil. I have taken his malice. I have taken his anger. I have taken his wrath. I have taken his fury. I have taken rage.[14]

According to Wright, other means of transference besides waving include spitting on an object, touching an object, combing the evil off a person, leaving materials under the bed at night in order to absorb the evil, and passing through special gates that strip a person of evil.[15] Though differences between Leviticus and the Telepinu myth should not be understated, the act of transference, moving impurity from one object to another, is basic to both examples.

As already stated, the disposal motif is often found side-by-side with the

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He states, 'Any feature of the Bible, be it a ritual, sociological, political, philological, or literary matter, must first be investigated and interpreted in the light of its own context. Only after this has been done may comparative study be employed. Failure to follow this procedure runs the risk of reading features and meaning of the non-Israelite society into that of the Bible' (*The Disposal of Impurity*, 7). Throughout this essay, we also try to allow the biblical text to speak for itself allowing it to retain its own uniqueness rather than forcing it to fit the model of other culture's beliefs. This is especially necessary with regard to the scapegoat ritual where, as we have stated, we find a number of unique elements even when compared to the rest of the Bible.

13 For the transfer motif, see Wright, *The Disposal of Impurity*, 32-34. The disposal motif makes up the subject of his study, and he defines it as follows: 'This motif is manifested when evils or materials considered to be infected with evil or symbolizing evil are finally discarded' (43).

14 *KUB* 17.10 iii 8-12 as quoted in Wright, *The Disposal of Impurity*, 33.

15 Wright, *The Disposal of Impurity*, 33.

transfer motif as a two-part process. Both motifs are ubiquitous in ancient literature of purification, and the ritual of Huwarlu is a good example of both motifs in one story.

> … They take a small live dog.
> They wa[ve] it over the king and queen
> and they wave it inside the palace. The Ol[d Woman thus]
> speaks: 'Whatever [magical]
> word is in the king and queen, in his(!) body, and in the palace, behold,
> (his) member (is) great, his heart (is) great. He, the 'ass,' will bear (it).
> He has overcome it. Let him take away the evil, the ma[gical word].
> Wherever the gods have designated it,
> there let him carry it.' When they
> take away the small live dog,…[16]

This story contains an example of transfer and disposal which has similarities with the biblical rite of the scapegoat. In both stories an animal (dog/goat) is infused with the evil that needs to be eliminated, and the animal is then sent away in order to dispose of it.

The categories of transfer and disposal, then, are indeed suitable categories for understanding what is taking place in the scapegoat ritual, but one wonders if other categories are appropriate for filling out the meaning of this important ritual, namely substitution. Wright specifically argues against any notion of substitution in the ritual stating that the goat 'is not an offering of appeasement, nor is it a substitute to suffer Azazel's anger or some other evil in the place of the Israelites'.[17] While I certainly agree that appeasement is not present in the scapegoat ritual, I argue substitution is present and the goat indeed suffers an evil meant for the Israelites. To that let us now turn our attention.

III. The substitution motif

The substitution motif is similar to the transfer motif in that they both require a secondary party to bear the impurity or evil of the original person. In the case of the scapegoat, the scapegoat is the secondary party that bears the iniquities of the primary party, Israel. In distinguishing between substitution and transfer, Wright is helpful: 'In substitution, the evil is not just transferred for the purpose of disposal, it is transferred so that the *consequences* of the evil will fall on the bearer of impurity instead of the patient'.[18] Of importance, then, is the issue of consequences. We must ask, 'Are the consequences that should be directed at

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16 As quoted in Wright, *The Disposal of Impurity*, 58-59.

17 Wright, *The Disposal of Impurity*, 73. Milgrom, who similarly looks at Hittite and Mesopotamian rituals, draws the same conclusion as Wright arguing that the scapegoat ritual contains transfer and disposal but lacks substitution (*Leviticus 1-16*, 1071-79).

18 Wright, *The Disposal of Impurity*, 37 (emphasis mine).

the primary party, the guilty sinner, the same as the consequences that fall upon the secondary party on whom the iniquity is transferred?' If so, it is possible that substitution is an appropriate category.[19] In determining whether a substitution motif is present in Leviticus 16, therefore, we must be particularly cognizant of whether the scapegoat serves the same consequences that were meant for sinful Israel.

Also important, however, are two other factors: first, the *purpose* of the consequence, i.e. why a specific punishment is required at all, and second, what I am calling the *assumption* that makes sense of the consequence and its purpose. Three aspects of substitutionary atonement are, therefore, important: (1) the consequence of sin, i.e. What is supposed to happen when someone sins? (2) The purpose of the consequence, i.e. Why is a certain consequence a necessary result of sin? (3) The assumption, i.e. What is the community's worldview that gives context to and makes sense of the inherent relationship between (1) and (2)? To illustrate each of these I will begin by explaining a traditional substitutionary atonement model showing how the traditional model answers the three questions above. I will then move to what I believe is a better understanding of the scapegoat ritual, what I am calling 'substitutionary banishment'.

1 Traditional substitutionary atonement

Recently, Thomas Schreiner has suggested the following as his definition of a Christian substitutionary atonement: 'The Father, because of his love for human beings, sent his Son (who offered himself willingly and gladly) to satisfy God's justice, so that Christ took the place of sinners. The punishment and penalty we deserved was laid on Jesus Christ instead of us, so that in the cross both God's holiness and love are manifested'.[20] What makes this substitutionary, of course, is that 'the punishment and penalty we deserved' was borne out by another figure, here Christ.

What Schreiner means by the phrase 'to satisfy God's justice' is not immediately clear from the definition alone, but he later elaborates making three points: '(1) lawbreaking is not impersonal, (2) God judges sin retributively, and (3) God is personally angry at sin'.[21] When he, therefore, states that substitution is necessary to satisfy God's justice, Schreiner understands God to be personally an-

19 Whether or not ancients thought using the same 'categories' expressed here is, perhaps, doubtful – at least in any explicit way. On a more implicit level, however, these categories work to distinguish between the various ways in which purification was believed to be enacted, and thus, if one can show that Leviticus 16 exhibits the traits of a specific category, it is all the more likely that an ancient would have perceived this text (however implicitly) within the framework of that category. From here forward I wish to show that a substitutionary framework would have been how an ancient Israelite would have perceived the act of the scapegoat.

20 Schreiner, 'Penal Substitution View', 68.

21 Schreiner, 'Penal Substitution View', 77.

gry with sinners, punishing them retributively.[22] Substitution, then, becomes a means of pacifying God's wrath.

Returning to the three aspects of substitution outlined above, a traditional model of substitution can be understood as follows: (1) The *consequence* of sin is death. (2) The *purpose* of this death is for the appeasement of God.[23] (3) The *assumption* that links the consequence and the purpose is that sin and impurity cause God to be wrathful, and the only way to appease God's wrath is through the death of the sinner or the death of a substitute. In this way, the assumption of the traditional model of substitutionary atonement is *psychological* in nature in that it concerns God's personal feelings toward sin and impurity.[24]

Specifically concerning the scapegoat ritual, some scholars wish to argue that the scapegoat dies a substitutionary death for the removal of the sins of Israel. For example, David Peterson writes, 'Leviticus 16:22 is the only text where an animal is explicitly said to "bear on itself" the iniquities of God's people. Although the sense of "carry away" is implied by the movement "to a barren region," there must also be a sense of vicarious punishment involved in putting all the transgressions "on the head of the goat" (16:21) and sending it off to die'.[25] The problem, however, is that Peterson assumes the punishment for the goat is death stating 'it seems logical to presume that the goat in the wilderness would soon die'.[26] Similarly, Paul House argues, 'The offerings in [Leviticus 16, i.e. the sin offering and the scapegoat] are substitutionary, for each animal is accepted in place of the people's pervasive, penetrating sins. This principle is especially obvious in 16:21-22, since the sins of the people are placed on the goat that goes

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22 Schreiner, no doubt, would be quick to add that this does not encapsulate *all* of God's character. As we see in the definition, God's love is also a defining characteristic of the nature of God.

23 See recently, Sklar (*Sin, Impurity, Sacrifice, Atonement: The Priestly Conceptions* [Hebrew Bible Monographs 2; Sheffield Phoenix Press, 2005], 72-76) who particularly highlights Schenker's arguments for appeasement (Schenker, '*kōper* et expiation', *Bib* 63 [1982]: 32-46; idem., *Versöhnung und Widerstand: Bibeltheologische Untersuchung zum Strafen Gottes und der Menschen, besonders im Lichte von Exodus 21-22* [Stuttgart: Katholisches Bibelwerk, 1990]).

24 Wright's examples of Hittite and Mesopotamian substitution are very similar to that of the traditional substitutionary model. In these examples one finds a god who is angry with a person and requires death or punishment to appease his wrath (see Wright, *Disposal of Impurity*, 37-38). In this way, the traditional model of substitution fits well into the substitution motifs as found in Israel's neighboring societies. As we have suggested, however, rather than assuming Israel simply adopted the theology of its neighbors, it is more likely, due to the uniqueness of this ritual, that one should expect to find a unique theology to match its unique ritual.

25 Peterson, 'Atonement in the Old Testament', 15.

26 Peterson, 'Atonement in the Old Testament', 15 n. 34. Cf. Gordon J. Wenham, *The Book of Leviticus* (The New International Commentary on the Old Testament 3; Grand Rapids: Eerdmans, 1979), 233-35; Jeffrey, Ovey, and Sach, *Pierced for Our Transgressions*, 49.

to its death (presumably) in the desert'.[27] Again, death is the 'presumed' punishment for sin which is meted out to the scapegoat.[28]

More interesting is Schreiner's take on the scapegoat. He states that Lev. 16:22 'confirms that substitution is in view [in the ritual of the scapegoat], for the goat bears the sins of the Israelites into the desert. The live goat functions as the substitute that bears the penalty (eviction to the desert) for Israel's sins. It may also be the case that the goat was sent into the wilderness to die'.[29] What is interesting about Schreiner's statement is that he appears less convinced that the scapegoat is sent to die, a crucial aspect of his understanding of substitution. Instead, Schreiner recognizes that the clear consequence of sin as stated in the text of Leviticus is eviction. It is this recognition that receives little attention. The scapegoat is banished from the camp. Schreiner's conundrum is that he is unable to fit this fact into his understanding of substitution which requires the death of the substitute.

2 Substitutionary banishment and the scapegoat ritual

What Schreiner has recognized is the breakdown of the first aspect of substitution: the consequence of sin. The assumption that the consequence of sin is death is a fundamental part of the traditional substitutionary atonement, a part that is conspicuously absent from the scapegoat ritual.[30] I wish to begin here by

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27 House, *Old Testament Theology* (Downers Grove, Ill.: InterVarsity, 1998), 139; cf. Barrick, 'Penal Substitution', *MSJ* 20 (2009): 161.

28 Jeffrey, Ovey, and Sach (*Pierced for Our Transgressions*, 46-47) go one step further and tie the wrath of God into Leviticus through a tortuous path that links Lev. 16:1, and the mention of Nadab and Abihu, to Lev. 10:6, a passage that speaks about God's anger and is in close proximity to the death of Nadab and Abihu. According to Lev. 10:6, however, God's anger is not directly linked to Nadab and Abihu making this connection odd, though understandable. I say understandable because a wrathful God is part of the traditional substitutionary model, and since wrath is nowhere to be found explicitly in Leviticus 16, it is necessary to fit it in somehow. What is perhaps most disingenuous about the work of Jeffrey, Ovey, and Sach is their concluding point: 'Given that wrath is prominent in the background of Leviticus 16 (vv. 1-2; see above), and the "land of cutting off" is a place of death and punishment, this meaning [penal substitution] is surely implied' (50). Neither have they shown that wrath is 'prominent', nor have they convincingly shown that the land to which the scapegoat is sent implies death.

29 Schreiner, 'Penal Substitution View', 84.

30 It is my opinion that part, if not much, of the reason atonement in the Hebrew Bible is read through the lens of substitutionary death is because of the tendency among some scholars to speak about biblical theology with a Pauline accent, in particular Paul's statement that 'the wages of sin is death' (Rom. 6:23). Schreiner consistently returns to Paul in his understanding of substitution ('Penal Substitution View', 76). Similarly, Barrick, who despite writing an essay on atonement in the Old Testament, feels it necessary to state that his position aligns with that of Paul in Rom. 5:12 and 6:23 ('Penal Substitution', 151). In fact, the whole of his essay is peppered with

positing the notion that the scapegoat ritual is an act of substitutionary banishment and then move to the larger implications for the Hebrew Bible as a whole.

Rather than starting from the assumption that the consequence of sin is death, and thus the scapegoat had to die, let us back up and begin with the text itself, which clearly indicates that banishment is the scapegoat's punishment. Returning to the three aspects of substitution, when one begins with banishment as the consequence of sin rather than death, this forces one to readjust the other two aspects as well. I suggest the following: (1) As stated, the consequence of sin in the scapegoat ritual is banishment rather than death. Though death is also a consequence of sin in the Hebrew Bible, it is not here; the consequence of banishment appears elsewhere in the Hebrew Bible and is one that has not received enough attention.[31] (2) The purpose of banishment in the scapegoat ritual is not to appease God's wrath since the wrath of YHWH is nowhere mentioned in this text. A viable alternative is needed. I posit that the purpose of banishment is for boundary maintenance, the boundary between what is holy and what is not. That which is not holy is sent away leaving behind a holy community with a holy God. (3) That banishment is a result of boundary maintenance is based on the assumption that the Israelite worldview necessitates that the holy and unholy cannot coexist.[32] The assumption, therefore, is not psychological, as with the traditional substitutionary model, but is *ontological*. The nature of God and creation is such that God is unable to coexist with that which is unholy. Strict boundaries separating the holy from the unholy cannot be breached, and one means of maintaining those boundaries is banishment. God does not punish the scapegoat in order to relieve personal anger; God banishes the scapegoat to maintain boundaries between holy and unholy. The phenomenon of separating what is holy and unholy is as natural to the ancient Israelite worldview as the ef-

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references to Paul's letters.

The problem with allowing Paul to guide our understanding of atonement in the Hebrew Bible is not that he is necessarily wrong, but that he has not set out to say all that can be said about sin. Paul's hamartiology does not encapsulate the entire picture of the Hebrew Bible's (or the New Testament's!) understanding of the consequences of sin. As I argue below, it is true that *sometimes* the wages of sin is death in the Hebrew Bible. At other times, however, the wages of sin is banishment. Furthermore, Paul's understanding of death and his use of this word in Rom. 6:23 is likely different from its use by the authors of the Hebrew Bible. In this way, the problem is not simply that Paul is not thorough, it is that comparing death in the Hebrew Bible and death in Paul is comparing apples and oranges. And one final, yet important, point is that the problem in using Paul to understand the Hebrew Bible is really to say that the problem is using a *specific reading* of Paul. For this reason and for clarity's sake, as we look at the scapegoat ritual in the Hebrew Bible, I will, for this essay, leave Paul behind.

31 See below for more (*III.3 The Consequences of Sin*).

32 Frank Gorman's research bears this out (*The Ideology of Ritual: Space, Time and Status in the Priestly Theology* [JSOTSup 91; Sheffield: Sheffield Academic Press, 1990]); see below.

fects of gravity are to a modern worldview.[33]

On this issue of Israelite worldview, Frank Gorman's work is indispensable.[34] Speaking about ritual acts in general, Gorman argues that the Priestly ritual system communicates with regard to four particular areas: the status of an individual, the state of the society, the state of the cosmos, and the state of the relation between God and an individual, the society, or the cosmos.[35] Later he explains: 'In Israel, the order of creation – cosmic, social, cultic – was threatened by the sin of the people and the impurity that arises from that sin and defiles the sanctuary. The sin of the nation threatened Yahweh's continued presence in the midst of the community and brought about the possibility that Yahweh might be driven from their midst'.[36] Gorman argues that the ritual system works to establish and preserve order, an order that is threatened by sin and its resulting impurity. Gorman rightly emphasizes that sin and impurity do not just compromise the status of a given individual, but the status of the society and even the entire cosmos. One way in which YHWH maintains that order is banishing the impure and unholy to places that are set aside for such impurity.

In what follows, I wish to press the issue of substitutionary banishment beyond the boundaries of the scapegoat ritual and explore banishment as an expected consequence of sin in the Pentateuch. I have chosen to focus my attention on banishment for three reasons. First, banishment is the consequence that is found in the scapegoat ritual, the primary focus of this essay. Second, discussions of the consequences of sin often neglect the implications of the consequence of banishment usually choosing to give preference to the consequence of death. And third, banishment is a visual representation of a profoundly theological claim; it represents the necessary separation of the holy and the unholy. The scapegoat enacts the consequence that is due the sinful Israelites. It is cut off from the presence of YHWH and cut off from the people of YHWH. I will conclude with some reflections on the advantages of this reading and how a hermeneutic of banishment can reorient our understanding of God's action in the world, including the presence of death.

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33 Our view should not be equated with C. H. Dodd's view that 'judgment' is a natural result of sin, a result that does not necessitate God's personal activity. There are, perhaps, similarities, but Dodd's view has been criticized as lending itself to a deistic view of God. For this critique of Dodd, see Schreiner, 'Penal Substitution View', 79-80; Vanhoozer, 'The Atonement in Postmodernity: Guilt, Goats and Gifts' in *The Glory of the Atonement: Biblical, Historical, & Practical Perspectives: Essays in Honor of Roger Nicole* (ed. C. Hill and F. James III; Downers Grove, Ill.: InterVarsity Press, 2004), 376 n. 23; Henri Blocher, 'The Sacrifice of Jesus Christ: The Current Theological Situation', *EuroJTh* 8 (1999): 32. The position argued here is that God is indeed active in judgment, and this judgment is meant to keep the holy and profane separate. The ancient world assumed God was active in day-to-day affairs. They most certainly did not have a mechanistic, Newtonian conception of the operation of the cosmos that did not require divine activity.

34 Gorman, *The Ideology of Ritual*.

35 Gorman, *The Ideology of Ritual*, 37-38.

36 Gorman, *The Ideology of Ritual*, 45.

3 The consequences of sin

The Pentateuch contains a number of consequences for sinful behaviour. Jay Sklar lists four of the most common: death, *karath* (כרת), 'bearing one's sin', and 'suffering guilt's consequences'.[37] Since death and *karath* are the most common consequences of sin found in the Pentateuch, I will focus my attention there. Rather than beginning with death as the normative consequence of sin,[38] however, I wish to highlight the Hebrew Bible's use of *karath*, which I argue lends itself to a discussion of banishment.

The consequence of *karath*, or 'to cut off', is found frequently in the Pentateuch. Sklar is on target when he argues that *karath* is multivalent and results in one of three things: death (whether immediate or premature at a later date), childlessness, and banishment or ostracism.[39] Levine suggests that this word *karath* is a metaphor taken from the felling of trees or the taking of vegetation from its life-giving source, the earth.[40] This metaphor is worth noting in order to ask: 'From what, or whom, is a person being *cut off*? What is the life-giving source that is no longer present?' As one should expect, the answer is not always clear. In the vast majority of passages where *karath* appears, the qualifier attached to it is 'from the people' or some form of that idea such as 'from among the people', 'from Israel', or 'from the congregation'.[41] However, *karath* is also qualified by the phrase 'from the land', and sometimes it has no explicit referent at all. Leviticus

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37 Sklar, *Sin, Impurity, Sacrifice, Atonement*, 13-43. For another excellent account of the effects of sin, see Christopher Wright, 'Atonement in the Old Testament', in *The Atonement Debate: Papers from the London Symposium on the Theology of Atonement* (eds. D. Hilborn, D. Tidball, J. Thacker; Grand Rapids: Zondervan, 2008), 69-82.

38 It is abundantly clear that death is often the result of sin or impurity. What must be reevaluated is the purpose of the death and the worldview that makes sense of the death. A few illustrative examples of death as a consequence of sin in the Hebrew Bible will suffice: Ex. 21:12 commands one to put to death anyone who kills another person; Ex. 21:15 commands death for striking father or mother; Ex. 31:14-15 requires death for breaking the Sabbath; Lev. 20:10 commands that adulterers and adulteresses be put to death; Lev. 24:16 requires those who blaspheme the name of God to be killed. A full list of verses that suggest God requires death would be considerably longer. What is interesting about this list, and the vast majority of examples from the Pentateuch where death is the consequence of sin, is that the sins committed are typically a direct breach of one of the Ten Commandments. If one understands the Ten Commandments to be *the* defining requirements of God's covenant with Moses, then perhaps the stakes are much higher with these sins, and breaking these commands is more likely to jeopardize the holiness of God.

39 Sklar, *Sin, Impurity, Sacrifice, Atonement*, 15-16. Cf. Levine (*Leviticus* [The JPS Torah Commentary; Philadelphia: The Jewish Publication Society, 1989], 241-42), who gives a fourth option: the loss of an office or status. It is debatable whether this fourth option is present in the Hebrew Bible, and if it is, it is not found often. For this reason we have chosen to highlight the three mentioned by both Sklar and Levine.

40 Levine, *Leviticus*, 241-42.

41 See Sklar (*Sin, Impurity, Sacrifice, Atonement*, 15 n. 14) for a helpful list of the uses of *karath* and its qualifiers in the priestly literature.

22:3 is a particularly interesting passage in which YHWH declares that someone should be cut off from 'my presence'. Despite its rarity, this last example has a normative value for understanding the implications of this phrase. The consequence of *karath* might be stated in terms of banishment from the community or the land, childlessness, or even death, but each of these is a means of the real purpose: separating sin from YHWH. Just as a tree is cut off from the life-giving source of the earth, so also the sinner is cut off from the life-giving source of YHWH. Only as a byproduct of this fact is one also cut off from community, from the land, and sometimes from life itself. Therefore, one of the primary ways banishment is expressed in the Hebrew Bible is through *karath*.

The connection between sin and banishment exists outside of the use of *karath*, however, beginning in Genesis 3. Following the eating of the tree of the knowledge of good and evil, Adam and Eve are cast out of the garden. The garden had been a place where God walked freely with them and communed with them. The result of sin, then, was not the immediate death of Adam and Eve, despite God's threat in 2:17 that 'in the day that you eat of it you shall die'. Instead, the consequence was banishment from God's presence, a death of sorts, but not physical death on 'that day'.

Similarly, the story of Cain and Abel is another example of where sin leads to banishment. In Genesis 4, just verses after Adam and Eve's departure from the garden, the reader is confronted with the Bible's second sin story: Cain's murder of Abel. Like his parents in the garden, the consequence for Cain's sin was banishment. In the tradition history of this passage, the story of Cain and Abel has been linked to the Day of Atonement. For example, in the book of *Jubilees*, a second-century B.C.E. document, the murder of Abel is said to have happened at the beginning of the year of jubilee, the day associated with the Day of Atonement (*Jub*. 4:1-6; Lev. 25:9-10). It is not difficult to see how this connection might be made. Abel is in some respects a parallel figure to the goat that is sacrificed as a purification offering, and Cain is in some respects parallel to the goat that is sent into the wilderness. Just as the scapegoat is left to wander in the wilderness, so also does Cain's sin require him to wander in a separate place until he settles in the city of Nod, which itself translates to *wandering*.

In Leviticus, there are many examples of defilement resulting in one's banishment. At the end of ch. 7, there are three occasions that call for a specific punishment: if one partakes of a well-being sacrifice while unclean (vv. 19-21), if one eats the fat of an animal (vv. 22-25), and if one eats the blood of an animal (vv. 26-27). In each case, the result is the same, 'you shall be cut off [*karath*] from your people'. As mentioned above, though the meaning of *cut off* is multivalent, banishment is certainly a legitimate rendering.

In Leviticus 12, an unclean woman who has just given birth is told that while she is in her unclean state she is not to touch a holy thing, nor is she to enter the sanctuary. Clearly the woman has not sinned in bearing a child. Instead, her impurity is a result of a natural process, suggesting that impurity is a normal part of life. This example is a reminder that banishment is not a matter of retributive punishment; it is a natural result of becoming impure. In this way, banishment

is often just as much a matter of protecting the impure person as it is preserving the purity of YHWH. By keeping the unclean woman at a distance from the holy, the priests are able to keep her safe from the holiness of YHWH. If she were to approach YHWH in such a state, the result would likely be death, such as one finds with Nadab and Abihu in Lev. 10:1-2. This story is a cautionary tale of just how dangerous the priesthood can be, and why strict observance of the law is necessary when approaching the holiness of YHWH. Their deaths, rather than being the consequence of God's retributive punishment,[42] are rather a catastrophic consequence of the unholy mingling with the holy.[43]

Leviticus 13 recalls a clear example of the result of impurity. Here the leper is tested for a period of time in which he is quarantined (vv. 4-5) so as not to bring danger upon himself and not to infect others with his impurity. In 13:46 we find that the leper shall live alone outside the camp. The banishment outside the camp is, again, for his own protection and the protection of the community who could be contaminated by his impurity if he were allowed to remain present, and for the protection of the holiness of YHWH.

In Lev. 18:24-30 the Israelites are told that if they commit iniquities and abominations as the nations have, they too will be cast out just as YHWH has cast out the nations. Here also we find that because of iniquity the land will 'vomit out' its inhabitants. This colorful language is saying what Leviticus has been saying all along: sin and impurity cannot coexist with a holy God who dwells in a holy land.[44] At a communal level, when Israel ceases to be a holy people, and impurity has become too great, compromising the holiness of God, the result is Exile, something Israel eventually knew all too well.

Because sin cannot coexist with the holy, the result is that the unholy must leave the presence of the holy. In this way, the entire sacrificial system is set up in order to keep boundaries between the holy and the profane. If the holy becomes contaminated with uncleanness, a ritual of purification is required. As the site of the holy God, the tabernacle performs the function of housing the holy things and provides the means for cleansing the holy things. If a person compromises the purity of the holy, action must be taken.

Returning to the purpose of this query on punishment, I conclude that a prominent consequence of sin and impurity in the Pentateuch is banishment. Therefore, not only does one find banishment in the ritual of the scapegoat, but

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42 Contra Jeffrey, Ovey and Sach, *Pierced for Our Transgressions*, 46-47.

43 It is no coincidence that in the narrative time of Leviticus 16 and the description of the Day of Atonement follows directly after the death of Aaron's sons (v.1). The event of their death frames the entire Day of Atonement emphasizing that purity and holiness is a requirement for both the priesthood and the Israelites as a whole.

44 Many commentators have noted that Leviticus 17 begins the H material of which a primary feature is the change of focus from the tabernacle to the land. We should not be surprised, therefore, to see a shift in the location of where one is banished to/from. In Leviticus 1-16 one is banished from the camp; in Leviticus 17-27 one is banished from the land.

a reading of the larger narrative of the Pentateuch suggests that banishment is an expected result of sin. By setting up a hermeneutic of banishment, and reading the Torah in light of its central event – the ritual of the scapegoat – we are able to reorient our understanding of the purpose of sin's consequences, i.e. to maintain boundaries between what is holy and unholy. This reorientation then allows us to readjust how we understand the consequence of death. Through a hermeneutic of banishment, death as a consequence of sin can be read as an extreme form of banishment highlighting the belief that is foundational for all other beliefs: the holy cannot coexist with the unholy, and maintaining these boundaries is vital for preserving the order of the community and the cosmos.

IV. Conclusion

I began this paper by noting that the Day of Atonement is situated at the center of the Torah, both in that it is the central chapter of the central book and that it is the central event by which all Israel receives atonement, an event that is of vital importance for both Jewish and Christian believers. If we take seriously the central role of the ritual of the scapegoat, this unique event that occurs nowhere else in the Hebrew Bible, it should have privileged place in our constructive theology.

It is my contention that on the Day of Atonement, the scapegoat ritual is not merely a transfer and disposal of sin as Wright and Milgrom suggest. Nor is the scapegoat ritual a substitutionary atonement in the traditional sense. Instead, the scapegoat indeed bears the consequences that rightly belong to the Israelites, but it is a consequence that is rooted in an ontological problem created when sin and impurity creeps into the community over time. Over the course of a year, impurity reaches all the way into the holy of holies where it compromises the relationship between YHWH and Israel and even the cosmos itself. The result is that the sin and the resulting impurity of the Israelites must be removed. Rather than casting out the Israelites, YHWH allows the scapegoat to act as Israel's substitute, removing the sin through transference and disposal, while at the same time reminding the Israelites that banishment is always a real possibility for those who persist in iniquity.

The connection between impurity and banishment is one that is found throughout Leviticus and elsewhere in the Pentateuch. It is clear that Leviticus sets forth a precedent that iniquity and impurity must be contained and disposed of. And in cases where the iniquity or impurity is such that it compromises the life of the impure person, the rest of the community, and most importantly the holiness of YHWH, banishment from the community and even death are common results. Banishment and death (insofar as death is understood as an extreme form of banishment) serve to protect both the community and God's holiness.

Through the scapegoat ritual YHWH mercifully provides a way for Israel to purge itself of impurity and iniquity. By viewing the ritual of the scapegoat as an act of substitution, another level of meaning is added to the ritual. It becomes a means of solemn contemplation on what could be, and eventually will be, the

result of Israel's sin, separation from YHWH. In this way, it becomes the impetus of thanksgiving for God's grace.

Abstract

The ritual of the scapegoat in Leviticus 16 has often been understood through the lens of substitution. Whereas substitution is typically thought of in terms of death, I wish to argue for a different kind of substitution – substitutionary banishment. By highlighting banishment as a consequence for sin, the scapegoat ritual can be read as a substitutionary act in which the goat receives the consequences meant for the Israelites – not death but banishment. Furthermore, using the categories of 'psychological' and 'ontological', I wish to show that God's reasoning for the consequences is not related to an emotional wrath but is instead necessitated by his holy nature and the assumption that holy and unholy cannot coexist thus requiring the removal of one or the other. Instead of the removal of the Israelites, the scapegoat is removed – and along with it, the sins of Israel.

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