Bernat, David A.

Sign of the Covenant: Circumcision in the Priestly Tradition

Society of Biblical Literature Ancient Israel and Its Literature 3


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David Bernat’s study, a revised Ph.D. dissertation completed at Brandeis under Marc Brettler, represents the first book-length study of circumcision in the Priestly texts of the Pentateuch (P) and offers numerous insights that belie its small size.

Bernat’s work begins with a helpful introduction that outlines its scope, methodology, and goals (1–10). While there is some discussion of the nature and development of P (6 n. 20), Bernat does not explicitly delimit, much less defend, his identification of the Priestly texts. Nonetheless, over the course of the study it becomes clear that he understands P in the Pentateuch as broadly as possible, including the texts ascribed to the Holiness Legislation (H), especially Lev 17–26, and the debated P(-like) texts in Numbers (cf., e.g., the classic expression in Noth’s Überlieferungsgeschichte des Pentateuch with the recent challenge by Achenbach, Die Vollendung der Torá). Bernat’s analysis is explicitly synchronic, at all times prioritizing “the text’s final form” (6), namely, the identified Priestly texts as they appear in the MT. Bernat takes an agnostic stance with regard to historical questions, since he finds “no compelling grounds to link P’s vision of circumcision to any particular circumstance or period” and since the Priestly legislation is presented as timeless, as “applicable to all Israel, for all time” (8).
In the introduction to part 1 (13–26), addressing actual genital circumcision and labeled chapter 1, Bernat introduces the pertinent texts: Gen 17 and 21:1–5; Exod 12; and Lev 12. Chapter 2 analyzes the relationship between circumcision and בָּרִי, purposely left untranslated (27–41). Bernat divides the בָּרִי into two categories—promise and command—each with its own distinctive vocabulary (28–32), and contends that the בָּרִי in Gen 17, which includes both categories, is a conditional covenant. In it, the recipient of the divine promises, Abraham, is bound to circumcise himself and his male dependents in order to receive the בָּרִי-promises: descendants, land, and relationship with YHWH. Within this pericope, circumcision functions as a sign of the בָּרִי (Gen 17:11), which Bernat takes as a “sign of Israel’s commitment to observe the totality of YHWH’s dictates” rather than as a reminder to God to keep his promises (34–40).

Chapter 3 addresses circumcision’s relationship to social status. Bernat contends that circumcision is not an Israelite identity marker. Instead, it seems to indicate one’s status as a servant of YHWH and as such may apply to foreigners. For example, foreign slaves are circumcised because they are completely subservient to their Israelite masters and thus fall under YHWH’s sphere of influence, while a בָּנָי may circumcise himself and his male dependents. Nonetheless, such (involuntary) submissions do not afford them any claim to YHWH’s בָּרִי-promises (43–48). It only puts them under the divine purview. Circumcision, whose mark may not be borne by women, is also consonant with P’s general subordination of women, whose status and access to God and his בָּרִי-promises are tied to and mediated through the males with whom they reside (48–50). In addition, although associated with the penis, Bernat avers that circumcision in P carries no fertility or sexual implications (50–52).

Chapter 4 examines circumcision’s place within the Priestly cult (53–76). Similar to slave marking in the ancient Near East, circumcision texts primarily focus on the outcome, while largely ignoring the process. They thereby eschew ritualization, in marked contrast to the highly ritualized cultic system (53–60). Bernat next assesses the primary procedural element in the text, the eighth-day mandate, and argues that the eighth day itself is relatively unimportant. It is simply the first day following the crucial seven-day period. Like the sacrificial animal and the priestly ordinands, a seven-day gestation period is necessary before an infant may be circumcised. The eighth day is thus the “first possible day in the infant’s life when the rite can be carried out” (63). Against several commentators, Bernat next contends that circumcision is not associated with purification, expiatory or dedicatory sacrifice, or communal, festal celebration (63–66, 75), yet it is inextricably linked to the Passover (66–68). The link with Passover is especially appropriate, since it commemorates the exodus event “through which YHWH begins to actualize the בָּרִי-promises first imparted to Abraham in Gen 17” (67). It also is the exact place where YHWH first institutes the paradigmatic בָּרִי-command of
circumcision that obligates the Israelites to obey all of YHWH’s dictates and grants them access to his promises. Bernat proceeds to examine the relationship between circumcision and the karet penalty. Drawing especially from Num 15:30–31, Bernat contends that the karet penalty is imposed on those who deliberately violate any of YHWH’s commands and constitutes the antithesis of God’s ברית-promises. It is thus warranted for those who completely refuse to bear the sign of commitment to those commands (70–75).

In the introduction to part 2 (79–82), Bernat summarizes and refutes the scholarly view that foreskin metaphors signify “some type of disability due to occlusion” (79), before examining each instance in turn in the following chapters. In chapter 6 (83–89), he examines the reference to Moses’ foreskinned lips in Exod 6. Bernat argues that the text undermines Moses and elevates Aaron. Since having a foreskin represents a rejection of the covenant (Gen 17:14), Moses’ foreskinned lips should be understood to refer to his resistance to YHWH’s commission. He attributes this resistance to either Moses’ immaturity, based upon his assertion that the infant is not ready to be circumcised until the eighth day, or to Moses’ “blatant unwillingness to communicate YHWH’s covenantal message” (87). By labeling Moses uncircumcised, Bernat argues that P presents Moses’ resistance as a karet-bearing offense.

Chapter 7 (91–96) suggests that P uses the image of foreskinned fruit trees in Lev 19 to innovate a new legal category. While P uses more straightforward terms to describe the categorically forbidden animal elements in Lev 11, different terminology is necessary to describe the time-bound forbidden fruit law. The fruit in the first three years is considered immature, that is, unfit for divine consumption and thus off limits to the Israelites. Drawing on the parallel between the immaturity of the fruit and the immaturity of a foreskinned infant, P co-opts circumcision language and uses it to define a new category.

Chapter 8 (97–114) addresses the oft-overlooked foreskinned heart image of Lev 26:41. Whereas a foreskin represents an individual’s rejection of divine mastery and warrants a karet penalty, equivalent to the removal of the ברית-promises, Bernat argues that Israel’s foreskinned heart represents a corporate rejection. Verses 3–13 detail Israel’s rewards for obedience, which largely build upon the primary ברית-promises given to Abraham, essentially describing a circumcised corporate Israel. By contrast, verses 14–38 elaborate the fate of uncircumcised—that is, rebellious—Israel by enumerating the karet penalty for communal rejection of YHWH and his ברית. Chapter 26 ends with the possibility of renewal on the conditions that the Israelites confess their and their ancestors’ iniquities and humble their uncircumcised heart. Rather than employing the verb “to circumcise” (לֵוָת), which carries a “somewhat elusive” (109) meaning in context, the text uses הנבבל, “to humble” or “abase oneself,” in order to “place the foreskinned heart symbolism more
clearly within the framework of sin and penitence appropriate to the larger pericope” (110). The use of the heart is an especially appropriate stand-in for the penis, since it may apply to both sexes, and, more significantly, it represents the “emotive, volitive, and cognitive center of human being” (110), which synecdochally refers to Israel’s corporate character. Thus, in P, Israel’s salvation history ends where it begins, with an enjoinder to circumcision in order to receive God’s תן-埕-promises. However, since the essential circumcision of the flesh serves only as a commitment to obedience, circumcision of the heart, “engendered by confession and self-abasement” (114), is necessary to “actualize the commitment” (104) and restore divine favor.

In the epilogue (115–21), Bernat refutes the scholarly contention that circumcision gained importance in the exile, arguing that there is “no viable connection between P’s vision of circumcision and any particular period in biblical history” (116). In the following conclusion (123–32), he summarizes his findings and tracks the development of the practice into ancient Jewish literature. Although not an identity marker in P, circumcision acquired this role in the later Jewish periods largely because of its aberrance in the Greco-Roman world.

Bernat’s textual analysis is provocative and largely compelling. He convincingly distances circumcision from its more recent role as an identity marker and from both ritualized elements and ritual effects. He instead locates it at the heart of P’s salvation history as a physical act and its metaphorical complement (at least in Lev 26) that indicates and actualizes individual and corporate commitment to YHWH’s commandments. Nonetheless, as with any monograph, there are elements with which to quibble. For example, his identification of the Passover lamb as a sacrifice is questionable and requires further defense. Likewise, using Num 20:1–13 as a primary example of Aaron’s exaltation at Moses’ expense calls for clarification, since the divine sanction in verse 12 applies to both Moses and Aaron.

While Bernat’s textual analysis is generally excellent, his structure, use of terminology, and classification of the larger Priestly corpus are somewhat problematic. To begin with, his structure is unnecessarily confusing. For example, his book begins with two introductions (one for the larger work and one for the first part) and ends with a conclusion to the conclusion that follows the epilogue (itself a separate chapter before the conclusion). Regarding terminology, Bernat seems to use “canon” and “final form” inconsistently. In several instances, he employs “canon” traditionally (e.g., 2, 6, 127) to refer to the accepted form of the Hebrew Bible as preserved in the Masoretic Text. In other instances, he seems to employ “canon” more narrowly to refer to the Priestly corpus (e.g., 25, 33). In addition, Bernat speaks of prioritizing the text’s “final form” (6), by which he seems to mean the Priestly corpus including H, which is embedded within the
final form of the canonical Pentateuch. Elsewhere (e.g., 13) he speaks of the “final form” of Genesis, by which he means the final form of the canonical book, including both Priestly and non-Priestly elements. Nevertheless, none of these structural and terminological elements are particularly damaging to his argument—they are simply confusing—and all could be easily remedied.

Bernat’s identification and explanation of the Priestly texts are more troublesome, as he only minimally enumerates or defends his perception of the Priestly corpus. The reader must infer that Bernat includes all of H and the disputed P(-like) texts in Numbers in his “synchronic” reading. His inclusion of H so that the traditional P and H texts are read together without differentiation in particular requires justification, especially in light of the long-noted differences between the two textual corpora and the fact that two of the three references to metaphorical circumcision fall within H, while all of the literal references to circumcision fall within P as traditionally understood. In addition, Bernat nowhere articulates the nature of the corpus (as source, redaction, or a combination of both) or its purpose and function in its original context. Elsewhere he seems to unnecessarily blur the distinction between Priestly and non-Priestly texts. For example, directly under the heading “בָּרִי in P,” he begins talking about non-Priestly texts without identifying them as such (27; see further, e.g., 9, 30–31). Although his ill-defined Priestly corpus is unfortunate, his fundamental conclusions remain important and informative. All told, Bernat’s monograph is a very welcome addition to pentateuchal scholarship and deserves a wide readership.