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BIBLICAL FORMS AND NEAR EASTERN PARALLELS
by
Rifat Sonsino

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# MOTIVE CLAUSES IN HEBREW LAW

## BIBLICAL FORMS AND NEAR EASTERN PARALLELS

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# MOTIVE CLAUSES IN HEBREW LAW

## BIBLICAL FORMS AND NEAR EASTERN PARALLELS

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| | |
|---|---|
| AASOR | Annual of the American Schools of Oriental Research |
| AB | Anchor Bible |
| *ABL* | R. F. Harper, *Assyrian and Babylonian Letters Belonging to the Kouyunjik Collection of the British Museum* |
| *AfO* | *Archiv für Orientforschung* |
| *AGH* | E. Ebeling, *Die akkadische Gebetsserie "Handerhebung"* |
| *AHW* | W. von Soden, *Akkadisches Handwörterbuch* |
| *AJA* | *American Journal of Archaeology* |
| *AJSL* | *American Journal of Semitic Languages and Literature* |
| AnBib | Analecta biblica |
| *ANET* | J. B. Pritchard (ed.), *Ancient Near Eastern Texts Relating to the Old Testament* |
| AnOr | Analecta orientalia |
| *AnSt* | *Anatolian Studies* |
| AOS | American Oriental Series |
| ARM | Archives royales de Mari |
| *ArOr* | *Archiv orientální* |
| *AS* | *Assyriological Studies* |
| asynd | asyndetic |
| *AT* | D. J. Wiseman, *The Alalakh Tablets* |
| *BAR* | *Biblical Archaeologist Reader* |
| *BASOR* | *Bulletin of the American Schools of Oriental Research* |
| BBB | Bonner biblische Beiträge |
| BC | Book of the Covenant |
| BDB | F. Brown, S. R. Driver, and C. A. Briggs, *A Hebrew and English Lexicon of the Old Testament* |

| | |
|---|---|
| *BE* | H. V. Hilprecht (ed.), *Babylonian Expedition of the University of Pennsylvania*. Series A: *Cuneiform Texts* |
| *BHK* | R. Kittel (ed.), *Biblia hebraica*, 7th ed. |
| BHT | Beiträge zur historischen Theologie |
| BibOr | Biblica et orientalia |
| *BiOr* | *Bibliotheca Orientalis* |
| *BMS* | L. W. King, *Babylonian Magic and Sorcery* |
| BWANT | Beiträge zur Wissenschaft vom Alten und Neuen Testament |
| *BWL* | W. G. Lambert, *Babylonian Wisdom Literature* |
| *BZ* | *Biblische Zeitschrift* |
| BZAW | Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft |
| *CAD* | I. J. Gelb et al. (ed.), *The Assyrian Dictionary of the Oriental Institute of the University of Chicago* |
| *CBQ* | *Catholic Biblical Quarterly* |
| *CCT* | *Cuneiform Texts from Cappadocian Tablets in the British Museum* |
| CD | Cultic Decalogue |
| concl | conclusion |
| com | ad hoc commands |
| *CT* | *Cuneiform Texts from Babylonian Tablets etc. in the British Museum* |
| D | Deuteronomy |
| Dec | Decalogue |
| *EA* | J. A. Knudtzon, *Die El-Amarna Tafeln* |
| *EB* | *Estudios Biblicos* |
| *EncJud* | *Encyclopaedia judaica* |
| *GAG* | W. von Soden, *Grundriss der akkadischen Grammatik* |
| *Ges* | *Gesenius' Hebrew and Chaldee Lexicon to the Old Testament Scriptures* |

| | |
|---|---|
| Gilg | Gilgamesh |
| GKC | *Gesenius' Hebrew Grammar*, ed. E. Kautzsch, tr. A. Cowley |
| H | Holiness Code |
| *HG* | P. Koschaker and A. Ungnad, *Hammurabi's Gesetz* |
| *Hh* | Lexical series ḪAR.*ra* = *ḫubullu* |
| HL | Hittite Laws |
| *HUCA* | *Hebrew Union College Annual* |
| *IDB* | G. A. Buttrick (ed.), *Interpreter's Dictionary of the Bible* |
| intrn mc | internal motive clause |
| intro | introduction |
| *JAOS* | *Journal of the American Oriental Society* |
| *JBL* | *Journal of Biblical Literature* |
| *JCS* | *Journal of Cuneiform Studies* |
| *JEA* | *Journal of Egyptian Archaeology* |
| *JEN* | E. Chiera and E. Lacheman, *Joint Expedition with Iraq Museum at Nuzi* |
| *JNES* | *Journal of Near Eastern Studies* |
| *JPSV* | *Jewish Publication Society Version* (1917) |
| *JSS* | *Journal of Semitic Studies* |
| *KAI* | H. Donner and W. Röllig, *Kanaanäische und aramäische Inschriften* |
| *Kbo* | *Keilschrifttexte aus Boghaz-köi* |
| LE | Laws of Eshnunna |
| LH | Laws of Hammurabi |
| LI | Laws of Lipit-Ishtar |
| LU | Laws of Ur-Nammu |
| MAL | Middle Assyrian Laws |
| mc | motive clause |
| *MDP* | *Mémoires de la Délégation en Perse* |

| | |
|---|---|
| *MIO* | *Mitteilungen des Instituts für Orientforschung* |
| MRS | Mission de Ras Shamra |
| MT | Masoretic Text |
| *NAB* | *New American Bible* (1970) |
| NBL | Neo-Babylonian Laws |
| *NEB* | *New English Bible* (1972) |
| *NJV* | *New Jewish Version, The Torah* (1967) |
| nl | not law |
| OIP | Oriental Institute Publications |
| *OLZ* | *Orientalische Literaturzeitung* |
| *OrNS* | *Orientalia*, New Series |
| *OTS* | *Oudtestamentische Studiën* |
| *PAPS* | *Proceedings of the American Philosophical Society* |
| par | parenesis, parenetic |
| PBS | Publications of the Babylonian Section, University of Pennsylvania |
| PC | Priestly Code |
| *PEQ* | *Palestine Exploration Quarterly* |
| R | Redactor |
| *RA* | *Revue d'assyriologie et d'archéologie orientale* |
| *RB* | *Revue biblique* |
| *RHR* | *Revue de l'histoire des religions* |
| *RIDA* | *Revue internationale des droits de l'antiquité* |
| *RSO* | *Rivista degli studi orientali* |
| *RSV* | *Revised Standard Version* |
| SANT | Studien zum Alten und Neuen Testament |
| SBT | Studies in Biblical Theology |
| *StudOr* | *Studia orientalia* |

| | |
|---|---|
| sum | summary |
| TBü | Theologische Bücherei |
| TCL | Textes cunéiformes (Musée national du Louvre) |
| *TMB* | F. Thureau-Dangin, *Textes mathématiques babyloniens* |
| VAB | Vorderasiatische Bibliothek |
| *VT* | *Vetus Testamentum* |
| VTSup | Vetus Testamentum Supplement |
| WMANT | Wissenschaftliche Monographien zum Alten und Neuen Testament |
| *WZKM* | *Wiener Zeitschrift für die Kunde des Morgenlandes* |
| YOS | Yale Oriental Series |
| *ZAW* | *Zeitschrift für die alttestamentliche Wissenschaft* |
| *ZSS* | *Zeitschrift der Savigny-Stiftung* |

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# PREFACE

Biblical laws, composed in a variety of forms, sometimes contain dependent clauses or phrases which express a motive for a law or for observing it, i.e., a reason why the law is as it is, or an incentive for obeying it. The present study, undertaken within the scope of form criticism, proposes to analyze the use of motive clauses in the Pentateuchal legal corpora in light of biblical and extra-biblical literature.

B. Gemser was the first scholar who seriously addressed himself to the issue of the motive clauses in his article, "The Importance of the Motive Clause in Old Testament Law" (VTSup 1 [1953] 50-66). In his study he defined the motive clauses, discussed briefly their form and classified them as explanatory, ethical, religious and historico-religious. He also defended the originality of many of them and drew attention to the intrinsic coherence between law and wisdom. Gemser, however, was aware that his study was only introductory in nature, and in his article he clearly stated that he had not exhausted the discussion of the motive clauses.

Following his lead, R. W. Uitti, in his doctoral dissertation, "The Motive Clause in Old Testament Law" (Lutheran School of Theology at Chicago, 1973), attempted to present a fuller analysis of the motive clauses. Whereas Gemser examined only five law collections in the Bible (i.e., the Decalogue, the cultic Decalogue, the Book of the Covenant, the Holiness Code and the Deuteronomic Code), Uitti considered seven collections, by adding the Shechemite dodecalogue and the Priestly Code. Furthermore, he set out to reconstruct the history of the motive phenomenon in biblical law by arguing for an oral and cultic origin of the motive clauses in the earlier law collections and for a literary origin of the motive clauses in the later legal corpora. Finally, by joining others who had pointed to the existence of motive clauses in the laws of Hammurabi, he discounted Gemser's contention that motive clauses were unique to biblical law.

A critical evaluation of Gemser's and Uitti's observations indicates the necessity for a re-examination of the legal motive clauses, based upon a more precise argumentation and within a broader scope, encompassing both biblical and extra-biblical literature.

In order to avoid confusion, some of the basic issues will need to be more clearly defined. Both scholars, for instance, studied the motive clauses together with the independent parenetic statements within the category of motive clauses. However, a closer analysis of these components of the law shows that they ought to be distinguished from one another on the basis of their form as well as presumed function. Similarly, it would be necessary to give up the misleading procedure followed by Gemser and Uitti of computing the percentages of the motivated laws by counting paragraphs of prescriptions dealing with the same subject. In fact only individual prescriptions are motivated, and proper ratios can only be established by counting these. Prior to that undertaking, guidelines must be set up in order to isolate the individual legal prescriptions, whether motivated or not. In an effort toward defining what is law in the Pentateuch, it would also be necessary to draw a contrast between curses and laws, parenetic statements and laws, and ad hoc commands and laws.

Gemser did not undertake a formal investigation of the origin and life setting of the motive clauses, although he did suggest a connection between law and wisdom. Uitti, on his part, based his theory of the cultic origin of the motive clauses on the cultic recitation of the apodictic laws. Yet, there is no evidence in the Bible supporting the existence of such a practice in ancient Israel. An empirical way of searching for clues as to the origin and function of the motivated laws in the Pentateuch would be to study the legal motive clauses in light of motive clauses found in other biblical literary genres. Neither scholar considered this aspect of the legal motive clauses. The matter therefore warrants a special investigation.

Inasmuch as ancient Israel was, to a large extent, part of the common culture of the ancient Near East, it will also be

necessary to consider the motive phenomenon in biblical law in light of the ancient Near Eastern legal tradition. Gemser stressed the uniqueness of the biblical motive clauses--a point which has been perpetuated by many a scholar until today. However, a number of Assyriologists and certain biblical scholars, among them Uitti, have already confirmed the existence of motive clauses in the laws of Hammurabi. Now, other ancient Near Eastern legal corpora must be analyzed in order to see whether or not motivation is exclusive to the Bible and the laws of Hammurabi. In addition, it would be instructive to study the motive clauses in the cuneiform material with regard to their form, content and origin for possible illumination of the use of motivation in biblical law.

The matter of originality of the motive clauses must be faced, even though the question is admittedly a difficult one. The tendency in biblical scholarship is to view them as additions by later editors. Gemser attempted to prove their originality by indicating that these occur in ancient strata of biblical law and that the rhythmic and proverbial form of some of them point to an archaic formulation of the laws. Uitti, too, maintained the originality of the motive clauses in the earlier law collections by arguing that these originated in connection with the recitation of the sacred law in Israel's early cultic life. All of these opinions need to be evaluated critically on their own merit and also against the backdrop of certain ancient Near Eastern texts containing motivated statements which have not been subjected to the complex and lengthy process of transmission undergone by their biblical counterparts.

The present study, though taking into account the contributions of both Gemser and Uitti, differs from their work, primarily in that it analyzes the legal motive clauses in light of other biblical literary genres and frequently considers the relevant data provided by extra-biblical documents.

The present investigation will unfold in four chapters. Chapter I will deal with the biblical and cuneiform laws. Since the present study is undertaken within the scope of form criticism, the form-critical assumptions as applied to biblical law will be critically evaluated. Moreover, since motive clauses

constitute part of the formulation of the laws, it will be necessary to examine first the form and setting of the laws which incorporate them. Chapter II will concentrate on the biblical legal motive clauses. Having differentiated them from explicative notes and independent parenetic statements, the legal motive clauses will be studied with regard to their form, content, distribution among the biblical law collections and their function. So as to widen our understanding of the motive phenomenon, an investigation will be undertaken, in Chapter III, of the motive clauses found in extra-biblical laws. The results will then be compared and contrasted with those obtained within the Bible. Finally, in Chapter IV, the question of the originality of the motive clauses will be discussed, and the scholarly opinions on this subject will be critically examined against the background of ancient Near Eastern texts.

I wish to record my gratitude to my teachers and advisers at the University of Pennsylvania, Dr. Barry L. Eichler and Dr. Jeffrey H. Tigay, for guiding me through all the stages of this investigation. I am indebted to Dr. Roger W. Uitti, who generously placed at my disposal his unpublished doctoral dissertation, "The Motive Clause in Old Testament Law," only a short time after it was approved by the Lutheran School of Theology at Chicago in 1973. I would also like to express my thanks to Dr. Larry K. Robbins of the University of Pennsylvania and to Dr. Douglas A. Knight, the editor of the Society of Biblical Literature Dissertation Series, for their valuable suggestions regarding content, style and format. Finally, I am very appreciative to KTAV Publishing House, New York, for allowing me to use the Hebrew text in the Appendix, and to those members of North Shore Congregation Israel in Glencoe, Illinois, for their financial support toward the publication of this thesis.

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sections from their Hebrew Bible.

# CHAPTER I

## FORM AND SETTING OF BIBLICAL AND CUNEIFORM LAWS

### THE COMMON LEGAL TRADITION

The ancient Near East constitutes, more or less, a "cultural continuum"[1] in which interpenetration and crossfertilization took place in a variety of areas, including literature and law. Material remains found at numerous sites in Mesopotamia, Asia Minor, Syria-Palestine and Egypt eloquently testify to this common tradition but also reveal local variations and, at times, unique characteristics confined to particular places and peoples. It is to this milieu that Israel belonged. The existing parallels between certain biblical traditions and those known from the other countries of the ancient Near East, in particular Mesopotamia (especially those dealing with the primeval times), show that Israel shared, to a large extent, the common cultural patrimony of her neighbors, far and near. This was possible not only because of the geographic location of Israel as a corridor between Mesopotamia and Egypt but also by the early peregrinations of the Israelite people within the orbit of the ancient Near East which was permeated primarily by Mesopotamian civilization and culture.[2]

Biblical law reflects one aspect of this influence. As E. A. Speiser wrote:

> There is scarcely a section of the Old Testament, especially in its early portions, that fails to reflect some form of influence from Abraham's homeland....And nowhere is such influence more pronounced than in the general field of law.[3]

Yet, though Israel shared the common culture of the ancient Near East, the study of the biblical traditions clearly indicates that whatever Israel incorporated from the wealth of traditions of the surrounding cultures, it did so by means of selectivity, adaptation and, at times, transformation.[4] This is also true of biblical law. Even though it reflects the common legal tradition of the ancient Near East, the theoretical basis of the biblical law displays unique characteristics unparalleled in other law corpora, such as divine authorship, religious cast,

inextricable relation between covenant and law, and others.[5] Therefore, in comparing the biblical law with its cuneiform counterpart, it is necessary to remember that biblical legislation represents a different legal philosophy and that the utilization of similar legal forms does not necessarily indicate a common origin or identity of their life setting.

## THE FORM OF BIBLICAL LAWS

### *Alt's Classification*

Biblical law has been analyzed from different perspectives. Through studies of a general nature or with a more specialized interest, notable effort has been exerted to understand its character and meaning and to discern its institutions, values and concepts.[6] In addition, numerous studies have been devoted to the investigation of the formal characteristics of the biblical law. The beginning of this analysis can be traced to H. Gunkel, the founder of the school of biblical form criticism, and his student H. Gressmann.[7] Both left only brief discussions of the Israelite legal formulations. More extensive work was done by scholars such as A. Jirku, A. Jepsen and S. Mowinckel, all three in 1927. Jirku, using the stylistic formulation of the laws as a criterion, divided the laws of the Pentateuch into ten independent collections.[8] Jepsen distinguished between four types of laws in the Book of the Covenant,[9] and Mowinckel investigated the setting in life of the Decalogue.[10] But it is A. Alt's essay, "Die Ursprünge des israelitischen Rechts,"[11] published in 1934, that has had a lasting impact on the field of biblical law.

Alt was struck by the juxtaposition of various legal forms in the Book of the Covenant. He therefore set out to categorize the different forms and then investigated their origin. Using the tools of the form-critical method, he first differentiated between "casuistic" and "apodictic" laws.[12]

A casuistic law, Alt pointed out, is built on the sequence of the protasis and apodosis of a conditional sentence. In its pure form, all parties with whom the law is concerned are referred to in the third person. Whereas the main case is

introduced by the conjunction כי ("granted," or "supposing that"), subsidiary cases, he stated, are introduced by the weaker אם ("if").[13]

According to Alt, casuistic laws deal basically with secular matters and point to their use in the work of ordinary courts. "They were presumably composed, then, to fulfill the needs of these courts."[14] However, he added, their ultimate origin is not to be found in Israel. The "feeble religious element in the Israelite casuistic law,"[15] its betrayal of a "completely neutral attitude both in outlook and intention to everything that we know to be specifically Israelite"[16] and, finally, its almost exclusive use in extra-biblical legal corpora[17] imply that its source must be sought outside of Israel. This, however, does not mean that its origin must be traced to the peoples of far away Mesopotamia or Asia Minor, for in spite of many similarities these law collections show too many differences both in form and content to be the direct ancestors of the casuistic law of Israel.[18] Therefore, Alt inferred, the latter must have been adopted from the Canaanites, who must have had legal corpora of their own, presumably written in the Babylonian language and in cuneiform script.[19] He placed the time of the adoption "between the entry and the foundation of the Israelite kingdom in Palestine,"[20] though, he admitted, "we have at present no original sources for the study of the Canaanite law."[21] He further acknowledged that "the process by which the Israelites adopted this body of law is unfortunately also unknown."[22]

As for laws formulated in the "apodictic style," they can be identified, according to Alt, on the basis of the following characteristics: they are generally rhythmic and terse in style, metrical in form, fundamental, categorical and inclusive in nature; they usually appear in series. Here Alt isolated various series on the basis of their formulation: (1) laws introduced by means of an active participle, and followed by the מות יומת formula (e.g., Exod 21:12, 15-17); (2) a "list of crimes laid under a curse in Deut. xxvii. 15-26,"[23] where the predicate, "cursed" (ארור), is placed at the beginning of the statement and the subject which follows it usually takes the form of a participle to which an object or a qualifying adverb is added;

(3) four short series: (a) Lev 18:7-17 (לֹא plus second person imperfect); (b) and (c) two short fragments of lists, one in Exod 22:17, 20 (with interpolations), 21, 27a,b,[24] and the other in Exod 23:1-3, 6-9 (with many interpolations);[25] both of them consist of prohibitions in the second person singular; and, finally, (d) the Decalogue, where the "categorical negative is the strongest unifying element in the whole list."[26]

Apodictic laws, Alt noted, generally deal with subjects not considered in the casuistic laws. Their main concern is sacral: "Everything in them is related exclusively to the Israelite nation and the religion of Israel."[27] This excludes the possibility of a common origin for both apodictic and casuistic forms. The origin of the apodictic laws must be sought only within Israel. There is, however, no need to invent a context for these laws, for their setting in the cult of ancient Israel can be recovered on the basis of Deut 27:15-26 and 31:9f. The first text places the reading of a list of curses within a sacral ceremony. The second refers to a reading of the law before the assembly of the whole people at the Feast of Tabernacles every seventh year. Yet, he argued, it is doubtful whether a book of laws as long and as densely packed as Deuteronomy could be firmly impressed on the memory of a whole nation if it were read out to them only every seven years.[28] Therefore, he concluded, the underlying ceremony must have been one in which shorter series of laws were proclaimed. "The casuistic law was by its very nature unsuited for such use, so that the obvious material for the purpose seems to be the short lists of apodictic laws."[29] Furthermore, these apodictic laws must have been proclaimed periodically, for, he reasoned, only in relation to constantly recurring situations can such a category catch on.[30] Deuteronomy 31 clearly speaks of a regularly occurring situation in the life of the Israelites. Alt therefore suggested that Deuteronomy 27, too, must be interpreted along the same lines, even though the text neither refers to a periodic occurrence nor contains a reference to a particular festival.

According to Alt the ceremony itself had a very special nature. He maintained that it constituted not only the life

setting for the proclamation of apodictic laws, but also "a regular renewal of the covenant between Yahweh and Israel,"[31] though, he admitted, the expression "renewal of covenant" is nowhere attested in the Bible.[32]

### *Alt's Presuppositions: A Critical Evaluation*

Alt chose a form-critical approach to Israelite law because he was dissatisfied with the limitations of the methods of literary criticism. They alone, he said,

> do not suffice to lead us directly to the oldest forms, for they can only show us older literary versions of the laws, and the oldest written forms which we can isolate with any degree of probability seem bound in any case to be secondary productions, quite distinct from the first promulgation of the laws.[33]

Arguing that "the making of the law is basically not a literary process at all, but part of the life of a community,"[34] Alt attempted to investigate the real origins of the legal forms by applying the form-critical method to the biblical legal material.

Alt's basic presuppositions were the same as those developed and tested by Gunkel on the sagas of Genesis, prophetic sayings and the Psalms. Alt began by stressing that full attention must be given to "the possibility that the very oldest written compilations of laws are separated from the real origins of the law by a considerable period in which the law was developed and handed down orally."[35] He then argued that at this oral stage there was an inseparable connection between form and content in that "each form of expression was appropriate to some particular circumstance amongst the regular recurring events and necessities of life."[36] This connection is similarly carried over into the literary stage, for, as Alt put it, "in each individual form, as long as it remains in use in its own context, the ideas it contains are always connected with certain fixed forms of expression."[37] Given these assumptions, the study of legal forms becomes extremely important, for these forms contain clues as to their real origin and function in the life of the people.

Alt recognized that a few such attempts had been made in the field of biblical law,[38] but lamented that the method had not as "yet been applied as consistently as it ought to be."[39] He therefore set out to do just that.

Several decades have passed since Gunkel's introduction of form criticism as well as Alt's application of this method to the forms of biblical laws. The impact of their work has been profound. One of the chief accomplishments of form criticism is that it enlarged the scope of biblical studies by providing, next to literary and historical analysis, a new approach for the understanding and interpretation of biblical literature. It did so by investigating the literary genres of the Bible, their function and life settings.[40] Furthermore, it constituted a needed corrective to literary criticism in many areas and, in particular, in its method of dating texts. It showed that even the so-called "younger" texts contain "older" forms, probably going all the way back to an oral stage of transmission. It also released the Scriptures from the bonds of parochialism[41]--an attitude which often characterized literary-critical studies on the Bible--by stressing that to a large measure, and without denying Israel's creative role, they still reflect the speech pattern of the peoples of the ancient Near East as recorded in their literary and nonliterary documents.

In the years since Gunkel, form-critical method has not remained stagnant. It was constantly analyzed, re-evaluated and refined to such an extent that some of its original assumptions have either been abandoned (e.g., its "atomism," i.e., "the shorter, the more original") or considerably modified. Among those modifications we can mention a few that have direct bearing on the study of biblical legal forms.

(1) One of the shortcomings of form criticism has been its tendency to generalize.[42] Especially in the early periods, its concern with what is common to all the examples of a given genre led many scholars to overlook uniqueness and to consider any deviation as an aberration of an original and alleged "pure" genre. Thus, for instance, in connection with the casuistic laws, Alt maintained that "wherever the lawgiver uses the subjective 'I...' or addresses one of the persons in

the case as 'thou', this is a secondary variation in which stylistic elements of other forms have crept in."[43] Similarly, he considered the laws expressed in the relative form as a decayed form: "But for the most part the subject has lost its participial form and occurs as a relative clause, so that the style is beginning to break down."[44]

However, it is now recognized that literary genres must be considered primarily as abstractions, as "ideal forms."[45] This new understanding acknowledges both the unique and the characteristic. It denies the existence of any "pure" genre as if it were grounded in the realities in life. It admits, as it must, that within a set structure there is room for some variation in the modes of expression.

(2) Form criticism argues that literary material takes the form appropriate to its content. In other words, content determines the specific form. For early form critics, the connection between the two was absolute and inseparable.[46] This point is now being challenged. Today scholars agree that the connection is not always inseparable, for there are many examples in both biblical and extra-biblical literature where a particular literary genre is used for a purpose other than its primary one. For instance, G. Fohrer draws attention to the prophets' use of the dirge as a threat or mock threat.[47] K. A. Kitchen refers to an Egyptian wisdom work, the "Instruction of Sehetepibrē" which, he says, is "virtually a loyalist hymn to the king."[48] W. G. Lambert points out that the author of "Advice to a Prince" has "imitated the style of omens."[49] One can also add here Sargon's record of his famous eighth campaign which appears both as an annal as well as an open letter to the god Ashur.[50]

In reality, literary genres are seldom static.[51] Some fall into disuse; some are imitated; others are incorporated into new genres.[52] Whatever their origin, they are able to move from one setting into another within the same cultural environment.[53] In this process their function is also altered. One may consider, as an example, the blessings and curses that appear in wisdom texts. No matter what their original Sitz im Leben, their "use in the wisdom literature is simply didactic."[54] The form critic should be aware of this constant move. Unlike his

predecessors, he must not fail to distinguish, as Fohrer puts it, "between the original Sitz im Leben and the rhetorical setting"[55] of each genre.

(3) One of the major assumptions of biblical form criticism is that "every ancient literary type originally belonged to a quite definite side of the national life of Israel."[56] Thus, for instance, as Gunkel stated:

> the Song of Victory was sung by maidens to greet the returning war-host; the Lament was chanted by hired female mourners by the bier of the dead; the Thora [*sic*] was announced by the priest in the sanctuary; the Judgment (*mishpat*) was given by the judge in his seat; the prophet uttered his Oracle in the outer court of the Temple, the elders at the gate gave forth the Oracle of Wisdom.[57]

It is also maintained that this life setting can be recovered through a study of the genre itself. This one-to-one relationship, however, cannot always be established with certainty, for it is now recognized that in many cases "the connection with life is very often lost"[58] and that "the period of time which has elapsed and the scarcity of material which has survived does not always make it possible to determine the actual origins of biblical literary forms."[59] Instead, scholars presently acknowledge that "in some cases we can reach only very general conclusions concerning the setting of certain genres."[60] Furthermore, it is also recognized that "a setting in life comprehends a number of literary types, in near or distant relationship to each other, each fulfilling a particular function."[61] As an example Koch points to liturgy--with worship as its life setting--which consists of a number of component genres, such as song, prayers, blessing and others.[62]

In some cases, such as wisdom literature, the correspondence between the genre and its setting is not exclusive. "What is the life setting of the OT wisdom saying?" asks Murphy. "It is a teaching situation, but this tells us little--that of parents, clan elder, court instructor, or religious teacher? The form need not vary from one person to another; 'my son' can be used as a title of address in all four instances."[63] This, too, indicates that a given genre may have a long history and can move from one setting to another without undergoing real

change in its form. In light of all these considerations a form critic must act with prudence in his attempt to investigate the origins of the literary genres. He must be constantly on guard against enthusiastic recreation of social realities that supposedly underlie them.

At the present time, form-critical studies seem to have reached, in the words of J. H. Hayes, "something of a plateau or perhaps what might be called a temporary impasse."[64] Not only are old achievements being reevaluated, but also efforts are being made to relate form-critical studies to other disciplines. Moreover, new directions, such as Muilenburg's proposed rhetorical criticism,[65] are being seriously considered, and areas of investigation which for a long time fell within the orbit of form criticism, such as "tradition criticism"[66] and "redaction criticism,"[67] are progressively assuming independent status, even in the face of serious opposition on the part of some form-critical scholars, such as Koch.[68]

One of the problems that still plagues form-critical studies is the terminology employed to identify the literary genres. First of all, most of the terms have a modern flavor (e.g., epic, saga, legend), and it is questionable whether they describe correctly the literary compositions to which they are related. Secondly, because form criticism was originally developed in Germany, the original terms are in German and there is no agreement as to how to translate them into English. For instance, the word *Gattung* is frequently rendered as "genre," "literary type," or "form." The consequence is that writer and reader do not often have a common means of communication. With regard to the first problem, it is necessary to consider first the genre terminology that is sometimes found within the original texts (e.g., the Hebrew שִׁיר, the Akkadian *zamāru*) and, where it proves inadequate to discriminate between literary variations, to warn the reader that its modern counterpart or the newly devised term does not do complete justice to the literary reality it wishes to describe. In the present study, for the sake of uniformity, *genre* will be differentiated from *form*: the first refers to the *Gattung* (e.g., law, blessing, prayer, love song), the second to the literary formulations of a given genre (e.g., different kinds of legal formulations).[69]

Here one more point needs clarification. Should the expression "literary genre" be reserved only for the literary stage, or can it be used to refer as well to its preliterary, oral stage? Whenever human beings communicate with one another, whether orally or in written form, they use forms of expression that are already determined for them by society. Therefore, there is no reason to limit form criticism to oral expression and oral transmission as if oral forms were different from written forms.[70] The only referent at hand is a written text, and it is within this text that one identifies various and distinct genres which presumably have been preserved ever since their use in the remote oral stage. It is unwarranted and perhaps misleading to attempt to distinguish the written genres (or, forms) from the oral ones.[71] It is in line with this reasoning that the expression "literary genre" will be used hereafter to cover both stages.

### *Different Criteria and Classifications of the Legal Forms*

The impact of Alt's study of biblical law was considerable. His distinction between laws expressed in the casuistic and apodictic forms was readily accepted by many scholars,[72] and even some of those who disagreed with certain points in his analysis continued to operate with these categories.[73] His classic division, however, did not remain unchallenged. Further investigations revealed the following shortcomings.

(1) Alt did not recognize "mixed forms" and simply maintained that any deviation from the basic casuistic legal form was to be taken as "a secondary variation in which stylistic elements of other forms have crept in."[74] This opinion led some scholars to contradictory conclusions when it came to the consideration of the mixed forms. Thus, for instance, while O. Eissfeldt, who otherwise accepted Alt's categories, included the law in Exod 21:2, "When you acquire...," among casuistic laws,[75] J. van der Ploeg, also a follower of Alt, specifically excluded it from this category.[76]

(2) Alt had considered only one form, namely, the "when/if" form, as casuistic, and placed all the other forms (i.e., the participial, the curses in Deuteronomy 27 and the prohibitions

in the second person) under the category of apodictic laws. It soon became apparent, however, that Alt perhaps too quickly subsumed these latter forms under one category and that it was necessary to study each form independently.[77] In particular, the classification of the participial forms presented a problem. Alt had placed them among the apodictic laws and, in fact, argued that they best exemplified the category itself. This consideration raised serious doubts in the minds of scholars. Thus, Noth remarked, "the brevity and absolute nature of these sentences stands close to the apodictic formulation; the explicit and emphatic description of the legal consequences (the condemnation to death) is reminiscent of the casuistic formulations."[78]

In this controversy some sided with Alt.[79] J. G. Williams maintained that "whether or not the participial formulas be termed 'apodictic', they are definitely closer to the absolute prohibitions and commands than to the generally recognized casuistic laws."[80] He proposed, for instance, that Exod 21:12 be translated as "A striker of a man who dies: he shall be put to death." He acknowledged that the law does describe a "case," but added, it is only "in a very narrow sense, certainly no details of the situation are given, although a consequence is indicated."[81] On the other hand, based on R. A. F. MacKenzie's work,[82] W. Kornfeld chose to place the participial formulas within the casuistic category. Apodictic laws, he reasoned, order or prohibit an act, which the addressee is obliged to carry out or avoid, while laws in the participial form, like the other casuistic laws, instruct the judicial authorities as to the nature of the penalty that must be inflicted once the deed has been committed.[83] A similar thought was advanced by R. Kilian who argued that participial formulas cannot be considered apodictic, simply because apodictic laws, unlike the participial, do not consider a case, nor stipulate a legal consequence.[84]

A third group of scholars, recognizing the peculiar structure of the participial forms, chose to consider them as constituting a category by themselves, outside of the casuistic and apodictic. The most recent example is provided by

F. L. Horton[85] who outlined the legal forms as follows: (1) participial; (2) casuistic, including כי/אם forms (i.e., third person forms, formulations with apodosis in the second person, formulations entirely in the second person, formulations with protasis introduced by אשר) and relative form; (3) apodictic forms which incorporate prohibitions (לא plus imperfect), wisdom prohibitives (אל plus jussive) and positive requirements.

Prior to Horton, H. Cazelles, working mainly in the Book of the Covenant, distinguished among four different legal formulations:[86] (1) casuistic; (2) participial; (3) direct style formula; (4) conditional formula in direct style. S. Loewenstamm went even further when he divided the laws into six categories:[87] (1) casuistic; (2) priestly forms (איש כי/אשר, both with variations); (3) commands (or, prohibitions) in the third person; (4) commands (or, prohibitions) in the second person; (5) participial; (6) mixed forms.

This line of reasoning not only expanded the number of Alt's categories but also led to the abandonment of his classical division altogether. This is, however, unwarranted. A perusal of the legal forms mentioned above shows that it is still possible to group them in two categories on the basis of their syntactical structure. Whereas some laws describe a case and then stipulate a legal consequence, others do neither. The distinguishing feature of those which belong to the first category is their conditionality; that is, the legal consequence is to be applied only when the act described in the protasis has taken place. These laws are retrospective, in that they look back to a potentially committed deed. On the other hand, those which belong to the second category are prospective as well as absolute and unconditional. They do not depend on the fulfillment of certain acts. They simply express a command, either positive or negative. On the basis of their distinguishing features, the first category of legal forms may be referred to as "conditional" and the second as "unconditional."

The proposal to use a criterion which is at variance with Alt's will expectedly result in a different classification and will make it necessary to devise new terminology in order to describe the new subcategories of legal forms. In fact, it

would be advisable to abandon Alt's terminology altogether, thus avoiding confusion. It must be noted here that the term "apodictic"/"apodeictic," first proposed by Alt, is far from being adequate to describe even the legal forms which Alt incorporated under this title. The word actually means "of clear demonstration, established on incontrovertible evidence"[88] and was used in Aristotelian logic to express certainty and absolute truth.[89] Furthermore, the term "apodictic" is inappropriate to describe any legal formulation in the Bible, for biblical laws do not constitute logical conclusions but are considered products of divine revelation.

Here, then, is the classification to be used in the present study.

## Laws in the Conditional Form

### *"When/if" Form*

These laws are built, as Alt had already recognized, on the sequence of the protasis and apodosis of a conditional sentence. The protasis records the circumstances of a hypothetical case and the apodosis stipulates a legal consequence.[90] The protasis is introduced by the particle כי ("when," or "in the case that"). At times, the law is expanded by the addition of secondary or subordinate cases introduced, in turn, mostly by אם(ו) ("[and] if"),[91] but also by או ("or"),[92] אך אם ("but if"),[93] or והיה אם ("and if").[94] Within this form, three subgroups can be identified.

1. Legal formulation in the third person: "When he"

This corresponds to Alt's "casuistic" form. The verbs are usually in the imperfect, singular or plural.[95] For example: "When a man steals an ox or a sheep, and slaughters it or sells it, he shall pay five oxen for the ox, and four sheep for the sheep" (Exod 21:37, *NJV*).

An important variation to this form is found in cases where the introductory particle כי is preceded by the subject. Mostly, it begins with איש כי (lit. "a man, when he").[96] For instance: "If a man kills (ואיש כי יקח) any human being, he shall be put to death" (Lev 24:17).

2. Legal formulation in the second person: "When you"

In this form, both the protasis and apodosis contain verbs in the second person singular or plural. For example: "When you make a loan (כי תשה) of any sort to your neighbor, you must not enter his house to seize his pledge" (Deut 24:10, *NJV*).[97]

3. Mixed forms

There are a few examples of these forms.

(1) The verb in the protasis is in the third person, while the apodosis contains a verb in the second person. For instance: "When a virgin is pledged in marriage to a man and another man comes upon her in the town and lies with her, you shall bring both of them out to the gate..." (Deut 22:23-24, *NEB*).

(2) The verb of the protasis is in the second person but the apodosis has a verb in the third person. For example: "When you acquire a Hebrew slave, he shall serve six years" (Exod 21:2, *NJV*).

*Relative Form*

The protasis is here introduced by the subject plus the particle אשׁר.[98] In a few cases, the legal statements start simply with אשׁר, probably a shorter form of איש אשׁר.[99] The main law is sometimes expanded by the addition of secondary clauses introduced, in turn, by אם(ו).[100] Two subgroups can be identified.

1. Legal formulation in the third person[101]

For example: "A man who lies (ואיש אשׁר ישכב) with his daughter-in-law, both of them shall be put to death," Lev 20:12).

2. Mixed forms

There are very few examples of this form. They are found in the following cases: whereas the verb in the protasis is in the third person imperfect, the apodosis contains a verb in the first person perfect with *waw* consecutive (e.g., "And whatsoever man there be of the house of Israel, or of the strangers that sojourn among them, that eateth any manner of blood, I will set My face against that soul that eateth blood...," Lev

17:10, *JPSV*; cf. 20:6) or, in the second person perfect with *waw* consecutive (e.g., "A woman who approaches any beast to mate with it, you shall kill the woman and the beast...," Lev 20:16).

*Participial Form*

In this form, the subject referring to the person who committed the deed stands at the beginning of the law and indicates a condition the occurrence of which involves a legal consequence, mostly the death penalty.[102] Generally, this subject is expressed by means of an active participle,[103] sometimes accompanied by the word כל, "whoever."[104] The verbs in the law are formulated in the third person. For example: "He who fatally strikes a man (מכה איש ומת, lit. the striker to death) shall be put to death" (Exod 21:12) or, "Whoever lies (כל שכב, lit. any lier) with a beast shall be put to death" (Exod 22:18).

Laws in the Unconditional Form

*Direct Address*

1. Positive commands

These commands are expressed in three different grammatical forms.

a) Preceptive imperfect, second person singular or plural

Examples: "You shall make (תעשה) an altar of earth for me..." (Exod 20:24, *NEB*); or, "You shall each revere (תיראו) his mother and his father, and keep (תשמרו) My sabbaths: I the Lord am your God" (Lev 19:3, *NJV*).

b) Imperative[105]

For example: "Honor (כבד) your father and your mother..." (Exod 20:12, Deut 5:16, *NJV*).

c) Infinitive absolute

In a few cases, the directive takes the form of an infinitive absolute in the sense of an emphatic imperative:[106] e.g., "Remember (זכור) the sabbath day and keep it holy" (Exod 20:8, *NJV*).

2. Negative commands

These are sometimes formulated in the second person jussive preceded by אל,[107] and more often by the second person imperfect preceded by the negative particle לא: e.g., "Do not (אל) degrade your daughter, making her a harlot..." (Lev 19:29, *NJV*); "You shall not (לא) commit adultery" (Exod 20:14, Deut 5:18).[108] E. Gerstenberger has called this form "prohibitive."[109] W. Richter, however, claims that the distinction in the use of the negative particles indicates two different literary forms. He refers to the first one as "vetitive" and keeps Gerstenberger's term "prohibitive" only for לא followed by the imperfect.[110] Although there are differences in nuances between the two forms,[111] their frequent occurrence within the same legal context[112] and the overlapping between the two forms in nonlegal texts[113] show that it is difficult to discern a clear difference in force and emphasis that would warrant considering them as two distinct literary forms.[114]

*Third Person Jussive*

1. Positive commands

For example: "The guilt offering shall be slaughtered at the spot where the burnt offering is slaughtered..." (Lev 7:2, *NJV*).

2. Negative commands

For example: "They shall not shave smooth any part of their heads or cut the edges of their beards, or make gashes in their flesh" (Lev 21:5, *NJV*).

Laws in the unconditional form, whether expressed as direct address or in the third person jussive, are sometimes expanded by adding secondary legal statements. The latter are usually introduced by כי.[115] At times, positive commands are coupled with negative commands.[116] Statements containing penalties are added separately to these laws.[117]

Biblical legal formulations can be summarized as follows:

I. Laws in the conditional form
   A. "When/if" form
      1. Third person
      2. Second person
      3. Mixed forms
   B. Relative form
      1. Third person
      2. Mixed forms
   C. Participial form
II. Laws in the unconditional form
   A. Direct address
      1. Positive commands
         a) Preceptive imperfect, second person
         b) Imperative
         c) Infinitive absolute
      2. Negative commands
   B. Third person jussive
      1. Positive commands
      2. Negative commands

## ORIGIN AND SETTING IN LIFE OF THE BIBLICAL LEGAL FORMS

The analysis and classification of the legal forms constitute a much simpler undertaking than the investigation of their origin and setting in life, simply because the data at hand are not sufficient to reach definite conclusions. Yet, this undertaking cannot be altogether avoided, for, as Koch stated, "no biblical text can be adequately understood without a consideration of the setting in life of its literary type."[118] This investigation will attempt to summarize the knowledge to be obtained in this area and to evaluate critically some of the assumptions and solutions that have been put forth on this subject.

Each of the legal forms outlined above needs to be studied separately in order to see whether it is possible to identify it with other literary forms in the Bible so as to obtain clues regarding its origin and setting in the life of the ancient Israelites.

This method of analysis is based on the form-critical assumption that literary forms, as long as they remain in use within their own context, reflect real life situations. It will also be helpful to refer to extra-biblical literature in order to gain perspective on, and possible illumination of, inner-biblical data.

Scholars are not of one mind in the classification of the biblical *Gattungen*, for as N. K. Gottwald writes, "no one system has proved both inclusive enough to deal accurately with the variety of types and detailed enough to make convincing distinctions."[119] The difficulty is compounded by the existence of borderline as well as mixed genres. Furthermore, there is a lack of criteria as to how genres ought to be determined; sometimes content is stressed, sometimes form. In the present study, in our search for literary forms in genres other than law that parallel those of the legal forms, we have adopted the main classification of Eissfeldt who distinguishes between three broad categories, namely prose, poetry and sayings.[120] It must be stressed here that this threefold classification (and the subgroups assigned to each one of them) constitutes an attempt on our part to understand the literary structures of the past.[121] It may not totally represent, however, the classification that might have been drawn up or recognized by those in ancient Israel who engaged in creating and preserving literature. With this in mind, we turn to the investigation of the origin and setting of the biblical legal forms.

## Laws in the Conditional Form

### *"When/if" Form*

#### 1. Legal formulation in the third person: "when he"

This form dominates a large section of the Book of the Covenant (henceforth, BC).[122] Elsewhere, it appears only in a few laws within the legal corpus of Deuteronomy (henceforth, D).[123] All of these laws deal with legal questions that come up in the normal course of community life, such as slavery, assault and battery, damages, misappropriation of goods given in trust, marriage and the like. They do not, however, ignore "sacral" matters, inasmuch as they do legislate for procedures to be carried out before the deity.[124] Alt maintained that these laws do not reflect "the Israelite national consciousness."[125] The issue, however, is a matter of dispute.[126]

Outside of law, there are no clear examples of this form in the literary genres of the Bible.

The origin of the form as well as its setting in life (whether original or secondary) is rather obscure. Alt's assumption that it was taken over from the Canaanites is, as de Vaux put it, "pure guesswork,"[127] for no Canaanite legal text has yet been discovered. The legal texts which come from the ancient Near East are dominated by the "casuistic" form, and it is plausible that the Israelites of the Patriarchal period were acquainted with it, inasmuch as they were part of that common culture. Some scholars have already argued that certain laws in BC could easily have had a seminomadic background and therefore originated in the presettlement period.[128] However, as a whole, BC seems to point to the period immediately before and following the conquest.[129] It should also be noted that if it were true, as Alt had claimed, that "apodictic" laws have nothing to do with "secular" justice, then the question of the existence of Israel's presettlement "secular" legislation would remain in Alt's system unresolved.[130]

As to the life setting of the form, it is generally assumed that it is found in the legal assembly at the gate where the elders gathered to dispense justice. This could mean either that it originated in the court in the form of court decisions or that legal decisions were arrived at on the basis of laws already expressed in this "casuistic" form. J. Morgenstern seems to admit both possibilities. He states that the "casuistic" laws "clearly represent the decisions of courts or other responsible legal authority or else the formulation in legal form of long established deeply-rooted and generally accepted customs."[131] It is not unlikely, he added, that those called "recorders" (*šoṭᵉrim*) in D were the ones who from time to time compiled "corpuses [*sic*] of *mišpaṭim*."[132]

Alt, too, considered the court of law as the Sitz im Leben of the "casuistic" law. Though he stated that it "originates in the day-to-day work of judges and lawyers,"[133] he probably meant by it that it was used by these judges during the trials, for he pictured a situation where laws of this kind "would be read out to the men gathered in the gate to form a court whenever they had to try and give judgment on cases of the particular kind a given law dealt with."[134]

Alt's point of view was taken over by many other scholars and probably represents the most widely accepted position on this subject.[135] However, the assumption, though logical, is not supported by textual evidence in the Bible. It only stands on the observation that the gate was a place of assembly where elders of the local community carried out their responsibility of administering justice.[136] If the contention is that the elders issued their verdicts in this form, there is no evidence to prove it. None of the trials or judgments recorded in the Bible states a verdict in the "when/he" form.[137] It is also unknown whether during the court sessions the elders had at their disposal, or made use of, laws drafted in this form. Neither 1 Sam 30:21-25 nor Num 27:1-11, to which Köhler alludes,[138] is in the "when/he" form. In Naboth's case, the relevant laws preserved in the texts are either in the unconditional form (Exod 22:27) or in the conditional relative form (Lev 24:15). It would be hazardous to suggest that the court of Ruth 4 was familiar with the injunctions of Deut 25:5-9 (formulated in the "when/he" form), because there are considerable differences between the two cases and it is not clear which precedes the other.[139] In sum, the court cannot be considered with certainty as the setting of the "when/he" form. Because of lack of textual evidence in the Bible, the original setting of the form remains unknown.

The form אישׁ כי is found in the Holiness Code (henceforth, H)[140] but is more prevalent in the Priestly Code (henceforth, PC).[141] It does not appear in the other legal corpora of the Bible. It is used mostly to express cultic/sacral regulations.

Outside of the legal genre, the form אישׁ כי appears seldom: in a prayer[142] and in prophetic sayings, with the majority coming from Ezekiel.[143] Its prevalence in PC and its frequent use by Ezekiel, himself a priest, point to a priestly preference for the form.[144] In both Lev 24:10-16 and Num 27:8-11, the legal prescriptions expressed in this אישׁ כי form are presented not only as oracular decisions but also as a pattern of legislative process generated by the result of test cases, in other words, as indicative of the growth of case law within the framework of priestly oracular consultation.[145] A more specific setting is nowhere indicated in the Bible.

2. Legal formulation in the second person: "when you"

This is the predominant form in D,[146] but it is also found in BC,[147] in H,[148] and in PC.[149] It is used to formulate injunctions covering a wide range of subjects related both to the cultic/sacral and "civil" laws, but in the majority of cases it expresses the lawgiver's concern for the well-being of the poor and the needy.[150] In these cases the legal consequence seems more like an appeal rather than a categorical order.

Outside of law proper, the closest parallel is found in wisdom literature,[151] even though most wisdom instructions expressed in this form begin with אם instead of כי. The similarity suggests that in setting down certain norms of humanitarian nature, the legislator adopted a form that is most suited for it, namely, one of the sages' speech pattern. This is further indicated by its predominance in D, itself considered to be heavily influenced by wisdom literature.[152]

3. Mixed forms

There are a few examples of these forms. The use of the second person in the protasis of Exod 21:2 is probably due to the second person formulation of Exod 21:1,[153] or Exod 20: 24-26.[154] Those few laws in D which in the apodosis have a verb in the second person[155] deal with criminal matters and reflect a similar setting as those expressed in the third person. It is likely that the direct address in the apodosis was imposed upon them by the sermonic style of D.

*Relative Form*

The form איש אשר is not widely used in biblical law. It is found only in certain parts of H, especially in Lev 20: 9-21,[156] and in few cases in PC.[157] There are no examples of it in BC or D.[158] Legal prescriptions introduced by אשר are rare. There is one example in BC (Exod 21:13), one in H (Lev 25:33), one in D (Deut 19:4b-5) and one in PC (Lev 4:22). Most of the laws in the relative form deal with cultic/sacral matters.

Outside of law, the relative form is frequently found in prose sections of the Bible and, in particular, in proclamations or decrees. Some of these offer a reward for specific

military exploits[159] or for the interpretation of a royal dream;[160] others express a threat of punishment, such as for failing to heed a military call-up[161] or disobeying a royal decree.[162]

The relative form, as R. Yaron pointed out, is well suited for proclamations.[163] The "when/if" form appears too "leisurely, academic and lacking in urgency"[164] to answer the need of the hour. The relative form is "employed, addressed to the public at large, but not in its capacity as an entity, rather to every individuum in it."[165] On the basis of these observations, Yaron convincingly argues that the form originally developed in the sphere of proclamations and was later adopted by the legislator to express norms of conduct.[166]

*Participial Form*

This form is seldom used in biblical legislation. A short list is found in BC.[167] H contains a few examples.[168] The rest come from PC.[169] All of these laws deal with both cultic/sacral and "civil/criminal" matters.

Outside of law, the form is found in a few narrative texts where it introduces stern commands issued by those in authority,[170] sometimes of concessive nature.[171] The command is also placed in the mouth of God.[172] Elsewhere, the participial form is widely used in wisdom literature, especially in the book of Proverbs.[173]

Alt saw a close connection between the participial form and the curses recorded in Deut 27:15-26.[174] In this so-called Shechemite dodecalogue, each statement starts with a passive participle, ארור ("cursed"). This is placed at the very beginning, undoubtedly for the sake of emphasis.[175] The description of the case then follows, introduced by an active participle (except in vv. 15, 26 which are in the relative). It must be noted, however, that even though there are striking similarities between some examples formulated in the legal and curse forms, both in terminology and content,[176] there is a basic structural difference between them. In the legal form, the active participle introduces the statement and is followed by a legal consequence; in the curses, the formulation is reversed. Furthermore, curses can hardly be considered legal prescriptions.

As Horton points out, curses do not have legal import in establishing rights and duties.[177] The dodecalogue in Deuteronomy 27 is not a collection of laws but basically a liturgy,[178] a prayer.[179] It has utilized this particular form precisely because it deals with acts that can be carried out "in secret" (vv. 15, 24), that is, beyond the control of public opinion[180] as well as public detection and punishment. Consequently, the perpetrator is left at the mercy of the curses which are invoked by the priests and expected to be brought about by God. The recognition of these differences undermines Alt's assumption that both are grounded in the same cultic setting. Moreover, even in the case of laws formulated with a participle, the variety of subject matters covered by these laws (e.g., homicide [Exod 21:12], striking parents [Exod 21:15], kidnapping [Exod 21:16], lying with a beast [Exod 22:18], sacrificing to other gods [Exod 22:19]) shows that its origin is not necessarily a cultic one.

A cultic setting was also proposed by Loewenstamm who stated that the participial form is employed to express strong warnings to potential offenders, as exemplified by Gen 26:11 and Exod 19:12.[181] This would indicate, he argued, that its origin is to be found in a cultic ceremony where prohibitions of this kind are proclaimed in public. However, not only is the existence of this alleged cultic ceremony highly doubtful,[182] but also the participle, as noted above, is equally used, for example, to formulate decrees for the purpose of offering a reward or for the interpretation of a royal dream. These observations make Loewenstamm's thesis hardly tenable.

Certain laws in the relative form show great similarity in content and vocabulary to those formulated in the participial form (e.g., Exod 21:17 and Lev 20:9). Horton argued that, whereas the rule in Leviticus 20 ("For every one who [פי איש אישׁ אשר יקלל] curses[183] his father or his mother shall be put to death;" *RSV*) envisages a judicial process, namely, the determination of guilt or innocence, the one in Exod 21:17 (lit. "The insulter [ומקלל] of his father or his mother shall be put to death") assumes that the determination of the guilt has already been made.[184] This, however, is a forced interpretation. First, it overlooks the conditionality of the

protasis of the participial laws, both here and elsewhere.[185] Secondly, it seems to be guided by Horton's prior assumption that the relative form belongs to the realm of positive law, whereas the directives formulated by means of a participle are only "heuristic" in nature. By "heuristic" the author means "broad principles of law."[186] Rules of this kind, he adds, have their setting in the area of "instruction."[187] Horton does not provide the reader with arguments supportive of this proposed life setting, even though he does allude, in another context, to the existence of participial formulations in wisdom material.[188]

A careful reading of Lev 20:9, however, shows that it is no more than merely a longer formula with the same meaning and force as that expressed in Exod 21:17.[189] Moreover, there are other examples in the biblical texts where these forms are often found in the same context, and frequently interchange.[190] This further weakens Horton's distinction.

It was noted above that the participial form is often used in the Bible to express various types of commands. This predominant use may possibly indicate that the form ultimately derives from pronouncements issued by those in authority.

## Laws in the Unconditional Form

### *Direct Address*

Legal prescriptions formulated as direct address are scattered throughout all the biblical legal corpora. They are mostly used to express fundamental concepts of law and justice[191] dealing primarily with moral[192] and cultic/sacral subjects. Often they appear in series. The second person preceptive imperfect, both in the form of positive or negative command, is the most prevalent one. The imperative and the infinitive absolute are used infrequently. The imperative appears mostly in PC.[193] Elsewhere, it is found only in the Decalogue.[194] There are a few cases of infinitive absolute in D,[195] PC,[196] and in the Decalogue.[197]

Outside of law, examples of direct address are found in a great variety of literary genres--in prose, poetry and sayings. Positive commands in the second person imperfect appear in

narratives as royal orders[198] or directives coming from a superior.[199] The form is also found in different kinds of psalms[200] and in prophetic sayings.[201] The imperative appears in narratives, expressing God's commands,[202] a leader's orders,[203] a father's directives.[204] It is also found in a great variety of psalms,[205] in wisdom sayings,[206] in prophetic sayings,[207] in cultic oracles.[208] There are fewer examples of the infinitive absolute. They appear, for instance, expressing God's orders,[209] a leader's commands[210] and a sage's exhortations.[211]

Negative commands appear in narrative passages, mostly as orders directed from a superior to a subordinate. They may be formulated by God,[212] a king,[213] a military leader,[214] a father.[215] At times, they may be used even to express a plea to someone who has the upper hand in a given situation.[216] Among poetic compositions, the form is found in love songs,[217] and in various kinds of psalms.[218] It also appears in wisdom sayings,[219] prophetic sayings,[220] and cultic oracles.[221]

The reason for the frequent use of the direct address is that it constitutes one of the most common forms of human speech. It is this widespread use of the form that makes it almost impossible to establish any given setting as its original Sitz im Leben.

Alt had claimed that "apodictic" laws, expressed in the participial as well as in the "thou shalt (not)" form, originated in a cultic setting and specifically in a covenant renewal festival. His arguments were summarized at the beginning of this chapter and need not be repeated here. His theory was readily accepted by a number of scholars, at times with slight modifications.[222] However, there are various difficulties inherent in Alt's reconstruction of the alleged festival. First of all, no such festival is mentioned by this name in the Bible.[223] No such festival is listed among the biblical calendar of festivals.[224] Neither the laws nor the historical books in the Bible show any knowledge of it.[225] The prophets, who were familiar with concepts and terms dealing with the covenant, do not seem to know anything about it. The existence of the festival, therefore, is argued on the basis of inference

alone, and not on concrete evidence. And these inferences are far from being conclusive. The narratives show the people, on occasion, recommitting themselves to observe the laws of God.[226] Yet, these passages do not prove that a periodic festival of renewal such as described by Alt and others, at which "apodictic" laws were proclaimed, ever took place in ancient Israel. Joshua 24 does indeed refer to a covenant ceremony, but it lacks a report about the recitation of the law. Despite Alt's claim, the terms חק ומשפט in Josh 24:25 cannot be taken to mean only "apodictic" laws, nor do they refer to a "recitation" of the law. Deuteronomy 27, as was argued above, does not embody a collection of laws, nor does it refer to a periodic recitation of the curses. Deuteronomy 31, which prescribes the reading of "this Torah" (v. 11) every seven years on the feast of Tabernacles, does not speak of a "covenant" or its renewal. Furthermore, Alt's assertion that the editors of D substituted the reading of the Torah, which includes both "apodictic" and "casuistic" laws, for what must have been the recitation of shorter series of "apodictic" laws cannot be proved on the basis of Deuteronomy 31. Finally, the reading of the law in Nehemiah 8 does not involve a covenant, nor does it take place exclusively on Tabernacles (v. 18). In fact, on the first day of the seventh month (8:2) Ezra reads the law to the people at large, but on the second day (8:13) only the heads of families, the priests and Levites remain "to gain further insight into the words of the law" (AB), namely, to read and study the law of God. Nehemiah 9 refers to a reading of the law on the "24th day of this (i.e., seventh) month" (v. 3), but does not include a covenant. Nehemiah 10 specifically mentions a written agreement, a covenant made "in view of all this" (v. 1); however, the relationship between this and the previous two chapters is unclear.[227] In any case, even if the reading of the law in chapter 8 and the covenant of chapter 10 were related, it is not stated that the celebration of both acts represents a periodic occurrence. It is also doubtful whether an inference can be drawn from a postexilic event to a preexilic custom in ancient Israel.

All of these arguments cast serious doubt on the existence of the postulated ceremony and its place as the setting for the "apodictic" laws.[228] Even if we were to admit that the introductory formula of the Decalogue points to a cultic recitation of the Ten Commandments,[229] the question would still remain as to whether the clauses themselves originated in this setting;[230] for a distinction must be made between the origin of a given form and its subsequent use in a new life situation. As Gerstenberger argues, it is difficult to accommodate all the apodictic clauses in one principal cultic festival. The commandments, he points out, "do not express the doings of a community assembled in worship, nor the spirit of religious functionaries."[231] Their setting must therefore be sought in an area that is outside of and prior to the cultic framework in which most of them are presently found.

In the search for a setting in life, a point stressed by Fohrer must be kept in mind: namely, the difference between "apodictic style" and "apodictic series."[232] The first one, "do this" or "do not do that," is a primitive form of directive and is found everywhere. Consequently it is impossible to find a single Sitz im Leben for it. It is only when similarly formulated commands or prohibitions constitute a "series"--whether long or short--that one can speak of a pattern and search for its original setting in life.

Among the laws formulated as direct address, Gerstenberger noted that the prohibitives, appearing usually in series, express a deep concern for correct behavior and the preservation of the social welfare of society. They are authoritative and mostly "secular," not unlike the commands of the clan elders of hoary antiquity. Their life setting is to be found in the instruction given within the tribal circle (i.e., *Sippenethos*).[233] As an example, the author pointed to the teachings (the word here is צוה, "he commanded") of Jonadab ben Rechab (Jer 35:6-7) which are expressed in a short series of prohibitives in the second person.

Gerstenberger sought to confirm his thesis by referring to the instructions found in wisdom literature. He noted that the welfare of society is also the concern of wisdom literature,

and in it are preserved series of maxims and exhortations which in form and content closely resemble the commandments in the legal corpora of the Bible, such as the series in Prov 3:27-30. This similarity shows that "once the congruence in form and content is acknowledged, a common background for wisdom maxims and legal commandments can no longer be denied."[234] In the course of time, he added, some of the prohibitives entered the "cultic zone," others were collected and incorporated in legal corpora, while a third group came to be included in wisdom books.

Gerstenberger's thesis is very attractive inasmuch as it accounts best for the coexistence of prohibitive formulations in a variety of genres, by pointing to the form's prior setting and its probable move from one Sitz im Leben into another. It also represents the most satisfactory answer to those who had objected to the equation of both wisdom maxims and laws formulated as prohibitives. Cazelles had indicated that, whereas laws formulated in the second person are imperative and obligatory, wisdom maxims are basically exhortations.[235] In the words of Kaufmann, "the one speaks in categorical imperatives, the other appeals to prudence and utilitarian considerations."[236]

Gerstenberger seems to deny the equation between law and wisdom and only indicates that, by becoming part of the legal corpora, the directives expressed in the prohibitive form, though similar in form and content to certain wisdom instructions, take an absolute coloration, for they are now considered divine commands. However, it must be noted here that, while the majority of the prohibitives in wisdom literature are formulated by אל plus the second person imperfect, those in the legal corpora appear often with לא followed by the second person imperfect.[237] Even though, as noted above, the two forms frequently interchange in the Bible, as Bright indicates, it is still evident that "the *'al* prohibitive was felt to be suitable for Wisdom instruction, while the *lō'* prohibitive was not."[238]

As for the other forms of direct address, their use among the various biblical literary genres makes it impossible to establish a specific setting for each one of them. The most that can be said is that on the whole they correspond to directives formulated by a superior to an inferior. But even this

is not always the case, for the same form is at times used to address a superior as well (e.g., imperatives in prayer directed to God).

*Third Person Jussive*

Laws in the third person jussive and expressing positive or negative commands are found in most of the biblical legal corpora, though in small numbers. They appear in CD (in Exod 34:25b), in H,[239] in D[240] and in PC.[241] Often, they are scattered among laws composed in a variety of forms, though in Deut 23:1-4 there is a short series of four injunctions introduced by לֹא. Mostly, these laws deal with cultic/sacral matters but do not totally ignore the "civil/criminal."[242]

Outside of the legal genre, examples of the form are found within the narrative portions of the Bible, invariably as orders directed to inferiors. They are introduced either by אַל or by לֹא. They may derive from God,[243] a king,[244] or a leader.[245] The form also appears in poetry,[246] among cultic oracles,[247] in prophetic sayings,[248] and in wisdom sayings.[249]

The biblical text does not contain specific clues regarding the original setting of the form. In connection with the discussion of the priestly instructions, Budd suggested that "the impersonal form in the sacrificial rituals probably reflects the formulation of agreed procedures rather than priestly Direction as such."[250] However, he did not offer, nor is there, any evidence to substantiate it. A command from someone in authority[251] appears to be the closest form to the legal prescriptions in the third person.

## FORM AND SETTING OF THE LEGAL FORMS IN THE CUNEIFORM LAW CORPORA

We can now turn to cuneiform legal corpora for possible illumination of the biblical legal forms and their settings.

### *Cuneiform Legal Corpora*

Our knowledge of ancient Near Eastern law derives primarily from law collections[252] of Mesopotamia and Asia Minor but also from other legal texts that have been discovered throughout the ancient Near East, such as official documents

(e.g., royal edicts), private documents (e.g., contracts, court proceedings) and scholastic texts (e.g., lexical lists, scribal handbooks).

No formal body of laws has ever been found in ancient Egypt,[253] even though a few royal decrees are known.[254] Canaan has not yet yielded a law corpus. However, there are texts of legal character which are ultimately of Canaanite origin, i.e., the Marseilles Tariff[255] and the Carthage Tariff,[256] both dated about the third century or the early part of the second century B.C.E.

Mesopotamian laws were written in Sumerian and Akkadian. The major Sumerian law collections are: the laws of Ur-Nammu (LU),[257] the laws of Lipit-Ishtar (LI),[258] a text numbered YBC 2177[259] and certain law fragments in AS 16.[260]

There are more extensive legal corpora in Akkadian: the laws of Eshnunna (LE),[261] the laws of Hammurabi (LH),[262] Middle Assyrian laws (MAL)[263] and Neo-Babylonian laws (NBL).[264]

Many fragments of clay tablets inscribed with laws in Hittite have been found in Boghazköy, but only two of them seem to form a continuous series. They are referred to as the Hittite laws (HL).[265]

Among these law collections, LH and HL appear to be the most comprehensive and systematic. Except for LE which displays a variety of legal forms,[266] the collections of laws in the ancient Near East contain an almost uniform mode of expression. An extreme position is exemplified by LH which seems to have levelled all the stylistic variations of previous laws by converting them into a unified form that dominates the collection.[267]

### *Cuneiform Legal Formulations*

A survey of the legal forms found in the legal corpora of the ancient Near East,[268] in comparison with those in the Bible, yields the following data.

#### Laws in the Conditional Form

##### *"If he" Form*

The description of the case is found in the protasis introduced by TUKUM.BI in Sumerian, *šumma*[269] (at times

accompanied by *awīlum*, "a man") in Akkadian, and *takku* in Hittite (later on, by *mān*). The legal consequence is recorded in the apodosis. The verbs are in the third person. For example: *šum-ma* DUMU *a-ba-šu im-ta-ha-aṣ* KIŠIB.LÁ-*šu i-na-ak-ki-su* ("If a son has struck his father, they shall cut off his hand," LH 195).

A form closely related to this *šumma* (*awīlum*) form but found exclusively in LE is one which Yaron calls "split protasis."[270] The law starts with an introductory passage providing background information, and the "if" section is postponed until that occurrence for which a remedy is being sought. For example: LÚ 1 GÍN KÙ.BABBAR *a-na e-ṣe-di a-na* LÚ.HUN.GÁ *[li]-di-in-ma šum-ma re-su la ú-ki-il-ma [e]-ṣe-dam e-ṣe-dam la e-ṣí-su* 10 GÍN KÙ.BABBAR (Ì.LAL)-E ("Should a man give 1 shekel of silver to a hired man for harvesting--if he (the hired man) has not held himself available and has not done the harvesting for him--he shall pay 10 shekels of silver," LE 9 A i 30-33).

*Relative Form*

In Akkadian laws, the protasis is usually introduced by *awīlum ša* ("the man who"); in Hittite, by LÚ *ku-iš* ("the man who"). This form has also a shortened form, *ša* in Akkadian and *kuiš* in Hittite. The legal consequence is recorded in the apodosis. The verbs are in the third person. For example: LÚ *ša i-na* A.ŠÀ MAŠ.KAK.EN *i-na ku-ru-lim i-na mu-uṣ-la-lim iṣ-ṣa-ba-tu* 10 GÍN KÙ.BABBAR Ì.LAL.E ("A man who is caught in the field of a *mušķēnum*,[271] in the crop,[272] in broad daylight, shall weigh out 10 shekels of silver," LE 12 A i 37-39).

## Laws in the Unconditional Form

*Third Person Commands*

Laws are here formulated without a legal consequence.[273] For example: DUMU.LÚ *la zi-zu ù* SAG.ÌR *ú-ul iq-qi-a-ap* ("To a coparcener or a slave a loan requiring security shall not be furnished," LE 16 B i 12).[274]

*Prices and Wages*

Price stipulations actually constitute nominal sentences. The third person element is either left out or is part of the

pronominal suffix. They are not expressed in a uniform manner. Yaron points to three varieties in LE:[275] (a) "the hire of X (is) Y";[276] (b) "Y (is) the hire of X";[277] (c) "X-its hire (is) Y."[278] At times, these statements are expanded by adding conditional clauses introduced by *šumma*[279] or third person commands.[280]

### *Life Setting of the Cuneiform Legal Forms*

Unlike the Hebrew Bible, cuneiform literature has not been subjected to an extensive form-critical analysis. Indeed, a comprehensive study of the literary genres of this literature has yet to be undertaken.[281] At present, there is growing recognition that "the ancient categories were far more heterogeneous than the modern,"[282] and that in attempting to classify these genres it may be advisable to begin with the literary material at hand, for sometimes the texts come provided with their own generic classification and with specific indication as to their setting in life.[283]

These considerations will be kept in mind when studying the cuneiform legal forms in light of literary genres other than law for possible clues as to their origin and life setting. However, inasmuch as the present study is not concerned with the issue of classification of the ancient Near Eastern literature per se and, furthermore, in order to keep a basis of comparison with the biblical material, it will be sufficient to deal with the three broad categories that had been considered in connection with the biblical genres, namely, prose, poetry and sayings.

## Laws in the Conditional Form

### *"If he" Form*

This is the most common legal form in the ancient Near Eastern law corpora. In Sumerian laws it is used exclusively. It predominates in LH, MAL and HL. A large section of LE is formulated in this manner. It is absent in the known examples of NBL.

Outside of the law collections, the form appears in a variety of texts such as letters,[284] treaty stipulations,[285]

private legal documents,[286] court verdicts,[287] edicts,[288] medical and omen texts,[289] and astrological texts.[290]

Yaron has indicated that "many scholars maintain that it (the "if he" form) originated in the courts of law, and this may well be correct, even though incapable of actual proof."[291] The following considerations show that it is unlikely that the form has its origins in the law-court. Existing court verdicts display, in addition to the *šumma awīlum*, a great variety of formulations: e.g., "PN will do such and such";[292] "PN prevailed in the law suit and took possession of X";[293] "$PN_1$ prevailed in the case. The judges committed $PN_2$ (the loser) to pay/do such and such to $PN_1$";[294] "From this day on, $PN_1$ is not in debt to $PN_2$";[295] "The judges decided against PN. He will do such and such";[296] "$PN_1$ prevailed in the law case...if the (object of litigation) has a claimant, $PN_2$ (the loser) will clear it for him."[297] Furthermore, there is no clear evidence that, in actual court procedures, judges consulted laws composed in the *šumma awīlum* form as the basis for the formulation of the court verdicts.[298]

Noting the typological similarity to omen and medical texts, some have argued that the enumeration of legal prescriptions in the *šumma awīlum* form really belongs to the scholarly tradition of the ancient Near East, as were the collections of omens.[299] The original setting of the form is therefore set in the scribal academy. Underlying this approach is the idea that the purpose of these law corpora is not legislative.[300] However, there is no consensus among scholars as to the actual nature of these law collections or their ultimate purpose.[301] It is expected that continuous research in cuneiform law and new discoveries in this field will shed some light upon this controversy. At present, the incongruity noted between law and legal practice[302] and the placing of a body of legal prescriptions within stylized prologues and epilogues of historic and religious import[303] strengthen the position of those who consider these law corpora mainly documents of scholarly concern.[304] However, it is unknown whether the scribal academy represents an original setting or whether scholars took over the form from yet another genre and life setting. The form's

predominant use in texts of legal nature shows that it may well have emerged from the legal sphere, though it is unclear which specific life situation originally gave rise to it.

*Relative Form*

In the known NBL the relative form is used exclusively, but it also appears in a few prescriptions in LE,[305] MAL[306] and HL.[307] It is absent in Sumerian laws and LH. THere are a few examples of the shortened form, *ša*, in LE,[308] MAL,[309] and *kuiš* in HL.[310]

Outside of the law corpora, the form is mostly found in royal edicts,[311] court decisions[312] and private legal documents.[313]

Yaron suggested the sphere of proclamation as the original setting of the form.[314] He supports his assumption with an example of a proclamation made by a common citizen and formulated by *ša*.[315] The form seems to have met the needs of those who wished to formulate a message in order to express threats of punishment as well as to establish norms of conduct. The examples above show that it was adopted by rulers, military commanders, judges and legislators.

## Laws in the Unconditional Form

*Third Person Command*

Ancient Near Eastern law collections contain a small number of laws formulated in the third person. They are found in LE,[316] LH,[317] MAL[318] and in HL.[319] Elsewhere, the form appears in a variety of texts such as in royal edicts,[320] treaty stipulations,[321] court decisions,[322] private legal documents[323] and royal instructions.[324]

MacKenzie suggested that the laws in LH expressed in the third person were "originally royal decrees issued by Hammurabi."[325] Similarly, Yaron stated, "The very peremptoriness of the apodictic form, its tone of 'no nonsense' show that it comes from the ruler himself, or from some subordinate authority to whom he has seen fit to delegate his powers."[326] Gerstenberger, who considers the form as a secondary development in relation to the second person prohibitive, finds its setting

in the instruction of the tribal leaders.[327] Admittedly, there is no way to prove the accuracy of these contentions. The above examples indicate that the form does serve as a means of expressing directives formulated by someone who is in a superior position and whose authority is recognized by the other party or parties.

*Prices and Wages*

Lists of prices and wages are found in LE[328] and HL.[329] They cover a variety of subjects, such as the hire of boats and animals, wage of harvesters, various interest rates, sale of foodstuff, price of animals, garments and real estate. Though they seem to indicate some kind of economic control, it is not known whether the intention was to freeze them at their level or reduce them to an acceptable level.[330]

Elsewhere, price lists also appear in the text dealing with the reforms of Urukagina.[331] Whether or not the formulation of the price and wages originated with these legal texts is not known. It is likely that the form itself was taken over from the realities of the actual life of the market place.[332]

## BIBLICAL AND CUNEIFORM LEGAL FORMS: A COMPARISON

### Common Forms

*"When he" Form*

Whereas the *šumma awīlum* form, together with its parallels in Sumerian and Hittite laws, constitutes the most prevalent legal form in the law corpora of the ancient Near East, the corresponding biblical כִּי/אִם form is found, apart from a few cases in D, only within BC which represents one of the oldest legal corpora in the Bible and dated to ca. 1300 B.C.E.[333]

The Bible does not contain any clue as to the original setting of this form. Extra-biblical texts point to the scribal academy as a possible setting for the form in Mesopotamia. However, it is possible that this, too, represents a secondary setting and that the form was adapted from another, as yet undetermined, Sitz im Leben.

*Relative Form*

This form is characteristic of NBL but is not absent in the previous law corpora, both Akkadian and Hittite. The corresponding אִישׁ אֲשֶׁר is found in the Bible, primarily in certain parts of H.

Both biblical and extra-biblical texts appear to point to this form's original setting within the sphere of public proclamations.

*Third Person Command*

The form is seldom used in extra-biblical laws and infrequently found in biblical law collections. Its form and categorical tone show that it derives from someone in authority. No one definite setting can be posited.

Legal Forms Found Only in Cuneiform Laws

*Split Protasis*

It appears exclusively in certain parts of LE. There are no indications that it comes from a setting different from that of *šumma awīlum*.[334]

*Prices and Wages*

They are found, as we saw, only in LE and HL. Their original Sitz im Leben is probably the actual life in the market. Their absence in the biblical laws is perhaps indicative of the fact that biblical legislation is not pervaded by an economic concern as is the case with cuneiform legal corpora.[335]

Legal Forms Found Only in Biblical Laws

*"When you" Form*

It is prevalent in biblical legislation, especially in D. Similar formulations are found in extra-biblical texts, such as treaty stipulations,[336] private legal documents[337] and letters.[338] It is predominantly used in wisdom texts,[339] both Akkadian[340] and Egyptian.[341] This adds weight to the contention that the biblical legal form, which is also frequently

employed in biblical wisdom maxims,[342] ultimately stems from one of the speech patterns of the sages of the ancient Near East. Furthermore, it should be noted that D, which was heavily influenced by wisdom literature and which seems to have stemmed from wisdom circles in ancient Israel, follows the classical pattern of treaties in the ancient Near East.[343]

*Participial Form*

It is seldom used in biblical laws. The form probably derives from pronouncements issued by those who are in high positions of authority. In extra-biblical texts, it appears in imprecations[344] and has been taken as an expression of the curse genre.[345] This is unlikely, for it also occurs in various wisdom maxims[346] and in what appears to be a cultic inscription.[347] Its original setting in extra-biblical literature remains undetermined.

*Direct Address*

The direct address, both in its positive and negative forms, constitutes one of the characteristic expressions of biblical legislation. According to Alt, the "apodictic" legal form, which includes the second person command, represents "a specifically Israelite legal form."[348] This categorical claim excited the curiosity of scholars who began to search for similar formulations among the ancient Near Eastern law collections. Meek pointed to the existence of "apodictic" laws in LH, MAL and NBL and therefore stated: "Hence those scholars are clearly wrong who say that apodictic law was unique and original with the Hebrews."[349] However, all of the examples cited by Meek are formulated in the third person, none in the second.[350]

The lack of the second person command in the ancient Near Eastern law corpora does not signify that the form was not known or used in extra-biblical texts. One is here reminded of Fohrer's remark that the order, "Do this" and "Do not do that," is very common and is found almost everywhere.[351] Indeed, there are examples of this form and especially of the easily recognizable "You shall not" in a variety of texts, such

as in treaty stipulations, both Hittite[352] and Syrian,[353] in wisdom instructions,[354] in disciplinary warnings,[355] in royal instructions,[356] in sepulchral inscriptions[357] and others.[358]

The form, therefore, was not unknown outside of the Bible. Yet, and this must be emphasized, whereas in extra-biblical texts examples of the form are found scattered among other modes of expression, in biblical legislation it usually appears as part of a series. The closest parallel to this pattern is found in wisdom literature, both biblical and extra-biblical. Biblical examples were mentioned before.[359] The following are taken from extra-biblical wisdom texts.

*Egyptian*
Do not confuse a man with a pen upon papyrus-
The abomination of the god.
Do not bear witness with false words,
Nor *support* another person (*thus*) with thy tongue.
Do not take an accounting of him who has nothing,
Nor falsify thy pen. (From "The Instruction of Amen-em-opet," *ANET* 13. 423 [lns. 15:20-16:1-4].)[360]

*Akkadian*
Do not frequent a law court,
Do not loiter where there is a dispute.
(From "Counsels of Wisdom," *BWL*, 100-101 [lns. 31-32].)

*Sumerian*
Do not steal anything, do not kill yourself!
Do not break into a house, do not demand the sieve!
(From "The Instructions of Šuruppak," lns. 32-33.)[361]

Whether it ultimately derives from Gerstenberger's "Sippenethos" or Richter's "Gruppenethos," the direct address was seen fit to express moral and ethical exhortations (as in wisdom texts), warnings (as in inscriptional curses), demands of loyalty (as in treaty stipulations) and outright commands[362] which, when formulated by rulers in edicts and royal instructions to subordinates, were tantamount to law[363] inasmuch as the authorship of the laws in the ancient Near East was similarly attributed to the kings.

The question of why the form was given prominence in biblical legislation, while being absent in cuneiform law corpora, needs to be raised within the wider context of the nature of biblical law. It was already pointed out that biblical legal forms are more numerous than those found in

extra-biblical law collections. The combination within a given law corpus of variously expressed legal prescriptions can possibly be explained by indicating that biblical law incorporates moral and cultic injunctions, whereas in cuneiform sources these are relegated to different realms.[364]

The Bible conceives of God as One who formulated His demands in a covenant law proclaimed to the people at large. His will is considered to be authoritative and therefore binding. And it is to this divine will that the legislators in the Bible attributed various civil ordinances, moral and religious commandments, norms which were products of diverse settings, and gave them all a categorical and normative coloration.

Legal forms seem to have traversed a long way until reaching their present place in the individual law corpora. At times, the study of these forms enables us to recapture a glimpse of their original Sitz im Leben. Mostly, however, the background is blurred, and we are given evidence only of their use in secondary life situations. The investigation of this literary phenomenon is not highly rewarding. Yet, it is a necessary one, for it constitutes a valuable introduction to the analysis of the components of the laws, including the occasional use of the motive clauses. It is, in particular, to the latter that attention will be drawn in the following chapters.

## NOTES

### CHAPTER I

[1]N. Sarna, *Understanding Genesis* (New York: Schocken, 1970) xxvi.

[2]Y. Kaufmann, *The Religion of Israel* (trans. and abridged by M. Greenberg; Chicago: University of Chicago, 1960) 220.

[3]E. A. Speiser, "Cuneiform Law and the History of Civilization," *PAPS* 107/6 (1963) 539.

[4]Sarna, *Understanding Genesis*, xxvii-xxviii.

[5]On the nature of biblical law vis-à-vis the legal corpora of the ancient Near East, see the discussions by W. Eichrodt (*Theology of the Old Testament* [Philadelphia: Westminster, 1961] 1. 74-97), M. Greenberg ("Some Postulates of Biblical Criminal Law," *Yehezkel Kaufmann Jubilee Volume* [ed. M. Haran; Jerusalem: Magnes, 1960] 5-28), S. Paul (*Studies in the Book of the Covenant in Light of Cuneiform and Biblical Law* [VTSup 18; Leiden: Brill, 1970] 37-42), and R. de Vaux (*Ancient Israel: Its Life and Institutions* [New York: McGraw-Hill, 1961] 147-50).

[6]See, inter alia, D. Daube, *Studies in Biblical Law* (New York: KTAV, 1969); A. Phillips, *Ancient Israel's Criminal Law* (Oxford: Basil Blackwell, 1970); Z. W. Falk, *Hebrew Law in Biblical Times* (Jerusalem: Wahrmann, 1964); T. J. Meek, *Hebrew Origins* (New York: Harper and Brothers, 1960) 49-81; J. M. P. Smith, *The Origin and History of Hebrew Law* (Chicago: Chicago University, 1931); M. Noth, *The Laws in the Pentateuch and Other Studies* (Philadelphia: Fortress, 1967) 1-107; and R. H. Pfeiffer, *Introduction to the Old Testament* (New York: Harper and Brothers, 1948) 210-270.

[7]Their contribution is referred to by W. M. Clark ("Law," *Old Testament Form Criticism* [ed. J. H. Hayes; San Antonio: Trinity University, 1974] 105). Gunkel's remarks appeared first in *Kultur der Gegenwart* (1/7; 1906) and Gressmann's study in *Die älteste Geschichtsschreibung und Prophetie Israels* (SAT 2/1; Göttingen: Vandenhoeck und Ruprecht, 1910). These two studies were not available to me.

[8]A. Jirku, *Das weltliche Recht im Alten Testament* (Gütersloh: Bortelsmann, 1927). The ten forms are: (1) "If-then"; (2) "Thou shalt (not)"--sing.; (3) "He who" (i.e., אִישׁ אֲשֶׁר); (4) Curse formulae of Deuteronomy 27; (5) "You shall (not)"--pl.; (6) "Jussive" (3rd person sing. or pl.); (7) Participle; (8) "If thou"; (9) "If you"--pl.; (10) "Second if" (i.e., אִישׁ כִּי).

[9]A. Jepsen, *Untersuchungen zum Bundesbuch* (BWANT 3/5; Stuttgart: Kohlhammer, 1927). His four basic types are: (1) "Hebrew *mišpaṭim*" (= Jirku's "If-then" formula); (2) "Israelite

*mišpaṭim*" (= Jirku's participle formula); (3) Ethical prohibitions (e.g., Exod 22:27; 23:6-9, 13); (4) Cultic commandments (e.g., Exod 23:13).

[10]S. Mowinckel, *Le Décalogue* (Paris: L. Alcan, 1927).

[11]The article appeared in *Berichte über die Verhandlungen der Sächsischen Akademie der Wissenschaften zu Leipzig--Philologisch-historische Klasse* (Band 86, Heft 1 [Leipzig: S. Hirzel, 1934]), and was later included in his *Kleine Schriften zur Geschichte des Volkes Israel* ([Munich: C. H. Beck, 1953] 1. 278-332). It is now available in translation as "The Origins of Israelite Law," in his *Essays on Old Testament History and Religion* ([New York: Doubleday, 1968] 103-171).

[12]Alt's categories apply to biblical law collections, exclusive of the Priestly Code. He clearly states: "I shall not discuss the forms of the Levitical Torah, that is, the instruction of the laity in the law by the priest" ("The Origins of Israelite Law," 112).

[13]Ibid., 114. There appears to be a typographical error here. Introductory particles are wrongly identified. The text reads: "the stronger כִּי, 'granted', or 'supposing that' and the weaker אִם, 'if'." The German original has them in reverse and correct order; see Alt, *Kleine Schriften*, 1. 287.

[14]Alt, "Origins of Israelite Law," 116.

[15]Ibid., 124.

[16]Ibid., 119.

[17]Ibid., 118.

[18]Ibid., 125.

[19]Ibid., 125-28.

[20]Ibid., 129.

[21]Ibid., 126.

[22]Ibid., 128.

[23]Ibid., 147.

[24]Ibid., 149-50 and n. 92.

[25]Ibid., 150-51 and n. 94.

[26]Ibid., 153.

[27]Ibid., 160.

[28]Ibid., 163.

[29]Ibid., 164.

[30]Ibid., 162.

[31]Ibid., 166-67.

[32]Ibid., 166.

[33]Ibid., 110.

[34]Ibid.

[35]Ibid.

[36]Ibid., 111.

[37]Ibid.

[38]Ibid., 111, n. 13. The author refers to Gunkel and Jirku whose studies were mentioned in our nn. 7 and 8.

[39]Ibid., 111.

[40]On form-critical method, see inter alia, H. F. Hahn (*The Old Testament in Modern Research* [Philadelphia: Fortress, 1966] 119-56), K. Koch (*The Growth of the Biblical Tradition* [New York: Scribner's, 1969]), G. M. Tucker (*Form Criticism of the Old Testament* [Philadelphia: Fortress, 1971]), and, most recently, J. H. Hayes (editor; *Old Testament Form Criticism* [San Antonio: Trinity University, 1974]).

[41]J. Muilenburg, "Form Criticism and Beyond," *JBL* 88 (1969) 3.

[42]Ibid., 5.

[43]Alt, "Origins of Israelite Law," 114.

[44]Ibid., 145.

[45]See the cogent remarks by M. J. Buss ("The Study of Form," *Old Testament Form Criticism*, 53).

[46]See, for instance, H. Gunkel, "Fundamental Problems of Hebrew Literary History," *What Remains of the Old Testament, and Other Essays* (New York: Macmillan, 1928) 60; Alt, "Origins of Israelite Law," 111.

[47]G. Fohrer, *Introduction to the Old Testament* (Nashville/New York: Abingdon, 1968) 28.

[48]K. A. Kitchen, *Ancient Orient and Old Testament* (Chicago: Inner-Varsity, 1968) 132.

[49]W. G. Lambert, *Babylonian Wisdom Literature* (Oxford: Clarendon, 1960) 110; hereafter cited as *BWL*.

[50]F. Thureau-Dangin, *Une relation de la huitième campagne de Sargon* (TCL 3; Paris: Geuthner, 1912); D. D. Luckenbill, *Ancient Records of Assyria and Babylonia* (Chicago: University of Chicago, 1927) 2. 73-99. On letters written to the gods, see A. L. Oppenheim (*Ancient Mesopotamia* [Chicago: University of Chicago, 1968] 279). For prayers in letter form, see W. W. Hallo ("Individual Prayer in Sumerian: The Continuity of a Tradition," *JAOS* 88 [1968] 75).

[51]Koch, *Biblical Tradition*, 23.

[52]Muilenburg, "Form Criticism and Beyond," 7; H. E. von Waldow, "Some Thoughts on Old Testament Form Criticism," *Society of Biblical Literature 1971 Seminar Papers* (Missoula: Scholars Press) 2. 593.

[53]Koch, *Biblical Tradition*, 36-37; Kitchen, *Ancient Orient*, 135; see also the remarks by D. Greenwood ("Rhetorical Criticism and Formgeschichte: Some Methodological Considerations," *JBL* 89 [1970] 418), D. A. Knight ("The Understanding of 'Sitz im Leben' in Form Criticism," *Society of Biblical Literature 1974 Seminar Papers* [ed. G. MacRae; Missoula: Scholars Press, 1974] 1. 105-25).

[54]R. E. Murphy, "Form Criticism and Wisdom Literature," *CBQ* 31 (1969) 482.

[55]Fohrer, *Introduction*, 29.

[56]Gunkel, "Fundamental Problems," 61.

[57]Ibid.

[58]Von Waldow, "Some Thoughts on Old Testament Form Criticism," 589.

[59]Koch, *Biblical Tradition*, 33.

[60]Tucker, *Form Criticism of the Old Testament*, 9. For a discussion of different levels of life setting, see D. Knight ("The Understanding of 'Sitz im Leben'").

[61]Koch, *Biblical Tradition*, 28.

[62]Ibid.

[63]Murphy, "Form Criticism and Wisdom Literature," 481.

[64]J. H. Hayes, "Preface," *Old Testament Form Criticism*, xvii. See also the remarks by B. S. Childs in *JBL* 87 (1968) 462.

[65]Muilenburg, "Form Criticism and Beyond," 8. See also Greenwood, "Rhetorical Criticism and Formgeschichte."

[66]See, for instance, W. E. Rast, *Tradition History and the Old Testament* (Philadelphia: Fortress, 1972).

[67]See, for instance, N. Perrin, *What is Redaction Criticism?* (Philadelphia: Fortress, 1973); H. Stein, "What is Redaktionsgeschichte?" *JBL* 88 (1969) 45-56. Although these studies deal with the Gospels, the method is equally applicable to the Hebrew Bible.

[68]Koch, *Biblical Tradition*, 53.

[69]Greenwood, "Rhetorical Criticism and Formgeschichte," 420.

[70]Buss, "Study of Form," *Old Testament Form Criticism*, 54.

[71]See the remarks by H. Cazelles and P. Grelot in the *Introduction à la Bible* (ed. A. Robert and A. Feuillet; Tournai: Desclée et Companie, 1957) 1. 132.

[72]We can cite, among others, W. F. Albright's review of "Die Ursprünge" in *JBL* 55 (1936) 164-69, and *From the Stone Age to Christianity* (New York: Doubleday, 1957) 268; U. Cassuto, *A Commentary on the Book of Exodus* (Jerusalem: Magnes, 1967) 183; W. J. Harrelson, "Law in the OT," *IDB* 3, 82; R. A. F. MacKenzie, "The Formal Aspect of Ancient Near Eastern Law," *The Seed of Wisdom: Essays in Honour of T. J. Meek* (ed. W. S. McCullough; Toronto: University of Toronto, 1964) 31-44; Pfeiffer, *Introduction*, 211; M. Noth, *Exodus* (Philadelphia: Westminster, 1962) 174-75; G. von Rad, *Deuteronomy* (Philadelphia: Westminster, 1966) 217-18; de Vaux, *Ancient Israel*, 146.

[73]Not even E. Gerstenberger, author of *Wesen und Herkunft des "Apodiktischen Rechts"* (WMANT 20; Neukirchen: Neukirchener Verlag, 1965) and one of Alt's serious critics, denies the validity of the distinction between apodictic and casuistic laws. This point is elaborated in R. A. F. MacKenzie's review of *Wesen und Herkunft* in *CBQ* 28 (1966) 500. See also G. Liedke, *Gestalt und Bezeichnung alttestamentlicher Rechtssätze* (WMANT 39; Neukirchen: Neukirchener Verlag, 1971).

[74]Alt, "Origins of Israelite Law," 114.

[75]O. Eissfeldt, *The Old Testament* (New York: Harper, 1965) 27. Similarly, de Vaux cites Exod 22:25 among the casuistic laws (*Ancient Israel*, 146).

[76]J. van der Ploeg, "Studies in Hebrew Law," Part 2, *CBQ* 1 (1950) 425.

[77]See the remarks by Koch, *Biblical Tradition*, 9 n. 12.

[78]Noth, *Exodus*, 179. Similarly, see J. J. Stamm and M. E. Andrew's remarks in *The Ten Commandments in Recent Research* (SBT 2/2; London: SCM, 1967) 67.

[79]See, for instance, Pfeiffer, *Introduction*, 218; Harrelson, "Law in the Old Testament," 82.

[80]J. G. Williams, "Addenda," *VT* 15 (1965) 113. See also M. Weinfeld, *Deuteronomy and the Deuteronomic School* (Oxford: Clarendon, 1972) 239 n. 3; Liedke, *Gestalt*, 101-53.

[81]Williams, "Addenda," 114.

[82]R. A. F. MacKenzie, "The Forms of Israelite Law" (dissertation; Rome, 1949) 111. This study was not available to me.

[83]W. Kornfeld, *Studien zum Heiligkeitsgesetz* (Wien: Herder, 1952) 49. A. Bentzen, too, considers the participial form as part of the casuistic laws; see his *Introduction to the Old Testament* (Copenhagen: G.E.C. Gad, 1952) 1. 224.

[84]R. Kilian, "Apodiktisches und kasuistisches Recht im Licht ägyptischer Analogien," *BZ* 7 (1963) 189.

[85]F. L. Horton, "A Reassessment of the Legal Forms in the Pentateuch and their Functions," *Society of Biblical Literature 1971 Seminar Papers* (Missoula: Scholars Press, 1971) 2. 359-60.

[86]H. Cazelles, *Etudes sur le code de l'alliance* (Paris: Letouzey et Ané, 1946) 109-16. C. Feucht, too, recognizes four types of legal formulation: (1) Conditional; (2) Metric conditional including the partc.; (3) Apodictic; (4) Mixed. See his *Untersuchungen zum Heiligkeitsgesetz* (Berlin: Evangelische Verlagsanstalt, 1964) 22-30.

[87]S. Loewenstamm, "משפט ,משפט המקרא," *Encyclopedia Biblica* (Jerusalem: Bialik Institute, 1968) 5. 625-28.

[88]*The Oxford English Dictionary* (Oxford: Clarendon, 1933) 1. 387.

[89]Ibid. See also the remarks by E. Nielsen in *The Ten Commandments in New Perspective* (SBT 2/7; London: SCM, 1968) 56.

[90]This legal consequence does not always entail a penalty.

[91]E.g., Exod 21:3, 4, 5, 8, 9, 10, 11.

[92]E.g., Exod 21:31, 36.

[93]E.g., Exod 21:21.

[94]E.g., Deut 25:2. It should be noted here that the particle הן, too, introduces a conditional sentence but is not found in the law collections; cf. Jer 3:1 and Deut 24:1.

[95]Variations do occur: e.g., in Exod 21:8; Deut 22:20, the verb in the protasis is in the perfect, 3rd person; in Exod 21:3b, 6, 11, the verb in the apodosis is in the 3rd person perfect with Waw Consecutive.

[96]Other variations also appear, such as ובח כהן כי, אדם כי, נפש כי etc.

[97]In a few cases, the protasis is introduced by the preposition ב followed by an infinitive construct with plural suffix: e.g., בבאכם ("When you enter...," Num 15:18, *NJV*); ובקצרכם ("When you reap...," Lev 19:9, *NJV*; cf. 23:22).

[98]Mostly איש אשר, but also כל נפש אשר, נפש אשר, כל איש אשר, כל נפש אשר איש אשר and others.

[99]The use of אשׁר introducing a conditional sentence is both "rare and peculiar" (BDB, 83, 8d). Horton includes it among the פי/אם forms, for אשׁר at times has the force of פי or אם (GKC, #159cc). However, אשׁר can also be taken as a shortened form of איש אשׁר: e.g., Num 5:29 has אשׁר תשטה אשׁה, but v. 30 has איש אשׁר; the first clause in Exod 30:33aα reads איש אשׁר, but the second clause (v. 33aβ) has simply ואשׁר; in Deut 27:15, the expression האיש אשׁר seems to be shortened to אשׁר in 27:26. In all of these cases, אשׁר is followed by a verb. Lev 4:22 (אשׁר נשׂיא יחטא) is difficult. Rashbam considers the clause inverted (cf. Ibn Ezra, ad loc) as in Esth 6:8. In Lev 4:22, אשׁר may be understood in the sense of כאשׁר ("when"). For examples of this possible equation, see BDB, 83e. As will be indicated below, in Akkadian the legal form *awīlum ša* and in Hittite the legal form LÚ *kuiš* have shortened forms, *ša* in Akkadian and *kuiš* in Hittite. The introductory אשׁר in Exod 21:13 is interpreted in light of this Akkadian parallel by Paul (*Book of the Covenant*, 115 n. 2).

[100]E.g., Lev 17:16, 20:4.

[101]The verbs are usually in the 3rd person imperfect, or in the 3rd person perfect with Waw Consecutive as in Lev 17:8, 15, 16; 20:17; 22:3.

[102]E.g., Exod 21:12, 15, 16, 17. The penalty, מות יומת, indicates a death penalty inflicted by human beings as in Lev 24:16; cf. Lev 20:2, 27. Death is also stipulated, although differently expressed in Gen 9:6, Exod 22:19, Num 35:30. However, not all participial laws require the death penalty, e.g., Lev 24:18a (=21a). On "מות יומת," see the studies by H. Schulz (*Das Todesrecht im Alten Testament* [BZAW 114; Berlin: Töpelmann, 1969]) and V. Wagner (*Rechtssätze in gebundener Sprache und Rechtssatzreihen im israelitischen Recht* [BZAW 127; Berlin/New York: de Gruyter, 1972] 16-31).

[103]E.g., Exod 21:12, 15, 16, 17.

[104]E.g., Exod 22:18, Lev 15:4, Num 19:13, 35:30.

[105]Restricted to positive commands; see GKC, #46 and #110a.

[106]GKC, #113bb; Joüon, #123u. See also J. D. W. Watts, "Infinitive Absolute as Imperative and the Interpretation of Exodus 20:8," *ZAW* 74 (1962) 141-45.

[107]GKC, #109c; #152f. There are a few examples of לא with the jussive; see GKC, #109d.

[108]Number of verse is according to *Biblia hebraica* (ed. R. Kittel; Stuttgart: Württembergische Bibelanstalt, 1966) (hereafter cited as *BHK*).

[109]Gerstenberger, *Wesen und Herkunft*, 70-73. According to the author, the negative command in the 2nd person singular is the true prohibitive, while the 2nd person plural and the 3rd person negative commands are secondary developments.

[110]W. Richter, *Recht und Ethos* (SANT 15; Munich: Kösel-Verlag, 1966).

[111]GKC, #107o.

[112]E.g., Exod 12:9; 23:1; Lev 10:9; 19:29, 31; Num 4:18. Cf. also Lev 11:43; 25:14 (with לא) and v. 17 (with אל).

[113]E.g., Exod 34:3; Judg 22:23-24; 1 Sam 12:20, 21; 1 Kgs 13:9, 22; 20:8; 2 Kgs 2:16-18; Jer 16:2, 5, 8; 25:6; Prov 22:24. On the "intensity" of the prohibitives (both with לא and אל), see Gerstenberger (*Wesen und Herkunft*, 50-54).

[114]This is also the opinion of Murphy ("Form Criticism and Wisdom Literature," 479) and Clark ("Law," 113). Koch prefers to keep them separate (*Biblical Tradition*, 9 and n. 11). Other scholars share Koch's opinion but recognize that there are instances of free use and interchange between the two forms; e.g. A. Marzal ("Mari Clauses in 'Casuistic' and 'Apodictic' Styles," Part 2, *CBQ* 33 [1971] 498) and J. Bright ("The Apodictic Prohibition: Some Observations," *JBL* 92 [1973] 185-204).

[115]E.g., Exod 20:25 (an extension of v. 24); 22:24, 25 (extension of v. 21); 34:20a; Num 10:4; cf. Gerstenberger, *Wesen und Herkunft*, 30.

[116]E.g., Exod 22:30b; Deut 12:24; 14:19-20; 18:1-2; 22:1, 4.

[117]E.g., Exod 31:15, 35:2, Lev 7:27; at times, in the form of motivating clauses.

[118]Koch, *Biblical Tradition*, 33.

[119]N. K. Gottwald, *A Light to the Nations* (New York: Harper, 1959) 22.

[120]Eissfeldt, *Old Testament*, 12-124; cf. Gottwald, *Light to the Nations*, 23.

[121]On genre considerations before and after Gunkel, see Buss ("The Study of Forms," 1-56).

[122]I.e., Exod 21:2-22:16; on 21:2, see below.

[123]Deut 19:11-12; 21:15-17, 18-21aα; 22:13-21a, 22a; 24:1-4a, 5, 7a, bα; 25:1-3, 5-9.

[124]E.g., Exod 21:6; 22:7, 8, 10. Alt recognized this aspect of "casuistic" laws. He cited Exod 21:6 and 22:7 but then added: "xiii, 8 is probably a secondary addition; in xxii, 10, the divine name Yahweh is a correction" ("Origins of Israelite Law," 117 n. 24). I. Rapaport challenged Alt and pointed out that there is no justification for taking these verses as secondary amplifications ("The Origins of Hebrew Law," *PEQ* 73 [1941] 158-67).

[125]Alt, "Origins of Israelite Law," 119.

[126]The controversy centers on the "Hebrew slave" of Exod 21:2. According to Alt, this does not mean an Israelite but a Hebrew corresponding to the *ḫab/piru* of the cuneiform texts ("Origins of Israelite Law," 122 and n. 33). Rapaport has indicated that the term עברי is an ethnic description in the Bible: e.g., Jonah 1:9, 1 Sam 14:11, Gen 14:13, etc. ("Origins of Hebrew Law"). Similarly, M. Greenberg stated that "no scriptural passage gives explicit ground for extending the scope of *'ivri* beyond Israelites" ("The Ḫab/piru and Hebrews," *The World History of the Jewish People: II, Patriarchs* [ed. B. Mazar; New Brunswick: Rutgers University, 1970] 198). Greenberg's comprehensive study on the subject is *The Ḫab/piru* (AOS 39; New Haven: American Oriental Society, 1955). Others, however, on the basis of legal terminology and stipulations in Exodus and the Hapiru slave documents from Nuzi, incline to take the referent in Exod 21:2 as an appellative rather than gentilic; see Paul (*Book of the Covenant*, 46) and M. Weippert (*The Settlement of the Israelite Tribes in Palestine* [SBT 2/21; London: SCM, 1971] 85-87).

[127]De Vaux, *Ancient Israel*, 146.

[128]See, for instance, F. C. Fensham, "The Possibility of the Presence of Casuistic Legal Material at the Making of the Covenant at Sinai," *PEQ* 93 (1961) 143-46. In addition, there are significant differences between the developed economy of Canaan and the primitive economy reflected in BC. On this, see Cazelles, *Le code de l'alliance*, 166-68; G. E. Mendenhall, "Ancient Oriental and Biblical Law," *BAR* 3 (1970) 15-16; and Kaufmann, *Religion of Israel*, 170-71.

[129]Paul, *Book of the Covenant*, 45.

[130]Clark, "Law," 107.

[131]J. Morgenstern, "The Book of Covenant," Part 2, *HUCA* 7 (1930) 32.

[132]Ibid., 224.

[133]Alt, "Origins of Israelite Law," 160; cf. 116.

[134]Ibid., 117.

[135]See, for instance, Noth, *Exodus*, 174-75; Nielsen, *Ten Commandments*, 58; L. Köhler, "Justice in the Gate," *Hebrew Man* (Nashville: Abingdon, 1953) 134 (with references to 1 Sam 30: 21-25, Num 27:1-11).

[136]E.g., Ruth 4:1; Gen 23:18; Deut 21:19, 22:15, 25:7. See, in particular, Köhler, "Justice in the Gate," 127-150.

[137]E.g., Lev 24:14-16, Num 15:35, 27:7-8, 2 Sam 12:5-6, 14:8-11, 1 Kgs 3:25-27, Jer 26:16.

[138]See references in n. 135.

[139]See H. H. Rowley, "The Marriage of Ruth," *The Servant of the Lord* (Oxford: B. Blackwell, 1965) 171-94; M. Burrows, "Levirate Marriage in Israel," *JBL* 59 (1940) 22-33; idem, "The Marriage of Boaz and Ruth," *JBL* 59 (1940) 445-54; Morgenstern, "The Book of the Covenant," Part 2, *HUCA* 7 (1930) 178-83; and D. R. G. Beattie, "The Book of Ruth as Evidence for Israelite Legal Practice," *VT* 24 (1974) 251-67.

[140]Lev 19:20; 20:27; 21:9; 22:11, 12, 13a, 14, 21, 27; 24:15, 17, 19-20; 25:26, 29.

[141]Found in Leviticus 2, 4, 5, 12, 13, 15, 27 and Numbers 5, 6, 9, 30.

[142]1 Kgs 8:37.

[143]E.g., Mic 5:4; Isa 28:18; Ezek 14:9, 13; 18:5, 18, 21; 33:6.

[144]Loewenstamm refers to this form (and to אשר איש) as "priestly form"; see "משפט," 626.

[145]On this, see J. Weingreen, "The Case of the Daughters of Zelophechad," *VT* 16 (1966) 518-22, and "The Case of the Woodgatherer," 361-64.

[146]Found in Deuteronomy 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 26.

[147]Exod 23:4, 5.

[148]E.g., Lev 19:5-6, 23, 33; 22:29-30; 23:10; 25:14-15, 35, 39-40.

[149]E.g., Num 15:2-7, 8-13, 14-16; 18:26; 33:51-54; 34:2; 35:10-15.

[150]E.g., Exod 23:4, 5; Lev 19:33, 25:14 and the majority of cases in D.

[151]Prov 1:10, 2:1, 6:1, 23:1, 24:12, 25:21, 26:25, 27:22. Cazelles calls them "formulas in wisdom style" (*Le code de l'alliance*, 114); cf. Kornfeld, *Heiligkeitsgesetz*, 65. See also 2 Kgs 4:29.

[152]M. Weinfeld, "The Book of Deuteronomy in Its Relation to Wisdom" (in Hebrew), *Yehezkel Kaufmann Jubilee Volume* (ed. M. Haran; Jerusalem: Magnes, 1960) 89-111; idem, "The Origin of the Humanism in Deuteronomy," *JBL* 80 (1961) 241-47; and idem, *Deuteronomy and the Deuteronomic School*. See also J. Malfroy, "Sagesse et loi dans le Deuteronome," *VT* 15 (1965) 49-65. In his study on *The If-You Form in Israelite Law* (SBLDS 15; Missoula: Scholars Press, 1975), Harry W. Gilmer argues that the If-You styled directives are related to the commands and prohibitions in biblical law and therefore must have originated in the family ethos suggested by Gerstenberger. The form was then taken over by many functionaries but was particularly favored by the wisemen as a vehicle for their instructions. He also adds that the use of the form in Deuteronomy strongly suggests a royal court milieu.

[153]Paul, *Book of the Covenant*, 46.

[154]Alt, "Origins of Israelite Law," 119 n. 28.

[155]E.g., Deut 22:23-24, 25:11-12.

[156]Also in Lev 17:3-14; 20:2, 6, 9; 22:4-8, 18-19.

[157]E.g., Lev 13:45-46, 58; 27:29; Num 19:20, 22. In PC, the forms איש אשר and איש כי are often found in the same context, with no apparent distinction between them. For example: והנפש אשר in Lev 7:20 is followed by והנפש כי (v. 21); ונפש כי in Lev 5:1 is followed by או נפש אשר (v. 2), to be followed again by או נפש כי (v. 4); cf. והנפש אשר in Lev 20:6 and ואיש או אשה כי in Lev 20:27, both dealing with the same subject.

[158]An exception is Deut 17:12 which is part of the law in vv. 8-13; cf. Kornfeld, *Heiligkeitsgesetz*, 47 n. 119.

[159]E.g., Josh 15:16 (= Judg 1:12), with אשר; 1 Sam 17:25 with האיש אשר.

[160]Dan 5:7 with כל אנש די.

[161]1 Sam 11:7 with אשר.

[162]E.g., Dan 3:10 with כל אנש די; 6:8 with כל די; Ezra 6:11 with כל אנש די.

[163]R. Yaron, "Forms in the Laws of Eshnunna," *RIDA* 9 (1962) 150-53.

[164]Ibid., 150.

[165]Ibid.

[166]However, Yaron also includes here proclamations introduced by מי האיש אשר (Deut 20:5; Judg 10:18), by כה יעשה לאיש אשר (Deut 25:9; Esth 6:9-11) and curses (with ארור האיש אשר) (1 Sam 14:24). These forms are different from our legal prescriptions.

[167]Exod 21:12, 15, 16, 17; 22:18, 19.

[168]Lev 24:16, 18, 21.

[169]E.g., Gen 9:6; Lev 7:29, 33; 11:41; 15:4, 6, 7, 21, 22, 26, 27; Num 19:11-13; 35:30.

[170]E.g., Gen 26:11, 2 Sam 5:8; cf. 1 Chr 11:6; 2 Kgs 11:8, 15.

[171]E.g., Ezra 7:13, 1 Chr 11:6.

[172]E.g., Gen 4:5, Exod 19:12.

[173]Predominantly in Proverbs 10-21.

[174]Alt, "Origins of Israelite Law," 147; also, Cazelles, *Le code de l'alliance*, 110; Kornfeld, *Heiligkeitsgesetz*, 51, and others.

[175]Alt, "Origins of Israelite Law," 147. On ארור-series, see Wagner, *Rechtssätze*, 32-39.

[176]E.g., Exod 21:17 and Deut 27:16; cf. Exod 22:18, Lev 20:9 and Deut 27:21.

[177]Horton, "Legal Forms in the Pentateuch," 360.

[178]Pfeiffer, *Introduction*, 226. The author here states that these curses are "not a code of laws but a liturgy in which the congregation participated by pronouncing 'Amen' after each curse." S. Sandmel, too, rejects the idea that these curses embody legislation; see *The Enjoyment of Scripture* (New York: Oxford University, 1972) 297 n. 1.

[179]Thus H. Brichto, "Blessing and Cursing," *EncJud* 4, 1084.

[180]Von Rad, *Deuteronomy*, 168.

[181]Loewenstamm, "משפט," 628.

[182]See discussion below.

[183]The verb קלל here can better be rendered as "to insult"; cf. *NJV*; H. M. Orlinsky, ed., *Notes on the New Translation of the Torah* (Philadelphia: JPS, 1969) 178-79, 217; H. C. Brichto, *The Problem of "Curse" in the Hebrew Bible* (JBL Monograph Series 13; Philadelphia: Society of Biblical Literature, 1968) 134-35.

[184]Horton, "Legal Forms in the Pentateuch," 355. Horton does not mention the איש פי form in his study. Yet, there are also similarities between participial laws and איש פי: e.g., Exod 21:12 and Lev 24:17. See discussion below.

[185]E.g., Gen 9:6; cf. GKC, #116w; Exod 21:17.

[186]Horton, "Legal Forms in the Pentateuch," 368.

[187]Ibid.

[188]Ibid., 383.

[189]J. G. Williams, "Concerning one of the Apodictic Formulas," *VT* 14 (1964) 485; R. Kilian, "Apodiktisches und kasuistisches Recht," 188; Wagner, *Rechtssätze*, 17.

[190]E.g., Lev 24:16 (participle), v. 17 (איש פי), v. 18 (participle); Lev 24:4 (participle), v. 4 (relative), v. 5 (relative); Lev 15:5 (relative), v. 6 (participle), v. 7 (participle). The participle with an article is equivalent to a relative clause. See GKC, #166o.

[191]This point is stressed by S. Herrmann, "Das 'apodiktische Recht'--Erwägungen zur Klärung dieses Begriffs," *MIO* 15 (1969) 249-61.

[192]Their primary nonjuridical aspect was recognized by Cazelles (*Le code de l'alliance*, 125) and other scholars. For references, see Paul, *Book of the Covenant*, 123 n. 1.

[193]E.g., Exod 13:2, Lev 10:12, Num 10:2.

[194]Exod 20:12 (= Deut 5:16). Lev 19:2 is a parenetic statement, not a legal prescription. See below, Chapter II, p. 68 and n. 13.

[195]Deut 15:2, 16:1, 24:9. But 25:17 is the mc of v. 19a.

[196]Gen 17:10b.

[197]Exod 20:8 (with "זכור") (= Deut 5:12, with "שמור").

[198]E.g., Exod 1:22, Ezra 7:17.

[199]E.g., Ruth 2:15 (accompanied by a negative command).

[200]E.g., Ps 12:8; 23:5; 44:11-13; 91:8, 12; 104:28-30.

[201]E.g., Mal 2:13.

[202]E.g., Gen 12:1, Exod 34:1, Josh 4:3.

[203]E.g., Josh 1:11, 4:17, 18:8, 21:10; Judg 21:20; 2 Sam 13:28; 2 Kgs 11:15.

[204]E.g., Gen 49:29.

[205]E.g., Ps 6:3; 16:1; 24:9; 26:1; 37:27, 34, 37; 39:12, 14; 45:4, 11; 105:1-5.

[206]E.g, Prov 4:5; 5:15; 6:6, 20; 7:1-4; 8:6, 10, 33; 9:5-6, 9; 23:19, 22, 26 and many others.

[207]E.g., 1 Kgs 18:25, Amos 5:14-15, Hos 10:2 and others.

[208]E.g., Judg 18:6, 20:23; 1 Sam 23:24, 30:8; 2 Sam 2:1, 5:19.

[209]E.g., Gen 2:16, Jer 2:2.

[210]E.g., Deut 27:1, 31:26.

[211]E.g., Prov 21:3.

[212]With אל: e.g., Num 22:12, Deut 1:42, 1 Kgs 13:9. With לא: e.g., Gen 26:2, 1 Sam 16:7, 1 Kgs 13:22.

[213]With אל: e.g., Exod 5:7, 1 Kgs 2:6, 22:31. With לא: e.g., 1 Kgs 2:9.

[214]With אל: e.g., Josh 6:10, 1 Sam 12:21, 2 Kgs 17:35. With לא: e.g., Josh 8:4, 1 Sam 12:20.

[215]With אל: e.g., Gen 28:1, Jer 36:7.

[216]With אל: e.g., Judg 19:24, 2 Sam 18:3, 21:17, 1 Kgs 20:8. With לא: e.g., Judg 19:23, 2 Sam 13:12, 1 Kgs 20:8; cf. Bright, "The Apodictic Prohibition," 197.

[217]With אל: e.g., Cant 1:6.

[218]With אל: e.g., Ps 40:12, 81:10, 91:5. With לא: e.g., Ps 22:11; 26:9; 27:9; 28:1, 3; 95:8.

[219]With אל: e.g., Prov 3:23, 22:24. With לא: Prov 3:23, 25; 6:25; 7:25; 9:8; 20:13, 22; 22:22; 23:3, 10, 17 and many others. These usually appear in short series.

[220]With אל: e.g., 2 Kgs 2:16; 6:22; Amos 5:5; 7:13; Jer 16:2, 8; Isa 1:13. With לא: e.g., 2 Kgs 2:18, Jer 16:5, Isa 43:18, Amos 5:5.

[221]With אל: e.g., 2 Sam 5:23.

[222]Among others, Noth, *Exodus*, 161; von Rad, *Deuteronomy*, 18; idem, *Old Testament Theology* (Edinburgh: Oliver & Boyd, 1962) 1. 192-93; Harrelson, "Ten Commandments," *IDB* 4, 572; Eissfeldt, *Old Testament*, 71; H. Ringgren, *Israelite Religion* (Philadelphia: Fortress, 1966) 136; K. Baltzer, *The Covenant Formulary* (Philadelphia: Fortress, 1971); D. R. Hillers, *Covenant: The History of a Biblical Idea* (Baltimore: Johns

Hopkins, 1970) 59, 76; Koch, *Biblical Tradition*, 31-32; H. G. Reventlow, *Das Heiligkeitsgesetz* (WMANT 6; Neukirchen: Neukirchener Verlag, 1961). It should also be mentioned that before Alt, Mowinckel in his *Le Décalogue* had argued that the origin of the Decalogue is to be found in the New Year and Enthronement festival and, in particular, in the entrance liturgies with which the festival began.

[223]Acknowledged by Alt, "Origins of Israelite Law," 166.

[224]M. Greenberg, "Decalogue," *EncJud* 5, 1445.

[225]Ringgren, *Israelite Religion*, 192.

[226]E.g., Josh 24:25, 2 Kgs 22:1-3, Neh 10:30.

[227]Cf. J. M. Myers, *Ezra-Nehemiah* (AB 14; New York: Doubleday, 1965) 174; H. E. Ryle, *The Books of Ezra and Nehemiah* (Cambridge: Cambridge University, 1907) 266; F. Michaeli, *Les Livres des Chroniques, d'Esdras et de Néhémie* (Neuchâtel: Delachaux, 1967) 346. Kaufmann stresses that the reading of the law (chap. 8) was a unique and a noncultic event; see his *Toledot ha-emunah ha-Yisraelit* (Jerusalem/Tel Aviv: Bialik, 1969) 8. 325-26; idem, "The Biblical Age," *Great Ages and Ideas of the Jewish People* (ed. L. W. Schwartz; New York: Modern Library, 1956) 83.

[228]That the existence of this festival cannot be proved on the basis of biblical sources was recognized by H.-J. Kraus (*Worship in Israel* [Richmond: John Knox, 1966] 13). Doubts were expressed by de Vaux (*Ancient Israel*, 502), M. Weinfeld ("Covenant," *EncJud* 5, 1014), P. J. Budd ("Priestly Instruction in Pre-Exilic Israel," *VT* 23 [1973] 9), and van der Ploeg ("Studies in Hebrew Law," Part 2, 425).

[229]This was argued by J. J. Stamm and M. E. Andrew in *The Ten Commandments in Recent Research*, 77. See also von Rad, *Deuteronomy*, 56; Noth, *Exodus*, 161; H. G. Reventlow, *Gebot und Predigt im Dekalog* (Gütersloh: Gerd Mohn, 1962).

[230]See E. Gerstenberger, "Covenant and Commandment," *JBL* 84 (1965) 47.

[231]Ibid., 47-48. The author refers, for example, to Leviticus 18; Exod 23:1-3, 6-9; Deuteronomy 24 (except for vv. 8-9, 16).

[232]Fohrer, *Introduction*, 67.

[233]Instead of a "Sippenethos," Richter proposes a "Gruppenethos" for the life setting of the prohibitives; see his *Recht und Ethos*, 117. Fohrer sees the origin of the "apodictically" formulated series among the (semi)-nomads ("Das sogennante apodiktisch formulierte Recht und der Dekalog," *Kerygma und Dogma* 11 [1965] 49-74).

[234]Gerstenberger, "Covenant and Commandment," 50.

[235]Cazelles, *Le code de l'alliance*, 113.

[236]Kaufmann, *Religion of Israel*, 317.

[237]Bright, "The Apodictic Prohibition," 187-88.

[238]Ibid., 187.

[239]E.g., Lev 17:7; 18:23b; 21:2, 4, 5, 7; 22:10, 13b; 23:3; 24:3; 25:32.

[240]E.g., Deut 14:19; 17:6; 18:1, 3; 19:15; 22:5; 23:1, 2, 3, 4, 18; 24:6, 16.

[241]E.g., Exod 12:3, 43; Lev 6:18; 7:2; 27:30.

[242]E.g., Deut 17:6; 19:15; 23:1; 24:6, 16.

[243]E.g., with אל: Exod 19:23, 34:3. With לא: Exod 19:24, 34:3.

[244]With אל: e.g., 1 Sam 11:13. With לא: e.g., 1 Sam 21:3, Jonah 3:7. Positive commands: e.g., 1 Sam 30:24, Ezra 6:3.

[245]With לא: e.g., Exod 16:19, 26; 36:6. Positive commands: e.g., Deut 27:12-13.

[246]E.g., Gen 49:10 (with אל).

[247]Positive commands: e.g., Judg 1:2, 1 Sam 23:11, 12.

[248]With אל: e.g., Ezek 18:20. With לא: e.g., Jer 9:22, 46:6.

[249]With אל: e.g., Prov 12:3, 19:5. With לא: e.g., Prov 10:30b, 31:4.

[250]Budd, "Priestly Instruction in Pre-Exilic Israel," 6.

[251]Gerstenberger considers the 3rd person jussive as a form of prohibitive and belonging to the same setting as the 2nd person negative command. See above, n. 109.

[252]These law collections are not "law codes" in the modern sense of the word; see T. J. Meek, *Hebrew Origins* (New York: Harper, 1960) 54. According to the author, they are merely collections of precedents (i.e., case law). In the opinion of Oppenheim, "such codes represent an interesting formulation of social criticism and should not be taken as normative directions in the manner of post biblical and Roman law" (*Ancient Mesopotamia*, 158). See also the discussion by J. J. Finkelstein, "Ammiṣaduqa's Edict and the Babylonian 'Law Codes,'" *JCS* 15 (1961) 103-104; Paul, *Book of the Covenant*, 23 n. 2.

[253]According to J. A. Wilson, this is because in Egypt the word of the Pharaoh was considered law. "The authority of codified law would have competed with the personal authority of the pharaoh" (*The Burden of Egypt* [Chicago: University of Chicago, 1951] 50). See also his remarks in "Authority and Law in the Ancient Orient," *JAOS* 17 Supplement (1954); and *ANET*, 212. However, there are indications that Egypt did indeed have laws in written form. E. Seidl mentions an inscription of the 8th dynasty which speaks of a vizier sitting in judgment before forty rolls of law ("Egyptian--Law," *The Encyclopaedia of the Social Sciences* 9 [1933] 209). See also the remarks by A. Théodoridès, "La loi dans l'Egypte pharaonique," *RIDA* 12 (1965) 492-93; idem, "A propos de la loi dans l'Egypte pharaonique," *RIDA* 14 (1967) 107-52. He maintains that there were written pharaonic laws expressing general principles.

[254]"A royal decree of Hem-ur," *ANET*, 212. A new translation of this royal decree appears on p. 672 of *ANET*. For references to other royal decrees, see p. 212 n. 1.

[255]H. Donner and W. Röllig, *Kanaanäische und aramäische Inschriften* (Wiesbaden: Harrassowitz, 1962) 1. 15 (#69); 2. 83-87; hereafter cited as *KAI*. F. Rosenthal's translation in *ANET*, 656-57.

[256]*KAI*, 1. 16 (#74-75); 2. 92-93; Rosenthal's translation in *ANET*, 657.

[257]J. J. Finkelstein, "The Laws of Ur-Nammu," *JCS* 22 (1968-69) 66-82; *ANET*, 523-25.

[258]F. R. Steele, "Lipit-Ishtar Law Code," *AJA* 52 (1948) 425-50; E. Szlechter, "Le code de Lipit-Ishtar," *RA* 51 (1957) 57-82, 177-96; and *RA* 52 (1958) 74-90; S. N. Kramer's translation in *ANET*, 159-60.

[259]Finkelstein, *ANET*, 525-26.

[260]M. Civil, "New Sumerian Law Fragments," *AS* 16 (1965) 1-12. This article contains the following material: (1) additions to LI; (2) the tablet UM 55-21-71 (maybe part of LI); (3) laws about rented oxen.

[261]R. Yaron, *The Laws of Eshnunna* (Jerusalem: Magnes, 1969); E. Szlechter, *Les lois d'Ešnunna* (Paris: Sirey, 1954); A. Goetze, "The Laws of Ešnunna," AASOR 31 (1956), and his translation in *ANET*, 161-63.

[262]G. R. Driver and J. C. Miles, *The Babylonian Laws*, Vols. 1 and 2 (Oxford: Clarendon, 1956 and 1955); Meek's translation in *ANET*, 163-80.

[263]G. R. Driver and J. C. Miles, *The Assyrian Laws* (Oxford: Clarendon, 1935); G. Cardascia, *Les lois assyriennes* (Paris: Les Editions du Cerf, 1969); Meek's translation in *ANET*, 180-88.

[264]Driver and Miles, *Babylonian Laws*, l. 324-47; Meek's translation in *ANET*, 197-98.

[265]H. A. Hoffner, *The Laws of the Hittites* (Ph.D. dissertation in microfilm, Brandeis University, 1963); J. Friedrich, *Die hethitischen Gesetze* (Documenta et Monumenta Orientis Antiqui 7; Leiden: Brill, 1959); Goetze's translation in *ANET*, 188-97.

[266]Yaron, "Forms in the Laws of Eshnunna," 137-53; idem, *Laws of Eshnunna*, 61-66.

[267]Yaron, "Forms in the Laws of Eshnunna," 141; idem, *Laws of Eshnunna*, 59.

[268]On cuneiform legal formulations, see H. Petschow, "Zu den Stilformen antiker Gesetze und Rechtssamlungen," *ZSS* 82 (1965) 24-38.

[269]Very rarely with *kî*. See NBL 6:21-22; cf. *GAG*, #116d, #162d; *CAD*, K, 318, under *kî*.

[270]Yaron, "The Forms in the Laws of Eshnunna," 141; idem, *Laws of Eshnunna*, 61-64.

[271]According to Finkelstein, the term *muškēnum* denotes a variety of people whose economic resources depended on some relationship to the crown ("Ammiṣaduqa's Edict and the Babylonian 'Law Codes'," 99; see also the discussion in Yaron, *Laws of Eshnunna*, 83 and n. 1).

[272]The meaning of *ku-ru-lim* is uncertain. *CAD* translates it as "among the shocks in the field" (K, 572, under *kurullu* [A]); *AHW* renders it as "Getreideschwade, Garbe," (513a); cf. Yaron, *Laws of Eshnunna*, 25 n. on sec. 12:38.

[273]Yaron states that "it would be wrong to assume that the absence of a sanction is a necessary feature of the apodictic formulation: one finds sanctions added to that formulation by means of a conditional sentence (*šumma awīlum*)[37] [n. 37, *CH*, 36/37] or by means of a relative sentence (*awīlum ša*--"the man, who")[38]"; *Laws of Eshnunna*, 64. [N. 38 refers to MAL 40 and the Nuzi edict in AASOR 16, text 51, where the sanction is introduced by *mannumme*--"whoever."] However, Yaron overlooks the fact that LH 37 is a rewording of LH 36 in a conditional form. MAL 40 contains numerous clauses, both conditional and unconditional; here as well as in LH and in the Nuzi text, the sanctions are "added" and are not part of the same legal statements.

[274]Translation by Goetze, *Laws of Ešnunna*, 56; cf. *CAD*, Z, 149 under *zīzu* ("coparcener"). On *mar awīlim*, see Driver and Miles, *Babylonian Laws*, l. 81; Yaron, *Laws of Eshnunna*, 94. On *mar awīlim la zīzu*, see Yaron, *Laws of Eshnunna*, 99. In *ANET*, 162, Goetze renders the law as, "To a coparcener or a slave a mortgage cannot be furnished."

[275]Yaron, "Forms in the Laws of Eshnunna," 140; idem, *Laws of Eshnunna*, 60.

[276]LE 4, 11, 14.

[277]LE 7, 8, 9A, 10.

[278]LE 3.

[279]LE 3, 7.

[280]LE 4, 10, 11.

[281]S. N. Kramer distinguished between five genres in Sumerian literature; see *Sumerian Literary Texts from Nippur*, AASOR 23 (1944) 11-41. After him, M. Lambert classified the neo-Sumerian literature within fifteen genres; see "La literature Sumerienne," *RA* 55 (1961) 177-96; and 56 (1962) 81-90. For the classification of wisdom genres, see J. J. A. van Dijk, *La sagesse Sumero-Accadienne* (Leiden: Brill, 1953); E. I. Gordon, "A New Look at the Wisdom of Sumer and Akkad," *BiOr* 17 (1960) 122-50.

[282]J. Tigay, "Literary-Critical Studies in the Gilgamesh Epic: An Assyriological Contribution to Biblical Literary Criticism" (Dissertation, Yale University, 1971) 274 (microfilm).

[283]See the remarks by W. W. Hallo in his "Individual Prayer in Sumerian: The Continuity of a Tradition"; B. Landsberger, "Die babylonischen Termini für Gesetz und Recht," *Symbolae ad iura orientis antiqui pertinentes Paulo Koschaker dedicatae* (Studia et Documenta 2; Leiden: Brill, 1939) 219-34; M. de J. Ellis, "*ṣimdatu* in the Old Babylonian Sources," *JCS* 24 (1972) 75.

[284]E.g., ARM, 1, 32: 16-20; 45: 16-19 (apodosis introduced by the precative); 49: 12-15 (apodosis introduced by the precative).

[285]E.g., *AT*, 2: 33-35 (treaty between Nikmepa of Alalak and Ir-$^{d}$IM of Tunip; *ANET*, 531); *KBo*, I, 5, col. ii, lines 16-18 (treaty between Sunaššura and Suppiluliuma; E. F. Weidner, *Politische Dokumente aus Kleinasien* (Boghazköi Studien 8-9; Leipzig, 1923) 96-97; A. Goetze, *Kizzuwatna* (YOS Researches 22; New Haven: Yale University, 1940), 36-41.

[286]E.g., *AT*, 56: 35-36; *JEN*, 93: 12-13, 15-16; 56: 11-16; 36: 11-16; 100: 10-16; 208: 12-13.

[287]E.g., *JEN*, 354: 36-38.

[288]E.g., "Edict of Ammiṣaduqa," 5, 7, 11, 20, 21 (number of paragraphs is according to Finkelstein in *ANET* [526-28]). On this text, see F. R. Kraus, *Ein Edikt des Königs Ammi-ṣaduqa von Babylon* (Studia et Documenta 5; Leiden: Brill, 1958); Finkelstein's review in *JCS* 15 (1961) 91-104; idem, "The Edict of Ammiṣaduqa: A New Text," *RA* 63 (1969) 45-64.

[289]For various examples, see E. Leichty, *The Omen Series Šumma Izbu* (New York: J. J. Augustin, 1970); G. Pettinato, *Die Ölwahrsagung bei den Babyloniern* (Studi Semitici 22; Rome: Istituto di Studi del Vicino Oriente, 1966). On omen and medical texts in general, see Oppenheim, *Ancient Mesopotamia*, 206-227.

[290]For various examples, see C. Viroleaud, *L'Astrologie chaldéenne* 2 (Paris, 1910).

[291]Yaron, *Laws of Eshnunna*, 66.

[292]E.g., E. Szlechter, *Tablettes juridiques de la 1re dynastie de Babylone*, Part 2 (Paris: Recueil Sirey, 1958) 131-39.

[293]E.g., *JEN*, 49: 321, 395.

[294]E.g., *JEN*, 334, 342, 343, 353, 359, 369, 387, 389.

[295]E.g., *AT*, 7, 8, 455.

[296]E.g., H. H. Figula, "Lawsuit Concerning a Sacrilegious Theft at Erech," *Iraq* 13 (1951) 98.

[297]E.g., *JEN*, 354.

[298]Cf. M. de J. Ellis, "*ṣimdatu* in the Old Babylonian Sources," 76, 82.

[299]The typological similarity was noted by Cazelles (*Le code de l'alliance*, 110). The significance of this relationship was considered "dubious" by C. J. Gadd (*Ideas of Divine Rule in the Ancient East* [London: Oxford, 1948] 79). Others considered the *šumma awīlum* form as stemming from scholarly circles. See, in particular, F. R. Kraus, "Ein zentrales Problem des altmesopotamischen Rechtes: Was ist der Codex Hammu-rabi?" *Genava* 8 (1960) 283-96; and J. J. Finkelstein, "Ammiṣaduqa's Edict and the Babylonian 'Law Codes'," 104.

[300]Finkelstein, "Ammiṣaduqa's Edict," 103.

[301]For reference to various opinions, see Paul, *Book of the Covenant*, 23-26 and n. 2, p. 23.

[302]W. F. Leemans, "Some Aspects of Theft and Robbery in Old Babylonian Documents," *RSO* 32 (1957) 466; Paul, *Book of the Covenant*, 24 n. 1.

[303]Paul, *Book of the Covenant*, 11-26.

[304]Kraus, "Was ist der Codex Hammu-rabi?"; Finkelstein, "Ammiṣaduqa's Edict"; Paul, *Book of the Covenant*, 24-26.

[305]LE 12, 13, 19, 51, 52.

[306]MAL, A, 40: 42-45, 58-60, 61-62; 41: 6-10; 47: 7-13.

[307]HL 50-52.

[308]LE 12, 13 (both in second place).

[309]MAL, A, 40: 63-65, 68-76, 89-93.

[310]HL 185, 186.

[311]E.g., "Edict of Ammiṣaduqa," 6, 11, 13, 14, 15, 16, 17, 20; in W. F. Edgerton, "The Nauri Decree of Seti I," *JNES* 6 (1947) 219-230; in various *šipṭum*'s from Mari (ARM, 1, 6: 18-19; 5, 72: 13); with *mannumme* plus *ša* in ARM, 2, 92: 14-18. On these *šipṭum*'s, see Marzal, "Mari Clauses," 500-502. According to Marzal, a *šipṭum* is "a strong command, an authoritative decree or edict given by a king; it affects the army (directly the army officers), has religious connotation and implies a threat of punishment" (335).

[312]E.g., *AT*, 7: 38-39; ARM, 3, 73: 11-13; cf. Marzal, "Mari Clauses," 501.

[313]Usually introduced by *ša ib-ba-la-ak-ka-tu* ("he who breaks the contract"). For examples, see *AT*, 52: 18-21; 54: 19-22; 55: 26-29.

[314]Yaron, *Laws of Eshnunna*, 67-68.

[315]Ibid., 68 n. 1. The reference is to MAL, B: 6.

[316]LE 15-16. Gerstenberger adds to this list LE 51. Loewenstamm ("משפט," 626) and Yaron ("Forms in the Laws of Eshnunna," 145) add LE 51-52. However, as Petschow ("Stilformen," 29) and Paul (*Book of the Covenant*, 115 n. 1) correctly indicate, these laws belong to the *awīlum ša* form. Yaron seems to have accepted the criticism; see *Laws of Eshnunna*, 64 n. 34.

[317]LH 36, 38-40, 187.

[318]MAL, A, 40 (several clauses); F, 2. Loewenstamm, ("משפט," 626) adds MAL, A, 57; cf. Meek, *ANET*, 183 n. 24. This may be possible, but the text is damaged.

[319]HL 48, 50-51, 56.

[320]E.g., "Edict of Ammiṣaduqa," 2, 4; in a *ṣimdat šarrim*, *TCL*, 7, 56: 9; cf. *CAD*, Ṣ, 195, under *ṣimdatu*. On *ṣimdatu*, see the article by Ellis (*JCS* 24 [1972] 74-82); see above, n. 298. The form also appears in various *šipṭum*'s; see Marzal, "Mari Clauses," 507.

[321]E.g., *AT*, 3: 6-7; cf. *ANET*, 532; for other examples, see D. J. McCarthy, *Treaty and Covenant* (AnBib 21; Rome: Pontifical Biblical Institute, 1963) 181, 184.

[322]E.g., *AT*, 7: 34-37.

[323]E.g., E. A. Speiser, "New Kirkuk Documents Relating to Family Laws," AASOR 10 (1930) 31-32.

[324]E.g., *ANET*, 210-11; M. Weinfeld, "The Origin of the Apodictic Law," *VT* 23 (1973) 67.

[325]MacKenzie, "The Formal Aspect of the ANE Law," 42.

[326]Yaron, *Laws of Eshnunna*, 67.

[327]See above, n. 109.

[328]LE 1-4, 7-11.

[329]HL 178-87.

[330]Yaron, *Laws of Eshnunna*, 66.

[331]M. Lambert, "Les reformes d'Urukagina," *RA* 50 (1956) 169-84; I. M. Diakonoff, "Some Remarks on the Reforms of Urukagina," *RA* 52 (1958) 1-15.

[332]Yaron, *Laws of Eshnunna*, 65-66.

[333]Paul, *Book of the Covenant*, 45.

[334]Yaron, *Laws of Eshnunna*, 64.

[335]Greenberg, "Postulates," 19.

[336]E.g., treaty between Mursilis and Duppi-Tessub of Amurru, #11; cf. *ANET*, 204; treaty between Niqmepa of Alalak and Ir-$^{d}$IM of Tunip, *AT*, 2: 17-18 (the apodosis here is expressed as a curse: *šumma la* ["you must"]).

[337]E.g., a marriage contract from Elephantine. See text in A. Cowley, *Aramaic Papyri of the Fifth Century* (Oxford: Clarendon, 1923) 9. 26-27; cf. *ANET*, 222. The apodosis is expressed in the third person.

[338]E.g., ARM, 3, 70: 16-17; 72: r 11-13; *CCT*, 3, 33b: 8; cf. *CAD*, K, 227(1a).

[339]Cazelles, *Le code de l'alliance*, 114.

[340]E.g., "Counsels of Wisdom," *BWL*, 105, lines 150-51.

[341]Many examples in "The Instruction of the Vizier Ptah-Hotep" (*ANET*, 413).

[342]See above, n. 152.

[343]Weinfeld, *Deuteronomy and the Deuteronomic School*, 57-58, 158-78; idem, "Covenant," *EncJud* 5, 1015.

[344]For examples, see Williams, "Concerning One of the Apodictic Formulas," 485; Cazelles, *Le code de l'alliance*, 111.

[345]Cazelles, *Le code de l'alliance*, 111.

[346]E.g., "Counsels of Wisdom," *BWL*, 105, lines 146-47.

[347]E. Puech and H. Rofé, "L'inscription de la citadelle d'Amman," *RB* 80 (1973) 531-46. The text is in Ammonite. Line 2 reads: ימתן מת .מסבב עלך .ככל (" ]que tous ceux qui t'accompagnent seront mis à mort[ "). The form is reminiscent of Exod 19:22, 22:18, 31:15; cf. Gen 4:15, Lev 14:14, Exod 35:2. Also, pp. 534-35.

[348]Alt, "The Origins of Israelite Law," 139.

[349]Meek, *ANET*, 183 n. 24.

[350]Paul, *Book of the Covenant*, 119.

[351]Fohrer, *Introduction*, 67.

[352]For many examples, see McCarthy, *Treaty and Covenant*, 35-37, 49.

[353]Many examples in the treaty of Sefîre; see J. A. Fitzmyer, *The Aramaic Inscriptions of Sefîre* (Rome: Pontifical Biblical Institute, 1967); cf. *ANET*, 661.

[354]E.g., "Counsels of Wisdom," *BWL*, 100-101, lines 31-32; "The Šamaš Hymn," *BWL*, 134-35, lines 147-48. "The Dialogue of Pessimism," *BWL*, 144-45, line 15; among proverbs, see *BWL*, 240-47; "Amen-em-opet," #13, *ANET*, 423.

[355]The reference is to *šiptu*'s (cf. n. 311 above); e.g., ARM, 1, 13: 27-29; cf. Marzal, "Mari Clauses," 336; ARM, 3, 30: 27-28; cf. Marzal, "Mari Clauses," 339.

[356]E.g., D. J. Wiseman, "The Vassal Treaties of Esarhaddon," *Iraq* 20 (1958) 52; cf. R. Frankena, "The Vassal Treaties of Esarhaddon and the Dating of Deuteronomy," *OTS* 14 (1965) 142. The instructions are found in lines 291-95 of the treaty. See also S. Alp, "Military Instructions of the Hittite King Tuthaliya(?)," *Belleten* 11 (1947) 384-402; cf. Weinfeld, "The Origin of the Apodictic Law," 64; "Instructions for Temple Officials," #9, *ANET*, 209.

[357]E.g., "Tabnit," *ANET*, 662, lines 3-4; cf. *KAI*, #13.

[358]The Amman Citadel Inscription, referred to above in n. 347, contains a negative command expressed in the second person singular. Line 5 reads as follows: א]ל. תדלת.בדלת.בטן כבה (" ]tu [ne] passeras *pas* par la porte de l'intérieur *car* l'effroi..." [Puech]; or, as Rofé reads it, "par la porte de Beṭon parce que là [line 6] [a passé] sa [pré]sence").

[359]See above, n. 219.

[360]The verbs here are expressed in the vetitive (i.e., negative imperative), second person singular. On the vetitive in Egyptian, see A. H. Gardiner, *Egyptian Grammar* (London, 1957) #340:2. I owe this information to Mr. Lanny Bell of the Oriental Studies Department, University of Pennsylvania.

[361]B. Alster, *The Instructions of Suruppak: A Sumerian Proverb Collection* (Mesopotamia-Copenhagen Studies in Assyriology 2; Copenhagen: Akademisk Forlag, 1974) 36-37.

[362]Paul, *Book of the Covenant*, 122.

[363]Gevirtz states that royal decrees are "tantamount to law" ("West Semitic Curses and the Problem of the Origin of Hebrew Law," *VT* 11 [1961] 153). Similarly, Weinfeld argues that royal instructions constitute "legal ordinances" ("The Origin of the Apodictic Law," 64).

[364]B. Landsberger, "Die babylonischen Termini für Gesetz und Recht," 222-23; Kaufmann, *Religion of Israel*, 171; Paul, *Book of the Covenant*, 8, 34.

## CHAPTER II

## MOTIVE CLAUSES IN BIBLICAL LAW

### DEFINITION OF THE MOTIVE CLAUSES

In the biblical law collections, laws are sometimes accompanied by clauses or phrases that express the rationale behind them or a motive for obeying them. B. Gemser studied these "motive clauses" in an introductory, yet very incisive, article entitled "The Importance of the Motive Clause in Old Testament Law,"[1] and defined them as follows: "They are grammatically subordinate sentences in which the motivation for the commandment is given."[2]

This definition can be used as a starting point in an attempt to discuss the motive clauses in a comprehensive manner. At the outset, it should be pointed out that Gemser's use of the term "commandment" could be misleading. It may give the impression that motive clauses are found only in laws formulated in the unconditional form. In the course of the present analysis it will become clear that this is not so. Motive clauses are found in laws expressed both in the conditional as well as in the unconditional form. Consequently, rather than use the term "commandment" it would be more accurate to speak of "law" or "legal prescription." In line with this observation, a legal motive clause can be defined as "a dependent clause or phrase which expresses the motive behind the legal prescription or an incentive for obeying it."

R. W. Uitti, who wrote a doctoral dissertation on this subject with the title "The Motive Clause in Old Testament Law,"[3] found Gemser's definition too simple to account for all the intricacies of the motive clauses. Abandoning a general definition, he chose to describe these clauses by spelling out their formal characteristics.[4] However, it must be admitted that, even though general definitions are restrictive, they still constitute valuable guidelines in determining the scope of a given subject. Undoubtedly, they need to be followed by a comprehensive study of the phenomenon under consideration. This detailed analysis will be the subject of the following chapters.

Before undertaking this investigation, it is necessary to distinguish the legal motive clauses from other clauses or phrases that frequently appear within the formulation of the law, particularly explicative notes and parenetic statements.

### *Motive Clauses and Explicative Notes*

Motive clauses essentially attempt to answer questions such as, "Why is the law thus?," "Why observe this law?," by providing either a justification or an incentive for observing the particular legal prescription. They do not add new provisions to the law at hand.

Explicative notes are basically used to interpret or clarify specific words or clauses within the law, or even to specify the scope of the particular legal prescription. For instance, in Lev 19:19 and Deut 22:11, the otherwise unknown word שַׁעַטְנֵז is explained by means of another phrase. According to Lev 19:19 this refers to a cloth of two kinds of material, and in Deut 22:11 it denotes a combination of wool and linen. Similarly, the so-called "*shekel* of the sanctuary" is often said to equal twenty *gerah*s.[5] In Lev 18:9, the legislator seems to have felt the need to define the kinship term "sister" who is the subject of the law by adding the phrase "your father's daughter or your mother's daughter, whether born into the household or outside," in order to clarify the scope of this particular law. The law of adultery in Deut 22:22 contains an additional phrase, "the man who slept with the woman and the woman" (v. 22aβ), which clearly identifies each *particeps criminis* that is to be punished by the death penalty.

These and similar explicative notes remain outside the scope of the present investigation inasmuch as they do not express the rationale behind the law.

### *Motive Clauses and Legal Parenesis*

Parenesis is defined as "exhortation, advice, counsel, a hortatory composition."[6] Parenetic clauses are extensive in the Bible and by no means limited to the legal corpora.

Exhortations often appear within the framework of the biblical law collections,[7] sometimes even taking the form of a parenetic envelope.[8] They are also found within the laws proper, interspersed among individual legal prescriptions. In Deuteronomy, where the rhetorical technique is fully developed, the legal corpus is so saturated with hortatory material that von Rad conveniently speaks of the laws therein as "parenetic laws,"[9] for in many cases it becomes difficult to ascertain where the law ends and where the exhortation begins, or vice versa. The same situation exists in the Holiness Code and to a much lesser degree in the Book of Covenant and in the Priestly Code.

The use of parenesis in biblical legal texts has been the subject of a few studies, none as yet comprehensive. Consequently the delineation of the scope of legal parenesis varies from scholar to scholar. N. Lohfink, who has dealt with the issue more extensively than others, points out that the pattern of these exhortations often reveals a two-part structure.[10] In the first part there is an appeal of general nature, formulated frequently by the imperative of שׁמר ("observe") and, to a lesser extent, by עשׂה ("do"), למד ("learn"), or שׁמע ("hear"). The second part contains a blessing which usually refers to long life, inheritance of the land or general well-being. As such, these parenetic statements constitute a variation on the theme: "Observe the law so that it may be well with you." The following example from Deuteronomy is illustrative of a full-fledged parenetic statement: "Be careful to heed all the commandments which I enjoin upon you; thus it will go well with you and with your descendants after you forever, for you will be doing what is good and right in the sight of the Lord your God" (Deut 12:28, *NJV*).

Legal parenesis, however, cannot be restricted to those which use the imperatives of שׁמר, עשׂה, למד and שׁמע. There are many other statements which, because of their form and content, can well be included in this category. In fact, many scholars recognize as parenetic a greater number of biblical passages than those identified as such by Lohfink.[11]

In line with this wider understanding of the term parenesis, expressions such as the following will be taken in this study as introducing legal parenetic statements: "observe the law,"[12] "be holy,"[13] "be careful to,"[14] "you shall rejoice,"[15] "you shall fear the Lord,"[16] "follow the Lord,"[17] "do not show pity,"[18], "do not forget,"[19] "seek not their welfare,"[20] "fulfill what has crossed your lips,"[21] "be wholehearted,"[22] "you shall not learn to,"[23] "love your neighbor,"[24] "do not bring sin upon,"[25] "do not pollute,"[26] "do not defile,"[27] "do not bring abomination,"[28] the instruction to establish one law for citizen and stranger alike,[29] and the formula "an everlasting statute."[30]

Gemser did not distinguish between parenesis and motive clauses. For him, both constituted motive clauses. Thus, among his examples, one finds motive clauses such as "for the slave is his money" (Exod 21:21), or "because she was not (yet) free" (Lev 19:20)[31] as well as parenetic statements such as "your eye shall not pity" (Deut 19:21)[32] and "be careful to heed" (Deut 12:28).[33] The same lack of distinction characterizes Uitti's study.[34]

On the other hand, W. Beyerlin, in his article on parenesis in the Book of the Covenant,[35] chose to consider both types of clauses as being parenetic. His argument is that neither is of a strict legal nature.[36] Consequently, he placed the motive clauses in Exod 20:25, 26; 22:20, 22-23, 26; 23:7b, 8, 9, 15 in the same category of parenetic statements found in Exod 22:30a, 23:13a. Yet, when confronted with the motive clauses in Exod 21:8, 21, he specifically excluded them from consideration on the ground that "they are, unquestionably, not parenesis."[37]

A comparison of the motive clauses with the parenetic statements reveals a difference both in purpose and form.

(1) The primary object of a parenetic statement is to summon people to obedience. This is achieved by means of appeals formulated in broad terms such as those mentioned previously. The main purpose of a motive clause, however, is to provide a raison d'être for the law, to justify the appropriateness of the particular legal prescription, to show that the law is just because of the specific reason or purpose formulated

therein. Here the element of exhortation is only secondary and implicit, inasmuch as a law that proves to be just may be expected to receive assent. Motive clauses do not embody direct appeals of general import, nor exhortations couched in broad, indefinite terminology. Quite the contrary, they tend to be specific, pertaining closely to the law at hand.

(2) There is also a formal difference between the two: a parenetic statement frequently appears as an independent unit even when it is connected with a given law. For example, "Follow none but the Lord your God, and revere none but Him; observe His commandments alone, and heed only His orders; worship none but Him, and hold fast to Him" (Deut 13:5, *NJV*), or, "show no pity" (Deut 25:12, *NJV*). On occasion, it contains its own motive clause.[38] Contrary to this, a motive clause is never an independent entity; in fact, it always constitutes a subordinate clause or phrase.

At times, the motive clause of a parenetic statement--which in Lohfink's two-part structure of parenesis corresponds to the second half--is attached to legal prescriptions. These dependent parenetic statements often stress the idea that heeding the divine command results in well-being. They are indeed formulated as a variation of the theme, "that it may be well with you." Most of these clauses are introduced as follows: "so that your/his days be long,"[39] "so that it may be well,"[40] "for/so that He will/may bless,"[41] "so that you/he may learn,"[42] "so that he may rest."[43]

To these must be added other examples which appear only once, though displaying all the characteristics of a dependent parenetic clause: "so that He may turn away (from anger)" (Deut 13:18), and "so that you may live" (Deut 16:20).

On the basis of these formal and contextual differences, the independent parenetic statements will not be studied along with the legal motive clauses; nor will the motive clauses that on occasion accompany these parenetic statements, since they are not attached to legal prescriptions. The dependent parenetic clauses, however, will be analyzed together with the rest of the motive clauses, inasmuch as they provide a motive for observing the legal prescriptions and thus fall within the scope of the definition of the legal motive clauses.

## FORM OF THE MOTIVE CLAUSES

Motive clauses in biblical law display a variety of formal characteristics with regard to their introductory formulary and syntactical arrangement.

While some of the motive clauses are introduced by means of grammatical particles, others are formulated asyndetically. Each of these will be studied below in greater detail.

I. Grammatical particles
   A. Conjunctions
      1. Simple
         a) כי
         b) למען
         c) ו
         d) פן
         e) לבלתי
         f) אשר
      2. Composite
         a) אחרי אשר
         b) תחת אשר
         c) על דבר אשר
         d) למען אשר
   B. Prepositions
      1. ב
      2. תחת
      3. בגלל(ו)
      4. ל
II. Asyndetic motive clauses

### Grammatical Particles

Most motive clauses are introduced by conjunctions, either simple or composite. Others are introduced by prepositions. Each of the grammatical particles will be discussed below.

*Conjunctions*

1. Simple

a) כי

The particle כי, described as the most comprehensive of all Hebrew particles,[44] fulfills a variety of functions and, in particular, serves as a causal conjunction introducing motive clauses. Most often, it expresses the reason behind the law. For example, "You shall not wrong a stranger or oppress him, for (כי) you were strangers in the land of Egypt" (Exod

22:20, *NJV*). On occasion, it may also introduce a dependent parenetic clause. For instance, "You shall hold festival for the Lord your God seven days, in the place that the Lord will choose; for (כי) the Lord your God will bless all your crops and all your undertakings, and you shall have nothing but joy" (Deut 16:15, *NJV*).

b) למען

This conjunction introduces motive clauses which indicate the purpose behind the law. For example, "Every daughter among the Israelite tribes who inherits a share must marry someone from the clan of her father's tribe, in order that (למען) every Israelite may keep his ancestral share" (Num 36:8, *NJV*). Often, these motive clauses are of parenetic nature. For instance, "Honour your father and your mother, that (למען) you may live long in the land which the Lord your God is giving you" (Exod 20:12, *NEB*).

c) Simple *waw* copulative

This *waw*, used as a conjunction, can express causality.[45] For instance, "You shall not oppress a stranger, for you (ואתם) know the feelings of the stranger," etc. (Exod 23:9, *NJV*). It can also express purpose,[46] both in the positive sense (e.g., "But the seventh year you shall let the land be untilled and unharvested, that the poor among you may eat [ואכלו] of it," etc. [Exod 23:11, *NAB*]), and, when coupled with the negative particle לא, in the negative sense (e.g., "Do not degrade your daughter and make her a harlot, lest [ולא] the land fall into harlotry," etc. [Lev 19:29, *NJV*]).

There are three recurrent motive clauses which are introduced in combination with the particle *waw*: they all express purpose: (1) ובערת "so that you may sweep away the evil";[47] (2) וזכרת "so that you may remember";[48] (3) וישמעו ויראו...ו "so that (they) may hear and fear."[49]

d) פן

This conjunction is of "dehortative, dissuasive character,"[50] and introduces negative final (i.e., purpose) clauses. For example, "You shall not sow your vineyard with a second

kind of seed, else (פֶּן) the crop--from the seed you have sown--and the yield of the vineyard may not be used" (Deut 22:9, *NJV*).

e) לבלתי

This conjunction serves to introduce negative dependent clauses (i.e., "so that not") and is used as a motive introduction in Deut 17:20 where it heads a secondary and a tertiary motive clause: "that his heart may not be lifted up (לבלתי רום לבבו) above his brethren, and that he may not turn aside (ולבלתי סור) from the commandment," (*RSV*).

f) אשר

This relative conjunction can, at times, have a causal function[51] of which Deut 16:22 is a possible example: "You shall not set up a sacred pillar, for (אשר) the Lord your God hates them" (*NEB*; see also *NJV*). However, the same conjunction can also introduce a final clause[52] as exemplified by Exod 20:26: "Do not ascend My altar by steps, that (אשר) your nakedness may not be exposed upon it" (*NJV*).

2. Composite

a) אחרי אשר

There exists only one example of this composite causal conjunction functioning as a primary legal motive clause: "Then the first husband who divorced her shall not take her to wife again, since (אחרי אשר) she has been defiled," etc. (Deut 24:4, *NJV*).[53]

b) תחת אשר

This composite causal conjunction introduces motive clauses in Deut 21:14: "You shall not treat her as a slave, since (תחת אשר) you have humiliated her" (*RSV*); and in Deut 22:29: "and she shall be his wife, because (תחת אשר) he has violated her," etc. (*RSV*).

c) על דבר אשר

This composite causal conjunction introduces motive clauses in Deut 22:24: "You shall take the two of them out to the gate of that town and stone them to death: the girl because

(על דבר אשר) she did not cry for help in the town, and the man because (על דבר אשר) he violated his neighbor's wife" (*NJV*); and in Deut 23:5: "because (על דבר אשר) they did not meet you with food and water on your journey after you left Egypt, and because (ואשר)[54] they hired Balaam son of Beor, from Pethor of Aram-naharaim, to curse you" (*NJV*).

d) למען אשר

This composite final conjunction introduces a motive clause in Lev 17:5: "This is in order that (למען אשר) the Israelites may bring the sacrifices," etc. (*NJV*); and one in Deut 20:18 that is of parenetic nature: "that they may (למען אשר) not teach you to do according to all their abominable practices," etc. (*RSV*).

*Prepositions*

There are very few examples of legal motive phrases introduced by means of prepositions. In the text they are followed by nouns or gerunds.

1. בְּ

This preposition is used only once: בְּבִגְדוֹ-בָהּ ("since he broke faith with her," Exod 21:8bβ, *NJV*).

2. תַּחַת

There are two examples of motive phrases introduced by this preposition: תַּחַת עֵינוֹ ("on account of his eye," Exod 21:26bβ, *NJV*) and תַּחַת שִׁנּוֹ ("on account of his tooth," Exod 21:27bβ, *NJV*).[55]

3. בגלל(ו)

This preposition, coupled with *waw*, introduces a secondary motivation in Deut 18:12: "and it is because (ובגלל) of these abhorrent things that the Lord your God is dispossessing them before you" (*NJV*).[56]

4. לְ

This preposition followed by an infinitive construct or by a noun is capable of introducing legal motivations. For instance, "These six cities shall serve the Israelites and the

resident aliens among them for refuge, so that (לנוס שמה) anyone who kills a person unintentionally may flee there" (Num 35:15b, *NJV*); or, "Order the Israelites to bring you clear oil of crushed olives for the light (למאור), so that you may keep lamps (להעלת נר) burning regularly" (Exod 24:1, *NAB*).

### Formulated Asyndetically

In Hebrew, causality can be expressed not only by using particular particles but also by simply juxtaposing the main clause and the causal clause.[57] This, in turn, enables some of the asyndetic clauses to function as legal motive clauses. For instance: "Do not uncover the nakedness of your father's sister, (for) she is your father's flesh" (Lev 18:12, cf. v. 13; see *NAB* ad loc).

The possibility of indicating logical subordination by means of unconnected grammatical coordination makes it possible to identify many circumstantial clauses which are formulated asyndetically as legal motive clauses.[58] For example, in Lev 18:7b, of the two asyndetic clauses, the first is clearly causal and should be understood as "since she is your mother" (lit., she being your mother). This, in turn, constitutes the motivation behind the law in the second clause which prohibits uncovering her nakedness. This half verse must therefore be rendered as in *NAB*: "Since she is your own mother, you must not have intercourse with her." As will be shown below, a high percentage of legal motive clauses are formulated in this asyndetic manner.

Having discussed the motive introductions,[59] it is now possible to consider other formal characteristics of the legal motive clauses. In the majority of cases, a particular law is motivated by means of a single motive clause. However, on occasion, some laws are provided with multiple motive clauses introduced in a variety of ways: by the same grammatical particle (e.g., Deut 15:10b-11, both with כי); by two consecutive asyndetic clauses (e.g., Lev 20:21); by different particles (e.g., Deut 16:3b, פן and ו); or by a combination of a grammatical particle and an asyndetic clause (e.g., Lev 23:43, למען

and asyndeton). Often a motive clause contains its own motivation (e.g., Exod 22:26b [end]; Lev 21:15; Deut 12:25, 13:19, 19:6, 21:9).

As a rule, a motive clause follows the legal prescription. However, at times it may precede the law. For example, in Exod 20:22-23, the statement "You yourselves saw that I spoke to you from the very heavens" (v. 22b, *NJV*) constitutes the underlying reason for the prohibition against making images of gods (v. 23).[60] There are also some unusual examples such as the one in Deut 14:1-2 where two legal prescriptions in verse 1b are motivated by motive clauses that are placed both before (v. 1a) and after (v. 2).

Finally, it is necessary to point to a handful of cases where the motive clause is found in the protasis of a law expressed in the conditional form: e.g., Deut 12:20a, 14:24, 29a, 15:16b, 24:1. These do not constitute real motive clauses as defined in this study, inasmuch as they do not provide a rationale for the directive(s) found in the apodosis but simply explain certain elements of the case outlined in the protasis. Therefore, in the computation of the motive clauses, they will be listed separately and the laws that contain them will not be considered motivated legal prescriptions.

The motive clauses themselves usually appear as prose statements, sometimes short (e.g., "for he is his money," Exod 21:21bβ), sometimes longer (e.g., "for I the Lord your God am an impassioned God, visiting the guilt of the fathers upon the children," etc., Exod 20:5-6). There is one example of a motive clause taking the form of a question; the prohibition against cutting down trees around a besieged city is justified by stating, "for are trees of the field human that they should withdraw before you into the besieged city?" (Deut 20:19b). Very few motive clauses have a poetic structure in their formulation (e.g., Exod 23:8; cf. Deut 16:19b, Gen 9:6, *NJV*).

Whereas in the majority of cases the motive clause expresses the reason or the purpose behind the law, in a few instances it indicates the adverse consequence, in fact, the specific penalty that awaits anyone who refuses to obey a given law, much in the sense of "do not do this, for if you do, such

and such will happen." For example, "For seven days no leaven shall be found in your houses; for (כִּי) if any one eats what is leavened, that person shall be cut off from the congregation of Israel, whether he is a sojourner or a native of the land" (Exod 12:19, *RSV*).[62]

## DISTRIBUTION OF THE MOTIVE CLAUSES

### *General Considerations*

The biblical law collections differ among themselves with regard to the number and types of motivation found in them. The study of the distribution of the motive clauses will make it possible to determine, for each law corpus, the number, percentage and content of the motivated laws, the subject matters that these motive clauses cover and the kind of legal prescriptions that attract motivation. Such a tabulation will, in turn, permit a comparison between a given law collection and others, thus revealing both tendencies and patterns for the individual collections.

The following will constitute operational guidelines in the undertaking of this particular investigation.

(1) Each law collection will be studied in its present form and basically in the order in which it appears in the Bible. For practical purposes, the two versions of the Decalogue (in Exodus 20 and Deuteronomy 5) will be considered one after the other. The priestly law corpus will be analyzed at the end, inasmuch as its legal sections encompass a large number of material, sometimes entire legal complexes, spread throughout the entire Tetrateuch.

(2) In line with the discussion above, parenetic texts, whether located within the laws or in their introductory and/or concluding sections, will not be considered in the computation of the legal prescriptions.

(3) In each legal corpus, the percentage of the motivated prescriptions will be determined by following three consecutive steps: (a) counting separate prescriptions, (b) identifying the motive clauses, (c) deciding whether a given motive clause motivates one or more than one legal prescription.

The determination of what is law in the Pentateuch presents some difficulties. Already in our discussion above it was argued that curses and independent parenetic statements are not to be considered laws. Yet, even within clearly identified Pentateuchal legal texts it is difficult to separate the individual legal prescriptions.

One of the characteristics of the biblical legislation in general and of the Priestly Code in particular, is that its authoritative instructions are often imbedded in historical narratives. It therefore becomes necessary first to attempt to distinguish between an ad hoc command for a given historical occasion and a legal prescription which has validity for the future as well.[63] The first one can sometimes be identified by showing that it was immediately carried out as formulated once and for all; the second one, by referring to literary references indicative of its binding force for all times.

For instance, in Exod 34:1a (cf. Deut 10:1), the Lord instructs Moses to "carve two tablets of stone like the first." According to Exod 34:4 (cf. Deut 10:3), Moses obeyed and "carved two tablets of stone, like the first." Similarly, in Num 3:40 God commands Moses to record every first-born male of the Israelites from the age of one month up. Num 3:42 specifies that this order was duly carried out. Elsewhere, following God's directives, Bezalel builds an ark of acacia wood (Exod 37:1-5; cf. 25:10-16), a cover (Exod 37:6-9; cf. 25:17-22), a table (Exod 37:10-16; cf. 25:23-29), a lampstand (Exod 37:17-24; cf. 25:31-40), and other cultic objects. These and similar instructions can be taken as examples of ad hoc commands.

On the other hand, some instructions are accompanied by statements showing that their validity goes beyond the present time. For example: "It is a law for all time throughout the ages" (Lev 10:9b); "These are the laws and rules which you must carefully observe in the land that the Lord, God of your fathers, is giving you to possess, as long as you live on earth" (Deut 12:1, *NJV*). The element of permanence and continuous applicability can also be noted in the very formulation of the legal prescriptions: e.g., the law in Num 27:8b, "If a

man dies without leaving a son, you shall transfer his property to his daughter" (*NJV*), is undoubtedly meant to be valid in every similar situation. At times, instructions of this kind are followed by statements such as "This shall be the law of procedure for the Israelites," etc. (Num 27:11b, *NJV*); "Such is the ritual concerning him who has discharge" (Lev 16:32, *NJV*), which further point to their character as law rather than ad hoc commands. The legal saying in Gen 9:6 ("Whoever sheds the blood of man, by man shall his blood be shed, for in His image has God created him") similarly indicates that it is valid whenever a man takes the life of another human being (cf. Exod 20:14, 21:12, Lev 24:17). In addition, instructions to be applied on a continuous basis after the entry into Canaan (e.g., Num 15:1-16, 33:51-56, Deut 26:1-12) are to be viewed as legal prescriptions.

However, though the formulation of the instruction may be indicative of its permanent validity, the context, too, sometimes must be taken into account in order to determine whether or not the instruction is to be regarded as law. Thus, God's instruction to Moses, "Whoever touches the mountain shall be put to death" (Exod 19:12b), though formulated in the participial form as Gen 9:6, is only an ad hoc command, inasmuch as the context in which the instruction is found (i.e., in the Sinai desert, just before the giving of the Ten Commandments) makes it clear that we are dealing with an historical situation at a given time and place and not with a legal prescription valid for all ages.

At times, an instruction is said to have been properly carried out, yet it still contains a clause specifying that one aspect of it is to be observed in the future: e.g., God orders that an altar for burning incense be built (Exod 30:1-6); so Bezalel builds it (Exod 37:25-28). However, the text further indicates (Exod 30:7-10) that the burning of incense as well as the purification ceremony is to be performed throughout the ages (vv. 8, 10). In this and similar cases, the order that was carried out once and for all can be considered an ad hoc command; and the instruction for the future, a legal prescription.

Gemser was aware of the difficulties inherent in establishing the ratios of the motivated laws and, in fact, admitted that

> it is not so easy to determine the proportion of the clauses with motive sentences over against those without. The difficulty arises out of the question how many verses the separate law paragraph comprises, and whether the subdivisions of a law statement (e.g., in the casuistic laws the subordinate *'im*-sentences after the *kî*-clause which opens the case) must be reckoned as a new paragraph.[64]

Similarly, Uitti wrote, "There is certainly involved a measure of subjectivity in the delineation of the number of paragraphs and sub-cases as well as the identity and limits of individual motive clauses."[65]

Gemser's solution was to determine the percentages on the basis of the number of paragraphs, subjects or cases that he had counted for every law collection. However, in his footnotes, he also gave the ratios reached by taking into account the sub-cases. Uitti, on the other hand, calculated the proportion of motivated laws solely on the basis of the number of paragraphs or subjects.

The method of computing percentages on the basis of separate paragraphs or subjects does not correctly reflect the situation as evidenced in the biblical texts; for this method treats each subject or paragraph containing a motive clause as being a motivated law, even though the motive may apply only to one of several prescriptions in it. In some cases a "paragraph" or subject may indeed consist of a single motivated prescription, such as Deut 24:6, considered also by Uitti an entity by itself.[66] Yet, this is not always the case. For instance, the law in Exod 21:20-21, taken as a unit by Uitti,[67] contains a motive clause in verse 21. However, this one does not motivate the entire unit but only the second prescription in verse 21. Similarly, the law of the slave-woman in Exod 21:7-11, again taken by Uitti as an entity by itself,[68] includes a motive clause in verse 8. Yet, it is clear that this motive clause provides a motivation for only one of the several legal prescriptions that make up the paragraph, namely, for verse 8. Therefore, it is misleading to use subjects or

paragraphs in the computation of the percentages. Rather, one should consider individual prescriptions that are found within a given unit.

In attempting to determine the ratios of the motivated prescriptions, there is a further need to formulate certain criteria that will serve as guidelines in identifying the individual legal prescriptions, whether motivated or not. This, in turn, will help to maintain consistency throughout this complicated undertaking and provide the basis for dependable comparative statistics.

The primary goal here is to separate each legal prescription that is capable of attracting a motive clause. For the purposes of the present study, it will sometimes be possible to combine certain prescriptive imperatives in order to avoid an undue division of all the legal material.

This consideration applies to laws formulated in the conditional form just as it applies to those in the unconditional form, for the delineation of the prescriptions is not made on the basis of the protasis and by distinguishing the primary from the secondary cases, but by identifying the separate prescriptions that are found in each apodosis.

The following guidelines have emerged as the result of a survey of all the law collections in the Bible.

(1) Any command or prohibition that has a distinct subject matter, whether appearing alone or connected to others by means of a connective particle, will be considered a separate prescription: e.g., "You shall not murder" (Exod 20:13, *NJV*) constitutes one prescription; "You shall not revile God, nor put a curse upon a chieftain among your people" (Exod 22:27, *NJV*), constitutes two separate prescriptions.

(2) Commands or prohibitions referring to the same subject and constituting steps in a chain of directives will be considered one single prescription: e.g., "Any person, whether citizen or stranger, who eats what has died or has been torn by beasts, shall wash his clothes, bathe in water, and remain unclean until evening; then he shall be clean" (Lev 17:15, *NJV*) constitutes one prescription.

(3) In passages listing several directives in the form of a generalization followed by details,

(a) individual directives which could conceivably contain separate motive clauses will be counted as separate prescriptions with the introductory general instruction considered only an "introduction," not a prescription at all: e.g., in Deut 16:19, "You shall not judge unfairly" (v. 19aα) is an introduction, while "You shall show no partiality" (v. 19aβ), and "You shall not take bribes, for bribes blind the eyes," etc. (v. 19b), constitute two separate prescriptions of which only the second is motivated.

If a conclusion or a summation is also attached, neither the introduction nor the conclusion will be counted as a prescription: e.g., in Lev 19:15, "You shall not render an unfair decision" (v. 15aα) is an introduction, "Do not favor the poor or show deference to the rich" (v. 15aβ, aγ) are two separate prescriptions, and "Judge your neighbor fairly" (v. 15b) constitutes a conclusion.

(b) If it is hardly imaginable that the separate directives would contain individual motive clauses, then the introductory directive alone will be considered a separate prescription and the rest only as "illustrations," not as separate prescriptions: e.g., in Lev 25:2-5, "The land shall observe a sabbath of the Lord" (v. 2b, *NJV*) will be considered as the sole prescription; verses 3-5 ("Six years you may sow your field and six years you may prune your vineyard....You shall not reap the aftergrowth of your harvest or gather the grapes of your untrimmed vines....") are simply illustrations. At times, illustrations may precede the prescription itself (e.g., Deut 21:10-13, 24:16).

(4) Positive and negative formulations of the same basic idea will be counted as one prescription: e.g., "The poles shall remain in the rings of the ark: they shall not be removed from it" (Exod 25:15, *NJV*).

However, not every positive command followed by a prohibition (or vice versa) can be considered a positive and negative formulation of the same basic idea. When the second directive contains a specific instruction that cannot be

derived from the first, then each will be counted as a separate prescription: e.g., "But you must not partake of the blood; you shall pour it on the ground like water" (Deut 12:16, *NJV*; cf. vv. 24-25) constitutes two different prescriptions.

(5) The following will not be counted as separate prescriptions.

(a) Prescriptions duplicated by means of synonymous terminology: e.g., "Make not mention of the names of other gods; they shall not be heard on your lips" (Exod 23:13b, *NJV*).

(b) Directives which are explicative of other prescriptions: e.g., in Lev 20:2, "Any man among the Israelites, or among the strangers residing in Israel, who gives any of his offspring to Molech, shall be put to death; the people of the land shall pelt him with stones" (*NJV*); the instruction to pelt the culprit with stones only comes to explain how the death penalty is to be carried out and does not constitute a separate prescription.

(c) Specific instructions which fall within the scope of another prescription, without appearing as mere illustration of that prescription: e.g., "Six days you shall work, but on the seventh day you shall cease from labor; you shall cease from labor even at plowing time and harvest time" (Exod 34:21, *NJV*); or, "He shall not go in where there is any dead body; he shall not defile himself even for his father or mother" (Lev 21:11, *NJV*). In each case, the second half of the prescription simply indicates that the application of the law extends even to that particular area and therefore is not to be considered a separate prescription on its own.

(6) The treatment of a small number of "permissions" presents a difficulty. These do not embody a prohibition or a command, but simply allow the individual to act freely in a given situation (e.g., Deut 12:15a, 20; 14:4-6, 9, 11, 20; 20:14, 20; 23:9). It would therefore appear questionable to consider them as real legal prescriptions. Yet, it must be recognized that even these "permissions" delineate the area or areas of permitted activity, conferring upon the individual certain rights and privileges. Also, a given permission may, at times, represent an abrogation of a prior prohibition as,

for instance, in Deut 12:13-19 where slaughtering for secular use is permitted. According to von Rad, this "seems to assume that up till then every slaughtering was understood as a ritual act."[69] In this case, Deuteronomy "deprives this action of any sacral significance."[70] In light of these considerations, the few "permissions" that are found in the biblical legal corpora will be counted as legal prescriptions.

(7) The delineation of the legal prescriptions in PC presents some problems. In the first place, in more than any other legal corpus in the Bible, narratives frequently accompany the laws in PC. This makes it difficult, at times, to distinguish between an ad hoc command and a permanent legal prescription and requires that each instruction be studied closely in order to see whether or not it contains clues as to its purpose within the text. Secondly, most of the priestly instructions constitute steps in a chain of directives and it is not always easy to determine where one legal prescription ends and where the next one begins. In resolving this question, one possibility is to use the subject matter as a guideline. For example, burnt offering from the herd (Lev 1:3-9) could be considered one prescription, burnt offering from the flock (Lev 1:10-13) another prescription, and burnt offering of birds (Lev 1:14-17) yet another prescription. However, this criterion is too general and ignores the presence of numerous prescriptions, some of them motivated, that are contained within each unit. For example, Lev 1:3-9 includes the bringing of the animal to the entrance of the Tent of Meeting (v. 3), the laying of hands (v. 4), the slaughtering of the animal (v. 5a), the offering of the blood (v. 5b) and others. It is proposed here that each of these acts be taken as constituting a different legal prescription. In certain instances, it is possible to consider as single legal prescriptions certain categories of action which are consistently described by combining a number of verbal imperatives. Thus, for instance, one can view the treatment of the blood (Lev 4:5-7; cf. vv. 16-18, 25, 30, 34) or the presentation of certain parts of the dismembered animal (Lev 4:8-9; cf. vv. 19a, 26a, 31aα; 3:3-4, 9-10, 14-15) as compound acts, and therefore as single legal

prescriptions. In each case, the component prescriptions do not--and it is hardly imaginable that they would--contain separate motive clauses. It is this latter criterion that will be used in counting the legal prescriptions in PC.

(8) When a motive clause is directly connected to one legal prescription but provides a motivation for other prescriptions as well, either preceding or following it, each of the motivated prescriptions will be counted separately.

At times, the motive clause specifically indicates that it covers more than one legal prescription. For example, it is clear from the wording of the motive clause in Deut 22:5b ("for whoever does these things is abhorrent to the Lord your God," *NJV*) that it applies to both legal prescriptions in verse 5aα ("A woman shall not put on man's apparel," *NJV*) and verse 5aβ ("nor shall a man wear woman's clothing," *NJV*).

This extended use of motivation sometimes appears to be indicated by attaching the motive clause to two consecutive legal prescriptions connected by the copula ו ("and"). Thus, for instance, the motive clause in Lev 19:3b ("I the Lord am your God," *NJV*) seems to motivate both verse 3aα ("You shall each revere his mother and his father," *NJV*) and verse 3aβ ("and [ואת] keep My sabbaths," *NJV*). However, the connection itself cannot always be taken as a dependable guide, for the content of the motive clause may indicate otherwise. For example, even though Deut 16:19aβ ("you shall show no partiality," *NJV*) is connected to verse 19bα by means of a *waw* ("and you shall not [ולא] take bribes"), the content of the motive clause in verse 19bβ-γ ("for bribes blind the eyes," etc.) clearly shows that only verse 19b is thus motivated.

Finally, even in cases where legal prescriptions are not connected with a connective particle, the content of the motive clause may indicate that the intention is to cover more than one legal prescription. For example, in Lev 18:17, the clause in verse 17bβ ("they are kindred; it is depravity," *NJV*) appears to motivate the legal prescription in verse 17a ("Do not uncover the nakedness of a woman and her daughter," *NJV*) as well as verse 17bα ("nor shall you marry her son's daughter and her daughter's daughter," etc.).

Admittedly, there is a subjective element in the evaluation of the scope of the last two kinds of motive clauses.

(9) Only motive clauses which provide a direct motivation for the legal prescriptions will be considered; motive clauses which, at times, motivate other motive clauses will not be counted separately.

The percentages obtained by counting separate legal prescriptions instead of paragraphs or subjects will be considerably lower than those proposed by Gemser and Uitti. Yet, the result, it is believed, will better reflect the reality as evidenced in the texts themselves for reasons that were already discussed above.

It must be granted that the delineation of the individual legal prescriptions will inevitably require some subjective evaluation of the legal data and the possibility cannot be altogether excluded that others working with the same method might choose to combine or separate these legal prescriptions in a different manner than the one proposed in this study. But the main point is that the number of prescriptions computed in this way will be much higher than the figure obtained merely by counting paragraphs or subjects; that general situation would not be substantially affected by a slightly different enumeration.

Before concluding this section, two additional remarks are in order.

(1) The complete list of the legal prescriptions together with the text of the motive clauses and related notes will be given at the end of this work. In this chapter, only the results will be recorded.

(2) In studying the subject matters covered by the motivated prescriptions, an attempt will be made to group these prescriptions within broad categories in order to get a general understanding of their content. In doing so, it will be kept in mind that classifications of this kind are devised purely from our vantage point and cannot be said to represent necessarily the biblical classification which did not differentiate between civil, moral and religious obligations.

In his classification of the motivated laws, Uitti chose as him main division R. de Vaux's four basic institutions in the social life of ancient Israel; namely, family, civil, military and religious.[71] In the present study, the survey of the material has led to a classification which is broader in scope and will be considered under the following headings: (1) cultic/sacral legislation,[72] (2) "civil" legislation,[73] (3) humanitarian admonitions and rules of moral conduct, and (4) legislation dealing with the political sphere (e.g., kingship, warfare, foreigners).

### *Motive Clauses in the Pentateuchal Law Collections*

#### The Decalogue

*Exod 20:2-17* (Appendix List, No. 1a)

Gemser identified here only three motive clauses (vv. 5, 7, 11)[74] and set the percentage of the motivated laws between twenty-five and thirty-three.[75]

Uitti found four motive clauses (vv. 5b-6, 7b, 11, 12b)[76] and, taking Exod 20:2-6 as a unit, stated that the ratio is four cases out of nine, or a percentage of 44.4%.[77]

The results of the present study are as follows.

Out of a total of eleven legal prescriptions, five are motivated by five different motive clauses, bringing the percentage to ca. 45%.

One of the motive clauses (i.e., v. 2) is asyndetic and provides a motivation for what follows it (v. 3),[78] three are formulated by means of כִּי (vv. 5b-6, 7b, 11) and one by לְמַעַן (v. 12b).

*Deut 5:6-18* (Appendix List, No. 1b)

Gemser found here four motive clauses (vv. 9, 11, 14f., 16)[79] and set the percentage again between twenty-five and thirty-three.[80]

Uitti listed five motive clauses (vv. 9b-10, 11b, 12b, 14c-15, 16aβ-b)[81] and, taking Deut 5:6-10 as a unit, computed the percentage as 44.4%, i.e., four out of nine cases.[82]

The following are the results of the present analysis.

Out of a total of eleven legal prescriptions, five are motivated, this time by seven motive clauses. The extra two motive clauses represent two secondary motivations found in the laws dealing with the Sabbath (vv. 12-15) and honoring the parents (v. 16). The percentage of the motivated prescriptions is still ca. 45%.

Of the primary motive clauses, one (i.e., v. 6) is asyndetic and provides a motivation for what follows it (v. 7),[83] two are formulated by means of כי (vv. 9b-10, 11b) and two by the conjunction למען (vv. 14bβ, 16bα).[84] Of the secondary motivations, one is introduced by וזכרת, in the sense of "for you shall remember," etc. (v. 15), and the other by ולמען (v. 16bβ).

In both texts the motive clauses are attached to laws formulated in the unconditional form and restricted, in the traditional Jewish counting, to the first five commandments. With the exception of Exod 20:12 (cf. Deut 5:16), which refers to honoring the parents, the rest of the motivated laws deal with cultic/sacral matters such as idolatry, blasphemy[85] and observance of the Sabbath.

### The Book of the Covenant (BC): Exod 20:22-23:33 (Appendix List, No. 2)

The legal corpus proper, found in Exod 20:22-23:19, is followed by Exod 23:20-33 which functions as a conclusion to BC because of the blessings and promises found in it.[86]

Gemser considered BC a body of laws surrounded by a "mantle" (Exod 20:23-26 plus 23:10-19). In this legal "mantle" he found four cases of motivation, identifying them in a footnote as Exod 20:25, 26; 23:12, 15.[87] Yet, when he discussed the matter of percentages, he stated that in BC and its legal mantle there are nine motivated laws, i.e., Exod 20:25; 21:8, 21; 22:20, 25f.; 23:7, 8, 9, 15.[88] The two motive clauses previously cited in Exod 20:26 and 23:12 are missing from his second list. He furthermore stated that in BC together with its legal "mantle" there are fifty-nine paragraphs, giving

a percentage rate of 17%[89] or, including the sub-cases, eighty-eight cases with a percentage rate of 8%.[90]

Uitti, restricting the designation of BC to Exod 21:1-23:9, counted thirty-eight paragraphs or subjects, of which he found only nine motivated.[91] He fixed the percentage rate at 23.6%.[92] His motive clauses, in order of appearance, are: Exod 21:8bβ, 21b; 22:20b, 22-23, 26, 30a;[93] 23:7c, 8b, c, 9b.[94]

The present study has yielded the following results.

Out of a total of 104 legal prescriptions, only 17 are motivated. This represents a rate of ca. 16%.

Of the seventeen motivated prescriptions, six (ca. 35%) are expressed in the conditional form and eleven (ca. 64%) in the unconditional form.

The seventeen motivated prescriptions are accompanied by sixteen primary motivations and one secondary motivation: Exod 20:22-23,[95] 25, 26; 21:8, 21, 26, 27; 22:20, 21-23, 25-26 (has a primary and a secondary motive clause); 23:7b, 8, 9, 10-11a, 12, 15a.

The motive clauses are introduced in a variety of ways. In the following chart, where their distribution is indicated, the first number refers to the primary motive clauses; the second, third and fourth number, to the secondary, tertiary and quaternary motive clauses.

| | | | |
|---|---|---|---|
| כי: | 7/0/0/0 | אשר: | 1/0/0/0 |
| asynd.: | 2/0/0/0 | למען: | 1/0/0/0 |
| פתחת: | 2/0/0/0 | בּ: | 1/0/0/0 |
| ו: | 2/1/0/0 | | |

The areas which these motivated laws cover can be divided into three broad categories.

(1) Cultic/sacral regulations, seven prescriptions: idolatry (Exod 20:22-23); laws about the altar (Exod 20:25-26), the sabbatical year (Exod 23:10-11a),[96] the Sabbath (Exod 23:12) and the feast of Unleavened Bread (Exod 23:15a). This amounts to ca. 41% of the motivated laws and ca. 27% of all the cultic/sacral prescriptions in the corpus.

(2) Humanitarian admonitions and rules of moral conduct, six prescriptions: benevolent treatment of the stranger, widow and the orphan (Exod 22:20, 21-23; 23:9), kindness to the

debtor (Exod 22:25-26), not bringing death on the innocent and the righteous (Exod 23:7b) and the prohibition against taking a bribe (Exod 23:8).[97] These six prescriptions represent ca. 35% of the motivated laws and ca. 37% of all the prescriptions in the corpus which are of moral/humanitarian nature.

(3) Finally, in the area of "civil" legislation, there are four motivated laws dealing with the rights and obligations of the slave-owner (Exod 21:8, 21, 26, 27). They constitute ca. 23% of the motivated laws but only ca. 6% of all the "civil" laws in BC.

### The Cultic Decalogue (CD): Exod 34:10-26 (Appendix List, No. 3)

The question of how to subdivide Exod 34:10-26 is a matter of scholarly debate. The general tendency is to consider verses 14-26 as embodying the laws of the "cultic" decalogue, with verses 10-13 acting as an introduction.[98] However, the legal prescriptions do not seem to start before verse 17. This was already noted by Kaufmann who spoke of "the small Covenant Code 34:17-26; with its prologue, verses 10-16."[99] Recently, both Langlamet[100] and Lestienne[101] have argued that verses 11-16 constitute an ancient parenetic introduction dealing with the relationship between Israel and the inhabitants of the land (cf. vv. 12, 15-16).

In this "cultic" decalogue, Gemser cited three motive clauses (vv. 14, 18, 24).[102] As in the other decalogues, the percentage is set between 25 and 33.[103]

Uitti, who considers 34:10-16 as a prologue, counted within verses 17-26 seven paragraphs or subjects of which two are motivated.[104] The percentage is 28.5%.[105] He identified two motive clauses:[106] one in verse 18aβ (אֲשֶׁר) followed by a secondary כִּי (v. 18b) and the other in verse 24 (כִּי).

In the opinion of the present writer, too, verses 10-16 appear to constitute a prologue to the laws contained in verses 17-26. Within this body, it is possible to find fifteen separate prescriptions of which only two are motivated. The percentage rate is ca. 13%.[107]

Both motive clauses are introduced by the particle כי (vv. 18b, 24). The motivated prescriptions are expressed in the unconditional form and deal with cultic/sacral matters, i.e., the festival of Unleavened Bread (v. 18) and the requirement for every male to appear before God three times a year (vv. 23-24), most likely during the three pilgrimage festivals.

The Holiness Code (H): Lev 17-26 (Appendix List, No. 4)

The determination of the extent of this collection presents some difficulties. For, even though Lev 26:3-45 and its subscription in verse 46, with their blessings and curses, constitute a distinct conclusion, it is not at all clear where the corpus begins, since it lacks a title or a superscription that would unmistakably mark this beginning. Thus Noth writes, "We can suppose it to begin with ch. 17, primarily for the simple reason that we can see elsewhere no other longer collection to which ch. 17 and the following chapters could have belonged."[108] It is noteworthy that chapter 17 opens up with instructions regarding the place of sacrifice. This can be considered a suitable opening for a law collection in light of the fact that both BC (Exod 20:22-26) and the legal corpus of Deuteronomy (i.e., chap. 12) begin in similar fashion.[109]

Chapters 17-26 do not constitute an original homogeneous and self-contained unit. The various repetitions found therein point to a combination of several individual collections that were once autonomous.[110] The entire corpus was eventually incorporated into PC. As a whole, H is characterized by its highly parenetic nature.

In H, Gemser found that "on the 122 subjects or cases stated in this law-collection there is a total of 77 motive clauses (made up of 45 times the well-known refrain [כי אני יהוה אלהיכם] plus 32 other forms of motivation), providing a percentage as high as 65."[111] In a footnote, he added, "by a less probable counting of 136 items and 95 motivations the percentage would be almost 70."[112] However, because of the introductory nature of his article, he did not provide the reader either a list of the laws or a list of his motive clauses.

Uitti counted seventy-one separate paragraphs of which fifty-nine are motivated, resulting in a percentage as high as 83%.[113] He also identified a total of ninety-three motive clauses.[114]

The following constitute the results of the present study with regard to H.

Out of a total of 214 legal prescriptions, 110 are provided with motivations. This represents a percentage rate of ca. 51%.

Of the 110 motivated prescriptions, 84 (ca. 77%) are expressed in the unconditional form and 26 (ca. 23%) in the conditional form, with a heavy concentration on negative commands in the second person.

A total of ninety-four motive clauses accompany the motivated prescriptions.[115] Of these, seventy-four are primary, eighteen are secondary, and two are tertiary. The distribution of these motive clauses can be seen in the chart below.

| | |
|---|---|
| asynd.: 39/11/0/0 | ל: 2/1/0/0 |
| פי: 25/ 2/0/0 | למען: 1/0/0/0 |
| ו: 7/ 3/2/0 | למען אשר: 0/1/0/0 |

The areas covered by these motivated laws can be grouped into three broad categories.

(1) Cultic/sacral regulations, eighty-five prescriptions: among these are laws dealing with the place appropriate for sacrifices as well as related sacrificial acts (Lev 17:3-7a, 10-11, 13-14; 19:7, 8, 30aβ; 22:30; 24:2; 26:2aβ), rights and duties of the priests (Lev 21:1bβ-6, 7-8, 12, 13-15, 17-23; 22:2, 3, 7, 8, 19, 25; 24:9; 25:33-34), sacred occasions in the Hebrew calendar, such as the Sabbath (Lev 18:3aβ, 19:30aα, 23:3, 26:2a), the Day of Atonement (Lev 23:27-30), Tabernacles (Lev 23:36bα, 42-43), the Jubilee year (Lev 25:11-12a). Motive clauses are also appended to laws concerning matters of idolatry and pagan customs: offering children to Molech (Lev 18:21, 20:2-3), mourning rites (Lev 19:27-28), ghosts and familiar spirits (Lev 19:31), divination and soothsaying (Lev 19:26b), making images (Lev 19:4, 26:1). In addition, motive clauses are found in laws dealing with prohibited sexual acts within certain degrees of family relationship (Lev 18:6-17, 20:11-21), prostitution (Lev 19:29, 21:9), homosexuality (Lev 18:22,

20:13) and bestiality (Lev 18:23).[116] Laws about first fruits (Lev 19:23-25) and the prohibition of selling the land in perpetuity similarly attract motivations (Lev 25:23). These eighty-five prescriptions represent ca. 75% of the motivated laws and ca. 55% of all the cultic/sacral regulations in H.

(2) Humanitarian admonitions and rules of moral conduct, twenty-three prescriptions. Those which show concern for the fate of the underprivileged in society appear to be in the majority. They include protection of the poor and the stranger (Lev 19:9-10, 33-34; 23:22) and kind treatment of the fellow Israelite in debt (Lev 25:14-16, 35-38, 39-42, 47-55). In addition, one finds motive clauses in connection with reverence for parents (Lev 19:3aα, 20:9), general concern for one's fellow men (Lev 19:16, 17b) and correct weights and measures (Lev 19:35-36). All of these prescriptions constitute ca. 21% of the motivated laws and ca. 60% of all the rules of humanitarian nature in the corpus.

(3) To the area of "civil" legislation, it is possible to ascribe two prescriptions: the prohibition of intercourse with a slave-girl who is designated for another man but not as yet redeemed or given her freedom (Lev 19:20) and bearing false witness (Lev 19:12). These prescriptions make up ca. 2% of the motivated laws and ca. 10% of all the "civil" laws in the present law collection.

The Deuteronomic Code (D): (Appendix List, No. 5)

Deuteronomy consists of three long addresses,[117] stated to have been delivered by Moses to the people of Israel, east of the Jordan, prior to his death and the conquest of the Land. The body of laws found in chapters 12-26 purport to be the regulations that constituted the basis of the covenant in Moab.[118]

The law corpus begins with instructions regarding the place of sacrifice (chap. 12) and ends with a parenetic conclusion in 26:16-19, followed by blessings and curses in chapter 28.[119] In addition, among all the instructions found outside of chapters 12-26, it is possible to consider Deut

1:16-17 and 7:1-6, 25-26 as legal prescriptions, rather than ad hoc commands, inasmuch as they prescribe continuous application.

The legal material in D is, as noted before, saturated with exhortative material.[120]

Within Deuteronomy 12-26, Gemser counted 99 paragraphs and 61 motive clauses, resulting in a high percentage of 60%.[121] In a footnote, he added, "or when subcases are included and less certain motivations counted in, a total of 129 cases on which there are 71 motivations, which means 55 percent."[122] Here, too, because of the introductory nature of this study, he did not provide the reader with a list of the laws or the motive clauses.

By contrast, Uitti counted seventy-two paragraphs of which, he said, sixty-four are motivated,[123] setting the percentage rate of 88.8%.[124] He also found ninety-nine separate motive clauses.[125]

The results of the present study are as follows.

Out of a total of 225 prescriptions, 111 are motivated.[126] This represents a rate of ca. 50%.

Seventy-six (ca. 70%) of the motivated prescriptions are expressed in the unconditional form, while only thirty-five (ca. 30%) are formulated in the conditional form.

A total of 111 motive clauses accompany the 111 motivated prescriptions. Of these motive clauses, 83 are primary, 24 are secondary, 3 are tertiary and 1 is quaternary. The chart below shows their distribution.

| | | | |
|---|---|---|---|
| פי: | 35/ 5/1/0 | תחת אשר: | 2/0/0/0 |
| ו: | 21/13/1/0[127] | אשר: | 1/0/0/0 |
| למען: | 9/ 1/0/1 | למען אשר: | 1/0/0/0 |
| asynd.: | 7/ 0/0/0 | אחרי אשר: | 0/1/1/0 |
| פן: | 4/ 0/0/0[128] | לבלתי: | 0/1/1/0 |
| על דבר אשר: | 2/ 2/0/0 | בגלל(ו): | 0/1/0/0 |

The motivated laws in D cover a wide range of topics which can be divided into four broad categories.

(1) Cultic/sacral regulations, fifty-four prescriptions: the issues of idolatry and imitation of Canaanite practices head the list with twenty-eight laws dealing with pagan altars (Deut 12:2-3; 7:5-6, 25), sacred pillars and posts (Deut

16:21-22), idols (Deut 7:26a), worship of astral deities (Deut 17:2-7), all kinds of divination and magic (Deut 18:10-12), false prophets and dream-diviners (Deut 13:2-4, 6), inciting to idolatry (Deut 13:7-12), touching anything proscribed because of idolatry (Deut 13:18-19), pagan mourning rites (Deut 14:1-2), sowing two kinds of seeds (Deut 22:9) and wearing apparel of the opposite sex (Deut 22:5). Motive clauses are found in connection with sacred occasions in the Hebrew calendar, Passover (Deut 16:1, 3) and Tabernacles (Deut 16:13-15). Certain dietary prescriptions (Deut 14:7-8a, 10, 19, 21) and, in particular, the prohibition against consuming blood (Deut 12:23-25) attract motivations. A few prescriptions about the priesthood, all dealing with the rights and duties of the Levitical priests, are also provided with motivation (Deut 18:1-2, 3-5; 21:5; 24:8-9). In addition, motive clauses are appended to centralization of worship (Deut 12:8-9), prohibition against the sacrifice of blemished animals (Deut 17:1), expiation for unknown murderer's crime (Deut 21:7-9), tithes (Deut 14:22-23), payment of vows (Deut 23:22), purity of the military camp (Deut 23:11-15), bringing to the Temple the fee of harlotry (Deut 23:19), conditions for entering the cultic community (Deut 23:2-5), utter destruction of Canaanite cities (Deut 20:16-18) and prohibition against intermarriage with foreigners (Deut 7:3-4). The fifty-four laws referred to above constitute ca. 48% of the motivated laws and ca. 48% of all the cultic/sacral regulations in the corpus.

(2) "Civil" legislation, twenty-eight prescriptions: laws concerning sex and marriage head the list: nonvirginity of the bride (Deut 22:13-21), adultery (Deut 22:22), seduction and rape (Deut 22:23-29), marriage with a step-mother (Deut 23:1), taking back one's divorced wife who has remarried (Deut 24:1-4a), levirate marriage (Deut 25:6) and captive woman taken in marriage (Deut 21:14). Some prescriptions which regulated procedural matters are provided with motive clauses: false witness (Deut 19:16-20), forty lashes (Deut 25:3), ignoring the instructions of the high court (Deut 17:12-13). Motive clauses are also appended to a variety of laws dealing with the remission of debts (Deut 15:1-2), slavery (Deut 15:12-15),

cities of refuge (Deut 19:3, 4b-7, 8-9), right of the first son (Deut 21:15-17), rebellious son (Deut 21:18-21), kidnapping (Deut 24:7), building a parapet for a new house (Deut 22:8), burial of an impaled criminal (Deut 21:22-23a). These twenty-eight prescriptions represent ca. 24% of the motivated laws and ca. 51% of all the "civil" laws in the corpus.

(3) Humanitarian admonitions and rules of moral conduct, twenty-one prescriptions. Special concern is here shown to those who are at a disadvantage for being left without, or with very little, protection. Motivated laws in this category refer to the stranger, widow, fatherless and Levite (Deut 14:27, 29; 24:17-22). Motivation accompanies legal prescriptions dealing with the protection of the poor during the year of release (Deut 15:7-11), with hired servants (Deut 24:14-15) and the debtor (Deut 23:20-21; 24:6, 12-13). Compassion for the mother-bird, too, attracts a motive clause (Deut 22:7). Similarly, correct weights and measures (Deut 25:13-16), honesty in judgment (Deut 1:17a), and the admonition not to take a bribe (Deut 16:19b) are motivated. All of these prescriptions amount to ca. 20% of the motivated laws and ca. 68% of all the humanitarian and moral laws in D.

(4) Finally, certain laws governing the "political" sphere are accompanied by motivations. Eight prescriptions can be included in this category: destroying Amalek (Deut 24:17-19a), cutting down food-trees during a siege (Deut 20:19), exemption from military duty for a newly married husband (Deut 24:5), against hating the Edomite (Deut 23:8a) and the Egyptian (Deut 23:8b). In addition, a number of prescriptions dealing with various aspects of kingship are similarly motivated (Deut 17:16, 17a, 19-20). These eight prescriptions constitute ca. 7% of the motivated laws and ca. 36% of all the laws in the corpus that regulate the "political" sphere.

The Priestly Code (PC): (Appendix List, No. 6)

The title "Priestly Code" derives from the interest it displays with regard to cultic institutions and priestly regulations. The PC forms part of a large narrative work (i.e.,

priestly work) which traces the history of the Israelites from Creation to the Exodus and the wilderness experiences.[129] It is easily recognizable by its distinctive formal style and use of special vocabulary.[130] It constitutes a "literary composite"[131] which in the process of its formation has incorporated various complexes of laws.

There is a general agreement among scholars as to the extent of the PC in the Pentateuch.[132] Although the bulk of the uninterrupted priestly instructions is found within Exodus 25 - Numbers 10, there is a considerable amount of priestly laws spread among other material both before and after, extending on the one hand back to Exodus 12 and a few prescriptions in Genesis 9 and 17, and, on the other, forward to the end of the book of Numbers.

Historical narratives often accompany these priestly instructions of which some are ad hoc commands and others legal prescriptions. It is highly possible that some of these ad hoc commands were meant or were later understood as paradigmatic. Similarly, certain narrative passages in the greater priestly work may have had "a legislative purpose."[133] These, however, remain outside the scope of the present study which concentrates on legal prescriptions whose permanent validity can be determined on the basis of formal or contextual grounds.

Gemser did not discuss the laws in PC. Uitti studied the PC but did not distinguish between ad hoc commands and legal prescriptions. He counted in it 166 paragraphs of which, he stated, 99 were motivated. This represents a rate of 59.6%.[134] He also identified a total of 148 motive clauses.[135]

The results of the present study are as follows.

Out of a total of 669 legal prescriptions, 130 are motivated. The rate is ca. 20%.

Of the 130 motivated prescriptions, 93 (ca. 71%) are expressed in the unconditional form and 37 (ca. 28%) in the conditional form.

A total of 125 motive clauses accompany the motivated prescriptions. Of these, 108 are primary, 16 are secondary and 1 is tertiary. The distribution of these motive clauses can be seen below.

asynd.: 48/4/1/0 ל: 9/6/0/0
כי: 29/3/0/0 למען: 1/0/0/0
ו: 21/3/0/0

The overwhelming majority of the motivated laws in PC deal with cultic/sacral matters, since these are its main concern. The largest number of these prescriptions deals with the rights and duties of the priests (Exod 29:27-28, 29; 30:19-21a; Lev 7:6; 10:8-14; 16:2; Num 3:6; 18:3b, 20, 31), with different kinds of offerings (e.g., Lev 1:9b, 13b, 17aβ-b; 2:6, 11-12, 14-15; 4:21, 24aβ-b; 5:11-12; 6:9-10, 18b, 22) and cultic objects (Exod 27:20; 30:32-33, 37-38; Num 10:2, 9, 10). Many dietary prescriptions have attracted motive clauses (Lev 7: 23-25, 26, 27; 11:4-42). Similarly, a few regulations concerning certain rituals and signs have motivation: circumcision (Gen 17:11-13), purification ceremony upon the horns of the altar of burning incense (Exod 30:10), placing fringes on the corner of garments (Num 15:38-41), burning the red cow (Num 19:9), keeping alive the goat designated by lot for Azazel (Lev 16:10), procedure to be followed in case of suspected adultery (Num 5:15, 24), status and consecration of the Nazirite (Num 6:6-7, 12b), diagnosis of "leprosy" and other skin eruptions (in Leviticus 13, 14). Motive clauses accompany prescriptions dealing with certain religious festivals: Passover and Unleavened Bread (Exod 12:15, 18-19, 22-23; 13:6-9), Second Passover (Num 9:13), Day of Atonement (Lev 16:29b-30). Motive clauses are also found in connection with consecration of the first born (Exod 13:2), prohibition against redeeming the firstlings (Num 18:17a), paying a ransom for those who are polled (Exod 30:12, 16), reviling God (Num 15:30-31). In addition, PC contains only a few motivated laws which are not directly related to the cultic sphere and could perhaps be assigned to the area of "civil" law: annulment of women's vows (Num 30:6, 13), homicide (Gen 9:6), cities of refuge and procedural laws regarding homicide (Num 35:10b-28), obligation of an inheriting daughter to marry within her father's tribe (Num 36:8) and an injunction to take possession of the Land (Num 33:53).

*Conclusions* (Charts A and B)

The survey of the law collections yields the following general overview of the motive phenomenon in biblical legislation.

(1) Within six law collections of the Pentateuch,[136] there are a total of 1,238 legal prescriptions of which 375 are motivated. This represents a percentage of ca. 30%. This percentage stands very low in comparison with the one proposed by Uitti. He had identified 247 motivated paragraphs or subjects out of a total of 393, including those in the Shechemite Dodecalogue (Deut 27:15-26),[137] yielding a high percentage of 63.1%.[138] The difference between the two rates is the direct result of varied methods followed in counting the laws as well as in the delineation of the motive clauses. As was argued above,[139] the percentage of the motivated laws must be calculated by counting individual legal prescriptions rather than entire paragraphs or subjects which may, and often do, contain more than one prescription capable of attracting motive clauses.

(2) Motive clauses are attached to laws formulated both in the conditional and unconditional form. The present survey indicates that the majority are found in legal prescriptions expressed in the unconditional form: out of 375 motivated legal prescriptions, 107 are in the conditional form (i.e., ca. 28%) and 268 in the unconditional form (i.e., ca. 72%). The predominance of the motivated laws in the unconditional form over against those in the conditional form is noted in every law collection in the Bible.

(3) The highest percentage of motivated prescriptions is found in H (ca. 51%, out of 214 prescriptions); the next highest is D (ca. 50%, out of 225 prescriptions). The Decalogue, with ca. 45% (out of 11 prescriptions), occupies third place. The rate then drops considerably: PC has 20% (out of 669 prescriptions); BC, ca. 16% (out of 104 prescriptions); and CD, ca. 13% (out of 15 prescriptions). As noted, in the Decalogue and CD, the number of legal prescriptions is very small.

Both Gemser and Uitti argued that there is a clear and considerable increase in frequency of motive clauses from the older to the most recent law collections. According to Gemser,

this is perceivable by taking note of the use in percentages from BC (17%) to D (60%) and finally to H (65%).[140] Similarly, Uitti remarks that the earliest collections, such as the Decalogue (44.4%) and CD (28.5%), have an extensive motive segment in comparison with BC (23.6%) and the Shechemite Dodecalogue (8.3%), but that none is a match for the extent of paragraph motivation in D (88.9%), H (83%) or PC (59.6%).[141]

The present survey corroborates this claim, at least partly. Indeed, the rate in BC (ca. 16%) is much lower than the one in D (ca. 50%). H contains the highest percentage of motivation (ca. 51%), but its date is a matter of scholarly debate.[142] PC, with ca. 20%, exhibits a considerably lower percentage than the one proposed by Uitti (i.e., 59.6%).

(4) Most of the motivated laws deal with the cultic/sacral sphere. Out of 375 motivated legal prescriptions, 271 can be assigned to this category. This represents ca. 72% of the motivated laws but ca. 27% of the cultic/sacral instructions in the Pentateuchal legal corpora. The cultic/sacral laws, in turn, constitute ca. 78% of all the legal prescriptions in the Bible. Motivated humanitarian admonitions and rules of moral conduct, with 51 prescriptions, claim ca. 14% of the motivated laws but ca. 53% of the biblical laws that are of humanitarian/moral nature. Only ca. 8% of all the prescriptions in the Pentateuch can be ascribed to this category. Motivated laws regulating "civil" matters, with 45 laws, claim ca. 12% of the motivated prescriptions and ca. 29% of the "civil" laws in the Bible. The "civil" laws constitute ca. 12% of all the Pentateuchal legal prescriptions. To the political sphere are assigned eight motivated laws, representing ca. 2% of the motivated laws and ca. 45% of the laws in the Bible dealing with warfare, foreigners and kingship. Less than 2% of all the prescriptions in the Pentateuch can be ascribed to this category. It is significant that the category of humanitarian admonitions and rules of moral conduct has the highest percentage of motivation (i.e., ca. 53%), even though laws of humanitarian/moral nature amount only to ca. 8% of all the prescriptions in the Pentateuch. This is indicative of the special moral concern that animated the draftsmen who formulated biblical laws; they

not only formulated moral instructions but, in order to ensure compliance to them, they also provided a great many of these instructions with motivations, stressing their importance for the welfare of the individual as well as society.

(5) The 375 motivated prescriptions are accompanied by 361 motive clauses of which 293 are primary, 61 are secondary, 6 are tertiary and 1 is quaternary.[143] Their distribution among the biblical legal corpora is largely in proportion to the size of the law collections. PC has the largest number of motive clauses (i.e., 108/16/1/0, a total of 125). This is followed by D with 111 motive clauses (i.e., 83/24/3/1), H with 94 motive clauses (i.e., 74/18/2/0), BC with 17 motive clauses (i.e., 16/1/0/0), the Decalogue, Deuteronomy 5, with 7 motive clauses (i.e., 5/2/0/0), Exodus 20, with 5 motive clauses (i.e., 5/0/0/0), and finally CD with 2 motive clauses (2/0/0/0).

(6) The largest number of motive clauses are introduced by כי (115, i.e., 103/11/1/0) or formulated asyndetically (114, i.e., 98/15/1/0)--each out of a total of 361. The asyndetic motive clauses are present in all of the legal corpora except CD, but are heavily used in PC (53, i.e., 48/4/1/0, out of a total of 114 asyndetic motive clauses) and then by H (50, i.e., 39/11/0/0, out of a total of 114 asyndetic motive clauses). The The motive introduction כי is represented in all of the law collections and predominantly used in D (42, i.e., 35/6/1/0, out of a total of 114 motive clauses with כי), PC (32, i.e., 29/3/0/0, out of a total of the 114 motive clauses) and H (26, i.e., 24/2/0/0, out of the 114 motive clauses). Third in frequency is ו with 75 examples (i.e., 51/21/3/0) out of a total of 359 motive clauses and, even though it is common to all of the law collections, it is primarily used in D (35, i.e., 21/13/1/0, out of the 74 cases) and PC (24, i.e., 21/3/0/0, out of the 74 cases). The fourth place in the list is occupied by the motive introduction למען which is found in all of the law corpora except CD, but is mostly used in D (11, i.e., 9/1/0/1, out of a total of 18 examples). The motive introduction ל is found primarily in PC (15, i.e., 9/6/0/0, out of a total of 18 cases) and, to a lesser extent, in H (3, i.e., 2/1/0/0, out of the 18 cases). The rest of the 11 motive introductions appear

in fewer numbers and are often limited to a single legal corpus (see Chart B).

(7) Of all the biblical legal corpora, D contains the largest variety of motive introductions, twelve out of fifteen. This is in line with D's expansive and hortatory style. This is followed by BC with seven, H with six, PC with five, Decalogue of Deuteronomy 5 with four, Decalogue of Exodus 20 with three, and CD with one.

C H A R T  A

| The Law Collections | GEMSER | | | UITTI | | | PRESENT STUDY | | |
|---|---|---|---|---|---|---|---|---|---|
| | Number of Paragraphs or Subjects | Number of Motivated Paragraphs or Subjects | % | Number of Paragraphs or Subjects | Number of Motivated Paragraphs or Subjects | % | Number of Legal Prescriptions | Number of Motivated Legal Prescriptions | |
| Dec.<br>Ex. 20<br>Deut. 5 | -<br>- | 3<br>4 | 25-33<br>25-33 | 9<br>9 | 4<br>4 | 44.4<br>44.4 | 11<br>11 | 5<br>5 | ca. 45<br>ca. 45 |
| BC | 59 | 9 | 17 | 38 | 9 | 23.6 | 104 | 17 | ca. 16 |
| CD | - | 3 | 25-33 | 7 | 2 | 28.5 | 15 | 2 | ca. 13 |
| H | 122 or 136 | 77 or 95 | 65 or 70 | 71 | 59 | 83 | 214 | 110 | ca. 51 |
| D | 99 or 129 | 61 or 71 | 60 Or 55 | 72 | 64 | 88.8 | 225 | 111 | ca. 50 |
| PC | | - | | 166 | 99 | 59.6 | 669 | 130 | ca. 20 |
| | | | | Also, "Shechemite Dodecalogue" (Deut 27:15-26) | | | (see n. 137) | | |
| | | | | 12 | 1 | 8.3 | | | |
| Total Number | | - | | 393 | 247 | 63.1 | 1,238 | 375 | ca. 30 |

C H A R T  B

| Motive Introductions | Dec Ex. 20 | Deut. 5 | BC | CD | H | D | PC | Total Number |
|---|---|---|---|---|---|---|---|---|
| 1. כי | 3/0/0/0 | 2/0/0/0 | 7/0/0/0 | 2/0/0/0 | 25/ 2/0/0 | 35/ 6/1/0 | 29/ 3/0/0 | 103/11/1/0 (=115) |
| 2. למען | 1/0/0/0 | 2/1/0/0 | 1/0/0/0 | - | 1/ 0/0/0 | 9/ 1/0/1 | 1/ 0/0/0 | 15/ 2/0/1 (=18) |
| 3. ו | - | 0/1/0/0 | 2/1/0/0 | - | 7/ 3/2/0 | 21/13/1/0 | 21/33/0/0 | 51/21/3/0 (=75) |
| 4. פן | - | - | - | - | - | 4/ 0/0/0 | - | 4/ 0/0/0 (=4) |
| 5. לבלתי | - | - | - | - | - | 0/ 1/1/0 | - | 0/ 1/1/0 (=2) |
| 6. אשר | - | - | 1/0/0/0 | - | - | 1/ 0/0/0 | - | 2/ 0/0/0 (=2) |
| 7. אחרי אשר | - | - | - | - | - | 1/ 0/0/0 | - | 1/ 0/0/0 (=1) |
| 8. תחת אשר | - | - | - | - | - | 2/ 0/0/0 | - | 2/ 0/0/0 (=2) |
| 9. על דבר אשר | - | - | - | - | - | 2/ 2/0/0 | - | 2/ 2/0/0 (=4) |
| 10. למען אשר | - | - | - | - | 0/ 1/0/0 | 1/ 0/0/0 | - | 1/ 1/0/0 (=2) |
| 11. פ | - | - | 1/0/0/0 | - | - | - | - | 1/ 0/0/0 (=1) |
| 12. תחת | - | - | 2/0/0/0 | - | - | - | - | 2/ 0/0/0 (=2) |
| 13. בגלל[ו] | - | - | - | - | - | 0/ 1/0/0 | - | 0/ 1/0/0 (=1) |
| 14. ל | - | - | - | - | 2/ 1/0/0 | - | 9/ 6/0/0 | 11/ 7/0/0 (=18) |
| 15. asynd. | 1/0/0/0 | 1/0/0/0 | 2/0/0/0 | - | 39/11/0/0 | 7/ 0/0/0 | 48/ 4/1/0 | 98/15/1/0 (=114) |
| Total Number | 5/0/0/0* | 5/2/0/0 | 16/1/0/0 | 2/0/0/0 | 74/18/2/0 | 83/24/3/1 | 108/16/1/0 | 293/61/6/1 |
| | 5 | 7 | 17 | 2 | 94 | 111 | 125 | 361 |

* In 5/0/0/0, the number 5 represents the number of primary motive clauses; the second number, 0, refers to secondary motive clauses; the third number, 0, refers to tertiary motive clauses; the fourth number, 0, refers to quaternary motive clauses.

## THE CONTENT OF THE MOTIVE CLAUSES

The motive clauses cover a variety of subjects. Their classification according to content should enable one to discern general patterns and major concerns of the biblical motive clauses.

In his article, Gemser distinguished between four types of motive clauses: "1) the motive clauses of a simply explanatory character, 2) those of ethical contents, 3) those of a religious kind, cultic as well as theological, and 4) those of religious-historical contents."[144] Explanatory motive clauses, he said, "are an appeal to the common sense, to the *ratio*, whereby the sense of justice and the moral sense are neither excluded nor explicitly brought to the foreground."[145] As an example, he mentioned, "for the slave is his money" (Exod 21:21), "because she was not (yet) free" (Lev 19:20), "lest another man dedicate the new house" (Deut 20:5) and others.[146] The motive clauses of ethical content, he stated, constitute a "direct appeal to the ethical sentiments or to the conscience,"[147] such as, "that your manservant and your maidservant may rest as well as you" (Deut 5:14), "you shall leave them for the poor and the stranger" (Lev 23:22), "you know the heart (נֶפֶשׁ) of the stranger," etc. (Exod 23:9). Among the religious motive clauses he mentioned the twelve *tôʿēbāh* laws in D, the motive refrain "I am the Lord" in H, those which express "acknowledgment and confession of a holy God who created and who demands a holy people,"[148] and others which are formulated on "religious grounds" such as "for the Lord will not clear one who swears falsely by His name" (Exod 20:7, *NJV*); "for in six days the Lord made heaven and earth," etc. (Exod 20:11); "for I will not acquit the wrongdoer" (Exod 23:7, *NJV*). Of the motive clauses of religious-historical character he said: "They urge the fulfilling of the commandment by reference to and on the ground of 'die grossen Heilstaten Jahwes in der Geschichte' [the great saving acts of Yahweh in history], especially the deliverance from Egypt and the granting of the land of Canaan as heritage,"[149] as in Exod 23:15 ("for in it [the month of Abib] you went forth from Egypt") and Deut 16:3 ("for you departed from the land of Egypt hurriedly," etc., *NJV*).

Gemser's four-part classification has certain shortcomings. First of all, it is difficult to consider the explanatory motive clauses as a distinct category, for all of the motive clauses are basically of an explanatory nature. They all provide a rationale for the law at hand, a rationale whose main role is to express the reason or purpose behind a given law. Secondly, a question can be raised about Gemser's terminology. The author refers to his third category as "religious" and to his fourth category as "religious-historical." The use of similar terms for two different types of motive clauses is confusing.

Uitti distinguishes between "the kind of motivation" and "the area appealed to" in a given motivation. By "the kind of motivation" he means the major thrust behind the motive clauses, namely, the desire (1) to warn, (2) to incite/encourage, and (3) to explain.[150] Numerous are the areas, Uitti adds, to which an appeal is made in support of the various motivations. The hearer is confronted on the one hand by the world of man and on the other by the world of Yahweh. To the first are assigned: (1) the evidence of logic, reason, *ratio*, common sense, (2) the instinct and desire for self-preservation, blessing, and general well-being, and (3) the dictates of conscience, ethical or humanitarian concerns as well as the necessity for ecological responsibility over against the world of nature. To the second, the authority and witness of tradition as to (1) Yahweh's person, nature and will, (2) Yahweh's word and commandment, and (3) Yahweh's saving acts in creation, election and redemption.[151]

Uitti applies these criteria to each of the legal corpora in the Bible as he proceeds to study them one after the other.[152] It must be noted that in Uitti's analysis the part dealing with "the kind of motivation" does not yield information about the content of the motive clauses. This comes from what he calls, "the area appealed to." The two categories are not in conflict: a motive clause which "explains" can appeal to "reason," just as it can refer to "Yahweh's saving acts." However, Uitti's second category (i.e., "area appealed to") contains subdivisions in which it is difficult to maintain clear

distinctions: e.g., differences between "Yahweh's person, nature and will" and "Yahweh's word and commandment"; "evidence from logic" and "humanitarian concerns." It is most likely that Uitti did not mean to take these as absolute categories but as representative of major concerns.

Another way of looking at the question of the content of the motive clauses may be to consider the contextual relationship existing between the motive clauses and the laws to which they are attached. This consideration, lacking from Uitti's analysis, will show how the legislator went about providing a law with a motive clause. This, in turn, will permit grouping similar motive clauses within specific categories.

A review of biblical clauses indicates that there are two basic ways in which a given law is motivated: (1) by repeating a key element within the law and underlining it as the motive of the law, (2) by supplying the law with a new clause or phrase that actually spells out the reason or the purpose behind that particular legal prescription. Each of the two will be studied below.

In the first type, the motive clause does not add anything new to the law at hand. In other words, it does not provide additional information as to why the law orders or prohibits the action(s) prescribed in it. Whatever is stated in the motive clause can already be found in the law itself. By underlining the key element in the law, the motive clause seems to indicate that the given law is justified precisely because of this matter. This is motivation by means of emphasis.

In most cases, the motive clause repeats amost verbatim a phrase found within the same prescription. For instance, sexual relations with a slave girl designated for another man but not yet ransomed or given her freedom (חפֻשָּׁה לא נתן לה) are not punished by death, because as the motive clause stresses, "she had not been freed" (פי לא חפֻשָּׁה, Lev 19:20); the death penalty imposed upon one who insults his parents (איש אשר יקלל את אביו ואת אמו) is motivated by a clause which simply states, "he has insulted his father and his mother" (אביו ואמו קלל, Lev 20:9, *NJV*); vows or obligations assumed by a daughter are made void by a father who restrains her (הניא אביה אתה), as the

motive clause points out, "for her father restrained her" (כי הניא אביה אתה, Num 30:6); defamation (הוציא שם רע) of a wife by her husband is punished by fine because, the motive clause indicates, "the man defamed (הוציא שם רע) a virgin in Israel" (Deut 22:19).[153]

At times, the motive clause underlines an element that is part of the same overall subject though not found in the prescription to which it is attached: e.g., a Nazirite whose consecrated hair is defiled (text has וטמא ראש נזרו, Num 6:9a) on account of the fact that a person died near him, undergoes a ritual of consecration that lasts eight days. On the eighth day he is consecrated anew, and the previous period of uncleanness is voided. The last instruction (in v. 12b) is motivated by a clause which reads "since his consecrated hair was defiled" (כי טמא נזרו, Num 6:12bβ) thus alluding to verse 9a.[154]

In all of these examples, a key element of the case is repeated in the motive clause. However, there are other instances where the motive clause is only a reformulation of a basic rule stated previously. A good illustration of this is found in the dietary laws of Leviticus 11 and Deuteronomy 14. Here the law prohibits the consumption of animals which do not chew the cud and have true hoofs (Lev 11:4; Deut 14:7). However, the examples mentioned by this law, such as the eating of the camel, daman, hare and swine (Lev 11:4b-7; Deut 14:7b-8a), are motivated only by reference to the basic rule formulated before. Although these motive clauses do provide a separate rationale for each example and even specify the different reasons for not eating swine and other named animals, they do not give us new knowledge that would reveal the justification behind the prohibition formulated as a basic rule. Here, too, the intention seems to be one of emphasis.

In the second type, the motive clause adds the reason or purpose behind the legal prescription. It enlarges our understanding of the commands or prohibitions by actually providing new information which the law assumed but did not express.

Sometimes, for example, the motive clause stresses human dignity: the guilty person may be administered up to forty lashes but not more, as the motive clause indicates, "lest

being flogged further, to excess, your brother be degraded before your eyes" (Deut 25:3, *NJV*). At times, there is an appeal made to human compassion: a garment taken in pledge must be returned before the sun sets, for as the motive clause points out, "it is his only clothing, the sole covering for his skin. In what else shall he sleep?" etc. (Exod 22:26, *NJV*). Imitatio dei can be the thrust of a motive clause: the Sabbath law in Exod 20:11 is motivated by stating that God created the universe in six days and rested on the seventh. It is implied that in observing the Sabbath day humans should follow God's example. A motive clause may emphasize an accepted social value: a priest's daughter who engages in prostitution is punished by death, for by this act "she degrades her father" (Lev 21:9).

Very often, recourse is made to motivation by a type of classification whereby the motive clause identifies the actor, the action or the object of the action.

At times, the motive clause stresses the special status of the actor referred to in the law: e.g., the reason why priests are forbidden from marrying nonvirgins is "because they [the priests] are holy to their God" (Lev 21:7); the prohibition against eating anything that has died a natural death is justified by saying "for you are a people consecrated to the Lord your God" (Deut 14:21a; see also 7:6, 16:2). In addition to these examples in which the motive clause refers to that which precedes and precludes the act, there are examples where the motive clause refers to a person's status as it results from the act: e.g., in connection with the cities of refuge, the law prescribes the death penalty for criminals who commit murder in a variety of situations described therein, justifying it as "he is a murderer" (Num 35:16; see also vv. 17, 18, 21).

The motive clause may constitute a value judgment on the action described by the law; this is usually expressed by means of a short declarative nominal sentence: e.g., uncovering the nakedness of a mother and her daughter is prohibited on the ground that "it is depravity" (זמה הוא, Lev 18:17); bestiality is prohibited because "it is perversion" (תבל הוא, Lev 18:23b); a man who marries his sister, whether she be the daughter of

his father or mother, suffers penalty, since this act is considered "a disgrace" (חסד הוא, Lev 20:17a); marrying the wife of one's brother" is an indecency" (נדה הוא, Lev 20:21a).

In another group of motive clauses, the object of the action as delineated by the law is variously characterized by a short declarative statement: e.g., the prohibition against eating all winged swarming things is motivated by stating "they are unclean for you" (טמא הוא לכם, Deut 14:19; see also Lev 11:8, 26, 27, 28, 35; Deut 14:10); whatever swarms upon the earth is not to be eaten for, as the motive clause indicates, "it is loathsome" (שקץ הוא, Lev 11:41; see also Lev 11:10-11a, 13, 42 [with פי]); sacrificial meat that is eaten on the third day is considered "an offensive thing" (פגול הוא, Lev 19:7; see also 7:18); the sin offering is to be slaughtered at the spot where the burnt offering is slaughtered, for "it is most holy" (קדש קדשים הוא, Lev 6:18). Furthermore, only males of the priestly line are allowed to eat it, again because "it is most holy" (קדש קדשים הוא, Lev 6:22; see also Lev 7:6). Similarly, priests are commanded to take the meal offering that is left over from the Lord's offering by fire and eat it unleavened beside the altar, "for it is most holy" (פי קדש קדשים הוא, Lev 10:12; for other examples, see Exod 30:10, 32; Lev 6:10b, 24:9; Num 19:17).

Motivations that accompany certain prescriptions dealing with the issue of "leprosy"[155] are variously expressed by diagnostic terms: "it is a rash" (מספחת הוא, Lev 13:6), "it is leprosy" (צרעת הוא, Lev 13:8, 15; also vv. 20, 25, 27, 52), "for it is the scar of the burn" (פי צרבת המכוה הוא, Lev 13:28), "it is a scall" (נתק הוא, Lev 13:30), "it is an affection" (נגע הוא, Lev 13:22), "it is a fret" (פחחת הוא, Lev 13:55).

In addition to these patterns, it is possible to identify four different categories of motive clauses which are characterized by their general orientation: (1) motive clauses which express God's authority, (2) motive clauses which allude to historical experiences of the people, (3) motive clauses which instill a fear of punishment, (4) motive clauses which promise well-being to the compliant. Within these four categories of motive clauses, there are many instances where the same motive

clause is used for several laws, sometimes even laws dealing with unrelated matters.

(1) God's authority. In biblical legislation certain laws are, either alone or in conjunction with other motive clauses, predicated upon God's commanding will: "I am the Lord," or "(for) I the Lord, am your God."[156] The majority of these motive clauses, more than twenty in number, are concentrated in H.

A variety of laws are motivated in this manner: e.g., not uncovering the nakedness of a close relative (Lev 18:6), not offering children to Molech (Lev 18:21, second mc), revering the parents (Lev 19:3), observing the Sabbath (Lev 19:3, 30; 26:2), not turning to idols and making molten images (Lev 19:4, 26:1), leaving some of the harvest to the poor and the stranger (Lev 19:10, 23:22), not swearing falsely (Lev 19:12, second mc), not dealing basely with or profiting by the blood of one's neighbor (Lev 19:16), eating the first fruits only in the fifth year of their harvest (Lev 19:25, second mc), not practicing pagan mourning customs (Lev 19:28), revering the sanctuary (Lev 19:30, 26:2), not turning to ghosts and familiar spirits (Lev 19:31), not oppressing the stranger (Lev 19:33-34, second mc), prohibiting the high priest from leaving the sanctuary (Lev 21:12, third mc), requiring that the priests be scrupulous about the sacred donations of the Israelites (Lev 22:2, second mc), punishing the priests who partake of the sacred donations while being in a state of uncleanness (Lev 22:3), forbidding the priests from eating anything that died or was torn by beast (Lev 22:8), eating the meat of the thanksgiving offering on the same day (Lev 22:30), dwelling in booths for seven days (Lev 23:43, second mc), blowing the trumpets on festive occasions over sacrifices (Num 10:10, second mc).

In some of the motive clauses, God speaks in the first person. Here are some examples: the consecration of the first-born is demanded on the ground that, "man and beast, the first issue of every womb among the Israelites is Mine" (Exod 13:2, *NJV*); the selling of the land in perpetuity is prohibited because "the land is Mine" (Lev 25:23); the Aaronide priests will have no territorial share among the people, for "I am your

portion and your share among the Israelites" (Num 18:20); circumcision is prescribed "so that it may be a sign of the covenant between Me and you" (Gen 17:11; cf. v. 13).[157]

Sometimes the motive clause indicates that the action specified in the law constitutes an affront to God or is clearly against His will.

Within this type of motive clauses there are some which are formulated using the expression תועבת יהוה ("abomination to the Lord") or simply תועבה הוא ("it is an abomination") in Lev 18:22 and תועבה עשׂו ("they have done an abhorrent thing") in Lev 20:13.

The תועבת יהוה motive clause is found among the legal corpora of the Bible only in D.[158] It is attached to laws dealing basically with cultic matters: coveting or appropriating the silver and gold found on idols (7:25b, second mc), imitation of Canaanite idolatrous practices (Deut 12:31), offering blemished animals (Deut 17:1), child sacrifice and all kinds of divination (Deut 18:12), wearing apparel of opposite sex (Deut 22:5), bringing to the temple as payment of vows the hire of a male and female prostitute (Deut 23:19). The motive clause is also found in connection with taking back one's divorced wife who has remarried (Deut 24:4, second mc)[159] and honest weights and measures (Deut 25:16, second mc). In H, homosexuality is prohibited on the ground that "this is an abomination" (Lev 18:22; cf. 20:13).

Included in this type of motive clauses are some which motivate their respective laws by reference to profanation of matters connected with God. In three motive clauses the acts described in the law constitute a profanation of the name of God: offering children to Molech (Lev 18:21), swearing falsely in His name (Lev 19:12), not being scrupulous about the sacred donations of the Israelites (Lev 22:2). In the event that the high priest leaves the precinct of the sanctuary, it is the sanctuary of God which is profaned (Lev 21:12). An unclean person who fails to cleanse himself suffers punishment on account of the fact that he has defiled the sanctuary of the Lord (Num 19:13; cf. v. 20). In one case, that which is sacred to the Lord is considered to have been profaned: eating of the

sacrificial meat on the third day (Lev 19:8). Offering children to Molech represents a defilement of God's sanctuary and profanation of God's holy name (Lev 20:2-3).

Finally, there are a few examples where the motive clause expresses the idea that the deed is against God's will: setting up stone pillars is something that God detests (Deut 16:22), keeping an impaled body overnight is "an affront to God" (קללת אלהים, Deut 21:23, *NJV*),[160] acting defiantly against God is to despise the word of the Lord and violate His commandment (Num 15:31).

(2) Historical experiences. Scattered among almost all of the biblical law collections are some laws which are motivated by reference to historical experiences of the Israelites. The predominant theme of these motive clauses is the sojourn in Egypt and redemption from Egyptian enslavement. It is found in the following laws: prohibition against oppressing the stranger ("for you were strangers in the land of Egypt," Exod 22:20; also in Exod 23:9 and Lev 19:33-34), not abhoring the Egyptian ("for you were a stranger in his land," Deut 23:8b), observing the festival of Passover/Unleavened Bread ("for in the month of Abib you came out of Egypt," Exod 34:18; also in Exod 12:17, 23:15; Deut 16:1, 3).

A few laws in D protecting the poor and the needy are motivated by a similar clause which states "so that you may remember (וזכרת) that you were slaves in the land of Egypt": manumission of the slave (15:15), prohibition against subverting the rights of the stranger and the orphan together with the prohibition against taking the widow's garment as a pawn (24:18), leaving part of the harvest of the olive tree and grapes of the vineyard for the poor (24:22), and also resting on the Sabbath day (5:15, second mc).[161]

There are references to the redemption from Egypt in motive clauses where God identifies Himself as being the one who brought the Israelites out of the Egyptian bondage: e.g., not worshiping other gods (Exod 20:2, Deut 5:6; cf. Hos 13:4), not taking interest from a fellow Israelite (Lev 25:38), making fringes (Num 15:41, third mc), executing false prophets and dream-diviners (Deut 13:6), inciting to idolatry (Deut 13:11).

A similar motivation is also found in two prescriptions dealing with debt-slavery during the Jubilee year (Lev 25:42, 55).

In addition to the above, the law prohibiting the king from sending his people to Egypt to buy more horses is motivated by "for the Lord has warned you: 'do not go back that way again,'" (Deut 17:16).

Reference to the wilderness experiences is made in the motive clause attached to the law concerning the festival of Tabernacles (Lev 23:43) and the law against admitting the Ammonites and the Moabites into the congregation of the Lord (Deut 25:5). An historical allusion is also present in the motive clause "for he is your brother" attached to the prohibition against abhorring an Edomite (Deut 23:8a; cf. Gen 25:24-26, 36:1-43).

(3) Fear of punishment. Certain motive clauses instill a fear of punishment and thus attempt to keep the potential transgressors from violating the legal prescriptions.

Of these, some are formulated as a variation of "lest he die" (ולא ימות). They all appear in PC: e.g., priests must wash when they come to the Tent of Meeting or when they officiate at the altar (Exod 30:20-21), priests are prohibited from drinking liquor when entering the Tent of Meeting (Lev 10:9), priests are prohibited from entering into the Shrine at any time (Lev 16:2), priests are enjoined to put incense on the fire before the Lord (Lev 16:13, second mc), the Levites are prohibited from approaching the altar (Num 18:3).

Other motive clauses indicate that he who violates the law will be cut off (ונכרת) from among the people:[162] e.g., consuming leaven on the feast of Unleavened Bread (Exod 12:15), keeping at home leaven during the seven days of the festival (Exod 12:19), making anointing oil or incense (similar to that used in cultic services) for personal use (Exod 30:33, 38), eating the sacrificial meat in a state of uncleanness (Lev 7:20), consuming the fat of animals from which offerings by fire may be offered to the Lord (Lev 7:25), consuming blood (Lev 7:26), doing any kind of work on the Day of Atonement (Lev 23:29, second mc; cf. v. 30).

In one instance, the motive clause warns obedience "so that no plague may come upon" the Israelites: paying a ransom for those who are polled (Exod 30:12). Reproving one's fellowman is motivated by stating "so that you may not incur guilt because of him" (Lev 19:17);[163] the command to proscribe the Canaanite nations is motivated by "lest they lead you into doing the abhorrent things that they have done for their gods and you stand guilty before the Lord your God" (Deut 20:18, *NJV*). Some motive clauses warn the potential transgressor against blood-guilt: establishing cities of refuge (Deut 19:10), building a roof with a parapet (Deut 22:8). Adverse consequence is indicated in the motive clause attached to a law which enjoins not to turn one's daughter into a harlot, "lest the land fall into harlotry and the land be filled with depravity" (Lev 19:29, *NJV*). Making fringes is motivated by "so that you do not follow your heart and eyes in your lustful urge" (Num 15:39, *NJV*).

In some of the motive clauses the warning and its implied punishment are placed in the mouth of God. The prohibition of worshiping other gods is accompanied by a motive clause which in essence says: for I the Lord am an impassioned God (אֵל קַנָּא) who visits the guilt of the fathers who reject Me upon their children, but shows kindness to the future generation of those who love Me and keep My commandments (Exod 20:5-6; cf. Deut 5:9-10, *NJV*); the motivation of the law against oppressing the widow and the orphan has: "I will heed their cry and punish you severely" (Exod 22:22-23); the motive clause attached to the prohibition against bringing death to the innocent and the righteous reads: "for I will not acquit the wrongdoer"[164] (Exod 23:7). In Exod 20:7 and Deut 5:11, the warning is formulated in the third person: the Lord will not clear the one who "swears falsely by His name."[165]

The motif "to learn the fear of God" serves as a motive clause in Deuteronomic laws: eating the tithe in the presence of God is required "so that you may learn to fear the Lord your God forever" (14:23); the king is urged to read the book of the Torah "so that he may learn to fear the Lord his God," etc. (17:19).

Four laws in D are motivated by a secondary motive clause which states, with some variation, "so that they (i.e., the rest of the Israelites) may hear and fear and not do again such evil things": inciting to idolatry (13:12), ignoring the directives of a high court (17:13), punishing the false witness (19:20), stoning the rebellious son (21:21).

Finally, ten legal prescriptions in D are accompanied by the motive formula, "so that you may sweep away (ובערת) the evil from your midst/from Israel":[166] execution of false prophets and dream-diviners (13:6, second mc), worship of astral deities (17:7), ignoring the directives of the high court (17:12), punishing the false witness (19:19), inquest for an unsolved murder (21:9, second mc),[167] rebellious son (21:21), nonvirginity of the bride (22:21, second mc), adultery of a married woman (22:22), seduction (22:24, third mc), kidnapping (24:7).

(4) Promise of well-being. Motive clauses which promise general well-being as a reward for obedience are predominantly found in D.

"Long life" is the motivation for: honoring parents (Exod 20:12, Deut 5:16), the king's reading the book of the Torah (Deut 17:20b, fourth mc), sending the mother bird away (Deut 22:7, second mc), and honest weights and measures (Deut 25:15).

"God's blessing" is promised in connection with: making the tithe of the third year available to the poor (Deut 14:29); generous lending to the poor despite and advent of the year of release (Deut 15:10); celebrating Tabernacles for seven days (Deut 16:15); not taking interest from a fellow countryman (Deut 23:21); leaving the forgotten sheaves for the stranger, orphan and the widow (Deut 24:19); and consideration for the debtor (Deut 24:13). In the law requiring the creditor to return the pledge of a poor person at sundown, it is the debtor who will bless his creditor (Deut 24:12-13).

In a few prescriptions, the motivation is that the compliant will be remembered by God for blessings: giving the expiation money during the census (Exod 30:16), sounding the trumpets during a military attack (Num 10:9), sounding the trumpet on festive occasions over sacrifices (Num 10:10).

Two prescriptions are motivated simply by "so that it may be well with you": prohibition against consuming blood (Deut 12:25), sending the mother bird away (Deut 22:7).

The present survey has shown that, except for a few examples where motivation is achieved by reinforcing the key element(s) of the legal prescriptions, the motive clauses actually specify the reason or purpose behind the laws, thus disclosing some of the presuppositions on which these laws are based. It has further revealed various patterns of motivation and, in particular, four broad categories in which motive clauses either stress God's authority and will, allude to the historical experiences of the people, instill a sense of fear of punishment, or promise well-being to the compliant.

The study of the content has made apparent certain motive preferences among the biblical law collections. For instance, the motive clauses, "abomination to the Lord," "to learn the fear of God," "so that they may hear and fear," "sweeping out the evil" and "so that you may remember," are exclusively found in Deuteronomic laws. Also in D there is a high concentration of motive clauses which promise general well-being. H is characterized by the motive clause "I am the Lord (your God)" and the one that stresses the profanation of the name and sanctuary of the Lord. PC has a preference for classificatory motive clauses where the motivation is expressed by an asyndetic declarative statement. Most of the motive clauses which warn that the transgressor will be cut off are again found in PC.

A perusal of the content of the motive clauses leads one to recognize that for the most part the motivations are not the only possible ones; nor do they seem to be comprehensive in their exposition. The same law could very well have been motivated by another kind of motive clause (e.g., Exod 20:8-11 and Deut 5:12-15) or, if it does not already have it, by a multiple motive clause. Probably the intention was not to provide a motivation that would justify the law from all perspectives but to select from among all the possible rationales the one that would denote best the law's appropriateness in the eyes of the people to whom it was addressed. And it is in choosing among

the alternatives that the lawgiver/draftsman reveals his mode of thinking.

In the majority of cases, the meaning of the motive clauses is clear. Only in few instances is the exact sense presently obscure (e.g., Deut 21:23, 22:9; many diagnostic terms in Leviticus 13; also Deut 24:1).[168] There are examples where the motive clause reflects a view which is assumed but not clearly stated. The motivated prescriptions dealing with prohibited sexual relations in Leviticus 18 constitute a case in point. Here, for the most part, the motive clauses restate in different words the prohibited relationship. But, as Horton remarked in connection with Lev 18:14, "It is circular to forbid marriage with one's aunt and then justify that prohibition on the ground that she is one's aunt."[169] In other cases, the motive clauses justify the law by specifying the nature of this relationship. For example, the nakedness of the father's wife is said to be that of the father (Lev 18:8), the nakedness of the brother's wife is that of one's brother (Lev 18:16), the nakedness of the mother's sister is also that of one's mother's flesh (Lev 18:3). However, none of these motive clauses specifies why the sexual relation is forbidden in the first place. They all reflect a common set of values which is assumed to be known and shared by everyone in society and thus requires no further explanation.

In sum, motive clauses as a whole constitute, in the words of Gemser, "an instructive compendium of the religion, theology, ethics, and democratic, humanitarian outlook of the people of Israel as represented in the Old Testament laws."[170]

## THE FUNCTION OF THE MOTIVE CLAUSES

The use of motivation is by no means exclusive to legal literature. In fact, motive clauses constitute a common element of speech and thus can be found in many literary genres with varying frequency. In light of this variation, legal motive clauses need to be studied within the framework of biblical literary genres other than law, in an attempt to isolate the literary pattern that appears to be their closest parallel.

*Motive Clauses in Non-Legal Genres*

Introduced by Means of Grammatical Particles

*Conjunctions*

1. Simple

a) כִּי

The conjunction כִּי appears as an introduction to motive clauses in a greater number of literary genres than the rest of the motive introductions. In prose texts, there are examples of causal clauses introduced by כִּי within components built into complex literary genres:[171] e.g., narratives,[172] prayers,[173] speeches,[174] naming of children,[175] naming of cities.[176] In poetic compositions, כִּי often appears in wisdom and didactic poetry[177] but also in hymns,[178] laments,[179] songs of thanksgiving[180] and, with less frequency, among songs of everyday life, such as in love songs,[181] in a drinking song,[182] in a taunt song,[183] in a dirge.[184] Among sayings, it is found in certain blessings[185] and curses,[186] in priestly *torot*,[187] in a great variety of prophetic sayings[188] and, in particular, in wisdom sayings where it is heavily used.[189]

b) לְמַעַן

Introducing a final clause, this motivating conjunction is found, for instance, in certain narrative texts,[190] prayers,[191] prophetic sayings,[192] songs of thanksgiving,[193] wisdom and didactic poetry[194] and wisdom sayings.[195]

c) וְ

Introducing either a causal or a final clause, the motive introduction וְ is found, for example, in narrative passages,[196] pilgrim songs,[197] prayers,[198] laments[199] and wisdom sayings.[200]

d) פֶּן

The conjunction פֶּן, introducing negative final clauses, appears as a motive introduction, for instance, in narratives,[201] prayers,[202] dirges[203] and individual laments.[204] There are also many examples among wisdom sayings.[205]

e) לבלתי

This conjunction is used to introduce negative dependent clauses in some narrative texts[206] and in a few prophetic sayings.[207]

f) אשר

Introducing either a causal or a final clause, this motive introduction appears in narratives,[208] prophetic sayings,[209] blessings,[210] curses[211] and wisdom sayings.[212]

2. Composite

A few composite conjunctions introduce nonlegal motive clauses: אחרי אשר and על דבר אשר appear in certain narrative passages (e.g., the former in Judg 11:36 [*NAB*], 19:23 [*NAB*], 2 Sam 19:31 [*RSV*]; the latter in 2 Sam 13:22 [mc of a mc]); תחת אשר is found in narrative texts (e.g., Num 23:13, 1 Sam 26:21), in prophetic sayings (e.g., 2 Kgs 22:17, Isa 53:12, Jer 29:19, 50:7, 2 Chr 21:12) and in a curse (Deut 28:47); למען אשר has a motivating function in certain narratives (e.g., Gen 18:19, Deut 27:3, Josh 3:4) and in a few prophetic sayings (e.g., Ezek 36:30, 46:18).

*Prepositions*

As in legal texts, prepositions rarely function as motive introductions. There are, however, a few examples: ב appears in narrative texts (e.g., Deut 9:4, 2 Sam 3:27[?],[213] 1 Chr 10:13 [*NAB*]); תחת appears in a blessing (1 Sam 2:20 [*NAB*])--it is possibly a motive introduction in a wisdom text (Job 34:26);[214] ובגלל appears in prophetic sayings (e.g., 1 Kgs 14:16, Jer 11:17, 15:4); ל appears in narratives (e.g., Gen 1:17, 2:15), in prophetic sayings (e.g., Isa 49:5).

Formulated Asyndetically

Outside of law, asyndetic motive clauses are concentrated in wisdom sayings (e.g., Prov 3:8; 22:27; 23:5a, 8, 13b, 14, 28; 24:12).

This brief survey demonstrates that motivation is a normal part of speech and is used, whenever needed, in a number of

genres throughout the Bible. It also makes it evident that, among all of the biblical literary genres outside of law, wisdom has the highest concentration of number and kind of motive clauses. A closer look at the use of motivation in wisdom literature is therefore now in order.

### *Legal Motive Clauses and Motive Clauses in Wisdom Instructions*

Wisdom literature incorporates a variety of genres such as popular proverbs, riddles, numerical sayings, parables, fables and maxims.[215] It is among the maxims that motive clauses appear in substantial numbers.

Maxims, unlike popular proverbs, constitute a "work of art"[216] and are the product of the literary activity of the sages in ancient Israel. However, not all of them are expressed in the same manner. On the basis of their form and content, "sentences" can be differentiated from "instructions."[217] Indeed, it is possible to speak of each as a separate genre.[218]

A wisdom "sentence" is "an observation with an impersonal form which states a truth."[219] It is built as a two-limbed verse with the verbs in the indicative. Its purpose is to register simply how things are. It does not command or exhort. It seldom contains motive clauses.[220] Examples:

> The man who tills his land will have plenty to eat,
> But the stupid spends his time chasing rainbows.
> (Prov 12:11, AB)

> A mild answer calms wrath,
> but a harsh word stirs up anger.
> (Prov 15:1, *NAB*)

> He who is a friend is always a friend,
> and a brother is born for the time of stress.
> (Prov 17:17, *NAB*)

"Instructions" constitute authoritative regulations for behavior, "based on the imperatives of social order and values or on religious belief."[221] Their purpose is indoctrination. They are built as a two-limbed verse, but here the verbs are always in the imperative, and motive clauses, which constitute an important formal element of the genre,[222] now accompany the

sayings. In addressing his student, the teacher not only formulates his directive, but also attempts to persuade him of its validity by spelling out the reason why it should be carried out.[223] The following are random examples of wisdom instructions.

> Do not take advantage of the helpless poor man,
> Nor crush the needy in the public court,
> For the Lord will take up their cause,
> And will rob those who rob them of life.
> (Prov 22:22-23, AB)

> Do not feel envious of evil men,
> nor have longings to be with them;
> for their minds meditate destruction,
> and their lips speak about misery.
> (Prov 24:1-2, McKane)

> Do not give yourself airs at a royal court
> Or take your position where the great belong;
> It is better to be told, "Come up here,"
> than to be humiliated before a noble.
> (Prov 25:6-7, AB)

In the book of Proverbs, the "sentences" are concentrated in chapters 10-22:16; 25-29 and the "instructions" are mostly found in chapters 1-9; 22:17-24:22; 24:23-24. The book of Ecclesiastes contains examples of both types.[224]

The formulation of the motive clauses in legal prescriptions is in many respects similar to the motivations found in wisdom instructions. In both, a directive, expressed in the conditional or in the unconditional form, is then motivated by a dependent clause wherein the directive's reasonableness is established and its apparent categorical tenor softened. The similarity between the legal motive clauses and those found in wisdom instructions has already been recognized by von Rad who remarked, "such interpretative motivations are also appended to legal statements."[225] The likeness between the two becomes more significant in light of the following points.

(1) As in the case of legal motive clauses, the motivations found in wisdom instructions are introduced by a variety of motive particles. In fact, both share a large number of motive introductions used in biblical literary genres, namely, כי, פן, למען, and ו. Also, the use of asyndetic motive clauses is virtually exclusive to law and wisdom instruction.

(2) Some of the motivations which accompany the wisdom instructions are in themselves wisdom sayings (e.g., Prov 1:17; 27:1, 24; Eccl 5:1-2).[226] Similarly, the law about not taking a bribe is motivated by quoting a proverb (Exod 23:8 and its parallel in Deut 16:19b).

(3) Just as a number of legal prescriptions are motivated with clauses stating the specific reasons that lie behind the law, and others are predicated upon God's commanding will, so in wisdom instructions certain motive clauses are purely explanatory, prudential and based on daily experiences (e.g., Prov 22:25, 27; 23:21; 24:16; 25:8, 17; 27:1, 24), and others refer to God, to His judgment and to His rule (e.g., Prov 22:23; 23:11; 24:12, 18, 22; 25:22).[227]

(4) In recent years, scholars have become increasingly aware of wisdom's influence on a number of biblical texts,[228] and especially on law.[229] A manifestation of this influence can also be detected in the content of certain motive clauses in the legal corpora which embody expressions characteristic of wisdom literature. For example, the expression תּוֹעֲבַת יהוה, appearing in a number of motive clauses,[230] is unique to both Proverbs and Deuteronomy.[231] The verb נקה, which in its *piel* form is used in a motive clause in Exod 20:7 (= Deut 5:11), is found in a distinctive way, namely in its *nifal* form, only in Proverbs (6:29; 11:21; 16:5; 17:5; 19:5, 9; 28:20). The *piel* of the same verb, with God as the subject, occurs (with the exception of the motive clauses in Exod 20:7 [= Deut 5:11] and the passages dependent upon Exod 34:6-7) only in Job 9:28, 10:14, in a wisdom psalm (19:13) and in Jer 30:11 (= 46:28). As Dentan points out, the affinities of the expression in the legal motive clause with wisdom literature are overwhelming.[232] The verb סלח used in the motive clause in Exod 23:8 (= Deut 16:19b) is found elsewhere only in Prov 13:6, 19:3, 21:12, 22:12 and in Job 12:19. The expression אצדיק רשׁע in the motive clause of Exod 23:7 can be compared with מצדיק רשׁע in Prov 17:15 (cf. also Job 9:20, 40:8 and Isa 5:23).

All of these considerations strongly suggest that the legislators responsible for the formulation of the legal motive clauses adopted as their basic model, possibly under the direct

influence of wisdom literature, the type of motivations that are found in wisdom instructions where motive clauses constitute a formal element of the genre itself. Their main objective seems to have been to provide the laws, as in wisdom instructions, with acceptable rationales so as to justify the laws' appropriateness in the eyes of the people. In pursuit of this goal they emphasized, on occasion, a key element within the law and used it as its motive, but more often and in the manner characteristic of wisdom instruction, they predicated the law upon God's commanding will or actually spelled out the raison d'être that stood behind the particular legal prescription. They did not, however, limit their motivations to those which are basically prudential in nature and reflective of the daily experiences of the people, but also made frequent references to the historic events of the past and used them as the motivation for a number of laws. In other cases, especially in priestly laws, they also chose to justify many legal prescriptions by means of formula-type motivations (e.g., "lest he die," "it is leprosy") which are unlike the motive clauses found in wisdom instructions.[233] The variety of motivations indicates that, although the legislators were influenced by the basic forms of motivation in wisdom instructions, they seem to have adopted other motive forms from other literary genres known to them (perhaps, medical, omen, etc.) in response to a wider concern of the law which covers more than the scope of wisdom literature.

In formulating its own type of motivations, each law collection in the Bible represents a special effort. D, for example, with its hortatory style and its heavy use of wisdom vocabulary, appears to be the closest to wisdom literature and its use of motive clauses. On the other hand, PC tends to express its own rationales in a rather formulaic pattern in line with the stereotyped and prosaic style that pervades the corpus itself. In H, one finds a mixture of styles. In some chapters (e.g., parts of Leviticus 18-21, 24) motive clauses are rigid, repetitive and formulaic, in others (e.g., parts of Leviticus 17, 23, 25) they are freely expressed. This is in accordance with the composite nature of this legal corpus.[234] BC contains

a large variety of motive introductions formulated very much after the pattern of wisdom instructions, and even though most of the motive clauses of BC are found outside of Exod 21:1-22:19, that section, too, is not without its own share of motivations (e.g., Exod 21:8, 21, 26, 27).

Motive clauses, it must be kept in mind, do not constitute a genre by themselves. They are only components of the legal genre. Therefore it is not proper to speak of the Sitz im Leben of individual motive clauses. However, the use of motivation as a pattern of literary style, it has been argued, can point to a specific setting in life. Is it possible to recapture this setting?

Morgenstern seems to suggest that the formulation of the motive clauses constitutes only a literary production and does not reflect a specific setting in the life of the community. In his discussion of the "casuistic" laws (= *miš̌paṭim*) in D, he states,

> ...these Deuteronomic editors did not feel all too sure of themselves and of their legislative authority and therefore felt constrained to justify the *miš̌paṭ* by exhibiting its internal merit and reasonableness, or, second, that, conscious of a definite antiquity of these older *miš̌paṭim*, they felt that they must justify their application to the conditions of a later and presumably a more modern day by specifying the particular underlying principle which gave these *miš̌paṭim* validity still in their comparatively late day.[235]

On the other hand, in his article on parenesis in the BC, Beyerlin[236] maintains that the setting of the laws accompanied by parenetic statements[237] is to be located in the cultic celebration of the pilgrimage festivals in the early periods of the amphictyony. He substantiates his point of view by indicating that parenetic statements--which in his opinion are original in their formulation--are found only in Exod 20:22-26 and 22:20-23:19, and that the "apodictic" tone, the concise and rhythmic style of the commands and prohibitions which incorporate them, together with their basic cultic concern, point to a recitation of the law within a cultic setting. He also states that this cultic background is similarly reflected in the second person address of these laws as well as in the use of the divine "I" of the parenetic statements.[238]

Beyerlin's explanations, however, rest on dubious assumptions. The existence of the amphictyony, propounded by scholars such as Alt, Noth and Albright, is rendered doubtful today after Orlinsky's challenge.[239] The contention that the "apodictic" tone of the commands and prohibitions reflects a cultic setting--originally put forth by Alt[240] with whom Beyerlin agrees--can be disproved by texts pointing to various settings, either original or secondary, in which this form of address is frequently employed.[241] Beyerlin, in fact, recognizes the difficulty of assigning the laws in Exod 22:20-25 and 23:1-9, which deal with the poor, stranger and the administration of justice, to a cultic setting.[242]

Inspired by Beyerlin and based upon the studies of Alt and von Rad, Uitti placed the setting of the motivated laws specifically in the so-called "covenant renewal ceremony."[243] As indicated previously, it was Alt who in his classic essay on biblical law had argued that, unlike the "casuistic" laws which originated in the day-to-day work of the courts, the "apodictic" laws had their setting in the cult of ancient Israel. Having identified numerous series of "apodictically" formulated law collections in the Bible, he postulated that they were recited every seventh year on the Feast of Tabernacles during a covenant renewal ceremony.[244] Pursuing Alt's analysis, von Rad advanced his reconstruction of the liturgical sequence of this alleged Shechemite festival: (a) parenetic introduction, (b) proclamation of the commandments, (c) making of the covenant, (d) blessings and curses.[245]

According to Uitti, it is at this cultic ceremony that the motive clauses have their setting in life. In his opinion, "the motive clauses are tantamount to a kind of 'cultic preaching' as the clauses seek to warn, exhort, and explain on the basis of the sacred tradition."[246] However, he distinguishes between the earlier and later law collections. In the earlier collections (which according to Uitti include the classic Decalogue of Exodus 20, the Cultic Decalogue in Exod 20:23-26 plus 23:10-33 [$R_1$] and Exod 34:10-26 [$R_2$], the BC [Exodus 21-23] and the Shechemite Dodecalogue [Deuteronomy 27]), the motive clauses "were once part of the oral recitation of sacred

(apodictic) law in Israel's early worship."[247] Those found in later collections (according to Uitti, D, H, PC and Exod 34:24 in the Cultic Decalogue) are "in the main a secondary literary production."[248]

Uitti advances two additional specific arguments in order to substantiate his point of view. First, he states that in the earlier collections it is exclusively the "apodictic" law or its extensions[249] which are motivated. This suggests to Uitti a close link between "apodictic" law and the motive phenomenon in the early period.[250] Secondly, the fact that the motive clauses are able to perpetuate the rhythmic pattern of the parent law argues "for an original oral and cultic function connection between the two."[251]

Uitti takes the existence of the "covenant renewal ceremony" and the cultic recitation that assumedly took place in it as "given," and makes use of the arguments put forth by Alt and von Rad in support of his thesis. He refers to the covenant of Joshua 24, to the recitation of the law in Deut 31:9-13 and also to the cultic ceremony described in Nehemiah 8 as an indirect support for the recitation of sacred law in Israel's early cultic life. The law that was read to the people, he adds following Alt, must have been of "apodictic" nature, involving recitation of poetic lines, rhythmic and terse in their formulation, with no superfluous words in them, while the so-called "casuistic" laws would necessitate the reading of "extensive, often ponderous prose."[252]

Uitti's analysis, based on the assumption that a ceremony of covenant renewal did indeed exist in ancient Israel, stands on shaky grounds. It was already pointed out in Chapter I[253] that the theory is of dubious validity. The arguments enumerated there not only cast serious doubt about the very existence of the postulated ceremony, but now also on Uitti's interpretation which is solely based on this background.[254] Furthermore, it is not correct that in the earlier collections only "apodictic" laws were motivated, for this overlooks the fact that in Exod 21:8, 21 there are "casuistically" formulated legal prescriptions which are accompanied by motive clauses.

In searching for the setting in life of any given genre, one must, following Gunkel, ask the following questions: Who is speaking? Who are the listeners? What is the *mise en scène* at the time? What effect is aimed at?[255] Even if we were to agree with Uitti when he states that the rhetorical style and the direct address of the laws and their motivations "are much better explained upon the background of the give and take between a speaker and his audience than between our editor and his reader,"[256] the question still remains as to whether the interchange must be understood as taking place exclusively between a cultic official and his audience.

It was argued above that legal motive clauses are to a large extent formulated in the manner of motivations found in wisdom instructions. This similarity points to the adoption not only of the form of the motive clauses but also of the function which accompanies the form itself.

The central concern of wisdom literature is pedagogic. This is nowhere better exemplified than in the case of wisdom instructions where the teacher addresses his pupil and, by means of reasonable persuasion expressed in particular through motivating clauses, urges him to carry out his directives in a diligent fashion. An analogous didactic purpose can perhaps be seen behind the use of the legal motive clauses. This invests the lawgiver with the additional role of a teacher. By providing certain legal prescriptions with motivating clauses, he, too, attempts to show that laws do not issue from a capricious mind but that there are compelling reasons for them. His goal is to present the laws in such a way that the people to whom they are addressed will soon come to "accept them inwardly."[257] This is certainly the best way of cultivating assent to a law.

Both Budd and Gerstenberger have already found evidence of the didactic purpose behind particular types of biblical laws precisely in the use of the legal motive clauses. In his article on priestly instruction in pre-exilic Israel, Budd remarks that "it is possible that the motive clauses within the priestly laws point to a genuine teaching role for the priests in so far as they are aimed at fostering particular beliefs and attitudes."[258] Prior to him, Gerstenberger attributed a

pedagogic function to the motive clauses attached to the prohibitives in the legal corpora of the Bible on the basis of a similar use of motivation both in wisdom and in these prohibitives.[259] However, this didactic purpose should not be limited to the motivated prohibitives alone, inasmuch as motive clauses are also found in laws and wisdom sayings formulated in the conditional form.[260] Furthermore, in light of the fact that every type of law in the Bible attracts motive clauses, the pedagogic function can be extended to all types of laws which are accompanied by motivations. This does not mean that only the motivated laws were read and explained, for, as stated, whole units of laws were proclaimed to the people at large (e.g., Exod 21:1, Deut 33:11, Neh 8:3).[261] Besides, even in the book of Proverbs there are a few instructions which are not provided with motive clauses (e.g., 3:5-6, 27, 28, 29, 30; 24:27, 29; 27:2). Yet, no one would deny that these unmotivated instructions, too, have an educational purpose. The pedagogic role of the legal corpora is particularly accentuated when the law embodies a motive clause. It is in these cases, as in motivated wisdom instructions, that the teaching function appears in its greatest clarity. On the other hand, there is no apparent reason why one law is motivated while the other is not,[262] although it was pointed out above[263] that, among all the laws in the Bible, the highest percentage of motivation is found in humanitarian admonitions and rules of moral conduct, thus revealing the legislator's strong concern with moral issues.

The setting in life of the motivated laws, therefore, cannot be located exclusively in cultic preaching but must be sought in a wider socio-historical context. Yet, it is here where we are confronted with serious problems, for the wider use of motivation in various literary genres in the Bible makes it very difficult to identify the original life setting which gave rise to legal motivation.[264] At most, on the basis of formal and contextual similarities between the legal motive clauses and wisdom motivations, one can argue, as we did above,[265] that not only did the motive clauses in wisdom instructions constitute the basic models in the formulation of the legal motive clauses, but--and this is our point here--there

is also a didactic purpose or function behind the motivated laws in general. This teaching function is broader in scope. It accommodates both the wise men and the priests to whom the primary responsibility of teaching the Law to student priests and the laity is assigned. The probability is that, while the latter concentrated on cultic questions, the former dealt primarily with wisdom doctrine as well as noncultic legal matters. Available information about how they carried out this responsibility is meager, but enough can be gleaned from the Bible to get a general idea of their teaching function.

The sages (חכמים),[266] who stand behind the wisdom sayings, not only store up knowledge (דעת; see Prov 10:14, Job 34:2), but also dispense and teach it (Prov 15:7, Eccl 12:9; cf. Sir 39:1-11). Their teaching includes counsel (עצה; see Jer 18:18), commandments (מצות; see Prov 4:4, in parallel with דברים; cf. 3:1, 7:2), תורה (Prov 4:2, 13:4), both in the sense of the wise man's own instructions (Prov 3:1, 4:2) as well as "law" in general (cf. Ps 1:2, 19:8; Prov 28:4).[267] In Jer 8:8, they appear as legal scholars.[268]

There is almost no clear information about how the sages imparted their teaching or how they formulated their counsels in real-life situations. According to McKane, the prophetic allegation that the scribes' pen has falsified the *torah* (Jer 8:8) may indeed refer to the use made by these *ḥakamim* or *soferim* of wisdom terminology and of explanatory expansions after the manner of wisdom.[269] Our knowledge primarily comes from the book of Proverbs which appears to be "a manual of instruction,"[270] and Ecclesiastes which contains a series of soliloquies and instructions dealing with human life and society, formulated by a wisdom teacher and attributed to the wise Solomon. Both books faithfully reflect the wisdom genres of the ancient Near Eastern literature.[271]

As in the other ancient Near Eastern countries, the biblical wisdom teacher models himself after the father's way of instructing his son.[272] He addresses his pupil as "my son" and transmits his knowledge primarily by word of mouth, asking him to "listen" to his words (e.g., Prov 4:1, 10; 5:7; 7:24; 8:16, 32; 19:20, 22, 23; Ps 34:12).[273] In pursuit of his pedagogic

goal, he also makes use of a variety of teaching devices. He may recite a parable, utter a proverb, resort to a riddle. When he formulates a maxim of conduct and specifically an "instruction," he frequently accompanies it with a motivating clause in order to facilitate the acceptance of the directive.

Whether or not the wise men conducted formal classes within a structure of an organized school is hard to tell. There is no clear reference in the Bible about the existence of schools in ancient Israel. The first mention of a school is found in Sirach who speaks of "my school" (בית מדרשי, 51:23). Yet it is hard to imagine that schools did not exist before this time. Scribal academies were well known both in Egypt[274] and in Mesopotamia.[275] Numerous school texts have been unearthed in both places. There is also a reference to organized instruction in pre-Israelite Canaan in a letter written in Akkadian and discovered in Shechem where a teacher, conducting a regular class for a number of children, writes the father of one of his students asking that he pay his son's tuition.[276]

Therefore, when in the wisdom books of the Bible there appear references to the wise who spread knowledge (Prov 15:7), to the student who is remorseful for not having paid attention to the voice of his teachers (Prov 5:13), to the Lady Wisdom who as a mistress of the house invites the people in (Proverbs 9), it can safely be inferred that the sages, in line with the ancient Near Eastern tradition, did in fact impart their teaching in a school[277] and that the substance of their instruction probably constituted the wisdom sayings which they created, preserved and to which they also added (Prov 22:17, 24:23, 25:1).

The responsibility of teaching the law was also entrusted to the priests (e.g., Lev 10:11; Deut 24:8-9, 31:11-12; 33:10; Mic 3:11; Ezek 22:26, 44:23; 2 Chr 15:3, 17:8-9),[278] although this instruction must be understood in a rather limited way. Oracular consultation cannot properly be called a teaching situation.[279] Priestly instruction seems to be basically directed to that which is bound with cult and ritual,[280] i.e., differences between "holy" and "profane," "clean" and "unclean" (e.g., Lev 10:10-11, 14:57; Deut 24:8; Ezek 44:23).

In Neh 8:7, the Levites are called those who מבינים את העם לתורה (lit., make the people understand the *torah*; cf. Ezra 8:16, 2 Chr 35:3). As Cody points out, this most likely refers to "a function as liturgical readers of the sacred text, reading to the people in Aramaic, or reading an interpretation constituting an early form of *targum*, thereby 'causing the people to understand' the Hebrew text of the sacred writings."[281]

It is highly possible that priests imparted their *torah* primarily in the Temple. However, they do not seem to have been limited to this place. According to 2 Chr 17:8-9, at the time of Jehoshaphat the priests travelled with other officials throughout the cities of Judah in order to teach the people, using the book of the Law as a text.[282] However, the material they covered and the way in which they transmitted their knowledge are not specified. The passage in Hag 2:11-13 (cf. Zechariah 7 and 8) in which priests answer questions concerning cultic and ethical matters is very brief and insufficient for drawing significant conclusions about their teaching methods.

In addition to the sages and priests, prophets, too, are known as imparters of *torah* (e.g., Ezek 43:11, Zech 7:12, Isa 1:10, 8:16),[283] dealing with ethico-religious questions (e.g., Isa 1:10-17, Hag 2:11-13) and perhaps with cultic matters (e.g., Isa 56:1-7), although they seem to have transmitted this *torah* after the manner of the priests and sages.[284] It has also been claimed by scholars such as Alt and Noth that at the alleged amphictyonic assemblies the "minor judges" who supposedly were custodians of the law instructed the people as to its meaning and application.[285] It has already been noted that there is a lack of evidence to prove the existence of an institution such as the amphictyony in ancient Israel.[286] Furthermore, the biblical texts do not yield any information about the presumed teaching activities of these minor judges. Kaufmann has convincingly pointed out that these were "saviors" like any other "judges" of this period (cf. Judg 10:1).[287] Moreover, the term שׁפט in this context can best be rendered as "ruler" (cf. Exod 2:14, 1 Sam 8:5-6) and not as "judge."[288]

## NOTES

### CHAPTER II

[1]B. Gemser, "The Importance of the Motive Clause in Old Testament Law," VTSup 1 (1953) 50-66; reprinted in *Adhuc Loquitur-Collected Essays by Dr. B. Gemser* (ed. A. van Selms and A. S. van Woude; Pretoria Oriental Series 7; Leiden: Brill, 1968) 96-115.

[2]Ibid., 50.

[3]R. W. Uitti, "The Motive Clause in Old Testament Law" (dissertation; Chicago: Lutheran School of Theology, 1973) (henceforth, *The Motive Clause*).

[4]Ibid., 6-8.

[5]E.g., Exod 30:13, Lev 27:25, Num 3:47, 18:16. See also "Weights and Measures," *IDB* 4, 833.

[6]*The Oxford English Dictionary* (Oxford, 1961) 7. 451.

[7]E.g., Exod 23:20-33; Lev 11:43-47, 20:22-26, 22:31-33; Num 35:33-34; Deuteronomy 1-11.

[8]E.g., Lev 18:1-5, 26-30; 19:2, 37.

[9]G. von Rad, *Studies in Deuteronomy* (SBT 9; Chicago: Regnery, 1953) 22.

[10]N. Lohfink, *Das Hauptgebot* (AnBib 20; Rome: Pontifical Biblical Institute, 1963) 90-97.

[11]See, for instance, von Rad, "Deuteronomy," *IDB* 1, 834-35; idem, *Studies in Deuteronomy*, 1-36; idem, *Old Testament Theology*, 1. 226; J. L'Hour, "Une legislation criminelle dans le Deutéronome," *Biblica* 44 (1963) 1-28; idem, "Les interdits *to'eba* dans le Deutéronome," *RB* 71 (1964) 481-503; R. Merendino, *Das deuteronomische Gesetz* (BBB 31; Bonn: Peter Hanstein, 1969); G. Seitz, *Redaktionsgeschichtliche Studien zum Deuteronomium* (BWANT 13; Stuttgart: Kohlhammer, 1971) 101-108.

[12]E.g., Lev 19:19, 37; 20:8, 22; 22:31; 25:18; Deut 12:28; 13:1. Also, Exod 23:13a, 34:11; Lev 22:9; Num 4:19.

[13]E.g., Exod 22:30a; Lev 19:2, 20:7.

[14]E.g., Exod 34:12; Deut 12:13, 19, 30; 15:9; 24:8.

[15]E.g., Deut 12:12, 18; 16:11, 14.

[16]E.g., Lev 19:14b, 32b; 25:17, 36, 43b.

[17]Deut 13:5.

[18]E.g., Deut 19:13, 21; 25:12.

[19]Deut 25:19b.

[20]Deut 23:7.

[21]Deut 23:24.

[22]Deut 18:13.

[23]Deut 18:9.

[24]Lev 19:18, 34.

[25]Deut 24:4b.

[26]Num 35:33.

[27]E.g., Lev 18:24, Num 35:34, Deut 21:23.

[28]Lev 11:43.

[29]E.g., Exod 12:49; Lev 24:22; Num 9:14b; 15:15-16, 29

[30]E.g., Exod 12:17bβ; 27:21b; 28:43b; Lev 3:17a; 10:9b; 16:29a; 17:7b; 23:31b; Num 10:8b; 19:10b, 21a.

[31]Gemser, "The Importance of the Motive Clause," 56.

[32]Ibid., 57.

[33]Ibid., 54 n. 4.

[34]For examples, see his lists of the motive clauses cited below in nn. 114, 125 and 135.

[35]W. Beyerlin, "Die Paränese im Bundesbuch und ihre Herkunft," *Gottes Wort und Gottes Land* (ed. H. G. Reventlow; Göttingen: Vandenhoeck und Ruprecht, 1965) 9-29.

[36]Ibid., 10-11.

[37]Ibid., 19 n. 39.

[38]E.g., Lev 9:2, 20:7; Deut 12:28.

[39]E.g., Exod 20:12b; Deut 5:16b, 17:20b, 25:15b.

[40]E.g., Deut 12:25b,22:7b.

[41]E.g., Deut 14:29b, 15:10b, 16:15b, 23:21b, 24:19b.

[42]E.g., Deut 14:23b, 17:19b; also 20:18b.

[43]E.g., Exod 23:12b, Deut 5:14bβ.

[44]J. Pedersen, *Israel: Its Life and Culture* (London: Oxford University, 1959) 1-2. 118-119. See also, J. Muilenburg, "The Linguistic and Rhetoric Usages of the Particle כי in the Old Testament," *HUCA* 32 (1961) 135-60; and the Talmudic passages, *Ros. Has.* 3a and *Giṭ.* 90a (with Rashi, ad loc).

[45]GKC, #158a; Joüon, #170c.

[46]GKC, #109g, #165a.

[47]E.g., Deut 17:7b, 12bβ; 19:19b; 24:7bβ.

[48]E.g., Deut 5:15; 15:15; 24:18, 22.

[49]E.g., Deut 13:12, 17:13, 19:20, 21:21b.

[50]Gemser, "The Importance of the Motive Clause," 54. On this particle, see also I. Eitan, "Hebrew and Semitic Particles," *AJSL* 44 (1927-28) 199.

[51]GKC, #158b; BDB, 83c.

[52]GKC, #165b; BDB, 83b.

[53]See also the remarks by J. Morgenstern ("The Book of the Covenant," 2. 209 n. 266).

[54]An abbreviation for על דבר אשר.

[55]תחת עינו and תחת שׁנו are not clearly identified as legal motive clauses; yet it can be argued that the laws which contain them would be complete even without them. The clauses seem to add a motivation for the laws, i.e., the slave owner is required to free his slave precisely because of the injury he has inflicted upon him.

[56]The motive clause really provides a justification for the Lord's driving out the nations before Israel.

[57]GKC, #158; Joüon, #170b.

[58]In this connection, see T. J. Meek, "Lapses of Old Testament Translators," *JAOS* 58 (1938) 124; idem, "The Co-ordinate Adverbial Clause in Hebrew," *JAOS* 49 (1929) 156-59; idem, "Syntax of the Sentence in Hebrew," *JBL* 64 (1945) 159.

[59]This list does not totally coincide with those of Gemser or Uitti. Neither, for example, includes the preposition תחת or the composite conjunction אחרי אשׁר. Gemser does not even refer to בגלל(ו), למען אשׁר, לבלתי and ל. On the other hand, both consider על פן as a motive introduction even though it only comes to indicate a consequence (e.g., Exod 20:11b; cf. Deut 5:15b; 15:15b; 24:22b). Uitti extends his list by adding כאשׁר (Deut 20:17b-18 and elsewhere), אשׁר in the sense of "as" (Deut 15:14b-15, p. 68), מאשׁר (Num 6:11, p. 78) and כי אשׁר (probably a typographical error for כי כאשׁר in Deut 22:26b) whereas in

our lists the conjunction אשר is taken as a motive introduction only when it means "because" or "so that." Uitti also takes the particle אם in Exod 22:22 as a motive introduction (p. 63). In reality, the verse is an asyndetic motive clause, i.e., "(for) if you...."

[60]Noth, *Exodus*, 175.

[61]Gemser, "The Importance of the Motive Clause," 64.

[62]Similarly in Exod 12:15, Lev 7:25, 23:29, etc.

[63]J. Heinemann alludes to this distinction in his *Ta'amei ha-Mitsvot be-Sifrut Yisrael* (5th ed.; Jerusalem: Magnes, 1966) 1. 14. The difference between the two kinds of instructions is also reflected in the Rabbinic distinction between the rules governing Passover of Egypt and Passover of the subsequent generations; see *M. Pesaḥ.* 9:5, *Mekilta Bo* 4, Ibn Ezra on Exod 12:3.

[64]Gemser, "The Importance of the Motive Clause," 51.

[65]Uitti, *The Motive Clause*, 42.

[66]Ibid., 114 n. 30.

[67]Ibid., 105 n. 23.

[68]Ibid.

[69]Von Rad, *Deuteronomy*, 93.

[70]Ibid.

[71]Uitti, *The Motive Clause*, 91. R. de Vaux discusses these institutions in his *Ancient Israel*.

[72]The term "cultic/sacral" is, in a broad sense, taken here as "the expression of religious experience in concrete external actions performed within the congregation or community, preferably by officially appointed exponents and in set forms" (Eichrodt, *Theology*, 1. 98). To this category are assigned laws dealing with sacrifices, priests, sacred occasions in the Hebrew calendar, idolatry,dietary matters, etc.

[73]Admittedly, in a legal system where laws are ascribed to the deity (as is the case in the Bible), there is no room for "civil" legislation as a separate legal realm. The category is here considered clearly from a modern point of view and will include matters such as those that would come up in the daily activities of the courts, namely, selling, buying, slavery, witnesses, marriages, adultery, inheritance, etc.

[74]Gemser, "The Importance of the Motive Clause," 51 n. 1. For some reason he overlooked the motive clause in verse 12b but restored its equivalent in the Deuteronomic text. There is no indication that he considered the verse in Exodus 20 as a Deuteronomic gloss.

[75]Ibid., 51.

[76]Uitti, *The Motive Clause*, 13.

[77]Ibid., 100.

[78]Exod 20:2 constitutes a motivation for the following command in verse 3 and should be understood as, "Since I the Lord am your God...therefore, do not..."; see Noth, *Exodus*, 161-62; Paul, *Book of the Covenant*, 32.

[79]Gemser, "The Importance of the Motive Clause," 51 n. 2.

[80]Ibid., 51; cf. n. 75 above.

[81]Uitti, *The Motive Clause*, 14.

[82]Ibid., 100.

[83]See n. 78 above.

[84]Unlike Uitti's study, the present study does not consider the clause introduced by כאשר in verse 12b a motive clause, since כאשר is a comparative conjunction (see GKC, #161b) introducing comparative clauses.

[85]On the subject matter of Exod 20:7 (= Deut 5:11), see below, n. 165.

[86]Exod 23:20-33, made up of two units (vv. 20-25 and 26-33), is probably of late origin; see Noth, *Exodus*, 192-94.

[87]Gemser, "The Importance of the Motive Clause," 51 n. 4.

[88]Ibid., 51 n. 6.

[89]Ibid., 51.

[90]Ibid., 51 nn. 5 and 7.

[91]Uitti, *The Motive Clause*, 105-106.

[92]Ibid., 106.

[93]In the present study, this clause is considered a parenetic clause; see above, n. 13.

[94]Uitti, *The Motive Clause*, 29.

[95]As indicated in the detailed chart at the end of this study, verse 22 motivates two prescriptions in verse 23. This is the reason why there we count sixteen primary motive clauses but seventeen motivated prescriptions.

[96]The cultic aspect of this law is stressed by Noth (*Exodus*, 189) and Weinfeld (*Deuteronomy and the Deuteronomic School*, 223 n. 1).

[97]Bribes and judicial fees/gifts are, at times, closely related; cf. Prov 21:14, Isa 1:23 (שֹׁלְמַנִּים, Akk. *šulmānu*). For details, see M. Greenberg, "Bribery," *IDB* 1, 465.

[98]See, for example, Noth, *Exodus*, 261-62; Eissfeldt, *The Old Testament*, 215-17; Fohrer, *Introduction*, 69; J. G. Torralba, "Decalogo Ritual, Ex. 34, 10-26," *EB* 30 (1961) 407-21.

[99]Kaufmann, *The Religion of Israel*, 166 n. 4.

[100]F. Langlamet, "Israel et 'l'habitant du pays,'" *RB* 76 (1969) 326.

[101]M. Lestienne, "Les dix 'paroles' et le décalogue," *RB* 79 (1972) 484-510. According to this author, the addressee in Exod 34:10 is Moses; in verse 11 it is the people; and it is with verse 11 that the introduction begins (ibid., 489).

[102]Gemser, "The Importance of the Motive Clause," 51 n. 3.

[103]Ibid., 51; cf. n. 75, above.

[104]Uitti, *The Motive Clause*, 103.

[105]Ibid., 103 n. 22.

[106]Ibid., 24.

[107]Scholars who start the laws with verse 14 (see above, n. 98) add one more law to the list. For example, according to Noth, the law in verse 14a continues with verse 17; verses 14b-16 are additions expressed in deuteronomic style; see Noth, *Exodus*, 262. Another possibility is to limit the prologue to verses 10-12 and start the legal prescriptions with verse 13. Here it would be necessary to take the introductory כִּי in verse 13 and verse 14 as meaning "indeed," "surely." For examples of this meaning of כִּי, see GKC (#159ee) and BDB (472); see also *NJV*, *NAB* ad loc. This division of the corpus would add four more prescriptions: three unmotivated prescriptions in verse 13 (v. 13aα, 13aβ, 13b) and one motivated prescription in verse 14 (v. 14a is motivated by a primary motivation in v. 14b and by a secondary motivation in vv. 15-16). The rate would then go up to ca. 15%.

[108]M. Noth, *Leviticus* (Philadelphia: Westminster, 1965) 127. On the relationship between Leviticus 17 and the rest of H, see R. Kilian (*Literarkritische und formgeschichtliche Untersuchung des Heiligkeitsgesetzes* (Bonn: Peter Hanstein, 1963) 176-79.

[109]S. R. Driver, *An Introduction to the Literature of the Old Testament* (9th ed.; Cleveland: World Publishing, 1967) 48; M. Haran, "Holiness Code," *EncJud* 8, 820.

[110]Eissfeldt, *The Old Testament*, 236; Fohrer, *Introduction*, 138; see also the reconstruction by Kilian, *Untersuchung*, 164-76; Feucht, *Untersuchungen*, 62-73.

[111]Gemser, "The Importance of the Motive Clause," 51.

[112]Ibid., 51 n. 9.

[113]Uitti, *The Motive Clause*, 43, 122.

[114]Ibid., 44. The following is a list of his motive clauses:
Lev 17:4b, 17:5-7, 17:11-12, 17:14.
Lev 18:2b-5, 18:6b, 18:7bα, 18:8b, 18:10b, 18:11c, 18:12b, 18:13b, 18:14b, 18:15bα, 18:16b, 18:17b,c, 18:21b, 18:22b, 18:23b, 18:24-30.
Lev 19:2b, 19:3b, 19:4b, 19:8aβ, 19:10bβ, 19:12b, 19:14b, 19:16b, 19:17c, 19:18b, 19:20bβ, 19:22, 19:25aβ,b, 19:28b, 19:29b, 19:30b, 19:31bβ, 19:32b, 19:34b, 19:36b, 19:37b.
Lev 20:3, 20:7b, 20:8b, 20:9bα, 20:12bα, 20:14bγ, 20:17bα, 20:19aβ, 20:21bα, 20:22-26.
Lev 21:6b,c, 21:7c, 21:8aβ,c, 21:12b, 21:15, 21:18-23.
Lev 22:2b, 22:3b, 22:7bβ, 22:8b, 22:9b,c, 22:16, 22:20b, 22:25b, 22:30b, 22:31b, 22:32b-33.
Lev 23:3b, 23:14b, 23:21cβ, 23:22bβ, 23:28b-29, 23:31b, 23:36c, 23:41b, 23:43.
Lev 24:3b, 24:9c, 24:22.
Lev 25:12a, 25:16c, 25:17b, 25:18b-22, 25:23aβ,b, 25:33b, 25:34b, 25:36b, 25:38, 25:42a, 25:55.
Lev 26:1b, 26:2b.

[115]The difference between Uitti's list and the one proposed in this study can to a large extent be attributed to the fact that Uitti includes motive clauses found in the parenetic introductions and conclusions of the individual units that make up the Holiness Code (e.g., Lev 18:2b-5, 24-30; 19:37b; 20:22-26; 22:31b, 32b-33), parenetic statements such as the "institutional" formula (e.g., Lev 17:7b, 23:14b) and motive clauses attached to parenetic statements (e.g., Lev 19:2b, 14b; 20:7b).

[116]These matters belong to the cultic/sacral sphere; see Kaufmann, *The Religion of Israel*, 319.

[117]Deut 1:6-4:40, 4:44-49 to the end of 28, 29:1-30:20. To these are added a number of appendices; cf. Driver, *Introduction*, 70-71; Sandmel, *The Hebrew Scriptures*, 403-416.

[118]Fohrer, *Introduction*, 167.

[119]Deuteronomy 27 interrupts the connection between chapters 26 and 28. Driver suggests that it originally occupied a different position; see *Introduction*, 94.

[120]See above text and n. 9. R. M. Hals even argued in favor of a literary genre called "Preached Law," particularly as exemplified by Deuteronomy 12-26, not as a primary genre but as a secondary genre, that is, "one which employs material and several other literary types which is then altered either explicity [*sic*] or implicitly." For details, see his article,

"Is There a Genre of Preached Law?," *SBL 1973 Seminar Papers* (ed. G. MacRae; Cambridge: Society of Biblical Literature, 1973) 1. 1-10; the above quote is from p. 10.

[121]Gemser, "The Importance of the Motive Clause," 51.

[122]Ibid., 51 n. 8.

[123]Uitti, *The Motive Clause*, 114-15.

[124]Ibid., 115.

[125]Ibid., 34-35. The following is a list of his motive clauses:
Deut 12:3c, 12:7b, 12:9, 12:12, 12:18b, 12:23bα, 12:25b, 12:28b,c, 12:31b,c.
Deut 13:4bH, 13:6bff.H, 13:11b-12H, 13:18b-19H.
Deut 14:1a,2, 14:7c, 14:8b, 14:21c, 14:23b, 14:26b, 14:27b, 14:29.
Deut 15:2bβ, 15:4b-6, 15:10b-11, 15:14b,15, 15:18bff.
Deut 16:1b, 16:3bβ,γ, 16:11-12, 16:14-15, 16:19cβ-20, 16:22b.
Deut 17:1b, 17:7b, 17:12b-13, 17:15cβ, 17:16c, 17:17aβ, 17:19bff-20.
Deut 18:2b, 18:5, 18:12-22.
Deut 19:3c, 19:6-7, 19:9a, 19:10, 19:13, 19:19b-21.
Deut 20:1b, 20:4, 20:5bβ, 20:6bβ, 20:7bβ, 20:8bβ, 20:17b-18, 20:19b-20.
Deut 21:5bff, 21:9, 21:14bγ, 21:17aγ,b, 21:21b,c, 21:23aγ,b.
Deut 22:5b, 22:7b, 22:8b, 22:9b,c, 22:19aγ, 22:21aγ,b, 22:22b, 22:24aγδ,b, 22:26b-27, 22:29aγ.
Deut 23:5-6H, 23:8aβH, 23:8bβH, 23:15H, 23:19bH, 23:21bH, 23:22bH, 23:24bH.
Deut 24:4b, 24:5b, 24:6b, 24:7b, 24:9, 24:13aγ,b, 24:15aγ,b, 24:16b, 24:18, 24:19b, 24:20b, 24:21b-22.
Deut 25:3b, 25:6b, 25:12b, 25:15b-16, 25:17-18.
Deut 26:11, 26:12d.

[126]This number does not include the legal prescriptions which contain a motive clause in the protasis, as in Deut 12:20; 14:24, 29a; 15:16; 24:1; nor does it include Deut 20:5-8 which is not motivated even though the officials' statements in it are provided with motive clauses.

[127]This includes both simple *waw*, as well as motive clauses introduced by ובערת, וזכרת and וישמעו ויראו...; see above, nn. 47, 48, 49.

[128]This does not include the three motive clauses introduced by כי within the legal prescriptions of Deut 20:5-8; see above, n. 126.

[129]The question as to whether or not P extends into Joshua is a matter of debate. For a summary of basic points of view, see P. R. Ackroyd, *Exile and Restoration* (Philadelphia: Westminster, 1968) 97-98; J. G. Vink, "The Date and Origin of the Priestly Code in the Old Testament," *OTS* 15 (1969) 12-13.

[130]Driver, *Introduction*, 126-59; R. Rendtorff, *Die Gesetze in der Priesterschrift* (Göttingen: Vandenhoeck & Ruprecht, 1954).

[131]Fohrer, *Introduction*, 183.

[132]This becomes evident by comparing the lists drawn by Driver (*Introduction*, 159), Fohrer (*Introduction*, 179-80), and Eissfeldt (*The Old Testament*, 188-89, 204-205).

[133]Pfeiffer, *Introduction*, 250.

[134]Uitti, *The Motive Clause*, 128.

[135]Ibid., 53, 79. The following is a list of his motive clauses (p. 59):
Gen 9:6b, 17:13b, 17:14b.
Exod 12:17aβ,b, 12:49, 27:21b, 28:29, 28:30b, 28:35, 28:38, 28:43aβ,b, 29:14b, 29:18b,c, 29:22f, 29:25b, 29:28, 29:33d, 29:34bβ, 29:42-46, 30:10b,c, 30:16b, 30:21aβ,b, 30:32b, 30:36b, 30:37b, 31:13c,d, 31:14aβ, 31:16-17.
Lev 1:9bβαδ, 1:13c, 1:17c, 2:2cβγ, 2:3b, 2:6b, 2:9b,c, 2:10b, 2:11b, 2:15b, 2:16b, 3:5b, 3:11b, 3:16aβ,b-17, 4:21b, 4:24b, 4:26b, 4:31b, 4:35b, 5:6b, 5:9b, 5:10b, 5:11bγ, 5:12b, 5:13, 5:16b, 5:18c,d,19, 5:26H, 6:10aβ,b,11H, 6:15bH, 6:18cH, 6:22bH, 7:1b, 7:5b, 7:6c, 7:34-36, 11:4bβ, 11:5b, 11:6b, 11:7b, 11:42b, 11:44-45, 12:7a,b, 12:8b, 13:6b, 13:8b, 13:11bβ, 13:13b, 13:15b, 13:17b, 13:20b, 13:22b, 13:25bα,c, 13:27c, 13:28b, 13:30c, 13:36b, 13:39b, 13:44c, 13:46b, 13:51c, 13:52aε, 13:55cβ, 14:13b,c, 14:20b, 14:44c, 14:48d, 14:53b, 15:15b, 15:30b, 16:4b, 16:13b,c, 16:16, 16:29-34a, 27:26b, 27:28b, 27:30b.
Num 5:15bβγδ, 6:7b-8, 6:11aγ, 6:12bβ, 6:20b, 6:27, 9:13aδ, 9:14b, 10:8b, 10:9b, 10:10b, 15:15-16, 15:21, 15:25-26, 15:28-29, 15:31, 15:41, 18:10b, 18:17b, 18:19, 18:20b-24, 18:31b, 18:32aγ,b, 19:9c, 19:10b, 19:13b,c, 19:20aγ,b,21a, 25:18, 27:11bα, 28:6, 28:10, 28:13b, 30:6bH, 30:13bH, 30:15bH, 35:12b, 35:15c, 35:21b, 35:28a, 35:29, 35:33b, 35:34b, 36:7b, 36:8b-9.

[136]Counting the two versions of the Decalogue as one legal corpus, plus BC, CD, H, D and PC.

[137]In the present study, this text has been excluded from consideration since the curses recorded therein do not constitute law but a liturgical composition; see our discussion in Chapter I, p. 23.

[138]Uitti, *The Motive Clause*, 134.

[139]See pp. 79-80.

[140]Gemser, "The Importance of the Motive Clause," 51-52.

[141]Uitti, *The Motive Clause*, 134.

[142]Most scholars assign H to the middle of the sixth century B.C.E. See, for instance, Pfeiffer, *Introduction*, 242; Eissfeldt, *The Old Testament*, 237-39; Fohrer, *Introduction*, 142. Kaufmann, however, argues for a pre-exilic date of PC, of which H is a part; see *Religion of Israel*, 166, 175-208. Also, in the present study, see above, n. 110. Although there are literary affinities between H and Ezekiel (see Driver, *Introduction*, 49-50; Pfeiffer, *Introduction*, 241-46; Kilian, *Untersuchung*, 180-86) to the point that Ezekiel was thought by some (e.g., L. Horst) as being the redactor of H, it is instructive to note that in Ezekiel only ca. 7% of the prescriptions within chapters 40-48 are provided with motivations, while the percentage in H is ca. 51%. This in itself makes it unlikely that Ezekiel was the redactor of H.

[143]Uitti has identified a total of 367 motive clauses distributed as follows: Dec., Exodus 20, 4 motive clauses; Dec., Deuteronomy 5, 5 motive clauses; within Exod 20:22-26 plus 23:10-33, 6 motive clauses; CD, 2 motive clauses; BC, 9 motive clauses; Shechemite dodecalogue, 1 motive clause; D, 99 motive clauses; H, 93 motive clauses and in PC, 148 motive clauses (see *The Motive Clause*, 295).

[144]Gemser, "The Importance of the Motive Clause," 55-56. This classification was adopted by von Rad (*Theology*, 1. 197), Paul (*Book of the Covenant*, 39), and by J. G. Torralba ("Motivación deuteronómica del precepto del Sabat," *EB* 29 [1970] 73-99).

[145]Ibid., 56.

[146]Ibid., for example, Deut 19; 21:17; 22:24, 26. Translation of the motive clause is by Gemser.

[147]Ibid., 57.

[148]Ibid., 59.

[149]Ibid., 60.

[150]Uitti, *The Motive Clause*, 92.

[151]Ibid.

[152]In his final summary (*The Motive Clause*, 113; cf. 298-99), Uitti indicates that 42% of all the motive clauses appeal to the intellect, 35% to the person and activity of Yahweh, 12% to the human longing for personal well-being and blessing; in five passages in D the appeal is to Moses' authority (Deut 15:10b-11, 14b-15; 19:6-7; 24:21b-22), and only 1% reflects a feeling for ecology or the proper stewardship of God's creation.

[153]See also Exod 21:26, 27; Lev 21:18-21, 25:12; Num 30:13.

[154]For other similar examples, see Lev 22:25 (refers to v. 21); Num 35:28 (refers to v. 25b); and, possibly, Lev 1:9

(refers to v. 3); 1:13b (refers to v. 3); 1:17b (refers to v. 3); 2:6b (refers to v. 5a); 2:15b (refers to v. 14); 4:24b (refers to v. 22a); 5:9, 12 (refers to v. 11); 7:5b (refers to v. 1).

[155]The term צרעת is used in the Bible for a number of diseases that affect the skin. See the notes in *NJV* for Lev 13:3; in *NAB* for Lev 13:2; and the article "Leprosy" by R. K. Harrison in *IDB* 3, 111-13.

[156]This translation is according to *NJV* and *NAB*. The old *JPSV* and *RSV* render it as "I am the Lord your God." There is no difference between the two *qua* motive clause. On the question as to how to translate this phrase, see A. Poebel, *Das appositionell bestimmte Pronomen der 1. Pers. Sing. in den westsemitischen Inschriften und im Alten Testament* (AS 3; Chicago: University of Chicago, 1932) 53-72; W. Zimmerli, "Ich bin Jahwe," *Geschichte und Altes Testament*, A. Alt Festschrift (BHT 16; Tübingen: J. C. B. Mohr, 1953) 179-209; reprinted in Zimmerli's *Gottes Offenbarung* (TBü 19; München: Chr. Kaiser, 1963) 11-44.

[157]See also Exod 20:22; Lev 6:10; 7:34; 16:2; 17:11-12, 14; 25:42, 54; Num 18:20.

[158]According to M. Weinfeld, "the general feature common to them all is the two-faced or hypocritical attitude of the malefactor, the classic example being that of the falsifier of weights and measures" (*Deuteronomy and the Deuteronomic School*, 268). On *to'ēbāh* laws, see the study by J. L'Hour ("Les interdits").

[159]Here the motive clause reads, כי תועבה הוא לפני יהוה.

[160]For the discussion of this expression, see H. C. Brichto (*The Problem of "Curse" in the Hebrew Bible*, 191).

[161]The formula in Deut 16:12 constitutes the motivation of a parenetic statement which starts with verse 11, and therefore is not included here.

[162]See M. Greenberg's discussion in *IDB* 1, 734-35. The author points out that many of the transgressions punished by *karet* are elsewhere in the priestly laws punished by death (cf. Lev 18:8, 29 with 20:11; 18:17 with 20:14; 18:23 with 20:15). In Exod 31:14-15, the two penalties are found together as the punishment for the violation of the Sabbath law. In Lev 20:4-5, it is God who "cuts off." When *karet* appears alone, Greenberg suggests a kind of penalty *in terrorem*. In Rabbinic law, *karet* refers to punishment at the hand of heaven. For details, see "Karet" by Israel Moses Ta-Shma in *EncJud* 10, 788-89.

[163]However, the exact force of the ו in ולא is not clear; see *NJV*, note to Lev 19:17.

[164]*NAB*, following the LXX, translates: "nor shall you acquit the guilty."

[165]So according to *NJV*. However, this translation is disputed. Others, such as *JPS*, *NAB*, render it as "take His name in vain." It is not clear whether the law refers here to perjury ("swear falsely") or to profanity ("utter God's name in vain"). For a discussion of this matter, see Orlinsky, *Notes on the New Translation of the Torah*, 175-76.

[166]A similar formula is also found in Deut 19:13, but here it constitutes the motivation of a parenetic statement. On בערת laws, see the study by J. L'Hour ("Une legislation criminelle"). See also the remarks by Morgenstern ("The Book of the Covenant," 2. 145).

[167]Here the motive clause read, ואתה תבער הדם הנקי מקרבך.

[168]The meaning of this internal motive clause was already a matter of debate during the Rabbinic period; see *Mishna Giṭṭin* 9:10.

[169]F. L. Horton, "Form and Structure in Laws Relating to Women: Leviticus 18:6-18," *SBL 1973 Seminar Papers* (ed. G. MacRae; Cambridge: Society of Biblical Literature, 1973) 1. 27.

[170]Gemser, "The Importance of the Motive Clause," 63.

[171]For a discussion of components built into complex literary genres, see Koch (*Biblical Tradition*, 23-24). Here the author stresses that "component" literary genres are to be distinguished from the sub-varieties of a given literary genre, as for instance different forms of individual songs of laments (p. 24 n. 19).

[172]E.g., Gen 5:24, 12:10, 26:7, 28:11.

[173]E.g., Gen 32:12, 1 Kgs 8:39, 2 Chr 20:12.

[174]E.g., Josh 23:3, 10; 2 Kgs 18:29, 32.

[175]E.g., Gen 4:25; 17:5; 29:32, 34; 30:20.

[176]E.g., Gen 21:31.

[177]E.g., Ps 1:6; 34:10; 37:2; 49:18; 119:32, 35, 39; Prov 31:21.

[178]E.g., Ps 33:4, 96:4, 147:1.

[179]E.g., Ps 57:2; 59:3-4; 61:4; 71:3; 86:1, 2.

[180]E.g., Ps 67:5, 107:1, 116:2.

[181]E.g., Cant 1:2; 2:5, 10-11, 14; 8:6.

[182]Isa 22:13.

[183]Num 21:27-28.

[184]2 Sam 1:21.

[185]E.g., Gen 13:17, 17:16, 26:3; Ps 28:6, 31:22; Prov 8:34.

[186]E.g., Gen 3:14, 17; 49:7; Deut 28:38, 39, 40, 41, 45, 62.

[187]E.g., 1 Sam 23:4; 30:8; 2 Sam 5:19, 23-24.

[188]E.g., in oracles of assurance (e.g., Jer 1:8, 14-19; 11:23; 15:19-20), in oracles of judgment (e.g., 2 Sam 12:10; Isa 2:11, 12; 13:6; Joel 2:1; Zeph 1:7), in summons to lamentations (e.g., Isa 23:14, Jer 4:8, Joel 1:5-7, Mic 1:20-22). For more examples, see Muilenberg, "The Linguistic and Rhetoric Usages of the Particle כי in the Old Testament," 135-60. On motivation in prophetic writings, see H. W. Wolff, "Die Begründungen der prophetischen Heils- und Unheilssprüche," *ZAW* 52 (1934) 1-21.

[189]E.g., Prov 1:9, 16, 32; 2:5, 10, 18, 21; 3:1, 12, 14, 26, 32 and many others.

[190]E.g., Gen 12:13, 27:25, 37:22; Josh 4:24.

[191]E.g., 1 Kgs 8:40, 43.

[192]E.g., Isa 45:3; Ezek 11:20, 25:10; Amos 5:14.

[193]E.g., Ps 9:15, 30:13.

[194]E.g., Ps 119:71, 80.

[195]E.g., Prov 2:20, 19:20.

[196]E.g., Gen 20:3, Exod 9:1, 1 Kgs 11:21.

[197]E.g., Isa 2:3.

[198]E.g., Josh 7:9, Judg 16:28.

[199]E.g., Ps 60:13.

[200]E.g., Prov 3:4, 10.

[201]E.g., Gen 11:4; 19:15, 19; Num 20:18 and frequently after the expression "for he thought," as in Gen 26:9, 38:11, Num 16:34; cf. GKC, #152w.

[202]E.g., Gen 32:12, Prov 30:9.

[203]E.g., 2 Sam 1:20.

[204]E.g., Ps 7:3, 13:4, 28:1.

[205]E.g., Prov 5:9, 10; 9:8; 20:13; 22:25; 24:18; 25:8, 10, 16, 17; 26:4, 5; 30:6, 10; 31:5.

[206]E.g., Gen 4:15, 38:9; Exod 20:20; 2 Sam 14:13.

[207]E.g., Jer 7:8, 17:23; cf. BDB, 166; GKC, #152x.

[208]E.g., Gen 11:7; 34:13, 27; 42:21.

[209]E.g., 2 Kgs 9:37, Jer 16:13, Hos 14:4, Mal 3:19.

[210]E.g., 1 Kgs 3:12, 13.

[211]E.g., Deut 28:27, 51.

[212]E.g., Eccl 4:9, 8:11; Job 34:27 (*RSV*).

[213]BDB, 90.

[214]Ges, 862.

[215]For a discussion of these genres, see Fohrer (*Introduction*, 311-15) and J. L. Crenshaw ("Wisdom," *Old Testament Form Criticism*, 229-62).

[216]A. Bentzen, *Introduction to the Old Testament* (Copenhagen, 1952) 1. 127.

[217]These expressions are W. McKane's; see his *Proverbs* (Philadelphia: Westminster, 1970) 3. Gerstenberger, too, uses similar terms: "Sentenz" and "Weisung"; see *Wesen und Herkunft*, 117. However, there is no unanimity among scholars as to terminology. R. E. Murphy speaks of "sayings" and "admonitions" (see his "Form Criticism and Wisdom Literature," 478-79); and R. B. Y. Scott, of "proverbs" and "precepts" (see *The Way of Wisdom in the Old Testament* [New York: Macmillan, 1971] 48-71). On the general problem of genre terminology in wisdom literature, see Murphy, "Form Criticism," 476. Wisdom "instructions" must be distinguished from (royal) instructions discussed by M. Weinfeld in his article "The Origin of the Apodictic Law" (*VT* 23 [1973] 63-75).

[218]McKane, *Proverbs*, 5.

[219]Ibid., 3.

[220]They appear only in Prov 16:12, 26; 19:19; 21:7, 25; 25:6-7, 22; 26:25; 27:1, 24.

[221]Scott, *The Way of Wisdom*, 52.

[222]McKane, *Proverbs*, 370.

[223]Discussing the didactic role of motivations in wisdom instructions, Crenshaw writes: "The didactic character of the proverb is heightened in the admonition....To accomplish this end the admonition makes use of motive clauses, positive commands, and grounds for conduct" ("Wisdom," 235). And similarly, "This pedagogic function of the aphorism was abetted by the addition of motivation clauses" (ibid., 231).

[224]For "sentences," see, for instance, Eccl 4:10, 14, 15-16, 17; 6:7-8, 9a; 7:1, 2, 3, 5, 8, 11-12 (some of these are motivated, others not); for "instructions," see, for example, 4:17; 5:1, 3, 5-6, 7; 7:9, 10, 13, 16, 17, 18 (all of these are motivated).

[225]G. von Rad, *Wisdom in Israel* (London: SCM, 1972) 88 n. 24. Similarly, H. Cazelles characterizes the motive clauses in the Decalogue as "motivations et additions de type sapiental" ("Les origines du Décalogue," *Eretz Israel* 9 [1969] 16).

[226]On quoting wisdom sayings in order to buttress an argument in biblical and ancient Near Eastern literature, see R. Gordis, *Koheleth: The Man and His World* (New York: Schocken, 1968), 101-103; and his article, "Quotations as Literary Usage in Biblical, Oriental and Rabbinic Literature," *HUCA* 22 (1949) 157-219. See also the remarks by R. B. Y. Scott in *Proverbs and Ecclesiastes* (New York: Doubleday, 1965) 38 n. 17; E. A. Speiser, "The Case of Obliging Servant," *JCS* 8 (1954) 98-105; reprinted in *Oriental and Biblical Studies: Collected Writings of E. A. Speiser* (eds. J. J. Finkelstein and M. Greenberg; Philadelphia: University of Pennsylvania, 1967) 344-66.

[227]On these two types of motivation in Proverbs, see von Rad (*Wisdom in Israel*, 89-93).

[228]On methodology in this area, see, among others, J. L. Crenshaw, "Method of Determining Wisdom Influence upon 'Historical' Literature," *JBL* 88 (1969) 129-42; R. N. Whybray, *The Intellectual Tradition in the Old Testament* (BZAW 135; Berlin/New York: de Gruyter, 1974) 71-156.

[229]See, among others, J. P. Audet, "Origines comparées de la double tradition de la loi et de la sagesse dans le Proche-Orient ancien," *International Congress of Orientalists* 25 (1960) 1. 352-57; Gerstenberger, *Wesen und Herkunft*, and his article, "Covenant and Commandment," *JBL* 84 (1965) 38-51; W. McKane, *Prophets and Wise Men* (SBT 44; London: SCM, 1965). See also above, Chapter I, n. 153.

[230]For examples, see text above and n. 158.

[231]McKane, *Proverbs*, 301. J. L'Hour, in his article "Les interdits *to'eba* dans le Deuteronome," has already pointed to its sapiental background. Both McKane and Weinfeld (*Deuteronomy and the Deuteronomic School*, 267) convincingly argue in favor of D's dependence on Proverbs. The expression seems to depend ultimately on Amenemope. See the discussions of McKane and Weinfeld. In extra-biblical literature, the term תועבה is found in the sepulchral inscription of Tabnit in the form of תועבת עשתרת ("an abomination to Astarte"). For the text, see Donner-Röllig, *KAI*, 1, no. 16:6. The term "abomination" is also found in Mesopotamian wisdom texts in the form of *ik-kib $^{d}$Nammu* ("abomination to the god Nammu") and *ik-kib ilāni$^{meš}$* ("an abomination to all gods"). See Lambert, *BWL*, 117 and 215. Also, the word "*ḫurkel*," which occurs in the Hittite Laws

(#187-91, 195, 196) is translated by E. Neufeld in Hebrew as תועבה and in English as "abomination"; see his *The Hittite Laws* (London: Luzae, 1951). According to H. A. Hoffner, if an English word has to be used to render "*ḫurkel*," it would be either "abomination" or "depravity," adding, "not unlike the Hebrew 'תועבה'"; *The Laws of Hittites*, 336-37.

[232]R. C. Dentan, "The Literary Affinities of Exodus XXXIV:6f," *VT* 13 (1963) 46.

[233]The motive clauses in wisdom instructions and wisdom literature in general do not refer to the historic experiences of Israel. This can be explained by the universalistic and humanistic nature of wisdom; see Kaufmann, *Religion of Israel*, 325; O. S. Rankin, *Israel's Wisdom Literature* (New York: Schocken, 1969) 12. Moreover, cultic regulations and cultic matters are not predominant in wisdom sayings and in their motive clauses. See discussion of this issue in McKane (*Proverbs*, 293) and Kaufmann (*Religion of Israel*, 326); cf. L. G. Perdue, *Wisdom and Cult* (SBLDS 30; Missoula: Scholars Press, 1977).

[234]See references above in n. 110.

[235]Morgenstern, "The Book of the Covenant," 2. 210.

[236]Beyerlin, "Die Paränese im Bundesbuch," 19-29.

[237]Most of Beyerlin's parenetic statements are considered in the present study as motive clauses; see discussion above on p. 68.

[238]E.g., Exod 20:22, 24; 22:22, 23, 26, 30; 23:13.

[239]H. M. Orlinsky, "The Tribal System of Israel and Related Groups in the Period of the Judges," *Studies and Essays in Honor of A. A. Neuman* (ed. M. Ben-Horin; Leiden: Brill, 1962) 375-87; also in *Oriens Antiquus* 1 (1962) 11-20, reprinted in the author's *Essays in Biblical Culture and Bible Translation* (New York: Ktav, 1974) 66-77. A number of scholars have now rejected the theory of the amphictyony; see Orlinsky's *Essays* (77) for a list. See also the criticism by A. D. H. Hayes ("Israel Before the Monarchy") as recorded in the *Bulletin of the Society of Old Testament Study* (Summer Meeting, 1973, p. 7). From the very beginning, an outspoken opponent of the amphictyony in ancient Israel was Y. Kaufmann; see his remarks in his *Religion of Israel* (256).

[240]Alt, "The Origins of Israelite Law," 164-68.

[241]See discussion above in Chapter I, 24-25.

[242]Beyerlin, "Die Paränese im Bundesbuch," 21.

[243]Uitti, *The Motive Clause*, 135-36. Concerning the form and structure of this ceremony, see his bibliography on p. 143 n. 18, to which one should add, in particular, A. Weiser (*The Psalms* [Philadelphia: Westminster, 1962] 23-52).

[244]Alt, "The Origins of Israelite Law," 164-65.

[245]G. von Rad, "The Form-Critical Problem of the Hexateuch," *The Problem of the Hexateuch and Other Essays* (Edinburgh: Oliver & Boyd, 1965) 38-39; see also his *Theology*, 1. 192-93.

[246]Uitti, *The Motive Clause*, 136.

[247]Ibid.

[248]Ibid.

[249]By "extensions" he means legal prescriptions which, following an "apodictic" law, are introduced by כִּי instead of the usual כִּי, e.g., Exod 22:24, 25. For this, Uitti relies on Beyerlin ("Die Paränese im Bundesbuch," 19) and Gerstenberger (*Wesen und Herkunft*, 30); see also Chapter I, p. 16, in the present study.

[250]Uitti, *The Motive Clause*, 133.

[251]Ibid., 139.

[252]Ibid., 141.

[253]See pp. 25-26.

[254]It is worth noting that E. Jacob rejects altogether the idea that Israelite cult ever included a preaching element. He writes: "The literary type of preaching is represented in the O.T. by the Deuteronomic exhortation, certain speeches in Chronicles which are put in the mouths of the prophets and by certain passages in the prophetic books themselves, but everything leads to the belief that preaching lay mainly outside the truly cultic realm"; *Theology of the Old Testament* (New York: Harper & Bros., 1958) 270 n. 1. The above text is also quoted by Uitti (*The Motive Clause*, 135).

[255]Gunkel, "Fundamental Problems of Hebrew Literary History," 62.

[256]Uitti, *The Motive Clause*, 190.

[257]Von Rad, *Theology*, 1. 198.

[258]P. J. Budd, "Priestly Instruction in Pre-Exilic Israel," *VT* 23 (1973) 6.

[259]Gerstenberger, *Wesen und Herkunft*, 49.

[260]E.g., Prov 1:11-17; 2:1-6, 7-10; 6:1-3; 23:1-3; 25: 21-22; 26:25.

[261]On the didactic aim of biblical legislation, see Paul (*Book of the Covenant*, 39 and references in n. 1).

[262]In his book *The Laws of Deuteronomy* (Ithaca: Cornell University, 1974), C. M. Carmichael states that "frequently they [motive clauses] are attached to unenforceable laws, that is, laws whose observance cannot be compelled under threat of a stated penalty, either for lack of an enforcing agency or because such compulsion is not in question" (38). As examples he refers to Deut 12:23, 16:3, 24:6. However, in light of the existence of motivated laws in Deuteronomy 22,which, he states, "are intended to be legislation in the narrow, precise sense," he is forced to admit that some motive clauses are attached "to laws that are enforceable" (39). On the Rabbinic understanding of the reasons of the commandments, see Heinemann, *Ta'amei ha-Mitsvot be-Sifrut Yisrael*; M. Scholem, "Commandments, Reasons for," *EncJud* 5, 783-92.

[263]See above, this chapter, p. 99.

[264]On the difficulty of establishing the precise setting in life of literary genres, see above, Chapter I, p. 8.

[265]See 121-23.

[266]The term חכם is applied at different periods to different people. See, for example, the list in BDB, 314-15; the discussion in Fohrer, *Introduction*, 309; and McKane, *Prophets and Wise Men*, 15-22. Here we are interested in wise men only as teachers.

[267]G. Östborn, *Tora in the Old Testament* (Lund: Ohlssons, 1945) 119. On the reinterpretation of "*torah*" in Proverbs from parental or scholastic instructions to God's law, see McKane (*Proverbs*, 623).

[268]McKane, *Prophets and Wise Men*, 102 n. 1; cf. J. Bright, *Jeremiah* (New York: Doubleday Anchor, 1965) 65.

[269]McKane, *Prophets and Wise Men*, 111.

[270]J. Kaster, "Education, O.T.," *IDB* 2, 29. Similarly, Scott refers to it as "a source book of wisdom materials assembled and edited by a teacher for use in his school" (*The Way of Wisdom*, 52-53).

[271]For the international context of biblical wisdom literature, see Scott (*The Way of Wisdom*, 23-48; *Proverbs and Ecclesiastes*, xl-liii) and McKane (*Proverbs*, 51-208).

[272]McKane, *Proverbs*, 303; Weinfeld, *Deuteronomy and the Deuteronomic School*, 305 n. 3; Östborn, *Tora in the Old Testament*, 114.

[273]Ecclesiastes, however, seems to have a reader in mind and not a listening pupil; see Gordis, *Koheleth*, 109. The expressions "my son" and "listen" do not occur here.

[274]On scribal schools in Egypt, see R. J. Williams, "Scribal Training in Ancient Egypt," *JAOS* 92 (1972) 214-21; J. A. Wilson, *The Burden of Egypt*, 261-62; F. Dumas, *La civilisation de l'Egypt pharaonique* (Paris: Arthaud, 1965) 381-32.

[275]On schools in ancient Mesopotamia, see S. N. Kramer, *The Sumerians* (Chicago: University of Chicago, 1963) 229-48; C. J. Gadd, *Teachers and Students in the Oldest Schools* (School of Oriental and African Studies, University of London, 1956); G. R. Driver, *Semitic Writing* (London: Oxford University, 1948) 64-65; W. W. Hallo and W. K. Simpson, *The Ancient Near East: A History* (New York: Harcourt Brace Jovanovich, 1971) 154-58.

[276]W. F. Albright, "A Teacher to a Man of Shechem About 1600 B.C.," *BASOR* 86 (1942) 30-31; *ANET*, 490. Albright's interpretation is challenged by B. Landsberger in *JCS* 8 (1956) 59 n. 121. Albright's rejoinder is found in *BASOR* 139 (1955) 22-23. Gezer calendar is taken by some as a tablet written by a student. See, for example, W. F. Albright, "The Gezer Calendar," *BASOR* 92 (1943) 21; cf. *ANET*, 320; H. Michaud, *Sur la pierre et l'argile* (Neuchâtel: Delachaux, 1958) 21.

[277]Eissfeldt, *The Old Testament*, 86. On the possibility of the existence of schools in the biblical period, see also W. Chomsky, "The Dawn of Jewish Education," *Gratz College Annual of Jewish Studies* 3 (1974) 19-27. On the other hand, Whybray expresses doubts regarding the existence of schools with professional teachers in ancient Israel; see his *The Intellectual Tradition*, 15-54.

[278]On priests as imparters of *torah*, see Östborn, *Tora in the Old Testament*, 89-112.

[279]A. Cody, *A History of Old Testament Priesthood* (AnBib 35; Rome: Pontifical Biblical Institute, 1969) 118.

[280]Ibid.; Östborn, *Tora in the Old Testament*, 99.

[281]Cody, *Old Testament Priesthood*, 189. When the Chronicler writes of the "teaching" activity of the priests handing down *torah*, he does not use the term מבין but the participle מורה, as in 2 Chr 15:3, כהן מורה. The term מפרש in Neh 8:8 is problematic. See discussion in von Rad, *Studies in Deuteronomy*, 13. It most likely means "in translation"; cf. Ezra 4:18. See *b. Meg.* 3a, *b. Ned.* 37b, *y. Meg.* 4:1(74d), *Gen. Rab.* 36; cf. "*Masorah*," *EncJud* 16, 1410-11, 1479; J. M. Myers, *Ezra-Nehemiah* (New York: Doubleday Anchor, 1965) 151 and n. 8; Cody, *Old Testament Priesthood*, 150 n. 42. However, on this point, von Rad disagrees and says that it is possible that the Chronicler was anticipating a custom of his own time; see *Theology*, 1. 89.

[282]Cody, however, argues that in the original text the שרים, lay officials of verse 7, were the ones who were sent out to do the teaching, not the Levites. The Chronicler's contribution was to add the priests and the Levites to the mission,

probably under the influence of the book of the law mentioned in verse 9; see *Old Testament Priesthood*, 187. According to Albright, 2 Chr 17:7-9 may well be a misunderstood doublet of the tradition of Jehoshaphat's judicial reform as recorded in chapter 19; see "The Judicial Reform of Jehoshaphat," *Alexander Marx Jubilee Volume* (New York: JPS, 1950) 61-82.

[283]Östborn, *Tora in the Old Testament*, 127-71.

[284]Ibid., 143.

[285]Alt, "The Origins of Israelite Law," 131; M. Noth, *The History of Israel* (New York: Harper & Row, 1960) 103 and references in n. 1; also, idem, "Das Amt des 'Richters Israels,'" *Festschrift A. Bertholet* (Tübingen: J. C. B. Mohr, 1950) 404-17.

[286]See above, n. 239.

[287]Y. Kaufmann, *Sepher Shophetim* (Jerusalem: Kiryat Sepher, 1964) 47-48.

[288]In the Akkadian of Mari, the term *šāpiṭum* means "ruler"; see A. Marzal, "The Provincial Governor at Mari: His Title and Appointment," *JNES* 30 (1971) 186-217. See also M. S. Rozenberg, "The Stem *ŠPṬ*: An Investigation of Biblical and Extra-Biblical Sources," dissertation, University of Pennsylvania, 1963. For further comments, see A. Malamat, "The Period of the Judges," *The World History of the Jewish People*, III: *Judges* (ed. B. Mazar; New Brunswick: Rutgers University, 1971) 129-63. On the terms שֹׁפֵט and מִשְׁפָּט, see E. A. Speiser ("The Manner of the King," ibid., 280-87), T. Ishida ("The Leaders of the Tribal Leagues 'Israel' in the Pre-Monarchic Period," *RB* 80 [1973] 514-30); see also Liedke, *Gestalt*, 62-100.

## CHAPTER III

## MOTIVE CLAUSES IN EXTRA-BIBLICAL LAW COLLECTIONS

### ARE LEGAL MOTIVE CLAUSES UNIQUE TO THE BIBLE?

In light of the recognized common legal tradition of the ancient Near East, which also includes Israel, it is appropriate to inquire whether or not extra-biblical law collections feature motive clauses similar to those found in the legal corpora of the Bible.

In his article of 1953, Gemser claimed that biblical legal motive clauses were without any parallel. Referring to the law collections of the ancient Near East, he wrote,

> In absolutely none of these lawbooks or--codes or--collections can one single instance of motive clauses be discovered. The motive clause is clearly and definitely a peculiarity of Israel's or Old Testament law.[1]

He argued that the reason for the use of legal motivation in the Bible must be sought in the very nature of the biblical law collections. These collections, he said, are rooted in the cultic gathering of the people,[2] and "direct themselves not so much to the official instances, the judges and the jurists, as to the people, collectively and individually."[3] Above all, he stressed,

> it is the spirit imbued by the leaders and lawgivers of Israel, ultimately by its divine Leader and Lawgiver, which provides the best explanation for this remarkable phenomenon of motivated law in Israel, and in Israel alone among all the peoples of the Ancient Orient as far as we can see at present.[4]

Gemser was not alone in asserting the uniqueness of the biblical legal motive clauses. Cassuto, in 1951, had already maintained that "sometimes the Torah adds the reason for the law, from the religious or ethical point of view, unlike the codes mentioned above [i.e., extra-biblical law collections], which give no reasons."[5]

A number of biblical scholars accepted the uniqueness of the biblical legal motive clauses, and many, either explicitly

or implicitly, based their opinion on Gemser's categorical remarks on this matter. Among them one can cite, in particular, von Rad,[6] Muilenburg,[7] Koch,[8] and de Vaux.[9]

Some Assyriologists, however, knew of the presence of motive clauses in the ancient Near Eastern law collections. About the time of Gemser's article, their existence had been confirmed at least in LH. Thus, for instance, in 1952 (one year before the publication of Gemser's article), Driver and Miles had already identified them in LH 107, 136, 194 and 232.[10] In 1969, Yaron added LH 146 to the list.[11]

Some biblical scholars, too, appear to have been aware of the existence of motive clauses in extra-biblical law collections. For example, in the first edition of his *Einleitung in das Alte Testament* (1949), A. Weiser wrote:

> The greater strength of Israel's characteristic way of life made itself felt by its penetration also into the casuistic law and its forms; as regards the content, this trend can be observed in the combined religious and ethical motivation which in comparison with early oriental legal codes, is more far-reaching and in certain matters more strict.[12]

Here, Weiser seems to be aware of the existence of extra-biblical legal motive clauses, and simply points to the larger number and wider range of the biblical examples.

Among the followers of Gemser, there are some who are not categorical in denying the existence of motive clauses in extra-biblical laws. For example, Torralba, who agreed with Gemser in every other respect, still wrote in this connection that "outside of the Israelite legislation it is difficult to find motive clauses."[13] Similarly, Paul, who appears to have accepted Gemser's four-part classification of the motive clauses, modified Gemser's opinion concerning the uniqueness of biblical motive clauses by stating that "unlike most other ancient legal corpora, motive clauses are occasionally appended to both apodictic and casuistic injunctions,"[14] and he referred the reader to the writings of Beyerlin[15] and Yaron.[16] Finally, Uitti totally rejected Gemser's claim of uniqueness but maintained that "the explanatory motive clause is present in only one Ancient Near Eastern lawcode, the Hammurabi Code."[17] He

referred solely to examples in LH 78 ("E"), 107, 136, 146, 194 and 232.[18]

A perusal of the ancient Near Eastern law collections indicates that, even though motive clauses do not appear in Sumerian laws, LE, NBL or HL, they are indeed found in LH and also in MAL. In LH, motive clauses can be identified in the following laws: 7, 9, 10, 11, 13, 29, (47), 78 ("E"), 107, 136, 137, 146, 162, 163, 171, 178, 194, and 232. In MAL A, they can be identified in 23, 24, 29, 36, 38, 45 and 49. These examples, analyzed below, disprove Gemser's claim of uniqueness.

## FORM AND CONTENT OF THE MOTIVE CLAUSES

The motive clauses in LH and MAL are introduced either by grammatical particles or formulated asyndetically.

### Grammatical Particles

In Akkadian, *aššum* functions both as a conjunction and as a preposition.[19] As a conunction it may mean "because," "so that," or "that."[20] As a preposition it may signify "concerning," "on behalf of," "on account of," "because of," "with respect to" or "related to."[21] In the law collections, *aššum*, when used as a conjunction, has a causal meaning and introduces causal clauses.[22]

The enclitic *-ma* followed by the present tense is capable of introducing final motive clauses.[23] In LH, there are a few examples of this kind.

The conjunction *kî* has, among others, a causal function.[24] A possible example of *kî* introducing a causal clause is found in MAL A 45:64.

### Formulated Asyndetically

Meek has drawn attention to the unusually large number of asyndetic clauses in LH.[25] While some of these are explicative, adverbial, temporal, or consequential, others are simply circumstantial. Among the latter, some can well be taken as constituting motive clauses. At times, these asyndetic motive clauses are expressed by stative verbs, usually preceding the

clauses to which they are circumstantial;[26] in other cases, they appear as nominal sentences immediately following the legal consequence.

Whether introduced by a grammatical particle or formulated in asyndetic manner, the motive clause is found in the apodosis of the law. In only one case, namely in LH 47, is the protasis provided with a rationale.

*Motive Clauses in LH*

Introduced by Grammatical Particles

*aššum*

1. LH 78 ("E")

This law,[27] dealing with rents, states that the owner of a house who received the year's rent in advance but nevertheless evicted his tenant before the rental period is over (*a-na wa-aš-[ša-bi-im] i-na u$_4$-mi-[šu] la ma-lu-tim wa-ṣa-[am] iq-ta-b[i]*, lines 11-14) forfeits the money which he had received from the tenant. The law is justified on the basis: *aš-[šum] wa-aš-ša-[ba-am] i-na u$_4$-m[i-šu] la ma-lu-[tim-ma] i-na É-šu ú-[še-ṣu-ú]* ("bec[ause] he caused the ten[ant] to mo[ve out] of his house before the comple[tion of his] term," lines 15-19). The motive clause here does not provide new information but simply underscores the key issue of the case.

2. LH 107

According to this law, a merchant (DAM.GÀR, Akk. *tamkārum*) who denied (*it-ta-ki-ir-šu*, line 5) the receipt of certain goods given to him by the plaintiff, an agent (ŠAMÁN.LÁ, Akk. *šamallûm*), is forced to pay six-fold.[28] The law is motivated by *aš-šum* ŠAMÁN.LÁ-*šu ik-ki-ru* ("because he has denied[29] [the receipt to] his agent," lines 9-10). Here, too, the motive clause underscores the key issue of the case.

3. LH 136

This law states that a man who has voluntarily abandoned his city and fled (URU-*šu id-di-ma it-ta-bi-it*,[30] lines 58-59), and whose wife has subsequently remarried, cannot, if he returns

to the city, reclaim his ex-wife from her second husband. The justification is: *aš-šum* URU-*šu i-ze-ru-ma in-na-bi-tu*, ("because he rejected his city and fled," lines 68-70).

It must be noted that, while the law proper speaks of URU-*šu id-di-ma* (line 58), the motive clause has URU-*šu i-ze-ru-ma* (lines 68-69). The relationship between these two verbs has a bearing on the scope of the motive clause. The question is whether the motive clause here provides new information or whether the two verbs are to be considered synonymous.

Yaron is of the first opinion and maintains that in the motive clause of LH 136, "a new factual element (viz. "hatred") is introduced."[31] Similarly, E. Szlechter claims that by the insertion of *aššum ālšu izēruma* the law obtains a larger field of application, inasmuch as it can also be applied to fugitives who hated the city without wishing to abandon it altogether.[32]

The verb *zêru* does indeed mean "to hate," and *CAD* even contains examples where it appears in opposition to "love" such as, *šumma šarru bēliya la irâmanni u i-zê-i-ra-an-ni* ("if the king, my lord, does not love but dislikes me").[33] However, *CAD* also refers to other texts where *zêru* means "to reject," such as, [*i*]-*ze-ra būrīšina* ÁB.GAL.MEŠ ("the cows rejected their calves").[34] Dossin, too, cites certain passages where *zêru* conveys the sense of "to reject, abandon," such as a clause in a Mari letter, *šum-ma A-bi-Sa-mar te-zi-i*[*r*] *ù a-l*[*a-n*]*i-ka te-zi-ir-m*[*a*] ("if you abandon Abisamar, you also abandon your cities"),[35] and in light of the parallelism between *ālšu iddima* and *ālšu izēruma*, he states, "the redactor of the text considered *zêru* as a synonym of *nadû*, to leave, abandon."[36]

A close parallel to LH 136 is found in LE 30.[37] The protasis of LE 30 has: URU$^{ki}$-*šu ù be-el-šu i-ze-er-ma* (Text B, line 8). In LH 136, this is replaced by URU-*šu id-di-ma* (line 58). This strongly indicates that in the opinion of the redactor of LH, *zêru* and *nadû* conveyed the same meaning. It appears that the verb *zêru* has a semantic range which includes both the sense of "hate" and "reject, abandon."[38] It is the latter that seems to be intended in the motive clause of LH 136. Hence, the motive clause does not introduce something new to the law, but underscores the key element of the case by using synonymous terminology.

4. LH 146

This law considers the case of a priestess (LUKUR, Akk. *nadîtum*[39]) who has given her husband a slave girl for the purpose of bearing children. The slave girl, having born sons (DUMU.MEŠ *it-ta-la-ad*, line 47) for her mistress' husband, then attempted to make herself equal to her mistress. The law stipulates that the mistress may put upon her a slave-mark[40] but cannot sell her. This is justified by stating: *aš-šum* DUMU.MEŠ *ul-du* ("because she bore sons," line 52).[41] Here, too, the motive clause underscores the key issue of the case (cf. LH 147).

5. LH 194

This law deals with the death of an infant who was placed in the care of a wet-nurse. The exact circumstances of the case, however, are not clear. Apparently, after the death of the child, the wet-nurse secretly (*ba-lum a-bi-šu ù um-mi-šu*, lines 30-31) made an agreement to adopt another child (DUMU *ša-ni-a-am-ma ir-ta-ka-ás*, lines 32-33) with the presumed intention of passing him off as the one who was originally placed in her care.[42] However, the fact was discovered and proved against her. Consequently, her breast(s?)[43] is cut off. The penalty clause is motivated by the statement: *aš-šum ba-lum a-bi*[š]*u ù um-mi-*[šu] DUMU *ša-ni-a-a*[*m*] *ir-ku-*[*s*]*u* ("because she made an agreement for another child without [the consent of] its father and mother," lines 35-38). Again, the motive clause underscores the key issue of the case.

6. LH 232

This law deals with the responsibility of a builder and rules that he is required to rebuild, at his own expense, the house which had collapsed after he built it. It justifies it by: *aš-šum* É *i-pu-šu la ú-dan-ni-nu-ma im-qú-tu* ("because he did not make strong the house which he built and it fell down," lines 87-89). As Driver and Miles indicate, the second clause of LH 232 applies to the three preceding sections of the law and, furthermore, the penalties are cumulative, for it would have been anomalous to require a builder to restore the house

if only the furniture in it were damaged, which is exactly what is found in the first part of LH 232.[44] The motive clause in this case underscores the main issue of the case by reiterating different parts of the group of laws dealing with the builder's responsibility: É *i-pu-šu*, see line 66; *la ú-dan-ni-nu-ma*, see line 68; *im-qú-tu*, see line 70.

*-ma*

1. LH 29

According to this law, the wife of a prisoner, who has a son under age unable to carry out his father's *ilku*-duty,[45] receives a portion of the fief. This rule is then motivated by: *-ma um-ma-šu ú-ra-ab-ba-šu* ("so that his mother may rear him," lines 48-50).[46]

2. LH 137

This law deals with a man who has made up his mind to divorce a priestess, either a *šugītu*[47] who bore him children or a LUKUR (Akk. *nadītum*)[48] who has provided him with children. Each woman is entitled to her dowry (*šeriktum*) and half of the field, orchard and movable property (A.ŠÀ $KIRI_6$ *ù bi-ši-im*, line 85).[49] The purpose of this provision is explicated by: *-ma* DUMU.MEŠ-*ša ú-ra-ab-ba* ("in order that she may rear her children," lines 1-3).[50]

Formulated Asyndetically

*Formulated by a Stative Verb*

1. LH 7

This law considers the case of a man who either buys from a minor or a slave some goods, or receives from them goods in custody without any witness or contract. The law then states: *a-wi-lum šu-ú šar-ra-aq id-da-ak* ("this man, being a thief, shall be put to death," lines 55-56).[51] The capital punishment is here justified on the grounds that the culprit was considered a thief.

2. LH 9

The recovery of stolen property is the subject matter of the group of laws in LH 9-13. Each law considers a different situation. LH 9 deals with the rights of both the owner of a lost property and the buyer who purchased this lost property from a third party. It rules that the owner of the lost property, having produced witnesses testifying to his ownership, gets back his property; the buyer, also having produced witnesses to the sale, recovers the money from the estate of the third party. The third party is adjudged to have stolen it from the original owner and is given the death penalty: *na-di-na-nu-um šar-ra-aq id-da-ak* ("the seller, being a thief, shall be put to death," lines 38-39).[52] Here, too, the capital punishment is justified on the grounds that the seller is considered a thief.

3. LH 10

This law stipulates that, if the owner of the lost property produces witnesses attesting to his ownership but the buyer fails to bring the seller who sold it to him or the witnesses before whom the sale took place, *ša-a-a-ma-nu-um šar-ra-aq id-da-ak* ("the buyer, being a thief, shall be put to death," lines 57-58).[53] The death penalty is again justified on the grounds that the buyer is considered a thief.

4. LH 11

This law reverses the situation dealt with in the previous law. Here it is the owner of the lost property who fails to produce witnesses testifying to his claim of ownership. In this case, the alleged owner, *sà-ar tu-uš-ša-am-ma id-di*![54] *id-da-ak* ("being a liar [and] having uttered a calumny, he shall be put to death," lines 1-3).[55] The death penalty is here justified on the grounds that the professed owner was really a liar and brought a false and malicious accusation of a capital charge.[56]

5. LH 13

According to this law, if that man (*a-wi-lum šu-ú*, line 14)[57] is not able to produce his witnesses within the deadline

set by the judges, then *sà-ar a-ra-an di-nim šu-a-ti it-ta-na-aš-ši* ("being a liar, he shall bear the penalty [involved in] that suit," lines 22-24).[58] The base nature of the culprit constitutes here the justification for the legal consequence.

*Formulated by a Nominal Sentence*

1. LH 162

According to this law, when a man marries and has children, at his wife's demise her father may not claim her dowry[59] (*a-na še-ri-ik-ti-ša a-bu-ša ú-ul i-ra-ag-gu-um*, lines 2-4). The underlying reason seems to be expressed by an asyndetic clause which immediately follows it: *še-ri-ik-ta-ša ša* DUMU.MEŠ-*ša-ma* ("her dowry belongs to her sons," lines 5-6).[60]

2. LH 163

This law states that if a woman died without bearing sons and her father had returned to the husband his *terḫatu*,[61] the husband can have no claim to his wife's dowry (*a-na še-ri-ik-ti* MÍ *šu-a-ti mu-sà ú-ul i-ra-ag-gu-um*, lines 22-23). This seems to be justified by an asyndetic clause that immediately follows it: *še-ri-ik-ta-ša ša* É *a-bi-ša-ma* ("her dowry belongs to her father's house," lines 22-23).[62]

3. LH 171

Among the dispositions of this law, a *ḫīrtum*[63] who has been widowed is given back her dowry (*še-ri-ik-ta-ša*, line 79). In addition, she takes the marriage-gift[64] which her husband bestowed upon her (*nu-du-na-am ša mu-sà id-di-nu-ši-im*, lines 80-82) and, living in the dwelling place of her deceased husband, enjoys its usufruct, *durante viduitate*. She is, however, prohibited from selling it; the reason stated is: *wa-ar-ka-sà* DUMU.MEŠ-*ša-ma* ("her estate[65] belongs to her sons," lines 4-5).[66]

4. LH 178

According to this law, if a father gave his daughter, who is a NIN.DINGIR (Akk. *ēntum*),[67] a LUKUR (Akk. *nadītum*)[68] or a MÍ ZI.IK.RU.UM,[69] a dowry (*šeriktum*), but not the authority to

dispose freely of this property, then after the death of her father, her brothers, or, if they fail to support her, a person of her choice, here an *errēšum* ("a cultivator"), can manage it. As long as she lives, she has the right to enjoy both the property and whatever her father gave her. However, she is not allowed to sell them or give them away in order to pay a debt (*ú-ul ú-up-pa-al*, line 17),[70] the reason being: *ap-lu-sà šá ah-hi-šá-ma* ("her inheritance[71] belongs to her brothers," lines 18-19).[72]

In all of the examples mentioned above, the motive clause is found in the apodosis of the law. In LH 47, however, a motive clause appears in its protasis. LH 45-46 deal with the question of responsibility in case of damages caused by rain or flooding, and LH 47 rules on the cultivator's right to a renewal of contract in these circumstances. The first part of LH 47 can be translated as follows: "If a cultivator (*errēšum*), because in the previous year he has not recovered his investment (*aš-šum i-na ša-at-tim maḫ-ri-tim ma-na-ḫa-ti-šu la il-qú!-ú*,[73] lines 59-63), states (that) he will (again) cultivate the field, the owner of the field shall not object." The cultivator's request, found in the protasis of the law, is accompanied by a specific motivation.

### *Motive Clauses in MAL*

Introduced by Grammatical Particles

*aššum*

1. MAL A 36

This law deals with the case of a deserted wife. A distinction is here made between the husband's trip, apparently of a business nature (*mu-us-sà a-na* A.ŠÀ *i-it-ta-lak*, line 85),[74] and his departure on a royal mission (LUGAL *a-na ma-a-te ša-ni-te-em-ma il-ta-pár-šu*, lines 4-5). In the first case, a wife without any children is given a five-year waiting period after which and under certain circumstances she is allowed to remarry. In the second case, the wife cannot remarry even if her husband is delayed beyond the five-year period.

The last seven lines (8-14) of the law specify that if, before the expiration of the five-year period, she lives with another man and bears him children, her former husband, upon his return, has the right to take her and her children--presumably the ones she bore for the second husband--away from her second husband.[75] This rule is justified on the basis: *aš-šum ri-ik-sa la-a tu-qa-i-ú-ni ù ta-na-hi-zu!-ú-ni* ("because she did not wait [according to the] act of marriage but allowed herself to be taken in marriage," lines 12-13).[76]

2. MAL A 49

This law deals with the disposition of the inheritance of a harlot. The text is damaged. A motive clause appears in lines 58-59: *aš-šum* ŠEŠ.MEŠ-*ša*[*i*]-*qa-ab-bi-ú-ni* ("because her brothers [so?] declared").

*kî*

1. MAL A 45

A possible example of a motive clause introduced by the conjunction *kî* is found in this law dealing with the wife of a soldier who is taken prisoner. It specifies that if she has no father-in-law or son she is obligated to wait for a period of two years. One of the questions raised in the law is what to do with her husband's fief if during this waiting period she claims that she has nothing to eat. The text then reads:

62. $^{lú}$DI. $KU_5$.MEŠ *ha-zi-a-na* GAL.MEŠ *ša-a* URU
63. *i-ša-'-ú-lu*
64. *ki-i* A.ŠÀ *i-na* URU *šu-a-tu il-lu-ku-ú-ni*
65. A.ŠÀ *ù* É *a-na ú-ku-la-i-ša*
66. *ša* 2 MU.MEŠ *ú-up-pu-šu*
67. *i-id-du-nu-ne-eš-še*

(62-63)"The judges shall inquire of the mayor (and) the elders of the city...."(66b)they shall assign[77] to her(65)the field and the house for her support(66a)for two years (and)(67)shall give (them) to her."

The problem is how to render line 64: Is it a conditional clause or a motive clause? *CAD* and *AHW* consider the first three lines as a unit. *CAD* translates: "...they inquire whether he (the husband) used to hold (i.e., perform *ilku*-service for) a field in this town."[78] In *AHW*, *kî* is translated as "if" ("ob").[79] Szlechter has: "as much field ('autant de champ') as he (the husband) held as fief in that city."[80]

The rendering of *kî* by "as much as" is rather free. The translations of both *CAD* and *AHW* seem to go against the regular usage of the dependent clause in Akkadian. As Driver and Miles correctly point out, the dependent clauses precede the governing verb in the Laws (cf. 14:32; 23:17, 33 etc.).[81] If *CAD*'s and *AHW*'s translations were correct, then the following structure would have been expected: DI.KU$_5$.MEŠ...*kî*...*i-ša-'-ú-lu*."[82] Therefore, it is preferable to take line 64 as a motivating clause and translate the lines 62-67 as: "The judges shall inquire of the mayor (and) the elders of the city, (and) because he held a field[83] in that city as a fief,[84] they shall assign to her," etc.[85]

Formulated Asyndetically

The following are possible examples of asyndetic motive clauses.[86]

1. MAL A 24

This law deals with harboring a fugitive married woman. One of the situations it considers is where the owner of the house denies knowledge of the fact that the fugitive married woman has been staying in his house with his wife. The matter is submitted to trial by ordeal. The law then stipulates:

72. *šum-ma* LÚ *ša* DAM-*su i-na pa-ni-šu*
73. *ra-ma-an-ša tal-du-du-ú-ni*
74. *i-na* ÍD$^{i.id}$*it-tu-ra za-a-ku*
75. *gi-im-ri ša* ÍD$^{i.id}$ *ú-ma-al-la*

(72-74a)"If the man, whose wife had run away[87] from him, turns away from the river (ordeal), (74b)being guiltless, (75)he shall pay the expenses[88] for the river (ordeal)."

The difficulty in the text is to determine the subject of the verbs *za-a-ku* (line 74) and *ú-ma-al-la* (line 75). *CAD* translates, "If he returns innocent from the river (ordeal), he has to pay in full the expenses for the river (ordeal)."[89] This translation is not satisfactory for two basic reasons: the expression *ina* ÍD *turru* occurs in line 70 where it cannot mean "to return" but rather "to decline," "to turn away" from the ordeal, inasmuch as the owner of the house is then required to pay a sum of money as penalty. Furthermore, *CAD*'s translation implies that the innocent has to pay the expenses as well. This is unlikely. It is possible that there is a change of subject in these verbs: while the stative *zāku* refers to the owner of the house, *ittūra* and *umalla* refer to the husband whose wife deserted him.[90] Lines 72-75 can therefore be interpreted as: "If the man, whose wife had run away from him, turns away from the river (ordeal, i.e., refuses to take part in it), (the owner of the house) being guiltless, he (the prosecuting husband) will pay the expenses in full for the river (ordeal)." The stative *zāku* (line 74) here[91] seems to point to circumstances under which the legal consequence of line 75 is justified, thus constituting a motive clause.

2. MAL A 23

This law deals with the procuration of a married woman for sexual purposes by another woman and considers, among others, the following situation: the mistress brings an innocent married woman into her house by using some kind of excuse[92] and delivers her to a man who sexually assaults her. The law then states: *šum-ma iš-tu* É *i-na ú-ṣa-i-ša ki-i ni-ku-tu-ú-ni taq-ti-bi* MÍ *ú-uš-šu-ru za-ku-a-at* ("If, when she left the house, she declared that she has been ravished, they shall let the woman go free, she being guiltless," lines 33-34).[93] This is followed by a verdict of death penalty to be imposed upon the adulterer and the procuress (lines 35-36). The stative *za-ku-a-at* (line 34b), which follows the legal consequence in line 34a, seems to express the underlying reason for the acquittal of the victimized married woman, thus constituting a motive clause.

3. MAL A 29

This law regulates the disposition of certain goods after the husband's death. It specifies that the husband's brothers have no claim to the wife's dowry, to what she brought from her father's house and to whatever her father-in-law gave her on her entry, *a-na* DUMU.MEŠ-*šá za-a-ku* ("they being reserved for her children," line 16).[94] Line 16 (cf. LH 162) seems to indicate the underlying reason for the law's verdict, thus functioning as a motive clause.[95]

4. MAL A 36

As noted above, this law deals with the case of a deserted wife. Of the two situations it considers, the law states in the first that if the husband, who has apparently gone on a business trip, stays away for five years, his childless wife can remarry at the beginning of the sixth year. The text then reads:

101. *mu-us-sà i-na a-la-ki la-a i-qar-ri-ba-še*
102. *a-na mu-ti-šá ur-ke-e za-ku-at*

(101)"Her husband on coming (back) shall not claim her,(102)she being exclusively her later husband's."[96] Line 102 can be interpreted as justifying the prohibition of line 101, hence functioning as a motivating sentence.

5. MAL A 38

This law deals with a case of divorce in which the wife is still living in her father's house. Her husband, upon divorcing her, can take back the jewels (*dumāqi*)[97] which he had bestowed upon her, but *te-er-ḫe-te šá-a ub-lu-ú-ni la i-qar-rib a-na* MÍ *za-a-ku* ("he shall not claim the *terḫatu*[98] which he had brought, it being reserved for the woman," lines 23-25).[99] Here the prohibition to claim the *terḫatu* is followed by an asyndetic sentence which seems to spell out the reason behind it.

*General Observations*

The following general observations can be made on the basis of the study of individual motive clauses in LH and MAL.

(1) In LH, eighteen (nineteen with LH 47) possible motive clauses were identified.[100] The percentage of the motivated legal prescriptions in the preserved part of the corpus is about 6%.[101] In MAL, eight possible motive clauses were noted.[102] The percentage of the motivated legal prescriptions in the preserved part of the corpus is approximately 5%.[103]

(2) In LH and in MAL, motive clauses appear only within laws formulated in the conditional *šumma awīlum* type. None of the third person commands found in either of the two collections is accompanied by motivations.

(3) Motive clauses are formulated either asyndetically or by means of grammatical particles, i.e., *aššum*, possibly *kī*, or *-ma*.

(4) With the exception of LH 11 where a primary as well as a secondary motive clause appears in lines 1 and 2, neither LH nor MAL features multiple motivation; each motivated law is accompanied by a single rationale, whether formulated by a grammatical particle or asyndetically.

(5) All of the motive clauses are in the third person. They appear as short, terse and positive statements.

(6) Motive clauses introduced by *aššum* always refer to inner-legal matters and, in fact, accomplish their function by underscoring the key element(s) within the case. As such, they do not yield new information that cannot be gleaned from the laws themselves. In the words of Yaron, "they are all repetitive."[104] As noted above, even LH 136 does not constitute an exception to this general pattern. It is only among the other types of motivations, that is, *kī*, *-ma* and asyndeton, that the reason or purpose behind a given law is specifically expressed.

## MOTIVE CLAUSES IN LITERARY GENRES OTHER THAN LAW

In Akkadian literature motive clauses, whether introduced by the grammatical particles *aššum*, *kī*, *-ma* (followed by the present tense) or formulated asyndetically, are found in a number of genres.

Among prose texts, the conjunction *aššum* is featured in letters,[105] historical documents,[106] contracts and similar legal documents,[107] law suits,[108] and mathematical texts.[109] In poetic compositions, it is found in epics,[110] prayers,[111] and incantations.[112] Among sayings, it appears in edicts[113] and popular proverbs.[114]

The conjunction *kî* is found as a motive introduction in letters[115] and in historical texts.[116] There are examples of *-ma* introducing final clauses in epics and myths.[117] Asyndetic motive clauses are heavily concentrated in wisdom instructions.[118]

This survey shows that motivation is a common literary device found in a large number of literary genres, although the frequency of its use varies from genre to genre. It is noteworthy, however, that the only genre where motive clauses appear profusely is wisdom instruction. A closer look at this genre is therefore warranted.

In cuneiform literature the number of texts composed in the wisdom instruction form is rather limited. "The Instructions of Šuruppak,"[119] written in Sumerian, is a fairly long composition (281 lines) and contains advice given by Šuruppak, survivor of the Flood, to his son Ziusudra. Asyndetic clauses frequently motivate those teachings expressed in the wisdom instruction form.[120]

Another Sumerian text, "Gilgamesh, Enkidu and the Netherworld,"[121] although not considered wisdom literature per se, incorporates the instructions of Gilgamesh to Enkidu (lines 185-203)[122] formulated in the wisdom instruction form. These instructions are often accompanied by asyndetic motive clauses.[123]

In Akkadian, the major wisdom text composed in the instruction form is a collection of moral exhortations referred to as "Counsels of Wisdom."[124] Lambert assigns it to the Cassite period.[125] Only one section, namely lines 81-96, contains strict vocational instruction, while the rest seems to have general application. All of the motive clauses found therein are asyndetic.[126]

In addition to Mesopotamian texts, a few instruction texts in Akkadian have been found at Ugarit. The principal wisdom text is "Instructions of Šube-Awilum."[127] The instructions are directed to his son Zur(?)-ranku on the occasion of his departure from his paternal home. J. Nougayrol remarks that the text reflects the characteristics of western middle-Babylonian, both in terms of syntax and vocabulary,[128] and displays the following structure in its composition: advice (formulated mostly as a prohibitive), a motive clause (expressed asyndetically) and a statement of consequence.[129]

It must be pointed out that the wisdom instruction genre does not constitute an isolated phenomenon in Mesopotamia but is indeed part of an "international genre"[130] for the entire ancient Near East, with representative works, in addition to those in Sumerian and Akkadian, also in Egyptian, Aramaic and, as noted above, in Hebrew. Among those, the genre itself is nowhere more fully represented than in Egypt.

A large number of instruction texts has been recovered in Egyptian language.[131] Among those, the most important are Ptahhotep,[132] Kagemni,[133] Merikare,[134] Ani[135] and Amenemopet.[136] In other texts only a small part is composed in the instruction form: Amenemhet,[137] Duauf,[138] Lansing,[139] Onchsheshonqy,[140] The Teachings of King Ammenemes I to his son Sesostris,[141] Admonitions of an Egyptian Sage,[142] and a text simply called "A New Moralizing Text."[143]

Although most of the Egyptian instructions are formulated with a special elite group in mind, constituting texts for educating young officials who aspire to positions of responsibility (e.g., Ptahhotep, Merikare, Kagemni), there are some which are more general in scope and directed to a broader audience (e.g., Ani and Onchsheshonqy).

In most of these instruction texts, the motive clauses are formulated asyndetically.[144] In others, there is a combination of asyndetic motive clauses and those introduced by the copula "$\check{\imath}\omega$" which is generally placed at the head of clauses that are essentially subordinate and commonly circumstantial. This copula is regularly rendered as "for."[145]

The Aramaic version of "The Words of Ahiqar"[146] contains a variety of wisdom genres such as proverbs, parables, allegories, fables and instructions.[147] It is usually dated to the fifth or fourth century B.C.E.[148] Only a small part of the work consists of instruction proper, concentrated in parts of columns vii, ix and x (partly damaged). Most of the instructions are general in character and are not limited in their application to a person training for high office. The motive clauses therein are expressed by כי,[149] asyndetically,[150] and, possibly, by *waw*.[151]

To this list must be added the wisdom instructions in the Hebrew Bible to which reference was made in the previous chapter.

The high number of motive clauses contained in wisdom instruction texts coming from Egypt and Ugarit can be contrasted with the sporadic use of motivation in other literary genres of the same social and cultural environment.[152] This comparison as well as the heavy use of motivation already noted in the wisdom instructions of Mesopotamia and Israel makes it abundantly clear that among all the known literary genres of the ancient Near East, motive clauses are "at home" primarily in wisdom instructions.

The geographic distribution of the wisdom instructions in the ancient Near East and the varying number of such works recovered at different places--unless attributed to accidents of discovery or the destruction of the media upon which they were recorded--point to the great prominence that the genre had in the West (i.e., primarily in Egypt, but also in Ugarit and Israel) rather than in Mesopotamia.[153] This observation adds support to those who argue that Egyptian wisdom literature has had considerable influence on certain biblical wisdom texts.[154]

Having surveyed the use of motivation in cuneiform literature and, in particular, in wisdom instructions, one can ask whether it is possible to discover the source of influence under which the motive clauses in LH and MAL were formulated and the function which they have within the laws.

The determination of the source of influence presents serious difficulties, primarily because of the very low percentage of motivation noted both in LH and MAL. Nothing in the

formulation of these few motive clauses points, with relative assurance, to a specific genre featuring motive clauses, either occasionally or as part of its literary form. That the legal motive clauses were formulated in the same manner as those found in wisdom instructions in Akkadian--and perhaps under their influence--is rendered doubtful for a variety of reasons: (1) Whereas motive clauses in Akkadian wisdom instruction texts are expressed only in asyndetic manner, legal motive clauses are formulated both by grammatical particles as well as asyndetically; (2) unlike their instruction counterpart, legal motive clauses are formulated impersonally, totally lacking the second person address; (3) unlike wisdom instructions, the legal motive clauses are mostly repetitive.

A similar difficulty arises in searching for the function of these motive clauses. Although their apparent purpose is to provide a justification for the verdict of the law, the reason for doing this is nowhere clearly stated. This can be inferred only from the texts themselves.

In *mīšarum*-edicts, which have the force of law, the insertion of the regular *mīšarum* clause within a particular provision of the edict most probably indicates that it is directly affected by the edict and therefore requires an immediate, albeit temporary implementation, while those sections of the edict lacking the standard justifying formula constitute permanent reforms.[155]

What of the motive clauses appearing in LH and MAL? In the case of LH 136, Driver and Miles said that the motive clause *aššum ālšu izēru* "gives the substance of the reply which the wife and her new husband are entitled to make and thereby rebut the claim to take her back; it gives the reason, which will be pleaded, why this claim fails."[156] These scholars are, however, silent regarding the function of the other motive clauses in LH and MAL. In any event, their explanation of the use of the motive clause in LH 136 can only be viewed as conjecture.

It is questionable whether motive clauses here have a teaching function, not only on account of the differences noted above between the legal motive clauses and those found in wisdom instructions, but also because it is not known if cuneiform laws as a whole had, among others, a pedagogic goal or use.[157]

It is most likely that the original Hammurabi stele stood in the Esagila.[158] The epilogue explicitly invites any aggrieved party to come and ascertain the law that applies to his case.[159] Also, it is known that the LH were constantly copied. This is clearly attested by the numerous fragments dating from the Old Babylonian to the Neo-Babylonian periods.[160] This may show that the LH were known to a certain segment of the population[161] but does not constitute clear and sufficient evidence for ascribing a didactic aim to the corpus.

The prologue and the epilogue of LH speak of the king's social and political achievements. They stress, in particular, that Hammurabi established law and justice (*kittam u mīšaram*)[162] thus promoting the welfare of the people;[163] that he has inscribed his precious words, namely his laws, in order to give justice to the oppressed;[164] that he is a "king of justice" (*šar mēšarim*)[165] and a "shepherd of the people";[166] that he prays his name be spoken in reverence forever in Esagila,[167] with various gods speaking on his behalf before the great Marduk and Ṣarpanitum.[168] This "autopanegyric,"[169] as Paul calls it, seems to have been written in order to bring to the attention of the gods the king's deeds and accomplishments.

The cuneiform law collections in general and LH in particular, with their elaborate prologues and epilogues of historic and religious nature,[170] are presently viewed primarily as "royal apologia and testaments"[171] directed to the gods and aiming at obtaining their good favors.[172] If this were indeed the case, then the legal motive clauses take on a special significance. They can be interpreted as an extra means of underscoring the fine sense of justice that permeates the prescriptions of a given law corpus and thus deserving additional consideration on the part of the gods.

## BIBLICAL AND CUNEIFORM LEGAL MOTIVE CLAUSES: A COMPARISON

The following points emerge as a result of a comparison between the motive clauses in biblical legislation and those found in cuneiform legal corpora.

(1) The first item to be noted here is the relative scarcity of motive clauses in cuneiform laws and their greater frequency in biblical legislation. Among the ancient Near Eastern law collections, they appear, as we saw, only in LH and MAL, and there in small numbers. Even the BC, which represents the closest parallel to the ancient Near Eastern legal corpora in terms of both context and legal formulation and is considered to be a very early law corpus in the Bible (ca. thirteenth century B.C.E.),[173] has a much higher percentage of motivated laws (ca. 16%) than the LH (ca. 6%), which was compiled probably towards the end of Hammurabi's reign (ca. mid-eighteenth century B.C.E.),[174] and the MAL (ca. 5%), believed to come from about the end of the twelfth century B.C.E.[175] This low rate in LH and MAL shows that legal motivation is not characteristic of cuneiform laws and its appearance is rather "unusual."[176]

(2) Whereas in cuneiform laws motive clauses are found only in laws formulated in the conditional *šumma awīlum* form, in the Bible legal motive clauses appear in laws formulated both in the conditional as well as unconditional form, with the majority accompanying second person commands or prohibitions.

(3) In both cuneiform and biblical laws, motive clauses are expressed by means of grammatical particles as well as asyndetically. In cuneiform laws, the introductory grammatical particles are limited to the conjunction *aššum*, perhaps *kî* (both expressing cause) and *-ma* (expressing purpose). This is noteworthy, for in addition to the first two, Akkadian texts contemporary with LH and MAL were capable of expressing causality in different ways and using a number of other particles, such as *ištu* (with *-ma*)[177] and *kīma*.[178] They could also indicate purpose by *-ma* plus the precative.[179] The restriction of the motive introductions to a few grammatical forms appears like a deliberate effort on the part of the legislators to keep a uniformity of expression in the formulation of these laws, just as there seems to have been a tendency to introduce the laws in LH and MAL almost exclusively with *šumma* (*awīlum*).[180] In biblical law, on the other hand, there is a greater variety of motive introductions, numbering as many as fifteen kinds. Not all appear in every law collection, but among the larger

ones, even with the lowest number, PC has five, while D, with the highest number, has twelve.

(4) With one exception in LH 11, LH and MAL do not feature multiple motivation. In biblical law collections, both early and late, there are many examples of multiple motivation, whether formulated by means of grammatical particles, asyndetically, or both.

(5) Unlike the motive clauses in LH and MAL, which are expressed impersonally, legal motive clauses in the Bible are formulated either impersonally or using the second person address and, rarely, the first person. The element of parenesis, which is prevalent in biblical laws, particularly in D, is totally absent in cuneiform law collections.

(6) In cuneiform laws, motive clauses introduced by *aššum* always refer to inner-legal matters and, in fact, achieve their aim by underscoring the key element in the case. Aside from the possible example of *kî* in MAL 45, the rationale behind a given law appears to be expressed only by *-ma* and asyndetic motive clauses. In biblical law, although a few motive clauses do underscore the key element in the case, the large majority, whether introduced by a grammatical particle or not, add new information and actually spell out the presuppositions of the laws to which they are attached.

It is noteworthy that, unlike biblical laws, no cuneiform law is ever motivated by reference to an historic event, a promise of well-being or, for that matter, a divine will. In fact, in these laws the deity is completely silent,[181] yielding its place to a human lawgiver whose main concern is economic rather than religious.[182] Biblical law, on the other hand, ascribed in its totality to God both in terms of source and authorship,[183] displays a concern that goes beyond the economic, enveloping all aspects of community life, whether past, present and future, and incorporating both the strictly cultic/sacral and that which remains outside of it. God, it is believed, speaks not only through His laws but frequently also through their motive clauses, at times explicitly so.

(7) Finally, there seems to be a difference regarding the literary source of influence as well as the function of the

motive clauses in the respective legal systems. The motive clauses in biblical laws, to a large extent, appear to have been formulated like the motivations found in wisdom instructions and probably under the influence of wisdom literature in general. Ultimately, they seem to point to a teaching function. In cuneiform laws, however, the meagre number of motive clauses makes it difficult to determine their source of influence, although it seems unlikely that they stemmed from wisdom literature. It is plausible that their primary function was to curry the favors of the gods by underscoring the lawmaker's true concern for justice.

In sum, although both biblical and some cuneiform law collections feature motive clauses, they display differences in terms of form, content and function.

## NOTES

### CHAPTER III

[1]Gemser, "The Importance of the Motive Clause," 52; cf. 63.

[2]Ibid., 62.

[3]Ibid.

[4]Ibid., 63. On the same page (n. 1), Gemser states that "the motivations of explanatory and ethical contents in the Hittite Instructions for Temple Officials...hardly come for comparison on account of their very specific destination." The author was referring to #2, 3, 4, 7, 8, 9, 10, 13, 14, 16, 18, 19. See *ANET*, 207-210; also, see below n. 152.

[5]Cassuto, *Exodus*, 263. The same statement has been preserved in the following and latest edition of the book in the Hebrew original (5th, 1969).

[6]Von Rad, *Theology*, 1. 198. The author credits Gemser on p. 197 n. 19.

[7]J. Muilenburg, *The Way of Israel: Biblical Faith and Ethics* (New York: Harper Torchbooks, 1965) 67. See also his article in *HUCA* 32 (1961) 151. Credit to Gemser is given in *The Way of Israel* (67 n. 1) and in *HUCA* 32 (151 n. 49).

[8]Koch, *Biblical Tradition*, 22. Reference to Gemser is found on p. 22 n. 16 and on p. 10 n. 16.

[9]De Vaux, *Ancient Israel*, 149. Though Gemser is not explicitly credited here, the author's acceptance of Gemser's four-part classification of the motive clauses, together with his claim for their uniqueness, clearly indicates that he has been under the influence of Gemser. In fact, in the bibliography (p. 530), Gemser's article is specifically mentioned.

[10]Driver and Miles, *Babylonian Laws*, 1. 286-87 and 287 n. 1.

[11]Yaron, *The LE*, 75 n. 20. In Volume 1, Driver and Miles overlooked LH 146, for they considered the clause as being part of the protasis (304). In Volume 2, however, they connected it with the apodosis (57).

[12]Weiser's statement has been preserved in the latest translation published in 1963 (*The Old Testament: Its Formation and Development* [New York: Association] 55). The quote is taken from the 1963 edition which repeats what was said on p. 48 of the 1949 German edition.

[13]Torralba, *EB* 29 (1970) 84. Translation is mine.

[14]Paul, *Book of the Covenant*, 39. Reference to Gemser is found on the same page (n. 2).

[15]Ibid. Beyerlin refers, by way of example, to LH 136:68 ("Die Paränese im Bundesbuch," 19 n. 39).

[16]Paul, *Book of the Covenant*, 39 n. 2. The reference is to Yaron (*The LE*, 75 n. 20).

[17]Uitti, *The Motive Clause*, 270.

[18]Ibid., 270-71.

[19]ARM, 15, 177 adds, "adv.?, dès lors(?). Cf. 2, 48:19(?); 5, 15:8(?). It also suggests that it be supplemented by *ki-a-am*. However, A. Finet maintains that *aššum* in these cases (and in 6, 35:21) can be considered an adverb by itself (*L'Accadien des letres de Mari* [Bruxelles: Palais des Académies, 1956] #54a). In a letter appearing in YOS (2, 81:13), *aš-šum i-na ki-it-ti-im ta-ra-am-mi-in-<ni>* 1 URUDU.ŠUN *šu-bi-li-im* ("If thou truly dost love me [then] send me one bronze pot"), the particle *aššum* is probably a mistake for *šumma*. See YOS, 2, 22; cf. *CAD*, A/2, 466 under *aššum*.

[20]See *aššum* in *CAD*, A/2, 466-67; *AHW*, 84; ARM, 15, 177. In LH or MAL, *aššum* does not appear with the meaning "so that" or "that."

[21]*CAD*, A/2, 467; ARM, 15, 177; *AHW*, 84.

[22]*GAG*, #176a.

[23]*GAG*, #158.

[24]*GAG*, #176; *CAD*, K, 319; *AHW*, 469; J. Aro, *StudOr* 22, 43.

[25]T. J. Meek, "The Asyndeton Clause in the Code of Hammurabi," *JNES* 5 (1946) 64-72. See also the discussion in Driver and Miles (*Babylonian Laws*, 2. 357-61).

[26]But see below in MAL, A, 23 where it follows.

[27]The first five lines of the law are restored; see Driver and Miles, *Babylonian Laws*, 2. 37. For a different restoration, see R. Borger, *Babylonisch-assyrische Lesestücke*, Heft I (Rome: Pontificum Institutum Biblicum, 1963) 18. Part of the law is translated in *CAD*, A/2, 461 under *aššābu*. The motive clause is here rendered as, "because he (the owner) has evicted the tenant (before the completion of his term)."

[28]On the role of the *tamkārum*, see Driver and Miles, *Babylonian Laws*, 1. 120; on *samallûm*, see ibid., 198. See also W. Leemans, *The Old Babylonian Merchant* (Leiden: Brill, 1950).

[29]Meek renders the verb *nakāru* as "dispute": "because he had a dispute with his trader" (*ANET*, 170). However, the verb basically means "to deny"; see *AHW*, 719.

[30]The derivation of *ittabit* is not very clear. In a parallel law (i.e., LE 30), we find *it-ta-bi-it* in text A, line 46, but *it-ta-ah-bi-it* in text B, line 8. A. Goetze states that the two verbs "cannot derive from the same verb"; *The Laws of Eshnunna*, 85 n. 1. He takes *ittabit* from *nābutum* ("to flee") found only in the N stem. Von Soden is of the same opinion; see *GAG*, #97 *l*, 128. Driver and Miles, however, derive it from the N stem of *abātu*, "to flee"; *Babylonian Laws*, 2. 363 (Glossary). *CAD* considers *habātu* ("to go astray, to move over," etc.) as a variant of *abātu* B (here used in the N stem) meaning "to turn away"; A/1, 47. Yaron suggests that in LE 30, *ittahbit* (instead of *ittabit*) may be a phonetic spelling; *The LE*, 6 n. 22.

[31]Yaron, *The LE*, 75 n. 20.

[32]E. Szlechter, "Effets de l'absence (volontaire) en droit assyro-babylonien," *OrNS* 34 (1965) 296.

[33]*EA* 158:37 (letter of Aziri). For other examples in *CAD*, see *zêru* (97-99) where references are made to *TCL*, 4, 5:10 (OA let.); *BE*, 183 r. 24 (*kudurru*); *BWL*, 240 ii 29 (prov.).

[34]*CAD*, Z, 97-99 (under *zêru*); also *kā*[*ru li-id*]*-di-ka nībiru li-zer-ka* ("may the har[bor rej]ect you, the ferry landing refuse you [for ever]"). However, in Vol. 6(H), which appeared in 1956, under *hadû* (p. 27), and in Vol. 8(K), dated 1971, under *kāru*, the text is restored as follows: *ka-a-*[*ru aj ih*]*dīka nībiru lizīrka*. In Vol. 6, the translation is, "may the harbor not welcome you, may the (place where the) ferry (lands) hate you!" In Vol. 8 we find, "may the mooring place not welcome you, the embarkation point of the ferry reject you." In *ANET* (96), the verse is rendered as, "May the landing-pl[ace not rejoice in thee], May the place of crossing renounce thee." Thus in *CAD* (except for Vol. 6), in Vols. 8 and 21 and also in *ANET*, *zêru* is understood as "to reject."

[35]ARM 1, 2:7-8; G. Dossin, "L'article 142/143 du Code du Hammurabi," *RA* 42 (1948) 121. For other examples, see ad loc.

[36]Ibid. Translation is mine.

[37]Similarity is based on the substance of the law as well as the terminology employed therein, to such extent that Yaron feels that "the draftsmen of Hammurabi had before them either the actual text of LE itself, or a comparable one from a source not available to us"; *The LE*, 74.

[38]Dossin, "L'article 142/143 du CH," 121.

[39]On *nadītum*, see Driver and Miles, *Babylonian Laws*, 1. 364-67; *AHW*, 704.

[40]The term used is *abbuttum*. Its exact meaning is not at all clear, though all agree that it is some sign of slave status. It may indicate a characteristic hair style or the metal clasp around the *abbuttu*-lock. *CAD* (A/1, 48) takes it in the first sense. See also *AHW* (5) under *abbuttu(m)*. According to Szlechter, the term indicates an engraved tattoo; see "Essai d'explication des clauses: *muttatam gullubu*, *abbuttam šakānu* et *abbuttam gullubu*," *ArOr* 17/2 (1949) 402-12.

[41]Meek translates: "...If later that female slave has claimed equality with her mistress because she bore children, her mistress may not sell her,..." (*ANET*, 172). This translation goes against the general usage in Akkadian. The clause starting with *aššum* usually belongs to that which follows and not to what it precedes; see *GAG*, #176a. Furthermore, in conditional sentences starting with *šumma*, consecutive action is indicated by the perfect tense such as in LH 146: *mārī ittalad warkānum...uštamher*; see *GAG*, #161e. This is immediately followed by the clause *aššum* DUMU.MEŠ. *uldu* where the verb is in the preterite and not in the perfect, thus indicating that it does not belong to what it precedes but to what it follows. *CAD* (A/1, under *abbuttu*, 48) correctly translates: "due to the fact that she (the unsubmissive slave girl) has borne sons, her mistress cannot sell her"; see also above, n. 11.

[42]The problem revolves primarily around the meaning of the verb *rakāsu*. V. Scheil ("Les nourices en Babylonie et le #194 du code," *RA* 11 [1914] 179-82) and, following him, Driver and Miles (*Babylonian Laws*, 1. 406, 2. 248) maintain that the verb means literally "to bind (to the breast)." Substitution of the child, they say, is not the law's concern. As Scheil has already indicated, substitution involves theft, and LH 14 has a death penalty for anyone who steals an infant, whereas in LH 194 only the breast(s?) of the nurse is cut off. The law's intention is to impose upon the nurse the obligation to reveal to the parents of any new child the fact that she lost a previous one while nursing it. Failure to do this brings a penalty. Driver and Miles render the key parts of the case as follows: "(if) the nurse then binds another child (to her breast) without (the knowledge of) its father or its mother, they shall convict her" etc. (2. 77). S. Greengus proposes a different interpretation. He translates the verb *rakāsu* as "to bind by agreement" and suggests that the question at hand is indeed one of secret adoption of another child and hence one of substitution ("The Old Babylonian Marriage Contract," *JAOS* 89 [1969] 506 n. 11). He finds support for his interpretation in Ras Shamra texts where the expression *ana marūti/ahhūti rakāsu* (see MRS 6/1, p. 224 with three examples in 16.292:10, 16.344: 5, 19.92:5) actually means "to bind by agreement" and normally defines the act of adoption. Furthermore, he points out that LH 194 follows directly upon #185-193 which deal with adoption.

The verb *rakāsu*, he adds, with the meaning "to bind by agreement," is similarly attested in OA texts. Reference is here made to H. Lewy, *ArOr* 18/3 (1950) 377 n. 58. Greengus would therefore translate the key part of the case as follows: "(if) the nurse then binds by agreement (i.e., adopts) another child without (the consent of) its father and its mother, they shall convict her," etc. Greengus' interpretation is very attractive. It gets around Scheil's objection: the wet-nurse does not steal a new child but binds a new one by agreement (i.e., adopts), has linguistic support, and LH 194 becomes an integral part of the laws dealing with adoption. In addition, it can be pointed out that the preposition *balum*, when referring to people, usually means without the knowledge or consent of and not without telling anyone (e.g., see *CAD*, B, 70, under *balu*). The latter is generally expressed by adding to it the verb *ša'ālu* ("to ask"), such as *balum ša-aḫ abiša u ummiša* ("without asking her parents," e.g., LE 26:30[A], 27:31-32[A]). On the other hand, however, the act of adoption is expressed in Ras Shamra both by *ana/ina marūti/aḫḫūti rakāsu* and by *ana marūtim leqû* (e.g., MRS 6,200:2), whereas in LH only by *ana marūtim leqû* (e.g., LH 185, 186, 190, 191). If Greengus' interpretation were to be accepted, then it would have to be assumed that only in LH 194 the lawgiver meant by *rakāsu*, "to make an agreement (for an adoption)."

[43]The law itself speaks of UBUR-*ša* ("her breast"). The noun is in the singular, yet it is possible that it is taken here in the collective sense, i.e., "her breasts," since the text does not specify "one of her breasts." See Driver and Miles, *Babylonian Laws*, 1. 406 n. 12; see also their comments in 2. 248.

[44]Driver and Miles, *Babylonian Laws*, 1. 427.

[45]The term *ilku* basically refers to a certain kind of duty that a person has to carry out when holding land in tenure from a higher authority. The nature of this duty varied; see *CAD*, I, 73-80, under *ilku* A.

[46]Similarly, Meek translates, "in order that his mother may rear him" (*ANET*, 167).

[47]Perhaps a lay priestess of a lower class (cf. LH 137, 144, 183, 184); see also the discussion in Driver and Miles, *Babylonian Laws*, 1. 371-74.

[48]See above, n. 39.

[49]For *bīšu* ("movable property"), see *CAD*, B, 271, where the term is rendered as "personal property."

[50]Thus, Meek in *ANET*, 172.

[51]Similarly, Meek translates, "since that seignior is a thief, he shall be put to death" (*ANET*, 166). Even if *šarraq* is taken as a declarative statement ("he is a thief"), it implies motivation.

[52]Similarly, Meek translates, "and since the seller was the thief, he shall be put to death" (*ANET*, 166).

[53]Similarly, Meek translates, "since the (professed) purchaser was the thief, he shall be put to death" (*ANET*, 166).

[54]The expression *sà-ar* is from *sarāru*, meaning "to be a liar"; see *AHW*, 1028(1a). On *tušamma*, see *GAG*, #20i. Instead of *id-ki*, read rather *id-di*! See *CAD*, D, 125, under *dekû*.

[55]Similarly, Meek translates, "since he was a cheat and started a false report, he shall be put to death" (*ANET*, 166).

[56]Driver and Miles, *Babylonian Laws*, 2. 98. They, however, seem to consider only the second half as a motivating clause: "he is a felon since he has uttered a slander: he shall be put to death" (l. 17).

[57]It is very difficult to determine who is the subject of the law. The likelihood is that it is the buyer who was also the subject of the preceding section; see discussion in Driver and Miles, *Babylonian Laws*, l. 101.

[58]Similarly, Meek translates, "since that seignior was a cheat, he shall bear the penalty of that case" (*ANET*, 166).

[59]On *šeriktum*, dowry given to the bride by the father, see Driver and Miles, *Babylonian Laws*, l. 271-75.

[60]Meek translates, "since her dowry belongs to her children" (*ANET*, 173). In *Die Gesetze Hammurabis* (Wien: Alfred Hölder, 1903), D. H. Müller offers both a German and a Hebrew translation of LH. Müller renders the clause in LH 162 as, "denn (in the Hebrew, כי) ihre Mitgift gehört dem Hause ihres Vaters" (44).

[61]The nature of *terḫatu* is not clear. Various theories have been advanced in order to explain it. According to Driver and Miles, it is a marriage gift given by the bridegroom to his new father-in-law (*Babylonian Laws*, l. 261). Others, however, consider it a "bride-money" paid in order to purchase the bride. For a summary of different points-of-view, see Yaron, *The LE*, 111 and references in n. 10, in particular, B. Landsberger, "Jungfräulichkeit: Ein Beitrag zum Thema 'Beilager und Eheschliessung' (mit einem Anhang: Neue Lesungen und Deutungen im Gesetzbuch von Ešnunna)," *Symbolae iuridicae et historicae Martino David dedicatae* (Leiden: Brill, 1968) 2. 93-94.

[62]Meek translates, "since her dowry belongs to her father's house" (*ANET*, 173). Similarly, Müller, as in n. 61.

[63]A *ḫirtum* is a man's first wife; see R. Borger, *Lesestücke* (I), p. lviii (glossary); cf. *CAD*, H, 200.

[64]In Akk. *nudunnu*. On the nature of this gift, see Driver and Miles, *Babylonian Laws*, l. 265-66; *AHW*, 800; cf. Cardascia, *Lois assyriennes*, 156-57.

[65]The term for "estate" is *(w)arkatu*; see *CAD*, A/2, 277, under *arkatu*(3b).

[66]Meek translates, "since her heritage belongs to her children" (*ANET*, 173). Similarly, Müller renders it as, "denn (in the Hebrew, כִּי) nach ihr[em Tode] gehört es ihren Kindern" (47). Driver and Miles, too, understand the phrase as providing a motivation for the law at hand; see *Babylonian Laws*, 1. 351.

[67]An *ēntum* is a high priestess; see *CAD*, E, 172; cf. Driver and Miles, *Babylonian Laws*, 1. 361-62.

[68]See above, n. 39.

[69]See *AHW*, 1036, sub *sekretu(m)*. The word denotes a social class of woman connected with temple and palace. However, the exact meaning is not known. Meek renders it as "a votary" (*ANET*, 174); Driver and Miles as "an epicene" (*Babylonian Laws*, 2. 71; see also discussion in 1. 367-68). For additional references, see A. Falkenstein, *OLZ* 56 (1961) 372-73 (I owe this last reference to Dr. A. Sjöberg).

[70]See *uppulu* in *CAD*, A/2, 165, under *apālu* A; *AHW*, 57, under *apālu* I(D).

[71]The term for "inheritance" is *aplūtu*; see *CAD*, A/2, 178(2a).

[72]Meek translates, "since her patrimony belongs to her brother" (*ANET*, 174). In fact, Meek starts the motive clause in line 9 and counts two consecutive motive clauses. Müller renders it as, "denn (in the Hebrew, כִּי) ihr Kindesanteil gehört ihren Brüdern" (*Die Gesetze Hammurabis*, 50). Driver and Miles, who do not usually refer to the motivating function of the asyndetic clauses in LH, clearly recognize that lines 18-19 "merely supply the reason for the prohibition" (*Babylonian Laws*, 2. 242; cf. 1. 376). On the other hand, it is unlikely that the asyndetic clauses containing finite verbs in LH 32: 35-38, 71:15-16, 137:11-13 (cf. 156:16-17, 172:39-40), 144: 26-27, 150:19-25, 177:53-60, 180:58, 181:74, 182:93, 191: 92-95--all of which are considered motive clauses by Meek in *ANET*--are really motive clauses. Each appears to constitute a legal consequence, as for instance, in Driver and Miles, ad loc.

[73]The term *mānaḫtu* comes from *anāḫu*, "to toil, exert oneself"; see *CAD*, A/2, 101, under *anāḫu* A. *Mānaḫtu* means both labor as well as the result of labor; see Driver and Miles, *Babylonian Laws*, 2. 175.

[74]*ana* A.ŠÀ is rendered in *CAD* (E, 251) as "abroad." Driver and Miles state that the husband's departure can be explained as going to work in the fields as a harvester (*Assyrian Laws*, 251). However, as Cardascia points out, the long absence can hardly be interpreted in this fashion. He proposes to take *ana eqli* in its general meaning, "away," involving either

agricultural work or a trip of a business nature (*Lois assyriennes*, 187-88). Similarly, Szlechter renders the phrase as "son époux est parti pour l'étranger" ("Effets de l'absence volontaire," 292).

[75]It is not very clear whether the ruling of these last seven lines (8-14) refers to both sections of the law or only to the first case. Both Driver and Miles (*Assyrian Laws*, 255-56) and Cardascia (*Lois assyriennes*, 190) feel that this ruling cannot apply to the preceding case where the husband goes out on a royal mission, or for that matter to the woman in the first case who has children, since in either case the woman has no right to remarry at all. Breaking this law brings the death penalty on the basis of adultery (see LH 133b). The lawgiver, they say, returns in lines 8-14 to the case where remarriage is permissible beyond the deadline of five years and establishes a penalty if the rule is broken. However, Szlechter points out that LH 133b does not constitute a general law on adultery but deals with a specific case, namely, the remarriage of a woman during the absence of her husband who is a prisoner of war ("Effets de l'absence volontaire," 301). For more details, see his article, "Effets de la captivité en droit assyro-babylonien," *RA* 57 (1963) 183. LH 133b, therefore, cannot be applied to our situation. He argues, and convincingly so, that the last seven lines must indeed refer to both cases of MAL 36: a woman who has not waited for the five year waiting period, as well as one who got married in spite of the prohibition to do so, is exposed to the dissolution of her second marriage. Her former husband, upon his return, is entitled to take her and her children away from her second husband ("Effets de l'absence volontaire," 301-305).

[76]The word *riksu* here presents a difficulty. Driver and Miles translate, "because she has not respected the marriage contract" (*Assyrian Laws*, 405). Similarly, *CAD* (A/1, 183), under *aḫāzu*, has "because she had not waited (for the period per) contract" and in A/2 (466-67), under *aššum*, "because she did not respect the (terms of the) agreement." See also the translations by Meek (*ANET*, 183) and Greengus ("The Old Babylonian Marriage Contract," 510). Yet, Cardascia seems to be right when he argues that *riksu* does not have here the meaning of marriage contract. The obligation to remain faithful is more likely to be derived from the law itself rather than a regular contract. The term *riksu*, he adds, should be translated as "the act of marriage," or to take it literally, "the (marriage) bond" (*Lois assyriennes*, 191). Already V. Scheil had rendered this line as "parce que selon la loi elle n'a pas attendu" (*Recueil de lois assyriennes* [Paris: Paul Geuthner, 1921] 47). Similarly, Szlechter has "parce qu'elle n'a pas attendu (les delais imposées par) l'acte (de mariage)" ("Effets de la captivité," 294 n. 3). For the verb *qu''û* (cf. col. V, line 12, but also above in lines 95 and 98 in col. IV, "to wait"), see *AHW*, 931. In line 13, read *ta-na-ḫi-su!-ú-ni* (from *aḫāzu* in the N stem; see *AHW*, 19; Cardascia, *Lois assyriennes*, 191) rather than *ta-na-ḫi-su-ú-ni* (from *neḫēsu*, "to go away") as did Scheil: "et s'est eloignée" (*Recueil*, 47).

[77]In line 66b, *ú-up-pu-šu* does not mean "to acquire" as rendered by Driver and Miles in *Assyrian Laws* (413), but "to assign"; see *CAD*, E, 232, under *epēšu*. As Cardascia remarks, "les fonctionnaires sont et demeurent de simples administrateurs des fiefs: il n'ont pas à acquiérir la tenure ni à en transférer la propriété à la femme, mais à l'attribuer ou à l'assigner (*epēšu*) à la femme" (*Lois assyriennes*, 223). Szlechter renders it as, "on lui attribuera" ("Effets de la captivité," *RA* 58 [1964] 25).

[78]*CAD*, A/1, 313, under *alāku* with *eqlu*. See also *CAD*, K, 318, under *kî*, for a similar rendition.

[79]*AHW*, 32, under *alāku* (III, 13).

[80]*RA* 58, pp. 25, 33 and n. 2. Translation is mine.

[81]Driver and Miles, *Assyrian Laws*, 485.

[82]Ibid. Furthermore, as Driver and Miles point out, if *kî* is taken as introducing a conditional clause, this would mean that the judges, after making inquiries, proceed to act without awaiting an answer.

[83]Here only a field is mentioned, not "field and house" as in line 65, undoubtedly for the sake of brevity; see Cardascia, *Lois assyriennes*, 222. From the LH we know that the fief usually consisted of a field, house and orchard (cf. LH 27, 28, 30, 31, 32, 36, 37, 38, 39).

[84]For "A.ŠÀ...*il-lu-ku-ú-ni*," see *CAD*, A/1, 313, under *alāku* with *eqlu*, meaning to perform *ilku* duty for a field.

[85]The clause is similarly understood by Driver and Miles who translate it as "inasmuch as he held a field in that city," etc. (*Assyrian Laws*, 413); by Meek, "since he held a field," etc. (*ANET*, 184); by Cardascia, "comme il tenait en fief un champ, on attribuera," etc. (*Lois assyriennes*, 218).

[86]In addition to most of these examples, Meek also identified asyndetic motive clauses in MAL, A, 12:17, 17:69, 17:88, 18:76, 25:64-85; C+G 10:18, 11:23; N 2:8. However, these are questionable. In MAL, A, 12, 17, 18, 19, 25 and N 2, the clause can well be taken as part of the description of the case. See Driver and Miles and Cardascia, ad loc. The texts of C+G 10 and 11 are partly damaged. The motive clause in C+G 10 and the motive introduction in C+G 11 are restored. On the other hand, Meek does not consider MAL, A, 36:102 as a motive clause, even though he does consider MAL, A, 38:25 a motive clause which has the same construction.

[87]The root of the verb is *šdd*, meaning "to withdraw, abandon, go away"; see Driver and Miles, *Assyrian Laws*, 525 (glossary); Carl Bezold, *Babylonisch-assyrisches Glossar* (Heidelberg: Carl Winter, 1926) 266. Driver and Miles have "run away" (*Assyrian Laws*, 397; cf. *CAD*, Z, 26; Meek has "deserted" (*ANET*, 182); Cardascia has "a quitté" (*Lois assyriennes*, 145).

[88]Driver and Miles (*Assyrian Laws*, 397) and Meek (*ANET*, 182) render *umalla* as "to fulfill." It really means to pay the expenses in full; see *CAD*, G, 77, under *gimru*; *AHW*, 289; Cardascia, *Lois assyriennes*, 145. Meek considers line 75 as the motive clause: "since he fulfilled the total (requirement) for the river (ordeal)."

[89]*CAD*, G, 77, under *gimru*(3b).

[90]Cardascia, *Lois assyriennes*, 151. This seems to be understood in this way also in *CAD*, Z, 26, under *zakû*(1b).

[91]However, it is also possible that the intention was to stipulate two consecutive legal consequences: the owner of the house is guiltless (*zākku*), first consequence; the prosecuting husband incurs expenses, second consequence. Elsewhere in the laws, *za-a-ku* (A 14:38, 47:17; B 6:47, 12:17) and *za-ku-at* (A 39:35) appear to constitute a legal consequence, not a motive clause.

[92]The meaning of *ki-i pi-i-gi* is not clear. Cardascia translates it as "par des paroles mensongères" (*Lois assyriennes*, 141 and n. 6). *AHW* (862) has for *pīgu*, "Belügen, falsche Angabe." *CAD* (K, 324, under *kî*) renders the expression as "through trickery."

[93]Meek translates, "since she is guiltless" (*ANET*, 182).

[94]*ana* plus *zakû* means, "reserved for," "being exclusive to"; see *CAD*, Z, 27, under *zakû*.

[95]Meek does not consider this as a motive clause; see *ANET*, 182. However, he considers a similar clause in MAL, A, 38:25 as a motive clause.

[96]Meek does not consider line 102 as constituting a motive clause; see *ANET*, 183.

[97]*CAD*, D, 179, under *dumāqu*; *AHW*, 175.

[98]On *terḫatu*, see n. 61 above.

[99]Driver and Miles render the last clause as: "he (then) is quit in respect to the woman" (*Assyrian Laws*, 405). This may possibly resolve the grammatical problem of the relationship between the feminine *terḫatu* and the masculine *zakû*, but it goes against the general usage of *ana* plus *zakû* meaning, "reserved for"; see above, n. 94.

[100]LH 11 features a primary and a secondary motive clause. Each of the other sixteen motivated laws in LH contains a single motive clause.

[101]Out of the 282 paragraphs, 20 are considerably damaged or not preserved at all. Of the remaining 262 paragraphs, some contain subsidiary cases (e.g., LH 8, 32, 141, 151 and others)

bringing the total number of separate legal prescriptions to ca. 280, of which 17 (or, 18 with LH 47) are motivated (= ca. 6%). (Seventeen motivated prescriptions have 17 separate motive clauses, for LH 11 features two motive clauses.) It should be kept in mind that even 282 does not represent the total number of paragraphs that were recorded in LH. Because of the erasure in the stele, a good number of laws have yet to be recovered; see discussion in Driver and Miles, *Babylonian Laws*, 1. 34.

[102]MAL, A, 36 contains two separate motive clauses. Each of the other six motivated laws has a single motive clause.

[103]Of the 121 paragraphs found in tablets A to O (see Cardascia, *Lois assyriennes*, 19-22), 41 are considerably damaged or not preserved at all. Within the remaining 80 paragraphs, some have more than one case (e.g., MAL, A, 23, 24, 33, 36), bringing the total number of legal prescriptions to 158, of which only 8 are motivated (= ca. 5%).

[104]Yaron, *The LE*, 75 n. 20.

[105] E.g., F. Thureau-Dangin, "Textes de Mari," *RA* 33 (1936) 171, lines 13-15 (cf. *CAD*, A/2, 466, under *aššum*); ARM, 2, 62 r. 8-10; YOS 2, 117:5; 3,22:6; *CT* 33, 21:7-8; *BE* 17, 35:25; TCL 7, 72:13; *EA* 35:37; *ABL* 477 r. 5; and many others.

[106]For examples, see *CAD*, A/2, 247, under *aššum*.

[107]E.g., *MDP* 24, 379:7 (dealing with a gift); 28, 389:2 (dealing with inheritance); cf. *CAD*, A/2, 466, under *aššum*.

[108]E.g., TCL 1, 157:49; cf. *RA* 7 (1909/10), 121-22 and *CAD*, A/2, 298, under *arnu*; PBS 5, 100 ii.1; cf. Ungnad, *HG*, Vol. 6, No: 1760, p. 145. On both, see *CAD*, A/2, 466, under *aššum*.

[109]E.g., *TMB* 190:23, 191:21, 193:25, 214:10, 227:10, 231:13.

[110]E.g., Thompson, *Epic of Gilgamish* ll. 118-19 (with *áš-šú*; var. *ša*); 167-68 (with *áš-šú*); *Era* 1.121 (with *áš-šú*). On both, see also *CAD*, A/2, 467, under *aššum*.

[111]Addressed to Bau, in *BMS* No:6, lines 74-76, p. 31; cf. *CAD*, B, 58, under *bulluṭu*, and *AGH*, 46. For other examples, see *CAD*, A/2, 467, under *aššum*.

[112]E.g., *Maqlu* 1.18 (with *áš-šú*); cf. *AFO* 2, Beiheft 2 (ad loc), and *CAD*, A/2, 467, under *aššum*.

[113]There are many motive clauses in *mīšarum*-edicts. The most prevalent one is *aš-šum šar-rum mi-ša-ra-am a-na ma-tim iš-ku-nu* ("because the king established a *mīšarum* for the land"). The formula is found in the Edict of Ammiṣaduqa eight times: 1, 2, 10, 12, 13, 14, 17, 18, all according to Kraus' text. For references on this text, see Chapter I, n. 288. Outside of the standard *mīšarum* formula, the edict contains other motive clauses:

(1) *aš-šum i-na la si-ma-an ša-ad-du-ut-ti i-si-ru-ma u-ša-ad-di-nu* ("because he prematurely collected (the amount due to him) by means of pressure," #3 in Kraus [#5 and translation in *RA* 63], lines 41-42). For discussion of this text, see *RA* 63, 56-57.

(2) *aš-šum ka-ni-ik-šu u-wa-û ka-ni-ik-šu ih-he-pé* ("because he had distorted his document, his document shall be voided," #4 in Kraus [#6 in *RA* 63], line 54; translation in *ANET*, 527. See also *JCS* 15, 95).

(3) *aš-šum tup-pa-šu u-wu-û ù a-wa-tam ik-ki-ru* ("because he distorted his tablet and denied the [truth of the] matter," #5 in Kraus, lines 40-41; translation in *JCS* 15, 94); cf. *ANET*, #7, 527.

(4) *aš-šum šar-rum* LÁL$^{hi.a}$*na-ši* GÚ.U[N] *û-wa-aš-še-ru* ("because the king has remitted the arrears of the palace tributary," #11, *ANET*, 527; #9 in Kraus, lines 40-41. See also *JCS* 15, 95). On *nāši biltim*, see *AHW*, 764.

[114]Proverbs rarely come with motive clauses. See, for instance, *eqli-ya aššata ša lā muta mašil aššum bali errēšim* ("my field is like a woman without a husband, because it lacks a cultivator"). This proverb is quoted four times by Rib-Abdi of Byblos to the Egyptian king (VAB II 74:18-19, 75:15-17, 81:37-38, 90:42-44). It is the only proverb with an explanatory motive clause in Lambert's *BWL*, 233; cf. McKane, *Proverbs*, 185.

[115]E.g., *EA* I:67, 21:29, 38:23, 288:31; *ABL* 280:24, 1108 r. 8; YOS 3, 51:15; cf. *CAD*, K, 319, under *kî*.

[116]E.g., OIP 2, 42:26; cf. *CAD*, K, 319, under *kî*.

[117]E.g., *Enūma Eliš* I:131, 4:65; cf. *GAG*, #158-59; Gilg. 11:36; *Nergal and Ereškigal* 2:36; cf. *AnSt* 10 (1960) 112-13.

[118]See below for examples.

[119]*ANET*, 594-95. For the full text, see now Alster, *The Instructions of Suruppak*, 34-51.

[120]For example, lines 14, 15, 16, 17, 18, 19, 20, 21, 38, 41, 42, 43 and many others.

[121]For the text and translation, see A. Shaffer, "Sumerian Sources of Tablet XII of the Epic of Gilgamesh" (Dissertation, University of Pennsylvania, 1963) 107-108. See also S. N. Kramer's translation in *The Sumerians* (Chicago: University of Chicago, 1970) 203.

[122]The text is also preserved in an Akkadian translation. See Tablet XII, lines 10-30; cf. Shaffer and *ANET*, 97.

[123]See, for instance, lines 186, 188, 190, 192, 199.

[124]For text and translation, see *BWL*, 96-107; translation only in *ANET*, 426-27 (Pfeiffer) and 595-96 (Biggs). For discussion of the text, see McKane, *Proverbs*, 153-56.

[125]*BWL*, 97.

[126]See, for instance, lines 23, 27, 30, 33, 79, 84, 88, 133, 138. The text called "Advice to the Prince" (*BWL*, 110-15) does not have the form of instruction. The element of command is absent, and so are the motive clauses. As Lambert points out (p. 110), the writer, though leaving out the "If" (*šumma*), seems to have imitated the style of omens. The use of specialized omen terminology in the text and characteristic ideograms of omen literature bear this out.

[127]For text and translation, see J. Nougayrol, *Ugaritica V* (1968) text No:163 (RS 22.439) 273-90.

[128]Ibid., 274.

[129]Ibid., 274 n. 3.

[130]McKane, *Proverbs*, 6.

[131]On Egyptian wisdom instructions in general, see G. Posener, "Literature," *The Legacy of Egypt* (ed. J. R. Harris; Oxford: Clarendon, 1971) 220-55.

[132]*ANET*, 412-14; W. K. Simpson, ed., *The Literature of Ancient Egypt* (henceforth, *LAE*) (New Haven: Yale University, 1973) 159-76; McKane, *Proverbs*, 51-65. The date is ca. 2450 B.C.E.

[133]*LAE*, 177-79; McKane, *Proverbs*, 65-67. It comes from the Old Kingdom. Its date is ca. 2600 B.C.E.

[134]*ANET*, 414-18; *LAE*, 180-92; McKane, *Proverbs*, 67-75, 79-82. The date is ca. 2180 B.C.E.

[135]*ANET*, 420-21; McKane, *Proverbs*, 92-102. The date is ca. eleventh century B.C.E.

[136]*ANET*, 421-25; *LAE*, 241-65; McKane, *Proverbs*, 102-17. Its date is debated. Wilson assigns it to the seventh-sixth century B.C.E.; see *ANET*, 421. R. J. Williams states that the work may be as early as the thirteenth century B.C.E. ("Egypt and Israel," *The Legacy of Egypt*, 277). Simpson suggests the years before the Amarna period, perhaps the reign of Amenhotpe III (1402-1363); *LAE*, 241.

[137]*ANET*, 418-19; McKane, *Proverbs*, 82-86. The date is ca. 2000 B.C.E.

[138]*ANET*, 432-34; McKane, *Proverbs*, 86-91. The date is ca. 2150-1750 B.C.E.

[139]A. M. Blackman and T. E. Peet, "Papyrus Lansing: A Translation with Notes," *JEA* 11 (1925) 284-98; McKane, *Proverbs*, 87-91. The date is ca. 1200-1150 B.C.E.; cf. W. R. Dawson, "New Literary Works from Ancient Egypt," *Asian Review* 21 (1925) 309.

[140]S. R. Glanville, The Instructions of Onchsheshonqy, *Catalogue of Demotic Papyri in the British Museum* (1955); B. Gemser, "The Instructions of Onchsheshonqy and Biblical Wisdom Literature," VTSup 7 (1960) 102-28; McKane, *Proverbs*, 117-50. Its date is fifth or fourth century B.C.E.

[141]*LAE*, 193-97.

[142]Ibid., 210-29.

[143]A. H. Gardiner, "A New Moralizing Text," *Festschrift H. Junker*, *WZKM* 54 (1957) 44-45.

[144]See the remarks by McKane (*Proverbs*) on Ptahhotep (76), Duauf (90) and Onchsheshonqy (121).

[145]For this copula, see A. H. Gardiner, *Egyptian Grammar* (London: Oxford University, 1957), #117 and #347; A. Erman, *Neuaegyptische Grammatik* (Leipzig: Engelmann, 1933) ##471-74. I owe these references to Mr. Lanny Bell of the Oriental Studies Department, University of Pennsylvania.

[146]A. Cowley, *Aramaic Papyri of the Fifth Century B.C.* (Oxford: Clarendon, 1923) 212-20; *ANET*, 427-30. For versions in other languages, see J. R. Harris, F. C. Conybeare and A. S. Lewis, *Aḥiḳar* (London: C. J. Clay, 1898).

[147]Van Dijk, *La Sagesse*, 100; McKane, *Proverbs*, 156.

[148]H. L. Ginsberg, *ANET*, 427; McKane, *Prophets and Wise Men*, 32.

[149]7:95, 97, 98, 99, 103 (כי restored); 8:114, 119; 9:132 (a second כי restored); 10:143 (כי restored); 11:168; 12:178; 14:208.

[150]E.g., 7:100, 101.

[151]*Waw* ("so that") restored in 9:141.

[152]This can be noticed by reading the various texts in *ANET* that come from Egypt and Ugarit. For the use of motivation in literary genres in the Bible, see above, Chapter II; for Mesopotamia, see this chapter. Elsewhere, there are scattered examples of motivation in the Hittite text ("Instructions for Temple Officials," *ANET*, 207-10; cf. n. 4 above) which does not constitute a law-corpus, although the directives therein had the force of law, for they are issued by the king. There are, however, no examples of motivation in other similar texts (*ANET*, 207 and 210-11). A few motive clauses can be found in some of the North-Western sepulchral inscriptions (*ANET*, 662); building inscriptions (*ANET*, 653-54); and cultic inscriptions (*ANET*, 655-56).

[153]McKane, *Proverbs*, 151.

[154]The dependence of Prov 22:17-24:22 upon Amenemopet is now generally recognized. See the discussions in Weinfeld, *Deuteronomy and the Deuteronomic School*, 267; *LAE*, 241; P. Montet, *Egypt and the Bible* (Philadelphia: Fortress, 1968) 115-31 and n. 27.

[155]Kraus, *Ein Edikt des Königs Ammi-Ṣaduqa*, 184-85; J. J. Finkelstein, "Ammiṣaduqa's Edict and the Babylonian 'Law Codes,'" *JCS* 15 (1961) 100.

[156]Driver and Miles, *Babylonian Laws*, 1. 287.

[157]The ultimate purpose and function of the ancient Near Eastern law collections are yet undetermined. For a summary of scholarly positions on this subject, see Paul, *Book of the Covenant*, 23 n. 2.

[158]LH, epil. XXIVb:67-75; cf. Driver and Miles, *Babylonian Laws*, 1. 38.

[159]XXVb:3-19.

[160]Driver and Miles, *Babylonian Laws*, 1. 30; cf. Paul, *Book of the Covenant*, 25 n. 1.

[161]Paul, however, doubts that the LH were part of the public domain (*Book of the Covenant*, 22).

[162]On these terms, see E. A. Speiser, "Cuneiform Law and the History of Civilization," *PAPS* 107/6 (1963) 537; idem, "Authority and Law in Mesopotamia," *JAOS* Supplement 17 (1954) 8-15.

[163]Prol., Va:20-24.

[164]Epil., XXXb:59-78.

[165]Epil., XXIVb:77-XXXb:7.

[166]Epil., IVa:45.

[167]Epil., XXIVb:93-XXVb:2.

[168]Epil., XXVb:48-58.

[169]Paul, *Book of the Covenant*, 23.

[170]On the prologues and epilogues of ancient Near Eastern law collections (e.g., LU, LI, LE, LH), see Paul (*Book of the Covenant*, 11-21). Some law collections, however, do not have prologues and epilogues (e.g., MAL, HL, NBL); ibid., 11 n. 5.

[171]Finkelstein, "Ammiṣaduqa's Edict and the Babylonian 'Law Codes,'" 103.

[172]Paul, *Book of the Covenant*, 23; D. J. Wiseman, "The Laws of Hammurabi Again," *JSS* 7 (1962) 166.

[173]See above, Chapter I, n. 129.

[174]Driver and Miles, *Babylonian Laws*, 36.

[175]Cardascia, *Lois assyriennes*, 22-23.

[176]Driver and Miles, *Babylonian Laws*, 287.

[177]*GAG*, #176c.

[178]*CAD*, K, 365-66, under *kīma*.

[179]*GAG*, #158.

[180]See above, Chapter I, n. 267.

[181]Eichrodt, *Theology*, 1. 75.

[182]Greenberg, "Crimes and Punishment," *IDB*, 1. 737; idem, "Some Postulates of Biblical Criminal Law," *Yehezkel Kaufmann Jubilee Volume*, 15, 19; Paul, *Book of the Covenant*, 39.

[183]In Mesopotamia, although law was conceived as the embodiment of cosmic truths (*kittum*, pl. *kīnātim*), the formulation of the laws is ascribed to kings. In Israel, however, God is not only the source of Law, but the very formulation of the law is also His. For details on this matter, see discussion in Greenberg ("Some Postulates of Biblical Criminal Law," 21-22) with references to the writings of Speiser.

## CHAPTER IV

## ORIGINALITY OF THE MOTIVE CLAUSES

### THE PROBLEM

The identification and study of the origin of the motive clauses in biblical legal corpora lead to the consideration of the originality of these motive clauses. Were the motive clauses part of the original formulation of the laws, or were they later accretions? If they were added subsequent to the first formulation of the laws, is it possible to determine when and by whom they were appended to the bare, unmotivated laws?

These are difficult questions for which no easy answers can be found. Today it is widely acknowledged that many parts of the Bible went through a continual process of redaction, which included transcription of texts by copyists who quite often resorted to what Seeligmann called "revision cum adaptation,"[1] sometimes "erroneous"[2] but never in bad faith. As Koenig stated, "for the scribes of ancient Judaism, and undoubtedly already for their predecessors before the exile, adding to a text, glossing it and even modifying it on this or on that point were not done with the purpose of betraying it. It was to deal with it in the most legitimate and most necessary way. It meant....helping to bring to light the truths that were hidden within the text."[3]

Scholars who have taken issue with the originality of the motive clauses have tended to consider them as glosses. Is this tendency justifiable?

### PRESUPPOSITIONS AGAINST ORIGINALITY

When the originality of the motive clauses in the legal corpora of the Bible is denied, it is usually on the basis of certain scholarly presuppositions concerning the formulation of the law. These are generally assumed but rarely spelled out. Among them, three major presuppositions can be identified.

The Alleged Original Brevity of the Laws

Scholars have generally maintained that originally laws were formulated with "that sharp clear brevity which every law ought to possess"[4] and, therefore, without any kind of additions, whether elucidatory, justificatory or, even, hortatory. This opinion is clearly expressed by Noth when he stated: "We have to look for the original material only in the brief legal clauses themselves."[5]

This presupposition is not restricted to laws formulated in the second person, such as those in the sixth, seventh and eighth commandments of the Decalogue, but is also extended to laws expressed in the so-called "casuistic" form. Thus Muilenburg said, "In Israel the casuistic law is expanded by motivations, though it is probable that these represent for the most part later accretions to the original."[6] Similarly, Morgenstern maintained that the unmotivated casuistic law in BC "reflects the true, original *miṧpaṭ* form."[7] He therefore claimed that the motive clause in Exod 21:8b (בגדו-בה, "since he broke faith with her," *NJV*) was "a late gloss inserted by some one who no longer understood fully the implications of the law which he was attempting to interpret,"[8] and that the clause כי כספו הוא ("since he is the other's property," *NJV*) in Exod 21:21b was to be taken as "in all likelihood a late, Deuteronomic, explanatory gloss."[9]

The presupposition that laws did not originally contain any kind of explanatory clauses was considered to be a reflection of the divine authority behind biblical law. Thus, von Rad asserted, "Jahweh's commandments were all-sufficient in the sense that they did not intrinsically require any substantiation to legitimate them before men, except perhaps the tautological one that, just because they are commandments of Jahweh, they therefore bind men to acceptance."[10] Discussing the nature of the "apodictic" law, Ringgren voiced a similar opinion: "The apodictic laws are by nature sacral laws, i.e., laws proclaimed at sanctuaries by divine authority: they therefore did not actually need any motivation."[11] Recently Bright, too, expressed the same opinion: "In the bare apodictic sentence no motivation is given: you simply will not do it; it is so

ordered! When motivation is supplied in an apodictic context, it is all but invariably: because Yahweh has forbidden it and requires it punishment."[12]

The notion that the so-called "original" law was formulated without motivation is basically a scholarly assumption reflecting in turn the evolutionary ideas regarding the development of literary works. The belief was that Hebrew literature grew from brief to longer compositions and, along this path, the simple forms of the past were expanded and burdened with a variety of additions.[13] Today, the shortcomings of this point of view are well acknowledged. As Kitchen puts it, "the idea of a unilinear evolution from smaller, 'primitive,' literary units to larger, more complex entities (and of growth of a work by gradual accretion) is a fallacy from the mid-third-millennium BC onwards, as far as Ancient Oriental literature is concerned."[14] This change of scholarly position was caused by the realization that throughout the ancient world, both biblical and extra-biblical, the "preliterary stages of culture are not confined to brief compositions,"[15] and by the actual discovery in Mesopotamia and Egypt of literary works which vary in length, even within a given genre, at any one period.[16]

In light of these considerations, it is unwarranted to argue for the secondary character of the legal motive clauses in the Bible on the basis of the alleged brevity of the "original" law form.

## Grammatical Inconsistencies

In some cases there appear to be grammatical inconsistencies among the laws themselves as well as between a given law and its motive clause. This has led many scholars to assume subsequent alteration of the basic text at the hand of later editors.

In a few instances, the discrepancy arises in the switch from the first person to the third person: e.g., Exod 20:1-7a (God is the speaker) and verses 7b, 11, 12b (?) (God is spoken of in the third person). According to Noth, "this discrepancy is hard to explain; it arouses the suspicion that the beginning

of the Decalogue is no longer in its original form but has subsequently been altered in connection with the preliminary remark of v. 2, which is also written with the 'I' of God."[17]

More often, however, it is the shift from the singular to plural address, or vice versa, that is attested. For example, while the law in Exod 23:9a is formulated in the second person singular, the motive clause in verse 9b is in the second person plural. Similarly, the law in Exod 22:20 is in the singular, but the motive clause in verse 20b is in the plural; in Exod 22:21 the law is in the plural, the motivation in verse 22 is in the singular, but in verse 23 the motive clause reverses to a plural address.[18] For many, these grammatical deviations indicate editorial revision. Thus, commenting on Exod 23:9, Torralba claims that "the switch from second person singular to the plural is a clear indication of a later addition to the apodictic law."[19]

The singular/plural inconsistency is not limited to the structural relation between the law and its motive clause. It is also found within the laws themselves. Thus, for example, while Exod 20:22-23 is formulated in the plural, the following verses 24-26 are in the singular. Conversely, as noted above, while Exod 22:20 is in the singular, 22:21 is in the plural. These changes, too, have been used to distinguish early material from later ones. For instance, Exod 20:22-23 was considered by Fohrer as "a secondary introduction by the hand of the writer that incorporated C [BC] into the Sinai narrative";[20] the plural formulation of Exod 22:30, following immediately after a series of prescriptions in the singular (i.e., Exod 22:27-29), was taken by I. Lewy to represent "a later addition";[21] the plural verses in Exod 22:20b, 21, 23, 24, were similarly assigned to a later editor by a number of scholars.[22] This point of view finds its clearest expression in Noth when he writes: "...in the Old Testament apodeictic law in general the singular address was originally the usual one."[23] Above examples show that the so-called "casuistic" laws were not exempt from this judgment.

The singular/plural inconsistency has been used also to determine literary strata. In 1894, Staerk and Steurnagel, working independently of one another, proposed it as a new criterion for literary analysis within the book of Deuteronomy.[24] In recent times, Noth, advocating a supplementary hypothesis, argued that Ur-D consisted of singular passages surcharged by plural passages.[25] M. de Tillesse, pursuing this lead, actually identified the author of the plural passages in Deut 4:44-30:20 with the Deuteronomist historian.[26]

The theory, however, has never been universally accepted.[27] Among the objections raised is that it is impossible "to remove the plural passages within [Deut.] v-xxvi without damage to the narrative."[28]

Grammatical inconsistencies are, as indicated above, not limited to the structural relationship between a "bare" law and its motive clause. They are found within the same laws (e.g., Exod 22:24a, 24b; Lev 19:9, 15, 27, 33, 34; 23:22; 25:14, 17; Deut 12:5, 16) and, as Uitti observed,[29] even within the motive clauses themselves (e.g., Exod 22:22-23; Lev 21:8; Deut 12:9, 13:6, 23:5-6). Consequently, it is doubtful whether the shift in person can be indicative of divergent authorship in biblical material, both legal and even non-legal.[30]

In his article on BC, Beyerlin suggested that the switch from singular to plural indicates, not an editorial revision, but a practice within a cultic setting; in fact, it is a means of intensifying the admonitions that were directed to every listener.[31] For Weinfeld, this change in style may simply "reflect the urge for literary variation."[32]

Uitti correctly remarked that the problem at hand is one for the modern person, not necessarily for those who lived in the past.[33] Ancient Semites, he added, may have had their own ways of expressing themselves, and therefore "our linguistic ignorance may thus be the real explanation of these stylistic inconsistencies."[34]

It is possible to substantiate Uitti's claim by referring to examples in ancient Near Eastern literature where grammatical fluctuation appears as a normal phenomenon. Thus, for instance, the change from second to third person is well attested in

West-Semitic curses,[35] in treaty curses,[36] as well as in Hittite royal instructions.[37] The switch from singular to plural is common in treaties such as Sefire and others.[38] As Hillers indicates, the variations often result from a momentary shift of the writer's point of view.[39]

These extra-biblical examples show that the particular grammatical inconsistencies noted in the biblical texts are really part of the normal literary style of the ancient Near East and need not be explained by recourse to a theory of editorial reworking. The secondary character of the motive clauses cannot therefore be argued on the basis of this criterion.

### Stylistic Affinity

Motive clauses are frequently considered editorial expansions on account of their similarity to passages of later origin. The presupposition involved here can be expressed as follows: when a given motive clause, found in an earlier law collection, is similar in form, style, terminology, and content to those appearing in later collections, the former motive clause constitutes an editorial addition formulated under the influence of the later texts and often by their editors.

For example, the motive clause in Exod 20:5b-6 (= Deut 5:9b-10) is usually assigned to a later editor, often to $R^D$. According to Noth, these clauses "recall the Deuteronomic-deuteronomistic style."[40] Likewise, Dentan states that Exod 20:5-6 "exhibits the same typically Deuteronomic features and is presumably of similar, or even later, relative date."[41] Nielsen argues that verses 5b-6 represent "an extremely ancient and genuinely Israelite element,"[42] "written under the influence of Ex. 34:7,"[43] "in combination with the sharp cleavage drawn by the Deuteronomists between those who are sinful and hate God and those who keep his commandments and love him."[44] Those who consider verse 6 an editorial expansion but of pre-D times substantiate their position by arguing that the very idea of "visiting the guilt of the fathers upon the children" is in contradiction to Deut 24:16 and therefore must be prior to D.[45]

Within the earlier law collections, Deuteronomic origin has, in a similar way, often been claimed for motive clauses

such as Exod 20:12b,[46] Exod 22:20b and 23:9b,[47] and Exod 34:24.[48] The priestly origin of Exod 20:11 has frequently been defended on the same basis.[49]

The criterion of literary affinity, however, is far from being a dependable one. The main objection against it is that it cannot always guarantee the direction of the influence. Secondly, a mechanical application of the criterion would appear to reflect yet another assumption that each law collection creates its own vocabulary *de novo*, which can hardly be the case. In this connection, it is instructive to remember Weinfeld's remarks concerning the characteristics of the Deuteronomic style:

> The main characteristic of Deuteronomic phraseology is not the employment of new idioms and expressions, because many of these can be found in earlier sources and especially in the E source. Indeed, it cannot be said that in the seventh century a new vocabulary and new expressions were suddenly created. Language grows in an organic and natural way and it is not created artifically. What constitutes the novelty of the Deuteronomic style, therefore, is not new idioms and new expressions but a specific jargon reflecting the religious upheaval of this time.[50]

Therefore, in applying the criterion of literary affinity, the probability should also be considered that the motive clauses, especially those in the earlier law collections, were subsequently adapted by late writers who in turn made extensive use of them.[51]

Thus, for instance, in Exod 20:5b-6, the expression אל קנא ("an impassioned God," *NJV*), found also in Exod 34:14, Deut 4:24, 5:9, 6:15, and in the form of אל קנוא in Jos 24:19 and Nah 1:2, need not be taken as a Deuteronomic expansion. As many scholars have already recognized, the affinity with the early Exodus 34 argues for a pre-D origin[52] and its later adoption into the Deuteronomic work.

Another example is the motive clause in Exod 22:20b and 23:9b: "for you were strangers in the land of Egypt." This statement is also found in Lev 19:34 and Deut 10:19. However, this is not sufficient for concluding, as Hyatt does, that the motive clause derives from $R^D$.[53] A careful reading of these verses in the three corpora indicates a difference in content

among the instructions.[54] In Exodus 22 and 23, oppressing the stranger is prohibited. In Leviticus 19, the prohibition of oppressing the stranger is augmented by the request to grant him citizen status; in fact, the Israelite is exhorted to love him. In Deuteronomy 10, the above motive clause accompanies only the exhortation to love the stranger. The change of subject matter may well indicate an expansion on the part of Leviticus and Deuteronomy. In this connection, Cazelles rightly remarks, "one could ask if D has not taken it [the motive clause] over from our code" (i.e., BC).[55]

When similar laws contain different kinds of motivations, editorial reworking is readily suspected. A case in point is the motive clauses accompanying the Sabbath law in the Decalogue. In Exod 20:11, the law is motivated by reference to God's rest after creation. In the parallel law of Deut 5: 12-15, there are two consecutive motivations: "so that your slaves and your slave-girl may rest as you" (v. 14b); and the remembrance of the Exodus from Egypt (v. 15). The theme of God's rest is also mentioned in Gen 2:1-3 and Exod 31:17 (both PC), while the social motivation figures in Exod 23:12.[56] This multiplicity of motivations has been variously explained. Some have argued that neither motive clause is original in its place.[57] However, most scholars maintain that, although the motivation in Deuteronomy 5 is in line with Deuteronomic language, the one in Exodus 20 seems to have been inserted subsequently, namely after D and under the influence of priestly passages such as those in Gen 2:1-3 and Exod 31:17.[58] However, this view seems unpersuasive on a number of grounds.

First of all, the assumption of PC's lateness underlies this view. The Sabbath, along with the practice of circumcision, is considered to have acquired great importance during the Babylonian exile as a result of the destruction of the national cultic center in Jerusalem.[59] Yet, not only has the late dating of PC been seriously challenged,[60] but particularly with regard to the Sabbath, Weinfeld has demonstrated that the four basic motifs of Genesis 1 (i.e., God's work and rest, the existence of primordial material, the council of God, the creation of humanity in God's image) are primitive and

anthropomorphic, and appear to have been rejected already by Second Isaiah (cf. Isa 40:13-14, 28; 44:5, 24; 45:7).[61]

Furthermore, if the two sets of motive clauses are compared with their respective laws, it can be readily noticed that the motivation in Exodus 20 follows the pattern of the law (i.e., Yahweh performs his work in six days, rests in the seventh and declares it holy), whereas the motivation in Deuteronomy 5 introduces a different subject matter (i.e., slavery in Egypt and the Exodus) which seems to have been attracted by the reference to the "man-servant and maid-servant" of Deut 5:14b.[62] Moreover, the closing section of the motive clause in Exod 20:11 (ויקדשהו, "and hallowed it") clearly refers to the first clause of the Sabbath law (לקדשו, "to keep it holy," v. 8), in an envelope style. This structure is lacking in Deuteronomy 5. All of this argues for the priority of Exod 20:11 over Deut 5:14b-15.[63]

Finally, although there are striking similarities between Exod 20:10-11 and the priestly passages Gen 2:1-3 and Exod 31:13-17, namely the use of עשה, ברך (not in Exodus 31), קדש and מלאכה, there are also noticeable differences. Exod 20:11 uses the verb וינח, whereas Gen 2:2 and Exod 31:17 have שבת; Exod 20:11 has a long reference to the creation of the heaven, earth and sea and all that is in them, whereas Gen 2:2 simply states that "the heaven and earth were finished and all their array" (*NJV*). In light of these differences, it is difficult to maintain the Decalogue's dependence on PC. One could argue equally well that it is PC which is dependent upon the passage in Exodus 20.[64]

It is more difficult to account for the differences between the motive of God's rest in Exod 20:11 and the social motivation attached to the Sabbath law in Exod 23:13, especially because both texts are taken to belong to the oldest strata of biblical law. Here it is not impossible to assume that the two motivations co-existed in different contexts and were preserved by different social milieux. It would be in line with what is known about PC and D to assume that PC adopted the sacral motivation from Exodus 20 and developed it in its own special way, while D chose the social motivation of Exodus 23:13 and gave a humanistic interpretation to the Sabbath law.[65]

In the same way, the possibility of the co-existence of different motive clauses attached to laws that are similar in scope and nature can be argued, for instance, for those in Lev 19:36 and Deut 25:16, Lev 22:19, and Deut 17:1. One need not hastily conclude that one of these motivations is the original while the other is secondary. The co-existence here may point to various social realms which preserved similar laws with diverse rationales in line with their own particular theological and institutional perspectives. It is also possible that each source, without denying the validity of the other, simply stresses one idea over the other.[66]

It was indicated above that the pre-Deuteronomic date of Exod 20:5b-6 (= Deut 5:9b-10) was argued on the grounds that it actually contradicted the norm in Deut 24:16. The underlying assumption is that if a motive clause (here, Deut 5:9b-10), although formulated in the style of the law collection in which it occurs, is found to be in contradiction to a law of the same collection (i.e., Deut 24:16), the motive clause cannot be original to that law corpus. While the method here is correct, the information seems to be wrong. The reference in Exod 20:5b-6 (= Deut 5:9b-10) is to the divine providence of God, but Deut 24:16 is a directive prescribed for human action and administration of justice by the state.[67] As Greenberg keenly pointed out, "A principle which is rejected in the case of judicial punishment is yet recognized as operative in the divine realm."[68]

In summary, a critical evaluation of the three major presuppositions that have led many scholars to assume the secondary character of the motive clauses indicates the following: (a) there is no reason to suppose an originally brief law, (b) grammatical inconsistencies are not necessarily indicative of editorial reworking, and (c) the argument of stylistic affinity cannot be used with certainty to prove the lateness of the motive clauses found in the earlier law collections.

## INTEGRATION OF THE MOTIVE CLAUSES

In contrast to those who assumed the lateness of the motive clauses, Gemser and Uitti argued in favor of the antiquity and originality of some of the motive clauses.

Gemser observed that motive clauses are found in the most ancient strata of the biblical law, namely, "in the Book of the Covenant, in the so-called Yahwistic Decalogue and perhaps also in the Elohistic Decalogue."[69] He further indicated that the rhythmic and proverbial form of some of the motive clauses (e.g., Gen 9:6, Exod 23:8; cf. Deut 16:19b, Exod 23:7; cf. Prov 17:15) clearly shows them to be an archaic, traditional element in the formulation of the laws.[70] In connection with Gen 9:6, he specifically stated: "I do not even see an insurmountable difficulty in assuming that the motive clause here is an integral part of the stipulation."[71]

Uitti followed Gemser's lead and, on the basis of the work of Alt, Beyerlin and others, argued for a two-level solution. In the early law collections (i.e., $E_1$ [= the Decalogue in Exodus 20]; $R_1$ [= the cultic Decalogue in Exod 20:22-26 plus 23:10-19]; C [= Exod 21:1-23:9] and S [= Deut 27:15-26]), writes Uitti, "there was an *oral* motive clause which accompanied the recitation of apodictic law,"[72] a kind of "cultic preaching."[73] Then, "there came a *written* motive clause"[74] which is found in the later law collections (i.e., $E_2$ [= the Decalogue in Deuteronomy 5]; $R_2$ [= Exod 34:10-26, D, H and PC]) and formulated "in imitation of earlier oral practice."[75] Furthermore, Uitti identified the potential composers of the secondary motive clauses as follows: behind $R_2$ stands the JE editor; behind D stands the Deuteronomic/Deuteronomistic school, involving both priestly and prophetic elements; behind H, the Zadokite priesthood; and behind PC, the Aaronide Jerusalem priesthood.[76]

A number of scholars have maintained that the motive clauses in the earlier collections of biblical law belong to the earliest times of Israel's history and that, even if they cannot be proven to be original, they can at least be dated to the period before D. Thus, in connection with the motivations of both Decalogues, Driver wrote:

> If the clauses were transferred to Ex. from Dt., it is not apparent why portions of them were omitted. On the whole, therefore, the more probable view appears to be that these clauses are in their original place in Exodus, and that they are of the same character as

> certain other sections in Ex., chiefly of a parenetic or hortatory character (as 13:3-16; 23:20-33), which do exhibit an approximation to the style of Dt., and which were adopted afterwards by the author of Dt., and became part of his phraseology.[77]

Similarly, Beyerlin remarked that if D were accepted as the source of influence for the parenetic statements in BC, the question is why so few laws were motivated in this fashion.[78] He therefore argued that these parenetic statements were not the result of Deuteronomic editing but originated in the pre-monarchic period.[79] In the same vein, Driver assigned the motive clauses in BC to the compiler of JE.[80] Of the motivations in CD, Exod 34:18b (cf. Exod 23:15) is dated pre-D by Beyerlin[81] and Uitti;[82] and Exod 34:24, though considered an editorial addition,[83] is still attributed to $R^{JE}$ by Driver[84] and Uitti.[85]

As in the earlier law collections of the Bible, it is also difficult to determine the originality in loco of the motive clauses in the later collections. Uitti's examination of the motivations in H, D and PC shows that they largely reflect the literary style of their respective law collections.[86] This argues for their integration and authenticity in the legal corpora. However, if in some cases the motive clauses were not present from the very beginning, it is impossible to establish with certainty at what stage they became part of the law. It is evident that the law collections went through various stages of editorial reworking, either in the same basic style or under the influence of other sources (e.g., H by PC). H is considered to be a combination of several collections,[87] although Fohrer's reconstruction of the four stages of this law corpus is admittedly a hypothetical one.[88] In the case of D, the composite nature of the book,[89] as is generally recognized, makes it unlikely that the present text can be equated with the original form of the book. Yet, because of the thoroughness of the editorial expansion it is difficult to determine both the scope of the so-called Ur-D as well as the various stages of its compilation.[90] Similarly, it is now generally accepted that PC is not an original literary unit but a "literary composite."[91] Nevertheless, "the stages of its evolution are not easily to be defined either chronologically or in precise extent."[92] Thus,

for example, while Wellhausen attempted to isolate three strata in PC, von Rad argued only for two.[93]

Consequently, although Uitti assigns the motive clauses in these later law collections to their secondary framework and even suggests certain potential composers of these motivations, there is no reason not to allow for the possibility that at least some motive clauses were original in their formulation.

## EVIDENCE FROM EXTRA-BIBLICAL LITERATURE AND ITS IMPLICATION FOR THE LEGAL MOTIVE CLAUSES IN THE BIBLE

It has already been pointed out that motive clauses are used in a variety of genres, both in biblical and extra-biblical literature. Biblical texts cannot be depended upon in determining the originality of the motive clauses because the texts underwent editorial revision. However, it is possible to get some assitance from certain extra-biblical texts that have not been subjected to the complex and lengthy process of transmission undergone by their biblical counterparts.

Cuneiform laws, extra-biblical wisdom texts and other "canonical texts"[94] of the ancient Near East which contain motive clauses cannot be used as evidence, because it is known that they were copied over and over again and, consequently, their textual integrity cannot be guaranteed. What is needed here is to find "virgin" texts which have not undergone editorial reworking, either because they are the only original example of their kind or are duplicates of the original. Motive clauses found in such original texts would clearly not constitute secondary expansions, for the very reason that they are part of the original, unexpanded texts.

Among the extra-biblical literary genres, original formulation of motive clauses can be reasonably assumed in the following types of "virgin" texts.

### Letters

In addition to numerous Akkadian letters containing motive clauses mentioned above,[95] one can refer here to the concluding section of one of the Lachish ostraca: "And let (my lord) know that we are watching for the signals of Lachish, according to

all the indication which my lord hath given, for (פי) we cannot see Azekah."[96]

Popular Proverbs

*eqli-ya aššata ša lā muta mašil aššum bali errēsim* ("my field is like a woman without a husband because it lacks a cultivator"). This proverb, noted before, was repeated verbatim four times by Rib-Abdi of Byblos to the Egyptian king.[97]

Treaties

In the Akkadian version of the treaty between Suppiluliumas and Mattiwaza (fourteenth century B.C.E.), there is a statement which reads: "A duplicate of this tablet has been deposited before the Sun-goddess of Arinna, because (*ki-me-e*) the Sun-goddess of Arinna regulates kingship and queenship."[98]

In the Sefire treaty (ca. 750 B.C.E.) between Bar-ga'yah of KTK and Matti'el of Arpad, one of the stipulations contains a motivated directive where the motive clause follows an imperative: "You must not loose your tongue in my house and among my sons and among (my) bro[thers and among] my offspring and among my people, saying to them: Kill your Lord, and be in his place, for (פי) he is not better than you!"[99]

Commemorative Building Instructions

The Siloam inscription, which is found on the rock wall of the lower entrance to Hezekiah's tunnel, south of the temple area in Jerusalem and dated to ca. 715-687 B.C.E., contains the following lines: "and while there were still three cubits to be cut through, [there was heard] the voice of a man calling to his fellow, for (פי) there was an *overlap* in the rock on the right and on the left."[100]

Northwestern Royal Inscriptions

Among the sepulchral inscriptions, in that of Tabnit of Sidon (fifth century B.C.E.), a motive clause accompanies a prohibitive in line six: "don't disturb me, for (כ) such a thing would be an abomination to Astarte";[101] in that of

Eshmunazar of Sidon (fifth century B.C.E.) the text has, in part, "whoever you are, ruler and (ordinary) man, may he not open this resting place and may he not search in it for anything, for (כי) nothing whatever has been placed in it!"[102]

In a cultic inscription wuch as that of Zakir of Hamat and Lu'ath (eighth century B.C.E.), there is a motivated prohibitive: "Be'elshamayn [said to me]: do not fear, for (כי) I made you king, and I shall stand by you."[103] Similarly, in the inscription of Yehawmilk of Byblos (fifth-fourth century B.C.E.) there is the following blessing: "May the Lady of Byblos bless and preserve Yehawmilk king of Byblos, and prolong his days and years in Byblos, for (כי) he is a righteous king."[104]

In the building inscription of Yehimilk of Byblos (ca. tenth century B.C.E.), there is a blessing which states: "May Ba'lshamem and the Lord of Byblos and the Assembly of the Holy Gods of Byblos prolong the days and years of Yehimilk in Byblos, for (he is) a righteous king (כמלך צדיק) and an upright king before the Holy Gods of Byblos."[105]

In the Moabite stone, erected by Mesha king of Moab (cf. 2 Kgs 3:4-5, ca. 830 B.C.E.), one finds the following statement: "as for Omri, king of Israel, he humbled Moab for many years (lit. days), for (כי) Chemosh was angry at his land."[106]

## Contracts

For examples of motive clauses in contracts introduced by *aššum*, see above, Chapter III, n. 107.

## Law Suits

For examples of motive clauses in law suits introduced by *aššum*, see above, Chapter III, n. 108.

## Royal Proclamations and Edicts

*From Nuzi* (AASOR 16, No. 51)

This proclamation[107] in Akkadian and presumably of royal origin[108] concerns the personnel of the palace. The section that is of interest here reads as follows: "Thus [the king]: No one, whether a servant of the palace or a (member of the)

personnel of the palace, shall cause his daughter to go out as a homeless girl (*a-na e-[ku]-ti*)[109] or as a prostitute (*a-na ḫa-ri-mu-ti*) without (the consent of) the king. Whoever causes his daughter to go out as a homeless girl or as a prostitute without (the consent of) the king, they shall take to the palace him who ...-ed[110] his daughter as a homeless girl or as a prostitute, and (*māras-su ša-nu-ú a-na li-iq-ti*[111] *a-na ᵉkallim*$^{lim}$ *ki-i-ma i-liq-qú-ú ù i-liq-qú-ú*, lines 18-22) they shall take another daughter of his to the palace for possession, because[112] he had taken away (the other one)."

*Edict of Ammiṣaduqa*

It was stated previously[113] that, besides the four different motive clauses of explanatory type, the edict also contains eight standard *mīšarum* motive formulae. Both Kraus and Finkelstein distinguish between the *mīšarum* text and the *mīšarum* act and point out that the *mīšarum* text contains provisions of a general nature which are not related to remission of specific kinds of debts and obligations. The edict, they add, is retrospective and was most likely drawn up some time after the act was proclaimed in the first full year of the king's reign.[114]

The *mīšarum* act does not constitute a "reform" intended to have permanent effect. It only restores an equilibrium in the economic life of the community by remitting certain debts and obligations for a limited period. Within the *mīšarum* text, the distinction between temporary and permanent reforms is indicated, according to Kraus and Finkelstein, by the use of the *mīšarum* motive clause: its inclusion within a section shows that the particular provision was meant to have effect only at the time of the announcement of the *mīšarum*, whereas the sections of the text lacking the clause are to be kept as permanent reforms.[115] This means that the *mīšarum* motive clause is original with the *mīšarum* text but not with the act, which was not necessarily accompanied by the issuing of a formal text containing all the provisions of the act. The remissive provisions were probably diffused throughout the realm by official correspondence from the royal chancery.[116]

The motivations in LH and MAL point to the antiquity of the use of motive clauses in the legal corpora of the ancient Near East. The question is, were they also original? The examples taken from virgin texts clearly prove that motivations could be part of the original formulation of a text. Therefore, given the fact that in the ancient Near East the authorship of laws was often claimed by kings (e.g., LH, LI),[117] the evidence from royal proclamations and edicts[118] (both of which had the force of law) carrying original motive clauses strongly suggests that the few motivations found in LH and MAL may well have been original in their places.

Establishing the textual integrity of virgin texts with motive clauses has significant implications for the study of biblical material. It can now be asserted with reasonable assurance that in many of the biblical genres, too, the motive clauses might well belong to the original formulation of the texts themselves. Thus, for instance, the motivations in biblical letters (e.g., Jer 29:7), curses (e.g., Gen 3:14, 17; Deut 28:38, 39, 40, etc.), royal orders (e.g., Exod 5:8, 2 Kgs 2:13, Jonah 3:9, Ezra 7:14) can likewise be considered original. For the purposes of the present study, however, the implications for legal texts are most important. The differences between the biblical and extra-biblical law collections with regard to their sources, nature, and, to a certain extent, form have already been discussed above.[119] In spite of these differences, the recognition of the common legal tradition of the ancient Near East which included the biblical law, the noted similarity of many of the legal forms, and now the possibility of considering the motive clauses in LH and MAL original add further weight to the position that legal motive clauses in the Bible, too, need not be taken *ab initio* as editorial expansions.

It must be admitted that, because of lack of independent textual evidence, there is no way of proving the originality of the biblical legal motive clauses *in loco*. However, the present study has indicated that scholarly presuppositions which see in them a secondary reworking at the hand of later editors must be re-evaluated. The ancient Near Eastern examples cited

above strongly suggest that a motive clause should not be taken as secondary just because it is a motive clause. It is always possible that it is part of the original formulation of the law.

## NOTES

## CHAPTER IV

[1]I. L. Seeligmann, "Indications of Editorial Alteration and Adaptation in the Massoretic Text and the Septuagint," *VT* 11 (1961) 205.

[2]Ibid., 213.

[3]J. Koenig, "L'activité hermeneutique des scribes dans la transmission du texte de l'Ancien Testament," *RHR* 161 (1962) 150. Translation of the quote is mine.

[4]H. Ewald, *The History of Israel* (London: Longmans, Green & Co., 1876) 2. 159.

[5]Noth, *Exodus*, 161; cf. S. R. Driver, *Introduction*, 34. See also, for similar comments, his *The Book of Exodus*, Cambridge Bible for Schools and Colleges (Cambridge: University Press, 1953) 192.

[6]Muilenburg, "Usages of the Particle כי in the OT," 151.

[7]Morgenstern, "The Book of the Covenant," 2. 209.

[8]Ibid., 49 n. 40; cf. 52 n. 43.

[9]Ibid., 53 n. 43; cf. 209 n. 263a.

[10]Von Rad, *Theology*, 1. 196-97. In n. 19, he refers the reader to Gemser's article, "The Importance of the Motive Clause."

[11]Ringgren, *Israelite Religion*, 135-36.

[12]Bright, "The Apodictic Prohibition," 201. However, this observation is not totally correct. Different types of motive clauses are attached to the so-called "apodictic" laws: e.g., Exod 20:11, 12, 26; 22:20; 23:8, 9, 12, 15; 34:18; Lev 18:7-17; Deut 14:2, 7; 16:1, 19, 20; 22:7, 9; 23:1, 5, 8, 21; 24:6; 25:15.

[13]In this connection, see, for example, H. Gunkel's follow-following remarks: "The oldest types...are always pure and un-unmixed; but in later periods, when men and conditions of life were more complex, when professional writers adopted the type, there occur deviation and mixtures of styles" ("Fundamental Problems of Hebrew Literary History," 65). Or his statement: "the briefer a legend, the greater the probability that we have it in its original form" (*The Legends of Genesis* [New York: Schocken, 1964] 47).

[14]Kitchen, *Ancient Orient and Old Testament*, 131, citing Albright, "Some Oriental Glosses on the Homeric Problem," *AJA* 54 (1950) 162-64, and Albright, "Canaanite-Phoenician Sources of Hebrew Wisdom," VTSup 3 (1955) 4.

[15]J. Wilcoxen, "Narrative," *Old Testament Form Criticism*, 64.

[16]See Kitchen, *Ancient Orient*, 131, for many examples.

[17]Noth, *Exodus*, 161; cf. Nielsen, *The Ten Commandments*, 37.

[18]Similarly, see Exod 22:20, 21; Lev 19:10, 34; 23:22; 25:37-38, etc.

[19]Torralba, "Motivación Deuteronómica," 94. Translation of the quote is mine. Similarly, see Hyatt, *Exodus*, 246.

[20]Fohrer, *Introduction*, 133.

[21]I. Lewy, "Dating of Covenant Code Sections on Humaneness and Righteousness," *VT* 7 (1957) 322.

[22]Driver, *Exodus*, 231-32; I. Lewy, "Dating of the Covenant Code," 322; Hyatt, *Exodus*, 218.

[23]Noth, *Leviticus*, 139.

[24]W. Staerk, *Das Deuteronomium, sein Inhalt und seine literarische Form* (Leipzig: Hinrichs, 1894); C. Steurnagel, *Der Rahmen des Deuteronomiums* (Halle a.S.: Wischan & Wettengel, 1894).

[25]M. Noth, *Überlieferungsgeschichtliche Studien* (Tübingen: Max Niemeyer, 1957) 16.

[26]G. Minette de Tillesse, "Sections 'tu' et sections 'vous' dans le Deutéronome," *VT* 12 (1962) 47-86.

[27]De Tillesse, "Sections tu et vous," 33 n. 4; E. W. Nicholson, *Deuteronomy and Tradition* (Philadelphia: Fortress, 1967) 33-34; A. Rofé, "The Strata of the Law About the Centralization of Worship in Deuteronomy and the History of the Deuteronomic Movement," *VT* 22 (1971) 222.

[28]Nicholson, *Deuteronomy and Tradition*, 33.

[29]Uitti, *The Motive Clause*, 83.

[30]S. Lowenstamm, משפט, 627; Rofé, "The Strata of the Law About the Centralization of Worship in Deuteronomy," 222. The redactor is capable of harmonizing differences when he combines sources which differ with regard to 1st, 2nd, or 3rd person, e.g., Samaritan Exodus 18 combining MT's Exodus 18 and Deuteronomy 1. See J. H. Tigay, "An Empirical Basis for the

Documentary Hypothesis," *JBL* 94 (1975) 329-42. Such differences, therefore, do not likely represent traces of divergent authorship. Furthermore, a perusal of glosses in works such as *Jewish and Samaritan Version of the Pentateuch* (eds. Avraham and Ratson Sadaqa; Jerusalem: Rubin Mass, 1961-64), *The Dead Sea Scrolls of St. Mark's Monastery* (Vol. 1; ed. M. Burrows; New Haven: American School of Oriental Research, 1950), *The Dead Sea Psalms Scroll* by J. A. Sanders (Ithaca: Cornell University, 1967); *The Septuagint Version of Isaiah* by I. L. Seeligmann (Leiden: E. J. Brill, 1948), and *The Language and Linguistic Background of the Isaiah Scroll* by E. Y. Kutscher (in Hebrew; Jerusalem: Magnes, 1959) has revealed that later interpolations in these texts do not display grammatical inconsistencies with the MT. To my knowledge a thorough study of these glosses has not yet been undertaken.

[31]Beyerlin, "Die Paränese in Bundesbuch," 20.

[32]Weinfeld, "Deuteronomy," *EncJud* 5, 1575.

[33]Uitti, *The Motive Clause*, 86.

[34]Ibid., 87.

[35]Gevirtz, "West-Semitic Curses," 157.

[36]D. R. Hillers, *Treaty-Curses and the Old Testament Prophets* (BibOr 16; Rome: Pontifical Biblical Institute, 1964) 32-33. The reference is to the curses of Ashurniari's treaty.

[37]Weinfeld, "The Origin of the Apodictic Law," 67-68 n. 4.

[38]Hillers, *Treaty-Curses*, 32.

[39]Ibid., 33. In connection with the switch to the plural formulation in Deut 28:62-63, Hillers says that "the author momentarily abandoned the rather artificial habit of addressing the nation as an individual" (ibid.).

[40]Noth, *Exodus*, 163. Similarly, Hyatt, *Exodus*, 210.

[41]Dentan, "The Literary Affinities of Exodus XXXIV:6f," 38.

[42]Nielsen, *The Ten Commandments*, 99.

[43]Ibid., 36.

[44]Ibid., 99. See also Driver, *Exodus*, 195; Koch, *Biblical Tradition*, 47.

[45]Stamm and Andrew, *The Ten Commandments in Recent Research*, 17; H. Cazelles, "Les Origines du Décalogue," 15. But see below, n. 78.

[46]Hyatt, *Exodus*, 213; Koch, *Biblical Tradition*, 48; Driver, *Exodus*, 195.

[47]Hyatt, *Exodus*, 223, 242, 246; Pfeiffer, *Introduction*, 226.

[48]Hyatt, *Exodus*, 324; Noth, *Exodus*, 264; Morgenstern, "The Book of the Covenant," Part 2, 58; W. Beyerlin, *Origins and History of the Oldest Sinaitic Traditions*, (Oxford: Blackwell, 1965) 85.

[49]Driver, *Exodus*, 192; Hyatt, *Exodus*, 212; Noth, *Exodus*, 164; Beyerlin, *Sinaitic Traditions*, 12; Pfeiffer, *Introduction*, 228; Ringgren, *Israelite Religion*, 201.

[50]Weinfeld, "Deuteronomy," *EncJud* 5, 1581-82.

[51]See the remarks on the Decalogue by M. Greenberg (*EncJud* 5, 1444).

[52]Driver, *Exodus*, 192, 195; Nielsen, *The Ten Commandments*, 89; Langlamet, "Israel et l'habitant du pays," 493; Lestienne, "Les dix paroles," 500.

[53]Hyatt, *Exodus*, 242.

[54]Weinfeld, *Deuteronomy and the Deuteronomic School*, 289.

[55]Cazelles, *Le Code de l'alliance*, 78. Translation of the quote is mine.

[56]A third motivation appears in Ezek 20:12b.

[57]For instance, M. Tsevat, "The Basic Meaning of the Biblical Sabbath," *ZAW* 84 (1972) 449.

[58]For references, see above, n. 49.

[59]J. Wellhausen, *Prolegomena to the History of Ancient Israel* (Cleveland: World Publishing, Meridian Books, 1961) 492.

[60]See, in particular, Kaufmann, *Religion of Israel*, 175-211; cf. Hahn, *The Old Testament in Modern Research*, 33-34 n. 62; A. Hurvitz, "The Evidence of Language in Dating the Priestly Code," *RB* 81 (1974) 24-56.

[61]M. Weinfeld, "God the Creator in Gen. 1 and in the Prophecy of Second Isaiah" (Hebrew), *Tarbiz* 37 (1968) 105-32 (cf. English summary, pp. I-II).

[62]Nielsen, *The Ten Commandments*, 39-40.

[63]Ibid.; Uitti, *The Motive Clause*, 172-75.

[64]Nielsen, *The Ten Commandments*, 40-41; Uitti, *The Motive Clause*, 167.

[65]Weinfeld, *Deuteronomy and the Deuteronomic School*, 222.

[66]Admittedly, there is also a third possibility, namely, an unmotivated stage to which each text added a motive clause in keeping with its own interest and character.

[67]S. R. Driver, *Deuteronomy*, The International Critical Commentary (New York: Scribners, 1909) 277-78.

[68]Greenberg, "Some Postulates of Biblical Criminal Law," 24-25.

[69]Gemser, "The Importance of the Motive Clause," 63-64.

[70]Ibid., 64-65.

[71]Ibid., 64.

[72]Uitti, *The Motive Clause*, 3-4.

[73]Ibid., 4.

[74]Ibid.

[75]Ibid.

[76]Ibid., 300; cf. 236.

[77]Driver, *Introduction*, 35.

[78]Beyerlin, "Die Paränese in Bundesbuch," 18. It should be recalled that most of Beyerlin's parenetic statements in BC were considered above, in Chapter II, as motive clauses.

[79]Ibid., 13-19.

[80]Driver, *Exodus*, 202.

[81]Beyerlin, *Sinaitic Traditions*, 85.

[82]Uitti, *The Motive Clause*, 184, 186.

[83]On the grounds that it is lacking in the parallel corpus Exod 23:17-19. See Morgenstern, "The Book of the Covenant," Part 2, 58. Noth refers to Exod 34:24 as "a deuteronomistic addition" (*Exodus*, 264).

[84]Driver, *Exodus*, 372.

[85]Uitti, *The Motive Clause*, 186.

[86]Ibid., 223-56.

[87]See discussion in Eissfeldt, *The Old Testament*, 236-38. Also, see above, Chapter II, n. 110.

[88]Fohrer, *Introduction*, 142.

[89]Fohrer points to two introductions (i.e., 1:1-4:40, 4:44-11:32), two kinds of blessings and curses (i.e., 27:11-26, 28:1-68), and various appendices (*Introduction*, 169). Similarly, Weinfeld, "Deuteronomy," *EncJud* 5, 1574. With regard to the various strata within the legal materials, see Merendino, *Das deuteronomische Gesetz*; and Rofé, "The Strata of the Law About the Centralization of Worship in Deuteronomy," 221-24.

[90]Fohrer, *Introduction*, 170.

[91]Ibid., 183.

[92]Ackroyd, *Exile and Restoration*, 84.

[93]For the discussion of the various strata in PC, see Fohrer (*Introduction*, 182).

[94]Hallo and Simpson, *The Ancient Near East: A History*, 156.

[95]Chapter III, nn. 105 and 115.

[96]*ANET*, 322. For the text, see Donner and Röllig, *KAI*, No. 194; I, 35; II, 193-96.

[97]See above, Chapter III, n. 114.

[98]I r. 35. See *ANET*, 205; Weidner, *Politische Dokumente aus Kleinasien*, 26-27. See also *CAD*, K, 366, under *kimē*.

[99]*ANET*, 661. The motive clause reads: כי לטב הא מך (Sefire III, line 22). Rosenthal apparently reads מ<נ>ך. See remarks by Fitzmyer, *The Aramaic Inscriptions of Sefîre*, 118. D. Sommer has rendered the clause as "car cela ne serait pas bien de ta part"; *Les inscriptions araméennes de Sfiré* (Paris: Imprimerie Nationale, 1958), 131.

[100]*ANET*, 321. For the text, see Donner and Röllig, *KAI*, No. 189:2-3, I, 34; II, 186-88. The motive clause reads: כי.חית.זדה.בצר. מימן. The exact meaning of the word זדה is not known. For various attempts, see Donner and Röllig, *KAI*, II, 187.

[101]Ibid., 662. For the text, see Donner and Röllig, *KAI*, No. 13:6; I, 2-3; II, 17-19. There is another motive clause in line 4, introduced by פ.

[102]Ibid. For the text, see Donner and Röllig, *KAI*, No. 14:5; I, 3; II, 19-23.

[103]Ibid., 655. For the text, see Donner and Röllig, *KAI*, No. 202(A):13; I, 203; II, 204-11.

[104]Ibid., 656. For the text, see Donner and Röllig, *KAI*, No. 10:9; I, 2; II, 11-15.

[105]Ibid., 653. For the text, see Donner and Röllig, *KAI*, No. 4:6; I, 1; II, 6-7.

[106]Ibid., 320. For the text, see Donner and Röllig, *KAI*, No. 181:4-6; I, 33; II, 168-79. There is another motive clause in line 4 introduced by כי.

[107]On this text, see R. H. Pfeiffer and E. A. Speiser, *One Hundred New Selected Nuzi Tablets* (AASOR 16; New Haven: American Schools of Oriental Research, 1936), transliterated on p. 51 and translated on p. 103; H. Lewy, "Gleanings from a New Volume of Nuzi Texts," *OrNS* 10 (1941) 214-15; *CAD*, E, 73, under *ekûtu* (A), and L, 29, under *labīru* (1d); E. Weidner, "Hof- und Harems-Erlasse assyrischer Könige aus dem 2. Jahrtausend v. Chr.," *AfO* 17 (1956) 257-58. This proclamation may be a copy of the original, for it is entitled *šá-du-du an-nu-ú ša awēlūti$^{meš}$ warad ēkallim$^{lim}$ ù ša [ni]-iš bīti ša ēkallim$^{lim}$ la-beru-[um]-ma*, "This (is) the proclamation concerning the slaves of the palace and the domestics of the palace, the old one"; Pfeiffer and Speiser, AASOR 16, 31, 103. Similarly, Weidner translates the last word as "ein (seit) alter(sher gültiger)," p. 257. However, *CAD* restores it as *la-be-ru-[tum]-ma* and takes it as an adj. of *[ni]-iš bīti*, "the old personnel of the palace," 9, 29. According to this understanding, the edict applies both to the young slaves as well as the old personnel of the palace. This would mean that we have an original text at hand and not a copy of an old decree. This is highly plausible.

[108]The term LUGAL is restored in line 5: *um-ma*[LUGAL]-*ma*.

[109]On *ekûtu*, see *CAD*, E, 73, under *ekûtu* (A), meaning "status of homeless, destitute and unprotected girl." Also, *AHW*, 196.

[110]The word is *i-lu-ša-aš-še*. Its derivation is obscure. Speiser suggests *i-ki!-ša-aš-še*, from *qâšu*, to dedicate, to give up and therefore translates, "whosoever...his daughter... has given up," p. 103 n. 17. Both Lewy and *CAD* leave the term untranslated.

[111]*liqtu*, instead of *liqûtu*; cf. *AHW*, 555.

[112]On *kīma*, meaning "because," see *CAD*, K, 365.

[113]See above, Chapter III, n. 113.

[114]Kraus, *Ein Edikt des Königs Ammi-ṣaduqa*, 243-47; Finkelstein, "Ammiṣaduqa's Edict and the Babylonian 'Law Codes,'" 101-102.

[115]Kraus, *Ein Edikt des Königs Ammi-ṣaduqa*, 243-47; Finkelstein, "Ammiṣaduqa's Edict and the Babylonian 'Law Codes,'" 100.

[116]Finkelstein, "Ammiṣaduqa's Edict," 102.

[117]Speiser, "Authority and Law in the Ancient Orient," 12; Greenberg, "Some Postulates," 21-22; cf. Chapter III, n. 183.

[118]See also the motivations within the "Instructions for Temple Officials" (Hittite), *ANET*, 207-10; cf. Chapter III, n. 102.

[119]See above, Chapter I, pp. 35-39, and Chapter III, p. 174.

## SUMMARY AND CONCLUSIONS

The main results obtained in the present study can be summarized as follows.

### Classification and Life Setting of the Pentateuchal and Cuneiform Legal Forms

The laws in the Pentateuch may be classified according to two major types of legal formulation: conditional and unconditional. Whereas the former describes a case and then stipulates a legal consequence, the latter simply expresses a command, either positive or negative, without indicating a legal consequence. Laws in the conditional form display varied styles in their composition: "when/if" form (including "when he" and "when you"), relative form and participial form. Laws in the unconditional form appear either as direct address (positive or negative) or as third person jussive (positive or negative).

A similar type of classification may be applied to cuneiform law corpora. Here laws in the conditional form are introduced by "if (a man)" (TUKUM.BI in Sumerian, *šumma* [*awīlum*] in Akkadian, and *takku* in Hittite) or by the relative "a man who" (*awīlum ša* or simply *ša* in Akkadian, and LÚ *kuiš* or simply *kuiš* in Hittite); laws in the unconditional form appear as third person jussive.

Lack of evidence makes the determination of the setting in life of the legal forms very difficult. Often it is unknown whether the law's use of the forms reflects an original or a secondary setting for the particular legal forms. Therefore the results obtained in this area are at best tentative in nature.

Within the category of laws in the conditional form, the court of law has frequently been suggested as the setting for the "when/if he" form. However, neither in the Bible nor in the cuneiform material is there textual evidence to prove this claim. None of the court decisions recorded in the Bible is expressed in the conditional "if he" form. In the cuneiform legal texts, court verdicts are formulated in a variety of ways,

the "if he" form appearing only as one among many. Furthermore, there is no evidence in the Bible or in the cuneiform texts that laws expressed in the conditional "if he" form constituted the basis for the formulation of court decisions. Because of the similarity in formulation between laws and omens, it has also been suggested that the form in cuneiform law derived from the scribal academy, just as omen literature emerged from scholarly circles. Underlying this notion is the assumption that cuneiform laws are not "legislative" in nature but constitute literary productions. However, the question of the ultimate nature of the ancient Near Eastern legal corpora has not as yet been settled. Furthermore, it is not known whether the academy represents an original or a secondary life setting.

The legal form "when you," found only in the Pentateuchal legal corpora, appears to reflect an original teaching situation, especially in light of the fact that the form is frequently used in wisdom literature, both biblical and extra-biblical.

The relative form, found both in biblical and cuneiform laws, most likely derives from the sphere of proclamations in view of the predominant use of the relative form in proclamations recorded in biblical and extra-biblical texts.

The participial form, exclusively used in biblical laws, stems perhaps from pronouncements issued by those in authority, for the form is very often used in the Bible to express various types of commands. In extra-biblical literature, although the participial form appears in certain curses and wisdom sayings, there are no clues as to its original life setting.

As for laws in the unconditional form, in spite of the claims to the contrary, there is no proof that laws formulated as direct address in the Bible had their setting in the alleged covenant renewal ceremony. In fact, it is unlikely that a festival of this nature ever existed in ancient Israel. The most likely setting for the direct address is Gerstenberger's "*Sippenethos*," i.e., the authoritative teachings given within the tribal circle. The second person command, although not found in cuneiform law corpora, is well attested in a variety of genres in extra-biblical literature.

The third person jussive, found both in biblical and extra-biblical laws, seems to derive from the instructions given by those in authority. Frequent examples of this form found in the Bible and in cuneiform material appear to justify this claim. A more specific life setting is nowhere indicated.

The formulation of the prices and wages, found only in cuneiform laws, most likely derives from the actual language of the market place.

## Percentage of Motivation Within the Legal Corpora

The legal prescriptions in the Pentateuch are very often accompanied by narrative material. In order to identify what is "law" in the Pentateuch, it is therefore necessary to distinguish between laws and curses, laws and parenetic statements, and laws and ad hoc commands.

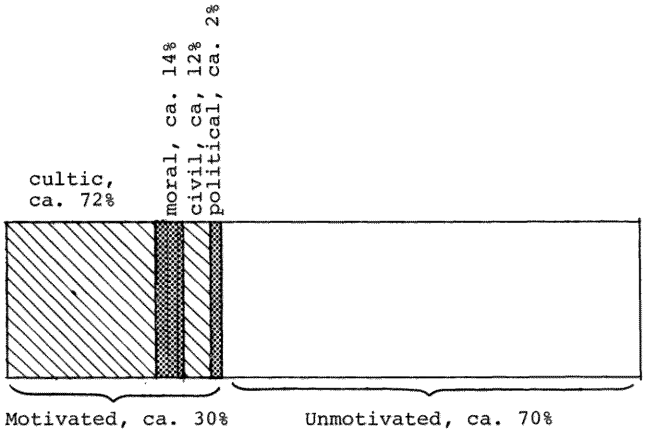
In the present study, within the six law collections in the Pentateuch (namely, Dec, BC, CD, H, D, PC), 1,238 legal prescriptions were counted; of these, 375 are motivated. This represents a rate of ca. 30%. Compared to Uitti's overall result of 63.1%, the figure of ca. 30% is a very low one. Yet, it better reflects the reality, for in the present study the percentages of the motivated prescriptions were computed not on the basis of paragraphs or subjects, which is Uitti's method, but by considering the individual legal prescriptions that are included within the paragraphs. Thus, a higher number of legal Prescriptions, with a different delineation of motive clauses, yielded a lower percentage of motivations.

Biblical law corpora differ among themselves with regard to the percentage of motivated laws. The rate goes up from ca. 13% in CD, ca. 16% in BC, ca. 20% in PC, ca. 45% in the Dec., ca. 50% in D, to the highest figure of ca. 51% in H. Here it is necessary to note that, even though D and H have the highest percentage of motivation, the use of motivation cannot be employed in establishing the relative dating of the legal corpora, for it is difficult to determine at what stage the motive clauses became part of the law, if all or some of them were not present from the very beginning.

The motivated laws may be classified on the basis of their content into four broad categories: cultic/sacral, humanitarian/moral, civil, and political. Of the 375 motivated legal prescriptions, 271 deal with cultic/sacral matters. This represents ca. 72% of the motivated laws. The 51 motivated humanitarian/moral prescriptions constitute ca. 14% of the motivated laws. The 45 motivated laws regulating "civil" matters represent ca. 12% of the motivated laws. To the political sphere are assigned 8 motivated laws, representing ca. 2% of the motivated laws in the Pentateuch. These results can graphically be seen in the following chart.

CHART C:

Percentage of Motivated Laws in the Pentateuch (Based on Content)

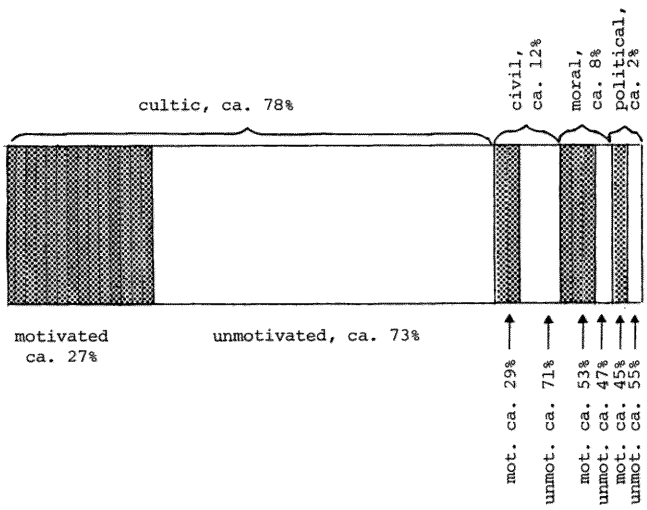



The chart gives the impression that cultic/sacral laws contain the highest percentage of motivation. However, when each of the above four categories is seen in light of the totality of the legal prescriptions in the Bible, a different picture emerges. Thus, even though ca. 78% of all the laws in the Pentateuch are of cultic/sacral nature, only ca. 27% of these are motivated and ca. 73% are not. Similarly, "civil"

laws in the Bible amount to ca. 12% of the legal prescriptions, but ca. 29% of these are motivated and ca. 71% are not. Laws of political nature claim ca. 2% of the Pentateuchal laws, but ca. 45% of these are motivated, and ca. 55% are not. In the case of humanitarian/moral prescriptions, which constitute only ca. 8% of all the laws in the Pentateuch, ca. 53% are motivated and ca. 47% are not. Therefore, it is the last category which contains the highest percentage of motivation in the biblical laws. A second chart will bring these results into bolder relief.

CHART D:

Percentage of Motivated Pentateuchal Laws in Each Category




The high percentage of motivation noted in the biblical humanitarian/moral prescriptions is perhaps indicative of the special moral concern that animated the legislators who also wanted to ensure compliance to these laws.

In contrast to the biblical law collections, LH and MAL contain very few cases of motivation. In LH, the percentage is

ca. 6%; in MAL, ca. 5%. All of these motivated laws regulate "civil" matters. The low rate shows that motivation is not characteristic of the ancient Near Eastern law corpora.

## The Legal Motive Clauses: Formulation and Function

Motive clauses, defined in this study as dependent clauses or phrases which express the motive behind the legal prescriptions, must be distinguished from explicative notes and parenetic statements. Explicative notes are basically used to interpret or clarify specific words or clauses within the law. On the other hand, the primary object of the parenetic statements is to summon people to obedience by means of appeals formulated in broad terms; they very often appear as independent units. Yet, motive clauses where the element of exhortation is only secondary and at best implicit do not appear as independent statements; they are always dependent upon the laws which they motivate.

In the Bible as well as in LH and MAL, the legal motive clauses are formulated either by means of grammatical particles or asyndetically. However, there is a difference in the way in which motivation is achieved in biblical laws on the one hand and in the cuneiform laws on the other. In the biblical law collections, while some of the motive clauses simply repeat a key element within the law and underline it as the motive of the law, the majority supply the law with a new clause or phrase that spells out the reason of or the incentive for observing the law. Among the latter, a variety of types is noted: e.g., motivating by classification, predicating the law upon God's authority, referring to historical experiences of the people, instilling fear of punishment, and promising well-being. The motive clauses themselves are formulated either impersonally or in the second person. In the LH and MAL, however, the motive clauses always refer to inner-legal matters and achieve their goal by underlining a key element within the law. In that sense, they are all "repetitive." Furthermore, they are formulated impersonally, totally lacking the second person address.

In searching for the function of the legal motive clauses, it is necessary to view them in light of motive clauses found in other literary genres.

In the Bible, among all the literary genres outside of law, wisdom instructions have the highest concentration of number and kind of motive clauses. These motive clauses are in many respects very similar to those found in laws. This similarity, along with the recognized influence of wisdom upon law, suggests that the motive clauses in wisdom instructions constituted the basic models for the formulation of the legal motive clauses. A teaching function (as in the case of wisdom instruction) rather than an alleged cultic preaching seems to be reflected best in the use of the legal motive clauses.

In the cuneiform laws it is difficult to determine the source of influence upon the use and formulation of the legal motive clauses. This is not only because the motive clauses in LH and MAL are very few in number, but also because they are all "repetitive"--a pattern which is not apparent in any of the known literary genres, including wisdom. Although the ultimate purpose of the cuneiform legal corpora is yet undetermined, the placing of the law collections within elaborate prologues and epilogues of historic and religious nature strongly suggests that they were directed to the gods and aimed at obtaining their good favors. The function of the motive clauses would therefore appear to underscore the lawmaker's true concern for justice.

## The Originality of the Legal Motive Clauses

The secondary character of the biblical legal motive clauses has been frequently argued on the basis of certain scholarly assumptions. However, a critical evaluation of these assumptions has yielded the following conclusions. (1) The alleged brevity of the law was maintained primarily on the assumption that in the remote past only small compositions were created and that longer texts were the products of later periods. The discovery of long texts coming from the early periods of the ancient Near East has proven that, in literary

creativity, the idea of unilinear evolution from shorter to longer compositions is simply a fallacy. Consequently, there is no reason to suppose an original brief law devoid of motivation. (2) The acknowledged existence of grammatical fluctuations in ancient Near Eastern texts shows that grammatical inconsistencies occasionally noted between the motive clauses and their laws cannot necessarily be taken to indicate editorial reworking. (3) The argument of stylistic affinity, whereby a motive clause whose style and content resemble those of later texts must be considered of late origin, cannot be used with certainty to prove the lateness of the motive clauses found in the earlier law collections, since it is difficult to determine the direction of the influence and also because the argument would appear to assume that each law collection creates its own vocabulary *de novo*, which is unlikely.

Motive clauses identified in ancient Near Eastern texts, both legal and non-legal, which by their nature are not likely to have undergone editorial reworking clearly indicate that a motive clause cannot be ascribed to later editors just because it is a motive clause.

# A P P E N D I X

## APPENDIX: LISTS

This appendix contains a detailed list of the laws and motive clauses found in the six Pentateuchal legal collections (i.e., the Dec, BC, CD, H, D and PC) studied in the present work. Each legal collection is analyzed separately and includes the following information.

1. A list of the individual legal prescriptions. A motivated law will be identified by placing "mc" (abbreviation for "motive clause") next to it. When a given mc constitutes a motivation for more than one legal prescription, this will be noted by placing a perpendicular line covering all these laws. Parenetic statements ("par"), introductions ("intro") and conclusions ("concl") will not be counted as laws, and the texts so identified will be placed in parentheses. In the lists, "nl" will stand for "not law," "intrn" for "internal motive clause," and "com" for "ad hoc commands."

2. The Hebrew text of the motivated laws. In each case, motive clauses will be underlined. On the righthand side of the Hebrew text a few selected sources will be added to indicate that these, too, clearly recognize the motive clauses as such. The vocalized Hebrew text is reprinted, with permission, from *Tikkun Lakoreim* (New York: KTAV, 1946).

3. Notes, referring either to the lists of legal prescriptions or to the lists of motive clauses.

1. THE DECALOGUE

1.1 Exod 20:2-17

(a) *The Legal Prescriptions*

| | | | Verses |
|---|---|---|---|
| (n. 1) | 1. | mc | 2-3 |
| | 2. | | 4 |
| (n. 2) | 3. | mc | 5-6 |
| | 4. | mc | 7 |
| | 5. | mc | 8-11 |
| | 6. | mc | 12 |
| | 7. | | 13 |
| | 8. | | 14 |
| | 9. | | 15 |
| | 10. | | 16 |
| (n. 3) | 11. | | 17 |

(b) *The Motive Clauses*

(n.1) ס אָנֹכִי 2
יְהוָה אֱלֹהֶיךָ אֲשֶׁר הוֹצֵאתִיךָ מֵאֶרֶץ מִצְרַיִם מִבֵּית עֲבָדִים׃
3 לֹא־יִהְיֶה לְךָ אֱלֹהִים אֲחֵרִים עַל־פָּנָי׃ 4 לֹא־תַעֲשֶׂה לְךָ
פֶּסֶל ו וְכָל־תְּמוּנָה אֲשֶׁר בַּשָּׁמַיִם ו מִמַּעַל וַאֲשֶׁר בָּאָרֶץ
ה מִתָּחַת וַאֲשֶׁר בַּמַּיִם ו מִתַּחַת לָאָרֶץ׃ לֹא־תִשְׁתַּחֲוֶה לָהֶם
(n.2) וְלֹא תָעָבְדֵם כִּי אָנֹכִי יְהוָה אֱלֹהֶיךָ אֵל קַנָּא פֹּקֵד עֲוֹן
6 אָבֹת עַל־בָּנִים עַל־שִׁלֵּשִׁים וְעַל־רִבֵּעִים לְשֹׂנְאָי׃ וְעֹשֶׂה
חֶסֶד לַאֲלָפִים לְאֹהֲבַי וּלְשֹׁמְרֵי מִצְוֹתָי׃ 7 ס לֹא תִשָּׂא
אֶת־שֵׁם־יְהוָה אֱלֹהֶיךָ לַשָּׁוְא כִּי לֹא יְנַקֶּה יְהוָה אֵת אֲשֶׁר־
יִשָּׂא אֶת־שְׁמוֹ לַשָּׁוְא׃ פ
8 זָכוֹר אֶת־יוֹם הַשַּׁבָּת לְקַדְּשׁוֹ׃ 9 שֵׁשֶׁת יָמִים תַּעֲבֹד וְעָשִׂיתָ
כָּל־מְלַאכְתֶּךָ׃ וְיוֹם הַשְּׁבִיעִי שַׁבָּת ו לַיהוָה אֱלֹהֶיךָ לֹא־
תַעֲשֶׂה כָל־מְלָאכָה אַתָּה ו וּבִנְךָ וּבִתֶּךָ עַבְדְּךָ וַאֲמָתֶךָ
וּבְהֶמְתֶּךָ וְגֵרְךָ אֲשֶׁר בִּשְׁעָרֶיךָ׃ 11 כִּי שֵׁשֶׁת־יָמִים עָשָׂה
יְהוָה אֶת־הַשָּׁמַיִם וְאֶת־הָאָרֶץ אֶת־הַיָּם וְאֶת־כָּל־אֲשֶׁר־בָּם
וַיָּנַח בַּיּוֹם הַשְּׁבִיעִי עַל־כֵּן בֵּרַךְ יְהוָה אֶת־יוֹם הַשַּׁבָּת
וַיְקַדְּשֵׁהוּ׃ 12 ס כַּבֵּד אֶת־אָבִיךָ וְאֶת־אִמֶּךָ לְמַעַן יַאֲרִכֻן
יָמֶיךָ עַל הָאֲדָמָה אֲשֶׁר־יְהוָה אֱלֹהֶיךָ נֹתֵן לָךְ׃ 13 ס לֹא
14 תִּרְצָח׃ ס לֹא תִנְאָף׃ ס לֹא תִגְנֹב׃ ס לֹא־
16 תַעֲנֶה בְרֵעֲךָ עֵד שָׁקֶר׃ 17 ס לֹא תַחְמֹד בֵּית רֵעֶךָ
ס לֹא תַחְמֹד אֵשֶׁת רֵעֶךָ וְעַבְדּוֹ וַאֲמָתוֹ וְשׁוֹרוֹ וַחֲמֹרוֹ
(n.3) וְכֹל אֲשֶׁר לְרֵעֶךָ׃

Gemser, Uitti, *NJV*, *NAB*, *RSV* (5b-6); *NEB* (5bα)

Gemser, Uitti, *NJV*, *NAB*, *RSV* (7b)

Gemser, Uitti, *NJV*, *NEB*, *RSV* (11)

Uitti, *NJV*, *NAB*, *NEB*, *RSV* (12b)

(c) *Notes*

1. (20:2) This verse constitutes a motivation for the following command and should be understood as, "Since I the Lord am your God...therefore, do not...." See Noth, *Exodus*, 161-62; Paul, *Book of the Covenant*, 32. Cf. this study, Chapter II, n. 78.

2. (20:5a) The two prohibitives are considered here as one legal prescription. Cf. Deut 4:19, 8:19, 11:16.

3. (20:17) This verse embodies one legal prescription; v. 17b paraphrases the whole inclusive term "house."

1.2 Deut 5:6-21

(a) *The Legal Prescriptions*

| | | | Verses |
|---|---|---|---|
| (n. 1) | 1. | mc | 6-7 |
| | 2. | | 8 |
| (n. 2) | 3. | mc | 9-10 |
| | 4. | mc | 11 |
| (n. 3) | 5. | mc(2) v.14bβ,15 | 12-15 |
| | 6. | mc(2) v.16bα,16bβ | 16 |
| | 7. | | 17 |
| | 8. | | 18 |
| | 9. | | 19 |
| | 10. | | 20 |
| (n. 4) | 11. | | 21 |

(b) *The Motive Clauses*

(n.1) אָנֹכִי יְהוָה אֱלֹהֶיךָ אֲשֶׁר הוֹצֵאתִיךָ 6
מֵאֶרֶץ מִצְרַיִם מִבֵּית עֲבָדִים: לֹא־יִהְיֶה לְךָ אֱלֹהִים 7
אֲחֵרִים עַל־פָּנָי: לֹא־תַעֲשֶׂה־לְךָ פֶסֶל ׀ כָּל־תְּמוּנָה אֲשֶׁר 8
בַּשָּׁמַיִם ׀ מִמַּעַל וַאֲשֶׁר בָּאָרֶץ מִתָּחַת וַאֲשֶׁר בַּמַּיִם ׀

(n.2) מִתַּחַת לָאָרֶץ: לֹא־תִשְׁתַּחֲוֶה לָהֶם וְלֹא תָעָבְדֵם כִּי אָנֹכִי 9
יְהוָה אֱלֹהֶיךָ אֵל קַנָּא פֹּקֵד עֲוֹן אָבוֹת עַל־בָּנִים וְעַל־
שִׁלֵּשִׁים וְעַל־רִבֵּעִים לְשֹׂנְאָי: וְעֹשֶׂה חֶסֶד לַאֲלָפִים 10
לְאֹהֲבַי וּלְשֹׁמְרֵי מִצְוֹתָי: ס לֹא תִשָּׂא אֶת־שֵׁם־יְהוָה 11
אֱלֹהֶיךָ לַשָּׁוְא כִּי לֹא יְנַקֶּה יְהוָה אֵת אֲשֶׁר־יִשָּׂא אֶת־שְׁמוֹ
לַשָּׁוְא: ס שָׁמוֹר אֶת־יוֹם הַשַּׁבָּת לְקַדְּשׁוֹ כַּאֲשֶׁר צִוְּךָ ׀ 12
יְהוָה אֱלֹהֶיךָ: שֵׁשֶׁת יָמִים תַּעֲבֹד וְעָשִׂיתָ כָּל־מְלַאכְתֶּךָ: 13
וְיוֹם הַשְּׁבִיעִי שַׁבָּת ׀ לַיהוָה אֱלֹהֶיךָ לֹא תַעֲשֶׂה כָל־ 14
מְלָאכָה אַתָּה וּבִנְךָ וּבִתֶּךָ וְעַבְדְּךָ וַאֲמָתֶךָ וְשׁוֹרְךָ וַחֲמֹרֶךָ

(n.3) וְכָל בְּהֶמְתֶּךָ וְגֵרְךָ אֲשֶׁר בִּשְׁעָרֶיךָ לְמַעַן יָנוּחַ עַבְדְּךָ
וַאֲמָתְךָ כָּמוֹךָ: וְזָכַרְתָּ כִּי־עֶבֶד הָיִיתָ ׀ בְּאֶרֶץ מִצְרַיִם ס
וַיֹּצִאֲךָ יְהוָה אֱלֹהֶיךָ מִשָּׁם בְּיָד חֲזָקָה וּבִזְרֹעַ נְטוּיָה עַל־
כֵּן צִוְּךָ יְהוָה אֱלֹהֶיךָ לַעֲשׂוֹת אֶת־יוֹם הַשַּׁבָּת: ס כַּבֵּד אֶת־ 16
אָבִיךָ וְאֶת־אִמֶּךָ כַּאֲשֶׁר צִוְּךָ יְהוָה אֱלֹהֶיךָ לְמַעַן ׀ יַאֲרִכֻן
יָמֶיךָ וּלְמַעַן יִיטַב לָךְ עַל הָאֲדָמָה אֲשֶׁר־יְהוָה אֱלֹהֶיךָ
נֹתֵן לָךְ: ס 17לֹא תִרְצָח: ס 18וְלֹא תִנְאָף: ס 19וְלֹא

(n.4) תִגְנֹב: ס כ וְלֹא־תַעֲנֶה בְרֵעֲךָ עֵד שָׁוְא: ס 21 וְלֹא
תַחְמֹד אֵשֶׁת רֵעֶךָ ס וְלֹא תִתְאַוֶּה בֵּית רֵעֶךָ שָׂדֵהוּ
וְעַבְדּוֹ וַאֲמָתוֹ שׁוֹרוֹ וַחֲמֹרוֹ וְכֹל אֲשֶׁר לְרֵעֶךָ:

Gemser, Uitti, *NJV*, *NAB*, *RSV* (9b-10); *NEB* (9bα)

Gemser, Uitti, *NJV*, *NAB*, *RSV* (11b)

Gemser (14bβ-15); Uitti (14c-15); *NJV*, *NEB*, *RSV* (14bβ); *NAB* (15)

Gemser, *NAB* (16b); Uitti (16aβ-b); *NJV*, *NEB*, *RSV* (16bα,β)

(c) *Notes*

1. (5:6-7) See n. 1 in Chart 1.1.

2. (5:9a) See n. 2 in Chart 1.1.

3. (5:15) This is a secondary motivation, understood as "for you shall remember that...." Cf. *NAB*.

4. (5:21) As in Exod 20:17, this verse, too, is taken as embodying one legal prescription. It should be noted, however, that in Deuteronomy, unlike Exodus, the married wife is mentioned first (v. 21a) and then the neighbor's house(hold) (v. 21b). Furthermore, D substitutes תְּאַוֶּה ("desire") in v. 21b for תַּחְמֹד in v. 21a. This indicates that D clearly regarded the injunction as banning guilty desires (M. Greenberg, "Decalogue," *EncJud* 5, 1443).

2. BOOK OF THE COVENANT (Exod 20:22-23:33)

(a) *The Legal Prescriptions*

| | Exodus 20 | | Verses |
|---|---|---|---|
| | - | intro | (22a) |
| | 1. | | 23a-bα |
| | 2. | | 23bβ |
| (n. 1) | | mc | 22b |
| | 3. | | 24a |
| | - | par | (24b) |
| | 4. | mc | 25 |
| | 5. | mc | 26 |
| | Exodus 21 | | |
| | - | intro | (1) |
| | 6. | | 2 |
| | 7. | | 3a |
| | 8. | | 3b |
| | 9. | | 4a-bα |
| | 10. | | 4bβ |
| | 11. | | 5-6 |
| | 12. | | 7 |
| | 13. | mc | 8 |
| | 14. | | 9 |
| | 15. | | 10 |
| | 16. | | 11 |
| | 17. | | 12 |
| | 18. | | 13 |
| | 19. | | 14 |
| | 20. | | 15 |
| | 21. | | 16 |
| | 22. | | 17 |
| | 23. | | 18-19a |
| | 24 | | 19bα |
| | 25. | | 19bβ |
| | 26. | | 20 |
| | 27. | mc | 21 |

| | Exod. 21 cont. | | Verses |
|---|---|---|---|
| | 28. | | 22 |
| | 29. | | 23-25 |
| (n. 2) | 30. | mc | 26 |
| (n. 2) | 31. | mc | 27 |
| | 32. | | 28a-bα |
| | 33. | | 28bβ |
| | 34. | | 28bγ |
| | 35. | | 29a-bα |
| | 36. | | 29bβ |
| | 37. | | 30 |
| | 38. | | 31 |
| | 39. | | 32a-bα |
| | 40. | | 32bβ |
| | 41. | | 33-34a |
| | 42. | | 34b |
| | 43. | | 35a-bα |
| | 44. | | 35bβ |
| | 45. | | 35bγ |
| | 46. | | 36a-bα |
| | 47. | | 36bβ |
| | 48. | | 37 |
| | Exodus 22 | | |
| (n. 3) | 49. | | 2b |
| | 50. | | 3 |
| | 51. | | 1 |
| | 52. | | 2a |
| | 53. | | 4 |
| | 54. | | 5 |
| | 55. | | 6 |
| | 56. | | 7 |
| | 57. | | 8 |
| | 58. | | 9-10 |

| | Exodus 22 cont. | | Verses |
|---|---|---|---|
| | 59. | | 11 |
| | 60. | | 12 |
| | 61. | | 13 |
| | 62. | | 14a |
| | 63. | | 14b |
| | 64. | | 15 |
| | 65. | | 16 |
| | 66. | | 17 |
| | 67. | | 18 |
| | 68. | | 19 |
| | 69. | mc | 20 |
| (n. 4) | 70. | mc | 21-23 |
| | 71. | | 24 |
| | 72. | mc(2) | 25-26 |
| (n. 5) | | v.26a-bα,bβ | |
| | 73. | | 27a |
| | 74. | | 27b |
| | 75. | | 28a |
| | 76. | | 28b |
| | 77. | | 29 |
| | - | par | (30a) |
| | 78. | | 30bα |
| | 79. | | 30bβ |
| | Exodus 23 | | |
| | 80. | | 1a |
| | 81. | | 1b |
| | 82. | | 2a |
| | 83. | | 2b |
| | 84. | | 3 |
| | 85. | | 4 |
| | 86. | | 5 |
| | 87. | | 6 |
| | 88. | | 7a |
| | 89. | mc | 7b |
| | 90. | mc | 8 |
| | 91. | mc | 9 |
| | 92. | mc | 10-11a |
| | 93. | | 11b |
| | 94. | mc | 12 |
| | - | par | (13a) |
| | 95. | | 13b |
| | - | intro | (14) |
| | 96. | mc | 15a |
| | 97. | | 15b |
| | 98. | | 16a |
| | 99. | | 16b |
| | 100. | | 17 |
| | 101. | | 18a |
| | 102. | | 18b |
| | 103. | | 19a |
| | 104. | | 19b |
| | - | concl | (20-33) |

(b) *The Motive Clauses*

Exodus 20

(n. 1) 22 וַיֹּאמֶר יְהוָה אֶל־מֹשֶׁה כֹּה תֹאמַר אֶל־בְּנֵי יִשְׂרָאֵל אַתֶּם
רְאִיתֶם כִּי מִן־הַשָּׁמַיִם דִּבַּרְתִּי עִמָּכֶם׃ 23 לֹא תַעֲשׂוּן אִתִּי
אֱלֹהֵי כֶסֶף וֵאלֹהֵי זָהָב לֹא תַעֲשׂוּ לָכֶם׃ 24 מִזְבַּח אֲדָמָה
תַּעֲשֶׂה־לִּי וְזָבַחְתָּ עָלָיו אֶת־עֹלֹתֶיךָ וְאֶת־שְׁלָמֶיךָ אֶת־
צֹאנְךָ וְאֶת־בְּקָרֶךָ בְּכָל־הַמָּקוֹם אֲשֶׁר אַזְכִּיר אֶת־שְׁמִי
אָבוֹא אֵלֶיךָ וּבֵרַכְתִּיךָ׃ כה וְאִם־מִזְבַּח אֲבָנִים תַּעֲשֶׂה־לִּי
לֹא־תִבְנֶה אֹתָן גָּזִית כִּי חַרְבְּךָ הֵנַפְתָּ עָלֶיהָ וַתְּחַלְלֶהָ׃
26 וְלֹא־תַעֲלֶה בְמַעֲלֹת עַל־מִזְבְּחִי אֲשֶׁר לֹא־תִגָּלֶה
עֶרְוָתְךָ עָלָיו׃

Gemser, Uitti, *NAB*, *NEB*, *RSV* (25b); *NJV* (22b=25bH)

Gemser, Uitti, *RSV* (26b); *NJV* (23b=26bH)

Exodus 21

8 אִם־רָעָה בְעֵינֵי אֲדֹנֶיהָ אֲשֶׁר־
לֹא יְעָדָהּ וְהִפְדָּהּ לְעַם נָכְרִי לֹא־יִמְשֹׁל לְמָכְרָהּ בְּבִגְדוֹ
בָּהּ׃

Gemser, *NJV*, *NAB*, *NEB*, *RSV* (8bβ)

Gemser, *NJV*, *NAB*, *NEB*, *RSV* (21bβ); Uitti (21b)

כ וְכִי־יַכֶּה אִישׁ אֶת־עַבְדּוֹ
21 אוֹ אֶת־אֲמָתוֹ בַּשֵּׁבֶט וּמֵת תַּחַת יָדוֹ נָקֹם יִנָּקֵם׃ אַךְ אִם־
יוֹם אוֹ יוֹמַיִם יַעֲמֹד לֹא יֻקַּם כִּי כַסְפּוֹ הוּא׃

26 וְכִי־יַכֶּה אִישׁ
(n. 2) אֶת־עֵין עַבְדּוֹ אוֹ־אֶת־עֵין אֲמָתוֹ וְשִׁחֲתָהּ לַחָפְשִׁי יְשַׁלְּחֶנּוּ
(n. 3) 27 תַּחַת עֵינוֹ׃ וְאִם־שֵׁן עַבְדּוֹ אוֹ־שֵׁן אֲמָתוֹ יַפִּיל לַחָפְשִׁי יְשַׁלְּחֶנּוּ
תַּחַת שִׁנּוֹ׃

Exodus 22

כ וְגֵר לֹא־תוֹנֶה וְלֹא תִלְחָצֶנּוּ כִּי־גֵרִים הֱיִיתֶם בְּאֶרֶץ מִצְרָיִם׃
21 כָּל־אַלְמָנָה וְיָתוֹם לֹא תְעַנּוּן׃ 22 אִם־עַנ�ֹּה תְעַנֶּה אֹתוֹ כִּי
(n. 4) אִם־צָעֹק יִצְעַק אֵלַי שָׁמֹעַ אֶשְׁמַע צַעֲקָתוֹ׃ 23 וְחָרָה אַפִּי
וְהָרַגְתִּי אֶתְכֶם בֶּחָרֶב וְהָיוּ נְשֵׁיכֶם אַלְמָנוֹת וּבְנֵיכֶם יְתֹמִים׃ פ
24 אִם־כֶּסֶף | תַּלְוֶה אֶת־עַמִּי אֶת־הֶעָנִי עִמָּךְ לֹא־תִהְיֶה לוֹ
כה כְּנֹשֶׁה לֹא־תְשִׂימוּן עָלָיו נֶשֶׁךְ׃ אִם־חָבֹל תַּחְבֹּל שַׂלְמַת
26 רֵעֶךָ עַד־בֹּא הַשֶּׁמֶשׁ תְּשִׁיבֶנּוּ לוֹ׃ כִּי הִוא כְסוּתָה לְבַדָּהּ
הִוא שִׂמְלָתוֹ לְעֹרוֹ בַּמֶּה יִשְׁכָּב וְהָיָה כִּי־יִצְעַק אֵלַי וְשָׁמַעְתִּי
(n. 5) כִּי־חַנּוּן אָנִי׃

Gemser, Uitti, *NJV*, *NAB* (20b); *RSV* (21b=20bH)

Uitti (22-23)

Gemser (26bα,bβ); Uitti, *NAB* (26); *NEB*, *RSV* (27=26H)

Exodus 23

מִדְּבַר־שֶׁקֶר תִּרְחָק וְנָקִי וְצַדִּיק אַל־תַּהֲרֹג 7
כִּי לֹא־אַצְדִּיק רָשָׁע: וְשֹׁחַד לֹא תִקָּח כִּי הַשֹּׁחַד יְעַוֵּר 8
פִּקְחִים וְיסַלֵּף דִּבְרֵי צַדִּיקִים: וְגֵר לֹא תִלְחָץ וְאַתֶּם 9
יְדַעְתֶּם אֶת־נֶפֶשׁ הַגֵּר כִּי־גֵרִים הֱיִיתֶם בְּאֶרֶץ מִצְרָיִם:
וְשֵׁשׁ שָׁנִים תִּזְרַע אֶת־אַרְצֶךָ וְאָסַפְתָּ אֶת־תְּבוּאָתָהּ: 10
וְהַשְּׁבִיעִת תִּשְׁמְטֶנָּה וּנְטַשְׁתָּהּ וְאָכְלוּ אֶבְיֹנֵי עַמֶּךָ וְיִתְרָם 11
תֹּאכַל חַיַּת הַשָּׂדֶה כֵּן תַּעֲשֶׂה לְכַרְמְךָ לְזֵיתֶךָ: שֵׁשֶׁת יָמִים 12
תַּעֲשֶׂה מַעֲשֶׂיךָ וּבַיּוֹם הַשְּׁבִיעִי תִּשְׁבֹּת לְמַעַן יָנוּחַ שׁוֹרְךָ
וַחֲמֹרֶךָ וְיִנָּפֵשׁ בֶּן־אֲמָתְךָ וְהַגֵּר: וּבְכֹל אֲשֶׁר־אָמַרְתִּי 13
אֲלֵיכֶם תִּשָּׁמֵרוּ וְשֵׁם אֱלֹהִים אֲחֵרִים לֹא תַזְכִּירוּ לֹא
יִשָּׁמַע עַל־פִּיךָ: שָׁלֹשׁ רְגָלִים תָּחֹג לִי בַּשָּׁנָה: אֶת חַג 14 שׁ
הַמַּצּוֹת תִּשְׁמֹר שִׁבְעַת יָמִים תֹּאכַל מַצּוֹת כַּאֲשֶׁר צִוִּיתִךָ
לְמוֹעֵד חֹדֶשׁ הָאָבִיב כִּי־בוֹ יָצָאתָ מִמִּצְרָיִם וְלֹא־יֵרָאוּ
פָנַי רֵיקָם:

Gemser, *NJV*, *NEB*, *RSV* (7bβ); Uitti (7c)

Gemser, *NJV*, *NAB*, *NEB*, *RSV* (8b); Uitti (8b,c)

Gemser, Uitti, *NJV*, *NEB* (9b); *NAB* (9bβ); *RSV* (9bα,bβ)

Uitti (11aβ,b); *NAB*, *RSV* (11aα-aβ)

Gemser, Uitti, *NJV*, *NAB*, *NEB*, *RSV* (12b)

Gemser, *NJV*, *NAB*, *NEB*, *RSV* (15aβ); Uitti (15bα,γ)

(c) *Notes*

1. (20:22) Verse 22b constitutes the underlying reason for the prohibitions against making images of gods (v. 23). See Noth, *Exodus*, 175. Cf. Deut 4:15ff.

2. (21:26, 27) See Chapter II, n. 55.

3. (22:26) This half verse is to be connected with the law in 21:37, *NJV*, ad loc. Cf. Paul, *Book of the Covenant*, 86; Noth, *Exodus*, 183.

4. (22:22-23) The intent of these verses is to indicate what will happen if the injunction in v. 21 is overlooked: i.e., do not oppress the widow or the orphan, for if you do, then I, God, will take action against you. Verses 22-23 can therefore be considered motive clauses introduced asyndetically. For motive clauses embodying threats of punishment, see Chapter II.

5. (22:26) In v. 26, there are two motive clauses (v. 26a-bα, bβ). The clause כִּי חַנּוּן אֲנִי (v. 26-end) is an internal motive clause and motivates the verb רִשְׁמַעְתִּי, not the law in v. 25.

3. THE CULTIC DECALOGUE (Exod 34:10-26)

(a) *The Legal Prescriptions*

| | | | Verses |
|---|---|---|---|
| (n. 1) | - | intro | (10-16) |
| | 1. | | 17 |
| | 2. | mc | 18 |
| | 3. | | 19 |
| | 4. | | 20aα |
| | 5. | | 20aβ |
| | 6. | | 20bα |
| | 7. | | 20bβ |
| (n. 2) | 8. | | 21 |
| (n. 3) | 9. | | 22a |
| | 10. | | 22b |
| | 11. | mc | 23-24 |
| | 12. | | 25a |
| | 13. | | 25b |
| | 14. | | 26a |
| | 15. | | 26b |

(b) *The Motive Clauses*

17 אֱלֹהֵי מַסֵּכָה לֹא תַעֲשֶׂה־לָּךְ׃ אֶת־
18 חַג הַמַּצּוֹת תִּשְׁמֹר שִׁבְעַת יָמִים תֹּאכַל מַצּוֹת אֲשֶׁר צִוִּיתְךָ
לְמוֹעֵד חֹדֶשׁ הָאָבִיב כִּי בְּחֹדֶשׁ הָאָבִיב יָצָאתָ מִמִּצְרָיִם׃
19 כָּל־פֶּטֶר רֶחֶם לִי וְכָל־מִקְנְךָ תִּזָּכָר פֶּטֶר שׁוֹר וָשֶׂה׃
וּפֶטֶר חֲמֹר תִּפְדֶּה בְשֶׂה וְאִם־לֹא תִפְדֶּה וַעֲרַפְתּוֹ כָּל ב
(n. 2) 21 בְּכוֹר בָּנֶיךָ תִּפְדֶּה וְלֹא־יֵרָאוּ פָנַי רֵיקָם׃ שֵׁשֶׁת יָמִים
תַּעֲבֹד וּבַיּוֹם הַשְּׁבִיעִי תִּשְׁבֹּת בֶּחָרִישׁ וּבַקָּצִיר תִּשְׁבֹּת׃
(n. 3) 22 וְחַג שָׁבֻעוֹת תַּעֲשֶׂה לָךְ בִּכּוּרֵי קְצִיר חִטִּים וְחַג הָאָסִף
תְּקוּפַת הַשָּׁנָה׃ שָׁלֹשׁ פְּעָמִים בַּשָּׁנָה יֵרָאֶה כָּל־זְכוּרְךָ
23 אֶת־פְּנֵי הָאָדֹן ׀ יְהוָה אֱלֹהֵי יִשְׂרָאֵל׃ כִּי־אוֹרִישׁ גּוֹיִם
24 מִפָּנֶיךָ וְהִרְחַבְתִּי אֶת־גְּבֻלֶךָ וְלֹא־יַחְמֹד אִישׁ אֶת־אַרְצְךָ
בַּעֲלֹתְךָ לֵרָאוֹת אֶת־פְּנֵי יְהוָה אֱלֹהֶיךָ שָׁלֹשׁ פְּעָמִים בַּשָּׁנָה׃
לֹא־תִשְׁחַט עַל־חָמֵץ דַּם־זִבְחִי וְלֹא־יָלִין לַבֹּקֶר זֶבַח חַג ב
הַפָּסַח׃ רֵאשִׁית בִּכּוּרֵי אַדְמָתְךָ תָּבִיא בֵּית יְהוָה אֱלֹהֶיךָ
26 לֹא־תְבַשֵּׁל גְּדִי בַּחֲלֵב אִמּוֹ׃

Gemser, Uitti, *NJV*, *NAB*, *NEB*, *RSV* (18b)

Gemser, Uitti, *NAB*, *NEB*, *RSV* (24)

(c) *Notes*

1. (34:10-16) For a discussion of this introduction, see Chapter II, p. 89 and n. 107.

2. (34:21) Verse 21b does not constitute a separate legal prescription; see Chapter II, p. 82.

3. (34:22) Verse 22 contains two separate legal prescriptions; cf. Exod 23:16.

4. THE HOLINESS CODE (Leviticus 17-26)

(a) *The Legal Prescriptions*

| | Leviticus 17 | | Verses |
|---|---|---|---|
| | - | intro | (1-2) |
| (n. 1) | 1. | mc(3) | 3-7a |
| | | v.4bα⌐,5-6,7a | |
| | - | par | (7b) |
| | - | intro | (8aα) |
| | 2. | | 8aβ-9 |
| | 3. | mc(2) | 10-11 |
| | | v.11aαℵ,11aα⌐-b | |
| | - | sum | (12) |
| | 4. | | 13a-bα |
| | 5. | | 13bβ |
| | | mc v.14 | |
| | 6. | | 15 |
| | 7. | | 16 |
| | Leviticus 18 | | |
| (n. 2) | - | par intro | (1-5) |
| (n. 3) | 8. | mc | 6 |
| (n. 4) | 9. | mc | 7 |
| | 10. | mc | 8 |
| | 11. | | 9 |
| | 12. | mc | 10 |
| | 13. | mc | 11 |
| | 14. | mc | 12 |
| | 15. | mc | 13 |
| | 16. | mc | 14 |
| | 17. | mc | 15 |
| | 18. | mc | 16 |
| | 19. | | 17a |
| | 20. | | 17b |
| (n. 5) | | mc v.17bβ | |
| | 21. | | 18 |
| | 22. | | 19 |
| | 23. | | 20 |
| (n. 6) | 24. | mc(2) | 21 |
| | | v.21bα,bβ | |
| (n. 7) | 25. | mc | 22 |
| | 26. | | 23a |
| | 27. | | 23b |
| (n. 8) | | mc v.23bβ | |
| | - | par concl | (24-30) |
| | Leviticus 19 | | |
| | - | par intro | (1-2) |
| | 28. | | 3aα |
| | 29. | | 3aβ |
| | | mc v.3b | |
| | 30. | | 4aα |
| | 31. | | 4aβ |
| | | mc v.4b | |

| | Lev. 19 cont. | | Verses |
|---|---|---|---|
| | - | intro | (5) |
| | 32. | | 6aα |
| | 33. | | 6aβ |
| (n. 9) | 34. | mc | 7 |
| | 35. | mc | 8 |
| | 36. | | 9a |
| | 37. | | 9b |
| | 38. | | 10aα |
| | 39. | | 10aβ |
| | 40. | | 10bα |
| | | mc v.10bβ | |
| | 41. | | 11a |
| | 42. | | 11bα |
| | 43. | | 11bβ |
| (n.10) | 44. | mc(2) | 12 |
| | | v.12bα,bβ | |
| | 45. | | 13aα |
| | 46. | | 13aβ |
| | 47. | | 13b |
| | 48. | | 14aα |
| | 49. | | 14aβ |
| | - | par | (14b) |
| | - | intro | (15aα) |
| | 50. | | 15aβ |
| | 51. | | 15aγ |
| | - | concl | (15b) |
| | 52. | | 16aα |
| | 53. | | 16aβ |
| | | mc v.16b | |
| | 54. | | 17a |
| | 55. | mc | 17b |
| | 56. | | 18aα |
| | 57. | | 18aβ |
| | - | par | (18b) |
| | - | par | (19aα) |
| | 58. | | 19aβ |
| | 59. | | 19aγ |
| | 60. | | 19b |
| | 61. | mc | 20 |
| | 62. | | 21 |
| (n.11) | - | concl | (22) |
| | 63. | | 23 |
| | 64. | | 24 |
| | 65. | | 25aα |
| | | mc(2) v.25aβ,b | |
| | 66. | | 26a |
| | 67. | | 26bα |
| | 68. | | 26bβ |
| | 69. | | 27a |
| | 70. | | 27b |

| | Lev. 19 cont. | | Verses |
|---|---|---|---|
| | 71. | | 28aα |
| | 72. | | 28aβ |
| | | mc v.28b | |
| | 73. | mc | 29 |
| | 74. | | 30aα |
| | 75. | | 30aβ |
| | | mc v.30b | |
| | 76. | mc | 31 |
| | 77. | | 32aα |
| | 78. | | 32aβ |
| | - | par | (32b) |
| (n.12) | 79. | mc(2) | 33-34 |
| | | v.34aβ,b | |
| | 80. | mc | 35-36 |
| | - | par concl | (37) |
| | Leviticus 20 | | |
| | - | intro | (1-2aα) |
| | 81. | mc | 2aβ-3 |
| | 82. | | 4-5 |
| | 83. | | 6 |
| | - | par | (7-8) |
| (n.13) | 84. | mc | 9 |
| | 85. | | 10 |
| (n.14) | 86. | mc | 11 |
| | 87. | mc | 12 |
| (n.15) | 88. | mc | 13 |
| (n.16) | 89. | mc(2) | 14 |
| | | v.14aβ,bβ | |
| | 90. | | 15a |
| | 91. | | 15b |
| | 92. | | 16aα |
| | 93. | | 16aβ |
| | - | sum | (16b) |
| (n.17) | 94. | mc(2) | 17 |
| | | v.17aα ,b | |
| (n.18) | 95. | mc | 18 |
| | 96. | mc | 19 |
| (n.19) | 97. | mc | 20 |
| (n.20) | 98. | mc(2) | 21 |
| | | v.21aα ,bα | |
| | - | par | (22-26) |
| | 99. | | 27 |
| | Leviticus 21 | | |
| | - | intro | (1a-bα) |
| | 100. | | 1bβ-3 |
| | 101. | | 4 |
| | 102. | | 5aα |
| | 103. | | 5aβ |
| | 104. | | 5b |
| (n.21) | | mc v.6 | |

| | Lev. 21 cont. | | Verses |
|---|---|---|---|
| | 105. | | 7aα |
| | 106. | | 7aβ |
| | | mc(2) | |
| | | v.7b-8a,b | |
| (n.22) | 107. | mc | 9 |
| | 108. | | 10a-bα |
| | 109. | | 10bβ |
| | 110. | | 11 |
| | 111. | mc(2) | 12 |
| (n.23) | | v.12aβ-bα,bβ | |
| | 112. | mc | 13-15 |
| | - | intro | (16-17a) |
| (n.24) | 113. | mc | 17b-21 |
| | 114. | | 22 |
| | 115. | mc(2) | 23 |
| | | v.23aβ,b | |
| | - | concl | (24) |
| | Leviticus 22 | | |
| | - | intro | (1-2aא) |
| | 116. | mc(2) | 2aב-b |
| | | v.2aβ,bβ | |
| | - | intro | (3aא) |
| | 117. | mc | 3aב-b |
| | 118. | | 4a |
| | 119. | | 5b-6 |
| | 120. | mc | 7 |
| | 121. | mc | 8 |
| | - | par | (9) |
| | 122. | | 10a |
| | 123. | | 10b |
| | 124. | | 11a |
| | 125. | | 11b |
| | 126. | | 12 |
| | 127. | | 13a |
| | - | sum | (13b) |
| | 128. | | 14 |
| (n.25) | - | par concl | (15-16) |
| | - | intro | (17-18a) |
| | 129. | | 18b-19 |
| | 130. | mc | 20 |
| | 131. | | 21-22,24a |
| | 132. | | 23 |
| | 133. | | 24b |
| | 134. | mc(2) | 25 |
| | | v.25bα,bβ | |
| | - | intro | (26) |
| | 135. | | 27 |
| | 136. | | 28 |
| | - | intro | (29) |
| | 137. | mc | 30 |
| | - | par concl | (31-33) |

| | Leviticus 23 | | Verses |
|---|---|---|---|
| | - | intro | (1-2) |
| (n.26) | 138. | mc | 3 |
| | - | intro | (4) |
| | 139. | | 5 |
| | 140. | | 6a |
| | 141. | | 6b |
| | 142. | | 7 |
| | 143. | | 8a |
| | 144. | | 8b |
| | - | intro | (9-10aα) |
| | 145. | | 10aβ-b |
| | 146. | | 11 |
| | 147. | | 12-13 |
| | 148. | | 14a |
| | - | par | (14b) |
| | 149. | | 15-16a |
| | 150. | | 16b |
| | 151. | | 17 |
| | 152. | | 18 |
| | 153. | | 19a |
| | 154. | | 19b |
| | 155. | | 20 |
| | 156. | | 21a |
| | - | par | (21b) |
| | 157. | | 22aα |
| | 158. | | 22aβ |
| | 159. | | 22bα |
| | | mc v.22bβ | |
| | - | intro | (23-24a) |
| | 160. | | 24b-25a |
| | 161. | | 25b |
| | - | intro | (26) |
| | 162. | | 27a |
| | 163. | | 27b |
| | 164. | | 28a |
| | | mc(3) | |
| | | v.28b,29,30 | |
| | - | par concl | (31-32) |
| | - | intro | (33-34a) |
| | 165. | | 34b |
| | 166. | | 35 |
| | 167. | | 36a |
| (n.27) | 168. | mc | 36bα |
| | 169. | | 36bβ |
| | - | concl | (37-38) |
| | 170. | | 39 |
| | 171. | | 40-41a |
| | - | par concl | (41b) |
| | 172. | mc(2) | 42-43 |
| | | v.43a,b | |
| | - | concl | (44) |

| | Leviticus 24 | | Verses |
|---|---|---|---|
| | - | intro | (1-2aα) |
| | 173. | mc(2) | 2aβ-b |
| | | v.2aβ2,b | |
| | 174. | | 3a |
| | - | par | (3b) |
| | 175. | | 4 |
| | 176. | | 5-7 |
| | 177. | | 8 |
| | 178. | mc | 9 |
| | - | nl | (10-14) |
| | - | intro | (15) |
| | 179. | | 16 |
| | 180. | | 17 |
| | 181. | | 18 |
| | 182. | | 19-20 |
| | - | sum | (21) |
| | - | par concl | (22) |
| | - | nl | (23) |

| | Leviticus 25 | | |
|---|---|---|---|
| | - | intro | (1-2aα) |
| (n.28) | 183. | | 2aβ-5 |
| | - | sum | (6-7) |
| | 184. | | 8 |
| | 185. | | 9 |
| | 186. | | 10 |
| | 187. | mc | 11-12a |
| | 188. | | 12b |
| | - | sum | (13) |
| | 189. | mc | 14-16 |
| | - | par sum | (17) |
| | - | par | (18-22) |
| | 190. | mc(2) | 23aα |
| | | v.23aβ,b | |
| | - | intro | (24) |
| | 191. | | 25 |
| | 192. | | 26-27 |
| | 193. | | 28 |
| | 194. | | 29 |
| | 195. | | 30 |
| | 196. | | 31 |
| | 197. | | 32 |
| | 198. | mc | 33 |
| | 199. | mc | 34 |
| | 200. | mc | 35-38 |
| | 201. | | 39-40a |
| | 202. | | 40b-41 |
| | | mc v.42 | |
| | - | par sum | (43) |
| | 203. | | 44 |
| | 204. | | 45a |
| | 205. | | 45b-46a |
| | - | par sum | (46b) |

| Lev. 25 cont. | | Verses |
|---|---|---|
| 206. | | 47-49 |
| 207. | | 50-52 |
| 208. | | 53 |
| 209. | | 54 |
| | mc(2) | |
| | v.55a,b | |

| Leviticus 26 | | |
|---|---|---|
| 210. | | 1aα |
| 211. | | 1aβ |
| 212. | | 1aγ |
| | mc v.1b | |
| 213. | | 2aα |
| 214. | | 2aβ |
| | mc v.2b | |
| - | concl | (3-46) |

(b) *The Motive Clauses*

Leviticus 17

א 2 וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה לֵאמֹר׃ דַּבֵּר אֶל־אַהֲרֹן וְאֶל־בָּנָיו
וְאֶל כָּל־בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם זֶה הַדָּבָר אֲשֶׁר־
3 צִוָּה יְהוָה לֵאמֹר׃ אִישׁ אִישׁ מִבֵּית יִשְׂרָאֵל אֲשֶׁר יִשְׁחַט
שׁוֹר אוֹ־כֶשֶׂב אוֹ־עֵז בַּמַּחֲנֶה אוֹ אֲשֶׁר יִשְׁחַט מִחוּץ
4 לַמַּחֲנֶה׃ וְאֶל־פֶּתַח אֹהֶל מוֹעֵד לֹא הֱבִיאוֹ לְהַקְרִיב
(n. 1) קָרְבָּן לַיהוָה לִפְנֵי מִשְׁכַּן יְהוָה דָּם יֵחָשֵׁב לָאִישׁ הַהוּא
7 דָּם שָׁפָךְ וְנִכְרַת הָאִישׁ הַהוּא מִקֶּרֶב עַמּוֹ׃ לְמַעַן אֲשֶׁר
יָבִיאוּ בְנֵי יִשְׂרָאֵל אֶת־זִבְחֵיהֶם אֲשֶׁר הֵם זֹבְחִים עַל־
פְּנֵי הַשָּׂדֶה וְהֵבִיאָם לַיהוָה אֶל־פֶּתַח אֹהֶל מוֹעֵד אֶל
6 הַכֹּהֵן וְזָבְחוּ זִבְחֵי שְׁלָמִים לַיהוָה אוֹתָם׃ וְזָרַק הַכֹּהֵן
אֶת־הַדָּם עַל־מִזְבַּח יְהוָה פֶּתַח אֹהֶל מוֹעֵד וְהִקְטִיר הַחֵלֶב
7 לְרֵיחַ נִיחֹחַ לַיהוָה׃ וְלֹא־יִזְבְּחוּ עוֹד אֶת־זִבְחֵיהֶם לַשְּׂעִירִם
אֲשֶׁר הֵם זֹנִים אַחֲרֵיהֶם

וְאִישׁ אִישׁ מִבֵּית יִשְׂרָאֵל וּמִן
הַגֵּר הַגָּר בְּתוֹכָם אֲשֶׁר יֹאכַל כָּל־דָּם וְנָתַתִּי פָנַי בַּנֶּפֶשׁ
הָאֹכֶלֶת אֶת־הַדָּם וְהִכְרַתִּי אֹתָהּ מִקֶּרֶב עַמָּהּ׃ כִּי־ 11
נֶפֶשׁ הַבָּשָׂר בַּדָּם הִוא וַאֲנִי נְתַתִּיו לָכֶם עַל־הַמִּזְבֵּחַ
לְכַפֵּר עַל־נַפְשֹׁתֵיכֶם כִּי־הַדָּם הוּא בַנֶּפֶשׁ יְכַפֵּר׃ עַל־כֵּן 12
אָמַרְתִּי לִבְנֵי יִשְׂרָאֵל כָּל־נֶפֶשׁ מִכֶּם לֹא־תֹאכַל דָּם וְהַגֵּר
הַגָּר בְּתוֹכָכֶם לֹא־יֹאכַל דָּם׃ וְאִישׁ אִישׁ מִבְּנֵי יִשְׂרָאֵל 13
וּמִן־הַגֵּר הַגָּר בְּתוֹכָם אֲשֶׁר יָצוּד צַיִד חַיָּה אוֹ־עוֹף אֲשֶׁר
יֵאָכֵל וְשָׁפַךְ אֶת־דָּמוֹ וְכִסָּהוּ בֶּעָפָר׃ כִּי־נֶפֶשׁ כָּל־בָּשָׂר 14
דָּמוֹ בְנַפְשׁוֹ הוּא וָאֹמַר לִבְנֵי יִשְׂרָאֵל דַּם כָּל־בָּשָׂר לֹא
תֹאכֵלוּ כִּי נֶפֶשׁ כָּל־בָּשָׂר דָּמוֹ הוּא כָּל־אֹכְלָיו יִכָּרֵת׃

Uitti (4b)

Uitti (5-7); *NJV* (5-7a); *NEB* (5aα); *RSV* (5-6,7a?)

Gemser, *NAB* (11); Uitti, *NJV*, *NEB*, *RSV* (11-12)

Gemser, Uitti, *NAB*, *RSV* (14); *NJV*, *NEB* (14a,bα)

Leviticus 18

| | | |
|---|---|---|
| | 6 אִישׁ אִישׁ | Uitti (6b) |
| (n. 2) | אֶל־כָּל־שְׁאֵר בְּשָׂרוֹ לֹא תִקְרְבוּ לְגַלּוֹת עֶרְוָה אֲנִי יְהוָה: | Uitti, *NAB* (7bα) |
| (n. 3) | 7 ס עֶרְוַת אָבִיךָ וְעֶרְוַת אִמְּךָ לֹא תְגַלֶּה אִמְּךָ הִוא לֹא | Gemser, Uitti, *NAB* (8b); *NEB* (8b?) |
| | 8 תְגַלֶּה עֶרְוָתָהּ: ס עֶרְוַת אֵשֶׁת־אָבִיךָ לֹא תְגַלֶּה | Uitti, *NJV*, *NAB*, *RSV* (10b); *NEB* (10b?) |
| (n. 4) | 9 עֶרְוַת אֲחֹתְךָ בַּת־אָבִיךָ אוֹ | Uitti (11c); *NAB*, *RSV* (11aβ) |
| | בַּת־אִמְּךָ מוֹלֶדֶת בַּיִת אוֹ מוֹלֶדֶת חוּץ לֹא תְגַלֶּה עֶרְוָתָן: | Uitti, *NAB* (12b) |
| | ס עֶרְוַת בַּת־בִּנְךָ אוֹ בַת־בִּתְּךָ לֹא תְגַלֶּה עֶרְוָתָן כִּי | Gemser, Uitti, *NJV*, *NAB*, *RSV* (13b) |
| | 11 עֶרְוָתְךָ הֵנָּה: ס עֶרְוַת בַּת־אֵשֶׁת אָבִיךָ מוֹלֶדֶת | Uitti, *NAB* (14b) |
| | 12 אָבִיךָ אֲחוֹתְךָ הִיא לֹא תְגַלֶּה עֶרְוָתָהּ: ס עֶרְוַת | Uitti (15bα) |
| | 13 אֲחוֹת־אִמְּךָ לֹא תְגַלֶּה שְׁאֵר אִמְּךָ הִוא: ס עֶרְוַת | Uitti, *NAB* (16b); *NEB* (16b?) |
| | 14 אֲחוֹת־אָבִיךָ לֹא תְגַלֶּה בְּל־שְׁאֵר אִמְּךָ הִוא: ס עֶרְוַת | Gemser, *NAB* (17bβ); Uitti (17b,c) |
| | אֲחִי־אָבִיךָ לֹא תְגַלֶּה אֶל־אִשְׁתּוֹ לֹא תִקְרָב דֹּדָתְךָ הִוא: | Uitti (21b) |
| | טו ס עֶרְוַת כַּלָּתְךָ לֹא תְגַלֶּה אֵשֶׁת בִּנְךָ הִוא לֹא תְגַלֶּה | Gemser, Uitti (22b) |
| | 16 עֶרְוָתָהּ: ס עֶרְוַת אֵשֶׁת־אָחִיךָ לֹא תְגַלֶּה עֶרְוַת | Gemser, Uitti (23b) |
| | 17 אָחִיךָ הִוא: ס עֶרְוַת אִשָּׁה וּבִתָּהּ לֹא תְגַלֶּה אֶת־ | |
| (n. 5) | בַּת־בִּנָּהּ וְאֶת־בַּת־בִּתָּהּ לֹא תִקַּח לְגַלּוֹת עֶרְוָתָהּ שַׁאֲרָה | |
| | 18 הֵנָּה זִמָּה הִוא: וְאִשָּׁה אֶל־אֲחֹתָהּ לֹא תִקָּח לִצְרֹר לְגַלּוֹת | |
| | 19 עֶרְוָתָהּ עָלֶיהָ בְּחַיֶּיהָ: וְאֶל־אִשָּׁה בְּנִדַּת טֻמְאָתָהּ לֹא תִקְרַב | |
| | כ לְגַלּוֹת עֶרְוָתָהּ: וְאֶל־אֵשֶׁת עֲמִיתְךָ לֹא־תִתֵּן שְׁכָבְתְּךָ | |
| (n. 6) | 21 לְזֶרַע לְטָמְאָה־בָהּ: וּמִזַּרְעֲךָ לֹא־תִתֵּן לְהַעֲבִיר לַמֹּלֶךְ וְלֹא | |
| | 22 תְחַלֵּל אֶת־שֵׁם אֱלֹהֶיךָ אֲנִי יְהוָה: וְאֶת־זָכָר לֹא תִשְׁכַּב | |
| (n. 7) | 23 מִשְׁכְּבֵי אִשָּׁה תּוֹעֵבָה הִוא: וּבְכָל־בְּהֵמָה לֹא־תִתֵּן שְׁכָבְתְּךָ | |
| (n. 8) | לְטָמְאָה־בָהּ וְאִשָּׁה לֹא־תַעֲמֹד לִפְנֵי בְהֵמָה לִרְבָעָהּ תֶּבֶל | |
| | הוּא: | |

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| | | |
|---|---|---|
| 3 | אִישׁ אִמּוֹ וְאָבִיו תִּירָאוּ וְאֶת־שַׁבְּתֹתַי תִּשְׁמֹרוּ | Uitti (3b) |
| 4 | אֲנִי יְהוָה אֱלֹהֵיכֶם: אַל־תִּפְנוּ אֶל־הָאֱלִילִם וֵאלֹהֵי מַסֵּכָה | Uitti (4b) |
| ה | לֹא תַעֲשׂוּ לָכֶם אֲנִי יְהוָה אֱלֹהֵיכֶם: וְכִי תִזְבְּחוּ זֶבַח | Uitti, *NJV*, *NEB*, *RSV* (8aβ); *NAB* (8aβ?) |
| 6 | שְׁלָמִים לַיהוָה לִרְצֹנְכֶם תִּזְבָּחֻהוּ: בְּיוֹם זִבְחֲכֶם יֵאָכֵל | |
| (n. 9) 7 | וּמִמָּחֳרָת וְהַנּוֹתָר עַד־יוֹם הַשְּׁלִשִׁי בָּאֵשׁ יִשָּׂרֵף: וְאִם | Uitti (10bβ) |
| 8 | הֵאָכֹל יֵאָכֵל בַּיּוֹם הַשְּׁלִשִׁי פִּגּוּל הוּא לֹא יֵרָצֶה: וְאֹכְלָיו | Uitti (12b) |
| | עֲוֹנוֹ יִשָּׂא כִּי־אֶת־קֹדֶשׁ יְהוָה חִלֵּל וְנִכְרְתָה הַנֶּפֶשׁ הַהִוא | Uitti (16b) |
| 9 | מֵעַמֶּיהָ: וּבְקֻצְרְכֶם אֶת־קְצִיר אַרְצְכֶם לֹא תְכַלֶּה פְּאַת | Uitti (17c) |
| | שָׂדְךָ לְקֻצֵּר וְלֶקֶט קְצִירְךָ לֹא תְלַקֵּט: וְכַרְמְךָ לֹא תְעוֹלֵל | Gemser, Uitti, *NJV*, *NAB*, *NEB*, *RSV* (20bβ) |
| (n.10) 11 | וּפֶרֶט כַּרְמְךָ לֹא תְלַקֵּט לֶעָנִי וְלַגֵּר תַּעֲזֹב אֹתָם אֲנִי יְהוָה | Uitti (25aβ,b); *NJV*, *RSV* (25aβ) |
| | אֱלֹהֵיכֶם: לֹא תִגְנֹבוּ וְלֹא־תְכַחֲשׁוּ וְלֹא־תְשַׁקְּרוּ אִישׁ | Uitti (28b) |
| 12 | בַּעֲמִיתוֹ: וְלֹא־תִשָּׁבְעוּ בִשְׁמִי לַשָּׁקֶר וְחִלַּלְתָּ אֶת־שֵׁם | Uitti, *NJV*, *NAB*, *RSV* (29b) |
| 13 | אֱלֹהֶיךָ אֲנִי יְהוָה: לֹא־תַעֲשֹׁק אֶת־רֵעֲךָ וְלֹא תִגְזֹל לֹא | Uitti (30b) |
| 14 | תָלִין פְּעֻלַּת שָׂכִיר אִתְּךָ עַד־בֹּקֶר: לֹא־תְקַלֵּל חֵרֵשׁ וְלִפְנֵי | Uitti (31b ) |
| שׁ 15 | עִוֵּר לֹא תִתֵּן מִכְשֹׁל וְיָרֵאתָ מֵאֱלֹהֶיךָ אֲנִי יְהוָה: לֹא־תַעֲשׂוּ | Uitti (34b); *NJV*, *NAB*, *NEB*, *RSV* (34aβ) |
| | עָוֶל בַּמִּשְׁפָּט לֹא־תִשָּׂא פְנֵי־דָל וְלֹא תֶהְדַּר פְּנֵי גָדוֹל | Gemser, Uitti (36b) |
| 16 | בְּצֶדֶק תִּשְׁפֹּט עֲמִיתֶךָ: לֹא־תֵלֵךְ רָכִיל בְּעַמֶּיךָ לֹא תַעֲמֹד | |
| 17 | עַל־דַּם רֵעֶךָ אֲנִי יְהוָה: לֹא־תִשְׂנָא אֶת־אָחִיךָ בִּלְבָבֶךָ | |
| 18 | הוֹכֵחַ תּוֹכִיחַ אֶת־עֲמִיתֶךָ וְלֹא־תִשָּׂא עָלָיו חֵטְא: לֹא־ | |
| | תִקֹּם וְלֹא־תִטֹּר אֶת־בְּנֵי עַמֶּךָ וְאָהַבְתָּ לְרֵעֲךָ כָּמוֹךָ אֲנִי | |
| 19 | יְהוָה: אֶת־חֻקֹּתַי תִּשְׁמֹרוּ בְּהֶמְתְּךָ לֹא־תַרְבִּיעַ כִּלְאַיִם | |
| | שָׂדְךָ לֹא־תִזְרַע כִּלְאָיִם וּבֶגֶד כִּלְאַיִם שַׁעַטְנֵז לֹא יַעֲלֶה | |
| כ | עָלֶיךָ: וְאִישׁ כִּי־יִשְׁכַּב אֶת־אִשָּׁה שִׁכְבַת־זֶרַע וְהִוא שִׁפְחָה | |
| | נֶחֱרֶפֶת לְאִישׁ וְהָפְדֵּה לֹא נִפְדְּתָה אוֹ חׇפְשָׁה לֹא נִתַּן | |
| | לָהּ בִּקֹּרֶת תִּהְיֶה לֹא יומתו כִּי־לֹא חׇפְשָׁה: | |
| 23 | וְכִי־תָבֹאוּ אֶל־הָאָרֶץ וּנְטַעְתֶּם כָּל־עֵץ מַאֲכָל וַעֲרַלְתֶּם | |
| | עָרְלָתוֹ אֶת־פִּרְיוֹ שָׁלֹשׁ שָׁנִים יִהְיֶה לָכֶם עֲרֵלִים לֹא יֵאָכֵל: | |
| 24 | וּבַשָּׁנָה הָרְבִיעִת יִהְיֶה כָל־פִּרְיוֹ קֹדֶשׁ הִלּוּלִים לַיהוָה: | |
| כה | וּבַשָּׁנָה הַחֲמִישִׁת תֹּאכְלוּ אֶת־פִּרְיוֹ לְהוֹסִיף לָכֶם תְּבוּאָתוֹ | |
| 26 | אֲנִי יְהוָה אֱלֹהֵיכֶם: לֹא תֹאכְלוּ עַל־הַדָּם לֹא תְנַחֲשׁוּ | |
| 27 | וְלֹא תְעוֹנְנוּ: לֹא תַקִּפוּ פְּאַת רֹאשְׁכֶם וְלֹא תַשְׁחִית אֶת | |
| 28 | פְּאַת זְקָנֶךָ: וְשֶׂרֶט לָנֶפֶשׁ לֹא תִתְּנוּ בִבְשַׂרְכֶם וּכְתֹבֶת | |
| 29 | קַעֲקַע לֹא תִתְּנוּ בָכֶם אֲנִי יְהוָה: אַל־תְּחַלֵּל אֶת־בִּתְּךָ | |
| ל | לְהַזְנוֹתָהּ וְלֹא־תִזְנֶה הָאָרֶץ וּמָלְאָה הָאָרֶץ זִמָּה: אֶת־ | |
| 31 | שַׁבְּתֹתַי תִּשְׁמֹרוּ וּמִקְדָּשִׁי תִּירָאוּ אֲנִי יְהוָה: אַל־תִּפְנוּ | |
| | אֶל־הָאֹבֹת וְאֶל־הַיִּדְּעֹנִים אַל־תְּבַקְשׁוּ לְטָמְאָה בָהֶם אֲנִי | |
| 32 | יְהוָה אֱלֹהֵיכֶם: מִפְּנֵי שֵׂיבָה תָקוּם וְהָדַרְתָּ פְּנֵי זָקֵן וְיָרֵאתָ | |
| 33 | מֵאֱלֹהֶיךָ אֲנִי יְהוָה: ס וְכִי־יָגוּר אִתְּךָ גֵּר בְּאַרְצְכֶם לֹא | |
| 34 | תוֹנוּ אֹתוֹ: כְּאֶזְרָח מִכֶּם יִהְיֶה לָכֶם הַגֵּר־הַגָּר אִתְּכֶם | |
| (n.12) | וְאָהַבְתָּ לוֹ כָמוֹךָ כִּי־גֵרִים הֱיִיתֶם בְּאֶרֶץ מִצְרָיִם אֲנִי יְהוָה | |
| לה | אֱלֹהֵיכֶם: לֹא־תַעֲשׂוּ עָוֶל בַּמִּשְׁפָּט בַּמִּדָּה בַּמִּשְׁקָל | |
| 36 | וּבַמְּשׂוּרָה: מֹאזְנֵי צֶדֶק אַבְנֵי־צֶדֶק אֵיפַת צֶדֶק וְהִין צֶדֶק | |
| | יִהְיֶה לָכֶם אֲנִי יְהוָה אֱלֹהֵיכֶם אֲשֶׁר־הוֹצֵאתִי אֶתְכֶם מֵאֶרֶץ | |
| | מִצְרָיִם: | |

Leviticus 20

א 2 וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה לֵאמֹר: וְאֶל־בְּנֵי יִשְׂרָאֵל תֹּאמַר
אִישׁ אִישׁ מִבְּנֵי יִשְׂרָאֵל וּמִן־הַגֵּר ׀ הַגָּר בְּיִשְׂרָאֵל אֲשֶׁר
יִתֵּן מִזַּרְעוֹ לַמֹּלֶךְ מוֹת יוּמָת עַם הָאָרֶץ יִרְגְּמוּ בָאָבֶן:
3 וַאֲנִי אֶתֵּן אֶת־פָּנַי בָּאִישׁ הַהוּא וְהִכְרַתִּי אֹתוֹ מִקֶּרֶב עַמּוֹ
כִּי מִזַּרְעוֹ נָתַן לַמֹּלֶךְ לְמַעַן טַמֵּא אֶת־מִקְדָּשִׁי וּלְחַלֵּל אֶת־
שֵׁם קָדְשִׁי:
9 כִּי־אִישׁ אִישׁ אֲשֶׁר יְקַלֵּל אֶת־אָבִיו וְאֶת־אִמּוֹ
(n.13) מוֹת יוּמָת אָבִיו וְאִמּוֹ קִלֵּל דָּמָיו בּוֹ: וְאִישׁ אֲשֶׁר יִנְאַף ׀
אֶת־אֵשֶׁת אִישׁ אֲשֶׁר יִנְאַף אֶת־אֵשֶׁת רֵעֵהוּ מוֹת־יוּמַת
(n.14) הַנֹּאֵף וְהַנֹּאָפֶת: 11 וְאִישׁ אֲשֶׁר יִשְׁכַּב אֶת־אֵשֶׁת אָבִיו עֶרְוַת
אָבִיו גִּלָּה מוֹת־יוּמְתוּ שְׁנֵיהֶם דְּמֵיהֶם בָּם: 12 וְאִישׁ אֲשֶׁר
יִשְׁכַּב אֶת־כַּלָּתוֹ מוֹת יוּמְתוּ שְׁנֵיהֶם תֶּבֶל עָשׂוּ דְּמֵיהֶם
(n.15) בָּם: 13 וְאִישׁ אֲשֶׁר יִשְׁכַּב אֶת־זָכָר מִשְׁכְּבֵי אִשָּׁה תּוֹעֵבָה
(n.16) עָשׂוּ שְׁנֵיהֶם מוֹת יוּמָתוּ דְּמֵיהֶם בָּם: 14 וְאִישׁ אֲשֶׁר יִקַּח
אֶת־אִשָּׁה וְאֶת־אִמָּהּ זִמָּה הִוא בָּאֵשׁ יִשְׂרְפוּ אֹתוֹ וְאֹתָהֶן
וְלֹא־תִהְיֶה זִמָּה בְּתוֹכְכֶם: טו וְאִישׁ אֲשֶׁר יִתֵּן שְׁכָבָתוֹ
בִּבְהֵמָה מוֹת יוּמָת וְאֶת־הַבְּהֵמָה תַּהַרְגוּ: 16 וְאִשָּׁה אֲשֶׁר
תִּקְרַב אֶל־כָּל־בְּהֵמָה לִרְבָעָה אֹתָהּ וְהָרַגְתָּ אֶת־הָאִשָּׁה
וְאֶת־הַבְּהֵמָה מוֹת יוּמְתוּ דְמֵיהֶם בָּם: 17 וְאִישׁ אֲשֶׁר־יִקַּח
(n.17) אֶת־אֲחֹתוֹ בַּת־אָבִיו אוֹ־בַת־אִמּוֹ וְרָאָה אֶת־עֶרְוָתָהּ וְהִוא
תִרְאֶה אֶת־עֶרְוָתוֹ חֶסֶד הוּא וְנִכְרְתוּ לְעֵינֵי בְנֵי עַמָּם
(n.18) עֶרְוַת אֲחֹתוֹ גִּלָּה עֲוֹנוֹ יִשָּׂא: 18 וְאִישׁ אֲשֶׁר יִשְׁכַּב אֶת־אִשָּׁה
דָּוָה וְגִלָּה אֶת־עֶרְוָתָהּ אֶת־מְקֹרָהּ הֶעֱרָה וְהִוא גִּלְּתָה אֶת־
מְקוֹר דָּמֶיהָ וְנִכְרְתוּ שְׁנֵיהֶם מִקֶּרֶב עַמָּם: 19 וְעֶרְוַת אֲחוֹת
(n.19) אִמְּךָ וַאֲחוֹת אָבִיךָ לֹא תְגַלֶּה כִּי אֶת־שְׁאֵרוֹ הֶעֱרָה עָוֹנָם
יִשָּׂאוּ: כ וְאִישׁ אֲשֶׁר יִשְׁכַּב אֶת־דֹּדָתוֹ עֶרְוַת דֹּדוֹ גִּלָּה
(n.20) חֵטְאָם יִשְׂאוּ עֲרִירִים יָמֻתוּ: 21 וְאִישׁ אֲשֶׁר יִקַּח אֶת־אֵשֶׁת
אָחִיו נִדָּה הִוא עֶרְוַת אָחִיו גִּלָּה עֲרִירִים יִהְיוּ:

Uitti (3); *NJV*, *NAB*, *RSV* (3b)

Uitti, *NAB* (9bα)

Gemser, Uitti, *NAB* (12bα)

Gemser (13aα)

Uitti (14bγ); *NJV*, *NAB*, *RSV* (14bβ)

Uitti (17bα)

Uitti (19aβ); *NJV*, *RSV* (19bα)

Uitti, *NAB* (21bα)

Leviticus 21

וַיֹּאמֶר יְהוָה אֶל־מֹשֶׁה אֱמֹר אֶל־הַכֹּהֲנִים בְּנֵי אַהֲרֹן ס
וְאָמַרְתָּ אֲלֵהֶם לְנֶפֶשׁ לֹא־יִטַּמָּא בְּעַמָּיו: כִּי אִם־לִשְׁאֵרוֹ
הַקָּרֹב אֵלָיו לְאִמּוֹ וּלְאָבִיו וְלִבְנוֹ וּלְבִתּוֹ וּלְאָחִיו: וְלַאֲחֹתוֹ
הַבְּתוּלָה הַקְּרוֹבָה אֵלָיו אֲשֶׁר לֹא־הָיְתָה לְאִישׁ לָהּ יִטַּמָּא:
לֹא יִטְמָא בַּעַל בְּעַמָּיו לְהֻחֳלּוֹ: לִא־קָרְחָה קָרְחָה בְּרֹאשָׁם
וּפְאַת זְקָנָם לֹא יְגַלֵּחוּ וּבִבְשָׂרָם לֹא יִשְׂרְטוּ שָׂרָטֶת:
(n.21) קְדֹשִׁים יִהְיוּ לֵאלֹהֵיהֶם וְלֹא יְחַלְּלוּ שֵׁם אֱלֹהֵיהֶם כִּי
אֶת־אִשֵּׁי יְהוָה לֶחֶם אֱלֹהֵיהֶם הֵם מַקְרִיבִם וְהָיוּ קֹדֶשׁ:
אִשָּׁה זֹנָה וַחֲלָלָה לֹא יִקָּחוּ וְאִשָּׁה גְרוּשָׁה מֵאִישָׁהּ לֹא
יִקָּחוּ כִּי־קָדֹשׁ הוּא לֵאלֹהָיו: וְקִדַּשְׁתּוֹ כִּי אֶת־לֶחֶם אֱלֹהֶיךָ
הוּא מַקְרִיב קָדֹשׁ יִהְיֶה־לָּךְ כִּי קָדוֹשׁ אֲנִי יְהוָה מְקַדִּשְׁכֶם:
וּבַת אִישׁ כֹּהֵן כִּי תָחֵל לִזְנוֹת אֶת־אָבִיהָ הִיא מְחַלֶּלֶת
(n.22) בָּאֵשׁ תִּשָּׂרֵף: וְהַכֹּהֵן הַגָּדוֹל מֵאֶחָיו אֲשֶׁר־יוּצַק
עַל־רֹאשׁוֹ ׀ שֶׁמֶן הַמִּשְׁחָה וּמִלֵּא אֶת־יָדוֹ לִלְבֹּשׁ אֶת־
הַבְּגָדִים אֶת־רֹאשׁוֹ לֹא יִפְרָע וּבְגָדָיו לֹא יִפְרֹם: וְעַל
כָּל־נְפָשֹׁת מֵת לֹא יָבֹא לְאָבִיו וּלְאִמּוֹ לֹא יִטְמָא: וּמִן
הַמִּקְדָּשׁ לֹא יֵצֵא וְלֹא יְחַלֵּל אֶת מִקְדַּשׁ אֱלֹהָיו כִּי נֵזֶר
(n.23) שֶׁמֶן מִשְׁחַת אֱלֹהָיו עָלָיו אֲנִי יְהוָה: וְהוּא אִשָּׁה בִּבְתוּלֶתָהּ
יִקָּח: אַלְמָנָה וּגְרוּשָׁה וַחֲלָלָה זוֹנָה אֶת־אֵלֶּה לֹא יִקָּח
כִּי אִם־בְּתוּלָה מֵעַמָּיו יִקַּח אִשָּׁה: וְלֹא־יְחַלֵּל זַרְעוֹ בְּעַמָּיו
כִּי אֲנִי יְהוָה מְקַדְּשׁוֹ: ס שני וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה
לֵאמֹר: דַּבֵּר אֶל־אַהֲרֹן לֵאמֹר אִישׁ מִזַּרְעֲךָ לְדֹרֹתָם אֲשֶׁר
(n.24) יִהְיֶה בּוֹ מוּם לֹא יִקְרַב לְהַקְרִיב לֶחֶם אֱלֹהָיו: כִּי כָל־
אִישׁ אֲשֶׁר־בּוֹ מוּם לֹא יִקְרָב אִישׁ עִוֵּר אוֹ פִסֵּחַ אוֹ חָרֻם
אוֹ שָׂרוּעַ: אוֹ אִישׁ אֲשֶׁר־יִהְיֶה בּוֹ שֶׁבֶר רָגֶל אוֹ שֶׁבֶר
כ יָד: אוֹ־גִבֵּן אוֹ־דַק אוֹ תְבַלֻּל בְּעֵינוֹ אוֹ גָרָב אוֹ יַלֶּפֶת
אוֹ מָרוֹחַ אָשָׁךְ: כָּל־אִישׁ אֲשֶׁר־בּוֹ מוּם מִזֶּרַע אַהֲרֹן
הַכֹּהֵן לֹא יִגַּשׁ לְהַקְרִיב אֶת־אִשֵּׁי יְהוָה מוּם בּוֹ אֶת לֶחֶם
אֱלֹהָיו לֹא יִגַּשׁ לְהַקְרִיב: לֶחֶם אֱלֹהָיו מִקָּדְשֵׁי הַקֳּדָשִׁים
כג וּמִן־הַקֳּדָשִׁים יֹאכֵל: אַךְ אֶל־הַפָּרֹכֶת לֹא יָבֹא וְאֶל־
הַמִּזְבֵּחַ לֹא יִגַּשׁ כִּי־מוּם בּוֹ וְלֹא יְחַלֵּל אֶת־מִקְדָּשַׁי כִּי
כד אֲנִי יְהוָה מְקַדְּשָׁם: וַיְדַבֵּר מֹשֶׁה אֶל־אַהֲרֹן וְאֶל־בָּנָיו
וְאֶל־כָּל־בְּנֵי יִשְׂרָאֵל:

Uitti (6b,c); *NJV*, *NEB*, *RSV* (6b)

Uitti (7c); *NJV* (7b-8); *NAB*, *NEB*, *RSV* (7b)

Gemser (8b); Uitti (8aβ,c); *NAB* (8bβ); *NEB*, *RSV* (8aβ,bβ)

Uitti, *NJV*, *NEB*, *RSV* (12b); *NAB* (12aβ,b)

Uitti, *NJV*, *RSV* (15); *NAB* (15a); *NEB* (15b)

Uitti (18-23); *NJV*, *NAB*, *NEB* (21bα); *RSV* (18-21)

Gemser (23c); *NJV*, *NEB* (23aβ); *NAB* (23bβ); *RSV* (23aβ-b)

Leviticus 22

א 2 וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה לֵאמֹר: דַּבֵּר אֶל־אַהֲרֹן וְאֶל־בָּנָיו
וְיִנָּזְרוּ מִקָּדְשֵׁי בְנֵי־יִשְׂרָאֵל וְלֹא יְחַלְּלוּ אֶת־שֵׁם קָדְשִׁי
3 אֲשֶׁר הֵם מַקְדִּישִׁם לִי אֲנִי יְהוָה: אֱמֹר אֲלֵהֶם לְדֹרֹתֵיכֶם
כָּל־אִישׁ ו אֲשֶׁר־יִקְרַב מִכָּל־זַרְעֲכֶם אֶל־הַקֳּדָשִׁים אֲשֶׁר
יַקְדִּישׁוּ בְנֵי־יִשְׂרָאֵל לַיהוָה וְטֻמְאָתוֹ עָלָיו וְנִכְרְתָה הַנֶּפֶשׁ
4 הַהוּא מִלְּפָנַי אֲנִי יְהוָה: אִישׁ אִישׁ מִזֶּרַע אַהֲרֹן וְהוּא
צָרוּעַ אוֹ זָב בַּקֳּדָשִׁים לֹא יֹאכַל עַד אֲשֶׁר יִטְהָר וְהַנֹּגֵעַ
בְּכָל־טְמֵאַת נָפֶשׁ אוֹ אִישׁ אֲשֶׁר־תֵּצֵא מִמֶּנּוּ שִׁכְבַת־זָרַע:
ה אוֹ־אִישׁ אֲשֶׁר יִגַּע בְּכָל־שֶׁרֶץ אֲשֶׁר יִטְמָא־לוֹ אוֹ בְאָדָם
6 אֲשֶׁר יִטְמָא־לוֹ לְכֹל טֻמְאָתוֹ: נֶפֶשׁ אֲשֶׁר תִּגַּע־בּוֹ וְטָמְאָה
עַד־הָעֶרֶב וְלֹא יֹאכַל מִן־הַקֳּדָשִׁים כִּי אִם־רָחַץ בְּשָׂרוֹ
7 בַּמָּיִם: וּבָא הַשֶּׁמֶשׁ וְטָהֵר וְאַחַר יֹאכַל מִן־הַקֳּדָשִׁים
8 כִּי לַחְמוֹ הוּא: נְבֵלָה וּטְרֵפָה לֹא יֹאכַל לְטָמְאָה־בָהּ
אֲנִי יְהוָה:

17 וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה לֵאמֹר: דַּבֵּר אֶל־אַהֲרֹן וְאֶל־בָּנָיו
18 וְאֶל כָּל־בְּנֵי יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם אִישׁ אִישׁ מִבֵּית
יִשְׂרָאֵל וּמִן־הַגֵּר בְּיִשְׂרָאֵל אֲשֶׁר יַקְרִיב קָרְבָּנוֹ לְכָל־
נִדְרֵיהֶם וּלְכָל־נִדְבוֹתָם אֲשֶׁר־יַקְרִיבוּ לַיהוָה לְעֹלָה:
19 לִרְצֹנְכֶם תָּמִים זָכָר בַּבָּקָר בַּכְּשָׂבִים וּבָעִזִּים: כָּל אֲשֶׁר־ כ
21 בּוֹ מוּם לֹא תַקְרִיבוּ כִּי־לֹא לְרָצוֹן יִהְיֶה לָכֶם: וְאִישׁ כִּי־
יַקְרִיב זֶבַח שְׁלָמִים לַיהוָה לְפַלֵּא־נֶדֶר אוֹ לִנְדָבָה בַּבָּקָר
22 אוֹ בַצֹּאן תָּמִים יִהְיֶה לְרָצוֹן כָּל־מוּם לֹא יִהְיֶה־בּוֹ: עִוֶּרֶת
אוֹ שָׁבוּר אוֹ־חָרוּץ אוֹ־יַבֶּלֶת אוֹ גָרָב אוֹ יַלֶּפֶת לֹא־
תַקְרִיבוּ אֵלֶּה לַיהוָה וְאִשֶּׁה לֹא־תִתְּנוּ מֵהֶם עַל־הַמִּזְבֵּחַ
23 לַיהוָה: וְשׁוֹר וָשֶׂה שָׂרוּעַ וְקָלוּט נְדָבָה תַּעֲשֶׂה אֹתוֹ וְלִנֶדֶר
24 לֹא יֵרָצֶה: וּמָעוּךְ וְכָתוּת וְנָתוּק וְכָרוּת לֹא תַקְרִיבוּ לַיהוָה
כה וּבְאַרְצְכֶם לֹא תַעֲשׂוּ: וּמִיַּד בֶּן־נֵכָר לֹא תַקְרִיבוּ אֶת־לֶחֶם
אֱלֹהֵיכֶם מִכָּל־אֵלֶּה כִּי מָשְׁחָתָם בָּהֶם מוּם בָּם לֹא יֵרָצוּ
לָכֶם:

29 וְכִי־תִזְבְּחוּ
ל זֶבַח־תּוֹדָה לַיהוָה לִרְצֹנְכֶם תִּזְבָּחוּ: בַּיּוֹם הַהוּא יֵאָכֵל
לֹא־תוֹתִירוּ מִמֶּנּוּ עַד־בֹּקֶר אֲנִי יְהוָה:

Uitti (2b); *NJV*, *NAB*, *NEB*, *RSV* (2aβ)

Uitti (3b)

Uitti, *NJV*, *NEB*, *RSV* (7bβ)

Uitti (8b)

Uitti, *NJV*, *NAB*, *NEB*, *RSV* (20b)

Uitti (25b); *NJV*, *NAB*, *RSV* (25bα)

Uitti (30b)

Leviticus 23

א 2 וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה לֵאמֹר: דַּבֵּר אֶל־בְּנֵי יִשְׂרָאֵל
וְאָמַרְתָּ אֲלֵהֶם מוֹעֲדֵי יְהוָה אֲשֶׁר־תִּקְרְאוּ אֹתָם מִקְרָאֵי
קֹדֶשׁ אֵלֶּה הֵם מוֹעֲדָי: 3 שֵׁשֶׁת יָמִים תֵּעָשֶׂה מְלָאכָה וּבַיּוֹם
הַשְּׁבִיעִי שַׁבַּת שַׁבָּתוֹן מִקְרָא־קֹדֶשׁ כָּל־מְלָאכָה לֹא תַעֲשׂוּ
שַׁבָּת הִוא לַיהוָה בְּכֹל מוֹשְׁבֹתֵיכֶם:

Uitti (3b)

Gemser (22b)

Gemser, *NJV*, *NAB*, *NEB* (28b); Uitti, *RSV* (28b-29)

Uitti (36c)

(n.26)

Gemser, Uitti, *NJV* (43); *NAB*, *NEB* (43a); *RSV* (43a,b?)

22 וּבְקֻצְרְכֶם אֶת־קְצִיר אַרְצְכֶם
לֹא־תְכַלֶּה פְּאַת שָׂדְךָ בְּקֻצְרֶךָ וְלֶקֶט קְצִירְךָ לֹא תְלַקָּט
לֶעָנִי וְלַגֵּר תַּעֲזֹב אֹתָם אֲנִי יְהוָה אֱלֹהֵיכֶם:

26 וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה
27 לֵאמֹר: אַךְ בֶּעָשׂוֹר לַחֹדֶשׁ הַשְּׁבִיעִי הַזֶּה יוֹם הַכִּפֻּרִים
הוּא מִקְרָא־קֹדֶשׁ יִהְיֶה לָכֶם וְעִנִּיתֶם אֶת־נַפְשֹׁתֵיכֶם
28 וְהִקְרַבְתֶּם אִשֶּׁה לַיהוָה: וְכָל־מְלָאכָה לֹא תַעֲשׂוּ בְּעֶצֶם
הַיּוֹם הַזֶּה כִּי יוֹם כִּפֻּרִים הוּא לְכַפֵּר עֲלֵיכֶם לִפְנֵי יְהוָה
29 אֱלֹהֵיכֶם: כִּי כָל־הַנֶּפֶשׁ אֲשֶׁר לֹא־תְעֻנֶּה בְּעֶצֶם הַיּוֹם
ל הַזֶּה וְנִכְרְתָה מֵעַמֶּיהָ: וְכָל־הַנֶּפֶשׁ אֲשֶׁר תַּעֲשֶׂה כָּל־
מְלָאכָה בְּעֶצֶם הַיּוֹם הַזֶּה וְהַאֲבַדְתִּי אֶת־הַנֶּפֶשׁ הַהִוא
מִקֶּרֶב עַמָּהּ:

36 שִׁבְעַת יָמִים תַּקְרִיבוּ אִשֶּׁה
לַיהוָה בַּיּוֹם הַשְּׁמִינִי מִקְרָא־קֹדֶשׁ יִהְיֶה לָכֶם וְהִקְרַבְתֶּם
אִשֶּׁה לַיהוָה עֲצֶרֶת הִוא כָּל־מְלֶאכֶת עֲבֹדָה לֹא תַעֲשׂוּ:

(n.27)

42 בַּסֻּכֹּת תֵּשְׁבוּ שִׁבְעַת יָמִים
43 כָּל־הָאֶזְרָח בְּיִשְׂרָאֵל יֵשְׁבוּ בַּסֻּכֹּת: לְמַעַן יֵדְעוּ דֹרֹתֵיכֶם
כִּי בַסֻּכּוֹת הוֹשַׁבְתִּי אֶת־בְּנֵי יִשְׂרָאֵל בְּהוֹצִיאִי אוֹתָם
מֵאֶרֶץ מִצְרָיִם אֲנִי יְהוָה אֱלֹהֵיכֶם:

Leviticus 24

א 2 וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה לֵאמֹר: צַו אֶת־בְּנֵי יִשְׂרָאֵל וְיִקְחוּ
אֵלֶיךָ שֶׁמֶן זַיִת זָךְ כָּתִית לַמָּאוֹר לְהַעֲלֹת נֵר תָּמִיד:

*NJV*, *NAB*, *RSV* (20aβ,b)

Uitti (9c); *NJV*, *NAB*, *RSV* (9b); *NEB* (9bα)

ה וְלָקַחְתָּ סֹלֶת וְאָפִיתָ אֹתָהּ שְׁתֵּים עֶשְׂרֵה חַלּוֹת שְׁנֵי
6 עֶשְׂרֹנִים יִהְיֶה הַחַלָּה הָאֶחָת: וְשַׂמְתָּ אוֹתָם שְׁתַּיִם
מַעֲרֹכוֹת שֵׁשׁ הַמַּעֲרֶכֶת עַל־הַשֻּׁלְחָן הַטָּהֹר לִפְנֵי יְהוָה:
7 וְנָתַתָּ עַל־הַמַּעֲרֶכֶת לְבֹנָה זַכָּה וְהָיְתָה לַלֶּחֶם לְאַזְכָּרָה
8 אִשֶּׁה לַיהוָה: בְּיוֹם הַשַּׁבָּת בְּיוֹם הַשַּׁבָּת יַעַרְכֶנּוּ לִפְנֵי
9 יְהוָה תָּמִיד מֵאֵת בְּנֵי־יִשְׂרָאֵל בְּרִית עוֹלָם: וְהָיְתָה לְאַהֲרֹן
וּלְבָנָיו וַאֲכָלְתֻּהוּ בְּמָקוֹם קָדֹשׁ כִּי קֹדֶשׁ קָדָשִׁים הוּא לוֹ
מֵאִשֵּׁי יְהוָה חֻקַּת־עוֹלָם:

Leviticus 25

יוֹבֵל הִוא שְׁנַת הַחֲמִשִּׁים 11
שָׁנָה תִּהְיֶה לָכֶם לֹא תִזְרָעוּ וְלֹא תקצרו [תִקְצְרוּ] אֶת־סְפִיחֶיהָ
וְלֹא תִבְצְרוּ אֶת־נְזִרֶיהָ: כִּי יוֹבֵל הִוא קֹדֶשׁ תִּהְיֶה לָכֶם 12
מִן־הַשָּׂדֶה תֹּאכְלוּ אֶת־תְּבוּאָתָהּ: בִּשְׁנַת הַיּוֹבֵל הַזֹּאת 13
תָּשֻׁבוּ אִישׁ אֶל־אֲחֻזָּתוֹ: וְכִי־תִמְכְּרוּ מִמְכָּר לַעֲמִיתֶךָ 14
אוֹ קָנֹה מִיַּד עֲמִיתֶךָ אַל־תּוֹנוּ אִישׁ אֶת־אָחִיו: בְּמִסְפַּר שׁ
שָׁנִים אַחַר הַיּוֹבֵל תִּקְנֶה מֵאֵת עֲמִיתֶךָ בְּמִסְפַּר שְׁנֵי־ 15
תְבוּאֹת יִמְכָּר־לָךְ: לְפִי ו רֹב הַשָּׁנִים תַּרְבֶּה מִקְנָתוֹ וּלְפִי 16
מְעֹט הַשָּׁנִים תַּמְעִיט מִקְנָתוֹ כִּי מִסְפַּר תְּבוּאֹת הוּא
מֹכֵר לָךְ:

וְהָאָרֶץ לֹא תִמָּכֵר לִצְמִתֻת כִּי־לִי הָאָרֶץ כִּי־גֵרִים 23
וְתוֹשָׁבִים אַתֶּם עִמָּדִי:

וְעָרֵי הַלְוִיִּם בָּתֵּי עָרֵי אֲחֻזָּתָם גְּאֻלַּת עוֹלָם תִּהְיֶה 32
לַלְוִיִּם: וַאֲשֶׁר יִגְאַל מִן־הַלְוִיִּם וְיָצָא מִמְכַּר־בַּיִת וְעִיר 33
אֲחֻזָּתוֹ בַּיֹּבֵל כִּי בָתֵּי עָרֵי הַלְוִיִּם הִוא אֲחֻזָּתָם בְּתוֹךְ
בְּנֵי יִשְׂרָאֵל: וּשְׂדֵה מִגְרַשׁ עָרֵיהֶם לֹא יִמָּכֵר כִּי־אֲחֻזַּת 34
עוֹלָם הִוא לָהֶם: ס וְכִי־יָמוּךְ אָחִיךָ וּמָטָה יָדוֹ עִמָּךְ לה
וְהֶחֱזַקְתָּ בּוֹ גֵּר וְתוֹשָׁב וָחַי עִמָּךְ: אַל־תִּקַּח מֵאִתּוֹ נֶשֶׁךְ 36
וְתַרְבִּית וְיָרֵאתָ מֵאֱלֹהֶיךָ וְחֵי אָחִיךָ עִמָּךְ: אֶת־כַּסְפְּךָ 37
לֹא־תִתֵּן לוֹ בְּנֶשֶׁךְ וּבְמַרְבִּית לֹא־תִתֵּן אָכְלֶךָּ: אֲנִי יְהוָה 38
אֱלֹהֵיכֶם אֲשֶׁר־הוֹצֵאתִי אֶתְכֶם מֵאֶרֶץ מִצְרַיִם לָתֵת לָכֶם
אֶת־אֶרֶץ כְּנַעַן לִהְיוֹת לָכֶם לֵאלֹהִים: וְכִי־יָמוּךְ 39
אָחִיךָ עִמָּךְ וְנִמְכַּר־לָךְ לֹא־תַעֲבֹד בּוֹ עֲבֹדַת עָבֶד:
ס כִּשְׂכִיר כְּתוֹשָׁב יִהְיֶה עִמָּךְ עַד־שְׁנַת הַיֹּבֵל יַעֲבֹד עִמָּךְ:
וְיָצָא מֵעִמָּךְ הוּא וּבָנָיו עִמּוֹ וְשָׁב אֶל־מִשְׁפַּחְתּוֹ וְאֶל 41
אֲחֻזַּת אֲבֹתָיו יָשׁוּב: כִּי־עֲבָדַי הֵם אֲשֶׁר־הוֹצֵאתִי אוֹתָם 42
מֵאֶרֶץ מִצְרָיִם לֹא יִמָּכְרוּ מִמְכֶּרֶת עָבֶד:

וְכִי תַשִּׂיג יַד גֵּר וְתוֹשָׁב עִמָּךְ
וּמָךְ אָחִיךָ עִמּוֹ וְנִמְכַּר לְגֵר תּוֹשָׁב עִמָּךְ אוֹ לְעֵקֶר
מִשְׁפַּחַת גֵּר: אַחֲרֵי נִמְכַּר גְּאֻלָּה תִּהְיֶה־לּוֹ אֶחָד מֵאֶחָיו 48
יִגְאָלֶנּוּ: אוֹ־דֹדוֹ אוֹ בֶן־דֹּדוֹ יִגְאָלֶנּוּ אוֹ־מִשְּׁאָר בְּשָׂרוֹ 49
מִמִּשְׁפַּחְתּוֹ יִגָּאֵל אוֹ־הָשִׂיגָה יָדוֹ וְנִגְאָל: וְחִשַּׁב עִם־ נ
קֹנֵהוּ מִשְּׁנַת הִמָּכְרוֹ לוֹ עַד שְׁנַת הַיֹּבֵל וְהָיָה כֶּסֶף מִמְכָּרוֹ
כִּימֵי שָׂכִיר יִהְיֶה עִמּוֹ: אִם־עוֹד רַבּוֹת 51
בַּשָּׁנִים לְפִיהֶן יָשִׁיב גְּאֻלָּתוֹ מִכֶּסֶף מִקְנָתוֹ: וְאִם־מְעַט
נִשְׁאַר בַּשָּׁנִים עַד־שְׁנַת הַיֹּבֵל וְחִשַּׁב־לוֹ כְּפִי שָׁנָיו יָשִׁיב
אֶת־גְּאֻלָּתוֹ: כְּשָׂכִיר שָׁנָה בְשָׁנָה יִהְיֶה עִמּוֹ לֹא־יִרְדֶּנּוּ 53
בְּפָרֶךְ לְעֵינֶיךָ: וְאִם־לֹא יִגָּאֵל בָּאֵלֶּה וְיָצָא בִּשְׁנַת הַיֹּבֵל 54
הוּא וּבָנָיו עִמּוֹ: כִּי־לִי בְנֵי־יִשְׂרָאֵל עֲבָדִים עֲבָדַי הֵם נה
אֲשֶׁר־הוֹצֵאתִי אוֹתָם מֵאֶרֶץ מִצְרַיִם אֲנִי יְהוָה אֱלֹהֵיכֶם:

Gemser (8-12); Uitti (12a); *NJV*, *NAB*, *NEB*, *RSV* (12aα)

Gemser, *NJV*, *NAB*, *NEB*, *RSV* (16b); Uitti (16c)

Gemser, Uitti, *NAB*, *NEB*, *RSV* (23aβ,b); *NJV* (23aβ)

Uitti, *NJV*, *NAB*, *NEB*, *RSV* (33b)

Uitti, *NJV*, *NEB*, *RSV* (34b)

Gemser, Uitti (38)

Gemser, *NJV*, *NEB*, *RSV* (42); Uitti, *NAB* (42a)

Gemser, Uitti, *NJV*, *NAB*, *RSV* (55); *NEB* (55a)

Leviticus 26

| | | |
|---|---|---|
| א | לֹא־תַעֲשׂוּ לָכֶם אֱלִילִם וּפֶסֶל וּמַצֵּבָה לֹא־תָקִימוּ לָכֶם | Gemser, Uitti, *NJV*, *NAB*, *NEB*, *RSV* (1b) |
| | וְאֶבֶן מַשְׂכִּית לֹא תִתְּנוּ בְּאַרְצְכֶם לְהִשְׁתַּחֲוֹת עָלֶיהָ כִּי | |
| 2 | אֲנִי יְהוָה אֱלֹהֵיכֶם׃ אֶת־שַׁבְּתֹתַי תִּשְׁמֹרוּ וּמִקְדָּשִׁי תִּירָאוּ | Uitti (2b) |
| | אֲנִי יְהוָה׃ | |

(c) *Notes*

1. (17:3-7a) The law in vv. 3-4 is triply motivated: by the clause דם שׁפך that precedes the legal consequence (in v. 4bβ) and by two consecutive phrases that follow it (vv. 5-6, 7a).

2. (18:6) The law in v. 6a is predicated upon God's will: "(for) I am the Lord." This clause often appears as asyndetic. However, in its extended form it is sometimes introduced by כי, e.g., Lev 20:7, 21:15,23, 22:16, 24:22, 25:17, 26:1.

3. (18:7) The clause in v. 7bα could be taken as motivating the prescription in v. 7a. However, because of v. 7bβ, it is most likely that it motivates the injunction that follows it, i.e., "(since) she is your mother, do not uncover her nakedness." Cf. Uitti, *NAB*.

4. (18:8) Verse 8b is an asyndetic clause and motivates the prescription in v. 8a; cf. 18:10b, 13 (each mc introduced by כי).

5. (18:17) The mc is זמה הוא ([for] it is depravity) and characterizes the act. The expression שׁארה הנה ("they are kindred"), referring to the actors, is the mc of the mc.

6. (18:21) In v. 21b, there are two consecutive motive clauses: v. 21bα is to be understood as: "so that you may not profane...." For v. 21bβ, see n. 2.

7. (18:22) Verse 22b motivates the law in v. 22a, i.e., "(for) it is an abomination."

8. (18:23) The clause תבל הוא seems to motivate the legal prescriptions in v. 23a and v. 23bα; cf. *NAB*: "such things are abhorrent."

9. (19:7) In v. 7b, the legal consequence is motivated by פגול הוא, i.e., "being an offensive thing, it shall not be acceptable."

10. (19:12) Verse 12a seems to be motivated by two consecutive clauses, v. 12bα,bβ: i.e., "for you would be profaning the name of your God...." For v. 12bβ, see n. 2.

11. (19:22) This verse constitutes a concluding sentence; cf. Noth, *Leviticus*, 41.

12. (19:34) The instruction to love one's neighbor is parenetic (cf. v. 18); the two motive clauses in v. 34aβ,b motivate the prescription in vv. 33-34aα.

13. (20:9) Verse 9bα motivates the prescription in v. 9a. The "blood formula" (cf. Noth, *Leviticus*, 149-50) is related to the penalty clause (ibid., 150); cf. v. 11b.

14. (20:11) The clause in v. 11aβ is the underlying reason for the death penalty in v. 11b, i.e., "(since) he has uncovered his father's nakedness, both of them shall be put to death...."

15. (20:13) Verse 13aβ is the underlying reason for the death penalty in v. 13b, i.e., "(since) the two of them have done an abhorrent thing, they shall be put to death...."

16. (20:14) The legal consequence in v. 14bα is motivated by two clauses, one before (v. 14aβ) and one after (v. 14bβ).

17. (20:17) The legal consequence in v. 17aβ is motivated by two clauses, one before (v. 17aα,end) and one after (v. 17bα). The "guilt formula" in v. 17 is related to the penalty clause.

18. (20:18) The legal consequence in v. 18b is motivated by an asyndetic clause that precedes it.

19. (20:20) The clause in v. 20aβ is the motive for the legal consequence in v. 20b; cf. v. 11.

20. (20:21) The legal consequence (end of v. 21) is motivated by two consecutive asyndetic clauses that precede it.

21. (20:6) This verse motivates the prescriptions in vv. 1-5. See Noth, *Leviticus*, 155.

22. (21:9) The clause in v. 9bβ constitutes the motive for the death penalty in v. 19bβ.

23. (21:12) Verse 12aβ-b is the primary motive clause for the prohibitive in v. 12aα; v. 12bα is the mc of the mc.

24. (21:17b-21) These verses constitute one legal prescription, and the motivations in v. 18a and v. 21b are repetition of the same idea.

25. (22:15-16) These verses constitute a parenetic conclusion; see Noth, *Leviticus*, 162.

26. (23:3) Verse 3b is an asyndetic mc, understood as "(for) it is sabbath to the Lord...," and motivates v. 3a.

27. (23:36) The clause עצרת הוא may be taken as motivating v. 36bβ, i.e., "(since) it is a solemn assembly, you shall not work...." However, it is also possible that it is meant to constitute a motivation for the legal consequence in v. 36bα, i.e., "you shall bring an offering by fire to the Lord, (for) it is a solemn assembly." The verse division favors this second interpretation. The exact meaning of the word עצרת is unknown. See Noth, *Leviticus*, 174-75; *NJV*, note to Lev 23:36.

28. (25:2aβ-5) See Chapter II, p. 81.

## 5. THE DEUTERONOMIC LAW CORPUS (Deuteronomy 12-26)

### (a) *The Legal Prescriptions*

| Deuteronomy 12 | | Verses | |
|---|---|---|---|
| - | intro | (1) | |
| 1. | mc | 2-3 | |
| 2. | | 4-5 | |
| 3. | | 6-7aα | |
| - | par | (7aβ-b) | |
| 4. | mc | 8-9 | |
| 5. | | 10-11 | |
| - | par | (12) | (n. 2) |
| - | par sum | (13-14) | |
| 6. | | 15 | (n. 3) |
| 7. | | 16a | |
| 8. | | 16b | (n. 4) |
| 9. | | 17-18a | |
| - | par | (18b,19) | |
| 10. | intrn mc | 20 | |
| 11. | | 21-22 | |
| 12. | mc(2) v.23aβ-b,25b | 23-25 | |
| 13. | | 26 | |
| 14. | | 27a | |
| 15. | | 27bα | |
| 16. | | 27bβ | |
| - | par | (28) | |
| - | par | (29-31) | |

| Deuteronomy 13 | | | |
|---|---|---|---|
| - | par | (1) | |
| 17. | mc | 2-4 | |
| - | par | (5) | (n. 5) |
| 18. | mc(2) v.6aαℵ-aγ | 6 | |
| 19. | | 7-9a | |
| 20. | | 9b-10aα | |
| 21. | | 10aβ | |
| 22. | mc(2) v.11b,12 | 10b (11a) | |
| 23. | | 13-16a | |
| 24. | | 16b | |
| 25. | | 17a | |
| 26. | | 17b | |
| 27. | mc | 18-19 | |

| Deuteronomy 14 | | | |
|---|---|---|---|
| 28. | | 1bα | |
| 29. | | 1bβ | |
| (n. 1) | mc(2) v.1a,2 | | |

| Deut. 14 cont. | | Verses | |
|---|---|---|---|
| - | intro | (3) | |
| 30. | | 4-6 | |
| 31. | mc | 7 | |
| 32. | mc | 8aα | |
| - | sum | (8bβ) | |
| 33. | | 8b | |
| 34. | | 9 | |
| 35. | mc | 10 | |
| 36. | | 11-18 | |
| 37. | mc | 19 | |
| 38. | | 20 | |
| 39. | mc v.21aβ | 21aαℵ | |
| 40. | | 21aαב | |
| 41. | | 21b | |
| 42. | mc | 22-23 | |
| 43. | intrn mc | 24-26bα | |
| - | par | (26bβ) | |
| 44. | mc | 27 | |
| 45. | | 28 | |
| 46. | mc (intrn mc in v.29a) | 29 | |

| Deuteronomy 15 | | | |
|---|---|---|---|
| 47. | mc | 1-2 | |
| 48. | | 3 | |
| - | par | (4-6) | |
| 49. | mc(2) v.10b,11 | 7-11 | |
| 50. | | 12 | |
| 51. | | 13-14 | |
| | mc v.15 | | |
| 52. | intrn mc | 16-17a | |
| 53. | | 17b | |
| - | par | (18) | |
| 54. | | 19 | |
| 55. | | 20 | |
| 56. | | 21 | |
| 57. | | 22 | |
| 58. | | 23a | |
| 59. | | 23b | |

| Deuteronomy 16 | | | |
|---|---|---|---|
| 60. | mc | 1 | |
| 61. | | 2 | |
| 62. | | 3aα | |
| 63. | | 3aβ | |
| | mc(2) v.3bα,bβ-bγ | | |

| | Deut. 16 cont. | | Verses |
|---|---|---|---|
| | 64. | | 4a |
| | 65. | | 4b |
| | 66. | | 5-6 |
| | 67. | | 7 |
| | 68. | | 8 |
| | 69. | | 9 |
| | 70. | | 10 |
| | - | par | (11-12) |
| (n. 6) | 71. | mc | 13-15 |
| | 72. | | 16a |
| | 73. | | 16b-17 |
| | 74. | | 18 |
| | - | intro | (19aα) |
| | 75. | | 19aβ |
| | 76. | mc | 19b |
| | - | par | 20 |
| | 77. | | 21 |
| | 78. | | 22a |
| | | mc v.22b | |
| | Deuteronomy 17 | | |
| | 79. | | 1 |
| | 80. | | 2-5 |
| | 81. | | 6 |
| | 82. | | 7aα |
| | 83. | | 7aβ |
| | | mc v.7b | |
| | 84. | | 8-11 |
| | 85. | mc(2) v.12bβ,13 | 12-13 |
| | 86. | | 14-15 |
| | 87. | | 16aαℵ |
| | 88. | mc | 16aα□-b |
| | 89. | mc | 17a |
| | 90. | | 17b |
| | 91. | | 18 |
| | 92. | mc(4) v.19b,20aα, 20aβ,b | 19-20 |
| | Deuteronomy 18 | | |
| (n. 7) | 93. | mc | 1-2 |
| | 94. | mc | 3-5 |
| | 95. | | 6-7 |
| | 96. | | 8 |
| | - | par | (9) |
| | 97. | mc(2) v.12a,b | 10-12 |
| (n. 8) | - | par | (13-19) |
| | 98. | | 20 |
| | - | par concl | (21-22) |

| | Deuteronomy 19 | | Verses |
|---|---|---|---|
| | 99. | | 1-2 |
| | 100. | mc | 3 |
| | - | intro | (4a) |
| | 101. | mc | 4b-7 |
| | 102. | | 8-9 |
| | | mc v.10 | |
| | 103. | | 11-12 |
| | - | par | (13) |
| | 104. | | 14 |
| | 105. | | 15 |
| | 106. | mc(2) v.19b,20 | 16-20 |
| | - | par | (21) |
| | Deuteronomy 20 | | |
| | - | par intro | (1) |
| | 107. | | 2-4 |
| (n. 9) | 108. | | 5-8 |
| | 109. | | 9 |
| | 110. | | 10 |
| | 111. | | 11 |
| | 112. | | 12 |
| | 113. | | 13 |
| | 114. | | 14 |
| | - | intro | (15) |
| | 115. | mc | 16-18 |
| | 116. | mc | 19 |
| | 117. | | 20 |
| | Deuteronomy 21 | | |
| | 118. | | 1-2 |
| | 119. | | 3-4 |
| | 120. | mc(2) v.5aαℵ-aβ,b | 5 |
| | 121. | | 6 |
| | 122. | mc(2) v.8b,9 | 7-9 |
| | 123. | | 10-13 |
| | 124. | mc | 14 |
| | 125. | mc | 15-17 |
| | 126. | | 18-20 |
| | 127. | | 21aα |
| | | mc(2) v.21aβ,b | |
| | 128. | mc | 22-23a |
| | - | par | (23b) |
| | Deuteronomy 22 | | |
| | 129. | | 1 |
| | 130. | | 2 |
| | 131. | | 3 |

| | Deut. 22 cont. | | Verses |
|---|---|---|---|
| | 132. | | 4 |
| | 133. | | 5aα |
| | 134. | | 5aβ |
| | | mc v.5b | |
| | 135. | mc(2) | 6-7 |
| | | v.7bα,bβ | |
| | 136. | mc | 8 |
| | 137. | mc | 9 |
| | 138. | | 10 |
| | 139. | | 11 |
| | 140. | | 12 |
| | 141. | | 13-15 |
| | 142. | | 16-17 |
| | 143. | | 18 |
| | 144. | | 19aα |
| | | mc v.19aβ | |
| | 145. | | 19bα |
| | 146. | | 19bβ |
| | 147. | mc(2) | 20-21 |
| | | v.21aβ-γ,b | |
| | 148. | mc | 22 |
| | 149. | mc(3) | 23-24 |
| | | v.24aγ,aδ,b | |
| | 150. | | 25 |
| (n.10) | 151. | mc(3) | 26-27 |
| | | v.26aβ,b,27 | |
| | 152. | | 28-29a |
| (n.11) | 153. | mc | 29bα |
| | 154. | | 29bβ |
| | Deuteronomy 23 | | |
| (n.12) | 155. | mc | 1 |
| | 156. | | 2 |
| | 157. | | 3 |
| (n.13) | 158. | mc(2) | 4-5 |
| | | v.5a,b | |
| | - | nl | (6) |
| | - | par | (7) |
| | 159. | mc | 8a |
| | 160. | mc | 8b |
| | 161. | | 9 |
| | - | intro | (10) |
| | 162. | | 11 |
| | 163. | | 12 |
| | 164. | | 13 |
| | 165. | | 14a-bα |
| | 166. | | 14bβ |
| | | mc(2) | |
| | | v.15a,b | |
| | 167. | | 16 |
| | 168. | | 17a |
| | - | par | (17b) |
| | 169. | | 18a |

| | Deut. 23 cont. | | Verses |
|---|---|---|---|
| | 170. | | 18b |
| | 171. | mc | 19 |
| | 172. | mc | 20-21 |
| | 173. | mc | 22 |
| | - | nl | (23) |
| | - | par | (24) |
| | 174. | | 25 |
| | 175. | | 26 |
| | Deuteronomy 24 | | |
| | 176. | mc(2) | 1-4a |
| | | v.4aβ,aγ | |
| | | (intrn mc in | |
| | | v.1) | |
| | - | par | (4b) |
| | 177. | mc | 5 |
| | 178. | mc | 6 |
| | 179. | mc | 7 |
| | 180. | mc | 8-9 |
| | 181. | | 10-11 |
| | 182. | mc(2) | 12-13 |
| | | v.13aβ,b | |
| | 183. | mc(2) | 14-15 |
| | | v.15aβ,b | |
| | 184. | | 16 |
| | 185. | | 17a |
| | 186. | | 17b |
| | | mc v.18 | |
| | 187. | | 19aα |
| | 188. | | 19aβ |
| | | mc v.19b | |
| | 189. | | 20a |
| | 190. | | 20b |
| | 191. | | 21a |
| | 192. | | 21b |
| | | mc v.22 | |
| | Deuteronomy 25 | | |
| | 193. | | 1-2 |
| | 194. | mc | 3 |
| | 195. | | 4 |
| | 196. | | 5 |
| | 197. | mc | 6 |
| | 198. | | 7 |
| | 199. | | 8a |
| | 200. | | 8b-9aα |
| | 201. | | 9aβ |
| | 202. | | 9b |
| | 203. | | 10 |
| | 204. | | 11-12a |
| | - | par | (12b) |

| | Deut. 25 cont. | | Verses |
|---|---|---|---|
| | 205. | | 13 |
| | 206. | | 14 |
| | - | sum | (15) |
| | | mc(2) v.15b,16 | |
| (n.14) | 207. | mc | 17-19a |
| | - | par | (19b) |
| | Deuteronomy 26 | | |
| | 208. | | 1-2 |
| | 209. | | 3 |
| | 210. | | 4 |
| | 211. | | 5-10a |
| | 212. | | 10b |
| | - | par | (11) |
| | 213. | intrn mc | 12-15 |
| | - | par concl | (16-19) |
| | Elsewhere in D | | |
| | Deuteronomy 1 | | |
| | - | intro | (16) |
| | 214. | | 17aα |
| | 215. | | 17aβ |
| | | mc v.17aγ | |
| | 216. | | 17b |
| | Deuteronomy 7 | | |
| | 217. | | 1-2 |
| | 218. | mc | 3-4 |
| | - | intro | (5aα) |
| | 219. | | 5aβ |
| | 220. | | 5aγ |
| | 221. | | 5bα |
| | 222. | | 5bβ |
| | | mc v.6 | |
| | - | nl | (7-24) |
| | 223. | | 25a |
| | 224. | mc(2) v.25bβ,bγ | 25b |
| | 225. | mc | 26a |
| | - | par | (26b) |

(b) *The Motive Clauses*

Deuteronomy 12

| | | |
|---|---|---|
| 2 | אֲבַד תְּאַבְּדוּן אֶת־כָּל־ | Uitti (3c); *NAB* (3b) |
| | הַמְּקֹמֹת אֲשֶׁר עָבְדוּ־שָׁם הַגּוֹיִם אֲשֶׁר אַתֶּם יְרַשִּׁים אֹתָם | Uitti, *NJV*, *NAB*, *NEB*, *RSV* (9) |
| | אֶת־אֱלֹהֵיהֶם עַל־הֶהָרִים הָרָמִים וְעַל־הַגְּבָעוֹת וְתַחַת כָּל־ | |
| 3 | עֵץ רַעֲנָן: וְנִתַּצְתֶּם אֶת־מִזְבְּחֹתָם וְשִׁבַּרְתֶּם אֶת־מַצֵּבֹתָם | *NJV*, *NEB*, *RSV* (20aβ) |
| | וַאֲשֵׁרֵיהֶם תִּשְׂרְפוּן בָּאֵשׁ וּפְסִילֵי אֱלֹהֵיהֶם תְּגַדֵּעוּן וְאִבַּדְתֶּם | Uitti (23bα); *NJV*, *NAB*, *RSV* (23aβ-b); *NEB* (23aβ) |
| | אֶת־שְׁמָם מִן־הַמָּקוֹם הַהוּא: לֹא־תַעֲשׂוּן כֵּן לַיהוָה | |
| 4 | אֱלֹהֵיכֶם: כִּי אִם־אֶל־הַמָּקוֹם אֲשֶׁר־יִבְחַר יְהוָה אֱלֹהֵיכֶם | Uitti, *NAB*, *NEB*, *RSV* (25b); *NJV* (25bα,b) |
| ה | מִכָּל־שִׁבְטֵיכֶם לָשׂוּם אֶת־שְׁמוֹ שָׁם לְשִׁכְנוֹ תִּדְרְשׁוּ | |
| 6 | וּבָאתָ שָׁמָּה: וְהֵבֵאתֶם שָׁמָּה עֹלֹתֵיכֶם וְזִבְחֵיכֶם וְאֵת | |
| | מַעְשְׂרֹתֵיכֶם וְאֶת תְּרוּמַת יֶדְכֶם וְנִדְרֵיכֶם וְנִדְבֹתֵיכֶם | |
| 7 | וּבְכֹרֹת בְּקַרְכֶם וְצֹאנְכֶם: וַאֲכַלְתֶּם־שָׁם לִפְנֵי יְהוָה | |
| | אֱלֹהֵיכֶם וּשְׂמַחְתֶּם בְּכֹל מִשְׁלַח יֶדְכֶם אַתֶּם וּבָתֵּיכֶם אֲשֶׁר | |
| 8 | בֵּרַכְךָ יְהוָה אֱלֹהֶיךָ: לֹא תַעֲשׂוּן כְּכֹל אֲשֶׁר אֲנַחְנוּ עֹשִׂים | |
| 9 | פֹּה הַיּוֹם אִישׁ כָּל־הַיָּשָׁר בְּעֵינָיו: כִּי לֹא־בָאתֶם עַד־ | |
| | עָתָּה אֶל־הַמְּנוּחָה וְאֶל־הַנַּחֲלָה אֲשֶׁר־יְהוָה אֱלֹהֶיךָ נֹתֵן | |
| | לָךְ: | |
| כ | כִּי־יַרְחִיב יְהוָה | |
| | אֱלֹהֶיךָ אֶת־גְּבֻלְךָ כַּאֲשֶׁר דִּבֶּר־לָךְ וְאָמַרְתָּ אֹכְלָה בָשָׂר | |
| | כִּי־תְאַוֶּה נַפְשְׁךָ לֶאֱכֹל בָּשָׂר בְּכָל־אַוַּת נַפְשְׁךָ תֹּאכַל | |
| 21 | בָּשָׂר: כִּי־יִרְחַק מִמְּךָ הַמָּקוֹם אֲשֶׁר יִבְחַר יְהוָה אֱלֹהֶיךָ | |
| | לָשׂוּם שְׁמוֹ שָׁם וְזָבַחְתָּ מִבְּקָרְךָ וּמִצֹּאנְךָ אֲשֶׁר נָתַן | |
| | יְהוָה לְךָ כַּאֲשֶׁר צִוִּיתִךָ וְאָכַלְתָּ בִשְׁעָרֶיךָ בְּכֹל אַוַּת | |
| 22 | נַפְשֶׁךָ: אַךְ כַּאֲשֶׁר יֵאָכֵל אֶת־הַצְּבִי וְאֶת־הָאַיָּל כֵּן תֹּאכְלֶנּוּ | |
| 23 | הַטָּמֵא וְהַטָּהוֹר יַחְדָּו יֹאכְלֶנּוּ: רַק חֲזַק לְבִלְתִּי אֲכֹל | |
| | הַדָּם כִּי הַדָּם הוּא הַנֶּפֶשׁ וְלֹא־תֹאכַל הַנֶּפֶשׁ עִם־הַבָּשָׂר: | |
| 24 כה | לֹא תֹאכְלֶנּוּ עַל־הָאָרֶץ תִּשְׁפְּכֶנּוּ כַּמָּיִם: לֹא תֹאכְלֶנּוּ לְמַעַן | |
| | יִיטַב לְךָ וּלְבָנֶיךָ אַחֲרֶיךָ כִּי־תַעֲשֶׂה הַיָּשָׁר בְּעֵינֵי יְהוָה: | |

Deuteronomy 13

כִּי־יָקוּם בְּקִרְבְּךָ נָבִיא אוֹ חֹלֵם חֲלוֹם וְנָתַן אֵלֶיךָ אוֹת 2
אוֹ מוֹפֵת: וּבָא הָאוֹת וְהַמּוֹפֵת אֲשֶׁר־דִּבֶּר אֵלֶיךָ לֵאמֹר 3
נֵלְכָה אֲחֲרֵי אֱלֹהִים אֲחֵרִים אֲשֶׁר לֹא־יְדַעְתָּם וְנָעָבְדֵם:
לֹא תִשְׁמַע אֶל־דִּבְרֵי הַנָּבִיא הַהוּא אוֹ אֶל־חוֹלֵם הַחֲלוֹם 4
הַהוּא כִּי מְנַסֶּה יְהוָה אֱלֹהֵיכֶם אֶתְכֶם לָדַעַת הֲיִשְׁכֶם
אֹהֲבִים אֶת־יְהוָה אֱלֹהֵיכֶם בְּכָל־לְבַבְכֶם וּבְכָל־נַפְשְׁכֶם:
אַחֲרֵי יְהוָה אֱלֹהֵיכֶם תֵּלֵכוּ וְאֹתוֹ תִירָאוּ וְאֶת־מִצְוֹתָיו ה
תִּשְׁמֹרוּ וּבְקֹלוֹ תִשְׁמָעוּ וְאֹתוֹ תַעֲבֹדוּ וּבוֹ תִדְבָּקוּן: וְהַנָּבִיא 6
הַהוּא אוֹ חוֹלֵם הַחֲלוֹם הַהוּא יוּמָת כִּי דִבֶּר־סָרָה עַל־
יְהוָה אֱלֹהֵיכֶם הַמּוֹצִיא אֶתְכֶם ׀ מֵאֶרֶץ מִצְרַיִם וְהַפְדֵךָ
מִבֵּית עֲבָדִים לְהַדִּיחֲךָ מִן־הַדֶּרֶךְ אֲשֶׁר צִוְּךָ יְהוָה אֱלֹהֶיךָ
לָלֶכֶת בָּהּ וּבָעַרְתָּ הָרָע מִקִּרְבֶּךָ: ס כִּי יְסִיתְךָ אָחִיךָ 7
בֶּן־אִמֶּךָ אוֹ־בִנְךָ אוֹ־בִתֶּךָ אוֹ ׀ אֵשֶׁת חֵיקֶךָ אוֹ רֵעֲךָ אֲשֶׁר
כְּנַפְשְׁךָ בַּסֵּתֶר לֵאמֹר נֵלְכָה וְנַעַבְדָה אֱלֹהִים אֲחֵרִים
אֲשֶׁר לֹא יָדַעְתָּ אַתָּה וַאֲבֹתֶיךָ: מֵאלֹהֵי הָעַמִּים אֲשֶׁר 8
סְבִיבֹתֵיכֶם הַקְּרֹבִים אֵלֶיךָ אוֹ הָרְחֹקִים מִמְּךָ מִקְצֵה
הָאָרֶץ וְעַד־קְצֵה הָאָרֶץ: לֹא־תֹאבֶה לוֹ וְלֹא תִשְׁמַע אֵלָיו 9
וְלֹא־תָחוֹס עֵינְךָ עָלָיו וְלֹא־תַחְמֹל וְלֹא־תְכַסֶּה עָלָיו: כִּי ׳
הָרֹג תַּהַרְגֶנּוּ יָדְךָ תִּהְיֶה־בּוֹ בָרִאשׁוֹנָה לַהֲמִיתוֹ וְיַד כָּל־
הָעָם בָּאַחֲרֹנָה: וְסָקַלְתּוֹ בָאֲבָנִים וָמֵת כִּי בִקֵּשׁ לְהַדִּיחֲךָ 11
מֵעַל יְהוָה אֱלֹהֶיךָ הַמּוֹצִיאֲךָ מֵאֶרֶץ מִצְרַיִם מִבֵּית עֲבָדִים:
וְכָל־יִשְׂרָאֵל יִשְׁמְעוּ וְיִרָאוּן וְלֹא־יוֹסִפוּ לַעֲשׂוֹת כַּדָּבָר 12
הָרָע הַזֶּה בְּקִרְבֶּךָ: ס כִּי־תִשְׁמַע בְּאַחַת עָרֶיךָ אֲשֶׁר 13
יְהוָה אֱלֹהֶיךָ נֹתֵן לְךָ לָשֶׁבֶת שָׁם לֵאמֹר: יָצְאוּ אֲנָשִׁים 14
בְּנֵי־בְלִיַּעַל מִקִּרְבֶּךָ וַיַּדִּיחוּ אֶת־יֹשְׁבֵי עִירָם לֵאמֹר נֵלְכָה
וְנַעַבְדָה אֱלֹהִים אֲחֵרִים אֲשֶׁר לֹא־יְדַעְתֶּם: וְדָרַשְׁתָּ טו
וְחָקַרְתָּ וְשָׁאַלְתָּ הֵיטֵב וְהִנֵּה אֱמֶת נָכוֹן הַדָּבָר נֶעֶשְׂתָה תֹּעֵבָה
הַתּוֹעֵבָה הַזֹּאת בְּקִרְבֶּךָ: הַכֵּה תַכֶּה אֶת־יֹשְׁבֵי הָעִיר 16
הַהִוא לְפִי־חָרֶב הַחֲרֵם אֹתָהּ וְאֶת־כָּל־אֲשֶׁר־בָּהּ וְאֶת־
בְּהֶמְתָּהּ לְפִי־חָרֶב: וְאֶת־כָּל־שְׁלָלָהּ תִּקְבֹּץ אֶל־תּוֹךְ 17
רְחֹבָהּ וְשָׂרַפְתָּ בָאֵשׁ אֶת־הָעִיר וְאֶת־כָּל־שְׁלָלָהּ כָּלִיל
לַיהוָה אֱלֹהֶיךָ וְהָיְתָה תֵּל עוֹלָם לֹא תִבָּנֶה עוֹד: וְלֹא 18
יִדְבַּק בְּיָדְךָ מְאוּמָה מִן־הַחֵרֶם לְמַעַן יָשׁוּב יְהוָה מֵחֲרוֹן
אַפּוֹ וְנָתַן־לְךָ רַחֲמִים וְרִחַמְךָ וְהִרְבֶּךָ כַּאֲשֶׁר נִשְׁבַּע
לַאֲבֹתֶיךָ: כִּי תִשְׁמַע בְּקוֹל יְהוָה אֱלֹהֶיךָ לִשְׁמֹר אֶת־ 19
כָּל־מִצְוֹתָיו אֲשֶׁר אָנֹכִי מְצַוְּךָ הַיּוֹם לַעֲשׂוֹת הַיָּשָׁר בְּעֵינֵי
יְהוָה אֱלֹהֶיךָ:

Uitti, *NJV*, *NAB* (4b); *RSV* (3b=4bH)

Uitti (6bff.); *NJV*, *NAB* (6aβ); *NEB*, *RSV* (5aβ=6aβH)

Uitti (11b-12); *NJV*, *NAB* (11b); *NEB*, *RSV* (10b=11bH)

Uitti, *NJV*, *NAB* (18b,19); *NEB* (17-18=18-19H); *RSV* (17=18H)

Deuteronomy 14

א בָּנִים אַתֶּם לַיהוָה אֱלֹהֵיכֶם לֹא תִתְגֹּדְדוּ וְלֹא־תָשִׂימוּ (n. 1) Uitti (1a,2)
2 קָרְחָה בֵּין עֵינֵיכֶם לָמֵת: כִּי עַם קָדוֹשׁ אַתָּה לַיהוָה *NJV, NAB, RSV* (2)
אֱלֹהֶיךָ וּבְךָ בָּחַר יְהוָה לִהְיוֹת לוֹ לְעַם סְגֻלָּה מִכֹּל Uitti (7c); *NJV, NEB, RSV*
3 הָעַמִּים אֲשֶׁר עַל־פְּנֵי הָאֲדָמָה: ס לֹא תֹאכַל כָּל־ (7bβ)
4 תּוֹעֵבָה: זֹאת הַבְּהֵמָה אֲשֶׁר תֹּאכֵלוּ שׁוֹר שֵׂה כְשָׂבִים Uitti (8b); *NJV, NEB, RSV*
6 וְשֵׂה עִזִּים: אַיָּל וּצְבִי וְיַחְמוּר וְאַקּוֹ וְדִישֹׁן וְתֹאוֹ וָמֶר: וְכָל (8aβ)
בְּהֵמָה מַפְרֶסֶת פַּרְסָה וְשֹׁסַעַת שֶׁסַע שְׁתֵּי פְרָסוֹת מַעֲלַת Uitti (21c); *NJV, NAB, NEB,*
7 גֵּרָה בַּבְּהֵמָה אֹתָהּ תֹּאכֵלוּ: אַךְ אֶת־זֶה לֹא תֹאכְלוּ *RSV* (21aβ)
מִמַּעֲלֵי הַגֵּרָה וּמִמַּפְרִיסֵי הַפַּרְסָה הַשְּׁסוּעָה אֶת־הַגָּמָל Uitti, *NJV, NAB, NEB, RSV*
וְאֶת־הָאַרְנֶבֶת וְאֶת־הַשָּׁפָן כִּי־מַעֲלֵה גֵרָה הֵמָּה וּפַרְסָה (23b)
8 לֹא הִפְרִיסוּ טְמֵאִים הֵם לָכֶם: וְאֶת־הַחֲזִיר כִּי־מַפְרִיס *NJV* (24aγ,b); *NAB* (24aγ);
פַּרְסָה הוּא וְלֹא גֵרָה טָמֵא הוּא לָכֶם מִבְשָׂרָם לֹא תֹאכֵלוּ *RSV* (24aβ,aγ)
9 וּבְנִבְלָתָם לֹא תִגָּעוּ: ס אֶת־זֶה תֹּאכְלוּ מִכֹּל אֲשֶׁר Uitti, *NJV, NAB, NEB, RSV*
י בַּמָּיִם כֹּל אֲשֶׁר־לוֹ סְנַפִּיר וְקַשְׂקֶשֶׂת תֹּאכֵלוּ: וְכֹל אֲשֶׁר (27b)
אֵין־לוֹ סְנַפִּיר וְקַשְׂקֶשֶׂת לֹא תֹאכֵלוּ טָמֵא הוּא לָכֶם: ס Uitti (29); *NJV, NAB, RSV*
11 כָּל־צִפּוֹר טְהֹרָה תֹּאכֵלוּ: וְזֶה אֲשֶׁר לֹא־תֹאכְלוּ מֵהֶם (n. 2) (29b)
12
13 הַנֶּשֶׁר וְהַפֶּרֶס וְהָעָזְנִיָּה: וְהָרָאָה וְאֶת־הָאַיָּה וְהַדַּיָּה לְמִינָהּ:
14 מו וְאֵת כָּל־עֹרֵב לְמִינוֹ: וְאֵת בַּת הַיַּעֲנָה וְאֶת־הַתַּחְמָס וְאֶת־
16 הַשָּׁחַף וְאֶת־הַנֵּץ לְמִינֵהוּ: אֶת־הַכּוס וְאֶת־הַיַּנְשׁוּף
17 וְהַתִּנְשֶׁמֶת: וְהַקָּאָת וְאֶת־הָרָחָמָה וְאֶת־הַשָּׁלָךְ: וְהַחֲסִידָה
18
19 וְהָאֲנָפָה לְמִינָהּ וְהַדּוכִיפַת וְהָעַטַלֵּף: וְכֹל שֶׁרֶץ הָעוֹף טָמֵא (n. 3)
כ הוּא לָכֶם לֹא יֵאָכֵלוּ: כָּל־עוֹף טָהוֹר תֹּאכֵלוּ: לֹא תֹאכְלוּ
21 כָּל־נְבֵלָה לַגֵּר אֲשֶׁר־בִּשְׁעָרֶיךָ תִּתְּנֶנָּה וַאֲכָלָהּ אוֹ מָכֹר
לָנָכְרִי כִּי עַם קָדוֹשׁ אַתָּה לַיהוָה אֱלֹהֶיךָ לֹא־תְבַשֵּׁל גְּדִי (n. 4)
בַּחֲלֵב אִמּוֹ: פ
22 עַשֵּׂר תְּעַשֵּׂר אֵת כָּל־תְּבוּאַת זַרְעֶךָ הַיֹּצֵא הַשָּׂדֶה שָׁנָה
23 שָׁנָה: וְאָכַלְתָּ לִפְנֵי ו יְהוָה אֱלֹהֶיךָ בַּמָּקוֹם אֲשֶׁר־יִבְחַר
לְשַׁכֵּן שְׁמוֹ שָׁם מַעְשַׂר דְּגָנְךָ תִּירֹשְׁךָ וְיִצְהָרֶךָ וּבְכֹרֹת
בְּקָרְךָ וְצֹאנֶךָ לְמַעַן תִּלְמַד לְיִרְאָה אֶת־יְהוָה אֱלֹהֶיךָ כָּל־
24 הַיָּמִים: וְכִי־יִרְבֶּה מִמְּךָ הַדֶּרֶךְ כִּי לֹא תוּכַל שְׂאֵתוֹ
כִּי־יִרְחַק מִמְּךָ הַמָּקוֹם אֲשֶׁר יִבְחַר יְהוָה אֱלֹהֶיךָ לָשׂוּם
כה- שְׁמוֹ שָׁם כִּי יְבָרֶכְךָ יְהוָה אֱלֹהֶיךָ: וְנָתַתָּה בַכָּסֶף וְצַרְתָּ
הַכֶּסֶף בְּיָדֶךָ וְהָלַכְתָּ אֶל־הַמָּקוֹם אֲשֶׁר יִבְחַר יְהוָה
26 אֱלֹהֶיךָ בּוֹ: וְנָתַתָּה הַכֶּסֶף בְּכֹל אֲשֶׁר־תְּאַוֶּה נַפְשְׁךָ בַּבָּקָר
וּבַצֹּאן וּבַיַּיִן וּבַשֵּׁכָר וּבְכֹל אֲשֶׁר תִּשְׁאָלְךָ נַפְשֶׁךָ וְאָכַלְתָּ
שָׁם לִפְנֵי יְהוָה אֱלֹהֶיךָ וְשָׂמַחְתָּ אַתָּה וּבֵיתֶךָ: וְהַלֵּוִי 27
אֲשֶׁר־בִּשְׁעָרֶיךָ לֹא תַעַזְבֶנּוּ כִּי אֵין לוֹ חֵלֶק וְנַחֲלָה עִמָּךְ:
28 ס מִקְצֵה ו שָׁלֹשׁ שָׁנִים תּוֹצִיא אֶת־כָּל־מַעְשַׂר תְּבוּאָתְךָ
29 בַּשָּׁנָה הַהִוא וְהִנַּחְתָּ בִּשְׁעָרֶיךָ: וּבָא הַלֵּוִי כִּי אֵין־לוֹ חֵלֶק
וְנַחֲלָה עִמָּךְ וְהַגֵּר וְהַיָּתוֹם וְהָאַלְמָנָה אֲשֶׁר בִּשְׁעָרֶיךָ וְאָכְלוּ
וְשָׂבֵעוּ לְמַעַן יְבָרֶכְךָ יְהוָה אֱלֹהֶיךָ בְּכֹל־מַעֲשֵׂה יָדְךָ אֲשֶׁר
תַּעֲשֶׂה:

Deuteronomy 15

מִקֵּץ שֶׁבַע־שָׁנִים תַּעֲשֶׂה שְׁמִטָּה: וְזֶה דְּבַר הַשְּׁמִטָּה א ג
שָׁמוֹט כָּל־בַּעַל מַשֵּׁה יָדוֹ אֲשֶׁר יַשֶּׁה בְּרֵעֵהוּ לֹא־יִנֹּשׂ
אֶת־רֵעֵהוּ וְאֶת־אָחִיו כִּי־קָרָא שְׁמִטָּה לַיהוָה:
כִּי־יְהוָה 7
בְּךָ אֶבְיוֹן מֵאַחַד אַחֶיךָ בְּאַחַד שְׁעָרֶיךָ בְּאַרְצְךָ אֲשֶׁר־
יְהוָה אֱלֹהֶיךָ נֹתֵן לָךְ לֹא תְאַמֵּץ אֶת־לְבָבְךָ וְלֹא תִקְפֹּץ
אֶת־יָדְךָ מֵאָחִיךָ הָאֶבְיוֹן: כִּי־פָתֹחַ תִּפְתַּח אֶת־יָדֶךָ לוֹ 8
וְהַעֲבֵט תַּעֲבִיטֶנּוּ יָדֶי מַחְסֹרוֹ אֲשֶׁר יֶחְסַר לוֹ: הִשָּׁמֶר לְךָ 9
פֶּן־יִהְיֶה דָבָר עִם־לְבָבְךָ בְלִיַּעַל לֵאמֹר קָרְבָה שְׁנַת־
הַשֶּׁבַע שְׁנַת הַשְּׁמִטָּה וְרָעָה עֵינְךָ בְּאָחִיךָ הָאֶבְיוֹן וְלֹא
(n. 5) תִתֵּן לוֹ וְקָרָא עָלֶיךָ אֶל־יְהוָה וְהָיָה בְךָ חֵטְא: נָתוֹן תִּתֵּן
לוֹ וְלֹא־יֵרַע לְבָבְךָ בְּתִתְּךָ לוֹ כִּי בִגְלַל ׀ הַדָּבָר הַזֶּה
יְבָרֶכְךָ יְהוָה אֱלֹהֶיךָ בְּכָל־מַעֲשֶׂךָ וּבְכֹל מִשְׁלַח יָדֶךָ: כִּי 11
לֹא־יֶחְדַּל אֶבְיוֹן מִקֶּרֶב הָאָרֶץ עַל־כֵּן אָנֹכִי מְצַוְּךָ לֵאמֹר
פָּתֹחַ תִּפְתַּח אֶת־יָדְךָ לְאָחִיךָ לַעֲנִיֶּךָ וּלְאֶבְיֹנְךָ בְּאַרְצֶךָ: ס
כִּי־יִמָּכֵר לְךָ אָחִיךָ הָעִבְרִי אוֹ הָעִבְרִיָּה וַעֲבָדֶךָ שֵׁשׁ שָׁנִים 12
וּבַשָּׁנָה הַשְּׁבִיעִת תְּשַׁלְּחֶנּוּ חָפְשִׁי מֵעִמָּךְ: וְכִי־תְשַׁלְּחֶנּוּ 13
חָפְשִׁי מֵעִמָּךְ לֹא תְשַׁלְּחֶנּוּ רֵיקָם: הַעֲנִיק תַּעֲנִיק לוֹ 14
מִצֹּאנְךָ וּמִגָּרְנְךָ וּמִיִּקְבֶךָ אֲשֶׁר בֵּרַכְךָ יְהוָה אֱלֹהֶיךָ תִּתֶּן
לוֹ: וְזָכַרְתָּ כִּי עֶבֶד הָיִיתָ בְּאֶרֶץ מִצְרַיִם וַיִּפְדְּךָ יְהוָה סו
אֱלֹהֶיךָ עַל־כֵּן אָנֹכִי מְצַוְּךָ אֶת־הַדָּבָר הַזֶּה הַיּוֹם: וְהָיָה 16
כִּי־יֹאמַר אֵלֶיךָ לֹא אֵצֵא מֵעִמָּךְ כִּי אֲהֵבְךָ וְאֶת־בֵּיתֶךָ
כִּי־טוֹב לוֹ עִמָּךְ:

Uitti, *NJV*, *NAB*, *NEB*, *RSV* (2bβ)

Uitti, *NJV*, *RSV* (10b,11); *NAB*, *NEB* (10b)

Uitti, *NAB* (15)

*NJV* (16b); *NAB*, *RSV* (16bα,bβ)

Deuteronomy 16

א שָׁמוֹר אֶת־חֹדֶשׁ הָאָבִיב וְעָשִׂיתָ פֶּסַח לַיהוָה אֱלֹהֶיךָ כִּי
בְּחֹדֶשׁ הָאָבִיב הוֹצִיאֲךָ יְהוָה אֱלֹהֶיךָ מִמִּצְרַיִם לָיְלָה׃
2 וְזָבַחְתָּ פֶּסַח לַיהוָה אֱלֹהֶיךָ צֹאן וּבָקָר בַּמָּקוֹם אֲשֶׁר יִבְחַר
3 יְהוָה לְשַׁכֵּן שְׁמוֹ שָׁם׃ לֹא־תֹאכַל עָלָיו חָמֵץ שִׁבְעַת יָמִים
תֹּאכַל־עָלָיו מַצּוֹת לֶחֶם עֹנִי כִּי בְחִפָּזוֹן יָצָאתָ מֵאֶרֶץ
מִצְרַיִם לְמַעַן תִּזְכֹּר אֶת־יוֹם צֵאתְךָ מֵאֶרֶץ מִצְרַיִם כֹּל
יְמֵי חַיֶּיךָ׃

13 חַג הַסֻּכֹּת תַּעֲשֶׂה לְךָ שִׁבְעַת יָמִים בְּאָסְפְּךָ מִגָּרְנְךָ
14 (n.6) וּמִיִּקְבֶךָ׃ וְשָׂמַחְתָּ בְחַגֶּךָ אַתָּה וּבִנְךָ וּבִתֶּךָ וְעַבְדְּךָ וַאֲמָתֶךָ
וְהַלֵּוִי וְהַגֵּר וְהַיָּתוֹם וְהָאַלְמָנָה אֲשֶׁר בִּשְׁעָרֶיךָ׃ שִׁבְעַת
15 יָמִים תָּחֹג לַיהוָה אֱלֹהֶיךָ בַּמָּקוֹם אֲשֶׁר־יִבְחַר יְהוָה כִּי
יְבָרֶכְךָ יְהוָה אֱלֹהֶיךָ בְּכֹל תְּבוּאָתְךָ וּבְכֹל מַעֲשֵׂה יָדֶיךָ
וְהָיִיתָ אַךְ שָׂמֵחַ׃ שָׁלוֹשׁ פְּעָמִים | בַּשָּׁנָה יֵרָאֶה כָל־זְכוּרְךָ 16
אֶת־פְּנֵי | יְהוָה אֱלֹהֶיךָ בַּמָּקוֹם אֲשֶׁר יִבְחָר בְּחַג הַמַּצּוֹת
וּבְחַג הַשָּׁבֻעוֹת וּבְחַג הַסֻּכּוֹת וְלֹא יֵרָאֶה אֶת־פְּנֵי יְהוָה
רֵיקָם׃ אִישׁ כְּמַתְּנַת יָדוֹ כְּבִרְכַּת יְהוָה אֱלֹהֶיךָ אֲשֶׁר נָתַן־לָךְ׃ 17
שֹׁפְטִים וְשֹׁטְרִים תִּתֶּן־לְךָ בְּכָל־שְׁעָרֶיךָ אֲשֶׁר יְהוָה אֱלֹהֶיךָ 18
נֹתֵן לְךָ לִשְׁבָטֶיךָ וְשָׁפְטוּ אֶת־הָעָם מִשְׁפַּט־צֶדֶק׃ לֹא 19
תַטֶּה מִשְׁפָּט לֹא תַכִּיר פָּנִים וְלֹא־תִקַּח שֹׁחַד כִּי הַשֹּׁחַד
יְעַוֵּר עֵינֵי חֲכָמִים וְיסַלֵּף דִּבְרֵי צַדִּיקִם׃ צֶדֶק צֶדֶק 20
תִּרְדֹּף לְמַעַן תִּחְיֶה וְיָרַשְׁתָּ אֶת־הָאָרֶץ אֲשֶׁר־יְהוָה אֱלֹהֶיךָ
נֹתֵן לָךְ׃ לֹא־תִטַּע לְךָ אֲשֵׁרָה כָּל־עֵץ אֵצֶל מִזְבַּח 21
יְהוָה אֱלֹהֶיךָ אֲשֶׁר תַּעֲשֶׂה־לָּךְ׃ וְלֹא־תָקִים לְךָ מַצֵּבָה 22
אֲשֶׁר שָׂנֵא יְהוָה אֱלֹהֶיךָ׃

Uitti, *NJV*, *NAB*, *NEB*, *RSV* (1b)

Uitti (3bβ,c); *NJV*, *NAB*, *RSV* (3bα,bβ)

Uitti (14-15); *NJV*, *NAB* (15b); *RSV* (15bα,bβ)

Uitti (19cb-20); *NJV*, *NAB*, *NEB*, *RSV* (19bβ-c)

*NJV*, *NAB*, *NEB*, *RSV* (20b)

Uitti, *NJV*, *NEB* (22b)

Deuteronomy 17

לֹא־תִזְבַּח לַיהוָה אֱלֹהֶיךָ שׁוֹר וָשֶׂה אֲשֶׁר יִהְיֶה בּוֹ מוּם א
כָּל דָּבָר רָע כִּי תוֹעֲבַת יְהוָה אֱלֹהֶיךָ הוּא: ס כִּי־יִמָּצֵא 2
בְקִרְבְּךָ בְּאַחַד שְׁעָרֶיךָ אֲשֶׁר־יְהוָה אֱלֹהֶיךָ נֹתֵן לָךְ אִישׁ
אוֹ־אִשָּׁה אֲשֶׁר יַעֲשֶׂה אֶת־הָרָע בְּעֵינֵי יְהוָה־אֱלֹהֶיךָ לַעֲבֹר
בְּרִיתוֹ: וַיֵּלֶךְ וַיַּעֲבֹד אֱלֹהִים אֲחֵרִים וַיִּשְׁתַּחוּ לָהֶם וְלַשֶּׁמֶשׁ 3
אוֹ לַיָּרֵחַ אוֹ לְכָל־צְבָא הַשָּׁמַיִם אֲשֶׁר לֹא־צִוִּיתִי: וְהֻגַּד־ 4
לְךָ וְשָׁמָעְתָּ וְדָרַשְׁתָּ הֵיטֵב וְהִנֵּה אֱמֶת נָכוֹן הַדָּבָר נֶעֱשְׂתָה
הַתּוֹעֵבָה הַזֹּאת בְּיִשְׂרָאֵל: וְהוֹצֵאתָ אֶת־הָאִישׁ הַהוּא אוֹ ה
אֶת־הָאִשָּׁה הַהִוא אֲשֶׁר עָשׂוּ אֶת־הַדָּבָר הָרָע הַזֶּה אֶל
שְׁעָרֶיךָ אֶת־הָאִישׁ אוֹ אֶת־הָאִשָּׁה וְסָקַלְתָּם בָּאֲבָנִים וָמֵתוּ:
עַל־פִּי ו שְׁנַיִם עֵדִים אוֹ שְׁלֹשָׁה עֵדִים יוּמַת הַמֵּת לֹא יוּמַת 6
עַל־פִּי עֵד אֶחָד: יַד הָעֵדִים תִּהְיֶה־בּוֹ בָרִאשֹׁנָה לַהֲמִיתוֹ 7
וְיַד כָּל־הָעָם בָּאַחֲרֹנָה וּבִעַרְתָּ הָרָע מִקִּרְבֶּךָ: פ
כִּי יִפָּלֵא מִמְּךָ דָבָר לַמִּשְׁפָּט בֵּין־דָּם ו לְדָם בֵּין־דִּין לְדִין 8
וּבֵין נֶגַע לָנֶגַע דִּבְרֵי רִיבֹת בִּשְׁעָרֶיךָ וְקַמְתָּ וְעָלִיתָ אֶל־
הַמָּקוֹם אֲשֶׁר יִבְחַר יְהוָה אֱלֹהֶיךָ בּוֹ: וּבָאתָ אֶל־הַכֹּהֲנִים 9
הַלְוִיִּם וְאֶל־הַשֹּׁפֵט אֲשֶׁר יִהְיֶה בַּיָּמִים הָהֵם וְדָרַשְׁתָּ
וְהִגִּידוּ לְךָ אֵת דְּבַר הַמִּשְׁפָּט: וְעָשִׂיתָ עַל־פִּי הַדָּבָר י
אֲשֶׁר יַגִּידוּ לְךָ מִן־הַמָּקוֹם הַהוּא אֲשֶׁר יִבְחַר יְהוָה וְשָׁמַרְתָּ
לַעֲשׂוֹת כְּכֹל אֲשֶׁר יוֹרוּךָ: עַל־פִּי הַתּוֹרָה אֲשֶׁר יוֹרוּךָ 11
וְעַל־הַמִּשְׁפָּט אֲשֶׁר־יֹאמְרוּ לְךָ תַּעֲשֶׂה לֹא תָסוּר מִן־הַדָּבָר
אֲשֶׁר־יַגִּידוּ לְךָ יָמִין וּשְׂמֹאל: וְהָאִישׁ אֲשֶׁר־יַעֲשֶׂה בְזָדוֹן 12
לְבִלְתִּי שְׁמֹעַ אֶל־הַכֹּהֵן הָעֹמֵד לְשָׁרֵת שָׁם אֶת־יְהוָה
אֱלֹהֶיךָ אוֹ אֶל־הַשֹּׁפֵט וּמֵת הָאִישׁ הַהוּא וּבִעַרְתָּ הָרָע
מִיִּשְׂרָאֵל: וְכָל־הָעָם יִשְׁמְעוּ וְיִרָאוּ וְלֹא יְזִידוּן עוֹד: כִּי־ 13 14
תָבֹא אֶל־הָאָרֶץ אֲשֶׁר יְהוָה אֱלֹהֶיךָ נֹתֵן לָךְ וִירִשְׁתָּהּ
וְיָשַׁבְתָּה בָּהּ וְאָמַרְתָּ אָשִׂימָה עָלַי מֶלֶךְ כְּכָל־הַגּוֹיִם אֲשֶׁר
סְבִיבֹתָי: שׂוֹם תָּשִׂים עָלֶיךָ מֶלֶךְ אֲשֶׁר יִבְחַר יְהוָה אֱלֹהֶיךָ טו
בּוֹ מִקֶּרֶב אָחִיךָ תָּשִׂים עָלֶיךָ מֶלֶךְ לֹא תוּכַל לָתֵת עָלֶיךָ
אִישׁ נָכְרִי אֲשֶׁר לֹא־אָחִיךָ הוּא: רַק לֹא־יַרְבֶּה־לּוֹ סוּסִים 16
וְלֹא־יָשִׁיב אֶת־הָעָם מִצְרַיְמָה לְמַעַן הַרְבּוֹת סוּס וַיהוָה
אָמַר לָכֶם לֹא תֹסִפוּן לָשׁוּב בַּדֶּרֶךְ הַזֶּה עוֹד: וְלֹא יִרְבֶּה־ 17
לּוֹ נָשִׁים וְלֹא יָסוּר לְבָבוֹ וְכֶסֶף וְזָהָב לֹא יִרְבֶּה־לּוֹ מְאֹד:
וְהָיָה כְשִׁבְתּוֹ עַל כִּסֵּא מַמְלַכְתּוֹ וְכָתַב לוֹ אֶת־מִשְׁנֵה 18
הַתּוֹרָה הַזֹּאת עַל־סֵפֶר מִלִּפְנֵי הַכֹּהֲנִים הַלְוִיִּם: וְהָיְתָה 19
עִמּוֹ וְקָרָא בּוֹ כָּל־יְמֵי חַיָּיו לְמַעַן יִלְמַד לְיִרְאָה אֶת־יְהוָה
אֱלֹהָיו לִשְׁמֹר אֶת־כָּל־דִּבְרֵי הַתּוֹרָה הַזֹּאת וְאֶת־הַחֻקִּים
הָאֵלֶּה לַעֲשֹׂתָם: לְבִלְתִּי רוּם־לְבָבוֹ מֵאֲחָיו וּלְבִלְתִּי סוּר כ
מִן־הַמִּצְוָה יָמִין וּשְׂמֹאול לְמַעַן יַאֲרִיךְ יָמִים עַל־מַמְלַכְתּוֹ
הוּא וּבָנָיו בְּקֶרֶב יִשְׂרָאֵל:

Uitti, *NJV*, *NEB*, *RSV* (1b)

Uitti (7b)

Uitti (12b-13)

Uitti (16c); *NJV*, *NEB*, *RSV* (16b)

Uitti, *NJV*, *NAB*, *RSV* (17aβ)

Uitti (19bff.-20); *NJV* (19b,20b); *NAB*, *NEB* (19b); *RSV* (19b,20aα,aβ,b)

Deuteronomy 18

| | | |
|---|---|---|
| | א לֹא־יִהְיֶה לַכֹּהֲנִים הַלְוִיִּם כָּל־שֵׁבֶט לֵוִי חֵלֶק וְנַחֲלָה עִם־ | Uitti (2b) |
| (n. 7) | 2 יִשְׂרָאֵל אִשֵּׁי יְהוָה וְנַחֲלָתוֹ יֹאכֵלוּן: וְנַחֲלָה לֹא־יִהְיֶה־לּוֹ | Uitti, *NJV*, *NAB*, *NEB*, *RSV* (5) |
| | 3 בְּקֶרֶב אֶחָיו יְהוָה הוּא נַחֲלָתוֹ כַּאֲשֶׁר דִּבֶּר־לוֹ: ס וְזֶה | Uitti (12-22); *NJV*, *RSV* (12a,b); *NAB*, *NEB* (12b) |
| | יִהְיֶה מִשְׁפַּט הַכֹּהֲנִים מֵאֵת הָעָם מֵאֵת זֹבְחֵי זֶבַח אִם־ | |
| | 4 שׁוֹר אִם־שֶׂה וְנָתַן לַכֹּהֵן הַזְּרֹעַ וְהַלְּחָיַיִם וְהַקֵּבָה: רֵאשִׁית | |
| | ה דְּגָנְךָ תִּירֹשְׁךָ וְיִצְהָרֶךָ וְרֵאשִׁית גֵּז צֹאנְךָ תִּתֶּן־לוֹ: כִּי בוֹ | |
| | בָחַר יְהוָה אֱלֹהֶיךָ מִכָּל־שִׁבְטֶיךָ לַעֲמֹד לְשָׁרֵת בְּשֵׁם־ | |
| | 6 יְהוָה הוּא וּבָנָיו כָּל־הַיָּמִים: וְכִי־יָבֹא הַלֵּוִי מֵאַחַד | |
| | שְׁעָרֶיךָ מִכָּל־יִשְׂרָאֵל אֲשֶׁר־הוּא גָּר שָׁם וּבָא בְּכָל־אַוַּת | |
| | 7 נַפְשׁוֹ אֶל־הַמָּקוֹם אֲשֶׁר־יִבְחַר יְהוָה: וְשֵׁרֵת בְּשֵׁם יְהוָה | |
| | 8 אֱלֹהָיו כְּכָל־אֶחָיו הַלְוִיִּם הָעֹמְדִים שָׁם לִפְנֵי יְהוָה: חֵלֶק | |
| | 9 כְּחֵלֶק יֹאכֵלוּ לְבַד מִמְכָּרָיו עַל־הָאָבוֹת: ס כִּי אַתָּה בָּא | |
| | אֶל־הָאָרֶץ אֲשֶׁר־יְהוָה אֱלֹהֶיךָ נֹתֵן לָךְ לֹא־תִלְמַד לַעֲשׂוֹת | |
| | י כְּתוֹעֲבֹת הַגּוֹיִם הָהֵם: לֹא־יִמָּצֵא בְךָ מַעֲבִיר בְּנוֹ־וּבִתּוֹ בָּאֵשׁ | |
| | 11 לֹסֵם קְסָמִים מְעוֹנֵן וּמְנַחֵשׁ וּמְכַשֵּׁף: וְחֹבֵר חָבֶר וְשֹׁאֵל | |
| | 12 אוֹב וְיִדְּעֹנִי וְדֹרֵשׁ אֶל־הַמֵּתִים: כִּי־תוֹעֲבַת יְהוָה כָּל־עֹשֵׂה | |
| (n. 8) | אֵלֶּה וּבְגַלַל הַתּוֹעֵבֹת הָאֵלֶּה יְהוָה אֱלֹהֶיךָ מוֹרִישׁ אוֹתָם | |
| | מִפָּנֶיךָ: | |

Deuteronomy 19

| | | |
|---|---|---|
| | כִּי־יַכְרִית יְהוָה אֱלֹהֶיךָ אֶת־הַגּוֹיִם אֲשֶׁר | א יְהוָה אֱלֹהֶיךָ | Uitti (3c); *NJV*, *RSV* (3b); *NAB* (3b?) |
| | נֹתֵן לְךָ אֶת־אַרְצָם וְיָרַשְׁתָּם וְיָשַׁבְתָּ בְעָרֵיהֶם וּבְבָתֵּיהֶם: | |
| | שָׁלוֹשׁ עָרִים תַּבְדִּיל לָךְ בְּתוֹךְ אַרְצְךָ אֲשֶׁר יְהוָה אֱלֹהֶיךָ | 2 | Uitti (6-7); *NJV*, *NAB* (6bβ); *NEB* (6-7?); *RSV* (6) |
| | נֹתֵן לְךָ לְרִשְׁתָּהּ: תָּכִין לְךָ הַדָּרֶךְ וְשִׁלַּשְׁתָּ אֶת־גְּבוּל | 3 | |
| | אַרְצְךָ אֲשֶׁר יַנְחִילְךָ יְהוָה אֱלֹהֶיךָ וְהָיָה לָנוּס שָׁמָּה כָּל־ | Uitti, *RSV* (10) |
| | רֹצֵחַ: וְזֶה דְּבַר הָרֹצֵחַ אֲשֶׁר־יָנוּס שָׁמָּה וְחָיָ אֲשֶׁר יַכֶּה | 4 |
| | אֶת־רֵעֵהוּ בִּבְלִי־דַעַת וְהוּא לֹא־שֹׂנֵא לוֹ מִתְמֹל שִׁלְשֹׁם: | |
| | וַאֲשֶׁר יָבֹא אֶת־רֵעֵהוּ בְיַעַר לַחְטֹב עֵצִים וְנִדְּחָה יָדוֹ ה | |
| | בַגַּרְזֶן לִכְרֹת הָעֵץ וְנָשַׁל הַבַּרְזֶל מִן־הָעֵץ וּמָצָא אֶת־ | |
| | רֵעֵהוּ וָמֵת הוּא יָנוּס אֶל־אַחַת הֶעָרִים־הָאֵלֶּה וְחָי: פֶּן 6 | |
| | יִרְדֹּף גֹּאֵל הַדָּם אַחֲרֵי הָרֹצֵחַ כִּי יֵחַם לְבָבוֹ וְהִשִּׂיגוֹ | |
| | כִּי־רָבָה הַדֶּרֶךְ וְהִכָּהוּ נֶפֶשׁ וְלוֹ אֵין מִשְׁפַּט־מָוֶת כִּי | |
| | לֹא שֹׂנֵא הוּא לוֹ מִתְמֹל שִׁלְשֹׁם: עַל־כֵּן אָנֹכִי מְצַוְּךָ 7 | |
| | לֵאמֹר שָׁלֹשׁ עָרִים תַּבְדִּיל לָךְ: וְאִם־יַרְחִיב יְהוָה 8 | |
| | אֱלֹהֶיךָ אֶת־גְּבֻלְךָ כַּאֲשֶׁר נִשְׁבַּע לַאֲבֹתֶיךָ וְנָתַן לְךָ אֶת־ | |
| | כָּל־הָאָרֶץ אֲשֶׁר דִּבֶּר לָתֵת לַאֲבֹתֶיךָ: כִּי־תִשְׁמֹר אֶת־ 9 | |
| | כָּל־הַמִּצְוָה הַזֹּאת לַעֲשֹׂתָהּ אֲשֶׁר אָנֹכִי מְצַוְּךָ הַיּוֹם לְאַהֲבָה | |
| | אֶת־יְהוָה אֱלֹהֶיךָ וְלָלֶכֶת בִּדְרָכָיו כָּל־הַיָּמִים וְיָסַפְתָּ לְךָ | |
| | עוֹד שָׁלֹשׁ עָרִים עַל הַשָּׁלֹשׁ הָאֵלֶּה: וְלֹא יִשָּׁפֵךְ דָּם נָקִי י | |
| | בְּקֶרֶב אַרְצְךָ אֲשֶׁר יְהוָה אֱלֹהֶיךָ נֹתֵן לְךָ נַחֲלָה וְהָיְתָה | |
| | עָלֶיךָ דְּמִים: | |

Deuteronomy 19 cont.

| | | |
|---|---|---|
| מו | לֹא־יָקוּם עֵד אֶחָד בְּאִישׁ לְכָל־עָוֹן וּלְכָל־חַטָּאת בְּכָל־חֵטְא אֲשֶׁר יֶחֱטָא עַל־פִּי ׀ שְׁנֵי עֵדִים אוֹ עַל־פִּי | Uitti (19b-21) |
| 16 | שְׁלֹשָׁה־עֵדִים יָקוּם דָּבָר: כִּי־יָקוּם עֵד־חָמָס בְּאִישׁ לַעֲנוֹת | |
| 17 | בּוֹ סָרָה: וְעָמְדוּ שְׁנֵי־הָאֲנָשִׁים אֲשֶׁר־לָהֶם הָרִיב לִפְנֵי | |
| | יְהוָה לִפְנֵי הַכֹּהֲנִים וְהַשֹּׁפְטִים אֲשֶׁר יִהְיוּ בַּיָּמִים הָהֵם: | |
| 18 | וְדָרְשׁוּ הַשֹּׁפְטִים הֵיטֵב וְהִנֵּה עֵד־שֶׁקֶר הָעֵד שָׁקָר עָנָה | |
| 19 | בְּאָחִיו: וַעֲשִׂיתֶם לוֹ כַּאֲשֶׁר זָמַם לַעֲשׂוֹת לְאָחִיו וּבִעַרְתָּ | |
| כ | הָרָע מִקִּרְבֶּךָ: וְהַנִּשְׁאָרִים יִשְׁמְעוּ וְיִרָאוּ וְלֹא־יֹסִפוּ לַעֲשׂוֹת | |
| 21 | עוֹד כַּדָּבָר הָרָע הַזֶּה בְּקִרְבֶּךָ: | |

Deuteronomy 20

| | | |
|---|---|---|
| 2 | וְהָיָה כְּקָרַבְכֶם אֶל־הַמִּלְחָמָה וְנִגַּשׁ | Uitti (5bβ); *NJV*, *NAB*, *RSV* (5b) |
| 3 | הַכֹּהֵן וְדִבֶּר אֶל־הָעָם: וְאָמַר אֲלֵהֶם שְׁמַע יִשְׂרָאֵל אַתֶּם | |
| | קְרֵבִים הַיּוֹם לַמִּלְחָמָה עַל־אֹיְבֵיכֶם אַל־יֵרַךְ לְבַבְכֶם | Uitti (6bβ); *NJV*, *NAB*, *RSV* (6b) |
| 4 | אַל־תִּירְאוּ וְאַל־תַּחְפְּזוּ וְאַל־תַּעַרְצוּ מִפְּנֵיהֶם: כִּי יְהוָה | |
| | אֱלֹהֵיכֶם הַהֹלֵךְ עִמָּכֶם לְהִלָּחֶם לָכֶם עִם־אֹיְבֵיכֶם לְהוֹשִׁיעַ | Uitti (7bβ); *NJV*, *NAB*, *RSV* (7b) |
| ה | אֶתְכֶם: וְדִבְּרוּ הַשֹּׁטְרִים אֶל־הָעָם לֵאמֹר מִי־הָאִישׁ אֲשֶׁר | |
| | בָּנָה בַיִת־חָדָשׁ וְלֹא חֲנָכוֹ יֵלֵךְ וְיָשָׁב לְבֵיתוֹ פֶּן־יָמוּת | Uitti (8bβ); *NJV*, *NAB*, *RSV* (8b) |
| (n. 9) 6 | בַּמִּלְחָמָה וְאִישׁ אַחֵר יַחְנְכֶנּוּ: וּמִי־הָאִישׁ אֲשֶׁר נָטַע | |
| | כֶּרֶם וְלֹא חִלְּלוֹ יֵלֵךְ וְיָשָׁב לְבֵיתוֹ פֶּן־יָמוּת בַּמִּלְחָמָה | Uitti (17b-18); *NJV*, *NAB*, *NEB*, *RSV* (18) |
| 7 | וְאִישׁ אַחֵר יְחַלְלֶנּוּ: וּמִי־הָאִישׁ אֲשֶׁר אֵרַשׂ אִשָּׁה וְלֹא | |
| | לְקָחָהּ יֵלֵךְ וְיָשָׁב לְבֵיתוֹ פֶּן־יָמוּת בַּמִּלְחָמָה וְאִישׁ אַחֵר | Uitti (19b-20); *NAB* (19b?) |
| 8 | יִקָּחֶנָּה: וְיָסְפוּ הַשֹּׁטְרִים לְדַבֵּר אֶל־הָעָם וְאָמְרוּ מִי־ | |
| | הָאִישׁ הַיָּרֵא וְרַךְ הַלֵּבָב יֵלֵךְ וְיָשָׁב לְבֵיתוֹ וְלֹא יִמַּס אֶת־ | |
| 9 | לְבַב אֶחָיו כִּלְבָבוֹ: וְהָיָה כְּכַלּוֹת הַשֹּׁטְרִים לְדַבֵּר אֶל | |
| | הָעָם וּפָקְדוּ שָׂרֵי צְבָאוֹת בְּרֹאשׁ הָעָם: | |
| 16 | רַק מֵעָרֵי הָעַמִּים הָאֵלֶּה אֲשֶׁר יְהוָה | |
| 17 | אֱלֹהֶיךָ נֹתֵן לְךָ נַחֲלָה לֹא תְחַיֶּה כָּל־נְשָׁמָה: כִּי־הַחֲרֵם | |
| | תַּחֲרִימֵם הַחִתִּי וְהָאֱמֹרִי הַכְּנַעֲנִי וְהַפְּרִזִּי הַחִוִּי וְהַיְבוּסִי | |
| 18 | כַּאֲשֶׁר צִוְּךָ יְהוָה אֱלֹהֶיךָ: לְמַעַן אֲשֶׁר לֹא־יְלַמְּדוּ אֶתְכֶם | |
| | לַעֲשׂוֹת כְּכֹל תּוֹעֲבֹתָם אֲשֶׁר עָשׂוּ לֵאלֹהֵיהֶם וַחֲטָאתֶם | |
| | לַיהוָה אֱלֹהֵיכֶם: ס כִּי־תָצוּר אֶל־עִיר יָמִים רַבִּים | |
| 19 | לְהִלָּחֶם עָלֶיהָ לְתָפְשָׂהּ לֹא־תַשְׁחִית אֶת־עֵצָהּ לִנְדֹּחַ עָלָיו | |
| | גַּרְזֶן כִּי מִמֶּנּוּ תֹאכֵל וְאֹתוֹ לֹא תִכְרֹת כִּי הָאָדָם עֵץ הַשָּׂדֶה | |
| | לָבֹא מִפָּנֶיךָ בַּמָּצוֹר: | |

Deuteronomy 21

כִּי־יִמָּצֵא חָלָל בָּאֲדָמָה אֲשֶׁר יְהוָה אֱלֹהֶיךָ נֹתֵן לְךָ א
לְרִשְׁתָּהּ נֹפֵל בַּשָּׂדֶה לֹא נוֹדַע מִי הִכָּהוּ: וְיָצְאוּ זְקֵנֶיךָ 2
וְשֹׁפְטֶיךָ וּמָדְדוּ אֶל־הֶעָרִים אֲשֶׁר סְבִיבֹת הֶחָלָל: וְהָיָה 3
הָעִיר הַקְּרֹבָה אֶל־הֶחָלָל וְלָקְחוּ זִקְנֵי הָעִיר הַהִוא עֶגְלַת
בָּקָר אֲשֶׁר לֹא־עֻבַד בָּהּ אֲשֶׁר לֹא־מָשְׁכָה בְעֹל: וְהוֹרִדוּ 4
זִקְנֵי הָעִיר הַהִוא אֶת־הָעֶגְלָה אֶל־נַחַל אֵיתָן אֲשֶׁר לֹא
יֵעָבֵד בּוֹ וְלֹא יִזָּרַע וְעָרְפוּ שָׁם אֶת־הָעֶגְלָה בַּנָּחַל: וְנִגְּשׁוּ ה
הַכֹּהֲנִים בְּנֵי לֵוִי כִּי בָם בָּחַר יְהוָה אֱלֹהֶיךָ לְשָׁרְתוֹ וּלְבָרֵךְ
בְּשֵׁם יְהוָה וְעַל־פִּיהֶם יִהְיֶה כָּל־רִיב וְכָל־נָגַע: וְכֹל זִקְנֵי 6
הָעִיר הַהִוא הַקְּרֹבִים אֶל־הֶחָלָל יִרְחֲצוּ אֶת־יְדֵיהֶם עַל־
הָעֶגְלָה הָעֲרוּפָה בַּנָּחַל: וְעָנוּ וְאָמְרוּ יָדֵינוּ לֹא שָׁפְכָה 7
אֶת־הַדָּם הַזֶּה וְעֵינֵינוּ לֹא רָאוּ: כַּפֵּר 8
לְעַמְּךָ יְהוָה אֲשֶׁר פָּדִיתָ וְאַל־תִּתֵּן דָּם נָקִי בְּקֶרֶב עַמְּךָ יִשְׂרָאֵל
וְנִכַּפֵּר לָהֶם הַדָּם: וְאַתָּה תְּבַעֵר הַדָּם הַנָּקִי מִקִּרְבֶּךָ 9
כִּי־תַעֲשֶׂה הַיָּשָׁר בְּעֵינֵי יְהוָה:
כִּי־תֵצֵא לַמִּלְחָמָה עַל־אֹיְבֶיךָ וּנְתָנוֹ יְהוָה אֱלֹהֶיךָ בְּיָדֶךָ י
וְשָׁבִיתָ שִׁבְיוֹ: וְרָאִיתָ בַּשִּׁבְיָה אֵשֶׁת יְפַת־תֹּאַר וְחָשַׁקְתָּ 11
בָּהּ וְלָקַחְתָּ לְךָ לְאִשָּׁה: וַהֲבֵאתָהּ אֶל־תּוֹךְ בֵּיתֶךָ וְגִלְּחָה 12
אֶת־רֹאשָׁהּ וְעָשְׂתָה אֶת־צִפָּרְנֶיהָ: וְהֵסִירָה אֶת־שִׂמְלַת 13
שִׁבְיָהּ מֵעָלֶיהָ וְיָשְׁבָה בְּבֵיתֶךָ וּבָכְתָה אֶת־אָבִיהָ וְאֶת־
אִמָּהּ יָרֵחַ יָמִים וְאַחַר כֵּן תָּבוֹא אֵלֶיהָ וּבְעַלְתָּהּ וְהָיְתָה
לְךָ לְאִשָּׁה: וְהָיָה אִם־לֹא חָפַצְתָּ בָּהּ וְשִׁלַּחְתָּהּ לְנַפְשָׁהּ 14
וּמָכֹר לֹא־תִמְכְּרֶנָּה בַּכֶּסֶף לֹא־תִתְעַמֶּר בָּהּ תַּחַת אֲשֶׁר
עִנִּיתָהּ:
כִּי־יִהְיֶיןָ לְאִישׁ שְׁתֵּי נָשִׁים הָאַחַת טו
אְהוּבָה וְהָאַחַת שְׂנוּאָה וְיָלְדוּ־לוֹ בָנִים הָאְהוּבָה וְהַשְּׂנוּאָה
16 וְהָיָה הַבֵּן הַבְּכֹר לִשְׂנוּאָה: וְהָיָה בְּיוֹם הַנְחִילוֹ אֶת־בָּנָיו
אֵת אֲשֶׁר־יִהְיֶה לוֹ לֹא יוּכַל לִבְכֹּר אֶת־בֶּן־הָאְהוּבָה עַל־
17 פְּנֵי בֶן־הַשְּׂנוּאָה הַבְּכֹר: כִּי אֶת־הַבְּכֹר בֶּן־הַשְּׂנוּאָה יַכִּיר
לָתֵת לוֹ פִּי שְׁנַיִם בְּכֹל אֲשֶׁר־יִמָּצֵא לוֹ כִּי־הוּא רֵאשִׁית
18 אֹנוֹ לוֹ מִשְׁפַּט הַבְּכֹרָה: כִּי־יִהְיֶה לְאִישׁ בֵּן סוֹרֵר
וּמוֹרֶה אֵינֶנּוּ שֹׁמֵעַ בְּקוֹל אָבִיו וּבְקוֹל אִמּוֹ וְיִסְּרוּ אֹתוֹ וְלֹא
19 יִשְׁמַע אֲלֵיהֶם: וְתָפְשׂוּ בוֹ אָבִיו וְאִמּוֹ וְהוֹצִיאוּ אֹתוֹ אֶל־
כ זִקְנֵי עִירוֹ וְאֶל־שַׁעַר מְקֹמוֹ: וְאָמְרוּ אֶל־זִקְנֵי עִירוֹ בְּנֵנוּ
21 זֶה סוֹרֵר וּמֹרֶה אֵינֶנּוּ שֹׁמֵעַ בְּקֹלֵנוּ זוֹלֵל וְסֹבֵא: וְרָגְמוּ
כָּל־אַנְשֵׁי עִירוֹ בָאֲבָנִים וָמֵת וּבִעַרְתָּ הָרָע מִקִּרְבֶּךָ וְכָל־
22 יִשְׂרָאֵל יִשְׁמְעוּ וְיִרָאוּ: ס וְכִי־יִהְיֶה בְאִישׁ חֵטְא
23 מִשְׁפַּט־מָוֶת וְהוּמָת וְתָלִיתָ אֹתוֹ עַל־עֵץ: לֹא־תָלִין
נִבְלָתוֹ עַל־הָעֵץ כִּי־קָבוֹר תִּקְבְּרֶנּוּ בַּיּוֹם הַהוּא כִּי־קִלְלַת
אֱלֹהִים תָּלוּי וְלֹא תְטַמֵּא אֶת־אַדְמָתְךָ אֲשֶׁר יְהוָה אֱלֹהֶיךָ
נֹתֵן לְךָ נַחֲלָה:

Uitti (5bff.); *NJV*, *NAB*, *NEB*, *RSV* (5aβ-b)

Uitti (9); *NJV*, *NAB* (9b)

Uitti (14bγ); *NJV*, *NAB*, *NEB*, *RSV* (14bβ)

Uitti (17aγ,b); *NJV*, *NAB*, *NEB* (17b); *RSV* (17bα)

Uitti (21b,c)

Uitti (23aγ,b); *NJV*, *NEB*, *RSV* (23aβ); *NAB* (23aβ=mc of 23b)

Deuteronomy 22

ה לֹא־תִהְיֶה כְלִי־גֶבֶר עַל־אִשָּׁה
וְלֹא־יִלְבַּשׁ גֶּבֶר שִׂמְלַת אִשָּׁה כִּי תוֹעֲבַת יְהוָה אֱלֹהֶיךָ
כָּל־עֹשֵׂה אֵלֶּה: פ

6 כִּי יִקָּרֵא קַן־צִפּוֹר ׀ לְפָנֶיךָ בַּדֶּרֶךְ ׀ בְּכָל־עֵץ ׀ אוֹ עַל
הָאָרֶץ אֶפְרֹחִים אוֹ בֵיצִים וְהָאֵם רֹבֶצֶת עַל־הָאֶפְרֹחִים
7 אוֹ עַל־הַבֵּיצִים לֹא־תִקַּח הָאֵם עַל־הַבָּנִים: שַׁלֵּחַ תְּשַׁלַּח
אֶת־הָאֵם וְאֶת־הַבָּנִים תִּקַּח־לָךְ לְמַעַן יֵיטַב לָךְ וְהַאֲרַכְתָּ
8 יָמִים: כִּי תִבְנֶה בַּיִת חָדָשׁ וְעָשִׂיתָ מַעֲקֶה לְגַגֶּךָ
9 וְלֹא־תָשִׂים דָּמִים בְּבֵיתֶךָ כִּי־יִפֹּל הַנֹּפֵל מִמֶּנּוּ: לֹא
תִזְרַע כַּרְמְךָ כִּלְאָיִם פֶּן־תִּקְדַּשׁ הַמְלֵאָה הַזֶּרַע אֲשֶׁר תִּזְרָע
וּתְבוּאַת הַכָּרֶם:

13 כִּי־יִקַּח אִישׁ אִשָּׁה וּבָא אֵלֶיהָ וּשְׂנֵאָהּ: 14 וְשָׂם לָהּ
עֲלִילֹת דְּבָרִים וְהוֹצִא עָלֶיהָ שֵׁם רָע וְאָמַר אֶת־הָאִשָּׁה
הַזֹּאת לָקָחְתִּי וָאֶקְרַב אֵלֶיהָ וְלֹא־מָצָאתִי לָהּ בְּתוּלִים:
טו וְלָקַח אֲבִי הַנַּעֲרָ וְאִמָּהּ וְהוֹצִיאוּ אֶת־בְּתוּלֵי הַנַּעֲרָ אֶל־
16 זִקְנֵי הָעִיר הַשָּׁעָרָה: וְאָמַר אֲבִי הַנַּעֲרָ אֶל־הַזְּקֵנִים אֶת־
17 בִּתִּי נָתַתִּי לָאִישׁ הַזֶּה לְאִשָּׁה וַיִּשְׂנָאֶהָ: וְהִנֵּה־הוּא
שָׂם עֲלִילֹת דְּבָרִים לֵאמֹר לֹא־מָצָאתִי לְבִתֵּךְ בְּתוּלִים
וְאֵלֶּה בְּתוּלֵי בִתִּי וּפָרְשׂוּ הַשִּׂמְלָה לִפְנֵי זִקְנֵי הָעִיר:
18 וְלָקְחוּ זִקְנֵי הָעִיר־הַהִוא אֶת־הָאִישׁ וְיִסְּרוּ אֹתוֹ: 19 וְעָנְשׁוּ
אֹתוֹ מֵאָה כֶסֶף וְנָתְנוּ לַאֲבִי הַנַּעֲרָ כִּי הוֹצִיא שֵׁם רָע
עַל בְּתוּלַת יִשְׂרָאֵל וְלוֹ־תִהְיֶה לְאִשָּׁה לֹא־יוּכַל לְשַׁלְּחָהּ
כָּל־יָמָיו: ס כ וְאִם־אֱמֶת הָיָה הַדָּבָר הַזֶּה לֹא־נִמְצְאוּ
21 בְתוּלִים לַנַּעֲרָ: וְהוֹצִיאוּ אֶת־הַנַּעֲרָ אֶל־פֶּתַח בֵּית־אָבִיהָ
וְסָקְלוּהָ אַנְשֵׁי עִירָהּ בָּאֲבָנִים וָמֵתָה כִּי־עָשְׂתָה נְבָלָה
בְּיִשְׂרָאֵל לִזְנוֹת בֵּית אָבִיהָ וּבִעַרְתָּ הָרָע מִקִּרְבֶּךָ: ס
22 כִּי־יִמָּצֵא אִישׁ שֹׁכֵב ׀ עִם־אִשָּׁה בְּעֻלַת־בַּעַל וּמֵתוּ גַּם־
שְׁנֵיהֶם הָאִישׁ הַשֹּׁכֵב עִם־הָאִשָּׁה וְהָאִשָּׁה וּבִעַרְתָּ הָרָע
23 מִיִּשְׂרָאֵל: ס כִּי יִהְיֶה נַעֲרָ בְתוּלָה מְאֹרָשָׂה לְאִישׁ
24 וּמְצָאָהּ אִישׁ בָּעִיר וְשָׁכַב עִמָּהּ: וְהוֹצֵאתֶם אֶת־שְׁנֵיהֶם
אֶל־שַׁעַר ׀ הָעִיר הַהִוא וּסְקַלְתֶּם אֹתָם בָּאֲבָנִים וָמֵתוּ אֶת־
הַנַּעֲרָ עַל־דְּבַר אֲשֶׁר לֹא־צָעֲקָה בָעִיר וְאֶת־הָאִישׁ עַל־
דְּבַר אֲשֶׁר־עִנָּה אֶת־אֵשֶׁת רֵעֵהוּ וּבִעַרְתָּ הָרָע מִקִּרְבֶּךָ:
כה ס וְאִם־בַּשָּׂדֶה יִמְצָא הָאִישׁ אֶת־הַנַּעֲרָ הַמְאֹרָשָׂה וְהֶחֱזִיק
בָּהּ הָאִישׁ וְשָׁכַב עִמָּהּ וּמֵת הָאִישׁ אֲשֶׁר־שָׁכַב
26 עִמָּהּ לְבַדּוֹ: וְלַנַּעֲרָ לֹא־תַעֲשֶׂה דָבָר אֵין לַנַּעֲרָ חֵטְא מָוֶת
(n.10) כִּי כַּאֲשֶׁר יָקוּם אִישׁ עַל־רֵעֵהוּ וּרְצָחוֹ נֶפֶשׁ כֵּן הַדָּבָר
27 הַזֶּה: כִּי בַשָּׂדֶה מְצָאָהּ צָעְקָה הַנַּעֲרָ הַמְאֹרָשָׂה וְאֵין
28 מוֹשִׁיעַ לָהּ: ס כִּי־יִמְצָא אִישׁ נַעֲרָ בְתוּלָה אֲשֶׁר לֹא
29 אֹרָשָׂה וְתָפַשׂ בָּהּ וְשָׁכַב עִמָּהּ וְנִמְצָאוּ: וְנָתַן הָאִישׁ הַשֹּׁכֵב
עִמָּהּ לַאֲבִי הַנַּעֲרָ חֲמִשִּׁים כֶּסֶף וְלוֹ־תִהְיֶה לְאִשָּׁה תַּחַת
(n.11) אֲשֶׁר עִנָּהּ לֹא־יוּכַל שַׁלְּחָהּ כָּל־יָמָיו:

Uitti, *NJV*, *NAB*, *NEB*, *RSV* (5b)

Uitti, *NJV* (7b); *RSV* (7bα,bβ)

Uitti, *NJV*, *RSV* (8b)

Uitti (9b,c); *NJV*, *RSV* (9b)

Uitti (19aγ); *NJV*, *NAB*, *NEB*, *RSV* (19aβ)

Uitti (21aγ,b); *NJV*, *NAB*, *RSV* (21aβ)

Uitti (22b)

Uitti (24aγ-δ,b); *NJV*, *NAB*, *NEB*, *RSV* (24aβ-γ)

Uitti, *RSV* (26b-27); *NJV* (26b); *NAB* (26aβ); *NEB* (26aβ?); *NEB* (27)

Uitti (29aγ); *NJV*, *NAB*, *NEB*, *RSV* (29bαב)

Deuteronomy 23

(n.12) א ס לֹא־יִקַּח אִישׁ אֶת־אֵשֶׁת אָבִיו וְלֹא יְגַלֶּה כְּנַף אָבִיו:
ב 2 ס לֹא־יָבֹא פְצוּעַ־דַּכָּה וּכְרוּת שָׁפְכָה בִּקְהַל יְהוָה:
ג 3 לֹא־יָבֹא מַמְזֵר בִּקְהַל יְהוָה גַּם דּוֹר עֲשִׂירִי לֹא־יָבֹא לוֹ
4 בִּקְהַל יְהוָה: ס לֹא־יָבֹא עַמֹּנִי וּמוֹאָבִי בִּקְהַל
יְהוָה גַּם דּוֹר עֲשִׂירִי לֹא־יָבֹא לָהֶם בִּקְהַל יְהוָה עַד־
עוֹלָם: עַל־דְּבַר אֲשֶׁר לֹא־קִדְּמוּ אֶתְכֶם בַּלֶּחֶם וּבַמָּיִם ה
(n.13) בַּדֶּרֶךְ בְּצֵאתְכֶם מִמִּצְרָיִם וַאֲשֶׁר שָׂכַר עָלֶיךָ אֶת־בִּלְעָם
6 בֶּן־בְּעוֹר מִפְּתוֹר אֲרַם נַהֲרַיִם לְקַלְלֶךָּ: וְלֹא־אָבָה יְהוָה
אֱלֹהֶיךָ לִשְׁמֹעַ אֶל־בִּלְעָם וַיַּהֲפֹךְ יְהוָה אֱלֹהֶיךָ לְךָ אֶת־
7 הַקְּלָלָה לִבְרָכָה כִּי אֲהֵבְךָ יְהוָה אֱלֹהֶיךָ: לֹא־תִדְרֹשׁ
8 שְׁלֹמָם וְטֹבָתָם כָּל־יָמֶיךָ לְעוֹלָם: לֹא־תְתַעֵב
אֲדֹמִי כִּי אָחִיךָ הוּא לֹא־תְתַעֵב מִצְרִי כִּי־גֵר הָיִיתָ
9 בְּאַרְצוֹ: בָּנִים אֲשֶׁר־יִוָּלְדוּ לָהֶם דּוֹר שְׁלִשִׁי יָבֹא לָהֶם
י בִּקְהַל יְהוָה: ס כִּי־תֵצֵא מַחֲנֶה עַל־אֹיְבֶיךָ וְנִשְׁמַרְתָּ
11 מִכֹּל דָּבָר רָע: כִּי־יִהְיֶה בְךָ אִישׁ אֲשֶׁר לֹא־יִהְיֶה
טָהוֹר מִקְרֵה־לָיְלָה וְיָצָא אֶל־מִחוּץ לַמַּחֲנֶה לֹא יָבֹא
12 אֶל־תּוֹךְ הַמַּחֲנֶה: וְהָיָה לִפְנוֹת־עֶרֶב יִרְחַץ בַּמָּיִם
13 וּכְבֹא הַשֶּׁמֶשׁ יָבֹא אֶל־תּוֹךְ הַמַּחֲנֶה: וְיָד תִּהְיֶה לָךְ
14 מִחוּץ לַמַּחֲנֶה וְיָצָאתָ שָׁמָּה חוּץ: וְיָתֵד תִּהְיֶה לְךָ עַל־
אָזְנֶךָ וְהָיָה בְּשִׁבְתְּךָ חוּץ וְחָפַרְתָּה בָהּ וְשַׁבְתָּ וְכִסִּיתָ
טו אֶת־צֵאָתֶךָ: כִּי יְהוָה אֱלֹהֶיךָ מִתְהַלֵּךְ ׀ בְּקֶרֶב מַחֲנֶךָ
לְהַצִּילְךָ וְלָתֵת אֹיְבֶיךָ לְפָנֶיךָ וְהָיָה מַחֲנֶךָ קָדוֹשׁ וְלֹא־
16 יִרְאֶה בְךָ עֶרְוַת דָּבָר וְשָׁב מֵאַחֲרֶיךָ: ס לֹא־
תַסְגִּיר עֶבֶד אֶל־אֲדֹנָיו אֲשֶׁר־יִנָּצֵל אֵלֶיךָ מֵעִם אֲדֹנָיו:
17 עִמְּךָ יֵשֵׁב בְּקִרְבְּךָ בַּמָּקוֹם אֲשֶׁר־יִבְחַר בְּאַחַד שְׁעָרֶיךָ
18 בְּטוֹב לוֹ לֹא תוֹנֶנּוּ: ס לֹא־תִהְיֶה קְדֵשָׁה מִבְּנוֹת
19 יִשְׂרָאֵל וְלֹא־יִהְיֶה קָדֵשׁ מִבְּנֵי יִשְׂרָאֵל: לֹא־תָבִיא אֶתְנַן
זוֹנָה וּמְחִיר כֶּלֶב בֵּית יְהוָה אֱלֹהֶיךָ לְכָל־נֶדֶר כִּי תוֹעֲבַת
כ יְהוָה אֱלֹהֶיךָ גַּם־שְׁנֵיהֶם: ס לֹא־תַשִּׁיךְ לְאָחִיךָ
21 נֶשֶׁךְ כֶּסֶף נֶשֶׁךְ אֹכֶל נֶשֶׁךְ כָּל־דָּבָר אֲשֶׁר יִשָּׁךְ: לַנָּכְרִי
תַּשִּׁיךְ וּלְאָחִיךָ לֹא תַשִּׁיךְ לְמַעַן יְבָרֶכְךָ יְהוָה אֱלֹהֶיךָ בְּכֹל
מִשְׁלַח יָדְךָ עַל־הָאָרֶץ אֲשֶׁר־אַתָּה בָא־שָׁמָּה לְרִשְׁתָּהּ:
22 ס כִּי־תִדֹּר נֶדֶר לַיהוָה אֱלֹהֶיךָ לֹא תְאַחֵר לְשַׁלְּמוֹ כִּי
דָרֹשׁ יִדְרְשֶׁנּוּ יְהוָה אֱלֹהֶיךָ מֵעִמָּךְ וְהָיָה בְךָ חֵטְא:

Uitti, *NAB* (5-6); *NJV* (5a,b); *NEB* (4[=5H],5b[=6bH]); *RSV* (4a,b[=5H],5b[=6bH])

Uitti, *NJV*, *NAB* (8aβ); *NEB*, *RSV* (7aβ=8aβH)

Uitti, *NJV*, *NAB* (8bβ); *NEB*, *RSV* (7bβ=8bβH)

Uitti (15); *NJV*, *NAB* (15aα=mc of 15aβ); *NEB*, *RSV* (14-15H)

Uitti, *NJV* (19b); *NEB*, *RSV* (18b=19bH)

Uitti, *NJV*, *NAB* (21b); *NEB*, *RSV* (20b-21bH)

Uitti, *NJV*, *NAB*, *RSV* (22b)

Deuteronomy 24

א כִּי־יִקַּח אִישׁ אִשָּׁה וּבְעָלָהּ וְהָיָה אִם־לֹא תִמְצָא־חֵן
בְּעֵינָיו כִּי־מָצָא בָהּ עֶרְוַת דָּבָר וְכָתַב לָהּ סֵפֶר כְּרִיתֻת
2 וְנָתַן בְּיָדָהּ וְשִׁלְּחָהּ מִבֵּיתוֹ: וְיָצְאָה מִבֵּיתוֹ וְהָלְכָה וְהָיְתָה
3 לְאִישׁ־אַחֵר: וְשָׂנֵאָהּ הָאִישׁ הָאַחֲרוֹן וְכָתַב לָהּ סֵפֶר כְּרִיתֻת
וְנָתַן בְּיָדָהּ וְשִׁלְּחָהּ מִבֵּיתוֹ אוֹ כִּי יָמוּת הָאִישׁ הָאַחֲרוֹן אֲשֶׁר־
לְקָחָהּ לּוֹ לְאִשָּׁה: לֹא־יוּכַל בַּעְלָהּ הָרִאשׁוֹן אֲשֶׁר־שִׁלְּחָהּ
4 לָשׁוּב לְקַחְתָּהּ לִהְיוֹת לוֹ לְאִשָּׁה אַחֲרֵי אֲשֶׁר הֻטַּמְאָה
כִּי־תוֹעֵבָה הִוא לִפְנֵי יְהוָה וְלֹא תַחֲטִיא אֶת־הָאָרֶץ אֲשֶׁר
ה יְהוָה אֱלֹהֶיךָ נֹתֵן לְךָ נַחֲלָה: ס כִּי־יִקַּח אִישׁ אִשָּׁה
חֲדָשָׁה לֹא יֵצֵא בַּצָּבָא וְלֹא־יַעֲבָר עָלָיו לְכָל־דָּבָר נָקִי
יִהְיֶה לְבֵיתוֹ שָׁנָה אֶחָת וְשִׂמַּח אֶת־אִשְׁתּוֹ אֲשֶׁר־לָקָח:
6 7 לֹא־יַחֲבֹל רֵחַיִם וְרָכֶב כִּי־נֶפֶשׁ הוּא חֹבֵל: ס כִּי־
יִמָּצֵא אִישׁ גֹּנֵב נֶפֶשׁ מֵאֶחָיו מִבְּנֵי יִשְׂרָאֵל וְהִתְעַמֶּר־בּוֹ
8 וּמְכָרוֹ וּמֵת הַגַּנָּב הַהוּא וּבִעַרְתָּ הָרָע מִקִּרְבֶּךָ: ס הִשָּׁמֶר
בְּנֶגַע־הַצָּרַעַת לִשְׁמֹר מְאֹד וְלַעֲשׂוֹת כְּכֹל אֲשֶׁר־יוֹרוּ אֶתְכֶם
9 הַכֹּהֲנִים הַלְוִיִּם כַּאֲשֶׁר צִוִּיתִם תִּשְׁמְרוּ לַעֲשׂוֹת: זָכוֹר אֵת
אֲשֶׁר־עָשָׂה יְהוָה אֱלֹהֶיךָ לְמִרְיָם בַּדֶּרֶךְ בְּצֵאתְכֶם
י מִמִּצְרָיִם: ס כִּי־תַשֶּׁה בְרֵעֲךָ מַשַּׁאת מְאוּמָה לֹא־תָבֹא
11 אֶל־בֵּיתוֹ לַעֲבָט עֲבֹטוֹ: בַּחוּץ תַּעֲמֹד וְהָאִישׁ אֲשֶׁר אַתָּה
12 נֹשֶׁה בּוֹ יוֹצִיא אֵלֶיךָ אֶת־הָעֲבוֹט הַחוּצָה: וְאִם־אִישׁ עָנִי
13 הוּא לֹא תִשְׁכַּב בַּעֲבֹטוֹ: הָשֵׁב תָּשִׁיב לוֹ אֶת־הָעֲבוֹט
כְּבוֹא הַשֶּׁמֶשׁ וְשָׁכַב בְּשַׂלְמָתוֹ וּבֵרֲכֶךָּ וְלְךָ תִּהְיֶה צְדָקָה
14 לִפְנֵי יְהוָה אֱלֹהֶיךָ: לֹא־תַעֲשֹׁק שָׂכִיר עָנִי וְאֶבְיוֹן
מֵאַחֶיךָ אוֹ מִגֵּרְךָ אֲשֶׁר בְּאַרְצְךָ בִּשְׁעָרֶיךָ: בְּיוֹמוֹ תִתֵּן
טו שְׂכָרוֹ וְלֹא־תָבֹא עָלָיו הַשָּׁמֶשׁ כִּי עָנִי הוּא וְאֵלָיו הוּא נֹשֵׂא
אֶת־נַפְשׁוֹ וְלֹא־יִקְרָא עָלֶיךָ אֶל־יְהוָה וְהָיָה בְךָ חֵטְא: ס
16 לֹא־יוּמְתוּ אָבוֹת עַל־בָּנִים וּבָנִים לֹא־יוּמְתוּ עַל־אָבוֹת אִישׁ
17 בְּחֶטְאוֹ יוּמָתוּ: ס לֹא תַטֶּה מִשְׁפַּט גֵּר יָתוֹם וְלֹא תַחֲבֹל
18 בֶּגֶד אַלְמָנָה: וְזָכַרְתָּ כִּי עֶבֶד הָיִיתָ בְּמִצְרַיִם וַיִּפְדְּךָ יְהוָה
אֱלֹהֶיךָ מִשָּׁם עַל־כֵּן אָנֹכִי מְצַוְּךָ לַעֲשׂוֹת אֶת־הַדָּבָר הַזֶּה:
19 ס כִּי תְקַצֹּר קְצִירְךָ בְשָׂדֶךָ וְשָׁכַחְתָּ עֹמֶר בַּשָּׂדֶה לֹא־
תָשׁוּב לְקַחְתּוֹ לַגֵּר לַיָּתוֹם וְלָאַלְמָנָה יִהְיֶה לְמַעַן יְבָרֶכְךָ
כ יְהוָה אֱלֹהֶיךָ בְּכֹל מַעֲשֵׂה יָדֶיךָ: ס כִּי תַחְבֹּט זֵיתְךָ לֹא
21 תְפָאֵר אַחֲרֶיךָ לַגֵּר לַיָּתוֹם וְלָאַלְמָנָה יִהְיֶה: כִּי תִבְצֹר
כַּרְמְךָ לֹא תְעוֹלֵל אַחֲרֶיךָ לַגֵּר לַיָּתוֹם וְלָאַלְמָנָה יִהְיֶה:
22 וְזָכַרְתָּ כִּי־עֶבֶד הָיִיתָ בְּאֶרֶץ מִצְרָיִם עַל־כֵּן אָנֹכִי מְצַוְּךָ
לַעֲשׂוֹת אֶת־הַדָּבָר הַזֶּה:

*NJV*, *NAB*, *NEB*, *RSV* (1bαב)

Uitti (4b); *NJV* (4aβב,aβ); *RSV* (4aβ-b)

Uitti (5b); *NJV*, *NAB*, *RSV* (5bβ?)

Uitti, *NJV*, *NAB*, *RSV* (6b)

Uitti (7b)

Uitti (9)

Uitti (13aγ,b); *NJV* (13aβ,b); *NAB*, *NEB*, *RSV* (13aβ)

Uitti (15aγ,b); *NJV*, *NEB*, *RSV* (15aβ,b); *NAB* (15aβ)

Uitti, *NAB* (18)

Uitti, *NJV*, *NAB*, *NEB*, *RSV* (19b)

Uitti (21b-22)

*NAB* (22)

Deuteronomy 25

א כִּי־יִהְיֶה רִיב בֵּין אֲנָשִׁים וְנִגְּשׁוּ אֶל־הַמִּשְׁפָּט וּשְׁפָטֻם
2 וְהִצְדִּיקוּ אֶת־הַצַּדִּיק וְהִרְשִׁיעוּ אֶת־הָרָשָׁע: וְהָיָה אִם־
בן הַכּוֹת הָרָשָׁע וְהִפִּילוֹ הַשֹּׁפֵט וְהִכָּהוּ לְפָנָיו כְּדֵי רִשְׁעָתוֹ
3 בְּמִסְפָּר: אַרְבָּעִים יַכֶּנּוּ לֹא יֹסִיף פֶּן־יֹסִיף לְהַכֹּתוֹ עַל־
4 אֵלֶּה מַכָּה רַבָּה וְנִקְלָה אָחִיךָ לְעֵינֶיךָ: לֹא־תַחְסֹם שׁוֹר
ה בְּדִישׁוֹ: ס כִּי־יֵשְׁבוּ אַחִים יַחְדָּו וּמֵת אַחַד מֵהֶם וּבֵן
אֵין־לוֹ לֹא־תִהְיֶה אֵשֶׁת־הַמֵּת הַחוּצָה לְאִישׁ זָר יְבָמָהּ יָבֹא
6 עָלֶיהָ וּלְקָחָהּ לוֹ לְאִשָּׁה וְיִבְּמָהּ: וְהָיָה הַבְּכוֹר אֲשֶׁר תֵּלֵד
7 יָקוּם עַל־שֵׁם אָחִיו הַמֵּת וְלֹא־יִמָּחֶה שְׁמוֹ מִיִּשְׂרָאֵל: וְאִם־
לֹא יַחְפֹּץ הָאִישׁ לָקַחַת אֶת־יְבִמְתּוֹ וְעָלְתָה יְבִמְתּוֹ הַשַּׁעְרָה
אֶל־הַזְּקֵנִים וְאָמְרָה מֵאֵן יְבָמִי לְהָקִים לְאָחִיו שֵׁם בְּיִשְׂרָאֵל
8 לֹא אָבָה יַבְמִי: וְקָרְאוּ־לוֹ זִקְנֵי־עִירוֹ וְדִבְּרוּ אֵלָיו וְעָמַד
9 וְאָמַר לֹא חָפַצְתִּי לְקַחְתָּהּ: וְנִגְּשָׁה יְבִמְתּוֹ אֵלָיו לְעֵינֵי
הַזְּקֵנִים וְחָלְצָה נַעֲלוֹ מֵעַל רַגְלוֹ וְיָרְקָה בְּפָנָיו וְעָנְתָה־
וְאָמְרָה כָּכָה יֵעָשֶׂה לָאִישׁ אֲשֶׁר לֹא־יִבְנֶה אֶת־בֵּית אָחִיו:
11 וְנִקְרָא שְׁמוֹ בְּיִשְׂרָאֵל בֵּית חֲלוּץ הַנָּעַל: ס כִּי־יִנָּצוּ
אֲנָשִׁים יַחְדָּו אִישׁ וְאָחִיו וְקָרְבָה אֵשֶׁת הָאֶחָד לְהַצִּיל אֶת־
12 אִישָׁהּ מִיַּד מַכֵּהוּ וְשָׁלְחָה יָדָהּ וְהֶחֱזִיקָה בְּמֹבְשָׁיו: וְקָצַתָּה
13 אֶת־כַּפָּהּ לֹא תָחוֹס עֵינֶךָ: ס לֹא־יִהְיֶה לְךָ בְּכִיסְךָ אֶבֶן
14 וָאָבֶן גְּדוֹלָה וּקְטַנָּה: לֹא־יִהְיֶה לְךָ בְּבֵיתְךָ אֵיפָה וְאֵיפָה
טו גְּדוֹלָה וּקְטַנָּה: אֶבֶן שְׁלֵמָה וָצֶדֶק יִהְיֶה־לָּךְ אֵיפָה שְׁלֵמָה
וָצֶדֶק יִהְיֶה־לָּךְ לְמַעַן יַאֲרִיכוּ יָמֶיךָ עַל הָאֲדָמָה אֲשֶׁר־
16 יְהוָה אֱלֹהֶיךָ נֹתֵן לָךְ: כִּי תוֹעֲבַת יְהוָה אֱלֹהֶיךָ כָּל־עֹשֵׂה
אֵלֶּה כֹּל עֹשֵׂה עָוֶל: פ
(n.14) 17 זָכוֹר אֵת אֲשֶׁר־עָשָׂה לְךָ עֲמָלֵק בַּדֶּרֶךְ בְּצֵאתְכֶם מִמִּצְרָיִם:
18 אֲשֶׁר קָרְךָ בַּדֶּרֶךְ וַיְזַנֵּב בְּךָ כָּל־הַנֶּחֱשָׁלִים אַחֲרֶיךָ וְאַתָּה
19 עָיֵף וְיָגֵעַ וְלֹא יָרֵא אֱלֹהִים: וְהָיָה בְּהָנִיחַ יְהוָה אֱלֹהֶיךָ
לְךָ מִכָּל־אֹיְבֶיךָ מִסָּבִיב בָּאָרֶץ אֲשֶׁר יְהוָה־אֱלֹהֶיךָ נֹתֵן
לְךָ נַחֲלָה לְרִשְׁתָּהּ תִּמְחֶה אֶת־זֵכֶר עֲמָלֵק מִתַּחַת הַשָּׁמָיִם
לֹא תִשְׁכָּח:

Uitti, *NJV*, *NAB*, *RSV* (3b)

Uitti, *NJV*, *NAB*, *NEB*, *RSV* (6b)

Uitti, *RSV* (15b,16); *NJV* (15); *NAB*, *NEB* (15b)

Deuteronomy 1:16-17

17 לֹא־תַכִּירוּ פָנִים בַּמִּשְׁפָּט כַּקָּטֹן כַּגָּדֹל תִּשְׁמָעוּן לֹא תָגוּרוּ מִפְּנֵי־אִישׁ
כִּי הַמִּשְׁפָּט לֵאלֹהִים הוּא וְהַדָּבָר אֲשֶׁר יִקְשֶׁה מִכֶּם
תַּקְרִבוּן אֵלַי וּשְׁמַעְתִּיו:

*NJV*, *NAB*, *NEB*, *RSV* (17aγ)

Deuteronomy 7

| | |
|---|---|
| 3 וְלֹא | *NJV*, *NAB*, *RSV* (4) |
| תִתְחַתֵּן בָּם בִּתְּךָ לֹא־תִתֵּן לִבְנוֹ וּבִתּוֹ לֹא־תִקַּח לִבְנֶךָ׃ | *NJV*, *RSV* (6?); *NAB*, *NEB* (6) |
| 4 כִּי־יָסִיר אֶת־בִּנְךָ מֵאַחֲרַי וְעָבְדוּ אֱלֹהִים אֲחֵרִים וְחָרָה | *NJV*, *NAB*, *RSV* (25bβ,bγ); *NEB* (25bβ?,bγ) |
| אַף־יְהוָה בָּכֶם וְהִשְׁמִידְךָ מַהֵר׃ כִּי־אִם־כֹּה תַּעֲשׂוּ לָהֶם ה | |
| מִזְבְּחֹתֵיהֶם תִּתֹּצוּ וּמַצֵּבֹתָם תְּשַׁבֵּרוּ וַאֲשֵׁרָיו תְּגַדֵּעוּן | *NJV* (26aβ?); *NAB* (26aβ) |
| וּפְסִילֵיהֶם תִּשְׂרְפוּן בָּאֵשׁ׃ כִּי עַם קָדוֹשׁ אַתָּה לַיהוָה 6 | |
| אֱלֹהֶיךָ בְּךָ בָּחַר ׀ יְהוָה אֱלֹהֶיךָ לִהְיוֹת לוֹ לְעַם סְגֻלָּה | |
| מִכֹּל הָעַמִּים אֲשֶׁר עַל־פְּנֵי הָאֲדָמָה׃ | |
| כה פְּסִילֵי | |
| אֱלֹהֵיהֶם תִּשְׂרְפוּן בָּאֵשׁ לֹא־תַחְמֹד כֶּסֶף וְזָהָב עֲלֵיהֶם | |
| וְלָקַחְתָּ לְךָ פֶּן־תִּוָּקֵשׁ בּוֹ כִּי תוֹעֲבַת יְהוָה אֱלֹהֶיךָ הִוא׃ | |
| 26 וְלֹא־תָבִיא תוֹעֵבָה אֶל־בֵּיתֶךָ וְהָיִיתָ חֵרֶם כָּמֹהוּ | |

(c) *Notes*

1. (14:1-2) See Chapter II, p. 75.

2. (14:10b) An asyndetic mc, understood as "(for) it is unclean for you."

3. (14:19) Verse 19aβ motivates the legal consequence in v. 19b.

4. (14:21a) The clause in v. 21aβ appears to motivate the prescription in v. 21aα. Cf. *NAB*.

5. (15:10b-11) These verses motivate the law in vv. 7-8; vv. 9-10a are parenetic.

6. (16:14) This verse embodies a parenetic statement.

7. (18:2b) This half verse seems to constitute the underlying reason for the prohibition in v. 2a, i.e., the Levites shall have no portion, because the Lord is their portion.

8. (18:12b) This second motivation, beginning with ובגלל, really provides a justification for the Lord's driving out the nations before Israel; cf. Chapter II, n. 56.

9. (20:5-8) In vv. 5-8 it is not the legal prescription which is motivated, but the statements of the שטרים ("the officials," *NJV*) in vv. 5b, 6b, 7b, 8b; therefore they are not counted.

10. (22:26) The injunction in v. 26a is motivated by three consecutive clauses. Verse 26a is understood as: "since she is not guilty of a capital offense." Cf. *NAB*.

11. (22:29) In most translations, the clause תורה אשר עמה is taken as motivating what precedes it, e.g., *RSV*, *NEB*, *NAB*. The verse division favors this interpretation. However, it is also possible to understand it as motivating the prohibition against divorce that follows it, as in *NJV*.

12. (23:1) Verse 1b is usually understood as a separate prescription, e.g., *RSV*, *NAB*, *NEB*(?). Yet, ולא ("so that not, lest") can be understood as introducing a motive clause, i.e., "lest he removes his father's garment (namely,

lays claim to what his father possessed). Cf. *NJV*. In fact, in Deut 27:20, uncovering the garment is clearly taken as a motive clause (with פִּי) attached to the curse against lying with the father's wife.

13. (23:5b) וְחָדַלְתָּ is carried over from עָזֹב תַּעֲזֹב of v. 5a.

14. (25:17-19a) Verses 17-18 constitute the motivation for the command in v. 19a.

## 6. THE PRIESTLY CODE

### (a) *The Legal Prescriptions*

| | | Genesis 9 | Verses |
|---|---|---|---|
| | - | intro | (1-2) |
| (n. 1) | 1. | | 3 |
| | 2. | | 4 |
| | - | intro | (5) |
| | 3. | mc | 6 |
| | - | concl | (7) |

| | | Genesis 17 | |
|---|---|---|---|
| | - | intro | (10) |
| (n. 2) | 4. | mc | 11 |
| (n. 3) | 5. | mc | 12-13 |
| (n. 4) | | mc v.14 | |

| | | Exodus 12 | |
|---|---|---|---|
| | - | intro | (1) |
| | 6. | | 2 |
| (n. 5) | - | com | (3-13) |
| | - | intro | (14) |
| | 7. | | 15aα |
| | 8. | | 15aβ |
| | | mc v.15b | |
| | 9. | | 16 |
| | - | par intro | (17) |
| | 10. | | 18 |
| | 11. | | 19a |
| | | mc v.19b | |
| | - | sum | (20) |
| (n. 6) | - | intro | (21a) |
| | 12. | | 21b |
| | 13. | | 22a |
| | 14. | | 22b |
| | | mc v.23 | |
| | - | par | (24-27) |
| | - | concl | (28) |
| | - | nl | (29-42) |
| (n. 7) | - | intro | (43a) |

| | | Exod. 12 cont. | Verses |
|---|---|---|---|
| | 15. | | 43b |
| | 16. | | 44 |
| | 17. | | 45 |
| | 18. | | 46a |
| | 19. | | 46b |
| | 20. | | 47 |
| | 21. | | 48 |
| | - | par | (49) |
| | - | nl | (50-51) |

| | | Exodus 13 | |
|---|---|---|---|
| | - | intro | (1) |
| (n. 8) | 22. | mc | 2 |
| (n. 9) | - | intro | (3-5) |
| | 23. | | 6a,(7a) |
| | 24. | | 6b |
| | 25. | | 7bα |
| | 26. | | 7bβ |
| | 27. | | 8 |
| (n.10) | | mc v.9 | |
| | - | par concl | (10) |
| | 28. | | 11-12 |
| | 29. | | 13aα |
| | 30. | | 13aβ |
| | 31. | | 13b |
| | 32. | | 14-16 |

| | | Exodus 27 | |
|---|---|---|---|
| | - | intro | (20aα) |
| | 33. | mc(2) | 20aβ-b |
| | | v.20aβ,b | |
| | 34. | | 21a |
| | - | par | (21b) |

| | Exodus 29 | | Verses |
|---|---|---|---|
| (n.11) | 35. | mc | 27-28 |
| | 36. | mc(2) v.29bα,bβ | 29 |
| | 37. | | 30 |
| | - | com | (31-37) |
| | 38. | | 38-40 |
| | 39. | | 41 |
| | - | concl | (42-46) |
| | **Exodus 30** | | |
| (n.12) | - | com | (1-6) |
| | 40. | | 7-8 |
| | 41. | | 9a |
| | 42. | | 9b |
| | 43. | mc | 10 |
| (n.13) | - | intro | (11) |
| | 44. | mc | 12-15 |
| (n.14) | 45. | mc | 16 |
| (n.15) | - | com | (17-18) |
| | 46. | mc | 19-21a |
| | - | par | (21b) |
| (n.16) | - | com | (22-25) |
| | 47. | | 26-29 |
| | 48. | | 30 |
| | - | intro | (31) |
| | 49. | | 32aα |
| | 50. | | 32aβ |
| (n.17) | | mc(2)v.32b,33 | |
| (n.18) | - | com | (34-36) |
| | 51. | mc | 37-38 |
| | **Exodus 31** | | |
| | - | par intro | (12-14) |
| | 52. | | 15 |
| | - | concl | (16-17) |
| | **Exodus 35** | | |
| | - | intro | (1) |
| | 53. | | 2a |
| | 54. | | 2b |
| | 55. | | 3 |
| | **Leviticus 1** | | |
| | - | intro | (1-2) |
| | 56. | | 3 |
| | 57. | mc | 4 |
| | 58. | | 5a |
| | 59. | | 5b |
| | 60. | | 6 |
| | 61. | | 7-8 |

| | Lev. 1 cont. | | Verses |
|---|---|---|---|
| | 62. | | 9a |
| (n.19) | 63. | mc | 9b |
| | 64. | | 10 |
| | 65. | | 11a |
| | 66. | | 11b |
| | 67. | | 12a |
| | 68. | | 12b |
| | 69. | | 13a |
| (n.20) | 70. | mc | 13b |
| | 71. | | 14 |
| | 72. | | 15aα,aβ |
| | 73. | | 15aγ |
| | 74. | | 15b |
| | 75. | | 16 |
| | 76. | | 17aα |
| (n.21) | 77. | mc | 17aβ-b |
| | **Leviticus 2** | | |
| | 78. | | 1a |
| | 79. | | 1bα |
| | 80. | | 1bβ-2aα׳ |
| | 81. | | 2aα׳-b |
| | 82. | | 3 |
| | 83. | | 4 |
| | 84. | | 5 |
| | 85. | | 6aα |
| | 86. | | 6aβ |
| (n.22) | | mc v.6b | |
| | 87. | | 7 |
| | 88. | | 8 |
| | 89. | | 9aα |
| | 90. | | 9aβ-b |
| | 91. | | 10 |
| | 92. | mc | 11-12 |
| | 93. | | 13 |
| | 94. | | 14 |
| | 95. | | 15aα |
| | 96. | | 15aβ |
| (n.23) | | mc v.15b | |
| | 97. | | 16 |
| | **Leviticus 3** | | |
| | - | intro | (1a) |
| | 98. | | 1b |
| | 99. | | 2aα |
| | 100. | | 2aβ |
| | 101. | | 2b |
| | 102. | | 3-4 |
| | 103. | | 5 |
| | - | intro | (6) |
| | 104. | | 7 |

| | Lev. 3 cont. | | Verses |
|---|---|---|---|
| | 105. | | 8aα |
| | 106. | | 8aβ |
| | 107. | | 8b |
| | 108. | | 9-10 |
| | 109. | | 11 |
| | 110. | | 12 |
| | 111. | | 13aα |
| | 112. | | 13aβ |
| | 113. | | 13b |
| | 114. | | 14-15 |
| | 115. | | 16a-bα |
| | - | sum | (16bβ) |
| | - | par | (17a) |
| | 116. | | 17b |
| | **Leviticus 4** | | |
| | - | intro | (1-2) |
| | 117. | | 3 |
| | 118. | | 4a |
| | 119. | | 4bα |
| | 120. | | 4bβ |
| | 121. | | 5-7 |
| | 122. | | 8-10a |
| | 123. | | 10b |
| | 124. | | 11-12 |
| | 125. | | 13-14aα |
| | 126. | | 14bβ |
| | 127. | | 15a |
| | 128. | | 15b |
| | 129. | | 16-18 |
| | 130. | | 19a |
| | 131. | | 19b |
| | 132. | | 20a |
| (n.24) | - | concl | (20b) |
| (n.25) | 133. | mc | 21 |
| | 134. | | 22-23 |
| | 135. | | 24aα |
| (n.26) | 136. | | 24aβ-b |
| | 137. | | 25 |
| | 138. | | 26a |
| | - | concl | (26b) |
| | 139. | | 27-28 |
| | 140. | | 29a |
| | 141. | | 29b |
| | 142. | | 30 |
| | 143. | | 31aα֯ |
| | 144. | | 31aβ֫ |
| | - | concl | (31b) |
| | 145. | | 32 |
| | 146. | | 33a |
| | 147. | | 33b |
| | 148. | | 34 |

| | Lev. 4 cont. | | Verses |
|---|---|---|---|
| | 149. | | 35aα |
| | 150. | | 35aβ |
| | - | concl | (35b) |
| | **Leviticus 5** | | |
| | 151. | | 1-5 |
| | 152. | | 6a |
| | - | concl | (6b) |
| | 153. | | 7 |
| | 154. | | 8 |
| | 155. | | 9a |
| (n.27) | | mc v.9b | |
| | 156. | | 10a |
| | - | concl | (10b) |
| | 157. | | 11a |
| | 158. | | 11bα |
| | 159. | | 11bβ |
| | | mc v.11b | |
| | 160. | | 12aα֯ |
| | 161. | | 12aβ֫ |
| (n.28) | | mc v.12b | |
| | - | concl | (13) |
| | - | intro | (14) |
| | 162. | | 15 |
| | 163. | | 16a |
| | - | concl | (16b) |
| | 164. | | 17-18a |
| (n.29) | - | concl | (18b-19) |
| | - | intro | (20) |
| | 165. | | 21-24 |
| | | | 25 |
| | - | concl | (26) |
| | **Leviticus 6** | | |
| | - | intro | (1-2a) |
| | 166. | | 2b |
| | 167. | | 3aα |
| | 168. | | 3aβ-b |
| | 169. | | 4a |
| | 170. | | 4b |
| | - | intro | (5aα) |
| | 171. | | 5aβ |
| | 172. | | 5bα |
| | 173. | | 5bβ |
| | - | sum | (6) |
| | - | intro | (7) |
| | 174. | | 8a |
| | 175. | | 8b |
| (n.30) | 176. | mc(2) | 9-10 |
| | | v.10aβ,b | |
| | - | concl | (11) |

| | Lev. 6 cont. | | Verses |
|---|---|---|---|
| | - | intro | (12) |
| | 177. | | 13-14 |
| | 178. | | 15a |
| | 179. | | 15b |
| | - | concl | (16) |
| | - | intro | (17-18a) |
| (n.31) | 180. | mc | 18b |
| | 181. | | 19 |
| | 182. | | 20a |
| | 183. | | 20b |
| | 184. | | 21a |
| | 185. | | 21b |
| (n.32) | 186. | mc | 22 |
| | 187. | | 23a |
| | 188. | | 23b |

| | Leviticus 7 | | |
|---|---|---|---|
| | - | intro | (1) |
| | 189. | | 2a |
| | 190. | | 2b |
| | 191. | | 3-4 |
| (n.33) | 192. | mc | 5 |
| (n.34) | 193. | mc | 6 |
| | - | intro | (7a) |
| | 194. | | 7b |
| | 195. | | 8 |
| | 196. | | 9 |
| | 197. | | 10 |
| | - | intro | (11) |
| | 198. | | 12 |
| | 199. | | 13 |
| | 200. | | 14a |
| | 201. | | 14b |
| | 202. | | 15 |
| | 203. | | 16a |
| | 204. | | 16b |
| | 205. | | 17 |
| (n.35) | 206. | mc | 18a |
| | 207. | | 18b |
| | 208. | | 19aα |
| | 209. | | 19aβ |
| (n.36) | 210. | mc | 19b-20 |
| | 211. | | 21 |
| | - | intro | (22-23a) |
| | 212. | mc | 23b-25 |
| (n.37) | 213. | mc | 26-27 |
| | - | intro | (28-29a) |
| | 214. | | 29b-30 |
| | 215. | | 31a |
| | 216. | | 31b |
| | 217. | | 32 |
| | 218. | | 33 |
| | | mc v.34 | |
| | - | concl | (35-38) |

| | Leviticus 10 | | Verses |
|---|---|---|---|
| | - | intro | (8) |
| | 219. | mc(3) | 9-11 |
| | | v.9aβ,10,11 | |
| | - | intro | (12aα[1]) |
| | 220. | mc | 12aα[2]-b |
| | 221. | mc(2) | 13 |
| | | v.13aβ,b | |
| | 222. | mc | 14 |
| | 223. | | 15a |
| | - | par concl | (15b) |

| | Leviticus 11 | | |
|---|---|---|---|
| | - | intro | (1-2a) |
| | 224. | | 2b-3 |
| (n.38) | 225. | mc | 4-6 |
| | 226. | mc | 7 |
| | - | sum | (8aα) |
| (n.39) | 227. | mc | 8aβ-b |
| | 228. | | 9 |
| | 229. | | 10-11bα |
| | 230. | | 11bβ |
| (n.40) | | mc v.10b-11a | |
| | - | sum | (12) |
| (n.41) | 231. | mc | 13-19 |
| | 232. | | 20 |
| | 233. | | 21-22 |
| | - | sum | (23) |
| | - | intro | (24-25) |
| (n.42) | 234. | mc | 26 |
| (n.43) | 235. | mc | 27 |
| (n.44) | 236. | mc | 28 |
| | 237. | | 29-31 |
| | 238. | | 32 |
| | 239. | | 33a-bα |
| | 240. | | 33bβ |
| | 241. | | 34a |
| | 242. | | 34b |
| (n.45) | 243. | mc | 35 |
| | 244. | | 36a |
| | 245. | | 36b |
| | 246. | | 37 |
| | 247. | | 38 |
| | 248. | | 39 |
| | 249. | | 40a |
| | 250. | | 40b |
| (n.46) | 251. | mc | 41 |
| | 252. | mc | 42 |
| | - | par concl | (43-47) |

| | Leviticus 12 | | |
|---|---|---|---|
| | - | intro | (1-2aα) |
| | 253. | | 2aβ-b |
| | 254. | | 3 |

| | Lev. 12 cont. | | Verses |
|---|---|---|---|
| | 255. | | 4 |
| | 256. | | 5a |
| | 257. | | 5b |
| | 258. | | 6 |
| | 259. | | 7aαא |
| | - | concl | (7aα2-aβ) |
| | - | concl | (7b) |
| | 260. | | 8a |
| | - | concl | (8b) |
| | Leviticus 13 | | |
| | - | intro | (1) |
| | 261. | | 2 |
| | 262. | | 3 |
| | 263. | | 4 |
| | 264. | | 5 |
| (n.47) | 265. | mc | 6a-bα |
| | 266. | | 6bβ |
| | 267. | | 7 |
| (n.48) | 268. | mc | 8 |
| | 269. | | 9 |
| | 270. | | 10-11a |
| | 271. | mc | 11b |
| (n.49) | 272. | mc | 12-13 |
| (n.50) | 273. | mc | 14-15 |
| | 274. | | 16 |
| (n.51) | 275. | | 17 |
| | 276. | | 18-19 |
| (n.52) | 277. | mc | 20 |
| | 278. | | 21 |
| (n.53) | 279. | mc | 22 |
| | 280. | | 23 |
| (n.54) | 281. | mc | 24-25 |
| | 282. | | 26 |
| (n.55) | 283. | mc | 27 |
| | 284. | mc | 28 |
| (n.56) | 285. | mc | 29-30 |
| | 286. | | 31 |
| | 287. | | 32-33 |
| | 288. | | 34a-bα |
| | 289. | | 34bβ |
| (n.57) | 290. | mc | 35-36 |
| | 291. | | 37 |
| | 292. | | 38-39 |
| | 293. | | 40 |
| | 294. | | 41 |
| (n.58) | 295. | mc | 42-44 |
| | 296. | | 45aα |
| | 297. | | 45aβ |
| | 298. | | 45aγ |
| | 299. | | 45b |
| | 300. | | 46a |
| | 301. | | 46b |

| | Lev. 13 cont. | | Verses |
|---|---|---|---|
| | 302. | | 47-49 |
| | 303. | | 50 |
| | 304. | | 51 |
| | 305. | mc | 52 |
| | 306. | | 53-54a |
| | 307. | | 54b |
| (n.59) | 308. | mc | 55 |
| | 309. | | 56 |
| | 310. | | 57 |
| | 311. | | 58 |
| | - | concl | (59) |
| | Leviticus 14 | | |
| | - | intro | (1-2a) |
| | 312. | | 2b-4 |
| | 313. | | 5-6 |
| | 314. | | 7a-bα |
| | 315. | | 7bβ |
| | 316. | | 8 |
| | 317. | | 9 |
| | 318. | | 10-11 |
| | 319. | | 12 |
| | 320. | mc | 13 |
| | 321. | | 14 |
| | 322. | | 15-18a |
| | - | concl | (18b) |
| | 323. | | 19a |
| | 324. | | 19b-20aα |
| | 325. | | 20aβ |
| | - | concl | (20b) |
| (n.60) | 326. | mc | 21a |
| | 327. | | 21b |
| | 328. | | 22 |
| | 329. | | 23 |
| | 330. | | 24 |
| | 331. | | 25aαא |
| | 332. | | 25aα2-b |
| (n.61) | 333. | mc | 26-29 |
| | 334. | | 30-31a |
| | - | concl | (31b) |
| | - | concl | (32) |
| | - | intro | (33) |
| | 335. | | 34-35 |
| | 336. | mc | 36a |
| | 337. | | 36b |
| | 338. | | 37-38 |
| | 339. | | 39-40 |
| | 340. | | 41 |
| | 341. | | 42 |
| | 342. | | 43-44 |
| | 343. | | 45 |
| | 344. | | 46 |
| | 345. | | 47a |
| | 346. | | 47b |

| Lev. 14 cont. | | Verses | |
|---|---|---|---|
| 347. | mc | 48 | |
| 348. | | 49 | |
| 349. | | 50 | |
| 350. | | 51 | |
| 351. | | 52-53a | (n.62) |
| - | concl | (53b) | |
| - | concl | (54-57) | |

| Leviticus 15 | | |
|---|---|---|
| - | intro | (1-3) |
| 352. | | 4a |
| 353. | | 4b |
| 354. | | 5 |
| 355. | | 6 |
| 356. | | 7 |
| 357. | | 8 |
| 358. | | 9 |
| 359. | | 10a |
| 360. | | 10b |
| 361. | | 11 |
| 362. | | 12a |
| 363. | | 12b |
| 364. | | 13 |
| 365. | | 14 |
| 366. | | 15a |
| - | concl | (15b) |
| 367. | | 16 |
| 368. | | 17 |
| 369. | | 18 |
| 370. | | 19 |
| 371. | | 20a |
| 372. | | 20b |
| 373. | | 21 |
| 374. | | 22 |
| 375. | | 23 |
| 376. | | 24a |
| 377. | | 24b |
| - | intro | (25) |
| 378. | | 26a |
| 379. | | 26b |
| 380. | | 27 |
| 381. | | 28 |
| 382. | | 29 |
| 383. | | 30a |
| - | concl | (30b) |
| - | concl | (31-33) |

| Leviticus 16 | | |
|---|---|---|
| - | intro | (1-2aα) |
| 384. | mc(2) v.2baℶ,bβ | 2aβ-b |
| 385. | | 3-4 |
| 386. | | 5 |
| 387. | | 6 |
| 388. | | 7-8 |
| 389. | | 9 |
| 390. | mc(2) v.10aβℶ,b | 10 |
| 391. | mc(2) v.13bα,bβ | 11-13 |
| 392. | | 14 |
| 393. | | 15aα |
| 394. | | 15aβ-b |
| - | concl | (16a) |
| 395. | | 16b |
| 396. | | 17a |
| 397. | | 17b-18 |
| 398. | | 19a |
| - | concl | (19b) |
| 399. | | 20 |
| 400. | | 21a-bα |
| 401. | | 21bβ-22 |
| 402. | | 23 |
| 403. | | 24a |
| 404. | | 24b |
| 405. | | 25 |
| 406. | | 26 |
| 407. | | 27 |
| 408. | | 28 |
| - | par intro | (29a) |
| 409. | | 29bα |
| 410. | | 29bβ |
| | mc v.30 | |
| - | sum | (31) |
| 411. | | 32a |
| 412. | | 32b |
| 413. | | 33a |
| 414. | | 33b |
| - | par concl | (34) |

| Leviticus 27 | | |
|---|---|---|
| - | intro | (1-2) |
| 415. | | 3 |
| 416. | | 4 |
| 417. | | 5a |
| 418. | | 5b |
| 419. | | 6a |
| 420. | | 6b |
| 421. | | 7a |
| 422. | | 7b |
| 423. | | 8 |
| 424. | | 9 |
| 425. | | 10a |
| 426. | | 10b |
| 427. | | 11-12 |

| | Lev. 27 cont. | | Verses |
|---|---|---|---|
| | 428. | | 13 |
| | 429. | | 14 |
| | 430. | | 15 |
| | 431. | | 16 |
| | 432. | | 17 |
| | 433. | | 18 |
| | 434. | | 19 |
| | 435. | | 20 |
| | 436. | | 21 |
| | 437. | | 22-23 |
| | 438. | | 24 |
| | 439. | | 25 |
| | 440. | | 26 |
| | 441. | | 27a |
| | 442. | | 27b |
| | 443. | | 28 |
| | 444. | | 29 |
| | 445. | | 30 |
| | 446. | | 31 |
| | 447. | | 32 |
| | 448. | | 32a |
| | 449. | | 32b |
| | - | concl | (34) |
| | Numbers 3 | | |
| (n.63) | - | intro | (5) |
| | 450. | mc | 6 |
| | 451. | | 7 |
| | 452. | | 8 |
| | 453. | | 9 |
| | 454. | | 10 |
| | Numbers 5 | | |
| | - | intro | (5-6aαא) |
| | 455. | | 6aα2-7 |
| | 456. | | 8 |
| | 457. | | 9 |
| | 458. | | 10 |
| | - | intro | (11-12a) |
| | 459. | | 12b-15aαא |
| | 460. | | 15aα2-aβ |
| | 461. | | 15bα |
| | 462. | | 15bβ |
| | | mc v.15bγ-bδ | |
| | 463. | | 16 |
| | 464. | | 17 |
| | 465. | | 18aα |
| | 466. | | 18aβ |
| | 467. | | 18b |
| | 468. | | 19-22 |
| | 469. | | 23a |
| | 470. | | 23b |

| | Num. 5 cont. | | Verses |
|---|---|---|---|
| | 471. | mc | 24 |
| | 472. | | 25 |
| | 473. | | 26a |
| | 474. | | 26b |
| | - | nl | (27-28) |
| | - | concl | (29-31) |
| | Numbers 6 | | |
| | - | intro | (1-2a) |
| | 475. | | 2b-3bα |
| | 476. | | 3bβ |
| | 477. | | 4 |
| | 478. | | 5 |
| | 479. | mc | 6-7 |
| | - | sum | (8) |
| | 480. | | 9 |
| | 481. | | 10 |
| | 482. | | 11a |
| | 483. | | 11b-12aα |
| | 484. | | 12aβ |
| | 485. | mc | 12b |
| | - | intro | (13a) |
| | 486. | | 13b |
| | 487. | | 14-15 |
| | 488. | | 16-17 |
| | 489. | | 18a |
| | 490. | | 18b |
| | 491. | | 19-20aαא |
| | 492. | | 20aα2-aβ |
| | 493. | | 20b |
| | - | concl | (21) |
| | - | intro | (22-23aα) |
| | 494. | | 23aβ-26 |
| | - | par concl | (27) |
| | Numbers 8 | | |
| (n.64) | - | intro | (23-24a) |
| | 495. | | 24b |
| | 496. | | 25 |
| | 497. | | 26a |
| | - | concl | (26b) |
| | Numbers 9 | | |
| | - | intro | (9-10a) |
| | 498. | | 10b-11a |
| | 499. | | 11b |
| | 500. | | 12aα |
| | 501. | | 12aβ |
| | 502. | | 12b |
| | 503. | mc | 13 |
| | 504. | | 14a |
| | - | par | (14b) |

| | Numbers 10 | | Verses |
|---|---|---|---|
| | - | intro | (1) |
| (n.65) | 505. | mc | 2 |
| | 506. | | 3 |
| | 507. | | 4 |
| | 508. | | 5 |
| | 509. | | 6a |
| | - | sum | (6b) |
| | 510. | | 7 |
| | 511. | | 8a |
| | - | par intro | (8b) |
| | 512. | mc | 9 |
| | 513. | mc(2) v.10bα,bβ | 10 |

| | Numbers 15 | | |
|---|---|---|---|
| | - | intro | (1-3) |
| | 514. | | 4-5 |
| | 515. | | 6-7 |
| | 516. | | 8-10 |
| | - | sum | (11-13) |
| | 517. | | 14 |
| | - | par | (15-16) |
| | - | intro | (17-18a) |
| | 518. | | 18b-20 |
| | 519. | | 21 |
| | - | intro | (22-23) |
| | 520. | | 24a |
| | 521. | | 24b |
| | - | concl | (25-26) |
| | 522. | | 27 |
| | - | concl | (28) |
| | - | par | (29) |
| (n.66) | 523. | mc | 30-31 |
| | - | nl | (32-36) |
| | - | intro | (37-38aα) |
| | 524. | | 38aβ |
| | 525. | | 38b-39aαא |
| | 526. | | 39aα2-aβ |
| | | mc(3) v.39b,40,41 | |

| | Numbers 18 | | |
|---|---|---|---|
| | - | intro | (1aα) |
| (n.67) | 527. | | 1aβ-aγ |
| | 528. | | 1b |
| | 529. | | 2-3a |
| | 530. | mc | 3b |
| | - | sum | (4-5) |
| | - | concl | (6-7) |
| | - | intro | (8-9a) |
| | 531. | | 9b |
| | 532. | | 10 |
| | 533. | | 11a |
| | 534. | | 11b |
| | 535. | | 12a |

| | Num. 18 cont. | | Verses |
|---|---|---|---|
| | 536. | | 13a |
| | 537. | | 13b |
| | 538. | | 14 |
| | 539. | | 15a |
| | 540. | | 15bα |
| | 541. | | 15bβ |
| | 542. | | 16 |
| (n.68) | 543. | mc | 17a |
| | 544. | | 17bαא |
| | 545. | | 17bα2-bβ |
| | 546. | | 18 |
| | - | sum | (19) |
| | - | intro | (20aαא) |
| (n.69) | 547. | mc | 20aα2-b |
| | 548. | | 21 |
| | 549. | | 22-23a |
| | - | par concl | (23b-24) |
| | - | intro | (25-26aα) |
| | 550. | | 26aβ-b |
| | 551. | | 27-28a |
| | 552. | | 28b |
| | 553. | | 29 |
| | - | intro | (30a) |
| | 554. | | 30b |
| | 555. | mc | 31 |
| | - | concl | (32) |

| | Numbers 19 | | |
|---|---|---|---|
| | - | intro | (1-2bαא) |
| | 556. | | 2bα2-3a |
| | 557. | | 3b |
| | 558. | | 4 |
| | 559. | | 5 |
| | 560. | | 6 |
| | 561. | | 7 |
| | 562. | | 8 |
| (n.70) | 563. | mc | 9 |
| | 564. | | 10a |
| | - | par | (10b) |
| | 565. | | 11 |
| | 566. | | 12 |
| (n.71) | 567. | mc(2) v.13aα2,b | 13(cf.20) |
| | 568. | | 14aβ-b |
| | 569. | | 15 |
| | 570. | | 16 |
| | 571. | | 17 |
| | 572. | | 18 |
| | 573. | | 19a-bα |
| | 574. | | 19bβ |
| | - | par | (21a) |
| | 575. | | 21bα |
| | 576. | | 21bβ |
| | 577. | | 22a |
| | 578. | | 22b |

| | Numbers 27 | | Verses |
|---|---|---|---|
| | - | intro | (8a) |
| | 579. | | 8b |
| | 580. | | 9 |
| | 581. | | 10 |
| | 582. | | 11a |
| | - | par | (11b) |
| | Numbers 28 | | |
| | - | intro | (1-3aα) |
| | 583. | | 3aβ-4 |
| | 584. | | 5-7 |
| | 585. | | 8 |
| | 586. | | 9-10 |
| | 587. | | 11-14a |
| | - | concl | (14b) |
| | 588. | | 15 |
| | 589. | | 16 |
| | 590. | | 17a |
| | 591. | | 18 |
| | 592. | | 19-21 |
| (n.72) | 593. | mc | 22 |
| | 594. | | 23 |
| | 595. | | 24 |
| | 596. | | 25 |
| | 597. | | 26 |
| | 598. | | 27-29 |
| (n.73) | 599. | mc | 30 |
| | 600. | | 31 |
| | Numbers 29 | | |
| | 601. | | 1a |
| | 602. | | 1b |
| | 603. | | 2-4 |
| (n.74) | 604. | mc | 5 |
| | 605. | | 6 |
| | 606. | | 7a |
| | 607. | | 7b |
| | 608. | | 8-10 |
| | 609. | | 11a |
| | 610. | | 11b |
| | 611. | | 12a |
| | 612. | | 12b |
| | 613. | | 13-15 |
| | 614. | | 16a |
| | 615. | | 16b |
| | 616. | | 17-18 |
| | 617. | | 19a |
| | 618. | | 19b |
| | 619. | | 20-21 |
| | 620. | | 22a |
| | 621. | | 22b |
| | 622. | | 23-24 |

| | Num. 29 cont. | | Verses |
|---|---|---|---|
| | 623. | | 25a |
| | 624. | | 25b |
| | 625. | | 26-27 |
| | 626. | | 28a |
| | 627. | | 28b |
| | 628. | | 29-30 |
| | 629. | | 31a |
| | 630. | | 31b |
| | 631. | | 32-33 |
| | 632. | | 34a |
| | 633. | | 34b |
| | 634. | | 35 |
| | 635. | | 36-37 |
| | 636. | | 38a |
| | 637. | | 38b |
| | - | concl | (39) |
| | - | concl | (30:1) |
| | Numbers 30 | | |
| | - | intro | (2) |
| | 638. | | 3 |
| | 639. | | 4-5 |
| | 640. | mc | 6 |
| | 641. | | 7-8 |
| | 642. | | 9 |
| | 643. | | 10 |
| | 644. | | 11-12 |
| (n.75) | 645. | mc | 13 |
| | - | sum | (14-16) |
| | - | concl | (17) |
| | Numbers 33 | | |
| | - | intro | (50-51a) |
| | 646. | | 51b-52aα |
| | 647. | | 52aβ |
| | 648. | | 52bα |
| | 649. | | 52bβ |
| | 650. | mc | 53 |
| | 651. | | 54 |
| | - | nl | (55-56) |
| | Numbers 35 | | |
| (n.76) | - | com | (1-8) |
| | - | intro | (9-10a) |
| | 652. | mc | 10b-12 |
| | 653. | | 13-14 |
| | 654. | mc | 15 |
| (n.77) | 655. | mc | 16 |
| | 656. | mc | 17 |
| | 657. | mc | 18 |
| | 658. | | 19 |

| Num. 35 cont. | | Verses |
|---|---|---|
| 659. | | 20-21a |
| 660. | mc | 21b |
| 661. | | 22-24 |
| 662. | | 25a |
| 663. | | 25b |
| 664. | mc | 26-28 |
| - | concl | (29) |
| 665. | | 30a |
| 666. | | 30b |
| 667. | | 31 |
| 668. | | 32 |
| - | par concl | (33-34) |

Numbers 36

| | | |
|---|---|---|
| 669. | mc(2) v.8b,9 | 8 |

(b) *The Motive Clauses*

Genesis 9:6

שֹׁפֵךְ דַּם הָאָדָם בָּאָדָם דָּמוֹ יִשָּׁפֵךְ כִּי בְצֶלֶם אֱלֹהִים עָשָׂה אֶת־הָאָדָם׃

Uitti, *NJV*, *NAB*, *NEB*, *RSV* (6b)

Genesis 17

וְאֶת בְּרִיתִי ׀

Uitti (13b)

אֲשֶׁר תִּשְׁמְרוּ בֵּינִי וּבֵינֵיכֶם וּבֵן זַרְעֲךָ אַחֲרֶיךָ הִמּוֹל
לָכֶם כָּל־זָכָר׃ וּנְמַלְתֶּם אֵת בְּשַׂר עָרְלַתְכֶם וְהָיָה לְאוֹת
בְּרִית בֵּינִי וּבֵינֵיכֶם׃ וְכֵן־שְׁמֹנַת יָמִים יִמּוֹל לָכֶם כָּל־זָכָר
לְדֹרֹתֵיכֶם יְלִיד בָּיִת וּמִקְנַת־כֶּסֶף מִכֹּל בֶּן־נֵכָר אֲשֶׁר לֹא
מִזַּרְעֲךָ הוּא׃ הִמּוֹל ׀ יִמּוֹל יְלִיד בֵּיתְךָ וּמִקְנַת כַּסְפֶּךָ
וְהָיְתָה בְרִיתִי בִּבְשַׂרְכֶם לִבְרִית עוֹלָם׃ וְעָרֵל ׀ זָכָר אֲשֶׁר
לֹא־יִמּוֹל אֶת־בְּשַׂר עָרְלָתוֹ וְנִכְרְתָה הַנֶּפֶשׁ הַהִוא מֵעַמֶּיהָ
אֶת־בְּרִיתִי הֵפַר׃

Uitti (14b)

(n. 2) (n. 3) (n. 4)

Exodus 12

שִׁבְעַת יָמִים מַצּוֹת תֹּאכֵלוּ אַךְ בַּיּוֹם טו — *NJV*, *RSV* (15b)
הָרִאשׁוֹן תַּשְׁבִּיתוּ שְׂאֹר מִבָּתֵּיכֶם כִּי ׀ כָּל־אֹכֵל חָמֵץ
וְנִכְרְתָה הַנֶּפֶשׁ הַהִוא מִיִּשְׂרָאֵל מִיּוֹם הָרִאשׁוֹן עַד־יוֹם
הַשְּׁבִעִי׃ וּבַיּוֹם הָרִאשׁוֹן מִקְרָא־קֹדֶשׁ וּבַיּוֹם הַשְּׁבִיעִי 16 — *NJV*, *NEB*, *RSV* (19b)
מִקְרָא־קֹדֶשׁ יִהְיֶה לָכֶם כָּל־מְלָאכָה לֹא־יֵעָשֶׂה בָהֶם
אַךְ אֲשֶׁר יֵאָכֵל לְכָל־נֶפֶשׁ הִוא לְבַדּוֹ יֵעָשֶׂה לָכֶם׃
וְשָׁמַרְתֶּם אֶת־הַמַּצּוֹת כִּי בְּעֶצֶם הַיּוֹם הַזֶּה הוֹצֵאתִי אֶת־ 17
צִבְאוֹתֵיכֶם מֵאֶרֶץ מִצְרָיִם וּשְׁמַרְתֶּם אֶת־הַיּוֹם הַזֶּה
לְדֹרֹתֵיכֶם חֻקַּת עוֹלָם׃ בָּרִאשׁוֹן בְּאַרְבָּעָה עָשָׂר יוֹם לַחֹדֶשׁ 18
בָּעֶרֶב תֹּאכְלוּ מַצֹּת עַד יוֹם הָאֶחָד וְעֶשְׂרִים לַחֹדֶשׁ
בָּעָרֶב׃ שִׁבְעַת יָמִים שְׂאֹר לֹא יִמָּצֵא בְּבָתֵּיכֶם כִּי ׀ כָּל־ 19
אֹכֵל מַחְמֶצֶת וְנִכְרְתָה הַנֶּפֶשׁ הַהִוא מֵעֲדַת יִשְׂרָאֵל בַּגֵּר
וּבְאֶזְרַח הָאָרֶץ׃ כָּל־מַחְמֶצֶת לֹא תֹאכֵלוּ בְּכֹל מוֹשְׁבֹתֵיכֶם כ
תֹּאכְלוּ מַצּוֹת׃ ס

(n. 6) וַיִּקְרָא מֹשֶׁה לְכָל־זִקְנֵי יִשְׂרָאֵל וַיֹּאמֶר אֲלֵהֶם מָשְׁכוּ וְקַחוּ 21
לָכֶם צֹאן לְמִשְׁפְּחֹתֵיכֶם וְשַׁחֲטוּ הַפָּסַח׃ וּלְקַחְתֶּם אֲגֻדַּת 22
אֵזוֹב וּטְבַלְתֶּם בַּדָּם אֲשֶׁר־בַּסַּף וְהִגַּעְתֶּם אֶל־הַמַּשְׁקוֹף
וְאֶל־שְׁתֵּי הַמְּזוּזֹת מִן־הַדָּם אֲשֶׁר בַּסָּף וְאַתֶּם לֹא תֵצְאוּ
אִישׁ מִפֶּתַח־בֵּיתוֹ עַד־בֹּקֶר׃ וְעָבַר יְהוָה לִנְגֹּף אֶת־מִצְרַיִם 23
וְרָאָה אֶת־הַדָּם עַל־הַמַּשְׁקוֹף וְעַל שְׁתֵּי הַמְּזוּזֹת וּפָסַח
יְהוָה עַל־הַפֶּתַח וְלֹא יִתֵּן הַמַּשְׁחִית לָבֹא אֶל־בָּתֵּיכֶם לִנְגֹּף׃

Exodus 13

(n. 8) א ב וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה לֵאמֹר׃ קַדֶּשׁ־לִי כָל־בְּכוֹר פֶּטֶר — *NAB* (2b)
(n. 9) כָּל־רֶחֶם בִּבְנֵי יִשְׂרָאֵל בָּאָדָם וּבַבְּהֵמָה לִי הוּא׃ וַיֹּאמֶר 3 — *NJV* (9); *NAB*, *NEB*, *RSV* (9b)
מֹשֶׁה אֶל־הָעָם זָכוֹר אֶת־הַיּוֹם הַזֶּה אֲשֶׁר יְצָאתֶם מִמִּצְרַיִם
מִבֵּית עֲבָדִים כִּי בְּחֹזֶק יָד הוֹצִיא יְהוָה אֶתְכֶם מִזֶּה וְלֹא
ג יֵאָכֵל חָמֵץ׃ הַיּוֹם אַתֶּם יֹצְאִים בְּחֹדֶשׁ הָאָבִיב׃ וְהָיָה
כִּי־יְבִאֲךָ יְהוָה אֶל־אֶרֶץ הַכְּנַעֲנִי וְהַחִתִּי וְהָאֱמֹרִי וְהַחִוִּי
וְהַיְבוּסִי אֲשֶׁר נִשְׁבַּע לַאֲבֹתֶיךָ לָתֵת לְךָ אֶרֶץ זָבַת חָלָב
6 וּדְבָשׁ וְעָבַדְתָּ אֶת־הָעֲבֹדָה הַזֹּאת בַּחֹדֶשׁ הַזֶּה׃ שִׁבְעַת
7 יָמִים תֹּאכַל מַצֹּת וּבַיּוֹם הַשְּׁבִיעִי חַג לַיהוָה׃ מַצּוֹת
יֵאָכֵל אֶת שִׁבְעַת הַיָּמִים וְלֹא־יֵרָאֶה לְךָ חָמֵץ וְלֹא־יֵרָאֶה
8 לְךָ שְׂאֹר בְּכָל־גְּבֻלֶךָ׃ וְהִגַּדְתָּ לְבִנְךָ בַּיּוֹם הַהוּא לֵאמֹר
(n.10) 9 בַּעֲבוּר זֶה עָשָׂה יְהוָה לִי בְּצֵאתִי מִמִּצְרָיִם׃ וְהָיָה לְךָ
לְאוֹת עַל־יָדֶךָ וּלְזִכָּרוֹן בֵּין עֵינֶיךָ לְמַעַן תִּהְיֶה תּוֹרַת יְהוָה
בְּפִיךָ כִּי בְיָד חֲזָקָה הוֹצִאֲךָ יְהוָה מִמִּצְרָיִם׃

Exodus 27:20

וְאַתָּה תְּצַוֶּה | אֶת־בְּנֵי יִשְׂרָאֵל וְיִקְחוּ אֵלֶיךָ שֶׁמֶן זַיִת זָךְ
כָּתִית לַמָּאוֹר לְהַעֲלֹת נֵר תָּמִיד׃

*NJV*, *RSV* (20aβ,b); *NAB* (20aβ?,b); *NEB* (20b)

Exodus 29

(n.11) וְקִדַּשְׁתָּ אֶת | חֲזֵה הַתְּנוּפָה וְאֵת שׁוֹק הַתְּרוּמָה 27
אֲשֶׁר הוּנַף וַאֲשֶׁר הוּרַם מֵאֵיל הַמִּלֻּאִים מֵאֲשֶׁר לְאַהֲרֹן

Uitti (28); *NJV*, *NEB*, *RSV* (28aβ-b)

וּמֵאֲשֶׁר לִבָנָיו׃ וְהָיְתָה לְאַהֲרֹן וּלְבָנָיו לְחָק־עוֹלָם מֵאֵת 28
בְּנֵי יִשְׂרָאֵל כִּי תְרוּמָה הִוא וּתְרוּמָה תִּהְיֶה מֵאֵת בְּנֵי־
יִשְׂרָאֵל מִזִּבְחֵי שַׁלְמֵיהֶם תְּרוּמָתָם לַיהוָה׃ וּבִגְדֵי הַקֹּדֶשׁ 29
אֲשֶׁר לְאַהֲרֹן יִהְיוּ לִבָנָיו אַחֲרָיו לְמָשְׁחָה בָּהֶם וּלְמַלֵּא־
בָם אֶת־יָדָם׃

*NJV*, *NAB*, *NEB*, *RSV* (29b)

Exodus 30

וְהִקְטִיר 7

Uitti (10b,c)

עָלָיו אַהֲרֹן קְטֹרֶת סַמִּים בַּבֹּקֶר בַּבֹּקֶר בְּהֵיטִיבוֹ אֶת־הַנֵּרֹת

*NJV*, *NAB*, *RSV* (12b)

יַקְטִירֶנָּה׃ וּבְהַעֲלֹת אַהֲרֹן אֶת־הַנֵּרֹת בֵּין הָעַרְבַּיִם יַקְטִירֶנָּה 8

Uitti, *NJV*, *NAB*, *RSV* (16b)

קְטֹרֶת תָּמִיד לִפְנֵי יְהוָה לְדֹרֹתֵיכֶם׃ לֹא־תַעֲלוּ עָלָיו קְטֹרֶת 9

*NJV*, *NAB*, *NEB*, *RSV* (20aβ)

זָרָה וְעֹלָה וּמִנְחָה וְנֶסֶךְ לֹא תִסְּכוּ עָלָיו׃ וְכִפֶּר אַהֲרֹן עַל־ י

Uitti (21aβ,b); *NJV*, *NAB*, *NEB*, *RSV* (21aβ)

קַרְנֹתָיו אַחַת בַּשָּׁנָה מִדַּם חַטַּאת הַכִּפֻּרִים אַחַת בַּשָּׁנָה
יְכַפֶּר עָלָיו לְדֹרֹתֵיכֶם קֹדֶשׁ־קָדָשִׁים הִוא לַיהוָה׃

(n.13) וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה לֵאמֹר׃ כִּי תִשָּׂא אֶת־רֹאשׁ בְּנֵי 11 12
יִשְׂרָאֵל לִפְקֻדֵיהֶם וְנָתְנוּ אִישׁ כֹּפֶר נַפְשׁוֹ לַיהוָה בִּפְקֹד
אֹתָם וְלֹא־יִהְיֶה בָהֶם נֶגֶף בִּפְקֹד אֹתָם׃ זֶה | יִתְּנוּ כָּל 13
הָעֹבֵר עַל־הַפְּקֻדִים מַחֲצִית הַשֶּׁקֶל בְּשֶׁקֶל הַקֹּדֶשׁ עֶשְׂרִים
גֵּרָה הַשֶּׁקֶל מַחֲצִית הַשֶּׁקֶל תְּרוּמָה לַיהוָה׃ כֹּל הָעֹבֵר 14
עַל־הַפְּקֻדִים מִבֶּן עֶשְׂרִים שָׁנָה וָמַעְלָה יִתֵּן תְּרוּמַת יְהוָה׃
טו הֶעָשִׁיר לֹא־יַרְבֶּה וְהַדַּל לֹא יַמְעִיט מִמַּחֲצִית הַשֶּׁקֶל 16
לָתֵת אֶת־תְּרוּמַת יְהוָה לְכַפֵּר עַל־נַפְשֹׁתֵיכֶם׃ וְלָקַחְתָּ אֶת־
כֶּסֶף הַכִּפֻּרִים מֵאֵת בְּנֵי יִשְׂרָאֵל וְנָתַתָּ אֹתוֹ עַל־עֲבֹדַת
אֹהֶל מוֹעֵד וְהָיָה לִבְנֵי יִשְׂרָאֵל לְזִכָּרוֹן לִפְנֵי יְהוָה לְכַפֵּר
(n.14) עַל־נַפְשֹׁתֵיכֶם׃ פ

(n.15) וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה לֵאמֹר׃ וְעָשִׂיתָ כִּיּוֹר נְחֹשֶׁת וְכַנּוֹ 17 18
נְחֹשֶׁת לְרָחְצָה וְנָתַתָּ אֹתוֹ בֵּין־אֹהֶל מוֹעֵד וּבֵין הַמִּזְבֵּחַ
וְנָתַתָּ שָׁמָּה מָיִם׃ וְרָחֲצוּ אַהֲרֹן וּבָנָיו מִמֶּנּוּ אֶת־יְדֵיהֶם 19
כ וְאֶת־רַגְלֵיהֶם׃ בְּבֹאָם אֶל־אֹהֶל מוֹעֵד יִרְחֲצוּ־מַיִם וְלֹא
יָמֻתוּ אוֹ בְגִשְׁתָּם אֶל־הַמִּזְבֵּחַ לְשָׁרֵת לְהַקְטִיר אִשֶּׁה
לַיהוָה׃ וְרָחֲצוּ יְדֵיהֶם וְרַגְלֵיהֶם וְלֹא יָמֻתוּ 21

Exod. 30 cont.

| | | |
|---|---|---|
| | 31 וְאֶל־בְּנֵי יִשְׂרָאֵל תְּדַבֵּר לֵאמֹר שֶׁמֶן | Uitti (32b) |
| | 32 מִשְׁחַת־קֹדֶשׁ יִהְיֶה זֶה לִי לְדֹרֹתֵיכֶם: עַל־בְּשַׂר אָדָם | |
| | לֹא יִסָּךְ וּבְמַתְכֻּנְתּוֹ לֹא תַעֲשׂוּ כָּמֹהוּ קֹדֶשׁ הוּא קֹדֶשׁ | |
| (n.17) | 33 יִהְיֶה לָכֶם: אִישׁ אֲשֶׁר יִרְקַח כָּמֹהוּ וַאֲשֶׁר יִתֵּן מִמֶּנּוּ עַל | |
| (n.18) | זָר וְנִכְרַת מֵעַמָּיו: 34 וַיֹּאמֶר יְהוָה אֶל־מֹשֶׁה קַח־לְךָ | |
| | סַמִּים נָטָף ו שְׁחֵלֶת וְחֶלְבְּנָה סַמִּים וּלְבֹנָה זַכָּה בַּד בְּבַד | |
| | יִהְיֶה: וְעָשִׂיתָ אֹתָהּ קְטֹרֶת רֹקַח מַעֲשֵׂה רוֹקֵחַ מְמֻלָּח לה | |
| | טָהוֹר קֹדֶשׁ: וְשָׁחַקְתָּ מִמֶּנָּה הָדֵק וְנָתַתָּה מִמֶּנָּה לִפְנֵי 36 | |
| | הָעֵדֻת בְּאֹהֶל מוֹעֵד אֲשֶׁר אִוָּעֵד לְךָ שָׁמָּה קֹדֶשׁ קָדָשִׁים | |
| | תִּהְיֶה לָכֶם: וְהַקְּטֹרֶת אֲשֶׁר תַּעֲשֶׂה בְּמַתְכֻּנְתָּהּ לֹא 37 | |
| | תַּעֲשׂוּ לָכֶם קֹדֶשׁ תִּהְיֶה לְךָ לַיהוָה: אִישׁ אֲשֶׁר־יַעֲשֶׂה 38 | |
| | כָּמֹהָ לְהָרִיחַ בָּהּ וְנִכְרַת מֵעַמָּיו: | |

Leviticus 1

| | | |
|---|---|---|
| | 3 אִם־עֹלָה קָרְבָּנוֹ מִן־הַבָּקָר זָכָר תָּמִים | *NJV*, *NAB*, *RSV* (4b) |
| | יַקְרִיבֶנּוּ אֶל־פֶּתַח אֹהֶל מוֹעֵד יַקְרִיב אֹתוֹ לְרִצֹנוֹ לִפְנֵי | Uitti (9bβ,γ,δ) |
| | 4 יְהוָה: וְסָמַךְ יָדוֹ עַל רֹאשׁ הָעֹלָה וְנִרְצָה לוֹ לְכַפֵּר עָלָיו: | Uitti (13c) |
| | ה וְשָׁחַט אֶת־בֶּן הַבָּקָר לִפְנֵי יְהוָה וְהִקְרִיבוּ בְּנֵי אַהֲרֹן | Uitti (17c) |
| | הַכֹּהֲנִים אֶת־הַדָּם וְזָרְקוּ אֶת־הַדָּם עַל־הַמִּזְבֵּחַ סָבִיב | |
| | אֲשֶׁר־פֶּתַח אֹהֶל מוֹעֵד: 6 וְהִפְשִׁיט אֶת־הָעֹלָה וְנִתַּח אֹתָהּ | |
| | לִנְתָחֶיהָ: 7 וְנָתְנוּ בְּנֵי אַהֲרֹן הַכֹּהֵן אֵשׁ עַל־הַמִּזְבֵּחַ וְעָרְכוּ | |
| | עֵצִים עַל־הָאֵשׁ: 8 וְעָרְכוּ בְּנֵי אַהֲרֹן הַכֹּהֲנִים אֶת הַנְּתָחִים | |
| | אֶת־הָרֹאשׁ וְאֶת־הַפָּדֶר עַל־הָעֵצִים אֲשֶׁר עַל־הָאֵשׁ אֲשֶׁר | |
| | עַל־הַמִּזְבֵּחַ: 9 וְקִרְבּוֹ וּכְרָעָיו יִרְחַץ בַּמָּיִם וְהִקְטִיר הַכֹּהֵן | |
| (n.19) | אֶת־הַכֹּל הַמִּזְבֵּחָה עֹלָה אִשֶּׁה רֵיחַ־נִיחֹחַ לַיהוָה: | |
| | י וְאִם־מִן־הַצֹּאן קָרְבָּנוֹ מִן הַכְּשָׂבִים אוֹ מִן־הָעִזִּים לְעֹלָה | |
| | זָכָר תָּמִים יַקְרִיבֶנּוּ: 11 וְשָׁחַט אֹתוֹ עַל יֶרֶךְ הַמִּזְבֵּחַ צָפֹנָה | |
| | לִפְנֵי יְהוָה וְזָרְקוּ בְּנֵי אַהֲרֹן הַכֹּהֲנִים אֶת־דָּמוֹ עַל־הַמִּזְבֵּחַ | |
| | סָבִיב: 12 וְנִתַּח אֹתוֹ לִנְתָחָיו וְאֶת־רֹאשׁוֹ וְאֶת־פִּדְרוֹ וְעָרַךְ | |
| | הַכֹּהֵן אֹתָם עַל־הָעֵצִים אֲשֶׁר עַל־הָאֵשׁ אֲשֶׁר עַל־הַמִּזְבֵּחַ: | |
| | 13 וְהַקֶּרֶב וְהַכְּרָעַיִם יִרְחַץ בַּמָּיִם וְהִקְרִיב הַכֹּהֵן אֶת־הַכֹּל | |
| | וְהִקְטִיר הַמִּזְבֵּחָה עֹלָה הוּא אִשֵּׁה רֵיחַ נִיחֹחַ לַיהוָה: | |
| (n.20) | 14 וְאִם מִן־הָעוֹף עֹלָה קָרְבָּנוֹ לַיהוָה וְהִקְרִיב מִן־הַתֹּרִים | |
| | אוֹ מִן־בְּנֵי הַיּוֹנָה אֶת־קָרְבָּנוֹ: טו וְהִקְרִיבוֹ הַכֹּהֵן אֶל־הַמִּזְבֵּחַ | |
| | וּמָלַק אֶת־רֹאשׁוֹ וְהִקְטִיר הַמִּזְבֵּחָה וְנִמְצָה דָמוֹ עַל קִיר | |
| | הַמִּזְבֵּחַ: 16 וְהָסִיר אֶת־מְרָאָתוֹ בְּנֹצָתָהּ וְהִשְׁלִיךְ אֹתָהּ אֵצֶל | |
| | הַמִּזְבֵּחַ קֵדְמָה אֶל־מְקוֹם הַדֶּשֶׁן: 17 וְשִׁסַּע אֹתוֹ בִּכְנָפָיו לֹא | |
| | יַבְדִּיל וְהִקְטִיר אֹתוֹ הַכֹּהֵן הַמִּזְבֵּחָה עַל־הָעֵצִים אֲשֶׁר | |
| (n.21) | עַל־הָאֵשׁ עֹלָה הוּא אִשֵּׁה רֵיחַ נִיחֹחַ לַיהוָה: | |

Leviticus 2

ה וְאִם־מִנְחָה עַל־ Uitti (6b)
6 הַמַּחֲבַת קָרְבָּנֶךָ סֹלֶת בְּלוּלָה בַּשָּׁמֶן מַצָּה תִּהְיֶה: פְּתוֹת Uitti, *NJV*, *NAB*, *RSV* (11b)
7 אֹתָהּ פִּתִּים וְצַקְתָּ עָלֶיהָ שָׁמֶן מִנְחָה הִוא: וְאִם־ Uitti (15b)
(n.22) 8 מִנְחַת מַרְחֶשֶׁת קָרְבָּנֶךָ סֹלֶת בַּשֶּׁמֶן תֵּעָשֶׂה: וְהֵבֵאתָ
אֶת־הַמִּנְחָה אֲשֶׁר יֵעָשֶׂה מֵאֵלֶּה לַיהוָה וְהִקְרִיבָהּ אֶל־
הַכֹּהֵן וְהִגִּישָׁהּ אֶל־הַמִּזְבֵּחַ: 9 וְהֵרִים הַכֹּהֵן מִן־הַמִּנְחָה
אֶת־אַזְכָּרָתָהּ וְהִקְטִיר הַמִּזְבֵּחָה אִשֵּׁה רֵיחַ נִיחֹחַ לַיהוָה:
10 וְהַנּוֹתֶרֶת מִן־הַמִּנְחָה לְאַהֲרֹן וְלִבָנָיו קֹדֶשׁ קָדָשִׁים מֵאִשֵּׁי
יְהוָה: 11 כָּל־הַמִּנְחָה אֲשֶׁר תַּקְרִיבוּ לַיהוָה לֹא תֵעָשֶׂה
חָמֵץ כִּי כָל־שְׂאֹר וְכָל־דְּבַשׁ לֹא־תַקְטִירוּ מִמֶּנּוּ אִשֶּׁה
12 לַיהוָה: קָרְבַּן רֵאשִׁית תַּקְרִיבוּ אֹתָם לַיהוָה וְאֶל־הַמִּזְבֵּחַ
13 לֹא־יַעֲלוּ לְרֵיחַ נִיחֹחַ: וְכָל־קָרְבָּנְךָ מִנְחָתְךָ בַּמֶּלַח תִּמְלָח
וְלֹא תַשְׁבִּית מֶלַח בְּרִית אֱלֹהֶיךָ מֵעַל מִנְחָתֶךָ עַל כָּל־
14 קָרְבָּנְךָ תַּקְרִיב מֶלַח: וְאִם־תַּקְרִיב מִנְחַת בִּכּוּרִים
לַיהוָה אָבִיב קָלוּי בָּאֵשׁ גֶּרֶשׂ כַּרְמֶל תַּקְרִיב אֶת מִנְחַת
טו בִּכּוּרֶיךָ: וְנָתַתָּ עָלֶיהָ שֶׁמֶן וְשַׂמְתָּ עָלֶיהָ לְבֹנָה מִנְחָה (n.23)
הִוא:

Leviticus 4

21 וְהוֹצִיא אֶת־ Uitti (21b)
(n.25) הַפָּר אֶל־מִחוּץ לַמַּחֲנֶה וְשָׂרַף אֹתוֹ כַּאֲשֶׁר שָׂרַף אֶת הַפָּר Uitti (24b)
הָרִאשׁוֹן חַטַּאת הַקָּהָל הִוא: פ
22 אֲשֶׁר נָשִׂיא יֶחֱטָא וְעָשָׂה אַחַת מִכָּל־מִצְוֹת יְהוָה אֱלֹהָיו
23 אֲשֶׁר לֹא־תֵעָשֶׂינָה בִּשְׁגָגָה וְאָשֵׁם: אוֹ־הודַע אֵלָיו חַטָּאתוֹ
אֲשֶׁר חָטָא בָּהּ וְהֵבִיא אֶת־קָרְבָּנוֹ שְׂעִיר עִזִּים זָכָר תָּמִים:
(n.26) 24 וְסָמַךְ יָדוֹ עַל־רֹאשׁ הַשָּׂעִיר וְשָׁחַט אֹתוֹ בִּמְקוֹם אֲשֶׁר־
יִשְׁחַט אֶת־הָעֹלָה לִפְנֵי יְהוָה חַטָּאת הִוא:

Leviticus 5

וְהִקְרִיב אֶת־אֲשֶׁר לַחַטָּאת רִאשׁוֹנָה וּמָלַק אֶת־ Uitti (9b)
9 רֹאשָׁהּ מִמּוּל עָרְפּוֹ וְלֹא יַבְדִּיל: וְזָהָה מִדַּם הַחַטָּאת עַל־ Uitti, *NJV*, *NAB*, *NEB*, *RSV* (11bβ)
(n.27) קִיר הַמִּזְבֵּחַ וְהַנִּשְׁאָר בַּדָּם יִמָּצֶה אֶל־יְסוֹד הַמִּזְבֵּחַ חַטָּאת
י הִוא: וְאֶת־הַשֵּׁנִי יַעֲשֶׂה עֹלָה כַּמִּשְׁפָּט וְכִפֶּר עָלָיו הַכֹּהֵן Uitti (12b)
11 מֵחַטָּאתוֹ אֲשֶׁר־חָטָא וְנִסְלַח לוֹ: וְאִם־לֹא תַשִּׂיג
יָדוֹ לְשְׁתֵּי תֹרִים אוֹ לִשְׁנֵי בְנֵי־יוֹנָה וְהֵבִיא אֶת־קָרְבָּנוֹ
אֲשֶׁר חָטָא עֲשִׂירִת הָאֵפָה סֹלֶת לְחַטָּאת לֹא־יָשִׂים עָלֶיהָ
12 שֶׁמֶן וְלֹא־יִתֵּן עָלֶיהָ לְבֹנָה כִּי חַטָּאת הִוא: וְהֵבִיאָהּ אֶל
הַכֹּהֵן וְקָמַץ הַכֹּהֵן | מְמֶנָּה מְלוֹא קֻמְצוֹ אֶת־אַזְכָּרָתָהּ
(n.28) וְהִקְטִיר הַמִּזְבֵּחָה עַל אִשֵּׁי יְהוָה חַטָּאת הִוא:

Leviticus 6

9 וְהַנּוֹתֶרֶת מִמֶּנָּה יֹאכְלוּ אַהֲרֹן וּבָנָיו מַצּוֹת תֵּאָכֵל — Uitti (10aβ,b)
בְּמָקוֹם קָדֹשׁ בְּחֲצַר אֹהֶל־מוֹעֵד יֹאכְלוּהָ: לֹא תֵאָפֶה — Uitti (18c)
חֶמֶץ חֶלְקָם נְתַתִּי אֹתָהּ מֵאִשַּׁי קֹדֶשׁ קָדָשִׁים הִוא כַּחַטָּאת — Uitti, *NAB* (22b)
(n.30) וְכָאָשָׁם:

17 18 דַּבֵּר יְהוָה אֶל־מֹשֶׁה לֵאמֹר: דַּבֵּר אֶל־אַהֲרֹן וְאֶל־
בָּנָיו לֵאמֹר זֹאת תּוֹרַת הַחַטָּאת בִּמְקוֹם אֲשֶׁר תִּשָּׁחֵט
הָעֹלָה תִּשָּׁחֵט הַחַטָּאת לִפְנֵי יְהוָה קֹדֶשׁ קָדָשִׁים הִוא:
(n.31) הַכֹּהֵן הַמְחַטְּאָ אֹתָהּ יֹאכְלֶנָּה בְּמָקוֹם קָדֹשׁ תֵּאָכֵל 19
בְּחַצְרֵ אֹהֶל מוֹעֵד: כָּל אֲשֶׁר־יִגַּע בִּבְשָׂרָהּ יִקְדָּשׁ כ
וַאֲשֶׁר יָזֶּה מִדָּמָהּ עַל־הַבֶּגֶד אֲשֶׁר יָזֶה עָלָיו תְּכַבֵּס בְּמָקוֹם
קָדֹשׁ: וְכְלִי־חֶרֶשׂ אֲשֶׁר תְּבֻשַּׁל־בּוֹ יִשָּׁבֵר וְאִם־בִּכְלִי 21
נְחֹשֶׁת בֻּשְּׁלָה וּמֹרַק וְשֻׁטַּף בַּמָּיִם: כָּל־זָכָר בַּכֹּהֲנִים 22
(n.32) יֹאכַל אֹתָהּ קֹדֶשׁ קָדָשִׁים הִוא:

Leviticus 7

4 וְאֶת שְׁתֵּי — Uitti (5b)
הַכְּלָיֹת וְאֶת־הַחֵלֶב אֲשֶׁר עֲלֵיהֶן אֲשֶׁר עַל־הַכְּסָלִים וְאֶת־ — Uitti (6c); *NAB* (6bβ)
ה הַיֹּתֶרֶת עַל־הַכָּבֵד עַל־הַכְּלָיֹת יְסִירֶנָּה: וְהִקְטִיר אֹתָם — *RSV* (25)
(n.33) הַכֹּהֵן הַמִּזְבֵּחָה אִשֶּׁה לַיהוָה אָשָׁם הוּא: כָּל־זָכָר 6
(n.34) בַּכֹּהֲנִים יֹאכְלֶנּוּ בְּמָקוֹם קָדוֹשׁ יֵאָכֵל קֹדֶשׁ קָדָשִׁים הוּא:

17 18 וְהַנּוֹתָר מִבְּשַׂר הַזֶּבַח בַּיּוֹם הַשְּׁלִישִׁי בָּאֵשׁ יִשָּׂרֵף: וְאִם
הָאָכֹל יֵאָכֵל מִבְּשַׂר־זֶבַח שְׁלָמָיו בַּיּוֹם הַשְּׁלִישִׁי לֹא
(n.35) יֵרָצֶה הַמַּקְרִיב אֹתוֹ לֹא יֶחְשָׁב לוֹ פִּגּוּל יִהְיֶה וְהַנֶּפֶשׁ
19 הָאֹכֶלֶת מִמֶּנּוּ עֲוֹנָהּ תִּשָּׂא: וְהַבָּשָׂר אֲשֶׁר יִגַּע בְּכָל־טָמֵא
לֹא יֵאָכֵל בָּאֵשׁ יִשָּׂרֵף וְהַבָּשָׂר כָּל־טָהֹר יֹאכַל בָּשָׂר:
כ וְהַנֶּפֶשׁ אֲשֶׁר־תֹּאכַל בָּשָׂר מִזֶּבַח הַשְּׁלָמִים אֲשֶׁר לַיהוָה
(n.36) 21 וְטֻמְאָתוֹ עָלָיו וְנִכְרְתָה הַנֶּפֶשׁ הַהִוא מֵעַמֶּיהָ: וְנֶפֶשׁ כִּי־
תִגַּע בְּכָל־טָמֵא בְּטֻמְאַת אָדָם אוֹ ׀ בִּבְהֵמָה טְמֵאָה אוֹ
בְּכָל־שֶׁקֶץ טָמֵא וְאָכַל מִבְּשַׂר־זֶבַח הַשְּׁלָמִים אֲשֶׁר לַיהוָה
22 וְנִכְרְתָה הַנֶּפֶשׁ הַהִוא מֵעַמֶּיהָ: וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה
23 לֵאמֹר: דַּבֵּר אֶל־בְּנֵי יִשְׂרָאֵל לֵאמֹר כָּל־חֵלֶב שׁוֹר וְכֶשֶׂב
24 וָעֵז לֹא תֹאכֵלוּ: וְחֵלֶב נְבֵלָה וְחֵלֶב טְרֵפָה יֵעָשֶׂה לְכָל־
כה מְלָאכָה וְאָכֹל לֹא תֹאכְלֻהוּ: כִּי כָל־אֹכֵל חֵלֶב מִן
הַבְּהֵמָה אֲשֶׁר יַקְרִיב מִמֶּנָּה אִשֶּׁה לַיהוָה וְנִכְרְתָה הַנֶּפֶשׁ
26 הָאֹכֶלֶת מֵעַמֶּיהָ: וְכָל־דָּם לֹא תֹאכְלוּ בְּכֹל מוֹשְׁבֹתֵיכֶם
27 לָעוֹף וְלַבְּהֵמָה: כָּל־נֶפֶשׁ אֲשֶׁר־תֹּאכַל כָּל־דָּם וְנִכְרְתָה
(n.37) הַנֶּפֶשׁ הַהִוא מֵעַמֶּיהָ:

Lev. 7 cont.

28 וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה לֵאמֹר׃ דַּבֵּר אֶל־בְּנֵי יִשְׂרָאֵל
29 לֵאמֹר הַמַּקְרִיב אֶת־זֶבַח שְׁלָמָיו לַיהוָה יָבִיא אֶת־קָרְבָּנוֹ
ל לַיהוָה מִזֶּבַח שְׁלָמָיו׃ יָדָיו תָּבִיאֶינָה אֶת אִשֵּׁי יְהוָה אֶת־
הַחֵלֶב עַל־הֶחָזֶה יְבִיאֶנּוּ אֶת הֶחָזֶה לְהָנִיף אֹתוֹ תְּנוּפָה
31 לִפְנֵי יְהוָה׃ וְהִקְטִיר הַכֹּהֵן אֶת־הַחֵלֶב הַמִּזְבֵּחָה וְהָיָה
32 הֶחָזֶה לְאַהֲרֹן וְלִבְנָיו׃ וְאֶת שׁוֹק הַיָּמִין תִּתְּנוּ תְרוּמָה
33 לְכֹהֵן מִזִּבְחֵי שַׁלְמֵיכֶם׃ הַמַּקְרִיב אֶת־דַּם הַשְּׁלָמִים וְאֶת־
34 הַחֵלֶב מִבְּנֵי אַהֲרֹן לוֹ תִּהְיֶה שׁוֹק הַיָּמִין לְמָנָה׃ כִּי
אֶת־הֶחָזֶה הַתְּנוּפָה וְאֶת ׀ שׁוֹק הַתְּרוּמָה לָקַחְתִּי מֵאֵת
בְּנֵי־יִשְׂרָאֵל מִזִּבְחֵי שַׁלְמֵיהֶם וָאֶתְּנָה אֹתָם לְאַהֲרֹן הַכֹּהֵן
וּלְבָנָיו לְחֻקַּת־עוֹלָם מֵאֵת בְּנֵי יִשְׂרָאֵל׃

Uitti (34-36); *NJV*, *NAB*, *RSV* (34)

Leviticus 10

8 9 וַיְדַבֵּר יְהוָה אֶל־אַהֲרֹן לֵאמֹר׃ יַיִן וְשֵׁכָר אַל־תֵּשְׁתְּ ׀
אַתָּה ׀ וּבָנֶיךָ אִתָּךְ בְּבֹאֲכֶם אֶל־אֹהֶל מוֹעֵד וְלֹא תָמֻתוּ
, חֻקַּת עוֹלָם לְדֹרֹתֵיכֶם׃ וּלְהַבְדִּיל בֵּין הַקֹּדֶשׁ וּבֵין הַחֹל
11 וּבֵין הַטָּמֵא וּבֵין הַטָּהוֹר׃ וְלְהוֹרֹת אֶת־בְּנֵי יִשְׂרָאֵל אֵת
כָּל־הַחֻקִּים אֲשֶׁר דִּבֶּר יְהוָה אֲלֵיהֶם בְּיַד־מֹשֶׁה׃
12 וַיְדַבֵּר מֹשֶׁה אֶל־אַהֲרֹן וְאֶל אֶלְעָזָר וְאֶל־אִיתָמָר ׀ בָּנָיו
הַנּוֹתָרִים קְחוּ אֶת־הַמִּנְחָה הַנּוֹתֶרֶת מֵאִשֵּׁי יְהוָה וְאִכְלוּהָ
13 מַצּוֹת אֵצֶל הַמִּזְבֵּחַ כִּי קֹדֶשׁ קָדָשִׁים הִוא׃ וַאֲכַלְתֶּם
אֹתָהּ בְּמָקוֹם קָדוֹשׁ כִּי חָקְךָ וְחֻקְבָּנֶיךָ הִוא מֵאִשֵּׁי יְהוָה
14 כִּי־כֵן צִוִּיתִי׃ וְאֵת חֲזֵה הַתְּנוּפָה וְאֵת ׀ שׁוֹק הַתְּרוּמָה
תֹּאכְלוּ בְּמָקוֹם טָהוֹר אַתָּה וּבָנֶיךָ וּבִנֹתֶיךָ אִתָּךְ כִּי־חָקְךָ
וְחֻקְבָּנֶיךָ נִתְּנוּ מִזִּבְחֵי שַׁלְמֵי בְּנֵי יִשְׂרָאֵל׃

*NJV* (9aβ,10,11); *NEB*, *RSV* (9aβ)

*NJV*, *RSV* (12b); *NAB* (13b on 14a)

*NJV*, *RSV* (13aβ,b); *NEB* (13b)

*NJV*, *NAB*, *NEB*, *RSV* (14b)

Leviticus 11

4 אַךְ אֶת־
וְזֶה לֹא תֹאכְלוּ מִמַּעֲלֵי הַגֵּרָה וּמִמַּפְרְסֵי הַפַּרְסָה אֶת־ (n.38)
הַגָּמָל כִּי־מַעֲלֵה גֵרָה הוּא וּפַרְסָה אֵינֶנּוּ מַפְרִיס טָמֵא הוּא
לָכֶם: וְאֶת־הַשָּׁפָן כִּי־מַעֲלֵה גֵרָה הוּא וּפַרְסָה לֹא יַפְרִיס ה
טָמֵא הוּא לָכֶם: וְאֶת־הָאַרְנֶבֶת כִּי־מַעֲלַת גֵּרָה הִוא 6
וּפַרְסָה לֹא הִפְרִיסָה טְמֵאָה הִוא לָכֶם: וְאֶת־הַחֲזִיר כִּי־ 7
מַפְרִיס פַּרְסָה הוּא וְשֹׁסַע שֶׁסַע פַּרְסָה וְהוּא גֵרָה לֹא־
עֵגֶר טָמֵא הוּא לָכֶם: מִבְשָׂרָם לֹא תֹאכֵלוּ וּבְנִבְלָתָם לֹא 8 (n.39)
תִגָּעוּ טְמֵאִים הֵם לָכֶם: אֶת־זֶה תֹּאכְלוּ מִכֹּל אֲשֶׁר בַּמָּיִם 9
כֹּל אֲשֶׁר־לוֹ סְנַפִּיר וְקַשְׂקֶשֶׂת בַּמַּיִם בַּיַּמִּים וּבַנְּחָלִים
אֹתָם תֹּאכֵלוּ: וְכֹל אֲשֶׁר אֵין־לוֹ סְנַפִּיר וְקַשְׂקֶשֶׂת בַּיַּמִּים ׳
וּבַנְּחָלִים מִכֹּל שֶׁרֶץ הַמַּיִם וּמִכֹּל נֶפֶשׁ הַחַיָּה אֲשֶׁר בַּמָּיִם
שֶׁקֶץ הֵם לָכֶם: וְשֶׁקֶץ יִהְיוּ לָכֶם מִבְשָׂרָם לֹא תֹאכֵלוּ 11 (n.40)
וְאֶת־נִבְלָתָם תְּשַׁקֵּצוּ: כֹּל אֲשֶׁר אֵין־לוֹ סְנַפִּיר וְקַשְׂקֶשֶׂת 12
בַּמַּיִם שֶׁקֶץ הוּא לָכֶם: וְאֶת־אֵלֶּה תְּשַׁקְּצוּ מִן־הָעוֹף לֹא 13 (n.41)
יֵאָכְלוּ שֶׁקֶץ הֵם אֶת־הַנֶּשֶׁר וְאֶת־הַפֶּרֶס וְאֶת הָעָזְנִיָּה:
וְאֶת־הָרְאָה וְאֶת־הָאַיָּה לְמִינָהּ: אֵת כָּל־עֹרֵב לְמִינוֹ: טו 14
וְאֵת בַּת הַיַּעֲנָה וְאֶת־הַתַּחְמָס וְאֶת־הַשָּׁחַף וְאֶת־הַנֵּץ 16
לְמִינֵהוּ: וְאֶת־הַכּוֹס וְאֶת־הַשָּׁלָךְ וְאֶת־הַיַּנְשׁוּף: וְאֶת־ 17 18
הַתִּנְשֶׁמֶת וְאֶת־הַקָּאָת וְאֶת־הָרָחָם: וְאֶת הַחֲסִידָה הָאֲנָפָה 19
לְמִינָהּ וְאֶת־הַדּוּכִיפַת וְאֶת־הָעֲטַלֵּף:
לְכָל־הַבְּרֹמֶה אֲשֶׁר הוּא 26 (n.42)
מַפְרֶסֶת פַּרְסָה וְשֹׁסַעַת | אֵינֶנָּה שֹׁסַעַת וְגֵרָה אֵינֶנָּה מַעֲלָה
טְמֵאִים הֵם לָכֶם כָּל־הַנֹּגֵעַ בָּהֶם יִטְמָא: וְכָל | הוֹלֵךְ עַל־ 27 (n.43)
כַּפָּיו בְּכָל־הַחַיָּה הַהֹלֶכֶת עַל־אַרְבַּע טְמֵאִים הֵם לָכֶם (n.44)
כָּל־הַנֹּגֵעַ בְּנִבְלָתָם יִטְמָא עַד־הָעָרֶב: וְהַנֹּשֵׂא אֶת־נִבְלָתָם 28
יְכַבֵּס בְּגָדָיו וְטָמֵא עַד־הָעָרֶב טְמֵאִים הֵמָּה לָכֶם: ס

לה כֹּל אֲשֶׁר־יִפֹּל מִנִּבְלָתָם | עָלָיו יִטְמָא
תַּנּוּר וְכִירַיִם יִתָּץ טְמֵאִים הֵם וְטְמֵאִים יִהְיוּ לָכֶם: אַךְ 36 (n.45)
מַעְיָן וּבוֹר מִקְוֵה־מָיִם יִהְיֶה טָהוֹר וְנֹגֵעַ בְּנִבְלָתָם יִטְמָא:
וְכִי יִפֹּל מִנִּבְלָתָם 'עַל־כָּל־זֶרַע זָרוּעַ אֲשֶׁר יִזָּרֵעַ טָהוֹר 37
הוּא: וְכִי יֻתַּן־מַיִם עַל־זֶרַע וְנָפַל מִנִּבְלָתָם עָלָיו טָמֵא 38
הוּא לָכֶם: ס וְכִי יָמוּת מִן־הַבְּהֵמָה אֲשֶׁר־הִוא לָכֶם 39
ס לָאֹכְלָה הַנֹּגֵעַ בְּנִבְלָתָהּ יִטְמָא עַד־הָעָרֶב: וְהָאֹכֵל מִנִּבְלָתָהּ
יְכַבֵּס בְּגָדָיו וְטָמֵא עַד־הָעָרֶב וְהַנֹּשֵׂא אֶת־נִבְלָתָהּ יְכַבֵּס
בְּגָדָיו וְטָמֵא עַד־הָעָרֶב: וְכָל־הַשֶּׁרֶץ הַשֹּׁרֵץ עַל־הָאָרֶץ 41
שֶׁקֶץ הוּא לֹא יֵאָכֵל: כֹּל הוֹלֵךְ עַל־גָּחוֹן וְכֹל | הוֹלֵךְ 42 (n.46)
עַל־אַרְבַּע עַד כָּל־מַרְבֵּה רַגְלַיִם לְכָל־הַשֶּׁרֶץ הַשֹּׁרֵץ עַל־
הָאָרֶץ לֹא תֹאכְלוּם כִּי־שֶׁקֶץ הֵם:

Uitti (4bβ); *NEB*, *RSV* (4bα)
Uitti (5b); *NEB*, *RSV* (5aβ)
Uitti (6b); *NEB*, *RSV* (6aβ,γ)
Uitti (7b); *NEB*, *RSV* (7aβ,γ)
*NEB* (13aβ)
*NEB* (35aβ-b)
Uitti (42b); *NJV*, *NEB*, *RSV* (42bβ)

Leviticus 13

| | | |
|---|---|---|
| | 4 וְאִם־בַּהֶרֶת לְבָנָה הִוא | Uitti (6b) |
| | בְּעֵינ֣וֹ וְעָמֹ֗ק אֵינ֤וֹ מַרְאֶה֙ מִן־הָעֹ֔ור וּשְׂעָרָ֖ה לֹא־הָפַ֣ךְ | Uitti (8b) |
| | לָבָ֑ן וְהִסְגִּ֤יר הַכֹּהֵן֙ אֶת־הַנֶּ֔גַע שִׁבְעַ֖ת יָמִֽים׃ וְרָאָ֥הוּ הַכֹּהֵ֖ן | Uitti, *NJV*, *NAB*, *NEB*, *RSV* (11bβ) |
| | בַּיֹּ֣ום הַשְּׁבִיעִ֑י וְהִנֵּ֤ה הַנֶּ֙גַע֙ עָמַ֣ד בְּעֵינָ֔יו לֹא־פָשָׂ֥ה הַנֶּ֖גַע | |
| | 6 בָּעֹ֑ור וְהִסְגִּירֹ֤ו הַכֹּהֵן֙ שִׁבְעַ֣ת יָמִ֔ים שֵׁנִ֖ית׃ וְרָאָ֥ה הַכֹּהֵ֛ן | Uitti (13b); *NJV*, *NAB* (13bα) |
| | אֹתֹ֖ו בַּיֹּ֣ום הַשְּׁבִיעִ֑י שֵׁנִ֗ית וְהִנֵּ֤ה כָהָה֙ הַנֶּ֔גַע וְלֹא־פָשָׂ֥ה | Uitti, *NAB* (15b); *RSV* (15bβ) |
| (n.47) | הַנֶּ֖גַע בָּעֹ֑ור וְטִהֲרֹ֥ו הַכֹּהֵ֖ן מִסִּפְחַ֣ת הִ֔וא וְכִבֶּ֥ס בְּגָדָ֖יו וְטָהֵֽר׃ | Uitti (20b) |
| | 7 וְאִם־פָּשֹׂ֤ה תִפְשֶׂה֙ הַמִּסְפַּחַ֔ת בָּעֹ֖ור אַחֲרֵ֣י הֵרָאֹתֹ֑ו אֶל־ | Uitti (22b) |
| (n.48) | הַכֹּהֵ֖ן לְטָהֳרָתֹ֥ו וְנִרְאָ֖ה שֵׁנִ֥ית אֶל־הַכֹּהֵֽן׃ וְרָאָ֥ה הַכֹּהֵ֖ן | |
| | 8 וְהִנֵּ֣ה פָשְׂתָ֣ה הַמִּסְפַּחַ֔ת בָּעֹ֑ור וְטִמְּאֹ֖ו הַכֹּהֵ֥ן צָרַ֛עַת הִ֖וא׃ פ | Uitti (25bα,c) |
| | 9 נֶ֣גַע צָרַ֔עַת כִּ֥י תִהְיֶ֖ה בְּאָדָ֑ם וְהוּבָ֖א אֶל־הַכֹּהֵֽן׃ וְרָאָ֥ה הַכֹּהֵ֖ן | Uitti (27c) |
| | וְהִנֵּ֣ה שְׂאֵת־לְבָנָ֣ה בָּעֹ֑ור וְהִ֤וא הָפְכָה֙ שֵׂעָ֣ר לָבָ֔ן וּמִחְיַ֥ת | Uitti (28b); *NJV*, *NAB*, *RSV* (28bβ) |
| | 11 בָּשָׂ֖ר חַ֥י בְּשִׂאֵֽת׃ צָרַ֤עַת נוֹשֶׁנֶת֙ הִ֔וא בְּעֹ֖ור בְּשָׂרֹ֑ו וְטִמְּאֹ֤ו | |
| | הַכֹּהֵן֙ לֹ֣א יַסְגִּירֶ֔נּוּ כִּ֥י טָמֵ֖א הֽוּא׃ וְאִם־פָּרֹ֤חַ תִּפְרַח֙ הַצָּרַ֔עַת | Uitti (30c); *NAB* (30bαב,bβ) |
| | 12 בָּעֹ֑ור וְכִסְּתָ֣ה הַצָּרַ֗עַת אֵ֚ת כָּל־עֹ֣ור הַנֶּ֔גַע מֵרֹאשֹׁ֖ו וְעַד־ | |
| | רַגְלָ֑יו לְכָל־מַרְאֵ֥ה עֵינֵ֖י הַכֹּהֵֽן׃ וְרָאָ֥ה הַכֹּהֵ֖ן וְהִנֵּ֣ה כִסְּתָ֣ה | |
| (n.49) | הַצָּרַ֔עַת אֶת־כָּל־בְּשָׂרֹ֑ו וְטִהַ֣ר אֶת־הַנֶּ֔גַע כֻּלֹּ֥ו הָפַ֖ךְ לָבָ֣ן | |
| | טָהֹ֥ור הֽוּא׃ וּבְיֹ֥ום הֵרָאֹ֖ות בֹּ֣ו בָּשָׂ֑ר חַ֥י יִטְמָֽא׃ וְרָאָ֤ה ש | |
| (n.50) | הַכֹּהֵן֙ אֶת־הַבָּשָׂ֣ר הַחַ֔י וְטִמְּאֹ֖ו הַבָּשָׂ֣ר הַחַ֑י טָמֵ֥א הֽוּא | |
| | צָרַ֖עַת הֽוּא׃ | |
| | 18 וּבָשָׂ֗ר כִּֽי־יִהְיֶ֥ה בֹו־בְעֹורֹ֖ שְׁחִ֑ין וְנִרְפָּֽא׃ וְהָיָ֞ה בִּמְקֹ֣ום | |
| | 19 הַשְּׁחִ֗ין שְׂאֵת֙ לְבָנָ֣ה אֹ֔ו בַּהֶ֖רֶת לְבָנָ֣ה אֲדַמְדֶּ֑מֶת וְנִרְאָ֖ה | |
| | אֶל־הַכֹּהֵֽן׃ וְרָאָ֥ה הַכֹּהֵ֖ן וְהִנֵּ֣ה מַרְאֶ֗הָ שָׁפֵל֙ מִן־הָעֹ֔ור כ | |
| (n.52) | וּשְׂעָרָ֥ה הָפַ֖ךְ לָבָ֑ן וְטִמְּאֹ֤ו הַכֹּהֵן֙ נֶ֣גַע־צָרַ֣עַת הִ֔וא בַּשְּׁחִ֖ין | |
| | 21 פָּרָ֑חָה׃ וְאִם֩ ו יִרְאֶ֨נָּה הַכֹּהֵ֜ן וְהִנֵּ֣ה אֵ֤ין בָּהּ֙ שֵׂעָ֣ר לָבָ֔ן וּשְׁפָלָ֥ה | |
| | אֵינֶ֖נָּה מִן־הָעֹ֑ור וְהִ֥יא כֵהָ֖ה וְהִסְגִּירֹ֥ו הַכֹּהֵ֖ן שִׁבְעַ֥ת יָמִֽים׃ | |
| | 22 וְאִם־פָּשֹׂ֣ה תִפְשֶׂ֔ה בָּעֹ֖ור וְטִמֵּ֣א הַכֹּהֵ֑ן אֹתֹ֥ו נֶ֖גַע הֽוּא׃ וְאִם־ | |
| (n.53) | תַּחְתֶּ֣יהָ תַעֲמֹ֣ד הַבַּהֶ֔רֶת לֹ֥א פָשְׂתָ֖ה צָרֶ֣בֶת הַשְּׁחִ֑ין הִ֥וא | |
| | 24 וְטִהֲרֹ֖ו הַכֹּהֵֽן׃ אֹ֣ו בָּשָׂ֗ר כִּֽי־יִהְיֶ֥ה בְעֹור�ֹ֛ו מִכְוַת־אֵ֖שׁ | |
| | וְהָיָ֣ה מִחְיַ֤ת הַמִּכְוָה֙ בַּהֶ֣רֶת לְבָנָ֔ה אֲדַמְדֶּ֖מֶת אֹ֣ו לְבָנָ֑ה׃ | |
| כה | וְרָאָ֤ה אֹתָהּ֙ הַכֹּהֵ֔ן וְהִנֵּ֥ה נֶהְפַּ֛ךְ שֵׂעָ֥ר לָבָ֖ן בַּבַּהֶ֑רֶת וּמַרְאֶ֣הָ | |
| | עָמֹ֗ק מִן־הָעֹור֙ צָרַ֣עַת הִ֔וא בַּמִּכְוָ֖ה פָּרָ֣חָה וְטִמֵּ֣א אֹתֹ֔ו הַכֹּהֵ֑ן | |
| (n.54) | 26 נֶ֥גַע צָרַ֖עַת הִֽוא׃ וְאִם ו יִרְאֶ֨נָּה הַכֹּהֵ֜ן וְהִנֵּ֣ה אֵין־בַּבַּהֶ֗רֶת | |
| | שֵׂעָ֤ר לָבָן֙ וּשְׁפָלָ֣ה אֵינֶ֔נָּה מִן־הָעֹ֖ור וְהִ֣וא כֵהָ֑ה וְהִסְגִּירֹ֥ו | |
| | 27 הַכֹּהֵ֖ן שִׁבְעַ֥ת יָמִֽים׃ וְרָאָ֥ו הַכֹּהֵ֖ן בַּיֹּ֣ום הַשְּׁבִיעִ֑י אִם־ | |
| (n.55) | פָּשֹׂ֣ה תִפְשֶׂ֔ה בָּעֹ֖ור וְטִמֵּ֣א הַכֹּהֵ֑ן אֹתֹ֥ו נֶ֖גַע צָרַ֥עַת הֽוּא׃ | |
| | 28 וְאִם־תַּחְתֶּ֣יהָ תַעֲמֹ֣ד הַבַּהֶ֔רֶת לֹא־פָשְׂתָ֖ה בָּעֹ֑ור וְהִ֥יא כֵהָ֖ה | |
| | שְׂאֵ֣ת הַמִּכְוָ֔ה הִ֥וא וְטִהֲרֹ֖ו הַכֹּהֵ֑ן כִּֽי־צָרֶ֖בֶת הַמִּכְוָ֥ה הִֽוא׃ פ | |
| | 29 ל וְאִישׁ֩ אֹ֨ו אִשָּׁ֜ה כִּֽי־יִהְיֶ֥ה בֹ֛ו נֶ֖גַע בְּרֹ֣אשׁ אֹ֑ו בְּזָקָֽן׃ וְרָאָ֥ה | |
| | הַכֹּהֵ֖ן אֶת־הַנֶּ֑גַע וְהִנֵּ֤ה מַרְאֵהֹו֙ עָמֹ֣ק מִן־הָעֹ֔ור וּבֹ֥ו שֵׂעָ֖ר | |
| (n.56) | צָהֹ֣ב דַּ֑ק וְטִמֵּ֣א אֹתֹ֔ו הַכֹּהֵ֖ן נֶ֣תֶק הֽוּא צָרַ֤עַת הָרֹאשׁ֙ אֹ֣ו | |
| | הַזָּקָ֔ן הֽוּא׃ | |

Lev. 13 cont.

לה וְאִם־פָּשֹׂה תִּפְשֶׂה הַנָּתֶק בָּעוֹר — Uitti (36b)

36 אַחֲרֵי טָהֳרָתוֹ: וְרָאָהוּ הַכֹּהֵן וְהִנֵּה פָּשְׂתָה הַנָּתֶק בָּעוֹר — Uitti (44c); *NAB* (44bβ)
(n.57) לֹא־יְבַקֵּר הַכֹּהֵן לְשֵׂעָר הַצָּהֹב טָמֵא הוּא:

Uitti (52aε); *NJV*, *NAB*, *NEB*, *RSV* (52bα)

12 וְכִי־יִהְיֶה בְקָרְחָת — Uitti (55cβ)
אוֹ בִנְבַחַת נֶגַע לָבָן אַדְמְדֶּם צָרַעַת פֹּרַחַת הוּא בְּקָרַחְתּוֹ
אוֹ בִנְבַחְתּוֹ: וְרָאָה אֹתוֹ הַכֹּהֵן וְהִנֵּה שְׂאֵת־הַנֶּגַע לְבָנָה 13
אַדְמְדֶּמֶת בְּקָרַחְתּוֹ אוֹ בִנְבַחְתּוֹ כְּמַרְאֵה צָרַעַת עוֹר בָּשָׂר:
(n.58) אִישׁ־צָרוּעַ הוּא טָמֵא הוּא טַמֵּא יְטַמְּאֶנּוּ הַכֹּהֵן בְּרֹאשׁוֹ 44
נִגְעוֹ:

וְשָׁרַף אֶת־הַבֶּגֶד אוֹ אֶת־הַשְׁתִּי | אוֹ אֶת־ 52
הָעֵרֶב בַּצֶּמֶר אוֹ בַפִּשְׁתִּים אוֹ אֶת־כָּל־כְּלִי הָעוֹר אֲשֶׁר־
יִהְיֶה בּוֹ הַנֶּגַע כִּי־צָרַעַת מַמְאֶרֶת הִוא בָּאֵשׁ תִּשָּׂרֵף: וְאִם 53
יִרְאֶה הַכֹּהֵן וְהִנֵּה לֹא־פָשָׂה הַנֶּגַע בַּבֶּגֶד אוֹ בַשְׁתִּי אוֹ
בָעֵרֶב אוֹ בְּכָל־כְּלִי־עוֹר: וְצִוָּה הַכֹּהֵן וְכִבְּסוּ אֵת אֲשֶׁר־ 54
בּוֹ הַנֶּגַע וְהִסְגִּירוּ שִׁבְעַת־יָמִים שֵׁנִית: וְרָאָה הַכֹּהֵן אַחֲרֵי נֻה
הֻכַּבַּס אֶת־הַנֶּגַע וְהִנֵּה לֹא־הָפַךְ הַנֶּגַע אֶת־עֵינוֹ וְהַנֶּגַע לֹא
פָשָׂה טָמֵא הוּא בָּאֵשׁ תִּשְׂרְפֶנּוּ פְּחֶתֶת הִיא בְּקָרַחְתּוֹ אוֹ
(n.59) בִנְבַחְתּוֹ:

Leviticus 14

13 וְשָׁחַט אֶת־הַכֶּבֶשׂ בִּמְקוֹם אֲשֶׁר — Uitti (13bc); *NJV*, *NAB*, *RSV* (13b); *NEB* (13bα)
יִשְׁחַט אֶת־הַחַטָּאת וְאֶת־הָעֹלָה בִּמְקוֹם הַקֹּדֶשׁ כַּחַטָּאת
הָאָשָׁם הוּא לַכֹּהֵן קֹדֶשׁ קָדָשִׁים הוּא:

*NAB*, *RSV* (21a)

21 וְאִם־דַּל הוּא וְאֵין יָדוֹ — *NJV*, *NAB*, *RSV* (36aα)
(n.60) מַשֶּׂגֶת וְלָקַח כֶּבֶשׂ אֶחָד אָשָׁם לִתְנוּפָה לְכַפֵּר עָלָיו

26 וּמִן־הַשֶּׁמֶן יִצֹּק הַכֹּהֵן עַל־כַּף
27 הַכֹּהֵן הַשְּׂמְאלִית: וְהִזָּה הַכֹּהֵן בְּאֶצְבָּעוֹ הַיְמָנִית מִן־הַשֶּׁמֶן
28 אֲשֶׁר עַל־כַּפּוֹ הַשְּׂמְאלִית שֶׁבַע פְּעָמִים לִפְנֵי יְהוָה: וְנָתַן
הַכֹּהֵן מִן־הַשֶּׁמֶן | אֲשֶׁר עַל־כַּפּוֹ עַל־תְּנוּךְ אֹזֶן הַמִּטַּהֵר
הַיְמָנִית וְעַל־בֹּהֶן יָדוֹ הַיְמָנִית וְעַל־בֹּהֶן רַגְלוֹ הַיְמָנִית עַל־
מְקוֹם דַּם הָאָשָׁם: וְהַנּוֹתָר מִן־הַשֶּׁמֶן אֲשֶׁר עַל־כַּף הַכֹּהֵן 29
(n.61) יִתֵּן עַל־רֹאשׁ הַמִּטַּהֵר לְכַפֵּר עָלָיו לִפְנֵי יְהוָה:

33 וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה וְאֶל־אַהֲרֹן לֵאמֹר: 34 כִּי תָבֹאוּ אֶל־
אֶרֶץ כְּנַעַן אֲשֶׁר אֲנִי נֹתֵן לָכֶם לַאֲחֻזָּה וְנָתַתִּי נֶגַע צָרַעַת
בְּבֵית אֶרֶץ אֲחֻזַּתְכֶם: וּבָא אֲשֶׁר־לוֹ הַבַּיִת וְהִגִּיד לַכֹּהֵן לֵה
לֵאמֹר כְּנֶגַע נִרְאָה לִי בַּבָּיִת: וְצִוָּה הַכֹּהֵן וּפִנּוּ אֶת־הַבַּיִת 36
בְּטֶרֶם יָבֹא הַכֹּהֵן לִרְאוֹת אֶת־הַנָּגַע וְלֹא יִטְמָא כָּל־אֲשֶׁר
בַּבָּיִת

Lev. 14 cont.

48 וְאִם־בֹּא יָבֹא הַכֹּהֵן וְרָאָה וְהִנֵּה לֹא־פָשָׂה הַנֶּגַע בַּבַּיִת אַחֲרֵי הִטִּחַ אֶת־הַבָּיִת וְטִהַר הַכֹּהֵן אֶת־הַבַּיִת כִּי נִרְפָּא הַנָּגַע׃

Uitti (48d); *NJV*, *NAB*, *NEB*, *RSV* (48bβ)

Leviticus 16

2 וַיֹּאמֶר יְהוָה אֶל־מֹשֶׁה דַּבֵּר אֶל־אַהֲרֹן אָחִיךָ וְאַל־יָבֹא בְכָל־עֵת אֶל־הַקֹּדֶשׁ מִבֵּית לַפָּרֹכֶת אֶל־פְּנֵי הַכַּפֹּרֶת אֲשֶׁר עַל־הָאָרֹן וְלֹא יָמוּת כִּי בֶּעָנָן אֵרָאֶה עַל־הַכַּפֹּרֶת׃

*NJV*, *RSV* (2bβ,γ); *NEB* (2bγ)

*NAB*, *RSV* (10b)

Uitti (13b,c); *NJV*, *NAB*, *RSV* (13bα,β); *NEB* (13bβ)

9 וְהִקְרִיב אַהֲרֹן אֶת־הַשָּׂעִיר אֲשֶׁר עָלָה עָלָיו הַגּוֹרָל לַיהוָה וְעָשֵׂהוּ חַטָּאת׃ י וְהַשָּׂעִיר אֲשֶׁר עָלָה עָלָיו הַגּוֹרָל לַעֲזָאזֵל יָעֳמַד־חַי לִפְנֵי יְהוָה לְכַפֵּר עָלָיו לְשַׁלַּח אֹתוֹ לַעֲזָאזֵל (n.62) הַמִּדְבָּרָה׃ 11 וְהִקְרִיב אַהֲרֹן אֶת־פַּר הַחַטָּאת אֲשֶׁר־לוֹ וְכִפֶּר בַּעֲדוֹ וּבְעַד בֵּיתוֹ וְשָׁחַט אֶת־פַּר הַחַטָּאת אֲשֶׁר־לוֹ׃ 12 וְלָקַח מְלֹא־הַמַּחְתָּה גַּחֲלֵי־אֵשׁ מֵעַל הַמִּזְבֵּחַ מִלִּפְנֵי יְהוָה וּמְלֹא חָפְנָיו קְטֹרֶת סַמִּים דַּקָּה וְהֵבִיא מִבֵּית לַפָּרֹכֶת׃ 13 וְנָתַן אֶת־הַקְּטֹרֶת עַל־הָאֵשׁ לִפְנֵי יְהוָה וְכִסָּה ׀ עֲנַן הַקְּטֹרֶת אֶת־הַכַּפֹּרֶת אֲשֶׁר עַל־הָעֵדוּת וְלֹא יָמוּת׃

Uitti (29–34a); *NJV*, *NEB*, *RSV* (30); *NAB* (30 on 31)

29 וְהָיְתָה לָכֶם לְחֻקַּת עוֹלָם בַּחֹדֶשׁ הַשְּׁבִיעִי בֶּעָשׂוֹר לַחֹדֶשׁ תְּעַנּוּ אֶת־נַפְשֹׁתֵיכֶם וְכָל־מְלָאכָה לֹא תַעֲשׂוּ הָאֶזְרָח וְהַגֵּר הַגָּר בְּתוֹכְכֶם׃ ל כִּי־בַיּוֹם הַזֶּה יְכַפֵּר עֲלֵיכֶם לְטַהֵר אֶתְכֶם מִכֹּל חַטֹּאתֵיכֶם לִפְנֵי יְהוָה תִּטְהָרוּ׃

Numbers 3

(n.63) 6 וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה לֵאמֹר׃ הַקְרֵב אֶת־מַטֵּה לֵוִי וְהַעֲמַדְתָּ אֹתוֹ לִפְנֵי אַהֲרֹן הַכֹּהֵן וְשֵׁרְתוּ אֹתוֹ׃

Numbers 5

11 וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה לֵאמֹר: 12 דַּבֵּר אֶל־בְּנֵי יִשְׂרָאֵל
וְאָמַרְתָּ אֲלֵהֶם אִישׁ אִישׁ כִּי־תִשְׂטֶה אִשְׁתּוֹ וּמָעֲלָה בּוֹ
13 מָעַל: וְשָׁכַב אִישׁ אֹתָהּ שִׁכְבַת־זֶרַע וְנֶעְלַם מֵעֵינֵי אִישָׁהּ
וְנִסְתְּרָה וְהִיא נִטְמָאָה וְעֵד אֵין בָּהּ וְהִוא לֹא נִתָּפָשָׂה:
14 וְעָבַר עָלָיו רוּחַ־קִנְאָה וְקִנֵּא אֶת־אִשְׁתּוֹ וְהִוא נִטְמָאָה אוֹ־
עָבַר עָלָיו רוּחַ־קִנְאָה וְקִנֵּא אֶת־אִשְׁתּוֹ וְהִוא לֹא נִטְמָאָה:
טו וְהֵבִיא הָאִישׁ אֶת־אִשְׁתּוֹ אֶל־הַכֹּהֵן וְהֵבִיא אֶת־קָרְבָּנָהּ
עָלֶיהָ עֶשִׂרֹנֶת הָאֵיפָה קֶמַח שְׂעֹרִים לֹא־יִצֹק עָלָיו שֶׁמֶן
וְלֹא־יִתֵּן עָלָיו לְבֹנָה כִּי־מִנְחַת קְנָאֹת הִוא מִנְחַת זִכָּרוֹן
מַזְכֶּרֶת עָוֹן:

Uitti, *NJV*, *NAB*, *NEB*, *RSV* (15bβ)

*NJV*, *NAB* (24b)

23 וְכָתַב אֶת־
הָאָלֹת הָאֵלֶּה הַכֹּהֵן בַּסֵּפֶר וּמָחָה אֶל־מֵי הַמָּרִים: 24 וְהִשְׁקָה
אֶת־הָאִשָּׁה אֶת־מֵי הַמָּרִים הַמְאָרְרִים וּבָאוּ בָהּ הַמַּיִם
הַמְאָרְרִים לְמָרִים:

Numbers 6

6 כָּל־יְמֵי הַזִּירוֹ לַיהוָה עַל־
7 נֶפֶשׁ מֵת לֹא יָבֹא: לְאָבִיו וּלְאִמּוֹ לְאָחִיו וּלְאַחֹתוֹ לֹא־
8 יִטַּמָּא לָהֶם בְּמֹתָם כִּי נֵזֶר אֱלֹהָיו עַל־רֹאשׁוֹ: כֹּל יְמֵי

Uitti (7b-8); *NJV*, *NAB*, *NEB*, *RSV* (7b)

Uitti, *NJV*, *NAB*, *NEB*, *RSV* (12bβ)

9 נִזְרוֹ קָדֹשׁ הוּא לַיהוָה: וְכִי־יָמוּת מֵת עָלָיו בְּפֶתַע פִּתְאֹם
וְטִמֵּא רֹאשׁ נִזְרוֹ וְגִלַּח רֹאשׁוֹ בְּיוֹם טָהֳרָתוֹ בַּיּוֹם הַשְּׁבִיעִי
יְגַלְּחֶנּוּ: וּבַיּוֹם הַשְּׁמִינִי יָבִא שְׁתֵּי תֹרִים אוֹ שְׁנֵי בְנֵי יוֹנָה
11 אֶל־הַכֹּהֵן אֶל־פֶּתַח אֹהֶל מוֹעֵד: וְעָשָׂה הַכֹּהֵן אֶחָד
לְחַטָּאת וְאֶחָד לְעֹלָה וְכִפֶּר עָלָיו מֵאֲשֶׁר חָטָא עַל־הַנָּפֶשׁ
12 וְקִדַּשׁ אֶת־רֹאשׁוֹ בַּיּוֹם הַהוּא: וְהִנְזִיר לַיהוָה אֶת־יְמֵי נִזְרוֹ
וְהִבְיא כֶּבֶשׂ בֶּן־שְׁנָתוֹ לְאָשָׁם וְהַיָּמִים הָרִאשֹׁנִים יִפְּלוּ כִּי
טָמֵא נִזְרוֹ:

Numbers 9

9 וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה לֵאמֹר: דַּבֵּר אֶל־בְּנֵי יִשְׂרָאֵל
לֵאמֹר אִישׁ אִישׁ כִּי־יִהְיֶה טָמֵא | לָנֶפֶשׁ אוֹ בְּדֶרֶךְ רְחֹקָה
11 לָכֶם אוֹ לְדֹרֹתֵיכֶם וְעָשָׂה פֶּסַח לַיהוָה: בַּחֹדֶשׁ הַשֵּׁנִי
בְּאַרְבָּעָה עָשָׂר יוֹם בֵּין הָעַרְבַּיִם יַעֲשׂוּ אֹתוֹ עַל־מַצּוֹת
12 וּמְרֹרִים יֹאכְלֻהוּ: לֹא־יַשְׁאִירוּ מִמֶּנּוּ עַד־בֹּקֶר וְעֶצֶם לֹא
13 יִשְׁבְּרוּ־בוֹ כְּכָל־חֻקַּת הַפֶּסַח יַעֲשׂוּ אֹתוֹ: וְהָאִישׁ אֲשֶׁר־
הוּא טָהוֹר וּבְדֶרֶךְ לֹא־הָיָה וְחָדַל לַעֲשׂוֹת הַפֶּסַח וְנִכְרְתָה
הַנֶּפֶשׁ הַהִוא מֵעַמֶּיהָ כִּי | קָרְבַּן יְהוָה לֹא הִקְרִיב בְּמֹעֲדוֹ
חֶטְאוֹ יִשָּׂא הָאִישׁ הַהוּא:

Uitti (13aδ); *NJV*, *RSV* (13b); *NAB*, *NEB* (13bα)

Numbers 10

(n.65) 2 עֲשֵׂה לְךָ שְׁתֵּי חֲצֹצְרֹת כֶּסֶף מִקְשָׁה תַּעֲשֶׂה אֹתָם וְהָיוּ לְךָ לְמִקְרָא הָעֵדָה וּלְמַסַּע אֶת־הַמַּחֲנוֹת:

9 וְכִי־תָבֹאוּ מִלְחָמָה בְּאַרְצְכֶם עַל־הַצָּר הַצֹּרֵר אֶתְכֶם וַהֲרֵעֹתֶם בַּחֲצֹצְרֹת וְנִזְכַּרְתֶּם לִפְנֵי יְהוָה אֱלֹהֵיכֶם וְנוֹשַׁעְתֶּם מֵאֹיְבֵיכֶם: וּבְיוֹם שִׂמְחַתְכֶם וּבְמוֹעֲדֵיכֶם וּבְרָאשֵׁי חָדְשֵׁכֶם וּתְקַעְתֶּם בַּחֲצֹצְרֹת עַל עֹלֹתֵיכֶם וְעַל זִבְחֵי שַׁלְמֵיכֶם וְהָיוּ לָכֶם לְזִכָּרוֹן לִפְנֵי אֱלֹהֵיכֶם אֲנִי יְהוָה אֱלֹהֵיכֶם:

Uitti, *NJV*, *RSV* (9b)

Uitti (10b)

Numbers 15

27 וְאִם־נֶפֶשׁ אַחַת תֶּחֱטָא בִּשְׁגָגָה וְהִקְרִיבָה עֵז בַּת־שְׁנָתָהּ
28 לְחַטָּאת: וְכִפֶּר הַכֹּהֵן עַל־הַנֶּפֶשׁ הַשֹּׁגֶגֶת בְּחֶטְאָהּ בִּשְׁגָגָה
29 לִפְנֵי יְהוָה לְכַפֵּר עָלֶיהָ וְנִסְלַח לוֹ: הָאֶזְרָח בִּבְנֵי יִשְׂרָאֵל
וְלַגֵּר הַגָּר בְּתוֹכָם תּוֹרָה אַחַת יִהְיֶה לָכֶם לָעֹשֶׂה בִּשְׁגָגָה:
ל וְהַנֶּפֶשׁ אֲשֶׁר־תַּעֲשֶׂה | בְּיָד רָמָה מִן־הָאֶזְרָח וּמִן־הַגֵּר אֶת־
יְהוָה הוּא מְגַדֵּף וְנִכְרְתָה הַנֶּפֶשׁ הַהִוא מִקֶּרֶב עַמָּהּ:
(n.66) 31 כִּי דְבַר־יְהוָה בָּזָה וְאֶת־מִצְוָתוֹ הֵפֵר הִכָּרֵת תִּכָּרֵת הַנֶּפֶשׁ
הַהִוא עֲוֹנָהּ בָּהּ:

37 וַיֹּאמֶר יְהוָה אֶל־מֹשֶׁה לֵאמֹר: דַּבֵּר אֶל־בְּנֵי יִשְׂרָאֵל
38 וְאָמַרְתָּ אֲלֵהֶם וְעָשׂוּ לָהֶם צִיצִת עַל־כַּנְפֵי בִגְדֵיהֶם לְדֹרֹתָם
39 וְנָתְנוּ עַל־צִיצִת הַכָּנָף פְּתִיל תְּכֵלֶת: וְהָיָה לָכֶם לְצִיצִת
וּרְאִיתֶם אֹתוֹ וּזְכַרְתֶּם אֶת־כָּל־מִצְוֹת יְהוָה וַעֲשִׂיתֶם אֹתָם
וְלֹא־תָתוּרוּ אַחֲרֵי לִבַּבְכֶם וְאַחֲרֵי עֵינֵיכֶם אֲשֶׁר־אַתֶּם
מ זֹנִים אַחֲרֵיהֶם: לְמַעַן תִּזְכְּרוּ וַעֲשִׂיתֶם אֶת־כָּל־מִצְוֹתָי
41 וִהְיִיתֶם קְדֹשִׁים לֵאלֹהֵיכֶם: אֲנִי יְהוָה אֱלֹהֵיכֶם אֲשֶׁר
הוֹצֵאתִי אֶתְכֶם מֵאֶרֶץ מִצְרַיִם לִהְיוֹת לָכֶם לֵאלֹהִים אֲנִי
יְהוָה אֱלֹהֵיכֶם:

Uitti (31); *NJV*, *NAB*, *RSV* (31a on 31bα)

*NJV* (39b)

Uitti (41)

Numbers 18

(n.67) א וַיֹּאמֶר יְהוָה אֶל־אַהֲרֹן אַתָּה וּבָנֶיךָ וּבֵית־אָבִיךָ אִתָּךְ תִּשְׂאוּ
אֶת־עֲוֹן הַמִּקְדָּשׁ וְאַתָּה וּבָנֶיךָ אִתָּךְ תִּשְׂאוּ אֶת־עֲוֹן כְּהֻנַּתְכֶם׃
2 וְגַם אֶת־אַחֶיךָ מַטֵּה לֵוִי שֵׁבֶט אָבִיךָ הַקְרֵב אִתָּךְ וְיִלָּווּ
עָלֶיךָ וִישָׁרְתֻךָ וְאַתָּה וּבָנֶיךָ אִתָּךְ לִפְנֵי אֹהֶל הָעֵדֻת׃
3 וְשָׁמְרוּ מִשְׁמַרְתְּךָ וּמִשְׁמֶרֶת כָּל־הָאֹהֶל אַךְ אֶל־כְּלֵי הַקֹּדֶשׁ
וְאֶל־הַמִּזְבֵּחַ לֹא יִקְרָבוּ וְלֹא־יָמֻתוּ גַּם־הֵם גַּם־אַתֶּם׃

16 וּפְדוּיָו מִבֶּן־חֹדֶשׁ תִּפְדֶּה
בְּעֶרְכְּךָ כֶּסֶף חֲמֵשֶׁת שְׁקָלִים בְּשֶׁקֶל הַקֹּדֶשׁ עֶשְׂרִים
(n.68) 17 גֵּרָה הוּא אַךְ בְּכוֹר־שׁוֹר אוֹ בְכוֹר כֶּשֶׂב אוֹ־בְכוֹר עֵז
לֹא תִפְדֶּה קֹדֶשׁ הֵם אֶת־דָּמָם תִּזְרֹק עַל־הַמִּזְבֵּחַ וְאֶת־
18 חֶלְבָּם תַּקְטִיר אִשֶּׁה לְרֵיחַ נִיחֹחַ לַיהוָה׃ וּבְשָׂרֶם יִהְיֶה
19 לָךְ כֶּחָזֵה הַתְּנוּפָה וּכְשׁוֹק הַיָּמִין לְךָ יִהְיֶה׃ כָּל־תְּרוּמֹת
הַקֳּדָשִׁים אֲשֶׁר יָרִימוּ בְנֵי־יִשְׂרָאֵל לַיהוָה נָתַתִּי לְךָ וּלְבָנֶיךָ
וְלִבְנֹתֶיךָ אִתָּךְ לְחָק־עוֹלָם בְּרִית מֶלַח עוֹלָם הוּא לְפָנַי
כ יְהוָה לְךָ וּלְזַרְעֲךָ אִתָּךְ׃ וַיֹּאמֶר יְהוָה אֶל־אַהֲרֹן בְּאַרְצָם
(n.69) לֹא תִנְחָל וְחֵלֶק לֹא־יִהְיֶה לָךְ בְּתוֹכָם אֲנִי חֶלְקְךָ
וְנַחֲלָתְךָ בְּתוֹךְ בְּנֵי יִשְׂרָאֵל׃
וְאָמַרְתָּ אֲלֵהֶם בְּהָרִימְכֶם אֶת־חֶלְבּוֹ ל
מִמֶּנּוּ וְנֶחְשַׁב לַלְוִיִּם כִּתְבוּאַת גֹּרֶן וְכִתְבוּאַת יָקֶב׃
31 וַאֲכַלְתֶּם אֹתוֹ בְּכָל־מָקוֹם אַתֶּם וּבָתֵּיכֶם כִּי־שְׂכַר הוּא
לָכֶם חֵלֶף עֲבֹדַתְכֶם בְּאֹהֶל מוֹעֵד׃

*NJV*, *NAB*, *RSV* (3bβ)

Uitti (17b)

Uitti (20b-24)

Uitti, *NJV*, *NAB*, *RSV* (31b)

Numbers 19

9 וְאִסַּף | אִישׁ טָהוֹר אֶת אֵפֶר הַפָּרָה וְהִנִּיחַ
מִחוּץ לַמַּחֲנֶה בְּמָקוֹם טָהוֹר וְהָיְתָה לְעֲדַת בְּנֵי־יִשְׂרָאֵל
(n.70) י לְמִשְׁמֶרֶת לְמֵי נִדָּה חַטָּאת הִוא׃ וְכִבֶּס הָאֹסֵף אֶת־אֵפֶר
הַפָּרָה אֶת־בְּגָדָיו וְטָמֵא עַד־הָעָרֶב וְהָיְתָה לִבְנֵי יִשְׂרָאֵל
וְלַגֵּר הַגָּר בְּתוֹכָם לְחֻקַּת עוֹלָם׃ הַנֹּגֵעַ בְּמֵת לְכָל־נֶפֶשׁ
12 אָדָם וְטָמֵא שִׁבְעַת יָמִים׃ הוּא יִתְחַטָּא־בוֹ בַיּוֹם הַשְּׁלִשִׁי
וּבַיּוֹם הַשְּׁבִיעִי יִטְהָר וְאִם־לֹא יִתְחַטָּא בַּיּוֹם הַשְּׁלִשִׁי
וּבַיּוֹם הַשְּׁבִיעִי לֹא יִטְהָר׃ כָּל־הַנֹּגֵעַ בְּמֵת בְּנֶפֶשׁ הָאָדָם
אֲשֶׁר־יָמוּת וְלֹא יִתְחַטָּא אֶת־מִשְׁכַּן יְהוָה טִמֵּא וְנִכְרְתָה
(n.71) הַנֶּפֶשׁ הַהִוא מִיִּשְׂרָאֵל כִּי מֵי נִדָּה לֹא־זֹרַק עָלָיו טָמֵא
יִהְיֶה עוֹד טֻמְאָתוֹ בוֹ׃

Uitti (9c); *NEB* (9bβ)

Uitti (13b,c); *NJV*, *NAB*, *RSV* (13bα)

Numbers 28

17 וּבַחֲמִשָּׁה עָשָׂר יוֹם לַחֹדֶשׁ הַזֶּה חַג שִׁבְעֹת יָמִים מַצּוֹת
18 יֵאָכֵל: בַּיּוֹם הָרִאשׁוֹן מִקְרָא־קֹדֶשׁ כָּל־מְלֶאכֶת עֲבֹדָה לֹא
19 תַעֲשׂוּ: וְהִקְרַבְתֶּם אִשֶּׁה עֹלָה לַיהוָה פָּרִים בְּנֵי־בָקָר
שְׁנַיִם וְאַיִל אֶחָד וְשִׁבְעָה כְבָשִׂים בְּנֵי שָׁנָה תְּמִימִם יִהְיוּ
לָכֶם: וּמִנְחָתָם סֹלֶת בְּלוּלָה בַשָּׁמֶן שְׁלֹשָׁה עֶשְׂרֹנִים כ
21 לַפָּר וּשְׁנֵי עֶשְׂרֹנִים לָאַיִל תַּעֲשׂוּ: עִשָּׂרוֹן עִשָּׂרוֹן תַּעֲשֶׂה
(n.72) 22 לַכֶּבֶשׂ הָאֶחָד לְשִׁבְעַת הַכְּבָשִׂים: וּשְׂעִיר חַטָּאת אֶחָד
לְכַפֵּר עֲלֵיכֶם:

וּבְיוֹם הַבִּכּוּרִים בְּהַקְרִיבְכֶם מִנְחָה 26
חֲדָשָׁה לַיהוָה בְּשָׁבֻעֹתֵיכֶם מִקְרָא־קֹדֶשׁ יִהְיֶה לָכֶם כָּל־
27 מְלֶאכֶת עֲבֹדָה לֹא תַעֲשׂוּ: וְהִקְרַבְתֶּם עֹלָה לְרֵיחַ נִיחֹחַ
לַיהוָה פָּרִים בְּנֵי־בָקָר שְׁנַיִם אַיִל אֶחָד שִׁבְעָה כְבָשִׂים בְּנֵי
28 שָׁנָה: וּמִנְחָתָם סֹלֶת בְּלוּלָה בַשָּׁמֶן שְׁלֹשָׁה עֶשְׂרֹנִים לַפָּר
29 הָאֶחָד שְׁנֵי עֶשְׂרֹנִים לָאַיִל הָאֶחָד: עִשָּׂרוֹן עִשָּׂרוֹן לַכֶּבֶשׂ
(n.73) ל הָאֶחָד לְשִׁבְעַת הַכְּבָשִׂים: שְׂעִיר עִזִּים אֶחָד לְכַפֵּר עֲלֵיכֶם:

Numbers 29

א וּבַחֹדֶשׁ הַשְּׁבִיעִי בְּאֶחָד לַחֹדֶשׁ מִקְרָא־קֹדֶשׁ יִהְיֶה לָכֶם
כָּל־מְלֶאכֶת עֲבֹדָה לֹא תַעֲשׂוּ יוֹם תְּרוּעָה יִהְיֶה לָכֶם:
2 וַעֲשִׂיתֶם עֹלָה לְרֵיחַ נִיחֹחַ לַיהוָה פַּר בֶּן־בָּקָר אֶחָד אָיִל
3 אֶחָד כְּבָשִׂים בְּנֵי־שָׁנָה שִׁבְעָה תְּמִימִם: וּמִנְחָתָם סֹלֶת
בְּלוּלָה בַשֶּׁמֶן שְׁלֹשָׁה עֶשְׂרֹנִים לַפָּר שְׁנֵי עֶשְׂרֹנִים לָאָיִל:
½ וְעִשָּׂרוֹן אֶחָד לַכֶּבֶשׂ הָאֶחָד לְשִׁבְעַת הַכְּבָשִׂים: וּשְׂעִיר־
(n.74) עִזִּים אֶחָד חַטָּאת לְכַפֵּר עֲלֵיכֶם:

Numbers 30

6 וְאִם־ Uitti (6b); *NJV*, *NAB* (6bβ); *NEB*, *RSV* (5bβ=6bβH)
הָנֵא אָבִיהָ אֹתָהּ בְּיוֹם שָׁמְעוֹ כָּל־נְדָרֶיהָ וֶאֱסָרֶיהָ אֲשֶׁר־
אָסְרָה עַל־נַפְשָׁהּ לֹא יָקוּם וַיהוָה יִסְלַח־לָהּ כִּי־הֵנִיא אָבִיהָ
אֹתָהּ:

13 וְאִם־הָפֵר יָפֵר אֹתָם ׀ אִישָׁהּ בְּיוֹם שָׁמְעוֹ Uitti (13b); *NAB* (13bα)
(n.75) כָּל־מוֹצָא שְׂפָתֶיהָ לִנְדָרֶיהָ וּלְאֵסַר נַפְשָׁהּ לֹא יָקוּם אִישָׁהּ
הֵפֵרִם וַיהוָה יִסְלַח־לָהּ:

Numbers 33

דַּבֵּר אֶל־בְּנֵי 51 — *NJV*, *NAB*, *NEB*, *RSV* (53b)
יִשְׂרָאֵל וְאָמַרְתָּ אֲלֵהֶם כִּי אַתֶּם עֹבְרִים אֶת־הַיַּרְדֵּן אֶל־
אֶרֶץ כְּנָעַן: וְהוֹרַשְׁתֶּם אֶת־כָּל־יֹשְׁבֵי הָאָרֶץ מִפְּנֵיכֶם 52
וְאִבַּדְתֶּם אֶת כָּל־מַשְׂכִּיֹּתָם וְאֶת כָּל־צַלְמֵי מַסֵּכֹתָם תְּאַבֵּדוּ
וְאֶת כָּל־בָּמוֹתָם תַּשְׁמִידוּ: וְהוֹרַשְׁתֶּם אֶת־הָאָרֶץ וְיִשַּׁבְתֶּם־ 53
בָּהּ כִּי לָכֶם נָתַתִּי אֶת־הָאָרֶץ לָרֶשֶׁת אֹתָהּ:

Numbers 35

וַיְדַבֵּר יְהוָה אֶל־מֹשֶׁה לֵאמֹר: דַּבֵּר אֶל־בְּנֵי יִשְׂרָאֵל 9 — Uitti, *NJV*, *NAB*, *NEB*, *RSV* (12b)
וְאָמַרְתָּ אֲלֵהֶם כִּי אַתֶּם עֹבְרִים אֶת־הַיַּרְדֵּן אַרְצָה כְּנָעַן:
וְהִקְרִיתֶם לָכֶם עָרִים מִקְלָט תִּהְיֶינָה לָכֶם וְנָס שָׁמָּה 11 — Uitti (15c); *NJV*, *NAB*, *NEB*, *RSV* (15b)
רֹצֵחַ מַכֵּה־נֶפֶשׁ בִּשְׁגָגָה: וְהָיוּ לָכֶם הֶעָרִים לְמִקְלָט 12 — Uitti (28a); *NJV*, *RSV* (28)
מִגֹּאֵל וְלֹא יָמוּת הָרֹצֵחַ עַד־עָמְדוֹ לִפְנֵי הָעֵדָה לַמִּשְׁפָּט:
וְהֶעָרִים אֲשֶׁר תִּתְּנוּ שֵׁשׁ־עָרֵי מִקְלָט תִּהְיֶינָה לָכֶם: 13
אֶת | שְׁלֹשׁ הֶעָרִים תִּתְּנוּ מֵעֵבֶר לַיַּרְדֵּן וְאֵת שְׁלֹשׁ הֶעָרִים 14
תִּתְּנוּ בְּאֶרֶץ כְּנָעַן עָרֵי מִקְלָט תִּהְיֶינָה: לִבְנֵי יִשְׂרָאֵל 15
וְלַגֵּר וְלַתּוֹשָׁב בְּתוֹכָם תִּהְיֶינָה שֵׁשׁ־הֶעָרִים הָאֵלֶּה לְמִקְלָט
לָנוּס שָׁמָּה כָּל־מַכֵּה־נֶפֶשׁ בִּשְׁגָגָה: וְאִם־בִּכְלִי בַרְזֶל | 16
הִכָּהוּ וַיָּמֹת רֹצֵחַ הוּא מוֹת יוּמַת הָרֹצֵחַ: וְאִם בְּאֶבֶן יָד 17 (n.77)
אֲשֶׁר־יָמוּת בָּהּ הִכָּהוּ וַיָּמֹת רֹצֵחַ הוּא מוֹת יוּמַת הָרֹצֵחַ:
אוֹ בְכֶלִי עֵץ־יָד אֲשֶׁר־יָמוּת בּוֹ הִכָּהוּ וַיָּמֹת רֹצֵחַ הוּא 18
מוֹת יוּמַת הָרֹצֵחַ: גֹּאֵל הַדָּם הוּא יָמִית אֶת־הָרֹצֵחַ 19
בְּפִגְעוֹ־בוֹ הוּא יְמִתֶנּוּ: וְאִם־בִּשְׂנאָה יְהָדְפֶנּוּ אוֹ־הִשְׁלִיךְ כ
עָלָיו בִּצְדִיָּה וַיָּמֹת: אוֹ בְאֵיבָה הִכָּהוּ בְיָדוֹ וַיָּמָת מוֹת־ 21
יוּמַת הַמַּכֶּה רֹצֵחַ הוּא

וְאִם־ 26
יָצֹא יֵצֵא הָרֹצֵחַ אֶת־גְּבוּל עִיר מִקְלָטוֹ אֲשֶׁר יָנוּס שָׁמָּה:
וּמָצְאוּ אֹתוֹ גֹּאֵל הַדָּם מִחוּץ לִגְבוּל עִיר מִקְלָטוֹ וְרָצַח 27
גֹּאֵל הַדָּם אֶת־הָרֹצֵחַ אֵין לוֹ דָּם: כִּי בְעִיר מִקְלָטוֹ יֵשֵׁב 28
עַד־מוֹת הַכֹּהֵן הַגָּדֹל וְאַחֲרֵי מוֹת הַכֹּהֵן הַגָּדֹל יָשׁוּב הָרֹצֵחַ
אֶל־אֶרֶץ אֲחֻזָּתוֹ:

Numbers 36

וְלֹא־תִסֹּב נַחֲלָה לִבְנֵי 7 — Uitti (8b-9); *NJV*, *NAB*, *RSV* (8b)
יִשְׂרָאֵל מִמַּטֶּה אֶל־מַטֶּה כִּי אִישׁ בְּנַחֲלַת מַטֵּה אֲבֹתָיו
יִדְבְּקוּ בְּנֵי יִשְׂרָאֵל: וְכָל־בַּת יֹרֶשֶׁת נַחֲלָה מִמַּטּוֹת בְּנֵי 8
יִשְׂרָאֵל לְאֶחָד מִמִּשְׁפַּחַת מַטֵּה אָבִיהָ תִּהְיֶה לְאִשָּׁה לְמַעַן
יִירְשׁוּ בְנֵי יִשְׂרָאֵל אִישׁ נַחֲלַת אֲבֹתָיו: וְלֹא־תִסֹּב נַחֲלָה 9
מִמַּטֶּה לְמַטֶּה אַחֵר כִּי־אִישׁ בְּנַחֲלָתוֹ יִדְבְּקוּ מַטּוֹת בְּנֵי
יִשְׂרָאֵל:

(c) *Notes*

1. (Gen 9:3) With this instruction, man is given permission to eat animal flesh as part of his regular diet (cf. Gen 1:29). On the question of whether or not "permissions" are to be counted as legal prescriptions, see the discussion in Chapter II, pp. 82-83.

2. (Gen 17:11) Verse 11b can be taken as an mc indicating purpose: "so that it may be the sign of the covenant...." On -לְ וְהָיָה, meaning "to fulfill the function of," "serve as," see BDB (226).

3. (Gen 17:13) Verse 13b (cf. v. 11b) can be taken as an mc indicating purpose: "so that my covenant may be...." Uitti takes it as an mc.

4. (Gen 17:14) This verse does not seem to constitute a separate legal prescription; it indicates the adverse consequence in case of noncompliance, much in the same vein as the motive clauses in Exod 12:15, 19; Lev 7:25; 23:29, etc. (all introduced by כִּי), and therefore can be considered an mc for the legal prescriptions in vv. 11 and 12-13, i.e., "for if any male who is uncircumcised (וְעָרֵל) fails to circumcise the flesh of his foreskin, that person shall be cut off...." Gen 17:14b is an asyndetic mc to the mc in v. 14a (cf. GKC, #158a; Joüon, #170b).

5. (Exod 12:3-13) These verses appear to embody ad hoc commands, rather than legal prescriptions. The motivation in v. 12ff. indicates that the reference is to the Passover of Egypt; cf. Noth, *Exodus*, 96; Ibn Ezra on Exod 12:3. On the Rabbinic distinction between the Passover of Egypt and the Passover of the subsequent generations, see *Mishna Pes.* 9:5 (*TB*, *Pes.* 96a,b); *Mekilta*, *Bo*.

6. (Exod 12:21-27) These verses are attributed to J or to the compiler of JE. See Driver, *Introduction*, 28-29. However, vv. 24-27a seem to be a Deuteronomic supplement, with v. 27b referring back to vv. 21-23; cf. Noth, *Exodus*, 97.

7. (Exod 12:43-49) These instructions, introduced by "this is the law of the passover (offering)," seem to presuppose an agricultural community, mentioning as they do "natives of the land," "sojourners," "strangers," "day laborers," etc. (Noth, *Exodus*, 100), and therefore are to be viewed as legal prescriptions rather than ad hoc commands of the desert period. Verse 50 probably refers to vv. 21-28.

8. (Exod 13:2) *NAB* considers v. 2b an mc ("for it belongs to me"). However, it is possible to start the motivation with the word לִי, "(for) the first issue of every womb among the Israelites, be it man or beast, is mine."

9. (Exod 13:3-16) These verses are attributed to J or to the compiler of JE. See Driver, *Introduction*, 28-29. However, as Noth argues, vv. 1-16 appear as "Deuteronomistic" (cf. *Exodus*, 101).

10. (Exod 13:9) This verse indicates the purpose behind the legal prescription in vv. 6-8; cf. Noth, *Exodus*, 101; *NJV*, ad loc.

11. (Exod 29:27-30) The instructions of Exod 29:1-35 were carried out according to Leviticus 8. Yet, vv. 27-30 contain directives that are regarded as valid for future times as well.

12. (Exod 30:1-6) This is an ad hoc command and was carried out according to Exod 37:25-28. Verses 7-10 constitute legal prescriptions (cf. vv. 8, 10).

13. (Exod 30:11f.) The instructions in Exod 30:11-16 most probably refer to any time a poll tax is to be levied. Verses 13-15 are illustrations. See Noth, *Exodus*, 236.

14. (Exod 30:16) Cf. n. 10 above.

15. (Exod 30:17-18) This is an ad hoc command (cf. Exod 38:8; 40:30, 32); vv. 19-21b constitute legal prescriptions (cf. v. 21b).

16. (Exod 30:22-25) This is an ad hoc command (cf. Exod 37:29); vv. 26-33 constitute legal prescriptions (cf. v. 31).

17. (Exod 30:32b-33) Verse 32b is the primary motivation; v. 33 is not a separate legal prescription but a secondary motivation indicating the adverse consequence in case of noncompliance (cf. n. 4 above).

18. (Exod 30:34-36) This is an ad hoc command (cf. Exod 37:29); vv. 37-38 are laws. See Noth, *Exodus*, 239. For the mc in v. 38, see above, nn. 4 and 17.

19. (Lev 1:9bβ) This clause seems to constitute the underlying reason for v. 9b and can be rendered as: "(for) it (is) a burnt offering, an offering of fire..." (cf. vv. 13, 17).

20. (Lev 1:13b) Cf. n. 19 above. Here we have the full formulation of the asyndetic mc.

21. (Lev 1:17) Cf. n. 20.

22. (Lev 2:6b) This can be understood as: "(for) it is a meal offering."

23. (Lev 2:15b) Cf. n. 22.

24. (Lev 4:20b) The כֵּן formula constitutes a concluding sentence; cf. vv. 26b, 31b, 35b. See Noth, *Leviticus*, 41.

25. (Lev 4:21b) This can be understood as: "(for) it is the sin offering of the congregation."

26. (Lev 4:24b) Cf. n. 25.

27. (Lev 5:9b) Cf. n. 25; cf. v. 11bγ.

28. (Lev 5:12b) Cf. n. 25; cf. v. 11bγ.

29. (Lev 5:18b-19) This constitutes a concluding formula; cf. *NAB*.

30. (Lev 6:9-10) Verses 10aβ and 10b appear to indicate the reason behind the law in vv. 9-10aα.

31. (Lev 6:18b) Verse 18bβ can be understood as: "(for) it is most holy."

32. (Lev 6:22b) Cf. n. 31.

33. (Lev 7:5b) Verse 5b can be understood as: "(for) it is a guilt offering."

34. (Lev 7:6b) Cf. n. 31.

35. (Lev 7:18a) Verse 18aβ can be understood as: "(for) it is an offensive thing"; cf. Lev 19:7.

36. (Lev 7:19b-20) Verse 20 does not constitute a separate legal prescription; it simply indicates the adverse consequence in case of noncompliance and, therefore, can be taken as an mc; cf. v. 25.

37. (Lev 7:26-27) Verse 27 is related to v. 26, in the same way that v. 25 is related to v. 24; and therefore, as in v. 25, v. 27, too, can be considered a motivating sentence.

38. (Lev 11:4-6) Here the same mc is repeated for three different animals, whereas in Deut 14:7, one mc applies to the same three animals. Lev 11:4-6 will be considered one motivated prescription.

39. (Lev 11:8b) Verse 8b is understood as: "(for) they are unclean for you."

40. (Lev 11:10b-11a) This constitutes the motivation behind the prohibitions in vv. 11bα, 11bβ.

41. (Lev 11:13-14) Verse 13aβכ is the motivation for the prohibition in v. 13aα-aβא; vv. 13b-19 are examples.

42. (Lev 11:26) Verse 26aβ is the motivation behind the command in v. 26b.

43. (Lev 11:27) Verse 27aβ is the motivation behind the command in v. 27b.

44. (Lev 11:28) Verse 28b is the motivation behind the command in v. 28a.

45. (Lev 11:35) Verse 35aβ-b is the motivation behind the law in v. 35aα and can be understood as in *NEB*: "for they are unclean and you shall treat them as such."

46. (Lev 11:41b) Verse 41bα is the motivation behind the prohibition in v. 41bβ and can be understood as: "(since) they are loathsome."

47. (Lev 13:6b) Verse 6bαכ is the motivation behind v. 6bα and can be understood as: "(for) it is merely a rash."

48. (Lev 13:8b) Verse 8bβ is the motivation behind v. 8bα and can be understood as: "(for) it is leprosy"; cf. v. 28. On the term "leprosy," see Chapter II, n. 155.

49. (Lev 13:13) Verse 13bα is the motivation behind v. 13bβ (which refers to v. 13a) and can be understood as in *NJV*: "for he has turned all white."

50. (Lev 13:14-15) Verse 15bβ motivates v. 15bα (which refers to vv. 14-15a).

51. (Lev 13:17b) Verse 17bβ does not seem to constitute an mc. It rather indicates the consequence of the priest's action. Thus *NAB* has: "and thus he will be clean."

52. (Lev 13:20b) Verse 20bβ motivates v. 20bα.

53. (Lev 13:22b) Verse 22bβ motivates v. 22bα.

54. (Lev 13:25b) Verse 25bβ motivates v. 25bα.

55. (Lev 13:27b) Verse 27bγ motivates v. 27bβ.

56. (Lev 13:30b) Verse 30bβ-bγ motivates v. 30bα.

57. (Lev 13:36) The last two words, טמא הוא, motivate v. 36bα and can be understood as: "(for) he is unclean."

58. (Lev 13:44b) Verse 44bβ motivates v. 44bα.

59. (Lev 13:55) Verse 55b motivates v. 55a. The clause, טמא הוא, in v. 55a is diagnostic and not an mc.

60. (Lev 14:21a) Here the purpose of the guilt offering is stated (cf. *NAB*, *RSV*), thus constituting an mc.

61. (Lev 14:29b) This indicates the purpose behind the instruction in vv. 26-29a, thus constituting an mc.

62. (Lev 16:10) Here the instruction to keep alive the goat that was set aside for Azazel is accompanied by two statements of purpose.

63. (Num 3:5-10) This section seems to contain legislation rather than ad hoc commands, since it is expected that the structure of the priesthood and the responsibilities of the priests will continue in the future as well. Verses 11-13 do not embody law imposing obligations upon others but a statement of God to Moses in which he states that he is setting aside the Levites from among the Israelites for his service.

64. (Num 8:23-26) This most probably represents a later modification of an earlier command regarding the age at which the Levites were permitted to enter the cultic service. The present text places the entry at the age of twenty-five in contrast to thirty in 4:3, 23, 30. See Noth, *Numbers*, 69.

65. (Num 10:2) Verse 2b expresses the purpose behind the prescription in v. 2a; i.e., "so that they may serve you to summon the community...."

66. (Num 15:30-31) Verse 31a constitutes the motivation for v. 31b which refers to v. 30.

67. (Num 18:1) The reference in v. 1 is probably both to Aaron and his descendants (Noth, *Numbers*, 134); vv. 1-7 can be considered legislation, rather than ad hoc commands.

68. (Num 18:17a) The last two words in v. 17a constitute an asyndetic mc, i.e., "(for) they are holy."

69. (Num 18:20) Verse 20b seems to indicate the reason behind the law in v. 20a and can be rendered as: "(for) I am your portion...."

70. (Num 19:9) Verse 9b indicates the purpose behind v. 9a, thus functioning as an mc; v. 9b (המאת הוא) is an mc of the mc.

71. (Num 19:13) Verse 20 repeats, partly with altered wording, v. 13; cf. Noth, *Numbers*, 143. In Num 19:13, v. 13aα constitutes the primary motivation behind the command in v. 13aβ (cf. v. 20 with כי); v. 13b constitutes the secondary motivation of the same command.

72. (Num 28:22b) Verse 22b indicates the purpose behind the instruction in v. 22a, thus functioning as an mc.

73. (Num 28:30) Cf. n. 72.

74. (Num 29:5) Cf. n. 72.

75. (Num 30:13) Verse 13bα constitutes the motivation behind the law in v. 13a.

76. (Num 35:1-8) As in Num 34:1-15, 35:1-8, too, appears to be an ad hoc command given once and for all and therefore will be treated as such.

77. (Num 35:16) The death penalty in this verse is justified (as in vv. 17, 18, 21) on account of the fact that the accused is a murderer.

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