

WORSHIP, WOMEN, AND WAR

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WORSHIP, WOMEN, AND WAR
Essays in Honor of Susan Niditch

edited by
John J. Collins, T. M. Lemos, Saul M. Olyan

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Abbreviations

AB	Anchor Bible
ABD	<i>The Anchor Bible Dictionary</i> (ed. David Noel Freedman et al.; 6 vols.; New York: Doubleday, 1992)
ABRL	Anchor Bible Reference Library
AfO	<i>Archiv für Orientforschung</i>
AnSt	<i>Anatolian Studies</i>
AOAT	Alter Orient und Altes Testament
AOS	American Oriental Society
AOTC	Abingdon Old Testament Commentaries
AS	Assyriological Studies
ATD	Das Alte Testament Deutsch
AYB	Anchor Yale Bible
BA	<i>Biblical Archaeologist</i>
BASOR	<i>Bulletin of the American Schools of Oriental Research</i>
Bib	<i>Biblica</i>
BibOr	Biblica et orientalia
BJS	Brown Judaic Studies
BKAT	Biblischer Kommentar, Altes Testament
BN	<i>Biblische Notizen</i>
BRev	<i>Bible Review</i>
BZAW	Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft
CAD	<i>The Assyrian Dictionary of the Oriental Institute of the University of Chicago</i> (Chicago: Oriental Institute of the University of Chicago, 1956–)
CBC	Cambridge Bible Commentary
CBQ	<i>Catholic Biblical Quarterly</i>
CBQMS	Catholic Biblical Quarterly Monograph Series
CBR	<i>Currents in Biblical Research</i>
CHJ	<i>Cambridge History of Judaism</i> (ed. W. D. Davies and Louis Finkelstein; Cambridge: Cambridge University Press, 1984–)
CIJ	<i>Corpus inscriptionum judaicarum</i> (ed. Jean Baptiste Frey; Vatican City: Pontificio istituto di archeologia cristiana, 1936–)
DSD	<i>Dead Sea Discoveries</i>
EHAT	Exegetisches Handbuch zum Alten Testament
ErIsr	<i>Eretz-Israel</i>

FAT	Forschungen zum Alten Testament
FCB	Feminist Companion to the Bible
FOTL	Forms of the Old Testament Literature
HALOT	L. Koehler, W. Baumgartner, and J. J. Stamm, <i>The Hebrew and Aramaic Lexicon of the Old Testament</i> (trans. and ed. under the supervision of M. E. J. Richardson; 5 vols.; Leiden: Brill, 1994–2000)
HBAI	<i>Hebrew Bible and Ancient Israel</i>
HDR	Harvard Dissertations in Religion
HSM	Harvard Semitic Monographs
HTR	<i>Harvard Theological Review</i>
ICC	International Critical Commentary
IEJ	<i>Israel Exploration Journal</i>
IJO	<i>Inscriptiones judaicae orientis</i>
Int	<i>Interpretation</i>
JAJ	<i>Journal of Ancient Judaism</i>
JANER	<i>Journal of Ancient Near Eastern Religions</i>
JANES	<i>Journal of the Ancient Near Eastern Society</i>
JAOS	<i>Journal of the American Oriental Society</i>
JBL	<i>Journal of Biblical Literature</i>
JBR	<i>Journal of Bible and Religion</i>
JFSR	<i>Journal of Feminist Studies in Religion</i>
JGRChJ	<i>Journal of Greco-Roman Christianity and Judaism</i>
JIWE	<i>Jewish Inscriptions of Western Europe</i>
JJMJS	<i>Journal of the Jesus Movement in Its Jewish Setting</i>
JJS	<i>Journal of Jewish Studies</i>
JNES	<i>Journal of Near Eastern Studies</i>
JNSL	<i>Journal of Northwest Semitic Languages</i>
JRS	<i>Journal of Roman Studies</i>
JSJ	<i>Journal for the Study of Judaism in the Persian, Hellenistic, and Roman Period</i>
JSOT	<i>Journal for the Study of the Old Testament</i>
JSOTSup	Journal for the Study of the Old Testament: Supplement Series
KTU	<i>Die keilalphabetischen Texte aus Ugarit</i> (ed. M. Dietrich, O. Loretz, and J. Sanmartín; AOAT 24.1; Neukirchen-Vluyn: Neukirchener Verlag, 1976)
LHB/OTS	Library of Hebrew Bible/Old Testament Studies
NCBC	New Century Bible Commentary
NEA	<i>Near Eastern Archaeology</i>
NIB	<i>New Interpreter's Bible</i>
NICOT	New International Commentary on the Old Testament
NJPS	New Jewish Publication Society Version
NTS	<i>New Testament Studies</i>

OBO	Orbis biblicus et orientalis
OBT	Overtures to Biblical Theology
OIS	Oriental Institute Seminars
<i>Or</i>	<i>Orientalia</i>
OTL	Old Testament Library
PHI	Packard Humanities Institute
RA	<i>Revue d'Assyriologie</i>
RBS	Resources for Biblical Study
<i>REJ</i>	<i>Revue des études juives</i>
RINAP	Royal Inscriptions of the Neo-Assyrian Period
RSO	<i>Revista degli studi orientali</i>
SAA	State Archives of Assyria
SAAS	State Archives of Assyria Studies
SBLAIL	Society of Biblical Literature Ancient Israel and Its Literature
SBLRBS	Society of Biblical Literature Resources for Biblical Study
SBLSemSt	Society of Biblical Literature Semeia Studies
SBLSymS	Society of Biblical Literature Symposium Series
SBLWAW	Society of Biblical Literature Writings from the Ancient World
SBT	Studies in Biblical Theology
SHBC	Smyth & Helwys Bible Commentary
<i>TA</i>	<i>Tel Aviv</i>
TSAJ	Texts and Studies in Ancient Judaism
<i>UF</i>	<i>Ugarit-Forschungen</i>
<i>VT</i>	<i>Vetus Testamentum</i>
VTE	Vassal Treaty of Esarhaddon
VTSup	Supplements to Vetus Testamentum
WBC	Word Biblical Commentary
WMANT	Wissenschaftliche Monographien zum Alten und Neuen Testament
WUNT	Wissenschaftliche Untersuchungen zum Neuen Testament
ZAW	<i>Zeitschrift für die alttestamentliche Wissenschaft</i>



Susan Niditch

Preface

Susan Niditch: An Appreciation

JOHN J. COLLINS

Yale University

I first met Susan Niditch when she was a sophomore at Radcliffe in the Fall of 1969 and was the only undergraduate student in Frank Cross's Rapid Hebrew Reading class at Harvard. Cross would eventually supervise her dissertation, but her undergraduate mentor, Albert Lord, would arguably have a greater influence on her career. Susan was an anthropologist and folklorist before she was a biblical scholar, and this has given her work a distinctive edge.

As of the end of 2014, she has authored nine books and has a tenth in press. She has a few dozen articles, and has done important editorial work on the HarperCollins Study Bible, the Hermeneia commentary series, and a forthcoming Companion to Ancient Israel for Wiley-Blackwell. Her books have been exceptionally influential.

Her dissertation, *The Symbolic Vision in Biblical Tradition*, was perhaps her most conventional work of biblical scholarship, in the form-critical tradition. Her next book, *Chaos to Cosmos*, was clearly influenced by her teacher Frank Cross, but also by the History of Religions tradition dating back to Hermann Gunkel. Her book *Underdogs and Tricksters* brought together her interests in folklore and Bible, and approached the Bible from a quite different perspective, although one that is also related to the legacy of Gunkel. She followed this some years later with a fuller study entitled *Folklore in the Hebrew Bible*, for Fortress Press. Her most influential book, however, is her study *War in the Hebrew Bible*, which is grounded in an anthropological appreciation of ancient society but moves beyond description to raise enduring ethical questions.

Much of conventional biblical scholarship has been preoccupied with questions of composition of biblical texts. Susan generally avoided these issues, but her approach can be seen in her work on orality, which bespeaks a very different perspective from that of documentary source criticism. Her interest is not so much in the major theological schools of thought as in the everyday specifics of Israelite religion. Her forthcoming

study on personal religion in the Second Temple period is a major contribution to the appreciation of lived religion in ancient Judaism. Even her commentary on Judges, despite the conventional commentary format, is distinguished by its anthropological perspective on the era when there was no king in Israel and everyone did what was good in their own eyes. She is currently at work on a commentary on Jonah, again a “minor” biblical book that helps to deconstruct many of the normative ideas of biblical religion.

Susan’s work is concrete and specific rather than theoretical, but it is nonetheless in the spirit of the postmodern age in biblical scholarship. It is concerned not with the grand master-narratives but with the voices from the margins, with the details that are usually overlooked but turn out to be surprisingly significant. Her book on “hair and identity” (*“My Brother Esau Is a Hairy Man”*) is perhaps the most striking instance of this aspect of her work.

If Susan has largely by-passed the most controversial issues in biblical scholarship, she has also been exceptionally successful in avoiding personal controversy. I cannot think of a more irenic voice in the field. Her tone is never polemical or dogmatic but rather suggestive and inspirational. She has a reputation for being supportive to younger scholars.

For most of her career, Susan has taught at Amherst College, with her husband, Robert Doran, who is best known for his work on the books of Maccabees but is also well versed in the by-ways of popular religion, especially in the Syriac tradition. Their students have been blessed to have the tutelage of two of the most creative and insightful scholars of their generation.

Selected Publications of Susan Niditch

Books

- The Symbolic Vision in Biblical Tradition*. Harvard Semitic Monographs 30. Chico, CA: Scholars Press, 1980.
- Chaos to Cosmos: Studies in Biblical Patterns of Creation*. Studies in the Humanities. Chico, CA: Scholars Press, 1984.
- Underdogs and Tricksters: A Prelude to Biblical Folklore*. San Francisco: Harper & Row, 1987.
- War in the Hebrew Bible: A Study in the Ethics of Violence*. New York: Oxford University Press, 1993.
- Folklore and the Hebrew Bible*. Minneapolis: Augsburg Fortress, 1993.
- Oral World and Written Word: Ancient Israelite Literature*. Louisville, KY: Westminster John Knox, 1996.
- Ancient Israelite Religion*. New York: Oxford University Press, 1997.
- Judges: A Commentary*. Old Testament Library. Louisville, KY: Westminster John Knox, 2008.
- "My Brother Esau Is a Hairy Man": Hair and Identity in Ancient Israel*. New York: Oxford University Press, 2008.
- The Responsive Self: Personal Religion in Biblical Literature of the Neo-Babylonian and Persian Periods*. Anchor Bible Reference Library. New Haven: Yale University Press, forthcoming.

Edited Books

- Text and Tradition: The Hebrew Bible and Folklore*. Semeia Studies 20. Atlanta: Scholars Press, 1990.
- The HarperCollins Study Bible*. San Francisco: HarperCollins, 1993.
- A Companion to Ancient Israel*. Oxford: Wiley-Blackwell, forthcoming.

Journal Articles and Chapters in Books

- "A Test Case for Formal Variants in Proverbs." *Journal of Jewish Studies* 27 (1976): 192–94.
- "The Success Story of the Wise Courtier: A Formal Approach." *Journal of Biblical Literature* 96 (1977): 179–93 (with Robert Doran).
- "The Wronged Woman Righted: An Analysis of Genesis 38." *Harvard Theological Review* 72 (1979): 143–49.
- "Incantation Texts and Formulaic Language: A New Etymology for *ḥwmyr*." *Orientalia* 30 (1979): 461–71.
- "The Composition of Isaiah 1." *Biblica* 61 (1980): 509–29.
- "The Visionary." Pages 153–79 in *Ideal Figures in Ancient Judaism*. Edited by John J. Collins and George W. E. Nickelsburg. Septuagint and Cognate Studies 12. Chico, CA: Scholars Press, 1980.
- "Father-Son Folktale Patterns and Tyrant Typologies in Josephus' Ant. 12:160–222." *Journal of Jewish Studies* 32 (1981): 47–55.
- "The 'Sodomite' Theme in Judges 19–20: Family, Community, and Social Disintegration." *Catholic Biblical Quarterly* 44 (1982): 365–78.
- "Merits, Martyrs, and 'Your Life as Booty': An Exegesis of *Mekilta Pisha* 1." *Journal for the Study of Judaism* 13 (1982): 160–71.
- "The Cosmic Adam: Man as Mediator in Rabbinic Literature." *Journal of Jewish Studies* 34 (1983): 137–46.
- "Legends of Wise Heroes and Heroines." Pages 445–63 in *The Hebrew Bible and Its Modern Interpreters*. Edited by Douglas A. Knight and Gene M. Tucker. Philadelphia: Fortress Press, 1985.
- "Ezekiel 40–48 in a Visionary Context." *Catholic Biblical Quarterly* 48 (1986): 208–24.
- "Eroticism and Death in the Tale of Jael." Pages 43–57 in *Gender and Difference in Ancient Israel*. Edited by Peggy L. Day. Minneapolis: Fortress Press, 1989.
- "Samson as Culture Hero, Trickster, and Bandit: The Empowerment of the Weak." *Catholic Biblical Quarterly* 52 (1990): 608–24.
- "Portrayals of Women in the Hebrew Bible." Pages 25–45 in *Jewish Women in Historical Perspective*. Edited by Judith R. Baskin. Detroit: Wayne State University Press, 1991.
- "Genesis." Pages 10–25 in *The Women's Bible Commentary*. Edited by Carol A. Newsom and Sharon M. Ringe. Louisville, KY: Westminster John Knox Press, 1992.
- "War, Women, and Defilement in Numbers 31." Pages 39–57 in *War, Women, and Metaphor: Language and Society in the Study of the Hebrew Bible*. Edited by Claudia V. Camp and Carole R. Fontaine. Semeia 61. Atlanta: Scholars Press, 1993.
- "Short Stories: The Book of Esther and the Theme of Woman as a Civilizing Force." Pages 195–209 in *Old Testament Interpretation: Past, Present,*

- and Future*. Edited by James L. Mays, David L. Petersen, and Kent Harold Richards. Nashville: Abingdon, 1995.
- "War in the Hebrew Bible and Contemporary Parallels." *Word and World* 15 (1995): 402–11.
- "Reading Story in Judges 1." Pages 193–208 in *The Labour of Reading: Desire, Alienation, and Biblical Interpretation*. Edited by Fiona C. Black, Roland Boer, and Erin Runions. Semeia Studies 36. Atlanta: Society of Biblical Literature, 1999.
- "Historiography, 'Hazards,' and the Study of Ancient Israel." *Interpretation* 57 (2003): 138–50.
- "Judaism: Biblical Period." Pages 238–42 in *The Encyclopedia of Religion and War*. Edited by Gabriel Palmer-Fernandez. New York: Routledge, 2004.
- "The Challenge of Israelite Epic." Pages 277–87 in *A Companion to Ancient Epic*. Edited by John Miles Foley. Oxford: Blackwell, 2005.
- "War and Reconciliation in the Traditions of Ancient Israel: Historical, Literary, and Ideological Considerations." Pages 141–60 in *War and Peace in the Ancient World*. Edited by Kurt A. Raaflaub. Oxford: Blackwell Publishing, 2007.
- "Judges, Kingship, and Political Ethics: A Challenge to the Conventional Wisdom." Pages 59–70 in *"Thus Says the Lord": Essays on the Former and Latter Prophets in Honor of Robert R. Wilson*. Edited by John J. Ahn and Stephen L. Cook. Library of Hebrew Bible/Old Testament Studies. New York: T & T Clark, 2009.
- "Hebrew Bible and Oral Literature: Misconceptions and New Directions." Pages 3–18 in *The Interface of Orality and Writing: Speaking, Seeing, Writing in the Shaping of New Genres*. Edited by Annette Weissenrieder and Robert B. Coote. Tübingen: Mohr Siebeck, 2010.
- "Epic and History in the Hebrew Bible: Definitions, 'Ethnic Genres,' and the Challenges of Cultural Identity in the Biblical Book of Judges." Pages 86–102 in *Epic and History*. Edited by Kurt A. Raaflaub and David Konstan. Oxford: Wiley-Blackwell, 2010.
- "Experiencing the Divine: Heavenly Visits, Earthly Encounters and the Land of the Dead." Pages 11–22 in *Religious Diversity in Ancient Israel and Judah*. Edited by Francesca Stavrakopoulou and John Barton. London: T & T Clark, 2010.
- "Defining and Controlling Others Within: Hair, Identity, and the Nazirite Vow in a Second Temple Context." Pages 67–85 in *The "Other" in Second Temple Judaism: Essays in Honor of John J. Collins*. Edited by Daniel C. Harlow, Karina Martin Hogan, Matthew Goff, and Joel S. Kaminsky. Grand Rapids, MI: Eerdmans, 2011.
- "Good Blood, Bad Blood: Multivocality, Metonymy, and Mediation in Zechariah 9." *Vetus Testamentum* 61 (2011): 629–45.
- "Die Interpretation von Ester. Kategorien, Kontexte und Kreative Vieldeutigkeit." Pages 239–57 in *Die Bibel und die Frauen: Eine exegetisch-*

kulturgeschichtliche Enzyklopädie. Schriften und spätere Weisheitsbücher. Edited by Christl Maier and Nuria Calduch-Benages. Stuttgart: Kohlhammer, 2013.

"Folklore and Biblical Interpretation." Pages 313–21 in vol. 1 of *The Oxford Encyclopedia of Biblical Interpretation*. Edited by Steven L. McKenzie. 2 volumes. Oxford: Oxford University Press, 2013.

"A Messy Business: Ritual Violence after the War." Pages 187–204 in *Warfare, Ritual, and Symbol in Biblical and Modern Contexts*. Edited by Brad E. Kelle, Frank Ritchel Ames, and Jacob L. Wright. Society of Biblical Literature Ancient Israel and Its Literature 18. Atlanta: Society of Biblical Literature, 2014.

"Twisting Proverbs: Oral Traditional Performance and Written Context." Pages 125–35 in *Discourse, Dialogue and Debate in the Bible. Essays in Honor of Frank H. Polak*. Edited by Athalya Brenner-Idan. Sheffield: Sheffield Phoenix Press, 2014.

"Folklore in the Bible." Pages 286–88 in *Encyclopedia of the Bible and Its Reception*. Volume 9. Edited by Leong Seow. Berlin: de Gruyter, 2014.

"Folklore, Feminism, and the Ambiguity of Power: Women's Voice in Genesis?" Pages 55–67 in *Faith and Feminism: Ecumenical Essays*. Edited by Phyllis Tribble and B. Diane Lipsett. Louisville, KY: Westminster John Knox Press, 2014.

"Interpreting Esther: Categories, Contexts, and Creative Ambiguities." Pages 255–73 in *The Writings and Later Wisdom Books*. Edited by Christl M. Maier and Nuria Calduch-Benages. BW 1.3. Atlanta: SBL Press, 2014.

"The Traffic in Women': Exchange, Ritual Sacrifice, and War." *Ritual Violence in the Hebrew Bible*. Edited by Saul M. Olyan. New York: Oxford University Press, forthcoming.

"Preserving Traditions of 'Them' and the Creation of 'Us': Formulaic Language, Historiography, Mythology, and Self-Definition." *A World of Oralities: Essays in Memory of John Miles Foley*. Edited by Mark C. Amodio. Tempe, AZ: Arizona Center for Medieval and Renaissance Studies, forthcoming.

I

Folklore, Mythology, and Oral History

The Passing of Warrior Poetry in the Era of Prosaic Heroes

MARK S. SMITH

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No one in the field of biblical studies has done more than Susan Niditch to elevate the discussions of warfare and oral culture in ancient Israel. Following in the wake of her work, my central interest in this essay is how heroic poetry in ancient Israel seems to pass from production in the Iron IIB-C period (ca. 925–586 in the traditional chronology).¹ This development may correspond to the distribution of heroic poetry in Genesis through Kings: after David no such poetry is newly generated to sing the praises of Israelite heroes. At a minimum, there seems to have been a *displacement* of the *production* of heroic poetry from Israel's circles of textual composition, while the *transmission* of older heroic poetry would continue (in part through its *recontextualization* in various genres). At a maximum, warrior poetry may have met its demise among ancient Israel's elites and perhaps in society more broadly. In the discussion that follows, I would like to explore these possibilities.

Heroic poetry represents a significant portion of the early literature of Israel down into the tenth century.² The known exemplars of older heroic poetry were preserved later within larger textual amalgamations, in the prose collections of Genesis through Samuel (Judges 5; 2 Samuel 1, 22, and 23; perhaps Exodus 15), in the poetic collections of Psalms (see Psalm 68), and occasionally in a later prophetic context (such as Habakkuk 3). Thus heroic poetry may have flourished in premonarchic and early monarchic Israel. Afterward, the ongoing production of heroic poetry and its social

1. This essay draws on my book *Poetic Heroes: Literary Commemorations of Warriors and Warrior Culture in the Early Biblical World* (Grand Rapids, MI/Cambridge, UK: Eerdmans, 2014), used with permission.

2. For arguments for this dating, see *ibid.*, 234–83.

support are unclear. There seems to be little new production of heroic poetry in the Iron IIB period onward. In view of this literary situation, the tenth century may have represented a significant divide in the production of warrior poetry in ancient Israel.

A correspondence in the literary distribution of heroic poetry may be observed in Genesis–Kings. In the literary corpus, David appears as a watershed figure. There is heroic poetry represented before David (e.g., in Judges 5), and there is heroic poetry represented in the life of David (in 2 Samuel 1, 22, and 23). However, after David there are no exemplars of warrior poetry recalled in the textual memory of Israel's history in Genesis–Kings. The figure of David seems emblematic of a transition in the production and/or preservation of Israelite warrior poetry. Solomon may be further emblematic of the situation of heroic poetry. While his father was lauded as a warrior in heroic poetry, Solomon is no warrior, but a monarch associated with wisdom (1 Kgs 5:9 [Eng., 4:29], 26 [Eng., 5:12]); the only poetry associated with him in Israel's great prose historiography concerns the temple (1 Kgs 8:12–13).³ In the books of Kings, no king after David is celebrated as a warrior, nor is David celebrated as a warrior in later prose passages.

This literary situation stands in contrast to the representation of warriors in Ugaritic literature. The classics of Ugaritic literature, namely, the Baal cycle, Kirta, Aqhat, and the Rephaim texts, all bear themes of warriors or warfare, a point that has been insufficiently appreciated in scholarly discussions. These poems also contain colophons⁴ that mark their royal-priestly production. Even in the Ugaritic Rephaim texts, the monarchy lays claim to the heroic lineage represented by the Rephaim,⁵ as seen in the one ritual text involving the Rephaim (*KTU* 1.161). In sum, warrior poetry at Ugarit is, in effect, royal poetry.

When it comes to heroic poetry in the Bible, it stands largely at the head of the Bible's literary tradition, one that by contrast with Ugaritic literature can be traced over a long period of time (arguably over a thousand years). Heroic poetry in the biblical literary tradition, by comparison to Ugarit's major classics, consists of shorter pieces.⁶ Where Ugarit's literary

3. For a recent study, see Meik Gerhards, "Die Sonne lässt am Himmel erkennen Jahwe . . .': Text- und religionsgeschichtliche Überlegungen zum Tempelweihspruch aus I Reg 8,12f. (M) (III Reg 8,53a [LXX])," *UF* 42 (2010): 191–260. Gerhards views the tradition of the solar deity in the poetic piece as pre-Davidic.

4. For discussion of these colophons, see Dennis Pardee, *The Ugaritic Texts and the Origins of West Semitic Literary Composition* (The Schweich Lectures of the British Academy 2007; Oxford: Oxford University Press, 2012), 41–49.

5. For the Ugaritic monarchy's interest in texts about heroes, see Gregorio del Olmo Lete, "Littérature et pouvoir royal à Ougarit: Sens politique de la littérature d'Ougarit," in *Études ougaritiques II* (ed. Valérie Matoïan, Michel Al-Maqdissi, and Yves Calvet; Ras Shamra-Ougarit 20; Leuven/Paris/Walpole, MA: Peeters, 2012), 241–50.

6. To be sure, there are several shorter poetic pieces in Ugaritic, for example, *KTU* 1.114.1–24.

classics include long pieces consisting of multiple tablets, often with six or eight columns;⁷ no heroic poem in the Bible exceeds thirty-some verses.⁸ In addition, the Bible's literary tradition includes lengthy prose compositions. (If length is a consideration, some of these biblical prose compositions, in particular the prose story of David, might be thought to resemble their Ugaritic counterparts more closely than the heroic poetry of the Bible.⁹) In contrast to the situation with Ugaritic poetry, biblical prose narrative is the literary context of most heroic poetry in the Bible.¹⁰ The exemplars of Israelite warrior poetry are preserved in contradistinction from their prose contexts, and they are marked as different. No such distinction is apparent with Ugaritic heroic poetry, apart from scribal insertions, superscriptions, and colophons (often separated by scribal lines).

While heroic poetry is a fundamental feature of the Ugaritic literary corpus, critics such as Robert S. Kawashima and F. W. Dobbs-Allsopp have noted that such poetry in ancient Israel seems to fade in the great era of prose (in the Iron IIB period and later).¹¹ The situation with heroic poetry in ancient Israel may have involved a shift in its setting. At the outset, I recognize that any discussion of these interrelated literary and cultural matters remains largely hypothetical and potentially circular. Still, the observation that there are no more old poems preserved after David in the great prose works seems to be an important datum, and it may

7. KTU 1.20–1.22 has long been thought to involve three tablets, each with two columns. However, this view has been recently challenged. See Dennis Pardee, "Nouvelle étude épigraphique et littéraire des textes fragmentaires en langue ougaritique dits «Les Rephaim» (CTA 20–22)," *Orientalia* 80 (2011): 1–65.

8. Psalm 68 has 36 verses; Judges 5 has 31 verses; 2 Samuel 1:19–27 consists of nine verses. Exodus 15, if it is to be included, has 18 verses. To be sure, Psalm 18/2 Samuel 22 has 51 verses, but it is only vv. 8–16 that are counted as "old poetry" by Frank Moore Cross, *Canaanite Myth and Hebrew Epic: Essays in the History of the Religion of Israel* (Cambridge, MA/London: Harvard University Press, 1973), 158–59. Cross called vv. 8–16 an "ancient fragment" and says that its current context "appears not to be original."

9. Note Erhard Blum, "Historiography or Poetry? The Nature of the Bible Prose Traditions," in *Memory in the Bible and Antiquity* (ed. Loren T. Stuckenbruck, Stephen C. Barton, and Benjamin G. Wold; WUNT 212; Tübingen: Mohr Siebeck, 2012), 25–45.

10. The same point might be said of the poetic composition of KTU 1.114.1–28, tied as it is to the prose medical prescription in 1.114.29–31.

11. For the watershed between the older poetic tradition and biblical narrative, see Kawashima, *Biblical Narrative and the Death of the Rhapsode* (Indiana Studies in Biblical Literature; Bloomington/Indianapolis: Indiana University Press, 2004), 14–15; and Dobbs-Allsopp, "Space, Line, and the Written Biblical Poem in Texts from the Judean Desert," in *Puzzling Out the Past: Studies in the Northwest Semitic Languages and Literatures in Honor of Bruce Zuckerman* (ed. Marilyn J. Lundberg, Steven Fine, and Wayne T. Pitard; Leiden/Boston: Brill, 2012), 52. To account for this shift, both scholars emphasize what Kawashima calls "a shift from the medium of the spoken to the written word." This may help to situate Kawashima's primary concern, namely, what he perceives to be novel about biblical narrative; it is less clear that this approach addresses sufficiently the apparent demise of older poetry.

point to a larger cultural issue involved in the setting of the production of warrior poetry. From what can be gleaned from the literary remains in the Bible and the present epigraphic record, it appears that Israelite production of warrior poetry was situated within the tribal practices and traditions of early Israel and received into the early monarchies (down into the tenth or perhaps early ninth century). It was displaced from monarchic and priestly centers of textual production responsible for the production and transmission of later literature in the Iron IIB period, from at least the eighth century onward.¹²

In the first moment, the issue involves the disposition of literary evidence: there is a gap between the old poetry and the prose historiographers. So for these historiographers what was old poetry for? These poems seemed to interest these historiographers because they appeared to be old, and more precisely because they appeared to be old witnesses to the events that they were narrating.¹³ At a second level (and methodologically, a more precarious one), the apparent displacement or diminishment of heroic poetry in ancient Israel appears to be also a cultural and historical matter. At the outset, it is to be noted that while it is possible to offer some plausible speculations in this direction, the data available hardly “prove” the picture that I will sketch out.

The setting for the production of warrior poetry may have undergone changes in the early monarchy. The leadership in the premonarchic period constituted the subject of such poetry, and the structure of society supported this production. With the development of the monarchy, especially as it moved through the ninth century,¹⁴ the setting for this type of production was apparently shifting; such traditional warrior poetry was no longer of the same interest to or supported by the society or its leadership.

12. Cf. Frank H. Polak, “Book, Scribe, and Bard: Oral Discourse and Written Text in Recent Biblical Scholarship,” *Prooftexts* 31 (2011): 121–22. Note his comments also on p. 133: “Ample justification exists for the inference that by the second half of the ninth century (roughly the period in which the Mesha stele was chiseled), ancient Israelite narrative already formed a distinct literary entity.”

13. For this question, see Mark S. Smith, “Why Was ‘Old Poetry’ Used in Hebrew Narrative? Historical and Cultural Considerations about Judges 5,” in *Puzzling Out the Past*, 197–212.

14. There may be some transfer of heroic notions to prophetic figures in the ninth–eighth-century context. See Baruch A. Levine, *Numbers 21–36: A New Translation with Introduction and Commentary* (AB 4A; New York: Doubleday, 2000), 191, 350, 354. The infusion of divine spirit into Gideon (Judg 6:34) is attested also for some prophets (Num 11:25–26; 1 Kgs 18:46; 2 Kgs 3:15; Jer 15:17). See Robert R. Wilson, *Prophecy and Society in Ancient Israel* (Philadelphia: Fortress, 1980), 144–45. The application of this warrior ideal to Elijah and Elisha may be part of the tradition’s representation of them as mighty “holy men” and not only as prophetic spokesmen. See Mark S. Smith, “Recent Study of Israelite Religion in Light of the Ugaritic Texts,” in *Ugarit at Seventy-Five* (ed. K. Lawson Younger, Jr.; Winona Lake, IN: Eisenbrauns, 2007), 1–25, esp. 12–13.

Heroic poetry is not, as far as scholars presently know, an arena or topic of ongoing poetic enshrinement in Israel's traditions through the Iron II period. As at Ugarit, the monarchy is the home for the reception and transmission of such poetry. However, at Ugarit this poetry receives major elaboration, and it stands as a centerpiece of the literary corpus for the monarchy. In the Bible, the scribal arm of the monarchy receives this older poetry, but it does not elaborate it or celebrate it. In the case of 2 Samuel 22/Psalm 18, the older poetry embedded in this composition appears to be sublimated by the monarchy, as Frank Moore Cross observed.¹⁵ Cross surmised that vv. 8–16 was “an ancient fragment” that has been incorporated into this royal psalm of thanksgiving.¹⁶ If 2 Samuel 22/Psalm 18 is any indication, the monarchy recontextualized such poetry and overwrote it in other modes. Other traditions likewise preserve pieces of old poetry as witnesses to a distant past, but there is no ongoing tradition preserved for the production of warrior poetry. In short, this sort of literature was received and revised in cult (Psalm 18:8–16 [Eng., 7–15], and Psalm 68), prophecy (Habakkuk 3),¹⁷ and historiography (Judges 5 and 2 Samuel 22//

15. Cross, *Canaanite Myth and Hebrew Epic*, 158–59.

16. For the neo-Assyrian period for the psalm, see Eckart Otto, “Politische Theologie in den Königspsalmen zwischen Ägypten und Assyrien: Die Herrscherlegitimation in den Psalmen 2 und 18 in ihren altorientalischen Kontexten,” in *“Mein Sohn bist du” (Ps 2,7): Studien zu den Königspsalmen* (ed. Eckart Otto and Erich Zenger; Stuttgart: Verlag Katholisches Bibelwerk, 2002), 45–50, cited and discussed by David M. Carr, *The Formation of the Hebrew Bible: A New Reconstruction* (Oxford/New York: Oxford University Press, 2011), 315.

17. For this poem, see Theodore Hiebert, *The God of My Victory: The Ancient Hymn in Habakkuk 3* (HSM 38; Atlanta: Scholars Press, 1986); Robert D. Haak, *Habakkuk* (VTSup 44; Leiden/New York/Copenhagen/Cologne: Brill, 1992), 78–106; Shmuel Ahituv, “The Sinai Theophany in the Psalm of Habakkuk,” in *Birkat Shalom: Studies in the Bible, Ancient Near Eastern Literature, and Post-Biblical Judaism Presented to Shalom M. Paul on the Occasion of His Seventieth Birthday: Volume 1* (ed. Chaim Cohen et al.; Winona Lake, IN: Eisenbrauns, 2008), 225–32; and John E. Anderson, “Awaiting an Answered Prayer: The Development and Reinterpretation of Habakkuk 3 in Its Contexts,” *ZAW* 123 (2011): 57–71. For the poem's meteorological imagery, see Aloysius Fitzgerald, F.S.C., *The Lord of the East Wind* (CBQMS 34; Washington, DC: Catholic Biblical Association of America, 2002), 82–97. The use of סלה in Hab 3:3, 9, and 13 appears to be a liturgical marker, which if correct might suggest that this poem existed in a liturgical context when it was incorporated into Habakkuk 3. To be sure, the use of סלה has been thought to represent a considerably later addition to the poem; see H. St. John Thackeray, *The Septuagint and Jewish Worship: A Study in Origins* (The Schweich Lectures; 2nd ed.; London: Oxford University Press, 1923), 51. That the poem of Habakkuk 3 belonged to a collection sponsored by the monarchy might be inferred from the reference to the anointed in v. 13. The royal background might be suspected also from v. 19, especially when it is compared with the very similar line in the royal psalm of thanksgiving, Ps 18//2 Sam 22:34; וישם in the former would appear to be an updating or at least more common verb used by comparison with משיח in the latter. For this difference, see Francis I. Andersen, *Habakkuk: A New Translation with Introduction and Commentary* (AB 25; New York: Doubleday, 2001), 348–49. For royal psalms of the tenth–ninth centuries, see Carr, *The Formation of the Hebrew Bible*, 386–402. Thus, in the case of the poem of Habakkuk 3, it is possible to entertain

Ps 18:8–16), but heroic poetry in itself along with its production appears to have been displaced.¹⁸ The heroes of the prosaic age receive prosaic notices (see 2 Samuel 21 and 23), but whatever poetry might have celebrated their martial exploits, this was not included in the poetry of Israel's literary traditions.

As the monarchy moves through the Iron IIB-C context, there seems to be little or no ongoing tradition stream for the production of this poetry. Heroic poetry was generally not the specialty of priests or prophets, and arguably not even of the monarchy from the Iron IIB on. By the sixth century, it does not belong to the taxonomy of textual production of the three major elite sectors in Jer 18:18: "for instruction shall not fail from the priest, nor counsel from the wise, nor oracle from the prophet" (NJPS; cf. Jer 2:8 and 8:8).¹⁹ To be sure, in this period there is recognition of warriors (so Jer 9:22 [Eng., 23], with its parallelism of the warrior with the wise and the rich), but there is no allusion to heroic poetry. In this later context, older heroic poems may have been known in oral form for purposes of royal performance, and also in written form for instruction of a scribal, royal elite responsible for their written transmission.²⁰ With older, heroic poetry

a scenario by which this piece of heroic poetry went through two shifts in setting, from its earliest form as a piece of heroic poetry in vv. 3–15, to its inclusion into a (royal?) liturgical collection, as marked by the addition of vv. 1–2, 16a, and 18–19, and finally to its inclusion within the prophetic context of Habakkuk 3, with the addition of v. 1. For this analysis, note Anderson, "Awaiting an Answered Prayer," 57–71.

18. In this group of poems might be included the preserved six-line poem from Kuntillet Ajrud; see Shmuel Ahituv, Esther Eshel, and Ze'ev Meshel, in Ze'ev Meshel, ed., *Kuntillet 'Ajrud (Ḥorvat Teman): An Iron Age II Religious Site on the Judah–Sinai Border* (Jerusalem: Israel Exploration Society, 2012), 110. This poem describes a theophany in the context of warfare (with ל and הוה in line 2, "the Holy One over the gods" in line 4, בעל in line 5, and אל in line 6). This piece may be an older preservation analogous to what survives in Hab 3:3–8 and Deut 33:2–5.

19. For Jer 2:8 and 18:18 as late preexilic witnesses to social segments responsible for textual production, see also Carr, *The Formation of the Hebrew Bible*, 405–6. For discussion of the settings of scribal production in the Iron IIB-C, see Carr, *Writing on the Tablet of the Heart: Origins of Scripture and Literature* (Oxford/New York: Oxford University Press, 2005), 119–20, 141, 146, 152; and Karel van der Toorn, *Scribal Culture and the Making of the Hebrew Bible* (Cambridge, MA/London: Harvard University Press, 2005), 85–96, 122, 183. For inscriptional evidence for a formal standardized scribal education in Iron II Israel, see Christopher Rollston, "Scribal Education in Ancient Israel: The Old Hebrew Epigraphic Evidence," *BASOR* 344 (2006): 47–74, and "An Old Hebrew Stone Inscription from the City of David: A Trained Hand and A Remedial Hand on the Same Inscription," in *Puzzling Out the Past*, 189–96.

20. The sort of model that is being considered here does not belong to any of the four models for writing discussed by Susan Niditch, *Oral World and Written Word: Ancient Israelite Literature* (Louisville, KY: Westminster John Knox, 1996), 117–29, as the discussion there does not reckon much with the royal setting of oral literature, nor with evidence from outside of Israel that might have pointed in this direction. At the same time, it is to be said that the model being entertained here builds on Niditch's central point about the importance of orality in the scribal culture of ancient Israel, applied here to the royal scribal context. This

making its way into other genres, there seems to have been some interest or concern for the preservation of the past heroic poetry; it remained “useful” in such contexts, in particular for later prose historiography. Still, there was no corresponding interest in the ongoing production of warrior poetry in the Iron II period. The heroic model, while diminished in its older martial form, came to be applied to heroes or heroines of other sorts.²¹ To note only two late instances, the book of Esther, it has been argued, evokes old heroic ideals in the Persian period,²² and the story of Judith, with its echoes of Judges 4–5, would mark a strong evocation of the warrior model in the Hellenistic era.

The figure of David in Israel’s historiography of Genesis–Kings is arguably emblematic of this shift from the lost world of heroic poetry in the Iron I–tenth-century period to the prose cycles of the later Iron IIB–C and afterward. In the representation of ancient Israel’s great historiographical works, David was the last of such “poetic heroes.” After David, there is no more “old poetry” in the great narrative work of Genesis–Kings. His poems in 2 Samuel 22–23 are the last ones in this work. By contrast, his military chiefs and elite soldiers are not the subjects of heroic poems. David’s legendary warriors receive only bare prose notices (see 2 Sam 21:18–22 and 23:8–38), where they are not elaborated in prose sources (cf. Uriah the Hittite in 2 Samuel 11). Neither David’s heroic warriors nor other warriors that may have followed are the subjects of warrior poetry attested in the Bible.²³

This is not to say that the tenth century necessarily marked the end of poetry about warfare. Indeed, it is to be observed that poetry about war broadly speaking did continue in later biblical literature. The monarchy deployed the imagery of warriors and warfare.²⁴ The oracles against the nations constitute a body of warfare poetry from later Israel,²⁵ and warfare

approach also dovetails with studies of Mesopotamian scribal culture (see works cited in n. 23).

21. For prophetic “spirit” as possibly modeled on the divine “spirit” given to heroes, see above n. 14.

22. Kevin McGeough, “Esther the Hero: Going beyond ‘Wisdom’ in Heroic Narratives,” *CBQ* 70 (2008): 44–65. Note also the evocation of Saul for Mordecai as hero in the book of Esther; see the discussion of Aaron Koller, *Queen of Politics: Esther in the Context of Ancient Jewish Intellectual History* (Cambridge/New York: Cambridge University Press, 2014). Daniel in the lion’s den (Daniel 6) may echo the exploits of the warrior Benaiah in 2 Sam 23:20.

23. For another perspective, see Gregory Mobley, *The Empty Men: The Heroic Tradition of Ancient Israel* (ABRL; New York: Doubleday, 2005), 234–40. Mobley focuses attention on Joab rather than David, but some of his observations are pertinent to my remarks on David.

24. For example, see the image in Ps 19:6 (Eng., 5). See also Psalms 20 and 44.

25. This point was drawn to my attention by Cory Peacock. For discussion, see Duane L. Christensen, *Transformations of the War Oracle in Old Testament Prophecy: Studies in the Oracles against the Nations* (HDR 3; Missoula, MT: Scholars Press for Harvard Theological Review, 1975; reprinted as *Prophecy and War in Ancient Israel: Studies in the Oracles against the Nations*

imagery for the deity continues in compositions such as Deuteronomy 32. In addition, many idioms found in heroic poetry continue in later literature. Moreover, prophetic parodies using warrior language (perhaps such as Ezekiel 19, with its lion imagery in vv. 2–3 and 5–6) might suggest a general familiarity with an ongoing tradition of heroic poetry²⁶ that may have been displaced and not made its way into the surviving biblical corpus. However, there is a difference between the older heroic poetry and later poetry about warriors and warfare. Compared with heroic poetry of the early era, the prophetic war oracles or a later poem such as Deuteronomy 32 mark a significant change in the history of warfare poetry in ancient Israel. No longer focused on heroic men, later warfare poetry contrasts strongly with the earlier heroic poetry. Poetry about warfare was continuing in some ways in the Iron IIB-C, but it does not look (or, more importantly, sound) like heroic poetry. The exemplars of warfare poetry from the Iron IIB-C are suggestive of the cultural “distance” between the older heroic poetry and later warfare poems.

The question is why there was this apparent change. It seems unlikely that the absence of heroic poetry in later Israelite literature is to be attributed simply to a shift in types of textual production, from the oral to the written.²⁷ In this theory, oral poetry simply would have died out in the ninth century or so. However, given the oral culture that Susan Niditch and David M. Carr have identified for ancient Israel throughout the Iron Age,²⁸ the loss of oral poetry as a cultural practice seems to be unsupported by the evidence. It would appear that ancient Israel continued in the Iron IIB-C period to be an “oral world” (to use Niditch’s expression) as much as it was a “written world.” The absence of heroic poetry from the Iron IIB period and following cannot be attributed simply to a putative shift from the oral to the written. The factors involved would seem to be more complex.

The later monarchies of the Iron IIB-C had experiences of royal warfare, victories and defeats alike. Such royal victories could have been celebrated in heroic poetry. Kings might have been remembered for their great victories, but these are remembered in prose (cf. the Mesha stele). It is true that the Bible preserves little royal poetry compared with other types of

in *Old Testament Prophecy* (Berkeley, CA: BIBAL Press, 1989). Christensen dates biblical war oracles to the tenth through the eighth centuries.

26. For this consideration, I wish to thank Corrine Carvalho.

27. See Kawashima, *Biblical Narrative*, 14–15; and Dobbs-Allsopp, “Space, Line, and the Written Biblical Poem in Texts from the Judean Desert,” 52. To account for this shift, both scholars emphasize what Kawashima calls “a shift from the medium of the spoken to the written word.”

28. Niditch, *Oral World and Written Word: Ancient Israelite Literature* (Louisville, KY: Westminster John Knox, 1996); and Carr, *Writing on the Tablet of the Heart*. Note also Carr, *The Formation of the Hebrew Bible*, 4–7.

poetic literature (priestly, prophetic), and so such poems might have been lost. Where is the heroic poetry celebrating the exploits of Omri? Where are the songs singing the victories of Josiah? Where are the laments over his death, as remembered in 2 Chr 35:25²⁹? It remains a possibility that there were later heroic poems celebrating the victories of later kings. Thus, the issue might be in part a matter of textual preservation, and indeed, it may be said that the Bible as presently preserved is hardly a royal production. While the Bible contains many discussions of kings, relatively little biblical literature³⁰ shows an unalloyed monarchic perspective (royal psalms and Isaianic reflections on the king in Isaiah 7, 9, and 11 would be exceptions).³¹ In other words, biblical literature is hardly monarchic. However, it would not seem that the lack of monarchic texts is itself the reason for the lack of heroic poetry after David. If earlier heroic poetry could be preserved, then later heroic poetry could be preserved as well. Thus there may be more to the story.

There may be further clues for the social settings of textual production in Iron I, Iron IIA and the Iron IIB-C. There were differences in the social settings of textual production in these phases of the Iron Age. A shift in the social settings for textual production might lie behind the diminished attestation of heroic poetry. Heroic poetry was not the product simply of oral culture; it was more specifically an oral culture that was clan and tribally based. It was produced in the aftermath of the premonarchic militias battling and coming home from war, where the postbattle practice involved oral song. David's poetry would perhaps be the last expression for this older militia world. The problem with this theory is that there is no reason to suppose that in the oral world of the Iron IIB-C, the victories of armies should stop being celebrated in song. Thus, there may be still more to the story. There may well have been oral compositions celebrating Israel's victories and losses, but as we move through the Iron IIB period, these oral compositions that might have been produced did not transfer into the scribal apparatus of the monarchy. I would not necessarily attribute this situation to a shift of royal self-perception more toward the image of national leader and builder. (In this regard, one might think of Solomon as opposed to David as emblematic.) Indeed, the warrior

29. See Jer 22:10 in possible connection with 2 Kgs 23:29–30 (NJPS, 1063 n. a). In 2 Chr 35:25, laments for Josiah are attributed to Jeremiah as well as to male and female singers; these compositions are said to have been written. Cf. Jer 22:18 for the laments that are not to be voiced for his son, Jehoiakim.

30. I would not include in this point royal annalistic material as literature, yet even if one were to do so, the royal material in the Bible would be relatively small compared to prophetic, priestly, or wisdom materials.

31. See the useful survey of John J. Collins, in Adela Yarbro Collins and John J. Collins, *King and Messiah as Son of God: Divine, Human, and Angelic Messianic Figures in Biblical and Related Literature* (Grand Rapids, MI/Cambridge, UK: Eerdmans, 2008), 2–24.

remained a standard model of royal self-imaging (e.g., Ps 45:4–6). However, for some reason the Israelite poetry of the Iron IIB-C did not issue in new heroic poetry centered on the king. Instead, such older heroic poetry would be adapted for royal use on occasion (e.g., the cases of 2 Samuel 22//Ps 18:8–16, and perhaps Habakkuk 3, both discussed above).

The monarchy itself was perhaps not the crucial factor in the failure to record heroic poetry. As we have noted, royal poetry is attested, albeit poorly, in the biblical corpus, and so it is possible that there was royal, heroic poetry in the Iron IIB-C, but it did not survive. Accordingly, the issue may hinge on the text-producing sectors related in different ways to the monarchies of Israel and Judah. It would appear that groups involved in textual production (e.g., priests, prophets, sages) in this period³² do not seem to have held a particular regard for heroic poetry. The later biblical corpus shows little interest in heroic poetry. With the priestly tradition, warfare does not seem to be a particularly central concern. The divine warrior of Israelite tradition, for example, becomes transmuted in Genesis 1 as the power beyond martial conflict or military prowess.³³ The “Deuteronomistic” traditions seem to take issue with the value of warfare as a means for advancing Israel’s service to God.³⁴ Warfare is mentioned as divine punishment of Israel, not as a matter of Israel’s celebration. Prophetic and wisdom circles do not evidence any particular interest in the heroic tradition. Warfare, the setting that gave rise to heroic poetry in early Israel, was no less a concern in later Israel, but Israel’s later text-producing venues seem not to have chosen heroic poetry as a significant mode of expression. It would appear that a shift in cultural and perhaps religious sensibility in Israel’s leadership toward heroic poetry is involved: the later centers of written texts especially in Iron IIB-C Israel did not take over the production of heroic poetry from either the monarchy (as and if such texts existed) or from the older clan- and tribal-based oral tradition, except for purposes of preservation (e.g., Judges 5, 2 Sam 1:19–27) or recontextualization (e.g., 2 Samuel 22//Psalm 18). While such militia-based oral poetry might have persisted among armies of Judah and Israel in the Iron IIB-C, it did not translate into the royal and priestly scribal establishments, as far as we can tell from the extant evidence.

There was a pronounced gap between the period of the old heroic poetry and the textual production under the monarchies of the eighth century and following. While significantly fewer early Israelite texts are

32. See Carr, *The Formation of the Hebrew Bible*, 304–38.

33. See Mark S. Smith, *The Priestly Vision of Genesis 1* (Minneapolis, MN: Fortress, 2010), 64–71.

34. See Jacob Wright, “The Commemoration of Defeat and the Formation of a Nation in the Hebrew Bible,” *Prooftexts* 29 (2009): 433–73; “Making a Name for Oneself: Martial Valor, Heroic Death and Procreation in the Hebrew Bible,” *JSOT* 36 (2011): 131–62.

known from outside the Bible or alluded to within it, the massive appearance of written material both inside of the Bible and in the extrabiblical record from Israel beginning in the eighth century may mark a watershed in the shifting roles of oral culture and writing in the collations of Israel's collective memories. Various works across the surviving biblical corpus would point to the eighth and seventh centuries³⁵ as a significant period in the rise of writing as a culturally prestigious form of cultural memory; these would include the production of the pre-P/pre-D pentateuchal material (commonly called in older source theory the "Yahwist" and "Elohist" sources); the neo-Assyrian context claimed for Deuteronomy 12–26; the evolving collections claimed for Joshua through Kings during the reign of Hezekiah, then later Josiah and still later in the exilic and postexilic contexts; the first separate prophetic works in the eighth century onward; a seventh-century redaction claimed for Isaiah; and the transmission³⁶ of Proverbs 25–29 effected by the "men of Hezekiah" (Prov 25:1).

The importance of writing from the eighth century onward in ancient Israel may signal a rupture between a traditional past and an awareness

35. This is not to minimize the later Persian period (and later) reception and compositional activity involved with these biblical works. It is beyond the scope of this study and impossible here to do justice to the subject of textual production in Iron IIB-C and Persian periods. For Persian period revisions of older biblical literature, see Carr, *The Formation of the Hebrew Bible*, 204–24; and Erhard S. Gerstenberger, *Israel in the Persian Period: The Fifth and the Fourth Centuries B.C.E.* (trans. Siegfried S. Schatzmann; Biblische Enzyklopädie; Atlanta: Society of Biblical Literature, 2011), 274–425. See also the following important and very different surveys: Erich Zenger, ed., *Einleitung in das Alte Testament* (5th ed.; Stuttgart: Kohlhammer, 1995); Reinhard G. Kratz, *The Composition of the Narrative Books of the Old Testament* (trans. John Bowden; London/New York: T & T Clark, 2005); Christoph Levin, *The Old Testament: A Brief Introduction* (trans. Margaret Kohl; Princeton, NJ/Oxford: Princeton University Press, 2005); Alexander Rofé, *Introduction to the Literature of the Hebrew Bible* (Jerusalem Bible Studies 9; Jerusalem: Simor, 2009). For the complexities involved with Genesis–Kings, see also the essays in Thomas B. Dozeman, Thomas Römer, and Konrad Schmid, eds., *Pentateuch, Hexateuch, or Enneateuch? Identifying Literary Works in Genesis through Kings* (Ancient Israel and Its Literature 8; Atlanta: Society of Biblical Literature, 2011); and Jean-Louis Ska, *The Exegesis of the Pentateuch: Exegetical Studies and Basic Questions* (FAT 66; Tübingen: Mohr Siebeck, 2009).

36. For the verb העתיק as signifying compilation or collection (possibly "from one place to another"), see Richard J. Clifford, *Proverbs: A Commentary* (OTL; Louisville, KY: Westminster John Knox, 1999), 219–20. Clifford (*Proverbs*, 219) also notes that the verb "connotes more than collecting, for example, arranging and composing." In this vein, see also van der Toorn, *Scribal Culture*, 83; and Carr, *The Formation of the Literature of the Hebrew Bible*, 317–18, and 350. Clifford's view is not entirely unlike the idea of "transferral," as argued based on an Akkadian parallel (with the same root in the same stem) by H. L. Ginsberg, *The Israelian Heritage of Judaism* (New York: Jewish Theological Seminary of America, 1982), 36–38; and Hayim ben Yosef Tawil, *An Akkadian Lexical Companion: Etymological-Semantic and Idiomatic Equivalents with Supplement on Biblical Aramaic* (Jersey City, NJ: Ktav, 2009), 287. For the notion of "transcription" (likewise supported with an Akkadian parallel), see the discussion in Michael V. Fox, *Proverbs 10–31: A New Translation with Introduction and Commentary* (AB 18B; New Haven/London: Yale University Press, 2009), 777–78.

of its demise. Indeed, it may be noted that many biblical references to collective memory generally date to the eighth century or later. However, it would seem that some traditional contexts of (and societal anchoring for) oral memory did not retain their cultural prestige in the face of monarchic and priestly support for written forms of cultural memory. By the time of the massive appearance of writing in eighth-century sources, the shift in the relative power of the contexts that supported and generated oral and written forms of cultural memory was largely complete.

The change in textual production may correspond to wider developments in ancient Israelite society and religion in the Iron IIB-C. This trend matches the diminution of two other features in ancient Israel, namely, the dead heroes known as the Rephaim and the warrior goddesses, Anat and Astarte; these matters lie beyond the scope of this discussion.³⁷ While these warrior goddesses are evident in the Iron I period, they fade by comparison in the Iron IIB-C, as far as the record shows. The new situation perhaps involved a new understanding of both “god and king.” In other words, the warrior goddesses may have diminished, in part due to the increasing emergence of the national god. Perhaps the configuration of the Rephaim traditions, as attested in the Bible, suffered a similar fate in ancient Israel. There may be a broader pattern of diminishment of “warrior culture” represented by heroic poetry, the warrior goddesses, and the Rephaim in the Iron IIB-C context in ancient Israel.

It would appear that the warrior setting for the composition of heroic poetry from Israel’s “prehistory” (in the Iron I–tenth century) was dislocated by the time of the creation of the great prose narrative cycles in the Iron IIB-C period and later. While the older poetry was elaborated and transmitted into later periods, the older setting for composing this sort of warrior poetry seems to have suffered its demise. The creators of the later prose cycles may have been well aware that the poetic compositions that they incorporated came from a “lost world” of early Israel (Iron I–tenth century). Indeed, they may have used such poems precisely because they felt old to them and their audiences.³⁸ Including old poetry in the prose narrative works served the literary function of bringing their audiences closer to the time described by the poems. In some cases, they were joined

37. See Smith, *Poetic Heroes*, 314–26.

38. For more on these observations, see Smith, “Why Was ‘Old Poetry’ Used in Hebrew Narrative?” 195–210. In making this observation, I prescind from the question of older prose traditions in the Pentateuch or the so-called “Deuteronomistic History,” as claimed in a number of studies; for example, see Alexander Rofé, “Clan Sagas as a Source in Settlement Traditions,” in *“A Wise and Discerning Mind”: Essays in Honor of Burke O. Long* (ed. Saul M. Olyan and Robert C. Culley; BJS 325; Providence, RI: Brown Judaic Studies, 2000), 191–203, especially 199. The date of possibly most old prose traditions seems difficult to establish before the ninth century (if even then). The question lies beyond the scope of this discussion and remains an important desideratum for research.

deliberately with the prose accounts of such putatively old events (for example, in Exodus 14–15, Numbers 23–24, and Judges 4–5). The early era of heroic poetry was perhaps a lost world already by the time of the final compositions of these heroic poems in the tenth century; it was all the more so for the ancient Israelite prose historiographers in the Iron IIB-C period and later. As time passed, the heroic poems increasingly evoked an older world, one that had vanished before Israel encountered the empires of Assyria, then Babylon and Persia, and later the Greeks and Romans. With their evocations of great acts and famous personas of old, these poems managed to outlast these empires and could continue to signal to later audiences Israel's great achievements of the past and to express no less its great hopes for the future.

The Fugitive Hero Narrative Pattern in Mesopotamia

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Introduction and Background

Tales of individuals who must leave their homeland and survive a precarious exile before returning in triumph are widespread.¹ The basic features of leaving home, engaging in some kind of adventure abroad, and then making a return, figure in the descriptions of hero stories made by Lord Raglan,² Joseph Campbell,³ and others.⁴ They form part of the hero pattern proposed for the narratives of Jacob and Joseph in the book of Genesis by our honoree, Susan Niditch—although she places more emphasis on family dynamics: a crisis in the family sets the hero off on a journey, and when he returns he reconciles with his family.⁵ Christopher Booker,

1. The present study is based on a presentation I made at the Columbia University Seminar for the Study of the Hebrew Bible in November 2013, and in part on a Hebrew lecture I gave in honor of Prof. Aaron Skaist in the Zalman Shamir Department of Biblical Studies at Bar-Ilan University in April 2013. This study is part of a larger one, supported by a grant from the Israel Science Foundation, no. 129/12. I am grateful to the Foundation and to Dr. Noga Ayali Darshan and Dr. Yitzhaq Feder for their invaluable research assistance.

2. Lord Raglan is Fitzroy Richard Somerset (1885–1964), a British officer and independent scholar; see Lord Raglan, “The Hero: A Study in Tradition, Myth, and Drama,” in *In Quest of the Hero* (Princeton, NJ: Princeton University Press, 1990), 87–175.

3. Joseph Campbell, *The Hero with a Thousand Faces* (2nd ed.; Princeton, NJ: Princeton University Press, 1968).

4. Notably Otto Rank, “The Myth of the Birth of the Hero,” in *In Quest of the Hero*, 1–86, which, as the title suggests, emphasizes, like Freud, the early stages in the individual’s life. The early life of the fugitive hero type that will be discussed below is ordinarily related briefly, if at all.

5. Susan Niditch, *Underdogs and Tricksters: A Prelude to Biblical Folklore* (San Francisco: Harper & Row, 1987), 71–79. See n. 21 below for a discussion of a similar angle in a study by Robin King.

in an extensive study of narrative patterns through the history of Western culture, identifies “seven basic plots” among virtually all the story types of Western narrative, but also reduces them to one over-arching universal type—the story of a child leaving the maternal haven and making its way into the world, narrowly escaping peril and finding its way back into the safety of the home.⁶

Scholars of ancient Near Eastern and biblical literature have for decades been identifying aspects of a shared narrative pattern in several diverse texts in which a figure is forced into exile, lives abroad for a period, and then returns to power and/or position back home. In a vague and general way, the trajectory of that story structure conforms to one suggested by Harry Slochower, building principally on classical literature, such as Homer’s *Odyssey*.⁷ The hero departs from a harmonious society and, being something of a rebel, embarks on a quest in the course of which he poses a challenge to that society. His reintegration produces a new harmony, but the residue of the erstwhile conflict is—tragically—never resolved.⁸ Slochower does not apply his scheme to any of the ancient Near Eastern or biblical figures who might be classified as fugitive or exiled heroes,⁹ although H. H. Schlossman, adopting Slochower’s pattern, finds an example in the Genesis narrative of Joseph.¹⁰

John Miles Foley, building on the work of his teacher Albert Lord, treats an epic pattern, found in Greece only in the Homeric *Odyssey* and also in a large number of Serbo-Croatian/Balkan oral tales. The hero is absent from his home community for a long time, during which the community suffers some devastation. When the hero returns, he exacts retribution from those who have taken his position and/or his woman from him; and he either marries or rejoins his rightful partner.¹¹

6. Christopher Booker, *The Seven Basic Plots: Why We Tell Stories* (New York: Continuum, 2004), esp. 216–19. The fugitive hero pattern described in the present study falls between what Booker calls “the quest” and “voyage and return,” but it is much more ramified a structure than the patterns treated by Booker.

7. Harry Slochower, *Mythopoesis: Mythic Patterns in the Literary Classics* (Detroit: Wayne State University Press, 1970). A similar, but even more general, pattern may be found in Koestler’s “night journey,” in which the hero in crisis leaves his society for a time in order to find new insight before returning home; see Arthur Koestler, “The Belly of the Whale: The Night Journey,” in idem, *The Act of Creation* (London: Arkana, 1989), 358–65.

8. Slochower, *Mythopoesis*, esp. 22–26.

9. Slochower (ibid., 22–23) does refer to the character of Job in regard to this pattern, but he does not develop this (inapt) example.

10. H. H. Schlossman, “God the Father and His Sons,” *American Imago* 29 (1972): 35–52.

11. John Miles Foley, *Traditional Oral Epic: The Odyssey, Beowulf, and the Serbo-Croatian Return Song* (Berkeley: University of California Press, 1990), esp. 12–15, 359–87. (I thank Frank Polak for referring me to this book.) Returning home as a theme or motif in classical Greek literature, across genres, is treated in Marigo Alexopoulou, *The Theme of Returning Home in Ancient Greek Literature: The Nostos of the Epic Heroes* (Lewiston, NY: Edwin Mellen, 2009).

The tendency of anthropological and folklore research on hero tales is toward the universal. Attempts are made to discern the same essential elements in stories from diverse eras and places, for example, in the efforts of Raglan and Campbell; or a single structural pattern is superimposed on almost any developed story, as in the work of Vladimir Propp and his followers.¹² This is not the place to enter into a lengthy critique of such approaches, but let me say here only the following. Lord Raglan's twenty-two features are often a poor fit with the stories they are meant to describe; in many instances no less than half the features are lacking; and his hero model is patterned on the life of Jesus,¹³ making the bold and unsupported assumption that tales of human heroes are all derived from myths about gods.¹⁴ Campbell's "hero with a thousand faces" is a composite drawn from a wide variety of stories across cultures, and the full version is not found in a single exemplar—it is an academic artifice. Propp's pattern, which is based on an analysis of one hundred Russian fairy tales, includes fixed and flexible plot moves, the ones considered obligatory not always occurring in hero tales; furthermore, the particular features often match the details of a given narrative in only the vaguest of ways. The "return song" studied by Lord and Foley makes no claims to universalism, but the comparison between the *Odyssey* and the Serbo-Croatian epics is meant to point up similarities in plot as well as differences in detail. While there is a general resemblance between the five elements of the story pattern and that of the fugitive hero pattern to be described below, the focus and many of the essential narrative moves of the latter turn out to be quite different in kind.¹⁵ Moreover, unlike the *Odyssey* and the Serbo-Croatian epics, which

12. Vladimir Propp, *The Morphology of the Folktale* (rev. ed. trans. L. Scott; ed. L. A. Wagner; Austin: University of Texas Press, 1968). For an extensive and systematic application of Propp's model to a biblical narrative, see, for example, Jack M. Sasson, *Ruth: A New Translation with a Philological Commentary and a Formalist-Folklorist Interpretation* (Baltimore: Johns Hopkins University Press, 1979). Cf. also Joseph Blenkinsopp, "Biographical Patterns in Biblical Narrative," *JSOT* 20 (1981): 27–46. For critical, not necessarily negative, discussion of such applications, see esp. Pamela J. Milne, *Vladimir Propp and the Study of Structure in Biblical Narrative* (Ithaca, NY: Cornell University Press, 1988); Diane M. Sharon, "Structuralism, Proppian Analysis, and Biblical Narrative," in idem, *Patterns of Destiny: Narrative Structures of Foundation and Doom in the Hebrew Bible* (Winona Lake, IN: Eisenbrauns, 2002), 6–39; and cf. Edward L. Greenstein, "Biblical Narratology," *Prooftexts* 1 (1981): 201–7.

13. See Alan Dundes, "The Hero Pattern and the Life of Jesus," in *In Quest of the Hero*, 177–223.

14. For an attempt to find such a pattern in the story of Samson, see Yair Zakovitch, *The Life of Samson (Judges 13–16): A Critical-Literary Analysis* (Jerusalem: Magnes, 1982) (in Hebrew). I find Zakovitch's reconstruction of a mythological substrate in the biblical text forced, motivated by Lord Raglan's misguided theory. For a proper critique of Lord Raglan's theory, see Joseph Fontenrose, "The Ritual Theory of Myth," in *The Myth and Ritual Theory: An Anthology* (ed. Robert A. Segal; Malden, MA: Blackwell, 1998), 428–59.

15. For example, in the "return song" the hero returns home, exacts retribution, and

are, of course, conveyed in verse, all ancient Near Eastern instances of the fugitive hero pattern, including the biblical, are told in prose.¹⁶

In any event, the orientation of the present study is the opposite. I seek to establish a narrative pattern that is, so far as I can tell, specific to the cultures of the ancient Near East. All stories of flight or forced exile stemming from the ancient Near East, including and especially the Hebrew Bible, are examined in order to explore the extent to which they share a common pattern. In the past half a century, a number of stories belonging to what I call the fugitive hero narrative pattern¹⁷ have been compared to one another.¹⁸ Most discussions have not gone into detailed analysis, and

gets (re)married. The marriage of the hero is an optional element in the fugitive hero pattern, in which the ultimate move of the hero (within the pattern) is to (re)establish a cult or ritual.

16. The Egyptian tale of Sinuhe features a number of inset poems, and its prose tends toward the poetic, but it is nonetheless primarily prose; cf. John L. Foster, "Sinuhe: The Ancient Egyptian Genre of Narrative Verse," *JNES* 39 (1980): 89–117; idem, *Thought-Couplets in the Tale of Sinuhe* (Frankfurt-am-Main: Peter Lang, 1993). See also Miriam Lichtheim's translation in her *Ancient Egyptian Literature, Vol. 1: The Old and Middle Kingdom* (Berkeley: University of California Press, 1975), 222–35, where it is classified under "prose tales." For a discussion of Foster's and Lichtheim's views and their ramifications, see Günter Burkard, "Metrik, Prosodie und formaler Aufbau ägyptischer literarischer Texte," in *Ancient Egyptian Literature: History and Forms* (ed. Antonio Loprieno; Leiden: Brill, 1996), 447–63, at 451–56. As is often noted, Sinuhe switches genre frequently; see, for example, Christopher Eyre, "The Practice of Literature: The Relationship between Content, Form, Audience, and Performance," in *Ancient Egyptian Literature: Theory and Practice* (ed. Roland Enmarch, Verena M. Lepper, and Eleanor Robson; Oxford: Oxford University Press, 2013), 101–42, at 136.

The narrative of Idrimi is conveyed in prose, contra the assertions of Johannes C. de Moor ("The Poetry of the Book of Ruth," *Or* 53 [1984]: 262–83, at 269); see Edward L. Greenstein, "Direct Discourse and Parallelism," in *Discourse, Dialogue, and Debate in the Bible: Essays in Honour of Frank H. Polak* (ed. Athalya Brenner-Idan; Sheffield: Sheffield Phoenix Press, 2014), 79–91, at 86 n. 29.

17. See esp. Eliezer (Ed) Greenstein, "Interpreting the Bible by Way of Its Ancient Cultural Milieu," in *Studies in Jewish Education IX: Understanding the Bible in Our Times, Implications for Education* (ed. Marla L. Frankel and Howard Deitcher; Jerusalem: Magnes Press, 2003), 61–73 (in Hebrew); see already Edward L. Greenstein, "Autobiographies in Ancient Western Asia," in *Civilizations of the Ancient Near East* (4 vols.; ed. Jack M. Sasson; New York: Charles Scribner's Sons, 1995), 4:2421–32. Cf. the work of my student Rachel Bartal, "The Jacob Stories: From Folktales to National Narrative" (MA thesis, Tel Aviv University, 2004) (in Hebrew).

18. Galvin compares most of the pertinent texts but homes in on the theme of refuge rather than on the cycle of flight, return, and restoration; see Garrett Galvin, *Egypt as a Place of Refuge* (FAT 51; Tübingen: Mohr Siebeck, 2011). (I thank Mark Smith for calling my attention to Galvin's book.) See already, for example, A. Leo Oppenheim, Review of *The Statue of Idrimi*, *JNES* 14 (1955): 199–200; Yehoshua M. Grintz, *From the Ancient Egyptian Literature* (Jerusalem: Mossad Bialik, 1975), 7–8 (in Hebrew); Moshe Weinfeld, "Ha-nesibot ha-historiyot shel huledet ha-dat ha-monote'istit—ha-masorot 'al moshe ve-yitro le'or 'eduyot ha-huts" [The Historical Circumstances of the Birth of Monotheistic Religion: The Traditions of Moses and Jethro in the Light of External Evidence], in *Le-zikhro shel Professor Sh. E. Loewenstamm* (Jerusalem: Institute for Jewish Studies of the Hebrew University in Jerusalem, 1992), 19–28, esp. 23–26; William H. C. Propp, *Exodus 1–18* (AB 2; New York: Doubleday, 1999), 241–43.

few have made extensive comparisons of more than two texts at a time.¹⁹ Many studies have raised important insights, but none has proposed a full narrative pattern. Few have brought most of the sources into consideration. J. Robin King has produced the most extensive comparative treatment, involving most of the key texts.²⁰ However, his article-length analysis of plot and theme is overly dependent on Propp's model; for that reason, it fails to capture a number of plot elements and motifs that a more inductive type of analysis can reveal.²¹

19. The earliest pertinent comparison I have found is in the thirteenth-century CE Zohar, *parashat Va-yetze*, where the flights of Jacob, Moses, and David are compared. For Idrimi and David, see Giorgio Buccellati, "La 'carriera' di David e quella di Idrimi, re di Alalac," *Bibbia e Oriente* 4 (1962): 95–99; P. Kyle McCarter, "The Historical David," *Int* 40 (1986): 117–29, at 123–24. For Idrimi and Joash, see Mario Liverani, "The Story of Joash," in *Myth and Politics in Ancient Near Eastern Historiography* (ed. and trans. Zainab Bahrani and Marc van de Mieroop; Ithaca, NY: Cornell University Press, 2004), 148–59. For Jacob and Joseph, see, for example, Peter D. Miscall, "The Jacob and Joseph Stories as Analogies," *JSOT* 6 (1978): 28–40. For Jacob and Moses, see Ronald S. Hendel, "Jacob and Moses," in idem, *The Epic of the Patriarch: The Jacob Cycle and the Narrative Traditions of Canaan and Israel* (HSM 42; Atlanta: Scholars Press, 1987), 137–65. For Jacob and David, see, for example, Phillipe Wajdenbaum, "Jacob and David, the Bible's Literary Twins," in *Anthropology and the Bible: Critical Perspectives* (ed. Emanuel Pfoh; Piscataway, NJ: Gorgias Press, 2010), 137–58. For Joseph and David, see James C. Nohrenberg, "Princely Characters," in "Not in Heaven": *Coherence and Complexity in Biblical Narrative* (ed. Jason P. Rosenblatt and Joseph C. Sitterson, Jr.; Bloomington: Indiana University Press, 1991), 58–97. For Moses and Sinuhe, see, for example, James K. Hoffmeier, *Israel in Egypt: The Evidence for the Authenticity of the Exodus Tradition* (New York: Oxford University Press, 1996), 143–44. For Moses and Jeroboam, see James Nohrenberg, *Like unto Moses: The Constituting of an Interruption* (Bloomington: Indiana University Press, 1995), 280–96. For Moses and Hadad, see Yitzhak Avishur, in 'Olam ha-Tanakh: *Shemot* (ed. Shemaryahu Talmon and Yitzhak Avishur; Tel-Aviv: Davidson-Iti, 1993), 33 (in Hebrew); Jerome T. Walsh, *I Kings* (Berit Olam; Collegeville, MN: Liturgical Press, 1996), 140–41. For David and Hattushili III, see Herbert M. Wolf, "The 'Apology of Hattušiliš' Compared with Other Political Self-Justifications of the Ancient Near East" (Ph.D. diss., Brandeis University, 1967); P. Kyle McCarter, "The Apology of David," *JBL* 99 (1980): 489–504; Joel S. Baden, *The Historical David: The Real Life of an Invented Hero* (New York: HarperCollins, 2013), 44–45; for a critical discussion, see J. Randall Short, *The Surprising Election and Confirmation of King David* (HTS 62; Cambridge: Harvard University Press, 2010), 51–98. For David and Nabonidus, see Michael B. Dick, "The 'History of David's Rise to Power' and the Neo-Babylonian Succession Apologies," in *David and Zion: Biblical Studies in Honor of J. J. M. Roberts* (ed. Bernard F. Batto and Kathryn Roberts; Winona Lake, IN: Eisenbrauns, 2004), 3–19. For further bilateral comparisons, see below, n. 80.

20. J. Robin King, "The Joseph Story and Divine Politics: A Comparative Study of a Biographic Formula from the Ancient Near East," *JBL* 106 (1987): 577–94.

21. For example, King ("The Joseph Story"), who begins his analyses with Sinuhe, acknowledges (586) but does not appreciate the significance of the younger brother motif to most of the pertinent narratives. Moreover, again, under the influence of Propp, King sees the culmination of the stories in moments of reconciliation, which may hold in the stories of Sinuhe and Joseph but can only with difficulty be found in some of the other fugitive hero narratives and can only through misreading be found in others (e.g., Idrimi, Hattushili, Esarhaddon, Nabonidus, Moses). He misses the motive of restoring or inaugurating a cult

The Fugitive Hero Pattern

The fugitive hero pattern can be identified in most of its plot features and motifs (see below) in an array of ancient Near Eastern and biblical texts, spanning the area from Egypt in the south, Hatti (Asia Minor) in the north, and the Levant in the geographic center, to Mesopotamia in the east. The earliest text seems to date back to the very early second millennium BCE, and the latest to the middle of the first millennium BCE. The main extrabiblical sources, in which a large majority of the elements can be found, are as follows: the story of Sinuhe from Egypt (early second millennium);²² the story of Idrimi, king of Alalakh from North Syria (mid-fifteenth century);²³ the story of Hattushili III, king of Hatti (early thirteenth century);²⁴ the story of Esarhaddon, king of Assyria (early seventh century);²⁵ and the story of Nabonidus, king of Babylon (mid-sixth

or ritual, which is a shared element of all the major stories. He fails to capture the marriage of the hero into the exilic host's family, which figures in several of the tales. On the other hand, King does well to emphasize the role of the supporting deity in motivating the hero's return (587–88).

22. Alan H. Gardiner, *Der Erzählung des Sinuhe und die Hirtengeschichte* (Leipzig: Hinrichs, 1909); idem, *Notes on the Story of Sinuhe* (Paris: Librairie Honoré Champion, 1916). For a convenient bilingual edition, see Stephen Quirke, *Egyptian Literature 1800 BC: Questions and Readings* (London: Golden House, 2004), 58–70. For a literary overview, see R. B. Parkinson, *Poetry and Culture in Middle Kingdom Egypt: A Dark Side to Perfection* (London: Equinox, 2002), 149–68.

23. Sidney Smith, *The Statue of Idrimi* (London: British Institute for Archaeology in Ankara, 1949); Edward L. Greenstein and David Marcus, "The Akkadian Inscription of Idrimi," *JANES* 8 (1976): 59–96; Gary H. Oller, "The Autobiography of Idrimi: A New Text Edition with Philological and Historical Commentary" (Ph.D. diss., University of Pennsylvania, 1977); Manfred Dietrich and Oswald Loretz, "Die Inschrift der Statue des Königs Idrimi von Alalah," *UF* 13 (1981): 201–68; Jean-Marie Durand, "La fondation d'une lignée royale syrienne: La geste d'Idrimi d'Alalah," in *Le jeune héros: Recherches sur la formation et la diffusion d'un thème littéraire au Proche-Orient ancien* (ed. Jean Marie-Durand, Thomas Römer, and Michael Langlois; OBO 250; Fribourg: Academic Press/Göttingen: Vandenhoeck & Ruprecht, 2011), 94–150, esp. 135–50. I still hold by my translation of the tale in Greenstein, "Autobiographies in Ancient Western Asia," 2426; see Greenstein, "Direct Discourse," 86 n. 29.

24. Edgar H. Sturtevant and George Bechtel, *A Hittite Chrestomathy* (Philadelphia: University of Pennsylvania Press, 1935), 175–200; Heinrich Otten, *Die Apologie Hattusilis III: Das Bild der Überlieferung* (Wiesbaden: Otto Harrassowitz, 1981). For an overview, see Theo P. J. van den Hout, "Khattushili III, King of the Hittites," in *Civilizations of the Ancient Near East*, 2:1107–20.

25. Riecke Borger, *Die Inschriften Asarhaddons Königs von Assyrien* (AfO Beiheft 9; Osnabrück: Biblio-Verlag, 1956), 36–64; Erle Leichty, *The Royal Inscriptions of Esarhaddon, King of Assyria (680–669BC)* (RINAP 4; Winona Lake, IN: Eisenbrauns, 2011), 9–26. The text of "Esarhaddon's Rise to Power" is also transcribed and translated in Martti Nissinen, *Prophets and Prophecy in the Ancient Near East* (SBLWAW 12; Atlanta: Society of Biblical Literature, 2003), 137–42.

century).²⁶ The full instances from the Hebrew Bible are the narratives of Jacob, Joseph, Moses, David, and the story of Israel's beginnings (from Canaan to Egypt and the return to Canaan). The pattern is also reflected in more limited fashion in the stories of Hagar (Genesis 16), Gideon (Judges 6–8), Jephthah (Judges 11),²⁷ Absalom (2 Samuel 13–15),²⁸ Jeroboam ben Nebat (1 Kings 11–12), Hadad the Edomite (1 Kgs 11:14ff.),²⁹ and Joash (2 Kings 11).³⁰

As said above, when these narratives are compared back and forth from one to the other, the following shared pattern can be distilled:

1. The hero is a younger or youngest brother.
2. There occurs a political and/or personal crisis.
3. The hero flees or is exiled.
4. The hero enjoys the support of a female protector (sometimes a goddess).
5. The hero marries the daughter of his host in exile.
6. The hero assumes a position of responsibility in the host's household.
7. The hero has a divine encounter (often divination or revelation).
8. The hero is joined by kin.
9. There is a seven-year period (usually of exile).
10. The hero repels an attack (or attacks).
11. The hero takes spoil or plunders.
12. The hero returns home.
13. The hero is restored to a position of leadership and/or honor.
14. The hero establishes or renews a cult (often appointing an immediate relative as priest).

26. C. J. Gadd, "The Harran Inscriptions of Nabonidus," *AnSt* 8 (1958): 35–92, esp. 56–69; Hanspeter Schaudig, *Die Inschriften Nabonids von Babylon und Kyros' des Grossen samt den in ihrem Umfeld entstandenen Tendenzschriften: Textausgabe und Grammatik* (AOAT 256; Münster: Ugarit-Verlag, 2001), 486–99.

27. See Greenstein and Marcus, "The Akkadian Inscription of Idrimi," 75–77.

28. Absalom seeks refuge with his maternal grandfather, Talmai, in Geshur, in the Transjordan after having his brother Amnon assassinated, and, after his return to Jerusalem, forms a private army and declares himself king in Hebron; through a vow he claims to have made in exile, he links his return to Jerusalem with the worship of Yhwh; cf. Galvin, *Egypt as a Place of Refuge*, 52–53.

29. See, for example, Galvin, *Egypt as a Place of Refuge*, 85–87; cf. Pnina Galpaz, "The Reign of Jeroboam and the Extent of Egyptian Influence," *BN* 60 (1991): 13–19, at 14–15 n. 7.

30. Liverani, "The Story of Joash." The story of Judah (Genesis 38) has only a vague resemblance to the fugitive hero pattern, somewhat reminiscent of the topos described by Slochower (see above); see Anthony J. Lambe, "Judah's Development: The Pattern of Departure–Transition–Return," *JSOT* 83 (1999): 53–68.

Some parts of the pattern are optional.³¹ For example, the section describing the marriage of the hero to the daughter of his host in exile (features 5 and 6) is pronounced in some stories, such as those of Sinuhe, Jacob, and Moses, and altogether absent in others, such as those of Idrimi and Esarhaddon. In most stories the hero is explicitly identified as a younger son, but Sinuhe, for example, is not. Essential elements of the pattern, which would also seem to point to a shared theme of the story type, include a divine encounter while in exile, often indicating to the hero that the time has come to return home; and the establishment or reestablishment of a cult or ritual in the end. This last factor, which can be discerned in all the major exemplars of the pattern, is not recognized in other types of analysis, in which flight, exile, and return comprise the basic narrative arc. The following chart illustrates the fugitive hero pattern in several of its leading attestations.³²

Features	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Sinuhe		x	x	x	x	x	x	x		x	x	x	x	x
Idrimi	x	x	x	x			x	x	x	x	x	x	x	x
Hattushili	x	x	x	x	x	x	x	x	x	x		x	x	x
Jacob	x	x	x	x	x	x	x	x	x	x	x	x	x	x
Moses	x	x	x	x	x	x	x	x		x	x	x	x	x
David	x	x	x	x	x	x	x	x	?	x	x	x	x	x
Esarhaddon	x	x	x	x			x	x		x	x	x	x	x
Nabonidus		x	x	x		?	x	x	x	x	?	x	x	x

Beyond the shared structure, each fugitive hero narrative develops its own individual themes and objectives. In looking at a particular story,

31. For the time being, I omit those motifs that occur in several, but not a majority, of the instances of the pattern. An example is the gathering of “empty men” or riffraff around the hero in exile, which may be found in the stories of Idrimi (who stays among the landless *‘apiru*), Jephthah (Judg 11:3), David (1 Sam 22:2), and Jeroboam ben Nebat (2 Chr 13:7; this detail is not found in the Kings narrative); see, for example, Baruch Halpern, *David’s Secret Demons: Messiah, Murderer, Traitor, King* (Grand Rapids, MI: Eerdmans, 2001), 20; Susan Niditch, *Judges: A Commentary* (OTL; Louisville, KY: Westminster John Knox, 2008), 131. For further discussion and elaboration of this motif, see Gregory Mobley, *The Empty Men: The Heroic Tradition of Ancient Israel* (ABRL; New York: Doubleday, 2005). Another example is the one-on-one combat that occurs in the stories of Sinuhe (versus the champion of Retenu), Jacob (versus the divine figure; Genesis 32), Moses (versus Yhwh; Exodus 4), and David (versus Goliath; 1 Samuel 17). Yet another example is the dream-revelation, which occurs in the stories of Hattushili, Jacob, Joseph, and Nabonidus.

32. A question mark indicates an uncertain attestation.

the variations on the pattern are especially significant and poignant.³³ One is interested in seeing how each text departs from, adapts, or otherwise transforms the shared story pattern. For example, the narrative about Jephthah and his daughter takes on a strikingly grotesque character when it turns out that the ritual he initiates, through his horrible sacrifice of his virgin daughter, is a four-day annual rite of young women mourning their virginity (Judg 11:40). In the case of Joseph, he does not marry the daughter of his host-employer in Egypt, Potiphar, but is unsuccessfully seduced by his wife. Ultimately, Joseph marries the daughter of an Egyptian priest, whose name Potiphera strongly echoes (is a variation on) that of his original host (Gen 41:45). One may understand that through the divine providence enjoyed by Joseph the almost tragic transformation of this plot element, which could have led to a permanent downfall, is favorably reconstructed, as a token of Joseph's newly gained stature.

Most of the fugitive hero stories manifest two intertwined tendencies. On the one hand, the protagonist is someone who would not have attained to his position by ordinary means—by abiding by the norms. He may be the unnatural successor to the throne (e.g., Hattushili, Joseph), or a younger son in a world in which primogeniture is supposed to rule (e.g., Idrimi, Moses, Esarhaddon),³⁴ or a perceived traitor (e.g., Sinuhe, David).³⁵ On the other hand, the hero prospers in exile and is enabled to return home in triumph by the grace of the gods—or God. Divine favor legitimates his success.

Because the fugitive hero is often and in some way an unsuitable character, whose success depends on divine support, we find in most of the stories an apologetic element.³⁶ Accordingly, many fugitive hero narratives fall into the literary category that scholars name “apologies.” For example, the Hittite king Hattushili III explains the circumstances in which he was compelled to snatch the throne from the legitimate king, his nephew. He had been demoted from his imperial role and removed

33. Foley, *Traditional Oral Epic*. See, for example, Robert Alter, “Biblical Type-Scenes and the Uses of Convention,” in idem, *The Art of Biblical Narrative* (New York: Basic Books, 1981), 47–62; Robert C. Culley, *Themes and Variations: A Study of Action in Biblical Narrative* (SBLSemSt 23; Atlanta: Scholars Press, 1992).

34. See *Le jeune héros*. By focusing on the motif of the younger son, the volume overlooks the more elaborate narrative pattern of the fugitive hero.

35. Cf., for example, R. N. Whybray, *The Succession Narrative* (SBT; Naperville, IL: Allenson, 1969), 103–4. For more on David, see Halpern, *David's Secret Demons*, 78–87; for a contrary view, see Short, *Surprising Election*, 99–128. Van Seters attributes the portrayal of David's sinister side to a secondary literary layer (the “saga” account; John Van Seters, *The Biblical Saga of King David* [Winona Lake, IN: Eisenbrauns, 2009], esp. 163–206). However, the fugitive hero pattern that can be discerned in the David narratives embraces parts of both the positive and negative aspects of David's career, suggesting a more comprehensive, and relatively early, story.

36. See, for example, King, “The Joseph Story,” 586–87, 591.

to the northern outskirts of the kingdom by his allegedly ungrateful—and exceedingly threatened—nephew, who, according to Hattushili, was placed on a secure throne through his noble efforts. Hattushili's insult was too great to bear, and so he had no choice other than to mobilize an army and take the Hittite capital by force. The so-called Apology of Hattushili exhibits several parallels to the story of David's accession to the kingship of Israel, as many scholars have observed.³⁷ David, too, must justify his seizure of the monarchy from the House of Saul, and he—or rather his sympathetic narrator—attributes his success to constant divine support.³⁸

There is a clear association between the fugitive hero pattern and the apology, but they are not the same. The apology is a broad class of compositions that justify the rise of a leader to power—and it is especially characteristic of Hittite and Assyrian narratives.³⁹ The fugitive hero story, by contrast, is a specific narrative framework containing over ten typological features. Fugitive hero narratives do tend toward the apologetic, but not every apology corresponds to the fugitive hero pattern.

In what follows I will look particularly at the two Mesopotamian reflexes of the fugitive hero pattern, from the middle of the first millennium—the story of Esarhaddon, king of Assyria from 680 to 669 BCE, and the story of Nabonidus, king of Babylon from 556 to 539 BCE. These are the only two extrabiblical instances of the fugitive hero narrative that were composed during the biblical period. By paying special attention to these two inscriptions I shall try to draw some conclusions concerning the original provenance of the pattern, the likely period during which the pattern became a part of the ancient Hebrew narrator's conceptual and rhetorical repertoires, and the distinction between the distinctive story type and the broad category of apology.

Esarhaddon as a Fugitive Hero

The story of Esarhaddon's ascent to the throne is related in one of his lengthy royal inscriptions, formulated by convention (pseudo-)auto-

37. Esp. Wolf, "The 'Apology of Hattušiliš' Compared."

38. See, for example, McCarter, "The Apology of David"; idem, "The Historical David"; Steven L. McKenzie, "'Yahweh Was with Him': A Royal Theme in the Story of David's Rise," in *Le jeune héros*, 151–60.

39. See, for example, Harry A. Hoffner, Jr., "Propaganda and Political Justification in Hittite Historiography," in *Unity and Diversity: Essays in the History, Literature, and Religion of the Ancient Near East* (ed. Hans Goedicke and J. J. M. Roberts; Baltimore: Johns Hopkins University Press, 1975), 49–62; Hayim Tadmor, "Autobiographical Apology in the Royal Assyrian Literature," in *History, Historiography, and Interpretation: Studies in Biblical and Cuneiform Literatures* (ed. Hayim Tadmor and Moshe Weinfeld; Jerusalem: Magnes Press, 1983), 36–57.

biographically, in the first person.⁴⁰ Esarhaddon was the youngest son of Sennacherib. Before Sennacherib, son of Sargon II, ascended the throne in 705, he took into his harem an Aramean woman from Harran named (in Aramaic) Naqī'a (the Pure), also known as Zakūtu, the Akkadian equivalent of Naqī'a. Esarhaddon, whose name means "the god Assur has given another brother," is, so far as we know, the only son of Sennacherib and Naqī'a,⁴¹ a woman whose influence in the empire was notable.⁴² Hard-pressed by Elamites and Babylonians in the south, in 700 Sennacherib appointed his eldest son, Assur-nadin-shumi, to the throne of Babylonia, hoping to control the south more effectively. After six or seven years, Assur-nadin-shumi was killed by Elamites, and Sennacherib decided to appoint his youngest son, born of the Aramean woman, as crown prince of Assyria, to reinforce his dynasty. Esarhaddon was given a new name—Assur-etel-ilani-mukin-apli ("the god Assur, prince of the gods, establishes the heir-apparent")—to reflect his status.

In the course of time there developed hostile relations between Sennacherib's other sons and Esarhaddon, to whom they were senior. According to Esarhaddon, his brothers defamed him, making false accusations. Esarhaddon thought the prudent tack was to flee the capital, Nineveh. In a manner reminiscent of the flight of Idrimi of Alalakh,⁴³ Esarhaddon took refuge in the homeland of his mother, in Harran.⁴⁴

Meanwhile, in 681 Sennacherib was assassinated in Nineveh by one or two of his sons. This event is recounted in detail in 2 Kgs 19:37: Sennacherib was worshipping a certain god—whose name would seem to have been distorted in the text—perhaps Nusku—and two of his sons, one bearing the authentic name Ardu-mullissu and one whose name is only fragmentarily recorded (perhaps [Nabu]-šar-ušur, "O divine Nabu, protect the prince!"), "slew him by the sword."⁴⁵ The biblical narrator creates the impression that Esarhaddon returned to the throne immedi-

40. See n. 25 above. For an overview of Esarhaddon's career, see Erle Leichty, "Esarhaddon, King of Assyria," in *Civilizations of the Ancient Near East* 2:949–58.

41. See, for example, Erle Leichty, "Esarhaddon's Exile: Some Speculative History," in *Studies Presented to Robert D. Biggs* (ed. Martha L. Roth et al.; Chicago: Oriental Institute of the University of Chicago, 2007), 189–91, at 189.

42. It is widely supposed that Naqī'a used her influence to have her son designated king; for example, Tadmor, "Autobiographical Apology," 55; Lionel Marti, "'J'étais le plus jeune de mes frères': L'avènement héroïque d'Esarhaddon, un jeune homme prédestiné," in *Le jeune héros*, 184–201, at 194. For a skeptical view, see Mordechai Cogan, "Sennacherib and the Angry Gods of Babylon and Israel," *IEJ* 59 (2009): 164–74, at 164 n. 1.

43. Idrimi and his older brothers took refuge in Emar, among his mother's relatives (lines 4–6).

44. See Leichty, "Esarhaddon's Exile." For a skeptical view, see Cogan, "Sennacherib and the Angry Gods," 164 n. 2.

45. See Mordechai Cogan and Hayim Tadmor, *II Kings* (AB 11; New York: Doubleday, 1988), 239–40.

ately thereafter, but according to the Assyrian inscription, the route was not so smooth. Esarhaddon left his refuge, apparently in Harran, mobilized an army, and fought his brothers in the region of Hanigalbat—west of Nineveh. He defeated the opposition and became king in 680.

Like his father, Esarhaddon suffered attacks from subject states in the south and west. After sustaining some defeats, he decided, in 673, again like his father, to put the succession to the throne on a secure basis—before things turned too complicated. He appointed one of his younger sons, Assurbanipal, whose name meaningfully signifies “the god Assur is the creator of the heir-apparent,” as crown prince. (The oaths of allegiance that Esarhaddon imposed on his vassals, to show loyalty to Assurbanipal, upon penalty of all manner of curse, are widely regarded in biblical studies as a model for the covenantal core of the Pentateuch and the accompanying curses in particular.)⁴⁶

The pseudo-autobiographical narrative that Esarhaddon had his scribes write relates his rise to the kingship and the succeeding battles he had to fight. The text emphasizes his legitimacy as king and, by implication, the legitimacy of his son as the heir-apparent. The text seems to have been composed in 673, at the time he named Assurbanipal his successor. The narrative conforms well to the fugitive hero pattern.

1. Esarhaddon explicitly identifies himself as a youngest brother (col. i, line 8).
2. A violent jealousy overcomes his brothers when he is appointed heir-apparent (i 23–24).
3. He is removed out of harm’s way at “the command of the great gods” (i 38–39).⁴⁷
4. He receives continual support from the goddess Ishtar, “the lady of war and battle, who loves my priestly duties” (i 74).⁴⁸
7. He prays and receives a favorable divinatory response, enjoining him to attack his enemies (i 59–62).
8. Before returning home, he is greeted by his people, who kiss his feet (i 80–81).
10. He repels the enemy assault (i 70–73).
11. After purging his opposition, he returns “the plundered gods of the lands” (ii 23–24).⁴⁹

46. For the text and translation, see Simo Parpola and Kazuko Watanabe, *Neo-Assyrian Treaties and Loyalty Oaths* (SAA 2; Helsinki: Helsinki University Press, 1988), 28–58. For bibliography and some discussion, see Kenton L. Sparks, *Ancient Texts for the Study of the Hebrew Bible: A Guide to the Background Literature* (Peabody, MA: Hendrickson, 2005), 441–43.

47. Leichty, *Royal Inscriptions*, 12.

48. *Ibid.*, 13.

49. *Ibid.*, 14–15.

12. He makes a festive return to the capital Nineveh (i 87–ii 1).
13. He sits on his father's throne (ii 2).
14. He restores the former cults and rebuilds the temples (ii 25–26).

Three optional elements (5, 6, 9) are missing, and the sequence of events in the latter part of the narrative is related somewhat differently, but that is fairly common in the various exemplars of the pattern. Overall, the story type is clearly represented. In the succeeding part of the inscription, Esarhaddon only enlarges upon his conquests and describes his plunder (of Sidon) in great detail (ii 74–80).

There is no question that Esarhaddon's story—especially the first part that recounts his accession to the throne—is an apology that explains and justifies his kingship in spite of his being a younger son who went into exile and in spite of the fact that he had to seize the throne by force. Unlike other fugitive heroes, Esarhaddon claims that his divine election was made when he was already in the womb—a typically Mesopotamian topos,⁵⁰ found in the Bible in Jer 1:5 and recurrently in Second Isaiah.⁵¹ Beyond that, he is a bona fide fugitive hero.

Tomoo Ishida compares the story of Esarhaddon to the biblical account of Solomon.⁵² From my perspective, Ishida errs. He underscores the apologetic aspects of the story of Solomon's succession but makes forced comparisons between the narratives of Esarhaddon and Solomon. For example, while it is true that Solomon's mother, Bathsheba, plays a leading role in the story of his succession, Esarhaddon's mother, Naqī'a, makes no appearance at all in his story; her role must be surmised historically from other sources. More important, Esarhaddon must do battle in order to return to the capital and seize the throne, whereas in the biblical account, Solomon does no combat. His succession is won by means of a palace intrigue involving priest and prophet (see 1 Kings 1–2). Alternatively, with the fugitive hero pattern in mind, an almost point for point comparison can be made between the rise of Esarhaddon and the rise of Solomon's father, David, whose own story has also been characterized as an apology.⁵³

50. Tadmor, "Autobiographical Apology," 39. Cf. Marti, "L'avènement héroïque d'Asarhaddon," 190–91.

51. Shalom M. Paul, "Deutero-Isaiah and Cuneiform Royal Inscriptions," in *Essays in Memory of E. A. Speiser* (ed. William W. Hallo; JAOS 88 [1968]), 180–86, esp. 184–86.

52. Tomoo Ishida, "The Succession Narrative and Esarhaddon's Apology," in idem, *History and Historical Writing in Ancient Israel: Studies in Biblical Historiography* (Leiden: Brill, 1999), 175–85.

53. See nn. 37–38 above, and see now also Baden, *The Historical David*, 44–46.

Nabonidus as a Fugitive Hero

Nabonidus (Nabu-na'id, "the god Nabu is revered") is not recalled by name in the Hebrew Bible but he is widely considered the model of the crazed figure of Nebuchadnezzar in Daniel 4.⁵⁴ The story of his self-imposed exile and return is related in an inscription of about 150 lines, found in two copies in the vicinity of Harran, along with an inscription of his mother, Adad-Guppi, the narrative of which complements that of her son.⁵⁵ It should be noted that Adad-Guppi (*Hadad-ḥappe*), "the Aramean storm-god Hadad has protected" is of Aramean extraction,⁵⁶ like Esarhaddon's mother, which may explain *inter alia* Nabonidus's devotion to the moon cult of Harran (see below).⁵⁷ The chronology of Nabonidus's reign is beset by contradictions among these and other sources, but it appears that he usurped the throne of Babylon about 556 BCE and liberated Harran from the Medes, rebuilding the temple of the moon-god Sin there three years later. Sometime between then and the sixth year of his reign, he left Babylon for Teima, in northern Arabia, remaining there for a decade.⁵⁸ As his regent on the Babylonian throne he left his son Bel-šar-ušur ("O divine Bel, protect the king!")—remembered in the book of Daniel as Belshazzar.

From the perspective of the fugitive hero pattern, Nabonidus's sojourn in Teima—the exile—is of critical importance. The historical circumstances surrounding Nabonidus's departure are, however, unclear and variously interpreted. It has been suggested that he mainly wanted to assert Babylonian control over the north Arabian trade routes.⁵⁹ But for that, he did not need to remain in Teima himself for ten years. Perhaps, then, he was turning his back on a hostile Babylonian priesthood, refusing to participate in the

54. See, for example, Louis E. Hartman and Alexander Di Lella, *The Book of Daniel* (AB 23; Garden City, NY: Doubleday, 1978), 177–80. The significance of this fact for the present study will be clarified below.

55. C. J. Gadd, "The Harran Inscriptions of Nabonidus," *AnSt* 8 (1958): 35–92. For a more up-to-date translation and analysis of the Adad-Guppi inscription, see Tremper Longman III, *Fictional Akkadian Autobiography: A Generic and Comparative Study* (Winona Lake, IN: Eisenbrauns, 1991), 97–103, 225–28.

56. See, for example, Dick, "History of David's Rise," 10; Rainer Albertz, *Israel in Exile: The History and Literature of the Sixth Century B.C.E.* (trans. David Green; Atlanta: Society of Biblical Literature, 2003), 63.

57. See Paul-Alain Beaulieu, "King Nabonidus and the Neo-Babylonian Empire," in *Civilizations of the Ancient Near East* 2:969–79, at 972.

58. See M. A. Dandamaev, "Nabonid," in *Reallexikon der Assyriologie und vorderasiatischen Archäologie* 9 (Berlin: de Gruyter, 2001), 6–11, esp. 8b.

59. Paul-Alain Beaulieu, *The Reign of Nabonidus, King of Babylon 556–539 B.C.* (New Haven/London: Yale University Press, 1989), 178–83; cf. Amélie Kuhrt, "Nabonidus and the Babylonian Priesthood," in *Pagan Priests: Religion and Power in the Ancient World* (ed. Mary Beard and John North; Ithaca, NY: Cornell University Press, 1990), 119–55, at 131–32.

New Year's (*Akitu*) festival in Babylon, until he was able to rebuild Ehulhul.⁶⁰ However, the evidence of bad blood between the king and the Babylonian priesthood is drawn mainly from later sources,⁶¹ composed after the takeover of Babylon by Cyrus of Persia in 539 and reasonably suspected of sheer pro-Cyrus and anti-Nabonidus bias;⁶² and anyway, according to the Babylonian Chronicle,⁶³ Nabonidus maintained all offerings to the gods of Babylon throughout his time away.⁶⁴ It has also been suggested that Nabonidus's promotion of the lunar god cult was aimed to appeal to the Aramean tribes, who comprised a large segment, perhaps even a majority, of the Babylonian Empire.⁶⁵ However, neither Sin nor a more local moon-god was central to the Aramean pantheon, although Sin was the patron deity of Harran.⁶⁶ Nabonidus's motivation may remain a riddle.⁶⁷

What is important for our purposes is that Nabonidus blames his departure from Babylon on the impiety of the inhabitants toward the moon-god Sin, to whom he was especially devoted. The thrust of the entire inscription, in conformity with the cultic agenda of the fugitive hero pattern in general, is to relate how Nabonidus executed the command of Sin to rebuild his temple Ehulhul in Harran. Significantly, although Nabonidus announced his intention to rebuild that temple in his first regnal year, he did not fulfill the project until his fourteenth or fifteenth year.⁶⁸ From

60. W. G. Lambert, "Nabonidus in Arabia," in *Proceedings of the Fifth Seminar for Arabian Studies Held at the Oriental Institute, Oxford, 22nd and 23rd September 1971* (London: Seminar for Arabian Studies, 1972), 53–64, at 60–62; Beaulieu, *Reign of Nabonidus*, 183–85; Dandamaev, "Nabonid," 10a; cf. Beaulieu, "King Nabonidus," 974–75.

61. The so-called Verse Account and the Cyrus Cylinder; for convenient translations, see A. L. Oppenheim, in *ANET* (3rd ed., 1969), 312–16; for the latter see also Mordechai Cogan's translation, including the newly found conclusion, in *The Context of Scripture 2: Monumental Inscriptions from the Biblical World* (ed. William W. Hallo and K. Lawson Younger, Jr.; Leiden: Brill, 2000), 314–16. For bibliography and discussion, see Sparks, *Ancient Texts for the Study of the Hebrew Bible*, 379–80 and 397–98, respectively.

62. See, for example, Kuhrt, "Nabonidus and the Babylonian Priesthood," 141–44.

63. A. K. Grayson, *Assyrian and Babylonian Chronicles* (Texts from Cuneiform Sources 5; Locust Valley, NY: J. J. Augustin, 1975), 104–11; cf. 21–22.

64. Kabalan Moukarzel, "The Religious Reform of Nabonidus: A Sceptical View," in *Melammu: The Ancient World in an Age of Globalization* (ed. Markham J. Geller; Max Planck Research Library for the History and Development of Knowledge, Proceedings, 7; Berlin: Edition Open Access, 2014), 157–89. The *Akitu* festival was suspended on account of the king's absence from Babylon, not because of the royal abandonment of the cult; Kuhrt, "Nabonidus and the Babylonian Priesthood," 140.

65. Cf. Dandamaev, "Nabonid," 8–9.

66. Moukarzel, "Religious Reform," 183–84.

67. So Hayim Tadmor, "The Inscriptions of Nabunaid: Historical Arrangement," in *Studies in Honor of Benno Landsberger on His Seventy-Fifth Birthday* (ed. Hans G. Güterbock and Thorkild Jacobsen; AS 16; Chicago: Oriental Institute, 1967), 351–63, at 363b.

68. See the chronology in Beaulieu, *Reign of Nabonidus*, 42. For a translation of an inscription in which Nabonidus reports on the reconstruction of Ehulhul, see Paul-Alain Beaulieu, "The Sippar Cylinder of Nabonidus," in *Context of Scripture 2*, 310–13.

a historical point of view, Nabonidus's exile from Babylon was neither to Harran nor to (immediately) rebuild the temple of Sin there. With regard to the form and function of a fugitive hero narrative type, however, the story told by Nabonidus is an apology for the delay that was entailed in rehabilitating the moon-god's temple in Harran.⁶⁹

The narrative in the Harran inscriptions begins unusually, with a dream revelation by Sin commanding Nabonidus to rebuild the temple Ehulul (col. i, lines 1–14).⁷⁰ After that distinctive opening, the fugitive hero pattern is closely followed, with minor variations in the sequence of events.

2. Showing great irreverence toward the god Sin, the people of Babylonia wreak havoc through infighting accompanied by disease and famine (i 14–22).
3. Sin sets Nabonidus in flight to northern Arabia (i 22–26).
4. While abroad, Nabonidus is supported not only by Sin but by the goddess of battle, Ishtar, who sees to it that the neighboring peoples seek to make peace with him (i 39–45).
6. Although Nabonidus is not hosted in Teima, he enjoys local support (i 37–38).
7. Nabonidus incorporates a hymnal prayer to Sin, in appreciation for all his support (ii 14–42 plus);⁷¹ Sin reveals the time has come to return to Babylon (iii 1–3).
8. Nabonidus dispatches a messenger in advance to Babylon, and the latter is warmly welcomed—the people kiss his feet (iii 4–9).⁷²
9. Nabonidus spends ten years abroad (i 26–27; ii 11–12); for the equivalence to the seven years of the pattern, see the discussion below.
10. Combat against enemies is implied—foreign kings pay obeisance to Nabonidus's emissary out of fear of Sin's "great divine power" (iii 10–11); and Nabonidus embarks on military campaigns at the behest of his god Sin (iii 32–36).
11. Taking spoil is implied in Nabonidus's provision of "great plenty

69. See the main edition of the text, Schaudig, *Die Inschriften Nabonids*, 486–99. In addition to Schaudig's German translation, see the English translation by A. Leo Oppenheim in *ANET* (3rd ed., 1969), 562–63. For the apologetic purpose of the inscription, see, for example, Tadmor, "Inscriptions of Nabonid," 357–58; Kuhrt, "Nabonidus and the Babylonian Priesthood," 135.

70. The lineation follows the first version in Schaudig's edition, which presents the two versions in juxtaposition.

71. The remaining lines in this column are illegible; Schaudig, *Die Inschriften Nabonids*, 493.

72. Cf. above, in the narrative of Esarhaddon. The messenger here serves as a stand-in for the cautious king.

- and abundance" for his "followers in the distant mountains" (iii 13–15).⁷³
12. Nabonidus returns to Babylon (iii 15–16).
 13. Nabonidus, with the blessing of the gods, returns to Babylon and resumes his kingship there (iii 11–13 and *passim*).
 14. Nabonidus rebuilds the temple of Sin in Harran and leads there a procession of gods from Babylon, ceremoniously making offerings (iii 16–26)—thereby fulfilling his mission.

The narrative of Nabonidus's exile and return conforms overall to the fugitive hero pattern, but it has distinctive features of its own. Of relatively minor importance, the period of exile is ten rather than seven years. Interestingly, however, it is a period of seven eras that is attributed to Nabonidus's/Nebuchadnezzar's living with the beasts of the field in Dan 4:22, 29 and seven years that is recorded as the period of Nabonidus's sojourn in Teiman according to the Prayer of Nabonidus from Qumran (4QPrNab ar Fragments 1–3).⁷⁴ There was clearly a traditional tale of Nabonidus that is related one way in the inscription and other ways in various legends.

More important, Nabonidus does not have to fight his way back to the Babylonian throne; or rather, it is only implied that he did combat—any warfare that may have transpired is not described. Emphasis is placed on Nabonidus's dedication to his mission to give the cult of Sin a prominent place in Mesopotamian religion.⁷⁵ That is where the inscription extraordinarily begins—and that is where it ends. The flight and return are both motivated by the hero's drive to reestablish the cult of the moon-god. The structure of the fugitive hero narrative affords the narrator in Nabonidus's inscription a ready-made pattern to promote that idea.

Conclusions

The earliest texts from Mesopotamia that attest to the fugitive hero pattern are those discussed above—the apology of Esarhaddon and the story of

73. Schaudig, *Die Inschriften Nabonids*, 494; trans. Oppenheim, *ANET*, 563b.

74. Florentino García Martínez and Eibert J. C. Tigchelaar (eds.), *The Dead Sea Scrolls Study Edition* (2 vols.; Leiden: Brill, 2000), 1.486–87. Cf., for example, Beaulieu, "King Nabonidus," 978–79. See further Carol A Newsom, "Why Nabonidus? Excavating Traditions from Qumran, the Hebrew Bible, and Neo-Babylonian Sources," in *The Dead Sea Scrolls: Transmission of Traditions and Production of Texts* (ed. Sarianna Metso, Hindy Najman, and Eileen Schuller; Leiden: Brill, 2010), 57–79.

75. Kuhrt ("Nabonidus and the Babylonian Priesthood," 138–39, 146) contends that Nabonidus was not as much devoted to Sin as he was committed to completing the Harran temple. In the light of other inscriptions, this may be so; but the narrative under discussion here, in conformity with the fugitive hero pattern, highlights the king's devotion to the god, who plays an active role in the plot.

Nabonidus. Since there are no antecedents of these narratives in second millennium Mesopotamia, it is clear that the story pattern originated in the West and was disseminated eastward from there.⁷⁶ The three earliest texts—the tale of Sinuhe, the story of Idrimi, and the apology of Hattushili III—do not display any strong or specific connections among themselves. Only the outline of the fugitive hero pattern is shared. Accordingly, these narratives reflect a traditional story type that was inherited and served as the stock in trade of storytellers throughout the east Mediterranean lands.

Since the stories of Esarhaddon and Nabonidus are without precedent in Mesopotamia, the story pattern at their base was not native. As the Assyriologists Erica Reiner and Hayim Tadmor have suggested, the type of narrative represented by the fugitive hero pattern must first have emerged in the Levant and from there spread to Mesopotamia⁷⁷—perhaps by way of the Arameans.

In the recent doctoral dissertation of Noga Ayali Darshan, it is established as clearly as such things can be that the widespread story of combat between a storm god and a divinized and/or personified sea (in the Baal myth at Ugarit, the “Song of the Sea” and other texts at Hatti, numerous passages concerning Yhwh’s primordial battle with a sea monster, et al.) had its origins on the Phoenician coast, spread southward to Canaan and Egypt, eastward to eastern Syria, and northward to Hatti.⁷⁸ The story reached Mesopotamia only toward the end of the second millennium in the Babylonian myth *Enuma elish*.⁷⁹ There are no forerunners of the story of combat between Storm-god and Sea in Mesopotamia.

The dissemination of the fugitive hero narrative would appear to have taken a similar path. It manifests itself for centuries in the West before surfacing in the East. The pattern can be found only in the two Mesopotamian narratives discussed here—Esarhaddon and Nabonidus. One may plausibly suggest that the appearance of a western story pattern in the narratives of Esarhaddon and Nabonidus in particular owes not a little to their Aramean ties—the fact that these two monarchs had Aramean moth-

76. Greenfield claims to detect a western, Aramean nuance in the Nabonidus inscription; Jonas C. Greenfield, “Babylonian-Aramaic Relationship,” in *Mesopotamien und seine Nachbarn: Politische und kulturelle Wechselbeziehungen im Vorderasien vom 4. bis 1. Jahrtausend v. Chr.* (ed. Hans-Jörg Nissen and Johannes Renger; Berlin: Dietrich Reimer, 1982), 471–82, at 475.

77. Erica Reiner, “Die akkadische Literatur,” in *Altorientalische Literaturen* (ed. Wolfgang Röllig; Wiesbaden: Athenaion, 1978), 151–210, at 177; Tadmor, “Autobiographical Apology,” 56.

78. Noga Ayali-Darshan, “The Diffusion of the Story of Combat between the Storm-god and the Sea in the Ancient Near East: Sources, Traditions and History” (Ph.D. diss., Hebrew University of Jerusalem, 2011).

79. In addition to Ayali-Darshan, “The Diffusion of the Story,” see Thorkild Jacobsen, “The Battle between Marduk and Tiamat,” in *Essays in Memory of E. A. Speiser*, 104–8. *Enuma elish* was almost certainly composed in the twelfth century BCE; see the thorough discussion in W. G. Lambert, *Babylonian Creation Myths* (Winona Lake, IN: Eisenbrauns, 2013), 439–44.

ers (see above) and that they both seem to have had a special allegiance to the Arameans in Syria. In spite of its spread to Mesopotamia, the fugitive hero pattern remains a distinctive phenomenon of western (east Mediterranean) culture.

In Israel, at the center of the Levant, the pattern was used and re-used as the foundational structure of most of the larger narratives and many of the shorter ones. It may be tentatively suggested that the pattern's unusual popularity in ancient Hebrew literature owes much to its adumbration of the national narrative—the fugitive hero pattern is the story of Israel's emergence as a people.⁸⁰ Be that as it may, it can be maintained with a great deal of assurance that Israel inherited the fugitive hero story type at an early stage in its history. Not only was the pattern known in the Syro-Canaanite region from no later than the mid-second millennium (witness the inscription of Idrimi of Alalakh), but the story could hardly have been learned from Mesopotamian sources. The fugitive hero pattern, as has been seen, did not appear in Mesopotamia until the seventh century. Furthermore, the Mesopotamian version of the narrative was almost certainly not the source of the Hebrew versions. Both the Esarhaddon and Nabonidus stories lack the episode of marrying into the family of the hero's host in exile, a section that appears in the stories of Sinuhe and (in a variation) Hattushili III,⁸¹ on the one hand, and in the stories of Jacob, Joseph (in a variation; see above), Moses, David, Hadad the Edomite, and the people of Israel (see Exod 12:28), on the other. The fugitive hero pattern appears to be an aboriginal part of the Israelite cultural heritage.

80. Cf. Michael Fishbane, *Text and Texture: Close Readings of Selected Biblical Texts* (New York: Schocken Books, 1979), 72–76; Richard H. Moe, "In the Beginning: Myth and History in Genesis and Exodus," *JBL* 109 (1990): 577–98, at 594–98; Yair Zakovitch, "And you shall tell your son . . .": *The Concept of the Exodus in the Bible* (Jerusalem: Magnes Press, 1991), 46–48; Jon D. Levenson, *The Death and Resurrection of the Beloved Son: The Transformation of Child Sacrifice in Judaism and Christianity* (New Haven: Yale University Press, 1993), 67; Adriane B. Leveen, "Memory and Reflection: Jacob's Story," *Journal of the Association of Graduates in Near Eastern Studies* 5 (1995): 70–81. The connection of the stories of Jacob, Moses, Gideon, David, and Jeroboam, as well as the story of Israel's emergence as a nation, to the fugitive hero pattern explains the diverse parallels among these stories that are observed by Zakovitch, "And you shall tell your son," 46–98. Several other stories compared by Zakovitch do not belong at all to the fugitive hero pattern. Frymer-Kensky indicates parallels between the plight and flight of Hagar and those of Israel in Egypt; Tikva Frymer-Kensky, *Reading the Women of the Bible: A New Interpretation of Their Stories* (New York: Schocken Books, 2002), 231–34. The feature of the fugitive hero as a younger son reflects the Israelite self-presentation and self-understanding in the Bible; see, for example, Everett Fox, "Stalking the Younger Brother Motif: Some Models for Understanding a Biblical Motif," *JSOT* 60 (1993): 45–68.

81. Hattushili married Puduhepa, daughter of a priest he encountered in the Antitaurus region while returning with his troops from Egypt to Hatti; see Theo P. J. van den Hout, "The Apology of Ḫattušili III," in *The Context of Scripture 1: Canonical Compositions from the Biblical World* (ed. William W. Hallo and K. Lawson Younger; Leiden: Brill, 1997), 199–204, at 202.

Ending a Performance

The Tenants in Luke 20:9–19 and Gospel of Thomas 65

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Dell Hymes, in his ground-breaking study of the literature of Native Americans of the Pacific Northwest, explored how to approach their traditional tales. In one study, he noted the differences between the performance of the story “When Coyote’s people sing” by different traditional storytellers. He found that one teller did not, in fact, close the story, and he explored how this difference reflected the different settings and audience of each telling.¹ Hymes’s question as to why a storyteller ends his/her story at a particular point is not new: Dionysius of Halicarnassus had told Gnaeus Pompey that each writer of history had to decide where to begin and where to end his/her story. But Hymes’s insistence on performance forces one to confront the audience of the story: why the teller thought this telling appropriate for this audience and context. Elsewhere, Hymes noted that, depending on how one approached the tale “The ‘Wife’ Who ‘Goes Out’ like a Man”, one might conclude that this tale of murder should “be followed by steps for revenge, as indeed commonly would have been the case in the aboriginal culture and as occurs in some other Clackamas myths (e.g., ‘Black Bear and Grizzly Woman and their sons’). The absence of any indication of such steps in the final scene is suggested as one reason for thinking the present form of the myth to be truncated.”² These observations of Hymes form the starting point for my investigation of the different endings of the parable of the Wicked Tenants.

1. Dell Hymes, “Breakthrough into Performance,” in *In vain I tried to tell you”: Essays in Native American Ethnopoetics* (Philadelphia: University of Pennsylvania Press, 1981), 118–41.

2. Dell Hymes, “The ‘Wife’ Who ‘Goes Out’ like a Man,” in *In vain I tried to tell you,”* 274–308. The quotation is from p. 280.

The Wicked Tenants

The need to be alert to why stories are ended differently as reflecting different audiences is particularly acute in the parable of the Wicked Tenants. As all scholars note, this has been a particularly difficult parable to understand. While the parable as told in the Gospels of Matthew, Mark, and Luke has basically the same ending, the ending in the *Gospel of Thomas* is strikingly different. The approach of scholars has been to explore what was the original parable. What is the relationship among the three canonical Gospels? Is the parable as told in *Thomas* an independent telling of the story? An excellent example of this approach is the work of John Kloppenborg.³ Kloppenborg bases his analysis of the relationships between the Gospels of Mark, Matthew, and Luke on the Two-Source theory, in which Mark is one of the sources behind Matthew and Luke. Much of the redaction analysis based on this approach relies upon imagining an author such as Luke changing the details of a written work in front of him. Kloppenborg shows some ambivalence against such an imaging, as he finds the assumption that “Thomas had both Mark and Luke in front of him” to be not “remotely probable.”⁴ Keeping a scroll open at a certain place while one copies and edits the version on the scroll would be difficult. One could imagine a slave or a helper reading from the scroll of Mark and the author somehow doing his editing on the fly. I prefer to posit a different imaging. As Jocelyn Penny Small has suggested, an author would read, or more likely hear, the story, commit it to his/her memory, and then produce his/her own telling of the story.⁵ Each telling would thus be the creative product of each author, influenced no doubt by the author’s previous hearing or reading of the story. In this essay, I have chosen to compare the two tellings of Luke and *Thomas*. I have chosen Luke’s telling because it is not so heavily allegorized as that in Matthew and Mark, and because it is a much-better-told story than the other two.

Luke 20:9–19

Luke has Jesus, after responding to the hostile question of the high priests, the scribes, and the priests, turn back to the people to whom he had been preaching the good news before the interruption. Jesus begins to tell them

3. John S. Kloppenborg, *The Tenants in the Vineyard* (WUNT 195; Tübingen: Mohr Siebeck, 2006).

4. Kloppenborg, *The Tenants*, 265.

5. Jocelyn Penny Small, *Wax Tablets of the Mind: Cognitive Studies of Memory and Literacy in Classical Antiquity* (London/New York: Routledge, 1997).

this parable, presumably while the chief priests and others are still there. The story is simply structured:

1. A man plants a vineyard⁶ and lets it out to tenant workers.⁷
2. After some time, he sends for the rent in produce, but the tenant workers refuse to pay the rent to the slaves sent.
3. The result.

The emphasis in Luke's telling is placed on the refusal to pay. This section is clearly divided into two parts: first, Luke has the owner send three slaves, and, second, his son. The division is marked by the reflection of the owner at 20:13, a technique favored by Luke and found in the parables of the Rich Fool (12:17) and the Dishonest Steward (16:3).⁸

Part 1: The Sending of the Three Slaves

In response to the owner sending to them (20:10: ἀπέστειλεν πρὸς), the tenants send the first two slaves away empty (20:10, 11: ἐξαπέστειλαν . . . κενόν). Repetition binds the telling of the second and third slave (20:11, 12: προσέθετο . . . πέμψαι). This repetition, however, only highlights the increased violence toward the slaves: the first is beaten, the second beaten and dishonored, the third is wounded and not sent away but thrown out as if he could not walk away by himself. Beating is bad enough, but dishonoring leads to a breakdown as in the dishonoring of David's envoys by the Ammonites (2 Sam 10:1–5), which leads to war. Wounding continues and intensifies the rhetoric of violence. What can stop this escalation into violence?

Part 2: The Sending of the Son

The reflexive response of the owner seems rather tame in most translations. He decides to send his beloved son: "It may be they will respect him" (RSV); "Perhaps they will respect him" (NRSV, NEB); "peut-être" (Bible de Jérusalem). This seems not a very forceful response to the dishonor and the physical violence inflicted on his slaves. Jülicher suggested

6. Kloppenborg (*The Tenants*, 216) notes that planting a vineyard "does not in fact evoke Isaiah any more directly than a dozen other texts of the Tanak. Other texts can use this phrase without intending any allusion to the Tanak. Sometimes 'to plant a vineyard' means just that."

7. Kloppenborg (*The Tenants*, 312) shows that it is a crop share lease.

8. Philip Sellew, "Interior Monologue as a Narrative Device in the Parables of Luke," *JBL* 111 (1992): 239–53.

that, if the owner of the vineyard represented God, Luke added “perhaps” so that God could not be accused of not knowing what would happen.⁹ Fitzmyer dismissed this out of hand: “Luke has added a dramatic touch!”¹⁰ Kloppenborg sees the adverb as incidental, “a literary enhancement.”¹¹ All of these are attempts to render ἴσως. Frédéric Godet earlier suggested a different translation: “ἴσως, properly, in a way agreeable to expectation; and hence, undoubtedly.”¹² Alfred Plummer defended the traditional translation by referring to a passage in Plato’s *Law*s 965: Οὐκ ἴσως, ἀλλ’ ὅντως ὦ δαίμονιε.¹³ “Not ‘perhaps not’, but ‘certainly not,’ my good sir.” However, there are other cases where ἴσως can have a much stronger meaning than “perhaps.” For example, Aristotle uses the adverb to mean “presumably,” “undoubtedly”:

[The Pythagoreans] defined superficially, and supposed that the essence of a thing is that to which the term under consideration first applies—e.g. as if it were to be thought that “double” and “2” are the same, because 2 is the first number which is double another. But undoubtedly “to be double a number” is not the same as “to be the number 2” (ἀλλ’ οὐ ταῦτόν ἴσως ἐστὶ τὸ εἶναι διπλασίῳ καὶ δυάδι). Otherwise, one thing will be many—a consequence which actually followed in their system. (Aristotle, *Metaphysics* 987a)

When Theseus assures Oedipus that no one will harm him or take him, he says:

Even if in boldness they have spoken dreadful things of taking you, these men undoubtedly (ἴσως), I know, will find a sea of troubles on the way. (Sophocles, *Oedipus Coloneus* 661–663)

Here Theseus uses ἴσως to qualify his positive assertion that anyone who tries to harm Oedipus will have to deal with him and be sorry for it. He is certain he will be successful.

9. Adolf Jülicher, *Die Gleichnisreden Jesu* (2nd ed.; Tübingen: Mohr, 1910), 2.392. Kloppenborg (*The Tenants*, 209 n. 135) also notes that Charles Carlston (*The Parables of the Triple Tradition* [Philadelphia: Fortress Press, 1975], 79), Howard Marshall (*The Gospel of Luke: A Commentary on the Greek Text* [Grand Rapids, MI: Eerdmans, 1978], 731), and Arland Hultgren (*The Parables of Jesus: A Commentary* [Grand Rapids, MI: Eerdmans, 2000], 376) share the same view.

10. Joseph A. Fitzmyer, *The Gospel according to Luke X–XXIV* (AB 28A: Garden City, NY: Doubleday, 1985), 1284. See Kloppenborg, *The Tenants*, 209–10.

11. Kloppenborg, *The Tenants*, 259.

12. Frédéric Louis Godet, *A Commentary on the Gospel of St. Luke* (trans. from the 2nd French ed. by E. W. Shaiders and M. D. Cusin; New York: I. K. Funk, 1881), 432.

13. Alfred Plummer, *A Critical and Exegetical Commentary on the Gospel according to St. Luke* (New York: Charles Scribner’s Sons, 1896), 460.

When this meaning of ἵσως is given to the statement of the owner of the vineyard, the owner is not being impotent or wishy-washy, but he is softening his assertion that the tenants will, of course, respect his son. He is stating the simple fact that he and his son are of a higher social status than mere tenants. As Kloppenborg notes, this suggestion was first made by William Arnot in 1884:¹⁴

Arnot, however, rightly saw this strategy as the social trump card, the owner's confident belief that the peasants could be brought to heel by the appearance of a family member with high social status, the emblems of which would have been immediately evident in his clothing, deportment and speech. . . . The father's sending of his son thus represented the application of social power."¹⁵

Kloppenborg uses this insight in his analysis of the telling: "The son's appearance at the vineyard, like Straton's in the Galilean village, was intended as a social trump card, the owner's appeal to the differences in social status between the tenants and the owner."¹⁶ What one notices, in fact, is the way Luke has developed the characterization of the owner. At first he is characterized, as so often in Luke (10:30; 14:16; 15:11; 16:1, 19; cf. 12:16; 19:12), as a certain man. But he is a man who owns three slaves. Now he is termed the κύριος. This term is often translated as "owner," but its connotation extends to "master" and stresses his position above that of the tenants. Kloppenborg has demonstrated clearly the way viticulture demanded a great deal of investment, the owner had to be rich.¹⁷ He is not just any man, and the tenants will find out that he has the power to destroy them. The status gap between his family and that of the tenants becomes clear. When he therefore says that undoubtedly the tenants will respect his son, he is stating the obvious in this society dominated by honor-shame. The tenants might get away with harming his slaves, as slaves are below free men, but not his family.

The tenants further show their rejection of this status distinction with the motive behind their killing the son of the master of the vineyard. The killing brings the violent behavior of the tenants to its climax. The rhetoric makes this clear. The third slave was thrown out (ἐξεβάλον) of the vineyard and wounded; the son is killed and thrown out (ἐκβαλόντες). The story thus becomes not a story about the owner not receiving his produce but about homicide and bloodshed. The tenants kill the son because he is the heir (κληρονόμος), and they thought that by killing him they would gain

14. William Arnot, *The Parables of Our Lord* (London: Thomas Nelson & Sons, 1884), 239.

15. Kloppenborg, *The Tenants*, 21.

16. Kloppenborg, *The Tenants*, 324. See the whole of pp. 322–26.

17. Kloppenborg, *The Tenants*, 114–15, 296, 303, 307.

the inheritance (κληρονομία). Much has been written on whether what they intended could really have happened. Does κληρονομία mean no more than possession, rather than inheritance?¹⁸ The rhetoric of the story, however, argues that the term should be taken in its primary meaning that the tenants intend to replace the heir. They seek to overthrow social status within society. The teller stresses, by describing the deliberation that went into the action, that the tenants murder the son intentionally.

With v. 15b, the story moves to the result of the actions of the tenants. Echoing the reflective language of the master in v. 13 ("What then will the master of the vineyard do to them?"), Jesus breaks into the story to ask how the story will conclude. The breaking of the social status distinction will be met with a strong assertion of status distinction. Homicide will be met with destruction. The breakers of the status distinction will be destroyed. Violence and murder will be repaid. Kloppenborg argued strongly that this ending of the story is unrealistic, that the resort to self-help does not fit the framework of Greek, Roman, and Palestinian law for how a lessor would regain control of his property from lessees.¹⁹ Kloppenborg shows how

[T]he dominant interpretations of the parable of the Tenants for most of its interpretive history thus concern the successful mastery of the forces of resistance, rebellion, and dissent, whether those forces are external and political or forces residing within the human soul. The deeper ideological message is that the duly-constituted structures defining human existence stand fast despite evil, ill will, and human failure. . . . *Mark's version of the Tenants is the originating point in the long line of interpretation, stretching into the nineteenth century, which encodes an ideology of the domination of unruly powers by legitimate power.*²⁰

Since, for Kloppenborg, Mark's version of the Tenants lies behind Luke's, the same analysis applies to the telling in Luke. However, is the story about how a lessor regains control of his property? As our analysis of the story has suggested, Luke has told a story of ever-increasing violence, which culminates in intentional murder of the owner's son. The story is one of intentional homicide. As such, the tenants are liable to execution

18. See Klyne R. Snodgrass, *Stories with Intent: A Comprehensive Guide to the Parables of Jesus* (Grand Rapids, MI: Eerdmans, 2008), 284.

19. Kloppenborg, *The Tenants*, 335–347. Armand Puig I Tarrach also sees this application of *lex talionis* as unrealistic in the first-century CE Roman Empire and not part of the "primitive parable" ("The Parable of the Tenants in the Vineyard: The Narrative Outline and Its Socio-historical Plausibility," *BN* 158 [2013]: 109).

20. Kloppenborg, *The Tenants*, 28. Italics in the original.

(Num 35:16–21). Note how the blood avenger is a blood relative.²¹ “Anyone who kills a human being shall be put to death” (Lev 24:17). The principle of *lex talionis* applies to intentional homicide.²² The story thus follows a traditional and expected story pattern, whereby an intentional murderer is himself put to death. On the narrative level of Luke, what happens to the tenants (Luke 20:15–16: what will the owner do? He will come and destroy them) is what the chief priests, the scribes, and the leaders of the people sought to do to Jesus—to destroy him, but they did not find what they might do (Luke 19:47–48). The story fits into a traditional narrative of intentional murder.²³

The story brings forth a strong response from the crowd with the solemn interjection: “May it not be so!” The people (ὁ λαός) know that Jesus told the story in response to the questioning of his authority, and fear that this story of the breaking and rejection of status distinction could allude to a rejection of how God has ranked his followers. Jesus therefore looks straight at them (ἐμβλέψας) and cites a passage of rejection from the psalms (Ps 118:22)²⁴ and a warrior’s boast: “Anyone who attacks that stone will be crushed. Anyone whom it attacks it will grind to powder.”²⁵ Luke has Jesus warn the people and threaten them—do not mess with him. It is a last call to repentance.

Gospel of Thomas 65

The story in *GThom* 65 has the same basic pattern as that in Luke 20:9–19, but it leaves out the last step, the result. The man in this telling is said to have a vineyard, not to plant it. However, the fact that the man planted the vineyard in Luke’s telling is not developed. Several years would elapse before the vines would produce grapes suitable for wine, but Luke appears to pass over this requirement by having the man stay away for

21. Pamela Barmash, *Homicide in the Biblical World* (Cambridge: Cambridge University Press, 2005), 50–52.

22. For a full discussion of all the issues, see the work quoted in the previous footnote by Barmash, *Homicide*.

23. Kloppenborg might insist that such a story would be in sharp contrast with the values of the early Jesus tradition, as he does in seeing the story as positively valuing wealth (*The Tenants*, 45–47, 125), but this is to forget that a parable is a *story* used to allude to a particular situation, not a statement of one’s beliefs.

24. Note how Luke has Jesus not quote Ps 118:23, as do Mark and Matthew, as this would make it into a prediction of the resurrection. Barnabas Lindars saw this verse of the psalm as reflecting the theme of rejection (*New Testament Apologetic: The Doctrinal Significance of the Old Testament Quotations* [London: SCM, 1961], 174). Kloppenborg also sees the psalm as indicating the theme of reversal (*The Tenants*, 132, 270).

25. See Robert Doran, “Luke 20:18: A Warrior’s Boast?” *BQ* 45 (1983): 61–67.

χρόνους ἱκανούς—enough time and to spare,²⁶ and by his sending the slave καιρῷ “at the season [for grapes].”

In contrast to Luke’s telling, which clearly distinguishes the sending of the three slaves from that of the son, in *Thomas* 65 the owner sends two slaves before sending his son. The teller has clearly connected his telling of the sending of the first slave with the sending of the son. While he simply states that the second slave was beaten as the first slave, the teller gives much more space to the sending of the first slave. The first slave is not only beaten but almost killed, which resonates with the killing of the son. The owner reflects over what happened to the first slave before he sends the second slave, and the owner also reflects before he sends his son. The repetition of language is important. Although the first owner is told by the first slave what happened to him, he makes an excuse for the beating, “*Perhaps* they did not know him/he did not know them.” The manuscript reads “he did not know them,” but most scholars see this as a mistake and read “they did not know him.” The text reading suggests that “know” here has the connotation of “give respect,” or, as Crossan suggests, that “the owner thinks the problem is that the servant went to the wrong tenants.”²⁷ The connotation of the emendation is that the tenants did not believe he was the representative of the owner, or, as Crossan conjectures, “the owner thinks that the tenants will not accept the authority of the servant.”²⁸ Whatever the reading, the emphasis on “perhaps” has the owner providing an excuse for his slave being beaten. John Meier sees the “perhaps” as an attempt to make the owner’s action more plausible.²⁹ However, it does not seem to be plausible to send another slave back to the same tenants with no further instructions or defence. Rather, it serves to highlight the timidity of the owner, the desire to avoid confrontation. The repetition of “perhaps” in the owner’s reflection before sending his son to collect the produce further highlights this timidity. “*Perhaps* they will be ashamed before him/show him respect.” The tenants, however, show that there was no failure of communication with the first slave—no “did not know”—as they clearly know this is the heir. In contrast to the meaning of ἵσως in Luke, as discussed above, in *Thomas* 65 the repeated use

26. See Plummer (*A Critical and Exegetical Commentary*, 199) for a discussion of ἱκανός.

27. John Dominic Crossan, *Four Other Gospels: Shadows on the Contours of Canon* (Minneapolis: Winston, 1985), 54.

28. Crossan, *Four Other Gospels*, 54.

29. John P. Meier, “The Parable of the Wicked Tenants in the Vineyard. Is the Gospel of Thomas Independent of the Synoptics?” in *Unity and Diversity in the Gospels and Paul: Essays in Honor of Frank J. Matera* (ed. Christopher Skinner and Kelly Iverson; Atlanta: Society of Biblical Literature, 2012), 140. In this he is followed by Simon J. Gathercole, *The Gospel of Thomas: Introduction and Commentary* (Boston: Brill, 2014), 462. Earlier, Gathercole saw in the doubled use of “perhaps” that the author of Thomas tended to increase Lukan redactional features (“Luke in the Gospel of Thomas,” *NTS* 57 (2011): 121).

of “perhaps” underscores the inability of the owner to grasp the situation. The story portrays the owner as one who will not face the facts, that the tenants are up in arms. They have used violence, and the killing of the son is intentional. Just as the killing of Naboth at 1 Kgs 21:1–16 through the machinations of Jezebel was intentional so that Ahab could have Naboth’s inheritance, so is the tenants’ killing of the heir.

This reading of the owner’s characterization may provide a clue as to how to fill in the missing letters in the opening description of the man. Should one read *χρήστης* (= usurer, creditor) or *χρηστός* (= good, kind)? Michael Grondin has given a good run-down of the history of this controversy,³⁰ He is insistent that “there’s no evidence at all that the Copts used the word *XRHSTHS*. Nor should it be assumed that it occurred in the Greek version of Thomas, since Thomas isn’t the kind of work where rare Greek words not occurring in the NT would be expected to occur.”³¹ Kloppenborg has argued strongly in favor of reading *χρήστης*. He notes that “the identification of the social class of the owner implicit in *Thomas’s* characterization [“usurer”] is consistent with what we otherwise know of early imperial vineyard owners.”³² His main argument, however, is that

GThom 65 belongs to a triad of parables—the Rich Farmer (*GThom* 63) the Banquet (*GThom* 64) and the Tenants (*GThom* 65)—where in each instance figures who seek or possess wealth or who strive for status among their peers through status-displays at banquets are criticized and their pursuits lampooned. . . .

The protagonist of *GThom* 65 is connected with “the figures of the two preceding parables, who rely on, and are disappointed by, their wealth and status.”³³

In this understanding of the parable, the adverb “perhaps”

is used to emphasize the utterly mistaken intentions of the usurer. In this respect *mešak* is key to underscoring the point made by Thomas in his parable, that the usurer’s pursuit of wealth (“fruit”) distracts him from the truly worthwhile pursuit of knowledge, that his expectations of the tenants are consistently mistaken, and that his attempts to extract the results of their “work” are consistently thwarted, leading eventually to the loss of all.³⁴

30. Michael W. Grondin, “Good Man or Usurer? Battle over a Lacuna,” <http://gospel-thomas.net/lacuna.htm>.

31. Grondin, “Good Man,” 12.

32. Kloppenborg, *The Tenants*, 303.

33. Kloppenborg, *The Tenants*, 250.

34. Kloppenborg, *The Tenants*, 259. This understanding of the owner as a fool is found throughout Kloppenborg’s work (33, 254–57, 281).

On the other hand, one should note that *χρηστός* can also have the meaning of “simple” perhaps even naïve.³⁵ If the reading of the story above is correct, where the adverb “perhaps” shows the inability of the owner to understand the situation, then the best reconstruction might be *χρηστός* in the sense of “simple-minded, naïve,” where the general understanding of *χρηστός* is specified through the story to mean “naïve, lacking understanding.” This would seem to be a better fit than *χρήστης* with its negative connotation of “harsh, hard-hearted.” Would a usurer/creditor really try to excuse those who owed him money?

Here the story ends. There is no mention of any further action on the part of the owner. The lack of a result has allowed for many interpretations. Since the action of the tenants is mentioned last, should one privilege this element of the story? Should one, with Crossan, see the story as “a deliberately shocking story of a successful murder”?³⁶

It tells of some people who recognized their situation, seized their opportunity, and acted resolutely upon it. They glimpsed a way of getting full possession of the vineyard by murdering the only heir and, with murderous speed, they moved to accomplish their purpose.³⁷

William Arnal similarly concludes that this story “is no more—and no less!—than a fictional, but realistic, account of an episode in which some tenants are apparently successfully able, by virtue of their cleverness and resolve, to thwart the depredations of their landlord.”³⁸ Arnal accepts *χρήστης* as the proper reading as it supports his reading of the owner as exploiting the tenants.³⁹ He compares this story to that of the assassin at *GThom* 98, which also speaks of a murderous action against a grandee, someone of superior social status where “the focus is on decisive action, rather than any concern about (or moral approbation of) the goals of that action.”⁴⁰

The emphasis on decisive action as the clue to the interpretation of the story depends on a reading of the story wherein “The story as a whole, in *Thomas*, does not focus on the action of the landowner.”⁴¹ By focusing

35. Liddell and Scott, *χρηστός*, II.4b.

36. John Dominic Crossan, *In Parables: The Challenge of the Historical Jesus* (San Francisco: Harper & Row, 1973), 96.

37. Crossan, *In Parables*, 96.

38. William E. Arnal, “The Parable of the Tenants and the Class Consciousness of the Peasantry,” in *Text and Artifact in the Religions of Mediterranean Antiquity: Essays in Honour of Peter Richardson* (ed. Stephen G. Wilson and Michel Desjardins; Waterloo, ON: Wilfrid Laurier University Press, 2000), 150.

39. Arnal, “The Parable,” 141–43.

40. Arnal, “The Parable,” 147.

41. Arnal, “The Parable,” 141.

attention on the action of the tenants, Arnal nicely shows that this story speaks of the class consciousness of the peasantry, and that it is conflictual, of how the operations of power work within this peasant society and how they can be subverted.⁴² However, the way the story is told in the *Gospel of Thomas* suggests that the owner really is the center of the story. In this telling, it is precisely the owner who twice speaks directly. The tenants do not speak at all. The direct speech of the owner reveals his character: he makes up excuses for the tenants' action, and naively hopes that all will be well. Kloppenborg insists that "Thomas' interpretation of the parable must be determined from the context in which Thomas has placed it."⁴³ He favors the interpretation of Jean-Marie Sevrin, who saw *GThom* 65 as the last of three parables, all beginning similarly (*GThom* 64–65 *ourōme neu^entaf*; *GThom* 63 *ourōme . . . eu^entaf*). These three parables for Sevrin and for Kloppenborg are about a denunciation of wealth and its pursuit.⁴⁴ Herein lies the folly of the owner. However, it is not so clear that *GThom* 63 is about commerce, rather than a wisdom story about someone who does not know that he is mortal, as in Sir 11:14–20:

Good things and bad, life and death, poverty and wealth, come from the Lord. . . . One becomes rich through diligence and self-denial, and the reward allotted to him is this: when he says, "I have found rest, and now I shall feast on my goods!" he does not know how long it will be until he leaves them to others and dies.

One has to become a passer-by (*GThom* 42) to understand that the world is a corpse (*GThom* 56). Also, the story in *GThom* 64 is not condemning the host of the dinner, but those who refuse the invitation, who do not recognize what is being offered them. This trio of parables, then, is about those who do not recognize their situation, who do not understand what is in their sight (*GThom* 5). *GThom* 65 thus emphasizes the folly of the owner, as someone who is unaware of the situation before him and so, literally, finds a corpse.

Conclusion

The question that Dell Hymes posed about seemingly truncated versions of the same story thus has led us to see two options. One is that chosen

42. Arnal, "The Parable," 152–54.

43. Kloppenborg, *The Tenants*, 250.

44. Jean-Marie Sevrin, "Un groupement de trois paraboles contre les richesses dans L'Évangile selon Thomas: EvTh 63, 64, 65," in *Les paraboles évangéliques: Perspectives nouvelles* (ed. Jean Delorme; Paris: Éditions du Cerf, 1989), 425–39.

by Kloppenborg who sees the “fuller” version found in Luke where the owner destroys the tenants as unrealistic, as no owner would be able so to act. What our analysis has shown, however, is that this story of intentional murder and revenge is the traditional way this story would be told. Luke told the story this way to heighten the drama of the murder amid a narrative setting where the conflict between Jesus and the leaders of the people has reached a turning point: Jesus has performed a prophetic sign-act in expelling the money changers from the temple and has begun to teach in the temple, taking over the role of the priests and the lawyers (Luke 19:45–47a). In response, “the chief priests, the scribes and the leaders of the people were looking for a way to destroy him” (Luke 19:47b). Aware of the tension of the situation, Jesus tells a story that alludes to the impending conflict and that warns his opponents that they will be destroyed if they try to destroy him. Luke fits the story to the context.

Thomas does not tell the story in this traditional way and leaves out the revenge. However, it is not really a “truncated” story, as Thomas has told the story to fit his own purpose and audience. Thomas has insisted on the foolishness of the owner by the repeated way he attempts to find excuses for his opponents. He does not recognize the situation before him. The opening general designation of the owner as *χρηστός* becomes specified by the story as someone who is simple-minded, naive, and silly in his behavior. He does not possess knowledge. Thomas throughout his work challenges his audience to dig deeper, to understand what is really important, to be aware of the reality in which they stand. The owner becomes the poster-boy of how not to be aware and of the consequences of not understanding.

Each teller thus tells the story to suit his own vision and audience. One must not be too quick to dismiss one as truncated or expanded, but seek to understand how the rhetoric of each telling uncovers the purposes of each teller.

A Story about Some Stories

MARGARET MILLS

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Dear Susan,

I'm thinking just now about one of my most prolific storyteller respondents in 1970s Afghanistan, Abdul Salám. He specialized in long multi-episodic adventure romances (*dástán*), which are often but not always oral-literary texts, existing in chapbooks as well as in oral tradition. He also knew folktales (*Märchen*, *afsánah* in Persian) but preferred the longer forms and prided himself on detail and expansive performance. One day he arrived a little early at the home of friends where we were recording, and heard a much younger storyteller finish his performance of a folktale. He shook his head and rolled his eyes in disapproval (a bit rudely, but superior age and his own sense of expertise gave him license).

After the young storyteller had left, I asked Abdul Salám if he ever changed stories that he heard from others. He said, "I don't change them, sometimes I correct them." A number of inferences unfurled for me from this remark: Abdul Salám obviously thought there was "*a* story" or "*the* story" beyond the individual's performance, a "correct" version for which he was responsible as a knowledge bearer. So he seemed to hold to the idea of canon, perhaps even more than some other storytellers did, perhaps because he was more literate than many, an aficionado of *dástán*, many of which were known to exist in written form in a society where writings were considered more prestigious than oral knowledge. I learned from interviews that others shared his general view that stories should not be willfully changed in learning, that the ideal was faithful reproduction of things heard (or read). And from this comment I inferred that Salám's idea of "correct" versions wasn't just dependent on the existence of authoritative written texts, for *afsánah* in the 1970s when we met was a predominantly oral genre, rarely to be found in any generally accessible written form.

I'm thinking now of Abdul Salám and his idea of correctness with regard to my own lecture-demo treatments of some particular stories that captured my imagination and served my intellectual and pedagogical purposes over the years. Some of your wonderful students at Amherst heard some of these stories when you kindly included me in your class lecture schedule.

The story I want to give you here, untitled by its teller but which I called "The Vizier's Wise Daughter and the Princess of China," specifically addresses some issues of female agency from within the very traditional *afsánah* genre. When I went to review the adept storyteller Abdul Wáhed's recorded performance, I found to my chagrin that I had perhaps "corrected" the tale without even remembering or knowing I had done so. What this illustrates about oral tradition modulated by tellers' psycho-cultural/political agenda I shall leave to your assessment. Here is Abdul Wáhed's version of the story (subject to the vagaries of translation however.) I'll describe (briefly) what I think I did to it, at the end . . .

The Vizier's Wise Daughter and the Princess of China

Once there was, once there was not—there was no one before God—Once there was a king, and his vizier. They were friends and decided the king's son should marry the vizier's daughter. With this in mind, they put the children in school together. One day when the teacher had to go on an errand, he left the class as is customary under the charge of the ablest student, who was the vizier's daughter. She set the other students to reciting, and when the king's son made a mistake in his lesson, she did what she had seen the teacher do. She smacked him on the head.

The king's son got very angry. He went right to his father and demanded his wedding to the vizier's daughter be held immediately. The king and the vizier were quite pleased and put on a fine royal wedding. But after they were married, the prince would leave his palace every morning to go to court or go hunting, and only return at evening, when he would hang the vizier's daughter by her long hair in the well for the night. She grew thin and yellowish with pain and suffering.

When her mother came to visit, though, she said nothing. A bride should be loyal to her husband and his family. Her mother could see she was not well so she sent an old woman to visit and try to get her story.

The old woman offered to groom the bride's hair, and said, "The roots of your hair are all full of blood—what is it?" The girl broke down and cried, and told her how she was treated. The old woman said, "This is easy. You just tell him, 'You give me more grief than the Princess of China gives her suitors!' He'll go off to find her, and leave you in peace."

And so she told him that, and immediately he ordered her to prepare him way-bread, food for travel, so she did and he set off. He rode and rode till he came to the Fagfoor (king) of China's city, and there he learned that those who wanted to woo the Princess had only to ring a large gong in the city square. They would be brought to court, and set the challenge of making the Princess speak twice before morning without touching her. If she spoke twice, they would win her, but if not, the suitor's head was cut off and hung on the city wall, now bedecked with a number of heads.

The prince hit the gong and then tried every trick and joke he knew to make the Princess speak, but she was silent. The Fagfoor and his courtiers were sorry to see such a young, royal-looking suitor killed, so instead the Fagfoor sent him to clean out the stables, where help was needed anyway. So there he stayed.

Meanwhile, his father the king noticed that the prince no longer came to court. After some days he demanded that the vizier and his family produce the prince, or else be executed. The vizier came to the prince's palace to look for the boy, and his daughter said, "Ask the king for forty days for us to find him." Getting this respite, she dressed herself in armor with weapons like a man, and rode off toward China to find her husband. On her way to China, she came to a great *qal'ah* (a fortified dwelling) in open country, that was being besieged by an army. In the morning a single fighter came out of the *qal'ah* and fought the champions of the army till dusk, when they stopped fighting and he went back inside the walls, only to start again next morning. She rode up to the gate after the day's fighting ended, presented herself as a guest, and was welcomed in. The host explained that the besieging king wanted to marry his two sisters by force and they refused. The vizier's daughter, whom he took for a young man in her battle dress, offered to take a turn at fighting the next day.

That day she defeated all the champions the besiegers sent against her. The besieging king discussed this new, powerful fighter with his vizier, who said, "Yes, a good fighter, but she's a girl—." The king refused to believe it; they argued, and eventually they wagered, the king's throne against the vizier's life, whether the fighter was a woman or not. That night, the king put on dark, night-reconnaissance clothes and crept over the *qal'ah* wall to check on the new champion. He found the room where she was sleeping, reached down and touched her breast, but she woke, jumped up immediately and put her dagger to his throat. He pleaded for his life, promising he would not tell her secret, and out of mercy she let him go.

Returning to his camp, the king lied to his vizier, saying she was a man, and then he killed his own vizier according to their wager. Next day they resumed fighting, but it went very badly for the besiegers. The vizier's daughter killed all her adversaries, then chased down and killed

the king. Once the king was dead, the *qal'ah* defender offered the defeated army amnesty, and they went away peaceably.

Then he said to the vizier's daughter, still in her battle dress, "You have protected our honor and you should marry my sisters that you rescued. We are *pari* [powerful supernaturals, like fairies more in the Irish sense], and we can help you." The girls agreed, but the vizier's daughter said, "In my country, a marriage can only occur at the bridegroom's home. I must go and finish my quest to China, but after that I will take your sisters to my home country to be married." The girls agreed and each gave her a lock of hair, saying, "Burn some of this if you need help and we will come instantly."

So the vizier's daughter arrived at the Fagfoor's city, and not seeing her husband's head on the wall, struck the gong. The Fagfoor tried to persuade "him" not to try to make his daughter speak, but she insisted. When they were together, the vizier's daughter tried to make conversation, but the Princess was silent. So she asked for a *chilom* (water pipe). When it was lit, she burned a little of the *pari* girls' hair on its coals, and they arrived invisibly, one taking a position inside a tall lampstand, and the other one in the bedstead where the Princess was sitting. The vizier's daughter spoke to the lampstand, "Lampstand, this is going to be a long evening. Why not tell a story?"

So from inside the lampstand, the first *pari* began to speak,

"Once there was, once there was not—there was no one before God—once there were three men traveling together, a carpenter, a tailor, and a mullah. They camped one night in a deserted place and decided to take turns keeping watch. The first turn fell to the carpenter, and looking around, trying to stay awake, he saw that there was a log of wood off to the side of the place; so he got out his tools, carved it into the shape of a human being, and stood it up at the edge of the circle of firelight. When his turn was up, he woke the tailor and he himself went right to sleep. Looking around after a few minutes, the tailor saw the standing figure and was afraid till he realized it didn't move at all, so he went up to it and found out what the carpenter had done. Not to be outdone, he got out some nice cloth and his own tools and dressed the figure up like a woman. When his turn was up, he woke the mullah and himself went right to sleep. The mullah, looking around, was surprised to see what seemed like a woman standing motionless, but when he went up to her, he saw what the others had done. So he prayed, "Lord God, don't let me be embarrassed before the skills of these two, show Thy power and make her a living woman!" His prayers were answered, and when the other two woke up they argued about who should have her as a wife. "So who—" said the lampstand *pari*, "who won the woman?" The vizier's daughter said, "It has to be the carpenter, if he hadn't started it, there would be nothing to fight over."

But then the other *pari*, inside the bedstead, spoke up and said, "No, no, it wasn't female till the tailor took his turn; so he should have her as a wife," and they argued back and forth till the Princess of China, in sheer exasperation, said, "Nonsense! It was just a block of wood till the mullah's prayers were answered and gave her life, so he should have the girl!" and the vizier's daughter said, "Yes! And now you've spoken, you'll be mine by morning!" But the Princess of China shut her mouth and would say no more.

So after a while, the vizier's daughter said, "Oh well, nothing to do till morning—Bedstead, supposing you tell a story—" and the *pari* in the bedstead began,

"Once there was, once there was not—there was no one before God—There were three brothers, princes, who all wanted to marry their beautiful cousin. Their father the king couldn't decide between them, so he gave them each a purse of gold and said, 'Go on, go find something wonderful to buy with this gold, and whoever finds the most wonderful thing will marry the girl.' So the boys set off, and when they came to a crossroads they decided to take separate ways, but come back to the place when they'd found their wonderful objects, and go back home together.

"The first prince came to a strange city with a big bazaar, and he went around till he found, in some old shop, a mirror that the shopkeeper said would show on command whatever the owner wanted to see, even if it was far away. He gave his whole purse of gold for that mirror and headed back to meet his brothers. The second brother went on his own road and came to a city with a lot of shops. In the carpet bazaar he found one shopkeeper who had a very expensive carpet that he swore would carry its owner wherever he commanded the carpet to go. So he gave his whole purse of gold for that carpet and turned back to meet his brothers. The third brother, in turn, came to a strange city and found his way to an apothecary's shop where the owner showed him a medicine that he swore would heal the sickest person, even bring someone back from the dead. Not imagining anything more wonderful, he bought it and turned back to meet his brothers. When they were all together, they decided to test their wonderful purchases. The first brother suggested they try to have a look at their cousin whom they all loved. When she appeared, though, she was lying sick or dead in bed with all the relatives around her weeping and wailing. So the second brother said, 'Quick, get on the carpet, let's try to go to her!' So they all jumped on the carpet and it quickly transported them to their cousin's house, but she was already lying dead. The third brother demanded to see her—'I have special medicine!'—and sure enough, as soon as he put some drops of it on her lips, she sat up alive and healthy. So who—" said the bedstead *pari*, "who wins the girl?"

The vizier's daughter said, "Without the first brother's mirror, they would have never known she was dying—they would only have arrived long after she was dead and buried." The lampstand *pari* said, "Well yes, but even knowing that, without the second brother's carpet they would still not have gotten there before she was long dead." So they argued back and forth until finally the Princess of China couldn't stand it any more and she said, "Dead is dead—the third brother wins her; there would have been no one to marry if the third brother hadn't revived her; she's his wife!" and the vizier's daughter said, "And I've won you, the witnesses have heard you speak twice tonight!"

The Princess of China couldn't refuse, and her father the Fagfoor was glad, offering a big royal wedding and an army to escort them to her new home. But the vizier's daughter said, "It's the custom in my country that the wedding can only take place at the groom's home, I must just take your daughter to my home city to be married." She also refused the Fagfoor's offer of an escorting army, saying, "I actually came here looking for my runaway servant; if I can find him, that's all I want." So the Fagfoor ordered all the men in the city, high and low, to parade in front of the vizier's daughter so she could find her runaway servant. When the prince, her husband, now filthy and ragged from his work in the stable, walked by, she recognized him, claimed him and had him cleaned up and dressed in new servant's clothes. She put him in charge of her caravan, with the Princess of China and the two *pari* brides as well, and all their bridal goods and gear.

They traveled for days but the boy never recognized his wife in her man's armor and clothing. When they got near their home city, the boy sighed and said, "This was my home place; I used to be a prince in this city." The vizier's daughter said, "Well, the Wheel of Fate (*charkh-e falak*) turns, up and down—but now you stay here outside the gates with the caravan. I'll go ahead and prepare them at my place for the arrival, and send for you." She gave him directions to their own former palace and he sighed again, and said "And that was my own palace—."

She hurried to their palace, changed back into her own royal bride's clothing, and met the prince as he brought the caravan with the three brides into the palace. Amazed, he suddenly saw his own wife waiting to receive him. She said, "Now do you understand? You went off to try to woo the Princess of China. But I came and rescued you, and I won you the Princess and two more brides, the beautiful *pari* sisters who helped me win the Fagfoor's daughter. Now we are all your wives. It's time to settle down and live together." So they all married the prince and just as God gave them their desires may God give us all our own desires, too.

The Other Ending

Though I cannot now find another version of this story among my recordings, for years I remembered it differently, and performed it so. I remembered the other version as being from a younger male storyteller, perhaps Mohammed Amin, a landless farm worker who lived in Taw Beryán village outside Herat, where Abdul Wáhed, the older storyteller whose recorded version I have just retold, was also living. In this other, remembered version, the Princess of China must be made to speak three times. Accordingly, there are three *pari* sisters, all promised to the vizier's daughter after she rescues them. The first *pari* hides in and speaks from the door, the second from the lampstand, and the third, from the very bedstead where the Princess is sitting. Three dilemma tales are performed, the two stories above plus a final one in which three women compete to see who can play the biggest trick on her husband. Thus while men's actions may be seen to govern the life and death of women in the two above stories, this third one implies that there is a lot of scope for women's agency in between. The bedstead *pari*'s story goes like this:

"Once there was, once there was not—Once three women were going together to the city bath: the queen, the vizier's wife and the wife of the *qázi* (chief judge). On their way, they all spotted a pearl dropped in the path, and they argued about who had seen it first. Finally they agreed on a contest, that whoever could play the biggest trick on her husband could claim the jewel.

"The queen knew a young servant at court who was in love with her, so one day when he came to the entrance of her quarters she asked him in. He left his shoes at the door as he should. Soon they heard the king coming, so she got the servant to hide in an empty trunk. When the king asked about the strange shoes at the door, she said they belonged to a lover she had put in the trunk. The young servant, hearing this, died of fright on the spot, inside the trunk. The king, infuriated, opened the trunk only to find a dead slave. He accused the queen, 'What are you doing, killing my slaves?' She said, 'We did nothing, he just died all of a sudden and we put his body in the trunk—I was just making a joke'—'Well, don't do such things again—'

"For her part, the vizier's wife went home and prepared some drugged food, which she gave to her husband in the evening. Then she shaved off his beard and moustache (symbols of male respectability), dressed him in the clothes of a wandering dervish, and had him secretly carried to a nearby shrine where dervishes gather. In the morning, he found himself shaven and dressed like a dervish. Embarrassed to present himself in this condition back at court, he went off with the dervishes on their yearly begging route to India, where he remained long enough to let his beard and

moustache grow back. Meanwhile, his wife had the shrine watched for his return. When he came back, she prepared an offering of halva for the dervishes and added sleeping drugs to it, thereby putting all the dervishes and her husband to sleep. Then she had her husband carried back home in deep sleep. She dressed him back in his own clothes and when he awoke, she told him (as she had let it be known) that he had been in a coma at home and only now revived. She convinced him that his whole sojourn in India as a dervish was a dream.

"The *qázi*'s wife, for her part, had noticed that a neighbor, a gambler who liked to fly his flock of pet pigeons from his roof, had been eyeing her. So she sent him a message and got him to agree to dig a tunnel from under his house to hers, with its two openings camouflaged inside their inner sitting rooms. When it was finished, one day she had the neighbor call to her husband as he was returning from the mosque, and ask him to write a marriage contract for himself with a woman who had come to his home. The *qázi*, happy for the expected fee, went home to get his writing implements. When he left, his wife put on her *chádri* (burka) and dashed to the neighbor's house via the tunnel. When her husband arrived, she was sitting fully veiled next to the pigeon-fancier. The *qázi* looked at her for a moment, then made an excuse that he had forgotten his ink, and rushed back home. His wife dashed back to her room by the tunnel and was sitting quietly in her room when he arrived. When he came and looked for her, she said, 'What is it?' He said the neighbor's new wife-to-be looked exactly like her. She said, 'So what? Lots of women look alike—hurry up, dinner is ready!' So he went back and hurriedly wrote the marriage contract for them and witnessed it. When the judge arrived back home, she, having arrived before him, showed him the contract he had written for the neighbor, signing away his own wife. So then he had to pay the gambler well to divorce his own wife, to get her back secretly and avoid a scandal. He asked her, 'But why did you *do* this?' She said, 'It was for a wager over a pearl, with the queen and the vizier's wife'—'But you could have *bought* a pearl much more cheaply—'

"The *pari* in the bedstead said, 'So which wife got the pearl?' and the vizier's daughter and the *pari* in the door began to argue—'Well, the queen had to improvise, and first she had her husband believing she had a lover, and then that she didn't—.' 'Yes, but the vizier's wife tricked her husband for months on end, and he never knew what really happened—.' Until finally the Princess of China spoke up, 'That's all nothing—the *qázi*'s wife wins, because she got her husband to trick *himself* into signing his own wife away, unrecognized, just for the sake of a fee! His own greed, and he didn't know his own wife!'

"Thus the vizier's wife arrives home with not three but four brides for her husband, who only then recognizes her. She tells him, 'There, these

four are all your brides that I won for you, and henceforth I will be your vizier, not your wife!" [four wives being the legal maximum in Islam].

Ethnographic /Analytic Coda

This tale, told as I thought by a younger but still very good male storyteller, pleased me more than Abdul Wáhed's well-told, two-*pari* version, for various reasons folkloric and postfolkloric. First of all, it well illustrates Axel Olrik's "rule of three,"¹ how in Indo-European tradition (and for that matter, Semitic), the number three is a number of completion: deeds, events, and characters tend to array in groups of three. In 1970s Afghanistan, also, as I found, variants of all three dilemma tales existed in oral tradition, performed either as embedded dilemma tales or as free-standing tales. In the case of the third tale, of women's tricks, this version of the episode of the queen's trick appeared to me to be a flawed, rather inept version of the "box-woman" tale,² told elsewhere as a free-standing tale in which a far more adept woman trickster hides one or more would-be lovers in a box, thus thwarting their designs but also in the process fooling her husband, with whom she has a separate wager. The fact that this subplot was rather poorly rendered in this telling, as I remembered it, makes the queen appear more inept or unstrategic, yet that suits her role as the most senior and thus least adept trickster in the contest. In folkloric terms, it is the lowest-status or least powerful among a set of rivals (in this case, the *qázi's* wife) who should act last and prevail, conforming to another of Olrik's Epic Laws of Folk Narrative, "youngest last and best."

So structurally speaking, the story version I attributed to the younger narrator, with its triplet structures, seems more complete in folkloric terms than Abdul Wáhed's. Also, there is reason to see the vizier's wife's chosen change of status from wife to vizier (the senior advisor to a king or prince) as a gender role change that was more agreeable in Afghan male tellers' imaginations than to female ones for in the performances I recorded, men were more likely to tell stories of women protagonists' gender-bending toward male identities than women were.³ When I recalled the two

1. Axel Olrik, "Epic Laws of Folk Narrative," in *The Study of Folklore* (ed. Alan Dundes; Englewood Cliffs, NJ: Prentice-Hall, 1965), 129–41. Original published as "Episke love I folkedigtningen," *Danske Studie* 1908.

2. Margaret Mills, "Destroying Patriarchy to Save It? Safdar Tawakkoli's Afghan Box-woman," in *Transgressive Tales: Queering the Grimms* (ed. Kay Turner and Pauline Greenhill; Detroit: Wayne State University Press, 2012), 277–94.

3. Margaret Mills, "Sex Role Reversals, Sex Changes and Transvestite Disguise in the Oral Tradition of a Conservative Muslim Community in Afghanistan," in *Women's Folklore, Women's Culture* (ed. Rosan A. Jordan and Susan Kalçik; Philadelphia: University of Pennsylvania Press, 1985), 187–213.

performances, I wondered if Abdul Wáhed, accomplished narrator that he was, had simply dropped the third story of women's tricks, either because he was tired and wanted to wrap up that day's story session, or because he found the telling of the queen's trick flawed (knowing better variants), and/or because he was not as motivated as the younger man to seek an unconscious solution to the oxymoron of female heroic agency in the patriarchal environment with such a gender-bending conclusion.

How gender-bending is it for different male tellers to understand female agency in male terms which for the heroine's purposes nonetheless concludes in a heteronormative (i.e. patriarchal), sedate marriage? Abdul Wáhed himself, in another tale of women's tricks he called "A Carpenter's Tale," portrayed a wife as fiercely and virtuously defending her husband's and her own honor by tricking and incarcerating in her home a series of elite would-be seducers. But in the end, when the husband returns to free the captives and win an implied wager on his wife's virtue, the virtuous and resourceful wife simply fades from view while he is rewarded with a royal marriage.⁴

Postfolklorically, of course, the second version's ending better suits my own feminist agenda. The gender-bending vizier's daughter both rescues herself from an abusive marriage and rescues and chastised her abusive, vindictive, impulsive husband, to whom she is demonstrably superior in intellect, wit, *noblesse oblige*, and martial prowess. The four wives she recruits for his future life also all promise to be more than a match for him should his behavior require further adjustment. As a feminist I found myself in psychological agreement with male storytellers I met who could imagine gender role reversals that would allow women, at least in fantasy, both to desire and to manage to transcend patriarchal constraints.

So the second version seemed more appealing to me for both folkloric-structural and postfolkloric reasons. From the viewpoint of folklore and literature, this story in both oral versions appealed to me as a variant of the story of Turandot, the homicidal yet much desired princess, somewhat mitigating the "ick" factor of the version we know from Puccini. Though the Princess of China remains the mythic predatory female, and her besotted male suitor is protected/rescued by a female ally, this ally is not the suicidally devoted servant girl Liu, but the powerful and powerfully survivalist vizier's daughter.

The only problem was that when I went back to my recordings, seeking to corroborate in detail my memory of the longer version of the tale, I could not find any trace of it, performed by anyone. I am left to imagine that perhaps I myself synthesized it, my own memory processing what I knew of dilemma tales in local oral performance at the time, my own

4. Margaret Mills, "The Gender of the Trick: Female Tricksters and Male Narrators," *Asian Folklore Studies* 60 (2001): 237–58.

expectation of the “rule of three” making Wáhed’s two-tale version seem incomplete, and, of course, more perversely, my own Western feminist attraction for gender-bending where it does occur in this rather relentlessly patriarchal tradition. I have certainly reflected on the ironies of the fact that I am more attracted to gender-bending solutions to traditional tales than Afghan women tale-tellers of the 1970s appeared to be.⁵ They rarely left their women heroes without a comfortable position as a conventionally married woman. But did I *really* participate in the (post-) oral tradition so thoroughly that I, like Abdul Salám, whose comments we began with, didn’t “change” the story, but merely (and unconsciously) “corrected” it? I must continue to comb through my roughly 450 recordings of 1970s-vintage stories, admittedly all too sketchily indexed, to see whether somewhere in my collection, some young male narrator’s vizier’s daughter is happily telling her ex-husband what to do to keep himself out of further trouble—or whether I simply made that up.

Of Types, Subtypes and Collages

All the plot components of this tale (both versions) are identifiable as international tale types and motifs as detailed in Aarne and Thompson’s Tale Type Index, in Thompson’s Motif Index, and in subsequent Tale Type indexes compiled by Ulrich Marzolph, by Hasan El-Shamy, and by Hans-Jörg Uther. Wondering whether I myself had indeed synthesized the longer version of the tale from found elements, I went back to the Tale Type and Motif Indexes for models.

When I first encountered this tale in Afghanistan, I saw it as a gender-bending variant of the tale of the homicidal, fatally irresistible Princess Turandot, best known in the West from Puccini’s last, unfinished opera. His libretto was derived sequentially from Friedrich Schiller’s nineteenth-century German translation of Carlo Gozzi’s popular eighteenth-century play in Italian, itself indebted to Pétis de la Croix’s seventeenth-century tale compilation, *Les Mille et un jours* (1710–1712), which he attributed perhaps fictitiously to a manuscript acquired in 1675 from “Mokles,” a Persian source who was his teacher in Isfahan. The name “Turandot” is Europeanized from the Persian “Turán-dokht,” “Daughter of China/Chinese Turkestan.” Earlier Persian literary antecedents for riddling princess tales include the Tale of the Princess of the Fourth Clime in Nizami Ganjavi’s Persian *Haft Peykar* (1197 CE).⁶

5. Mills, “Sex Role Reversals.”

6. Julie Meisami (trans.), Nizami Ganjavi, *The Haft Paykar: A Medieval Persian Romance* (Oxford/New York: Oxford University Press, 1995), 154–74.

The ATU tale type 851, however, is a poor fit for Abdul Wáhed's tale, for the type like Puccini's libretto hinges on the princess being herself unable to solve a riddle posed by her suitor, not on dilemma tales as tests or, rather, snares for her. Christine Goldberg's masterful *Turandot's Sisters: A Study of the Folktale AT851*, like the Aarne-Thompson (AT) and Aarne-Thompson-Uther (ATU) indexes, treats the solving of riddles as the key identifier for "Turandot" tales of princesses who set lethal tests for their suitors.⁷ Her comprehensive historical and comparative discussion therefore focuses on the array and dynamics of riddling in these and other riddle-test tales. She does not connect AT 851 with other lethal tests, as the AT and ATU tale indexes themselves relegate "The Princess Who Will Not Speak" to motif status, associated with other tale types (especially Type 945, Luck and Intelligence, where it is a framed component of an unrelated frame tale).

In a subsequent, equally thorough short study, however, she takes on dilemma tales as such, some of which are components of tales such as AT Type 945, and entail a frame in which a silent princess must be made to speak.⁸ Her text selection focuses on the class of dilemma tales represented by Wáhed's subtales, having the "theme of joint efforts," in which three (or four) men (often brothers) deploy different skills or acquired magical objects jointly to either rescue a stolen girl or resuscitate a dying or dead one. Aarne and Thompson collected these under Type 653, The Four Skillful Brothers (the rescue subtype), and 653B, The Most Wonderful Thing in the World (the resuscitation subtype). Marzolph, very helpfully for our purposes, adds as Type 653C the Wooden Maiden story, in which men pool their skills to *create* a girl whom they then all claim, which Marzolph transferred from component status in AT Type 945, Luck and Intelligence.⁹

One thing that is lacking in these somewhat dizzying analytic arrays of types and subtypes, however, is any documented precedent for the type collage that enables gender-bending in Wáhed's tale as well as in my hypothetical longer variant. This is the use of an obvious variant of an entirely different type, AT 888, The Wife Who Would Not Be Beaten, as the frame story telling how an abused wife succeeds in both chastising and rescuing her errant husband. The AT Type stipulates an elite male (prince or merchant) who will only marry a wife who consents to be beaten daily.

7. Christine Goldberg, *Turandot's Sisters: A Study of the Folktale AT 851* (New York/London: Garland, 1993).

8. Christine Goldberg, "Dilemma Tales in the Tale Type Index: The Theme of Joint Efforts," *Journal of Folklore Research* 34 (1997): 179–93.

9. In a third fine, short study that Ulrich Marzolph kindly out to pointed me, Uta Reuster-Jahn, "Mantel, Spiegel und Fläschchen (AaTh653A), Eine Afrikanische Dilemmageschichte," *Märchenspiegel* 4 (2003): 18–20, argues convincingly for the African origin of Type 653, Africa being particularly rich in dilemma tales in general and showing by far the widest and densest distribution of this and related types.

The girl he marries refuses, he rides off to seek his fortune, fails a test/quest, and has to be rescued. This she does, in male disguise, outwitting those who have defeated him, and taking tokens so that when they return home she can disprove his claims of heroic accomplishment and induce him never to beat her again. No dilemma tales or silent princesses, but a clear matrix for a female hero rescuing an incompetent and abusive spouse.

The Eurocentrism of the AT Type Index has been widely discussed in recent decades, and correctives are provided in efforts such as Marzolph's Persian Tale Type Index¹⁰ and Hasan El-Shamy's (2004) enormous Tale Type Index for Arabic.¹¹ Goldberg and Reuster-Jahn also address this problem in their respective studies, both arguing cogently that what is interesting about oicotypes (the local subtypes of international tale types) is their fit with local cultural specificities. In this case, the fact that the wronged wife brings home not tokens to control her husband but extra wives is an oicotypification made possible by Muslim polygyny, not possible in Indic (Hindu-based) or European monogamous cultural settings.¹² From a Proppian point of view vis-à-vis the female hero, the *pari* sisters are helper/donor figures won by her heroic efforts along the way to the main goal of her quest.

Another specifically Afghan-resonant element in Wáhed's version of AT 888 is the placing of the engaged young couple in school together. Yet this is a negative inversion of a romantic motif familiar elsewhere in Afghan story, for example, in the *Romance of Najmá Shirazi*, in which the hero inveigles himself into the princess's classroom in order to get together with her. This traditional romantic fantasy element resonates with some very current reservations of conservative Afghan parents against coeducation. That these classmates' interaction goes bad because the girl, inferior in social class, outperforms the prince, uncovers another level of contemporary Afghan uncertainty about co-education, that education of women will undermine male domestic authority.

Within Frame I (AT 888, "The Wife Who Would Not Be Beaten") here sits Frame II, "The Princess Who Will Not Speak." Because she elects to behead her unsuccessful suitors (against her father's better judgment), she should, I think, be counted as one of Turandot's sisters at least, though

10. Ulrich Marzolph, *Typologie des persischen Volksmärchens* (Beirut/Wiesbaden: Steiner, 1984).

11. M. Hasam El-Shamy, *Types of the Folktale in the Arab World: A Demographically Oriented Tale-Type Index* (Bloomington, IN: Indiana University Press, 2004).

12. While polygyny is now criticized by progressive Muslims, and often treated as threatening to the first wife's interests in folk stories and poetry, it bears mention that recruiting wives who are allies has been recognized as both strategy and virtue in real life for an Afghan wife in the case of her own infertility or illness when she needs help running the household.

the indexes assign her a mere motif number (H343 per ATU Type 945). As Goldberg points out, the framing of dilemma tales used to make a silent princess speak constitutes a form of metanarrative, a story demonstrating the power of narrative over listeners, and in this case, more specifically, the power of dilemma tales about justice to engage a strikingly cruel, unjust female in ethical decision making.¹³

Yet there is another deliciously ironic (to me) element of metafolklore in Wáhed's gender-bending use of the AT 888 frame around the Silent Princess frame, in particular, in that the abused female hero and her wily old female ally (herself a folk stereotype) *use* the romantic stereotype of the questing male falling in obsessive love with a hardly attainable female from seeing her picture (or in this case, hearing her name) to *get rid* of a decidedly antiheroic, abusive male. That this is not a perfect solution (old women being clever but not necessarily wise) is demonstrated when the vizier's daughter must then rescue her father and family from the king's wrath by retrieving said husband.¹⁴

The tale of three (sometimes four) women competing to trick their husbands, as a dilemma tale, is not elsewhere associated with the Silent Princess frame, as far as I could find in the indexes. It is listed as an independent Type 1406 in Marzolph's index. It is, in a sense, off the subject for Goldberg who focuses on dilemma tales of collaborative effort (by men who respectively rescue, resuscitate, or create a woman). Instead it is a competition among trickster women to demonstrate who can most thoroughly undermine her husband's authority. But it does seem to me to resonate (even contrastively) with the frame of AT 888 as it is used here, in which a wife in disguise *must* by subterfuge gain control over her husband, and over a murderous young female, to set the world right again. So maybe I did add that one in, after all.

13. Goldberg, "Dilemma Tales."

14. In a spooky way, this echoes elements of the older Riddling Turandot story variants (Type AT 851) as detailed by Goldberg, "Turandot's Sisters," wherein the prince is often seeking his fortune in order to rescue his parents, not actually setting out to win a princess.

The Gospel of Mark

Baptism and Passover Initiation

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A hallmark of Susan Niditch's many contributions to the study of Scripture and tradition, especially furthering the work of her teacher and mine, Albert Lord, is her nuancing of the reciprocity of the oral and the written. Thus I offer these reflections on Mark and performance focused on baptism as the theme of a written Mark probably orally performed. I dedicate them to Susan with happy memories of our years together in weekly interaction, I as her assigned tutor and she as the first person to complete Harvard's undergraduate degree program in folklore and mythology in Near Eastern studies, and quick to show her promise.

From beginning to end, Mark is the story of Jesus's baptism and its consequences. Jesus is baptized, and everything that occurs thereafter springs therefrom. And not just as consequence but as fulfillment, as Jesus himself refers to his death, the end toward which all heads, as the fulfillment of his baptism (Mark 10:38–39).¹ Once "all Judah and all the Jerusalemites" are baptized, no one besides Jesus is baptized, with one implicit exception. Nevertheless Jesus's baptism is meant as a model for his followers.²

1. Maxwell E. Johnson, *The Rites of Christian Initiation* (2nd ed.; Collegeville: Liturgical Press, 2007), 15–16.

2. The importance of baptism in Mark goes largely unrecognized. What might have been a landmark in Markan studies, Robin Scroggs and Kent I. Groff, "Baptism in Mark: Dying and Rising With Christ," *JBL* 92 (1973): 531–48, has contributed little to the major commentaries and often goes unnoticed, including in the one recent commentary that appreciates the pervasiveness of baptism in Mark, Benoît Standaert, *Évangile selon Marc: Commentaire*, 3 vols. (Paris: Gabalda, 2010). Standaert's commentary builds on his earlier work, *L'Évangile selon Marc: Composition et genre littéraire* (Brugge: Sint Andriesabdij, 1978). Among the few followers of Standaert are Augustine Stock, *The Method and Message of Mark* (Wilmington, DE: Michael Glazier, 1989); Mark McVann, "Baptism, Miracles, and Boundary Jumping in Mark,"

Paul called baptism a death and rebirth (Rom 6:1–11), and this symmetry, as a tenet of initiation compelling but unexceptional, may have been prevalent in the early church. However Paul's view that baptism obviated circumcision for non-Jews, an enormity even given the range of opinion on proselyte circumcision, was not prevalent, in his day or Mark's.³ Mark is the story of Jesus in controversial Pauline terms, generated, like Romans, 1 Corinthians, and especially Galatians, in large part by the dispute over baptism. Mark unfolds in terms akin to Galatians and equally polemical. But more than that, Mark goes beyond Paul's maverick gospel to portray the Jewish world, that is, the church's and Paul's world, upended by Jesus, in the midst of a ferocious war for Jewish liberation whose aims Mark rejects. Mark's portrayal is rooted not only in scripture, where even the most eccentric cognitions claiming Jewish legitimacy must be confirmed, but also in the church's rite of initiation, where initiates become new and receive instruction on the meaning of their baptism and of the baptized lord whom they would follow. Just how disarranging Mark was is made clear by the asymmetry of Mark's whole-gospel account of Jesus's baptism, where death takes center stage.⁴ Nevertheless Jesus's baptismal rebirth is instantly manifest, not in his eventual resurrection or announced return in power, but in the power and authority bestowed in his baptism that he immediately demonstrates and desires to commission in others. Jesus's dying and rising occur in the first chapter before they occur in the last. His appearance on the mountain in the middle is in sequence, not proleptic. Jesus's rebirth is a premise of the story of his death, not just its resolution.

BTB 21 (1991): 151–57; Mark McVann, "Reading Mark Ritually: Honor-Shame and the Ritual of Baptism," *Semeia* 67 (1995): 179–98; Carol Schersten LaHurd, "Exactly What's Ritual about the Experience of Reading/Hearing Mark's Gospel?" *Semeia* 67 (1995): 199–207, esp. 203–4. Baptism plays no role to speak of in Cilliers Breytenbach, "Current Research on the Gospel according to Mark: A Report on Monographs Published from 2000–2009," in *Mark and Matthew I: Comparative Readings: Understanding the Earliest Gospels in Their First-Century Settings* (ed. Eve-Marie Becker and Anders Runesson; Tübingen: Mohr Siebeck, 2011), 13–32—albeit a review mainly of monographs—or in the entire volume in which it appears, representing the current state of Markan scholarship, whose index lacks an entry for baptism. Everett Ferguson's commanding work, *Baptism in the Early Church: History, Theology, and Liturgy in the First Five Centuries* (Grand Rapids, MI: Eerdmans, 2009), blends the Gospel accounts under the rubric of the "baptism of Jesus" and is nondescript in its cursory discussion of Mark (pp. 138–41).

3. Cf., for example, Peder Borgen, "Debates on Circumcision," in *Philo, John and Paul* (Brown Judaic Studies 131; Atlanta: Scholar's Press, 1987), 61–71; Harold W. Attridge, "On Becoming an Angel: Rival Baptismal Theologies at Colossae," in *Religious Propaganda and Missionary Competition in the New Testament World: Essays Honoring Dieter Georgi* (ed. Lukas Bormann, Kelly Del Tredici, and Angela Standhartinger; Leiden: Brill, 1994), 481–98; James G. D. Dunn, "The Colossian Philosophy: A Confident Jewish Apologia," *Biblica* 76 (1995): 153–81.

4. See, for example, Joel Marcus, "Mark—Interpreter of Paul," *NTS* 46 (2000): 473–87; Adela Yarbro Collins, *Mark: A Commentary* (Minneapolis: Fortress, 2007), 690.

I

Mark begins with Jesus's baptism and reverberates with its effects from start to finish. The baptism is twofold, combining passage through (εἰς, 1:9, cf. 7:31) water and infusion with the spirit. The baptizer distinguishes these, but only to identify the spirit as something more, not instead of. The distinction plays no role in Mark, and the evidence for early baptism, disparities notwithstanding, entails both water and spirit. However in Mark, as in Paul, the spirit is operative, even while the copious Pass-over resonances of passage through water on dry land come into play. The main event is Jesus's baptism as he rises from the water to be met by the spirit descending from above, hearing these words from the sky: "You are my loved son, in whom I take pleasure." At this instant, not through immersion per se, Jesus becomes the firstborn son of God. He is reborn and re-kinned, and henceforth his life will not be the same.

This scene is not just one episode of many, or the highlight of a prologue, interpretations abetted by the segmented character of the Gospel narrative, like the scriptural stories it imitates. It is the foundation of the entire Gospel, just as the scriptural mash-up that forecasts the scene serves as the basis (ἀρχή) of the entire Gospel. Some signs that it pervades the entire story are obvious. The most overt is the voice from the cloud over the mountain saying of Jesus clothed in baptismal resplendency, "This is my loved son: listen to *him*" (Mark 9:7). This baptismal echo occurs at the middle of Mark's story and is repeated at the end at the moment of Jesus's death, the fulfillment of his baptism, by the words of the centurion, "This person was in truth a son of God" (Mark 15:39).

We know that baptism signifies mainly Jesus's death because of the exchange between Jesus and James and John on their journey the length of the Jordan when they reach the site where Jesus's baptism took place. There, asked to assign them places of honor, Jesus replies, "Are you able to drink the cup that I drink, or be baptized with the baptism with which I am baptized?" Days later, in the garden with Peter, James, and John on Passover night, Jesus goes aside to pray alone, falling on his knees and imploring his father to "remove this cup from me," but finally, the dutiful son, acceding to his father's will: "not what I will, but what you (will)."

It is not only the centurion's words that confirm the baptismal significance of Jesus's death. Just as at his baptism the sky is torn apart to emit the spirit, at his death the curtain of the temple sanctuary is torn from top to bottom, a cosmic disruption, at which the centurion speaks. The point of the centurion's statement is much debated;⁵ regardless, the centurion is

5. I favor an ironic interpretation. If "son of God" is a reflex of the Augustan *divi filius*, the implications are uncertain. For Octavian, the *divus* in question was Julius Caesar; later first-century emperors were deified upon death. See Aleš Chalupa, "How Did Roman

called before Pilate, in the ensuing penultimate episode, to confirm that Jesus has in fact died, cueing Pilate to turn his corpse over for burial. So too, the moment “the spirit . . . came down into him” (τὸ πνεῦμα . . . εἰς αὐτόν) is echoed in the moment Jesus expires (ἐξέπνευσεν).

The parallels between the baptizer’s death and Jesus’s are often noticed, but not that the parallels embrace Jesus’s baptism. Jesus’s precursor is arrested, setting the correspondence in motion, before Jesus says a word. Both John and Jesus “perish as the result of identical power dynamics.” The death of John provides the template for the death of Jesus: “an autocratic ruler, pressured to satisfy an appellant by whose request the ruler has bound himself, and impelled by an off-stage instigator, orders the death of God’s messenger; the disciples of the messenger then collect his corpse and lay it in a tomb.”⁶

It would be unusual if the story implanted with these prominent markers did not include similar, if less obvious, baptismal associations. Take the baptizer himself. For Mark, John is not just like Elijah; he *is* Elijah, the “messenger” going before, recalling the enigmatic figure in Exod 23:20–21, and appearing where Elijah was last seen at the climax of one of a host of scriptural scenes recalled in Mark’s opening.⁷ Jesus plays Elisha to John’s Elijah, crossing the Jordan from east to west and receiving the spirit.⁸ This scene in turn recapitulates Jesus’s namesake Joshua crossing

Emperors Become Gods? Various Concepts of Imperial Apotheosis,” *Anodos: Studies of the Ancient World* 6/7 (2006/2007): 201–7; Michael Peppard, *The Son of God in the Roman World: Divine Sonship in Its Social and Political Context* (New York: Oxford University Press, 2011). On the phrase in Mark, see T. H. Kim, “The Anarthrous υἱὸς θεοῦ in Mark 15,39 and the Roman Imperial Cult,” *Biblica* 79 (1998): 221–41; Adela Yarbro Collins, “Mark and His Readers: The Son of God among Greeks and Romans,” *HTR* 93 (2000): 85–100; Craig A. Evans, “Mark’s Incipit and the Priene Calendar Inscription: From Jewish Gospel to Greco-Roman Gospel,” *JGRChJ* 1 (2000): 67–81; Adela Yarbro Collins and John J. Collins, *King and Messiah as Son of God: Divine, Human, and Angelic Messianic Figures in Biblical and Related Literature* (Grand Rapids, MI: Eerdmans, 2008), 126–34; Arthur J. Droge, “Ghostlier Demarcations: The ‘Gospels’ of Augustus and Mark,” *Early Christianity* 2 (2011): 335–55, esp. 345–46 (“Is this merely an echo of the key imperial honorific, or is it a deliberate imitation and cooptation of it? And to what end? It is hard to be sure”), 350–51; Adam Winn, “Resisting Honor: The Markan Secrecy Motif and Roman Political Ideology,” *JBL* 133 (2014): 583–601. While Mark deals primarily with Jewish matters in terms of Jewish Scripture and tradition, its diction and rhetoric can evoke Roman political discourse.

6. Chris Seeman, “‘It Is Not Like This among You’: The Kingdom of God, Gentile Behavior, and the Sin of Empire in Mark’s Gospel,” presented at “The Bible and Justice,” St. Ambrose University, Davenport, Iowa, May 31, 2013.

7. Cf. Ulrich Mell, “Jesu Taufe durch Johannes (Markus 1,9–15)—zur narrativen Christologie vom neuen Adam,” *Biblische Zeitschrift* 40 (1996): 161–78; Markus Öhler, “The Expectation of Elijah and the Presence of the Kingdom of God,” *JBL* 118 (1999): 461–76; Robert B. Coote and Mary P. Coote, “Homer and Scripture in the Gospel of Mark,” in *Distant Voices Drawing Near: Essays in Honor of Antoinette Clark Wire* (ed. Holly E. Hearon; Collegeville, MN: Liturgical Press, 2004), 189–201.

8. None of the milestone comparisons of Jesus with Elisha makes anything of this cor-

the Jordan with the Israelites, itself a recapitulation of Moses's crossing the sea at Passover.

In Mark's reading of Malachi, Elijah is the messenger preparing the way, prior to the great and terrible day of the Lord, when "the lord whom you seek will suddenly come to his temple." Elijah's return is expected, but what happens to him in Mark is not. Elijah loses his life, finally, a fate that Mark underlines, beginning, middle, and end, and will not reappear. Jesus refers to Elijah's execution as the pattern for his own on the way down the mountain where Jesus appears as the baptized initiate and Moses and Elijah stand briefly in his presence before vanishing. Jesus orders Peter, James, and John not to tell anyone what they have just seen, until the human (Son of Man; Jesus) rises from the dead (Mark 9:9). Still resisting the part about the "dead," which they have just learned about and have seen contradicted by Jesus's glorification atop the mountain, they remind Jesus of the scribes' assertion that Elijah must come first. "Elijah does come first," Jesus replies, "and restores (ἀποκαθιστάνει) everyone"—Jesus refers to Mal 3:23 (ἀποκαταστήσει), and John's baptism "for forgiveness" applied to all Judea and the Jerusalemites. "And how," Jesus asks, "is it written concerning the human (me), that he is to suffer greatly and be treated with contempt? But I say to you that Elijah *has* come, and they did to him whatever they wanted, just as is written about him (i.e., the human, me)" —Jesus refers to the Lord's servant in Isaiah following on the messenger sent before to prepare the way. Elijah, Jesus's baptizer and precursor, has come, been murdered, and (here the correspondence fails) will not come again.

The termination of Elijah is reiterated at the moment of Jesus's death. The soldiers loot Jesus's garments, leaving him to die naked or nearly so. The crucified insurgents mock Jesus for not saving himself, as do the chief priests and scribes, whom Jesus had challenged regarding baptism by John (Mark 11:27–33). Jesus then cries out, "My God, my God, why have you deserted me?" Bystanders mistake Jesus's "ἐλῶι" for "ἡλία": "Look, he's crying out for Elijah." One thrusts a vinegary sponge at Jesus to revive him, to see whether Elijah will come get him down. Elijah does not come, and Jesus dies. The centurion says he was a son of God and confirms to Pilate that he is dead and interrable, like Elijah. The baptizer, Elijah the precursor, threads through Mark from beginning to end.

Or take Jesus's family. In Mark, Jesus has no use for his birth family, starting with his birth father. Jesus discards his birth family—father, mother, brothers, sisters—in staggering consequence of his baptism. When Jesus becomes the son of God, God replaces his birth father, who

respondence with 2 Kings 2: cf. most recently Adam Winn, *Mark and the Elijah-Elisha Narrative: Considering the Practice of Greco-Roman Imitation in the Search for Markan Source Material* (Eugene, OR: Pickwick Publications, 2010).

never appears in the story, an extraordinary absence all the more notable since the rest of Jesus's family, especially his mother, appear more than once. Jesus replaces the filial piety he owes his father, a cardinal virtue, with his devotion to God. The resulting family disruption suffuses the Gospel. Jesus's filial devotion reaches a breaking point as he approaches, like Isaac but adult and aware, the death commanded by his father. After agonizing, Jesus bows to the will of his father, submitting to the death that fulfills his baptism.

Through baptism Jesus becomes exceptionally powerful and correspondingly powerless. Immediately after the spirit makes him God's son, it throws him into the desert to be tempted by Satan with world dominion, which now lies in Jesus's power, served as he is by angels, God's Special Forces. "Not before I do my father's will," we may imagine Jesus saying. "But I'll be back, and these angel warriors with me." Jesus then gathers human forces, a new Israel advancing through the desert, across the Jordan, and on to Jerusalem, in what his top Twelve can reasonably expect will end in triumph, under their new Joshua, launching the rule of God, with themselves as regents.

The new father-son relationship with God casts Jesus's kin into oblivion. Thus after Jesus, propelled by the baptism spirit, has made a nuisance of himself dominating the spirit world, disrespecting the Sabbath, touching lepers, absolving sinners, dining with tax collectors, eschewing fasts, and generally attracting unwelcome attention to his family, they come to get him off the street, excusing his behavior by saying he has gone crazy. A household divided cannot stand: so when told that his mother, brothers, and sisters are looking for him—his father is out of the picture—Jesus replies, "Who are my mother and brothers?" and looks at the followers around him. "These are my mother and brothers. Whoever does the will of God is my brother, sister, and mother" (Mark 3:34).

When later Jesus teaches and heals in his hometown Nazareth, the townspeople object: "Wait, we know this man! We know his mother, brothers, and sisters." Restricting Jesus to his family of birth means dismissing the pretensions of a Jesus reborn in baptism, and his consequent teaching and acts of power, leaving Jesus to marvel at their disfavoring distrust and move on.

In one of the few seeming corroborations of Moses in Mark, Jesus accuses the Pharisees and scribes, judicial experts, of rejecting the will of God, spoken by Moses, to keep the tradition of humans. Moses commanded, "Honor your father and mother," and "Anyone who speaks evil of father or mother shall be executed." By sanctioning the use of *qorban* to create trust funds that help people evade support for dependent parents, the Pharisees and scribes are undoing a valid command (Mark 7:10). However, the command to honor father and mother—the choice of issue is ironic, like nearly everything in Mark—does not apply to Jesus in the

usual way. Now that God is his father, his birth father might as well not exist. His mother disqualifies herself by blaspheming the baptismal spirit, and when she appears later at the cross and the tomb (15:40; 16:1) she is no longer identified as the mother of Jesus but only of James and Joseph, his brothers no more. "Everyone who has left house, brothers, sisters, mother, father, children, or fields for my sake and for the sake of my war pronouncement will receive houses, brothers and sisters, mothers and children, and fields a hundred times over"—no new father besides God—"with persecutions, and in the age to come life befitting the age (*ζωὴν αἰώνιον*, Mark 10:30)."

In the biblical world, nearly all rule was household rule, spanning the patriarchal gamut from father to king, and it was proprietary, to be passed on from father to son, the dynastic principle. The concluding incident in this series of events in Mark nullifying Jesus's birth family returns to the question of what family Jesus belongs to. Does he belong, as supposed, to the descendants of David, the father of the rightful kings of Israel? In a final confrontation with the scribes and Pharisees, Jesus exegetes Psalm 110 to prove that the messiah cannot be the son of David: "the Lord," declared David by the spirit, "said to *my* lord, 'Sit at my right hand'" (Mark 12:35–38). Once baptized, Jesus has no genealogy, Davidic or otherwise.

In another Markan irony, whereas Jesus's family is convinced that he is possessed by an unclean spirit, it is the unclean spirits who address Jesus as "the holy one of God," who fall to the ground before Jesus, shouting, "You are the son of God!" and who shout aloud, "Jesus, son of the most high God!" instead of blind Bartimaeus's "Son of David! Son of David!" Bartimaeus's mistake paves the way for the equally misguided hosannas of the Jerusalem crowd, who also mistake Jesus for a son of David, and for the centurion's correct, if ironic, affirmation.

Indeed the opening catena of Jesus's acts of power begins and ends with demonic spirits, before he names the Twelve to exorcise spirits too. This sequence is thus integrated with Jesus's baptism and leads directly to his denial of his birth family in favor of his new family, who like him do "the will of God." After naming the Twelve as the new house of Israel, Jesus "goes into a house," prompting the question what household he belongs to and whose spirit has got hold of him. With command over compliant spirits and an apparent insensibility to disgrace, Jesus has aroused the suspicion that he is possessed by Beelzebul and of the household of Satan, the ruler of the spirits (Mark 3:22). He replies: "how can Satan cast out Satan?" Possessed by the arch unclean spirit? Jesus utters an unalterable anathema on those who say so.

Jesus, able to command the wind and the sea as he commands the demons and Satan, is not done with demon spirits. The demoniac of Jerash (Mark 5:1–20) is the first of three naked or nearly naked individu-

als in Mark suggesting quasi-baptized figures.⁹ Baptism typically entailed nakedness.¹⁰ Nakedness without shame, returning men and women to the original state of the first male and female (Gen 2:25), challenged a core element of Jewish piety, not unlike Jesus's command to drink his blood in a transformation of the covenant of blood. Nakedness sustained the conviction not only that baptism is a rebirth, but that it dissolves the distinctions of Jew and Greek, slave and free, and male and female: nothing equalizes like nudity.

The demoniac wanders among the tombs naked, unfettered, howling, and lacerating himself. The spirit recognizes Jesus: "Jesus, son of the highest God!" Jesus expels the spirit, who as "legion" is given leave to infect a herd of swine that self-destructs. The man is left seated, clothed, self-controlled, and intelligible. The nearby townspeople urge Jesus to go away. The man once naked and now clothed wants to be with Jesus, but Jesus, breaking his gag rule for the first and only time, sends him home to tell family and friends about his rebirth.

The second quasi-baptized figure is Bartimaeus, the blind man at Jericho (Mark 10:46–52), the counterpart to the blind man of Bethsaida healed in stages and told to keep quiet (8:22–26). As often observed, these two episodes frame the middle third of Mark. Mark may be divided, after Jesus's baptism and testing, into three sections, the first in Galilee dealing with the status of Moses, the third in Jerusalem dealing with the status of the temple and the fate of the baptized messiah, and the second in between. The middle section has Jesus travel from the source of the Jordan at Caesarea Philippi to its mouth near Jericho, hard by the site of Jesus's baptism. Unfolding from one end of the Jordan to the other, this section lays out the meaning of Jesus's baptism, beginning with the outward futility of his march to Jerusalem and ending with his response to James and John about their baptism and with the encounter with Bartimaeus.

Bartimaeus is an ironic figure, who, begging for mercy, hails Jesus, about to enter the city of David, as the son of David. He is told to keep quiet. Summoned by Jesus, he throws off his garment and confronts Jesus naked. Jesus asks, "What do you want me to do for you?"—casting him in the role of James and John in the preceding episode, who aver their readiness to be baptized. Bartimaeus answers, "To see." Jesus replies that

9. Steven R. Johnson, "The Identity and Significance of the Neaniskos in Mark," *Foundations and Facets Forum* 8 (1992): 123–39. Johnson notes his debt to Theodore L. Trost, "A Portrait of the Young Man (Neaniskos) as Hero in the Gospel of Mark" (MA thesis, Graduate Theological Union, 1989). See also Standaert, *Évangile*, 394–96.

10. Jonathan Z. Smith, "The Garments of Shame," *History of Religions* 5 (1966): 217–38; Wayne Meeks, *The First Urban Christians: The Social World of the Apostle Paul* (New Haven: Yale University Press, 1983), 150–57. Scroggs and Groff make the case for applying evidence from late second century and beyond to the first: "Baptism in Mark," 537–39. (I have ignored the *Secret Gospel of Mark*.)

his trust has healed him. His sight restored, Bartimaeus follows Jesus “in the way.” Surmounting the shame of nakedness as he does associates him with the baptized. But having called Jesus the son of David, does he now see or not?

The third naked figure poses no such question. Mark’s finale—Jesus’s arrest, trial, execution, and burial—is framed by the appearance of a youth in the garden, unclothed (14:52), and the same youth in Jesus’s tomb, “sitting on the right” and reclothed in white (16:5), of the three naked figures the one most clearly portrayed as baptized.¹¹ This youth is the only one who knows what is happening. He tells the women, including Jesus’s discarded mother, to inform Peter and the others, but they do not. The sole person who knows what the youth knows is the writer of Mark, suggesting that the baptized youth may be the writer’s signature portrait,¹² and the crazed demoniac singled out for telling what happened only a little less correlate.

II

Baptism is not the only rite to permeate Mark. Mark is also throughout a story of Passover. Mark begins with baptism and ends with Passover, and insofar as the end fulfills the beginning they are merged: Jesus’s baptism recapitulates Passover, the crossing of the Jordan the crossing of the sea, and Passover recapitulates baptism (cf. 1 Cor 10:1–3). But Mark’s story is a Passover in reverse and a deliverance postponed, proceeding not just forward from Passover to the Jordan and Jerusalem, but also backward from the Jordan to Passover.¹³

11. Scroggs and Groff, “Baptism in Mark,” 536–46, following Smith, “Garments”; S. R. Johnson, “Identity.” Scholars equating the two youths, of whom Scroggs and Groff cited only four, may be a growing minority. Cf. John Dominic Crossan, “Empty Tomb and Absent Lord,” in *The Passion in Mark* (ed. Werner Kelber; Philadelphia: Fortress Press, 1976), 135–52, esp. 147–48; John Drury, “Mark,” in *The Literary Guide to the Bible* (ed. Robert Alter and Frank Kermode; Cambridge: Harvard University Press, 1987), 402–17, esp. 411–12; McVann, “Reading Mark,” 189. For the argument against, see Collins, *Mark*, 690–91; and most vehemently, Howard M. Jackson, “Why the Youth Shed His Cloak and Fled Naked: The Meaning and Purpose of Mark 14:51–52,” *JBL* 116 (1997): 273–89.

12. The proposal goes back at least to Theodore Zahn, *Introduction to the New Testament* (Edinburgh: T & T Clark, 1909), 491–92, who in an excess of literalism imagined the figure as the assumed author Mark, who owned the room where the disciples dined, etc. See Herman C. Waetjen, *A Reordering of Power: A Sociopolitical Reading of Mark’s Gospel* (Minneapolis: Fortress Press, 1989), 243; S. R. Johnson, “Identity,” 129, again crediting Trost; Robert B. Coote, “Scripture and the Writer of Mark,” in *The Interface of Orality and Writing: Speaking, Seeing, Writing in the Shaping of New Genres* (ed. Annette Weissenrieder and Robert B. Coote; WUNT 2.260; Tübingen: Mohr Siebeck, 2010), 363–78, here 365.

13. Coote, “Scripture,” 363–64.

The elements of this motif, equal to baptism in resonance and complexity, are familiar and need no elaboration here.¹⁴ The motif is represented not just in Mark's Passover events but also in "the way" through water on dry land. This includes, for example, the run-up to the breaking of bread and of Jesus's body at Passover in a way that turns Passover into a rite for Jews and non-Jews alike regardless of circumcision. Jesus fulfills his role as Elisha by feeding large crowds with small means "in the desert," replicating the provision of manna, but with *leftovers*, an arresting reversal of the manna story. Elisha performed this feat at Gilgal (2 Kgs 4:38, 42–44), the desert landing place on the west side of the Jordan, where Jesus "came up from the water," and where the first Jesus, having led all Israel across the Jordan at Passover, circumcised the entire generation of males born to the half million men on the desert trek from Egypt. This was *the* place of circumcision if ever there was one, recalled now by the Jesus's twofold feeding of broken pieces of bread producing leftovers. Lest hearers of the story, while connecting the pieces of bread with the broken bread of Jesus's Passover and Jesus's crucified body, ignore the significance of the provision, in the desert, of bread *with leftovers*, they are soon confronted, at the climax of the first third of Mark, with Jesus's warning against the Pharisaic and Herodian "leaven" and his question, "Do you not yet understand" the meaning of twelve and seven baskets of leftovers? (8:14–21). The centerpiece of this story segment is Jesus's assent to the Phoenician woman's retort, "Even the dogs eat the crumbs" (7:24–30). The broken body of Jesus makes Passover, via baptism and *not circumcision*, the rite of Jew (twelve) and non-Jew (seven) alike.

III

Since Mark is a story of baptism and of Passover, it is easy to imagine that it originated as a story accompanying a rite. Such has been proposed, though not often.¹⁵ With one significant exception, the center of attention has been

14. See, for example, Joel Marcus, *The Way of the Lord: Christological Exegesis of the Old Testament in the Gospel of Mark* (Louisville, KY: Westminster/John Knox Press, 1992); Willard M. Swartley, *Israel's Scripture Traditions and the Synoptic Gospels: Story Shaping Story* (Peabody, MA: Hendrickson, 1994), 95–115; Rikk E. Watts, *Isaiah's New Exodus and Mark* (Tübingen: J. C. B. Mohr [Paul Siebeck], 1997); Watts, "Mark," in *Commentary on the New Testament Use of the Old Testament* (ed. G. K. Beale and D. A. Carson; Grand Rapids, MI: Baker Academic, 2007), 111–249; Heike Omerzu, "Geschichte durch Geschichten: Zur Bedeutung jüdischer Traditionen für die Jesusdarstellung des Markusevangeliums," *Early Christianity* 2 (2011): 77–99; Brant Pitre, *Jesus and the Jewish Roots of the Eucharist: Unlocking the Secrets of the Last Supper* (New York: Doubleday, 2011).

15. The major treatments are David Daube, *The New Testament and Rabbinic Judaism* (London: Athlone Press, 1956), 158–70, and "The Earliest Structure of the Gospels," *NTS* 5 (1958): 174–87 (Daube proposed not that Mark is a Haggada but that the opponents' questions in Mark 12 mimic the sons' four questions in the Haggada); John Bowman, *The Gospel*

on Passover, taking Mark as a substitute Haggada. The story makes a baptismal context at least as likely.¹⁶ There may appear to be no need to choose: the reflexes of both baptism and Passover are abundant, pervasive, and intermixed, making the most likely ritual context for Mark the baptism of initiates at Passover. Moreover it is hard to give Mark's singular account of the Passover meal, with its grid of interlocking motifs extending over the Gospel, anything less than primary significance. But baptism and Passover, though intertwined in Mark, are two different rites that as such do not overlap. Not only do the baptismal motifs take precedence in the story, but also the story from the beginning addresses the status of Moses, a fundamental issue that arose in the church less apropos of Passover than of the fraught relationship between baptism and circumcision.

If Mark goes with a rite, it is likely baptism. Furthermore, though there is too little evidence to decide the matter, given the role of Passover in Mark and given that circumcision is the element of Jewish conversion explicitly prescribed for Passover (Exod 12:44, 48), the likeliest occasion for Mark is baptism prior to Passover. In this view, Mark is not a Haggada but baptismal instruction. Mark recounts the meaning of self that newly defines the individual and the meaning of Passover that newly defines the group, both far from routine insofar as they dispense with the core Jewish values of kinship, the primacy of Moses, the Davidic lineage of the messiah, allegiance to the temple, and, for males, circumcision.

That the church's baptismal rite included instruction can be assumed.¹⁷ Matthew, written to reverse most of Mark's deviations, attests such instruction: Jesus, having deferred his special treatment of baptism for non-Jews until last, after establishing unequivocally that he came not to nullify Moses but to affirm him, orders the disciples to "make disciples of all non-Jews, baptizing them . . . and instructing them to keep all that I have commanded you" (Matt 28:19), Moses as bedrock. The *Didache*, in the earliest non-canonical account of baptism, refers to prior instruction: after depicting the "two ways," it continues, "Regarding baptism, baptize as follows: having first said all these things (ταῦτα πάντα προειπόντες), baptize . . ." (7:1). Mark was narrated to convey its version of "all these things."

of Mark: *The New Christian Jewish Passover Haggadah* (Leiden: Brill, 1965); Karel Hanhart, *The Open Tomb: A New Approach, Mark's Passover Haggadah* (+/- 72 C.E.) (Collegeville, MN: Liturgical Press, 1995); Israel Jacob Yuval, *Two Nations in Your Womb: Perceptions of Jews and Christians in Late Antiquity and the Middle Ages* (Berkeley: University of California Press, 2008), 56–91. Yuval's observations work as well if the opposition he labels Jewish and Christian applies within the church rather than between the church and a Jewish other. The exception is Standaert and followers.

16. Scroggs and Groff, "Baptism," 544, *obiter*; Standaert, *L'Évangile selon Marc* (1978), and Standaert, *Évangile* (2010); Mark McVann, "Reading Mark Ritually."

17. M. E. Johnson, *Rites*, 28.

IV

What then is the purpose of making the story of Jesus accompanying proselyte baptism a story of Jesus's baptism? It is an obvious gesture, matching story to rite, but more than that. Mark is a polemic in story form, engaging the initiate, and the group doing the initiating, on an issue of great importance in the early church: just what are the requirements for joining, and what is their import in Mark's world? The answers to these questions were in dispute. Mark shares Paul's view that trust obviates circumcision and the Law of Moses as requirements for sharing God's covenant. The test for this view comes with the initiation of the non-Jewish male proselyte. By what means does he qualify for the covenant people? Not by becoming Jewish or Israelite. Paul is quite able to distinguish Jew from Greek (as is Mark), just as he can tell slave from free or male from female. Paul's point is that, as *all* who are baptized "into the messiah," receive the spirit, and are re clothed with him are reborn as sons of God through trust, distinctions like Jew and Greek become immaterial. At the same time, the non-Jewish proselyte, though he cannot become a Jew, does become a member of the covenant family, "according to the spirit, not the flesh," by becoming in the spirit a son of Abraham, the father of the Jewish people. The covenant of the sons of Abraham is not the only covenant in the Torah, but it is the one that Paul concentrates on because he finds there the scriptural warrant for the paramount value of trust.¹⁸ Hence Paul's focus on circumcision, *the* law prescribed for the covenant of Abraham. For Mark as for Paul, the event that marks conversion to sons of God is receiving the spirit in baptism, an event that entails both release from travail and its embrace, both exaltation and sorrow, as travail and sorrow put trust in play.¹⁹

All this is common to Paul and Mark, but none of it was common to most followers of Jesus in their day. For this and most of what Paul and

18. Jon D. Levenson, *Inheriting Abraham: The Legacy of the Patriarch in Judaism, Christianity, and Islam* (Princeton, NJ: Princeton University Press, 2012), 149–60.

19. It is likely that the Jewish rite of baptism for proselytes, both men and women, predated the church's baptism as an element of *giyyur*, or conversion, one of the four requirements together with acceptance of the Torah (Moses), circumcision for men, and sacrifice, and that therefore it may have served as a basis for the church's baptism. Lawrence H. Schiffman, *Who Was a Jew? Rabbinic and Halakhic Perspectives on the Jewish-Christian Schism* (Hoboken, NJ: Ktav, 1985), 25–30; Avi Sagi and Zvi Zohar, *Transforming Identity: The Ritual Transformation from Gentile to Jew—Structure and Meaning* (New York: Bloomsbury Academic, 2007), 137. Adela Yarbro Collins argues for the unlikelihood; see "The Origin of Christian Baptism," *Studia liturgica* 19 (1989): 28–46, esp. 35; Mark, 138–40. For the argument that until the rabbinic period circumcision did not trump genealogy and make a non-Jew a Jew, see Matthew Thiessen, *Contesting Conversion: Genealogy, Circumcision, and Identity in Ancient Judaism and Christianity* (New York: Oxford University Press, 2011). It is now generally agreed that the passage in *m. Pesah.* 8.8 long taken to concern the requirement of immersion for the *ger* who converts at Passover and much discussed with regard to baptism is not germane.

Mark have in common there existed a range of Jewish views. The issues in question were briskly debated because for Jews, and for most of those choosing to ally with them by faith in God and adherence to Moses, the integrity of the Jewish covenant defined by Torah, and with it the Jewish assembly in every place, was at stake. The issues were not simply religious. The Law of Moses held pride of place because it was widely recognized as of unique antiquity and as such provided the basis for the extraordinary autonomy that Jewish leaders were able to negotiate in their locales vis-à-vis Greek and Roman magistracies. Jewish magistracies' ultimate responsibility was maintaining this Law, by sanctioning adherence to it and making it applicable.

Such commitments applied as a matter of course in the early church as a Jewish sect, while much of what Paul and Mark agreed on could be seen to undermine them. The hostility to Paul reflected in his letters was real and obtained in Mark's world as well. Against such hostility Mark's partisanship is evident. The story covers Peter, the apostle to the circumcision, the first of the disciples and Jesus's closest aide, with shame; anathematizes Jesus's brother James, once the church's head, along with his mother, makes his birth father a null, his circumcision and genealogy irrelevant, and his family of no account; contradicts the messiah's Davidic lineage; makes Moses disappear; and condemns the temple to oblivion. This is not one more performance of the ordinary story of a Jewish cult's Jewish messiah.²⁰

This of course is a reading of Mark proposed many times, still held by some but mostly rejected as misrepresenting the ties between Paul and Peter. Most scholarship on Mark sees conflict only between Jesus and his overt opponents. Moreover, currently scholars seem inclined to make little of disagreement in the early church, a doubtful approach to perpetual factionalism and small-group dynamics.²¹ This is to downplay the socio-political importance of Moses, brushing aside how central a warranted keeping of Moses was for the integrity of the Jewish covenant and the maintenance the Jewish prerogative of judicial autonomy.²²

20. Robert B. Coote, "Scripture," 368–69.

21. This is where it is necessary to part company with Standaert and followers, who while recognizing the pervasiveness of baptism in Mark interpret it mainly with regard to the mores of "discipleship" admonished in the face of Roman persecution, a popular trope, highlighting the individual rather than communal implications of baptism.

22. Mark D. Nanos, "Paul's Non-Jews Do Not Become 'Jews,' But Do They Become 'Jewish?': Reading Romans 2:25–29 within Judaism, alongside Josephus," *JJMJS* 1 (2014), 26–53, is the latest work rightly helping to position Paul and the dispute over circumcision in a strictly Jewish framework. Nanos's distinction between Jewish and "jewish"—that is, enculturated into Judaism—sees Paul inhabiting a Jewish world where it makes sense to oppose non-Jews undertaking proselyte conversion to become Jews when by their keeping the just norms (*δικαιώματα*) of the law "their uncircumcision will be counted as circumcision"

V

The ties between baptism and Passover in Mark show that more than baptism is at stake. "This is my loved son," God says. "Heed *him!*" Previous treatments of Mark as a ritual text make nothing of this astonishing moment on the Mountain of God, where the Law itself was first delivered to Moses, Elijah harbored, and now both vanish at God's baptismal injunction. It is on this passage and its interpretation of Deut 18:15–18, not Peter's recognition of the messiah shortly before, that Mark pivots. The dominion bestowed on Jesus at his baptism authorizes him to redefine the covenants of Torah, rooted as they are in kinship annulled.²³ Baptism's transformation of Passover signals a larger significance, nothing less than replacing the covenants of blood, circumcision, and Sabbath (Noah, Abraham, Moses) that compose the Torah with a new covenant—the cup Jesus presents, and is presented, as the blood of the covenant.²⁴ The alternative social order that interpreters rightly attribute to Mark is not limited to generic social relations, such as repudiating the privileges of power, wealth, standing, gender, age, and the like, or opposing the elite pretension and corruption under attack in Mark. It includes—in fact, makes central—the Jewish constitution founded on the Mountain.

Mark deals with all three covenants composing the Torah in terms of the practices that epitomized Jewish obedience: circumcision, Sabbath, and food laws, the treatment of blood coming with the last. In Jesus's baptism the kinship demarcation of Israel is erased and the covenants of Abraham and Moses that assume that demarcation go under. Mark treats trust and baptism as Paul does, but goes a step further. Paul wants not to contradict Moses—though a statement like 1 Cor 9:21 opens the door; Mark walks right in.

That circumcision goes unmentioned in Mark is all the more significant, given the expectation.²⁵ Jesus's baptism occurs at Passover. All

(Rom 2:26) and they become equally children of Abraham through trust. Such a distinction, however, underrates the degree to which Jewish leaders, including followers of Jesus, might be loathe to countenance a "cultural" definition of Judaism and the proliferation of groups under the Jewish banner failing to uphold the integrity of the *judicial* basis of Jewish well-being. Such a dereliction would have political consequences zealously to avert—thus the opposition characterized as "keeping close watch on you not for your good but to shut you out, so you can serve their interests" (Gal 4:17).

23. Paul's affirmation of genealogical Israel in Romans 9–11 is a premise of his argument for the trustworthiness of God. Mark takes God's trustworthiness as axiomatic, notwithstanding Jesus's final cry.

24. The *καὶνός* in some mss of Mark 14:24 may be secondary but is apropos: Mark 2:21–22.

25. "Mark . . . does not mention the particular issue upon which the question of Law-observance is usually focused in Paul, namely circumcision; nor does he link his polemic

including non-Jews must be circumcised to join in Passover. As recalled, the Israelite men who crossed the Jordan with Joshua at Passover did so uncircumcised, so Joshua circumcised them, a multitude, after which the first Passover in the land was kept. The evocation is unmistakable. Absent circumcision, baptism in Mark puts Jew and non-Jew on the same plane, if not in the same basket. John's baptism by water, performed on all Judea and Jerusalem, is not a proselyte baptism. But the larger story shows that Jesus's baptism by water and spirit pertains to the non-Jew as much as the Jew, and in the Pauline sense of indifference, since as far as the story is concerned Jesus is the son of no one but God. Like the rest of John's clients, Jesus is a son of Abraham in the flesh, circumcised; but Abraham as the father of the circumcised is, for the story, an irrelevance, like Jesus's birth father.

However, Abraham does figure implicitly in the episode, as the focal point of the covenant of circumcision and the father of the first circumcised son. In Paul's argument for baptism in Galatians, Jesus as the seed of Abraham replaces Isaac, who appears only with reference to his mother. In Mark, Jesus takes Isaac's place as the beloved son to be sacrificed by his father, a story resonant with the abundant Jewish traditions of Isaac, and Abraham is bracketed out altogether.²⁶ For Paul, a covenant of trust pioneered by Abraham and Sarah obviates the covenant of circumcision for non-Jews to join the family. Mark conveys a like understanding of baptism in relation to circumcision. As Mark narrates the inclusion of non-Jews on the basis of a Passover conceived in terms of a baptism patterned after the original crossing of the Jordan, circumcision becomes the mastiff that does not bark.

Having laid the groundwork for disposing of circumcision, Mark turns immediately to the covenant of Moses and its sign, the Sabbath, the theme of the catena in 1:21–3:6. Mark structures the dispute over the nature of Jesus's baptismal spirit, climaxing in the rejection of his family, to convey Jesus's position on the Sabbath. As "the human" (Son of Man), Jesus calls himself "lord of the Sabbath," an arrogation so brazen that it takes only one more ostensible Sabbath violation to tip the authorities into plotting his end—no wonder his family want to corral him. Five of the catena's episodes, including the first and last, involve Jesus's ostensible violation of the Sabbath. Also the end of a Sabbath is pointedly the signal for the throng who waited until sundown to come for healing. Challenged to justify his presumption, Jesus cites a precedent of David the Pharisees

against Peter and Jesus' family directly with the Law-observance issue . . ."; see Marcus, *Mark* 1–8, 74. Contrast Coote, "Scripture," 366–68.

26. Jon D. Levenson, *The Death and Resurrection of the Beloved Son: The Transformation of Child Sacrifice in Judaism and Christianity* (New Haven: Yale University Press, 1993), 171–232; Levenson, *Inheriting Abraham*, 139–72.

might respect, then clinches his right with a deft exegesis of Gen 1:27–2:3, “The Sabbath was made for the human, not the human for the Sabbath. Thus the human is lord even of the Sabbath.”²⁷

The Sabbath and thus Moses are subordinated to Jesus, and to the whole of humanity if “the human” means, besides the regnant figure in Dan 7:12, anyone. That the catena signifies the subordination of Moses might seem to be negated by the episode of the leper, whom Jesus orders to say nothing but go to the priest and make the offering commanded by Moses to confirm a cleansing. However the point of Jesus’s order, delivered with a snort (ἐμβριμησάμενος), is not to validate Moses, but to show up the temple authorities.²⁸ By the time Jesus appoints the Twelve, recreating Israel, and defends his spirit, he has put the constitution of Israel, the “will of God,” on a new footing.

Mark’s treatment of Moses continues in the latter part of the first third of the story, redefining the covenant of blood and the food taboos founded on it and thereby contradicting the one article of Torah that according to Luke’s compromise account in Acts 15 the disputants could agree on, the covenant of Noah, the father of all.

In scripture, the regulation of blood begins with Noah, to whom God gives the single command not to eat blood. The disposition of blood figures in many Mosaic rules, among them those regarding blood flows and food. Both of Mark’s baptismal type scenes, Passover in Egypt and at the Jordan, involve eating unleavened bread, and the career of Elisha, begun in a replay of Passover at the Jordan, involves the miraculous production of excess bread, a twist on the provision of manna. Mark combines these two motifs in his treatment, in linked episodes, of bread and bread pieces to stand for Jesus’s broken body, representing his baptismal death at Passover and combined with his blood, the cup that comes with baptism, at his last Passover meal. This thread is introduced immediately following Mark’s validation of Jesus’s baptismal spirit, with the parable of seeds, the source of bread that grows and expands. Seeds sown on good ground “hear the word and receive it and bear fruit thirtyfold, and sixtyfold, and a hundredfold.” That the food issue is a blood issue becomes clear with the juxtaposed treatment of blood in the nested episodes involving the menarcheal daughter and the woman hemorrhaging for twelve years. As seen above, this treatment of the food taboos comes to an initial climax—anticipating the Passover breaking of bread and drinking of Jesus’s blood—when Jesus quizzes the disciples about the number of baskets of

27. Roben Griffith-Jones, “Going Back to Galilee to See the Son of Man: Mark’s Gospel as an Upside-Down Apocalypse,” in *Between Author and Audience in Mark: Narration, Characterization, Interpretation* (ed. Elizabeth Struthers Malbon; Sheffield: Sheffield Phoenix Press, 2009), 82–102, esp. 86–87.

28. Cf. Mark 6:11: “as a witness *against* them.”

excess bread, whose significance, the inclusion of the non-Jew on equal terms, completes the undermining of Moses as the touchstone of Jewish distinctiveness.

The issue is excess, of two kinds. One is execrable, springing from the “leaven” of the Pharisees and Herodians, akin to the excess, as Mark construes it, of casuistry in the tradition of the elders.²⁹ The other is the broken pieces of (ultimately unleavened) bread: Israel and the non-Jews are treated as one, requiring what an upstanding Jew might at any time, but certainly during the Jewish War, have regarded as an abhorrent reconceptualization of Israel. “Having eyes don’t you see? Having ears don’t you hear?” The narrative arc that begins with the parable of seeds and Mark’s adoption of Isaiah’s ironic commission here reaches its fulfillment: Israel as constituted under Moses, the liberation project of Mark’s time, has dissolved in the waters of baptism.

VI

In Mark, baptism redefines Passover for inclusion of the non-Jew, in the midst or aftermath of a war for the political liberation of Jews against Rome, where the question of loyalty is paramount. War impels taking sides, but in this kind of war there are never just two sides. To the question which side are you on, Mark answers neither—a no man’s land.

Mark’s popular appeal, such as it ever was, came after the war. In the short run, it could be expected not to mitigate but to feed the internecine hostility Jesus predicts: “brother will betray brother, father child, children parents to have them put to death, and you will be hated by all” (13:12). Unlike Paul, who only imagined God’s end-time war, the writer of Mark knew its reality, which affected Jews throughout the empire, not just in Palestine. The war divided the church, as insurrections do all groups. Mark supports neither the insurgents nor the colonizers, but submission on the way to a grandiose future, a theological masterstroke but tactical nonstarter.³⁰ The risk of running afoul of the Jewish insurgency against Rome was not just with fellow Jews outside the church. The social divisions spawned by the war reached into a church that was still far from unanimously abandoning land, temple, and law, essentials grounded in

29. It is conceivable that Jesus does not nullify kashrut, as argued by, for example, Yair Furstenberg, “Defilement Penetrating the Body: A New Understanding of Contamination in Mark 7.15,” *NTS* 54 (2008): 176–200, and Daniel Boyarin, *The Jewish Gospels: The Story of the Jewish Christ* (New York: New Press, 2012), 102–28. It is not necessary to agree on the meaning of the parenthetical “making all foods clean” to see that the issue in the story is the excess “tradition of the elders,” the “commands/tradition of humans,” “your tradition” not God’s (Mark 7:3, 5, 7, 8, 13).

30. Coote, “Scripture,” 368–69.

kinship, and whose governance at the highest rank had been an old-style kinship affair for two generations, under Jesus's brother and cousin.

The war was profoundly disruptive, and this may help explain the radicalness of Mark that goes beyond even that of Paul: Moses is displaced, David is negated, the temple is condemned, the war for the land under the new Joshua ends in the messiah's abandonment and execution. The shame of crucifixion is resolved not in the resurrection, story and experience, but in baptism, story and rite.³¹ Mark's story is that all this stems from Jesus's baptism.

So far I have copied the gendered diction of Paul and Mark, which assumes men as the center of attention, absorbed as they are with God's endgame war. But for Mark this bias is less than half the story. In Mark, baptism, a rite that unlike circumcision includes women and men without distinction, and is thus for women primary, becomes the basis of a categorical rejection of the aims of a war that is men's business.³² The writer of Mark was presumably not alone in giving baptism such priority, and Mark may give us insight into how baptism's priority fostered stories giving women an overriding role, integral to Mark's most radical themes, beginning to end. This extraordinary feature, widely recognized, may also be considered a reflex of Mark as the story of Jesus's baptism. The sequence of women who make the story—the exemplary ones nameless like the baptized youth—may begin with the demoniac *ἄνθρωπος* who occasions Jesus's first encounter with the spirits. It continues with Peter's wife's mother,³³ Jesus's mother and sisters, the menarcheal daughter, the hemorrhaging woman, Herodias and her daughter, the woman of Tyre and her daughter claiming "crumbs," the woman donating her livelihood, the woman anointing Jesus for burial, the woman servant occasioning Peter's betrayal, and the women encountering the youth and failing to tell. When baptism obviates circumcision and the spirit becomes determinative, women join on the same terms as men.

VII

There is no reason to think that such a story of Jesus represented the prevailing tradition, the church's *communis fabula*.³⁴ In recent Markan studies,

31. McVann, "Reading Mark Ritually," 187–90, 195–96.

32. Elisabeth Schüssler Fiorenza, *In Memory of Her: A Feminist Theological Reconstruction of Christian Origins* (New York: Crossroad, 1983), 205–41.

33. Her serving signifies not the menial gender or the grateful suppliant but the first become last: the most likely way for a wife's mother to survive in her son-in-law's household, an unusual arrangement, is to contribute to the household's wherewithal more than her son-in-law.

34. Wire's notion of "favored gospel tellers" in particular localities who tell "the story"

the issue of performance has been dominated by the oral performance of Mark as narrative.³⁵ Of course Mark took shape in an oral world and makes use of oral stories while bending them to its purpose. But the study of oral Mark has fallen short in two regards. It has failed to grasp the uncommon particularities of Mark, and it has ignored the ritual aspect of performance.³⁶ Performance in oral tradition posits a story not as a fixed entity but as a variant in performance. Mark must be such a variant, but not of a common tradition. The tradition of which Mark is a performance must include its renegade partisanship, its saliences so keen and extraordinary that without them the story evaporates. Mark presents itself as a variant of the scriptural story of salvation, but a variant sure to offend, hence so steeped in irony that safeguarding it called for fixation.³⁷ Mark in its particularity was not the stuff of generic church lore.³⁸

VIII

The clearest confirmation that Mark was not one more performance of the church's old, old story is the complexion of Mark's canonical counterparts,

the best and therefore most attract the approbation of listeners still applies; see Antoinette Wire, *The Case for Mark Composed in Performance* (Eugene, OR: Cascade Books, 2011), for example, 148, 184.

35. See, for example, Wire, *The Case for Mark*; Joanna Dewey, *The Oral Ethos of the Early Church: Speaking, Writing, and the Gospel of Mark* (Eugene, OR: Cascade Books, 2013); Eric Eve, *Behind the Gospels: Understanding the Oral Tradition* (Minneapolis: Fortress Press, 2014). For valid critique, see Larry W. Hurtado, "Oral Fixation and New Testament Studies?" *NTS* 60 (2014): 321–40.

36. Wire makes the best recent attempt to understand the whole of Mark in oral terms: Antoinette Wire, *Holy Lives, Holy Deaths: A Close Hearing of Early Jewish Storytellers* (Studies in Biblical Literature 1; Atlanta: Society of Biblical Literature, 2002), 389–93; Antoinette Wire, "Mark: News as Tradition," in *The Interface of Orality and Writing: Speaking, Seeing, Writing in the Shaping of New Genres* (ed. Annette Weissenrieder and Robert B. Coote; Tübingen: Mohr Siebeck, 2010), 52–70, esp. 64–66; Wire, *The Case for Mark*, 110–34.

37. Coote, "Scripture," 373–78; Richard B. Hayes, *Reading Backwards: Figural Christology and the Fourfold Gospel Witness* (Waco, TX: Baylor University Press, 2014), 28–33. For attempts to assimilate Mark's use of scripture to oral performance, see, for example, Holly Hearon, "The Interplay between Written and Spoken Word in the Second Testament as Background to the Emergence of Written Gospels," *Oral Tradition* 25 (2010): 57–74; Holly Hearon, "Mapping Written and Spoken Word in the Gospel of Mark," in *Interface of Orality and Writing*, 379–92; Richard A. Horsley, "The Gospel of Mark in the Interface of Orality and Writing," in *Interface of Orality and Writing*, 144–65; Antoinette Clark Wire, "Spoken Scripture in a Gospel Telling," in *Reading a Tendentious Bible: Essays in Honor of Robert B. Coote* (ed. Marvin L. Chaney, Uriah Y. Kim, Annette Schellenberg; Sheffield: Sheffield Phoenix Press, 2014), 257–82.

38. "Mark's gospel registers consistent hostility"; the writer was "no mere custodian, preserving and presiding over the collective memories" of the church; see Werner H. Kelber, *The Oral and the Written Gospel: The Hermeneutics of Speaking and Writing in the Synoptic Tradition, Mark, Paul, and Q* (Philadelphia: Fortress Press, 1983), 102, 114.

Matthew and Luke, stories long seen as family variants, now regarded by many as replacements in turn.³⁹ The Synoptics exist as such and are three in number because Mark was *not* the story in Matthew's view, and neither Mark nor Matthew was the story in Luke's view, with regard to *Mark's salients*, especially the status of Moses. Matthew's Jesus emphatically upholds Moses: God's judgment impends, on the basis of the Law and more but never less. Jesus's first and last teachings make this clear. "Do not think that I have come to abolish the Law. . . . Not one letter will pass from the Law. . . . Whoever annuls one of the least of these commandments and teaches others to do so will be called least in the Kingdom, and whoever does them and teaches them will be called great. . . . Unless your righteousness exceeds that of the scribes and Pharisees, you will never enter the Kingdom. . . . The scribes and the Pharisees sit on Moses's seat; therefore do whatever they tell you and adhere to it . . ." (5:17–20; 23:2–3). As noted, Matthew puts baptism last and casts it in terms of just this teaching. Luke, concerned to portray before an imperial audience a Jewish sect that can keep the peace both in camera and in public, rejects the contentious extremes of Mark and Matthew and resolves their discreditable quarrel in favor of a middle way, a compromise in which receiving the spirit is distinct from baptism, John the Baptizer is circumcised, Jesus is circumcised, Peter plays Paul and Paul Peter. Mark's opprobrious myth of initiation became *the* story to disaffirm, but for many the story to save.

39. Joanna Dewey quotes Graham Stanton with agreement: "When Matthew wrote his Gospel . . . he intended that his Gospel should replace Mark's. . . . There is little doubt that Luke expects that his more complete Gospel will displace his predecessors" (Stanton, "The Fourfold Gospel," *NTS* 43 [1997]: 341–42); Dewey, *Oral Ethos*, 157 = *JBL* 123 (2004): 195.

Orality and Writing in the Creation of Exilic Prophetic Literature

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Susan Niditch has devoted much of her scholarly career to the study of oral literature and to the ways in which that literature helped to shape the written text of the Hebrew Bible. Moving well beyond the classic nineteenth-century scholarly view that described a completely oral biblical literature becoming a completely written one over the course of the biblical period, she has persistently stressed the complexity of the relationship between orality and writing in ancient Israelite society. In her most recent comprehensive treatment of the subject, she has stressed the continued influence of oral material long after it was set down in writing and has also illustrated how written texts were again used in certain social settings in oral form.¹ In the reflections that follow, I will celebrate and amplify her work by looking at the relationship between oral and written prophetic texts in the exilic and early postexilic periods and suggest that current studies of biblical prophecy could benefit from her research.

At the outset it would seem that scholars working in the area of prophecy would not need Niditch's reminder of the importance of the oral dimensions of prophetic literature. Scholars commonly accept the notion that prophecy in ancient Israel was originally an oral phenomenon, and this idea has only been reinforced by the discovery of reports of prophetic activity in Mesopotamia. However, in spite of this general agreement, much recent research on the subject has focused not on the oral dimensions of prophecy but on the written biblical texts themselves, which are increasingly seen as scribal productions only loosely related, if at all, to the oral oracles of the original prophets. In order to under-

1. Susan Niditch, *Oral World and Written Word* (Louisville, KY: Westminster John Knox, 1996).

stand the current scholarly scene more clearly, it will be helpful to look at a brief history of how oral and written prophetic materials have been understood by the individuals and communities that have preserved and studied them.

It is quite likely that by the end of the biblical period, most people would have assumed that the Israelite prophets originally delivered their oracles orally, although only in a few biblical texts, such as the prophetic stories in Kings and the narratives about Isaiah (Isaiah 7–9), are the prophets actually described as doing so. At the same time, most people knew that the words of the prophets had come down to them in written texts, and it is likely that there was a widespread belief that the prophets themselves wrote the books that bear their names. The editors of the books, who added to each book a brief reference to the prophet and the times in which he worked, are also likely to have held this opinion, although there is little evidence of prophetic writing within the books themselves. Only on five occasions are biblical prophets said to have written their own texts. First Samuel 10:25 portrays the prophet Samuel writing for Saul the rights and obligations of kingship, although no oracles in a technical sense are involved in this case. Jeremiah is said to have written oracles against Babylon in a scroll and then ordered the scroll to be thrown into the Euphrates (Jer 51:60–64). The writer of Chronicles recognizes Isaiah as the author of a history of King Uzziah (2 Chr 26:22) and records the existence of a letter from the prophet Elijah to King Jehoram of Judah (2 Chr 21:12–15). In Jeremiah 29 the prophet is said to have sent letters to the exiles in Babylon, although the text is not clear about who actually wrote the letters. Finally, if Daniel is considered a prophet, he is said to have written down his own dream in Dan 7:1. Beyond these references, prophetic literature describes several divine commands to prophets to produce written materials, although in most cases it is not clear whether the prophets did the writing themselves or used a scribe (Isa 8:1–2; 30:8; Ezek 24:1–2; 37:15–16; Hab 2:2; Jer 30:2; 36:1–2, 27–28). In no case is there a narrative of a biblical prophet writing an entire prophetic book.²

However, in spite of this lack of biblical evidence, the interpretive tradition early on seems to have accepted the proposition that prophets wrote their own books. The classic statement of this belief is found in the Babylonian Talmud (*b. B. Bat.* 14b–15a). In the context of a discussion of the books of scripture, the Talmud records that Samuel wrote the book that carries his name, as well as Judges and Ruth; Jeremiah wrote the book that carries his name, as well as Kings and Lamentations. The other prophetic books, however, were thought by the Talmud to have been writ-

2. Martti Nissinen, "Since When Do Prophets Write?" in *In the Footsteps of Sherlock Holmes: Studies in the Biblical Text in Honour of Anneli Aejmelaeus* (ed. Kristin De Troyer et al.; Leuven: Peeters, 2014), 585–606.

ten by others: Isaiah by King Hezekiah; Ezekiel, the book of the Twelve Prophets, and Daniel by the Men of the Great Assembly.

Premodern interpreters generally accepted the Talmud's judgment. There was a general assumption that at least some prophets wrote their own books, but there was also a recognition that various sorts of scribal authors were responsible for recording other prophetic books and the oracles they contained. This situation began to change in the late nineteenth century, when scholars such as Hermann Gunkel began to recognize the importance of oral traditions in the composition of biblical literature. Although Gunkel himself wrote relatively little about the formation of the prophetic literature, he did share with other scholars of his day a rather clear idea about the prophetic process. Gunkel believed that prophecy as a religious phenomenon began with the private, mystical experience of the prophet, during which divine-human communication took place. After this experience had ended, the prophet communicated the divine message orally to an audience. Eventually the message was written down, but Gunkel is vague about how the writing process worked.³

Gunkel's emphasis on oral tradition is important for understanding prophetic literature because it agrees with both biblical and extrabiblical descriptions of prophetic activity. In all cultures where prophecy appears, it seems to be an oral phenomenon that is based on what is essentially a private religious experience. That experience is the basis for oral communication, which is only later recorded in writing. Whenever the Bible describes this process, it almost always focuses on the oral stage and only rarely mentions the second stage, the stage of producing a written text. The same situation seems to have existed in the cultures that surrounded Israel in antiquity. The largest collection of texts describing prophetic activity outside of Israel comes from the town of Mari and is dated to the early second millennium BCE. The texts describe the activities of a number of oracular speakers, all of whom are said to have proclaimed their divine messages orally. The texts themselves are letters sent by observers of the oracular activities and probably in most cases were written by scribes, whose accuracy in reporting events can no longer be checked. So far, this collection does not contain a tablet said to have been written personally by an oracular speaker, although there is one reference to a speaker wanting to dictate an oracle to a scribe. Later oracle collections from the Neo-Assyrian period, roughly contemporaneous with the prophecies of Isaiah in Israel, are also the work of scribes rather than the work of oracular speakers themselves.⁴

3. Hermann Gunkel, *Die Propheten* (Göttingen: Vandenhoeck & Ruprecht, 1917); Hermann Gunkel, "The Prophets: Oral and Written," in *Water for a Thirsty Land* (ed. K. C. Hanson; Minneapolis: Fortress, 2001), 85–133.

4. On the process of recording Mesopotamian prophecies, see Martti Nissinen, "Com-

The scholarly focus on the oral character of biblical prophecy that began in the late nineteenth century raised major questions about the traditional view that Israelite prophets wrote their own oracles, and in addition this research left unanswered the question of how oral prophecies became written texts. Even more important, scholarly research did not help to clarify whether or not the written texts were reliable records of the original oral oracles. It is against this background and the problems that it raises that current scholarly discussions of oral and written prophecy must be understood.

Although some contemporary scholars continue to maintain that Israelite prophets could have written their own oracles and even produced the books that bear their names, most current writing on prophecy doubts that this was the case. Instead, scholars are now more likely to argue that the prophetic literature does not accurately preserve oracles from the historical prophets, and some scholars even question the existence of these figures. All that remains from them are the stories about them and the prophetic books that were produced and edited by scribes in the exilic period and later. In short, scholarly attention has turned from efforts to recover original oral oracles that might be embedded in written prophetic books to an interest in prophetic literature itself and the scribes who produced it.⁵

This shift in scholarly focus is difficult to date with any precision, but the trend was already visible in the work of Robert P. Carroll, who argued that the original words of the biblical prophets could no longer be recovered and that the books that bear their names could only be studied as literature.⁶ This point of view has been enormously influential and caused a major shift in prophecy studies away from the oral to the written stage of the prophetic process. To be sure, some scholars still hold that later scribes accurately recorded the original words of the prophets and then faithfully transmitted them in writing to an audience that was capable of reading them. However, recent studies of ancient literary collections, such as the one found in the caves at Qumran, have caused many scholars to doubt the claim of accurate literary transmission because of the scribal errors that these texts contain. Similarly, scholars specializing in literacy in ancient Israel have recently shed doubt on the assumption that most of the population could read and write. Rather, there is mounting evidence that in spite of the use of a simple alphabet, the writing of texts in ancient

paring Prophetic Sources: Principles and a Test Case," in *Prophecy and Prophets in Ancient Israel* (ed. John Day; New York: T & T Clark, 2010), 3–24. The most thorough comparative study of this material is Jonathan Stökl, *Prophecy in the Ancient Near East* (Leiden: Brill, 2012).

5. For a recent survey of the creation of the Bible's prophetic literature, see Jean-Daniel Macchi et al., eds., *Les recueils prophétiques de la Bible* (Geneva: Labor et Fides, 2012).

6. Robert P. Carroll, "Poets Not Prophets," *JSOT* 27 (1983): 25–31.

Israel—and possibly also the reading of them—was confined to small elite scribal groups.⁷

It is not surprising, then, that there has been much recent scholarly discussion of ancient Israelite scribes and their activities. This research is too complex to summarize briefly, but a few important figures and trends may be noted. First, some scholars believe that although there may indeed have been Israelite prophets who delivered oral oracles, the oral stage of the process can no longer be recovered. Typical of this position is the work of Philip R. Davies, who maintains that literary activity in Israel was restricted to an elite scribal class that wrote down accounts of prophetic activity and then summarized the oral oracles in letters sent to the government, which later filed them away in royal archives. Some of this material may have later been used by the scribes who produced the prophetic books, but Davies doubts the accuracy of these archival sources. Rather, the scribes recorded what might have been useful to the government and then shaped the material to reflect their own interests. He implies that the written texts did not accurately reflect the oral prophecies, but he is not explicit on this point.⁸

Second, scholars such as William M. Schniedewind argue that scribal activity began much earlier than Davies thinks and that it might have gone back to the Davidic period. However, for Schniedewind the scribes always worked for the government and for the temple and reflected the interests of these institutions. In the exilic period, after the government had ceased to exist, the scribes would have worked exclusively for the temple. As far as the prophetic literature is concerned, he allows for more accurate preservation of oral prophetic oracles but leaves unanswered the question of why the government or the temple would have been interested in preserving oracles that were often hostile to them. As in the case of Davies, Schniedewind implies that scribal interests were rather narrowly focused and that the degree to which scribes might have modified the oral oracles remains unclear.⁹

Finally, scholars such as Karel van der Toorn have provided a picture of scribal activity that is more flexible than the one sketched by Davies or

7. Lester L. Grabbe, "Scribes, Writing, and Epigraphy in the Second Temple Period," in *"See, I will bring a scroll recounting what befell me" (Ps 40:8): Epigraphy and Daily Life from the Bible to the Talmud* (ed. Esther Eshel and Yigal Levin; Göttingen: Vandenhoeck & Ruprecht, 2014), 105–21; Aaron Demsky, "Researching Literacy in Ancient Israel—New Approaches and Recent Developments," in *"See, I will bring a scroll,"* 89–104.

8. Philip R. Davies, *Scribes and Schools: The Canonization of Hebrew Scriptures* (Louisville, KY: Westminster John Knox, 1998); Philip R. Davies, "'Pen of Iron, Point of Diamond' (Jer. 17:1): Prophecy as Writing," in *Writings and Speech in Israelite and Ancient Near Eastern Prophecy* (ed. Ehud Ben Zvi and Michael H. Floyd; Atlanta: Society of Biblical Literature, 2000), 65–81.

9. William M. Schniedewind, *How the Bible Became a Book* (Cambridge: Cambridge University Press, 2004).

Schniedewind. Van der Toorn emphasizes the highly trained character of the scribes and highlights the difficulties involved in the production of scrolls. He also recognizes that while scribes certainly worked for the palace and the temple, they also had individual clients as well. They copied texts, to be sure, but they also created new texts for the government, the temple, individuals, and groups. These new texts did not necessarily simply reflect the interests of the scribes themselves but also the interests of the people who employed them. New material for texts came from a variety of sources, including the clients, other texts, and the scribes' own interpretations. In the case of the prophetic books, van der Toorn accepts a rather traditional picture of the prophetic process. The original oral oracles were collected by the prophet's disciples, and the scribes then collected and arranged this material. However, van der Toorn follows Davies and Schniedewind in arguing that the scribes were connected with the temple and that the finished scribal product was preserved there, although this conclusion is not necessary given his broader picture of scribal activity. Van der Toorn also recognizes that scribes did not just collect and preserve material, but that they also made corrections to existing texts and interpreted the texts on which they worked.¹⁰

Van der Toorn's more complex model of scribal activity in the biblical world makes two important contributions to understanding more clearly the relationship between orality and writing in the formation of the exilic prophetic corpus. First, he stresses the multiple social roles that the scribes occupied. They were not simply concerned with text production. They were also priests and diviners, as well as high government officials and teachers of other scribes.¹¹ This diversity of roles implies that even though scribes might have worked for the government or the temple, they were not necessarily limited in their interests when they worked on texts. In contrast to the usual modern scholarly assumption that scribes were simply scholarly technicians who had no particular interest in the contents of the texts on which they worked, their multiple social roles leaves room for the possibility that they had various interests in working on their texts, including personal interests.¹² They may not have simply reflected the interests of their employers.

Second, van der Toorn reintroduces into the scholarly conversation

10. Karel van der Toorn, *Scribal Culture and the Making of the Hebrew Bible* (Cambridge: Harvard University Press, 2007).

11. For a discussion of the multiple social roles of Ilmilku, Ugarit's best attested scribe, see Dennis Pardee, *The Ugaritic Texts and the Origins of West-Semitic Literary Composition* (Oxford: Oxford University Press, 2012), 42–43. See also the discussion of Adrian Curtis, "Ilmilku of Ugarit: Copyist or Creator?", in *Writing the Bible: Scribes, Scribalism and Script* (ed. Philip R. Davies and Thomas Römer; Durham: Acumen, 2013), 10–22.

12. On the subject of modern scholarly stereotypes about scribes, see Michael H. Floyd, "'Write the Revelation' (Hab 2:2): Re-imagining the Cultural History of Prophecy," in *Writ-*

the notion that oral material may lie beneath the collections of oracles supplied by the prophets' disciples to the scribes. He thus reaffirms Niditch's claim that orality and writing did interact in the scribal production of prophetic literature, even though it may now be impossible to reconstruct precisely the relationship between the oral and the written stages of the process. The implication of van der Toorn's study, then, is that the work of the scribes may not be divorced completely from its oral origins.

Orality may enter scribal work on texts in another way as well, one that has not yet been fully explored by biblical scholars. Although van der Toorn does not comment on this point, it has long been recognized that scribes in the ancient Near East were often associated with particular families, a fact that suggests that scribal activity may have taken place in groups. Scribes throughout the ancient Near East frequently encouraged their sons to undertake scribal training so that they could rise in the court and temple bureaucracies. In Mesopotamia there is evidence that at least as early as the Old Babylonian period scribes visiting the home of a high temple official for business purposes would also occasionally offer scribal training to the client's son. Such training was also available at schools run by the temples.¹³ By the first millennium BCE Mesopotamian scribes in their colophons were tracing their lineages to ancient scribal masters in an attempt to portray themselves as heirs of a distinguished scribal line and to situate themselves in an ancient scribal family. Whether these scribal genealogies are real or fictitious is now impossible to determine, but there can be no doubt that the idea of families of scribes was a common one in that period. Somewhat later, in the Persian period, there are texts that suggest that scribes may have organized themselves into "guilds," which in turn traced their lineages into antiquity.¹⁴ Such family and professional groups of scribes might have provided a venue for conversations among the members, and these conversations might have helped to shape textual interpretations that later found their way into newly written texts. At the moment, there are no texts that provide evidence of these sorts of conversations, although there are examples of scholarly scribal commentaries that were created to aid in interpreting difficult texts.¹⁵

ings and Speech, 103–43. On the independence of the scribes, see Walter J. Houston, "The Scribe and His Class: Ben Sira on Rich and Poor," in *Writing the Bible*, 108–23.

13. For a description of the daily activities of scribes at Sippar in the Old Babylonian period, see Michel Tanret, "The Works and the Days . . . On Scribal Activity in Old Babylonian Sippar-Amnānum," *RA* 98 (2004): 33–62.

14. For a discussion of Mesopotamian scribal genealogies, see Robert R. Wilson, *Genealogy and History in the Biblical World* (New Haven: Yale University Press, 1977), 114–19, and the literature cited there. Persian period guilds in Mesopotamia are discussed in David B. Weisberg, *Guild Structure and Political Allegiance in Early Achaemenid Mesopotamia* (New Haven: Yale University Press, 1967).

15. Eckart Frahm, *Babylonian and Assyrian Text Commentaries: Origins of Interpretation* (Münster: Ugarit-Verlag, 2011).

Further to the west, in the Northwest Semitic sphere, scribal families are also attested at Ugarit, where scribal family genealogies can be reconstructed.¹⁶ It also seems to have been the case that the houses of the scribes at Ugarit were grouped together in the same general area, a situation that might have facilitated scribal interaction.¹⁷ All of these references to scribal families and groups suggest that scribes did not necessarily interpret old texts and create new ones in isolation from one another but that the interpretive process might have involved oral conversations that eventually left their mark on the creation of new texts and the revision of old ones. There is at the moment no way to determine whether or not such conversations actually took place, but if they did, then they would provide a new slant on the role of orality and its relationship to the production of written texts.

Similarly, it is impossible to know whether or not the exilic Israelite scribes who shaped the prophetic literature also functioned in family groups and held oral discussions about the interpretation of their texts. At least in the case of Jeremiah, the biblical text itself refers to a family group, the Shaphan family, which included a number of scribes and royal officials. Members of this group play a prominent role in the stories about Jeremiah, although the family's part in the creation of the prophetic book is uncertain.¹⁸ On the other hand, more generally, there is a growing amount of evidence to suggest that interpretations of older prophetic texts helped to create new ones. The clearest example of this process is the book of Isaiah, about which scholars are increasingly arguing that the so-called Second and Third Isaiahs are not simply additions to First Isaiah but are actually to be understood as interpretations of earlier Isaianic texts. The precise nature of this interpretive process is still not clear, and there is still much scholarly disagreement about the possible role of the prophet's disciples in it, but the idea that interpretation did play some part in guiding the scribal shaping of the whole book is now accepted by many scholars.¹⁹

16. Carole Roche-Hawley and Robert Hawley, "An Essay on Scribal Families, Tradition, and Innovation in Thirteenth-Century Ugarit," in *Beyond Hatti: A Tribute to Gary Beckman* (ed. Billie Jean Collins and Piotr Michalowski; Atlanta: Lockwood Press, 2013), 241–64.

17. Carole Roche-Hawley, "Scribes, Houses and Neighborhoods at Ugarit," *UF* 44 (2013): 413–44.

18. Hermann-Josef Stipp, *Jeremia, der Tempel und die Aristokratie: Die patrizische (schafanidische) Redaktion des Jeremiabuches* (Waltrop: H. Spenner, 2000).

19. For a discussion of recent scholarship on the literary history of Isaiah and on the role of scribes in it, see David G. Firth and H. G. M. Williamson, eds., *Interpreting Isaiah: Issues and Approaches* (Downers Grove, IL: Apollo/InterVarsity Press, 2009); H. G. M. Williamson, *The Book Called Isaiah* (Oxford: Clarendon Press, 1994); and Robert R. Wilson, "Scribal Culture and the Composition of the Book of Isaiah," in *The Bible as a Human Witness to Divine Revelation: Hearing the Word of God through Historically Dissimilar Traditions* (ed. Randall Heskett and Brian Irwin; New York: T & T Clark, 2010), 95–107.

A somewhat similar compositional history has also been suggested for the book of Jeremiah, although research on this question is just beginning.²⁰

Turning from the biblical texts themselves to the exilic context in which the prophetic books are thought to have been shaped, recently published Akkadian texts, primarily from the Neo-Babylonian and Persian periods, are adding new support to the old supposition that the exiles from Jerusalem were settled in identifiable groups rather than being mixed into the general Babylonian population. Within this corpus, one collection in particular demonstrates the existence of communities composed primarily of Judean exiles, the collection of texts composed in the previously unknown city of *āl-Yāhūdu*, “Judahtown.” These texts were written between 572 BCE and 477 BCE and thus stretch from the 33rd year of the Babylonian king Nebuchadnezzar to the ninth year of the Persian king Xerxes. Like the Persian-period *Murašû* texts, published at the end of the nineteenth century, the texts from *āl-Yāhūdu* document an agrarian Judean community that was well integrated into its foreign context. The inhabitants of the city engaged in economic activities, executed business contracts, served as witnesses, formalized marriages and inheritances, and took part in judicial proceedings. It is also interesting to note that both the *Murašû* texts and those from *āl-Yāhūdu* were produced in the region of Nippur, an area identified in the book of Ezekiel as being the location of the exilic community of which the prophet Ezekiel is said to have been a part. Although the picture of the prophet Ezekiel in the book has been shaped to make him into a living symbol of the message that he communicates, the book provides clear evidence that its writer had a fairly sophisticated knowledge of Neo-Babylonian culture and language. It has even been suggested that he might have had scribal training in Babylon.²¹ Thus, even though the texts from *āl-Yāhūdu* do not refer to Judean scribal activity in the city, the biblical text at least suggests that scribal activity was taking place in the area. Such activity would not have been surprising given the identity of the Judean exiles. They were inhabitants of Jerusalem and therefore most likely priests (as Ezekiel is said to have been [Ezek 1:3]), government officials, scribes, and artisans. There is no reason not to think that scribal activity could have taken place in such groups of exiles, and if it did, then oral conversations within the scribal community could well have taken

20. Robert R. Wilson, “Poetry and Prose in the Book of Jeremiah,” in *Ki Baruch Hu: Ancient Near Eastern, Biblical, and Judaic Studies in Honor of Baruch A. Levine* (ed. Robert Chazan, William W. Hallo, and Lawrence H. Schiffman; Winona Lake, IN: Eisenbrauns, 1999), 413–27; Ronnie Goldstein, “Jeremiah between Destruction and Exile: From Biblical to Post-Biblical Traditions,” *DSD* 20 (2013): 433–51.

21. On the Babylonian linguistic and cultural influences in Ezekiel, see most recently David S. Vanderhooft, “Ezekiel in and on Babylon,” in *Bible et Proche-Orient: Mélanges André Lemaire III* (ed. J. Elayi and J.-M. Durand; Transeuphratène 46; Paris: Gabalda, 2014), 99–119.

place and eventually influenced the texts that the scribes produced, even though such scribal conversations cannot be documented.²²

However, from a somewhat later period, the texts found at Qumran provide firmer evidence that oral discussions of texts by the community led to reinterpretations and revisions of written texts. Although the specific identity of the inhabitants of Qumran is still being debated, a careful comparison of their texts with other text collections in the neighborhood suggests that many of the texts at Qumran were not display copies but rougher, utilitarian copies that were intended for use by the members of the community. This fact has suggested to some specialists that members of this particular community are best understood as scholars, who undertook literary activity at the site and as part of their work engaged in oral discussions of their texts.²³

The clearest example of this sort of interaction between orality and writing is found in the various versions of the text known as the Community Rule, which governed the behavior and practice of the members of the group. The existing copies of the Rule exhibit variations in detail that suggest that the texts as a whole underwent change over time and were also perhaps subject to regional variation. At the same time, it is known that the members of the community periodically gathered to discuss their rules and practices. On these occasions arguments among members took place and new interpretations were offered. At the end of these oral exchanges, new Rule texts were created or old copies were modified. As a prelude to the oral discussion, it is also possible that disputed passages in a current written text were read aloud, with the result that the written text again became oral, was then discussed and revised orally, and then again became a written text.²⁴

A second group of Qumran texts may also imply that they were subjected to revision after an oral discussion of their interpretation. A careful look at some of the commentary texts found in the collection has shown evidence of bracketing lines of text in a way that sets these lines off from the surrounding material. Some scholars have suggested that this bracketed material indicates later interpretations that were added to an earlier

22. For the most recent discussion of these texts, along with citations of most of the earlier literature, see Laurie E. Pearce, "Continuity and Normality in Sources Relating to the Judean Exile," *HBAI* 3 (2014): 163–84. For the first volume of the texts themselves, see Laurie E. Pearce and Cornelia Wunsch, *Documents of Judean Exiles and West Semites in Babylonia in the Collection of David Sofer* (Bethesda, MD: CDL Press, 2014).

23. For a careful study of the scribal characteristics of texts created at Qumran, see Mladen Popović, "Qumran as Scroll Storehouse in Times of Crisis?: A Comparative Perspective on Judean Desert Manuscript Collections," *JSJ* 43 (2012): 551–94, esp. 573–78.

24. For a discussion of the various versions of the Community Rule and the social processes that helped to shape them, see Sarianna Metso, *The Serekh Texts* (London: T & T Clark, 2007), esp. 63–71.

written text as a result of oral discussions within the community.²⁵ If so, then these commentaries would provide another example of oral discussion leading to the formation of a written text, and this practice would furnish another example, although a different sort of example, of the interplay between orality and writing that Niditch describes.

Against this reconstruction of possible interactions between orality and writing in Judean scribal circles during and after the exile, it may be fruitful to revisit the only biblical description of the creation of a biblical scroll: Jeremiah 36. This text is part of a collection of narratives about the prophet that are all written in the third person and that modern scholars have usually understood as scribal products, although there is no scholarly agreement on the date of this material. As one might expect given the diverse interests of ancient scribes, several interrelated issues are taken up in Jeremiah 36, but in the context of trying to understand the topic of orality and writing, two aspects of the chapter are particularly noteworthy. First, it is clear that ch. 36 is based on new interpretations of literary material now found in Jeremiah 1–25, a large unit that many scholars believe contains oracles that might go back, at least in part, to the original prophet. Whether or not one accepts this interpretation of chs. 1–25, there is no question that the MT of Jeremiah as it is now organized places chs. 1–25 before the narrative of ch. 36, and this placement implies that chs. 1–25 are to be understood by the reader as at least part of the collection of “all of the words that I have spoken to you from the days of Josiah until today” (Jer 36:2) that God commands Jeremiah to write on a scroll. Furthermore, in Jer 36:3 God implies that the purpose of this scribal exercise is to realize the hope that Judah may hear of the disasters that God has planned for the people and that they may be moved to repent so that God can forgive their iniquity and nullify the threatened judgment.

In several respects this characterization of what God has said up to this point in the book is a major revision and oversimplification of the oracles now found in chs. 1–25. While Jer 36:2–3 implies that up to this point God has uttered only announcements of judgment, in fact chs. 1–25 contain dialogs, indictments, and even conditional promises as well as announcements of judgment. In addition, chs. 1–25 rarely express the idea that the purpose of God’s speaking to Judah is repentance leading to removal of the threat of judgment, the point being emphasized in Jer 36:3. The notion that repentance is even possible is rare (Jer 3:12–14; 4:4, 14; 7:3–7; 18:7–11). Where the concept does appear, it is sometimes found in prose passages, which scholars usually consider to be later additions (Jer 7:3–7; 18:7–11), and several passages suggest that prophetic intercession has been forbidden and that confession and repentance on the part of the

25. George J. Brooke, “Some Scribal Features of the Thematic Commentaries from Qumran,” in *Writing the Bible*, 124–43.

people are useless in the face of inevitable judgment (Jer 7:16–20; 11:14–17; 14:7–15:4). In short, Jeremiah 36 seems to represent a major theological revision of the ideas that inform the first part of the book.

It is also important to note that in Jeremiah 1–25 oracles are almost never dated, and references to specific individuals are few. However, the exceptions to this fact are noteworthy. In Jer 15:4 a prose oracle follows 2 Kgs 21:1–18 in attributing the exile to the sins of Manasseh. A prose interpretation in Jer 22:11 names Shallum as one of the exiles, and Jehoiakim and Jehoiachin are condemned by name in Jer 22:18 and 22:24–30. Jehoiachin and Zedekiah are condemned in the parable of the figs in Jeremiah 24, while in Jeremiah 25 a Deuteronomistic prose exhortation dated to the fourth year of Jehoiakim makes the point that since the time of Josiah God has spoken repeatedly to the people through prophets calling for repentance, although the people have not listened. As a result of this refusal to hear, a future judgment is now inevitable. This exhortation is the final note sounded in the MT of Jeremiah 1–25, and it provides a Deuteronomistic summary of the period of Jeremiah's prophetic activity up to that point. The narratives about Jeremiah then begin in ch. 26 and develop themes and motifs currently found in the first part of the book. Instead of offering more generalities about the last kings of Judah in general and Jehoiakim in particular, the so-called biographical narratives after ch. 25 offer details about events and individuals involved in Judah's final days. Heroes and villains are named, and the stories in general seem to reflect the interests of exilic groups trying to understand in very specific terms who was responsible for the exile and who might be free enough of guilt to be able to take part in leading a future restoration to the land.

Jeremiah 36 in particular reflects and elaborates the generalizations of Jeremiah 25. Jeremiah 36 is also dated to the fourth year of Jehoiakim, and the scroll that is to be written is to include Jeremiah's oracles from the time of Josiah until the present. Instead of speaking generally about prophets, whose words were ignored by kings and people, ch. 36 focuses on one king, Jehoiakim, and specific people who did not listen. The focus of the scribal authors of this material is no longer on Manasseh as the cause of the exile but on the last rulers of Judah and on specific inhabitants of Jerusalem. The reinterpretation involved in the chapter is clearly based on earlier written texts and will generate additional written texts. Although it is not clear that the scribal authors arrived at their new perspectives through oral discussion, that is certainly within the realm of possibility.

Susan Niditch has already called attention to the second noteworthy aspect of Jeremiah 36. The chapter illustrates the complex interaction between oral prophecy and written prophetic texts. The collected oral oracles of the prophet become a written text, which then becomes oral again as the text is read before the people (36:9), "all the officials" (36:12), and finally the king (36:21). The king responds by destroying the written scroll, which is then reconstituted by the spoken words of Jeremiah

(36:23–32). The oral thereby becomes written again and is ready to be reread orally. The oral and written versions seem to have identical authority, although it is the oral reading of the scroll that makes it authoritative.²⁶

Niditch's brief treatment of the relationship between oral and written in Jeremiah 36 has been expanded by Joachim Schaper, who suggests that the oral reading of the scroll gives it a kind of legal force. He bases this argument on his understanding of Hab 2:2, which he translates as follows: "Write down [the] vision, put [it] in force, [write it down] on the tablets so that a [town-]crier may run with it."²⁷ Lying behind this verse is the image of the ancient Near Eastern messenger or herald, who took written messages (usually from the king) to a recipient and then proclaimed orally the contents of the message, thus giving the contents official authority.²⁸ Although Schaper's philological argument is open to further exploration, his basic point about the cultural background of this verse is suggestive and may provide a clearer understanding of the relation between orality and writing in Jeremiah 36.²⁹

In order to explore Schaper's suggestion further, it will be helpful to explore briefly the ancient Near Eastern practice of sending a message. Messages were normally written by scribes at the request of the sender. The messenger then took the message to the addressee, and upon arrival the messenger introduced himself to the recipient and may have then summarized the message. Lying messengers were apparently a serious problem, and for this reason recipients often questioned a messenger who was not known to them. Although it is often assumed that messengers memorized their messages and repeated them verbatim to the recipient, such a practice seems to have been more a literary device than a historical reality. Normally, a scribe associated with the recipient read the written message aloud to the recipient. The written text was authoritative and final, and messages that were delivered orally without being accompanied by a written text were rarely taken seriously.³⁰

In Jeremiah 36 this standard pattern has been modified slightly in order to take into account the fact that the sender is a prophet, who is mediating words from a deity, the ultimate sender. In the normal prophetic process, falsehood can arise at two points. The prophet's claim to have received a divine oracle can be false, and the eventual written version of the oracle can be false and a misrepresentation of the prophet's actual words (Jer 8:8).

26. Niditch, *Oral World*, 104–5.

27. Joachim Schaper, "On Writing and Reciting in Jeremiah 36," in *Prophecy in the Book of Jeremiah* (ed. Hans M. Barstad and Reinhard G. Kratz; Berlin: de Gruyter, 2009), 143.

28. For the full argument, see Schaper, "On Writing and Reciting," 137–47.

29. Schaper's philological argument involves understanding the *pi'el* of the root בָּאֵר to mean "to give legal force." This nuance of the root works better in other passages than it does in Hab 2:2, where a less technical meaning would also be appropriate.

30. Samuel A. Meier, *The Messenger in the Ancient Semitic World* (Atlanta: Scholars Press, 1988), 163–201.

The first issue is taken up persistently in Jeremiah 1–25, where Jeremiah's reliability as an intermediary is stressed, and where prophets offering conflicting oracles are said to be false (Jer 6:13–15; 8:10–12; 14:13–16; 23:9–22, 23–40). Jeremiah 36 therefore assumes the truthfulness of Jeremiah's oral message and concentrates on the second issue, the fidelity of the written text. The entire process of creating a written text is legitimated by God's initial command to write down all of the oracles Jeremiah had given from the time of Josiah until that moment in the fourth year of Jehoiakim (36:2). Jeremiah himself dictates all of his previous oracles to the scribe Baruch, who writes "all of the words" that the prophet speaks (36:4). After this point, Jeremiah plays no further role in the process. The scribe is told to read all of the words on the scroll to the people who come to the temple, and he does so (36:6–10). One of the sons of Shaphan the scribe hears the words and then reports them orally to the officials. The officials then send for the scroll, and Baruch brings it to them and reads it to them, thus confirming the earlier oral report. The officials repeatedly ask Baruch if Jeremiah dictated all of the words on the scroll, and Baruch repeatedly replies affirmatively (36:17–18). Once the scroll has been authenticated as Jeremiah's words, Baruch also leaves the scene, and the officials go to the king and again give an oral report of the contents. The king then sends Jehudi to bring the scroll from the temple, and he confirms the oral report by reading the scroll before the king. As in the practice of sending a written message, it is the authenticated written text and not the oral report that is authoritative. The king, however, destroys the written text as it is read and refuses to hear the scroll's message. Yet, the burning of the scroll cannot destroy the divine message, because the prophet who dictated the words the scroll contains is still present. At God's command, Jeremiah dictates a second scroll, containing all of the words of the first, and he also adds additional words, thus not only legitimating the writing down of oral prophetic words but also legitimating later scribal expansions and interpretations of those words, which were not previously in oral form.

Niditch and Schaper are certainly correct in pointing out that the oral reading of the scroll makes it authoritative for the people who hear it. However, another, more practical issue may also be involved, and this issue should not be overlooked. In written form, the scroll can go where the prophet cannot. This means that even though the prophet cannot be physically present, the prophet's words can still reach beyond the sound of his voice. In the context of dispersed exilic communities, written texts would have provided an efficient means of transmitting prophetic material, and the reading of the text aloud would have allowed a large number of people to have access to it at the same time. As Susan Niditch has continued to insist, there were indeed complex social roles for both oral and written material.

II

Israelite Religion and Ancient Judaism

Massebot Standing for Yhwh

The Fall of a Yhwistic Cult Symbol

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Introduction

Discussions of massebot (“standing stones”) must contend with the archaeological remains of the Yhwistic temple in the royally sponsored fort at Tel Arad. Located near Judah’s southern border, the Iron Age fort housed a temple with a massebah standing in the focal niche, two proximate incense burners, and a stone altar for animal sacrifice in the courtyard. This temple, excavated according to the standards of the early to mid-1960s and incompletely published, has been subject to periodic reevaluation. After reviewing the debated evidence, a fresh analysis and interpretation are offered. Biblical references to massebot and related stones (מַצֵּבָה, יָד, and אֶבֶן) are then considered in order to reassess standing stones in Yhwistic religion from the independent perspectives of material remains and literary testimony. The two data sets considered in tandem raise questions regarding the function and meaning of massebot, the evolution of Yhwistic religion, the diversity of ritual practices and beliefs in Iron Age Judah (ca. 1000–586 BCE), the role of the Arad temple in debates of Hezekiah and Josiah’s alleged religious reforms, and, more broadly, the role of archaeology in elucidating biblical texts.¹

1. I thank my life and intellectual partner, Mark Smith, of New York University, for the daily discourse on these and related matters. All site names refer to the ancient settlements, so Tel/Tell, Khirbet, and Rujm are omitted from commonly known site names; dates cited are BCE; and biblical translations are taken from *JPS Hebrew–English Tanakh* (2nd ed.; Philadelphia: Jewish Publication Society, 1999).

Archaeological Evidence of Massebot

The Physical Properties of Massebot

Identifying Israelite massebot is problematic. Apart from the description of Jacob erecting the stone he used as a pillow (Gen 28:18), biblical texts offer no indication of the object's physical properties. Based on this single biblical verse and stones excavated in cultic contexts, all identified examples are made of stone, a substantive, permanent material that may have conveyed an aspect of the stone's symbolic value. Stone also afforded a readily available and affordable medium easily erected by an individual. Most Bronze and Iron Age examples stand taller than they are wide and rest on a roughly rectangular base that tapers toward a rounded top.² Continuity in shape for over a thousand years suggests standardized contours to facilitate identification as a massebah and perhaps to evoke a standing entity.³ Bronze Age examples in cultic contexts include the Middle Bronze Age temple stones from Byblos, Hazor, Tell Kitan, and Tell el-Hayyat, and the Late Bronze Age Hazor Temple 6136 stones.⁴ Following their Bronze Age predecessors, Israelite Iron Age massebot concentrated in the north (Dan, Hazor, Bethsaida, Rehov, el-Farah (N), Bull Site, Shechem), in the twelfth through the late eighth centuries (with a single seventh-century installation from Assyrian period Dan).⁵ Southern stones have been excavated at Lachish (tenth century) and Arad (eighth century), both Judahite border fortresses with military contingents in communication with Jerusalem.⁶

2. For proposed criteria to identify Israelite massebot, see Elizabeth Bloch-Smith, "Maššēbôt in the Israelite Cult: An Argument for Rendering Implicit Cultic Criteria Explicit," in *Temple and Worship in Biblical Israel* (ed. John Day; London: T & T Clark International, 2005), 31–32.

3. Variant shapes are attested, for example, the 1.0 m in diameter round stone and accompanying "foot-shaped" stone plastered into a stepped niche in a Late Bronze Age building at Tall al-'Umayri (about 15 km south of modern Amman, Jordan) (Kent Bramlett, "A Late Bronze Age Cultic Installation at Tall al-'Umayri, Jordan," *NEA* 67 [2004]: 50–51).

4. Maurice Dunand, *Fouilles de Byblos II* (Paris: Atlas, 1950), pls. XX–XXXV; Yigael Yadin, *Hazor I: An Account of the First Season of Excavations, 1955* (Jerusalem: Magnes Press, 1958), 87–88; Doron Ben-Ami, "Standing Stones and the Middle Bronze Sanctuary at Hazor" (paper presented at national meeting of ASOR, San Antonio, TX, November 2004); for remaining sites, see Tryggve Mettinger, *No Graven Image? Israelite Aniconism in Its Ancient Near Eastern Context* (Stockholm: Almqvist & Wiksell International, 1995), 182–83.

5. Elizabeth Bloch-Smith, "Will the Real Massebot Please Stand Up; Cases of Real and Mistakenly Identified Standing Stones in Ancient Israel," in *Text, Artifact, and Image: Revealing Ancient Israelite Religion* (ed. Gary Beckman and Theodore J. Lewis; Providence, RI: Brown Judaic Studies, 2006), 64–79.

6. Yosef Garfinkel found a large stone plastered into a tenth-century wall that he considered an upside-down, repurposed massebah. Plans and photos reveal many large construction stones of comparable shape and size, casting doubt on the stone's alleged sacred

Tel Arad Temple

Tel Arad, located near Judah's southern border, provides the famous archaeological attestation of a massebah standing in an Israelite temple. This Judahite administrative and military fortress incorporated a temple attributed by the excavator Yohanan Aharoni to Strata XI–VII, which he dated from the tenth through the later seventh century. Situated in the northwest corner of the fortress, the temple was built on an east–west axis. One entered into a rectangular, stone-paved courtyard (12.0 x 7.5 m) with an auxiliary room on the northern side (Ze'ev Herzog, Str. X). An altar of hewn stones (2.4 x 2.2 m, estimated 2.5 m high) stood midway along the long north wall of the courtyard, with a stone step or bench (ca. 0.25 m high) on the south and a small compartment on the west.

Continuing east through the courtyard, one passed into a broad room (10.5 x 2.9 m) lined with stone and mud benches along the western and southern walls. In the rear wall of the broad room, one or two steps ascended into a recessed niche or cella (1.8 x 1.3 m) positioned on the central axis. One or perhaps two or three massebot uncovered in Str. IX likely functioned in the Str. X temple. An arched limestone stele (1.0 m high) shaped with a flat face and rounded back and sides and marked with “strips of red paint” adhering to one side lay seemingly fallen in the partially preserved Str. IX niche.⁷ Slightly smaller, rough, flint stones found plastered into the back wall and front corner wall of the niche were either building stones devoid of sanctity or massebot secondarily employed in the niche construction. The variant type of stone, their rough contours compared to the worked limestone example, and their placement in the niche walls favor the constructional interpretation. Two carved limestone incense altars or offering tables with burnt organic remains on top, measuring 0.50 m and 0.40 m high, also likely functioned in Str. X and IX as well, though they were found plastered into a later wall blocking access into the Str. IX niche (or, alternatively, reverentially buried; see below). Two altars lend credence to the reconstruction of two massebot standing in the niche, but the stones' properties and their placement suggest otherwise.

This Str. X fort was destroyed and later rebuilt over a thick layer of debris (Herzog, Str. IX). According to Herzog, the new temple courtyard

function (Yosef Garfinkel and Saar Ganor, *Khirbet Qeiyafa Volume 1: Excavation Report 2007–2008* [Jerusalem: Israel Exploration Society and the Hebrew University Institute of Archaeology, 2009], 98, 195–98, fig. 5.76).

7. For the most recent synthesis of the evidence, see Ze'ev Herzog, “Arad,” in *The Oxford Encyclopedia of the Bible and Archaeology* (ed. Daniel Master; Oxford: Oxford University Press, 2013), 38–41. Ussishkin challenged the niche's extent, prompting Herzog to publish evidence of the disputed wall's foundations (David Ussishkin, “The Date of the Judean Temple at Arad,” *IEJ* 38 (1988): 145–47, fig. 5; Ze'ev Herzog, “The Fortress Mound at Tel Arad: An Interim Report” *TA* 29 (2002): 1–109, here 71–72, fig. 31).

surface lay 1.2 m above its predecessor. Rising a mere 0.4 m above the courtyard surface, the rebuilt fieldstone altar was topped with flint flagstones and plastered channels. In the reconfigured courtyard, the enclosure on the west side of the altar was eliminated, but a small “granary” with a basin and new rooms along the southern and eastern courtyard walls constricted the formerly open space. Within the niche, a raised platform of stone slabs identified as a “bamah” (0.70 m sq.) was added in the northwest corner. Both the arched limestone stele lying fallen at the reconstructed southeastern corner of the platform and the incense burners lying below the Str. IX floor neatly aligned on the Str. X stair ascending into the niche are presumed to belong to both Str. X and IX.⁸ Rarely mentioned are four Judean Pillar Figurine fragments: all except one are attributed with certainty or a question mark to the Str. IX temple, with three found in proximity to the altar and the fourth in a courtyard corner room.⁹ This second fort burned in a conflagration, but the temple proper evidenced no destruction. Based on the near absence of artifacts and secondary context of the incense altars, the excavators inferred that the temple was reverentially decommissioned prior to the fort’s demise. A nearly one meter deep earthen fill covered the entire temple.¹⁰

Aharoni postulated two stages in the temple’s decommissioning: an initial burial of the courtyard and altar in compliance with Hezekiah’s cultic initiatives (Str. VIII), followed by the destruction of the temple as dictated by Josiah’s reforms (Str. VII) (2 Kgs 18:4; 23:8; 2 Chr 31:1; 32:12).¹¹ The preliminary and subsequent reports by the excavators prompted scholarly challenges to the stratigraphic determinations and dating.¹² Yigael Yadin, followed by Amihai Mazar, Ehud Netzer, and David Ussishkin, challenged the excavators’ proposed reconstruction basing their critique on the work of the excavation architect, Immanuel Dunayevsky, and the pottery analyses of Miriam Aharoni, Orna Zimhoni, and Lily Singer-Avitz.¹³

Based on stratigraphic relations, pottery assemblages, and paleographic considerations, Ussishkin argued for the temple’s construction in

8. Herzog, “The Fortress Mound at Tel Arad,” 60–61, 63, fig. 26.

9. Raz Kletter, *The Judean Pillar Figurines and the Archaeology of Asherah* (BAR International Series 636; Oxford: Tempus Reparatum, 1996), 211–12.

10. Herzog, “The Fortress Mound at Tel Arad,” 35.

11. Yohanan Aharoni, “Excavations at Tel Arad: Preliminary Report on the Second Season, 1963,” *IEJ* 17 (1967): 247–49; Yohanan Aharoni, “Arad: Its Inscriptions and Temple,” *BA* 31 (1968): 20–32.

12. Aharoni, “Excavations at Tel Arad”; Miriam Aharoni, “Preliminary Ceramic Report on Strata 12–11 at Arad Citadel,” *Erlsr* 15 (1981): 181–204 (Hebrew); Zev Herzog, Miriam Aharoni, Anson Rainey, and Shmuel Moshkovitz, “The Israelite Fortress at Arad,” *BASOR* 254 (1984): 1–34.

13. Yigael Yadin, “A Note on the Stratigraphy of Arad,” *IEJ* 15 (1965): 180; Amihai Mazar and Ehud Netzer, “On the Israelite Fortress at Arad,” *BASOR* 263 (1986): 87–90.

the late eighth or more likely the early seventh century, with a fiery end when the fort burned in the early sixth century. He attributed the temple's foundation to Str. VII following the destruction of the Str. X–VIII solid wall and accompanying water system.¹⁴ Pottery dates revised by Zimhoni and followed by Mazar and Netzer buttressed Ussishkin's argument. All noted similarities between the pottery of Arad Str. X–VIII (especially VIII) and Lachish III (destroyed in 701 BCE). The ceramic evidence indicated that Str. X–VIII constituted minor alterations and rising floor levels within a single phase of the fortress (ninth to eighth centuries), and Str. VII and VI represented two subphases of the fort's final stratum (post-eighth century).¹⁵

Ussishkin also re-examined the Str. VII–VI pottery and ostraca from loci above the solid wall. Assemblages that Aharoni attributed to the overlying casemate wall, Ussishkin assigned instead to the underlying solid wall claiming the casemate wall foundations cut into this assemblage. Aharoni recovered correspondence from Eliashib, an Arad administrator and/or military commander, in adjoining casemate wall rooms he assigned to Str. VII and VI. Ussishkin countered that the ostraca originated in a single room burnt in the fort's destruction that was subsequently bisected by the later casemate wall. For Aharoni, the pottery and ostraca of the fort destroyed by the early sixth-century Babylonian campaign postdated the temple, while for Ussishkin it marked its demise.¹⁶ Herzog and Ussishkin proposed irreconcilable scenarios, a temple of Str. X–IX or VII–VI, respectively.

Herzog responded to the various critiques with new evidence.¹⁷ Based on a reassessment of the stratigraphy and ceramics, he limited the existence of the temple to Str. X and IX (late ninth/early eighth to the eighth century) rather than Aharoni's significantly longer Strata XI–VII (late tenth through the seventh century) or Ussishkin's considerably later Str. VII–VI (early seventh to early sixth century). Regarding the temple's inception, walls and paving underlying the Str. X main hall precluded a Str. XI temple with the same general plan. When remodeling the fortress in Str. X, Judahite

14. Ussishkin, "The Date of the Judean Temple," 149–51.

15. Orna Zimhoni, "The Iron Age Pottery of Tel 'Eton and Its Relationship to the Lachish, Tell Beit Mirsim and Arad Assemblages," *TA* 12 (1985): 80, 84–86; Mazar and Netzer "On the Israelite Fortress at Arad," 88–90. These dates derive from Str. X fortress pottery in general, not from the temple in particular.

16. A weakness of Ussishkin's argument is his linking the destruction of the fort with that of the temple, which displayed only contested evidence of localized burning and no general devastation.

17. Ze'ev Herzog, "The Stratigraphy of Israelite Arad: A Rejoinder," *BASOR* 267 (1987): 77–79; Ze'ev Herzog, "The Date of the Temple at Arad: Reassessment of the Stratigraphy and the Implications for the History of Religion in Judah," in *Studies in the Archaeology of the Iron Age in Israel and Jordan* (ed. Amihai Mazar; JSOTSup 331; Sheffield: Sheffield Academic Press, 2001), 158, 161–62; Herzog, "The Fortress Mound at Tel Arad."

governmental personnel added the temple in the northwest quadrant of the fortress protected by a new solid wall.¹⁸ Two floors reaching the temple walls, noted by Aharoni, confirmed for Herzog that the temple existed only in two strata, X and XI.¹⁹ Aharoni's twofold decommissioning was rejected; Herzog proposed a single reverential burial immediately preceding Sennacherib's presumed destruction of the fort in 701 BCE.

The epigraphic data are representative of the competing camps' data duels. Two bowls from the bench at the base of the altar incised with two letters variously read as ק and כ or ש are cited by both camps in support of their proposed temple dates. Frank Moore Cross identified the letters as second half of the seventh century Phoenician forms, corroborating Ussishkin's revised scheme.²⁰ In defense of his chronology, Herzog cited Anson Rainey's reading of the same letters as eighth-century archaic forms.²¹ Contributing to the uncertainty, a Str. X sanctuary courtyard sherd inscribed יצה was variously dated to the first half of the eighth century and to the late eighth or early seventh century.²²

Regarding the temple's demise, Herzog utilized Aharoni's excavation photographs to counter Ussishkin's arguments that were premised on a fiery destruction of the fort. Herzog maintained that the ribbons of ash and burnt debris visible in the baulk derived from the burned remains of the Str. VIII wooden stairs and postern gate supports that had settled into crevices, shafts, and sunken areas creating a false impression of a Str. IX temple conflagration. In support of Herzog's contention, neither wall plaster nor room remains showed signs of burning.²³ Strata VIII and VII walls constructed over the temple (largely obliterated by Hellenistic and

18. Herzog disputed but did not disprove Ussishkin's stratigraphic argument that the temple postdated the Str. X water system in noting that the water channel lay more than three meters below the temple foundations ("The Date of the Temple at Arad," 162).

19. Ze'ev Herzog, "Perspectives on Southern Israel's Cult Centralization," in *One God—One Cult—One Nation: Archaeological and Biblical Perspectives* (ed. Reinhard G. Kratz and Hermann Spieckermann; Berlin: de Gruyter, 2010), 184; Herzog, "The Fortress Mound at Tel Arad," 70.

20. Frank M. Cross, "Two Offering Dishes with Phoenician Inscriptions from the Sanctuary of 'Arad," *BASOR* 235 (1979): 75–78; Ussishkin, "The Date of the Judean Temple at Arad," 151–56; Nadav Na'aman, "The Abandonment of Cult Places in the Kingdoms of Israel and Judah," *UF* 34 (2002): 585–602, here 597–98.

21. Herzog et al., "The Israelite Fortress at Arad," 32.

22. Johannes Renz, *Die althebräischen Inschriften. Teil 1: Text und Kommentar* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1995), 71–72; F. W. Dobbs-Allsopp, J. J. M. Roberts, C. L. Seow and R. E. Whitaker, *Hebrew Inscriptions: Texts from the Biblical Period of the Monarchy with Concordance* (New Haven: Yale University Press, 2005), 104.

23. Herzog, "The Fortress Mound at Tel Arad," 70–72, fig. 31; Aharoni, "Excavations at Tel Arad," plates 46b, 47.

Roman foundations) and late-eighth-century pottery from Str. VIII Locus 787 covering the courtyard altar provided the terminus ante quem.²⁴

Despite the advances in Herzog's discussion of the stratigraphy, he equivocated on dating the pottery. While acknowledging the similarity between the pottery of Lachish III and Arad X–VIII, he rightfully objected to the late-eighth-century starting date for the strata but proposed dating Str. XII to the eleventh to tenth century, Str. XI to the ninth century, and Str. X to the eighth century.²⁵ Without substantiating evidence, the assignment of a century each to Strata XI and X appears arbitrary, no more than a compromise between the dates of the excavation team and its critics.²⁶

Herzog convincingly counters Ussishkin's arguments for a seventh- to sixth-century temple, but questions remain regarding his interpretation of other evidence. First, Herzog considers the incense altars to have been reverentially buried. However, they lie neatly aligned on the Str. X step in an addition to the broadroom western wall that blocks the entrance into the niche. This same exact wall (line) appears on the Str. X, IX, and VIII plans; therefore the wall would have been visible to someone allegedly digging a pit to bury the incense burners. Second, Herzog's Str. IX temple descends .30 m from the broadroom into the niche. In all other ancient Near Eastern temples and shrines, one ascends to meet the divinity; descent counters the norm. Third, the reconstructed Str. IX temple with a basin-shaped "granary" in the courtyard and a low .04 m high altar does not conform to expectations or knowledge of roughly contemporary southern Levantine temples. Fourth, the fill elevations of the Str. VIII north-central rooms match the elevations of the Str. IX temple northern and eastern surfaces, raising the possibility that this was the surface of a filling and leveling operation across the northern portion of the fort.²⁷

What conclusions may be drawn from the published evidence? Lacking stratigraphic correlations to surrounding features and with only limited pottery from the temple proper and the loci immediately preceding and succeeding it, dates for either the temple's construction or its demise cannot be conclusively ascertained. The most persuasive evidence is the Str. X ceramics, dated to the late ninth and eighth centuries.

24. Herzog, "The Fortress Mound at Tel Arad," 70; Herzog, "The Date of the Temple at Arad," 160–61, 166–68, 170; Herzog, "Perspectives on Southern Israel's Cult Centralization," 190, fig 4.

25. Herzog "The Date of the Temple at Arad," 169–70, 174; Herzog, "The Fortress Mound at Tel Arad," 69.

26. Lily Singer-Avitz concluded that Strata X–VIII spanned 50–60 years *assuming* Stratum XI ended with the earthquake in the days of Uzziah (785–733 BCE). A further limitation of Singer-Avitz's study is that loci are named but not located, complicating efforts to identify secure temple loci for analysis ("Arad: The Iron Age Pottery Assemblages," *TA* 29 [2002]: 110–214).

27. Herzog, "The Fortress Mound of Tel Arad," figs. 12, 15, and 16.

Herzog's published plans and the ceramic studies allow for an alternative reconstruction. In the late ninth or early eighth century, the Str. X builders erected a temple with a cella housing a massebah in the northwest corner of the fort. This temple was terminated and buried with a fill layer in preparation for a Str. IX rectangular structure that utilized the western wall line of the earlier temple. This new building, which housed a slaughtering platform (the former altar) and a "granary," perhaps provisioned the garrisoned troops and served no ritual functions whatsoever. With the fort's destruction, this kitchen was buried and the ground surface leveled in preparation for the construction of a Str. VIII structure.²⁸ This alternative reconstruction demonstrates that the published remains from Arad allow for varying scenarios, and so proposed historical reconstructions need always be qualified. Whether the temple functioned through Str. X and IX or just X, the late ninth- to eighth-century date coincides with the early reign of Hezekiah but predates Josiah, which eliminates his reign from consideration in historical reconstructions.

Literary References to Massebot and Other Sacral Stones

Biblical texts both endorse and criticize standing stones, thus preserving conflicting opinions toward the practice. For passages sanctioning and condoning massebot, the latest plausible dates are relevant; these demonstrate the continuing acceptance of ritual stones by select individuals or groups. Conversely, the earliest passages disparaging or forbidding massebot are of interest; however, instances deemed retrojections as opposed to genuine early denunciations must be ascertained. Given the difficulties in dating specific verses and passages, the proposed chronological deliberations are offered with the intent to promote discussion of the evolution of Yhwistic cultic behaviors and beliefs, specifically massebot as representative of broader trends.

Function and meaning of Israelite massebot are inferred from biblical texts.²⁹ Stones represented deities or divinities, Yhwh and others, and also marked the place of a theophany. Jacob's massebah at Bethel marked the site of El/Elohim's appearance (Gen 28:16–19; 35:14–15). Designated the "abode of God," the stone housed the divine and so acquired holy status comparable to the Tabernacle sanctuary that accommodated the divine presence (Exod 25:8). Biblical critics, traditional and not, including

28. Herzog, "The Fortress Mound at Tel Arad," figs 12 and 16; see, for example, L380 and L788 of Str. IX and surfaces in Squares G–J/15–17 of Str. VIII; Na'aman, "The Abandonment of Cult Places," 592.

29. For summaries and discussions of the evidence, see Carl Graesser, "Studies in Massebot" (Ph.D. diss., Harvard University, 1969); and Elizabeth LaRocca-Pitts, "Of Wood and Stone": *The Significance of Israelite Cultic Items in the Bible and Its Early Interpreters* (HSM 61; Winona Lake, IN: Eisenbrauns, 2001).

Richard Elliott Friedman, Robert Gnuse, and David Carr, view these references as relatively early. For our purposes, they demonstrate sanctioning of the practice within some early Israelite cultic circles.³⁰

In another example, to mark the boundary between his father-in-law Laban and himself, Jacob erected a massebah and invoked as witnesses the ancestral God of Abraham and Fear of Isaac (Gen 31:44–45, 51–53). Isaiah also testified to a massebah erected on the border of Yhwh's territory (Isa 19:19, discussed below). Rather than simply demarcating the physical border, the stone arguably housed the deity as a divine witness to the territorial division and as guardian of his territory (and people).³¹ The stone may have constituted a modest version of a border temple, such as Jeroboam's temples at Dan and Bethel (1 Kgs 12:29). Both signified the deity's presence at the territorial boundary.

Hosea in the north and Isaiah in the south, prophets of the second half of the eighth century, also sanctioned massebot. In Hosea, the stones appear in a list of cultic elements along with altars, sacrifices, the ephod, and teraphim (Hos 3:4). Scholars including James Luther Mays, Johannes de Moor, and Elizabeth LaRocca-Pitts interpreted the verse as disparaging massebot.³² However, it is equally intelligible as sanctioning standing stones since it invokes them among approved cultic practices, as noted by Marvin Sweeney.³³ Isaiah's "Egypt Pronouncement" envisions a Yhwistic altar in Egypt and a massebah erected on the border between Israel and Egypt to serve the Egyptians as a "marker and a witness to/of Yhwh of Hosts" (Isa 19:19–20; see also Gen 31:44–52). Christopher Seitz proposed combining this oracle, which lacks a historical referent, with four other "relatively independent" oracles in a Babylonian period framework.³⁴

30. Friedman attributes Gen 28:17–18 to the Elohist Source (*Who Wrote the Bible?* [San Francisco: HarperSanFrancisco, 1997], 248); Gnuse views the Elohist Source as a seventh-century compilation of earlier small oral collections ("Redefining the Elohist," *JBL* 119 [2000]: 204, 215); and Carr attributes Gen 28:11–19 to "the earliest reconstructible precursors to Genesis" (*Reading the Fractures of Genesis: Historical and Literary Approaches* [Louisville, KY: Westminster John Knox, 1996], 270).

31. Erecting border stele was not a distinctively Israelite practice. Hayim Tadmor notes that Tiglath-Pileser III, who campaigned during Isaiah's prophetic career, erected stele at the borders of his empire to the east and the west (The Stele from Iran IIB line 29, IIIA lines 31–36; *The Inscriptions of Tiglath-Pileser III King of Assyria* [Jerusalem: Israel Academy of Sciences and Humanities, 1994], 104–5, 108–9).

32. James Luther Mays, *Hosea: A Commentary* (OTL; Philadelphia: Westminster, 1969), 58–59; Johannes de Moor, "Standing Stones and Ancestor Worship," *UF* 27 (1995): 4; LaRocca-Pitts, "Of Wood and Stone," 93–95.

33. Marvin A. Sweeney, *The Twelve Prophets, Volume I: Hosea, Joel, Amos, Obadiah, Jonah* (Berit Olam: Studies in Hebrew Narrative and Poetry; Collegeville, MN: Liturgical Press, 2000), 40.

34. Christopher Seitz, *Isaiah 1–39* (Interpretation Bible Commentary; Louisville, KY: John Knox Press, 1993), 123, 150.

Though the framework is relatively late, the uncritical stance toward massebot may signal a preexilic date for this particular oracle. If it were exilic in date, the positive portrayal would be more striking, perhaps conforming to the Priestly approval or condoning of the Bethel massebah (Gen 35:14).³⁵

While the Jacob stories, Hosea, and Isaiah accepted massebot, Micah, Kings, and the Covenant, Holiness and Deuteronomic Law Codes denounced the practice without specifying the referent deity. In the current form of the text, Yhwh is presumed but not explicitly named. Isaiah's contemporary and fellow countryman, the prophet Micah, condemned massebot as objects of worship. Through Micah, Yhwh declared to the people of Judah, "I will destroy your idols and your sacred pillars (massebot) in your midst; and no more shall you bow down to the work of your hands" (Mic 5:12). Of critical importance, according to Micah the people genuflected before the stone; it morphed from a marker of divine presence into an object of worship. Nehushtan may have undergone a comparable transformation from an object associated with divinity to inherently divine, and so likewise elicited censure (2 Kgs 18:4). The date of Mic 5:12 is disputed; the condemnation may be as early as the eighth century or as late as the exilic period.³⁶

In Dtr, neither Joshua nor Judges mentions massebot, though each invokes objectionable cultic practices. The books of 1 and 2 Samuel contain only a single reference to a stone that Absalom erected for himself (2 Sam 18:18, discussed below). However, the books of Kings roundly condemn massebot as a traditional Israelite practice imitating the worship of the indigenous people. Again, no passages specify massebot of Yhwh. Polemics inform most of the passages. First, massebot are vilified as a practice of the dispossessed nations, conveniently ignoring Jacob and Moses (2 Kgs 17:10–11, discussed below). Second, standing stones feature in Dtr's litany condemning high places, massebot, and sacred pillars (אשרים) situated "on every lofty hill and under every leafy tree" (1 Kgs 14:23; 2 Kgs 17:10).³⁷

35. I thank Avigdor Hurowitz for this insight.

36. Charles Shaw attributes Mic 4:9–5:15 to the Syro-Ephraimite siege of Jerusalem in 734 BCE (*The Speeches of Micah: A Rhetorical-Historical Analysis* [JSOTSup 145; Sheffield: JSOT Press, 1993], 224). Trygve Mettinger prefers an exilic date relegating the Hezekian reference to a Dtr addition ("Israelite Aniconism: Developments and Origins," in *The Image and the Book: Iconic Cults, Aniconism, and the Rise of Book Religion in Israel and the Ancient Near East* [ed. Karel van der Toorn; Leuven: Peeters, 1997], 181–84 n. 43). Francis I. Andersen and David Noel Freedman note "pointers from the text to the rhetorical situation are too sparse, too ambiguous, or too oblique . . . to secure a date for the prophetic speech, and so to license historical interpretation" (*Micah: A New Translation with Introduction and Commentary* [AB 24E; New York: Doubleday, 2000], 25–26).

37. A variant of massebot, bamot, and/or asherim "on every lofty hill and under every luxuriant tree" occurs in Deut 12:2–3; 1 Kgs 14:23; 2 Kgs 16:4; 17:10; and Jer 17:2 ("by verdant trees upon lofty hills"), but not in Joshua or Judges. For a full discussion, see Moshe

Third, Dtr and Chr mention no objectionable massebot in the south for approximately 140 years following Asa down to the late eighth century, though they fault kings for bamot. Israelite and Judahite kings destroyed massebot that belonged to foreign or unidentified deities: Asa and Josiah of foreign deities, Jehoram and Jehu of Baal, and Hezekiah of unspecified deities (2 Chr 14:2; 2 Kgs 3:2; 10:27; 18:4; 23:14).³⁸ Massebot are not specified as a transgression of particular kings except for Ahab, who made a מצבת (of) Baal, which was removed by his successors Jehoram and Jehu (2 Kgs 3:2; 10:26–27; see also Gen 35:14).³⁹

References to massebot in the books of Kings may obfuscate more than elucidate actual rituals. Dtr denounces massebot to foreign gods but remains mum regarding Yhwistic stones. This may be a later strategy to minimize the former extent of the practice and its association with Yhwh. Juha Pakkala exemplifies scholars who question the veracity of Hezekiah's reforms, including the treatment of standing stones (2 Kgs 18:4). Pakkala attributes the Hezekian notice to the sixth century or later based on the lack of corroboration in contemporary and later texts; the probable destabilizing social, political, and economic impact of centralizing worship; the need to legitimate exilic and later reforms through earlier precedents; the use of a verbal form attributed to Aramaic influence; and the dependence on Exod 34:13 (or Deut 7:5).⁴⁰ Surprisingly, massebot do not appear among Manasseh's multitude of egregious cultic sins (2 Kgs 21:1–7). His successor Josiah allegedly demolished Solomonic bamot along with their associated massebot around Jerusalem (not heretofore noted); no mention is made of other locales from Bethel to Beersheba (2 Kgs 23:13–14). Neither Jeremiah nor Zephaniah, who prophesied during Josiah's reign, referred to massebot or explicitly mentioned Josiah's religious reforms (Jer 1:2; Zeph 1:1). In sum, Hezekiah's abolishing Yhwistic massebot in the context of cultic reforms is suspect; prohibitions specifying massebot of foreign gods and Baal raise the possibility that massebot of Yhwh were acknowledged if not accepted by Dtr.

Comparable to Dtr, the Covenant and Deuteronomic Law Codes, both traditionally thought to originate in the north, prohibit erecting or toler-

Weinfeld, *Deuteronomy and the Deuteronomic School* (Winona Lake, IN: Eisenbrauns, 1992), Appendix A: 322 #15.

38. Iain Provan attributed massebot reforms to a Josianic edition, based, among other evidence, on the waw-consecutive verbal forms (*Hezekiah and the Books of Kings* [BZAW 172; Berlin: de Gruyter, 1988], 82–89).

39. Both verses employ an alternate form of the word for “pillar.” For explanations, see Mordechai Cogan and Hayim Tadmor, *II Kings: A New Translation with Introduction and Commentary* (AB 11; New York: Doubleday, 1988), 116.

40. Juha Pakkala, “Why the Cult Reforms in Judah Probably Did Not Happen,” in *One God—One Cult—One Nation*, 201–35, here 201–17.

ating massebot associated with other gods (Exod 23:24; Deut 7:5; 12:2–3).⁴¹ Additional Deuteronomic and Holiness Law Code references lack divine referents and so may refer to either foreign gods or Yhwh: Deut 16:21–22 prohibits the asherah and massebah as detestable to Yhwh, and Lev 26:1 bars idols, images, massebot, and figured stones.⁴² Like Mic 5:12, the Leviticus prohibition groups massebot with divine images. Omission of specifically Yhwistic massebot is intelligible as either tolerating or tacitly approving of only Yhwistic massebot, or, as argued by Bernard Levinson, discrediting all examples to end the practice through association with the Canaanites.⁴³ The stated rationale for eradication, “to obliterate their [the gods’] name from that site” (Deut 12:2–3), may imply the stone embodied the god’s proprietary claim to the land, a form of homesteading and marking a boundary.⁴⁴ Israelites might reject stones that validated the territorial claims of foreign (or indigenous) gods but adopt (or continue) the practice to mark Yhwistic proprietorship. Understanding massebot as a marker of a land claim is consistent with Isaiah’s and Jacob’s references to stones erected at borders.⁴⁵

In addition to representing a deity, massebot memorialized the twelve tribes and prominent individuals. At the base of Mt. Sinai, Moses constructed an altar accompanied by “twelve massebot for the twelve tribes of Israel” (Exod 24:4), a permanent embodiment of the Israelites standing at Sinai. Joshua also erected two sets of twelve stones referred to as אבנים in connection with the twelve tribes crossing the Jordan River. Though a possible circumlocution or alternate name was employed, designating the spot with a verbal form of נצב* connected these stones with massebot (Josh 4:5–9; see also Gen 35:14). Either a massebah or a monument (יד) erected before or after death marked the location of burial and memorialized the deceased. Jacob erected a massebah to mark Rachel’s grave, called מצבת קברת רחל (Gen 35:20), and childless Absalom raised (נצב*) his own מצבת called a יד to posthumously perpetuate his own name (2 Sam 18:18).⁴⁶

41. Dale Patrick, *Old Testament Law* (Atlanta: John Knox Press, 1985), 99–101.

42. Bernard Levinson ascribes the Deuteronomy 12 verses to an original Josianic Deuteronomy and “the Laws of Public Officials” (*Deuteronomy and the Hermeneutics of Legal Innovation* [New York: Oxford University Press, 1997], 8).

43. Levinson, *Deuteronomy*, 148.

44. For Ziony Zevit, massebot erected by the pre-Israelite inhabitants guaranteed the foreign gods’ continuing presence in the land and so had to be destroyed (*The Religions of Ancient Israel: A Synthesis of Parallactic Approaches* [London: Continuum, 2001], 261–62).

45. Levinson suggests that the justification for eradicating foreign massebot offered in Deut 7:3–5, namely, to preclude apostasy and intermarriage, may be a later addition or reflective of a subsequent change or innovation in Israelite practice (*Deuteronomy*, 9).

46. *Maṣṣebet* may also refer to a tree stump, a wooden analogue to the stone massebah, as in Isa 6:13 (I thank Mark Smith for this reference). Playing off both senses of the word, the stump denotes a fallen tree from which grows new shoots (“holy seed”) while a stone marks the celebrated dead as erected by the living.

In each instance, the stone constituted an eternal memorial marker. The יד that Saul was reported to have erected (נצב*) for himself at Carmel may have served a similar function (1 Sam 15:12). References to extant stones, present “to this day,” are arguably preexilic from when Israel still lived in the land (Gen 35:20; Josh 4:9; 2 Sam 18:18).

The alternative designations אבנים and יד indicate that individual stones retained their sanctioned status due to either the subgroup within the Yhwistic cult that patronized them and/or their reinterpretation in a manner consistent with cultic developments. Even as Dtr condemned massebot, select, possibly time-honored Yhwistic stones were sanctioned: Moses’ twelve massebot at Mt. Sinai; Joshua’s אבנים at the Jordan; memorial stones at burials (יד); and the stone (אבן) in the sacred precinct of Shechem that witnessed the covenant between Yhwh and the people (Josh 24:26–27). Comparable to the boundary massebot of Jacob and Isaiah, Samuel erected a “stone of help” (אבן) between Mizpah and Shen demarcating the border between the Israelites and the Philistines (1 Sam 7:12).⁴⁷ According to LaRocca-Pitts, Dtr’s appellation may have been an attempt to physically distinguish these stones from massebot or “to sanitize these respected monuments from any possible connection with massebot which had later fallen out of favor.”⁴⁸ This evasive maneuver protected time-honored, Yhwistic massebot by referring to them by another name. However, a massebah by another name still stands.

Stone monuments designated יד, אבן, and massebah symbolically embodied and memorialized Yhwh, foreign gods, and notable deceased Israelites, including Rachel, eponymous tribal ancestors, and royalty. Given the dead’s divine status, marked by the designation elohim and the receipt of tithes, standing stones erected for the dead also localized (lesser) divinities (Deut 26:12–14; 1 Sam 28:13). Recognizing a divine association for all stones, either through a deity or the divinized dead, contrasts with earlier categorizations of massebot that restricted divinity to solely those stones explicitly identified with a god.⁴⁹

Both northern and southern texts accepted select Yhwistic stones (massebah, יד, מצבת, and אבן) without reservation. Stories of Jacob, Rachel, Moses, Joshua, Saul, and Absalom, plus the prophets Hosea and Isaiah,

47. This usage parallels Akkadian *abnu* used for a “boundary stone, stela, border marker” in a Late Bronze Age text from Ugarit (RS.17.368), Ashurbanipal’s mid-seventh century “inscriptions on stone from before the flood,” and Neo-Babylonian texts (CAD A/1:61a, #10b). Comparable to Israelite massebot, Akkadian attestations include stone monuments erected in a holy dwelling where sacrifices were continuously offered and stones set up in a conquered city’s gate (CAD N/1:366. #3a).

48. LaRocca-Pitts, “Of Wood and Stone,” 260.

49. Graesser, “Studies in Massebot,” 32, 113, 229; Theodore Lewis, “Divine Images and Aniconism in Ancient Israel,” *JAOS* 118 (1998): 41; de Moor, “Standing Stones,” 2–3, 19; LaRocca-Pitts, “Of Wood and Stone,” 227.

explicitly endorsed sacred stones. Micah, Kings, and the law codes prohibited massebot of foreign gods and so by implication perhaps accepted massebot of Yhwh, though Micah and the Holiness Code's view of a massebah as an image and object of worship suggests they condemned Yhwistic and non-Yhwistic stones alike.

*Archaeological and Biblical Evidence
for the Fall of Yhwistic Massebot*

Given the incomplete nature of archaeological evidence and the difficulties and lack of consensus in dating biblical passages, the following chronological reconstruction of massebot in the Yhwistic cult is tentatively offered. The earliest and greatest concentration of archaeological examples of massebot clustered in the north with far fewer instances from the south. This distribution of the most convincing attestations matches the general picture garnered from biblical texts. Whether in condemnation or approbation, textual references viewed in conjunction with archaeological attestations attest to Yhwistic stones as a focus of Israelite worship through the eighth century. Biblical writers would have been familiar with the phenomenon into the seventh century; thereafter writers and editors likely drew on memories of earlier instances. If this reconstruction is correct, the later Dtr litany of transgressions relied on fossilized memories of the practice.

Erected in a temple niche, the architectural equivalent of the Jerusalem temple holy-of-holies, the Arad stone occupied the place where the deity resided and was manifest. Comparable to the cherub throne and calf/calves (as a pedestal), it marked the spot of Yhwh's theophany. However, given Micah's oracle against those who worshiped the work of their hands and Leviticus's listing massebot with divine representations, the Arad stone may have functioned as an aniconic image. Perhaps the stone stood for Baal rather than Yhwh. The mid-ninth-century Judahite rulers Joram/Jehoram, Ahaziah, and Athaliah worshiped Baal, following the practices of the kings of Israel, and Zephaniah and Kings suggest Baal worship persisted down into the second half of the seventh-century reign of Josiah (2 Kgs 8:18, 27; 11:18; 23:4; 2 Chr 21:6; 22:3; Zeph 1:4). Not until the late seventh or early sixth century does military correspondence found in the fort invoke Yhwh—"A blessing to Yhwh for you" (#16); "May Yhwh seek your welfare" (#18); and "I have blessed you to Yhwh" (#21)—confirming his status as the resident deity at that time.⁵⁰ Accordingly, the large limestone massebah in the (late ninth- to) eighth-century Arad temple niche arguably made manifest either Baal or Yhwh.

50. Yohanan Aharoni, *Arad Inscriptions* (Jerusalem: Israel Exploration Society, 1981), 30–31, 35–38, 42; Dobbs-Allsopp et al., *Hebrew Inscriptions*, 5.

Why was the Arad temple terminated and not rebuilt? Various historical scenarios have been proposed; however, the lack of consensus illustrates the ambiguity of the evidence. Termination sometime during the eighth century precludes a Josianic initiative. Hezekiah in the late eighth or early seventh centuries and Sennacherib in 701 BCE remain candidates if the temple can be demonstrated to be either violently ended with massebot smashed, according to 2 Kgs 18:4 or destroyed by Sennacherib's forces. Neither condition has been convincingly demonstrated. In spite of the lack of corroborating evidence, various religious and political explanations have been offered. Aharoni proposed religiously motivated royal reforms, including partial decommissioning by Hezekiah completed by Josiah. Herzog favored a single reverential burying by Hezekiah based on the revised dates of the temple's existence. Nadav Na'aman attributed the temple's destruction to Sennacherib's forces in an undocumented assault on the fort in 701 BCE but favored political and economic rather than religious considerations for not rebuilding.⁵¹ Citing religious motivations, with social, political and economic benefits, Israel Finkelstein and Neil Silberman adduced the demise of the Arad, Beer Sheba, and Lachish cultic sites before the end of the eighth century as evidence of Hezekiah's religious reforms.⁵² They adopted Herzog's view that the Beersheba horned altar stones secondarily incorporated into a Str. II storehouse foundation wall corroborated Hezekiah's initiatives.⁵³ However, the altar's dismantling predates the indeterminate beginning of Str. II and so cannot be convincingly used as evidence of Hezekian initiatives. For Diana Edelman, Yhwists would not close local shrines as they marked their god's claim to the land. Without substantiating evidence, she attributed the temple's termination to the foreign Str. VIII "newcomers [who] appear to have respected the sanctity of the defeated deity to the extent that they decommissioned his temple, burying it and certain cultic appurtenances."⁵⁴

Each of these proposals presumes an unverified as well as a direct association between the archaeological remains and the Bible. Such use of archaeological evidence is irresponsible. Very rarely are archaeological remains sufficiently precisely dated to argue a direct correspondence between the physical remains and a particular king or event. All the aforementioned scenarios are possible, but they lack the substantiating evidence that would raise the interpretation from merely possible to plau-

51. Na'aman, "The Abandonment of Cult Places," 592, 596.

52. Israel Finkelstein and Neil Asher Silberman, "Temple and Dynasty: Hezekiah, the Remaking of Judah and the Rise of the Pan-Israelite Ideology," *JSOT* 30 (2006): 259–85, here 273–74.

53. Herzog, "Perspectives on Southern Israel's Cult Centralization," 176.

54. Diana Edelman, "Hezekiah's Alleged Cultic Centralization," *JSOT* 32 (2008): 395–434, here 409, 424–29.

sible or probable. Based on the available evidence, a temple with a massebah, incense altars, and an altar was built during the late ninth or early eighth century in a Judahite fort near the southern border at Arad. If my alternative archaeological reconstruction is correct, the temple only functioned in Str. X, beginning as early as the later ninth century and continuing into approximately the mid-eighth century. Worship in this temple focused on a massebah that might have stood for either Yhwh or Baal. Who terminated this temple, when, and why are all unknown. Stratum IX builders incorporated the redesigned and rebuilt altar and incense burners, now mere construction stones, into a new structure, perhaps repurposed to fulfill the garrison's physical rather than religious needs. The massebah, as uncovered by the excavators, lay unceremoniously fallen in the niche area, buried under Str. IX constructional fill. This reconstruction allows for religious motives for terminating the temple, though they remain undocumented and archaeologically unsubstantiated. Whatever the motives, dating of the temple precludes termination in the context of Hezekiah or Josiah's alleged reforms.

The Arad massebah testifies to eighth-century royal support or tolerance for standing stones as marking the location of the deity's residence, or, more likely, given that the temple niche marked the location, as an aniconic image of the god. Over time, an object devoid of sanctity, a place marker, may have acquired divine status, comparable to Nehushtan. Sanctioned stones are amply attested in biblical texts. Certain circles as exemplified by Hosea and Isaiah approved of massebot in the Yhwistic cult. As in the Isaiah oracle, perhaps the Arad stone made manifest Yhwh, marking and guarding the southern border of his territory.⁵⁵ Perhaps Israelites legitimated the Arad stone by regarding it as an *אֵבֶן*, a legitimate cult object rather than a proscribed massebah. Perhaps injunctions against massebot (Lev 26:1; Deut 16:22) postdated the Arad stone, in which case no ban was breached. Maybe massebot enjoyed royal endorsement from select kings but suffered rejection by others. Alternatively, perhaps some Yhwistic circles banned massebot of foreign gods but sanctioned or tolerated stones of Yhwh, in which case the Arad stone represented Yhwh and not Baal. Archaeology demonstrates the practice; biblicists must now reassess the pertinent texts.

The Arad temple retains its significance in discussions of Israelite religion irrespective of its precise dates. In the eighth century, the monarchy

55. If the red pigment adhering to the stone was writing, already in this early period Yhwh may have been actualized through his word writ on stone. Like the inscribed Ebal stones, the Arad massebah may preserve the transition from rendering Yhwh manifest as a standing stone to the written word, an evolution proposed by Karel van der Toorn (Deut 27:2b–3a) ("The Iconic Book: Analogies between the Babylonian Cult of Images and the Veneration of the Torah," in *The Image and the Book*, 240).

built and maintained a sanctuary outside of Jerusalem with a massebah standing in the axially located niche, in the position normally accorded the image or throne/pedestal of the deity. This temple's existence highlights the selective nature of the biblical text as witness to history and challenges the Dtr ideal of a centralized Israelite cult with a single legitimate site for offering sacrifices to Yhwh. The massebah exemplifies an indigenous cultic practice initially embraced but subsequently scorned with an intervening period of conflicting opinions. Biblical texts considered in this paper suggest various strategies for dealing with the now-disparaged practice, from renaming honored stones (יד and אבן) to prohibiting stones of other gods without specifying but implying stones of Yhwh. Massebot, by that name, eventually discontinued but persisted in the fossilized Dtr recitation of cultic sins. Arad remains a byword in biblical studies—not as a site that verifies the biblical account but as a site that fosters discussion of Israel's evolving religion.

“The Righteous Mind” and Judean Moral Culture

A Conversation between Biblical Studies and Moral Psychology

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Are moral systems relatively similar across cultures or radically diverse? This question provokes debate among philosophers, anthropologists, moral psychologists, and historians of culture and religion. On the one hand, ample evidence exists for conflict between sets of moral values, not only across cultures but even within cultures. One has only to listen to the moralized frameworks within which contemporary social and political issues are cast to be aware of conflicting moral values. On the other hand, research from primatology and evolutionary psychology suggests that humans have evolved with fundamental moral emotions that are the bases for a common human morality. Historians, too, are aware not only of the pervasive and persistent concerns for familiar moral issues through time but also the alienness of aspects of the moral systems of some ancient groups in contrast to those of the researcher. Research in anthropology and moral psychology has attempted to establish more rigorous ways in which cross-cultural analysis of moral values can be conducted, in order to better understand these patterns of similarity and difference. While this research has been conducted on contemporary populations, historical evidence is also important in establishing how moral values exhibit patterns of commonality and diversity across time and culture. Given the extent to which moral values are explicitly discussed in texts from the Hebrew Bible and early Judaism, biblical studies is a natural conversation partner for moral psychology. One hopes that this engagement will be a two-way exchange. Contemporary social-scientific research provides important analytical categories that have been validated in cross-cultural research.

Nevertheless, the data from the analysis of historical cultures may push back on the categories and suggest a need for their refinement.

Moral Foundation Theory: An Overview

A good deal of twentieth-century social-scientific research into ethical values, what is now known as the field of moral psychology, was initially developed through work with a narrow sample of subjects and reflected a similarly narrow set of cultural assumptions held by the researchers—male, white, middle-class, Western. The developmental/cognitive psychological research of Lawrence Kohlberg, which dominated the field for many years, is the primary example.¹ Kohlberg privileged justice as the moral value par excellence and considered the status of other moral values (e.g., group loyalty, respect for authority) to be stages of moral development that were eventually transcended in the mature stages of moral development. Kohlberg's position reflected both philosophical commitments and unconscious bias. The philosophical commitment was to a unitary theory of the virtues, which led him to subordinate other moral values to that of justice. "Virtue is ultimately one, not many, and it is always the same ideal form regardless of climate or culture. . . . The name of this ideal form is justice."² The alternative position in virtue ethics is that of pluralism, in which a number of primary virtues are recognized.³ The unconscious bias in Kohlberg's position was initially raised in terms of feminist critique, as Carol Gilligan noted that Kohlberg's male-oriented research had no place for an ethic of care, which was a moral concern that could not be reduced to or derived from an ethic of justice.⁴ Yet it was a primary moral concern especially prominent in women's moral development. Her critique thus raised questions about the adequacy of a unitary approach to moral values. Cultural anthropologists, notably Richard Shweder, also questioned whether the dominant assumptions of those working in cognitive-developmental psychology adequately accounted for the moral concerns of non-Western societies. His research, based on fieldwork in

1. Lawrence Kohlberg, *The Philosophy of Moral Development: Moral Stages and the Idea of Justice* (San Francisco: Harper & Row, 1981).

2. Lawrence Kohlberg, "From Is to Ought: How to Commit the Naturalistic Fallacy and Get Away with It in the Study of Moral Development" in *Psychology and Genetic Epistemology* (ed. T. Mischel; New York: Academic Press, 1971), 232.

3. For example, Christine Swanton, *Virtue Ethics: A Pluralistic View* (New York: Oxford University Press, 2003). More generally, Elinor Mason, "Value Pluralism," *The Stanford Encyclopedia of Philosophy* (Fall 2011 Edition), Edward N. Zalta (ed.), <http://plato.stanford.edu/archives/fall2011/entries/value-pluralism>.

4. Carol Gilligan, *In a Different Voice: Psychological Theory and Women's Development* (Cambridge, MA: Harvard University Press, 1982).

Bhubaneswar, India, suggested that three primary areas of moral concern exist—an ethic of autonomy (harm, rights, justice, with concern for autonomous individuals), an ethic of community (duty, respect, loyalty, with concern for institutions and social order), and an ethic of divinity (purity, sanctity, and sin, with concern for the divinity inherent in each person).⁵

Other research in anthropology and social psychology entered the debate about possible universals in human culture, including human value systems.⁶ A parallel development draws on work in primatology and evolutionary psychology to explore whether there are certain moral concerns that are universal in human cultures,⁷ and which may have become part of the evolutionary development of the brain and its organization.⁸ Thus the question of "the one and the many" has permeated many of the debates over the manifestations of human moral systems. These and other strands of investigation have been drawn together in the work of Jonathan Haidt and his colleagues under the heading of Moral Foundations Theory (MFT).⁹ Their work is descriptive and comparative, not normative, and is concerned to argue that there are a finite number of basic moral foundations formed through evolutionary pressures that particular cultures and subcultures draw upon in developing diverse moral systems. These foundations are not to be identified with fully developed moral cultures but are the basic reference points underlying such cultures.

They develop their theory with the aid of two governing metaphors. The first is that of the sense of taste. Human tongues have five distinct taste receptors, but different cultures and subcultures combine this limited number of tastes to produce cuisines that have quite different profiles.

5. Richard A. Shweder, Manamohan Mahapatra, and Joan G. Miller, "Culture and Moral Development," in *The Emergence of Morality in Young Children* (ed. Jerome Kagan and Sharon Lamb; Chicago: University of Chicago Press, 1990), 1–83; Richard A. Shweder, Nancy C. Much, Manamohan Mahapatra, and Lawrence Park, "The 'Big Three' Explanations of Suffering," in *Morality and Health* (ed. Allan M. Brandt and Paul Rozin; New York: Routledge, 1997), 119–69.

6. See, for example, Donald E. Brown, *Human Universals* (Philadelphia: Temple University Press, 1991); Shalom H. Schwartz and Wolfgang Bilsky, "Toward a Theory of the Universal Content and Structure of Values: Extensions and Cross-Cultural Replications," *Journal of Personality and Social Psychology* 58 (1990): 878–91.

7. Franz de Waal, *Good Natured: The Origins of Right and Wrong in Humans and Other Animals* (Cambridge, MA: Harvard University Press, 1996); Mark Rowlands, *Can Animals Be Moral?* (New York: Oxford University Press, 2012).

8. Patricia S. Churchland, *Braintrust: What Neuroscience Tells Us about Morality* (Princeton, NJ: Princeton University Press, 2011).

9. Jonathan Haidt, *The Righteous Mind: Why Good People Are Divided by Politics and Religion* (New York: Pantheon Books, 2012); Jesse Graham et al., "Moral Foundations Theory: The Pragmatic Validity of Moral Pluralism," *Advances in Experimental Social Psychology* 47 (2013): 55–130.

So, they argue, the “moral taste receptors” are finite in number but can be combined in different ways in different moral cultures. The other metaphor is that of “foundations.” As they insist, “moral foundations are not finished moralities.” But, as with buildings, the type of foundation laid limits the nature of the building that can be constructed upon it, though finished products built on the same type of foundation can have strikingly different appearances due to different materials used and different forms of ornamentation.¹⁰

Based on the literature about human universals and cultural variables, as well as their field research,¹¹ Haidt and his colleagues have argued for five most likely moral foundations: care/harm, fairness/cheating, loyalty/betrayal, authority/subversion, and sanctity/degradation. This list should not be taken as canonical, though they do argue that these are “the most obvious and least debatable” foundations.¹² The list is a first hypothesis that requires refining in light of further research. The criteria for “foundational” status are as follows:

1. A common concern in third-party normative judgments
Violation of the moral norm appears to elicit negative comment or reaction. It will be gossiped about.
2. Automatic affective evaluations
Specific and rapid moral reaction, that is, not a general sense that something is wrong but that something elicits the emotional/evaluative response that it is “cruel” or “unfair” or “a betrayal” or “subversive” or “sick.”
3. Culturally widespread
A potential foundation should be identifiable across a wide variety of different cultures, though it may be minimized or suppressed in some particular societies.
4. Evidence of innate preparedness
The strongest evidence for foundational status is the occurrence of the moral emotion in nonhuman primates or in children so young they have not yet received teaching or reinforcement for the moral value.
5. Evolutionary model demonstrates adaptive advantage
Not an *ex post facto* “just so” story but a claim demonstrated by correlation with independent research in evolutionary theories.¹³

10. Graham et al., “Moral Foundations Theory,” 60, 64–65.

11. Jonathan Haidt and Craig Joseph, “Intuitive Ethics: How Innately Prepared Intuitions Generate Culturally Variable Virtues,” *Daedalus* 133 (2004): 55–66; Haidt, *The Righteous Mind*, 14–26.

12. Graham et al., “Moral Foundations Theory,” 107.

13. *Ibid.*, 109–14.

Suggestions for other possible candidates for moral foundationhood have been made and are being empirically tested. These include: liberty/oppression, efficiency/waste, ownership/theft, and honesty/deception.¹⁴ Of these possibilities, my research on Proverbs, described below, would support the inclusion of honesty/deception as a foundational category. In addition, as I will argue, the category of harmony/dissension, which figures prominently among the moral concerns of Proverbs, should also be a candidate for moral foundationhood and fully meets the criteria.

Moral Foundation Theory and Historical Texts: Methodological Issues

MFT is useful in analyzing and clarifying moral cultures and subcultures and why they differ from one another, as one discerns the privileging of some moral foundations in a moral system and the relative neglect of others. Haidt and his colleagues have particularly used MFT to explore differences in political ideologies as these build upon different configurations of the moral foundations. The tools of MFT, however, are adaptable to a wide range of inquiries into moral domains and the social strategies that accompany them. Although the field research that supports MFT has been based on interviews and questionnaires with living subjects in a variety of environments, historical texts concerned with moral issues may also be used to illumine the moral foundations of cultures, though the analysis of such texts yields information of a different sort than that elicited through Haidt's methods.

The initial list of moral foundations drew on the literature of anthropologists, social scientists, and primatologists who had documented recurrent and widespread occurrences of certain types of moral concerns in human and primate societies. This initial list was field tested through a series of case examples in which respondents were asked to evaluate situations, saying whether the actions described were permissible, were merely violations of social conventions, or were morally wrong. Persons of different sex, in different cultures, from different age groups, and from different socioeconomic classes were included in the studies.¹⁵ While the interviews often included follow-up questions to elicit the basis for the respondent's reaction, the examples were structured according to the types of moral concerns for which the researchers were testing. In addition, the website yourmorals.org has solicited responses from volunteers. In none of these

14. Ibid., 104.

15. My description consolidates several different studies that are described by Haidt in *The Righteous Mind*, 14–26.

cases were participants asked to discuss moral values in an unstructured fashion. Thus the research was not organized in a way that attempted to expand the list of moral foundations being tested. Nevertheless, Haidt and his colleagues realized that the list of moral foundations required critique and revision. Blind spots in the categories have been revealed when the categories did not seem able to account for the moral thinking of certain groups of people, for example, self-described libertarians. Hence, the list of moral foundations was revised to better describe the moral thinking of such persons who orient themselves strongly to the moral foundation of liberty/oppression. In addition, the website *moralfoundations.org* hosted a “‘moral foundations prize’—one thousand dollars to anyone who could ‘demonstrate the existence of an additional foundation or show that any of the current five foundations should be merged or eliminated’.”¹⁶

Barring the invention of a time machine, much of the type of research used to establish MFT cannot be carried out with cultures from the past. For such cultures, what we possess are texts that volunteer information about moral concerns, narratives that exemplify moral values, and pedagogical and exhortative texts that attempt to inculcate moral values or critique perceived moral failures. One would expect analysis of such material to differ in a variety of ways from what is produced through the controlled interviews of MFT researchers. For one thing, some moral foundations that are clearly of concern to a society may not be prominently featured in texts, because they are so taken for granted. The genre of a text and its social function will shape and constrain the types of moral concerns it foregrounds. But as volunteered information, texts may well lift up moral values that have not necessarily occurred to researchers and that should be tested for cross-cultural validity.

As a test case for a conversation between MFT and biblical literature, I have chosen to focus on the book of Proverbs.¹⁷ This book lends itself well to the topic, since it is explicitly concerned with the moral formation of youth and the persuasive articulation of moral values by the community of sages. How should one analyze the book, however, in order to set up a comparison with MFT? Two approaches to the analysis of free-flowing texts that are commonly used in social-scientific research and that have correlates in the practices of the humanities suggest themselves.¹⁸ Both

16. Graham et al., “Moral Foundations Theory,” 99.

17. For this study I make no attempt to distinguish the different compositions within Proverbs. They do not all reflect the same moral emphases, but the differences are slight.

18. Indeed, some of the techniques, including key-word-in-context, were pioneered in biblical studies. For helpful accounts of these qualitative methods of text analysis, see Gery W. Ryan and H. Russell Bernard, “Techniques to Identify Themes,” *Field Methods* 15 (2003): 85–109, and Gery W. Ryan and H. Russell Bernard, “Data Management and Analysis Methods,” in *Handbook of Qualitative Research* (ed. Norman K. Denzin and Yvonna S. Lincoln; London: Sage, 2011), 769–802.

are ways of identifying what researchers call "themes," that is, recurrent areas of concern within the text. The first includes two approaches that go by the names of "grounded theory" or "schema analysis." In this type of analysis researchers attempt to construct categories from the ground up, by noting and grouping recurrent terms and closely related words. In addition to simple word counts, one may identify recurrent clusters of words and, where possible, logical relations among concepts. As Ryan and Bernard observe, "grounded theorists suggest a careful, line-by-line reading of the text while looking for processes, actions, assumptions, and consequences. Schema analysts suggest looking for metaphors, for repetitions of words, and for shifts in content."¹⁹ These processes are rigorous, in that one must produce evidence from the text, but also require subjective judgment, as the researcher constructs and labels the categories within which the evidence is collected. Different analysts will, inevitably, come up with somewhat different analyses, though initial categories should be revised and refined not only in light of initial results but also by having several different researchers analyze the material and compare results.

Somewhat different in goals and method is the second approach—content analysis. "Content analysis assumes that the codes of interest have already been discovered and described."²⁰ The analyst brings the categories to the texts in question and codes them according to the occurrence of the categories. Difficulties in accounting for the evidence in the text can, however, lead to the revision of the code categories. Both grounded theory and content analysis have a recursive dynamic that leads to the refinement of the analysis. Although scholars in the humanities who do textual analysis tend not to be so explicit about their methods, they will recognize these methods as similar to their own analytical practices.

Simply using the categories developed by MFT to analyze a historical text would be a form of content analysis. One could begin this way, noting what fit easily into the MFT categories and what did not. The risk in such an approach, however, is that one might unconsciously overlook the significance of seemingly extraneous material or shoehorn material into the MFT categories without being fully aware of doing so. In my opinion, it is better to begin with a form of grounded theory analysis that first attempts to elicit the pattern of themes within the text. Only then, after having let the text "speak" of its own priorities, should one introduce the MFT categories.

19. Ryan and Bernard, "Data Management," 780.

20. *Ibid.*, 785.

Analyzing the Moral Concerns of the Book of Proverbs

My first rough attempt at analyzing the moral concerns of the book of Proverbs several years ago was a version of grounded theory, though at the time I would not have called it by that name. This inquiry was, moreover, “untainted” by knowledge of the categories of MFT, since I conducted this analysis before learning about MFT. My sketch was a rough and ready one, which I did not push to completion and subsequent revision, but it can serve as an example of a first draft of a grounded theory analysis. I began with a focus on the wicked, specifically, what Proverbs sees as characteristic behaviors of the wicked and their effects on society. In the category of “wicked” I included not only those characterized by the term רשעים but also other synonymous terms and expressions that designated antisocial behavior. Several categories quickly emerged: (1) duplicity and scheming (at least 45 proverbs or clusters), (2) infidelity to social bonds and/or the creation of social disharmony (at least 33), and (3) violence against persons and property (at least 16). Not only behaviors but attitudes were also condemned, particularly arrogance (at least 10). Moreover, Proverbs often favored certain tropes by which to describe the characteristic mode of operation of the wicked, above all the striking number of words having to do with the semantics of deviation—that is, twisted, crooked, bent, astray, etc. (at least 22). Minor themes have to do with emotional relationship of the wicked to evil (they are eager for it), and the role of knowledge, or rather the lack of it, in their evil-doing. A remarkable number of proverbs are preoccupied with the consequences for or outcomes of the wicked, specifically their susceptibility to misfortune (at least 30), the ephemerality of wickedness and the wicked (at least 18), and the rebound effect in which the wicked’s wickedness is the mechanism of their downfall (at least 16). Other proverbs were interested in identifying the negative reaction of others to the wicked (at least 14), including Yhwh (at least 10). Additional categories that might have been analyzed include the bodily modalities by which the wicked do what is wrong, since it is clear that speech (that is, mouth, tongue, lips) has a particularly prominent place in the discourse.

The virtue of grounded theory is that it attempts to identify the themes that preoccupy the text in terms of categories that are as closely drawn as possible from the semantics of the text itself. By being focused only on the discourse about the wicked, my analysis was not the beginning of a grounded theory of the whole book, of course. To do that one would have to develop many other categories, with particular attention given to the virtues and dispositions to be inculcated. Moreover, even to refine my initial sketch, I would need to make much more detailed semantic lists

than I developed. Questions would arise as to whether some categories required subdivision, and so forth. How would one count proverbs that pertain to more than one category? What does one do with sayings that seem not to fit any of the categories? Ideally, a grounded theory analysis would be carried out by a group of researchers, whose independent agreements and disagreements in categorizing sayings would be part of the process of clarifying the adequacy of categories and the assignment of data. Nevertheless, even this initial and unrefined analysis provides a reasonably good sense of some of the important priorities in the discourse of Proverbs.

Is classifying and counting enough? With a book such as Proverbs these basic forms of analysis yield a good map of the concerns of the text. But it should be remembered that not all relevant schemata are to be found in the explicit semantics of the text; some may require abstracting from the concrete images. The best known example of this in Proverbs is the act-consequence relationship, a critical trope that underlies not only many of the proverbs about the wicked but also about the wise and the righteous. Furthermore, in more discursive texts, such as Deuteronomy, concepts may occupy different positions in an argument, and so further steps in the analysis would be needed to discern logical relationships among categories.

While grounded theory is useful for letting a text "speak," it is not ideally suited for comparative analysis. If one wishes to examine how the configuration of moral concerns of a text such as Proverbs compare with the configurations of other texts and/or cultures, then content analysis, based on a predetermined set of categories, is more useful. Consequently, I performed a second rough analysis of Proverbs using the categories developed in MFT but constructing others for material that did not seem to fit MFT. It must be kept in mind that MFT is an intentionally reductionist enterprise. It is concerned to discern the basic "foundations" of moral concerns, which are different from a fully developed moral culture. The richness of particular concepts as they are culturally developed requires a different kind of analysis. What MFT can illumine is how certain moral "tastebuds" may be privileged in a particular culture or subculture or text while others are occluded.

Mapping Proverbs in Relation to the Categories of MFT

In what follows I will first consider the categories of MFT and their fit or lack of fit with the evidence from Proverbs. Then I will consider examples of moral concern in Proverbs that may point to the existence of additional

moral foundations. It should be remembered of course, that not every moral concern will meet the criteria established by Haidt and his fellows for status as a foundation.

Care/harm. While a number of sayings in Proverbs denounce violence, most do not feature the emotional component of harm to the vulnerable. A few do mention the poor, the wretched, and the orphan as particular objects of care (14:31; 15:25; 17:5; 22:9, 22–23; 23:10–11; 38:3, 8, 27; 30:11–14; 31:8–9), but the number is small with respect to the total number of sayings. Where violence is denounced, it appears to be framed more as a concern about social order in general (e.g., 1:10–19; 6:17; 21:7; 24:1–2; 28:17, 24; 29:10). This is not to say that sages were indifferent to the care/harm foundation. Undoubtedly, if they were interviewed by Haidt and his graduate students and asked about particular cases, they would condemn harm to the vulnerable as a moral offense. But as they conduct their own discourse, this concern is present but not particularly salient. One can find the care/harm foundation more prominently featured in other texts from the wisdom tradition. In Job's account of his moral world in Job 29, Job mentions no fewer than nine categories of the vulnerable as objects of his care and protection (vv. 12–17) at a critical juncture in his self-presentation. In Job's moral imagination the moral foundation of care/harm is tightly bound to the moral foundation of authority/subversion, as his actions in protecting the vulnerable are his primary justification for the social authority to which he lays claim and that he objects has been wrongfully denied him (Job 30). Thus it is important to distinguish between the moral foundations of a society in general and the salience of particular moral foundations in the discourse of a specific text or speech act.

Fairness/cheating. Initially, one might not think that this moral foundation is of particular concern to Proverbs, but I wish to argue that it is possibly one of the most important. As this moral foundation is typically articulated, it stems from the concern of societies to minimize "free-riders," that is, those who derive benefits from a social context without contributing their fair share. One can find a few proverbs that explicitly condemn unjust weights and measures (11:1; 16:10; 20:10, 23), a clear instance of concern with fairness/cheating, but the number of such proverbs is quite small. If one stands back from the explicit content of Proverbs, however, and considers also the importance of some its implicit tropes, then one may make a case that concern with fairness is fundamental to the moral vision of the sages. The act–consequence relationship, which is foundational to the thought world of wisdom, is, at its root, a concern about fairness. The results of an action should be commensurate with that action. In the moral sphere it is the basis for the notion of retributive justice—that the deed should be returned to the doer. As Proverbs and related wisdom

literature articulate the issue, the claim is made that this relationship of fairness is a reliable phenomenon. Indeed, it seems to characterize reality itself. And yet, as Assmann, Janowski, and others have argued, the act-consequence relationship is not a matter of ontology but is a category of social interaction. It describes a relationship of deep social reciprocity that is both horizontal and vertical. It is a matter of "*füreinander handeln* (*aktive Solidarität*), *aufeinander hören* (*kommunikative Solidarität*) und *aneinander denken* (*intentionale Solidarität*)."²¹ These fundamental values form the basis for expectations for behavior among all persons but in particular for those in authority, including the deity. It is the condition that makes social life possible.

Loyalty/betrayal. This moral foundation has to do with the propensity of humans to form tightknit groups that have strong identities and that distinguish more or less sharply between insiders and outsiders. Although various aspects of Israelite and Judean culture reflect the existence of this moral foundation (e.g., the tribal social organization, the postexilic anxiety about community boundaries, the developing phenomenon of sectarianism), it is not strongly represented in Proverbs. Perhaps it is most salient in the figure of the "strange woman," who may represent anxiety about community boundaries.²² In general, however, group identity is not a major feature of the moral profile of Proverbs. To be sure, there are frequent references to the "treacherous" (בגדים), but the treachery in question is never against the group. As the extended discourse on adultery in terms of the wrong an adulterer does to his fellow (6:26b–35) also suggests, loyalty in Proverbs is cast more in terms of the moral obligations between individuals than as an offense against the community itself. These moral evils are better understood in terms of social solidarity. See the discussion of harmony/dissension below.

Authority/subversion. Proverbs 1–9, which frames the book, foregrounds the centrality of authority as a major moral concern. Programmatically, the sayings that make "fear of Yhwh" the beginning and chief part of knowledge and wisdom (1:7; 9:7) establish submission to this highest authority as fundamental for the project of wisdom and thus for the social life that is grounded upon it. Aligned with Yhwh is the highly authoritative figure of personified Wisdom. Since the relationship between wisdom and

21. Bernd Janowski, "Die Tat kehrt zum Täter zurück: Offene Fragen im Umkreis des 'Tun-Ergehen-Zusammenhangs,'" ZTK 91 (1994): 259. See Jan Assmann, *Ma'at: Gerechtigkeit und Unsterblichkeit im Alten Ägypten* (Munich: C. H. Beck, 1990), 58–91.

22. Harold Washington, "The Strange Woman (אשה זרה/נכריה) of Proverbs 1–9 and Post-Exilic Judaeon Society," in *Second Temple Studies: Vol. 2: Temple Community in the Persian Period* (JSOTSup 175; Sheffield: Sheffield Academic Press, 1994), 217–42.

the people is one of instruction, subversion of authority is cast in terms of the moral-pedagogical relationship. Such people “turn from rebuke,” “refuse” to heed, “do not pay attention,” “disdain rebuke.” The types associated with such refusal of authority include the naive (פתאים), fatuously complacent (בסלים), and mockers (לצים); Prov. 1:22–33. Within the human community the father, and to a certain extent the mother, is the comparable authority figure, and Proverbs 1–9 is largely structured by means of addresses urging a submissive, responsive disposition on the part of the son, who stands in for every reader. Although the moral foundation of authority/submission is less prominent in the proverb collections in the rest of the book, numerous sayings reinforce the importance of heeding the rebuke of appropriate authority figures (e.g., 10:17; 15:10, 12; 16:18–20; 20:20; 26:12; 29:1).

Sanctity/degradation. The articulation of the sanctity/degradation foundation is one of the more reductive in MFT, at least as regards its evolutionary rooting in a concern to avoid contaminants by avoiding waste products and diseased people as a means of protecting health. While this aspect may help to explain the origins of the emotion of disgust, which comes to play an important role in moral intuition,²³ it is unlikely to have solely generated the concept of sanctity.²⁴ That sanctity plays an important role in many moral systems is unquestioned. Its origins and development are less well understood and deserve further research.²⁵

Although this category figures centrally in certain biblical texts (e.g., the Holiness Code, Ezekiel), it is not prominent in Proverbs. Moral purity is not a preferred way of framing issues. Even in talking about sexuality, the concern is not the purity of the individual but care for the social fabric of community (Proverbs 5–7). The metaphors of uncleanness or stain or infection are not present. The one exception is the occurrence of the term “abomination” some ten times. Although this is a term from the discourse of sanctity/degradation, it appears to be a frozen idiom in Proverbs, as it indicates moral disgust by Yhwh (6:16; 21:27; implicitly, 28:9), personified

23. Paul Rozin et al., “The CAD Triad Hypothesis: A Mapping Between Three Moral Emotions (Contempt, Anger, Disgust) and Three Moral Codes (Community, Autonomy, Divinity),” *Journal of Personality and Social Psychology* 76 (1999): 574–86.

24. Haidt’s argument (*The Righteous Mind*, 149) is more an assertion than an argument: “The Sanctity foundation makes it easy for us to regard some things as ‘untouchable,’ both in a bad way (because something is so dirty or polluted we want to stay away) and in a good way (because something is so hallowed, so sacred, that we want to protect it from desecration). If we had no sense of disgust, I believe we would also have no sense of the sacred.”

25. Jane Goodall (“Primate Spirituality,” in *Encyclopedia of Religion and Nature* [ed. Bron Taylor; New York: Continuum, 2005], 1304), has discussed anecdotal evidence for the occurrence of something like spiritual awe in the behavior of chimpanzees, but the topic has received little sustained attention.

wisdom (8:7); the king (16:2); the righteous (29:27), and common opinion (24:9; 26:25). Conversely, the wicked and the fool experience the same emotion toward those who exhibit moral conduct (29:2) and to the idea of turning from evil themselves (13:19). While it is likely that the sages would have recognized sanctity/degradation as a moral foundation, they do not feature it in their discourse nor do they make moral disgust a major part of their rhetorical appeal.

What Is Left Out?

One might conclude from this analysis either that the moral world of Proverbs is a rather odd one or that MFT does not do a terribly good job of illuminating it. Of the five basic moral foundations that form the core of MFT, only authority/subversion is strongly and unproblematically represented. On closer examination, however, it appears that the fairness/cheating foundation is also prominent, but requires being translated into a more culturally nuanced form that one might designate as solidarity/self-seeking or reciprocity/selfishness. While one can understand the reasons that the developers of MFT chose the label fairness/cheating for this moral foundation to describe the moral concerns surrounding reciprocal altruism and the free-rider problem, the nuances of the English word "cheating" tend not to refer to all types of unfairness but to those specifically redolent of deception. While free riders often employ deception, a debate exists among proponents and critics of MFT as to whether a separate moral foundation of honesty/deception exists that cannot simply be subsumed under the fairness/cheating foundation. Some evidence suggests that it is.²⁶ Honesty/deception has to do with the social construction of an agreed state of affairs that is cognitively shared by those who must act together. The deceiver is one who, for whatever reasons, misleads others about a state of affairs, not only putting the deceived at risk but also undermining trust itself. Once one has been deceived, not only does one not trust the deceiver, but it becomes more difficult to extend trust to others or even to trust in one's own judgment. Thus the evolutionary value of honesty extends far beyond the problem of the free rider.

Analysis of the book of Proverbs also suggests that honesty/deception be seen as a separate moral foundation. Well over fifty sayings deal with this issue, and though one can identify linkages with the care/harm, fairness/cheating, and loyalty/betrayal foundations, honesty/deception does not seem to be simply a means of elaborating any one of these.

26. <https://www.yourmorals.org/blog/2010/12/the-case-for-honesty-as-a-moral-foundation/comment-page-1>.

Although deception may be carried out either by words or actions, the frequency with which terms for speech are used highlight the concern for verbal deception. In addition to literal terms for lies and fraud (שקר, כזב, מרמה), several metaphorical domains are used to characterize deception. The most prominent of these is spatial deviation (e.g., תהפכות, נלז, עקש, גלז, תעה, סלף, נעוה). These terms are used to characterize the way of life of the wicked as well as their speech. Other metaphors include those of seduction (פתה, חלק) and covering or hiding (מכסה, ערב). Scheming (מחשבת, זמה, מזמה), though it may or may not result in acts of deception, also partakes of the quality of hidden intention and is closely related to the concerns with honesty/deception. As it is developed in Proverbs, the issue of honesty/deception goes far beyond the simple problem of individuals who mislead others for their own advantage (fairness/cheating) or in order to harm another (care/harm). Though related to treachery (loyalty/betrayal), it is not coextensive with it. As I suggested above, the core issue has to do with the construction of a relationship of trust and of a shared sense of reality. Deep disagreements about a critical state of affairs, even if they are sincerely held differences, are often cast morally in terms of truth and deception. In the case of Proverbs, all deviations from the symbolic world construction of the sages, everything that perverts the way of wisdom and righteousness, can be cast as deception. Hence it can be embodied in the figure of the strange woman (2:16–19; 7:6–23) and the evil man (2:12–15) who are characterized above all by deceptive speech.

The remaining area of moral concern in Proverbs that is not reflected even in the extended list of moral foundations is that of harmony/dissension. Surprisingly, I can find no indication that this category has even been discussed in MFT. And yet, I believe it can be shown to fulfill the criteria for foundationhood, though a thorough demonstration exceeds the bounds of this article. In Proverbs, this concern is reflected above all in the sayings (at least 30) that are preoccupied with the problem of strife (מדינים—6:14, 19; 10:12; 16:18; 17:14; 18:19; 22:10; 26:20–21; ריב—18:6; 20:3; 26:17, 21; מסה—17:19), most distressingly among brothers. The most problematic emotion is wrath or anger (חמה, אף—6:18; 19:19; 22:24), which is easily stirred up (15:1) but dissipated by the wise (15:4). Greed is also associated with strife (28:25). Even the negative effects of adultery are cast in terms of the problems it creates for social harmony (6:27–35). Frequently, Proverbs suggests that quarrelsomeness is a persistent feature of character in some persons—the querulous man (נרגן), the contentious man (איש מדינים) or contentious woman (אשת מדינים). The problem is thus with the chronically conflictual person whose undisciplined emotions and desires create and exacerbate social conflict.

One might ask whether this concern is, properly speaking, a trans-cultural moral foundation or simply a cultural preference. All societies

include elements of conflict; but societies differ greatly in the degree to which they consider the manifestations of conflict to be problematic or positive. In Confucianism, for example, harmony is the highest cultural value. Conflict control, as well as with the nurturing of good relationships, are of paramount concern.²⁷ By contrast, more agonistic societies may valorize particular forms of social conflict, as one sees in Hesiod's praise of a certain kind of competitive strife, which "stirs up even the shiftless to toil . . . ; neighbor vies with his neighbor as he hurries after wealth. This Strife is wholesome for men. And potter is angry with potter, and craftsman with craftsman, and beggar is jealous of beggar, and minstrel of minstrel" (*Works and Days*, 20–26; trans. Evelyn-White). Yet Hesiod also recognizes a bad type of strife—that which leads to war and is characteristic of "the wrangles of the court-house," which "delights in mischief" and "quarrels," and which is associated with greed and the corruption of judges (ll. 27–40).

Such cultural differences are not inconsistent with recognizing harmony/dissension as a moral foundation, if one remembers the distinction in MFT between foundations as "tastes" recognizable to the human moral tongue and the creation of culturally different moral "cuisines" based on the repertoire of these tastes. Both Confucius and Hesiod indicate a widespread recognition of harmony/dissension as a critical issue. Hesiod may like his society "spicier" than does Confucius, but they both recognize the heat in the pepper of conflict and its capacity for antisocial effects. Ancient Israel was undoubtedly an agonistic society, sharing much in common with Hesiod's Greece. But the wisdom literature of the ancient Near East, including Proverbs, is like that of Confucius's *Analects* in that it does not valorize conflict, though it also does not emphasize social harmony to the extent that Confucius does. Undoubtedly, the proper valuing and management of social conflict would have been contested by the different subcultures in ancient Israel, with warriors likely taking a different view from scribes.

In my opinion, the evidence from Proverbs and other sources makes the case for harmony/dissension to be considered as a moral foundation, as it meets the five criteria laid out by MFT.

1. Third party normative judgment.

The very fact that Proverbs thematizes it satisfies this criterion.

2. Automatic affective evaluation.

One who exhibits quarrelsomeness is referred to as a "man of worthlessness" (6:12–15), an "abomination to [God's] being" (6:17–19), and "one who loves transgression" (17:19).

27. Wei Xiaohong and Li Qingyuan, "The Confucian Value of Harmony and Its Influence on Chinese Social Interaction," *Cross-Cultural Communication* 9 (2013): 61–62.

3. Culturally widespread

Although my treatment of strife in ancient Chinese and Greek culture may be a small sample, one would have no difficulty in assembling evidence from other cultures.

4. Innate preparedness

To my knowledge no studies have been performed on infants or small children to test their reactions specifically to those who pick fights comparable to the study of the “mean puppet” who bashes the other puppet,²⁸ though I suspect kindergarten teachers have sufficient anecdotal evidence to make the point.

5. Evolutionary adaptive advantage

That conflict is seen as a problem within primate societies is amply demonstrated by the studies of Franz de Waal and others. De Waal documents the efforts that go into reconciliation after conflict as well as various conflict-avoidance strategies on the part of various species of primates, and among other social animals also. It would require a further literature search to locate information on how primate bands deal with members who chronically pick fights. But the adaptive advantage of minimizing such behavior is obvious. As de Waal notes, “It seems that many social animals know how to reconcile, and for good reason. Conflict is inevitable, yet at the same time animals depend on one another. They forage for food together, warn each other of predators, and stand united against enemies. They need to maintain good relationships despite occasional flare-ups, just like any married couple.”²⁹

Conclusions

This essay is only a first step toward initiating a conversation between biblical studies and Moral Foundation Theory. While much of the richness of any historical study lies in the careful unfolding of the fully developed moral world constructed by a text, the use of a cross-culturally tested reductive schema, such as that provided by MFT, is valuable for making clearer the choices of emphasis that give to a particular text its distinctive moral profile. MFT also offers biblical studies a useful tool for better discerning how different moral configurations existed side by side in Judean society. The moral foundation profile of Ezekiel, for example, will look quite different from that of Proverbs. Even within the wisdom literature,

28. J. Kylie Hamlin, Karen Wynn, and Paul Bloom, “Social Evaluation by Preverbal Infants,” *Nature* 450 (2007): 557–60.

29. Franz de Waal, *Our Inner Ape* (New York: Riverhead Books, 2005), 150.

it is possible to show how different speech acts might activate or minimize particular foundations, such as the care/harm foundation. Foundations tend not to operate in isolation but are related to one another in strategic ways. As the example from Job suggests, care/harm and authority/subversion have an organic link in Judean moral vision. Within the book of Proverbs what is striking is the way in which the profile of moral foundations and the development of them emphasize the centrality of social solidarity. The centrality of authority/subversion, the configuration of fairness/cheating to focus on reciprocity/self-seeking, the emphasis in loyalty/betrayal not on the groupishness of society so much as on the bonds between men all suggest this. Even care/harm is focused either on the dangers of violence to the social body as a whole or emphasizes the importance of social bonds with those most likely to be excluded.

What the conversation with biblical studies and other historical cultures offers to MFT is not simply further field testing in different times and places but also the opportunity to incorporate different types of evidence, using different analytical techniques. Since one cannot interview the authors of historical texts, one listens to the text as it foregrounds its own priorities. In this respect Proverbs not only endorses the case of those who argue for honesty/deception as a moral foundation but also suggests that harmony/dissension be considered as well. In this conversation, further agendas are set for biblical studies. While the emphasis on harmony/dissension fits well with the clear emphasis in Proverbs on social solidarity, the reasons for the very prominent concern with honesty/deception and its emphasis on tropes of deviance and perversion require further study. My suspicion is that honesty/deception is central to Proverbs because of the work's strong cognitive orientation toward insight as fundamental to wisdom and righteousness. Deception is a fatal threat to proper insight, as well as to social trust. But that hunch requires further investigation, which is precisely where one hopes a good conversation leads.

Ritual Inversion in Biblical Representations of Punitive Rites

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In her influential treatment of ritual in terms of practice, Catherine Bell speaks of the role of distinction and contrast in ritualization: "Acting ritually is first and foremost a matter of nuanced contrasts and the evocation of strategic, value-laden distinctions."¹ Although her focus is mainly on the distinctions that might be established between routine activities and ritualized behavior—for example, between a regular meal and the Eucharist—she also provides an example of rites that contrast strategically with other, closely related rites: the informal folk Mass in the home versus the formal Mass in church.² Another Christian example of two closely related and strategically contrasting ritual practices is the distinction between the vernacular, Protestant service and the Latin Mass in the context of the Reformation. Both Bell's contemporary illustration and my example from the sixteenth century are characterized by the deployment of strategies of inversion to create advantageous distinctions: informality replaces formality and the home replaces the church as locus of ritual activity in Bell's example; in the case of the Protestant service and Latin Mass, the vernacular replaces a specialized—and for many, recondite—liturgical language.³ Thus, strategic inversions of various kinds—including tone, locus,

1. Catherine Bell, *Ritual Theory, Ritual Practice* (New York: Oxford University Press, 1992), 90. For Bell's treatment of practice theory, see *ibid.*, 74–88.

2. *Ibid.*, 92.

3. Other contrasts are drawn as well, including communion in both kinds for laity versus communion in one kind. Recent research has demonstrated that the process of establishing and generalizing these distinctions and others was complex and gradual. In fact, as Lee Palmer Wandel has pointed out, a standardization of the Mass came into being only with the Tridentine Missal of 1570 (*The Eucharist in the Reformation: Incarnation and Liturgy* [New York: Cambridge University Press, 2006]).

language—might be deployed in the service of creating what Bell calls “value-laden distinctions.” Though Bell does not speak explicitly about inversion as a strategy of ritualization, it is implicit in her many, contemporary examples.

Not surprisingly, strategically motivated inversion of rites is also attested in biblical texts. In any number of passages Yhwh transforms those who rejoice into mourners and mourners into those who rejoice, with the former transformation usually represented as a punishment and the latter as a reward (e.g., Amos 8:10; Jer 31:13).⁴ Ritual actors are portrayed in biblical narrative employing inversion strategically to create contrasts suitable to their purposes, often with hostile intent, as in 2 Sam 16:13 and Neh 13:25.⁵ Finally, I note that a rhetoric of inversion—either utopian or dystopian in nature—informs a variety of biblical texts that do not concern themselves with the representation of rites (e.g., Isa 2:4; 11:1–9 [utopian] vs. Amos 8:9 [dystopian]). In a word, inversion—both ritual and nonritual—is an important strategy used in biblical texts to create significant distinctions. It is my intent in this essay to explore the biblical dynamics of ritual inversion specifically for punitive purposes. Aside from undoing the results of previous rites, ritual inversion to achieve punitive goals might include a change in the agent of ritual action from an ally, family member, or friend to a foe with hostile intentions, or from oneself to another whose purpose is unfriendly. Furthermore, coercion often replaces voluntary action in the context of ritual inversion, with humiliation and other punitive aims as the result. I will examine the following biblical examples of punitive ritual inversion: (1) exhumation in combination with spreading and exposure of the remains of the dead, removal far away/scattering of remains, or destruction of remains; (2) depilation imposed on a war captive, rival, or offender by an enemy; and (3) the imposition of wine drinking on the Nazirite. I dedicate this essay to Susan Niditch, from whom I have learned much about understanding ritual behavior and about the fruitful employment of theory in our work. Susan has been a terrific conversation partner over many years, and it is a great pleasure to participate in this celebration of her career.

Removing the remains of the dead from their tombs, spreading them, and exposing them reverses rites of entombment and is likely viewed as an act of hostility both toward the dead themselves and their survivors.⁶

4. Needless to say, mourners also transform themselves into nonmourners, as David does in 2 Sam 12:20. The same is true of nonmourners embracing mourning rites in any number of texts.

5. I discuss these two examples briefly at the end of the essay.

6. Contrast the removal, transportation, and reburial of remains for beneficent purposes. On this, see my treatment in “Unnoticed Resonances of Tomb Opening and Transportation of the Remains of the Dead in Ezekiel 37:12–14,” *JBL* 128 (2009): 496–99. On the

Jeremiah 8:1–2 illustrates this punitive inversion of interment rites well: “At that time—oracle of Yhwh—they shall bring out the bones of the kings of Judah and the bones of its princes . . . from their tombs. They shall spread (שטח)⁷ them before the sun, the moon, and all the host of heaven whom they loved and whom they served. . . . They shall not be gathered (אסף) nor shall they be (re)buried. They shall be as dung upon the surface of the ground.”⁸ Bones that were buried are now to be brought out of their tombs; they are to be spread out, exposed, and abandoned, never to be gathered and reburied, in contrast to the remains of the dead protected from abuse in a tomb. The punitive goal of this activity, which likely humiliated and distressed living survivors and may have had a negative affect on the afterlives of the dead in some way, is implicit in the statement that the dead Judeans—both leaders and common people—worshiped other gods.⁹ It is also indicated by the wording of the latter half of v. 2, which incorporates curse idioms.¹⁰ Punitive exhumation, spreading and exposure of remains, contrasts with normal burial rites as well as with the removal, transportation, and reburial of the remains of the dead for a beneficent purpose. While the former rites are performed by enemies, the latter are undertaken by relatives, allies, or friends who fulfill the obligation to bury the dead or seek to improve the dead’s lot through beneficent disinterment, transportation, and reburial (e.g., 2 Sam 21:12–14).¹¹ The goals of burial and its characteristic rites, including “gathering” (אסף) corpses (Jer 8:2; 25:33; Ezek 29:5), are evidently undone and even inverted by ritual acts such as disinterment in combination with “spreading” (שטח) and exposing exhumed bones.¹²

possible negative impact of malevolent disinterment in combination with exposure or other acts of hostility on the dead themselves, see *ibid.*, 495–96.

7. The verb שטח, “to spread,” is likely understood here as the opposite of אסף, “to gather,” a burial idiom. On this contrast, see my discussion ahead.

8. All translations in this essay are my own. Isaiah 14:19 is another example of hostile exhumation, as I have argued previously (“Was the ‘King of Babylon’ Buried before His Corpse Was Exposed? Some Thoughts on Isa 14,19,” *ZAW* 118 [2006]: 423–26).

9. The association of the exposed remains of the disinterred dead with dung is likely intended to suggest the shaming nature of the hostile ritual acts narrated in Jer 8:1–2. Though we cannot be sure that malevolent exhumation of remains in combination with other hostile acts was thought to have an impact on the afterlife of the dead, cuneiform sources suggest that they did. For examples and discussion, see “Unnoticed Resonances,” 495–96.

10. See, for example, 2 Kgs 9:37; Jer 9:21; 16:4; 25:33 for the same idioms.

11. For other examples of disinterment, transportation, and reburial of remains motivated by friendly intent in biblical and cuneiform sources, see “Unnoticed Resonances,” 496–99.

12. Not only are corpses “gathered” for burial; remains such as bones are “gathered” for reburial, as in 2 Sam 21:13, in which David gathers the bones of executed Saulides (the מוקעים) for reburial in their ancestral tomb in Benjamin. See also Jer 8:2, which denies the possibility of gathering for reburial the remains of those who are to be punished (“They shall not

Two variants on exhumation, spreading and exposure of the remains of the dead are disinterment combined with removal of remains to a far-off place or scattering of remains and exhumation followed by the destruction of remains. Of the two types, the latter is attested in biblical texts such as Amos 2:1 and 2 Kgs 23:16–18, in which entombed bones are disinterred and burned by a foe or foes.¹³ Amos 2:1 castigates the Moabites for burning the bones of the king of Edom into lime (שיד), presumably after their exhumation in a now-obscure wartime context.¹⁴ Second Kings 23:16–18 tells of Josiah's removal of the bones of the dead from the tombs of Bethel—with the exception of those of the favored Judean Man of God and those of the Samaritan prophet—and his burning of them on the Bethel temple's altar in order to pollute it. Unlike spreading and exposure or removal far away/scattering of remains, bone burning actually destroys the remains of the dead and cannot be reversed.¹⁵ Thus it is not unlike bone grinding, an activity attested in Assyrian written and visual sources that also has the same, irreversible result.¹⁶

Depilation imposed on a captive, a political foe, or a legal offender inverts voluntary self-depilation characteristic of mourning rites and is consistently portrayed as a punitive act. Shaving the head or beard, plucking out hair, shaving a bald spot on the head, or letting the hair hang

be gathered [הָאָסָא], nor shall they be [re]buried"). Also, note the expression "to be gathered to one's ancestors" (e.g., 2 Kgs 22:20), an idiom for death employing the verb הָאָסָא.

13. For exhumation followed by removal far off or scattering, see, most famously, Ashurbanipal's treatment of the remains of the dead kings of Elam: "I took their bones to the land of Assyria, imposing restlessness upon their ghosts. I deprived them of ancestral offerings (and) libations of water" (*e-tém-me-šú-nu la ša-la-lu e-mi-id ki-is-pi na-aq mē^{A.MES} ú-za-am-me-šú-nu-ti*). For the text, see Rykle Borger, *Beiträge zum Inschriftenwerk Assurbanipals: Die Prismenklassen A, B, C=K, D, E, F, G, H, J und T sowie andere Inschriften* (Wiesbaden: Harrassowitz, 1996), 55 (Prism A vi 74–76 = F v 53–54).

14. Hans Walter Wolff is similarly agnostic regarding the identification of the event in question (*Dodekapropheten 2: Joel und Amos* [BKAT 14.2; Neukirchen-Vluyn: Neukirchener Verlag, 1969], 197).

15. The impossibility of reversing bone burning is noted by Francesca Stavrakopoulou, *Land of Our Fathers: The Roles of Ancestor Veneration in Biblical Land Claims* (LHB/OTS 473; London: T & T Clark, 2010), 85, 88, who believes that the dead whose bones are burned are themselves annihilated (88). This may or may not be the case. We know little or nothing about the ramifications of bone burning in a biblical context, except that it is a hostile act.

16. On bone grinding, see, for example, Ashurbanipal's Til-Tuba battle reliefs, in which Elamite royal prisoners are apparently forced to grind up the bones of their own ancestors (e.g., J. E. Reade, "The Battle of Til-Tuba," in *Art and Empire: Treasures from Assyria in the British Museum* [ed. J. E. Curtis and J. E. Reade; London: British Museum Press, 1995], 74 [photograph], 77 [commentary]). See also Borger, *Beiträge zum Inschriftenwerk*, 108 (B VI 93–VII 2), for a narrative description of bone grinding, as well as the comments of Seth Richardson, "Death and Dismemberment in Mesopotamia: Discorporation between the Body and Body Politic," in *Performing Death: Social Analyses of Funerary Traditions in the Ancient Near East and Mediterranean* (ed. Nicola Laneri; OIS 3; Chicago: Oriental Institute of the University of Chicago, 2007), 198.

loose, among other forms of hair manipulation, are all examples of typical mourning rites as witnessed in texts such as Lev 10:6; 21:10; Jer 41:5; Mic 1:16; Job 1:20; Isa 15:2; and Ezra 9:3. These rites might be undertaken in contexts of death, petition of the deity (penitential or otherwise), personal or corporate calamity (including exile), or some combination of these (e.g., death- as well as nondeath-related personal calamities, as in Job 1:20). They are also utilized by the person afflicted with skin disease (צרת), according to Lev 13:45–46, and are usually combined with other mourning rites, such as sitting on the ground, strewing dirt or ashes on one's head, weeping and tearing one's garments.¹⁷ One chooses to mourn or not to do so, even in situations in which social expectations to participate in mourning might be high.¹⁸ Furthermore, mourners are themselves normally the agents who manipulate their own hair. In contrast, a number of texts speak of the imposition of shaving and other forms of depilation on a prisoner of war, a rival, or a wrongdoer by a hostile agent. An example of this is Isa 7:20; other cases include 2 Sam 10:1–5; Isa 50:6; and Neh 13:25. I shall focus on Isa 7:20, and make reference to the other texts when relevant.

Isaiah 7:20 reads as follows: “On that day, my Lord will shave with a razor hired on the far side of the Euphrates—with the king of Assyria—the head and the hair of the feet and also the beard it will remove.”¹⁹ Instead of mourners shaving themselves or pulling out their own head or beard hair, as in Job 1:20, Ezra 9:3, and numerous other texts, the unnamed victims of Isa 7:20—presumably Israelite or Judean prisoners of war—will have (the hair of) the head and the “hair of the feet” (likely, pubic hair) shaven by Yhwh's hired razor, identified in an obvious gloss with the king of Assyria.²⁰ In addition, the beards of the victims will also

17. For the types of mourning mentioned here, see the detailed treatment in Saul M. Olyan, *Biblical Mourning: Ritual and Social Dimensions* (Oxford: Oxford University Press, 2004), 19–27 and passim. On rites of shaving tied specifically to exile, see, for example, Mic 1:16. For combinations of mourning rites that include hair manipulation, see, for example, Isa 22:12; Jer 41:5; and Amos 8:10.

18. Examples of those who might be expected to mourn but evidently choose not to do so are not uncommon in the biblical text. They include David's nephew Jonadab at the news of his cousin and friend Amnon's murder, in contrast to David and his courtiers (2 Sam 13:31–33); the Benjaminite Shimi, who refuses to mourn at David's calamitous retreat from Jerusalem in contrast to David, his entourage, and his loyal vassal Hushay (2 Sam 15:32); and David himself after the death of his infant son (2 Sam 12:15–23).

19. I agree with Marvin A. Sweeney that במלך אשור stands in apposition not to בעברי נהר but to the entire phrase בתער השכירה בעברי נהר, though it does seem best to understand נהר בעברי as a reference to the east side of the Euphrates in this context (e.g., HALOT 781; Hans Wildberger, *Jesaja 1. Teilband: Jesaja 1–12* [BKAT 10.1; 2nd ed.; Neukirchen-Vluyn: Neukirchener Verlag, 1980], 305) rather than the west side as Sweeney argues (*Isaiah 1–39 with an Introduction to Prophetic Literature* [FOTL 16; Grand Rapids, MI: Eerdmans, 1996], 158). Both meanings are known from biblical texts, as others have noted (e.g., Wildberger, *Jesaja 1–12*, 305).

20. On the gloss, see, among others, Wildberger, *Jesaja 1–12*, 302. That “feet” (רגלים) in this context means genitals is suggested by texts such as Exod 4:25 and Isa 6:2; see similarly

be removed according to the verse. The text envisions punitive Assyrian shaving practices that play on and allude to the typical mourning rites of the defeated, likely in order to enhance their humiliation.²¹ And these violent rites attributed to the Assyrians are, according to the text, a manifestation of Yhwh's will.²² The act of shaving "the hair of the feet," as mentioned, likely the pubic hair, assumes the previous stripping of captives and apparently plays on the typical head- and beard-depilation rites of mourning, extending them grotesquely and strikingly to the genitals in order to add to the shame of the victims.²³ The image of stripped and forcibly shaven prisoners in Isa 7:20 is comparable in several respects to the stripped and forcibly shaven emissaries of David in 2 Sam 10:1–5, who

Ruth 3:4, 7 (מרגולת). This interpretation is a commonplace among scholars (e.g., Joseph Blenkinsopp, *Isaiah 1–39: A New Translation with Introduction and Commentary* [AB 19; New York: Doubleday, 2000], 235).

21. For the mourning rites of the vanquished, see, for example, Jer 9:18; Ezek 7:18; 26:16–18; 27:28–36; for the shame of military defeat, see, for example, 2 Sam 19:4; Jer 9:18; Ezek 7:18. Assyrian representations of hair manipulation of prisoners, both visual and textual, as well as the shame which it engenders, are discussed by Cynthia R. Chapman, particularly with respect to the beard as a masculine symbol (*The Gendered Language of Warfare in the Israelite–Assyrian Encounter* [HSM 62; Winona Lake, IN: Eisenbrauns, 2004], 39). Such examples of Assyrian hair manipulation include the dishonoring use of a prisoner's hair or beard (e.g., grabbing either, or forcing a captive king to use his beard to wipe the ground or the king of Assyria's sandal). They may also include cutting off the beard of a prisoner, as Chapman notes, citing a scene from Sennacherib's palace in Nineveh (39 and plate 2). Blenkinsopp (*Isaiah 1–39*, 236) understands the acts of the Assyrians in Isa 7:20 to be shaming of their prisoners and cites 2 Sam 10:1–5 as a parallel.

22. For violence in biblical ritual contexts, see my discussion in "Theorizing Violence in Biblical Ritual Contexts: The Case of Mourning Rites," in *Social Theory and the Study of Israelite Religion: Essays in Retrospect and Prospect* (ed. Saul M. Olyan; RBS 71; Atlanta: Society of Biblical Literature, 2012), 169–80, with bibliography.

23. For the association of nudity and shame in war contexts, see, for example, Isa 20:3–4; 47:3; and Lam 1:8. Male captives are frequently portrayed in the nude in Assyrian reliefs (Chapman, *Gendered Language of Warfare*, 160–62). See also Isaiah's symbolic acts in Isa 20:2–4, in which he is said to go barefoot and nude (ערום) for three years in anticipation of the stripping of Egyptian and Ethiopian prisoners of war by a victorious Assyria (v. 4). Manipulation of pubic hair is not represented as typical mourning behavior, though mourners are sometimes portrayed removing articles of clothing such as shoes and exposing body parts, but this they do voluntarily, in contrast to the stripping of war captives (e.g., 2 Sam 15:30; ANEP 459). Micah's nudity and lack of shoes mentioned along with his mourning rites may also be symbolic acts intended to anticipate a future exile of Samaria and possibly Jerusalem (Mic 1:8). Whether the word "nude" (ערום) actually indicates genital exposure in Isa 20:2–4 and Mic 1:8 has been debated. Against this understanding, see HALOT 882–83, which translates the word ערום in both texts as "lightly dressed (in under-garments only)." For this understanding, see also Artur Weiser, *Die Propheten Hosea, Joel, Amos, Obadja, Jona, Micha* (7th ed.; ATD 24; Göttingen: Vandenhoeck & Ruprecht, 1979), 241, among others. In contrast, HALOT renders ערום in texts such as Gen 2:25; Job 1:21 and Hos 2:5 as "naked." Assyrian reliefs, which frequently portray nude prisoners of war, militate against this understanding of Isa 20:2–4 and Mic 1:8, suggesting actual exposure of genitals.

are described as profoundly shamed by the aggression of the Ammonites directed toward them (נבלמים מאד).²⁴ In both of these cases and in texts such as Isa 50:6 and Neh 13:25, a change in agent (from oneself to a hostile other) and a coercive dimension to hair manipulation are introduced, establishing a series of contrasts with normal mourning rites performed voluntarily by the mourners themselves.²⁵ Thus, ritual acts of depilation normally associated with mourning are inverted in several ways in order to punish enemies, offenders, or rivals. In the case of Isa 7:20, rites of depilation are also combined with the acts of stripping and genital exposure and elaborated in a strikingly grotesque fashion through their extension to the pubic hair.

Amos 2:11–12 is a third example of the part played by ritual inversion in biblical representations of punitive rites. The text reads as follows: “I raised up some of your children as prophets, // And some of your young men as Nazirites . . . // But you made the Nazirites drink wine, // And the prophets you commanded as follows: ‘You shall not prophesy.’” Although Yhwh himself raised up Nazirites from the people’s youth, Israelites made these Nazirites drink wine. For this and for the paired offense of silencing prophets called by Yhwh, Israel is condemned. Implicit in the text’s condemnation is the assumption that Nazirites abstain from wine. Although the Nazirites of Amos 2:11 are said to be raised up by Yhwh rather than being votaries who choose to embrace a temporary vow on their own initiative as in Num 6:13–21, the presupposition of Amos 2:12 that Nazirites abstain from wine is shared with Num 6:3, 20.²⁶ It is likely that such

24. Blenkinsopp, among others, also notes the parallel (*Isaiah* 1–39, 236).

25. On the violent and shaming dimensions of 2 Sam 10:1–5; Isa 50:6 and Neh 13:25, see Olyan, “Theorizing Violence,” 173–75, 176–80. Second Samuel 10:1–5 differs from Isa 7:20 in that the victims of 2 Sam 10:1–5 are royal emissaries representing an ally rather than enemy prisoners of war and the context is a royal court in mourning rather than the aftermath of battle. Also, although 2 Sam 10:4 suggests genital exposure, there is no parallel in that text to the shaving of pubic hair in Isa 7:20.

26. Whether Amos 2:11–12 also assume that Nazirites avoid cutting hair and corpse contact and abstain from other products of viticulture in addition to wine, as they do according to Num 6:1–21, is unknown, nor is it clear how long such status is assumed to last according to Amos 2:11–12. In addition, Amos 2:11–12 does not suggest that women can be Nazirites as they can according to Num 6:2. The assumptions of Judg 13:5, 7; 16:17 regarding the Nazirite Samson also differ from those of Num 6:1–21. Although Samson must avoid cutting his hair, nothing is said of other forms of abstinence mentioned in Numbers 6. (His mother, however, must abstain from the products of viticulture while she is pregnant [13:4, 7, 14]. Whether this restriction also applies to Samson is not clear, though it is often assumed that it does.) In addition, Samson’s Nazirite status is said to have been established in the womb and is lifelong, with no basis in a vow, in contrast to Num 6:1–21. On the Nazirite vow of Numbers 6, see the analysis of Susan Niditch, “My Brother Esau Is a Hairy Man”: *Hair and Identity in Ancient Israel* (New York: Oxford University Press, 2008), 81–94. Note also my brief treatment in *Rites and Rank: Hierarchy in Biblical Representations of Cult* (Princeton, NJ: Princeton University Press, 2000), 61. Rechabites, like Nazirites, also abstain from wine (Jer 35:6).

abstinence is presumed to be self-enforced in Amos 2:12, although the text is silent on this subject. At all events, the Nazirite ritual practice of abstaining from wine is inverted according to Amos 2:12 through forced wine consumption, with Israelites as coercive agents and the Nazirite as the victim of their coercion. In a word, what is likely assumed by the text to be self-regulated abstention from wine becomes consumption of it as a result of aggressive actions by hostile agents. These agents seek for whatever reason to eliminate the Nazirite as a distinct ritual actor by putting an end to ritual activity—abstention in this case—that establishes the Nazirite's discrete ritual and social status.²⁷ Like the silencing of Yhwh's prophets, the Nazirite's involuntary consumption of wine is cast by the text as punitive and the aggressors responsible for it are understood to have committed an offense against Yhwh worthy of severe punishment (vv. 14–16).

Forced consumption of drink in a ritual context is attested in two other biblical texts: in Exod 32:20, such coerced drinking serves punitive purposes; in Num 5:11–31, its immediate goal is dispositive, though it might ultimately result in punishment if the accused woman's guilt is established. Exodus 32:20 tells of offending Israelites who are made to drink the dust of the golden calf mixed with water as part of their punishment.²⁸ Numbers 5:11–31 narrates the ordeal of a woman accused by her husband of adultery, an ordeal that includes the consumption of the curse-bearing “water of bitterness” (מי המרים), a mixture of “holy water,” dust from the Tabernacle's floor and ink rubbings from written curses.²⁹ Drinking the “water of bitterness” functions to determine the woman's guilt or innocence. If she is innocent, nothing happens to her as a result of drinking; if guilty, her body displays predicted, undesirable physical changes. In both Exod 32:20 and Num 5:11–31, the verb שקה *hip'il*, “to make drink,” is used as it is in Amos 2:12 to suggest coerced drinking in a ritual context (Exod 32:20; Num 5:24, 26, 27).³⁰ Furthermore, the purpose of the coerced

27. Perhaps, as many have speculated, the actions of Nazirites, like the words of Yhwh's prophets, offended some Israelites for some reason. On this, see, for example, Wolff, *Dodekapropheten 2: Joel und Amos*, 207, who believes it is the simple lifestyle of the Nazirites in times of affluence that is offensive. For the Nazirite's discrete ritual and social status, see further the comments of Susan Niditch, who refers to the Nazirite's “ritual condition” and describes the Nazirite as “a special kind of demarcated person” who is “countercultural” (“My Brother Esau Is a Hairy Man,” 71, 73).

28. There has been much speculation regarding the precise purpose of this action. For discussion, see the apt treatment of William H. C. Propp, *Exodus 19–40: A New Translation with Introduction and Commentary* (AB 2A; New York: Doubleday, 2006), 559–61, who considers several possibilities and notes other biblical texts in which punitive drinking is said to occur (e.g., Jer 8:14).

29. On the curse-bearing “water of bitterness,” see the helpful discussion of Baruch Levine, *Numbers 1–20: A New Translation with Introduction and Commentary* (AB 4; New York: Doubleday, 1993), 209–12.

30. In other contexts, שקה *hip'il* might mean “to provide drink” or “offer drink,” as in

drinking in Exod 32:20 is punitive, as it is in Amos 2:12. (The immediate dispositive purpose in Num 5:11–31 is quite different, although the ritual act is potentially punitive if the woman is guilty.) Yet the coerced drinking described in Amos 2:12 differs from that of Exod 32:20 and Num 5:11–31 in several respects. The wine of Amos 2:12 is a commonplace substance—albeit the result of human efforts at viticulture—to be avoided by the Nazirite, in contrast to the unique potions of both Exod 32:20 and Num 5:11–31. Furthermore, ritual inversion plays no role in Exod 32:20 and Num 5:11–31, in contrast to Amos 2:12, where it is central.

Ritual inversion plays a pivotal role in biblical representations of many punitive rites. In addition to the texts considered here in some depth, strategically inverted rites are the focus of texts such as 2 Sam 16:13 and Neh 13:25. In the former passage, the Benjaminite Shimi tosses dirt on the fugitive David instead of on himself, thereby refusing to mourn and dissociating himself politically from David. In the latter text, Nehemiah pulls out the hair of his Judean rivals, thereby forcing them to assume a posture of penitential mourning, something they would normally do by choice through manipulating their own hair.³¹ In all of the cases I have surveyed and many of those I have mentioned in passing, strategically inverted rites are intended to achieve hostile aims.³² Not infrequently, the ritual agent has been changed from the self, an ally, a family member, or a friend to a foe with antagonistic intentions; coercion replaces voluntary ritual action; previous rites are reversed; punitive goals such as shaming are achieved.

Jer 35:2, where coercion is clearly not in view. Thus, a coercive or noncoercive meaning of *הִפְּיִל* *hip'il* must be determined from context, and in Amos 2:12; Exod 32:20; and Num 5:24, 26, 27, in contrast to Jer 35:2, a coercive dimension is evident. Others understand Amos 2:12 to refer to the use of force, among them Shalom M. Paul, *Amos* (Hermeneia; Minneapolis: Fortress Press, 1991), 93; and James Luther Mays, *Amos: A Commentary* (OTL; Philadelphia: Westminster, 1969), 43.

31. I have treated these texts in detail elsewhere ("Theorizing Violence in Biblical Ritual Contexts," 169–80).

32. Many, though not all. As mentioned, Jer 31:13 is an example of ritual inversion that is not punitive.

III

Warfare and Violence

Moral Injury and the Interdisciplinary Study of Biblical War Texts

The Case of King Saul

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Introduction

Susan Niditch's groundbreaking work, *War in the Hebrew Bible: A Study in the Ethics of Violence*, made a compelling case for the value and necessity of an interdisciplinary approach to warfare studies.¹ This case for cross-disciplinary study stands as one of the major legacies of Niditch's scholarship, as she has demonstrated that warfare studies can only meaningfully answer many of its most important questions by stepping across the typical methodological boundaries separating fields such as ethics, psychology, sociology, anthropology, and political science.² Since the

*It is a pleasure to offer this study in honor of Susan Niditch's many contributions to Hebrew Bible scholarship, especially with regard to biblical warfare texts. I have benefited not only from her published work but also from her friendship over the years. I am especially grateful to Professor Niditch for her many years of service with me and my colleagues on the steering committee of the SBL Warfare in Ancient Israel Section.

1. Susan Niditch, *War in the Hebrew Bible: A Study in the Ethics of Violence* (New York: Oxford, 1993). See also Susan Niditch, "War and Reconciliation in the Traditions of Ancient Israel: Historical, Literary, and Ideological Considerations," in *War and Peace in the Ancient World* (ed. Kurt A. Raaflaub; The Ancient World: Comparative Histories; Malden, MA: Blackwell, 2007), 141–60. More recently, Niditch has used the interdisciplinary study of patterns of ritual violence and the psychological need for closure to violence to examine biblical representations of ritual violence after war, especially the violent fulfillment of earlier vows as a means to rationalize killing and reduce personal guilt. See Susan Niditch, "A Messy Business: Ritual Violence after the War," in *Warfare, Ritual, and Symbol in Biblical and Modern Contexts* (ed. Brad E. Kelle, Frank Ritzel Ames, and Jacob L. Wright; SBLAIL 28; Atlanta: Society of Biblical Literature, 2014), 187–204.

2. Traditional approaches to warfare studies tended to examine war primarily as an event, with special attention to political, military, and ritual realities, or to examine various

early 1990s, the study of warfare within biblical scholarship has reflected Niditch's approach and increasingly considered warfare more broadly as a phenomenon (or set of related phenomena) that occurs in both ancient and modern settings, and possesses sociological, anthropological, and psychological dimensions at the heart of its realities and representations.

Following Niditch's path for an interdisciplinary study of Israelite warfare, this essay has a twofold aim: (1) to provide a summary description of the emerging category within contemporary psychology, military studies, and clinical literature known as "moral injury," and (2) to offer a potential example of how the interpretation of biblical warfare texts might both contribute to and be illuminated by one particular aspect of current work on moral injury. As the following discussion will show, today's study of moral injury features two major trajectories. First, many researchers look for rituals and symbolic practices from traditional and ancient societies and their texts that may provide models for contemporary postwar practices to deal with aspects of moral injury. Second, researchers offer creative re-readings of literary characters, especially those such as Achilles and Odysseus found in Greek myths and tragedies, as instructive and illuminating metaphors for the postwar experiences of real soldiers. In a previous publication, I explored the postwar rituals in the Hebrew Bible and how they might add to and be illuminated by the first trajectory within current study of moral injury.³ In the present essay, I move from a description of moral injury to an abbreviated case study of a biblical

biblical authors' attitudes toward war and the war-related images, metaphors, and symbols in biblical texts. For a recent survey that represents these traditional approaches, see Charles Trimm, "Recent Research on Warfare in the Old Testament," *CBR* 10 (2012): 1–46. See also Robert Carroll, "War in the Hebrew Bible," in *War and Society in the Greek World* (ed. John Rich and Graham Shipley; Leicester-Nottingham Studies in Ancient Society 4; London: Routledge, 1993), 25–44; Sa-Moon Kang, *Divine War in the Old Testament and the Ancient Near East* (BZAW 177; Berlin: de Gruyter, 1989); Victor H. Matthews, "Introduction," in *Writing and Reading War: Rhetoric, Gender, and Ethics in Biblical and Modern Contexts* (ed. Brad E. Kelle and Frank Ritzel Ames; SBLSymS 42; Atlanta: Society of Biblical Literature, 2008), 1–18; Brad E. Kelle, "Warfare Imagery," in *Dictionary of the Old Testament Wisdom, Poetry, and Writings* (ed. Tremper Longman III and Peter Enns; Downer's Grove, IL: InterVarsity Press, 2008), 829–35. Additionally, the theological category of "holy war/divine war/Yhwh war" often dominated scholarly investigations. See, for example, Gerhard von Rad, *Holy War in Ancient Israel* (trans. Marva J. Dawn; Eugene, OR: Wipf & Stock, 2000; orig. German 1951); Peter C. Craigie, *The Problem of War in the Old Testament* (Grand Rapids, MI: Eerdmans, 1978); T. R. Hobbs, *A Time for War: A Study of Warfare in the Old Testament* (Wilmington, DE; Michael Glazier, 1989). More recently, see Philip D. Stern, *The Biblical herem: A Window on Israel's Religious Experience* (BJS 211; Atlanta: Scholars Press, 1991); Eckart Otto, *Krieg und Frieden in der hebräischen Bibel und im Alten Orient: Aspekte für einen Friedensordnung in der Moderne* (Theologie und Frieden 18; Stuttgart: Kohlhammer, 1999); Eryl W. Davies, "An Examination of Some Proposed Solutions," *CBR* 3.2 (2005): 197–228.

3. Brad E. Kelle, "Postwar Rituals of Return and Reintegration," in Kelle, Ames, and Wright, eds., *Warfare, Ritual, and Symbol*, 205–42.

warfare text that might contribute to and be illuminated by the second trajectory of re-reading literary, especially tragic, characters through the lens of moral injury. I offer an initial, exploratory venture into how the story of Saul (1 Samuel 9–31), with its often-cited tragic dimensions, might be read as the tale of a morally wounded warrior and might, in turn, contribute to the understanding of moral injury.

Moral Injury

Moral injury refers to the deleterious effects of war participation on moral conscience and ethical conceptions—the wrecking of a person’s fundamental assumptions about “what’s right” and how things should work in the world that may result from a sense of having violated one’s core moral identity and lost any reliable, meaningful world in which to live. The initial articulations of moral injury appeared in several clinical publications between 2009 and 2013.⁴ Even earlier, the works of psychologist Jonathan Shay on the intersections between the experiences of American veterans of the Vietnam War and the literary depictions of warriors in the *Iliad* and *Odyssey* introduced the concept of moral injury as an overlooked element in the study of war-related experiences.⁵ The recent book-length, nontechnical exploration of moral injury by Rita Nakashima Brock and Gabriella Lettini joins a number of general treatments in journals and magazines that have sought to define the category further and draw attention to its various dimensions.⁶

The starting point for identifying the new category of moral injury was the effort to distinguish it from post-traumatic stress disorder (PTSD).⁷ At the most fundamental level, PTSD is a psychological disorder.

4. Brett T. Litz et al., “Moral Injury and Moral Repair in War Veterans: A Preliminary Model and Intervention Strategy,” *Clinical Psychology Review* 29 (2009): 695–706; Kent D. Drescher et al., “An Exploration of the Viability and Usefulness of the Construct of Moral Injury in War Veterans,” *Traumatology* 17 (2011): 8–13; William P. Nash and Brett T. Litz, “Moral Injury: A Mechanism for War-Related Psychological Trauma in Military Family Members,” *Clinical Child Family Psychology Review* 16 (2013): 365–75; William P. Nash et al., “Psychometric Evaluation of the Moral Injury Events Scale,” *Military Medicine* 178 (2013): 646–52.

5. Jonathan Shay, *Achilles in Vietnam: Combat Trauma and the Undoing of Character* (New York: Touchstone, 1994); Jonathan Shay, *Odysseus in America: Combat Trauma and the Trials of Homecoming* (New York: Scribner, 2002).

6. Rita Nakashima Brock and Gabriella Lettini, *Soul Repair: Recovering from Moral Injury after War* (Boston: Beacon, 2012). See also, for example, Edward Tick, *War and the Soul: Healing Our Nation’s Veterans from Post-traumatic Stress Disorder* (Wheaton, IL: Quest, 2005); Tyler Boudreau, “The Morally Injured,” *Massachusetts Review* (Fall–Winter 2011–2012): 746–54; Jonathan Shay, “Casualties,” *Daedalus* 140.3 (2011): 179–88.

7. The American Psychiatric Association first accepted PTSD as a diagnosis in 1980,

der—a fear-victim response—that results from an injury to the amygdala and hippocampus areas of the brain that regulate emotions. It is a psychological adjustment disorder that focuses on the impact of “life-threat trauma” and the ways that experiencing threat from and harm by others prevent the victim from adjusting back to a sense of safety and trust.⁸ The use of insights from trauma theory and PTSD has been an important part of biblical scholarship since the 1990s, especially among scholars working on Hebrew Bible prophetic texts such as Jeremiah and Ezekiel, which are associated with the experiences of destruction and exile.⁹

Over the last five years, however, clinical literature on the effects of war began to question whether the categories of trauma and PTSD accounted sufficiently for aspects of war’s aftermath that went beyond emotional wounds and adjustment difficulties, especially aspects related to moral and ethical sensibilities and feelings of shame and guilt that linger after participation in war.¹⁰ Several studies pointed toward the need to identify another category of war’s effects that did not fit comfortably in the typical medical and mental health approaches.¹¹ Moral injury thus developed as a distinct category to shift the focus from the results of experiencing or witnessing actual or threatened death and injury to the consequences of perpetrating or inflicting violence on others within war contexts. Moral injury is not a psychological disorder but requires a functional ability to reflect on moral values and empathy. In short, moral injury moves from analysis of “the long-term phenomenology of individuals *harmed by others* (and other unpredictable, uncontrollable, and threatening circumstances)” to the “potential harm produced by perpetration

especially in light of the experiences of veterans after the Vietnam War. For a convenient summary of today’s prominent theories of PTSD, see Litz et al., “Moral Injury,” 698–99. For a comprehensive examination of the origins and recognition of trauma as a genuine moral category, see Didier Fassin and Richard Rechtman, *The Empire of Trauma: An Inquiry into the Condition of Victimhood* (Princeton, NJ: Princeton University Press, 2009).

8. Litz et al., “Moral Injury,” 696, 698; Drescher et al., “Exploration of the Viability,”

8. See Cathy Caruth, *Unclaimed Experience: Trauma, Narrative, and History* (Baltimore: Johns Hopkins University Press, 1996), 11; and Judith Herman, *Trauma and Recovery: The Aftermath of Violence—From Domestic Abuse to Political Terror* (2nd ed.; New York: Basic, 1997).

9. See Daniel L. Smith-Christopher, *A Biblical Theology of Exile* (OBT; Minneapolis: Fortress, 2002); and Louis Stulman and Hyun Chul Paul Kim, *You Are My People: An Introduction to Prophetic Literature* (Nashville, TN: Abingdon, 2010). For explorations of how prophetic texts attempt to reframe and interpret the traumatic experiences suffered by the prophets and their audiences, see Brad E. Kelle, *Ezekiel: A Commentary in the Wesleyan Tradition* (New Beacon Bible Commentary; Kansas City: Beacon Hill Press, 2013); Nancy R. Bowen, *Ezekiel* (AOTC; Nashville, TN: Abingdon, 2010); Ruth Poser, *Das Ezechielbuch als Trauma-Literatur* (VTSup 154; Leiden: Brill, 2012); Kathleen M. O’Connor, *Jeremiah: Pain and Promise* (Minneapolis: Fortress Press, 2011).

10. See Litz et al., “Moral Injury,” 698–99.

11. For example, Boudreau, “Morally Injured,” 749–50; Drescher et al., “Exploration of the Viability,” 8.

(and moral transgressions) in traumatic contexts."¹² A consensus has now emerged in clinical literature, as well as among medical professionals, political activists, and faith communities, that there are "uniquely morally injurious experiences" in war that can result in a variety of psychological, personal, and social problems, which include possible feelings of uneasiness, shame, mistrust, worthlessness, and even despair.¹³ The recognition of this potential injury has made its way into the military's official literature in the Navy and Marine Corps' doctrinal publication, *Combat and Operational Stress Control*, which identifies the experience as "inner conflict" and "moral damage."¹⁴

Events with the potential to cause such moral injury include "perpetrating, failing to prevent, or bearing witness to acts that transgress deeply held moral beliefs and expectations."¹⁵ One clinical study has now developed the "Moral Injury Events Scale," a nine-item self-report questionnaire designed to identify potentially morally injurious events, and has emphasized two primary causes of moral injury: (1) the transgression of

12. Litz et al., "Moral Injury," 699 (italics original). For this distinction between moral injury and PTSD, see also Drescher et al., "Exploration of the Viability," 8; Nash and Litz, "Moral Injury," 367; Boudreau, "Morally Injured," 748. Recent studies build on this distinction in various ways and articulate the relationship between PTSD and moral injury differently. For instance, the early analysis in Litz et al., "Moral Injury," seems to identify moral injury as complementary to but different from PTSD, but the follow-up study in Nash and Litz, "Moral Injury," implies that moral injury can cause PTSD. Others see moral injury as working alongside PTSD so that an event can be both traumatic and morally injurious (Boudreau, "Morally Injured," 749), while some reinterpret PTSD as a moral, spiritual, or "soul" disorder (Tick, *War and the Soul*, 108).

13. Drescher et al., "Exploration of the Viability," 11. Some alternative designations for moral injury appear in the relevant literature. Note, for instance, "soul injury," "soul wound," "soul loss" (see Tick, *War and the Soul*, 5, 16), and "moral exile" (see Ellspeth Cameron Ritchie, "Moral Injury: A Profound Sense of Alienation and Abject Shame," *Time*, April 7, 2013, <http://nation.time.com/2013/04/17/moral-injury-a-profound-sense-of-alienation-and-abject-shame>).

14. Nash and Litz ("Moral Injury," 368) provide the quotation from the military publication that defines "inner conflict" as "stress arising due to moral damage from carrying out or bearing witness to acts or failures to act that violate deeply held belief systems." For a study of the psychological and moral barriers in learning to kill, the elements of military training and society that seek to recondition soldiers to kill, and how these processes are morally disruptive, see Dave Grossman, *On Killing: The Psychological Cost of Learning to Kill in War and Society* (New York: Back Bay Books, 1995).

15. Litz et al., "Moral Injury," 695. The term "morals" in this context designates "fundamental assumptions about how things should work and how one should behave in the world" (ibid., 699). See also Brock and Lettini, *Soul Repair*, 87; Boudreau, "Morally Injured," 748. See also the earlier discussion in Camillo "Mac" Bica, "A Therapeutic Application of Philosophy: The Moral Casualties of War: Understanding the Experience," *International Journal of Applied Philosophy* 13 (1999): 81–92. Moral injury has been examined in other contexts, especially philosophy, but in ways that differ from its current use in psychology and military studies. See J. M. Bernstein, "Suffering Injustice: Misrecognition as Moral Injury in Critical Theory," *International Journal of Philosophical Studies* 13 (2005): 303–24.

moral codes by self or others, and (2) betrayals of trust.¹⁶ At the most basic level, these kinds of events reduce confidence in previously held moral beliefs and one's own and others' motivation and ability to live in just and ethical ways.¹⁷ Such a disruption in trust may produce emotional, psychological, spiritual, and social symptoms that include negative changes in ethical behavior and attitudes, changes in or loss of spirituality, reduced trust in others and social contracts, and feelings of guilt and shame.¹⁸ The study by Litz et al. has explained that the core cause of these potential symptoms is the person's inability to contextualize, justify, or accommodate morally challenging actions into his or her understanding of self and the world.¹⁹ Shay has added to the discussion of causes the possibly injurious impact of the betrayal of moral and ethical trust by an authority figure or group in a dangerous context—a type of “leadership malpractice” in which those who wield official power betray what is right.²⁰

The potential for moral injury, then, unfolds through a progression that begins when one commits an act (or witnesses or fails to prevent an act) that transgresses one's moral sense and thus creates moral dissonance and conflict. But the conditions that follow dictate whether the act causes moral injury. If the individual comes to see this act as “global” (i.e., not context-dependent), “internal” (i.e., the result of something within his or her own character rather than a particular circumstance), and “stable” (i.e., enduring beyond a certain time and place), the likelihood that he or she will experience symptoms such as shame, guilt, and loss of trust associated with moral injury significantly increases.²¹

From these understandings of causes and symptoms, Shay's work in particular made the initial forays into the possible prevention and healing of moral injury. In general, Shay and others have argued that prevention and healing are best accomplished as a communal effort involving the long-term cohesion of soldier units and the use of religious and social communities of support.²² More specifically, Shay suggested that the two most crucial means of prevention and healing are communalization and

16. Nash et al., “Psychometric Evaluation,” 646–52.

17. Drescher et al., “Exploration of the Viability,” 8; Nash and Litz, “Moral Injury,” 368.

18. See Drescher et al., “Exploration of the Viability,” 8; Nash and Litz, “Moral Injury,” 369. For a clinical study of moral injury's effects on military spouses and children, see Nash and Litz, “Moral Injury.” See also the earlier piece written in light of U.S. Vietnam War veterans' experiences by Peter Marin (“Living in Moral Pain,” *Psychology Today* [November 1981]: 71–80).

19. Litz et al., “Moral Injury,” 696.

20. Shay, “Casualties,” 182. See also Shay, *Odysseus in America*, 206; Brock and Lettini, *Soul Repair*, xv; Boudreau, “Morally Injured,” 748–49.

21. Litz et al., “Moral Injury,” 700–701.

22. See Shay, *Odysseus in America*, 5–6. For proposed steps for the healing of moral injury, see Nash and Litz, “Moral Injury,” 371–72.

symbolic purification. To communalize the war-related acts is to reframe them as communally, rather than individually or personally, owned and executed, especially by allowing morally wounded warriors to tell their story to those who can be trusted to receive and retell it and thus to reconnect with the communities from which they have been estranged by their participation in war.²³ Symbolic purification represents the need for specific postwar practices, perhaps even ceremonial rituals, which give returning warriors a sense of cleansing and transition. The aim of these practices is not to excuse morally troubling acts but to allow bad acts to be judged as such and yet allow soldiers to work through feelings of guilt or shame from killing and transition from the social and moral adaptations that characterize warfare contexts.²⁴ Taken together, these attempts at communalization and symbolic purification try to inject a renewed sense of forgiveness, shared moral responsibility, and a just world into the dynamic progression noted above whereby a potentially morally injurious act becomes actually injurious if the individual comes to see it as “global,” “internal,” and “stable.”²⁵ Proper treatment and recovery practices can instead help frame potentially morally injurious acts and events as context-specific, time-bound, and the result of external demands independent of the soldier’s character.

Moral Injury and Biblical War Texts

The category of moral injury, which has now emerged as a significant aspect of the contemporary study of warfare in psychology, sociology, and related fields, has only just begun to be considered within biblical and religious studies.²⁶ The academic study of warfare in the ancient world and the context of ancient Israel in particular has not examined postwar effects and dynamics in any substantial way, even though elements connected to the conclusion of military conflict, including postbattle rituals,

23. See Shay, *Achilles in Vietnam*, 4–5; Brock and Lettini, *Soul Repair*, 65; Litz et al., “Moral Injury,” 702. Shay identifies the Athenian theater in ancient Greece as a means to achieve communalization in that society (see Jonathan Shay, “The Birth of Tragedy—Out of the Needs of Democracy,” *Didaskalia: The Journal for Ancient Performance*, accessed online March 27, 2012, <http://www.didaskalia.net/issues/vol2no2/shay.html>).

24. Shay (*Odysseus in America*, 245) envisioned “a communal ritual with religious force” that could use resources from religion, the arts, mental health professionals, and elsewhere. See also Litz et al., “Moral Injury,” 704.

25. Litz et al., “Moral Injury,” 700–701.

26. Note especially the recently formed program unit at the American Academy of Religion’s annual meeting, “Moral Injury and Recovery in Religion, Society, and Culture” (chaired by Elizabeth Margaret Bounds and Rita Brock).

appear consistently in the historical sources.²⁷ In the ongoing examination of moral injury and its healing, however, two major trajectories of investigation have emerged that may provide the best entry points for biblical interpretation to engage moral injury. The first trajectory focuses on the identification, importance, and implementation of postwar rituals and symbolic practices that attempt to deal with aspects of moral injury. Recent research increasingly looks to rituals and practices from traditional and ancient societies and their texts for models. Shay, for instance, explicitly mentions the potential of earlier penance practices of the Christian church and the Israelite purification rite described in Numbers 31, and he joins others who express the need to identify further examples of postwar rituals that might be reconsidered in modern contexts.²⁸ The second trajectory seeks further insights into moral injury by undertaking creative re-readings of literary figures, especially those found in Greek myths and tragedies, as portrayals of morally injured warriors and thus as allegories of the postwar experiences of real veterans. Shay's groundbreaking works, for instance, offered new interpretations of the Greek mythological heroes Achilles and Odysseus, in Homer's *Iliad* and *Odyssey*, as metaphors for the experiences of contemporary soldiers both in warfare and homecoming; and several other works have given similar consideration to various characters from ancient Greek epics.²⁹

As noted above, I have examined in an earlier essay the postwar rituals in the Hebrew Bible and related ancient Near Eastern texts in order to consider how they might illuminate and be illuminated by the first trajectory of moral injury research.³⁰ Biblical scholarship could pursue these kinds

27. For example, Carl von Clausewitz, *On War* (trans. O. J. Matthijs Jolles; The Modern Library of the World's Best Books; New York: The Modern Library, 1943), which set the agenda for much of the modern study of warfare, does not even mention the practices involved in the conclusion of hostilities. Likewise, the classic study within biblical scholarship by von Rad (*Holy War*) identified only rituals concerned with the preparation for and conduct of battle.

28. Shay, *Odysseus in America*, 152. See also Tick, *War and the Soul*, 3; Brock and Lettini, *Soul Repair*, xviii; Bernard J. Verkamp, *The Moral Treatment of Returning Warriors in Early Medieval and Modern Times* (2nd ed.; Scranton, PA: University of Scranton Press, 2006).

29. Specifically, Shay (*Odysseus in America*, xv) approaches Books 9–12 of Homer's *Odyssey* as a "detailed allegory of many a real veteran's homecoming," in which Odysseus "stands for" veterans who have been morally injured. David Konstan ("War and Reconciliation in Greek Literature," in *War and Peace in the Ancient World* [ed. Kurt A. Raaflaub; Oxford: Blackwell, 2007], 191–205) argues that the portrayal of Heracles by Euripides shows how the madness of war leads the hero to continue the violence even after the war has ended. See also R. E. Meagler, *Herakles Gone Mad: Rethinking Heroism in an Age of Endless War* (New York: Olive Branch, 2006).

30. Kelle, "Postwar Rituals," 205–42. Niditch (*War in the Hebrew Bible*, 87–88) hinted at this perspective on the Hebrew Bible war texts in her discussion of the postwar purification ritual in Numbers 31, connecting it to the use of rituals in some ancient societies to deal with the psychological difficulty involved in killing. More recently, Niditch ("Messy Business,"

of textually described practices that might address moral and ethical dynamics after battle. As a follow up to my earlier study, the remainder of this essay offers an abbreviated case study of how the story of King Saul (1 Samuel 9–31), with its often-cited tragic dimensions, might be read as the tale of a morally wounded warrior and how biblical interpretation might, in turn, contribute to and be illuminated by today's second trajectory, which undertakes new readings of literary, especially tragic, characters through the lens of moral injury.³¹ Although Shay asserts that Homer's *Odyssey* is the earliest known account of a soldier's moral and psychological struggles after war, I ask if Saul's story might provide another example of a morally injured warrior whose symptoms and struggles are cast in the theological and ideological matrices of biblical narratives concerned with David and Israelite kingship. Used in this way, moral injury is not a method but a lens or heuristic model through which to engage biblical texts. What follows is not a comprehensive analysis but an initial, exploratory, and, I hope, suggestive venture that illustrates how biblical interpreters might look for characters in warfare contexts who transgress their moral conscience or otherwise suffer moral injury, as well as for stories that illustrate the consequences of such transgressive experiences.

King Saul and Moral Injury

The character, motivations, and actions of Israel's first king, Saul, depicted in 1 Samuel 9–31 have occupied the attention of both ancient and contemporary interpreters.³² These interpreters have often viewed Saul in a negative light, as having a less-than-admirable, even deeply problematic, character and personality—a virtual madman perhaps suffering some sort of psychological disorder and steadily descending into deep existential darkness and violent rage.³³ The majority of interpreters simply reiterate

187–204) examines biblical texts informed by patterns of ritual and ritual violence associated with efforts to return to normalcy after war (e.g., Deut 21:10–14; Judg 11).

31. These kinds of interpretations should, of course, guard against anachronism. Recent literature on moral injury has suggested, however, that scholars can operate with the assumption that while the clinical research on moral injury is new, the experience of moral injury in war is ancient (Brock and Lettini, *Soul Repair*, 4; Nash and Litz, "Moral Injury," 368).

32. See Hanna Liss, "The Innocent King: Saul in Rabbinic Exegesis," in *Saul in Story and Tradition* (ed. Carl S. Ehrlich in cooperation with Marsha C. White; FAT 47; Tübingen: Mohr Siebeck, 2006), 245–60; and Barbara Green, *King Saul's Asking* (Interfaces; Collegeville, MN: Liturgical Press, 2003).

33. See, for example, the presentation of Saul in John Bright, *A History of Israel* (4th ed.; Westminster Aids to the Study of Scripture; Louisville, KY: Westminster John Knox, 2000). For an older reading of Saul as suffering a psychological disorder, see H. C. Ackerman, "Saul: A Psychotherapeutic Analysis," *Anglican Theological Review* 3 (1920): 114–24.

the biblical text's negative image of Saul that identifies his flawed character and questionable deeds as part of the divine punishment for his unfaithfulness to Yhwh.³⁴ Although these opinions of Saul seem firmly established, what happens if one considers the figure of Saul in the stories of 1 Samuel in the ways that moral injury literature has done with various figures from Greek mythological texts? Perhaps the Saul texts, like those describing Odysseus, point not to psychological illness but to the effects of moral trauma on character, social trust, and personal survival.

The composition and literary history of the Saul narratives in 1 Samuel 9–31 remain debated, and the text is clearly a collection of diverse materials and different traditions with a complex redactional history. For instance, 1 Samuel 9–11 appear to contain at least three different stories of how Saul became king, and many of the remaining Saul stories are embedded in the so-called History of David's Rise in 1 Samuel 16 and beyond.³⁵ Notwithstanding these issues, I follow Shay's approach to Odysseus and treat the Saul narrative as it stands in its final form, beginning with Saul's appearance in ch. 9 and ending with his death in ch. 31. These textual boundaries contain a plot in which the Israelites request a king and Saul is chosen and subsequently proves himself in battle. Soon, however, the text reveals that both Samuel and Yhwh have allowed kingship only as a sufferance, and Saul seems to fail several tests, which prompts Yhwh to abandon him in favor of his replacement, David. The remainder of the stories depict Saul's struggle for political, theological, and personal survival, witnessing the loss of his family and friends and ending with his suicide.

The Experiences of Moral Injury

If we aim to re-read the Saul texts as the story of a morally wounded warrior, where and how might Saul have experienced moral injury in the narrative? The opening section of the account of his kingship appears in 1 Samuel 9–15, prior to the introduction of David as his divinely ordained replacement in ch. 16. This opening section divides into two parts: chs. 9–11 give the traditions of Saul's establishment as king, and chs. 13–15 relate three episodes of Saul's initial activities as king. These parts are separated,

34. For discussion, see David M. Gunn, *The Fate of King Saul: An Interpretation of a Biblical Story* (JSOTSup 14; Sheffield: JSOT Press, 1980), 23–26.

35. For standard discussions of the literary history issue, see Ralph W. Klein, *1 Samuel* (WBC 10; Waco, TX: Word, 1983), 101; and Bruce C. Birch, "The First and Second Books of Samuel," in *The New Interpreter's Bible* (12 vols.; Nashville, TN: Abingdon, 1998), 2:1031–32. In contrast to some earlier scholarship, recent commentators do not try to distinguish clearly between supposedly promonarchical and antimonarchical sources within the text. For an analysis of the text's narrative structure and literary devices, see Diana Vikander Edelman, *King Saul in the Historiography of Judah* (JSOTSup 121; Sheffield: JSOT Press, 1991).

however, by a decisive theological discourse by Samuel in ch. 12. From Saul's first public appearance (1 Samuel 11) after his anointing and proclamation as king, he is placed in a battle context (against the Ammonites at Jabesh-Gilead).³⁶ Here, Saul's combat actions serve only to defend the people of Jabesh against the violent incursions of Nahash the Ammonite (vv. 1–4), and the "spirit of God" equips Saul with power through which his forces rout the people's oppressors (v. 6). There is no episode in chs. 9–11 that explicitly depicts Saul perpetrating an act in a warfare context that transgresses his moral beliefs. In fact, at the conclusion of ch. 11, he goes out of his way to avoid a morally questionable act. In the wake of his victory, Saul refuses his supporters' wishes to execute those who had earlier expressed reservations about his rule, sparing his own detractors and resisting the use of his power for personal vengeance (vv. 12–13). While some of the traditions that comprise the story of Saul's rise in chs. 9–11 contain hesitations and negative evaluations, readers may imagine that the experiences depicted across these chapters left Saul with a positive sense of his person and position.³⁷

Suddenly, however, the positive depiction of Saul as Yhwh's appointed saving agent in ch. 11 gives way to a speech by the prophet Samuel in ch. 12 that recasts this new kingship in a most negative light. Often labeled Samuel's "farewell speech," this chapter's present connection with the preceding episode is jarring. At the close of Saul's victory over the Ammonites, Samuel calls the people back to Gilgal to reaffirm the kingship (11:14–15). What follows in ch. 12, however, is an extended theological discourse in the form of a prophetic judgment speech in which the prophet casts the establishment of kingship—previously endorsed as Yhwh's will and guided by divine providence—as a rebellious act by the people outside of the covenant.³⁸ Samuel uses the pattern of the judges' era to claim that the appropriate response to the Ammonite oppression should have been to repent and cry to Yhwh for deliverance, but the people chose to demand a human king (vv. 11–18). As Walter Brueggemann explains, Samuel asserts that "monarchy threatened the very character of Israel as a covenant community" and violated the established moral character of the people in relationship to Yhwh.³⁹ By the end of the discourse,

36. Already the text's first description of Saul in 9:2 emphasizes his warrior-like physical characteristics ("he stood head and shoulders above everyone else"), and other texts associate his tribe of Benjamin with particular prowess in warfare (e.g., Judg 3:15–30; 19:1–20:48).

37. Note, for example, that Saul's anointing by Samuel in ch. 9 is accompanied by three divine signs that confirm Saul's appointment as ruler. For the traditions that preserve more negative assessments of kingship, see 8:1–22 and 10:17–27.

38. On redactional issues for 1 Samuel 12, see P. Kyle McCarter, Jr., *1 Samuel* (AB 8; Garden City, NY: Doubleday, 1980), 195.

39. Walter Brueggemann, *First and Second Samuel* (Interpretation; Louisville, KY: Westminster John Knox, 1990), 89.

Saul's own Israelite people follow Samuel's reassessment and describe their demand for a king as "evil" (v. 19).

Although the prophet's speech in ch. 12 does not mention Saul by name, readers viewing the text through the lens of moral injury may imagine the morally injurious effects that Samuel's reassessment subtly, implicitly had on Saul's character. The language and force of the prophet's judgment speech remind readers that the potential causes of moral injury include especially the transgression of moral convictions by self or others and betrayals of trust. Saul stands off-stage in this scene, yet he stands as one who has been depicted from the beginning as a consistent Yhwh follower and one who to his knowledge had been appointed as king at the direction of Yhwh (10:1)—an appointment subsequently confirmed by the evidence of Yhwh's spirit (10:5–13) and victory in battle (11:1–11). Now, however, he hears from Yhwh's authoritative prophet that the monarchy is an abandonment of Israel's long-established, covenantal way with Yhwh and that he himself is the embodiment of this violation of the very moral identity of Israel as a people.⁴⁰ Saul now learns that by his very act of being king he has, even if unwittingly, violated part of his own moral character and identity as part of Yhwh's covenant people and served as the means for the community to do so as well. Additionally, in what is perhaps the most injurious element for Saul, the text solidifies the impression given by some passages across chs. 9–11 that Saul's own deity has a deep ambivalence and even hostility toward him.⁴¹ Readers will soon see this divine disposition manifest itself as Yhwh afflicts Saul with evil spirits and seems determined to thwart his every move.

The subsequent stories of Saul's reign before the introduction of David (chs. 13–15) contain two additional episodes in which readers might recognize the experiences of moral injury, especially under the category of betrayals of trust by authority figures. These episodes stand on either side of a battle account in ch. 14 and depict Saul's failure in the eyes of the Deuteronomistic historians and his rejection by Samuel (13:1–15; 15:1–35).⁴² In the context of battle against the Philistines, Saul in ch. 13 proceeded to Gilgal and waited seven days for Samuel to arrive, as the prophet had commanded him (see 10:8). Not wanting to begin the battle without offering the proper sacrifice but witnessing the continued absence of Samuel and the desertion of his soldiers, Saul offered the burnt offering (v. 9). Immediately after this act, Samuel appeared and delivered a condemna-

40. See *ibid.*, 92; Klein, *1 Samuel*, 113; Birch, "First and Second Books of Samuel," 1062.

41. See Gunn, *The Fate of King Saul*, 65; Sarah Nicholson, *Three Faces of Saul: An Inter-textual Approach to Biblical Tragedy* (JSOTSup 339; Sheffield: Sheffield Academic, 2002), 106.

42. Scholars have explored the possibility that chs. 13 and 15 may be two versions of the same event. See David Toshio Tsumura, *The First Book of Samuel* (NICOT; Grand Rapids, MI: Eerdmans, 2007), 387.

tory and sweeping theological verdict on Saul (vv. 10–15), declaring that Saul had acted in disobedience to divine command and Yhwh had thus withdrawn his plan to give Saul a dynasty. The text clearly represents the theological perspective of the Deuteronomistic writers, which centers on obedience, disobedience, and retribution and is driven by the commitment to establish David as the one chosen by Yhwh to lead Israel. Many interpreters simply follow this perspective and conclude that Saul lacked faith in Yhwh, failed a test of obedience, and acted selfishly in violation of an earlier prophetic instruction or a more general law concerning legitimate priestly sacrifice.⁴³

Several commentators have proposed, however, a more sympathetic reading of Saul's actions here, suggesting that Saul acted in good faith after being placed in a high-stakes but no-win situation by a prophet who was already convinced of his ultimate illegitimacy.⁴⁴ Caught between Samuel's demand to wait and the needs of his army and people, Saul remained committed to having the proper ritual act completed before battle. He waited precisely the required seven days that Samuel had commanded, even though that command (10:8) was, in fact, ambiguous and never connected to a divine commandment, as Samuel later implied (v. 13).⁴⁵ Saul's defense of his actions to Samuel (vv. 11–12) seems reasoned and legitimate, even stressing that he reluctantly "forced himself" (v. 12) to make the offering and did not act out of greed or in an attempt to preempt priestly authority. From this perspective, Samuel's harsh accusations (vv. 13–15) seem to rest on only the "flimsiest grounds" and a self-serving, prejudged notion of Saul's unworthiness.⁴⁶ Moreover, Samuel implied that Saul's fate had been a set-up, since Yhwh had already chosen a new ruler who enjoyed the deity's favor. To the reader reading outside of the text's dominant ideology, it is hard to resist the sense that Samuel has betrayed Saul's trust, placing him in an untenable position within a high-stakes battle situation. From the prophet's perspective, Saul's motives were irrelevant because he had already been identified as the embodiment of the people's unfaithful-

43. For example, *ibid.*, 346.

44. See especially Brueggemann, *First and Second Samuel*, 98–101; Gunn, *The Fate of King Saul*, 39; Birch, "First and Second Books of Samuel," 1071; and David Jobling, *1 Samuel* (Berit Olam; Collegeville, MN: Liturgical Press, 1998), 81.

45. No such commandment of Yhwh had previously been mentioned in the text, and scholars have proposed a number of hypotheses (see discussion in Tsumura, *First Book of Samuel*, 347–48). On the ambiguity of the period of seven days in 10:8, see *ibid.*, 290, and Jobling, *1 Samuel*, 81. Robert Polzin (*Samuel and the Deuteronomist: A Literary Study of the Deuteronomistic History Part Two: 1 Samuel* [Bloomington: Indiana University Press, 1989], 107) notes that Samuel's failure to arrive in the time specified by 10:8 actually suggests the prescription in Deut 18:22 that identifies a false prophet as one who speaks a word in Yhwh's name that does not come to pass.

46. Jobling, *1 Samuel*, 81. So also Brueggemann, *First and Second Samuel*, 101; Klein, *1 Samuel*, 127; Nicholson, *Three Faces of Saul*, 57.

ness (ch. 12). Samuel's posturing resembles a brutal game in which Saul's real failure was failing to follow *Samuel's* personal orders and colliding with the prophet's apparent resentment of the king and unwillingness to surrender his priestly power.⁴⁷

Much the same evaluation could be given for the story of Saul's encounter with the Amalekites in 1 Samuel 15, which is the climactic portrayal of Saul's rejection by Yhwh. After the battle with the Philistines in ch. 14,⁴⁸ Samuel ordered Saul to "utterly destroy" (חרם, 15:3) the Amalekites, leaving no persons or animals alive. Saul captured alive King Agag of the Amalekites, as well as the best of the sheep and cattle (vv. 4–9), taking them to Gilgal before being confronted by Samuel. As in ch. 13, Samuel immediately adopted an accusatory tone toward Saul upon their confrontation, claiming that he disobeyed the divine voice and did evil in Yhwh's sight (v. 19). In spite of Saul's attempts to explain his actions as obedient to Yhwh, Samuel declared that Yhwh had now rejected Saul himself as king (and not just the promise of his dynasty as in ch. 13), slaughtered King Agag, and parted ways with Saul (vv. 22–35).

As with ch. 13, however, it is not difficult to read Saul's actions here in a more sympathetic, perhaps even well-intentioned, light. Commentators divide, for instance, over whether Samuel's demand that Saul carry out the wholesale slaughter of the Amalekites made any military or strategic sense or simply represented Samuel's idiosyncratic and self-interested interpretation of the lingering exclusivism of covenant theology.⁴⁹ Additionally, the text states that Yhwh had already declared to Samuel beforehand that Saul's kingship was the object of divine regret and that Saul's actions constituted disobedience to divine commands (vv. 10–11). Samuel's stringent requirements and Yhwh's predetermined evaluations of Saul seemingly made it inevitable that he would fail.⁵⁰ Readers might once more imagine a betrayal of trust, as Yhwh and his prophet placed the warrior-turned-

47. See Brueggemann, *First and Second Samuel*, 101; Birch, "First and Second Books of Samuel," 1072; John A. Sanford, *King Saul, the Tragic Hero: A Study in Individuation* (New York: Paulist Press, 1985), 48; Polzin, *Samuel and the Deuteronomist*, 129.

48. The portrayal of Saul in 1 Samuel 14 might also be read in a more sympathetic light than is usually the case. Although Saul's actions here certainly seem rash and ill advised (see McCarter, *I Samuel*, 250), they can also be seen as pious, sincere, and well intentioned (see Brueggemann, *First and Second Samuel*, 103–5). Saul engaged in two proper (if ill-timed) ritual practices (the vow and offering) and ensured that proper sacrifice was performed when he learned what the troops were doing. At the end of the episode (14:36–46), even though Jonathan had broken the vow in ignorance, Saul was willing to insist that the vow be honored even though his own son must die (one may hear resonances of Abraham's willingness to sacrifice Isaac in Genesis 22).

49. See the different views in Klein, *1 Samuel*, 147; Birch, "First and Second Books of Samuel," 1087; and Brueggemann, *First and Second Samuel*, 110.

50. Brueggemann, *First and Second Samuel*, 108.

king into an untenable position in a high-stakes battle situation, having issued an ambiguous command and seemingly prejudged Saul's guilt.

The dismissal of Saul's response (vv. 15–21) confirms this impression. One may read this response as an expression of Saul's attempt to follow the spirit (if not the letter) of Samuel's command with genuine intent and in good faith.⁵¹ Picking up on the reference to "Saul and the people" acting together to spare Agag in v. 9, Saul told Samuel that it was the army who spared the animals and that he, in fact, intended to fulfill Samuel's demand to slaughter them but to do so as a more pious act in the form of a sacrifice to Yhwh (v. 15). Samuel had not specified that the captives and spoil had to be killed on the spot, and, contrary to the self-glorification motives suggested by the prophet, Saul took the spoil to Gilgal (vv. 12, 21), where he had sacrificed previously in ch. 13, and not to his home in Gibeah.⁵² Saul's second assertion of his obedience (vv. 20–21) made this sacrificial intention even more explicit. Even so, Samuel, perhaps based on the divine predetermination of Saul's disobedience (vv. 10–11), interpreted Saul's actions in the most uncharitable way possible and rejected the explanations out of hand. In the final interchange, Saul seemed willing to admit that he had misinterpreted the prophet's instructions and asked for pardon (vv. 24–25). Still, Yhwh and his prophet refused to have compassion on Saul and doled out the maximum punishment of full and final rejection. Given the ambiguous nature of the motives and actions involved, it is not even clear whether Saul sinned, but it is even less clear whether the punishment was fair or proportionate to the wrongdoing.⁵³

These ways of reading chs. 13 and 15 connect to an interpretive trend that has emerged in earnest since the 1980s. Recent interpreters have increasingly identified Saul as a tragic figure and explored the story of the rise and fall of his kingdom in the literary category of tragedy.⁵⁴ David

51. See, for example, *ibid.*, 111; Gunn, *The Fate of King Saul*, 53. Liss ("The Innocent King," 248) notes that rabbinic and midrashic texts concluded that Saul had been obedient to the halakhah and offered several explanations grounded in halakhic arguments that Saul had to spare Agag for legal reasons.

52. Keith Bodner, *1 Samuel: A Narrative Commentary* (Hebrew Bible Monographs 19; Sheffield: Sheffield Phoenix Press, 2008), 156. Note that v. 12 places Saul's construction of a "monument for himself" in Carmel, away from the sacrificial site at Gilgal and not involving the spoils in question.

53. See Birch, "First and Second Books of Samuel," 1090–91; Jobling, *1 Samuel*, 83.

54. The earliest major treatments of Saul from the perspective of tragedy were W. Lee Humphreys, "The Tragedy of King Saul: A Study of the Structure of 1 Samuel 9–31," *JSOT* 6 (1978): 18–27; W. Lee Humphreys, "The Rise and Fall of King Saul: A Study of an Ancient Narrative Stratum in 1 Samuel," *JSOT* 8 (1980): 74–90; Gunn, *The Fate of King Saul*; W. Lee Humphreys, "From Tragic Hero to Villain: A Study of the Figure of Saul and the Development of 1 Samuel," *JSOT* 22 (1982): 95–117; W. Lee Humphreys, *The Tragic Vision and the Hebrew Tradition* (OBT; Philadelphia: Fortress, 1985). For a commentary that represents this approach, see Brueggemann, *First and Second Samuel*. These treatments generally operate

Gunn, for example, identifies Saul as a “figure of tragedy” who is subject to forces beyond his control and not solely responsible for his fate.⁵⁵ Gunn distinguishes between two types of tragedy known from Greek literature, noting that most interpreters see Saul’s story as a “tragedy of Flaw” — “that in which the tragic hero is ‘flawed’ in some way.”⁵⁶ By contrast, Gunn reads Saul’s story as a “tragedy of Fate,” in which the hero falls victim to an “irresistible, cruel, overruling Fate.”⁵⁷ Overall, this interpretive trend highlights that although the biblical text portrays Saul as guilty, his exact wrongdoing is ambiguous in the early stories of his reign and he seems to receive uncharitable treatment and have little chance in often untenable situations.⁵⁸ More specifically, these tragic interpretations often rely on comparisons to Greek tragedy, drama, and mythology in the same way that the examination of characters such as Achilles and Odysseus has provided one mechanism for studying the experiences of modern soldiers in military and clinical literature.⁵⁹ J. Cheryl Exum, for instance, has embedded a reading of the Saul narrative as a biblical tragedy within a larger discussion that relies on comparisons with Greek, Shakespearean, and modern tragedy to identify the presence of a “tragic vision” in the

from a focus on the final form of the Saul narrative without a concern to identify its earlier sources. (Humphreys’s earliest works cited above are the exceptions.)

55. Gunn, *The Fate of King Saul*, 27.

56. *Ibid.*, 28.

57. *Ibid.* Humphreys (“Tragic Hero,” 99–100), while adding a redaction element, nuances Gunn’s reading and argues that the tragic vision of the Saul narrative holds flaw and fate in tension. Humphreys argues that there was an “early narrative stratum” in 1 Samuel 9–31 that presented Saul’s rise and fall as a “tragic vision” in line with the characteristics of Aegean, Hittite, and Greek culture. This stratum was subsequently recast by “northern prophetic circles” and then “southern royalist” circles that transformed Saul from a tragic hero into a villain (*ibid.*, 95–96).

58. For other works on Saul from the tragedy perspective, see Sanford, *King Saul*; Polzin, *Samuel and the Deuteronomist*; J. Cheryl Exum, *Tragedy and Biblical Narrative: Arrows of the Almighty* (Cambridge: Cambridge University Press, 1992); Edelman, *King Saul*; L. Daniel Hawk, “Saul as Sacrifice: The Tragedy of Israel’s First Monarch,” *BRev* 12/6 (1996): 20–25, 56; Robert Couffignal, *Saül, héros tragique de la Bible: Étude littéraire du récit de son règne d’après les livres de Samuel, 1S IX–XXI et 2S I* (Thèmes et mythes 19; Paris: Lettres modernes Minard, 1999); Nicholson, *Three Faces of Saul*; Barbara Green, *How Are the Mighty Fallen? A Dialogical Study of King Saul in 1 Samuel* (JSOTSup 365; Sheffield: Sheffield Academic Press, 2003); Green, *King Saul’s Asking*; Georg Hentschel, *Saul: Schuld, Reue und Tragik eines Gesalbten* (Biblische Gestalten 7; Leipzig: Evangelische Verlagsanstalt, 2003); Dawn Maria Sellars, “An Obedient Servant? The Reign of King Saul (1 Samuel 13–15) Reassessed,” *JSOT* 35 (2011): 317–38.

59. Humphreys (“Tragic Hero,” 102), for example, points for comparison to works of Sophocles and Euripides. See also Tsumura, *First Book of Samuel*, 266; Jobling, *1 Samuel*, 250; Robert L. Duncan, “Jephtha, Saul, and Agamemnon: Anxious Generals, Deadly Fathers” (paper presented at the Midwestern Regional Evangelical Theological Society Meeting, Chicago, 22–23 March, 1991). For an early treatment of the comparison with Greek tragedy, see Cyrus H. Gordon, *Before the Bible: The Common Background of Greek and Hebrew Civilisations* (London: Collins, 1962).

Hebrew Bible that is characterized by a hostile transcendence and human struggle against fate.⁶⁰

In line with the sympathetic and even tragic interpretations of King Saul, I suggest that readers might re-read the opening stories of Saul's rule in 1 Samuel 12–15 as a series of episodes in which Saul suffers moral injury, most notably in his encounters with the authority figure, Samuel. Saul's actions and experiences fit various elements of moral injury as the deleterious effects in war contexts caused by perpetrating, failing to prevent, or even witnessing acts that transgress deeply held moral expectations.⁶¹ From Samuel's initial prophetic condemnation in ch. 12, Saul seems awash in the moral and ethical ambiguities of war, regularly experiencing the transgression of moral convictions about God and the world by himself and others. He attempted what he thought to be the proper actions under the circumstances—whether refusing to neglect the needed prebattle sacrifice (ch. 13) or waiting to carry out the commanded elimination of King Agag and the spoils perhaps until it could be a sacrificial act to Yhwh (ch. 15)—only to be told repeatedly that the actions were inadequate and improper for reasons that were not always fair or coherent. Saul often learned after the fact (and in the harshest way) that many of his perhaps well-intentioned deeds actually violated the moral and ethical demands at the core of his identity as Yhwh's anointed. Although the Deuteronomistic writers consistently portray him as rebellious, selfish, and sinful, it is not difficult to see here moral injury's element of a soldier who experienced a wrecked sense of what is right and how the world should work, as Saul continually found his moral world to be unreliable in its responses to his actions in warfare contexts. Moreover, on a surface reading, the text presents Saul as one who betrayed the trust placed in him by Yhwh and the prophet. At the same time, however, we might imagine that Saul experienced a sense of the betrayal of trust by his prophetic and divine authorities, as they issued ambiguous commands, prejudged his guilt regardless of his motives, and interpreted his actions in the most uncharitable ways possible. One can imagine the following comment about Saul being spoken about a morally injured veteran today:

Here is a man caught between opposing forces, forces that he incompletely understands and insufficiently controls, forces that are partly external in origin, partly deriving from his own nature, forces that render him increasingly desperate and that, ultimately, will destroy him psychologically and physically.⁶²

60. Exum, *Tragedy and Biblical Narrative*.

61. Litz et al., "Moral Injury," 695.

62. Herman M. van Praag, "The Downfall of King Saul: The Neurobiological Consequences of Losing Hope," *Judaism* 35 (1986): 414.

Perhaps not surprisingly, given the ideological perspectives of the Deuteronomistic writers, the narrative of Saul's early (mis)deeds in 1 Samuel 12–15 presents them in precisely the way that clinicians say produces moral injury—global, internal, and stable.⁶³ Whatever Saul's intentions, Samuel, Yhwh, and others consistently characterize the king's actions as the result of an internal character flaw that is not produced by or limited to a particular exigent circumstance but will unavoidably remain part of his person. As the following discussion will suggest, perhaps the notion that Saul suffered moral injury in the opening episodes of his story provides a new perspective on the king's problematic dispositions and actions that follow in 1 Samuel 17–31. Perhaps readers may conclude that if Saul emerged as an unstable and violent personality, this was at least partially the consequence of moral injury from his experiences with Samuel.⁶⁴

The Consequences of Moral Injury

If we identify elements of moral injury in the stories of Saul's early experiences as king, might we reconsider his increasingly unstable and violent actions that occur in the remainder of 1 Samuel as consequences of moral injury rather than evidence of treacherous disobedience, divine manipulation, or psychological illness? Certainly this approach reads against the grain of the text's dominant portrayal of Saul, and we need not exonerate Saul of all wrongdoing or failure of character. As the research on moral injury indicates, however, the transgression of moral codes and the betrayal of trust can produce emotional, psychological, social, and spiritual effects that include negative changes in ethical behavior and attitudes, changes in or loss of spirituality, reduced trust in others and social contracts, and feelings of guilt and shame—nearly all of which appear in the remainder of Saul's story.⁶⁵ Shay's analysis of Odysseus identifies the primary symptoms of moral injury that can deny soldiers a healthy homecoming, and many of these accurately describe problematic elements of Saul's behavior.⁶⁶ These symptoms include an inability to move out of combat mode, irresponsible thrill-seeking with boasting and taunting, a sense of unrelenting danger, suspicion and fear of women, the need and

63. Litz et al., "Moral Injury," 700–701.

64. See Brueggemann, *First and Second Samuel*, 101.

65. Drescher et al., "Exploration of the Viability," 8; Nash and Litz, "Moral Injury,"

369. Van Praag ("Downfall of King Saul," 414–28) provides a related yet distinct reading of Saul from the fields of psychiatric research and cognitive science that examines his story for insight into the consequences that losing hope and experiencing chronic despair have on the brain and its behavior regulation.

66. Shay, *Odysseus in America*, *passim*.

effort to place blame, emotional numbness and loss of trust in relationships, violent rage and desire for revenge, and the potential for despair and self-harm. In Saul's story, these consequences manifest themselves as failed relationships with his daughters and son, distrust of his own men, suspicion of and violent rage against innocent bystanders, persecution of a presumed usurper, and a spiral into despair and isolation.

I offer here not a comprehensive presentation but a suggestive sketch that outlines some of the episodes in the remaining chapters that might fruitfully be examined from the perspective of the consequences of moral injury. Although there may be flashes of such consequences already in Saul's rash vow and acts with Jonathan in 1 Samuel 14, the main accounts of Saul's actions for consideration in this regard begin after the narrative's introduction of David in ch. 16.⁶⁷ The first scene that might be considered is Saul's initial meeting with David in 16:14–23. The text announces that Yhwh's spirit had come upon David (v. 13) and has departed from Saul (v. 14). Simultaneously, the episode introduces some emotional or other type of affliction from which Saul suffered repeatedly, as well as the treatment provided by David's soothing music. Predictably, the text attributes Saul's condition to an "evil spirit from the LORD" (v. 14), reflecting ancient ways of thinking theologically about the divine cause of all things. The larger context of Saul's experiences with Yhwh and Samuel in chs. 12–15, however, brings Saul's condition into a new frame of reference. Against the backdrop of these experiences, Saul's seemingly manic-depressive distress here reminds one of the sense of emotional numbness, alienation, and despair that can emerge from the moral ambiguity, rejection, and loss of social trust that Saul has already endured.⁶⁸

On the other side of the story of David's triumph over Goliath, 1 Samuel 18 contains three scenes that portray Saul with an escalating suspicion, fear, and hostility toward his family, the people, and David. Although often interpreted merely as manifestations of Saul's evil character and treacherous pride, the actions here could perhaps also be considered in light of the dynamics of moral injury, especially negative changes in

67. Scholars have traditionally identified the subsequent chapters as an originally distinct composition ("the History of David's Rise") whose plot revolves around the tension between Saul and David and David's steady march to the throne. Since the work of Leonhard Rost in 1926 (Rost, *The Succession to the Throne of David* [trans. David M. Gunn; Sheffield: Sheffield Almond, 1982]), scholars have often identified a unified composition beginning in ch. 16 but with different identifications of the exact ending. See discussion in Brueggemann, *First and Second Samuel*, 119; Birch, "First and Second Books of Samuel," 1094. Yet the chapters seem to indicate a complex literary history with different traditions concerning how Saul met David. For a reconsideration of the compositional history, see Jacob L. Wright, *David, King of Israel, and Caleb in Biblical Memory* (Cambridge: Cambridge University Press, 2014).

68. Brueggemann (*First and Second Samuel*, 125) similarly describes Saul's condition as "alienation rooted in a theological disorder."

ethical behaviors and attitudes and reduced trust in others. The victory song sung about Saul and David by the women of the towns of Israel after the battle with the Philistines (vv. 6–9) marks a turning point after which Saul increasingly manifests these kinds of behaviors and attitudes. Even the king's angry reaction to the song, however, seems shaped by his previous experiences. As many commentators observe, the Hebrew parallelism and terminology in v. 7 do not necessarily indicate a comparison at Saul's expense, and the terms could simply function synonymously to proclaim that both the heroes have killed many enemies (see also Ps 91:7).⁶⁹ But in Saul's mind, there is no ambiguity. His growing suspicion, jealousy, and fear lead him to interpret a possibly neutral statement as a slight and threat that propels him to violence.

Throughout the remainder of ch. 18, Saul acts out of fearful suspicion and violent rage, which reflect an eroding sense of moral order and stability alongside negative ethical behaviors. The most dramatic act occurs when Saul's state of torment ("an evil spirit from God," v. 10) returns, and he hurls a spear to kill David (vv. 10–11). But this act is surrounded throughout the chapter by expressions of Saul's suspicion and fear: "So Saul eyed David from that day on" (v. 9); "Saul was afraid of David" (v. 12); "So Saul was David's enemy from that time forward" (v. 29). In the chapter's final scene (vv. 17–30), Saul's suspicion of David takes the form of two unsuccessful attempts to eliminate him by the hand of the Philistines. In both cases, Saul manipulates his daughters and their potential marriages for his own self-interest. For readers familiar with the effects of moral injury, these actions showcase the breakdown of social trust and family relationships that flow from the loss of moral stability. Moreover, Saul's responses to the actions of women in this chapter introduce the theme of Saul's suspicion of women as agents of danger and betrayal that will appear throughout the remainder of his narrative. He heard the women singers' lyrics in the most suspicious way as slights to his authority, and his daughter, Michal, whose marital status he planned to use for his own purposes, took the initiative and attached her love and loyalty to David (vv. 20, 28).

The disruption of trust-based relationships with a sense of betrayal comes to the fore in the next two chapters (1 Samuel 19–20). At one level, these chapters highlight Saul's growing fear and attempts to kill David, with Saul now moving from merely inward suspicion and indirect attempts to an openness and desperation unconcerned with keeping his desire secret (19:1). Even in this aspect, one recognizes some dynamics of

69. See Klein, *1 Samuel*, 188; Brueggemann, *First and Second Samuel*, 136; Green, *King Saul's Asking*, 69. Contrast Birch ("First and Second Books of Samuel," 1121) who sees an "intensifying parallelism" in v. 7. The words of the women's song appear twice more after ch. 18, both times on the lips of the Philistines (21:11; 29:5).

moral injury, as Saul continues to lose not only the ability to trust others but also his own trustworthiness. After Jonathan's intercession in v. 6, Saul pledged not to kill David; yet, at David's next military success, an "evil spirit from the LORD" came upon Saul, and he once again attempted to kill David with a spear (vv. 8–10). In what follows across chs. 19–20, as Saul repeatedly attempts to take David's life and commits to do so in the future, the king's "descent into degenerate violence and madness becomes complete."⁷⁰

The episodes in chs. 19–20 also bring to the fore the often-cited consequence of moral injury in which injured warriors lose the ability to trust even the closest relationships within their family—a loss sometimes interpreted as betrayal. In three consecutive scenes, people close to Saul help David escape his grasp and choose a loyalty to David over Saul. Michal, Saul's daughter and David's wife, foils Saul's attempt to capture David at his home, even placing an idol in his bed to fool the captors and deceiving her father by claiming that David forced her to aid him (19:8–17). When Saul then pursues David to Samuel's residence in Ramah, the very prophet who had previously championed him shelters his enemy, and Saul ends up stricken by the spirit, lying prostrate, naked, and raving in a prophetic frenzy (19:18–24). Finally, Jonathan, Saul's firstborn son and heir, solidifies his devotion to David, which appeared first in 18:1–5, executing a plan to save David from Saul once again, establishing a covenant that looks toward David's future reign, and seemingly ceding his status as heir to David (20:1–42).⁷¹ Although the biblical writers present these events as the outworking of Yhwh's theological judgment on Saul's failure and the divinely appointed rise of David, readers attuned to the dynamics of moral injury can also sense the experience and perception of family betrayal and the loss of trust in the correct moral working of the world. These elements come to a head near the end of the final scene (20:30–34) when Saul succumbs to rage and hurls his spear at his own son, attempting to kill him in the same way he had tried to kill David (see 18:11; 19:10).

Following some intervening scenes describing David's movements, the episode in 1 Sam 22:6–23 provides one of the most troubling portrayals of the negative changes in Saul's ethical behavior. Saul's actions in the preceding scenes have especially highlighted his increasing fear, paranoia, rage, and violence, and those elements now surface with particularly destructive force. In the midst of Saul's continually frustrated efforts to find David, the opening scene (vv. 6–10) shows a king whose ability to trust is shrinking and whose paranoia is growing. By this point, Saul finds himself accompanied only by a small circle, namely, his own

70. Birch, "First and Second Books of Samuel," 1126.

71. See more explicitly 1 Sam 23:17, where Jonathan declares that David will be king of Israel, imagining that he will be second to David rather than to his own father.

Benjaminite tribesmen and his closest officers and advisors. Saul feels unable to trust even these, however, being haunted by the desperate sense that even they have conspired against him in league with David (vv. 7–8). In moral injury terms, Saul has lost any conviction that the world around him can be trusted. In the next section (vv. 11–19), this paranoia gives way to a violent and unreasonable rage based on a sense that no one—not even a priest of Yhwh—can be trusted. After learning of David’s previous visit to the priests at Nob (see 21:1–9), Saul demands an account from the priest Ahimelech. The priest’s explanation for having aided David (vv. 14–15) is convincing and reasonable, making clear his innocence in having trusted David’s statements to him. Nonetheless, Saul declares that Ahimelech and his whole household should be slaughtered. In chs. 13 and 15, Saul gave what appeared to be similarly reasonable and genuine explanations for his actions, yet Samuel rejected these as untrustworthy and declared the elimination of Saul’s kingship and dynasty. Saul now commits the very action with Ahimelech that seemingly contributed to his own earlier experience of moral injury. Perhaps out of a sense of moral uneasiness, Saul’s Benjaminite men refuse to carry out the slaughter (v. 17), and he turns to the foreigner, Doeg the Edomite, to do what perhaps no Israelite would.

Ironically, the king who has been morally wounded himself commits here precisely the kind of atrocity that might generate moral injury for those forced to participate in or witness the event. Saul has reached a new level as a leader who not only commits unwarranted violence but orders others to do so as well. This element resonates with a dimension of moral injury that often appears in both theoretical analyses and illustrative readings of figures from ancient Greek and other literature. Shay in particular notes that moral injury can result from untrustworthy leadership in high-stakes situations in which those who yield official power violate the trust that they will act in accordance with what is right.⁷² He observes, “Epic heroes of the Homeric poems, Odysseus and Achilles, were both ‘men of pain,’ suffering greatly, but also causing great pain and destruction to others.”⁷³ Readers may find in Saul a morally ambiguous figure who, like Odysseus, stands for veterans who have suffered moral injury but also for flawed military leaders who have become “destroyers of trust” themselves.⁷⁴

Over the next episodes, the narrative focuses on Saul’s pursuit of David (esp. 1 Samuel 23–26).⁷⁵ In light of the dynamics of moral injury,

72. Shay, *Odysseus in America*, 206.

73. *Ibid.*, 242.

74. *Ibid.*, xv.

75. Scholars typically identify some of these stories as variant tellings of the same tradition (especially the stories of David’s sparing Saul’s life in chs. 24 and 26). See Tsumura, *First Book of Samuel*, 594; McCarter, *I Samuel*, 379.

readers may see in these chapters, on the one hand, a king who is now completely overcome by fear, paranoia, suspicion, and rage. On the other hand, mixed throughout these episodes is a growing level of grief and remorse within Saul, which reflects the often-noted emotional consequence of moral injury in the form of guilt and shame. The text expresses this element most noticeably in the encounters with David that end with Saul weeping or confessing his wrongdoing (e.g., 24:16; 26:21). Here one finds the unstable vacillation between trust and mistrust, suspicion and hope that often marks the character of a person whose moral stability has been shaken. The spiral toward grief and despair reaches its nadir in ch. 28, as Saul consults a female medium to summon the now-deceased Samuel from Sheol. Everything in the story points to a final act of desperation by one who grasps at an attempt to reestablish some kind of moral reliability. Saul once more finds himself rejected by the divine authority who established him as king, as Yhwh refuses to answer Saul's inquiries through any means (vv. 3–6). Saul disguises himself, violates his own ban on necromancy, and implores a medium to contact Samuel (vv. 7–14). Readers may sense that Saul's moral world has descended into chaos: "Saul becomes more desperate. He acts finally like a person diagnosed with a terminal illness. . . . The fearful one may turn to any possible treatment, any available quack. . . . He is simply a frantic man with no resources."⁷⁶

In pitiful fashion, however, Saul's pleas of distress meet with a divine rejection and death sentence, as the conjured prophet proclaims that Yhwh has pre-ordained Saul and his sons to die the next day, even as his army will fall to the Philistines in battle (vv. 15–19). Although the text presents this pronouncement as the concluding judgment for Saul's disobedience, readers might also recognize here the final manifestations of Saul's wrecked moral world in rejection and isolation. At the end of ch. 28, Saul stands as a warrior who has been morally wounded by authorities, situations, and his own deeds, and has descended into a wrecked morality and despair. The tragedy reaches its ultimate point with the succinct and understated recounting of Saul's battlefield suicide in 1 Samuel 31.⁷⁷ As Ralph Klein notes, the death of Saul, mortally wounded, is "reported in almost heroic fashion, with touches of final courage."⁷⁸ Despite his divinely pre-ordained failure, Saul dies trying to do his duty as king. Although the Deuteronomistic writer's construction of Saul's narrative casts his death as judgment for disobedience, it is not difficult to feel pity for Saul as one

76. Brueggemann, *First and Second Samuel*, 192–93.

77. 2 Samuel 1 presents an alternate account of Saul's death in which an Amalekite tells David that he dispatched the wounded Saul at the king's request and has brought the crown to David.

78. Klein, *1 Samuel*, 287.

who dies amidst the ruins of a morally wrecked world, stripped of his family, troops, prophet, and deity.

Overall, then, with an eye to today's emerging insights into moral injury, the biblical figure King Saul, who was first introduced as a warrior in the midst of armed conflict and who many have identified as a tragic hero, came to represent one who suffered moral injury at the hands of authorities seemingly set against him and through his own, perhaps sincere but misguided, actions. The remainder of his story, which interpreters have often viewed as a downward spiral of disobedient deeds and selfish violence, revealed the complex personal, psychological, social, and religious consequences of struggling with a moral world that no longer seems reliable. In moral injury's theoretical terms, Saul experienced acts that transgressed his moral sense and created moral and ethical dissonance. Rather than being given means by which he could reconstruct a moral identity and reconceive of a just world, the text asserts that for Saul these acts became global (not context dependent), internal (the result of flawed character), and stable (enduring without possible change).⁷⁹ The kind of intertextual reading represented here does not need to claim authorial intentionality, seek to justify the actions attributed to Saul, or ignore the interpretation that the biblical writers give to these events in keeping with larger theological purposes. The reading may, however, illustrate how biblical interpretation might learn from and contribute to the second trajectory of current moral injury study—the attempt to offer creative readings of literary figures as metaphors for the postwar moral experiences of real soldiers.

Conclusion

Inspired by Niditch's commitment to the interdisciplinary study of war and the Hebrew Bible, this essay aimed to introduce more clearly the emerging category of moral injury and to offer a potential example of how biblical scholarship might benefit from and contribute to one aspect of the current work on moral injury, namely, the examination of literary figures, especially those found in Greek myths and tragedies, as instructive metaphors for the postwar moral experiences of soldiers. Perhaps the story of Saul, with its often-cited tragic dimensions, provides a resource from the Hebrew Bible that can contribute to this kind of examination, even as moral injury offers a new interpretive lens for reading Saul's narrative and other Hebrew Bible war texts.

The kind of interdisciplinary engagement represented here pushes those who study war in the Hebrew Bible and ancient Israel to pursue

79. See Litz et al., "Moral Injury," 700–701.

new levels of clarity about our goals in this work and to appreciate its potential relevance to the lives of soldiers in our communities who now deal with the experiences of modern warfare. While scholars need not set antiquarian, sociological, theological, or other interests against one another, the interdisciplinary potential of categories such as moral injury leads students of ancient warfare toward a more fully orbited study that moves beyond how war was done to how war was conceived, constructed, and experienced personally, socially, culturally, and morally. In this way, interdisciplinary study has the potential to recontextualize warfare in the Hebrew Bible and ancient Israel as one manifestation of a human phenomenon known in diverse times and settings. This type of study might make a significant contribution to the broader quest of understanding more fully what it means to be human, especially in war-related contexts.

Collateral Duties

Military Objectives and Civilian Protections in Deuteronomy

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Susan Niditch's landmark study of the ethics of violence in the Hebrew Bible demonstrates that ancient Israelites "did indeed worry about the ethics of war and specifically about the justness of the ban."¹ Niditch explains,

Their searchings of heart are reflected in narrative traditions of the Hebrew Scriptures and in the confusion and self-contradiction implicit in portrayals of war, from text to text and within texts, as biblical writers themselves attempt to make sense of this violent life-taking phenomenon.²

The need to "make sense" of war's violence is heightened by the inherent tension between achieving military objectives and ensuring civilian protections and by the onerous and likely prospect of collateral damages. Arguably it is less an aversion to warfare *per se* that stirs the consciences and challenges the moral sensibilities of the biblical writers than the thought of killing a person who should not be killed. Excessive violence is condemned, but war is not debated. The justness of war is not an issue (*jus ad bellum*); the behavior of warriors (*jus in bello*) is. For this reason, social identity and obligations to insiders and outsiders very much matter in Israel's ethical concerns about war.

This essay explores these concerns by examining the roles of combatants and civilians and the intersection of military objectives and civilian

1. Susan Niditch, *War in the Hebrew Bible: A Study in the Ethics of Violence* (New York: Oxford University Press, 1993), 10.

2. *Ibid.*

protections within the book of Deuteronomy.³ My approach to the topic is interdisciplinary and draws insights from literary and social-scientific criticism. Relevant biblical texts are read with attention to design, provenance, and roles.

Roles are clusters of behaviors linked to social identities; they function as divisions of labor that contribute to the achievement of goals, connote status and value, and accrue benefits and costs.⁴ Many have a paired counterpart.⁵ *Combatant* and *civilian* are paired roles. The term *combatant*, as defined in customary international humanitarian law and in this essay, refers to “persons who do not enjoy the protection against attack accorded to civilians.”⁶ A distinction between combatant and civilian is essential in the construction and the evaluation of rules of engagement and ethics of war, and it is rightly considered to be the first rule in international humanitarian law, which states:

The parties to the conflict must at all times distinguish between civilians and combatants. Attacks may only be directed against combatants. Attacks must not be directed against civilians.⁷

It should be noted that combatants *hors de combat* customarily enjoy protections similar to those granted to civilians.⁸ Those who no longer have the capacity to fight cease to be lawful or even useful targets of aggression, and they are certainly not worthy adversaries in the heroic traditions of warriors. Distinctions between combatants and civilians are found in war-related texts throughout history, and they inform this exploration of military objectives and civilian protections in Deuteronomy.⁹ My analysis begins with ancient Israel’s military objectives.

3. The exploration focuses on Deuteronomy because, as Gerhard von Rad observed, the book is “by far the richest source concerning the concepts and customs of holy war. As a single body of texts it not only contains a series of detailed normative orders and prescriptions about the behavior and customs in the camp, before the battle, and so forth, but also in striking contrast to the holiness law or the book of the covenant it is thoroughly saturated from the first to the last chapter by an outspoken war ideology, the origins and theological content of which cannot help becoming a problem to us” (*Holy War in Ancient Israel* [trans. M. J. Dawn; Grand Rapids, MI: Eerdmans, 1991], 115).

4. Ralph H. Turner, “Role Theory,” in *Handbook of Sociological Theory* (ed. Jonathan H. Turner; New York: Kluwer Academic/Plenum, 2002), 233–40.

5. For example, the roles played by teacher and student are paired counterparts (*ibid.*, 235). The relationship between roles is complex and multidimensional, and the bases of comparison and contrast, in many instances, are neither self-evident nor easily articulated.

6. Jean-Marie Kenckaertz and Louise Doswald-Beck, *Customary International Humanitarian Law* (New York: Cambridge University Press, 2009), I:3.

7. *Ibid.*, I:3.

8. Combatants *hors de combat* include those who are wounded, captured, or for other reasons are no longer able to wage war.

9. On the historical development of warfare law, see Sheng Hongsheng, “The Evo-

Military Objectives

Ancient Israel's war against the Canaanites has a clear strategic objective: to occupy the land of Canaan. The objective is first presented in Deuteronomy as a command issued by Yhwh and reported in a speech attributed to Moses:

The LORD our God spoke to us at Horeb, saying, "You have stayed long enough at this mountain. Resume your journey, and go into the hill country of the Amorites as well as into the neighboring regions—the Arabah, the hill country, the Shephelah, the Negeb, and the seacoast—the land of the Canaanites and the Lebanon, as far as the great river, the river Euphrates. See, I have set the land before you; go in and take possession of the land that I swore to your ancestors, to Abraham, to Isaac, and to Jacob, to give to them and to their descendants after them." (1:6–8)¹⁰

The objective is reiterated in a variety of forms throughout the book: in commands (1:20–21; 2:31; 9:23), instructions (3:18–20; 4:1, 21, 40; 5:16; 6:10, 18; 8:10; 10:11; 11:9, 31; 12:1, 10; 15:7; 16:20; 18:9; 19:1–3, 8, 10, 14; 21:1, 23; 24:4; 25:15, 19; 26:1–3; 27:2–3), explanations (9:6; 31:7; 34:4), warnings (11:17; 17:14; 28:52), and promises (11:21, 25; 15:4; 28:8, 11–12; 30:20). The repetition betrays the importance of the objective in Deuteronomy and in ancient Israelite religion.

The book's initial presentation of the objective (1:6–8) describes the land's occupation in terms of topography and theology. The land to be occupied includes "the Arabah, the hill country, the Shephelah, the Negeb, and the seacoast—the land of the Canaanites and the Lebanon, as far as the great river, the river Euphrates" (1:7)—the idealized borders of the Davidic kingdom (cf. Gen 15:18–21).¹¹ The justification that is given to legitimize the military objective is theological in nature and is linked to family lineage: Yhwh promised the land to Abraham, Isaac, and Jacob, and to the descendants of these patriarchs (1:8). Elsewhere justification is found in the moral turpitude of the inhabitants of Canaan, who forfeit possession of the land because of their "wickedness" (9:5). Divine grant and moral standing are the rhetoric supporting conquest and occupation of the land, but material

lution of Law of War," *Chinese Journal of International Politics* 1 (2006): 267–301; David M. Crowe, *War Crimes, Genocide, and Justice: A Global History* (New York: Palgrave Macmillan, 2014), 1–24; and Gregory M. Reichberg, Henrik Syse, and Nicole M. Hartwell, eds., *Religion, War, and Ethics: A Sourcebook of Textual Traditions* (New York: Cambridge University Press, 2014). On the distinction between combatants and civilians in Islamic warfare laws, see Muhammad Munir, "The Protection of Civilians in War: Non-combatant Immunity in the Islamic Law," *Hamdard Islamicus* 34 (2011): 7–39.

10. Quotations of biblical texts throughout this article are from the NRSV or BHS unless otherwise noted.

11. Moshe Weinfeld, "Deuteronomy, Book of," *ABD* 2:179.

resources provide a powerful and strongly emphasized motivation, too. According to Deuteronomy, the promised land flows with “milk and honey” (6:3; 11:9; 26:9, 15; 27:3; 31:20). Its hills and valleys provide ample water from streams and wells (8:7), and rainfall is abundant (11:11, 14). Those who inhabit the land are promised grain, wine, and oil; and flocks and herds—enough to enjoy plus plenty to share (12:17; 14:23–26; 15:14; 16:13; 18:4). The land is “good” (8:7); food is not scarce, and nothing is lacking (8:9a). Even iron and copper ore are abundant (8:9b).

The material motivation for occupying the land is implied by the biblical text itself, but it can be inferred from comparative studies of organized violence in preindustrial social groups. As R. Brian Ferguson observes, war is waged “when those who make the decision to fight estimate that it is in their material interests to do so.”¹² He explains,

Non-material goals will not regularly lead to war unless they accompany material objectives. That is because war itself typically involves major costs. This must be emphasized: war costs lives, health, resources, and effort.¹³

So it was in ancient Israel. Before the tribes of Israel waged war, messengers summoned able-bodied participants from the tribes by sounding trumpets¹⁴ and displaying pieces of sacrificed bodies.¹⁵ “This was done,” according to Gerhard von Rad, “in order to compel participation in the enterprise” because “willingness for military service could hardly be taken for granted” for the cost of warfare is “very high.”¹⁶ Ancient Israel reasoned its way into battles, and von Rad’s theory of war assumes that organized violence (in spite of the madness of it all) is still rational.¹⁷ That is to say, the benefits and risks of engaging an enemy in armed conflict are weighed both individually and collectively. It can be assumed that the strategic military objective set forth in Deuteronomy reflects real or imagined needs for greater physical resources, though, as Carol R. Ember and

12. R. Brian Ferguson, “Explaining War,” in *The Anthropology of War* (ed. Jonathan Haas; School of American Research Advanced Seminar Series; New York: Cambridge University Press, 1990), 30. See also Ferguson’s later study, “Materialist, Cultural and Biological Theories on Why Yanomami Make War,” *Anthropological Theory* 1 (2001): 99–116.

13. *Ibid.*, 29.

14. See Num 10:8–10; Judg 6:34; Neh 4:20; Jer 4:5, 19; 51:27.

15. See Judg 19:1–20:17; 1 Sam 11:5; Michael Bryson, “Dismemberment and Community: Sacrifice and the Communal Body in the Hebrew Scriptures,” *Religion & Literature* 35 (2003): 1–21.

16. Von Rad, *Holy War in Ancient Israel*, 41.

17. Regarding war, Bruce Lincoln writes, “In contrast to other modes of violence, it is neither individual, spontaneous, random, nor irrational, however much—like all varieties of violence—it involves destructive action, even on a massive scale” (“War and Warriors: An Overview,” *Encyclopedia of Religion* 15:339).

Melvin Ember conclude from their comparative cross-cultural research, “It is the *fear* of unpredictable disasters, rather than the actuality of short-ages, that mainly motivates people to go to war.”¹⁸

The strategic objective articulated in Deuteronomy, of course, must be achieved through aggressive actions—the means to the end—and ethical difficulties attend the tactics of war. Occupation of a land entails the conquest of a people, and, to achieve the strategic objective, the Israelites are commanded to destroy the notorious seven nations of biblical tradition, a list connoting the full complement of the inhabitants of the land. The command reads,

When the LORD your God brings you into the land that you are about to enter and occupy, and he clears away many nations before you—the Hittites, the Girgashites, the Amorites, the Canaanites, the Perizzites, the Hivites, and the Jebusites, seven nations mightier and more numerous than you—and when the LORD your God gives them over to you and you defeat them, then you must utterly destroy them. Make no covenant with them and show them no mercy. (7:1–2)

It is both remarkable and problematic that the divine command specifies a complete and inexorable destruction of inhabitants (v. 2), with the extent of the divinely authorized annihilation made emphatic by the MT’s use of an infinitive absolute (החרם תחרים אתם) and a prohibition against leniency (לא תנחם). The tactic is nothing less than ethnic cleansing. In the verses that follow the command (vv. 3–6), intermarriage between Israelite and Canaanite offspring is prohibited in order to avert the corrupting influence of Canaanite religion and the worship of other gods (vv. 3–4a), practices that would evoke Yhwh’s judgment (v. 4b). Accordingly, Canaanite altars and idols are to be destroyed because the people of Israel belong to Yhwh (v. 5–6; cf. 12:2–7). The command to annihilate the inhabitants of the land is reiterated in Deut 20:16–18 with minor variations but equally callous specifications:¹⁹ the Israelites, according to the law, “must not let anything that breathes remain alive” (לא תחיה כל-נשמה; v. 16). They are given these instructions out of fear of assimilating the ritual practices of Canaanite religion and thereby offending Yhwh (vv. 17–18).

In Deuteronomy, enemy combatants are conceived as those who pose a threat to Israel. The threat may be related to military strength (7:1–2) or religious influence (7:3–6), and the danger may be pressing or merely

18. Carol R. Ember and Melvin Ember, “Violence in the Ethnographic Record: Results of Cross-Cultural Research on War and Aggression,” in *Troubled Times: Violence and Warfare in the Past* (ed. Debra L. Martin and David W. Frayer; War and Society 3; New York: Routledge, 2014), 8.

19. For example, the MT of Deut 20:16–18 lists only six nationalities; the LXX includes a seventh (Ἰεργεσαίον), probably to harmonize with Deut 7:1–2.

anticipated (20:16–18). From a tactical point of view, all Canaanites within the land, regardless of other identities or roles, are enemy combatants, and none is afforded civilian protections.²⁰ Rather, combatants and even combatants *hors de combat* are to be put to death. The strategic objective is territorial sovereignty, and the tactics merciless.

Civilian Protections

Deuteronomy, however, recognizes the role of the civilian as well as the combatant, and a number of war-related civilian protections are prescribed in the book. Most relevant are the protections set forth in 19:1–22:8, a cohesive literary unit that applies the Decalogue's abstract prohibition of murder (5:17) to concrete situations related to life and death, including the prosecution of war.²¹

Deuteronomy 20:1–9 extends protections to Israelite warriors occupying certain roles. Before the army advances on an enemy, the Israelite warriors are given these instructions:

“Has anyone built a new house but not dedicated it? He should go back to his house, or he might die in the battle and another dedicate it. Has anyone planted a vineyard but not yet enjoyed its fruit? He should go back to his house, or he might die in the battle and another be first to enjoy its fruit. Has anyone become engaged to a woman but not yet married her? He should go back to his house, or he might die in the battle and another marry her.” The officials shall continue to address the troops, saying, “Is anyone afraid or disheartened? He should go back to his house, or he might cause the heart of his comrades to melt like his own.” (vv. 5b–8)

Exempt from battle are those who have built houses, have planted vineyards, or have engaged to marry and have not yet enjoyed the benefits of their endeavors. They are sent home to protect their lives and thus to safeguard domestic interests from potential usurpers. The battlefield threat envisioned comes not only from enemy soldiers but possibly from treacherous individuals who might kill a fellow warrior in order to steal

20. The annihilation of a people by the Israelites is not unprecedented. In the battle at Jahaz, they captured Sihon's towns and “in each utterly destroyed men, women, and children” (Deut 2:33; cf. 3:6).

21. On the interpretation of the Deuteronomical Code as an application of the Decalogue, see Stephen A. Kaufman, “The Structure of the Deuteronomical Law,” *Maarav* 1/2 (1978/1979): 105–58. For a survey of the development, acceptance, and criticism of Kaufman's interpretation, see John E. Walton, “The Decalogue Structure of the Deuteronomical Law,” in *Interpreting Deuteronomy: Issues and Approaches* (ed. David G. Firth and Philip S. Johnston. Downers Grove, IL: IVP Academic, 2012), 93–117. A representative commentary adopting the interpretation is Mark E. Biddle, *Deuteronomy* (SHBC 4; Macon, GA: Smyth & Helwys, 2003), 197–203.

a house, vineyard, or bride. Joab's assignment of Uriah to a particularly dangerous location on the battlefield at David's direction shows that such treachery is not unimaginable (see 2 Sam 11:14–17). Israelite warriors who are overwhelmed by fear are also exempt and are sent home so as not to dishearten fellow warriors and erode their courage (Deut 20:8).

Deuteronomy 20:10–18 articulates safeguards for non-Israelites who surrender peacefully to Israelite forces, with the exception of Hittites, Amorites, Canaanites, Perizzites, Hivites, and Jebusites, who must be annihilated to avoid adopting “all the abhorrent things that they do for their gods” (vv. 16–18). Those who accept terms of peace are subject to forced labor (vv. 10–11); though males who fight back are subject to death (vv. 12–13). Women and children are granted civilian protections but may be taken as booty (v. 14).²² Evident in these laws is “a desire to avoid harming those not responsible for the hostilities.”²³

The structure of 19:1–22:8 is material in recognizing some of the protections afforded civilians. The pericope is chiasmic and has four paired subunits (A-A', B-B', C-C', D-D') and includes one complex pair with corresponding subsections (B1-B1', B2-B2', B3-B3'):²⁴

- A Accidental death and bloodguilt, 19:1–13
 - B1 Regard for the property of others, 19:14–21
 - B2 Prosecution of war, 20:1–18
 - B3 Preservation of resources (trees), 20:19–20
- C Defilement from a corpse, 21:1–9
 - D Wanted and unwanted wives, 21:10–14
 - D' Firstborn and rebellious sons, 21:15–21
- C' Defilement from a corpse, 21:22–23
 - B1' Regard for the property of others, 22:1–4
 - B2' Prohibition of cross-dressing, 22:5
 - B3' Preservation of resources (birds), 22:6–7
- A' Accidental death and bloodguilt, 22:8

22. A captured woman may also be forced to marry her captor but cannot subsequently be sold as a slave if she displeases him (21:10–14).

23. Yitzchak Blau, “Biblical Narratives and the Status of Enemy Civilians in Wartime,” *Tradition* 39 (2006): 19.

24. The thematic unity of Deut 21:1–23 is demonstrated in Calum M. Carmichael, “A Common Element in Five Supposedly Disparate Laws,” *VT* 29 (1979): 129–42, and its chiasmic structure in Gordon J. Wenham and J. Gordon McConville, “Drafting Techniques in Some Deuteronomical Laws,” *VT* 30 (1980): 251. Though Carmichael's body of work is subject to pointed criticism, the value of his observations about “structural symmetries in the formulation of legal paragraphs” is recognized even by his most ardent critics (e.g., Bernard M. Levinson, “Calum M. Carmichael's Approach to the Laws of Deuteronomy,” *HTR* 83 [1990]: 237). Wenham and McConville's analysis is essentially correct but overlooks repeated elements that extend the boundaries of the pericope from 21:1–23 to 19:1–22:8, specifically the repetition of the terms *בית*, “house” (19:1/22:8) and *דמים*, “bloodguilt” (19:10/22:8b) and the theme of unintentional homicide, forming an inclusion for the unit.

The topic in B2 (20:1–18) is the prosecution of war, with special protection extended first to certain categories of Israelite warriors and then to enemy warriors who surrender and to captured women and children. The structural counterpart, B2' (22:5), prohibits cross-dressing—a rather surprising parallel:

A woman shall not wear a man's apparel, nor shall a man put on a woman's garment; for whoever does such things is abhorrent to the LORD your God.

The parallel structure implies that B2 and B2' are more closely aligned in meaning than popular English translations suggest and that 22:5 is in some way related to the prosecution of war. The topical discord between the warfare laws of 20:1–18 and the cross-dressing law of 22:5 resolves if the phrase, כְּלִי גִבּוֹר, which the NRSV renders “man's apparel,” is translated “battle gear” or “a man's weapon,” the meaning proposed by Cyrus H. Gordon in 1963.²⁵ Adopting Gordon's translation, I interpret 22:5 as prohibiting a woman from assuming and a man from avoiding the role of warrior, behaviors that offend Yhwh and unduly endanger life, an interpretation with philological merit²⁶ and early rabbinic precedents.²⁷ In Deuteronomy, women have civilian roles and are exempt from military service.

Also relevant in understanding the civilian protections in Deuteronomy are B3 (20:19–20) and B3' (22:6–7), parallel laws that regulate the use of certain sources of food. Deuteronomy 20:19–20 prohibits the hewing of fruit-bearing trees during a siege; 22:6–7 prohibits consuming a mother bird along with her fledglings or eggs.²⁸ Again, the parallel structure suggests that the second of these laws also relates to warfare. In addition, the law prohibiting the taking of the mother bird is, as Calum M. Carmichael observes, “brilliantly allusive”: the noun קֶן, which denotes a literal bird's nest in the law, is also used metaphorically for cities that are subject to

25. Cyrus H. Gordon, “A Note on the Tenth Commandment,” *JBR* 31 (1963): 209 n. 1. The same point was made in Frank Ritchel Ames, “Dressed to Kill: An Interpretation of Deuteronomy 22:5” (paper presented at the AAR/SBL Rocky Mountain–Great Plains Regional Meeting, Denver, April 26, 1996). For a more recent and highly nuanced interpretation, see Harold Torger Vedeler, “Reconstructing Meaning in Deuteronomy 22:5: Gender, Society, and Transvestism in Israel and the Ancient Near East,” *JBL* 127 (2008): 475–76.

26. In texts about warfare, כְּלִי can be used for battle gear (Gen 27:3; Deut 1:4; 1 Sam 14:1), and גִּבּוֹר for warriors (Judg 5:30a; Joel 2:8; Jer 41:16).

27. So *b. Naz.* 59a, *Tg. Onq.*, and Moses Maimonides (*The Guide of the Perplexed* [trans. Shalom Pines; Chicago: University of Chicago Press, 1963], 544).

28. On textual and archaeological issues related to Deut 20:19–20, see Michael G. Hasel, *Military Practice and Polemic: Israel's Laws of Warfare in Near Eastern Perspective* (Berrien Springs, MI: Andrews University Press, 2005); on the interpretation of 22:6–7, see Rachel Muers, “Setting Free the Mother Bird: On Reading a Strange Text,” *Modern Theology* 22 (2006): 555–76.

siege (Jer 49:16; Obad 4); the verb קרה, “come upon,” can signify a chance or an adversarial encounter; and the phrase האם על-הבנים, “the mother with the young” (Deut 20:6) is formulaic and elsewhere connotes excessive violence (Gen 32:11; Hos 10:14).²⁹ Carmichael concludes,

The laws on straying animals and transvestism, which precede the bird law, issue from D’s reflections upon warfare. The bird law, its pastoral setting notwithstanding, also issues from such a background. The law is prompted by the same consideration as leads to D’s law on the fruit trees of the enemy (xx. 19, 20). The law on the fruit trees deals with a city under siege and prohibits cutting down the trees for the purpose of building siege works. The reason is that these trees provide food.³⁰

The preservation of food sources, especially during periods of war when they are endangered, offers benefits that are enduring and local. As Rachel Muers observes, “To spare the fruit trees, and to spare the mother bird, could be said to express a political hope—for ‘long life’ beyond the time of conflict.”³¹ Preservation benefits ally and enemy combatants and civilians alike, but in the long term, those who inhabit a city that has undergone a siege will benefit most from the preservation of fruit-bearing trees and other life-sustaining resources, for aggressors in many instances eventually return to their own territories and homes, regardless of the outcome of the war. In Deuteronomy, preserving vital resources during war serves combatants and protects civilians.³²

Conclusion

Niditch advises that “in exploring the war texts of the Hebrew Bible we do well to ask about the ways in which biblical writers reveal their own desire ‘to act or to seem to act morally,’” and she asks, “What do the war texts reveal about ancient Israelite ethics?”³³ The present exploration yields a partial answer: In Deuteronomy ancient Israelite moral sensibilities are revealed in the treatment of combatants and civilians. Destroying combatants who pose a threat and the sparing of those who do not are moral acts, with the destruction of enemy combatants justified by the threat

29. Calum M. Carmichael, *The Laws of Deuteronomy* (Eugene, OR: Wipf & Stock, 2008; repr., Ithaca, NY: Cornell University Press, 1974), 153–55.

30. *Ibid.*, 153.

31. Muers, “Setting Free the Mother Bird,” 564.

32. Economic sanctions, like the destruction of food sources, are ethically problematic for such actions are directed against civilians and “can do fully as much human damage as warfare” (Joy Gordon, “Economic Sanctions, Just War Doctrine, and the ‘Fearful Spectacle of the Civilian Dead,’” *Cross Currents* 49 [1999]: 388).

33. Niditch, *War in the Hebrew Bible*, 27.

perceived—whether military aggression or religious influence, present or anticipated, real or imagined. The Israelite community felt at risk, and the severity of the moral sensibilities articulated in Deuteronomy—the work of anonymous redactors from the exilic period—reflects an “ethos of encroachment.”³⁴ Foreign influence threatened the identity and integrity of the community, and fear hardened morals. The rules of engagement that are preserved in Deuteronomy and that influenced the exilic community foster an antipathy toward outsiders that isolates insiders, regardless of the current state of war or peace. Ernest Nicholson writes,

The very vehemence with which the crime of apostasy and enticement to apostasy is viewed—witness the extreme measures prescribed in Deut 13,12–18, which envisages the razing of cities never to be rebuilt or re-inhabited, and the wholesale annihilation of their populations—as also the forcefulness of the language employed to describe the obliteration of the idols and cultic trappings of “Canaanite” culture evince the nature and degree of the threat that these authors perceived, and their endeavour [*sic*] to configure and safeguard the social and cultural distinctiveness of their people in what is evidently a situation of drastic change and challenge.³⁵

The moral sensibilities evident in Deuteronomy are pragmatic, but not solely. Canaanites are to be destroyed because they pose a pragmatic threat. The preservation of fruit-bearing trees and egg-producing hens is pragmatic, for they supply food. Exempting warriors who have domestic responsibilities or overwhelming fears strengthens the community and morale within the war band. Capturing rather than killing women and children increases access to wives and slaves. Nonetheless, regard for human life informs otherwise pragmatic moral sensibilities. Deuteronomy 19:1–22:8, which provides context for understanding the protections granted to combatants and civilians, is an interpretation of the Decalogue’s prohibition of murder.³⁶ Human life is valued, and by implication lives are to be protected in war—unfortunately, not all lives.

34. Louis Stulman, “Encroachment in Deuteronomy: An Analysis of the Social World of the D Code,” *JBL* 109 (1990): 613.

35. Ernest Nicholson, “Reconsidering the Provenance of Deuteronomy,” *ZAW* 124 (2012): 534.

36. See n. 21.

The Agonistic Imagination

The Ethics of War in Deuteronomy

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Susan Niditch's study of war in the Hebrew Bible appeared in 1993, in the wake of the Gulf War but years ahead of the surge of interest in religion and violence that developed in the late 1990s and especially in the wake of the attacks on New York in 2001.¹ It was not written as a response to current affairs. It was rather an attempt to set the record straight, and correct the widespread tendency to equate Israelite, and even "Jewish," views of war with the ideal of extirpation, and to appreciate the diversity of biblical attitudes to war. At the same time, she wanted to use the Hebrew Bible "to gain a handle on war in general, the motivations, justifications and rationalizations of its wagers," among other issues.²

As a study in "the ethics of war," Niditch's book is descriptive rather than prescriptive or normative. While she clearly recognizes that some uses of the Hebrew Bible in relation to war are abusive, her concern is not with the use of the Bible but with what it actually says. Her approach is indebted to anthropology: "To study war or attitudes toward wars (even in texts that may not be records of real wars) is in part to ask what social organization is assumed by the people for whom the text is meaningful and who is envisioned to hold the power to use coercive authority."³ Or again, quoting Douglas Knight:

Ethics entails critical reflection on the social dimensions of moral behavior, the constitution of meaning by both the individual and the group, the identification of values underlying moral action, the use of warrants

1. Susan Niditch, *War in the Hebrew Bible: A Study in the Ethics of Violence* (New York: Oxford, 1993).

2. *Ibid.*, 4.

3. *Ibid.*, 14.

in grounding these values, the operation of norms and principles in a changing and diversified world, and similar issues.⁴

The perspective she brings to bear on the subject is functionalist: she asks what does war, or even fantasy of war, do for people, what human needs does it address. This kind of approach is fundamental to any study of biblical ethics, even to those whose interest is in normative ethics. Without a clear and nuanced grasp of the biblical data there can be no meaningful discussion of the uses to which biblical texts are put.

Warfare and Violence

Warfare is a form of violence, but organized violence on a grand scale. In *The Encyclopedia of Religion*, Bruce Lincoln defines war as

organized and coherent violence conducted between established and internally cohesive rival groups. In contrast to numerous other modes of violence, it is neither individual, spontaneous, random, nor irrational, however much—like all modes of violence—it involves destructive action, even on a massive scale.⁵

One may quibble with some aspects of this definition. Warring factions are not necessarily either established or cohesive. But Lincoln is right that war is *organized* violence, prosecuted by a group rather than by an individual.⁶ There are, of course, many other definitions on offer, including some that would restrict warfare to “the organized military forces of independent nations,”⁷ which is too narrow, and that of von Clausewitz, “an act of violence intended to compel our opponent to fulfill our will,”⁸ which is too broad. Warfare is not always waged by independent nations, and not every act of violence intended to subdue an opponent qualifies as war.

Warfare is pervasive in the Bible, because it was pervasive in the world where the Bible was written (and indeed has been pervasive in human history as a whole). Regina Schwartz locates the origin of violence in identity formation, arguing that

4. Ibid., 6, quoting Douglas A. Knight, “Old Testament Ethics,” *The Christian Century* 99 (1982): 55–59, here 56.

5. Bruce Lincoln, “War and Warriors: An Overview,” *Encyclopedia of Religion* 15:339.

6. Frank Ritel Ames, “The Meaning of War: Definitions for the Study of War in Ancient Israelite Literature,” in *Writing and Reading War: Rhetoric, Gender, and Ethics in Biblical and Modern Contexts* (ed. Brad E. Kelle and Frank Ritel Ames; SBLSymS 42; Atlanta: Society of Biblical Literature/Leiden: Brill, 2008), 19–32, here 21.

7. So Jacek Kugler, “War,” in *The Oxford Companion to the Politics of the World* (ed. J. Krieger; 2nd ed.; New York: Oxford, 2001), 894.

8. Carl von Clausewitz, *On War* (Harmondsworth: Penguin, 1968), 101 (originally published in 1832 under the title *Vom Kriege*).

imagining identity as an act of distinguishing and separating from others, of boundary making and line drawing, is the most frequent and fundamental act of violence we commit. Violence is not only what we do to the Other. It is prior to that. Violence is the very construction of the Other.⁹

Violence and warfare are certainly tools for the construction of identity in the Hebrew Bible, most obviously in Deuteronomy and in the story of the conquest. The divine command to slaughter the Canaanites signifies, among other things, the desire to protect Israelite identity by erasing the proximate Other. Much of biblical warfare, whether historical or fictional, has to do with carving out a distinctive identity for Israel, or later with protecting it against the onslaughts of imperial powers and quarrelsome neighbors. But not all biblical warfare is necessarily to be explained in this way. Some of it occurs “in the spring of the year, the time when kings go out to battle” as a cultural *habitus* (2 Sam 11:1). Warfare, and the recourse to violence, was deeply ingrained in the ancient world as a way of doing business.

Equally deeply ingrained was the tendency to look for divine models of warfare and to authorize human violence by appeal to forces beyond human control. Some of the most powerful expressions of ancient world-views are found in the great cosmogonic myths, such as the *Enuma Elish* and the Canaanite Baal story, which involve the defeat of a chaos monster by a figure who becomes king of the gods. These stories are fundamentally agonistic: they assume that conflicts must be resolved by violent combat. The political implications of such stories are transparent, especially in the case of the *Enuma Elish*. Marduk rises to sovereignty by violent battle with Tiamat, whom he splits in two, and Baal clears the way to kingship by attacking and splitting Yamm. These kingly gods provide the models for their human counterparts. Consequently, victory in battle cast the human king in the likeness of his god, and was viewed as divine confirmation of his rule.¹⁰

Warfare and Kingship

The connection between warfare and royal ideology has been emphasized in a number of recent studies.¹¹ An Akkadian myth of the creation

9. Regina Schwartz, *The Curse of Cain: The Violent Legacy of Monotheism* (Chicago: University of Chicago Press, 1997), 5.

10. Mario Liverani, *Prestige and Interest: International Relations in the Near East ca. 1600–1100 B.C.* (History of the Ancient Near East 1; Padua: Sargon, 1990), 150–51; Jacob L. Wright, “Military Valor and Kingship: A Book-Oriented Approach to the Study of a Major War Theme,” in *Writing and Reading War*, 33–56 (here, 38).

11. Klaus-Peter Adam, *Der königliche Held* (WMANT 91; Neukirchen-Vluyn: Neukirchener Verlag, 2001); Wright, “Military Valor and Kingship.”

of human beings tells how the human king is given weapons by the gods, who confer on him not just the authority, but the obligation to make war.¹² In the words of Carly Crouch, "war is a mutual obligation of both the divine and the human king; the requirement that they go to war . . . is perceived as an inherent function of the kingship embodied by each."¹³ Crouch emphasizes that the idea of a divine warrior "inherently implies a synchronized historical human agent."¹⁴ Appeals to a warrior god may be intended to relieve human actors of responsibility, but warfare is inevitably a human activity, regardless of how it is rationalized.

Crouch has emphasized the importance of the mythology of cosmic conflict as background for the ancient Near Eastern, and specifically the Assyrian, royal ideology:

The articulation of the Assyrian military endeavour in terms of and as part of a cosmological struggle for order and against chaos, in which the gods themselves were involved on both a cosmic and historical plane, was fundamental in framing the Assyrian imperial and military project . . .¹⁵

The enemies of Assyria were the enemies of its gods. To attack and defeat them was not only permissible but was a moral imperative. What was at stake was the preservation of right order in the world. Similar ideas can be documented for ancient Egypt.¹⁶

The kings of Israel and Judah adopted much of the royal ideology of their ancient Near Eastern neighbors.¹⁷ Our documentation is primarily Judahite. Much of it is found in the Psalms. Klaus-Peter Adam has demonstrated the synergism of God and king in Psalm 18 and documented extensive Assyrian parallels.¹⁸ God arms the king for battle: "he trains my hands for war, so that my arms can bend a bow of bronze. You have given me the shield of your salvation, and your right hand has supported me" (Ps

12. W. R. Mayer, "Ein Mythos von der Erschaffung des Menschen und des Königs," *Or* 56 (1987): 55–68; Adam, *Der königliche Held*, 1–2; Carly L. Crouch, *War and Ethics in the Ancient Near East: Military Violence in Light of Cosmology and History* (BZAW 407; Berlin: de Gruyter, 2009), 25.

13. Crouch, *War and Ethics*, 25.

14. *Ibid.*, 26.

15. *Ibid.*, 27. Compare Stefan M. Maul, "Der assyrische König—Hüter der Weltordnung," in *Gerechtigkeit: Richten und Retten in der abendländischen Tradition und ihrer altorientalischen Ursprüngen* (ed. J. Assmann, B. Janowski, and M. Welker; Munich: Fink, 1998), 65–77; Eckart Otto, "Krieg und Religion im Alten Orient und im alten Israel," in Eckart Otto, *Kontinuum und Proprium: Studien zur Sozial- und Rechtsgeschichte des Alten Orients und des Alten Testaments* (Orientalia biblica et christiana 8; Wiesbaden: Harrassowitz, 1996), 49–58, especially, 53–54.

16. Otto, "Krieg und Religion," 50–52.

17. Adela Yarbro Collins and John J. Collins, *King and Messiah as Son of God* (Grand Rapids, MI: Eerdmans, 2008), 1–24.

18. Adam, *Der königliche Held*.

18:35–36 [Eng., 34–35]. The enemy is cast down before the king, just as in Assyrian and Egyptian iconography: “I pursued my enemies and overtook them; and did not turn back until they were consumed. I struck them down, so that they were not able to rise; they fell under my feet” (vv. 38–39 [Eng., 37–38]). This is accomplished by divine aid: “For you girded me with strength for the battle; you made my assailants sink under me; you made my enemies turn their backs to me” (vv. 40–41 [Eng., 39–40]).

Similar synergism can be seen in Psalm 2, which claims that God has “set my king on Zion my holy mountain” (2:6), and famously declares that the king is God’s begotten son.¹⁹ The kings of the earth conspire “against the Lord and his anointed,” but the Lord laughs at them in derision. The solution to Gentile insubordination is violent: “You shall break them with a rod of iron, and dash them in pieces like a potter’s vessel” (2:9). While the idea that the king is begotten by God has an Egyptian background, and can probably be traced back to pre-Israelite times when Jerusalem was under Egyptian control, the brutal suppression of rebellious peoples corresponds to neo-Assyrian ideology.²⁰ The Assyrians implemented this ideology all too readily. For a Judahite king, it was simply fantasy, but it reflects the grandiose aspirations of the Davidic monarchy.

Other examples may be added. Psalm 89 recounts how God rules the raging of the sea and crushed Rahab like a carcass (Ps 89:10–11 [Eng., 9–10], referring to a variant of the combat myth),²¹ and goes on to say that he has found David, his servant, and will set his hand on the sea and his right hand on the rivers” (89:26 [Eng., 25]). He will also support him in battle: “I will crush his foes before him and strike down those who hate him” (89:22 [Eng., 23]). The psalm ends with a complaint, probably added after the collapse of the monarchy in the Babylonian era, that God has not fulfilled his promise to the king: “You have exalted the right hand of his foes; you have made all his enemies rejoice. Moreover, you have turned back the edge of his sword, and you have not supported him in battle” (89:42–43 [Eng., 43–44]).²² But these failures only serve to highlight what the right relationship between king and God should be. When God does not support the king in battle, the world is out of joint.

19. Yarbrow Collins and Collins, *King and Messiah*, 10–15.

20. Eckart Otto, “Psalm 2 in neuassyrischer Zeit: Assyrische Motive in der jüdischen Königsideologie,” in *Textarbeit: Studien zu Texten und ihrer Rezeption aus dem Alten Testament und der Umwelt Israels: Festschrift für Peter Wiemar* (ed. Klaus Kiesow and Thomas Meurer; AOAT 294; Münster: Ugarit-Verlag, 2003), 335–49. Cf. Bob Becking, “‘Wie Töpfe sollst du sie zerschmeissen’: Mesopotamische parallelen zu Psalm 2,9b,” *ZAW* 102 (1990): 59–79.

21. John Day, *God’s Conflict with the Dragon and the Sea: Echoes of a Canaanite Myth in the Old Testament* (Cambridge: Cambridge University Press, 1985), 25–28.

22. On the history of composition of the psalm, see William M. Schniedewind, *Society and the Promise to David: The Reception History of 2 Samuel 7:1–17* (New York: Oxford University Press, 1999), 93–96, on Ps 89:19–37, and 111–14, on vv. 38–52.

Another royal psalm, Psalm 110, assures the king that

The Lord is at your right hand
 he will shatter kings on the day of his wrath.
 He will execute judgment among the nations,
 filling them with corpses;
 he will shatter heads over the wide earth. (Ps 110:5–7)

Crouch concludes correctly that “In Israel and Judah as well as Assyria, then, there was a tradition linking the motifs of war, kingship and the establishment of order at creation.”²³ Waging war in the name of his God was not only the right of the king but his duty.

The Judahite kings, even in their fantasies, do not quite match the cruelty of the Assyrian kings. Tiglath-pileser III (745–727 BCE) boasts that he impaled kings and ministers of conquered peoples, as a lesson to their subjects.²⁴ Sargon II (724–705 BCE) had some people flayed and subjected others to various forms of public humiliation. Some reliefs depict decapitated bodies.²⁵ An Assyrian poem from the time of Tiglath-pileser I speaks of slitting open pregnant women, a fate famously predicted for Samaria in Hos 13:16.²⁶ The latter atrocity was not peculiarly Assyrian. The prophet Elisha predicts that the king of Damascus will do this to Israelites (2 Kgs 8:12); Ammonites are said to have done it in Gilead (Amos 1:13); and even an Israelite king, Menahem, is said to have done it to the people of Tappuah, because it would not open its gates.²⁷

The example of Menahem may suggest that the difference between Assyrians and Israelites in the matter of brutality was largely a matter of opportunity. Israelites could be brutal, too. In 2 Samuel 4, David has the sons of Rimmon executed, and then has their hands and feet cut off and their bodies hung beside the pool at Hebron. In Judges 1, the Israelites cut off the thumbs and big toes of Adoni-bezek, as he had apparently done to others. Such mutilation could serve various purposes. It shamed the victim and symbolized his disempowerment.²⁸ It was also a tool of psychological warfare.

23. Crouch, *War and Ethics*, 31.

24. Ibid., 39–40, citing Hayim Tadmor, *The Inscriptions of Tiglath-Pileser III King of Assyria: Critical Edition, with Introductions, Translations and Commentary* (Jerusalem: Israel Academy of Sciences and Humanities, 1994), Ann. 23: 9’–10’ and Summ. 1:9–10.

25. Crouch, *War and Ethics*, 53–54.

26. Mordechai Cogan, “‘Ripping Open Pregnant Women’ in Light of an Assyrian Analogue,” *JAOS* 103 (1983): 755–57.

27. The MT reads Tiphseh instead of Tappuah. See Mordechai Cogan, *II Kings* (AB 11; Garden City, NY: Doubleday, 1988), 171.

28. Tracy M. Lemos, “Shame and Mutilation of Enemies in the Hebrew Bible,” *JBL* 125 (2006): 225–41. In most of her examples, Israelites are mutilated rather than mutilators.

War without Kings

Much of the Hebrew Bible, however, is not based on royal ideology, and has an ambivalent, if not critical, perspective on kingship. In the Pentateuch, only Deuteronomy provides a role for a king, and that role is tightly circumscribed. The historical books recount the exploits of several military leaders, some of whom act like kings even if they are not so called.²⁹ The prophets exhibit a range of perspectives, but some are quite critical of kingship.

Deuteronomy provides an interesting test case for a perspective on warfare that is not rooted in royal ideology, because of its complex relation to Assyrian royal ideology. Most scholars recognize that the Deuteronomistic conception of the covenant is influenced directly by the Vassal Treaty, or loyalty oath, of Esarhaddon, which dates to 672 BCE.³⁰ The Assyrian document is essentially an oath of loyalty imposed on Assyria's vassals to ensure that they will recognize his son Assurbanipal as his successor.³¹ They are commanded to "love Assurbanipal" as themselves: "you shall hearken to whatever he says and do whatever he commands, and you shall not seek any other king or other lord against him" (VTE 195–97).³² They are to teach these provisions to their sons and grandsons. These injunctions are echoed in Deut 6:4–7:

Hear O Israel: Yhwh is our God, Yhwh alone. You shall love Yhwh your God with all your heart, with all your life and with all your might. . . . Keep these words that I am commanding you today on your heart and teach them to your sons. (Deut 6:4–7)³³

Further striking parallels are found between the warnings against prophets in Deuteronomy 13 and the injunctions against seditious talk in VTE

29. Wright, "Military Valor," 41–46, discusses the cases of Gideon and Jephthah and the early careers of David and Saul.

30. R. Frankena, "The Vassal-Treaties of Esarhaddon and the Dating of Deuteronomy," *OTS* 14 (1965): 122–54; Moshe Weinfeld, *Deuteronomy and the Deuteronomistic School* (Oxford: Oxford University Press, 1972; reprint, Winona Lake, IN: Eisenbrauns, 1992), 59–129, followed by a host of scholars. See the bibliography listed by C. L. Crouch, *The Making of Israel* (VTSup 162; Leiden: Brill, 2014), 106. Crouch is exceptional in regarding the relationship between VTE and Deuteronomy as "tenuous." See her *Israel and the Assyrians: Deuteronomy, the Succession Treaty of Esarhaddon, and the Nature of Subversion* (Atlanta: Society of Biblical Literature, 2014).

31. On the question whether it is a loyalty oath or a treaty, see Eckart Otto, *Das Deuteronomium: Politische Theologie und Rechtsreform in Juda und Assyrien* (BZAW 284; Berlin: de Gruyter, 1999), 15–32.

32. Translation from Simo Parpola and Kazuko Watanabe, *Neo-Assyrian Treaties and Loyalty Oaths* (SAAS 2; Helsinki: Helsinki University Press, 1988), 36.

33. W. L. Moran, "The Ancient Near Eastern Background of the Love of God in Deuteronomy," *CBQ* 25 (1963): 77–87.

108, and between the curses in Deuteronomy 28 and VTE 419–30.³⁴ Otto has argued that this adaptation of Assyrian propaganda served a subversive purpose. It accepted the concept of loyalty due to a sovereign, but applied it to Yhwh rather than to Assurbanipal. This subversion of the Assyrian claim to absolute loyalty is fundamental to Deuteronomy.

Was the subversion of the Assyrian claim to loyalty accompanied by a rejection of the Assyrian royal ideology, or of the Assyrian ideology of war? Two passages in Deuteronomy are directly relevant to this question. The first is the Law of the King, in Deut 17:14–20, and the second is the passage dealing with the laws of war in Deuteronomy 20.

The Law of the King

The ideal of the monarchy expressed in Deuteronomy 17 “differs enormously from that of the usual ancient Near Eastern concept of the king as the chief executive in all aspects of the nation’s life.”³⁵ It is also “a far cry from any historical institution in Judah.”³⁶ He must not acquire many horses, which is to say he must not equip an army, nor many wives, which is to say that he must not form alliances, nor gold and silver. Rather he must have a copy of the law written for him, and he must subordinate himself to it. He becomes, in effect, a constitutional monarch.³⁷

There is widespread debate as to whether King Josiah, or any actual king of Judah, would have authorized such a law. Philip Davies has argued that “there are no plausible explanations why a king should accept a reform that deprives him of the essential powers of monarchy, justice

34. H. U. Steymans, *Deuteronomium 28 und die adē zur Thronfolgeregelung Asarhaddons: Segen und Fluch im Alten Orient und in Israel* (OBO 145; Fribourg: Universitätsverlag/Göttingen: Vandenhoeck & Ruprecht, 1995). Otto’s suggestion that Deuteronomy 13* and 28* existed independently as a loyalty oath for Yhwh is unnecessary. See Thomas Römer, *The So-Called Deuteronomistic History: A Sociological, Historical and Literary Introduction* (London and New York: T & T Clark, 2007), 78; Reinhard G. Kratz, “‘The Peg in the Wall’: Cultic Centralization Revisited,” in *Law and Religion in the Eastern Mediterranean* (ed. Anselm C. Hagedorn and Reinhard G. Kratz; Oxford: Oxford University Press, 2013), 251–85 (254); Bernard M. Levinson and Jeffrey Stackert, “Between the Covenant Code and Esarhaddon’s Succession Treaty: Deuteronomy 13 and the Composition of Deuteronomy,” *JAJ* 3 (2012): 123–40.

35. J. Gordon McConville, “King and Messiah in Deuteronomy and the Deuteronomistic History,” in *King and Messiah in Israel and the Ancient Near East* (ed. John Day; Sheffield: Sheffield Academic Press, 1998), 271–95 (276); Gary N. Knoppers, “The Deuteronomist and the Deuteronomic Law of the King: A Reexamination of a Relationship,” *ZAW* 108 (1996): 329–46 (329).

36. Crouch, *The Making of Israel*, 177.

37. Bernard M. Levinson, “The Reconceptualization of Kingship in Deuteronomy and the Deuteronomistic History’s Reconceptualization of Torah,” *VT* 51 (2001): 511–34.

and warfare."³⁸ Against this, it is often pointed out that while Deuteronomy severely limits kingship, it does not eliminate it.³⁹ Rainer Albertz suggests that "the most probable period for dating the Deuteronomic law of the kings [is] the reigns of Jehoiakim and Zedekiah, when Shaphanide scribes, who are the best candidates for having written the Deuteronomic law, resisted the ruling kings."⁴⁰ In that case, we need not suppose that the king endorsed the law, or that it carried any authority. He further asks, "Why should such a far reaching constitutional reform be conceptualized at a time when the legal limitation of monarchic power was completely irrelevant for Judah?"⁴¹ But the formulation was not irrelevant to a utopian ideal, as can be seen from the accommodation of an emasculated monarchy in Ezekiel 40–48. It provided a way to reject abusive monarchic power without rejecting the promise to David.⁴² We need not assume that the authors hoped for a restoration of the monarchy, but neither did they reject the institution entirely.⁴³ A date either in the last years of the monarchy or after its demise is possible.

It seems clear enough that the passage entails a retrospective critique of the excesses of Israelite and Judahite monarchy. As Ernest Nicholson has observed, vv. 16–17 "are manifestly an encapsulation *ex eventu* of excesses, transgressions, and offences of the historical monarchy."⁴⁴ Whether it also entails a critical reaction to the Assyrian ideal of kingship is not so clear. Patricia Dutcher-Walls has argued that the ideology of kingship reflected in Deut 17:16–17 (the restrictions on horses, wives, and wealth) "appears to have adapted its own concept of kingship to the necessary requirements of survival for a monarch on the periphery of the major world empire of its time." The restrictions "support a strategy of acquiescence to the domination of Assyria and an ideology that strictly defines the external relationships of the kingdom."⁴⁵ This might still hold

38. Philip R. Davies, "Josiah and the Law Book," in *Good Kings and Bad Kings: The Kingdom of Judah in the Seventh Century B.C.E* (ed. Lester L. Grabbe; LHB/OTS 393; London: Clark, 2005), 65–77 (74).

39. For example, Crouch, *The Making of Israel*, 179.

40. Rainer Albertz, "Why a Reform like Josiah's Must Have Happened," in *Good Kings and Bad Kings*, 27–46 (35).

41. *Ibid.*

42. On the complex and ambivalent attitude toward kingship in the Deuteronomistic history, see Knoppers, "The Deuteronomist."

43. Contra Ernest Nicholson, "Traditum and traditio: The Case of Deuteronomy 17:14–20," in *Scriptural Exegesis: The Shapes of Culture and the Religious Imagination. Essays in Honour of Michael Fishbane* (ed. Deborah A. Green and Laura S. Lieber; Oxford and New York: Oxford University Press, 2009), 46–61 = Nicholson, *Deuteronomy and the Judean Diaspora* (Oxford: Oxford University Press, 2014), 101–16.

44. Nicholson, "Traditum and traditio," 49. Compare 1 Sam 8:11–18.

45. Patricia Dutcher-Walls, "The Circumscription of the King: Deuteronomy 17:16–17 in its Ancient Social Context," *JBL* 121 (2002): 601–16 (615).

true if the passage were composed under Babylonian or Persian rule. This interpretation runs counter to Otto's view of the subversive use of Assyrian ideology. For Carly Crouch, the law of the king is part of the Deuteronomic program of separating and distinguishing Israel from other nations.⁴⁶ The problem with kingship is that it is "like all the nations that are around me" (Deut 17:14). There is an implicit rejection of Assyrian and other foreign models of kingship, but the primary polemic is against the historical practice of kingship in Israel and Judah.

The critique of kingship practically eliminates the role of royal ideology in justifying warfare, and indeed we find no echoes of the combat myth in Deuteronomy. Nonetheless, the need for warfare is not eliminated. In Deuteronomy, however, war must be waged by citizens' militias rather than by a king with a standing army.⁴⁷

The Rules for War in Deuteronomy 20

The Deuteronomic rules for warfare in Deuteronomy 20 place some restraints on the conduct of war. Two of these will concern us here: first, the requirement to offer terms of peace before an attack on a town, and second, the prohibition of cutting down fruit trees. Already in 1886, August Dillmann wrote that these laws counter "the wild barbarism and brutality with which many ancient peoples, especially the Assyrians, fought wars," and affirm the "higher moral spirit of Yahwism, the basic principles of leniency and clemency."⁴⁸ More recently Eckart Otto has taken the passage as a protest against Assyrian warfare.⁴⁹

In the first of these cases, the apparent humaneness of the law is qualified in several respects. First, the terms are severe: "all the people in it shall serve you at forced labor" (Deut 20:11). If a town does not submit, all its

46. Crouch, *The Making of Israel*, 179.

47. The classic theory of Gerhard von Rad, *Holy War in Ancient Israel* (Grand Rapids, MI: Eerdmans, 1991, trans. of German 3rd ed., *Heilige Krieg im alten Israel* [Göttingen: Vandenhoeck & Ruprecht, 1958]) that holy war was an institution of a pre-monarchic amphictyony has long been discredited.

48. August Dillmann, *Numeri, Deuteronomium und Josua* (2nd ed.; EHA; Leipzig: Hirzel, 1886), 334–35, trans. Jacob L. Wright, "Warfare and Wanton Destruction: A Reexamination of Deuteronomy 20:19–20 in Relation to Ancient Siegecraft," *JBL* 127 (2008): 423–58 (426).

49. Eckart Otto, *Krieg und Frieden in der hebräischen Bibel und im Alten Orient* (Theologie und Frieden 18; Stuttgart: Kohlhammer, 1999), 100. Similarly Nili Wazana, "Are the Trees of the Field Human? A Biblical War Law (Deut. 20:19–20) and Neo-Assyrian Propaganda," in *Treasures on Camels' Humps: Historical and Literary Studies from the Ancient Near East Presented to Israel Eph'al* (ed. Mordechai Cogan and Dan'el Kahn; Jerusalem: Magnes Press, 2008), 275–95 (295).

males must be put to the sword, while the women, children, and livestock may be taken as booty. Second, the requirement is limited in Deut 20:15 to "towns that are very far from you." Many scholars see the restriction as a revision. As Alexander Rofé has commented, "until we arrive at vs. 15 it is not at all clear that it is precisely distant cities that are intended."⁵⁰ Rofé distinguishes two strata in the text, an inherited layer that is *relatively* lenient, and a second, more severe layer that supplies the rationale of the danger of corruption by foreign ways.

To offer terms to a city under attack was the rule rather than the exception in ancient warfare.⁵¹ Even the Assyrians, in 2 Kings 18 (Isaiah 36) sent the Rab-Shakeh to reason with the people of Jerusalem.⁵² Sieges were expensive and inconvenient, and the attempt to induce a city to surrender made good tactical sense. Even the "relatively humane" stratum, then, was not necessarily motivated by a higher moral spirit.

But it is the second stratum, which demands complete destruction of nearby cities, that expresses the distinctive attitude of the redactors of Deuteronomy. Crouch is right that

the motivation of this revision is precisely the same as that which underlies numerous other laws in the deuteronomistic material, namely protecting Israel from the threat to the distinctiveness of Israelite identity posed by proximity to and interaction with non-Israelites . . . the concern is with non-Israelites who are present in the land and which, by virtue of their presence, present a potential locus for the dissolution of Israelite identity. Again, those closest to the community pose the greatest threat to its preservation.⁵³

The passage that follows in Deuteronomy 20 calls for restraint in one specific detail: people besieging a town must not cut down fruit-bearing trees. Here again there may well be a revision of an older law. Deuteronomy 20:19 seems to refer to all trees; the restriction to fruit trees only appears in 20:20.⁵⁴ This prohibition is often viewed as a reaction to Assyrian practice. There is plenty of textual and iconographic evidence for destruction of trees by Assyrian armies, but it seems to have been a punitive measure after a city had capitulated rather than a tactic to induce

50. Alexander Rofé, "The Laws of Warfare in Deuteronomy: Their Origins, Intent and Positivity," *JSOT* 32 (1985): 23–44 (29).

51. Wright, "Warfare," 431–32.

52. Otto, *Krieg und Frieden*, 101–3 argues that the Assyrians usually began their assault before attempting to negotiate, but in 2 Kings 18 the Rabshakeh is sent from Lachish. Even in Deuteronomy, the negotiations are conducted with a threat of imminent assault.

53. Crouch, *The Making of Israel*, 185–86.

54. Rofé, "The Laws of Warfare," 30.

surrender.⁵⁵ The tactical destruction of fruit trees is well attested in other historical settings.⁵⁶ Such destruction was not peculiar to the Assyrians. Accordingly, Wright questions whether anti-Assyrian polemic can be detected in this law.⁵⁷

Whether or not the law has an anti-Assyrian *Tendenz*, it is certainly contrary to the spirit of Assyrian (and other) laws that took a more ruthless approach to warfare. Von Clausewitz argued that “to introduce into the philosophy of war itself a principle of moderation would be an absurdity.”⁵⁸ The Assyrians would surely have agreed. The law on the preservation of trees is in accordance with what is often called the “humane” side of Deuteronomy. A comparable command, not to take a mother bird with its fledglings, is found in Deut 22:6.⁵⁹ These and other laws in Deuteronomy bespeak, in the words of Rofé:

a humanitarian idealism that sought to hold in check military abandon, bestiality, destructiveness and cruelty; in addition they do not emphasize the distinctive peoplehood of the Israelites.⁶⁰

Rofé argues that “such indicators suggest wisdom circles as the laws’ point of origin.”⁶¹ Wright adds some specificity to this suggestion by pointing to sayings in both Hebrew and Akkadian wisdom texts that bear on military tactics.⁶² Nonetheless, the social location of “wisdom circles” is less than clear. The scribes who compiled Deuteronomy were undoubtedly familiar with proverbial material, which may itself have originated as folk wisdom. “Wisdom circles” are also often credited with the criticism of

55. Steven W. Cole, “The Destruction of Orchards in Assyrian Warfare,” in *Assyria 1995: Proceedings of the 10th Anniversary Symposium of the Neo-Assyrian Text Corpus Project, Helsinki, September 7–11, 1995* (ed. Simo Parpola and Robert M. Whiting; Helsinki: Helsinki University Press, 1997), 29–40; Michael G. Hasel, “Assyrian Military Practices and Deuteronomy’s Laws of Warfare,” in Kelle and Ames, *Writing and Reading War*, 67–81; Wright, “Warfare,” 438–45. See also Michael G. Hasel, *Military Practice and Polemic: Israel’s Laws of Warfare in Near Eastern Perspective* (Berrien Springs, MI: Andrews University Press, 2005), 125–28. Hasel argues for an Egyptian background in the second millennium BCE.

56. Wright, “Warfare,” 434–37.

57. *Ibid.*, 455.

58. Von Clausewitz, *On War*, 102.

59. Calum M. Carmichael, *The Laws of Deuteronomy* (Ithaca, NY: Cornell University Press, 1974), 151–56; J. Gordon McConville, *Law and Theology in Deuteronomy* (JSOTSup 33; Sheffield: JSOT Press, 1984), 17–18.

60. Rofé, “The Laws of Warfare,” 37.

61. *Ibid.*

62. Wright, “Warfare,” 455 n. 126. He cites, for example, an Akkadian proverb: “You went and plundered enemy territory. The enemy came and plundered your territory” (W. G. Lambert, *Babylonian Wisdom Literature* [Oxford: Clarendon, 1967], 239–50, lines 14–17).

brutality in warfare in Amos 1–2.⁶³ In that case, we should probably think of folk wisdom rather than courtly scribal circles.

The humane spirit of wisdom, however, is not maintained consistently in Deuteronomy. In Deuteronomy 20, if a city does not submit, its men are to be put to the sword and its women and children are part of the booty. Cities in the promised land have a more severe fate:

You must not let anything that breathes remain alive. You shall annihilate them—the Hittites and the Amorites, the Canaanites and the Perizzites, the Hivites and the Jebusites—just as the Lord your God has commanded, so that they may not teach you to do all the abhorrent things that they do for their gods, and you thus sin against the Lord your God. (Deut 20:16–18)

This command repeats the programmatic injunction given in Deut 7:1–6, and is clearly part of the editorial perspective that shapes the book (rather than inherited tradition). It gives vivid expression to an ideology of separation from outsiders, including ethnic Israelites who did not share the Deuteronomistic perspective.

This kind of total slaughter (the ban, or חרם) is associated primarily with the conquest, in the books of Deuteronomy and Joshua. (There is one notable later case in the destruction of Amalek in 1 Samuel 15). It is not a reflection of historical practice, either in the time of the conquest or the time of Josiah. Since the specific peoples mentioned (Amorites, Jebusites, etc.) no longer existed when Deuteronomy was written, it is sometimes argued that these commands were meant to render ideology of total slaughter irrelevant.⁶⁴ But as Crouch has observed, the laws of warfare in Deuteronomy 20 are radicalized by the insertion of the command of total slaughter, not modified.⁶⁵ The ideal of חרם is not rendered irrelevant by being cast as a divine command. The clear implication is that there are no limits on the violence that may be used to remove those who pose a threat to Israelite identity. The “Canaanite” other is excluded from the world of moral concern.⁶⁶ This attitude is not unknown in the modern world.

The rationale for “ethnic cleansing” in Deuteronomy is the danger that the Israelites will be led into idolatry. Niditch classifies this rationale

63. Crouch, *War and Ethics*, 114.

64. So Philip D. Stern, *The Biblical herem: A Window on Israel's Religious Experience* (BJS 211; Atlanta: Scholars Press, 1991), 217. Moshe Greenberg, “On the Political Use of the Bible in Modern Israel: An Engaged Critique,” in *Pomegranates and Golden Bells: Studies in Biblical, Jewish, and Near Eastern Ritual, Law and Literature in Honor of Jacob Milgrom* (ed. D. P. Wright et al.; Winona Lake, IN: Eisenbrauns, 1995), 461–71, uses the specificity of the peoples mentioned to argue against an analogical use in modern Israel.

65. Crouch, *War and Ethics*, 187.

66. Cf. Michael Waltzer, *Exodus and Revolution* (New York: Basic, 1985), 141–43.

as “the ban as God’s justice” (in contrast to “the ban as God’s portion,” or sacrifice). She rightly criticizes this justification for slaughter as “a controversial and dangerous ideology, clothed in the respectable concept of covenant.”⁶⁷ The Assyrians, too, found moral justification for their slaughter in defense of the Assyrian world order.

The Assyrians did not have a special word for “ban,” or total destruction. The closest parallel to the custom remains the Moabite Stone, erected by the Moabite king Mesha.⁶⁸ The resort to חרם in Deuteronomy can hardly be attributed to Assyrian influence, at least directly. Crouch notes that the Assyrians usually specified leaders for execution, but we must allow the purely theoretical nature of the biblical commandments.⁶⁹ But it is remarkable that a text that displays moderation with respect to fruit trees aspires to outdo the Assyrians in the destruction of human populations. If there is any relation to Assyrian practice here, it may perhaps be attributed to *mimicry*, in postcolonial terms.⁷⁰ The Deuteronomic writers did not so much reject Assyrian ideology as adapt it for their own ends. The ethics of slaughter depended on the identity of the god in whose name it was carried out.

The God of Deuteronomy

The God of Deuteronomy is the God of the exodus, “who brought you out of the land of Egypt” (Deut 6:12).⁷¹ Already in the book of Exodus, that God was identified as a warrior, in the Song of the Sea. In the exodus story, Yhwh fights for Israel without significant human aid. Deuteronomy and the Deuteronomistic history appreciate the need for human Israelites to “come to the aid of the Lord” (Judg 5:23). Nonetheless, Deuteronomy is based on the belief that Israel’s hope is in the power of the Lord. That is why they need not fear superior armies: “for the Lord your God is with you, who brought you up out of the land of Egypt” (Deut 20:1).

The idea that gods were warriors who fought for their peoples was common in the ancient world.⁷² For many people in the modern world,

67. Niditch, *War in the Hebrew Bible*, 68.

68. ANET 320–21. See J. Andrew Dearman, ed., *Studies in the Mesha Inscription and Moab* (Atlanta: Scholars Press, 1989); Stern, *Biblical Jerusalem*, 19–87.

69. Crouch, *War and Ethics*, 185.

70. Bill Ashcroft, Gareth Griffiths, and Helen Tiffin, *Post-Colonial Studies: The Key Concepts* (London and New York: Routledge, 1998), 139–42.

71. On the importance of the Exodus tradition for Deuteronomy see Siegfried Kreuzer, “Die Exodustradition im Deuteronomium,” in *Das Deuteronomium und seine Querbeziehungen* (ed. Timo Veijola; Göttingen: Vandenhoeck & Ruprecht, 1996), 81–106; Irene Schulmeister, *Israels Befreiung aus Ägypten: Eine Formeluntersuchung zur Theologie des Deuteronomiums* (Frankfurt: Lang, 2010); Crouch, *The Making of Israel*, 138–40.

72. Manfred Weippert, “‘Heiliger Krieg’ in Israel und Assyrien: Kritische Anmerkun-

the idea of a divine warrior is more acceptable morally when he is not leading an Assyrian-style army. Jerome Creach argues that “the image of the Divine Warrior is sorely needed,” and that to discard it “would deny God’s crucial role as the one who has the desire and power to deal with violence.” Specifically, he argues, “God as warrior is meant to comfort those oppressed by the evil forces of the world. Therefore, many objections to God as warrior are bourgeois.” Further,

To confess “the Lord is a warrior” is to recognize the reality of evil and to claim that God is in conflict with evil in the world. . . . Brueggemann is surely right when he declares that this battle is too great for us as human beings and that claiming god is a warrior is to claim that “God is for us.”⁷³

The problem, of course, is that all sides in wartime claim that “God is for us.” Belief in divine support encourages intransigence. On occasion, as we see in Deuteronomy, it justifies slaughter on a scale that cannot be justified on pragmatic grounds.

Perhaps the most striking lesson to be learned from the adaptation of warfare ideology in Deuteronomy is the near ubiquity of what we may call the agonistic imagination in the ancient world. (Whether it is any less ubiquitous in the modern world is a topic for another occasion.) That imagination found expression in the great cosmogonic combat myths of the ancient Near East and underwrote the royal ideologies of the various kingdoms, including Israel and Judah. But even the rare society that questioned or repudiated those ideologies, and the institution of kingship, still imagined life as an arena of conflict. Postexilic Judah, which could only fantasize about warfare, still fantasized about a divine warrior. These fantasies become ever more vivid in the apocalyptic literature of the Hellenistic and Roman periods, including the New Testament book of Revelation.⁷⁴ They did indeed give hope to the powerless, and continue to do so, but they do so at a price. Wars do not end wars, even when conducted by divine warriors. They only beget more wars or fantasies of war.

gen zu Gerhard von Rads Konzept des ‘Heiligen Krieges im alten Israel,’” *ZAW* 84 (1972): 460–93; Sa-Moon Kang, *Divine War in the Old Testament and in the Ancient Near East* (BZAW 177; Berlin: de Gruyter, 1989).

73. Jerome F. D. Creach, *Violence in Scripture* (Louisville, KY: Westminster John Knox, 2013), 70–71, citing Walter Brueggemann, “The Book of Exodus,” *NIB* 1: 675–981 (here 803).

74. See my essay “Radical Religion and the Ethical Dilemmas of Apocalyptic Millenarianism,” in *Radical Christian Voices and Practice: Essays in Honour of Christopher Rowland* (ed. Zoe Bennett and David B. Gowler; Oxford: Oxford University Press, 2012), 87–102.

Rahab's Valor and the Gibeonites' Cowardice

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In the redacted form of her story, Rahab likely represents a generic outsider who secures her belonging in Israel by contributing to the nation's war effort. It is improbable that this Canaanite prostitute stands for a specific clan (the "Rahabites"). Instead, the authors of Joshua appear to have been addressing issues posed by contested population groups, and desired their readers to view these issues in relation to her story. One such group would have been the Gibeonites, whose disputed status is reflected in the book of Joshua and a number of other biblical passages. The commonalities between the Rahab story and the account of the Gibeonites serve to highlight the gulf between the two. Both manage to secure a place "in the midst of Israel." But whereas Rahab does so by courageously risking her life to contribute to Israel's war effort, the Gibeonites secure their protected place through an act of pusillanimous duplicity.

But why do the biblical authors cast aspersions on the Gibeonites by depicting them in this way? My answer to this question adopts a new approach to the formation of biblical literature that compares the growth and evolution of biblical texts to the ways political communities negotiate belonging and identity via war commemoration. In developing this comparative approach, and in conducting research on warfare over the past ten years, I have learned much from the interdisciplinary work of Susan Niditch. Through both her writings and our conversations, Susan has been a source of inspiration and wisdom.

The Cultic Role of the Gibeonites

The Gibeonites are well attested in the archeological record. From the site of Gibeon (al-Jib), we have more than ninety-two *LMLK* ("for the king") jar

handles dating to the late eighth to the mid-seventh centuries BCE; most are identified as “late types.” Another twenty-four were found at Beeroth (Khirbet el-Burj). In 2011, a tax bulla, dating perhaps to the reign of Manasseh, was uncovered in the Jerusalem Temple Mount Sifting Project; it reads: “For the king, from Gibeon.” In addition to these finds, forty-one jar handles with concentric stamps (mid-seventh century BCE; 14.5 percent of all those excavated) were found at Gibeon, with fifty-six jar handles bearing the name “Gibeon.”¹ The name also appears in Sheshonq’s inscription (926/925 BCE), listing a number of cities that he encountered during his campaign in the southern Levant. The site was occupied since the Early Bronze Age, but attained unprecedented levels of prosperity during Iron Age (IIB-C). A thick wall enclosed the crest of the High Place and a large pool with water conduits bear witness to impressive architectural expertise. In addition, the city boasted a thriving wine industry during the eighth and seventh centuries BCE, with cellars that could house 95,000 liters of wine.²

On the biblical landscape, the Gibeonites inhabit a tetrapolis consisting of the towns of Gibeon, Chephirah, Beeroth, and Kiriath-Jearim (see Josh 9:17). The towns of Chephirah and Beeroth are mentioned rarely in biblical literature. A list from the Persian-Hellenistic period mentions them together with Kiriath-Jearim as several of the places to which Judahite exiles returned (Ezra 2:25; Neh 7:29).

Beeroth gets bad press in a passage from the book of Samuel, which describes how two men from this town entered the house of Saul’s son, Ish-bosheth, and brutally murdered him in the night (2 Samuel 4). When David hears about it, he condemns their deed and commands his servants to execute them.³

1. All translations from the Hebrew are my own. For an overview of these finds, see Oded Lipschits, Omer Sergei, and Ido Koch, “Judahite Stamped and Incised Jar Handles: A Tool for Studying the History of Late Monarchic Judah,” *Tel Aviv* 38 (2011): 5–41.

2. On the archaeology of the site, see James B. Pritchard, “Gibeon,” in *The New Encyclopedia of Archaeological Excavations in the Holy Land* (ed. Ephraim Stern; 4 vols.; Jerusalem: Israel Exploration Society & Carta, 1993), 2:511–14; and Hanan Eshel, “The Late Iron Age Cemetery of Gibeon,” *IEJ* 37 (1987): 1–17. For a discussion of the role played by the Gibeonite region in Israel’s earlier history, see Israel Finkelstein, *The Forgotten Kingdom: The Archaeology and History of Northern Israel* (Atlanta: Society of Biblical Literature, 2013). For the historical importance of Gibeon in the late monarchic period and thereafter, see Frédéric Gangloff, “La zone rurale centrale de Benjamin après l’invasion babylonienne de 587 av. J.-C. Un marché régional et international prospère en plein effondrement de Juda,” *Res antiquae* 10 (2013): 257–72; Oded Lipschits, *The Fall and Rise of Jerusalem* (Winona Lake, IN: Eisenbrauns, 2005); Diana Edelman, “Gibeon and the Gibeonites Revisited,” in *Judah and the Judeans Revisited* (ed. Oded Lipschits and Joseph Blenkinsopp; Winona Lake, IN: Eisenbrauns, 2003), 153–68; and John Day, “Gibeon and the Gibeonites in the Old Testament,” in *Reflection and Refraction: Studies in Biblical Historiography in Honour of A. Graeme Auld* (ed. Robert Rezetko, Timothy Henry Lim, and W. Brian Aucker; VTSup 113; Leiden: Brill, 2007), 113–37.

3. The passage may have originally consisted of only vv. 5–12; see discussion in Jacob L.

Kiriath-Jearim is remembered much more favorably. It is the place where the Ark of Yhwh was domiciled for some twenty years. As part of his efforts to centralize his kingdom, David transfers the palladium to Jerusalem from "the house of Abinadab on the hill" (2 Sam 6:1–5, 14–15, 16–19). Whereas the text locates this hill in a town called Baale-Judah, another account (1 Samuel 4–7) goes to great lengths to identify Abinadab's house in Kiriath-Jearim and to explain how the Ark ended up there: After the Philistines capture it in battle, this sacred object wreaks havoc among them. So they send it back to Beth-Shemesh in Judah. But there it again inflicts many deaths. Wondering who could "stand/serve before Yhwh, this holy God," the people of Beth-Shemesh petition the inhabitants of Kiriath-Jearim to take the Ark off their hands. When the citizens of Kiriath-Jearim do so, they station it in "the house of Abinadab on the hill" and consecrate his son to guard it.⁴ It remains in the town happily for twenty years (1 Sam 7:1–2).⁵

With respect to Gibeon, "a large city, like a city of the kingdom" (Josh 10:2), biblical texts reflect a range of attitudes to its inhabitants. A document in the Nehemiah Memoir commemorates the Gibeonites' contribution to the construction of Jerusalem's wall (Neh 3:7). The book of Chronicles identifies Gibeon as the place where the Tabernacle had been erected (see discussion below). It also reports that a warrior from Gibeon left Saul and became one of David's great warriors (1 Chr 12:4). On the other side of the spectrum, two passages from this same book link "the father/founder of Gibeon" to the line of Saul (1 Chr 8:29–40; 9:35–44). The Gibeonites accordingly belong to Saul's extended clan. Yet this is not a good thing: In Chronicles, Saul is nothing but a contemptible foil to the heroic David.

Older texts present a similarly ambivalent image of Gibeon. A chapter from the book of Samuel depicts a bloody battle fought "at the pool of Gibeon" between the warriors of David and Saul after the death of the latter (2 Samuel 2). The book of Jeremiah alludes to this battle by locating another deplorable instance of internecine conflict "at the waters of Gibeon" (Jer 41:12; cf. v. 9). The same book identifies the prophet Hananiah as a Gibeonite (Jer 28:1). As a prominent figure, he enjoys the respect of elite (priestly) circles in Jerusalem yet denies the veracity of Jeremiah's message and consequently meets a tragic end (28:16–17). The rabbis interpreted Hananiah's Gibeonite origins in line with Joshua's curse (see treatment below).

Wright, *David, King of Israel, and Caleb in Biblical Memory* (New York: Cambridge University Press, 2014), 130–31.

4. Cf. "hill of Kiriath[-jearim]" in Josh 18:28.

5. Chronicles harmonizes the two texts in Samuel. See 1 Chr 13:5 as well as Josh 18:28. The difference of opinion as to whether Kiriath-Jearim is located in Benjamin or Judah may be related to this account of the Ark residing there.

Gibeon was an important cultic place. The story of King Solomon petitioning Yhwh for the gift of wisdom begins by declaring that the king went to this town to sacrifice: "For that was the principal shrine; Solomon had offered a thousand burnt offerings on that altar" (1 Kgs 3:4). The account vexed later readers who expected Solomon to have worshiped solely in Jerusalem: "He loved Yhwh and followed the practices of his father David, yet he sacrificed and offered at the various shrines [on the high places]" (v. 3). The authors of Chronicles corrected this censure. In their account, Solomon visits the shrine in Gibeon because the Tabernacle stands there (1 Chr 16:39–43; 21:29; 2 Chr 1:3, 13) before Jerusalem becomes the final and sole place of sacrifice.

A second text reflects the cultic importance of Gibeon (2 Sam 21:1–14). After a famine had not relented for three years, King David learns, in an oracle from Yhwh, that the cause of a famine was "Saul and his house, because he had incurred bloodguilt by killing Gibeonites." We are not told when Saul committed the atrocities, but one is reminded of the time he slaughters the priests at Nob (1 Samuel 21–22). Alluding perhaps to a priestly function, David asks the Gibeonites what he could do for them so that they would "bless the possession of Yhwh." Although this expression may be just a way of describing reconciliation between the Gibeonites and (the rest of) Israel, it may refer to a special priestly prerogative to pronounce a benediction on the people. (The collective blessing of Israel is to be pronounced by the sons of Aaron, according to Num 6:23–27.) In response to David's inquiry, the Gibeonites ask that they be given seven of Saul's descendants whom they wished to impale "on the mountain before Yhwh." Such is exactly what they do with David's assistance. The cultic character of this ritual is underscored by the fact that it occurs at harvest time.⁶

In addition to these texts, the book of Isaiah (28:21) compares the might of Yhwh to the hill of Perazim (see 2 Sam 6:8) and to the valley of Gibeon. The texts in Joshua also present Yhwh engaging directly in the battle at Gibeon by hurling stones from heaven and stopping the sun in the sky. The latter aspect perhaps reflects a solar image of Yhwh deriving from the "Book of Jashar" (Josh 10:11–14).

Likewise, the material from Joshua, treated below, assigns to the Gibeonites cultic tasks in the temple. While menial, the responsibility is nevertheless cultic. As we shall see, there is a very good reason why the authors would have wanted to diminish the nature of their priestly roles.

All the accounts just surveyed assert a special relationship between Yhwh and the Gibeonites. They claim that the Ark of Yhwh resided in Kiriath-Jearim for many years, that Solomon sacrificed frequently to Yhwh at Gibeon, that he had one of his most important divine encounters there,

6. Without 2 Sam 21:2b, 7, 10–14a.

that the inhabitants of Gibeon appeased the divine wrath at harvest time by slaughtering Saul's son on the "mountain of Yhwh," that Yhwh manifested his power at Gibeon in special ways, and finally, that the Gibeonites owe their cultic role at the temple to a decree issued by Joshua.

The Gibeonites as Members of Israel

On the basis of the material just discussed, one would assume that the Gibeonites were members of Israel. But two texts emphatically deny that such is the case. The first text, 2 Sam 21:2b, appears in the account of David's and Saul's descendants treated above. The second is much lengthier, encompassing two chapters from the book of Joshua.

As most scholars agree, 2 Sam 21:2b must have originated as a marginal gloss before being incorporated into the body of the text. Notice how it is interjected into the narrative:

21:2 So the king [David] called the Gibeonites and spoke to them.

(Now the Gibeonites did not belong to the Israelites, but were a remnant of the Amorites. Although the Israelites had sworn to them, Saul had sought to strike out against them in his zeal for the people of Israel and Judah.)

3 *David said to the Gibeonites, "What shall I do for you. . . ."*

According to the supplement, an intolerant zealotry on the behalf of Judah and Israel motivated Saul's program of annihilating the Gibeonites. But without this supplement, the reason for his actions (referred to in vv. 1 and 5) is not clear. Even if the Gibeonites are to be distinguished from the priests of Nob (1 Samuel 22), one naturally thinks of the kind of revenge Saul perpetrates against Nob (see the rationale for this connection provided by the rabbinic sages in *b. Yebam.* 78b).

The insertion of the supplement reinterprets the nature of Saul's crime: It is no longer the persecution of the Gibeonites but rather the violation of a pact that accorded them protection ("the Israelites had sworn to them . . ."). The book of Joshua tells how Israel ratified a pact with the Gibeonites permitting them to live in their midst (Joshua 9).

The supplement in 2 Sam 21:2 most likely has this account in view. It is certainly possible that the account in Joshua was composed to tell the prehistory of the pact mentioned in 2 Sam 21:2. The problem with this scenario is that the concise formulation leaves the reader wondering what exactly "the Israelites had sworn to them." (Modern translations resolve this discrepancy by adding "to spare them.") It is also improbable that an author would have made such a bold assertion—implying that non-Israelites served as priests in Solomon's primary shrine in Gibeon (1 Kgs 3:4)—

with a brief gloss. It is more reasonable to assume that the gloss instead has the Joshua account in view.⁷

Joshua the Cisjordanian Conqueror

With respect to the material about the Gibeonites in the book of Joshua, it seems quite probable that the battle story (ch. 10) antedates the account of the treaty (ch. 9).⁸ In fact, the battle story may be one of the oldest texts in the book of Joshua. I suggest that this story, when isolated and read independently from the later tradition, presents Joshua neither as Moses's successor nor as the commanding officer who leads Israel across the Jordan but rather as a member of the land's indigenous population. He is, similar to the figures of Gideon, Jephthah, and David, a warlord who commands his own private army. Since he is known for heroism, the Gibeonites can call on him for help when their town is beleaguered.

The early forms of ch. 10—the core is, I suggest, to be found in 10:5–15*—depict a very similar scenario to Saul's rescue of Jabesh-Gilead (1 Samuel 11). In both cases, an enemy besieges a town, its residents send for help, and the hero marches up quickly with an army to "save" (*yš'*) the population. The difference is that Saul musters a militia force from Israel's farmers, while Joshua fights with what seems to be his private army of professional warriors (Josh 10:7). If I am right to postulate this older narrative, it would have suggested that Joshua, by lending a hand to those in dire straits, had just happened to conquer this region and extend his territorial claims from the central hill country down into the Shephelah—as far as Azekah, Makkedah, and the Valley of Ajalon.

When read independently of preceding biblical narratives, the account of Saul's feat in 1 Samuel 11 does not presuppose that Jabesh-Gilead belongs to Israel.⁹ Similarly, an early form of Joshua 10 may have

7. The fact that 2 Sam 21:2 identifies the Gibeonites as Amorites, while Joshua 9 refers to them (once, and in passing) as Hivites (see also Josh 11:19), has little bearing on this problem. If Joshua 9 was written with 2 Sam 21:2 in view, one must ask why the author didn't designate the Gibeonites as Amorites. Moreover, the reference to Hivites in Joshua 9 appears in what is likely a secondary layer, while Amorites is the more general term for the land's native inhabitants and thus serves the purpose of the supplement well. The formulation "the Israelites had sworn to them" reflects compositional influence from Joshua 9 (see, e.g., 9:15b). Yet in the end my suggestions in what follows still stand if 2 Sam 21:2 is deemed to be earlier than Joshua 9.

8. In ch. 9, Joshua and the Israelites consider wiping them out but cannot do so because of their pact. In ch. 10, they come to their aid against a coalition of enemy forces. Not only is the transition unusually abrupt; Israel could have circumvented their pact and still fulfilled the command to destroy the inhabitants of the land by allowing others to do it for them by simply not coming to their rescue.

9. See discussion in Wright, *David, King of Israel*, 67–70.

presented the town of Gibeon as non-Israelite. But such a distinction seems foreign to Joshua 10—or at least anachronistic. The account tells of the formation of a territorial polity called Israel that extended its sphere of influence throughout the central hill country. In this tale, the Gibeonites are just as Israelite as the inhabitants of other Benjaminite towns.

The Pact in Joshua 9

Coming now to the pact with the Gibeonites in Joshua 9, this account, in contrast to most other passages that we've examined, portrays the Gibeonites as non-Israelites.¹⁰ By calling them "Hivites," the authors identify them as one of the seven nations (see Deut 7:1; 20:15–18), thereby bringing to the fore the legal issue that is at the heart of this text.¹¹ Whereas the older battle story presents the Gibeonites in a positive (or at least neutral) light, this account depicts them as deceitful and timorous. When they hear what Joshua had done to Jericho and Ai, they devise a scheme to save their skins: Disguised as travelers from a distant country, they send delegates to Joshua in order to petition him to make a treaty with them. We are told that they brought provisions with them for Israel. Such acts of supplying succor to an army are depicted in many battle accounts and constitute one of the most basic forms of wartime contribution aside from actual participation in battle.¹²

After Joshua agrees to their offer, their true identity surfaces. Instead of coming from afar, they turn out to be "their neighbors and reside in their midst." Deuteronomy commands Israel to wipe out completely all the inhabitants of the land, while permitting peace treaties with those who reside afar off (Deut 20:10–18). In keeping with his image as a Torah-observant leader, Joshua summons the Gibeonites to account for their actions. But instead of breaching the treaty and wiping out this population, he pronounces a curse on them: "Some of you shall always be slaves, hewers of wood and drawers of water for the House of my God,"

10. See Joseph Blenkinsopp, *Gibeon and Israel: The Role of Gibeon and the Gibeonites in the Political and Religious History of Early Israel* (Cambridge: Cambridge University Press, 1972), and Nadav Na'aman, "The Sanctuary of the Gibeonites Revisited," *JANER* 9 (2009): 101–24. I differ with Na'aman on a number of points, most importantly that this text originated in the direct wake of Josiah's reforms. The text likely originated at a later point, and the polemics against the Gibeonites are only indirectly related to Josiah, if at all.

11. See also 11:19. Note, however, the contradiction to 9:1 (the Hivites attack the Hivites!). The identification of the Gibeonites is likely secondary, for the purpose of identifying them as an accused nation. Na'aman's attempts to explain how the Gibeonites were actually Hivites ("Sanctuary of the Gibeonites," 115) miss the polemical purpose of the identification.

12. A later layer of the account transforms these provisions into stale bread, which causes a problem with the statement that the leaders consumed the bread (9:14).

Reconstruction of Joshua 9¹³

1 Now when all the kings who were beyond the Jordan in the hill country and in the lowland all along the coast of the Great Sea toward Lebanon—the Hittites, the Amorites, the Canaanites, the Perizzites, the Hivites, and the Jebusites—heard of this, 2 they gathered together with one accord to fight Joshua and Israel.

3 When the inhabitants of Gibeon heard what Joshua had done to Jericho and to Ai,

4 they on their part acted with cunning:

they went and prepared provisions,

and took worn-out sacks for their donkeys, and wineskins, worn-out and torn and mended, 5 with worn-out, patched sandals on their feet, and worn-out clothes; and all their provisions were dry and moldy.

6 and went to Joshua in the camp at Gilgal,

and said to him and to the Israelites, “We have come from a far country; so now make a treaty with us.” 7 But the Israelites said to the Hivites, “Perhaps you live among us; then how can we make a treaty with you?” 8 They said to Joshua, **“We are your servants.”**

And Joshua said to them, “Who are you? And where do you come from?”

9 They said to him, “Your servants have come from a very far country, because of the name of Yhwh your God; for we have heard a report of him, of all that he did in Egypt, 10 and of all that he did to the two kings of the Amorites who were beyond the Jordan, King Sihon of Heshbon, and King Og of Bashan, who lived in Ashtaroth. 11 So our elders and all the inhabitants of our country said to us, ‘Take provisions in your hand for the journey; go to meet them, and say to them, “We are your servants; come now, make a treaty with us.”’

12 Here is our bread; it was still warm when we took it from our houses as our food for the journey, on the day we set out to come to you, but now, see, it is dry and moldy; 13 these wineskins were new when we filled them, and see, they are burst; and these garments and sandals of ours are worn out from the very long journey.”

14 So the leaders partook of their provisions, and did not ask direction from Yhwh.

13. For the sake of presentation, I have distinguished solely two layers here. Yet given the number of duplications, it is possible that, in addition to many supplements, we have two independent recensions that have been spliced together. Notice the way that much of the secondary portion of the text deflects attention away from Joshua and is more priestly in orientation. The problem with this solution is that some things are repeated more than twice. For redaction-critical analyses of the chapter, see Volkmar Fritz, *Das Buch Josua* (HAT 1.7; Tübingen: Mohr Siebeck, 1994), 99–106. For a discussion of earlier reconstructions, see J. Alberto Soggin, *Joshua: A Commentary* (trans. R. A. Wilson; OTL; Philadelphia: Westminster, 1972), 110–15.

15 And Joshua made peace with them, guaranteeing their lives by a treaty.

And the leaders of the congregation swore an oath to them.

16 But when three days had passed after they had made a treaty with them, they heard that they were their neighbors and were living among them.

17 So the Israelites set out and reached their cities on the third day. Now their cities were Gibeon, Chephirah, Beeroth, and Kiriath-Jearim.

18 But the Israelites did not attack them, because the leaders of the congregation had sworn to them by Yhwh, the God of Israel. Then all the congregation murmured against the leaders. 19 But all the leaders said to all the congregation, "We have sworn to them by Yhwh, the God of Israel, and now we must not touch them. 20 This is what we will do to them: We will let them live, so that wrath may not come upon us, because of the oath that we swore to them." 21 The leaders said to them, "Let them live." So they became hewers of wood and drawers of water for all the congregation, as the leaders had decided concerning them.

22 Joshua summoned them, and said to them, "Why did you deceive us, saying, 'We are very far from you,' while in fact you are living among us?"

23 Now therefore you are cursed, and some of you shall always be slaves, hewers of wood and drawers of water for the House of my God."

24 They answered Joshua, "Because it was told to your servants for a certainty that Yhwh your God had commanded his servant Moses to give you all the land, and to destroy all the inhabitants of the land before you, we were in great fear for our lives because of you, and did this thing. 25 And now we are in your hand: do as it seems good and right in your sight to do to us."

26 This is what he did for them: he saved them from the Israelites; and they did not kill them.

27 On that day Joshua made them hewers of wood and drawers of water for the congregation and for the altar of Yhwh, to continue to this day, in the place that he should choose.

This tale would have been composed as a preface to the following chapter, which depicts Joshua rescuing the Gibeonites. It appears to have been written in response to two problems: The first is the general competition with (priestly) circles in Jerusalem, which produced a range of polemics against the Gibeonites reflected in the texts surveyed above. The second is the contradiction between the old indigenous Joshua tradition, on the one side (see the discussion in the preceding section), and a lengthy narrative that presupposes Israel's recent arrival from outside the land, on the other. If the Gibeonites, in this older tale, are attacked by Canaanites

and call on Joshua for help, then they cannot belong to the people of Israel who had just entered Canaan. There was no way for the redactor to incorporate the account while simultaneously transforming the Gibeonites into members of Israel.

Many would have welcomed this account as an additional reason for maligning the memory of the Gibeonites. In keeping with the etiological function of many texts in the book, Joshua's sentence explains how the Gibeonites came to serve in their honored cultic capacity (cf. 6:26). But instead of assigning them to an illustrious position at one of the largest shrines in the region (1 Kgs 3:4) or to a special role as guardians of the Ark of Yhwh (1 Samuel 7 and 2 Samuel 6), this successor to Moses consigns them to the most menial of tasks (see Deut 29:10) at the temple: "... hewers of wood and drawers of water for the congregation and for the altar of Yhwh, to continue to this day" (9:27).

If the Gibeonites performed respected ancient priestly roles at important cultic sites, the recognition they enjoyed would have incited fierce competition with Jerusalemite priests. The priests at Jerusalem would have used this opportunity to remind the reader that their altar and cultic site were the only ones chosen by Yhwh (9:27). Yet this text is by no means an isolated instance of polemic framed by priestly circles in Jerusalem. Indeed, the latter were responsible for a wide compass of biblical texts that defend their own status and assail that of their competitors.¹⁴

When read in sequence, this late text in Joshua contradicts many others related to the Gibeonites. (For example, it does not make sense that Yhwh would appear to Solomon at Gibeon if its shrine were illicit.) But such is the nature of biblical literature: Instead of attempting to *delete* all problematic texts, redactors most often *added* new texts in order to shift the weight in their favor. And what better place to attack the Gibeonites than right before Israel's first encounter with them (Joshua 10) during the glorious days of the conquest?

This late text (Joshua 9) provides a lens through which to read all the subsequent depictions of the Gibeonites. Moreover, it invites the reader to draw the following conclusion: If the Gibeonites had no cultic role before they were assigned to lowly tasks at the altar of Yhwh, they must have built their renowned shrine and achieved their prominent priestly status after they abandoned their assignments at Yhwh's one true altar.

In contradistinction to the pronounced satirical polemics in Joshua 9, the authors of 2 Sam 21:2 interpret the pact with the Gibeonites in positive terms. Joshua 9 presents the Gibeonites as cowards who are saved from the fate of Canaanites because of a deceitful ruse. The text of 2 Samuel 21 presents a sympathetic view of the Gibeonites: Saul breaks a formal treaty

14. See Wright, *David, King of Israel*, 120–22.

and goes out of his way to exterminate a protected population.¹⁵ The assumption informing this interpolation is that the pact remained legally binding in perpetuity, yet ultimately failed to guarantee the protection of a minority in Israel. The king is the final court of appeal, and those whom he harasses have no legal recourse. In this case, however, the failure of the state to maintain justice provoked divine punishment in the form of an enduring famine. Conditions finally return to normal when David hands over seven of Saul's son to be ritually slaughtered by the Gibeonites.¹⁶

The Babylonian Talmud harmonizes the polemics against the Gibeonites in Joshua with the pro-Gibeonite account in the book of Samuel. In tractate *Yebam.* 79a, what seems to be an earlier maxim pertaining to Israel's defining characteristics is placed in the mouth of David. The Gibeonites voice their desire to impale seven of Saul's descendants, and David attempts to conciliate them. Yet to no avail. Their unabashed and merciless brutality proves that they are not fit to belong to Israel:

[David] attempted to placate them, but they refused to be placated. Then he said to them: This nation [i.e., Israel] is distinguished by three traits: They are merciful, bashful and benevolent. . . . Only one who cultivates these three traits qualifies to become a member of this nation.

Even if the Gibeonites do not have what it takes to belong to the nation, David follows through with his agreement and punishes Saul's descendants in order to do justice for this alien population in Israel's midst. The retribution on behalf of marginal groups is identified as what causes neighboring peoples to admire Israel and want to enter the fold:

For passers-by asked, "What kind of men are these?"

— "These are royal princes."

"What wrong did they do?"

— "They laid their hands upon 'unattached' foreigners."

Then the passers-by declared: "There is no nation worth joining more than this one. If royal princes are punished so harshly, how much more so common people? And if they did this for unattached proselytes, how much more so for Israelites?"

150,000 men immediately joined Israel—as it is said, "And Solomon had 70,000 who bore burdens, and 80,000 who were hewers in the mountain."

15. Compare the formulation *ולא יכרת מכם עבד* in Josh 9:23 to 2 Sam 21:2.

16. The rectification is a bit more complex: After the execution, Rizpah performs a public protest by guarding the corpses, which eventually provokes David in turn to perform an act of piety: he exhumes the bones of Saul from Jabesh-gilead and reinters them at Saul's patrimonial burial site in Benjamin.

Rahab as a Foil to the Story of the Gibeonites

Comparing the story of the Gibeonites to the Rahab account, we can observe several points of similarity. As I noted in this paper's introduction, both Rahab and the Gibeonites are indigenous outsiders. Both secure a place "in the midst of Israel." Both accounts also revolve around speeches that mention the conquest of Sihon and Og. The Gibeonite delegates begin their declaration by claiming:

Your servants have come from a very far country, because of the name of Yhwh your God; for we have heard a report of him, of all that he did in Egypt, and of all that he did to the two kings of the Amorites who were beyond the Jordan, King Sihon of Heshbon, and King Og of Bashan who lived in Ashtaroth. (Josh 9:9–10)

Rahab also tells the spies how she heard about the feats of Yhwh over these two great foes that inhabited the Transjordan. Yet she does much more. First, she praises Israel's God: After reporting how all the Canaanites lost courage when they heard about the feats of Yhwh, she goes on to declare: "For indeed, Yhwh your God is the God in heaven above and on earth below." Second, she acts: Whereas the lily-livered Gibeonites approach Israel out of fear, Rahab hides the spies and lies to the king. Her brave deeds, which jeopardize her life and the life of her family, are rewarded later when Israel rescues her clan during the battle of Jericho and then grant them a protected place in the political community. Conversely, when the Canaanites join forces to fight Israel (9:1–2), the Gibeonites do not rally to the side of Israel. Their only deed is an elaborate act of deception through which they manage to save themselves.

Such tricksterism is admittedly in keeping with the Israelite ethos of survival depicted in several biblical texts.¹⁷ Yet in the case of outsiders (such as Rahab and the Gibeonites) who wish to become members of a political community, the objective is not simply to lay a claim to membership, but to do so honorably. Only then can a group expect to be embraced fully, rather than merely tolerated. In this regard, the Gibeonites fall far short of the high standard Rahab sets.

The authors of Joshua radically recontextualized one of the oldest accounts in the book—the story of how an indigenous warlord and ruler saved Gibeon and established hegemony in the Shephelah. By prefacing this account with the story of the Gibeonites' subterfuge, the authors of the book transformed this population to indigenous aliens with no primordial connection to the people of Israel. As we have seen, the Gibeon-

17. See Susan Niditch, *Underdogs and Tricksters: A Prelude to Biblical Folklore* (New York: Harper & Row, 1987).

ites boasted an honored position as guardians of a prominent shrine in Israel's (or Judah's) history. Vilifying these cultic competitors, priestly authors/redactors from Jerusalem showed how a leader of Israel, during the defining wars of conquest, punished the denizens of this town for their shameless chicanery by consigning them to the lowest orders of servants at the Jerusalem temple.

The story of Rahab continues the polemic against the Gibeonites. It castigates a group *within* Judahite society by depicting the bravery of an *outsider*. In the process, the outsider becomes an insider and the Gibeonites are declared to be aliens.

But Rahab's story does much more. As the prototypical Other, she illustrates strategies through which disputed groups could affirm their affiliation to the people of Israel. In addition to depicting such strategies, the authors themselves model a means of negotiating belonging. Yet instead of actual wartime contributions and solidarity, this strategy is historiographical in nature. It consists of memory making through the activity of writing and redacting texts.

IV

Gender

The Women of the Bible and of Ancient Near Eastern Myth

The Case of the Levite's פילגש

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In the description of the research interests that Susan Niditch has posted on her Amherst College faculty web page,¹ she lists three: (1) oral traditional literatures and the relation of oral literature to the preserved literature of the ancient Israelites that is found in the Hebrew Bible; (2) religious ethics, and especially ethical questions that grow out of the depictions and descriptions of violence that permeate the biblical corpus; and (3) representations of the body in the Hebrew Bible and, more broadly, in ancient Israelite culture. As anyone familiar with Susan's work knows, moreover, she has written voluminously on all three of these topics—whether it be on each topic individually or on instances where these three research foci intersect.

One such point of intersection is surely Judges 19. As Susan herself has carefully documented, this text—because its plot is so closely parallel to Genesis 19, even as its main characters are very different—has obvious roots in ancient Israelite folklore and oral tradition.² Both versions of the Genesis 19/Judges 19 tale, moreover, are driven by the specter of violence and, more specifically, by the specter of violence perpetrated on vulnerable bodies (preeminently, in both cases, female bodies). Yet while this threat of violence is ultimately averted in Genesis 19, in Judges 19 the body of a Levite man's פילגש (*pīlēgeš*), a term usually translated as “concubine” but

1. <https://www.amherst.edu/people/facstaff/sniditch/research>.

2. Susan Niditch, “The ‘Sodomite’ Theme in Judges 19–20: Family, Community, and Social Disintegration,” *CBQ* 44 (1982): 365–78; eadem, *Judges: A Commentary* (OTL; Louisville and London: Westminster John Knox, 2008), 192.

probably better rendered as “secondary wife,”³ is savaged. This woman ends up brutally hacked to pieces by her husband following an equally brutal nighttime attack: a gang rape that lasted “all the night, until the morning” (Judg 19:25), enacted by the Benjaminites of Gibeah, the town where the פילגש and the Levite had lodged for the evening.

In what follows, I can hardly hope to improve upon the analysis of this Judges 19 passage that Susan has already offered. Instead, I aspire only to augment Susan’s observations by suggesting ways in which another of Susan’s research interests—the methodological approaches developed in the field of gender studies⁴—could add to our understanding of Judges 19’s narrative dynamics. Yet modest though my essay may be, it is with the greatest of pleasure that I offer it to Susan, both in honor of her long and distinguished career and also in gratitude for all she has done for me personally to make my own career a success.

* * *

My particular focus is v. 29 of Judges 19. This is the verse that specifically describes the Levite’s actions after he leaves Gibeah and returns to his home in Ephraim, where he dismembers the body of the פילגש and cuts it into twelve pieces. These he then sends throughout Israel, hoping that by drawing the Israelites’ attention to the Gibeahites’ crime, he will cause his countrymen, according to Judg 19:30, to “set your minds upon it, take counsel, and speak out” against their Gibeahite compatriots. Most typically, commentators on v. 29 compare this dismemberment of the פילגש to 1 Sam 11:7, in which Saul, after hearing of an attack by the Ammonites upon the Israelite village of Jabesh-Gilead, takes a yoke of oxen, cuts them into pieces, and sends them to the various tribes of Israel. Indeed, already in his 1895 International Critical Commentary volume on Judges, George Foot Moore wrote of Judg 19:29 that “just so Saul cut up a yoke of oxen at Gibeah, and sent the pieces by messengers *throughout all the territory of Israel* [בכל גבול ישראל, the same phrase used in Judg 19:29] . . . to raise the

3. In the Bible, the term “concubine” can mean either a woman who is a part of a man’s household and one of his sexual partners but is not one of his actual wives (2 Sam 5:13; 15:16; 19:6 [in most of the Bible’s English versions, 19:5]; 1 Chr 3:9; 2 Chr 11:21; Cant 6:8, 9; Esth 2:14) or a woman who is married to a man as a secondary wife (as in Judges 19). There, the meaning “secondary wife” is surely intended, given that we are told in 19:3 that the Levite is the woman’s husband (אִישָׁהּ) and in 19:4, 7, and 9 that the woman’s father is the Levite’s father-in-law (חָתָן). See further Danna Nolan Fewell, “Judges,” in *The Women’s Bible Commentary* (expanded ed.; ed. Carol A. Newsom and Sharon H. Ringe; Louisville, KY: Westminster John Knox, 1998), 81.

4. See again Niditch’s comments at <https://www.amherst.edu/people/facstaff/sniditch/research>, especially regarding gender studies’ methodologies as informing her work in *My Brother Esau Is a Hairy Man”: Hair and Identity in Ancient Israel* (New York: Oxford University Press, 2008).

Israelites for the relief of Jabesh Gilead.”⁵ More recently, James D. Martin, in his 1975 contribution to the Cambridge Bible Commentary, notes, “The action described in this verse [Judg 19:29] is paralleled by that taken by Saul to summon the Israelites to war against the Ammonites in 1 Sam 11:7,”⁶ and this parallel was cited as well in 1975 by Robert G. Boling in his Anchor Bible Judges commentary.⁷ More recently still, we can quote Victor H. Matthews, from his 2004 New Cambridge Bible Commentary, “there are clear parallels between this action [in Judg 19:29] and Saul’s call to arms in 1 Sam 11:7”;⁸ Marc Zvi Brettler, in his 2002 contribution to the series Old Testament Readings, “there is . . . a connection between the end of the chapter [Judges 19] and 1 Sam 11:7”;⁹ and Niditch, in her 2008 Old Testament Library commentary on Judges, “the image of dividing the woman’s corpse into twelve pieces . . . is a macabre parallel to Saul’s divvying up of his father’s oxen and sending the pieces abroad to the territories of Israel.”¹⁰

Commentators with an explicitly feminist agenda have also cited 1 Sam 11:7 in relation to Judg 19:29. For example, Gale A. Yee, in the volume she edited, *Judges and Method: New Approaches in Biblical Studies*, states, “Undoubtedly, the Deuteronomist intends that the Levite’s act be contrasted with 1 Samuel 11, where Saul, under the power of God’s spirit, hacks a yoke of oxen to pieces,”¹¹ and similarly, J. Cheryl Exum, in her book *Fragmented Women: Feminist (Sub)versions of Biblical Narratives*, writes, “I am prepared to grant that the dismemberment [of the Levite’s פילגש] is a morbid parody of Saul’s cutting into pieces a yoke of oxen and sending the parts throughout Israel to muster the people to battle.”¹² I too find the 1 Sam 11:7 parallel useful for illuminating Judg 19:29, especially because the notice in Judg 19:29 that the body of the פילגש was cut into *twelve* pieces otherwise makes no sense within the Judges 19 tale, as the point in Judges 19 is *not*, as in 1 Sam 11:7, to assemble all twelve tribes to fight against Ammon, an enemy of Israel, but to assemble *eleven* of Israel’s tribes to take action against the tribe cast in the story as a renegade twelfth, Benja-

5. George Foot Moore, *A Critical and Exegetical Commentary on Judges* (ICC; Edinburgh: T & T Clark, 1895), 420.

6. James D. Martin, *The Book of Judges* (CBC; Cambridge: Cambridge University Press, 1975), 206.

7. Robert G. Boling, *Judges* (AB 6A; Garden City, NY: Doubleday, 1975), 276.

8. Victor H. Matthews, *Judges and Ruth* (NCBC; Cambridge: Cambridge University Press, 2004), 190.

9. Marc Zvi Brettler, *The Book of Judges* (Old Testament Readings; London and New York: Routledge, 2002), 86.

10. Niditch, *Judges*, 193.

11. Gale A. Yee, “Ideological Criticism: Judges 17–21 and the Dismembered Body,” in *Judges and Method: New Approaches in Biblical Studies* (ed. Gale A. Yee; Minneapolis: Fortress, 1995), 165.

12. J. Cheryl Exum, *Fragmented Women: Feminist (Sub)versions of Biblical Narratives* (Valley Forge, PA: Trinity Press International, 1993), 180.

min. The cutting of the body of the פילגש into *twelve* pieces, that is, seems clearly to be a detail in Judg 19:29 that is part and parcel with the 1 Sam 11:7 story, so much so that I would be willing to support a suggestion originally made (as far as I know) by Julius Wellhausen and most recently championed (again, as far as I know) by Brettler, that the author(s) and/or redactor(s) of Judg 19:29 were influenced by the 1 Samuel 11 text.¹³

Still, one must admit, as do almost all the commentators who cite 1 Sam 11:7 in explicating Judg 19:29, that the parallel does not hold perfectly, in that the stated purpose of the dismemberment in 1 Sam 11:7 is *not* the stated purpose of the dismemberment in Judg 19:29. Among feminist commentators, this point has best been made by Koala Jones-Warsaw: "Some have compared this dismemberment of the concubine to Saul's dismemberment of an oxen (1 Sam. 11.7), for the purpose of threatening those who did not assemble for war with a similar fate. But the Levite did not have the military might, nor the political authority to make such a threat."¹⁴ Similarly, from the standard commentaries, we can quote again Martin: "In the incident in 1 Samuel the act is explained; the same fate of being cut up will befall the cattle of all who fail to obey the summons to battle. Here [in Judg 19:29], the action is clearly intended to arouse the horror and indignation of all against those who had perpetrated such an outrage."¹⁵ More forceful are the comments of J. Alberto Soggin:¹⁶

In 1 Sam 11.5ff., Saul dismembers his oxen under the power of the spirit of God, whereas here [in Judg 19:29] the only motive force seems to be the desire to inform the others and to arouse a healthy horror for the crime that has been committed. Despite the formal similarity, the substance of the message here [in Judg 19:29] is different . . . from 1 Sam. 11.

Soggin, however, is unable to explain what, exactly, the message of Judg 19:29 to which he alludes might be: the "macabre gesture," he writes, "does not . . . seem to serve a useful purpose."¹⁷ Exum, moreover, who brought this Soggin quote to my attention, argues that most other commentators are likewise at a loss to explain the symbolic value of the Judg 19:29 dismemberment.¹⁸

13. Julius Wellhausen, in *Die Composition des Hexateuchs und der historischen Bücher*, as cited by Moore, *Judges*, 421, and by Brettler, *Judges*, 86.

14. Koala Jones-Warsaw, "Toward a Womanist Hermeneutic: A Reading of Judges 19–21," in *A Feminist Companion to Judges* (ed. Athalya Brenner; FCB 4; Sheffield: Sheffield Academic Press, 1993), 178 n. 2.

15. Martin, *Judges*, 206.

16. J. Alberto Soggin, *Judges: A Commentary* (OTL; Philadelphia: Westminster, 1981), 289.

17. *Ibid.*, 282.

18. Exum, *Fragmented Women*, 180. In addition to the references cited by Exum, see (among commentators who have written since her work was published) Brettler, *Judges*, 86,

Exum, however, does not find herself so stymied, nor does the feminist scholarly enterprise of which she is a part, because the feminist enterprise has at its heart the articulation of another juncture where the parallel between Judg 19:29 and 1 Sam 11:7 breaks down: over the issue of gender. As Exum writes, "commentators are at a loss to explain . . . [the] symbolic value [of the Judg 19:29 dismemberment] . . . because they have looked elsewhere than the gender code for its meaning." But, she continues, "if we seek the meaning of the act in the gender code, we discover that an implicit message about sexual behavior is being given to women."¹⁹ More specifically, Exum argues that the narrative of Judges 19 seeks to punish the פילגש "in the most extreme form" possible²⁰ because of her acts in the beginning of the story, when she is said, according to the Hebrew of Judg 19:2, to have "prostituted herself against" or "fornicated against" or even "whored against" the Levite (ותזנה עליו פילגשו) and to have left him to go to her father's house in Judah. To be sure, how to take this notice of prostitution or fornication is a matter of some debate, since the Greek tradition offers a different reading entirely (ייתזנה, "she spurned him") and since "the literal sense" of the MT's ותזנה (to suppose that the פילגש actually had illicit sex with another man or other men) "presents interpretive problems": "why would her father accept such a shameless daughter?" Yee asks, and "why would her husband [as the story goes on] expend the time and effort to bring her back?"²¹ Exum, followed by Yee, thus proposes, "a stronger case can be made for considering her act [that is, that of the פילגש] figuratively":²² that by leaving her husband, the woman "whores" by asserting her sexual autonomy, removing herself from her husband's sexual purview and sexual control.²³ But this act of self-assertion so violates

who writes, "the action of butchering the woman is highly unusual and unnatural, and certainly is not the typical way of mustering the army," and Yairah Amit, "Literature in the Service of Politics: Studies in Judges 19–21," in *Politics and Theopolitics in the Bible and Postbiblical Literature* (ed. Henning Graf Reventlow, Yair Hoffman, and Benjamin Uffenheimer; JSOTSup 171; Sheffield: JSOT Press, 1994), 34, who states, "The Levite's action is strange: what could be understood from receiving the severed hand of a woman?"

19. Exum, *Fragmented Women*, 180–81.

20. *Ibid.*, 181.

21. Yee, "Ideological Criticism," 162; the same questions are raised by Danna Nolan Fewell and David M. Gunn, *Gender, Power, and Promise: The Subject of the Bible's First Story* (Nashville, TN: Abingdon, 1993), 133.

22. Yee, "Ideological Criticism," 162.

23. See similarly Fewell and Gunn, *Gender, Power, and Promise*, 133; Ilse Müllner, "Lethal Differences: Sexual Violence as Violence against Others in Judges 19," in *Judges* (ed. Athalya Brenner; FCB 2/4; Sheffield: Sheffield Academic Press, 1999), 138, who writes, "The Levite's wife's behavior falls into the category of 'sexual misconduct' (i.e., socially inappropriate) because she has left him" (emphasis mine); and Niditch, *Judges*, 191, who comments, "the woman's departure in accordance with her own decision could be regarded as an act of defiance."

gender norms, Exum argues, that the narrative requires the woman to be punished for her transgression to the fullest possible extent: she must be destroyed and the threat she poses diffused by her body being cut into pieces and scattered. As Exum writes:²⁴

By leaving her husband the woman makes a gesture of sexual autonomy so threatening to patriarchal ideology that it requires her to be punished sexually in the most extreme form. The symbolic significance of dismembering the woman's body lies in its intent to de-sexualize her. . . . "If the female body offends you, cut it up" might be the motto.

I very much agree with Exum that the seeming excess of violence perpetrated on the פילגש in Judg 19:22–29—not only her dismemberment, but the gang rape she suffers and her subsequent demise, perhaps (as the LXX would have it) as a result of the night of abuse, but perhaps (as the Hebrew text could allow) some time later, at the hands of her Levite husband, after he returned home and began to cut her body into pieces²⁵—can be read as a response generally to her act of self-assertion in v. 2 and more specifically as a response to her failure to abide by the ancient Israelite gender codes that granted control of her sexuality to her husband. I also think that this conclusion has been strengthened by Karla Bohmbach's 1999 article on Judges 19, who points out yet another insult the text heaps upon the פילגש: the fact that the final act of brutality she suffers, the dismemberment, takes place within her own home, "a space" that "normally . . . assumed connotations of safety and security" for women. "Thus the place," Bohmbach writes, "that is expected to serve as the secure center of a woman's life (and the locus of whatever authority she might have), [sic] becomes for this woman, [sic] the site where her husband finally and most horrifically, [sic] destroys her."²⁶ Nevertheless, I think Exum's conclusion could be strengthened still further by reference to another story from ancient Near East literature in which a woman is murdered and her body then cut apart: this is the story of the slaying and partitioning of the goddess Tiamat found in the Mesopotamian *Enuma Elish*.

Before I explore this thesis in more detail, however, let me just say parenthetically that I am not the only commentator who has suggested that we might look for parallels to Judg 19:29 elsewhere in the ancient Near East: Gerhard Wallis and later Boling have argued, for example,

24. Exum, *Fragmented Women*, 181.

25. This ambiguity in the Hebrew text has been best and most profoundly explored by Phyllis Trible, "An Unnamed Woman: The Extravagance of Violence," Chapter 3 in *Texts of Terror: Literary Feminist Readings of Biblical Narratives* (OBT 13; Philadelphia: Fortress, 1984), 79.

26. Karla G. Bohmbach, "Conventions/Contraventions: The Meanings of Public and Private for the Judges 19 Concubine," *JSOT* 83 (1999): 96.

that a Mari text reporting how one “Bahdi-Lim suggested to Zimri-Lim that a prisoner be slain and his head paraded throughout the Hanean territory in order to stimulate enthusiasm for sending in the requested quota of troops” (ARM II, 48) is similar to the Levite’s strategy in sending out the cut-up pieces of the body of the פִּלְגֶשׁ throughout Israel;²⁷ and Theodore H. Gaster has investigated Hittite and Greek evidence for twelve-piece sacrifices: during funerary rituals and rituals of healing and exorcism, in the Hittite cases, and in funerary ritual and sacrificial ritual generally, in the case of the Greeks.²⁸ But Soggin has rightly labeled the Mari parallel as “remote,” since there is no dismemberment of a full body but only a beheading;²⁹ and Gaster, as with those commentators who refer to 1 Sam 11:7 to illuminate Judg 19:29, seems to have focused only on the detail of the *twelve* pieces of the mutilated body of the פִּלְגֶשׁ rather than considering any other possible points for comparison. Again, though, what a feminist approach to this text would suggest is a focus on gender, and hence my proposal that we look to the *Enuma Elish* to see how issues of the slaying of a female character and the cutting up of her body are played out in that text.

The critical scene in the *Enuma Elish* comes in Tablet IV, lines 93–122, in which Marduk, who has been declared king of the gods, engages in single-handed combat with Tiamat, the gods’ mother (Tablet I, line 112, and many other places)—or, more literally, according to the myth’s logic, Marduk’s great-great-great grandmother. Marduk, who previously in the myth has been given a gift of the fourfold wind (Tablet I, lines 105–106), uses these natural forces to confine Tiamat, so nothing of her could escape (Tablet IV, lines 41–44, 95); then he sends forth the wind of the *imḫullu* storm, which he has created (Tablet IV, line 45), to force open her mouth and, as Tiamat is compelled to swallow, to distend her belly (Tablet IV, lines 96–100). Next, he shoots an arrow down her wide-open mouth and into her stomach, killing her (Tablet IV, lines 101–102); finally, after subduing those allied with her, he returns to her body and “divided the monstrous shape” (Tablet IV, line 136).³⁰ More specifically, he “broke her in two like a shellfish” (Tablet IV, line 137) and used half of her to make the heavens above and half to make the earth below. Subsequently, he heaps up mountains upon her head (Tablet V, line 53)³¹ and forms others either at or from her udder (Tablet V, line 57); he drills holes through her carcass

27. Gerhard Wallis, “Eine Parallel zu Richter 19:29ff und 1. Sam. 11:5ff,” ZAW 64 (1952): 57–61, brought to my attention by Soggin, *Judges*, 289.

28. Theodore H. Gaster, *Myth, Legend, and Custom in the Old Testament* (New York and Evanston: Harper & Row, 1969), 444 and n. 4 on 538.

29. Soggin, *Judges*, 289.

30. As translated by Stephanie Dalley, *Myths from Mesopotamia: Creation, The Flood, Gilgamesh, and Others* (rev. ed.; Oxford: Oxford University Press, 2008), 255.

31. Restored on the basis of Tablet VII, line 71.

for springs and wells (Tablet V, line 54); and he pokes out her eyes so that the Tigris and Euphrates rivers can rise through them (Tablet V, line 55). He also stops up her nostrils for a purpose that is unclear (the text is fragmentary) and twists up her tail to fasten her lower body to the heavens (Tablet V, lines 56 and 59).

Now, obviously, at some level, this splitting and subsequent mutilation of Tiamat's body serves a far different purpose—the process of cosmogony—than does the dismemberment of the Levite's פילגש, which is done, to quote again Judg 19:30, so that the Israelites who see her cut-up body might “set your minds upon it, take counsel, and speak out” against the Benjaminites of Gibeah. But at another level, which pertains to the issues of gender ideology and proper gender roles, which Exum has brought to our attention, the fate of Tiamat and the fate of the Levite's פילגש are profoundly parallel. Let us consider, first, in the *Enuma Elish*, what got us to the murder of Tiamat and the mutilation of her body in the first place: it was a domestic conflict, between the younger generation of the gods, who were inclined, like the young generally, toward rowdy play, and the pantheon's older generation, and especially its oldest, Apsu, the gods' “progenitor” (Tablet I, line 3), and his consort Tiamat, who valued their peace and quiet. In Judges 19, although the battle lines are not specifically the same, so too is the precipitating event that culminates in the murder and dismemberment of the פילגש a matter of domestic conflict, with the woman deciding to up and leave her Levite husband in Ephraim to return to the house of her father in Judah.

More precisely still, though, what leads to Tiamat's demise and subsequent mutilation in the *Enuma Elish* is the fact that she shifts, at the end of the *Enuma Elish*'s Tablet I and the beginning of Tablet II, from enacting the behaviors that ancient Near Eastern gender ideologies expected of mother figures to enacting behaviors that violated the culture's definitions of maternal norms. Throughout most of Tablet I, that is, although Apsu and Tiamat are both disturbed by the play of the younger gods, Tiamat urges forbearance and even compassion while Apsu rages: “Their behavior really is quite irritating,” she admits to him, “but let us be kind and patient” (Tablet I, line 46). Thus it is only Apsu, in the middle of Tablet I, who acts to subdue (by killing off) the younger gods; unfortunately for him, however, his plan is thwarted, and it is he who ends up killed (Tablet I, line 69) by the god Ea (the father of the yet unborn Marduk). Ea further strips from Apsu his royal diadem and takes it as his own (Tablet I, lines 67–68); he and his wife, Damkina, then give birth to Marduk (Tablet I, lines 80–84). Subsequently, Marduk receives from his grandfather Anu the gift of the fourfold winds (Tablet I, lines 105–106). The roiling waves he raises with them churn within Tiamat (Tablet I, lines 108–109), who is envisioned as a goddess of waters, and thus the whole crisis of the younger gods disturbing the older gods begins anew.

This time, however, Tiamat does not endure the youngsters' disruptive behavior patiently; rather, she plots evil against her descendants (Tablet I, lines 125–128), and they in turn repeatedly report this news to one another (Ea to his grandfather Anshar; Anshar to his vizier Gaga; and Gaga, on Anshar's behalf, to Anshar's father and mother, Lahmu and Lahamu). The texts that document these various recitals (Tablet II, lines 5–48; Tablet III, lines 1–66, 67–124) are highly repetitive and so cannot be taken as independent indictments of Tiamat. Nevertheless, it is striking that in them Tiamat's position as a mother is stressed, yet stressed in such a way that positions her as having failed in that role. Each report begins, for example, with the claim that "Tiamat, our mother, *hates us*" (Tablet II, line 11; Tablet III, lines 15 and 73; emphasis mine), although surely what is expected of a mother is that she dispense love to her children. In each of these reports, moreover, Tiamat is described using the epithet "Mother Ħubur" (Tablet II, line 19; Tablet III, lines 23 and 81),³² as she is described also in Tablet I, line 133, just following the lines where she voices her decision to do battle against the disruptive younger gods. In all four instances, the epithet "Mother Ħubur" is glossed by a description of Tiamat/Mother Ħubur as the one who "creates all things," but according to all four, what Mother Ħubur in fact gives birth to are "monster serpents" who are to cause the younger gods to perish. As Mother Ħubur, that is, Tiamat again defies cultural expectations about the proper maternal role, for while she bears offspring, as mothers are expected to do, she bears agents who position "Mother Ħubur" in the role of a destroyer, rather than as a female who exemplifies the typical maternal attributes of life-giver and life-sustainer.

Also striking is the fact that the text creates a scenario for Tiamat whereby the "good mother" game is one she just cannot win. In Tablet I, lines 111–124, for example, some contingent among her descendants who share the frustrations of their now deceased progenitor Apsu come to her to complain about those others among the pantheon who are disturbing their rest. In issuing this complaint, moreover, they quite explicitly call

32. In Mesopotamian tradition, Ħubur appears most commonly as the name of the river that runs through the netherworld (see, for example, line 17 of "The Babylonian Theodicy"). But most commentators take "Mother Ħubur" in the *Enuma Elish* as an epithet of Tiamat: see, for example, CAD H, s.v. *ħubur* A, (c), and also Piotr Michalowski, "Presence at the Creation," in *Lingering Over Words: Studies in Ancient Near Eastern Literature in Honor of William L. Moran* (ed. Tzvi Abusch, John Huehnergard, and Piotr Steinkeller; HSS 37; Atlanta: Scholars Press, 1990), 385–86. Michalowski construes "Mother Ħubur" in the *Enuma Elish* as "Mother Noise" (relying on the wordplay suggested by *ħubur*, "river," and *ħubūru*, "hubbub," on which see also Dalley, *Myths from Mesopotamia*, n. 8 on 274) and argues that because "throughout the text [of the *Enuma Elish*], and in other Mesopotamian literary compositions, noise [is a] . . . symbol of action," Tiamat is called "Mother Noise" at the point in the *Enuma Elish* when she "springs into action" to engage in battle with Marduk. For further discussion, with additional references, see Benjamin R. Foster, *Before the Muses: An Anthology of Akkadian Literature* (Bethesda, MD: CDL Press, 1993), 358 n. 2.

into question Tiamat's performance *as a mother*: "You are no mother," they say, "you rock and roll" (a reference to the way Marduk's fourfold winds are roiling Tiamat's watery body, in which they dwell), "and we, your sleepless children," they continue, "*you show us no love*" (Tablet I, lines 119–120; emphasis mine). Mother Tiamat, that is, stands accused here of withholding love from this branch of her descendants; yet once she resolves to act on their behalf, she is almost immediately—a scant 50 or so lines later (in Tablet II, line 11)—accused of being the "mother" who "hates" the other branch. To accommodate some offspring is to alienate others, that is, and so I repeat: the "good mother" game is one Tiamat just cannot win. Indeed, when the term "mother" is used in the *Enuma Elish* to describe Tiamat, it is always used to describe *faults* in Tiamat's mothering skills.

Tiamat, in short, has failed according to the gender codes of ancient Near Eastern tradition, and thus I would argue, as Exum argues for Judges 19, she is punished by the narrative "in the most extreme form," by being killed and afterward suffering bodily partition and mutilation. Important to contrast in this regard is the myth's treatment of Apsu. Even though he aims in the middle of Tablet I to accomplish exactly the same goal that Tiamat undertakes by the tablet's end—to kill off the rowdy gods of the younger generation—he does not suffer the same excess of violence as does his consort. Thus while, like Tiamat, Apsu is slain, he is not the subject of the same sort of postmortem abuse she endures. To be sure, he is stripped of his crown, and Ea does build himself a palace atop Apsu's watery abyss (Apsu, like Tiamat, is envisioned in the mythological tradition as a god of waters). Still, Apsu's body remains whole while Tiamat's does not. He does not, that is, have to suffer a doubly gruesome fate, death *plus* dismemberment, for his transgression, as the myth would have it, is only to threaten the future of his divine descendants. Tiamat, however, ultimately threatens both those descendants' future and her culture's code of gender behavior; she therefore must be doubly subdued, just as the Levite's פִּלְגֶשֶׁת, by threatening her culture's gender codes, is repeatedly punished.

It is interesting to consider in this regard v. 24 of Judges 19. Here, when the Benjaminite men first come to the house of the Ephraimite sojourner who gives shelter to the Levite and his פִּלְגֶשֶׁת in Gibeah and demand that the Levite be sent forth "so that we may know him" (i.e., so that he might be subjected to homosexual rape), the Ephraimite offers to give them both the Levite's פִּלְגֶשֶׁת and his own virgin daughter instead. Ultimately, though, the virgin daughter stays within the house, and only the פִּלְגֶשֶׁת ends up on the street, just as, ultimately, in the kindred episode in Genesis 19, Lot's virgin daughters are not sent out to the rapacious Sodomites. Why? Because neither the Ephraimite's virgin daughter nor Lot's virgin daughters have violated the gender codes that govern their culture, and

so neither needs, to use again a phrase of Exum's, "to be raped by the [narrator's] pen."³³ Conversely, the transgressive פילגש, who has defied her culture's expectations regarding female submissiveness, must, like Tiamat, who transgresses cultural expectations regarding motherhood, be made victim to the punishments inflicted—not coincidentally—by male authorities.

In conclusion, let me be clear that it is not my intent to claim here that the *Enuma Elish* influenced Judges 19 directly and that we should read the dismemberment of the Levite's פילגש as some demythologized recounting of the splitting and subsequent mutilating of Tiamat's body. In fact, it is obvious that, in many respects, the tale of Tiamat's fate in the *Enuma Elish* is not at all parallel to the tale of the Levite's פילגש we find in Judges 19: in Judges 19, for example, it is unclear (as I noted above) exactly when and how the פילגש actually dies, whereas the *Enuma Elish* recounts the moment and means of Tiamat's murder in great detail. Tiamat, moreover, whatever her ultimate fate, is cast in the *Enuma Elish* as a very powerful character and formidable presence while she still lives, whereas the Levite's פילגש, subsequent to her initial act of self-assertion—leaving her husband's home—never again acts in her story with authority or autonomy. Indeed, unlike Tiamat, she is unnamed;³⁴ unlike Tiamat, she never speaks;³⁵ and unlike Tiamat, who is abetted in her war against the younger gods by the various serpents she has created as well as by other supporters, the פילגש is utterly without allies.³⁶ Nevertheless, despite the many differences between the *Enuma Elish* and Judges 19, I still wish to claim that aspects within Judges 19—the role of gender and themes concerning gender expectations—are illuminated by the process of comparing the Mesopotamian myth, allowing us to see that in both stories, although the cut-up woman is not the only character threatened by or subject to horrific

33. "Raped by the Pen" is the title of the chapter in *Fragmented Women* in which Exum discusses the Judges 19 story.

34. On the issue of being named versus nameless in the Hebrew Bible, and on issues concerning women's anonymity, especially women in the book of Judges, see Mieke Bal, *Death and Dissymmetry: The Politics of Coherence in the Book of Judges* (Chicago: University of Chicago Press, 1988), 43–93; Athalya Brenner, "Introduction," in *A Feminist Companion to Judges*, 10–14; J. Cheryl Exum, "Feminist Criticism: Whose Interests Are Being Served?" in *Judges and Method*, 75–86; and Carol Meyers, "The Hannah Narrative in Feminist Perspective," in *Go to the Land I Will Show You: Studies in Honor of Dwight W. Young* (ed. Joseph Coleson and Victor H. Matthews; Winona Lake, IN: Eisenbrauns, 1996), 120–22 (= "Hannah and Her Sacrifice: Reclaiming Female Agency," in *A Feminist Companion to Samuel and Kings* [ed. Athalya Brenner; FCB 5; Sheffield: Sheffield Academic Press, 1994], 96–99). But cf. the important cautions offered by Adele Reinhartz, "Why Ask My Name?" *Anonymity and Identity in Biblical Narrative* (New York and Oxford: Oxford University Press, 1998).

35. Fewell, "Judges," 75; Stuart Lasine, "Guest and Host in Judges 19: Lot's Hospitality in an Inverted World," *JSOT* 29 (1984): 47; Tribble, *Texts of Terror*, 66.

36. She is, to quote Tribble, *Texts of Terror*, 80, "alone in a world of men."

violence—there is Apsu, and in Judges 19 there is the Levite, threatened with homosexual rape, and the Ephraimite's virgin daughter—ultimately, it is *only* the woman character who acts out with respect to ancient Near Eastern gender norms who becomes victim to the greatest terrors the stories' authors and/or redactors can find to offer up.

Were Israelite Women Chattel?

Shedding New Light on an Old Question

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For Susan Niditch, whom I consider to be one of the finest biblical scholars in the world and whose research has provided a model for my own.

Introduction

The question of whether or not Israelite women were considered to be the property of their husbands and fathers is one that has preoccupied biblical scholars for at least a hundred years. Following the work of W. Robertson Smith, who considered payments from bridegrooms to fathers to be transactions in a marital form he called “marriage by purchase,” scholars writing in the first half of the twentieth century such as Louis Epstein and Ephraim Neufeld characterized Israelite marriage as a purchase of a bride by her husband.¹ While Millar Burrows contested this idea as early as the 1930s,² it is not uncommon even now for biblical scholars to argue or comment offhandedly that Israelite women were the

1. See W. Robertson Smith, *Kinship and Marriage in Early Arabia* (Cambridge: Cambridge University Press, 1885); Louis M. Epstein, *The Jewish Marriage Contract: A Study of the Status of the Woman in Jewish Law* (New York: Jewish Theological Seminary, 1927); Ephraim Neufeld, *Ancient Hebrew Marriage Laws: With Special reference to General Semitic Laws and Customs* (London: Longmans, Green & Co., 1944); and T. M. Lemos, *Marriage Gifts and Social Change in Ancient Palestine: 1200 BCE to 200 CE* (New York: Cambridge University Press, 2010), 4–9, for a discussion of Robertson Smith, Epstein, and Neufeld. Edward Westermarck also used the term “marriage by purchase” in his influential work *The History of Human Marriage* (London: Macmillan, 1891).

2. Millar Burrows, *The Basis of Israelite Marriage* (AOS 15; New Haven, CT: American Oriental Society, 1938).

property of their husbands and fathers.³ Arguments for this have become more nuanced than those of Robertson Smith and are not without merit. It is consequently my aim in the present work to reexamine this position and attempt to determine whether or not ancient Israelite women were chattel and, if they were not, why some biblical texts seem to imply this. This assessment will challenge the view that women were seen as property in ancient Israel and argue instead that, rather than conceptions of property, it was patterns of domination and subordination that governed relations between husbands and wives and fathers and daughters.

How to Define the Concept of Property

One can examine the concept of property from both emic and etic perspectives. In fact, there is no Israelite text that explicates Israelite conceptions of property for us, though there is a fairly clear terminology of property found in biblical sources, with specific terms used for property and property of different types, including human property. I will return to this issue momentarily, after discussing etic concepts of property, which are largely derived from "Western" legal conceptions.⁴ In fact, how to define

3. See, for example, Judith Romney Wegner, *Chattel or Person? The Status of Women in the Mishnah* (New York: Oxford University Press, 1988), whose work devotes some attention to biblical texts and will be discussed below; Deborah L. Ellens, *Women in the Sex Texts of Leviticus and Deuteronomy: A Comparative Conceptual Analysis* (LHB/OTS 458; New York: T & T Clark, 2008); Hennie J. Marsman, *Women in Ugarit and Israel: Their Social and Religious Position in the Context of the Ancient Near East* (Oudtestamentische Studiën 49; Atlanta: Society of Biblical Literature, 2003), especially 145–47, 286, 456; and Susan Brooks Thistlethwaite, "You May Enjoy the Spoil of Your Enemies: Rape as Biblical Metaphor for War," in *Women, War, and Metaphor: Language and Society in the Study of the Hebrew Bible* (ed. Claudia V. Camp and Carole R. Fontaine; Semeia 61; Atlanta: Scholars Press, 1993), 59–75. Brief or offhand comments about how Israelite women were property are not difficult to find. See, for example, Kathleen M. O'Connor, "Jeremiah," in *Women's Bible Commentary* (ed. Carol A. Newsom, Sharon H. Ringe, and Jacqueline E. Lapsley; 3rd ed.; Louisville, KY: Westminster John Knox, 2012), 271, who writes: "Married women had few rights, were considered the property of their husbands, and, unlike men, were severely punished for infidelity"; Jennifer L. Koosed, "Ecclesiastes," in the same volume, 244, though Carolyn Pressler, "Deuteronomy," 98, also in the same volume, states that daughters and wives are "not chattel"; Esther Fuchs, *Sexual Politics in the Biblical Narrative: Reading the Hebrew Bible as a Woman* (London: Sheffield Academic Press, 2000), 116–17, 129–30; and Mignon R. Jacobs, "Love, Honor, and Violence: Socioconceptual Matrix in Genesis 34," in Cheryl A. Kirk-Duggan, ed., *Pregnant Passion: Gender, Sex, and Violence in the Bible* (Atlanta: Society of Biblical Literature, 2003), 22, 32–33, as well as Cheryl A. Kirk-Duggan, "Slingshot, Ships, and Personal Psychosis: Murder, Sexual Intrigue, and Power in the Lives of David and Othello," 54, 57, 59, and Gina Hens-Piazza, "Terrorization, Sexualization, Maternalization: Women's Bodies on Trial," 175–76, both in *Pregnant Passion*.

4. For the purposes of this essay, I define "Western" societies as those that are European, or derived from European cultures or legal systems, that is, American, Canadian, Brazilian, and so forth.

"property" is a rather contested topic among philosophers and legal scholars. This is largely because different types of property can be treated in very divergent ways in any one legal system, and when one expands one's analysis to examine several legal systems—even several Western ones—the peculiarities in legal treatment of things deemed to be property—objects, land, estates, trusts, copyrights, ideas, etc.—reduplicate so quickly that it can become difficult indeed to identify features common to every type of property in every legal system. To clearly define what one means by the term "property," then, can be a challenge.⁵ For our purposes here, it would be counterproductive to wade too deeply into the morass of legal and philosophical discussions on this topic. Even though property is a complex and contested category of analysis, focusing—even reductively—on just a few basic aspects of ownership in order to answer the question of whether or not ancient Israelite women were considered property, in my view, proves a useful heuristic exercise.

The *Oxford English Dictionary* states that property is "The fact of owning something or of being owned . . . ; (esp. in legal contexts) the (exclusive) right to the possession, use, or disposal of a thing."⁶ Of course, the *OED* is not a work of jurisprudence, and so one must turn to the ideas of legal scholars to determine whether or not the *OED*'s definition is adequate.⁷ On the one hand, one finds definitions that are compelling for our legal context but would be difficult to apply to the Israelite treatment of women, for example, those of Jeremy Waldron: "The concept of property is the concept of a system of rules governing access to and control of material resources" and "ownership . . . expresses the very abstract idea of an

5. For a clear treatment of these issues, see Jeremy Waldron, "What Is Private Property?," *Oxford Journal of Legal Studies* 5 (1985): 313–49.

6. Definition four under entry "property" (<http://www.oed.com.proxy1.lib.uwo.ca/view/Entry/152674?rskey=aFAgEa&result=1&isAdvanced=false#eid>; accessed 2/20/14).

7. *Black's Law Dictionary* (ed. Brian A. Garner; 9th ed.; St. Paul, MN: West, 2009), 1335–36, provides a similar definition of "property" to that of the *OED* and quotes John W. Salmond's *Jurisprudence* (ed. Glanville L. Williams; 10th ed.; London: Sweet & Maxwell, 1947), 423–24, which states that "the law of property is the law of proprietary rights *in rem*, the law of proprietary rights *in personam* being distinguished from it as the law of obligations." (The treatments of Judith Romney Wegner, *Chattel or Person?*, and the scholars who follow her approach perhaps collapse these conceptions, with the obligations of women in marriage being seen as indicative of a property status. See below for a discussion of Wegner's work.) A few other works on property of the many, many treatments of this subject are Waldron, "What Is Private Property?"; A. M. Honoré, "Ownership," in *Oxford Essays in Jurisprudence* (ed. A. G. Guest; London: Oxford University Press, 1961), 107–47; C. B. MacPherson, ed., *Property: Mainstream and Critical Positions* (Toronto: University of Toronto Press, 1978), which contains excerpts of works by John Locke, Jean-Jacques Rousseau, Jeremy Bentham, Karl Marx, John Stuart Mill, and others; Stephen R. Munzer, *A Theory of Property* (Cambridge: Cambridge University Press, 1990); and Margaret Davies, *Property: Meanings, Histories, Theories* (New York: Routledge-Cavendish, 2007), which includes discussions of the relationships among race, gender, socioeconomic status, and property.

object being correlated with the name of some individual, in relation to a rule which says that society will uphold that individual's decision as final when there is any dispute about what is to be done with the object."⁸ More helpful for us are works outlining the basic legal rights that ownership entails. A. M. Honoré writes: "There is indeed a substantial similarity in the position of one who 'owns' an umbrella in England, France, Russia, China, and any other modern country one may care to mention. Everywhere the 'owner' can, in the simple, uncomplicated case . . . use it, stop others [from] using it, lend it, sell it or leave it by will."⁹ Honoré then proceeds to outline eleven major features of property, a few of which stand out in importance for our purposes: the right to possess, "*viz.* to have exclusive physical control of a thing, or to have such control as the nature of the thing admits"; the right to use; and the right of transmissibility.¹⁰ In general, then, our legal conceptions of property center on exclusivity, right to use, and transmissibility or transferability—the ability of owned things to be transferred to another through sale, gift, or inheritance. While our legal system might place limits on the use of property,¹¹ if one cannot sell something or give it away or devolve it to one's heirs, it would be difficult to characterize that thing as property. For example, while there are limits placed on, for example, the treatment of pets, one can buy pets, sell pets, otherwise transfer the ownership of pets, euthanize pets, and use one's pets for financial gain.

These observations are in no way novel; they outline basic features of what it means to own something, even a sentient being. Yet, this is a different description of property, or chattel, from what one finds in Judith Wegner's book *Chattel or Person? The Status of Women in the Mishnah*, which also discusses biblical texts.¹² Wegner contrasts chattel with legal persons and

8. Waldron, "What Is Private Property?," 318, 333.

9. Honoré, "Ownership," 108.

10. *Ibid.*, 113–28; Waldron, "What Is Private Property?," 336, and 341, where he states: "We could say, then, that the inclusion of powers of alienation and free exchange along with exclusive use is perhaps characteristic of the modern Western conception of ownership. . . ." MacPherson also states that "in current common usage, property is *things*; in law . . . property is not things but *rights*, rights in or to things" and discusses exclusivity and right to use ("The Meaning of Property," in MacPherson, ed., *Property*, 2, 5, and elsewhere). Of course, exclusivity in rights to property does not mean that property cannot have two or indeed many owners.

11. Waldron characterizes many limits on property use—e.g., limits on one's ability to harm another with one's vehicle—not as limits on private property rights *per se* but rather as "general constraints on action, setting limits to what may be *done* in a given society. Then we can locate rules about property *within* those limits. . . ." ("What Is Private Property?," 320–21 [emphasis in original]).

12. For critiques of Wegner, see Paul V. M. Flesher, "Are Women Property in the System of the Mishnah?" in *From Ancient Israel to Modern Judaism: Intellect in Quest of Understanding* (ed. Jacob Neusner, Ernest S. Frerichs, and Nahum M. Sarna; Atlanta: Scholars Press,

states that a chattel is “an entity lacking powers, rights, or duties under the law.”¹³ Noting what seem to be contradictions in the Mishnah’s treatment of women, Wegner concludes that women in the Mishnah are legal persons in most cases, but where their sexuality is concerned, they are property. Wegner’s treatment has been utilized rather frequently in treatments of biblical texts.¹⁴ However, both Wegner’s definition of property and her characterization of sexuality as property seem flawed. For example, it seems strange to me to see duties as characterizing legal personhood when any society that believes people can be owned understands slaves to be primarily workers, that is, people whose duty it is to labor. Wegner of course knows this, but for reasons that are unclear to me she does not characterize labor in itself as a duty. She states that “a legal *duty* is something that a person is bound by law to perform,” but does not see the work of slaves as necessarily falling into that category.¹⁵ If she were to

1989), 1:219–31; Judith Hauptman, “Feminist Perspectives on Rabbinic Texts,” in *Feminist Perspectives on Jewish Studies* (ed. Lynn Davidman and Shelley Tenenbaum; New Haven: Yale University Press, 1994), 40–61, especially 51–53; and, particularly, Gail Labovitz, *Marriage and Metaphor: Constructions of Gender in Rabbinic Literature* (Lanham, MD: Lexington Books, 2009), 32–40, and *passim*. Labovitz’s argument that rabbinic thinking on marriage is governed to a surprising extent by the metaphor “Women Are Ownable” is compelling, as is her contention that a failure to understand the nature of this metaphorical underpinning of rabbinic statements has led scholars to focus in an unhelpful way on the question of whether or not women were property. She writes, “Each of the proposed means for trying to pin down the meaning and significance of the language of *kinyan* which appears in the Mishnah (and elsewhere), be it legal, historical, or symbolic, proves unable to provide the clear answer the interpreters seek, and often claim to have found. If it seems we stand at an impasse . . . this is not accidental. My claim in this book is that the failure is not one of means, that is, one that can be remedied by refining our already established methodologies, framing our questions and proposing answers with more nuance and precision. To ask ‘are women property in the system of the Mishnah,’ and the broader spectrum of rabbinic literature as well, with the expectation that an answer of either yes or no . . . can be reached, is to ask for something that cannot be forthcoming. Rather, the *kinyan* of m.Kiddushin 1:1 is a paradox, a purchase and not a purchase, both and neither, all at once” (*Marriage and Metaphor*, 39). While her treatment is sophisticated and cogent, I do think that asking whether or not Israelite women were property in a jural sense is a reasonable starting point for discussion, particularly since Israelite social organization did include a status of human-being-as-property in a juridical sense—the slave. (This was of course the case in the rabbinic era, as well.) As will become apparent, my treatment here will differ from Labovitz’s in significant ways, largely because the metaphorical language of “Women as Ownable”, though occasionally present, is far less pervasive in the biblical corpus than it is in rabbinic texts. Although I will discuss here the particular language used of men’s relationships with women, I am ultimately more interested in social realities and in explicating more fully the hierarchies that were present in ancient Israelite society. My approach and that of Labovitz are in my view not conflicting but rather complementary.

13. Wegner, *Chattel or Person?*, 7.

14. See, for example, Ellens, *Women in the Sex Texts*; and Marsman, *Women in Ugarit and Israel*.

15. Wegner, *Chattel or Person?*, 10–11.

recognize slaves as being legally bound to serve masters, which it seems clear that they were, her definition of chattel would appear no longer to apply. Similarly, it seems conceptually problematic to me to characterize a woman as property only insofar as her sexuality is concerned. Again, it seems best to make use of analogies to explicate why. It would not, I think, make sense for a dog to be the property of its owner only regarding its hunting abilities and not regarding its mating or damages it might cause. While our legal system does place some limits on the treatment of animals considered pets—and in fact on the treatment of animals in general—this does not seem equivalent to me to stating that one only owns particular aspects of a dog's being and not other aspects. Certainly, in the case of American slavery, owners did not own merely one or two aspects of a slave's body or being, but rather all of them, with the ability to sell slaves, buy them, utilize their bodies in virtually any way the owner wished, or devolve them to heirs.¹⁶ One can conclude, then, that whether or not someone is property relates as much to what can be done *to him or her* as with what legal rights or duties he or she might possess.

Women, Property, and Subordination in Biblical Sources

The Israelites' own conceptions of property, though not fully defined for us, do seem to align with our most generalized concept of property. Objects, land, people could be bought, sold, or otherwise transferred, though some limits applied in certain situations.¹⁷ One could make use

16. There were laws regulating or limiting the treatment of slaves. Each state had its own slave code. These codes generally prohibited killing a slave, though if a slave died during the course of being "disciplined," the master was usually not held accountable. (See Thomas D. Morris, *Southern Slavery and the Law, 1619–1860* [Chapel Hill, NC: University of North Carolina Press, 1996], 171–73. For an atypical case of a master being sentenced to death for torturing and killing a slave woman, see Eugene D. Genovese, *Roll, Jordan, Roll: The World the Slaves Made* [New York: Pantheon, 1972], 72.) The slave codes of ten southern states made it illegal to treat a slave cruelly, though the corrective behaviors that were allowed even in those states would be considered brutal by most people today (Lawrence M. Friedman, *A History of American Law* [2nd ed.; New York: Simon & Schuster, 1985], 225). The Louisiana *Code Noire* made it illegal to sell slave children under the age of ten separate from their mothers, and, in 1829, this law was extended to prohibit the importation of slaves separated in this way (Walter Johnson, *Soul by Soul: Life inside the Antebellum Slave Market* [Cambridge: Harvard University Press, 1999], 122). Of course, limits such as these were few, varied between states, and were unevenly upheld. The cases of savagery known from American slavery are innumerable and will not be addressed here, though the works just cited contain many examples.

17. The limits on the alienability of נַחֲלָה property are well known; see, for example, Shunya Bendor, *The Social Structure of Ancient Israel: The Institution of the Family* (Beit 'Ab)

of property freely in most cases, and there were terms used to designate property with greater or lesser degrees of specificity: רכוש, קנין, מקנה, אחזה, נחלה, חלק, ירשה, יגיע, מלאכה,¹⁸ as well as עבד and אמה, though the latter two terms are sometimes used more broadly to mean “subordinate.”¹⁹ Notably, women as wives are never called “property” by biblical texts, and the Israelites do not refer to wives using the same terms they use to refer to slaves, unless the wives in question are in fact slaves. While one could marry a slave, marriage and slavery were not seen as equivalent *by the Israelites themselves*. One might contest that it was nonetheless the case that a transfer of property brought betrothal, or inchoate marriage, into effect in ancient Israel. Would this property transfer not constitute a purchase and marriage thus make chattel of wives? I have argued that this understanding of Israelite marriage must be rejected.²⁰ Israelite marital practices are in no way unique nor even rare cross-culturally—bridewealth payments are found throughout the world and have been studied extensively by anthropologists. Already in 1931, E. E. Evans-Pritchard critiqued the use of the term “bride-price,” stating,

On one point at least there seems to be fairly complete accord among specialists, namely about the undesirability of retaining the expression “bride-price.” There are very good reasons for cutting the term out of ethnological literature since at best it emphasizes only one of the functions of this wealth, an economic one, to the exclusion of other important social functions; and since, at worst, it encourages the layman to think that “price” used in this context is synonymous with “purchase” in common English parlance. Hence we find people believing that wives are bought and sold in Africa in much the same manner as commodities are bought and sold in European markets. It is difficult to exaggerate the harm done to Africans by this ignorance.²¹

Evans-Pritchard introduced instead the term “bridewealth,” which anthropologists have used ever since.²² Although anthropologists have presented different proposals for understanding bridewealth payments, contemporary anthropologists do not consider bridewealth to be a pur-

from the *Settlement to the End of the Monarchy* (Jerusalem Biblical Studies 7; Jerusalem: Simor Ltd., 1996), 138–40, and Lemos, *Marriage Gifts*, 195–98.

18. See Exod 22:7, 10 (Eng., 8, 11).

19. The words עבד and אמה, like the word שפחה, are sometimes used figuratively or in speech to project an air of humility or even condescension; they do not always, strictly speaking, denote slave status. See, for example, Gen 18; 33:14; 42:10; 1 Sam 1:11; 25:25, 27; 2 Kgs 4:2, 16; Pss 86:16; 116:16; and Neh 2:10.

20. See Lemos, *Marriage Gifts*.

21. E. E. Evans-Pritchard, “An Alternative Term for ‘Bride-Price,’” *Man* 31 (1931): 36.

22. *Ibid.*, 36–39.

chase payment.²³ It only follows, then, that if bridewealth is not a purchase payment, then married women are not property.

One might contest, though, that there *are* biblical texts that use commercial language of marriage. In fact, there are three, and each one stands out as atypical in some way. Perhaps the best-known case is from ch. 4 of Ruth, where Boaz states that he has “acquired” Ruth, using the verb קנה, a root most typically used for commercial transactions. Yet, there are various interpretational cruxes in this chapter, some of which revolve around the very use of this term.²⁴ From whom has Boaz acquired Ruth? Her deceased husband? Is there actually a payment, and, if so, who would the recipient of this payment be—Naomi? Ruth’s Moabite father? Also, scholars dispute whether or not this union is a case of levirate marriage because the situation does not align well with either Deut 25:5–10 or Genesis 38, adding another layer of uncertainty to the interpretation of Ruth 4.²⁵ On the whole, the passage is difficult to understand, and so it seems imprudent to use it as evidence that Israelite women were bought as property.

Another passage where marriage is described with a word more commonly used in economic contexts is Hosea 3, where Hosea says that he bought (ואכרה) Gomer for “fifteen shekels of silver, a homer of barley, and a measure of wine” (3:2). Again, this passage presents interpretive challenges, not least of which is that Hosea had already married Gomer in Hosea 2. Was he marrying her again, or is this chapter a doublet? To whom has he paid these items? To Gomer’s father? To her? To some sort of procurer? Used here is a form of the root כרה rather than קנה. Again, we find a verb used of commercial transactions, though not the same verb. Is Hosea hiring Gomer here rather than buying her? Unfortunately, one can only speculate on the answers to these questions, because the passage does not provide us with sufficient information.²⁶

The final passage that uses commercial language of marriage is Genesis 31, where Rachel and Leah complain: “Is there still any portion or inheritance for us in our father’s house? Are we not regarded by him as

23. See Lemos, *Marriage Gifts*, particularly the introduction and Chapter 3.

24. See, for example, Jack M. Sasson, *Ruth: A New Translation with a Philological Commentary and a Formalist-Folklorist Interpretation* (2nd ed.; Sheffield: Sheffield Academic Press, 1989), 102–51, who discusses the relevant issues at great length; Kirsten Nielsen, *Ruth: A Commentary* (OTL; Louisville, KY: Westminster John Knox Press, 1997), 83–91; Tod Linafelt, *Ruth* (Berit Olam; Collegeville, MN: Liturgical Press, 1999), 63–76; and Tamara Cohn Eskenazi and Tikva Frymer-Kensky, *Ruth: The Traditional Hebrew Text with the New JPS Translation* (Philadelphia: Jewish Publication Society, 2011), 70–82.

25. On whether or not this passage describes a levirate marriage, see, for example, Sasson, *Ruth*, 125–51; Nielsen, *Ruth*, 84–89; and Frederic W. Bush, *Ruth, Esther* (WBC 9; Dallas, TX: Word Books, 1996), 221–37.

26. For a discussion of this passage and the issues for understanding Israelite marriage it presents, see Lemos, *Marriage Gifts*, 48–50, which also cites previous scholarship.

foreigners? For he has sold us, and he has used up the money given for us." The root used for "sold" is מכר, certainly a common enough term, but again, the passage presents challenges for understanding marriage as a purchase. First, Jacob's brideservice would have been atypical in ancient West Asia. Second, the passage presents Leah and Rachel as expecting an inheritance and complaining about the nature of their marriage, implying that marriage as a sale would have been seen as atypical and perhaps unsavory by an Israelite audience.²⁷

In each of these three passages, then, a different commercial term is used,²⁸ each time in a very different context and a context quite difficult to comprehend fully. In contrast to these three passages, the typical language of marriage in biblical texts involves variations on the phrase לקח (ל) (ל + pronomial suffix) לקח, "to take (for himself) (X) as a wife."²⁹ This language, while treating women as legal objects, is *not* commercial language in any straightforward sense.³⁰ Taking the evidence for marital language and rituals in the Hebrew Bible as a whole, I believe that it is problematic to comprehend Israelite marriage as a sale or a purchase.

However, if property is something that can not only be purchased but also can be transferred by sale or inheritance, sometimes without having been purchased, one might then ask whether or not Israelite women were subject to these other types of transactions, not as slaves but as wives and daughters. The answer in fact varies for wives and daughters. Certainly, daughters could be sold. Exodus 21:7 makes this clear. However, Neh 5:5 speaks of the selling of sons as well as daughters, and so the question of whether or not daughters could be sold seems to be related more to whether or not children were considered property than whether or not women were property. Due to constraints on space, I will leave aside daughters, then, and focus on wives. There is, in fact, no biblical text that speaks of a man's selling his wife or of transferring "ownership" of her to another man. Because the Laws of Hammurabi do allow men to sell wives into debt slavery (LH 117), one could see the absence of such a law in the Hebrew Bible as being due to the lack of comprehensiveness of the biblical laws of marriage, property, and inheritance rather than to a difference in Babylonian and Israelite practices. The fact remains, however, that there is no evidence in the biblical corpus for free wives being sold by husbands. In fact, some limits were placed even on the selling of slave wives (Exod 21:7–11; Deut 21:10–14), and

27. See *ibid.*, 45–46, 56–59, for discussions of Jacob's brideservice and of the marital issues in Genesis 31.

28. Sasson comments on this as well (*Ruth*, 123).

29. See, for example, Gen 4:19; 6:2; 11:29; 12:19; 20:2; 21:21; 24:4; 25:1, 20; Exod 2:1; Judg 14:2–3; Jer 16:2; 29:6; 1 Chr 7:14. In fact, *Ruth* 4:13 uses this very phrase.

30. Thus, we see a difference here between the language commonly used of marriage in rabbinic texts and the language of the Hebrew Bible. On marital language in rabbinic texts, see Labovitz, *Marriage as Metaphor*.

so it seems more judicious *not* to assume that it was acceptable to sell full status wives in ancient Israel than to assume that it was.

The issue of heritability of wives is an interesting one. In general, Israelite wives could not be devolved as property. This is not a surprise considering the typically lineal nature of Israelite inheritance, which could result in a man's wife being inherited by his own sons. Of course, it is in the case of a man's not having sons that his wife could, one might argue, be devolved to a family member through levirate marriage. In fact, the custom of levirate marriage is sometimes called "widow inheritance." Interestingly, though, it is only in Ruth 4, a contested case of levirate marriage, where proprietary language is used. Deuteronomy 25 and Genesis 38 do not characterize levirate marriage as a devolution of property, though Israelite authors certainly had the language available to speak of this practice as the inheritance of property if they had so wished. Again, in terms of basic conceptions of property, levirate marriage does not fit well, nor is it described as a property conveyance by the biblical texts that most clearly speak of it.

If wives *qua* wives rather than slaves were not considered property in ancient Israel, why then do Israelite texts speak of wives and husbands' relationships to wives in a way that has implied to some scholars that wives were property, particularly in cases where sexuality is concerned? Let us return again to Wegner's argument that women are generally treated as legal persons but are property insofar as their sexuality is concerned. While this characterization of women's status does not seem to me to accord well with the most widespread notions of property, it does in fact accord well with notions of subordination. Certainly, other scholars have described ancient Israelite women as having been subordinate to men, but to my knowledge none has used this understanding to refute the argument that Israelite women were in some way property.³¹ Unlike prop-

31. For discussions of women as subordinate to men, see, for example, Carolyn Pressler, *The View of Women Found in the Deuteronomistic Family Laws* (Berlin: Walter de Gruyter, 1993), 1, 5–6, 102, and *passim*, though she also states that Deuteronomistic writers considered a woman's sexuality to be her husband's "property." She writes: "[In Deuteronomy 22, the] woman's marital status, not her consent or lack thereof, determines the gravity of the offense. This makes sense only if the laws presuppose that the woman's sexuality is her husband's property, not her own" (91). See also Renita J. Weems, *Battered Love: Marriage, Sex, and Violence in the Hebrew Prophets* (OBT; Minneapolis, MN: Augsburg Fortress, 1995), 13, 17–20, 29–30, 33, who, like Pressler, states that women or women's sexuality was the "property" of men (4, 28, 121, 143); Gale A. Yee, *Poor Banished Children of Eve: Women as Evil in the Hebrew Bible* (Minneapolis, MN: Augsburg Fortress, 2003), 16–17, 25, and *passim*. She, too, seems to understand an Israelite wife as being the possession of her husband, or at least attributes that conception to Hosea (101); and Cheryl B. Anderson, *Women, Ideology, and Violence: Critical Theory and the Construction of Gender in the Book of the Covenant and the Deuteronomistic Law* (London: T & T Clark, 2004), especially 96–117, who states that "in the context of the [Book of the Covenant] and [Deuteronomistic law], the construction of masculinity as male dominance is evident" (97).

erty relations, subordination regularly concerns one aspect of a person's being and not others. Let me provide a few examples. In most cultures, children are seen as being subordinates of parents or even of any older family member. This means that children are expected to be obedient and that they can be physically manipulated, controlled, or disciplined. It rarely means, however, that access to their sexuality is part of their subordination to family members or that family members can kill them. Children's subordination relates to certain aspects of their being but not others. Even with lesser forms of subjugation—for example, workplace hierarchies—this partiality of subservience applies. Such hierarchies render underlings subordinate in certain, often quite limited, areas but not in most others. The relationship of Israelite wives to their husbands seems to me analogous to these situations: in some ways the woman is subject to her husband and in other ways she is not. This seems to me entirely typical of relationships of subordination.

The subordination of women is worth considering particularly because power relations in the ancient Near East left not only women but many, if not most, men dominated by other men. What the subjugation of these men entailed differed. In imposed treaty relations, men were subordinate to other men, promising to them financial benefits and fealty, and also promising their very persons if they should transgress the stipulations of the treaty.³² Treaties threatened disobedient subordinates with bodily mutilation, death, and nonburial in language explicitly likening transgressors to animals. We see this most clearly in the Treaty of Aššur-nerari V with Matī'ilu of Arpad and in Jeremiah 34, but the Sefire Treaty and the Esarhaddon Succession Treaties also speak in this way.³³ Thus,

Carol L. Meyers has argued against the viewpoint that Israelite women were subordinate to men in *Discovering Eve: Ancient Israelite Women in Context* (New York: Oxford University Press, 1988), especially 24–46, 165–88; *Rediscovering Eve: Ancient Israelite Women in Context* (New York: Oxford University Press, 2013), 97, 196–99, and *passim*; and “Was Ancient Israel a Patriarchal Society?,” *JBL* 133 (2014): 8–27. While Meyers is right to point to the shortcomings of patriarchy as a model and to the variability that existed in Israelite social arrangements—some of which afforded women more agency than others—I nonetheless find her proposals rather optimistic. While it is no doubt the case that some women may have had some or even a great deal of agency in certain contexts, it is difficult to contest that women in other contexts—and in general—were subordinated to their husbands and fathers. The works cited above provide ample evidence for this, and it is hard indeed to explain away the repeated examples in biblical laws and narratives where men are explicitly stated to be dominant over women, afforded life-and-death control over women, or where women are subject to capital punishment in cases where men are not, namely, for certain sexual infractions (see, e.g., Gen 3:16; 19:8; 38:24; Lev 21:9; Deuteronomy 22; and Ezekiel 16; 23 [but cf. Hos 4:14]).

32. This description of relational dynamics does not apply to parity treaties.

33. See Jer 34:8–22; the Sefire Treaty (face A, lines 35–42); Treaty of Aššur-nerari V with Matī'ilu of Arpad, especially lines 10–35; and the Esarhaddon Succession Treaties (e.g., lines 425, 481–484, 636A). (On these treaties, see particularly Joseph A. Fitzmyer, *The Aramaic Inscriptions of Sefire* [rev. ed.; BibOr 19A; Rome: Pontifical Biblical Institute, 1995]; D. J. Wise-

the type of subordination involving physical aspects was not unique to women in ancient Israel or in ancient West Asia. Where the subjugation of wives, on the one hand, and men in some political relations, on the other, seems to have differed, however, was in the fact that men owed superiors their physical persons only in cases of transgression whereas wives were expected to provide men with exclusive bodily access by virtue of their being wives. This is perhaps why the nature of their subordination most comes to the fore in cases where sexuality is discussed. Rape of a woman is treated the way it is in biblical texts not because women were the property of their husbands or their sexuality was property *per se*, but because rape challenged a father's or husband's dominance over the women in his household by challenging his exclusive control over their bodies.³⁴ Rape made unmarried women less marriageable in the same way, by making a future husband's sexual access to his wife not exclusive before the fact. Thus, it was in some way sensible in this system of domination and subordination to hand over women who had been raped to the men who had raped them because doing so would eliminate the problem exclusivity posed to the marital relationship.³⁵ In my view, what is more surprising is that marrying a widow or divorcée was apparently not seen as problematic in most cases in ancient Israel.³⁶ Of course, cultures are often inconsistent in their practices, and remarriage is a matter that must be left for another work. What is clear is that married women were in many ways subordinate to their husbands.

It is because the subjugation of wives *ipso facto* involved physical access in ancient Israel that Israelite wives were akin to slaves, even to male slaves. Male slaves were a type of subordinate individual who by virtue of their particular status owed their masters physical control over their persons, not just in cases of transgression but just by virtue of being slaves. Thus, the subjugation of slaves, male or female, is like the subjugation of wives insofar as both groups are *physically subject* to those in a dominant position over them, their husbands or owners. While slaves are called property by biblical texts—Exodus 21:21 expresses this in no

man, *The Vassal-Treaties of Esarhaddon* [repr. *Iraq* 20 (1958) part 1; London: British School of Archaeology in Iraq, 1958]; and Simo Parpola and Kazuko Watanabe, *Neo-Assyrian Treaties and Loyalty Oaths* [SAAS 2; Helsinki: Helsinki University Press, 1988]). The curses in Deuteronomy 28 are also relevant.

34. For biblical texts discussing rape, see particularly Gen 19:8; 34; Exod 22:15–16 (Eng., 16–17); Deut 21:10–14; 22:23–29; and 2 Samuel 13.

35. I refer particularly to Genesis 34; Exod 22:15–16 (Eng., 16–17); and Deut 22:28–29.

36. David, of course, married both types of women; see 1 Samuel 25; 2 Sam 3:14–16; and 2 Samuel 11. Leviticus 21:7 prohibits priests from marrying divorced women in a manner implying that it was permissible for other Israelite men to marry such women. Deuteronomy 24:1–4 prohibits Israelite men from marrying only divorcées to whom they had previously been married.

uncertain terms—and they can be purchased, used by masters in a variety of ways, sold, and devolved, which was different from the case of free wives, both slaves and wives shared a subordinate status that is physical in nature.

As was just stated, neither the subjugation of slaves nor that of wives is distinctive among ancient Near Eastern relationships in having physical dimensions. Throughout the ancient Near East, idealized masculinity was thought to involve domination to the point of complete physical control over subordinates.³⁷ It was not that men in positions of dominance were expected or even allowed to exert complete physical control over the persons of subordinates in all cases, but they were allowed and expected to do so in some cases. As royal inscriptions and annals make clear, this was the nature of ancient Near Eastern kingship, but as legal texts, prophetic texts, and biblical narratives of various kinds make clear, it was also the nature of being a husband or slave master in ancient Israel and ancient West Asia. There were, however, more limits on the dominance of husbands and slave masters, because limitless domination was the purview of kings and of gods, not of regular husbands and slave owners, who were themselves subject to the domination of others. Notably, though, while the power of husbands and masters might have been subject to more limitations, it was also more widely felt. A man could potentially go through life and feel the dominance of kings only from a very great distance and very indirectly, but a wife or a slave might feel the dominance of a husband or master on a daily basis. Although Israelite society was governed by multiple and sometimes conflicting status hierarchies that might at times set a woman's status above that of certain men, it is unlikely that parity was ever really achieved in relationships between husbands and wives in ancient Israel and certainly not in relationships between masters and slaves.³⁸

37. I discuss this at greater length in Lemos, "The Emasculation of Exile: Hypermasculinity and Feminization in the Book of Ezekiel," in *Interpreting Exile: Interdisciplinary Studies of Displacement and Deportation in Biblical and Modern Contexts* (ed. Brad E. Kelle, Frank Ritche Ames, and Jacob Wright; Ancient Israel and Its Literature 10; Atlanta: Society of Biblical Literature, 2011), 177–93; "'They Have Become Women': Judean Diaspora and Postcolonial Theories of Gender and Migration," in *Social Theory and the Study of Israelite Religion: Essays in Retrospect and Prospect* (ed. Saul M. Olyan; SBLRBS 71; Atlanta: Society of Biblical Literature, 2012), 81–109; and in "Physical Violence and the Boundaries of Personhood in the Hebrew Bible," *Hebrew Bible and Ancient Israel* 2 (2013): 500–531.

38. For example, a wealthy daughter of a priest would likely have a higher social status than a disabled man or a poor man. Status is to a great extent situational and governed by multiple hierarchies and social discourses, as I have discussed in Lemos, "'Like the Eunuch Who Does Not Beget': Gender, Mutilation, and Negotiated Status in the Ancient Near East," in *Disability Studies and Biblical Literature* (ed. Jeremy Schipper and Candida R. Moss; New York: Palgrave Macmillan, 2011), 47–66. See also the works of Meyers cited above (n. 31), where she discusses "heterarchy" as a model, and Anderson, *Women, Ideology, and Violence*, in which she states: "Indeed, female identity is constructed in such a way that, depending

The nature of the subordination of women and slaves has implications for Israelite conceptions of personhood that can only be detailed briefly here.³⁹ It is well known and quite clear that punishments are portrayed as collective in biblical texts such as Joshua 7 or Numbers 16. Attempting to explicate such passages, biblical scholars have written on Israelite corporate personality, corporate responsibility, or collective identity.⁴⁰ One might in a similar way speak of an Israelite collective personhood, but Israelite personhood is not collective in the sense of being undifferentiated or equally distributed. In various texts, the fate of members of households is closely tied together, but rather than being undifferentiated, Israelite personhood seems to be extended. That is, it extends outward from the male head of household to his subordinates. The male head is both a legal and a social person in that he is an agent whose actions are socially recognized as having significance and juridical and social effects, while the personhood of his subordinates is more partial and variable. His personhood and that of his subordinates is tied together, but the male head can affect the personhood of subordinates more than the reverse. For example, a husband can kill an adulterous wife or bring her forward to be killed, arguably eliminating her very personhood, but she cannot do the same to him, and his personhood is seemingly unaffected by her death.⁴¹ A male head of household can physically punish or manipulate slaves or children, as well as sell them to others, but they cannot do the same to him. This, like the physical aspects of power relations discussed above, was an aspect of normative relationships of domination and subordination in ancient Israel. The dominance of husbands, masters, and fathers is such that their very personhood extends outward to subordinates so that if the dominant parties err and are punished, their subordinates, as extensions of them, too, are subject to punishment, while the reverse is not also true.

on that female's class, age, and marital status, symmetrical and asymmetrical relations with males are suggested simultaneously" (50). Nonetheless, I can think of few situations where a woman's status would be superior to that of her own husband. Even if a woman were married to a slave, her status would presumably suffer through that fact alone. Also, even if a woman's husband were to treat her as an equal, Israelite society still accorded him many more legal prerogatives.

39. For a longer discussion of the personhood of Israelite women, see Lemos, "Physical Violence," especially 522–29, and the relevant works cited there.

40. See the bibliography cited in *ibid.*, 509.

41. Pressler makes a germane comment: "[Deuteronomic sexual offense laws] presuppose that women's sexuality is a man's possession or, rather, since property offenses in ancient Israel are never punishable by death, belong to the man's very person. The father has the right of disposal, the husband an exclusive and unilateral right of access" ("Deuteronomy," 98).

Conclusion

As should by now be clear, although I have argued against the idea that women in ancient Israel were property, my purpose has not been to assert instead that relationships between women and men in ancient Israel were at all equal. While Israelite society was governed by different hierarchies, and gender binaries were not always the most important set of oppositions,⁴² the extant evidence in my view leaves little doubt that wives were subordinate to husbands and daughters to fathers. In the case of wives, however, this subordination is *not* best understood in terms of ownership or a property relation. If Israelite texts themselves consider the status of wives to be different from the status of slaves, and if wives could not be purchased, sold, or devolved, it seems inaccurate to state that wives in ancient Israel were “merely chattel,” as scholars not infrequently do. Recognizing instead that the concept of subordination is what illuminates relations between women and men is important because it allows us to compare the subjugation of wives to the subjugation of other classes of Israelites, including that of free men to other free men. All subordination is not equivalent, and one might be dominant in one scenario and subordinate in another, as was the case, too, with free women, who might be dominant in relation to their children, slaves, or even certain free men, but subservient to their husbands. In my view, understanding Israelite women as property, whether in general terms or in relation to their sexuality, is not only inaccurate but is also less useful heuristically than what I have proposed. Rather, it is in probing the nature of hierarchies and relations of dominance that we come to understand better the nuances of family dynamics, community bonds, and social organization in ancient Israel and in the wider ancient Near East.

42. Anderson, *Women, Ideology, and Violence*, states that in the Book of the Covenant and Deuteronomic law, gender has “master-status” as a trait: “In sociology, ‘master-status’ is the trait that overpowers any other traits that might contradict it. . . . Gender is such a critical trait in these laws that it underlies other traits such as nationality and class” (74). While her conclusion is true in most cases, I do not find it accurate for some laws in Deuteronomy. In my view, ethnicity is more “overpowering” a trait in Deuteronomy 7 and 20 than gender is, even if an audience of male Israelites is addressed. In the conquest narrative in Joshua, as well, ethnic identity appears to me to trump gender binaries in importance.

Crossings, Transgressions, and Movement in the Jephthah Cycle*

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Remarking on the richness of the narratives about Jephthah in the biblical corpus, Susan Niditch, in her commentary on Judges, succinctly points to the stories' significance: "Themes of kinship, gender, leadership, and group unity/disunity inform the tales of Jephthah, a collection that is much at home in the corpus of Judges and that points to foundational and defining issues in Israelite worldview."¹ For understandable reasons, however, much of the research on the Jephthah stories has focused on the harrowing tale of the sacrifice of Jephthah's daughter, poignantly labeled a "text of terror"² by Phyllis Trible.

Though this attention to the story of the sacrifice of Jephthah's daughter has led to interesting and important reflections and conclusions, espe-

* I met Prof. Susan Niditch in September of 1996 as a freshmen at Amherst College. As my newly appointed faculty advisor, she had the unfortunate task of helping me get a broad liberal arts education (emphasis on *broad*), which, in 1996, meant trying to dissuade me from taking all my courses on feminist and gender studies. She was only partially successful—I think I took only two feminism and gender classes that semester, including her course, titled "Myths of Women: East and West." I would, of course, go on to take many more courses with Prof. Niditch as well as with her husband, Prof. Robert Doran, and would eventually end up majoring in Religious Studies. I think it is fair to say that I would probably not have become a biblicist had I not had the good fortune of ending up as Prof. Niditch's student and advisee those many years ago. She was my first model of a biblicist, and she still remains one today. To say that she is my mentor, friend, role model and teacher—these labels cannot begin to describe how instrumental and formative she has been in my life. I am honored to be able to contribute an essay for this *Festschrift* in her honor.

1. Susan Niditch, *Judges: A Commentary* (Louisville, KY: Westminster John Knox Press, 2008), 130.

2. Phyllis Trible, *Texts of Terror: Literary-Feminist Readings of the Biblical Narratives* (Philadelphia: Fortress, 1984), 93–118.

cially with respect to issues of gender,³ it has also resulted in a general disregard for a reading of the Jephthah narratives as a whole. A more comprehensive understanding of this cycle of stories as a totality, however, is key to a better interpretation of the individual narratives about Jephthah, such as that concerning his daughter. A sense of the whole, by helping us more deftly discern how these seemingly disjointed and unrelated stories came to be associated with this character, undoubtedly leads to improved clarity about other, more targeted mysteries in the Jephthah cycle.

This article thus attempts to look at the narratives of Jephthah through a slightly different lens by focusing on the *collection* of stories about this figure. In particular, this article will center on issues of literary coherence and purpose: What is the relationship among the various traditions about Jephthah in the Hebrew biblical corpus—namely, the tales of his battle with the Ammonites, the sacrifice of his daughter, and his conflict with the Ephraimites in Judges 11–12? How did these varied pericopes come to be associated with this particular figure, and what is the significance and purpose, if any, of this collection? These specific questions will lead to and indeed overlap with larger queries: Why was this story placed in the book of Judges, and how does it fit the larger themes, purposes, and meanings of the book as a whole?

What this article will show is that each pericope about Jephthah revolves around the theme of crossing and transgressions of boundaries, both physical and conceptual. The numerous appearances of this theme in various iterations in the Jephthah cycle, as well as in the book of Judges in general, as we will show, subtly reflect ideas about the nature of Israelite identity as imagined in the transitional period of the judges.

Previous Research and the Jephthah Cycle

Alice Logan, among others, has noted the disjunctive nature of the narratives about Jephthah, especially the pericope concerning the sacrifice of

3. To name just a few feminist works on the daughter pericope: Mieke Bal, *Death and Dissymmetry: The Politics of Coherence in the Book of Judges* (Chicago: University of Chicago Press, 1988); J. Cheryl Exum, *Fragmented Women: Feminist (Sub)versions of Biblical Narratives* (Valley Forge, PA: Trinity Press International, 1993); Esther Fuchs, "Marginalization, Ambiguity, Silencing: The Story of Jephthah's Daughter," *JFSR* 5 (1989): 35–45; Beth Gerstein, "A Ritual Processed: A Look at Judges 11.40," in *Anti-Covenant: Counter-Reading Women's Lives in the Hebrew Bible* (ed. Mieke Bal; Bible and Literature Series 22; Sheffield: Almond Press, 1989), 175–93; Ann Michele Tapp, "An Ideology of Expendability: Virgin Daughter Sacrifice in Genesis 19.1–11, Judges 11.30–39 and 19.22–26," in *Anti-Covenant*, 157–74; Tribble, *Texts of Terror*, 93–118; Renita J. Weems, *Just a Sister Away: A Womanist Vision of Women's Relationships in the Bible* (San Diego: LuraMedia, 1988).

his daughter.⁴ Writing about the widespread condemnation of Jephthah's actions in modern readings⁵ as well as in classical rabbinic and Christian traditions, she maintains that this interpretation is at odds with the favorable portrayals of Jephthah in other parts of the Hebrew text. For example, she notes that the two references to this figure outside of Judges in the Bible, 1 Sam 12:11 and Heb 11:32, praise his leadership. More importantly, Logan argues that outside of the pericope about the daughter, Jephthah is portrayed in Judges positively, as an "able negotiator, accomplished statesman, and articulate defender of ethnic pride, as well as a bona fide deliverer and respected judge."⁶ Indeed, Logan notes that Jephthah is pictured similarly to David, another military outlaw who rises up the socio-political ranks after being disinherited.⁷

Thomas Römer, using, in part, the earlier work of Wolfgang Richter, also notes the disjunctive placement and contextualization of the daughter tale in the Jephthah collection as a whole.⁸ Noting the lack of references to the daughter pericope in other parts of the Jephthah collection, the incongruous placement of Jephthah's home in Judges 11 and Judges 12, the strange and singular location of the sacrifice narrative in the "private sphere,"⁹ as well as the oddity of Jephthah's vow to God to sacrifice that which comes out of his house *after* the spirit of Yhwh has already descended upon him,¹⁰ Römer states that it is "quite obvious" that the sacrifice narrative "belongs to another literary level than the surrounding

4. Alice Logan, "Rehabilitating Jephthah," *JBL* 128 (2009): 665–85, esp. 666.

5. Most scholars, especially feminist commentators, judge Jephthah negatively—as impulsive, rash, foolish, faithless, etc.; see Robert G. Boling, *Judges: Introduction, Translation, and Commentary* (AB 6A; Garden City, NY: Doubleday, 1975), 210; Alice Ogden Bellis, *Help-mates, Harlots and Heroes: Women's Stories in the Hebrew Bible* (2nd ed.; Louisville, KY: Westminster John Knox, 2007), 116; Dennis Olson, "Dialogues of Life and Monologues of Death: Jephthah and Jephthah's Daughter in Judges 10:6–12:7," in *Postmodern Interpretations of the Bible: A Reader* (ed. A. K. M. Adam; St. Louis: Chalice Press, 2001), 43–54; Tribble, *Texts of Terror*, 96, 102; Weems, *Just a Sister Away*, 55. In contrast, Alice Logan argues that the wordplays and references in the narrative show that the audience of Judges 11 condoned and indeed applauded Jephthah's sacrifice of his daughter (Logan, "Rehabilitating Jephthah," esp. 668).

6. Logan, "Rehabilitating Jephthah," 665; see also J. Alberto Soggin, *Judges: A Commentary* (OTL; Louisville, KY: Westminster John Knox, 1981), 215; Richard E. DeMaris and Carolyn S. Leeb, "Judges—(Dis)Honor and Ritual Enactment: The Jephthah Story—Judges 10:16–12:1," in *Ancient Israel: The Old Testament in Its Social Context* (ed. Philip F. Esler; Minneapolis: Fortress, 2006), 184.

7. Logan, "Rehabilitating Jephthah," 673. Logan notes further that David and Jephthah are the only two Israelite leaders who are explicitly said to have assumed power through a treaty with their people (Judg 11:11; 2 Sam 3:21; 5:3) (*ibid.*, 674 n. 25).

8. Thomas C. Römer, "Why Would the Deuteronomists Tell about the Sacrifice of Jephthah's Daughter?" *JSOT* 77 (1998): 27–38.

9. *Ibid.*, 28–29.

10. Wolfgang Richter, "Die Überlieferungen um Jephtah. Ri 10,17–12,6," *Bib* 47 (1966): 491.

verses."¹¹ He thus posits that this pericope was inserted into the Jephthah collection during the late Persian or early Hellenistic period in order to subvert Deuteronomistic ideas about retribution and theodicy.

Lauren Monroe adds to Römer's argument about the dating and purpose of the daughter pericope. Noting the incongruity of the daughter story, which takes a "successful warrior known from Israel's eastern conquest traditions and presents him as engaged in the practices of Israel's eastern enemies," Monroe too argues that this particular tale contradicts the "utterly positive stance toward Jephthah in Judg 11:1–29."¹² She thus agrees with Römer that the story of the daughter is a late insertion into the text of Judges, which she posits was for the purpose of casting doubt on the reputation of Jephthah. She maintains that diminishing Jephthah's reputation would have been necessary to create a picture of premonarchic "Israelite depravity" by pro-Davidic editors of Judges.¹³

As is evident, questions concerning the congruency of the stories in the Jephthah cycle, especially the relationship of the daughter pericope to other narratives in the collection, center around issues of dating. Römer's and Monroe's support for a later dating of the daughter pericope comes, in part, from cross-cultural evidence. Most notably, Peggy Day and Mary Ann Beavis have beautifully and thoroughly explored the parallels between the daughter pericope and Greek myths, such as the story of Iphigeneia and Kore-Persephone, and also heroine cults of antiquity, such as that of the daughters of Erechtheus, the king of Athens.¹⁴

However, though Monroe's and Römer's arguments about the disjunctive nature (and perhaps late dating) of the daughter pericope are persuasive and engaging, their conclusions do not elucidate why this pericope, even if it were a late insertion, was added to the tales of Jephthah in the first place. In other words, if the point of the insertion of the daughter pericope was to subvert or criticize Deuteronomistic ideology or even to denigrate Jephthah so as to portray the period before David as that

11. "Why Would the Deuteronomists," 28. As this essay will show, though Römer is correct that the Jephthah cycle is redactionally layered, the stories about this figure, however, are joined and connected through the use of a particular leitmotif.

12. Lauren S. Monroe, "Disembodied Women: Sacrificial Language and the Deaths of Bat-Jephthah, Cozbi, and the Bethlehemite Concubine," *CBQ* 75 (2013): 37.

13. *Ibid.*, 38. In contrast, L. Juliana M. Claassens posits that the Jephthah cycle functioned as anti-monarchic literature ("Theme and Function in the Jephthah Narrative," *JNSL* 23 [1997]: 203–19).

14. Peggy L. Day, "From the Child Is Born the Woman: The Story of Jephthah's Daughter," in *Gender and Difference in Ancient Israel* (ed. Peggy L. Day; Minneapolis: Fortress Press, 1989), 58–97; Mary Ann Beavis, "A Daughter in Israel: Celebrating *Bat Jephthah* (Judg. 11.39d–40)," *Feminist Theology* 13 (2004): 11–25. For Christian adaptation of the daughter narrative, see Mary Ann Beavis, "The Resurrection of Jephthah's Daughter: Judges 11:34–40 and Mark 5:21–24, 35–43," *CBQ* 72 (2010): 46–62. See also Theodore H. Gaster, *Myth, Legend, and Custom in the Old Testament* (New York: Harper & Row, 1969), 432–33.

of chaos and disorder, why was it added to the cycle of narrative about *Jephthah* in particular? Why was the narrative context of the *Jephthah* stories envisioned as an especially appropriate place to insert this harrowing tale? These unanswered queries thus lead us back to the broader questions with which we began the essay: What is the relationship among all the variant stories about *Jephthah* in Judges? How and why did these narratives, even ones that contradict earlier, more positive depictions of this character, such as that concerning his daughter, come to be associated with this specific figure?

David Janzen's article, though centered on a slightly different issue, sheds some initial light on these queries.¹⁵ Contra Römer and Monroe, Janzen argues that the daughter narrative is not a late insertion but an original part of the Deuteronomistic History. As evidence, Janzen points to two features of this pericope that speak to the narrative's "fit" in the Deuteronomistic context of Judges. First, he argues that the daughter story is a necessary component of the general pattern of moral decline that runs throughout the entirety of the book of Judges. Second, Janzen maintains that this narrative emphasizes a message—namely, that when Israel sacrifices likes foreigners, they will act like foreigners—that is found elsewhere in the Deuteronomistic History. Though we disagree with Janzen's redactional conclusions,¹⁶ he does, however, correctly point to the importance of an inquiry into the coherence of the *Jephthah* narratives as a whole. Putting aside for the moment the issue of whether the pericope of *Jephthah's* daughter is a late insertion or original to the Deuteronomistic text, the question about the relationships among the various stories about this figure remains: What theme, issue, or concern, if any, connects and binds these tales about *Jephthah*, and what is the nature and significance of these connections?

The Repetition of עבר and the *Crossing* Leitmotif

To address these queries, we begin with Römer's interesting observation. In his article, Römer notes in passing that the root עבר ("to cross, pass over, to go over or through, to transgress") is a leitmotif that runs throughout the Judges narratives about *Jephthah*.¹⁷ Indeed, he points to the lack of this

15. David Janzen, "Why the Deuteronomist Told about the Sacrifice of *Jephthah's* Daughter," *JSOT* 29 (2005): 339–57.

16. Unfortunately, the general fit of a story cannot be used as clear redactional evidence. The daughter pericope might fit the Deuteronomistic context because, after it was inserted, it was deftly edited so as follow the trajectory of the larger history.

17. Römer, "Why Would the Deuteronomists," 29 n. 8.

term in the pericope of Jephthah's vow and sacrifice of his daughter as evidence that it is a later insertion.¹⁸ While we agree with Römer's redactional conclusions, he might have been too quick to deny the presence of the *crossing* (עבר) theme in the daughter pericope. Indeed, as we will show, the theme of crossings or transgressions runs throughout the entire cycle of stories about Jephthah, appearing even in the daughter pericope, albeit in an altered and modified form.

To begin with the linguistic evidence, the root עבר appears fifteen times in the Jephthah cycle. Twice it is used to describe the location of particular territories: in Judg 10:8 to designate the areas in Israel that are oppressed by the Ammonites and the Philistines; and in Jephthah's defensive speech to the Ammonites, at Judg 11:18, where he describes the exact route and history of Israel's journey in the wilderness. The verb of עבר is also used to describe how the Ammonites *crossed over* the Jordan to fight Israel (10:9), and how the nations rebuffed Israel's request for passage or *crossing* when Israel was in the wilderness (11:17, 19, 20). The term also appears in Judg 11:29 (3 times) and in 11:32 to describe how the spirit of Yhwh came upon Jephthah, thus inducing him to *pass through* Gilead and Manasseh in order to *cross over* to the Ammonites to fight them.

The verb is again used to describe a reversal of Jephthah's journey: Jephthah, in the beginning of the cycle, *crosses over* to fight the Ammonites (12:1; 12:3); at the end, the Ephraimites *cross over* to fight Jephthah (12:1). After the fight, the Ephraimites attempt to flee by trying to *cross* (12:5) the fords or *crossings* (12:5) of the Jordan. However, as the Ephraimites are unable to pronounce "shibboleth" correctly, the Gileadites slaughter the Ephraimites at the ford or *crossing* of the Jordan (12:6). As Dennis Olson points out, the fords of the Jordan and, indeed, the Jordan itself demarcated the "geographical boundary" between the "parochial region of Gilead east of the Jordan and the rest of Israel in the land of Canaan, which lies west of the Jordan River."¹⁹ Transgressions and crossings of boundaries thus appear to be highlighted in the Jephthah narratives. As is evident, most of the emphasis on עבר is centered on Jephthah's description of Israel's travels in the wilderness, on Jephthah's own movements and travels through the region, and finally on the travels and movements of his various enemies as they transverse territory to counter him and to fight against him.

18. Ibid., 29.

19. Olson, "Dialogues of Life and Monologues of Death," 53.

Social and Kinship Crossings and Transgressions

Not only does the linguistic evidence point to the prevalence of the *crossing* theme in this cycle, but if we enlarge the idea of *crossing* or *transgression* to conceptual boundaries and borders, such as those concerning family, kinship, society, religion, or ethics, the ubiquity of this theme is undeniable. Scholars, for example, have frequently remarked on the social location of Jephthah as someone who is transgressive and outside the bounds of normal society. Niditch notes that he, like many of the other judges, is presented as marginal: he is an outsider and a social bandit.²⁰ Indeed, the Jephthah narratives commence with a declaration of his social marginality: "Now Jephthah the Gileadite, the son of a prostitute, was a mighty warrior. Gilead was the father of Jephthah" (Judg 11:1). Not only is Jephthah the son of a harlot,²¹ but more importantly, the identity of his father is ambiguous. It is unclear whether Gilead refers to a person or to a territory. Considering that his mother is called a זונה or a prostitute, the unclarity seems to be for the deliberate purpose of emphasizing his outsider status: Jephthah, whose name means "he opens," is the son of an open woman. As the son of a harlot, he is also the son of everyone in Gilead, and thus the son of no one. He sits firmly outside of the boundaries of the patrilineal system of Israel, belonging to no family, and, hence, sociologically nowhere.

Naomi Steinberg further outlines the ways in which the text emphasizes the ambiguity and thus the transgressive nature of Jephthah's position in the kinship system of Israel. She writes that Jephthah's family, his **בית אב**,²² not only frames the battle traditions, but the term "house" is utilized eleven times in Judges 11.²³ That Jephthah resides in and is located outside the normal "houses" of Israel is thus clearly and emphatically

20. Niditch, *Judges*, 131. On the portrayal of Samson, another judge, as a social bandit, see Susan Niditch, "Samson as Culture Hero, Trickster, and Bandit: The Empowerment of the Weak," *CBQ* 52 (1990): 608–24.

21. The identification of Jephthah's mother as a prostitute has been variously interpreted; see Mieke Bal, *Death and Dissymetry*, 202. Phyllis Bird, for example, maintains that harlots are given a more ambivalent and complicated depiction in the biblical text ("The Harlot as Heroine: Narrative Art and Social Presupposition in Three Old Testament Stories," *Semeia* 46 [1989]: 119–39).

22. The **בית אב**, as Naomi Steinberg explains, is the basic social unit in the organization of Israelite society ("The Problem of Human Sacrifice in War: An Analysis of Judges 11," in *On the Way to Nineveh: Studies in Honor of George M. Landes* [ed. Stephen L. Cook and S. C. Winter; ASOR Books 4; Atlanta: Scholars Press, 1999], 124). For a very thorough analysis of the **בית אב** and patrimonialism in the ancient Near East, see David Schloen, *The House of the Father as Fact and Symbol* (Winona Lake, IN: Eisenbrauns, 2001).

23. Steinberg, "The Problem of Human Sacrifice," 124.

noted in the text. Indeed, Jephthah's prostitute mother and the sacrifice of his pubescent daughter, stories that involve Jephthah's house or lineage, bookend the narratives about this figure in Judges 11. As we will discuss later in this article, the emphasis on and the ambiguity of Jephthah's house thus connect the beginning part of the narrative of Jephthah's judgeship with the later part about the sacrifice of his daughter.

The transgressive nature of Jephthah's lineage and its implications with respect to Israel's inheritance system lead to more *crossings* by this figure. Immediately after we are told of Jephthah's dubious pedigree, more family drama ensues as his father's legitimate wife drives Jephthah away so as to prevent him from inheriting with her children. His marginal kinship status thus literally and literarily sets Jephthah's story into motion as he is forced to dislocate into territory outside of traditional society. Indeed, Cheryl Exum writes that Mizpah, where Jephthah makes his home (11:34), is itself marginal, located at a boundary between Israel and Ammon.²⁴ Unsurprisingly, this marginal space is filled with other socially marginalized men who gather around Jephthah: "Outlaws collected around Jephthah and went raiding with him" (11:3). Reflecting their transgressive status, Jephthah and his men engage in transgressive acts, attacking and thieving those around them. Pushed out of his father's house and thus out of Israelite society, Jephthah is therefore forced to breach territorial boundaries, to physically move about and around the territories. His physical movements in the land thus mirror his transgressive social status.

Jephthah's motions continue as Ammonite territorial transgressions and *crossings* into the boundaries of Israelite territory aid in and propel other *crossings* and movements. In response to this foreign threat, Judg 11:5 states that the elders of Gilead move outward, across the boundaries of their society, to seek Jephthah for his military skills. In the negotiations between Jephthah and the elders, movements and boundary transgressions are again emphasized. Jephthah blames the elders for his dislocation—"Are you not the very ones who rejected me and drove me out of my father's house?" (Judg 11:7). The elders, in turn, plead for his return, stating that "we have now *turned* back to you, so that you may go with us and fight with the Ammonites" (Judg 11:8; emphasis added). Kenneth Craig notes that the term "to return" or "turn" has religious significance: Not only does it imply a turning away from one's previous misdeeds but also "concomitantly turning to a new *modus operandi*."²⁵ Indeed, Craig notes a double movement on the part of all the characters: "This turning

24. J. Cheryl Exum, "On Judges 11," in *A Feminist Companion to Judges* (ed. Athalya Brenner; Sheffield: Sheffield Academic Press, 1993), 133.

25. Kenneth M. Craig, Jr., "Bargaining in Tov (Judges 11, 4–11): The Many Directions of So-called Direct Speech," *Bib* 79 (1998): 80.

works in two directions simultaneously. They (re)turn to him now, but it is Jephthah—not the elders—who has gone away!”²⁶

This *turning* on the part of elders leads to a turn of words as they now offer Jephthah not only a way to reintegrate, to *cross back* into the boundaries of the society of Israel, but also a way to move upward in it by becoming their head.²⁷ Hence, in just a few verses, the narrative stresses a multitude of movements and motions on the part of Jephthah: As someone of ambiguous lineage, he moves from his tenuous position inside society to the outside when he is banished; he then moves around the marginal territories of Israel as the leader of bandits; the elders of Israel then move out to the margins to bring Jephthah, the outsider, back inside; and finally, Jephthah, in exchange for fighting and saving Gilead from foreign threat, is permitted to return to society and indeed to move upward in it by becoming its chief.

Crossings and Transgressions of Territory and Memory

The negotiations between Jephthah and the elders thus foreshadow and set the scene for another prewar war of words,²⁸ this time between Jephthah and the Ammonites—an exchange that not only tells of Israel’s movements during its travels in the wilderness but also concerns other transgressions and *crossings*, namely, those of memory and history. Further stressing the *crossing* leitmotif, territorial boundaries and ownership are stated to be the key issues at stake between Gilead and Ammon. The Ammonite king, when asked by Jephthah to state the reason for Ammon’s aggression, answers: “Because Israel, on coming from Egypt, took away my land from the Arnon to the Jabbok and to the Jordan; now therefore restore it peaceably” (Judg 11:13). To this succinct accusation, Jephthah replies with a lengthy historical and theological overview, detailing the movements of Israel in its journey in the wilderness. In comparison to the Ammonites’ reply, Jephthah’s history lesson is oddly long-winded, running on for several verses (vv. 15–27). Its peculiarity is especially noticeable when we consider that his reply is supposed to be addressed to foreigners

26. Ibid.

27. For more on the nature of the bargaining between Jephthah and the elders of Gilead, see David Marcus, “The Bargaining between Jephthah and the Elders (Judges 11:4–11),” *JANES* 19 (1989): 95–100. Marcus argues that the point of contention between Jephthah and the elders was not about his position but about Jephthah’s disinheritance.

28. David Jobling calls them “verbal combat preliminary to the military combat” (*The Sense of Biblical Narrative: Structural Analyses in the Hebrew Bible II* [JSOTSup 39; Sheffield: Sheffield Academic Press, 1987], 128).

who most likely have a different understanding of past events, and who, therefore, would be unmoved by such a tiresome rebuttal. What, then, is the purpose of such a protracted recounting of Israel's past wanderings?

Interestingly, this long review of Israel's travels again emphasizes the *crossing* leitmotif. First, the telling itself acts as a means of a *crossing*. By retelling the story of Israel's locomotion through the wilderness, readers or hearers are forced to move, to *cross over*, from their own contexts and locations into the narrative and into the past as a partner in Israel's national journey. Indeed, through the retelling, the reader and the listener are transformed into participants who travel and move alongside the Israelites as they cross various territories and lands.

More importantly, however, via this review, Jephthah not only justifies Israel's claim to the land—the central issue at stake in his fight with the Ammonites—but through this act of oral surveying, Israel acquires and occupies these lands and territories anew.²⁹ This reemphasized, reiterated “contract” or “deed” of ownership is then ratified by stressing the divine stamp of approval: “So now the Lord, the God of Israel, has conquered the Amorites for the benefit of his people Israel. Do you intend to take their place?” (11:23). Those who hinder Israel's movement—the Edomites, Moabites, Amorites, and, most recently, the Ammonites—are thus refashioned from mere enemies of Israel and its movement into opponents of the God of Israel who called forth and compelled Israel's trajectory and *crossings*. Moreover, by taking the reader alongside Israel's journey, the national road blockers of the past and present (i.e., the Ammonites) are transformed into foes of the “journeying” reader as well.

Adding to the complexity of the speech, scholars have noted that Jephthah's description of Israel's national journey appears to be at variance with other biblical accounts of this event.³⁰ While both Judg 11:19–21 and Num 21:23 state that the Amorite king Sihon refused Israel's passage through his land and warred against the nation, a different report is attested in Deuteronomy 2.³¹ In that account, God induces Sihon's refusal

29. For a similar type of oral “colonialism,” especially as reflected in the patriarchal narratives, see Gary Rendsburg, “Biblical Literature as Politics: The Case of Genesis,” in *Religion and Politics in the Ancient Near East* (ed. Adele Berlin; Bethesda, MD: University Press of Maryland, 1996), 47–70. For larger ideas of the politics of space and place, see Claude Nicolet, *Space, Geography, and Politics in the Early Roman Empire* (Ann Arbor, MI: University of Michigan Press, 1991). Also related is Paul Kosmin's brilliant work on issues of space, place, and politics in the Seleucid Empire (*The Land of the Elephant Kings: Space, Territory and Ideology in the Seleucid Empire* [Cambridge: Harvard University Press, 2014]).

30. Lillian Klein notes that Jephthah's “illogical argument conflates Moabite, Ammonite, and Amorite historical figures and events and even transposes the national gods” (*The Triumph of Irony in the Book of Judges* [JSOTSup 68; Bible and Literature Series 14; Sheffield: Almond Press, 1989]), 89.

31. For the relationship of the various accounts of Israel's travels, see J. R. Bartlett, “The Conquest of Sihon's Kingdom: A Literary Reexamination,” *JBL* 97 (1978): 347–51; Graham

in order to transfer his land to Israel. Alluding to Pharaoh in the Exodus narrative,³² Deut 2:30–31 states that God hardened Sihon's spirit and heart so that Israel can take possession of his land.

Similar small discrepancies are present in other parts of Jephthah's review. While Jephthah states in Judg 11:17 that Edom just plainly refused Israel's passage through its land, Num 20:20–21 portrays Edom as preparing to attack Israel. Moreover, in contrast to both the Numbers and Judges accounts, Deut 2:29 suggests that Edom and Moab did indeed let Israel pass through. Niditch sums up the variances when she notes that while kinship is emphasized in Deuteronomy, the versions in Judges and Numbers "cast the enemy strongly in terms of 'us versus them,' as befits tales of epic warriors."³³ Indeed, J. Maxwell Miller writes that Jephthah's itinerary in Judges 11 represents a different Deuteronomistic version of Israel's journey than the one found in Deuteronomy 2.³⁴ According to Miller, the Judges version replaces the sons of Esau at Mount Seir and the sons of Lot at Ar with the kingdoms of Edom and Moab, which Israel is forced to bypass.³⁵

Though we cannot offer a detailed comparison of the various biblical accounts of Israel's travels, what this quick summary shows is that Jephthah's retrospective, which is supposed to offer a clear justification for Israel's land possessions in Judges 11, actually has the opposite effect. It serves to make the history of Israel's journey more ambiguous and perplexing. Indeed, Jephthah's account not only confuses the memory of interactions between Israel and the other countries but also blurs the identity of the various nations by conflating national boundaries and territories. This is most clearly apparent in the erroneous labeling of Chemosh, the god of the Moabites, as the deity of the Ammonites at Judg 11:24.

Though this confusion can be explained by Miller's argument that the local population of the region would have consisted of "mixed loyalties, and all three national groups (the Moabites, Israelites, and Ammonites),"³⁶ the irony of Jephthah's confused statement cannot be diminished.³⁷ How is this ambiguous, conflated, maybe even erroneous account of Israel's

Davies, "The Wilderness Itineraries and the Composition of the Pentateuch," *VT* 33 (1983): 1–13; John van Seters, "The Conquest of Sihon's Kingdom: A Literary Examination," *JBL* 91 (1972): 182–97; idem, "Once Again—the Conquest of Sihon's Kingdom," *JBL* 99 (1980): 117–19.

32. Niditch, *Judges*, 131–32.

33. *Ibid.*, 132.

34. J. Maxwell Miller, "The Israelite Journey through (around) Moab and Moabite Toponymy," *JBL* 108 (1989): 577–95, esp. 584.

35. *Ibid.*

36. *Ibid.*, 578.

37. For the presence of irony in the Jephthah cycle and in the book of Judges as a whole, see Klein, *Triumph of Irony*.

past journey, from a person who clearly lacks knowledge of the identity of Ammon's national deity, supposed to function as a clear historical counter to the Ammonite's claim to the land? Jobling even notes that Jephthah oddly fails to mention important details that directly pertain to Ammon, namely, that Israel went around Ammon during its travels.³⁸ Considering Jephthah's strange reply, the assertion by the Ammonites that previous land claims were erroneous, spurious, or, at least, more ambiguous than Israel believes, seems to be valid. Jephthah's "circuitous argument," as Exum notes, "fails to persuade."³⁹

Despite the many ambiguities, what Jephthah's revisionist account of the nation's history stresses is that Israel moved about this land and area in the past, and that it is this past movement of the nation that justifies its claim to this territory. As such, the *crossing* theme that we have been tracing is again visible in numerous iterations in this pericope concerning Ammon's and Jephthah's fight. Its presence is evident, first, by the emphasis on Israel's travels and journey around and through the Transjordan in Jephthah's defensive speech to the Ammonites. It is also apparent in the acknowledgment by Jephthah that Israel circumambulated and did not *cross* over or *transgress* the boundaries of certain countries during its travels. Lastly, the *crossing* theme can be detected in Jephthah's confusion and blurring of Israelite history as well as the religion and identity of the Ammonites, which can be viewed as a type of conceptual or cultural obfuscation and transgression.

Indeed, to conjecture a bit, the confused designation of Moab's god as that of Ammon,⁴⁰ as well as the pinpointing of the Ammonites as the enemy in this narrative, might also be for the purposes of expressing the *crossing* theme.⁴¹ It is difficult to think of Ammon and Moab without thinking of their origin myth in Genesis 19, which also entails numerous crossings and movements: God sends two messengers from heaven to earth to survey the situation in Sodom and Gomorrah; these messengers enter the town and then are given shelter in Lot's house (19:1), only to be confronted by the men of the town who wish to enter Lot's place forcibly in order to "to know" the visitors (19:5);⁴² this leads to a hasty flight out of Sodom by Lot's family right before it is destroyed by God (19:15–22), during which

38. Jobling, *The Sense of Biblical Narrative*, 129.

39. Exum, "On Judges 11," 134.

40. Indeed, Jobling writes that Jephthah, in his speech, while addressing Ammon, "cannot get Moab off his mind" (*The Sense of Biblical Narrative*, 130). He posits that the mix-up between Ammon and Moab is deliberate as Ammon's claim would have been easier to dispute than that of Moab.

41. Anne Michele Tapp also seems to imply a loose connection between Genesis 19 and the pericope of Jephthah's daughter ("An Ideology of Expendability," 157–74).

42. For the relationship between Genesis 19 and Judges 19–21, the story of the rape of the Levite's concubine, see Susan Niditch, "The 'Sodomite' Theme in Judges 19–20: Family,

time Lot's wife is turned into a pillar of salt; this, in turn, leads to Lot and his two daughters finding refuge in a womb-like cave and, subsequently, to incestuous relationships, which result in the birth of the ancestors of the Ammonites and Moabites (19:30–38).⁴³

Though we must refrain from discussing the many interesting aspects of this origin myth, it is clear that the narrative, with its disturbing portrayal of expulsion and concomitant incest,⁴⁴ involves a significant amount of crossings, both physical and conceptual. Alongside descriptions of the movement and journey of Lot and his family, transgressions of normal familial and social boundaries are highlighted. Indeed, Ilona Rashkow sums up the demarcative aspect of the incest taboo when she states, "Because typically the nuclear unit encompassed two or three generations of blood kin, marital kin, and dependents, incest laws helped set boundaries."⁴⁵ Oddly or perhaps fittingly, Jephthah, who we noted earlier was of dubious descent himself, is depicted as battling the descendants of an equally transgressive lineage. Adding to the peculiarity, Jephthah does so in order to be properly resituated into the normative social structure of Israel.

Crossings and Transgressions in the Pericope of the Sacrifice of the Daughter

Unsurprisingly, the *crossing* leitmotif, which we have been tracing, can also be detected in the daughter pericope, though most scholarship on this story, as Alice Logan summarizes, has focused on different queries. Logan notes that much of the research on this pericope has engaged three key questions:⁴⁶ (1) Was the daughter of Jephthah truly sacrificed or was her sacrifice only metaphorical in that she was consigned to a state of

Community, and Social Disintegration," *CBQ* 44 (1982): 365–78; Tapp, "An Ideology of Expendability," 157–74

43. For the presence of binarisms and movements in the account of Lot, see D. Alan Aycock, "The Fate of Lot's Wife: Structural Mediation in Biblical Mythology," in *Structural Interpretation of Biblical Myth* (ed. Edmund Leach and D. Alan Aycock; Cambridge: Cambridge University Press, 1983), 113–20.

44. For incest in literature, see the encyclopedic work by Otto Rank, *The Incest Theme in Literature and Legend: Fundamentals of a Psychology of Literary Creation* (trans. Gregory C. Richter; Baltimore: Johns Hopkins University Press, 1992). For psychoanalytic interpretations of stories of incest in the Hebrew Bible, see Ilona Rashkow, *Taboo or Not Taboo: Sexuality and Family in the Hebrew Bible* (Minneapolis: Augsburg Fortress, 2000), esp. 93–114, 139–58.

45. Ilona Rashkow, "Sexuality in the Hebrew Bible: Freud's Lens," in *Psychology and the Bible: A New Way to Read Scriptures, Volume 1* (ed. J. Harold Ellens and Wayne G. Rollins; Westport, CT: Praeger, 2004), 39.

46. Logan, "Rehabilitating Jephthah," 665–85.

cultic service or perpetual virginity?⁴⁷ (2) If a literal sacrifice, who—God or Jephthah or both—is to be blamed for it?⁴⁸ And (3), how are Jephthah and his vow to be judged? To this, an extra query can be added: Why does this account end with a ritual lamenting the daughter's virginity and a note about the continual commemoration of the daughter by the women in Israel?⁴⁹ While these questions will not be absent in our examination, for the sake of brevity, we will limit our discussion of this story to that which pertains to our theme.

As we noted earlier, Römer maintains that the lack of the root עבר in the pericope of the sacrifice of the daughter indicates that this narrative was inserted later into the Jephthah cycle. While he is correct that this term is not present in the daughter story, the leitmotif concerning movements and *crossings* of boundaries is not completely absent from the tale, especially if we enlarge this theme to include more conceptual understandings of boundary transgressions.

Indeed, the daughter narrative seems to revolve around movements and transgressions as evident in the repetition of key terms such as יצא ("to go out") and פתח ("to open"). Judges 11:31 describes how Jephthah, whose name, we noted earlier, means "he opens," vows to sacrifice⁵⁰ or, more literally, to cause to go upward (והעליתהו) to Yhwh the one that comes out (היוצא)⁵¹ of his house when he returns (בשובי) from battle. In Judg 11:34, when he does return to his house (ביתו), his daughter (בתו) comes out (יצאת) to meet him with timbrels, as is the tradition of Israelite women (Exod 15:20). When he sees her, Jephthah ("he opens") states that he has opened his mouth to Yhwh and cannot undo (literally, "is unable to return") his vow (Judg 11:35). To this the daughter replies in a disturbing echo of

47. For an overview of this question, see David Marcus, *Jephthah and His Vow* (Lubbock, TX: Texas Tech Press, 1986).

48. Esther Fuchs argues that Judges 11 is deliberately ambiguous in order to erase and suppress the daughter. In so doing, Fuchs argues that the pericope serves to justify Jephthah's action and to recenter Jephthah as the true victim ("Marginalization, Ambiguity, Silencing," 35–45).

49. Marcus, *Jephthah and His Vow*, 36; Gaster, *Myth, Legend, and Custom in the Old Testament*, 432–33; Boling, *Judges*, 208, 210; Tribble, *Texts of Terror*, 106–7; Gerstein, "A Ritual Process," 175–94; Day, "From the Child Is Born the Woman," 58–97; Beavis, "A Daughter in Israel," 11–25.

50. For vows in the context of a crisis, see Simon B. Parker, "The Vow in Ugaritic and Israelite Narrative Literature," *UF* 11 (1979): 693–700.

51. Scholars question whether Jephthah intended to sacrifice his daughter or an animal. Heinz-Dieter Neef ("Jephta und seine Tochter, Jdc. XI:29–40," *VT* 49 [1999]: 206–17) argues that a human would have been illegal. Pamela Tamarkin Reis ("Spoiled Child: A Fresh Look at Jephthah's Daughter," *Prooftexts* 17 [1997]: 279–98) maintains, however, that a human sacrifice of some sort would have been more appropriate. For psychoanalytic interpretations of the trope of sacrificing the first thing you see, see Robert Seidenberg, "Sacrificing the First You See," *The Psychoanalytic Review* 53 (1996): 49–62.

her father's statement that he should do to her as has *come out* of his mouth for he has *opened* his mouth to Yhwh (11:36).

Jephthah's vow and subsequent deed thus entail circular as well as transgressive motion: Jephthah ("he opens") opens his mouth, thereby causing words constituting his vow to exit or *cross* over from inside his mind to the outside physical world.⁵² There, the words move upward, crossing the physical, human sphere to enter the ears of Yhwh, who is located in the divine sphere. Once set into motion, the words of his vow, as the text stresses, cannot be returned or undone, but will find eventual fulfillment. The emphasis on the inability of the vow to go backward is itself returned or repeated, first by Jephthah upon seeing his daughter (11:35) and then circularly, back to him by his daughter when she confirms the vow's irreversible status. Finally, the vow also entails motion—a promise to cause to go upward to the Lord as the smoke of the burnt offering the creature that goes out or transverses the boundaries of his house upon his return.

The leitmotif of movement and motion (going out, going upward, returning, etc.) in the daughter pericope intricately intermingles with themes of openness and closure. The daughter, who is the only child of Jephthah—in other words, his only descendant or the only one to have come out of an otherwise closed house—physically moves from inside the *house* to the outside to greet her father after battle. She then moves from her house to the mountains to mourn for two months. During this time on the mountains, she will seemingly mourn with her friends her closed state (Judg 11:37)—her status as someone who has never lain with a man and thus as a woman who will never bear sons and thereby continue the lineage.⁵³ Finally, the daughter is forced, because of the irreversible words that her father has uttered from his open mouth, to return to her father in order to be sacrificed. At this point, depending on how one interprets the nature of the sacrifice, she is compelled to move from her current state to another state, be it the divine sphere as smoke of a whole burnt sacrifice or a cultic sphere as a priestess or cultic servant of some sort.⁵⁴ Indeed, Steinberg and Day write that the daughter departs to the mountains not to "bemoan her virginity" but to attend a rite of passage.⁵⁵ The daughter's ritual thus marks a point of transition or movement in the life cycle of a woman. Moreover, her legacy also entails movement as she

52. On the emphasis on words in this pericope, see Exum, "On Judges 11," 131–45, and Tikva Frymer Kensky, *Reading the Women of the Bible: A New Interpretation of Their Stories* (New York: Schocken Books, 2002), 382 n. 104.

53. Marcus, *Jephthah and His Vow*, 31; Steinberg, "The Problem of Human Sacrifice," 127.

54. Steinberg, "The Problem of Human Sacrifice," 127; Day, "From the Child Is Born the Woman," 59–60.

55. Marcus, *Jephthah and His Vow*, 31.

is remembered anew in the yearly commemoration on her behalf. Thus, as a custom, the memory of the daughter is said to continually return to the minds of Israel's maidens who celebrate or mourn her annually. The daughter thus lives and dies over and over again.

Along with these movements, a great deal of motion and crossings also takes place in the vicinity of Jephthah's house in the daughter pericope. As Naomi Steinberg notes, not only is the term "house" utilized eleven times in Judges 11, it is also used ambiguously and paronomastically in this chapter.⁵⁶ Not only can "house" refer to Jephthah's line of descent or to his place of residence,⁵⁷ but the term also sounds similar to that for "daughter." Indeed, the wordplay is most clearly evident in Judg 11:34: "Then Jephthah came to his house (ביתו) at Mizpah; and there was his daughter (בתו) coming out to meet him. . . ." This wordplay is not surprising considering the ways in which "daughter" intersects with various connotations of "house." His daughter is not just the person who literally comes out of Jephthah's house upon his return, but the one who also figuratively comes of Jephthah's "house," that is, his line of descent. As Steinberg notes, "'the one coming out of my house' (11:21) might be better translated as 'the fruit of my loins,' or 'my only child, my next of kin, i.e. my primary heir' (11:34b)."⁵⁸ Even more fittingly, this creature who comes out of Jephthah's house, both literally and figuratively, in the end will truly come out of, truly exit, his house. And as such, with the sacrifice of the one who comes out of Jephthah's house, indeed the only one to have come out of it, his "house" itself will come to an end.

Thus, Jephthah's efforts to be reintegrated into Israelite society—a society from which he has been pushed out because of his improper, ambiguous lineage—lead ironically to the termination of his own lineage. Or, to put it differently, his desire to be treated as someone from a proper **בית אב** leads to the dissolution and end of his own **בית אב**. As we noted earlier, there is an odd circularity to the narrative in Judges 11, a narrative in which two women, one who is a prostitute and thus "open," and another, a daughter who is a virgin or pubescent, and thus "closed," bookend and enclose the stories about Jephthah. These two framing females thus act as borders of a cycle of narratives that describe a number of movements and transgressions of borders and boundaries. Moreover, not only do these females enclose and frame the narrative space in which *crossing* stories are located, but they also point to and elucidate a larger trajectory: the general movement of the Jephthah narrative in Judges 11, which swings from expulsion to inclusion in Israel's **בית אב** kinship system, and, conjointly, from extreme openness to the final closure of Jephthah's house.

56. Steinberg, "The Problem of Human Sacrifice," 124

57. Ibid.

58. Ibid., 125.

Hence, though the daughter pericope might be a later addition to the Jephthah cycle, the presence of the *crossing* theme, albeit in an altered form, speaks to the skillfulness of the biblical editor. It also perhaps partially explains the reason for the story's inclusion in the Jephthah narrative cycle. The themes of *בית אב*, motion, movement, and openness/closure in the daughter pericope fit well with the larger *crossing* leitmotif we have discerned at other points in the Jephthah narratives. In other words, the daughter tale might have been inserted into the Jephthah cycle because parts of it resonated well with other stories about this judge. Or perhaps it was inserted first, and then deftly edited and trimmed to make it fit these larger ideas and themes.

More Transgressions and Movements concerning Words

Finally, the concluding narrative in the Jephthah cycle (Judges 12), concerning the inner-Israelite conflict with the Ephraimites, also centers on motion and movement. Connected to the preceding story of Jephthah's war with the Ammonites, Judges 12 begins with an accusation by the Ephraimites that Jephthah did not include them when he *crossed over* to battle the Ammonites, thus preventing them a share of the booty. As a result, the Ephraimites impulsively and violently threaten to burn down Jephthah's house over him (Judg 12:1).

In response, Jephthah replies to the violent Ephraimites that he did indeed call upon them to cross over with him to battle the Ammonites, but was ignored (Judg 12:2). This assertion—a claim that is not found elsewhere in the text—aside from again utilizing the key term *עבר*, evokes the *crossing* theme by showing Jephthah as engaged in another prewar *crossing* of words, this time with his own countrymen. Whether Jephthah is lying here, as Dennis Olson claims,⁵⁹ or being truthful, the importance of Jephthah's justification lies in the fact that some sort of transgression or violation is hinted at, be it one of intra-Israelite disloyalty (i.e., the Ephraimites ignored Jephthah's request) or a violation of an unstated agreement or treaty (i.e., Jephthah ignored Ephraim's known request or arrangement to fight with him). Once again a character whose name means "he opens" opens his mouth to counter claims that he violated or *crossed over* some ambiguous, unexplained expectation or request. Similarly, both wars of words between Jephthah and a third party do not so much prevent military *crossings* and battles as foreshadow them. The crossing of words thus leads to the crossing of swords. Moreover, as with Jephthah's first war of

59. Olson, "Dialogues of Life and Monologues of Death," 52.

words with the Ammonites, his *crossing* of words with the Ephraimites, as we will shortly see, also raises more questions than it solves.

Fittingly, the battle that follows with the Ephraimites also continues the *crossing* theme. First, Judg 12:4 has the Gileadites returning or reversing Ephraim's claims concerning Jephthah's transgression by asserting that it is really the Ephraimites who are outsiders and illegal transgressors of this territory: "the men of Gilead defeated Ephraim, because they said, 'You are fugitives from Ephraim, you Gileadites—in the heart of Ephraim and Manasseh'" (Judg 12:4). Moreover, the narrative further engages the theme of *crossing* by having boundary transgressions and movements be the central tactic by which Jephthah subdues the Ephraimites: After securing the boundaries, the fords or the *crossings* of the Jordan, Jephthah infamously tests the identity of the people crossing by having them say the word "shibboleth" ("ear of corn"), which the Ephraimites appear to pronounce as "sibboleth."⁶⁰ What this password incident once again emphasizes, as was stressed in the preceding daughter pericope, is the idea that words serve as powerful linguistic boundary markers. Words—those things that exit an open mouth or *cross over* from the human mind to the world—can and do cause things to happen. They can, in other words, compel other crossings and movements. In this case, words are the means by which to open or close access to the *crossings* (i.e., fords) of the Jordan.

Moreover, as with the daughter narrative, here too with the shibboleth incident, a play on the ambiguous seriousness of words can be detected.⁶¹ Ambiguous paronomasiae were evident in the daughter pericope in which Jephthah's vows led to his sacrifice of the literal and figurative thing that came out of his house. So also in the shibboleth story, the nature of the password remains both oddly cloudy and yet deadly serious. In terms of its ambiguity, it is difficult to gain a clear understanding of how exactly this password test worked: How could the Gileadites have commanded the men who attempted to cross the fords to say "shibboleth" without first pronouncing it correctly themselves? Can someone ask boundary crossers to say "shibboleth" without saying "shibboleth"? Yet though the nature of the test seems illogical and unclear, the consequences of it are severe and irreversible because the wrong iteration of this word ends in a person's death. Only the right pronunciation of the word allows a person to safely cross the boundaries separating the sides of the Jordan, and also those separating life from death.

60. David Marcus, "Ridiculing the Ephraimites: The Shibboleth Incident (Judg 12:6)," *Maarav* 8 (1992): 95–105.

61. On the relationship between the daughter pericope and the shibboleth incident, see Exum, "On Judges 11," 135–37. Exum notes that there is a connection between verbal violence and physical violence (*ibid.*, 137).

Moreover, as with the daughter narrative in which Jephthah's desire to be reinstituted into the **בית אב** system of Israel led ironically to the end of his **בית אב**, Lillian Klein notes the irony present in the shibboleth incident. She notes that "shibboleth" derives from the root that means "to rise, grow." According to Klein, Jephthah thus ironically uses the pronunciation of a word that means "to rise or grow" "to do the opposite, to cut down the people of Israel."⁶² In so doing, Klein notes that the "two anti-Yahwist actions" in the Jephthah cycle, namely, human sacrifice and internecine war, are symbolically associated.⁶³ Indeed, the same two actions will be correlated again at the end of Judges with the horrifying narrative about the rape of the Levite's concubine and the succeeding civil war (Judges 19–21).

Thus, the *crossing* theme is clearly evident in the narrative about the conflict between Jephthah and Ephraim: The crossing of words between Jephthah and the Ephraimites both induces and foreshadows the *crossing* of men as they battle one another. This, in turn, leads to Ephraim's defeat, which then leads to accusations by the Gileadites that the Ephraimites are themselves the true illegal *transgressors* of territory. The narrative then nicely circles back to the beginning by concluding with another instance of linguistic boundary crossing. This time, a particular word serves as a linguistic passport and boundary marker that works to separate the Gileadites from the Ephraimites, and thus life from death.

Conclusion

We began this essay with questions concerning the coherence and relationship of the various narratives in the Jephthah cycle. What we have tried to show is that every story about Jephthah in Judges involves numerous types of physical and conceptual motions, movements, crossings, and transgressions. As such, we have argued that a *crossing* leitmotif runs throughout the Jephthah cycle and binds together all the stories about this figure.

Interestingly, Jephthah is not the only character in Judges whose stories entail frequent descriptions of movements, motions, and crossings. Rather, the presence of this theme can be detected in many, indeed, in almost all of the narratives in Judges: The tales of Ehud (Judges 3), Sisera (Judges 4), Samson (Judges 13–16), the journey of the Danites (Judges 18), and the rape of the concubine (Judges 19–21) all involve movement and transgression. The boundary *crossing* theme thus appears to be ubiquitous

62. Klein, *The Triumph of Irony*, 97.

63. *Ibid.*, 98.

in the narrative cycle of nearly every judge, not just that of Jephthah. As such, this particular series of stories about Jephthah aptly fit its literary context.

What then are the purpose and meaning behind the prevalent use of this theme? Why did the editor(s) of Judges utilize the idea of *crossing* as the leitmotif of the Jephthah stories and the book in general? To these questions, we can only posit a tentative explanation. Namely, the book of Judges and the Jephthah cycle as a part of this larger work centrally take place in and describe a time of historical, political, and societal transition—a point in which Israel is in the process of *crossing* over metaphoric boundaries as it moves from settlement to monarchy. As such, it describes a period that is liminal and filled with power, to use the ideas and terminology of Arnold van Gennep, Victor Turner, and Mary Douglas.⁶⁴ As such, it makes sense that the Jephthah narrative, as well as other pericopes in the book of Judges, deals so frequently with boundary crossings and boundary crossers. Such a period of liminality is the perfect context for those who are marginal and, thus, tinged with border-crossing potency, persons such as Jephthah. Moreover, considering this context, it seems natural that transitions, crossings, and movements should be reflected in each level of the text of Judges, from the pericope of an individual judge, such as Jephthah, to the various narrative cycles of different judges, and finally to the book as a whole. The book of Judges describes and takes place in a period in which Israel is coming into being—when Israel is in flux and in motion, physically and conceptually.⁶⁵

64. Mary Douglas, *Purity and Danger: An Analysis of the Concepts of Pollution and Taboo* (repr.; New York: Routledge, 2002), esp. 96–114; Victor Turner, *The Ritual Process: Structure and Anti-Structure* (repr.; Piscataway, NJ: Aldine Transaction, 2008), esp. 94–130; Arnold van Gennep, *The Rites of Passage* (trans. Manika B. Vizedom and Gabrielle L. Caffee; Chicago: University of Chicago Press, 1960).

65. For issues of identity politics in the book of Judges, see Donald Bruce MacKay, “Ethnicity and Israelite Religion: The Anthropology of Social Boundaries in Judges” (Ph.D. diss., University of Toronto, 1997).

Ruth's Beginnings

A Study in Contradictions

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Susan Niditch and I share several things: many of the same teachers, many years in Massachusetts, colloquia, a long and lovely friendship, and an abiding interest in the book of Judges. Susan has, of course, published a marvelous commentary on the book;¹ health issues forced me to forgo my own attempt. We have both continued to write articles about various aspects of the book, and her "Eroticism and Death in the Tale of Jael"² has been a particular delight to me because of the response it elicits from my undergraduate students. In this essay, however, I will leave Judges behind and discuss my newest obsession, the book of Ruth.

When I was younger, I was more or less raised in a Methodist church. The story of Ruth and Naomi was one of the favorites of our "church ladies." It was, however, treated as a story of how a daughter should treat a mother, and the fact that Ruth was Naomi's daughter-in-law never seemed to enter the conversation. It is obvious why this might happen: Ruth treats Naomi so lovingly and so loyally that any woman would love to have such a daughter. On the other hand, a mother-in-law and daughter-in-law facing the world together and alone is not nearly so useful a model for most women. What I want to propose in my work on Ruth is that this sweet, often-quoted little book is not clearly sweet or, for that matter, clearly clear. This essay will address the internal contradictions in the book and those places where one picture of a person or event clashes with another in the same narrative. I hope to show that Ruth's narrative leaves us with many more questions about the motives of the characters and of

1. *Judges: A Commentary* (Louisville, KY: Westminster John Knox, 2008).

2. "Eroticism and Death in the Tale of Jael," in *Gender and Difference in Ancient Israel* (ed. Peggy L. Day; Minneapolis: Fortress Press, 1989), 43–57.

the narrator himself than we would find in a cursory reading.³ I also will suggest a number of gaps we will find in the narrative and the many ways we may fill them.

The book of Ruth begins *ויהי בימי שפט השפטים*, “Back in the days when the Judges judged.” This would seem to set the story within a known time period, the early Iron Age, but the phrase itself gives away the fiction of the setting. In the book of Judges, the judges are never called “judges” in the stories themselves. The verb “to judge” is used, but the heroes of the stories are usually termed “deliverers.” These deliverers are said to “judge Israel” (*לשפט ישראל*), but only by the Deuteronomistic editors are they themselves called “judges.” So whether or not the author realized it, he⁴ has already betrayed a knowledge of the stories in their Deuteronomistic form. The author is post-Deuteronomistic, then. It is possible that the author pored over the material as much as we do and knew that the characters were not called judges in their stories and so meant for the beginning to be something like, “Once upon a time . . .,” but of course we will never know that.

ויהי רעב בארץ, “there was a famine in the land.” Not the land of Israel, but simply “the land,” the land where the judges judged. This is a typical beginning for a story in Genesis, too, of course. There were famines all the time in those stories and no doubt at many times in Israel’s history. So if an author was looking for a reason to get a good Yhwh-loving family out of Judah and into Moab, a famine is a good vehicle.

וילך איש מבית לחם יהודה, “A man went from Bethlehem in Judah. . . .” Although, as we shall see, the story is set in Bethlehem, that city seems to be something of a placeholder; the author shows no interest at all in its location other than perhaps that its name suggests it is a breadbasket area in Israel and therefore a famine in the “house of food” is a more tragic setting for the narrative. The first verse goes on to say, *לגור בשדי מואב הוא*, “to sojourn in the land of Moab, he and his wife and his two sons.” The man, his wife, and his two sons “sojourn” in Moab, that is, they stay there, and as we know, they live there as foreigners. He was a *גר*, a guest worker, but by being so he kept his family alive, just as people do today. But at least today there is a justice system—it does not always work for guest workers and other immigrants, but there is a chance that you have the law on your side. Back “when the judges judged,” there were no police, no way to right wrongs, except to depend on one’s kin group to punish the person who has committed the wrong. But *גרים* “sojourners” are people who have removed themselves from precisely these protec-

3. I am writing, of course, about a kind of deconstructive reading, which I will own up to more bravely at the end of the essay.

4. I am aware of the suggestion that Ruth was written by a woman but have never been convinced by that assertion.

tions. That's why גרים so often attach themselves to other households: those households provide the protection the גר has left behind.⁵

The first verse of Ruth, then, tells us that some man (he isn't named yet) took his wife and two sons from a perilous situation in Judah and was willing to risk becoming a גר in another country, one in which there was, presumably, no famine. Biblical stories and laws often mention גרים, so it seems they were common enough that the move to Moab would not have been seen as radical by the story's audiences. The risk of dying in a famine outweighed any risk of being a גר.

In v. 2 we are told the names of these sojourners: ושם האיש אלימלך ושם אשתו נעמי ושני בניו מחלון וכליון אפרתים מבית לחם יהודה. The man was Elimelek, whose name means "my god is king," and his wife Naomi, "pleasantness"; the two sons were Mahlon and Kilion. These last two names are possibly meant to tip us off to the trouble ahead, since they can be interpreted as unfortunate names. Mahlon is probably related to one of three roots חלה in the Bible, the one that means "sickness." There are several names in the Bible from the root חלה, and surely not all those names mean "sickness." The other two roots mean "to appease" and "to adorn," so Mahlon could mean something like "ornament," and that sounds like a pretty good name. Still, the ancient audience would have known as well as we do that the name could suggest more than one meaning, including pointing to sickness in the man's future. The name of the other son, Kilion, comes from a root בלה, which has to do with completeness. It can mean "perfection, completion," which could have been something parents would name a newborn, but it can also mean "complete" in the sense of "ending" or "annihilation," and again, the audience could suspect that this young man's future was not perfection but annihilation.

The first two verses, then, tell an ambiguous story that begins with an odd locution about the period of the judges, goes on to mention a famine in Judah, but tells us about a family who escape the famine to go to Moab from Bethlehem, the "breadbasket." At the same time, they give up their family ties and must live a somewhat different life on their own as גרים in Moab. The parents have perfectly nice names, but the sons have names that warn the audience that all might not be well in the land of Moab.

The real trouble begins in v. 3: וימת אלימלך איש נעמי ותשאר היא ושני בניה. Elimelek dies, leaving his wife Naomi with her two sons. Next, in v. 4, we learn that the two sons take Moabite wives: וישאו להם נשים מאביות. שם האחת ערפה ושם השנית רות וישבו שם כעשר שנים.

Naomi and her two sons must have been making a go of it because Moabite fathers or brothers were willing to agree to marriage contracts

5. Among many discussions of the legal situation of immigrants in ancient Israel, see the excellent treatment by Lawrence Stager in "The Archaeology of the Family in Ancient Israel," *BASOR* 260 (1985): 1–35.

with Naomi for the two Moabite young women. Their names were Orpah and Ruth, and their marriages, if they were meant to be seen as usual, would have been composed of a contract between the groom's family and the bride's family (usually at the level of the fathers, although in this case we know that Naomi must have handled the arrangements for her sons). There would have been a brideprice paid from the groom's family to the bride's and perhaps a dowry given to the young bride by her own family. The two sons, their wives, and Naomi all seemed to live together because all that is said about them was that they stayed there about ten years.⁶

One odd thing about this passage is that no children are mentioned, and they never are. This situation will become an important motif in the story later on. We have to assume that neither couple had children in ten years' time, which is an especially noticeable gap since women were usually married off in their teens, the time of their lives in which they are most fertile. The hope, of course, is that they will bear enough children, especially sons, that some at least will survive until adulthood and be there to help when their parents get old and frail. If we jump ahead to the end of the book, we know that Ruth is capable of having children and in quite short order, so we might assume that Mahlon lived up to his alternative name of "sickness" and was not a vigorous man; we will soon find that he did, after all, die at a young age, as it says in v. 5: *וימותו גם שניהם מחלון* וכליון ותשא האשה משני ילדיה ומאשה, "The two of them, Mahlon and Kilion, also died, and the woman was left behind by her two children and her husband." We do not know much about Orpah and Kilion, but again they apparently had no children, an unusual state of affairs, and it could be that this lack of vigor runs in the family. It is also the case, of course, that the woman who has not borne children is a biblical motif, but I am not convinced that we are dealing with that motif here. Having children is not the point yet, and the text itself does not even mention it.

It is not unusual that a father would die before his sons married. According to Assyriologist Martha Roth,⁷ the age at first marriage for women in first-millennium Mesopotamia was probably between 14 and 20, while the age at first marriage for men was 26 to 32.⁸ If, for instance, a man were 30 when he married and his son were 30 when he married, that

6. For a lucid and readable explanation of these customs, see Philip J. King and Lawrence E. Stager, *Life in Biblical Israel* (Louisville, KY: Westminster John Knox, 2001), 36–61.

7. "Age at Marriage and the Household: A Study of Neo-Babylonian and Neo-Assyrian Forms," *Comparative Studies in Society and History* 29 (1987): 715–47. Roth is careful to note the small sample from which she had to work and the accidental nature of the finds that archaeology supplies. We should also point out the dangers in importing, wholesale, information about Mesopotamia into stories about Israel, but it is heartening that some of Roth's numbers are based on a rural population.

8. These numbers, of course, are estimates, and Roth does not claim more for them, but she does point out that the age difference at marriage that she found in her study is soundly

would mean the father was 60 when the son married. Very few people seem to have lived that long,⁹ although since women were so young when they were married, they would likely still be alive when their children married. So if we can apply Mesopotamian norms to Israelite families, Elimelek and his family follow one of the usual patterns for marriage: Most men's fathers are not alive when the men marry. The person who represents the groom in most marriage contracts is someone other than his father. (The groom's father is the representative only 17.5 percent of the time in Roth's study of Neo-Babylonian marriage agreements.)¹⁰

If we apply these approximate ages to the family of Elimelek, it seems that the two sons were more or less ready for marriage when they moved to Moab; so Elimelek might have been near 60. Naomi was perhaps 45. When they marry, Elimelek is dead; Mahlon and Kilion are near 30, and Orpah and Ruth perhaps 15. After 10 years, as we saw in v. 5, Mahlon and Kilion die, at age 40 or thereabouts. Ruth and Orpah would be around 25 and Naomi 55.

In a wonderfully informative article, biblical scholar Paula Hiebert explores the definitions of widows in the ancient Near East.¹¹ The Hebrew word usually translated "widow" is אִלְמָנָה. The Assyrian cognate, the *almattu*, is mentioned in the Middle Assyrian laws from the twelfth or eleventh century.¹² It is clear that an *almattu* is not what our society considers a widow. The *almattu* must be bereft of all male support—no sons, no father, no brothers, not even a father-in-law to help her out. Hiebert elicits some biblical evidence to support our assuming the same about the biblical אִלְמָנָה, and her status is sad indeed. The אִלְמָנָה, like the גֵּר, has no kin to depend on, no way to support herself; hence the many biblical injunctions that good people should support the fatherless child and the אִלְמָנָה, and in many cases the גֵּר is mentioned as well.¹³ As Hiebert points out, what all these people have in common is a lack of a kinship system that will support them. A woman whose husband is dead but who has sons to support her is not really an אִלְמָנָה, although we would certainly call her a widow in English. Naomi was not, then, an אִלְמָנָה until Mahlon and Kilion died. Then she is well and truly an אִלְמָנָה, and it is no accident that it is then that she decides to go back to Judah (vv. 6–7):

within a "Mediterranean" household model in studies of European history. See "Age at Marriage," 720–22.

9. King and Stager (*Life in Biblical Israel*, 58) cite estimates that the average age at death was in the 40s.

10. Roth, "Age at Marriage," 723–27.

11. "'Whence Shall Help Come to Me?': The Biblical Widow," in *Gender and Difference*, 125–40.

12. See *ibid.*, 127 n. 9.

13. Especially in Deuteronomy: 10:18; 14:29; 16:11, 14; 24:17, 19, 20, 21; 26:12, 13; 27:19.

ותקם היא וכלתיה ותשב משדי מואב כי שמעה בשדה מואב כי פקד יהוה את
 עמו לתת לחם
 ותצא מן המקום אשר היתה שמה ושתי כלתיה עמה ותלכנה בדרך לשוב אל
 ארץ יהודה

The text tells us she has heard the famine is over, and that is well and good, but Naomi and her family were doing all right in Moab until her two sons died. At that point, she had no choice but to go back to the place where she still has friends (and, as we will find out as the story unfolds, family). We are not told any of this by the narrative, and that gap is one of the most important places where I think the story of Ruth is not straightforward.

It is time to turn our attention to Orpah and Ruth; Naomi tells them each to go back to her mother's house in v. 8: *לכנה שבנה אשה לבית אמה*. We are so used to hearing a household referred to as a *בית אב* (usually translated "father's house" but actually a term that implies an extended family)¹⁴ that the use of "mother's house" takes us aback for a moment, until we remember that the girls' fathers would probably be at least 55, the same age as Naomi, and could therefore very likely have died.¹⁵ Neither Orpah nor Ruth, however, appears to be an *אלמנה*. There is an implicit assumption in Naomi's charge to them that if they go back to their mothers' houses, they will be returning to a situation of shelter and protection, so the narrative assumes that there were male kin alive to support them. They would at least have been living in the land they were born in (we assume), Moab, and they would not, therefore, be *גרות* in Judah, with no familial support whatsoever. Naomi praises her two daughters-in-law and implies that they have been loyal: *יעשה יהוה עמכם חסד כאשר עשיתם עם המתים ועמדי*, "May Yhwh be loyal to you as you have been with the dead and with me."

It is particularly interesting that Naomi includes Ruth's and Orpah's *חסד* with *המתים*, presumably their dead husbands, because, as we learn from Hiebert's article, they are at this point still *married* to them.¹⁶

In v. 9, Naomi makes the reasonable suggestion that Orpah and Ruth are still marriageable. *יתן יהוה לכם ומצאן מנוחה אשה בית אישה*, "May Yhwh allow you to find rest, each in her husband's house." We remember that the two women are probably 25 or so; another marriage for either of them is still a possibility. They are not convinced, however, and continue to follow Naomi to Bethlehem. Verses 9b–10: *ותשק להן ותשאנה קולן ותבכינה*, "[Naomi] kissed them, but they cried aloud. They said to her: 'No. We will return with you to your people.'" They

14. Lawrence Stager discusses the *בית אב* extensively, with on-the-ground evidence, in his classic "Archaeology of the Family," 1–35, especially 17–23.

15. It is also possible that they lived in a polygamous family and that each of a father's offspring lived with her or his mother, hence the expression "mother's house."

16. Hiebert, "Whence Shall Help," 129–30.

seem to consider the three of them a stable family unit and do not intend to think of themselves primarily as Moabites, with families and unknown opportunities there. The status quo is happy for them; what awaits them in their "mothers' houses" may or may not be.

Also reasonable is Naomi's sarcastic reaction to their crying and begging to go with her:

ותאמר נעמי שבנה בנתי למה תלכנה עמי עוד לי בנים במעי והיו לכם לאנשים
שבנה בנתי לכן כי זקנתי מהיות לאיש כי אמרתי יש לי תקוה גם הייתי הלילה
לאיש וגם ילדתי בנים
הלהן תשברנה עד אשר יגדלו הלהן תעגנה לבלתי היות לאיש

11. Naomi said, "Go home, my daughters. Why would you come with me? Do I still have sons in my womb to become your husbands?"

12. "Go home, my daughters. Leave. For I am too old to marry. Even if I thought, 'I still have hope. Even tonight I'll marry and then I'll bear sons,'

13. are you going to wait till they're grown and deny yourselves so that you don't marry?"

At the end of this speech in v. 13, we hear Naomi's self-pity that will carry us through to the end of the chapter: *בי יצאה כי יצאה בי*, "I am far more bitter than you, for Yhwh has made my life miserable" (translating loosely). As is typical of such folk stories, Ruth and Orpah do not give up that easily. Verse 14 repeats their unhappiness at having to live without Naomi: *ותשנה קולן ותבכינה עוד ותשק ערפה לחמותה ורות*, "They cried aloud again. Orpah kissed her mother-in-law [good-bye], but Ruth clung to her." Both young women still mourn, but Naomi has managed to convince Orpah to return to her home, and she goes off. Now Naomi has an argument to make to Ruth: *אל תאמר הנה שבה יבמתך אל*, "Now that your sister-in-law has returned to her people and to her god(s), follow your sister-in-law." But Ruth, as we know, decides to go with Naomi. From everything we know up to this point, it is obvious that this is a rash decision on Ruth's part. She is opting to go as a *גרה* to Judah with Naomi where, as far as she knows, she too will be a real *אלמנה*, with no kin to help her out. But Ruth is clear that she is not going to abandon Naomi, and it is here that we get the most famous quotation from the book, which always sounds better in the King James Version (vv. 16–17): "Whither thou goest, I will go; and where thou lodgest, I will lodge: thy people shall be my people, and thy God my God. Where thou diest, will I die, and there will I be buried: the Lord do so to me, and more also, if ought but death part thee and me." And after this lovely speech, the text tells us that Naomi could see that Ruth had made up her mind to go with her, so she stopped speaking to her (v. 18). *כי ותרא כי מתאמצת היא ללכת אתה ותחדל לדבר אליה*. A nicer way to describe the scene is that Naomi stopped trying to get Ruth to go home. Still, it seems to me that Naomi should have responded somehow. Ruth is pouring out her

heart and Naomi just turns around and keeps walking. All it meant to her was that Ruth was determined to go with her. That reaction is a foreshadowing of the bitter old woman who arrives in Bethlehem.

Verse 19: ותלכנה שתיהם עד באנה בית לחם, "The two of them went on until they arrived in Bethlehem." And when they get to town they cause quite a ruckus. ויהי כבאנה בית לחם ותהם כל העיר עליהן ותאמרנה הזאת נעמי, The women of Bethlehem ask in particular, "Is this Naomi?" And Naomi answers them, ותאמר אליהן אל תקראנה לי נעמי קראן לי מרא כי המר שדי לי מאד, "Don't call me Naomi, call me Mara, because Shaddai has made me very bitter" (v. 20). Naomi is no longer willing to be named "Pleasantness"; Mara is from the root for "bitterness," and Naomi declares that "Bitterness" is a better name for her, given her present circumstances. Shaddai is a name for Yhwh. Naomi again blames her misfortunes on Yhwh, as she did earlier when she was still trying to convince Ruth and Orpah to go home. In v. 13, after her sarcastic reaction to their wanting to stay with her, when she has said she cannot have any more sons and even if she did, they would have a long wait to marry them, she went on to say (translated literally): "No, my daughters. I am much bitterer than you are because the hand of Yhwh has come out against me." It is an awkward sentence where it is placed, since it seems to be meant as an answer to her rhetorical questions about whether Ruth and Orpah will be able to marry any more of Naomi's sons; but it does tell us that she blames Yhwh, at least publicly, for her lot in life, as her response to the women of Bethlehem does.

She goes on to say, אני מלאה הלכתי וריקם השיבני יהוה למה תקראנה לי נעמי, ויהוה ענה בי ושדי הרע לי, "I went away full, but Yhwh has brought me back empty" (v. 21). Here, she is obviously talking about her husband and two sons, but she conveniently forgets why they went away, as if they were a happy family on an adventure, rather than people who "went out" to escape a famine. It is perfectly possible, of course, that the family's facing this problem together was a better life than the one she has now, and famines were by no means rare. But here, leaving Bethlehem "full" suggests Naomi is rewriting her own history. Besides, life could not have been all that bad in Bethlehem if, as seems likely from the narrative, much of the town stayed there through it; if they did indeed leave, they were at least not gone as long as she was since they are there to welcome her back. This feature of the story is another odd point that does not add up for me.

Naomi ends in v. 21 by going on again about Yhwh and her situation. "Why would you call me Pleasantness [Naomi] when Yhwh has turned against me and Shaddai has done me harm?" The chapter ends with a note from the narrator (v. 22): ותשב נעמי ורות המואביה כלתה עמה השבה משדי מואב, "And Naomi came back, with Ruth the Moabite, her daughter-in-law, with her, the one who came from the territory of Moab; and they entered Bethlehem at the beginning of barley harvest" (mid-April).

So let me summarize the story as we know it so far. We are supposedly in the time of the judges, when there was no king in Israel. Naomi's family leaves Bethlehem, to escape a famine. Her husband dies; her two sons marry Moabite women. They live there ten more years, and the two sons die. Both couples are childless. Naomi decides to go back to Bethlehem because the famine, which the narrator attributes to Yhwh, has been lifted, and we do not know when that happened. She also leaves, we assume, because she would rather be in Bethlehem as an אִלְמָנָה than in Moab. Her two daughters-in-law want to go with her, but she is adamant that they go home. Ruth gives an eloquent and loving speech about why she is determined to go with Naomi, and Naomi simply turns around and moves on. She does not seem to want Ruth, but she has tried and tried and cannot seem to get out of taking her back to Bethlehem with her. When they get back to Bethlehem, Naomi is vocal about how bad her life is and that it is Yhwh's fault. She does not mention Ruth.

I have gone over this first chapter in such detail because it is understanding this chapter that sets the stage for my reading of the rest of the book. We have already seen that some of the pieces of the narrative of ch. 1 do not add up. (1) Our family leaves because of a famine, but others either did not leave or did not leave for very long because the city seems to be lively when Naomi comes back. (2) Naomi remembers leaving "full," which is hardly the way most people who run from a famine would describe their leaving, and she returns "empty," which is certainly true of her family status. There is, however, food in Bethlehem. (3) As much as Ruth is admired in the narrative itself for coming with Naomi to Bethlehem to take care of her because she loved her, Naomi does not seem overly happy about the idea. For instance, she is only truly "empty" when she returns if she excludes Ruth. Which she does.

The contradictions in Ruth 1 suggest that in some ways the narrative is deconstructing itself. Deconstructive readings undo narrative schemes by focusing instead on internal differences. They attend to structures that resist a story's unifying theme. Contradictions suggest (at least) two ways of interpreting a text, but more than one interpretation also implies a hierarchy of meanings. What are the questions posed in Ruth 1?

1. We find out later that Naomi knew she had a rich relative in Bethlehem. Did Naomi not want her daughters-in-law to come back with her because she wanted him and his help all to herself? Was Naomi a good woman or a deceptive one?
2. Was Naomi put off by Ruth's beautiful speech or simply resigned? Did Naomi love Ruth?
3. Does Naomi mean to demean Ruth in her "I came back empty" speech? Again, did Naomi love Ruth?

4. How do these questions make us see the text differently if we go back and read it from the beginning again, with these questions in mind?

One outcome of our recognition of the text's deconstruction is that it makes us think about the process of reading itself. Problems we see within a text are changed into something else: a difference between the text itself and the critical reading of it, or rather, the possible critical readings of it. The text itself provides us with the ammunition to challenge one reading or another. We no longer easily can discern the point of the book, but we must look instead for the narrative line/lines being subverted.

Finally, I would like to go back and read the first chapter from the beginning, knowing what we know at the end. The tragic story of a family of four who leaves Bethlehem because of a famine, to become גרים in Moab, seems less tragic when we find that Bethlehem has survived quite nicely. We must assume that life in Moab was good enough to keep them there and that living there only comes to be a problem when all the males die.

Despite her need for all the help she can get, Naomi is adamant that her two daughters-in-law not accompany her to Judah. Why? Is she a selfless woman who has only their futures in mind, or is she actually annoyed that they would interfere with the life she imagines she will live there?

We can see that her annoyance seems to win out when she fails to respond to Ruth's profession of life-long (and beyond) love for her. She walks off and enters Bethlehem, crying to anyone who will listen how good she had it once upon a time and how alone she is as she returns, even with Ruth in tow. I imagine Ruth standing beside her and feeling invisible. (The women of the town do not mention her either.)

Finally, any vision of Naomi as heroic in her desperation is ruined by her continued insistence that her problems are all to be attributed to Yhwh. While this attribution is far from unusual in the Bible, her beliefs contrast sharply with Ruth's declaration that "thy people shall be my people, and thy God my God."

Since in this essay we have stopped with the first chapter of Ruth, we have not yet discovered just what will fall apart or has fallen apart in the narrative as a whole, but we can see already that the fall is coming. Ruth 1 has prepared us for it.

Building Power

*Gender, Identity, and Conspicuous Consumption in Fin de Siècle Tang China**

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Chinese history is enlivened by a host of powerful, charismatic female leaders. Their presence engages and challenges our understanding of early and medieval Chinese cultural and gender history. This paper focuses on a unique, important, and often misunderstood era in Chinese political and gender history, the late seventh through early eighth centuries, a period in which the government was dominated by powerful female figures. In traditional and modern sources, these women have been consistently demonized and crafted so as to fit a narrative of female excess and immorality, leading to their embodiment through particular repeating narrative representations.

The relationship between history and narrative has been explored by various scholars. Hayden White probes the meaning behind historical narrative, that is, why we conceive of “history proper” as needing to follow a narrative form complete with plot (beginning, middle, and end), characters, and message. While “history proper,” or narrativized history, is understood as and presents itself as being objective, in fact, White argues, it is distinguished by “its latent or manifest purpose [as] the desire to moralize the events of which it treats.”¹ Every narrative has a point of view or judgment; this is equally true of historical narrative as it is of fictional

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1. Hayden White, “The Value of Narrativity in the Representation of Reality,” in idem, *The Content of the Form: Narrative Discourse and Historical Representation* (Baltimore: Johns Hopkins University Press, 1987), 14.

narrative. While no attempt is made here to apply White's argument to the larger Chinese historiographic environment, White's discussions probe the issues at the heart of historiography, interpretation, and judgment, issues that inform my approach to the early Tang women leaders.

This paper seeks to explore the Tang women's "narrativization," or typological gendered construction, through the lens of the particular narrative motif of materiality and consumption, a fundamental theme in these female leaders' rhetorical construction as negatively powerful women. Descriptions of their lavish landed estates represent a particularly well-known and powerful variation on this theme. An analysis of various contemporary and retrospective images of these powerful women reveals much about how their image and role in history has been understood.

Precedents for female rule are found early on in Chinese history; the rule of women figures prominently in the pre-Han, Han, and Northern and Southern dynasties eras.² The first half of the Tang dynasty (618–907) has perhaps especially been associated with female rule because of the towering figure of China's only female emperor Wu Zetian (Wǔ Zétiān), who first rose to power as the empress of Gaozong (Lǐ Zhì; r. 649–683). From the 660s onward, Empress Wu was a formidable force in the government, ruling jointly with Gaozong, as empress dowager and regent for her adult sons, and, finally, in her own right for half a century. In 705, a coup forced the eighty-year-old Wu Zetian to abdicate in favor of her son, Li Xian (Lǐ Xiǎn), who took the throne as Emperor Zhongzong (Zhōngzōng; r. 705–710). She died later that same year.

The domination of the political scene by intelligent and powerful female figures, however, continued to characterize the brief reigns of Zhongzong and his younger brother, Li Dan (Lǐ Dàn), who ruled as

2. The ancient Han dynasty, which spanned over four centuries, witnessed periods in which significant political power was held by female members of the imperial family. These women rulers include both paragons of virtue, such as Deng Sui, and prototypes of the "ruthless woman," such as Empress Lü. The regimes that ruled northern China are also notable for the important role played by women rulers, such as Empress Feng (Emperor Wencheng's empress; 442–490), who ruled actively for twenty-five years over a flourishing polity. In addition to the mothers and principal wives of emperors, women such as wet nurses and imperial consorts also participated actively in politics. For the biographies of Empress Feng and other powerful Northern Wei ruling-class women, see *Wei Shu* 13. For further information about the particular political and cultural institutions facilitating female rule during the Northern Wei, see Valentin C. Golovachev, "Matricide among the Tuoba-Xianbei and Its Transformation during the Northern Wei," *Early Medieval China* 8 (2002): 1–42; Jennifer Holmgren, "Women and Political Power in the Traditional T'o-pa Elite. A Preliminary Study of the Biographies of Empresses in the Wei-Shu," *Monumenta Serica* 35 (1981–1983): 33–73; Li Ping, *Bei Wei pingcheng shidai* (*The Northern Wei's Pingcheng era*) (Beijing: Shehui kexue wenxian chubanshe, 2000), Chapters 3 and 4; and Song Qirui, *Bei Wei nü zhu lun* (*Women Rulers of the Northern Wei*) (Beijing: Zhongguo shehui kexue chubanshe, 2006), Chapters 2 and 3.

Emperor Ruizong (Ruizōng; r. 710–712). The reigns of Zhongzong and Ruizong were characterized by shifting factional allegiances and power plays concentrated around Zhongzong's sister and Empress Wu's daughter, the Taiping Princess (Tàipíng gōngzhǔ; d. 713), Zhongzong's wife, Empress Wei (Wéi hòu; d. 710), and Zhongzong and Wei's youngest daughter, the Anle Princess (Ānlè gōngzhǔ; 684?–710). During this time, other palace women, most importantly imperial secretary and ghostwriter Shangguan Wan'er (Shàngguān Wǎn'er; 664?–710) also played a key role in politics. In 710, the mysterious death of Zhongzong led Empress Wei, who was accused of murdering him, to join with her daughter to launch an all-out coup. She was defeated by the Taiping Princess and her nephew, Ruizong's son, Li Longji (Lǐ Lóngjī), who succeeded in placing Ruizong on the throne. Almost immediately, an intense rivalry developed between Taiping and Li Longji. In 713, Li Longji uncovered evidence that his aunt was planning an armed coup against him, leading him to precipitate her uprising with a swift attack against her faction, in which Taiping, the last surviving female power holder from this period, was executed.

Over the decades and centuries after their deaths, accounts of these women were repeatedly written and rewritten in various sources, often in such a way as to condemn and denigrate their power in gendered terms. The accounts that we have at our disposal today represent decades and centuries of the development of lore concerning and archetypes of these women, a process of codification of their images and evaluation of what they meant as historical characters that had been ongoing since the early eighth century. My choice of the word "characters" is not inadvertent; the elusive and fascinating nature of these women is closely related to the way in which they have been constructed and reconstructed as characters in historical, quasi-historical, and fictional narratives. The identification of female power with conspicuous consumption and material excess plays a key role in both the allure of the era and the retrospective rhetorical de-legitimation of its women leaders. In sources spanning more than a millennium after the Taiping Princess's death, we likewise read about what these women wore, the lavish mansions and landed estates where they feted and plotted, the religious and decorative monuments that they commissioned, and the gifts they were given or gave to one another. Luxury real estate represents one of the most important and influential narrative topics in accounts of these women. Contemporary sources written while they dominated the court are often connected to occasions (festive outings) taking place at the lavish properties that they owned. These works of poetry and prose were written by courtiers to please the female power holders of the court and are thus celebratory and praiseful in tone.

In these retrospective, generally negative accounts, the penchant for material extravagance is in turn specifically identified with the powerful women of the court, so that the culture of the era is portrayed as a kind of female-created culture of conspicuous consumption. The types of information that have had the most lasting attraction in histories, anecdote collections, and literary works often involve excessive and destructive acts of acquisitiveness by female power holders. These accounts represent opposite treatments of the same themes and topics found in works written by courtiers during the late seventh and early eighth century to praise these women leaders. A comparative examination of contemporary, praise-filled accounts and condemnatory, retrospective treatments enables us to trace the changing ways in which conspicuous consumption becomes linked with female power. Retrospective, condemnatory accounts reveal a growing identification of female power and movement away from the moral "center" of public, civic-minded, and male-identified government.

Celebratory works written by late-seventh- and early-eighth-century courtiers were often composed during festive outings by the highest ranking members of the court to the mansions of the powerful women of the imperial court. Courtly works often took the form of group poetic composition activities, whereby each courtier wrote a poem to the same imperially designated topic. The existence and frequency of these works themselves are testament to the material, political, and cultural power of these women. In these compositions, the luxury properties inhabited by women leaders become a landscape of immortal and mythical women.

These poems write the proprietress into the landscape physically and thematically as these women are given the identities of immortal women and recluses at one with nature. Famous poet Lu Cangyong's (Lú Cángyòng) poem "A Respectfully Offered Companion Piece to His Majesty's Composition, Visiting the Anle Princess's Mountain Residence: To Imperial Command" (Fènghé xìng Ānlè gōngzhǔ shānzhuāng yìngzhì) combines the special culturally resonant figures of various goddesses and the mountain recluse in the personage of the Anle Princess, "the royal daughter":

The royal daughter at Jade Terrace on the shore of the Heavenly River; /
beneath the Bridge of Stars and the lunar palace she constructs a
residence in the grotto.

Floating vines half brush across silver shadows, / waterfalls encircle
the shade on the jade stairs.

The fragrance of chrysanthemums wafts after the parrots, / as the
music of Flute Tower chants in harmony with the phoenixes.

The favor of the imperial procession lingers long at Jasper Pool; / the
jade moon is without wrinkles as our mood becomes deep.

Huángnǚ qióng tái tiān hàn xún, xīng qiáo yuè yǔ gòu shānlín.
 Fēi luó bàn fú yín tí yǐng, pùbù huán liú yù qì yīn.
 Jú pǔ xiāng suí yīngwǔ fàn, xiǎo lóu yùn zhú fèng huáng yín.
 Yáo chí zhùbì ēn fāng jiǔ, bì yuè wú wén xīng zhuǎn shēn.³

The “Bridge of Stars” refers to the Weaving Maid constellation goddess; according to legend, the Weaving Maid traversed the Bridge of Stars for her annual meeting with her lover. The lunar palace is home to the moon goddess, Chang’e, and Jasper Pool is the mythical residence of another goddess, the Queen Mother of the West. Comparisons to the goddesses suggest female immortality and high mindedness, which corresponds to the “grotto,” often indicative of the retreat of a recluse or the grotto-heaven abode of immortals. The recluse is a culturally resonant figure in the Chinese tradition, suggesting spiritual attainment and high mindedness. Lu Cangyong is of course referring back to the set topic, the Anle Princess’s “mountain residence,” an expected part of writing a poem to an imperially commanded topic. However, the princess’s construction of a mountain residence, poetic command to the courtiers to write poems about that mountain residence, and the resulting poems all express a desire on the part of the princess to be seen as possessing the historically and culturally sanctioned identities of recluse and immortal.

The desire for a reclusive or nature association also lies behind the vogue for estate building, the expensive construction of lavish buildings, ponds, and structures meant to mimic the perfect natural world. These poetic emphases on the divinity and sacred identity of the princess estate owner return to the idea of power, the power of the princess to fashion nature to conform to her vision and self-conception. Contemporary poems about the residences and banquet halls of female power holders combine, without suggestion of contradiction, praise of the possession of both the reclusive impulse and immense material power, suggesting the loftiness of immortals who are able to transcend great wealth. The mythical females selected by the poet are meant to reflect the Anle Princess’s status as a powerful royal daughter exalted to join the ranks of immortals. The poet’s choices in allusion also of course indicate the gender of the estate’s owner. He paints a vision both flattering to the princess and indicative of her power.

Song Zhiwen’s “*Fu* on the Taiping Princess’s Mountain Pool” is an even more explicit panegyric on the personal power of the Taiping Princess, a force that is deployed in her landscape creation: “As for the Princess’s birth, / the imperial family was at peace, soliciting prefectures and kingdoms to select her title, / to correspond to the fine reputation of universal accord;⁴ / she embodies the refined beauty of the immoral maiden /

3. *Quan Tang shi* 93.1004.

4. The phrase *shi yong* (“universal accord”) refers to the “Yao dian” of the *Shang shu*:

and radiates the pure essence of the Wu Girl star . . . she completes construction on the immortal mountain, / equal to the spiritual force of creation . . ." (Yuè ruò gōngzhǔ dànshēng, huángjiā tàipíng, zhēng jùn guó yǐ xuǎnhào, yè shí yōng zhīměi míng, yùn líng é zhī xiù cǎi, huī wù nǚ zhī chún jīng . . . gòu xiānshān xī jì bì, móu zàohuà zhī shén shù . . .).⁵ The Taiping Princess not only encompasses the identities of imperial figure and celestial maiden, but also commands the mystical power of nature "equal to the spiritual force of creation."

Throughout, the "Fu on the Taiping Princess's Mountain Pool" expands on the rhetorical formula of microcosm. Song Zhiwen describes the princess's pool as embodying the totality of cosmic marvels of the "spiritual force of creation": "As for its form, it collects weird rocks and towers high; / as for its rarity, it contains pure essence and is cool . . ." (Qí wèi zhuàng yě, zǎn guài shí ér cén yín, qí wèi yì yě, hán qīng qì ér xiāosè . . .).⁶ Song Zhiwen depicts the Taiping Princess's mountain pool as the site of confluence between natural, supernatural, and material wonders, a place where one can "seek magical herbs" (fǎng líng yào), where "are caged the strange animals of the eight directions / and collected the precious birds of the six meetings" (luō bāfāng zhī qí shòu, jù liùhé zhī zhēnqín), and where "the divine child," both metaphorical and real, can roam (dìzǐ yóu).⁷

The Taiping Princess's generative and divine power is embodied in her magnificent mountain pool. Song Zhiwen draws on an erudite wealth of mountain lore to depict the princess's pool, creating an embellished cosmic portrait of the pool and its owner. The rhetoric of the microcosm is a powerful literary motif in the aesthetics of the period, a rhetorical tool frequently deployed to convey the power of female politicians and land owners. In 709, courtier Zheng Yin offered a quartet of eight-line poems to Shangguan Wan'er on the occasion of a banquet at a hall in her residence. These poems provide a window into the way in which the most influential arbiter of poetic taste wished to hear herself and her residence praised.⁸ Because of Shangguan's role as ghostwriter for the imperial family, Zheng Yin is probably actually writing a companion piece to a poem written

"The black-haired people were transformed to universal accord" (*Shang shu* 1). See Jie Wu, "A Study of Group Compositions in Early Tang China" (Ph.D. diss., University of Washington, 2008), 260.

5. *Quan Tang wen* 240.1444.

6. *Ibid.*

7. *Ibid.* "The divine child" appears in the line "When the mountain pool is complete, the divine child roams" (shān chí chéng xī dì zǐ yóu); it is referring to both the original line about the "Lady of the Xiang" (Xiàng fūrén) in the "Nine Songs" (Jiǔ gē) and to the Taiping Princess (the emperor's child).

8. *Tangshi jishi* 9.125–26.

by the hostess herself.⁹ Many of the same thematic emphases discussed earlier drive Zheng Yin's poems. Zheng Yin's third poem opens with a direct invocation of Shangguan Wan'er's identity as a woman whose dominion of influence extends from the palace women's quarters to the outside natural landscape: "The worthy talent of the inner quarters is valued, / her lofty high mindedness and superior attainments lodged in the mountain forest are difficult to achieve" (Gōngyè xián cái zhòng, shānlín gāoshàng nán).¹⁰ Shangguan Wan'er's talent and esteemed place in the life of the court perfectly accord with the natural setting of her estate, and the couplet suggests that she is simultaneously a powerful politician and a "lofty and high-minded" (gāoshàng) recluse.

Zheng Yin rhetorically makes the realm of the residence presided over by Shangguan Wan'er eclipse the imaginary paradise of immortals. The first poem stresses the supremacy of the estate and its interpenetration with the heavens:

At the earth's axis, the tower is far in the distance; at Tiantai, the road to
the gate is long.
What can compare to roaming in the residence of the gods? It's right here
where we are, facing the immortal's home.
Our seats are brushed by the lightning of the golden pitch-pot game; the
surface of the pool shakes the [reflected] auroras of the jade ale.
Don't say that we are separated from Qin and Han; we are visiting
another instance of the flowers of Wuling.

Dìzhóu lóu jū yuǎn, Tiāntái quē lù shē.
Hérú yóu dì zhái, jí cǐ duì xiān jiā.
Zuò fú jīn kǔn diàn, chí yáo yù jiǔ xiá.
Wú yún Qín Hàn gé, bié fǎng Wǔlíng huā.¹¹

The third couplet alludes to a legend in which a god and a jade immortal maiden played a game involving throwing darts into a pot. The game elicited the laughter of heaven, which translated into lightning on earth. In the poem, the elements of Shangguan Wan'er's hall, the party, and the natural world all become interwoven with one another, as Zheng Yin imagines the pool on her estate, floating with the revelers' wine cups, shaking their wine into the rosy clouds overhead. The final couplet reiterates the paradisiacal identity of the home presided over by Shangguan Wan'er. The closing exhortations are both references to the famous fourth-to-fifth-century literary figure Tao Qian's (Táo Qián; 372?–427) "Peach Blossom

9. Jia Jinhua, *Tangdai jihui zongji yu shirenqun yanjiu* (Tang dynasty groups, collections, and poet groups) (Beijing: Beijing daxue chubanshe, 2001), 69–70.

10. *Quan Tang shi* 106.1105.

11. Ibid.

Spring" (Táohuā yuán).¹² According to the famous account, in the fourth century a fisherman from Wuling followed a stream and discovered a village paradise outside history. The residents of the village had fled war six centuries ago and were unaware of historical developments that had occurred in the ensuing centuries. They lived an uncomplicated and satisfied existence, and treated the fisherman well. After he left, he could never find his way back again. Without any irony, Zheng Yin locates a paradise defined by ahistoricity and the appeal of an existence uncomplicated by shifting political and societal allegiances on the lavish residence of one of the most powerful political and cultural figures of the day.

The attribution of spiritual power to worldly power considerably increases Shangguan Wan'er's cache. In some of Shangguan's own poetry, we see the projection of an identity that melds material, spiritual, and social power. In 710, the last year of her life, Shangguan composed what is probably her best-known surviving work, a remarkable series of poems in various forms that commemorate a visit to the Changning Princess's estate, "Visiting the Changing Princess's Pool for Floating Wine-cups: Twenty-five Poems" (Yóu Chángníng gōngzhǔ liú bēi chí: èrshíwǔ shǒu). In these poems, she adopts the voice of a recluse at one with nature. The fifth pentasyllabic poem stresses the speaker's aloofness and spiritual removal from all that is common and vulgar:

Completely unrestrained, I emerge from the mist and clouds;
aloof and untouchable, I am not of the common flock.
Rinsing in the flowing water, I purify the treasury of my thoughts;
leaning on an armrest, I avoid the noisy atmosphere.
The stone paintings are adorned with forms of moss;
the wind's shuttle weaves patterns in the wood.
Why are these mountain rooms so precious?
For no other reason than the lingering fragrance of orchid and cassia.

Fàng kuàng chū yān yún, xiāotiáo zì bù qún.
Shùliú qīng yì fǔ, yǐn jǐ bì xiāo fēn.
Shí huà zhuāng tái sè, fēng suō zhī mù wén.
Shānshì hé wéi guì, wéi yú lán guì xūn.¹³

12. Ibid. According to the famous account, during the Jin dynasty a fisherman from Wuling followed a stream through a grotto opening and discovered a village paradise outside history. The residents of the village had fled the disorder at the end of the Qin dynasty and were unaware of historical developments that had occurred in the ensuing centuries. They lived an uncomplicated and satisfied existence, and treated the fisherman well. After he left, he could never find his way back again. For Tao Qian's account and accompanying poem with annotations and critical discussion, see Yuan Xingpei, *Tao Yuanming ji jianzhu*, 479–89.

13. *Quan Tang shi* 5.61.

Shangguan, the powerful politician at the center of court factionalism and culture, has rhetorically transformed herself into a lofty recluse removed from vulgar and petty worldly concerns. As Stephen Owen has noted, the voice of this poem, and the series as a whole, is notable for its gender-neutrality; we have no indication that the speaker is a woman, indicating Shangguan's freedom to fashion her poetic identity at will.¹⁴ Without any irony, the poems locate an identity defined by its removal from the dusty world of mere human concerns in the lavish residence of one of the most powerful political and cultural figures of the day. Elsewhere in the series, she describes herself as *yì* or *yìrén*, "one who is above it all," a term that connotes both spiritual advancement and a sense of superiority made possible by only the most exalted cultural and political power.

In another poem in Shangguan's series, the poetic "recluse" role reaches seemingly intentionally comical heights:

I spread out my leopard-skin mattress crosswise; I wear my deer-womb
kerchief at a slant.

May I ask what she is doing—in the mountains, there is one who is above
it all.

Héng pù bào pí rù, cè dài lù tāi jīn.

Jiè wèn hé wèi zhě, shānzhōng yǒu yìrén.¹⁵

The poem creates the striking mental image of the *yìrén*, possibly the Changning Princess, roaming on her estate "playing dress-up," with bizarre recluse costume elements and props such as the "leopard-skin mattress" and "deer-womb kerchief." The crafted image of one who, though possessed of the greatest political and material force, was nevertheless at heart a "true" recluse most at home in natural surroundings was pleasing to her own self-conception and fit perfectly into the vogue for estate building, the products of which represented carefully crafted and extremely expensive man-made "nature." This bespeaks a particular relationship involving nature whereby the identity of the court and its leading figures mutually are defined and self-define by means of their power over and chosen place within the natural world. The poetic rhetoric geared toward extolling them expresses and encapsulates this relationship.

Accounts of the residences and possessions of the powerful empresses, princesses, and other leading women of the era are rarely neutral; rather, they are always imbued with moral judgment or aim. In the case of later accounts, the ways in which these women are portrayed are suggestive of the historian's or compiler's interpretation of what they meant as his-

14. Stephen Owen, "The Formation of the Tang Estate Poem," *Harvard Journal of Asiatic Studies*, 55 (June 1995): 39–59, here 53.

15. *Quan Tang shi* 5.61.

torical examples. The landed estates built by the richest and most influential female politicians are described not as the site of lofty immortals, but rather are pinpointed as embodiments of female greed and as tools facilitating factionalism and intrigue. Historians and compilers take pains to emphasize the excessive expense of these luxurious mansions, made possible by the unprecedentedly high stipends granted to these women. The landed estates are described as “private” in the most negative sense of the word, that is, suggestive of underhanded, self-serving, and morally dubious political activities, the opposite of “public” and state sanctioned. According to historical and anecdotal accounts, the landed estates represent alternate centers of political, economic, and social-cultural power vying with the imperial precincts.

The Anle Princess’s *New Tang History* biography describes her estate as follows: “The Princess constructed an estate and the Anle Buddhist Monastery. They both followed the model of the imperial compound, but in fineness of skill in construction surpassed it [the imperial compound]” (Zhǔ yíngdì jí Ānlè fúlú, jiē xiàn xiě gōngshěng, ér gōngzhì guò zhī).¹⁶ The *Old Tang History*’s account of her building activities contained therein states with censure that she “constructed an estate on a grand scale; it was excessively extravagant. The Changning Princess and other princesses copied her one after another, and everyone sighed in resentment about it” (Guǎng yíng dìzhái, chǐmí guòshèn. Chángníng jí zhū gōngzhǔ dié xiāng fǎngxiào, tiānxià xián jiē yuàn zhī).¹⁷ The narrative establishes a dichotomy of female excess in opposition to good government that puts “the people” first. The dangerous fashion for lavish estate building is a female craze identified with the princesses, not the princes, and the world sends out a collective lament of grief in response to the women’s bad behavior.

Anle’s aunt, the Taiping Princess, is generally praised for circumspection and perspicacity surpassing her arrogant niece, but she too lavished indulgence upon her landed estate: “The Princess was tall and plump. She had a high forehead, a broad chin, and many schemes and plots. Zetian considered her to be like herself, and she often participated in scheming and planning. The palace compound was strictly secured, and affairs were never allowed to be leaked out. The Princess was also vigilant and self-disciplined; she only aggrandized and adorned her landed estate” (Gōngzhǔ fēng shuò, fāng é guǎng yí, duō quán lüè, Zé tiān yī wéi lèi jǐ, měi yù móu yì, gōngjìn yánjùn, shì bù líng xiè. Gōngzhǔ yì wèijù zì jiǎn, dàn chóng shì dǐ dì).¹⁸ The association between the Princess’s “many

16. *Xin Tang shu* 83.3654.

17. *Jiu Tang shu* 51.2171.

18. *Ibid.* 183.4738. The *Xin Tang shu* likewise notes, often using identical catchwords, the Taiping Princess’s impressive capacity for inner and outer regulation: “[She] internally

schemes and plots” and the attention that she gave to her landed estate is in no way coincidental. After the ascendancy of Ruizong as emperor in 710, the Taiping Princess became a critical decision maker in state affairs and appropriated the imperial prerogative; when she chose not to attend court, the prime ministers went to her estate to deliberate whether or not a particular measure was feasible.¹⁹ The narrative judgment of the impropriety of a private residence supplanting the imperial court as the seat of government is apparent here.

In the same vein, the Taiping Princess’s complex and prolonged bid to unseat Li Longji as Crown Prince and gain control of the public political sphere is described as a clandestine and personal one, carried on slyly outside of the public sphere of the court. After she formed a close factional alliance aimed at eliminating Li Longji, members of her faction supposedly tried to entice high officials to join them by inviting them to the Princess’s estate.²⁰ Whenever her allies left court, they went immediately to the Taiping Princess’s residence, presumably to report on the latest developments and plan their next move.²¹ We read that, “at the time out of the seven prime ministers, five were the Princess’s clients. Additionally, General of the Left Palace Guard Chang Yuankai and Palace Guard General Li Ci both privately visited the Princess” (Shí zǎixiàng qī rén, wǔ chū zhǔ ménxià. Yòu Zuǒ yǔlín dà jiàngjūn Cháng Yuánkǎi, Zhī yǔlín jūn Lǐ Cí jiē sīyè zhǔ).²² The word *sī* or “private,” the first component in the phrase “private visits,” implies secrecy and intrigue; clientage based on personal relationship is defined against the public government stage. The source passage for the phrase *sīyè*, “privately visit” or “clientage,” is found in “The Biography of Grand Minister Zhang” (“Zhāng Chéngxiàng lièzhuàn”) in the *Records of the Historian*, or *Shǐjì* of Sima Qian (Sīmǎ Qiān, ca. 145–86 BCE). The passage in which *sīyè* appears clearly establishes the distinction between private visits and the public government stage and the moral judgment that entails: “[Shentu] Jia was an incorrupt and upright person and did not receive clients” (Jiā wéi rén lián zhí, mén bù shòu sīyè).²³ If the “incorrupt and upright person” is defined as one who does not receive private clients, then the person who does receive private clients, in this case, the Taiping Princess, is automatically deemed corrupt and immoral.

plotted with [Empress Wu] and externally was restrained and fearful. Throughout the Empress’s reign, she was faultless” (ér zhǔ nèi yǔ móu, wài jiǎn wèi, zhōng Hòu shì wú tā zī); *ibid.* 83.3650.

19. *Jiu Tang shu* 183.4739.

20. *Zizhi tongjian* 210.6662.

21. *Ibid.* 210.6667.

22. *Jiu Tang shu* 183.4739. The exact same passage appears in *Xin Tang shu* 83.3651.

23. *Shiji* 96.2683.

Other passages imply a sexual dimension in the private visits of male officials and courtiers to the estates of female heads of factions. The eleventh-century history *Comprehensive Mirror of Government* describes the popularity of estate building among high-ranking women in the first decade of the eighth century as follows: "Consort Shangguan [Wan'er] and the palace women established many outside residences, coming and going unrestrainedly. The men of the court often followed them to pleasure sites to seek advancement. The Anle Princess was the most arrogant and abandoned; from the prime ministers on down, many were her private clients" (Shàngguān Jiéyú jí hòugōng duō lì wài dì, chū rù wújié, cháo shì wǎngwǎng cóng zhī yóu chù, yǐ qiú jìn dá. Ānlè gōngzhǔ yóu jiāohèng, zǎixiàng yǐxià duō chū qí mén).²⁴ Of course, clientage can and did exist between male patrons and clients and without any sexual relationship. Yet the sexual innuendo conveyed by the phrase "coming and going unrestrainedly," literally, "exiting and entering without modesty/restraint," is transparent, especially when coupled with the description of private visits by male courtiers hoping to gain higher positions through pleasing the proprietress.

Source materials reveal that these tropes became attached to the early Tang women leaders from early on; an anecdote from the early- to mid-eighth-century *Comprehensive Records about the Court* brings together the fundamental themes of greed, private favor, and sexual impropriety as enabled by and embodied in the estate. The anecdote is about Zhang Yizhi (Zhāng Yìzhī, d. 705), who is remembered as one of the most notorious men in China at the turn of the eighth century. Zhang Yizhi was one of Empress Wu's last, much younger sexual favorites in her old age; when the relationship began, he was supposedly about twenty and she was in her seventies. According to the passage, Zhang Yizhi had a luxurious and extremely expensive "Seven Treasure Tent" (Qībǎo zhàng) constructed for his mother Azang (Āzāng). The passage focuses on Azang's bad behavior in her tent:

Azang had an adulterous affair with Vice-Director of the Secretariat Li Jiongxiu. She forced him into it. They would drink together from paired cups, meaning "always follow each other." Jiongxiu feared her power and was repulsed by her decrepitude, so he totally let himself go to drinking unrestrainedly and was always dead drunk, to the point that he could be called repeatedly and wouldn't wake up.

24. *Zizhi tongjian* 209.6623. This passage was incorporated by seventeenth-century thinker Hu Wokun into his work about money, *Qian tong*, illustrating the lasting power and influence upon the collective historical memory of the Jinglong women as negative paragons of extravagance and fiscal irresponsibility; see Hu Wokun, *Qian tong*, 21.

Āzāng yǔ Fènggé shìláng Lǐ Jiǒngxiù tōng, bī zhī yě. Tóng yǐn yǐ wǎn
zhǎn yīshuāng, qǔ qí cháng xiāng zhú. Jiǒngxiù wèi qí shèng, xián qí lǎo,
nǎi huāng yǐn wúdù, hūn zuì shì cháng, pín huàn bù jué.²⁵

By the time the episode was chosen for inclusion in the *Old Tang History*, it had amplified to become an even scarier (for men) example of the horrible consequences of female rule. In the *Old Tang History*, Empress Wu actually ordered (lìng) Li Jiongxiu to marry Azang.²⁶ Repulsed by her decrepitude, he did not treat her well, so “Azang was angry and had Jiongxiu sent away and demoted to Governor of Dingzhou” (Āzāng nù, chū Jiǒng xiù wéi Dìngzhōu cìshǐ).²⁷ According to this later accretion, the two older women conspire to sexually exploit younger men.

This episode somehow strikes the reader as quite humorous. If we probe the reason behind the humor, we find that it might lie in assumptions, both ours and the compilers’, regarding “normal” expected gender behavior. If the gender roles were reversed (if the younger favorite forced into a relationship was female and the older power holder male), the anecdote would definitely not be at all amusing.

The female power holders of the late seventh and early eighth centuries are delegitimized through rhetorical emphasis on their greed and obsession with elaborate and costly trappings of power at the expense of the male-identified fundamentals of serious statecraft and morally defined rule. Historical texts such as the Tang histories and *Comprehensive Mirror of Government* constantly remind us that this period of female domination of government was one in which “government issued forth from many sources” (zhèng chū duō mén);²⁸ this observation is meant not only to describe the intense factionalism of the period but also to demarcate female power as fragmentation, movement away from the center and away from essential culture-defining values. Female rule is powerfully condemned and defined through its rhetorical identification not with, but as perversion of values.

At the heart of these discussions of greed and materiality lies the issue of gender. The period from Empress Wu’s dominance to the death of the Taiping Princess is conceptualized as a terrifying reversal of gender-encoded hierarchy thought to order society, a menacing real-life answer to the generally imaginary problematic of what would happen if the roles of men and women were switched. As women, they are accused of pro-

25. *Chaoye qianzai* 3.69.

26. *Jiu Tang shu* 37.1377.

27. Ibid. The Zhang brothers’ *Xin Tang shu* biography also states that Empress Wu “decreed that Secretariat Director Li Jiongxiu privately serve Zang” (Zhào Shàngshū Lǐ Jiǒngxiù sī shì zāng); *Xin Tang shu* 104.4014.

28. See, for example, *Xin Tang shu* 122.5105.

miscuity and “private favor” where male rulers would not be, but the real issue is not so much sex per se but “appropriate” gender identity and subversion of expectations of their behavior and desires as gendered (that is, female) beings. The source of the fear of male historians and commentators is their appropriation of male-identified privilege, including male sexual prerogative.

The court literature of the late seventh and early eighth centuries, as a whole, evinces special fascination with the imperial relationship to nature. Themes identifying female leaders with reclusion, divinity, and “naturalness” are all variations on a vision of power whereby the court’s supremacy is rhetorically communicated vis-à-vis its power over nature. The rhetorical definition of imperial power as the power to create and refashion at times suggests downplaying gender distinctions (the possibility of creating or refashioning gender identity). Reconstructions of their identities as female power holders paradoxically indicate the prerogative of later writers to reshape the images of these women in accordance with their own judgments, conceptualizations, and anxieties regarding female power.

Rufina Refined

A Woman archisynagōgos from Smyrna, Yet Again

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In 1883, Salomon Reinach published a short article in the *Revue des études juives*, reporting the discovery of a brief inscription from ancient Smyrna, in which a woman named Rufina calls herself *archisynagōgos* (head of the synagogue, or perhaps of the community).¹ Several years earlier, the great nineteenth-century traveler and collector of early Christian inscriptions, W. H. Ramsay, had alerted Reinach to the existence of a Jewish inscription in the collection of a local bank official,² and Reinach had eventually persuaded the official to allow him to make a transcription. Subsequent collections of ancient Jewish inscriptions republished it, including Frey's 1936 *Corpus inscriptionum judaicarum*, where it appears as CIJ 2.741,³ *I. Smyrna*, where it appears as no. 295,⁴ and, most recently, *IJO* 2.43.⁵ Yet only since Bernadette Brooten's ground-breaking 1982 study of women synagogue officers in ancient Jewish inscriptions has Rufina played a central role in debates about whether women actually exercised any authority or per-

1. Salomon Reinach, "Inscription grecque de Smyrne: La juive Rufina," *REJ* 7 (1883), 14:161–66.

2. One M. Lawson, controller of the "Banque ottomane," in what was then Smyrna, now Izmir: Reinach, "Inscription grecque," 161.

3. Jean-Baptiste Frey, ed., *Corpus inscriptionum judaicarum: Recueil des inscriptions juives qui vont du IIIe siècle avant Jésus-Christ au VIIe siècle de notre ère* (Vatican City: Pontificio istituto di archaeologia cristiana, 1936), 2.10–11, hereafter *CIJ*.

4. And where the editor simply repeats the information in Reinach: "Gefunden in Smyrna: Ehemals dort in der Sammlung des Bankdirektos Lawson: Verbleib unbekannt," in *Die Inschriften von Smyrna*, Teil I: *Grabinschriften, postume Ehrungen, Grabepigramme*. (ed George Petzl; *Inschriften griechischer Städte aus Kleinasien* 23; Bonn: Dr. Rudolph Habelt, 1982), 133, hereafter *I. Smyrna*.

5. Walter Ameling, ed., *Inscriptiones judaeae orientis II: Kleinasien*. (TSAJ 99; Tübingen: Mohr Siebeck, 2004), hereafter *IJO* 2.

formed any significant, on-going actions in their capacity as *archisynagōgos* and other comparable titles.⁶

Brooten forcefully critiqued older scholarship, especially Reinach's generally measured article, that had seen such titles as entirely honorific, indicating nothing about women's public roles in ancient Jewish communities. Instead, Brooten argued that in the absence of compelling evidence to the contrary, scholars should presume that women with such titles exercised the same authority and performed the same kinds of communal roles thought to have been the case for men with the same titles. Many have found Brooten's arguments highly convincing. Some scholars, however, have continued to maintain that women designated as synagogue officers, either by themselves or by others, may have acquired such titles primarily by virtue of financial or other patronage, or by family associations, and that these women are unlikely to have exercised actual functions of office.⁷

It is not my intention to rehash this debate itself: my own views on the subject remain as I have articulated them in various venues.⁸ Instead, in this small article, I wish to revisit one particular aspect of Rufina's inscription. I will propose here that scholars from Reinach on, including Brooten and myself, may have made a small but significant error in the translation and interpretation of the inscription, and in doing so, obscured and overlooked what may be a clearer indication that Rufina was performing a communal responsibility in this inscription, which also accounts for why she here identifies herself as *archisynagōgos*.

Although few readers of this article are likely to be entirely unacquainted with Rufina's inscription, a few preliminary observations are appropriate. To the best of my knowledge, our sole acquaintance with this inscription is due to Reinach (and Ramsay). If they knew anything about its

6. Bernadette J. Brooten, *Women Leaders in the Ancient Synagogue: Inscriptional Evidence and Background Issues* (BJS 36; Chico, CA: Scholars Press, 1982).

7. For an overview and analysis of these responses, see Ross Shepard Kraemer, *Unreliable Witnesses: Religion, Gender and History in the Greco-Roman Mediterranean* (New York and Oxford: Oxford University Press, 2011), 232–41, which focuses especially on the discussion in William Horbury, "Women in the Synagogue," *CHJ* 3:358–401; Lee Levine, "Women in the Synagogue," in *The Ancient Synagogue* (New Haven: Yale University Press, 2000), 482–90; Tessa Rajak, "The Jewish Community and Its Boundaries," in *The Jews among Pagans and Christians: In the Roman Empire* (ed. Judith Lieu, John North, and Tessa Rajak; London: Routledge, 1992), 22–24 (a subsection titled "Women Benefactors and Community Practices"); and Tessa Rajak and David Noy, "Archisynagogoi: Office, Title and Social Status in the Greco-Jewish Synagogue," *JRS* 83 (1993): 75–93.

8. Most recently and extensively in *Unreliable Witnesses*, 179–241; see also Ross S. Kraemer, "Jewish Women in the Diaspora World of Late Antiquity," in *Jewish Women in Historical Perspective* (ed. Judith Baskin; 2nd ed.; Detroit: Wayne State Press, 1998), 46–72; see also my earlier discussion in Ross S. Kraemer, "On the Meaning of the Term 'Jew' in Greco-Roman Inscriptions," *HTR* 82 (1989): 35–53, esp. 45–46.

actual provenance, they do not say, except that it came from somewhere in Smyrna. Reinach's brief account suggests that it remained in the possession of the collector, and subsequent publications do not seem to have any idea about its fate or current location.⁹ According to Reinach, it was inscribed on a marble plaque approximately .36 m. x .26 m., about .02 m. thick. His hand transcription, reproduced in his article, shows competent but by no means elegant incising, with traces of guidelines clearly visible. On the basis of several distinctive orthographic features, including cursive omega, squared sigma, and barred upsilon, he dated it no earlier than the third century C.E. Epigraphical forgeries were apparently common in the nineteenth century, and a hard-core skeptic might wonder about the authenticity of a somewhat provocative inscription (a woman *archisynagōgos*), known only by a sole nineteenth-century transcription, documented neither by photograph nor squeeze, whose find was unreported and whose subsequent history and current location are unknown.¹⁰ But in fact, this is true for many inscriptions and other artifacts prized by collectors in the nineteenth century, and my analysis in this article proceeds on the assumption (if quite cautious) that the inscription Reinach reported was genuine.¹¹

Reinach's transcription reads as follows:

Ῥουφεῖνα Ἰουδαία ἀρχί
 συνάγωγος κατεσκευά
 σεν τὸ ἐνσώριον τοῖς ἀπε

9. Frey, for instance, who routinely indicates the 1930s locations of his materials, says nothing whatsoever about this one, and Petzl, the editor of *I. Smyrna*, in 1982 (coinciding with the publication of Broten's dissertation) merely repeats Reinach, and notes that its whereabouts are unknown.

10. See, for example, John Bodel, ed., *Epigraphic Evidence: Ancient History from Inscriptions* (New York and London: Routledge, 2001), 48–49. I thank Professor Bodel for this reference, and for his response to my queries about squeezes and photographs.

11. My reasons for this are several, although I concede that none of them is dispositive. Rufina is not the only woman identified as *ἀρχισυνάγωγος* in inscriptions from Asia Minor: a woman named Theopempte identifies herself as *ἀρχισυνάγωγος* in a donor inscription from Myndos in Caria (*IJO* 2.25/*CIJ* 2.756). A funerary inscription from Göre in Cappadocia commemorates a woman called *ἀρχισυναγωγίσσα* (*IJO* 2.255). The wording of Rufina's inscription, as I discuss below, is quite typical of inscriptions found in Smyrna and elsewhere in Ionia, although that, of course, would simply point to a knowledgeable forger. Scholars and collectors in the nineteenth century (not to mention the twentieth) were often not particularly rigorous in inquiring about or documenting find sites and chain of possession, in making squeezes or taking photographs. The collector in question might not have allowed Reinach to do any of this, although Reinach certainly doesn't say anything one way or the other. Roughly at the same time, a traveler in Cappadocia came across six Jewish inscriptions, including the one for an *ἀρχισυναγωγίσσα* noted above, which he hastily transcribed. When he came back a little later, they were no longer accessible, having apparently been set by a homeowner facing inward into a wall. Hypothetically, the inscription might have been a forgery, of which Reinach himself was unaware, but it seems a particularly peculiar inscription for a nonscholarly forger, and perhaps even for a scholarly one.

λευθέροις καὶ θρέμασιν
 μηδενὸς ἄλου ἐξουσίαν ἔ
 χοντος θαψαι τινά. εἰ δέ τις τολ
 μήσει, δώσει τῷ ἱερωτάτῳ τα
 μείω [symbol for denaria] ,ἀφ' καὶ τῷ ἔθνει τῶν Ἰου
 δαίων [symbol for denaria] ,α. ταύτης τῆς ἐπιγραφῆς
 τὸ ἀντίγραφον ἀπόκειται
 εἰς τὸ ἀρχεῖον¹²

This inscription is one of a relatively large number of inscriptions from Smyrna and Ionia¹³ more generally in which a living person dedicates a burial container for the use of multiple persons, specifies who may be buried, what penalties are to be paid, and to whom, for the burial of unauthorized persons, and where a copy of the inscription is deposited (apparently lest someone think effacing the inscription might effectively nullify the penalties). Rufina's inscription is quite similar to this corpus, both in general structure and specific vocabulary. It names the dedicator, indicates the burial container,¹⁴ specifies the persons to be buried, prescribes particular sums for tomb violation, identifies the corporate entit(ies) to whom these fines are to be paid, and warns that a copy of the inscription has been deposited in public archives.

As various editions of the inscription demonstrate, it poses several interpretive difficulties, each of which has received some scrutiny. Modern scholars have devoted most attention to Rufina's self-designation as *archisynagōgos*, routinely translated "head of the synagogue."¹⁵ I have explored what Rufina might mean to indicate by calling herself *Ioudaia*.¹⁶ But no one, myself included, has attended to a small emendation routinely made in translations of the inscription, lines 3–4, here in boldface: "Rufina . . . erected the *ensorion* for (**her**) freedpersons and slaves raised in (**her**) house."¹⁷ Previous commentators, beginning with Reinach, and

12. *IJO* 2.43/*CIJ* 2.741/*I. Smyrna* 295.

13. For this article, I initially searched the Packard Humanities Institute (PHI) database for inscriptions from Asia Minor containing the term ἀπελευθέρους, which yielded approximately 70 inscriptions, 33 from Smyrna. I subsequently went through *I. Smyrna* itself, surveying a broader corpus of comparable inscriptions.

14. In this case, an *ensorion*, a large structure for multiple burials: see *IJO* 2, p. 189.

15. For a thorough consideration of the term *archisynagōgos*, and its ancient connotations, see Rajak and Noy, "Archisynagogoi." For debates on Rufina as *archisynagōgos*, see Brooten, *Women Leaders*, 6–7, and more generally 5–33; see also Paul Trebilco, *Jewish Communities in Asia Minor* (Cambridge, UK: Cambridge University Press, 1991), 106 and above, n. 7.

16. Kraemer, "On the Meaning of the Term 'Jew.'"

17. This translation, or a close variant, appears in all published translations I have consulted: Brooten, *Women Leaders*, 5; Frey, *CIJ* 2, p. 10 "ses affranchis et les esclaves élevés dans sa maison"; itself a quotation of Reinach, "Rufina," 162; my own—Ross Shepard Kraemer, *Women's Religions in the Greco-Roman World: A Sourcebook* (New York and Oxford: Oxford

including myself, simply assumed this inscription to be the action of an individual woman establishing a burial site for her own freedpersons and *thremmata*, often understood to be slaves raised in the household.¹⁸ Quite clearly, however, these personal pronouns are supplied by the translators: the Greek itself lacks any such pronouns, and as I shall elaborate, it is not immediately obvious that the persons designated for burial do, in fact, belong to Rufina's personal household.

University Press, 2004), p. 251; Kraemer, *Unreliable Witnesses*, 179; the German translation, "Rufina . . . für (ihre) Freigelassenen und Zöglinge," in *IJO* 2: Trebilco, *Jewish Communities*, 104. Petzl does not provide a translation of the inscription, but does supply the pronoun when observing that the grave is not for Rufina herself, but "nur für **ihre** Freigelassenen und Zöglinge" (*I. Smyrna*, p. 134).

18. The Greek *θρέμμα* (literally nursing) is usually taken as a synonym for *θρεπτός*, which minimally designates a person raised by someone other than the natural parents, but is regularly presumed to indicate a slave raised in the slaveholder's household, if not also born there, and thus translated as "household slave" or something comparable. In the past, I have certainly taken it to designate slaves raised in the household, but a recent substantial study by Marijana Rıcl suggests that although this is generally right, the matter is complex: "Legal and Social Status of *threptoi* and Related Categories in Narrative and Documentary Sources," in *From Hellenism to Islam: Cultural and Linguistic Change in the Roman Near East* (ed. Hannah M. Cotton, Robert G. Hoyland, Jonathan J. Price, and David J. Wasserstein; Cambridge, UK: Cambridge University Press, 2009), 93–114. Her work expands considerably the older Archibald Cameron, "'Threptos' and Related Terms in the Inscriptions of Asia Minor," in *Anatolian Studies Presented to W. H. Buckler* (ed. William M. Calder and Josef Keil; Manchester: Manchester University Press, 1939), 27–62. Rıcl notes the abundant use of *θρεπτός* in inscriptions from Asia Minor, especially Lydia and Phrygia. In the inscriptions I surveyed the term used is regularly *θρέμμα*, almost universally in the dative plural, *θρέμμασι* (sometimes spelled with only one mu). Interestingly, the vast majority of inscriptions that referred to slaves and freedpersons used the formula *θρέμμασι καὶ ἀπελευθέροις*, with no reference to other terminology for slaves. *I. Smyrna* 225 and 255 are thus unusual in their reference to *ἀπελευθέροις καὶ δούλοις*. Rıcl notes, however, that "We must . . . keep in mind the unrestricted choice of vocabulary in most inscriptions—their authors were usually free to select a synonymous term or no term at all when referring to their *θρεπτοί*, with the effect that numerous non-recognisable *θρεπτοί* are 'disguised' as δούλοι and ἀπελευθέροι or even τέκνα, and many others, identified only by their names, also remain unknown to us" (p. 95). She also notes that "one of the usages of the term *θρεπτός* was to designate individuals of slave origin. It was synonymous and interchangeable with the more common words for slaves—δούλος, σῶμα, παιδίον, παιδάριον, παιδίσκη, κοράσιον, etc., and it usually, but not exclusively, designated slaves born outside their master's home, i.e. slave children purchased on the slave-market (including those sold by their own parents) and abandoned and rescued children" (p. 98). If *thremmata* carries a precise meaning, it might seem that households in Smyrna rarely had anything but such slaves: alternatively, *thremmata* here is simply the standard term for enslaved persons, on which see also briefly Ameling, *IJO* 2, p. 190, who notes that this may also be true in manumission inscriptions from the Bosphorus studied by Leigh Gibson, *The Jewish Manumission Inscriptions of the Bosphorus Kingdom* (Tübingen: Mohr Siebeck, 1999). Petzl and Ameling both translate it as "Zöglinge." At the same time, it's worth noting that a considerable portion of burial inscriptions from Smyrna make no mention of slaves or freedpersons, but only of the dedicator and various family members, for example, *I. Smyrna* 212, 213, 215, 219, 230, 231, and so forth.

I would like here to consider a somewhat different reading of Rufina's dedication, which had its genesis in a class I taught in January 2013, at Brite Divinity School, and to whose students I am deeply grateful for conversation that prompted this reconsideration. Conceivably, the inscription might well be read as the record of Rufina, acting in her official capacity as *archisynagōgos*, dedicating a burial site for freedpersons and household slaves belonging perhaps to the synagogue itself or, perhaps alternatively, to members of the *ethnos* of the Judeans whose protection the inscription invokes. This reading suggests that providing for burial and related commemorative activities may have been one of the functions of an *ἀρχισυνάγωγος*, at least in Smyrna, if not elsewhere, consistent with the responsibilities documented as one of the functions of voluntary associations, including synagogues, in the ancient world broadly.¹⁹ Such a reading makes better sense, perhaps, of various somewhat anomalous features of the inscription that prior readers have often noted but neglected to take seriously: the designation of the tomb solely for these persons, Rufina's self-designation as *archisynagōgos* (and perhaps *Ioudaia*), the unusual (although not completely unattested) dual fine specified, etc.

Because the construal of Rufina's inscription hinges so much on the supplied pronouns, I should attend first to their absence. Of the seventy or so PHI inscriptions that I surveyed mentioning burial for freedpersons (and often also *thremmata*), most do not, in fact, explicitly use personal pronouns with these terms. Similarly, in the larger corpus of burial inscriptions from Smyrna itself, personal pronouns are unusual. But there are about a dozen such instances, at least (*I. Smyrna* 225, 226, 232, 243, 244, 246, 248, 249, 251, 254, 260). In some of these, it appears that the pronoun helps to clarify a possible ambiguity (exactly whose children, slaves, freedpersons, etc.). *I. Smyrna* 248, for instance, seems to use personal pronouns to clarify that the burial site is for Flavia Tryphaina, her husband, and for both her freedpersons and *thremmata*, and those of her husband.²⁰ But in other cases, there seems to be no obvious reason why personal pronouns modify terms such as wife (*I. Smyrna* 244, 251), wife and children (*I. Smyrna* 249), or even *thremmata* (*I. Smyrna* 244). At the same time, the failure to specify *whose* freedpersons, etc., only suggests that dedicators did not routinely indicate that such persons were part of their owners' (or former owners') households. It does not require or guarantee that in Rufina's case they *must* be her personal ones, and it is my argument that some

19. A similar argument can be made, for instance, for the famous *theosebeis* inscription from Aphrodisias, which should, in my view, be read as a burial society: for my own current discussion of that inscription, see Ross S. Kraemer, "Giving Up the Godfearers," *JAJ* 5 (2014): 61–87.

20. ἀπελευθέρους καὶ θρεμμασιν αὐτῆς καὶ τοῦ ἀνδρὸς αὐτῆς. See also *I. Smyrna* 232.

other unusual aspects of Rufina's inscription may better be explained if they are not.

Despite its many similarities with the larger corpus of inscriptions from Ionia and elsewhere, Rufina's dedication is distinct in ways that are not immediately apparent. Brooten, I, and others have remarked on the fact that Rufina does not mention a spouse or any other relatives.²¹ This has mostly been seen as significant for implying that Rufina was unmarried. Less has been said about the fact that the burial container does not seem to be for herself or any family members but only for her freedpersons and slaves. In my own analysis of her self-designation as *Ioudaia*, this also figured as part of my exploration of the possibility that Rufina was not born Judean but became a devotee of the Judean God, and in so doing, no longer identified herself as part of her natal family. But perhaps more significantly, of all the inscriptions I surveyed, both the Smyrna corpus and additional ones from Asia Minor, Rufina's is the only one that dedicates a burial site *solely* for freedpersons and *thremmata*. The rest specify a range of persons to be buried, from the dedicator and a few other persons to somewhat larger groups, including the dedicator, a spouse, children, freedpersons, children of freedpersons, and so on. All of these, however, seem to be private households rather than burial associations.

If, however, Rufina bought this *ensorion* and dedicated it in her capacity as *archisynagōgos* for the burial of synagogue freedpersons and *thremmata*, or for freedpersons and *thremmata* of members of the synagogue, her failure to mention her own family makes sense for several reasons. First, she need not identify herself as the daughter of her father or wife of her husband (assuming for the moment that she was married) because she acts here as *archisynagōgos*, and no other identification is necessary. Second, she doesn't designate the *ensorion* either for herself or for any of her own relatives (husband, children, grandchildren, as so many of these inscriptions do) because it's not, in fact, intended for her or for any such relations as she might have had. One might, of course, counter that Rufina doesn't authorize the burial of a husband or children or grandchildren, because at this point in time, she doesn't have any of those, and this is hypothetically possible. But there still remains the question of why, if she has no other relatives, and *only* has freedpersons and *thremmata* to bury, she doesn't at least designate the site for herself as well. In this regard, it's notable that from Smyrna itself I found not only no inscription solely for slaves and freedpersons but no other inscription only for the dedicator, slaves, and freedpersons. Much more common are inscriptions for

21. Brooten, *Women Leaders*, 10, see also 7; Ross Shepard Kraemer, *Her Share of the Blessings: Women's Religions among Pagans, Jews and Christians in the Greco-Roman World* (New York and Oxford: Oxford University Press, 1992), 121–22; Kraemer, "Jewish Women," 57; Trebilco, *Jewish Communities*, 105.

families without slaves or freedpersons (e.g., *I. Smyrna* 230, 231, 235, 236, 237, 239, 240, 249).²² Perhaps this means they don't have them, but conceivably, it means that their slaves and freedpersons were to be buried elsewhere. But if that's true, it's rather striking that no such inscriptions survive except for that of Rufina.

Little attention has been paid to whether, given the consensus that this is a *personal* dedication, Rufina's self-designation as *archisynagōgos* is somewhat odd. In retrospect, it seems quite fascinating to me that we have never interrogated this aspect of the inscription, apparently on the assumption that Rufina was in some ways either boasting of her status, or perhaps, more charitably, identifying herself as *archisynagōgos* to distinguish herself from some other Rufina. This last seems particularly curious, though; it would be far more typical for her to distinguish herself by reference to family members, whether father, husband, or other distinguished lineage.²³

Comparing Rufina's inscription to both other inscriptions from Smyrna and Jewish inscriptions from Asia Minor produces some further intriguing data. In the other inscriptions I surveyed, from Smyrna and elsewhere, only a few identify the purchaser of the tomb by an official title: βουλευτής (*I. Smyrna* 243, 246,²⁴ 247); βουλευτής, εὐποσίάρχης, and πρύτανις (*I. Smyrna* 244). In no other Jewish inscription from Asia Minor does a living *archisynagōgos* dedicate a burial site for anyone. The other *archisynagōgos* inscriptions we have, both for women and for men, are postmortem burial markers, donor inscriptions (one of which is explicitly votive), public decrees, and, in one case, a public exclamation.²⁵ In all of these, the title either indicates the current office of the donor or commemorates former office and communal veneration. If *archisynagōgoi* routinely purchased and demarcated burial sites as part of their official work, no other inscrip-

22. This is based on both complete inscriptions, and on inscriptions for which the persons permissible to bury appear complete.

23. Although if my earlier arguments about her use of "Ioudaia" have merit, one might here counter that she's a "convert" who has no lineage (and also no post-"conversion" husband) by which to identify herself, and that this is consistent with her not identifying family to be buried. But that still doesn't solve the problem of why she herself isn't to be buried here.

24. Also παιδοτρίβης, if this is an official title.

25. Funerary: *IJO* 2.255, 256, 257, all the fragmentary inscriptions from Nevsehir (Göre) noted earlier; dedicatory: *IJO* 2.25, 46, 168; decree: *IJO* 2.5; votive: *IJO* 2.1; acclamation: *IJO* 2.30. In addition, *IJO* 2.148, 184, and 217 are funerary inscriptions found elsewhere for persons identified as *archisynagōgoi* and said to be from various locations in Asia Minor. The only possible exception is *IJO* 2.28, from Tralles, a fragmentary *archisynagōgos* inscription that contains the letters "κατεσκε," which the editors reconstruct as κατεσκευασ . . . , the verb Rufina uses for her construction of the *ensorion*. Ameling takes it to be part of a honorary inscription, "Es handelt sich um das Fragment einer Ehreninschrift . . ." *IJO* 2, p.144, and is not entirely persuaded that it is Jewish. The fragmentary state of the inscription does not permit a more definitive reading.

tion from Asia Minor (where the practice of antemortem commemoration is most visible) confirms this. Similarly, the few other inscriptions where the dedicator self-identifies as a holder of public office do not seem to be signaling any official capacity. On the contrary, Ulpius Julius Trophimos, member of the βουλή of Smyrna and πρύτανις, establishes a personal tomb for his wife and children and grandchildren and his *thremmata* and freedpersons (I. Smyrna 244), while Marcus Aurelius Moschas Poseidonius, also a councilor of Smyrna, does similarly, for himself, grandchildren, and τοῖς ἰδίοις καὶ ἀπελευθέροις (I. Smyrna 247).

Interestingly, one of the six other inscriptions from Smyrna classed as Jewish is that of Lucius Lollius Iousstos, who calls himself a scribe (γραμματεὺς) of the people (λαός) in Smyrna, who makes (ἐποίησε) the *enso- rion* for himself and τῷ γένει τῷ ἰδίῳ. Ameling translates this as “his own family,”²⁶ and this inscription is probably simply that of a man who advertises his prominence (as Rufina is usually thought to be doing), while designating a burial site for himself and his family. While the language he uses is unusual for the Smyrna corpus, it is not without parallel, most notably I. Smyrna 501 (this μνημεῖον is that of Marcus Antonius Alexandros and for [his] own and family: ἰδίῳ καὶ γένους), and somewhat comparable, I. Smyrna 245, Attalos Gaios, for himself and a rather generic τοῖς ἰδίοις.²⁷

What all this suggests is, perhaps disappointingly, ambiguous: synagogue officials don’t generally seem to dedicate communal burial sites, yet apart from Rufina herself, there is no instance of an individual from Smyrna dedicating a burial site for others but not herself (or himself), nor any instances of a burial site only for freedpersons and *thremmata* (or other designations for slaves).

Were Rufina to be acting in her capacity as *archisynagōgos* (presumably of the *ethnos* of the *Ioudaioi*), it would warrant some reconsideration of her self-designation as *Ioudaia*. As I argued some years ago, the vast majority of inscriptions by persons we think were Judean (or Jewish) do not, in fact, use this designation, either as a self-descriptor or as a term for other individuals.²⁸ Why Rufina chose to do so remains enigmatic. Her self-designation as *archisynagōgos* would seem to be sufficient index of her being “Jewish,” all the more so when read together with the invocation of a fine to be paid to the *ethnos* of the Judeans in the event of tomb violation.²⁹ Why does she need to also call herself *Ioudaia*? In my earlier work, I sug-

26. IJO 2.44.

27. I. Smyrna 194, 202, 238 use some version of the phrase “no one has the right to bury others not ἐκ τοῦ γένους.”

28. Ross S. Kraemer, “Jewish Tuna and Christian Fish: Identifying Religious Affiliation in Epigraphic Sources,” *HTR* 84.2 (1991): 141–62.

29. Virtually all occurrences of the title *archisynagōgos* in epigraphic contexts appear to be Jewish, although there are occasional exceptions (see Kraemer, “Jewish Tuna”; see also Rajak and Noy, “Archisynagogoi”).

gested that Rufina might here be signaling that she was not born Judean, a reading that was bolstered by a high correlation between inscriptions calling individuals *Ioudaios* or *Ioudaia* and other indicators of non-Judean birth. But if my new speculation about this inscription has merit, there is an alternative, although one that is grammatically awkward. Perhaps *Ioudaia* here is adjectival, qualifying *archisynagōgos*, which, despite its masculine form, here is clearly feminine, that is, Rufina is presumably *hē archisynagōgos*, a usage that is quite well attested. (It might be analogous to *I. Smyrna* 244, where Ulpius Julius Trophimos calls himself *Σμυρναῖος βουλευτής*). It's true that one would ordinarily expect a different phrase: Rufina, *archisynagōgos tōn Ioudaion*, and this language is precisely what she uses in lines 8–9, with regard to the fine.³⁰ It is not impossible that it is her proper name,³¹ although I suspect most will find this unlikely, including myself.

The presence of a dual fine in the inscription (to both the imperial treasury and the community/synagogue of the Judeans) has also occasioned some discussion. Dual fines are unusual in the Smyrna corpus, as well as among Jewish inscriptions from elsewhere in Asia Minor, although not entirely unattested.³² In my earlier consideration, I wondered whether

30. In this regard, it's also interesting that in *I. Smyrna* 296, Lucius Lollius Iousstos identifies himself not as scribe of the *ἔθνος τῶν Ἰουδαίων*, but rather of *ὁ ἐν Σμύρνῃ λαός* (which Petzl translates as “der jüdischen Gemeinde in Smyrna,” p. 134). It seems impossible to determine whether these phrases are synonymous (which seems somewhat odd, although perhaps not impossible), or point to diverse but contemporaneous groups in Smyrna (the synagogue of the Judeans; the “people” in Smyrna), or to different terminology at different points in time, all itself somewhat cautionary. The term *λαός* as a term for (a group of) Jews occurs in at most three other instances in *IJO* 2. The most salient is *IJO* 2.206, from Hierapolis, in which Aurelia Glykonis warns that anyone who violates her *soros* will give 1,000 denaria *τῷ λαῷ τῶν Ἰουδαίων* (to the people of the Jews/Judeans), but see also *IJO* 2.181 (which contains the fragmentary phrase *τοῦ λαοῦ τῶν*, followed by letters that do not resolve into a recognizable ethnic name) and perhaps *IJO* 2.26. An inscription similar to *IJO* 2.206, also from Hierapolis, is *IJO* 2.205, that of Aurelia Augusta; it specifies a fine to be paid *τῇ κατοικίᾳ τῶν ἐν Ἱεραπόλει κατοικούντων Ἰουδαίων* (to the colony/settlement of the Jews/Judeans dwelling/resident in Hierapolis). For some discussion of the (unclear) relationship of the terms *κατοικία*, *λαός* and *συναγωγή*, see Ameling, *IJO* 2, pp. 433–35; see also the discussion in Trebilco, *Jewish Communities*, 171, which seems to consider different terminology as reflections of differing organizational forms and status of Jews in diverse locations, but still presumes singular Jewish “communities” in each. The Hierapolis inscriptions would seem to complicate this.

31. Kraemer, “On the Meaning of the Term ‘Jew.’”

32. In addition, the bodies to whom fees are to be paid (and thus which have some interest in policing burial sites, presumably in the hopes of occasionally discovering violated tombs and collecting the fees) are quite diverse. Most frequent seem to be “the Mother of the Gods Sipylenes” (e.g., *I. Smyrna* 227, 235, 244, 253, 254, 255, 256, 259, 260) and the sacred (i.e., imperial) treasury (e.g., *I. Smyrna* 203, 233, 243, 251, 271, 295), but others include the council of elders (*γερουσία*) of the Smyrneans (*I. Smyrna* 211), the most revered *συνέδριον* of the elders in Smyrna (*σεμνοτάτῳ συνεδρίῳ τῶν ἐν Σμύρνῃ γερόντων*, *I. Smyrna* 212), the council of elders (*γερουσία*, *I. Smyrna* 213); the council (*βουλή*) of the Smyrneans (*I. Smyrna* 219); the temple

the choice of these two as protectors of the tomb related to Rufina's more recent identification as Jewish, appealing not only to the usual, non-Jewish imperial treasury but also now to the Judean *ethnos*. In this regard, the corpus of demonstrably Jewish inscriptions from Hierapolis is somewhat instructive. Jews, apparently, did not routinely appeal to Jewish associations for tomb protection: of the twelve instances that specify penalties, only three appeal to Jewish organizations, while the other nine appeal, as was common at Smyrna, to the sacred treasury or another comparable agent. Rufina's choice, in other words, is not ordinary practice and cannot be explained simply as a function of her being, or having become, *Ioudaia*. It might, however, be a function of her acting in her capacity as *archisynagōgos*.

Beyond all this, another conundrum remains that may relate to Rufina's self-designation as *Ioudaia*. Rufina's dedication is unique not only because it establishes a burial for others but not herself and because it is the only instance of a burial inscription from Smyrna solely for freedpersons and *thremmata*. It is also unique among demonstrably Jewish inscriptions from anywhere in Asia Minor in providing at all for freedpersons and any category of enslaved persons (*thremmata*, *douloi*, *paidiskoi*, *paidiskai*, etc.); no other such inscription establishes a burial for such persons. Given the frequency with which other inscriptions from Smyrna and Asia more broadly make provision for the burial of freedpersons and various categories of enslaved persons, the absence of comparable provisions in Jewish inscriptions seems to require some explanation. Perhaps this is simply the result of the relatively random nature of the inscriptions that survive, yet another instance of the principle that absence of evidence is not (necessarily) evidence of absence. Alternatively, one might wonder whether Jews in Asia Minor did not participate in the broader economy of enslavement and enfranchisement.³³ Rufina's inscription, is, of course,

(*város*) of the Smyrneans (*I. Smyrna* 237); the *δῆμος* of the Romans (*I. Smyrna* 264) and various others. By comparison, among the Jewish Asia Minor inscriptions, here from Hierapolis, for which a substantial number of comparable inscriptions have been found, most common are penalties to be paid to "the sacred treasury" (*IJO* 2.193, 199, 200, 202, 204, 207, 208). Others specify "the treasury" and "to the informer" (*IJO* 2.192); and the fiscus (*IJO* 2.198). One inscription names the *γερουσία* (*IJO* 2.189), but the regular occurrence of this term in apparently non-Jewish inscriptions from Smyrna cautions against seeing this as a Jewish council. Several inscriptions specify what seem to be Jewish institutions: τῇ ἀγιωτάτῃ συναγωγῇ (*IJO* 2.191b); τῇ κατοικίᾳ τῶν ἐν Ἱερὰπόλει κατοικούντων Ἰουδαίων (*IJO* 2.205; discussed in n. 26); τῷ λαῷ τῶν Ἰουδαίων (*IJO* 2.206). Numerous explanations for this diversity seem possible, not the least of which is a certain amount of strategic creativity on the part of those composing the inscriptions.

33. Strikingly, the index of vocabulary of inscriptions for *JIVE* 2 (the city of Rome) contains no listing in Greek or Latin for slaves or freedpersons: there are a very few instances of dedications for *threptoi* (*JIVE* 2.246, 489, 360, and 531: and one for foster parents (*JIVE* 2.25). However, one Latin inscription, *JIVE* 1.18, found in 1906 at Castel Porziano and pre-

evidence to the contrary, except that it is the sole such evidence, at least for Asia Minor. Perhaps Jews did participate in the slave economy, but didn't bury their slaves and freedpersons in their family tombs.³⁴ Here again, Rufina's inscription is counter-evidence for such burial practices, even if it remains the *only* counter-evidence. If, however, my older suggestion that Rufina designates herself as *Ioudaia* to emphasize that, perceptions to the contrary, she *is Ioudaia*, having become a member of the *ethnos* of the Jews, it might be possible to read her provision for the burial of freedpersons and *thremmata* as a consequence of both her prior non-Judean identification and her present one. In her pre-Ioudaean life, she participated in the slave economy, owning slaves and freeing them, and now provides for their burial in the manner customary for persons of her stature. Given the comparative data discussed earlier, it is probably overdetermining the inscription to suggest that the absence of personal pronouns constitutes an effort to distance Rufina from the ownership of slaves.

Conclusion

Attending to the assumptions of translations, specifically the presumption that the slaves and freedpersons in Rufina's dedication were her personal household, has allowed me to return to this inscription and ask a series of significant questions, with what I hope are intriguing results. In the end, of course, these questions have no dispositive answers: Rufina of

sumed to have come from Ostia, records the establishment of a burial site by Gaius Julius Justus, *gerousiarch*, for himself, his wife, his freedpersons, and their descendants: . . . C(aius) Iulius Iu]stus gerusiarches fecit sib[i] | [et conigui] suae lib(ertis) lib(ertabusque) posterisque eorum.

34. One might speculate on why they might not do so, including—if the slaves and freedpersons were not also Jews—concerns about intermixed burials. But at Hierapolis, Jews and non-Jews are buried in close proximity. Whether they are commingled in individual burial containers is unknown. One inscription from Termessos (*IJO* 2.216) where a father designates a tomb solely for his daughter, Aurelia Artemeis, whom he calls *Ἰουδέα* might suggest concern to avoid such practices, but this remains speculative: see Kraemer, "On the Meaning of the Term 'Jew,'" 43–45. On the larger issues of both Jewish slaveholders and enslaved Jews, see Catherine Hezser, *Jewish Slavery in Antiquity* (New York and Oxford: Oxford University Press, 2005). Hezser notes (p. 13) that the little relevant epigraphic or papyrological evidence comes primarily from Italy, Rome, and the Bosphorus, and does not discuss this inscription. Her study focuses primarily on Jewish literary sources, especially rabbinic writings, and does not treat the late antique Christian sources for Jewish participation in the slave economy. For discussion of what may be a related question, the absence of the identification of Jews themselves as freedpersons in burial inscriptions from the Roman catacombs, see G. Fuks, "Where Have All the Freedpersons Gone? On an Anomaly in the Jewish Grave Inscriptions from Rome," *JJS* 36 (1985): 25–31 (and some critique in Hezser, *Jewish Slavery*, 229–30 n. 18).

Smyrna remains an enigma. Nevertheless, it seems to me that the reading I propose here accounts best for the totality of the unusual features of this inscription, features that have not been explored as fully as they might. Should this reading be correct, it could further support the argument that Rufina's title was not merely an index of her status but points instead to one actual communal responsibility, the provision of burial for nonfamily members.³⁵

35. It is a joy to offer this essay as a tribute to my brilliant, generous dear friend and colleague, Susan Niditch. Although our fields are slightly different, we share an abiding interest in the study of women and gender in ancient religions. Early in our careers, when such work was new and relatively transgressive, we met at an Amherst College reunion of my father-in-law, where Susan spoke on her work on women in the Hebrew Bible. She and her husband, Robert Doran, himself a distinguished scholar of both ancient Judaism and early Christianity, soon became my close friends. At Susan's invitation, I have numerous times lectured in her Amherst classes and drawn on inscriptions like Rufina's to introduce students to the study of ancient Jewish women. Our current form of bonding entails swapping stories about the trials and tribulations of daughters who have followed in our academic footsteps, although at least in different fields.

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