

# Sacred and Profane Space: The Priestly Character of Exodus 20:24–26 and Its Reception in Deuteronomy 12

**ABSTRACT:** Traditionally, the “altar law” of Exod 20:24–26 has been understood as a law in which God promises to appear in every place where the Israelites build altars. Deuteronomy 12 then has been interpreted as a polemic rejection of this “altar law,” mandating one single place of sacrifice. However, intertextual connections link the so-called altar law of Exod 20:24–26 to the concept of sacred versus profane territory, whereby sacred territory is sanctified by God’s presence. The holy territory of Mt. Sinai, delimited by a line (Exod 19:12), is transferred to the tabernacle as its transportable counterpart, when God enters the tabernacle (Exod 40:35). Such an interpretation also sheds different light on the relationship between Exod 20:24–26 and Deut 12.

**KEYWORDS:** altar law, cult centralization, Exodus 20:24–26, Deuteronomy 12, sacred territory

The main thesis of this article is that there is no contradiction between Exod 20:24–26 and Deut 12, because Exod 20:24 refers not to a plurality of cultic sites where Israel may build altars to sacrifice but instead to the sanctification of the place where God appears to Israel. As I will show, this understanding correlates Exod 20:24–26 closely to pentateuchal texts that are

Author’s note: I am most grateful to John Bergsma and Joshua Berman for reading earlier drafts of this article and for helping me to improve the quality of the arguments and the language.

usually assigned to P (especially relating to the tabernacle). For this reason, the title of this article speaks of “the Priestly character of Exod 20:24–26.” Yet the characterization of Exod 20:24–26 as “Priestly” does not mean that the text should be added to a (post-)P source or redaction. Rather, I basically question the widespread opinion that Priestly and non-Priestly material can be distinguished within the Pentateuch in terms of sources or redactions. Although often labeled as a stronghold in pentateuchal research,<sup>1</sup> this distinction has been questioned with weighty arguments.<sup>2</sup>

## Sacred Space and the Place of the Altar

The distinction of sacred and profane territory where people are forbidden or allowed to enter is first introduced in the Pentateuch in Gen 2–3. As all sanctuaries in the OT are oriented to the east, God plants a garden in front of Eden, the place of his presence, oriented to the east as well (Gen 2:8). This garden is where God places Adam and appoints him as priest. His mandate is described by the verbs עָבַד, “serve,” and שָׁמַר, “guard” (Gen 2:15), a word pair otherwise used in the technical language of P to summarize the duties of the priesthood and the Levites (e.g., Num 3:7–8; 8:26; 18:7; Ezek 44:14; Mal 3:14).<sup>3</sup> Read together with Gen 1, this act of appointment implicitly

1. After describing the “chaotic situation” in pentateuchal studies, Thomas Römer lists several points of consensus across the different hypotheses. As his first point, he states that the distinction between Priestly and non-Priestly texts can still be regarded as a safe starting point in historical-critical research (see Thomas Römer, “Der Pentateuch,” in *Die Entstehung des Alten Testaments*, ed. Walter Dietrich et al. [Stuttgart: Kohlhammer, 2014], 69–70). Similarly, David Carr perceives a “remarkable level of long-standing consensus” (David Carr, *Reading the Fractures of Genesis: Historical and Literary Approaches*, Louisville: Westminster John Knox, 1996, 43).

2. See, e.g., Gordon J. Wenham, *Genesis 1–15*, WBC 1 (Dallas: Word, 1987); Georg Fischer, “Keine Priesterschrift in Ex 1–15?” *ZKTh* III (1995): 203–11; idem, “Exodus 1–15: Eine Erzählung,” in *Studies in the Book of Exodus*, ed. Marc Vervenne, BETL 126 (Leuven: Peeters, 1996), 149–78; idem, *Genesis 1–11*, HThKAT (Freiburg: Herder, 2018), 682–702; idem, “Time for a Change! Why Pentateuchal Research Is in a Crisis,” in *Paradigm Change in Pentateuchal Research*, ed. Matthias Armgardt, Benjamin Kilchör, and Markus Zehnder, BZAR 22 (Wiesbaden: Harrassowitz, 2019), 3–20; Joshua Berman, *Inconsistency in the Torah: Ancient Literary Convention and the Limits of Source Criticism* (New York: Oxford University Press, 2017), 236–68; idem, “The Limits of Source Criticism: The Flood Narrative in Genesis 6–9,” in *Paradigm Change in Pentateuchal Research*, ed. Matthias Armgardt, Benjamin Kilchör, and Markus Zehnder, BZAR 22, (Wiesbaden: Harrassowitz, 2019), 45–57.

3. See, e.g., L. Michael Morales, *The Tabernacle Pre-Figured: Cosmic Mountain Ideology in Genesis and Exodus*, BTS 15 (Leuven: Peeters, 2012), 88–91; Gregory K. Beale, *The Temple and the Church’s Mission. A Biblical Theology of the Dwelling Place of God*, New Studies in Biblical Theology 17 (Downers Grove, IL: InterVarsity, 2004), 66–80; Wenham, *Genesis 1–15*, 62–67.

dates to the eighth day, which links it to the appointment of priests in Lev 9:1 and Ezek 43:27 on the eighth day, following a seven-day consecration of the sanctuary. After their disobedience of God's commandment, Adam and Eve are banished from the Garden of Eden, and cherubim are established as guards to keep human beings from entering it. Although not stated explicitly, Eden as the holy of holies and the garden of Eden as its antechamber, containing the tree of life as prototype of the menorah and guarded by the cherubim, is the first biblical instance where sacred and profane territory are distinguished. East of Eden, Cain and Abel offer sacrifices, implying the building of an altar. In Gen 1–4, therefore, the so-called P texts (Gen 1:1–2:3) and the non-P texts (Gen 2:5–4:16) together paint a picture of Eden as the first sanctuary with a seven-day consecration, an appointment of priests, the distinction between sacred and profane territory and an altar at the entrance to the sacred territory, yet erected on profane ground.

Not only Gen 1:1–2:3 but also Gen 2:5–4:16 therefore has a replica in the tabernacle account, where the altar, too, stands in the courtyard at the entrance to the tabernacle (Exod 40:6, 29), guarded by cherubim that are woven into the tapestries that create the wall around the sacred space (Exod 26:1, 31).

We also find the same distinction between sacred and profane space with regard to Mount Sinai. The concept of sacred space is introduced already when Moses comes to the mountain of God for the first time. When he stands before the burning bush—perhaps later represented in the tabernacle by the menorah<sup>4</sup>—God says to him: “Do not come near; take your sandals off your feet, for the place [הַמָּקוֹם] on which you are standing is holy ground [אַדְמַת־קֹדֶשׁ]” (Exod 3:5). Here, for the first time, the holy space is referred to as הַמָּקוֹם, “the place.” Although in a context commonly regarded as belonging to non-P material, the “Priestly” character of Exod 3:5 has led some scholars to regard this verse as an insertion of P into otherwise non-Priestly materials. According to Helmut Utzschneider and Wolfgang Oswald, for example, the authors of the P composition regarded the setting of Exod 3 as cultic and therefore, by the insertion of v. 5, requested from Moses the observance of the Priestly codes of practice.<sup>5</sup>

4. Thus, Morales, *Tabernacle*, 236, with references to further literature.

5. Helmut Utzschneider and Wolfgang Oswald, *Exodus 1–15*, Internationaler Exegetischer Kommentar zum Alten Testament (Stuttgart: Kohlhammer, 2013), 119: “Schon die Verfasser der P-Komposition haben die Szenerie von Ex 3 so verstanden, dass Mose sich an einer Stelle bewegt, an der priesterliche Verhaltensvorschriften beachtet werden müssen. Das zeigt die Einfügung 3,5, die auffälligerweise schon vor der Vorstellung Gottes darauf hinweist, dass hier heiliger Boden ist. Die Aufforderung, die Schuhe auszuziehen, entspricht der priesterlichen Verfahrensregel beim Eintritt in das Heiligtum, die ganz offensichtlich voraussetzt, dass man barfuß ist (vgl. Ex 30,19–21; 40,31–32).”

The same distinction between sacred and profane territory is emphasized when Moses brings Israel to the mountain of God. In Exod 19:9, God announces: “Behold, I will come to you” (הנה אנכי בא אליך). The imminent theophany requires a sanctification of the place:

And you shall set limits for the people all around, saying, “Take care not to go up into the mountain or touch the edge of it. Whoever touches the mountain shall be put to death. No hand shall touch him, but he shall be stoned or shot; whether beast or man, he shall not live.” (Exod 19:12–13a)

Thus, a distinction is made between demarcated sacred and profane spaces. The people belong to the profane space, but the place, where God will appear, will be holy. Then, when God comes to the mountain, we read:

Now Mount Sinai was covered with smoke in its entirety [כלו] . . . and the entire mountain [כל-ההר] trembled greatly. (Exod 19:18)<sup>6</sup>

There is a strong emphasis on the “entirety” or “wholeness” (כל) of the realm of God’s appearance on the mountain. Immediately after the revelation of the Ten Commandments, the situation of Exod 19 is resumed in Exod 20:18–21:

Now when all the people saw the thunder and the flashes of lightning and the sound of the trumpet and the mountain smoking, the people were afraid and trembled, and they stood far off. . . . The people stood far off, while Moses drew near to the thick darkness where God was.

Moses enters the sacred space, while the people stand far off in the profane space. Then God speaks to Moses:

And the Lord said to Moses, “Thus you [sg.] shall say to the people of Israel: ‘You [pl.] have seen for yourselves that I have talked with you [pl.] from heaven. You [pl.] shall not make gods of silver to be with me, nor shall you [pl.] make for yourselves gods of gold.’”

6. While Exod 19:12–13 to my knowledge is never regarded as P, Exod 19:18 sometimes is (see, e.g., Thomas Römer, “Das Buch Exodus,” in *Die Entstehung des Alten Testaments*, ed. Walter Dietrich et al. [Stuttgart: Kohlhammer, 2014], 118).

An altar of earth you [sg.] shall make for me and sacrifice on it your [sg.] burnt offerings and your [sg.] peace offerings, your [sg.] sheep and your oxen. In every place / in the whole place [בכל-המקום] where I cause my name to be remembered [or: where I will proclaim my name<sup>7</sup>] I will come to you [sg.; אבוא אליך] and bless you [sg.].” (Exod 20:22–24)

As I understand this text, a distinction is made between Moses and Israel, whereby Israel is addressed in second-person plural, while Moses is addressed in second-person singular. This means that the command to build an altar out of אדמה, “earth,” is a command directed to Moses. In the course of the making of the covenant in Exod 24, Moses realizes the task of Exod 20:24:

“And Moses wrote down all the words of the Lord. He rose early in the morning and built an altar at the foot of the mountain, and twelve pillars, according to the twelve tribes of Israel.” (Exod 24:4)

Note that again the altar is built at the entrance to the sacred space, not on the mountain, but in the profane space “at the foot of the mountain,” and thus in the area of the people.

I will come back to the meaning of Exod 20:24, but first it should be emphasized that the same issues—the distinction of profane versus sacred space and the “wholeness” (כל) of the sacred space—recur in the context of the covenant renewal in Exod 34. When God calls Moses to ascend the mountain after the idolatry with the golden calf, he says:

No one shall come up with you, and let no one be seen on the whole mountain [בכל ההר]. Let no flocks or herds graze toward that mountain. (Exod 34:3)

God then comes to Moses (Exod 34:5) and blesses him (Exod 34:6–10). And he commands Moses not to make a covenant with the Canaanites but to destroy their altars (Exod 34:12–13). Note that Exod 34:12–13 is virtually quoted in Deut 12:3, 30 and thus frames the law of the central sanctuary in Deut 12.<sup>8</sup>

7. Cf. Christoph Dohmen, *Exodus 19–40*, HThKAT (Freiburg: Herder, 2004), 145.

8. See Benjamin Kilchör, *Mosetora und Jahwetora: Das Verhältnis von Deuteronomium 12–26 zu Exodus, Levitikus und Numeri*, BZAR 21 (Wiesbaden: Harrassowitz, 2015), 75–77, 93–94.

## The Meaning of Exodus 20:24 in Its Context

Yet what does this mean for the interpretation of Exod 20:24? I have suggested earlier that **בכל-המקום** should not be translated “in every place” but rather “in the whole place,”<sup>9</sup> by analogy to the emphasis on the sacredness of the “whole mountain” due to the theophany in Exod 19:18 (**כל-ההר**) and 34:3 (**בכל-ההר**).<sup>10</sup> If so, then Exod 20:24b addresses not where Israel is allowed to build altars but rather sacred versus profane territory: whenever God comes to Moses, the whole place that was previously enclosed by a boundary mark is filled with his glory-presence and must in no case be entered by any Israelite, what is expressed by the smoke and trembling, filling the whole mountain with the accompaniment of God’s advent (Exod 19:18).<sup>11</sup>

Jan Joosten has argued that this territorial translation is grammatically impossible due to the following relative clause.<sup>12</sup> He admits that the normal meaning of **כל** + definite noun is indeed “the whole X”; however, he argues by several examples (e.g., Gen 20:13; Lev 15:4; Deut 15:19) that “the addition of a relative clause affects the grammatical analysis”<sup>13</sup> and mandates a distributive translation, in cases where the definite noun is not a collective but rather an individual subject. While I basically agree with his grammatical analysis, I am not convinced by his conclusion that this necessarily leads to a distributive translation of **בכל-המקום** in Exod 20:24, among others, because

9. While the ancient translations translate here in a distributive sense (LXX: *ἐν παντί τόπῳ* without definite article), the reference to one place has some support in the reading of the Samaritan Pentateuch (**במקום** [at the place]).

10. Benjamin Kilchör, “**בכל-המקום** (Ex 20,24b): Gottes Gegenwart auf dem Sinai,” *BN* 154 (2012): 89–102; cf. Dohmen, *Exodus 19–40*, 155. However, this translation was already suggested by Franz X. Kugler (*Von Moses bis Paulus. Forschungen zur Geschichte Israels nach biblischen und profangeschichtlichen, insbesondere neuen keilschriftlichen Quellen* [Münster: Aschendorff, 1922], 52–59) and others.

11. See also Eleonore Reuter, *Kultzentralisation: Entstehung und Theologie von Dtn 12*, BBB 87 (Frankfurt: Hain, 1993), 125: “Die Determination bei **מקום** bewirkt eine Verschiebung von der semantischen Opposition *alle—einer* zu *ganz—teilweise*. Nicht mehr die numerische Totalität, sondern die Totalität der lokalen Abgrenzung wird ausgesagt. Sollte diese Beobachtung zutreffen, so wäre sie mit schwerwiegenden Interpretationsproblemen für das Altargesetz verbunden und rückte dies möglicherweise noch etwas mehr in die Nähe der Erwählungsformel. Es würde bedeuten, dass das Altargesetz mit ‘. . . am ganzen Ort, an dem . . .’ bereits auf einen Ort hin tendieren würde.”

12. Jan Joosten, “The Syntax of Exodus 20:24b: Remarks on a Recent Article by Benjamin Kilchör,” *BN* 159 (2013): 3–8.

13. Joosten, “The Syntax of Exodus 20:24b,” 4.

some of the examples presented by Joosten are not as unambiguous as he claims and because **מקום** in fact can be understood as a collective.<sup>14</sup>

Yet even if one translates in a distributive sense, the verse does not say “In every place where you want, you may build an altar,” but it says “In every place where I cause my name to be remembered, I will come to you.”<sup>15</sup> **ככל-המקום** is still related to theophany and not altar building. In the context of the matrix of texts that connects Sinai to the tabernacle it is then best understood as a reference to a succession of places where God will appear in a cloud-theophany. This interpretation is supported within the narrative itself by Num 9:15–23, where the word **מקום** refers to the places where the cloud of the presence of Yahweh rests during the wandering in the wilderness.

Since Israel is not meant to stay at Mount Sinai permanently, the tabernacle is designed as a moveable Sinai.<sup>16</sup> In a first instance, Exod 20:24–26 is related to Mount Sinai. However, its concepts are transferred to the tabernacle. The following texts link Exod 20:24–26 to the tabernacle.

First, beside the verbal links between **ככל-המקום**, “the whole place,” and **ככל-ההר**, “the whole mountain,” and the theophanies with the wording “I will come to you” (Exod 19:8; 20:24), the connection with Exod 3:5 should be emphasized again, where **המקום** is introduced as **אדמת קדש**, “holy ground.” In this sense, **מקום**, “place,” is also used in Leviticus, e.g., 10:12–17 and 16:24, for the sacred space in the tabernacle. That Moses must be barefoot in the holy place in Exod 3 has its counterpart in the tabernacle in Exod 30:19–21 and 40:31–32, where the priests are instructed to wash their feet before entering the tabernacle, which implies that they enter the tabernacle barefoot.

14. For more details see Benjamin Kilchör, “‘An jedem Ort’ oder ‘am ganzen Ort’ (Ex 20,24b)? Eine Antwort an Jan Joosten,” *BN 165* (2015): 3–17.

15. The Syriaca gives some evidence for a 2nd-person reading of the verb **זכר** (“in every place, where you cause my name to be remembered”). In my view, it is not likely that the Syriaca contains the original reading against all other witnesses. The change to 2nd person can be explained as an attempt to avoid the difficulty of relating both the subject and the object in a causative clause to the same person (God). However, Dohmen, *Exodus 19–40*, 145, suggests convincingly (following thereby an interpretation of Benno Jacob) to understand the formulation as “where I will proclaim my name.”

16. For the tabernacle as a “moveable Sinai,” see, e.g., Benno Jacob, *Der Pentateuch: Exegetisch-kritische Forschungen* (Leipzig: Veit, 1905), 155; Joshua Berman, *The Temple: Its Symbolism and Meaning Then and Now* (Lanham: Rowman & Littlefield, 1995), 35–56; Bernd Janowski, “Der ‘Sinai auf der Wanderung’: Zur Symbolik des priesterlichen Heiligtums,” in *Exodus: Interpretation durch Rezeption*, ed. Matthias Ederer and Barbara Schmitz, SBB 74 (Stuttgart: Katholisches Bibelwerk, 2017), 11–37. I owe the hint to Joshua Berman, that this idea is already mentioned by the 13th-century Spanish rabbinic exegete, Nahmanides, in his commentary to Exod 25:1 (cf. Berman, *Temple*, 38–43).

Second, since the altar of the covenant, commanded in Exod 20:24 and according to Exod 24:4 built at the entrance to Mount Sinai, is not transportable, a transportable replica (Exod 27:1–7; 38:1–7) stands at the entrance to the Tabernacle (Exod 40:6, 29). Also the “twelve pillars, according to the twelve tribes of Israel” (Exod 24:4) receive a transportable equivalent on the breastplate of the high priest with the “twelve stones . . . according to the names of the sons of Israel” (Exod 28:21).<sup>17</sup> Likewise, the prohibition of steps to the altar, to make sure “that your nakedness be not exposed on it” (Exod 20:26), is taken up in the linen undergarments, “to cover their nakedness” (Exod 28:42).<sup>18</sup> Here, by the way, is another link to Gen 2–3, where Adam and Eve, after their disobedience, use fig leaves to cover their nakedness, because they are ashamed to be naked in the holy territory (the garden of Eden) of God (Gen 3:7). Later on, God himself makes garments of leather for Adam and Eve (Gen 3:21). The sense of the priestly garments seems to be that they cover the imperfection of the priests when they enter the holy space. Therefore, the priestly clothes must be removed and left in the sacred space (Lev 16:23–24; Ezek 44:17–19).

Third and finally, both the Sinai pericope and the erection of the tabernacle end with a theophany of the glory cloud (Exod 24:15–18; 40:34–38).<sup>19</sup> Just as the divine glory descends on the whole mountain and transforms it into sacred space, so does the glory cloud in Exod 40:34 fill the whole tabernacle, rendering the *משכן*, “dwelling place,” unapproachable even for Moses.

Thus, the principle of Exod 20:24—namely, that God will come to Moses/Israel in the “whole place” or “succession of places,” only on the condition that the altar service is performed outside—obviously remains valid for the tabernacle, as we clearly see in Num 9:15–23.

## The Reception of Exodus 20:24 in Deuteronomy 12

In pentateuchal research, the interpretation of the relationship between Exod 20:24 and Deut 12 as suggested by Wilhelm Martin Leberecht de Wette has been crucial for the Josianic dating of *Urdeuteronomium* and for

17. For Aaron’s robe as a “replica of the glory-tabernacle” see Meredith G. Kline, *Images of the Spirit* (Grand Rapids: Baker, 1980), 42–47.

18. According to Christoph Berner, Exod 20:25–26 finds its closest parallel in Priestly literature and should therefore be regarded as a post-Priestly addition (“Mind the Step! [Exod. 20:26], or, Even Better: ‘Wear Breeches!’ [Exod. 28:42–43]: The Issue of [Un-]Covering One’s ‘Shame’ in Cultic Legislation,” in *Clothing and Nudity in the Hebrew Bible: A Handbook*, ed. Christoph Berner et al. [London: T&T Clark, 2019]). It is not a great jump from here to also interpret Exod 20:24 within a Priestly framework.

19. Cf. the sheet with several parallels between Exod 24:15–18 and the erection of the tabernacle in Berman, *Temple*, 41–42.



the diachronic development of a legal history of the Pentateuch. According to de Wette, Exod 20, as opposed to Deut 12, does not know anything about one single place of sacrifice but allows sacrificing in many different places (“in every place”). The custom of sacrificing at many places as mentioned in Exod 20:24 had become so popular that only Josiah, on the basis of the Urdeuteronomium created for this purpose, was able to eliminate it completely.<sup>20</sup> One may wonder how pentateuchal theory would have evolved if de Wette and Wellhausen (for whom the Josianic dating of Deuteronomy was the Archimedean point of the JEDP Documentary hypothesis) had understood Exod 20:24, as suggested here, as referring not to many places but rather to the distinction between holy and profane territory. The interpretation of Exod 20:24 proposed in this article does not mean that there is no relationship between Exod 20 and Deut 12; however, the nature of the relationship must be redefined.

In current scholarship, Deut 12 is usually still interpreted in the preordained lines of de Wette and Wellhausen. Thomas Römer, for example, states:

Deut. 12 . . . stands in opposition to the opening of the so-called “Covenant Code”, Exod. 20:22–26. According to this text, altars should be built in the totality of the places (*b<sup>2</sup>kol-māqôm<sup>21</sup>*) in which Yahweh will make his name to be remembered (v.24). It is often assumed that this is an older conception, which the Deuteronomists try to correct, but it is also possible that Exod. 20.22–26 reflects an anti-Deuteronomistic reaction from the periphery, which may be contemporaneous with Deut. 12.13–18 or even later. Exod. 20.22–26 can therefore be read as legitimating the existence of other sanctuaries (Bethel, or even Mizpah) during the Babylonian occupation.<sup>22</sup>

Whereas, distinct from de Wette and Wellhausen, Römer considers Exod 20:24 to polemicize against Deut 12 rather than vice versa, they all agree that the intention of Exod 20:24 is to point to a plurality of sanctuaries and

20. See the introduction, edition, and translation (German) by Hans-Peter Mathys, “Wilhelm Martin Leberecht de Wettes *Dissertatio critico-exegetica* von 1805,” in *Biblische Theologie und historisches Denken. Wissenschaftliche Studien aus Anlass der 50. Wiederkehr der Basler Promotion von Rudolf Smend*, ed. Martin Kessler and Martin Wallraff, Studien zur Geschichte der Wissenschaften in Basel 5 (Basel: Schwabe, 2008), 170–211 (esp. the footnote on pp. 201–2).

21. Note that Römer here erroneously quotes Exod 20:24 as an indefinite formulation, while the correct wording is in fact definite (*bəkol-hammāqôm*).

22. Thomas Römer, *The So-Called Deuteronomistic History: A Sociological, Historical and Literary Introduction* (London: T&T Clark, 2007), 58–61.

that the two texts are part of a battle between two different conceptions. According to Bernard Levinson, Deut 12 intentionally alludes to the wording of Exod 20:24, but to subvert it: “Imitation becomes the sincerest form of encroachment.”<sup>23</sup> However, as Hindy Najman has objected:

If one intends to *replace* an earlier code, why should one exert so much effort to incorporate and preserve its wording? Why should one constantly remind the reader of the earlier text, already accepted as authoritative, which one wishes to supplant?<sup>24</sup>

Of course, if Exod 20:24 is interpreted as I suggest here, its connection with Deut 12 must be completely reevaluated. Because, as mentioned above, the framing of Deut 12 alludes to Exod 34:12–13, the impact of Exod 34 on Deut 12 should first be outlined,<sup>25</sup> all the more given the strong links between Exod 34 and Exod 19–20 discussed above.

As Erhard Blum has shown, Exod 34:17, 21–24 refer to the Book of Covenant by quoting its beginning (Exod 20:23) and ending (Exod 23:14–17).<sup>26</sup> In this way, the prohibition of foreign gods (Exod 20:23) is textually linked with the pilgrim festivals (Exod 23:14–17) in Exod 34. This connection is taken up in Deut 12, where the danger of idolatry is prevented by the commandment not to offer sacrifices at the places of the Gentiles but rather to bring the sacrifices and gifts to the central sanctuary. Slaughtering in the towns, on the other hand, must not follow the rules of sacral slaughtering but is a profane act according to the rules of slaughtering of wild animals (cf. Deut 12:15–16 with Lev 17:13).<sup>27</sup> The occasions when the sacrifices and gifts are to be brought to the central sanctuary are the three pilgrim festivals

23. Bernard M. Levinson, *Deuteronomy and the Hermeneutics of Legal Innovation* (New York: Oxford University Press, 1997), 165.

24. Hindy Najman, *Seconding Sinai: The Development of Mosaic Discourse in Second Temple Judaism*, JSJSup 77 (Leiden: Brill), 22–23

25. It could even be argued that Exod 34 is a distinctive point of reference for the whole Deuteronomical law (see Kilchör, *Mosetora*, 379).

26. Erhard Blum, *Studien zur Komposition des Pentateuch*, BZAW 189 (Berlin: de Gruyter, 1990), 69; cf. idem, “Das sog. ‘Privilegrecht’ in Exodus 34,11–26: Ein Fixpunkt der Komposition des Exodusbuches?” in *Studies in the Book of Exodus. Redaction—Reception—Interpretation*, ed. Marc Vervenne, BETL 126 (Leuven: University Press, 1996), 347–66.

27. See Benjamin Kilchör, “Wellhausen’s Five Pillars for the Priority of D over P/H: Can They Still Be Maintained?” in *Paradigm Change in Pentateuchal Research*, ed. Matthias Armgardt, Benjamin Kilchör, and Markus Zehnder, BZAR 22 (Wiesbaden: Harrassowitz, 2019), 103–6.

(Deut 16:1–17; cf. 14:22–29; 15:19–23). The fact that Exod 34 is a distinctive text for Deut 12 is further emphasized by the explicit reference in Deut 12:20 (“When the Lord your God enlarges your borders, *as he has promised to you*”) to Exod 34:24 (“For I will cast out nations before you and enlarge your borders”). This reference also indicates that the innovation of profane slaughtering in the towns is due not to cult centralization but to enlargement of borders that leads to long distances for cultic participation.

The manifold connections between Deut 12 and Exod 34 show that Deut 12 tries to find a solution for the challenge of idolatry, represented archetypically by the golden calf in Exod 32–33. Therefore, the covenant renewal of Exod 34 is distinctive for Deut 12. This makes it unlikely that Deut 12, when referring back to the original covenant in Exod 19–24, intends to subvert its source texts by offering a completely contradictory concept of *המקום*; rather, it takes up the concept of *המקום*, the place (or territory) of the presence of God, as we find it in the narrative of Mount Sinai and the tabernacle in Exodus, Leviticus, and Numbers. “The place” (*המקום*; Deut 12:5, 11, 14, 18, 21, 26), is directed against “all the places” (*כל-המקמות*; Deut 12:2), where the nations serve their gods. We find this connection already in Exod 20:23–24, where “the making of the altar is evidently presented in contradistinction to the making of idols.”<sup>28</sup> At the same time, God forbids the making of idols and commands the making of an altar of unhewn stone. As Jeffrey H. Tigay puts it, the “altar, then, rather than the idols, is the locus and symbol of God’s presence.”<sup>29</sup> Noting that this opposition between the altar and the idols as the locus of God’s presence is even more greatly emphasized in the golden calf narrative (Exod 32–34), L. Michael Morales concludes that Exod 20:24a and 20:25–26 “serve to frame a theology of divine cultic presence” in v. 24b.<sup>30</sup> This theology of divine cultic presence in Exod 20:24 is exactly the reason Deut 12 alludes to this verse when speaking about the place God will chose for his cultic presence in Israel.

Now, interestingly, there is one occurrence of *מקום* in Deut 12, where it has no definite article:<sup>31</sup>

28. Morales, *Tabernacle*, 237.

29. Jeffrey H. Tigay, “The Presence of God and the Coherence of Exodus 20:22–26,” in *Sepher Moshe: The Moshe Weinfeld Jubilee Volume*, ed. Chaim Cohen (Winona Lake, IN: Eisenbrauns, 2004), 204–5.

30. Morales, *Tabernacle*, 237.

31. A few Masoretic manuscripts and the Samaritan Pentateuch harmonize here v. 13 with v. 14 by adding the determiner (cf. Eckart Otto, *Deuteronomium 12,1–23,15*, HTh-KAT [Freiburg: Herder, 2016], 1136).

Take care that you do not offer your burnt offerings at any place [בכל-מקום] that you see. (Deut 12:13)

Ironically, this is the verse that is usually regarded as the core of Deuteronomy's subversive interpretation of Exod 20:24.<sup>32</sup> But exactly here, Deut 12 does not use the definite formulation בכל-המקום from Exod 20:24 but formulates without the definite article: בכל-מקום. The only other occurrence of בכל-מקום in the Pentateuch is Num 18:31, a text in which the Levites are allowed to eat their part of the tithes "at any place" (בכל-מקום), because it is a reward, not a holy gift, whereas the priests must eat their parts of the offerings at the holy place (במקום קדש) (Lev 6:10; cf. Lev 10:14; Num 18:10). The phrase בכל-מקום in Num 18:31 is not directed against "the place" (המקום), that is, the place of God's dwelling, which would be a permission of other *cultic* sites, but directs the Levites to any *profane* place apart from "the" holy place. Likewise, it seems that Deut 12:13 does not reject certain cultic sites permitted by Exod 20:24, because it does not understand Exod 20:24 as permissive of multiple cultic sites. Rather, it establishes המקום (*the sacred place*)—over against any other מקום (*profane place*)—as the place of God's dwelling (according to his promise in Exod 20:24) in the promised land.

In other words, Deut 12 does not polemicize against Exod 20:24 as understood in a distributive way, allowing altars in any place. Rather, Deut 12 works with the concept of המקום as the holy territory: what is holy belongs to the holy place; therefore, the holy offerings must be brought to the holy place, even from far away after the conquest. Holy sacrifices must not be slaughtered in just any place. Therefore, Deut 12:13–18 introduces a distinction between holy and profane slaughtering based on the rules for profane slaughtering of wild animals as found in Lev 17:13 (see Deut 12:15–16).<sup>33</sup> The awareness that Exod 20:24 speaks not about "any place" but about "the place" can be seen in Deuteronomy's subtle use of language, by using the indefinite formulation "any place" for the profane places to avoid the definite formulation of Exod 20:24.

This interpretation also sheds new light on an observation formulated by Thomas Römer, namely, that it is "astonishing that Deut. 12:13–18 is mainly concerned with the practical consequences of the centralization law ('profane' slaughtering) and that there is not much insistence on the explanation

32. E.g., Levinson, *Deuteronomy*, 32; Otto, *Deuteronomium 12,1–23,15*, 1182–85; Römer, *The So-Called Deuteronomistic History*, 58–61.

33. For more details, see Kilchör, *Mosetora*, 84–88; idem, "Wellhausen's Five Pillars," 103–6.

of the necessity of centralization."<sup>34</sup> Since Deuteronomy 12:13–18 is written as application of Exod 20 and 34 and not as subversion, a justification and explanation in this regard is just not necessary in the eyes of its author.

## Conclusion

In conclusion, we find the same concept of the מקום throughout Exodus, Leviticus, Numbers, and Deuteronomy. The term המקום refers to the sacred territory, sanctified by the presence of God. What is holy belongs to the holy place, and what is profane has no access to the holy place, because God's holiness fills the entire place of his dwelling. The altar stands at the entrance to the sacred space, but in the profane space. After the conquest, God will choose a place where his name will dwell, and despite long distances, the Israelites have to bring the holy offerings (in the context of the pilgrimage festivals) to המקום, "the place." However, what is not holy may be consumed at any profane place, "מקום." But "the places" (המקמות) shall be destroyed.

According to Lev 10:10–11 it is the main task of the priests both to distinguish between holy and profane and to teach this distinction to the people of Israel. What follows is an instruction in Lev 10:12–15 on what shall be eaten at the holy place (Lev 10:13: במקום קדש; Lev 10:14: במקום טהור). Deuteronomy 12 is just such an execution of the priestly task according to Lev 10:11: it is a priestly teaching for the people to distinguish between holy and profane, dealing only with the issues relevant for the people and leaving aside special priestly concerns.

34. Römer, *The So-Called Deuteronomistic History*, 60.