Jacob MILGROM, *Leviticus 1-16* (Anchor Bible 3, Doubleday; New York 1991) xviii, 1163 pp.

The author is an ordained rabbi and a professor of Hebrew and Bible at the University of California at Berkely. He has published four scholarly books and over 150 scientific articles. He is indebted to his former publications (reworked and incorporated), his editor D.N.Freedman (observations matching typescript in length) and students, three of whom are mentioned: S.Pfann (ideas on taxidermy), S.Rattray, responsible for Comment on The Biblical Measures of Capacity (pp. 890-901), D.P.Wright (erstwhile student, now colleague), responsible for Comments on Symptomatology and Diagnosis of *Sara'at* in Humans (pp. 825-6), and The Communicability of Impurity (pp. 953-7).

The book is the first part of a two-volume work. It follows, in an expanded form, the pattern of the Anchor Bible. After a list of abbreviations, sixty-seven pages of Introduction discuss the following nine points. (a) Name, Scope, Text and Methodology. (b) Antiquity of P. (c) Parameters, Date and Provenance of P. (d) Vocabulary, Style and Structure. (e) Priestly Theology. (f) The Priest. (g) Anthropomorphism and Revelation. (h) Composition. (i) Commentators.

A list of works cited covers sixty pages. The works are ranged in one alphabetical order according to the surname of the author, followed by the date of publication and a serial letter to distinguish eventual multiple publications by the same author in the same year. This simplifies the bibliographical references in brackets within the text (no footnotes) and figuring only the author, year and serial letter. For the sake of convenience, some important items (Ezra Ibn, Hazzekuni, Hillel) or titles (*Keter Torah*, *Mahzor Vitry*) are listed among the authors.

Each literary unit of Leviticus is singly translated, annotated (lengthy verse by verse notes) and commented upon. The comments are monographic treatises that expand, synthetize and clarify the information given piecemeal in the notes. Four final indexes (subjects, terms, authors, sources) facilitate consultation.

This is an outstanding anthology of orientalistic and rabbinic information. It is common form to point out the Middle Eastern parallels as an illustration of the biblical data. But nowhere else can be found such a multitude of parallels to Lev 1-16 crammed into one volume. It is less common to indulge in the rabbinic traditions. But the author has done just that. In the Introduction he gives a biography of sixteen medieval Jewish exegetes (pp. 63-66; no Christian exegetes of the period are listed) whom he repeatedly mentions

all through the volume, especially in his exposition of Lev 1-5 (pp. 133-378). The last one, Shadal (Samuel David Luzzatto, 1800-1865), is modern in time and medieval in orientation). No Jewish source is neglected. The Mishna, Tosefta, Sipre, Talmud and Midrash are abundantly represented. So far as the factual information is concerned, this work will easily replace a good number of similar volumes.

The evaluation of the biblical data is coloured by the rabbinic option. The author avows that the insights of the medieval exegetes "have illumined almost every page of this commentary" (p.2) and that he draws "heavily from the medieval Jewish exegetes" (p.63). The work would qualify as a highly specialized document of a yeshiva.

The rabbinic tradition is a post-biblical phenomenon. It assumes that the Torah was composed by one author, defends the uniformity of the most discordant material, and reads its post-biblical developments into the biblical text. In the same way, the christian tradition of the period read the Christ event and the christian mystery into the Old Testament. A few examples will bear out the rabbinic orientation of the work.

The desert tabernacle. The Priestly tradition locates the tabernacle in the middle of the camp (Num 2,2.17; 3,38). The Elohistic counterpart (Ex 33,7-11; Num 11,24-30; for the author, JE is the epic tradition or source) places the tabernacle outside the camp. All biblical texts mention one tabernacle, and all clearly refer to the same abode commissioned by God and erected by Moses.

Relying on this discrepancy, the rabbinic tradition posits two tabernacles, the external one (E) serving oracular purposes (incidentally the Priestly tradition attributes the same purposes to the internal one). Modern biblical scholarship stands for one tabernacle, and explains the topographic discrepancy through the peculiar characteristics of the Pentateuchal traditions.

The author does not take an overt stand on the matter, but shows his bias for the rabbinic option. He says that some scholars believe there was one tabernacle while most moderns follow the rabbinic tradition (p.140; "some" and "most" are correct with reference to the Jewish exegetes). He adds that the Elohistic (epic) tradition may have known of a second tabernacle and omitted to mention it by sheer accident (p.141).

The dietary laws. The Jahwistic and Elohistic traditions do not exclude any animals from human consumption, although they mention some dietary taboos like the rule about the sciatic nerve (Gen 32,33). The Deuteronomist (Dt 14,3-21) and the Priestly tradition discriminate

between edible and inedible animals, fish and fowl. The discriminating criteria for the animals are the divided hoofs and rumination.

The rabbinic tradition accepted the criteria as the historical origin of the discrimination: the impure animals were prohibited because they did not qualify according to the preset criteria. Modern biblical scholarship normally adopts the opposite view: the criteria are late classifications of ancient practices whose origins are unknown (every scholar volunteers his tentative explanations).

The author opts for the rabbinic tradition: "the criteria came first and only afterward four anomalies were found" (p.728; reference to camel, hare, rock badger and pig, even though other animals present the same anomaly). As a rationale behind the criteria he volunteers the limitation of access to animal life (limitation of the consumption of meat, pp. 733-4): a very improbable explanation, since the Bible does not discountenance the consumption of meat in general (cf. Is 25,6; the exclusion of blood is a different matter), and the criteria allow unlimited access to the readily available meats (cattle, sheep, goats). He also feels that the dietary restrictions are a peculiarly Jewish characteristic, and that early christianity abolished them in order to abolish the distinction between Jews and Gentiles (p.726; reference to Acts 15,7-21). He seems to overlook the fact that the early church abolished the law of Moses in general, with special attention to circumcision, and made some concessions in the dietary field.

The origin of P. For the rabbinic tradition "the unity of the Torah was an axiom of belief" (p.2). This implies uniformity of thought and the complimentary nature of parts. Modern biblical scholarship has diversity and discrepancy as an axiom. It started with the idea of sources, and ended with that of traditions. P originally was the first source, then turned into the last tradition (post-exilic redaction incorporating pre-exilic material). Contemporary critics are less dogmatic about the parameters and interaction of the four classic traditions, but the separation of textual strata is still the basis of exegetical analysis as the identification of archaeological strata is the starting point for historical reconstruction.

The author prefers the rabbinic approach: "source criticism is a last resort" (p. 3). Incidentally, he mentions that the editorial sutures expose previous literary stages, and makes use of the classic initials, JEDP, placing P (the written text, not the material) before D, not later than the middle of the eighth century (p.28). He believes that D made a concession to meat consumption by allowing profane slaughter (Dt 12,13-28) when the centralization of the sanctuary assumed by P and the

expansion of the national territory realized by Josiah rendered the ritual slaughter impractical (p. 734).

A different interpretation of the biblical data would restore the priority of D. Profane slaughter may have been rare, but was always allowed (this is confirmed by 1 Sam 14,31-35; the fault was blood consumption, not profane slaughter). Dt 12,2-12 decreed the centralization of cult. Dt 12,13-28 acknowledges the practice of profane slaughter and disallows ritual slaughter outside the temple of Jerusalem. Lv 17,1-4 similarly disallows ritual slaughter outside the temple (see vv.5-9).

In such a qualified example of rabbinic scholarship one expects a more comprehensive discussion on the origin and development of the priesthood. It would crown this incomparable anthology of orientalistic and rabbinic information.

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DOING THINGS

Joe Friggieri, *Actions and Speech Actions in the Philosophy of J.L. Austin*, (Mireva Publications; Malta 1991) 279pp.

This is the second major work by Joe Friggieri on the philosophy of J.L.Austin. In his earlier work, *Linguaggio e Azione: saggi su J.L. Austin* (Milan 1981), he described and discussed, in a brief and clear manner, all the main themes of Austin's philosophy. He is now focusing on only one aspect of the philosophy of this seminal thinker, namely, the concept of action which is probably the most fundamental, original and interesting aspect of his thought.

It was during the last five years of his life, that is from 1955 to 1960, that Austin set out to elaborate a philosophy of action. He managed, however, to present only "a cluster of views" on this matter. Professor Friggieri is very much aware of Austin's unfinished agenda. Besides, while accepting in general Austin's intuitions, he argues that these intuitions can be expressed more clearly and consistently by clarifying certain underlying assumptions.

The first part of the book is devoted to an analysis of the concept of action in general. Friggieri examines Austin's philosophy of action in the light of the distinction which Jennifer Hornsby made between "our doings" and "the things we do". Action is defined as the doing of many things. Hence, it can be of different kinds and can be described in different ways. This point serves as a very helpful key, Friggieri claims, in dealing with the problems implied in Austin's (as well as in other contemporary philosophers') concept of action.

Austin disagreed with those who argued that action should be defined in terms of bodily movements. Indeed, action involves bodily movement as it passes to the stage in which it occurs, that is, the stage at which it is actually carried out. But, Austin held, action is not reducible to a *mere* movement of the body. According to Friggieri, this is a quite valid point but it can be brought out and explained better with the help of the concept of action as the doing of many things. In fact, one of the things that is done *is* moving one's body or parts of one's body, but there are also other things which are done.

Again Austin raised the very important philosophical problem of the individuation of actions but he only provided useful hints and intuitions without succeeding in solving the problem satisfactorily.

He observed, for example, that in a case where wounding and killing are not sufficiently separate or are too intimately connected, we do not say "A wounded B for the purpose of killing him". Relying on G.E.M. Anscombe and D. Davidson, Friggieri holds that a more sensible solution to the problem lies in considering A's wounding B and A's killing B to be *one* action in which there is a causal link, very appropriately expressed by the preposition 'by', between one thing (wounding) and another (killing). What, therefore, one should look for to determine whether *one* action has in fact been performed is the link between the various things

done. If one thing has been the cause of another, that is proof enough that one action has actually taken place.

Friggieri considers Austin's distinction between "phases" and "stretches" of an action to be very helpful in explaining the relationship between the action as a whole and its parts, and between the action and its effects. But he returns to his earlier definition of an action as the doing of many things to clarify Austin's valid observations regarding the different ways in which an action may be justified or excused. "If an action is the doing of many things," he writes, "then one may be blamed (and punished) for doing one thing (this), but not for doing another (that), even though one has done both one thing and the other" (p.84).

Intention

One can, however, only be blamed for that thing which one has done *intentionally*. What is intention? And why is it so important for a proper understanding of human action? Friggieri prefers to follow the analysis of intention made by G.E.M. Anscombe, even though Austin himself is basically in line with Anscombe's thesis. What a person intends to do is known only to him or her, unless, of course, the intention has been disclosed to someone else. But this does not make intention a purely private matter, for the whole context in which an action has been performed should indicate the intention with which an action has been done. One's intention is actually embodied in the action.

The interest of the author is not so much in the correct analysis of intention (an exercise which he assumes has been done well enough by philosophers like Anscombe) as in the significance of intention for an adequate comprehension of the nature of human action. The theory which he defends is that human action is *human* to the extent that it is a step in the realization of a particular plan on the person's part. This point was already made by Aristotle and Aquinas who viewed actions as *ea quae sunt ad finem* but it has acquired new importance in the context of today's debate on Behaviourism. Friggieri queries, quite rightly, Austin's rather narrow approach to the study of intention. In fact, Austin took into consideration the day to day intentions — which certainly have their own importance — but he ignored the long-term intentions by which we guide our life. "It is generally in the light of these long-term intentions," Friggieri argues, "that our lives and careers are structured and that a great deal of our activities form a coherent pattern" (p.114). Indeed, this is a very pertinent remark which brings Friggieri's study very close to that of an influential group of contemporary philosophers such as Alisdaire McIntyre (*After Virtue*), Paul Ricoeur (*Time and Narrative*) and John Finnis (*Natural Law and Natural Rights*) who all deal in their own particular way with the fundamental ethical question about the unity and coherence of one's life. Their reflections on the temporal aspect of human action can throw further light on what Austin called "the phases" of an

action and on the fundamental relation of the agent to his or her own actions.

Doing and saying

The relation between what we do and what we say has been a perennial problem in philosophy. One of the major contributions of Austin is that of having shown that "in some sense, saying anything is always doing something" and, in particular, of having identified the qualities characterizing what he named "performative utterances". In the second part of his work, Friggieri seeks in the first place to identify, even more clearly than Austin did, the characteristic features of performative utterances by distinguishing the features proper to the first-person performatives in christening, marrying and other ceremonies, and those proper to the explicit performatives used in warning, ordering, promising, advising, etc. (pp.155ff). Then he moves on to consider Austin's reflections on the similarities between speech actions and action in general. The view that action is the doing of many things should serve again as a very useful guide, Friggieri holds, in one's interpretation of the nature of speech actions. The various distinctions which Austin noted in his analysis of a speech action (the phonetic, phatic, rhetic, locutionary, illocutionary and perlocutionary acts) would not be liable to be misunderstood (as they were by Alvin Goldman in *A Theory of Human Action*) if they are presented in the light of the idea of a speech action as the doing of a wide variety of things (p.185).

The critical analysis of what Austin wrote about speech actions and truth, as well as on speech actions in drama, poetry and narrative fiction is certainly not meant to cover all the relevant aspects of these very complex and thorny philosophical problems. But it helps one to have at least the ground cleared from mistakes which are rather obvious and yet not so easy to detect.

Moral and legal questions

The fact that the work was accepted as a Doctoral dissertation at the University of Oxford is certainly sufficient proof of its academic qualities and merits. The study is of particular interest to the moral philosopher and theologian, because questions about good and evil, right and wrong, as Aristotle and Aquinas had already shown, cannot be discussed properly except in the context of a theory of action. The criminal lawyer will also find very useful the distinctions between intention, purpose and deliberation and those between causality and blame that are implied in the notion of responsibility. The concluding chapter on speech actions in drama, poetry and narrative fiction broadens the circle of people to whom the book should be of particular value and interest.

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