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THE STRUCTURE OF THE DEUTERONOMIC LAW*

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One of the major unresolved issues in the study of biblical law is the question of the existence of system and structure within the several legal corpora.¹ To be sure, much form-critical attention has been paid in recent years to the structure of the individual "casuistic," "apodictic," and "participial" laws and variants thereof, in a generally fruitless attempt to determine the life setting of the various types of biblical legalistic pronouncements.² So, too, much effort has been devoted to the elucidation of the structural frameworks within which the biblical "codes" now stand, and valuable comparisons in terms of both similarities and contrasts have been drawn between those frameworks and the standard forms characteristic of treaties, royal grants and law codes elsewhere in the ancient Near Eastern world.³ But little significant progress has been made in elucidating the systems and conceptions, if indeed there be such, governing the organization of the Pentateuchal law codes.

It is customary to speak of three such "law codes": the Covenant Code or Book of the Covenant (abbrev. C), the Holiness Code (abbrev. H) and the Law of Deuteronomy (abbrev. DL).⁴ There is little agreement, however, as to the material to be included in each of these designations or the redaction history of each of the codes (that is, whether or not they were originally independent of their current narrative,

parenthetic or legal frameworks). It has regularly been noted that the three corpora have a parallel external structure—each introduced by a section devoted to the law of the sacrificial altar (C—Exod 20:21ff., H—Lev 17, DL—Deut 12) and each concluded by a series of admonitions, blessings, and curses (C—Exod 23:20ff., H—Lev 26:3-46, DL—Deut 28). Since the relevant sections (excepting Deut 12:13-31) all can be and have been deemed to be secondary on literary-critical grounds, however, it remains moot whether all or part of this structural pattern is a fundamental characteristic of Israelite law itself or represents rather a secondarily imposed redactional patterning. Other, less debatable similarities among the three major collections have also been noted: for example, the mingling of cultic law with non-cultic material,⁵ and the eclectic style characterized by a combination of laws in various forms and of clearly diverse origins, framed by admonitory parenesis to form rhetorical units.⁶ But it is noteworthy that in this process of combination the three codes demonstrate markedly different principles of organization.

In the Holiness Code, individual sections, each in itself a complete rhetorical unit dealing with a specific area of legislative concern, have been brought together without transitional passages of any kind into something which is, nevertheless, clearly less than a finished composition. To be sure, the scholars who have renewed interest in the Holiness Code in the past twenty years essentially have taken as axiomatic the originally independent existence of the Code as it is now constituted.⁷ But I would argue that if we are at all to maintain the conception of a one-time independent legal compilation characterized by the recurrent theme, "You shall be holy for I, your God, am holy" (Lev 19:2), we must return to the position of Klostermann, who gave us the term "Holiness Code." He characterized Lev 18-26 as containing only fragments of a once comprehensive "Gesetzgebung," pieces of which have been used by P elsewhere in Exodus, Leviticus and Numbers.⁸

Unlike the Holiness Code, wherein the topical divisions are clearly marked by formal rhetorical introductions ("Then the LORD spoke to Moses saying . . ." and variants thereof) and frequent hortatory conclusions, the Covenant Code and the Deuteronomic Law are rhetorical units without formally indi-

cated divisions of subject matter. Accordingly, although it is clear that the individual laws are regularly grouped into topics (e.g., slave law, sacred days), the recognition and identification of those various topical divisions has proven to be a highly subjective proposition upon which little if any agreement is to be found.⁹ Differing as they do upon the logical divisions of the material, scholars could hardly be expected to reach a consensus regarding the principles of organization responsible for the current arrangement of those topical units. Thus, the Book of the Covenant is characterized by some as a haphazard collection,¹⁰ while others have noted that the casuistically formulated, strictly civil law of C (Exod 21:2-22:16) "has a demonstrable systematic external and internal arrangement of its individual laws and sections which follows the well known method of the concatenation of ideas, key words and phrases, and similar motifs."¹¹ Parallels have also been adduced between the order of the laws in C and the orderings found in other ancient Near Eastern law codes; implied or explicit in such an endeavor is the search for a proto-law code of some kind upon which the others might be dependent.¹²

In contrast to their wide ranging differences of opinion as regards the organization of C, biblical scholars have been nearly unanimous in their appraisal of the structure of the Law of Deuteronomy. A. C. Welch's somewhat hyperbolic comment, "While any order into which the laws may be placed is sure to be unsatisfactory, none can be quite so bad as the order in which they appear in Deuteronomy today,"¹³ has served as the leitmotif of the discussion. To be sure, some of the assessments have stressed that the bulk of DL (chaps. 12-22) does display some traces of organization, i.e., that the legal corpus is arranged in serial fashion with laws grouped according to several major topics. G. von Rad, for example, sees these chapters as divided into cultic law (12:1-16:17), laws concerning officials (16:18-18:22), laws for criminal cases (19:1-21:9) and regulations concerning families (21:10-23:1).¹⁴ But diverse intrusive laws appear to be found even within these topical sections; moreover, the laws within each section display no heretofore discernible arrangement,¹⁵ and laws of clearly related content appear to be scattered over several sections.¹⁶ Furthermore, no scholar has been able to demonstrate any semblance of structure in chapters

23 through 25. Thus, learned consensus characterizes DL as revealing no intelligible principle of arrangement.¹⁷

I know of only two major efforts, both unsuccessful, to challenge this consensus during the last one hundred and twenty years. H. M. Wiener, in an essay published posthumously in 1932, argued for an arrangement based on free association and suggested, in marked contrast to the words of Welch quoted above (with which he was no doubt familiar), that with few exceptions it would be very difficult to improve upon the present arrangement.¹⁸ C. M. Carmichael, proclaiming somewhat overconfidently that "No problem in biblical studies has proved more perplexing . . ." recently published a book devoted to the solution of "the longstanding problem of the arrangement of the laws in Deuteronomy."¹⁹ His work is replete with interesting ideas and insights of many kinds,²⁰ but, as of this writing, Carmichael's major thesis has failed to prove convincing to the scholarly community. He presents us with a complicated, often ingenious analysis involving repetitions and expansions of previously discussed issues, series of artificial laws, a series of "drafted" laws, an "Edomite series," an "Egyptian series" and so on. Where he is at all convincing, his arguments really can be reduced to the principles of free association and expansion advocated by Wiener. But, as a scanning of his table of contents indicates, Carmichael's "arrangement of the laws in Deuteronomy" is really an arrangement totally devoid of reason and structure. Even more significant is the fact that it is an arrangement which does little to enhance our comprehension of the nature of the Book of Deuteronomy and its laws.

This study represents yet a further attempt to challenge the scholarly consensus. I intend to demonstrate that not only is the arrangement of the laws in Deuteronomy highly structured, but that that structure is both consonant with and dictated by the role of the Deuteronomical Law within the Book of Deuteronomy. Furthermore, and no less important, within this overriding structure the individual laws are arranged according to the general principles characteristic of other ancient Near Eastern legal corpora.

The thesis presented herein is that the Law of Deuteronomy (chaps. 12-26) is a highly structured composition whose major

topical units are arranged according to the order of the laws of the Decalogue—more specifically the Decalogue as it appears in chapter 5 of that book. This conclusion, although foreign to the mainstream of modern scholarship, should be anything but startling. As anyone familiar with the history of the exegesis of the Book of Deuteronomy can attest, if there is in fact a systematic arrangement of that Law, almost all of the results of a century of scholarship point inexorably towards such a conclusion.

The Decalogue and the Law are both parts of a single literary unit: the second discourse of Moses (Deut 5-26,28). The message of that discourse is abundantly clear. By way of introduction to the set of laws (*huqqim* and *mišpāṭim*) which he is about to teach them (5:1), Moses reminds the children of Israel of the theophany at Horeb at which time God spoke to them "face to face" (v 4), uttering the words of the Decalogue and nothing more (v 19). The people, fearing for their lives should the theophany continue (v 22), beseeched Moses to serve as their intermediary, promising faithfully to observe the divine words that Moses would pass on to them (v 24). God agreed to this arrangement, saying to Moses (v 26), "Stand here with me and I will tell you all the commands, the statutes and the judgments which you are to teach them and which they are to follow in the land which I am bequeathing to them." "These, then," says Moses in 6:1, "are the selfsame commands, statutes and judgments which the LORD your God commanded (me) to teach you to follow in that land which you are about to cross over (the Jordan) to inherit."²¹ Thus, as von Rad notes, "What Moses is now about to announce to his people is no other than what he had already learnt at Sinai from Yahweh when he had presented himself on the mountain to speak with Yahweh apart from the people . . ."²² Chapters 6-26, along with the blessings and curses of chapter 28 given to Moses at Horeb, are proclaimed only now in the Plain of Moab, for only now are they relevant. These laws constitute for Deuteronomy (Deut 28:69) the only known covenant between Yahweh and his people enacted by Moses himself, aside from the original covenant at Horeb, i.e., the Decalogue (cf. Deut 5:2). They are totally and exclusively the laws which constitute the very word of God (cf. Deut 4:2 and 13:1). That the Deuteronomical writer knew well many if not all of the laws and traditions now found in the JE Pentateuchal

material, as well as some of the ancient elements preserved in P, is unquestionable. However, he firmly rejects the possibility (and, presumably, the tradition) that any other law may have been divinely ordained. Other laws which existed in his time were either seen to have been commanded by Moses himself at Horeb as part of the establishment of the judicial system (Deut 1:15-18) or were recognized for what they really were, the work of subsequent civil and religious authorities.

The centrality of the Decalogue within the Book of Deuteronomy is not limited, however, to the intimate historical connection it so vividly draws between the Covenant of the Plain of Moab and the Decalogue. Scholars have long noted that the "general" law of chapters 5-11, the law whose first words are that enigmatic distillation of Yahwistic monotheism that is the "Shema" (Deut 6:4), constitutes an eloquent parenthetic expansion of and commentary on the first commandment of the Decalogue (or rather the first two commandments).²³ More recently scholars have spoken of the Decalogue of chapter 5 as the "Hauptgebot" of the book, of which the subsequent laws are expansions and specifics.²⁴

All this well befits the plan of the author of Deuteronomy, the same craftsman who, adopting the ancient literary artifice of pseudepigraphy, converted his program of reformation into the sermonic text of Moses' last testament to his people. Thus, with one stroke, he imparted antiquity, sanctity, credibility and authority to his new covenant. The identification of that covenant with the previously unproclaimed second part of the ancient and sacred theophanic covenant itself is a major, indispensable element in Deuteronomy's eloquent plea to be granted the authority of scripture. It should be abundantly clear, therefore, that within the religious milieu of both the Deuteronomist and his audience the Decalogue (probably without the motivational clauses now associated with it) was already regarded as the text of Yahweh's covenant with Israel,²⁵ a covenant which may well have been regularly (either annually or septennially) celebrated and confirmed at the equinoctial pilgrimage festivals (see Psalms 50 and 81).²⁶

Due largely to its role in Deuteronomy,²⁷ the Decalogue has ever since been viewed as the primary and essential code of biblical religious law—the code which, for the Rabbis,²⁸ Philo,²⁹

and the New Testament,³⁰ for Jewish and Protestant reformers,³¹ and for Bible commentators throughout the ages³² was and is the eternal and unimpeachable divine law upon which all else is but commentary. It was, then, only natural for systematizers such as Philo and Calvin to view the Ten Commandments of the Decalogue as the general headings under which the specific enactments of Pentateuchal law may be grouped. So, too, did commentators seek to find in those laws of Exodus most closely connected with the giving of the Decalogue at Sinai a system based on the order of the Decalogue.³³

We have noted the overriding centrality of the Decalogue in Deuteronomy and the various uses to which it was put by subsequent generations of commentators and codifiers for whom it was also central. Furthermore, the clear and frequently recognized division of the Deuteronomist Law of chapters 12-26 into laws governing the Israelite's relationship with his God (chaps. 12-14) and laws pertaining to relations between the Israelite and his fellow (chaps. 15-25)³⁴ is the same division recognized from of old as characteristic of the Decalogue. Thus, if the Law of Deuteronomy is not an originally independent unit which has been incorporated into the Deuteronomist composition (albeit one based on many earlier sources), and if that Deuteronomist Law has any system of organization, one would certainly expect that system to be based on the order of the Decalogue.³⁵ That such a system exists I hope to demonstrate below.

This theory is not altogether novel. Previous attempts to discern in the organization of the Deuteronomist Law an arrangement dictated by the order of the Commandments of the Decalogue were made by Fr. W. Schultz in a commentary published in 1859³⁶ and by Hermann Schulz in his 1966 Marburg dissertation.³⁷ W. Schultz' theory received little critical attention, probably largely because his commentary also endeavored to uphold the Mosaic authorship of Deuteronomy and was thus lightly regarded. A. Bertholet rejected it out of hand, but his remarks show that he probably had not even read it.³⁸ C. Steuernagel was somewhat more honest, rightfully characterizing Schultz' argument as "nicht ohne grosse Kunstleien durchfuhrbar."³⁹ Of course Steuernagel had to be less than totally objective, for if Schultz were right then Steuernagel's

ments for membership in God's community.

23:10-15 Sexual purity and cleanliness in the military camp.

23:18-19 Prohibition of cult prostitutes.

VIII (Theft and other property violations)

23:20-21 Prohibition of lending at discount.

23:22-24 Vows to God to be paid promptly.

23:25-26 Strict limits on the amount that may be taken from a neighbor's crop.

24:7 The law of mantheft.

For convenience of reference, each large unit of DL, corresponding to a commandment of the Decalogue (as outlined above), will henceforth be termed a "Word" with a Roman numeral following to designate the particular unit.

The material forming the veil, that has been left out of the above outline, may be divided into three basic types:

1. Apparently extraneous material (fitting neither the commandment nor the surrounding material): e.g., chaps. 13-14 and, in Word VI, the prohibition against boundary encroachment (19:14).
2. Material apparently displaced from another, more appropriate position: In Word VI the laws of false witness (19:15-21) which one might have expected to find in Word IX, or the law of the rebellious son (21:18-21) which seems, to our way of thinking, to belong to Word V.
3. Repetitions and scattering of apparently related material throughout, such as laws of witness, prohibitions of pagan cult practices and so on, variations of which are found in several different places.

Our contention is that, with few if any exceptions, the material of this veil represents neither disturbances of nor additions to the Decalogue-structure of the Deuteronomical Law but is rather an essential part of it. The great bulk of the material is to be accounted for on the basis of direct connections with the given commandment, connections that, although clear to the Deuteronomical author, tend to escape our own immediate notice. The key here is to be able to demonstrate the existence of such connections on inner Deuteronomical and inner biblical terms—i.e., to bring evidence for such a train-of-thought from elsewhere in the text itself. Outstanding examples of such material are the

law of leprosy in 24:8-9 and Word III (see below).

Here and there one encounters laws whose connections with the commandment under whose rubric they appear cannot readily be demonstrated by the method of direct inner-connection, but whose position is to be explained according to other principles known from biblical and Near Eastern law compilations, for the structure of DL is dependent on more than just the Decalogue. In fact five major interacting principles of arrangement are observable in the laws of chapters 12-25 of the Book of Deuteronomy:

Principle 1: Laws, possibly of many different origins, are grouped together according to general topics.

Principle 2: Within each topical unit the laws are arranged according to observable principles of priority.

Principle 3: The individual laws and larger sub-units of each topical unit are arranged according to the ancient Near Eastern method of "concatenation of ideas, key words and phrases, and similar motifs"⁴⁵ so as to form what for the ancient eye and ear were smooth *transitions* between sub-units and frequently, between the various topical units themselves. This feature has frequently been characterized as "free association," but in reality it is a carefully planned procedure which is anything but "free."⁴⁶

Principle 4: The topical units are ordered according to the order of the corresponding commandments of the Decalogue.

Principle 5: Accordingly, the commandments of the Decalogue are taken as already operative and are, therefore, intentionally not repeated in the Deuteronomical Law itself.

Principles 4 and 5 are unique to Deuteronomy, but the first three principles represent essential and unifying characteristics of other biblical and ancient Near Eastern legal corpora.⁴⁷

Before examining in detail the result of the interaction of these principles in DL we would do well to look briefly at how the first three, common principles are exemplified elsewhere. The civil section of the Book of the Covenant (Exod 21:2-22:16), for example, may be divided into several topical units (Principle 1). A feasible, albeit subjective, division is:

I. 21:2-11—Debt servitude.

II. 21:12-17—Murder and other capital crimes.

theory of a complicated tripartite redactional history for the laws would be inconceivable.⁴⁰ C. F. Keil, too, rejected Schultz' position, although he did contend that the first two major groups of laws (12:1-16:17; 16:18-18:22) could be seen as "Auslegungen, Erweiterungen und Ergänzungen des Sabbats—und Elterngabotes im Dekaloge . . ."⁴¹ Of the early scholars, most receptive to the arguments of Schultz was D. Hoffman. In his 1913 commentary he accepted the validity of Schultz' observations up through 18:22 (i.e., the first tablet of the Decalogue), but found the attempt to fit the remaining material into a Decalogue-pattern to be arbitrary and forced.⁴²

To be sure, many of Schultz' arguments were highly forced, as his critics recognized. Furthermore, he failed to identify all of the proper divisions between the major topical units of the laws; and, for all of what he may have seen, he did not yet sense the intricate structural principles involved in the composition of DL. The century-long virtual disappearance of his basically correct theory from scholarly literature, however, must be primarily ascribed to the penchant for massive literary-critical surgery so characteristic of turn-of-the-century scholarship.

In 1966 Hermann Schulz revived the earlier theory in an excursus to his dissertation on capital punishment in the Old Testament.⁴³ Schulz, admittedly inspired by F. Horst's attempt to find a "decalogue" of *Privilegrecht* in chapters 12-18,⁴⁴ proposed a tripartite division of the Deuteronomomic Law into a. *Kult und Privilegrecht*, b. *Familienrecht*, c. *Nächsten- und Prozessrecht* corresponding to a similar division seen in the Decalogue. Schulz' analysis differs from our own, however, in two fundamental respects: He believes that the Decalogue-pattern is copied only in its gross outline, whereas below the attempt is made to demonstrate that the order of the individual laws of the Decalogue is followed in precise detail. He also maintains that the original order of the Deuteronomomic Law has been modified by substantial disturbances and additions. Our analysis will endeavor to show, however, that with the possible exception of one or two minor laws, the current order is the work of the original compiler. All due credit must still be given to Schulz for being the first among modern scholars to identify the essential structure of the Deuteronomomic Law.

The reason why the Decalogue structure of chapters 12-25 of Deuteronomy has remained generally unrecognized is that it lies hidden behind a veil of what at first seems extraneous and repetitive material. In the outline of DL that follows, this apparently extraneous material has been omitted, and the remaining laws have been summarized and listed in the exact order in which they appear in DL. The correspondence with the order of the First (and Second), Fourth, Fifth, Sixth, Seventh and Eighth commandments is clear (but note that DL substitutes the authority figures of the state for those of the family in the Fifth Commandment).

- I-II (Right Worship)
 - 12:1-28 The eradication of pagan cults and the proclamation of the centralization of Yahweh worship.
- IV (Sabbath)
 - 15:1-18 Sabbatical moratoria.
 - 16:1-17 The pilgrimage festivals. (Cf., too, the clause "and remember that you were a slave in the land of Egypt" in 15:15 and 16:12 with the motivation clause of the commandment.)
- V (Authority)
 - 16:18-20; 17:2-13 The appointment of judges and the operation of the judicial system.
 - 17:14-20 The law of the King.
 - 18:1-8 The law of the Priesthood.
 - 18:9-22 The law of the Prophets.
- VI (Homicide)
 - 19:1-13 Accidental and intentional homicide (*reṣaḥ*) and sanctuary cities.
 - Chap. 20 The law of warfare.
 - 21:1-9 The untraced homicide.
 - 21:22-23 Regulation of the public display of executed criminals.
 - 22:8 Make a parapet for your roof, lest anyone fall from it and you bring bloodguilt on your house.
- VII (Adultery and illicit mixtures)
 - 22:9-11 Prohibited mixtures.
 - 22:13-23:1 Regulations concerning improper sexual relations.
 - 23:2-9 Sexual wholeness and genetic purity as require-

III. 21:18-36—Physical damages.

IV. 21:37-22:16—Theft and related property loss.⁴⁸

Within each unit, individual casuistic (or particial) laws, conditions and modifications are arranged in a smoothly flowing fashion generally based on a principle of descending socio-economic worth which may be schematized as: human beings (men, women, children, slaves), animals (ox, donkey, sheep), land, other movable property and intangible rights (Principle 2). Thus, unit I deals first with male slaves, then with female. In unit III we find a two fold repetition of the pattern wherein the value of the loss takes precedence over the worth of the perpetrator: A. damages to human beings (1. to men, women [children!] and slaves by other men; 2. to men, children and slaves by animals); B. damage to animals (1. by men; 2. by other animals).⁴⁹ The same pattern governs the overall arrangement of units II, III and IV, progressing from the most serious capital offenses, through less serious physical damage to humans and to animals, to theft of property. Within unit II the individual cases are ranked, as it were, in the same order: manslaughter (21:12-14), assault (v 15), (man-)theft (v 16), cursing (v 17). Thus the governing system of priorities is operative at all levels of composition—verses (“man-woman,” “mother-father,” “ox, ass, sheep,” etc.), laws, units and code.

Much of this is probably not the work of the codifier of the Book of the Covenant as we have it but that of the jurists of an earlier stage. That this is the case is evidenced by the apparently inexplicable position of the slave laws at the head of the compilation. According to the arrangement of the Laws of Hammurapi, an arrangement unquestionably echoed in the Book of the Covenant,⁵⁰ in the original law code upon which C is based the law of debt slavery would have been joined with other laws pertaining to business dealings, probably immediately preceding the law of deposits as in laws 117-119 of the Code of Hammurapi. By removing these laws from such a context (while at the same time, perhaps, reforming them) and placing them at the beginning of his code, our theologian-legislator clearly attempts to make a statement about the worth of slaves as human beings.⁵¹ Although such a humanitarian view is also echoed in Exod 21:26-27, it is, as we have seen, far from consistent with either the priority system of the rest of the code, with the explicit

statement in 21:21 that proclaims a slave to be his master’s “silver” or with the monetary compensation for a dead slave prescribed in 21:32, elements that must be derived from the earlier form of the code.

Conjoined with Principle 2 is Principle 3. Working together they function to fuse disparate laws and units of the Book of the Covenant into a sensible whole. The use of Principle 3 to connect topical units is best evidenced at the boundary between sections III and IV. Both the last laws of section III (Exod 21:35-36) and the first of section IV (21:37) deal with an ox and the payment for the dead or missing animal and may thus be deemed “transitional” verses or laws.⁵²

The operating principles governing the *Systematik* of the Law of Hammurapi have been demonstrated most conclusively by H. Petschow.⁵³ In the case of Hammurapi the intersecting priority systems of Principle 2 are those of socio-economic worth (temple, state, citizen [*awilum*], temple or crown dependent [*muškēnum*], slave) and the primacy of contracted rights over non-contractual relationships. As for the operation of Principle 3, suffice it to point out only the most obvious case of transition between topical units—laws 194 and 195, respectively the last law of the unit on family law and the first of the section on physical damages:

194. If a citizen has given his son to a wet-nurse and that son has died in the custody of the wet-nurse, if the nurse, without the knowledge of his father or mother, had contracted⁵⁴ for another child, they shall prove it against her; and, because she contracted for another child without the knowledge of his father or his mother, they shall cut off her breasts.
195. If a son has struck his father, they shall cut off his hand.

Strong connections between the two laws are evident in the realm of key words (“father,” “son,” “hand,”⁵⁵ “cut off”), area of interest (family), and nature of the punishment (physical mutilation). Yet law 195 clearly marks the beginning of a completely new topical unit (195-214). One may argue further that 195 is connected in a more general way to all three of the

laws preceding it. In all four cases the punishment is mutilation of the offending member (tongue, eye, breast, hand), and the rejection of the foster parents in laws 192 and 193 fits well with the theme of 195. But a real appreciation for the ingenious, intricate structural unity of Hammurapi's Code cannot properly be conveyed by description alone. Only by reviewing the law code carefully (and in the original) with the above listed principles in mind can the interested reader gain proper respect for the work of its compiler.

Thus armed with an awareness of the principles governing the organization of ancient Near Eastern law codes, we are prepared for our detailed analysis of the structure of the Deuteronomic Law.⁵⁶

THE DEUTERONOMIC LAW

I-II (Deut 5:6-10)⁵⁷

⁶I the LORD am your God who brought you out of the land of Egypt, out of servitude.

⁷You shall have no other gods alongside Me.

⁸You shall not make for yourself a sculptured image, a likeness of anything which is in the heavens above or on the earth below or in the waters under the earth. ⁹You shall neither bow down to them nor worship them, for I, the LORD your God, am an exacting God, visiting parental guilt upon the children, even unto the third and fourth generations of those who hate Me, ¹⁰but showing kindness to the thousandth generation of those who love Me and keep My commandments.

Word I-II (Deut 12)⁵⁸

A. ¹These are the statutes and judgments that you must take care to observe in the land that the LORD, God of your fathers, has given you to possess, as long as you live on the earth.⁵⁹

B. ²You shall thoroughly destroy all the sites where the nations whom you are supplanting worshipped their gods, on the peaks and hills and under every kind of luxuriant tree. ³Yes, you shall pull down their altars and smash their pillars, and as for their sacred posts, burn them; fell the images of their gods and obliterate their names from each such place.

C.1. ⁴You shall not treat the LORD your God in this way. ⁵Only to that one place wherein which the LORD your God will choose from among all your tribes to establish His name⁶⁰ shall you repair. There you are to go ⁶and there shall you bring your burnt offerings and sacrifices, your tithes and your contributions, your votive and freewill offerings, and the firstlings of your herds and flocks. ⁷And there shall you eat in the presence of the LORD your God, rejoicing together with your families in the fruit of all your enterprises with which the LORD your God has blessed you. ⁸You shall not do then as we here today do, each man as he pleases; ⁹for you have not yet reached the place of rest, the patrimony which the LORD your God is giving you. ¹⁰But when you cross the Jordan and settle in the land which the LORD your God is allotting to you, and when he relieves you of all of your enemies round about so that you live in safety, ¹¹then shall you bring everything that I bid you to the site where the LORD your God will choose to establish His name: your burnt offerings and sacrifices, tithes and contributions and every choice votive offering that you vow to the LORD. ¹²In the presence of the LORD your God shall you rejoice: you, your sons and your daughters, your servants, male and female, and the Levite within your jurisdiction, since he has no patrimonial share in your territory.

C.2. ¹³Take care that you do not offer your burnt offerings in any place that suits you, ¹⁴but only in that place which the LORD will choose in one of your tribal territories; there shall you offer your burnt offerings, and there observe whatever I bid you. ¹⁵However, you may slaughter and eat meat to your heart's content, as much as the LORD your God may have bestowed upon you, in any of your settlements; the unclean and clean (alike) may eat of it, just as of the gazelle and the deer. ¹⁶But the blood you shall not eat; pour it out on the ground like water. ¹⁷Neither may you eat within your settlements the tithes of your new grain, wine or oil, the firstlings of your herds and flocks, any votive offerings you may vow, nor your freewill offerings or contributions. ¹⁸Only before the LORD your God may you eat these, in the place which the LORD your God will choose—you, and your son and your daughter, your servants, male and female, and the Levite within your jurisdiction—and rejoice in the presence of the LORD your God in all the fruit of your enterprises. ¹⁹Take care that you do not neglect the Levite all the

Deuteronomic commentary on and expansion of an older law in vv 20-28. Alternatively, since the two paragraphs have different emphases (first the general concerns, then the special concern for the blood), the repetitions might well be intentional, in keeping with the wordy sermonic style of Deuteronomy.

As noted above, chaps. 6-11 have long been seen as a commentary on the first two commandments. Accordingly, in Schultz' schema, those chapters alone were assigned the position of the First and Second Commandments, while chaps. 12-14 were together allotted to Commandment III. Here his reasoning was of precisely the kind that was to lead Steuernagel and others to dismiss the theory altogether. Schultz argues that to "not take the Lord's name in vain" means to honor it; thus God's name is honored in one's relationship to God (chap. 12), to one's fellow (chap. 13) and to oneself (chap. 14). Schultz' allocation of chap. 12 to Commandment III must be rejected. His roundabout mode of reasoning just does not correspond to the demonstrable modes of association that exist between the commandments of the Decalogue and the corresponding topical units (Words) in DL; but of this, more below. In light of the formal demarcation between chaps. 11 and 12 and the notable difference in style and message between chaps. 6-11 and chap. 12, I prefer to see the Decalogue-based structure as starting with chap. 12.⁶³ Chapters 13 and 14 do constitute Word III, but their actual relationship with the Third Commandment is far different from that which Schultz proposed.

III (Deut 5:11)

You shall not use the name of the LORD your God in vain, for the LORD will not acquit one who uses His name in vain.

Word III (Deut 13:1-14:27)

A. ^{13:1}Everything which I command you you must carefully do; neither add to it nor subtract from it.

B.1. ²If there should appear among you a prophet or dreamer who gives you a sign or a portent, ³saying, "Let us go and worship another god of whom you have had no experience," even if the sign or portent that he promised you has come true, ⁴do not listen to the words of that prophet or dreamer. For the LORD your God is testing you to see whether you really love the LORD

your God with all your mind and being. ⁵It is the LORD your God you are to obey, Him that you are to revere, observing His commandments and heeding His voice. Him shall you worship and to Him shall you cleave. ⁶As for that prophet or dreamer, he shall be put to death; for he spoke falsely against the LORD your God—who freed you from the land of Egypt and who redeemed you from servitude—in making you stray from the path that the LORD your God commanded you to follow. Thus will you purge the evil from your midst.

B.2. ⁷If your brother, your own mother's son, or your son or daughter, or the wife of your bosom, or even your best friend entices you covertly, promising, "Come let us worship other gods," whom neither you nor your fathers have known ⁸from among the gods of the peoples around you, near or far, from one end of the earth to the other, ⁹do not allow yourself to listen to him. Show him no pity, spare him not and offer him no protection; ¹⁰rather you must slay him. In fact your hand shall be the first against him to put him to death, and the rest of the people thereafter. ¹¹Stone him to death, for he sought to make you stray from loyalty to the LORD your God who brought you out of the land of Egypt, out of servitude. ¹²So shall all Israel hear and be afraid, and none shall again do such an evil in your midst.

B.3. ¹³Should you hear a report in any of the towns that the LORD your God is giving you to dwell in ¹⁴that some scoundrels have arisen among you to subvert the inhabitants of their town, saying, "Come let us worship other gods of whom you have had no experience," ¹⁵you shall investigate, inquiring with thorough interrogation. If it is true, the report is confirmed—that abomination was committed in your midst—¹⁶you shall certainly put the inhabitants of that town to the sword. Doom it and all that is in it, its cattle too, to the sword: ¹⁷Gather all its spoil into its town square and burn the town together with all its spoil as a holocaust to the LORD your God, that it may become an everlasting ruin, never to be rebuilt. ¹⁸Let nothing that has been doomed remain in your hand, in order that the LORD might relent from His anger and show you compassion and, loving you, make you populous as He promised to your fathers. ¹⁹For you must listen to the voice of the LORD your God, doing that which is right in the sight of the LORD your God, observing all of His commandments which I enjoin upon you today.

days of your life on your land.

²⁰When the LORD your God enlarges your territory as he promised you and you think, "I would like to eat some meat"—for you do have an appetite for meat—you may eat meat to your heart's content. ²¹If the place where the LORD your God has chosen to establish His name is too far from you, you may slaughter any of your herd or flock that the LORD has given you, just as I have instructed you, and you may eat to your heart's content within your own jurisdiction. ²²Just as the gazelle and the deer are eaten shall you eat it; the unclean and clean may eat it alike. ²³But be extremely careful not to eat the blood, for the blood is the life-essence, and you must not eat the life-essence along with the flesh. ²⁴You may not eat it. Pour it out on the ground like water. ²⁵Do not eat it, so that, doing what is right in the sight of the LORD, it may go well with you and your descendants. ²⁶But whatever sacred dues or votive offerings you incur, these you must bring to the place that the LORD will choose, ²⁷and offer your burnt offerings, the flesh and blood, on the altar of the LORD your God; the blood of your slaughtered sacrifices shall be poured out on the altar of the LORD your God, but the meat is yours to eat. ²⁸Heed carefully all these words which I command you that it may go well with you and your descendants forever, for you will be doing what is good and right in the sight of the LORD your God.

D. ²⁹When the LORD your God cuts down before you the nations in the place you are entering to supplant them, when you shall have supplanted them and are settled in their land, ³⁰take care not to be lured into their practices, even after they have been destroyed from before you, lest you inquire about their gods saying, "How do these nations worship their gods? Let me do likewise." ³¹You shall not act thus toward the LORD your God, because they performed for their gods every abomination that the LORD abhors; they were even wont to burn their sons and daughters in fire for their gods.

The Deuteronomic Law begins with a chapter (or Word) whose substantive connection with the First and Second Commandments cannot be doubted. But the literary unity of this Word seems at first suspect. Of all of the chapters of DL, this is the only one seriously open to the suggestion of substantial

redactional tampering subsequent to the Decalogue-based composition of the Law. The apparent repetition of the regulations concerning profane slaughter (15-19; 20-25), the plural address of the first twelve verses contrasted with the singular form of the rest of the chapter (and, with minor exceptions, of the rest of DL), and the separation between the two sections dealing with pagan religious practices (B and D) all have been grist for the literary-critical mill. A further problem is encountered in terms of our theory, for one would certainly have preferred to find the order: worship of Yahweh, then, elimination of pagan shrines and practices, thus paralleling the order of the Decalogue.

The failure of chapter 12 to distinguish serially between the law of right worship and the prohibition of false worship cannot be deemed a serious flaw in our theory, however, for it is an authentic Deuteronomic characteristic.⁶¹ As noted above (n. 23), chapters 6-11 have long been seen by scholars to be a commentary on the First Commandment; yet, in those chapters admonitions for the correct worship of God are repeatedly and inseparably joined with prohibitions of false worship. The first two commandments are regarded as an inseparable whole. Perhaps the Catholic-Lutheran division of the Decalogue (see "Conclusions," below), wherein vv 6-10 constitute the First Commandment, more accurately reflects the Deuteronomic conception; or perhaps the whole issue of the enumeration of the commandments was of minor importance to our author.

The literary-critical objections to the unity of the chapter must be similarly dismissed. The separation of the two sections on pagan worship is essential to the logic of the chapter; the destruction of pagan altars must necessarily precede the establishment of Yahweh's sanctuary, while the prohibition against the adoption of foreign religious practices must come at the conclusion of the unit in order to serve as a transition to the law of apostasy and holy peoplehood in the next Word. The switch from plural to singular address is intentional—a literary device employed by our author in order smoothly to join the rest of the laws of DL, many of which are quoted verbatim from earlier, singular sources (like the Decalogue itself), with the framework narrative formulated in the plural.⁶² As for the repetition of the rule of profane slaughter, vv 15-19 could be a

C. ^{14:1}You are children of the LORD your God. You shall not gash yourselves or put a bald spot at the front of your head for the dead. ²For you are a holy people to the LORD your God, in that it is you whom the LORD has chosen out of all the peoples of the earth to be his treasured people.⁶⁴

D.1. ³You shall not eat any abomination.

D.2. (vv 4-20) Permitted and prohibited flesh.

D.3. ²¹You shall not eat anything that has died a natural death; give it to the stranger in your community to eat, or you may sell it to a foreigner. For you are a holy people to the LORD your God. You shall not boil a kid in its mother's milk.

E. ²²Year by year you shall tithe all that your fields produce from seed, ²³and you shall eat it before the LORD your God at the place where He will choose to establish His name; (so too) the tithe of your new grain, wine and oil, and the firstlings of your herds and flocks, so that you may learn to revere the LORD your God always. ²⁴But should the distance be too great for you, should you be unable to transport it because the place where the LORD your God will choose to place His name is too far from you (because the LORD your God will have blessed you), ²⁵then shall you convert it into money, wrap the money in your hand, and proceed to the place that the LORD your God will choose ²⁶and (there) convert the money into whatever you please—large or small cattle, wine or strong drink, or whatever you wish—so that you may eat it there before the LORD your God and rejoice, you and your family. ²⁷But as for the Levite in your jurisdiction, do not abandon him, for he has no hereditary portion among you.

On the surface Word III appears to have absolutely nothing to do with the Third Commandment. Indeed, those who have serious doubts as to the validity of the theory herein presented might be well-advised to skip this section and return only after having become convinced of the Decalogue-structure of the rest of DL. Once led by the weight of the incontrovertible evidence of the subsequent Words and forced to search in these chapters too for a connection with the Third Commandment, and once armed with an awareness of the principles of inner-Deuteronomic association which runs throughout DL, this Word, far from being an apparent discrepancy in the theory, becomes a cornerstone of the entire structure.

The major point to remember throughout our discussion of the structure of DL is that the Deuteronomic Law is not a commentary or sermon on the laws of the Decalogue. It contains instead covenant stipulations, a collection of "statutes and judgments" designed to provide divine authority for the religious and social reforms it proclaims. The new regulations of the reform are joined with pre-existent law to form a composition of consummate literary artistry—a code whose provisions flow smoothly and logically from one to the other while the sequence of its major topical divisions consciously reflects the order of the Decalogue. Although primary in this endeavor was the desire to impart new regulations and to modify existing laws, our author, once having adopted the Decalogue-pattern, was bound by it much as a poet may be bound by traditional patterns of versification. He may have had neither need nor desire to elaborate on the text of the Third Commandment, but operating according to the principles of concatenation characteristic of a millennium of jurists before him, he did discover an ingenious way to connect what he did want to say with both the text and the meaning of the Third Commandment.

The Third Commandment prohibits swearing a false oath in the Lord's name,⁶⁵ a prohibition whose primary area of concern was probably in judicial contexts. Indeed it treats largely of the same situation as that dealt with in the prohibition of false witness in the Ninth Commandment; but the Third emphasizes the relationship between man and God, while the Ninth focuses on the relationship between men. Now DL discusses the matter of false witness in 19:16-21, a passage to which the laws of apostasy in paragraphs B.1-3 are irrefutably connected:⁶⁶ These and no others have as their primary concern "calumny" (*sārāh*, 13:6; 19:16). These and no others prescribe a procedure of "thorough investigation" (*dāraš hēṭēb*, 13:15; 19:18). Both of these laws demand that no pity be shown (*lō' tāhōs 'ēnākā*, 13:9; 19:21; also in 19:13; 25:12), and only here do we find the motivational clause "so that all Israel [in chap. 19 "those remaining"] will hear and fear, and not continue to do such evil things in your midst" (13:12; 19:20; a similar clause is found in 17:13 in a passage which contextually combines testimony and apostasy).

But this is not the only connection between this Word and the

Third Commandment that our author has in mind. One key word stands out as the theme in chap. 13, as expressed in each of the three paragraphs B.1-3: the word *šm*^c, 'hear, listen, obey.' In its own way each paragraph contrasts heeding the words of the apostate (vv 4,9,13) with obeying the command of God (vv 5,12,19). Remembering, as has long been noted,⁶⁷ that the Book of the Covenant contains the bulk of the legislative foundation upon which DL is based, one cannot help but think of the law of Exod 23:1, *lô³ tiššā³ šēma^c šāw³*, "You shall not bear a false rumor." This commandment, nearly homophonous with the Third Commandment, is intimately connected with the idea of false witness by the second half of the same verse, "Do not ally yourself with the wicked by being a malicious witness." The connection between rumor-mongering/false witness and apostasy is further confirmed by the closing commandment of the same section of the Covenant Code, "Do not mention the *name* of another god, nor let it be *heard* from your mouth" (23:13).⁶⁸

Thus the connection of chap. 13 with the Third Commandment is doubly established: first by the literary connections with the law of false witness in chap. 19 and also by the paronomastic and associational relationships between *šēm* and *šēma^c* inspired by the law of the Covenant Code.⁶⁹ The significance of this connection is that its proof relies not on the reasoning of the modern Western mind but rather on demonstrably inner-Deuteronomistic logic.

Paragraphs B.1-3 also follow a principle of priority: first the prophet, then the "brother," and finally *bānē bāliyya^cal*, 'scoundrels,' an ordering indicative of the same kind of socio-economic value priority system we noted as being characteristic of both the Book of the Covenant and Hammurapi's Law.

Paragraph A (13:1) is treated as the last verse of chap. 12 in the ancient Hebrew manuscript system of paragraph divisions. Yet its allocation to the beginning of chapter 13 and the subsequent laws of apostasy is equally legitimate, if not more so. Although this paragraph seems at first to be a general comment on all of DL, showing no particular affinity to Words I-II or III, its position, between the introduction to the laws of apostasy in the transitional paragraph I-II D and the laws of apostasy themselves, is undoubtedly intentional, conveying the clear message: Altering this, God's law, or adding to it is tantamount

to apostasy. One need only note the position of the parallel, Deut 4:2, as an introduction to the reference to the events at Baal Peor in order to confirm the connection of 13:1 with apostasy.

The rules of holiness in chapter 14 continue the theme of the rejection of apostasy.⁷⁰ First (paragraph C) comes the prohibition of pagan mourning rites,⁷¹ followed by the regulations prohibiting the eating of unclean flesh, introduced, significantly, by the general summarizing commandment *lô³ tō³kal kol-tō^cēbā^h*, "You shall eat no abomination" (Deut 14:3). By this use of the term *tō^cēbā^h*,⁷² our author proclaims with one master stroke that he regards the eating of prohibited flesh as a pagan practice, connects these laws with the laws of apostasy, and ties another knot between this section and the prohibition of false oaths in God's name. For Deuteronomy uses *tō^cēbā^h* in only three contexts.⁷³ In the greatest number of cases the reference is to Canaanite practices (7:25,26; 12:31; 18:9,12; 20:18; 22:5; 23:19; 27:15; 32:16), while in 13:15 and 17:4 the term is used to describe apostasy.⁷⁴ The other two examples are 24:4 and 25:16. The significance of the use of *tō^cēbā^h* in the first of these passages (remarriage of a once divorced wife to her first husband after a second marriage) is obscure; but in the second case the use is clear. It deals with false weights and measures, a motif thrice associated with *tō^cābat YHWH* in the book of Proverbs (11:1; 20:10,23). Elsewhere in Proverbs *tō^cābat YHWH* is regularly used to characterize wickedness and dishonesty (rather than pagan religion and apostasy as in Deuteronomy), *especially false speech* (8:7; 12:22; 17:15).⁷⁵ That the Priestly traditions from which the list of permitted and prohibited flesh is drawn use the term *šeqeš* instead of *tō^cēbā^h* (cf. Lev 11) only underscores the intentional nature of DL's use of the latter, pregnant term, as does the fact that v 3 is in the singular while the regulations themselves, quoted from an earlier Priestly source, are in the plural.

It remains to discuss the significance of the verse (Deut 14:2) which was apparently meant to connect the prohibition of pagan mourning rites with the food laws: "For you are a holy people to the LORD your God, in that it is you whom the LORD has chosen out of all the peoples of the earth to be his treasured people." On one level this verse serves to connect the previous one more closely to the idea of apostasy; note the first words of 14:1: "You

LORD your God has blessed you shall you give him. ¹⁵Remember that you were a slave in the land of Egypt and the LORD your God redeemed you; therefore I have enjoined this commandment upon you today. ¹⁶But should he say to you, "I do not want to leave you"—for he loves you and your family and his life with you is good, ¹⁷then take the awl and put it through his ear and into the door. Then he will be your perpetual servant; you shall do the same to your female servant. ¹⁸Do not be upset when you set him free, for he has worked for you for six years, equivalent to the wage of a hired man.⁸³ Moreover, the LORD your God will bless you in all you do.

C. ¹⁹All male firstlings born in your herds and flocks you must consecrate to the LORD your God. You shall not work your firstling ox nor shear your firstling sheep. ²⁰Rather, before the LORD your God you must eat it, yearly, in the place the LORD chooses, you and your family. ²¹But should it have a flaw, be crippled or blind, any bad flaw, you may not slaughter it to the LORD your God. ²²Eat it in your gates, the clean and the unclean together, just like the gazelle and the deer. ²³Only its blood you must not eat; pour it out on the ground like water.

D. ^{16:1}Observe the new moon of Abib and make a Passover to the LORD your God, for at the new moon of Abib the LORD your God brought you out of Egypt by night. ²You shall slaughter the Passover of the LORD your God, from the flock and the herd, in the place where the LORD will choose to establish His name. ³You shall not eat anything leavened with it; for seven days you shall eat unleavened bread, food of distress—for hurriedly did you depart from the land of Egypt—so that you may remember the day of your departure from the land of Egypt as long as you live. ⁴No leaven may be seen in all your territory for seven days, and none of the flesh of what you slaughter in the evening (of the first day) shall be left until morning. ⁵You are not permitted to slaughter the Passover in any of your gates which the LORD your God is giving you. ⁶Only in the place where the LORD your God chooses to establish His name may you slaughter the Passover, in the evening, as the sun sets, at the time of your departure from Egypt. ⁷You shall cook and eat it at the place which the LORD your God will choose, and in the morning you shall start back on your journey home. ⁸Six days shall you eat unleavened bread; on the seventh you shall hold a solemn assembly for the LORD your

God; you shall do no work.

⁹Seven weeks shall you count, beginning to count the seven weeks when the sickle is first put to the standing grain. ¹⁰Then observe the Feast of Weeks for the LORD your God, offering your freewill contribution according as the LORD your God has blessed you. ¹¹Rejoice, then, before the LORD your God, you and your son and daughter, your male and female servants, the Levite in your jurisdiction, and the stranger, the fatherless and the widow in your midst, at the place where the LORD your God will choose to establish His name. ¹²And remember that you were a slave in Egypt, and take care to obey these laws.

¹³You shall observe the Feast of Booths for seven days when you gather from the threshing floor and wine vat. ¹⁴And take pleasure in your festival, you and your son and daughter, your male and female servants, the Levite, the stranger, the fatherless and the widow in your gates. ¹⁵Seven days celebrate a pilgrimage festival for the LORD your God in the place which the LORD will choose. For then will the LORD your God bless you in all of your produce and in all of your endeavors, and then shall you be truly happy. ¹⁶Three times a year—on the Feast of Unleavened Bread, on the Feast of Weeks, and on the Feast of Booths—all your males shall confront⁸⁴ the presence of the LORD your God in the place that he will choose. They shall not confront the presence of the LORD empty-handed, ¹⁷but each with his own gift, according to the blessing that the LORD your God has bestowed upon you.

Our tentative attribution of paragraph A to this Word has been discussed above. As for the aptness of the rest of this Word, the intimate, inner-biblical connection between the Sabbath and, on the one hand, the laws of seventh year "sabbatical" release and, on the other, the pilgrimage festivals needs no great elaboration here. These associations are clearly stated in the Covenant Code (Exod 23:10-14), where the law of the Sabbath is preceded by the law of the sabbatical "fallow year," and itself precedes the laws of the festivals. In the Holiness Code the seventh year of release is explicitly termed "Sabbath" (Lev 25:3-8), while the law of the Sabbath is similarly concomitant with the festival calendar (Lev 23). In contrast to the other codes, there is no Sabbath law in DL. Had it been brought, it could hardly have occurred anywhere but in this Word; it is, of

are children of the LORD your God." The only place outside of chapter 13 in which Deuteronomy deals with the themes of apostasy and children is in 7:1-6, and there the concluding verse is identical with 14:2!⁷⁶ On another level 14:2 does indeed connect the two laws by emphasizing their common features; for both are regulations from the Priestly tradition, and each contains one section paralleled in the Holiness Code (*lôʾ titgôdädû*, cf. Lev 19:28; and Deut 14:3ff., cf. Lev 11⁷⁷) and one section whose application in the Priestly lore is limited to priests themselves, not to laymen as in Deuteronomy (Deut 14:1, *lôʾ tāsîmû qorhâʰ bën ʿênêkem lâmêt*, cf. Lev 21:5; Deut 14:21, *lôʾ tôʾkâlû kol năbēlâʰ*, cf. Lev 22:8).⁷⁸ One cannot help but be reminded of the "Deuteronomic" passage in Exod 19:5-6 where *gôy qādôš* and *səgullâʰ* are associated with the phrase *mamleket kôhānim*. For Deuteronomy, it seems, being a holy people means adopting as universal practice procedures and prohibitions which, in other societies (and in earlier Israel), were limited to priestly personnel—democratization of sacred rites and responsibilities, as it were.⁷⁹

DL concludes the dietary regulations with a quotation from the Covenant Code (*lôʾ - tăbaššēl gādî baḥālēb ʾimmô* 14:21b cf. Exod 23:19b). In light of the position of this law in C, at the conclusion of the laws of the festivals, this may represent the beginning of the transition to Word IV—a transition even more evident in paragraph E.

Paragraph E, the law of tithes, shares with the preceding section a concern with food stuffs and with the subsequent section a concern with periodic "release." It thus serves as a natural and obvious transition from Word III to Word IV. As was the case in 12:29-31 (and so with other transitional passages) there is no certain way to determine the commandment under whose rubric the compiler actually thought this paragraph should belong. Indeed, perhaps such considerations were not even relevant in the case of transitions. Accordingly, I have assigned the tithe law to III on the basis of "circumstantial" evidence: Only by seeing the entire law of the tithe (14:22-29) as a part of Word III, do we find repeated in III the sequence "foreign worship-eating flesh-tithes-Levites" found at the very beginning of DL in 12:2-19 and to which our attention is inescapably drawn by the concern for the effects of the

centralized cult in 14:24ff.⁸⁰ On the other hand, the last element of this sequence, the law of the triennial tithe assigned to the indigent Levite, alien, orphan and widow (14:28-29), can only be understood in light of the subsequent sabbatical year regulations of 15:1-11 with which it is, for all practical purposes, identical in form (14:28::15:1; 14:29b::15:10b). DL has adopted the principle of a periodic seventh year of "release" from the institution of the fallow year as proclaimed in Exod 23:10 and made it instead a periodic release of debts and debt-slaves. Though many have thought otherwise, in view of the whole thrust of DL and its relationship to the Book of the Covenant, there can be no doubt that DL means to eliminate the fallow year itself as an institution of social welfare and to substitute the triennial tithe in its place.⁸¹ Thus, as we have seen is traditionally the case with such transitional passages, 14:22-29 both concludes Word III and serves to introduce Word IV.

IV (Deut 5:12-15)

^{5:12}Observe the Sabbath day and keep it holy, as the LORD your God has commanded you. ¹³Six days shall you labor and do all your work, ¹⁴but the seventh day is the Sabbath of the LORD your God; you shall not do any work—you, your son or daughter, your servants, male and female, your ox or your ass or any of your cattle, or the stranger in your gates, in order that your servants, male and female, may rest as you do, ¹⁵and that you may remember that you were a slave in the land of Egypt and that the LORD your God brought you out of there with a mighty hand and an outstretched arm. Therefore has the LORD your God commanded you to observe the Sabbath day.

Word IV

A. (14:28-29) The tithe of the third year is to be left for the Levite, the stranger, the fatherless and the widow.

B.1. (15:1-11) Every seventh year you shall make a remission of debts.⁸²

B.2. ¹²Should a fellow Hebrew, man or woman, be sold to you, he may serve you six years, but in the seventh year you must set him free. ¹³And when you set him free, you must not let him go empty handed. ¹⁴Rather you must provide for him out of your flocks, your threshing floor and your wine vat; according as the

course, omitted since DL presupposes the Decalogue.

As if all of this were not a sufficient link between the Word and the Fourth Commandment, the connection is further emphasized by the shared motivational clause, "Remember that you were a slave in the land of Egypt." Indeed, this seems significantly perplexing in its occurrence in the Sabbath Commandment of Deut 5:12⁸⁵ until one notices how smoothly and naturally it fits the context of 15:15 and 16:12.

At first glance the law of firstlings (paragraph C) seems better suited to chapter 12 where firstlings are first mentioned (v 17), the wording of which is so obviously recalled in 15:22-23. Its present position is actually ideal, however. It forms a perfect transition between the law of periodic release and the Deuteronomic reform of the Passover sacrifice. As Ibn Ezra notes (ad 15:19) it is only Deuteronomy that mentions that the firstling is not to be worked (*lô' ta'ābōd*), recalling both the theme of the Sabbath as a whole and the release of the servant after "working for you" (*ābādā*) in the previous paragraph (15:12,18). It is rather to be eaten annually, corresponding to the annual periodicity of the first tithe law in 14:22. The connection between firstlings and the Passover is clear enough from the account in Exodus 13.⁸⁶ As if this were not enough, DL and only DL limits the firstlings to large and small livestock, the same animals that may be used in Deuteronomy's version of the Passover sacrifice (16:2) in contrast to the yearling sheep or goat prescribed in Exod 12:5. A minor additional point of contact here between firstlings and the Passover is that, in contrast with Exod 12:5, where the yearling is described merely as *tāmīm*, 'blemish-free,' DL chooses to detail some of the flaws which serve to render a firstling unfit for sacred slaughter, beginning its suspiciously brief list with *pissēah*, 'crippled' (16:21). (*Pesah*, of course, is "Passover." The special significance of the mention of *pissēah* here is made evident by the omission of *pissēah* [ʔô 'iwwēr] in the otherwise nearly identical phrase in 17:1 and the total absence of any concern for purity in the authorization of animal sacrifice in 12:27.)

The final significant feature of Word IV is the socio-economic priority system pervading both the entire Word and the commandment on which it is based: Chapter 15 as a whole is arranged in the order freemen-slaves-animals, just as proclaimed

in the Fourth Commandment (5:4b) and twice repeated in chapter 16 (vv 11,14). We will find this same ordering operative again in Words VI and IX.

V (Deut 5:16)

Honor your father and your mother, as the LORD your God has commanded you, that your life may be long and that it may go well with you in the land that the LORD your God is giving you.

Word V (Deut 16:18-18:22)

A.1. ^{16:18}You shall appoint judges and officials for your tribes, in all the settlements that the LORD your God is giving you, that they may judge the people in a just fashion. ¹⁹You must not pervert justice, you must show no partiality, nor must you take a bribe, for bribes blind the eyes of the wise and pervert the cause of the just. ²⁰Justice, justice shall you pursue, that you may live to inherit the land which the LORD your God is giving you.

²¹You must not plant an asherah, any kind of tree next to the altar of the LORD your God that you make—²²nor may you erect a pillar, for such the LORD your God detests.

^{17:1}You must not slaughter for the LORD your God an ox or a sheep that is flawed by any defect, for such is an abomination to the LORD your God.

A.2. (17:2-13) The judicial system (continued).

B. (17:14-20) The King.

C. (18:1-8) The Priesthood.

D. (18:9-22) Prophets.

These rules proclaim the authority figures of the nation just as the Fifth Commandment proclaims the authority of the parents within the family. Further corroboration of the connection between this four-part Word and Commandment V is offered by the substantive and verbal links between the motivation clauses in 16:20, 17:20 (*lm^cn thyh/y²ryk ymym*) and the motivation clause of the Commandment (*lm^cn y²rykn ymyk*).

The second and third paragraphs of A.1 (16:21-17:1) present an apparent structural difficulty in that they seem to intrude between two sections devoted to judicial procedures. Nevertheless, it may be demonstrated that these verses play an apt transitional role here. The emphasis on altar and sacrifices

within the apodictic prohibitions of 16:21–17:1 serves to elevate to the level of apostasy the violation of the rules of sacrifice presented in the previous Word. At the same time it serves as the introduction to the casuistically formulated law regarding the juridical procedure to be used in a case of apostasy (A.2) with which it is further connected by the appearance of the expression *dābār rā^c* in both 17:1 and 17:5 (cf. 17:2 *ʔet hāra^c*) and by the key word *tô^cēbā^h* in 17:1 and 17:4. Thus we have the structure:

1. 16:18–20 General prescription to provide honest judges.
2. 16:21–17:1 Prohibitions of false worship connected with altars.
3. Case law instructing the judges of item 1 above in the instance of the violation of 2.⁸⁷

The rather abrupt divisions between these three sections is strongly indicative of an originally independent origin for each. This would also account for the difference between the case of apostasy described in 17:2–5 and the behavior prohibited in 16:21–17:1.⁸⁸

VI (Deut 5:17)

You shall not commit manslaughter.

Word VI (Deut 19:1–22:8)

A. (19:1–13) Accidental and intentional homicide and sanctuary cities.

B. ¹⁴You must not encroach upon⁸⁹ your neighbor's boundary which the ancients have established in the property that you inherit the land that the LORD your God is giving you to possess.

C. ¹⁵A single witness is insufficient to establish the guilt of another in any manner of crime he might have committed. Only on the basis of the testimony of two or three witnesses may a case be proven. ¹⁶Should a malicious witness come forward to testify falsely against another, ¹⁷the two parties to the dispute shall stand before the LORD, before the priests and judges in authority at that time. ¹⁸If the judges, having investigated the matter thoroughly, determine that he really is a false witness, that he has testified falsely against his brother, ¹⁹then shall you do to him just as he schemed to do to his brother, and eliminate the evil from your midst. ²⁰And those remaining will hear about it and be

afraid and not continue to do such evil things in your midst. ²¹Nor may you show any pity: life for life, eye for eye, tooth for tooth, hand for hand, foot for foot.

D. (chap. 20) The law of war.

E. (21:1–9) The untraced homicide.

F. (21:10–14) A wife captured in war.

G. (21:15–17) Beloved and despised wives and their sons.

H. (21:18–21) The rebellious son.

I. (21:22–23) Regulation of the public display of executed criminals.

J. (22:1–4) Saving the lost or fallen animals and other property of one's fellow.

K. (22:5) No transvestism.

L. ^{22:6}If along the road, you chance upon the bird's nest in the tree or on the ground, with fledglings or eggs and the mother sitting over the fledglings or on the eggs, do not take the mother together with her young. ⁷Let the mother go, take only the young, in order that you may fare well and have a long life.

M. ⁸When you build a new house make a parapet for your roof, so that you do not bring bloodguilt on your house if anyone should fall from it.

Each of the major paragraphs of this Word, the lengthiest and most complex in DL, is concerned with *reṣaḥ*, the taking of a life. The specific topics are homicide (A,E), those institutions—war (D) and criminal justice (C,H,I)—that constitute the only legitimate procedures for taking a human life, and the prevention of unnecessary loss of life through intentional oversight (J) and neglect (M). The paragraphs are arranged according to the priority systems with which we are already familiar. Paragraphs A through E follow the order of institutions prescribed in Word V: civil judicial procedures (A,B,C), state (D) and priests (E). The Word as a whole is ordered according to the priority system of socio-economic worth: institutions (A–E), free citizens (F–H), criminals (I), animals (J,L).⁹⁰

Within the intricate structure suggested above, not all the pieces seem at first to fit so well. Let us look at the problematic sections in reverse order. Paragraph M is a fitting conclusion for the law of manslaughter making it clear that, like the intentional taking of a life (A–I) and the refusal to save a life (J),⁹¹ negligent

manslaughter, too, is subsumed under the commandment.⁹² Paragraph M also forms an important part, in terms of imagery and content, of the finely conceived transition between Words VI and VII. The lines of thought connecting the fallen animals of paragraph J, the fallen nest of paragraph L and falling from a housetop in paragraph M are clear. More subtle, though, are the possible connections between M and the subsequent laws: your house (v 8)—your vineyard (v 9), bloodguilt (v 8)—vineyard (v 9) (cf. the frequent biblical and extra-biblical wine-blood imagery),⁹³ and the parallel imagery of fringes on the edges of one's garment in v 12 and the parapet around the edges of the house in paragraph M.

Paragraph K (22:5) seems intrusive and may well be displaced from its original position among the other laws of forbidden mixtures in vv 9-10.⁹⁴ On the other hand, its current position may not be totally inexplicable. Note that it deals with "garment" (*šimlāh*), mentioned first in paragraph J (v 3), and that the concern for the separation between male and female can be seen to be paralleled in the prescribed separation of mother and "sons" (*bānim*) in paragraph L (vv 6-7). Furthermore, as presently constituted, there exists an interesting chiasmic structural pattern involving the content of the last laws of Word VI and the first of Word VII; dress (v 5), animals (6-7), house (8): field (9), animals (10), dress (11-12). Thus paragraph K, too, in its current position, has a role to play in the transition between Words VI and VII.

Neither paragraphs F nor G involve the taking of a life. What, then, is to account for their presence in this Word? As many have noted,⁹⁵ paragraph F is probably a part of (an earlier?) code of war from which DL brings other material in chapter 20 and in 23:10, but by its presence here it serves as a necessary transition from the rules of war *per se* in paragraph D (and the associated case of the *ḥalāl* in paragraph E)⁹⁶ to the laws dealing with wives and children in paragraphs G and H. So, too, does paragraph G serve as a link between the unloved wife of paragraph F and the unloving son of paragraph H, thus leading us back to the juridically acceptable taking of human life. This is not to say that the sole function of paragraphs F and G is that of transition; they are both no doubt important elements in DL's reform: As Carmichael has convincingly argued, paragraph G is one of the

laws of DL whose original intention was to serve notice that the patriarchal traditions are not to be seen as paradigmatic for the behavior of the "modern" Israelite.⁹⁷ Paragraph F, without parallel elsewhere in the OT, shows the same spirit of humanitarian reform evidenced in 15:12-17. In structural terms, however, the major function of these paragraphs is transitional.

Western logic would have undoubtedly led us to expect to find paragraph C ensconced under the rubric of the Ninth Commandment, the law of false witness. Its appearance here, however, is essential in DL's way of looking at things. It introduces the laws detailing the procedures for the sanctioned taking of human life. The general law of evidence must precede, just as the section on the institutions of justice introduces this Word as a whole, Word V, and the Laws of Hammurapi. Indeed, the first four paragraphs of Hammurapi's code also deal with cases of false witness, the first three involving capital punishment. Our v 15, too, is a reform of the older rule (17:6; cf. Num 35:30) according to which two witnesses were required only in capital cases.

The prohibition of boundary violation, paragraph B, is an ancient law (cf. Hos 5:10) associated with the wisdom tradition.⁹⁸ Its inclusion here may be due to two factors. There can be little doubt that boundary violation was recognized to be by far the most frequent cause of disputes, whether between men or between nations—a major, if not the major cause of war and murder. Thus we have in paragraphs A-C the sequence: how to deal with homicide, how to prevent homicide, how to deal with the accusation of homicide.⁹⁹ But there is further significance to the inclusion of this verse at the core of the longest and climactic Word of the Deuteronomic Law. For, as we have noted above, the Laws of Deuteronomy are the stipulations of the Covenant of the Plain of Moab—a covenant, as has so often been stressed, formally paralleling the structure of political treaties; and treaties intrinsically have at their core, from earliest times, the prohibition of boundary trespass.¹⁰⁰ Deut 19:14 is the axis, as it were, around which the rest of the Deuteronomic Law revolves—a most meaningful keynote of this ancient expression of man's noble striving for human rights.

VII (Deut 5:18)

You shall not commit adultery.

Word VII (Deut 22:9—23:19)

A. ^{22:9}You shall not sow your vineyard with a second crop, or the full yield will become sacred (forfeit), both the yield of the seed you sow and the produce of the vineyard. ¹⁰You shall not plow with an ox and an ass together. ¹¹You shall not wear clothes woven with two kinds of yarn, wool and flax together.

B. ¹²Tassels shall you make on the four corners of the garment with which you cover yourself.

C. (22:13—23:1) Regulations concerning improper sexual relations.

D. (23:2-9) Sexual wholeness and genetic purity as requirements for membership in God's community.

E. (23:10-15) Sexual purity and cleanliness in the military camp.

F. (23:16-17) The escaped slave.

G. ¹⁸No Israelite woman may be a cult prostitute. ¹⁹You must not bring the fee of a whore or the pay of a dog (i.e., male prostitute) into the temple of the LORD your God in fulfillment of any vow, for both are an abomination of the LORD your God.

The associations between the various paragraphs of this Word and the Seventh Commandment are all obvious except for the case of F, the escaped slave. Yet this, too, is reasonable within the conceptual framework of DL. It is universally recognized that this law can refer only to a slave fleeing to Israel from abroad. Now such an event is most likely to occur in wartime, hence the connection with paragraph E,¹⁰¹ and the result of DL's ruling in this case is to increase the foreign element in the community of Israel (paragraph D, esp. vv 8-9). Thus F would at first sight probably be better placed between D and E, as a transition. Why, then, does it follow them? Probably because it serves as the first element of a more important transition, the transition to Word VIII, for in DL, as opposed to other ancient law codes and treaties, failure to return an escaped slave was not to be considered equivalent to kidnapping, and kidnapping, of course, was the most serious kind of theft—the subject of Word VIII.¹⁰²

The well organized structure of paragraph C is worthy of note. It treats in a logical, sequential fashion relations between man and wife (22:13-21), adultery with a married woman (v 22),

violation of a betrothed virgin within a city (vv 23-24) and without (vv 25-27), and violation of a virgin not yet betrothed (vv 28-29). Again we see the priority systems of jurisprudential procedures (vv 13-21) and socio-economic value (i.e., seriousness of the crime) at work. By attraction to the mention of "father" in v 29, the prohibition of sexual relations with one's father's wife is introduced in 23:1, which, by its reference to the uncovering of the father's genitals, serves as a fine transition to the rules governing the sexually maimed and genetically impure in paragraph D.¹⁰³

Thus the arrangement of Word VII as a whole becomes clear. Paragraph A, as noted above, is connected by transitional elements to Word VI (and must come at the beginning!). Paragraph B connects A and C,¹⁰⁴ while v 29 links paragraph C with D and its logical continuation paragraph E. Paragraph F resumes D and E and, together with paragraph G (*keleb* 'dog' in v 19 to *nešek* literally 'bite' in v 20), serves as the transition to Word VIII. Within paragraphs C-G we also note the now familiar sequence: justice (C), state (D-F), cult (G).

VIII (Deut 5:19)

Thou shall not steal.

Word VIII (Deut 23:20—24:7)

A. ^{23:20}You shall not lend at discount to your brother, whether in money or food or anything else that can be lent at discount.¹⁰⁵ ¹¹To the foreigner you may lend at discount, but not to your brother, so that the LORD your God may bless you in all your endeavors in the land into which you are about to enter and occupy.

B. (vv 22-24) Vows to God to be paid promptly.

C. (vv 25-26) Strict limits on the amount that may be taken from a neighbor's crops.

D.1. (24:1-4) The law of divorce and remarriage.

D.2. ⁵When a man takes a bride he is exempt from military duty and all assignments; he shall be free to attend to his family for one year and to give happiness to the woman he has married.

E. ⁶Neither millstones, nor the upper one alone, may be taken in pledge, for that would be taking a life in pledge.

F. ⁷If a man is found to have kidnapped a fellow Israelite,

enslaving him or selling him, that kidnapper shall die; thus will you eliminate the evil from your midst.

Paragraphs A, B and C all deal with the unlawful taking or withholding of property rightfully belonging to another, i.e. "theft."¹⁰⁶ Paragraphs E and F are concerned with the taking of another's *nepeš*, 'life, soul, livelihood.' But paragraph D seems totally out of place within the rubric "You shall not steal." Rather than suggest that it has been misplaced from elsewhere in DL, I would prefer to see it as a secondary addition.¹⁰⁷ I am far from convinced that it is not authentic DL material, however, for its position within Word VIII is elegant in conception. Let us begin with the assumption that the writer of DL wished to include these specific provisions in his reform. Where could he put them? Within Word VII, "adultery"? The remarriage prohibition could, to be sure, be seen as the prevention of an impure union (cf. *huṭṭammā* 24:4) but this would hardly apply to paragraph D.2, connected with the divorce rule of D.1 by its identical introduction and thus inseparable from it. Words IX and X might also be appropriate for the divorce law alone. But only here, in its current position in Word VIII, did our compiler find an ideal position, a position which allowed him to connect paragraph D to its surroundings in terms of both imagery and underlying motivation. Can the collation of newlyweds in v 5 with the upper-lower millstones of v 6 be merely coincidental? It takes but little imagination to see the sexual imagery in the latter;¹⁰⁸ and, to the mind now attuned to the style of DL, the reference to the taking in pledge of the upper millstone, the 'rider' (*rekeb*) (thus separating it from its mate), can be seen as intentionally reminiscent of the immediately preceding law. So, too, our compiler may have thought of divorce in terms of the taking of one's fill from the crop of one's fellow, as in paragraph C.¹⁰⁹

The structure of this Word as a whole is now clear: It treats first of the theft of property (paragraphs A, B, C), then of the theft of 'life,' *nepeš* in metaphorical terms (paragraph D, E; see n. 109) and finally of the theft of the physical *nepeš* (paragraph F). As noted above, paragraph A contains the transitional elements linking this Word with the previous one. Paragraph B is dependent on A in that both deal with the payment of financial obligations. Paragraphs C-E form a unit (as discussed in the

preceding paragraph), and F, as we shall see, must come at the end of this Word to serve as a basis for the transition to the next.

IX (Deut 5:20)

You shall not bring false charge against your neighbor.

Word IX (Deut 24:8—25:4)

A. ^{24:8}Be very careful with the disease of leprosy to do exactly as the Levitical Priests instruct you. Do just as I have commanded them. ⁹Remember what the LORD your God did to Miriam on your way out of Egypt.

B. (vv 10-13) Just treatment of the debtor.

C. (vv 14-15) Just treatment of the hireling.

D. ¹⁶Parents shall not be put to death for children, nor children be put to death for parents; a person shall be put to death only for his own crime.

E. (vv 17-22) Justice and charity for the stranger, orphan and widow.

F. (25:1-3) Justice in corporal punishment.

G. ⁴You shall not muzzle an ox while it is threshing.

A single motif—firmly grounded in the Ninth Commandment—runs throughout the laws of Word IX: fairness to one's fellow as regards both his substance and his dignity. Even the convicted criminal is not to be belittled (25:3).

The presence of the law of leprosy at the beginning of Word IX serves as significant corroboration to the theory presented here. It is only through the recognition of the association of these laws with the Ninth Commandment that one can account for the presence of the law of leprosy, a law otherwise so incongruous in the context of the entire book of Deuteronomy. Fortunately, our writer provides the clue himself, lest we fail to catch his train of thought: "Remember Miriam." Miriam was afflicted with leprosy for speaking unjustifiably against Moses and his wife. Was there ever a more serious case of libel?¹¹⁰

The structure of this Word is in accordance with the system of socio-economic priority: Moses (as paradigmatic leader, paragraph A), non-poor debtor (paragraph B), poor debtor or hireling (paragraph C), indigent (paragraph E), criminal (paragraph F), animal (paragraph G).¹¹¹ Paragraph D serves as both the climax

of the whole Word and as an introduction to the references to justice in E and F. Paragraph A might also have been meant to be transitional from the previous Word by the implicit connection between serious "contagious" disease and the theft of another's *nepeš*, 'life.'

Xa (Deut 5:21a)

You shall not covet your neighbor's wife.

Word X (Deut 25:5-16)

A. ^{25:5}When brothers dwell together and one of them dies leaving no son, the wife of the deceased may not marry a stranger from outside. Her husband's brother must unite with her: take her as his wife and perform the levir's duty. ⁶The first son that she bears shall be accounted to the dead brother's line, that his line not be blotted out in Israel. ⁷But should the man have no wish to marry his brother's widow, his brother's widow must appear before the elders in the gate and declare, "My husband's brother refuses to establish a name (line) for his brother in Israel. He will not perform the levirate." ⁸The elders of his town shall then summon him and talk to him. If he stands fast, saying, "I do not desire to marry her," ⁹then his brother's widow shall go up to him in the presence of the elders, pull the sandal off his foot, spit in his face and make this declaration: "Thus shall be done to the man who does not build up his brother's house." ¹⁰He (and his family) will be called in Israel "the family of the unsandaled one."

B. ¹¹If two men, a man and his "brother," are fighting, and the wife of one of them comes up to save her husband from his antagonist and puts out her hand and seizes him by his genitals, ¹²you must cut off her hand; show no pity.

Xb (Deut 5:21b)

You shall not desire your neighbor's house, or his field, or his male or female servant, or his ox, or his ass, or anything that is your neighbor's.

C. ^{25:13}You may not have in your purse two separate stones, large and small. ¹⁴You may not have in your house two separate measures, large and small. ¹⁵You must have completely honest

weights (stones) and completely honest measures, if you are to live long on the soil that the LORD your God is giving you. ¹⁶For anyone who does these things, anyone who does injustice, is an abomination to the LORD your God.

One can only admire the ingenuity shown by our compiler in placing these laws in Word X. Just as much of his concern in Word VI is with those institutions by means of which human life may justifiably be ended, so, too, here he deals with a social institution that provides a sanctioned exception to the basic prohibition of the Tenth Commandment. There does, he tells us, exist an institution through which a man may rightfully claim the wife of his brother. (And all of this depends, of course, on the fact that "brother" simply means "neighbor, fellow Israelite," everywhere else in Deuteronomy. So for DL it is no problem at all to move from the *rē^a*, 'neighbor,' of the Tenth Commandment to the normal Deuteronomic equivalent *ḏāḥ*, used here and only here in all of DL in its literal meaning.) Even so, the property of his brother, no matter how desirable in his own eyes, remains in his brother's estate.

Paragraph B, not otherwise connected with the Tenth Commandment, occurs here by attraction to A with which it shares subject matter (two "brothers," here in the normal Deuteronomic sense, and one wife) and form (*kī-verb-subject-yahdāw*).

The final paragraph, C, provides an interesting insight into DL's solution to the age-old problem of the interpretation of the Tenth Commandment: How can one seriously think it possible to prohibit someone's desire for that which belongs to his fellow? The Hebrew verb *ḥmd* means to desire something so strongly that you want to take it, but it neither refers to nor implies the act of taking itself; *pace* all those who so argued (and that includes most everyone from the Tannaim onward). How would the Tenth Commandment then differ in meaning from the (Seventh and) Eighth? Certainly the form *titḏawwē^h* in Deut 5:21 can only refer to mental processes.¹¹² I have no doubt that the author or authors of the Decalogue actually intended to "prohibit" (that is to say, strongly discourage) even patterns of thought that might lead a man to commit any of the civil crimes subsumed under the preceding rubrics of murder, adultery, theft and false witness.

Anyone thinking such thoughts is to know that they are divinely prohibited and therefore to be eschewed. To be sure, DL was well aware of the impossibility of effectively policing such a prohibition, but he achieved a far more satisfactory solution to the problem than have generations of scholars. He prohibits in paragraph C, not the use of false weights and measures—that would be theft—but rather their possession! For only if you have them in your possession could you ever be tempted to use them. For DL *lôʔ taḥmōd* means “avoid tempting situations.”¹¹³

I take 25:17-19 (the law of Amalek) and the whole of chap. 26 to be appendices to DL itself and therefore outside the Decalogue-structure; 26:12-19 is certainly a secondary expansion on 14:28, while 26:1-11 expands upon 18:4. All three passages, although generally Deuteronomic in style, are quite different from anything in DL in terms of form and mood.

Thus ends our overview of the Decalogue-structure of the Deuteronomic Law. Surprisingly enough, in light of the claims of systematic disarray so prevalent in Deuteronomic scholarship, only a single law, 24:1-4, may seriously be considered out of place. The structure is highly intricate, yet totally sensible within the framework of Deuteronomic thought and follows closely the organizational principles operative in other biblical and extra-biblical compilations of laws. I have no doubt that I have offered some explanations that the author of DL would find strange, but I am equally certain that other scholars will be able to point out many further examples of DL's subtle ingenuity and the implications arising therefrom that have escaped my notice. Still, the basic outline of DL and the major associative and hierarchical principles of its organization now stand forth clearly.

It is easy enough to anticipate the critics. “It is all too neat, too clean,” they will say. But why should it be otherwise? There may be a verse out of place here and there and difficult words or phrases corrupted by centuries-long processes of scribal transmission. But we deal here not with orally transmitted oracles of the prophets nor with redactions of ancient heroic traditions. We have instead in the Deuteronomic Law (and perhaps in all of Deuteronomy) a work that proclaims itself to be and no doubt was a written document from the very beginning (see chap. 31; cf. 17:18). Whether DL be conceived of as law reform, as treaty

or as sermon, everything we know of literature in the ancient Near Eastern world points clearly towards the existence of system and structure in such literary works.

CONCLUSIONS

The above delineation of the structure of the Deuteronomic Law obviously has many implications for the history of the Decalogue and of the Book of Deuteronomy. The Decalogue may no longer be seen as having been absorbed into the stream of Deuteronomic preaching,¹¹⁴ but rather Deuteronomy itself depends on the Decalogue. We see now, too, that the entire Decalogue, with all of the “expansions” and motivational clauses now found in Deuteronomy 5, is at least as ancient as the Deuteronomic Law, for many of the links between DL and the Decalogue are precisely with those “expansions” and motivational clauses.¹¹⁵ As we have already argued, the acceptance of the (probably) unexpanded Decalogue as the text of the Horeb Covenant must have antedated DL. The arrangement of the Words in DL corresponds to the ordering of the commandments in the MT of Deuteronomy, thus demonstrating that such was the accepted order at this early period in contrast to the order given for the Sixth through Eighth Commandments in the LXX of Exodus (adultery, theft, manslaughter) and especially that found in LXX Deut, the Nash Papyrus, and Philo (adultery, manslaughter, theft), this latter order being thought by many to have been the original.¹¹⁶ As noted above, the joint treatment of the First and Second Commandments in Deuteronomy and the structure of DL—wherein the first Word encompasses the first Two Commandments and the last Word is divided into two distinct sections corresponding to the two parts of the Tenth Commandment—supports the Catholic/Lutheran enumeration of the Decalogue.

Given the structure of DL and the content of the Eighth and Tenth Words, there can be little doubt that for DL, as for Deuteronomy 5, *lôʔ tignōb* refers to theft in general (not to mantheft in particular) and that *lôʔ taḥmōd* refers to a mental state and not a physical act. This in itself, however, is insufficient evidence to disprove the thesis of Alt (see n. 98) as

regards the original, pre-Deuteronomic intent of the Commandments. Considerations of space preclude a detailed argument here. But, as I hope to show elsewhere, a comparison of biblical and extra-biblical law demonstrates that the four categories "murder, adultery, theft and false-witness" served in ancient Near Eastern "literary" jurisprudence as the general rubrics of all civil law. It is thus ancient law which demands that *gnb* be interpreted in its general sense in the Decalogue and shows that *lô? taḥmōd* was a specifically Israelite addition to the four categories of law, intended to deal with something elsewhere recognized as beyond the realm of law.

Our understanding of the principles at work in the composition of DL offers new evidence for solving the problem of the essence of Deuteronomy—is it law or covenant?¹¹⁷ DL, at least, is unquestionably intended to be a law code in the ancient Near Eastern sense, for, as we have seen, it is constructed according to the principles of such codes. Just as the Law of Hammurapi is a highly stylized, tightly constructed collection of just rulings of Hammurapi (and his courts?), so DL represents God's just rulings and instructions for His people. The covenant-like, framework elements surrounding DL must first and foremost be compared with the similar features in the prologue and epilogue of Codex Hammurapi.¹¹⁸ This is not to say that the DL is not a part of the "Covenant of the Plain of Moab"—Deuteronomy itself proclaims it so—only that the legal character of the material should not, as in much recent scholarship, be minimized.

The structure of DL is not without relevance for the difficult problem of its dating. Note that the length of the various Words increases as we reach the central Commandments (Four through Six) and then once again decreases toward the end. This fits nicely with a characteristic rhetorical feature of literature of the Josianic period wherein the climax comes in the middle of a literary unit instead of at the end.¹¹⁹ Only subsequent investigation can determine the significance, if any, of this observation.

Although we have here demonstrated that the Deuteronomic Law (Deut 12:1–25:16) is a literary unit, the structure of that unit and a multitude of allusions within it all serve to indicate that it is not an isolated unit; it never stood alone. That structure and those allusions can only be understood within the context of

Deuteronomy as a whole, at least within a framework consisting of much of what is now found elsewhere in the book of Deuteronomy.¹²⁰ DL may have been part of the "law book" of Josiah's reform, but not, as many have argued, DL alone. Furthermore, in contrast to the Pentateuchal narrative material wherein one can with some justification speak in terms of at least three stages of rhetorical-literary composition (the Tetrateuch as now constituted, individual narratives within the whole and original sources which might have dealt with all or part of the material in parallel fashion) each with its own literary style and structure, and each with its own concerns and motivations; DL cannot be so analyzed. The efforts of a century of scholarship to propose elaborate redactional histories for DL must be deemed fruitless.¹²¹ DL did not grow in stages as these scholars would have us believe. It is rather a unified masterpiece of jurisprudential literature created by a single author, an author who combined ancient civil and cultic regulations¹²² with intentional civil reforms (based largely on the Book of the Covenant), with wisdom teachings, with speculations on the propriety of patriarchal institutions, and with a program of politico-religious centralization into a highly patterned whole—an expanded Decalogue.

NOTES

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1. The terms "law," "law code," and variants thereof are used herein in conformity to current parlance among students of biblical law. This terminology should not be taken to imply that the author believes that the biblical "law codes" are either "law" or "codes" in the sense in which these terms are usually used by historians of jurisprudence. (My thanks to my colleague H. C. Brichto for making clear to me the need for such a disclaimer.) My view of biblical law is similar, rather, to that expressed by U. Cassuto in his *A Commentary on the Book of Exodus* (Jerusalem: Magnes, 1967): 259–264. For Mesopotamian "law codes," see J. J. Finkelstein, "Amīšaduqa's Edict and the Babylonian 'Law Codes,'" *JCS* 15 (1961): 103–104.

2. Cf. V. Wagner, *Rechtssätze in gebundener Sprache und Rechtssatzreihen*

im israelitischen Recht (BZAW 127, 1972): 1, 51-68. On apodictic law, cf. M. Weinfeld, "The Origin of the Apodictic Law: An Overlooked Source," *VT* 23 (1973): 63-75.

3. See D. J. McCarthy, *Treaty and Covenant* (Rome: PBI, 1963); M. Weinfeld, *Deuteronomy and the Deuteronomistic School* (Oxford: Clarendon, 1972); *idem*, "The Covenant of Grant in the Old Testament and in the Ancient Near East," *JAOS* 90 (1970): 184-203; *idem*, "Berit," in *Theologisches Wörterbuch zum Alten Testament I* (Stuttgart: W. Kohlhammer, 1972): 781-808; and E. Gerstenberger, "Covenant and Commandment," *JBL* 84 (1965): 38ff.

4. I exclude from consideration the so-called "Priestly Code," a different sort of thing altogether.

5. Cf. S. M. Paul, *Studies in the Book of the Covenant in the Light of Cuneiform and Biblical Law* (VTSup. 18; Leiden: Brill, 1970): 34.

6. The independent origin of the various "Stilgattungen" was apparently first suggested by M. A. Jirku in *Das weltliche Recht im Alten Testament* (Gütersloh: C. Bertelsmann, 1927); see H. Cazelles, *Etudes sur le code de l'alliance* (Paris: Letouzey, 1946): 26-27.

7. See W. Thiel, "Erwägungen zum Alter des Heiligkeitsgesetzes," *ZAW* 81 (1969): 41: "Die Existenz eines ursprünglich selbständigen Gesetzescorpus H innerhalb der Priesterschrift (P) ist als unaufgebbares Ergebnis der Forschung zu betrachten."

8. A. Klosterman, *Der Pentateuch* (Leipzig: Deichert, 1893): 378.

9. For C, cf. S. Paul, *Studies* (N 5): 106-109; Cassuto, *Exodus* (N 1): 260ff.; M. Noth, *Exodus* (Philadelphia: Westminster, 1962): 173-175; V. Wagner, "Zur Systematik in dem Codex Ex. 21:2-22:16," *ZAW* 81 (1969): 176-182; Cazelles, *Etudes* (N 6), and such OT introductions as those of G. Fohrer, *Introduction to the Old Testament* (London: SPCK, 1965), and O. Eissfeldt, *The Old Testament: An Introduction* (New York: Harper & Row, 1965). For DL see G. Seitz (*Redaktionsgeschichtliche Studien zum Deuteronomium* [BWANT V/13; Stuttgart: W. Kohlhammer, 1971]: 92-95) who presents in highly graphic fashion 12 different divisions of the material as given in major commentaries and studies.

10. G. Fohrer, *Introduction* (N 9): 136 and 171; Wagner, *Rechtssätze* (N 2): 62.

11. Paul, *Studies* (N 5): 106.

12. *Ibid.*, p. 107 n. 1; A. Jepsen, *Untersuchungen zum Bundesbuch* (Stuttgart: W. Kohlhammer, 1927): 55-86. For additional bibliography on the probable antiquity of C, see N. P. Lemche, "The 'Hebrew Slave,'" *VT* 25 (1975): 133. Whether or not such a proto-law code may ever have existed, it would seem that only by means of a comparison of the various law corpora of the ancient Near East can one hope to develop an objective criterion for determining the true conceptual divisions of the legal material which were operative in the minds of the ancient codifiers. See below, n. 25 and "Conclusions."

13. A. C. Welch, *The Code of Deuteronomy: A New Theory of its Origin*

(London: Clarke, 1924): 23.

14. G. von Rad, *Old Testament Theology* (2 vols.; New York: Harper & Row, 1962, 1965): 1.226 n. 86. For other divisions of the material, see n. 9.

15. Cf. P. Buis and J. Leclercq, *Le Deuteronomie* (Paris: Librairie Lecoffre, 1963): 98; G. Fohrer, *Introduction* (N 10): 171.

16. Cf. G. A. Smith, *The Book of Deuteronomy* (Cambridge: Cambridge Univ., 1918): 157; G. E. Wright, "Deuteronomy," *IB* 2.315; Eissfeldt, *Introduction* (N 9): 213 and R. H. Pfeiffer, *Introduction to the Old Testament* (New York: Harper, 1941): 232, and many others.

17. Eissfeldt (N 9): 225-226.

18. H. M. Wiener, "The Arrangement of Deuteronomy XII-XXVI," *Posthumous Essays* (London: Oxford Univ., 1932): 26-36.

19. C. M. Carmichael, *The Laws of Deuteronomy* (Ithaca: Cornell Univ., 1974): 1.

20. His most important contribution is probably the observation that many of the unique and inexplicably isolated laws of DL deal with institutions and situations observable in the Patriarchal narratives. DL's concern is to ensure that those narratives (or traditions) would not be seen to provide authority for practices different from either those current or desirable. See, too, Carmichael, "A Ceremonial Crux: Removing a Man's Sandal as a Female Gesture of Contempt," *JBL* 96 (1977): 321-336.

21. Note that the two "introductions" to the laws, in 5:1 and 6:1, are not mutually redundant. Rather, both are entirely natural within their context; contrast J. Wellhausen's famous remark "Die Gesetze gehn erst Kap. 12 an, vorher will zwar Mose immer zur Sache kommen, kommt aber nicht dazu" (*Die Composition des Hexateuchs und der historischen Bücher des Alten Testaments* [Berlin: G. Reimer, 1899]: 190-191), quoted in N. Lohfink, *Das Hauptgebot: eine Untersuchung literarischer Einleitungsfragen zu Dtn 5-11* (Rome: PBI, 1963): 23.

22. G. von Rad, *Deuteronomy* (Philadelphia: Westminster, 1966): 61. Cf. Eissfeldt, *Introduction* (N 9): 220-223. All of this is summarized succinctly by Deuteronomy itself in 4:10ff.; see E. W. Nicholson, "The Decalogue as the Direct Address of God," *VT* 27 (1977): 422-433, esp. 424ff.

23. Cf. S. R. Driver, *Deuteronomy* (ICC; New York: T & T Clark, 1909): ii; also E. G. Hirsch and B. Jacob, "Deuteronomy," in *The Jewish Encyclopedia*, (12 vols.; ed. I. Singer; New York/London: Funk and Wagnalls, 1901-1906): 4.540. See Lohfink, *Hauptgebot* (N 21): 154-157, for a list of other scholars espousing this view.

24. Cf. Lohfink, *Hauptgebot* (N 21): passim. Also H. Breit, *Die Predigt des Deuteronomisten* (Munich: C. Kaiser, 1933) and A. Phillips, *Ancient Israel's Criminal Law* (New York: Schocken, 1970): 182.

25. Deuteronomy unquestionably presupposes the existence of a widespread conception of the Decalogue as the "Sinaitic" Covenant. Nevertheless, there is no way to determine the pre-Deuteronomistic antiquity of such a conception or the milieu wherein it was central. The frequently adduced text of Hosea 4:2 cannot be used as a proof of the Decalogue's antiquity. Indeed, Hosea's use of the non-

Decalogue terms *lh* and *khš* in contrast to the language of the Ninth Commandment shows that it refers rather to the four-fold division of the rules of ethical behavior—damages, theft, adultery and testimony—which, as I hope to show in a subsequent article, constituted the topical realm into which all the laws regulating interpersonal relations were conceptually divided in the canons of ancient Near Eastern jurisprudence; see below, n. 61 and “Conclusions” section. Thus, subject to the modification that the idea of the covenant at Horeb must at least somewhat antedate Deuteronomy, I side with those who seriously question the centrality of the idea of covenant (at least Sinaitic covenant) in pre-Deuteronomic times; see the bibliography in J. Bright, *Covenant and Promise* (Philadelphia: Westminster, 1976): 39, 73 n. 50, especially G. Fohrer, “Altes Testament—‘Amphiktyonie’ und ‘Bund?’” *TLZ* 91 (1966): 801-816, 893-904, and L. Peritt, *Bundestheologie im Alten Testament*, WMANT 36 (1969).

26. Cf. M. Weinfeld, “Apodictic Law” (N 2): 72 n. 1. The Covenant Renewal Ceremony, first postulated by S. Mowinkel, must be kept distinct from his hypothetical “Enthronement Festival of Yahweh.” The former has some textual support, while the latter is pure speculation.

27. It is only Deuteronomy that clearly makes of the Decalogue the text inscribed on the two tablets (4:13; cf. 10:4). It is generally agreed that the insertion of the Decalogue into the Sinai narrative in Exod 20 is dependent on Deut; cf. most recently E. W. Nicholson, “Decalogue” (N 22): 431.

28. See E. G. Hirsch in *The Jewish Encyclopedia* (N 23): 4.496-497 and I. M. Wise, “The Law,” *Hebrew Review* 1 (1880): 12-31.

29. See F. H. Colson, in *Philo 7, On the Decalogue—on the Special Laws* (LCL 320): ix ff.

30. There can be little doubt that the “Great Commandments” (Deut 6:5 and Lev 19:18), as cited in Matthew 22:37-40 and its NT parallels were deemed to summarize the two tablets of the Decalogue and thus the whole law as well (cf. v 40). See J. A. Alexander, *Commentary on the Gospel of Mark* (1864; rep. Grand Rapids: Zondervan, n.d.): 333.

31. See Wise (N 28) and Breit, *Die Predigt* (N 24): 31.

32. Cf. N. K. Gottwald’s recent remark that the Decalogue is to be regarded “as high level ‘policy’ while the remainder of the OT law is lower-level ‘technique’ for implementing the policy from time to time and from case to case,” in “The Law Codes of Israel,” *The Interpreter’s One-Volume Commentary on the Bible* (Nashville: Abingdon, 1971): 1092. I cannot concur with his rather sweeping analysis. I cite it only as an example of the primacy of the Decalogue even in the thought of supposedly objective scholars.

33. See Paul, *Studies* (N 9): 107 n. 1 (for references to the pre-moderns), and J. W. Rothstein, *Das Bundesbuch und die religionsgeschichtliche Entwicklung Israels* (Halle: C. Baensch, 1888): 8-10.

34. Cf. R. P. Merendino, *Das deuteronomische Gesetz* (Bonn: P. Hanstein, 1969): 404ff. and Breit, *Die Predigt* (N 24): 33.

35. It follows that if there is a system and that system has the Decalogue as its organizing principle, DL was almost certainly never an independent unit. See below, “Conclusions.”

36. W. Schultz, *Das Deuteronomium* (Berlin: G. Scrawitz, 1859): 13ff. His arrangement is as follows: Commandments I-II = Deut 6-11; III = 12-14; IV = 15-16:17; V = 16:18-18; VI = 19-21:9; VII = 21:10-23; VIII = 22; IX-X = 23-25. Note that it is in the latter half of DL, wherein no one ever concurred with Schultz’ theory, that my division of the material differs most from his.

37. Hermann Schulz, “Das Todesrecht im Alten Testament” (Diss. Marburg, 1966): 151-157. My sincere thanks to Professor Schulz who was kind enough to send me a copy of this unpublished material.

38. A. Bertholet, *Deuteronomium* (Leipzig: J. C. B. Mohr, 1899): xv.

39. C. Steuernagel, *Die Entstehung des deuteronomischen Gesetzes* (Halle: J. Krause, 1896): 10.

40. Steuernagel does admit of a possible dependence of some of the individual laws upon some of the provisions of the Decalogue; *ibid.*: 86-87. Other minor parallels between DL and the Decalogue have also been noted. Seitz (*Studien* [N 9]: 128-129) notes a connection between the laws of murder and adultery in Deuteronomy (based on the similarity of casuistic form) and cites the parallel concatenation of *ršh* and *n’p* in the Decalogue (cf. Deut 5:17-18) and in Jer 7:9.

41. C. F. Keil, *Biblischer Kommentar über die Bücher Mose’s*, zweiter Band, (2nd ed.; Leipzig: Dörffling u. Franke, 1870): 465.

42. D. Hoffman, *Das Buch Deuteronomium* (Berlin: M. Poppelauer, 1913): 131.

43. This excursus and a related excursus on the Decalogue were omitted from the published form of the dissertation, *Das Todesrecht im Alten Testament* (BZAW 114, 1969). Nevertheless, a brief summary of Schulz’ position is available in O. Kaiser, *Introduction to the Old Testament* (Minneapolis: Augsburg, 1975): 121.

44. F. Horst, *Das Privilegrecht Jahwes (Rechtsgeschichtliche Untersuchungen zum Deuteronomium)* (Göttingen: Vandenhoeck & Ruprecht, 1930). This reliance upon Horst is ultimately responsible for Schulz’ failure to recognize several important correspondences already pointed out by W. Schultz, e.g., the correspondence between Deut 16:18—18:22 and the Fifth Commandment.

45. Cf. Paul, *Studies* (N 5): 106.

46. These planned connections were long recognized in rabbinic circles. As noted below, many of my arguments were anticipated by Ibn Ezra, who followed a principle stated in his comment on Deut 16:18: “Even though each commandment is an independent unit, there is a certain interpretive significance (*kdmwt drš*) to the concatenation of sections.”

47. For bibliography see Paul, *Studies* (N 5): 106 n. 1; also cf. V. Wagner, “Systematik” (N 9): 176-182.

48. In light of the considerations discussed below, I believe the subjective division presented here actually is the best objective guess at the codifier’s own conception. For alternative divisions of C, cf. Wagner, “Systematik” (N 9): 176; Cazelles, *Etudes* (N 6): *passim* and Paul, *Studies* (N 5): 106ff.

49. I am unable to account for the arrangement of the laws of deposit and loan in unit IV according to this principle. Here principle 3 seems rather to be preeminent.

50. Cf. references in n. 12 and Wagner "Systematik" (N 9): 176.

51. A similar interpretation is offered by J. P. M. van der Ploeg, "Slavery in the Old Testament," VTSup 22 (1972): 72-87. For other views on the significance of the current position of the slave law see N. P. Lemche (N 12): 135-136.

52. One might also point to the possible connection between "tooth" and the implied "horn" in vv 27-28. Intriguing is the combination of "his crutch" (*miš'antō*) and "his sitting" (*šibtō*) in 21:19 with "staff" (*šēbet*) in v 20, in that the last word is synonymous with the first and nearly homonymous with the second. We shall see that DL, too, makes good use of such paronomastic transitions.

53. H. Petschow, "Zur Systematik und Gesetzestechnik im Codex Hammurabi," ZA 23 (1965): 146-172.

54. The precise meaning of the verb *rakāsu*, literally, 'to bind,' figuratively, 'to enter into a contract,' is difficult here. Most scholars take it to mean simply 'attaching' another child to the breast; but such a usage is unique. Cf. AHW: 946; G. R. Driver and J. C. Miles, *The Babylonian Laws* (2 vols.; Oxford: Oxford Univ., 1952, 1955): 2.248.

55. Akkadian *qātu*; 'custody' in our translation of 194. In 195 the Code of Hammurabi uses its normal term for the physical 'hand,' *rittu*.

56. The following translations of biblical passages are my own but owe much to *The Torah* (Philadelphia: Jewish Publication Society, 1967) and to the insightful comments of my colleague H. C. Brichto.

57. The first commandments of the Decalogue have been traditionally divided in at least three different ways: 1) v 6 = I, vv 7-10 = II; 2) v 6 = Prologue, v 7 = I, vv 8-10 = II; 3) v 6 = Prologue, vv 7-10 = I and v 21 divided into two commandments at the end to provide a total of ten. (Cf. Hirsch, *Jewish Encyclopedia* [N 23, 28] and S. H. Weingarten, "The Ten Commandments and their Order," *Beth Mikra* 59 [1974]: 549-571). In subsequent references to the Commandments, I shall follow the most commonly used system of enumeration: v 11 = III, etc. For the significance of the structure of the Law for determining the actual enumeration used by the Deuteronomic writer, see below "Conclusions."

58. For the argument that the introduction to the Laws actually begins with Deuteronomy 11:31, see A. Rofé, "The Strata of the Law about the Centralization of Worship in Deuteronomy and the History of the Deuteronomic Movement," VTSup 23 (1972): 221-226.

59. The last phrase of v 1, *kl hymym šr tm hyym l hdmh*, is ambiguous, perhaps intentionally so, yet it has received surprisingly little critical attention. In light of the covenantal background and the entire motivational thrust of Deuteronomy, it can only mean that these laws are to be observed ever after, not that the land is hereby promised to Israel in perpetuity; cf. *NEB*. For that matter, we can hardly be at all certain (though the modern translations all seem to be) that *ādāmā^h* refers here to the whole earth rather than its more common meaning of workable land. Such parallel passages as 12:19 are strong evidence for the latter interpretation.

60. Deleting *lšknw* as a gloss.

61. Deut 6-11 seems to recognize an apparent distinction between the first two Commandments in its use of the repeated formula *ʔet YHWH ʔelōhēkā tirāʔ wəʔōtō taʔabōd ūbišmō tiššābē^{ac}* (6:13, cf. 10:20), "The Lord your God shall you fear, and Him shall you worship, and by His name shall you swear." But this litany-like formula, clearly reflecting in their proper order the themes of Commandments I, II, and III respectively, may well be adopted by Deuteronomy from an earlier source.

62. Other examples of plural address within the overwhelmingly singular formulations of the rest of DL should also be seen not as redactional tampering but as one of three things: scribal error (when the evidence of the versions is strongly against the MT); quotation from other sources (especially chap. 14 and cf. 17:16); and possible inconsistent attempts to separate Mosaic parenesis from divine *tōrā^h*, the latter phrased in the singular to better match the Decalogue.

63. As shall be shown in the "Conclusions" section, the inclusion of chaps. 6-11 would also destroy the climactic symmetry of the entire composition.

64. On *sēgullā^h* see M. Weinfeld, "Covenant of Grant" (N 3): 195 n. 103.

65. No doubt this Commandment was also widely understood to include imprecations (see H. C. Brichto, *The Problem of Curse in the Hebrew Bible* [Philadelphia: SBL, 1963]: 59-63), but it is clear from the third element of the formula of Deut 6:13 and 10:20 (see n. 61) as well as from the literary connections herein discussed that the false oath was the primary area of concern in the Deuteronomic understanding of the Third Commandment. For the basic meaning of *nsʔ lšwʔ* cf. Ps 139:20 where it is in synonymous parallelism with *ʔmr lmmh*.

66. Cf. Carmichael, *Laws* (N 19): 115.

67. Cf. Driver, *Deuteronomy* (N 23): viii.

68. As it now stands, the position of v 13 after the law of the Sabbath may be intended to equate Sabbath breaking with apostasy; cf. my argument below on Deut 13:1. But the verse has probably been displaced from an original position after v 9. Indeed, DL may not have been the first to connect *lōʔ tiššāʔ šēmaʔ sāwʔ* (Exod 23:1) with the near-homophonous Third Commandment *lōʔ tiššāʔ (ʔet) šēm (YHWH ʔelōhēkā lə)šāwʔ*, for one can, if only with a bit of imagination, see in the "cultic" law of the Covenant Code (Exod 22:19-23:19) the order of the first four Commandments: I-II = vv 19-30; III = 23:1-9,13; IV = vv 10-12,14-19. In light of the long recognized possible relationship between the civil, casuistic law of Exod 21:2-22:16 and the Second Table of the Decalogue (see n. 33), the whole matter of the role of the Decalogue in the structure of the Book of the Covenant has to be rethought as well. I would tentatively suggest a redactional history somewhat as follows: I. An original casuistic, civil code similar in content and arrangement to the Code of Hammurabi in which the Second Table topical units of murder (and damages), theft, adultery and witness (i.e., judicial proceedings) were already conceived of as the four major topical divisions of legal thought (see n. 25 and "Conclusions" section). II. A reworking with the addition of the cultic section arranged according to the First Table. III. A redactional abridgement wherein, among other modifications, the slave laws were moved to the beginning

(see above, p. 116).

69. A third, minor bit of evidence may be added. Deut 13:5 $\text{ʔaḥārē YHWH ʔēlohēkem tēlēkū wəʔōtō tīrāʔū wəʔet mišwōtāyw tīsmōrū ūbāqōlō tīsmāʕū wəʔōtō taʕābōdū ūbō tīdbāqūn}$ is clearly an expanded variant of the already mentioned Deuteronomic admonition $\text{ʔet YHWH ʔēlohēka tīrāʔ wəʔōtō taʕābōd ūbīsmō tīššābē}^{\text{a}}$ (Deut 6:13, cf. 10:20), yet is notably different from it in that it lacks the third element, swearing by God's name. We have already noted that DL does not repeat the laws of the Decalogue; they are presupposed. Thus perhaps our author has taken care to remove reference to swearing by God's name, in light of his concern in other Words to expand on the meaning of the commandments, lest such a reference be taken as a limitation on the sense of the Third Commandment.

70. Carmichael (*Laws* [N 19]: 78) has stressed the connection between "mourning" and the massive slaying of apostates in the previous chapter. This connection may play a minor role, but the major concern of the structure, as indicated by v 3, is certainly to continue the theme of apostasy.

71. That these were seen to be pagan rites has long been noted; cf. at length Driver, *Deuteronomy* (N 23): 155-157.

72. For the role of tōʕebā^{h} in the characteristic Deuteronomic vocabulary, see Weinfeld, *Deuteronomy* (N 3): 265-274.

73. Cf. Merendino (N 34): 326-336.

74. For tōʕebā^{h} as a reference to Canaanite syncretism, see P. Humbert, "Le substantif tōʕebā et la verbe tʕb dans l'ancien Testament," *ZAW* 72 (1960): 221-222.

75. Note especially the phrase $\text{tōʕābat YHWH gam-šānēhem}$ in 17:15 (false witness), 20:10 (false weights); cf. also the almost identical phrase in Deut 23:19.

76. One could, of course, argue that 7:6 is rather a commentary of sorts on 14:1-2. But in either case, the connection between 14:1-2 and apostasy is clear.

77. I have no doubt that Lev 11 was originally a part of H.

78. DL's concern with *nblh* alone (an animal that simply dies) without mention of the *ʔrph* (destroyed by a predator) dealt with in both the Covenant Code (Exod 22: 30) and Leviticus (22:8; 17:15) suggests that he almost certainly means to permit the eating of the latter.

79. Cf. H. C. Brichto, "On Slaughter and Sacrifice, Blood and Atonement," *HUCA* 47 (1976): 55. I suspect that a similar secularization of rules of purity, previously incumbent upon priests alone, is responsible for the dietary laws themselves. Of the many other proposed explanations of the origin of the dietary regulations with which I am familiar, none better fits the biblical evidence.

80. Cf. Carmichael's recognition of the sequence "food"—"tithes" in both passages; *Laws* (N 19): 81-83.

81. See Carmichael, *Laws* (N 19): 86 and cf. A. Cholewiński, *Heiligkeitsgesetz und Deuteronomium* (Rome: PBI, 1976): 221-222. I dealt with this issue at greater length in my (unpublished) paper "Of *mēšarum*, *andurārum*, *dērōr*, *šēmitā* and *yōbēl*: Unraveling the Welfare System Complex of Ancient Israel," presented to the 1978 meeting of the American Oriental Society.

82. Verses 4-5 of chapter 15 are undoubtedly secondary—an intrusive pietistic gloss making little sense; cf. Cholewiński (N 81): 222. The phrase $\text{bāʔareš . . . lārištāh}$ (v 4) is found elsewhere only in 25:19, a passage similarly extraneous to the original DL.

83. See M. Tsevat, "Alalakhiana," *HUCA* 29 (1958): 125-126.

84. Reading $\text{yir}^{\text{eḥ}}$ here (also in the second part of v 5).

85. Cf. Driver, *Deuteronomy* (N 23): 85, and M. Greenberg, "Parashat HaShabbat BeYirmiyahu," in *Iyunim BeSefer Yirmiyahu: Divre Hug HaIyun BaTanakh BeVet HaNasi* (Jerusalem: Isr. Def. Min., 1971): 33-34. Only those commentators who have considered its usage in chapters 15 and 16 have been successful in their exegesis.

86. As discussed most recently by J. Henniger, *Les fêtes de printemps chez les sémites et la pâque israélite* (Paris: Lecoffre, 1975): 1ff. Note that DL, in contrast to JE and P (Num 18) nowhere regards first born human beings as sacred to the LORD and therefore requiring "redemption." This reform is consonant with the principle of democratization operative throughout Deuteronomy.

87. A further connection may be noted in the near homophony of $\text{lōʔ tātṭē}^{\text{h}}$ (16:19) and $\text{lōʔ tītṭa}^{\text{c}}$ (v 21).

88. It is also possible that the prohibitor of ʔašērā^{h} and $\text{maššēbā}^{\text{h}}$ ('pillar') is given here because these, as divine emblems, may have played a role in the judicial procedures of the Canaanites as did divine emblems in Mesopotamia (See M. Schorr, *Urkunden des altbabylonischen Zivil- und Prozessrechts* [Leipzig: Hinrichs, 1913]: 348). Similarly the law of prophets in paragraph D is introduced by a prohibition of the pagan equivalents: diviners, necromancers and the like.

89. The crucial verb *tassig* has traditionally been translated "remove," taking it from the root *swg* (e.g., *RSV*, *NEB*). In light of the parallel case in the Hittite Laws (see the translation by A. Goetze in *ANET* 188-197) sections 162-169, the spelling of the verb with *šin* instead of *samek* in Job 24:2 (*yšygw*), and the poetic parallel $\text{ʔal tābō}^{\text{c}}$ "do not enter" in Prov 23:10, it is better seen as a *hipʕil* from *nšg*, 'to reach, overtake,' hence 'to violate.'

90. The animals, too, are ordered by worth; first, those that are personal property (J), then birds (L). I owe this observation to my student John Walton.

91. It should be clear enough that the operating assumption here is that an untended, lost or fallen animal is doomed.

92. The sequence intention, oversight, neglect was pointed out by my student Daer Platt.

93. This association may account for the substitution of "vineyard" for the "field" of Lev 19:9; cf. Driver *Deuteronomy* (N 23): 252.

94. Placing 22:5 after v 11 results in a multipartite tōʕebā^{h} law similar to 16:21-17:1. Furthermore, such a reordering is required if one conceives of the mixture laws, like those of transvestism, to be anti-pagan; cf. W. H. Ph. Römer, "Randbemerkungen zur Travestie von Deut. 22, 5" in *Travels in the World of the Old Testament: Studies Presented to M. A. Beek on the Occasion of His Sixty-Fifth Birthday* (Assen: Van Gorcum, 1974): 217-222.

95. Cf., e.g., von Rad, *Deuteronomy* (N 22): 127; Driver, *Deuteronomy*

(N 23): 244 and even Ibn Ezra on 21:10.

96. As pointed out to me by my student Cyril Carr, paragraphs D and E are also connected by the parallel imagery of the *felled* tree of the *field* (20:19) and the body *fallen* in the *field* (21:1).

97. Carmichael, *Laws* (N 19): 139. Note that three of the four laws so identified by Carmichael are third person in form (21:15; 23:1; 25:5) and may thus stem from an earlier source than the bulk of the second person singular law of DL. (If so, the primary reason for the occurrence of paragraph G in DL would certainly be structural!) For the fourth, 23:16, see below.

98. See Weinfeld, *Deuteronomy* (N 3): 265.

99. The logical connection between our paragraphs A, B and C was stressed by Ibn Ezra: *wsmkh prsh zw ky ksgr gbwl mby' lydy ryb wmkwt wrsyhh 'l kn ktwb 'hry z't nps bnpš 'yn b'yn sn bsn whtw'n ky hbrw hysg gbwl yby' 'dym*: "This section is mentioned here because boundary violation leads to quarrel, blows and murder. Therefore after this is written 'life for a life, eye for an eye, tooth for a tooth.' And he who claims that his neighbor has violated his boundary must bring witnesses."

100. Weinfeld, *Deuteronomy* (N 3): 73.

101. Cf. Carmichael, *Laws* (N 19): 186-190.

102. Note that in Hammurapi's Code 19 slave theft is equivalent to kidnapping and punishable by death and is, moreover, part of the general section dealing with theft.

103. Thus 23:1 is another law originally aimed at refuting the legal authority of the patriarchal narratives (Gen 35:22), but is here used primarily as a transition; see n. 97.

104. Note that B and the last law of A (v 11) are joined to the first law of C (vv 13-21) through the shared motif of cloth and clothing (as pointed out to me by Cyril Carr).

105. For this meaning of *nešek* see E. Neufeld, "The Prohibitions against Loans at Interest in Ancient Hebrew Laws," *HUCA* 26 (1955): 357. Neufeld fails to understand the implications of this translation, however. The Covenant Code (Exod 22:24) prohibits *nešek*, the taking of interest in advance, in the case of loans to the poor only. DL expands the prohibition to include all cases involving a "brother" Israelite, poor and self-sufficient alike; but in neither case are loans at regular interest (*tarbit*) prohibited.

106. For Deuteronomy's understanding of *gnb* and its implications for the original meaning of the Eighth Commandment, see the "Conclusions" section.

107. The non-Deuteronomistic origin of this paragraph is suggested by its use of the word *tō'ēbā^h* in an otherwise un-Deuteronomistic fashion; see Word III. Could not D (or at least its first section) have been added to DL as a response to Jer 3:1 instead of the usually assumed dependence of this Jeremianic oracle on DL?

108. Note, too, the association of *rēḥayim* with bride and groom in Jer 25:10. For a clear example of the sexual connotations of "grinding" in Biblical Hebrew, see Job 31:10.

109. Perhaps the current position of paragraph D within Word VII offers an insight into the compiler's (or author's) understanding of the very essence of the

two laws which comprise it. Both, like paragraphs E and F that follow, were apparently seen as preventing the theft of *nepes*—of the services and devotion of a groom to his bride, and of the self-respect of a divorced woman.

110. Thus the rather playful paronomastic connection drawn by the Tannaim between Miriam's punishment (leprosy, *māšōrā'*) and her crime (gossiping, *mōši' šēm rā'*) seems to have been anticipated by Deuteronomy. The rabbis of the midrash, like the medieval commentators, had absolutely no trouble seeing in 24:9 the prohibition of gossip; see *Siphre ad Deuteronomium* (L. Finkelstein, ed.; Berlin: Judischer Kulturbund in Deutschland E. V., 1939): 194, Rashi, Ramban, and Ibn Ezra *ad loc.*

111. I owe both the recognition of this structure and the proper understanding of paragraph A to my student John Walton. In B note that the "poor man" of v 12 is mentioned only in a sub-paragraph of the general law concerning debtors. Then as now, not all debtors were poor.

112. For a succinct refutation of the prevalent view see Cassuto, *Exodus* (N 1): 248-249. The currently fashionable solution to this problem was first formulated by A. Alt in "Das Verbot des Diebstahls im Dekalog," *Kleine Schriften* I (Munich: C. H. Beck, 1953): 333-340. He argues that *hmd* involves action, but that the Tenth and Eighth Commandments do not overlap inasmuch as the Eighth refers only to the kidnapping of a free, male Israelite. Though widely accepted in subsequent scholarship, his argument is based on conjectures and presuppositions and totally ignores the biblical and extra-biblical evidence. See "Conclusions," below. Another rebuttal of Alt's position has been attempted by H. Klein, "Verbot des Menschendiebstahls im Dekalog?" *VT* 26 (1976): 161-169.

113. A probable paronomastic connection between this paragraph and the preceding has been brought to my attention by Prof. Jonathan S. Paradise—that is, between "genitals" and "stone." In Eccl 3:5, "stones" is clearly a euphemism for "genitals": see R. Gordis, *Koheleth, the Man and his World* (New York: Bloch, 1951): 220.

114. Cf. H. G. Reventlow, *Gebot und Predigt im Dekalog* (Gütersloh: G. Mohn, 1962), and L. Peritt, *Bundestheologie im Alten Testament* (WMANT 36, 1969): 79-80.

115. Thus (and in light of the emphasis on "seven" in Word IV) in contrast to the opinion of some (including, until now, this author), the seven day periodicity of the Sabbath is not an Exilic development; cf. Lohfink, "Zur Dekalogfassung von Dt 5," *BZ* 9 (1965): 28.

116. Cf. J. J. Stamm, *The Ten Commandments in Recent Research* (London: S.C.M., 1967): 22 and M. Weiss, *The Bible and Modern Literary Theory* (Jerusalem: Bialik 1962 [Hebrew]): 127ff. The best evidence for the antiquity of the "Nash" sequence is Jer 7:9. That the prophet is alluding to the Decalogue is unquestionable. That he intentionally cites the commandments in reverse order is doubtful, however, in light of his omission of the Fourth and Fifth Commandments. Jeremiah's ordering must simply be ascribed to his poetic sensitivities.

117. Cf. Weinfeld, *Deuteronomy* (N 3): 146-157.

118. Cf. *ibid.* and see now J. Klima, "Die juristischen Gegebenheiten in den

Prologen und Epilogen der mesopotamischen Gesetzeswerke," in *Travels in the World of the Old Testament: Studies Presented to M. A. Beek on the Occasion of His Sixty-Fifth Birthday* (ed. M. S. H. G. Heerma van Voss *et al.*; Assen: Van Gorcum, 1974): 146-169.

119. See J. R. Lundbom, "The Lawbook of the Josianic Reform," *CBQ* 38 (1976): 293-302.

120. Certainly the entire second discourse must be included in the original Deuteronomy, but probably much more. Cf. Above on 13:1. Fohrer, (*Introduction* [N 9]: 133) and Lohfink, (*Hauptgebot* [N 21]: 291) are typical of those who argue for the original independence of DL from its current context.

121. For bibliography see Seitz, *Studien* (N 9): 92-93 and 314-323. The fact that no two scholars ever agree on even the essentials should have been evidence enough that they all were on the wrong track.

122. Subsequent research should be devoted to the development of solid criteria for delineating the various pre-Deuteronomiac elements which have been used by our author. This is and will be a treacherous business in which only a substantial accumulation of significant features may be considered definitive. For example, not all of the laws with the phrase "So shall you purge the evil from your midst" can be deemed to be pre-Deuteronomiac simply because of that common element (cf. N. Lohfink, "Deuteronomy," *IDB Sup.*: 230). I would instead understand this phrase as a purely Deuteronomiac rationale for capital punishment. On the other hand, those of this group that are identical in construction (*ki*-imperf.-subject-participle) and also amplify the participial pronouncements of Exod 21:12-18 (19:11; 21:18; 24:7 and perhaps 22:22; see Merendino [N 34]: 336-345) may well belong to an earlier catalogue of casuistically formulated cases of capital punishment.

THE KINGS OF THE MELQART STELA

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The Aramaic dedication to Melqart on the stela found just north of Aleppo consists of a dedicatory formula of a type well attested in Phoenician inscriptions. In spite of the simplicity of its principal statement, however, this text has been the subject of considerable controversy since it was published by M. Dunand in 1939.¹ This controversy has arisen over the identity of the Bar-Hadad (Hebrew Ben-Hadad) who had this stela erected. Unfortunately, the second line of this text, where Ben-Hadad's identity was described in more detail, is badly damaged. Enough of the letter traces originally present in this line remain, however, to have sparked the controversy about which Ben-Hadad of Damascus originally was referred to here.

INTERPRETATIONS

W. F. Albright, for example, reconstructed this line in such a way as to identify this Ben Hadad with "br. Ṭ^rbr^l[m]n[b][r]. Ḥzy^l[n] / mlk ṣ^rm . . . the son of Ṭāb-Rammān son of Ḥadyān, king of Aram . . ." ² If this interpretation were correct, it would identify this Ben-Hadad with the king of the same name and patronyms referred to in 1 Kgs 15:18. From this point Albright went on to identify the Ben-Hadad of this stela and 1 Kgs 15:18 with the Ben-Hadad who figures prominently in the biblical

narratives from 1 Kings 20 to 2 Kings 8.³ This view of Albright has been accepted by some,⁴ but it has been rejected by others who differentiate two Ben-Hadads here. These objections have arisen because some of Albright's readings of the letters in the second line of this text are open to question, as will be shown in the "Epigraphy" section of this paper below, and because some of the historical information from this period does not fit well with the relations he proposed here.⁵

These difficulties with the interpretation of the Melqart Stela led F. M. Cross to examine it anew,⁶ with the aid of photographs taken more recently than that which Dunand published and from which Albright worked. The photographs of this stela, published by J. B. Pritchard⁷ and S. A. Birnbaum,⁸ provide better views of several parts of this inscription. In general, Birnbaum's photograph provides the best view of the right side of the second line while Pritchard's photograph provides the best view of its left side. Employing these new and improved views of this inscription, Cross has been able to improve upon Albright's treatment of it at a number of points in the disputed second line.

Cross now reads lines 2-3 as identifying Ben-Hadad as "br ʿzr [.] mš'q'y[ʿ] b[r] / mlk ʿrm . . . son of ʿEzer (ʿIḏr), the Damascene, son of the king of Aram . . ." Cross went on to identify this Ben-Hadad as a previously unknown Ben-Hadad III who was the son and crown prince of (and possibly coregent with) Ben-Hadad II of 1 Kings 20-2 Kings 8. Retaining the Ben-Hadad of 1 Kgs 15:18 as a separate individual and inserting this new Ben-Hadad in the list of rulers of Damascus in the ninth century required changing the description of the Son of Hazael who came to the throne at the end of this century (2 Kgs 13:3) from Ben-Hadad III to Ben-Hadad IV.¹⁰

In his transcription Cross takes the *mem* in the middle of line 2 as the first letter of his word for Damascus and he reconstructs only a word-divider immediately preceding it.¹¹ In his interpretive comment on this gentilic Cross holds that Damascus should have been written with a *zayin* in mid-ninth century Aramaic.¹² The absence of any evidence for a *zayin* here appears to have been one reason why he preferred to leave this space to a word-divider. There is evidence for another letter here, however, as both Birnbaum's photograph¹³ and Cross' hand copy¹⁴ show a

downward stroke angling to the right in this space. To explain this Cross allowed there may be a trace of a *dalet* or even of an *ʾalep* here.¹⁵ An *ʾalep* would not make good sense as an article on the personal name of ʿIḏr here, however, and none of the nouns that Cross considered briefly as alternatives to ʿIḏr make as good sense as that personal name does.¹⁶ From these considerations it seems preferable to take the letter in this space as a *dalet* with which Damascus begins even though the proposed letter is not entirely clear because its head had been damaged. The *yod* and the *ʾalep* which Cross has found at the end of this word are also open to question (see below).

In his interpretation of the Melqart Stela, J. C. L. Gibson has followed Albright's interpretation and thus his view need not be discussed further.¹⁷ H. Donner and W. Röllig have left the second half of the second line of this text untranscribed and untranslated.¹⁸ In their commentary they consider Albright's reconstruction of this line doubtful, his identification of Ben-Hadad I with the former Ben-Hadad II incorrect, and they suggest that this stela might have been inscribed by a servant of one of these two kings rather than one of the kings themselves.¹⁹ Neither S. Segert nor R. Degen has transcribed the second half of this line in their recently published grammars of Old Aramaic.²⁰

E. Lipiński, on the other hand, has adopted from Cross all except two of his readings for the letters in the second line.²¹ He differs from Cross where he restored a word divider in the middle of the line and in the case of the *qop* which Cross reads in "Damascus" three letters to the left of that word-divider. Lipiński reads the letters *šin* and *zayin* in those two spaces respectively, and he has also added a word-divider between the *yod* and the *ʾalep* towards the end of the line.²² Thus from the end of the first line to the beginning of the third line, Lipiński reads, *br . h / dd . br ʿzr ʿš' mš z' y' . ʾb / mlk ʿrm*, which he translates as, "Bar-Hadad, son of ʾIḏri-Šamš who (was) the father of the king of Aram."²³ For Lipiński, the king of Aram who was the son of ʾIḏri-Šamš was Hazael. Thus, according to this view, this stela dates to Hazael's reign (841-805) and the Ben-Hadad who had it erected was a brother of Hazael's who did not come to the throne.²⁴ With these divergent views of the Melqart Stela still current, a re-examination of the text appears to be in order.

EPIGRAPHY

With the exception of preferring a *dalet* over the reconstructed word-divider, as discussed above, I concur with the reading of Cross for all of the letters of the second line of this inscription up to and including the *qop* in *dmsq*. The first four letters of this line (-*dd . br*) are relatively clear in all of the photographs and they are not in dispute. The fifth letter, a circular one, was interpreted by Albright to be crossed like a *tet*;²⁵ but it is better taken as a dotted *ayin* as Cross has done.²⁶ Both of the new photographs show the *zayin* following the *ayin* better than Dunand's photo did, and it can be compared with the *zayin* at the beginning of the fourth line. Birnbaum's photograph best shows the *res* which follows the *zayin*. Thus far, therefore, Ben-Hadad has been identified as *br 'zr* or the "son of 'Idr." Given a phonetic shift in dentals this name can be equated readily with 'Idri, the second element in the name of Adad-'Idri, the king of Damascus with whom Shalmaneser III of Assyria came in contact on the four western campaigns he conducted between 853 and 845.²⁷

The *mem* and the *sin* grapheme in the middle of this line stand out in Pritchard's photograph and are also visible in the Birnbaum plate; hence, Albright's proposal to read the latter as a *nun* is no longer acceptable because of the letter's complete lack of a downstroke in contrast to the clear downstroke with the preceding *mem*. The *qop* which Cross has proposed to follow the *sin* grapheme (realized phonetically as a *sin*) shows up only in Birnbaum's photograph. It is badly damaged in comparison to the *qop* at the end of the third line. Only the lower portion of the circular head of this *qop* remains. It is preserved further up on the right and lower down on the left, which gives it the appearance of a cup pouring to the left. The stroke angling downwards to the right from the base of the circular head now is very short. To the left of where the upper margin of the circular head should have ended originally there is a hint of a continuation of the diagonal stroke. What looks like a dot remains in the center of the head and this may be a remnant of the stroke which originally crossed it. A *qop* here makes a reasonable reading out of the traces preserved, and it provides good sense in context with the letters which precede it.

Lipiński has proposed that this letter should be read as a

zayin,²⁸ but the two horizontal strokes of a *zayin* are not present here, and the only line that could connect them does not angle up towards the right as it should with a *zayin*, but rather to the left. Hence, Lipiński's reading should be rejected. The likelihood of a *dalet* preceding the *mem* of this word has already been discussed. I do not find any traces of or sufficient room for the *sin* that Lipiński proposed here. Thus the *mem* and the *sin* grapheme of *dmsq* appear reasonably certain and its *dalet* and *qop* are at least epigraphically possible and reasonable, considering the context.

All but one of the last four letters of this line are difficult. The next to the last letter of this line is the exception since it stands out in the Pritchard photograph as a *mem*. The middle of the head of this *mem* is located just below the tip of the downward stroke of the damaged *he* at the end of the first line. The head of this *mem* is comparable in appearance to that of the *mem* in the middle of this line except for the fact that the head of the preceding *mem* inclines slightly more downwards to the right. In contrast to that earlier *mem*, most of the tail of the *mem* at the end of this line has been broken away. Its final upward stroke is faint so that it looks like a *sin* written upside down.

The last letter of this line, to the left of this *mem*, looks most like a *nun*. It can only be seen well in the Pritchard plate (only the tip of its downward stroke can be seen in the Birnbaum photograph). The long downward stroke of this *nun* points toward the left edge of the head of the *res* at the end of the line below it. This downward stroke is quite long, as long as that of the *nun* at the beginning of the first line, and it is essentially vertical, curving only slightly to the left. The head of this *nun* is rather deeply incised, and it is located on a level slightly above that of the head of the *mem* to its right. The head of this *nun* is slightly more angular than that of the *nun* at the beginning of the first line, and its horizontal stroke is not quite as wide as that of the preceding example. This form has also been noted by Gibson, who observed, in commenting on the *res* that Cross has reconstructed at the end of this line, "he overlooks a shape that may well be J."²⁹ The tail of this letter is too long for the *bet* that Dunand, Cross and Lipiński have read here; it does not angle to the left as the tail of a *bet* should, and there is no transverse incision to close its head as there should be with a *bet*.

The letters between the *qop* of *dmsq* and the *mem* at the end of

this line are the most difficult of all in this inscription. I cannot see any sign of them in the Dunand or Birnbaum photographs, nor can I see any of the letters that previous commentators on this text have suggested here. In the new Pritchard photo, however, there are some traces which merit consideration. Just to the left and slightly above the head of the *qop* there appears to be a triangular head which points to the left. The stroke which runs down from it angles slightly to the right and is even with the head of the *qop*. Its incisions are not nearly as deep as some of the clearer letters of this inscription; consequently, it could be just a defect in the stone. If these traces do represent a letter, however, that letter would have to be a *dalet*, a *reš* or a *bet* from which the horizontal portion of its downward stroke is now missing. A *bet* brings the best sense to the translation of this inscription presented below.

Just to the left of, and even with this thin-lined triangular head, there are additional traces of another smaller triangular head according to the Pritchard photo. Its incisions are somewhat deeper, as is the incision of its downstroke, which is also short and directly vertical. Another more shallow transverse line, presumably a defect in the stone, crosses this smaller triangular head. Again, if these traces represent a letter of the original inscription, that letter would have to have been a *reš*, a *dalet* or a *bet*. With a reconstructed *bet* preceding it, a *reš* makes the best sense here.

Of the last four letters in this line, therefore, the *mem* seems certain, the *nun* is probable, and the *bet* and the *reš* are at least possible but must be reconstructed from mere traces left on the stela. These conclusions provide a tentative reading of *brmn* for the last four letters of this line. I would suggest that *brmn* should be interpreted as *br-rmn*, "son of Rimmon." Such a suggestion would indicate that an orthographic assimilation has taken place here in which the *reš* from the word for "son" has been written together with the *reš* of "Rimmon" as one letter in the inscription. Examples of such a phenomenon are provided in the very useful studies of I. O. Lehman and W. Watson on shared consonants in inscriptional and biblical texts.³⁰

Lehman refers to this phenomenon as the "textual ambivalence of Hebrew consonants," and he has cited 23 examples of such shared consonants from the Lachish Letters (2), the Dead Sea Scrolls (3), Aramaic papyri (2), the Samaritan Pentateuch (1),

the Peshiṭta (2), the LXX (5) and the MT (8).³¹ Watson has traced the study of this subject from S. D. Luzzato (1847), through B. Stade (1875), F. Perles (1895) and F. Delitzsch (1920), to J. Hempel (1961).³² He has cited observations on shared consonants in Phoenician, Aramaic, Moabite, Ugaritic and a possible Akkadian example from Ugarit.³³ From the MT he has added a dozen examples of his own and compiled a catalogue of such cases listed according to their respective letters of the alphabet.³⁴

Thus the suggestion of shared consonants that we have posited here in the case of *br-rmn* > *brmn* is well known as an aspect of ancient Semitic scribal practice. Particularly instructive here is the example *wyšbh* from the Moabite stone, since it too is an inscription and was inscribed about the same time as the Melqart Stela. In his Phoenician grammar J. Friedrich expressly states that the *wyšbh* is the abbreviated spelling for *wyšb bh* in line 8 of the Mesha Inscription.³⁵ In commenting on this passage F. I. Andersen noted, "While there does not seem to be enough space for another *b* at the end of line 8, *wy[šb]bh* is preferable because it conforms to usage found twice more in the inscription."³⁶ Probably there are a number of reasons why scribes used shared consonants in different places at different times. For this particular case, however, Watson has suggested, following Andersen's observations, "If the example of the Mesha Inscription is any guide, a letter was sometimes left out because there was no room."³⁷ Since the *nun* at the end of the second line of the Melqart Stela was inscribed at the extreme edge of the stone, one might suggest a similar explanation for the shared *reš* two letters before it that has been proposed here.

To conclude these epigraphic observations a copy, transcription and translation of the entire text is presented here:

COPY

In the following hand copy reconstructions and the damaged portions of letter appear as broken lines.

Direct Transcription

1. *nšb*². *zy. šm br ḥ*
2. *dd. br ʿzr dmsq brmn*
3. *mlk ʾrm lmrḥ lmlqr*
4. *t. zy nzt lh wšm^c lql*
5. *ḥ*

Arranged Transcription

1. *nšb*² *zy šm brhdd*
2. *br ʿzr dmsq*
3. *brmn mlk ʾrm*
4. *lmrḥ lmlqr*
5. *zy nzt lh*
6. *w šm^c lqlh*

Translation³⁸

¹The stela which Bar-Ha²dad,
son of ʿIdr of Damascus,
son of Rimmon ³king of Aram,
set up for his lord Melqar^t,
to whom he made a vow,
and who heard his voi⁵ce.

INTERPRETATION

Reading the name of Rimmon at the end of this line naturally suggests a connection with Ṭab-Rimmon who is identified as the father of one of the Ben-Hadads of Damascus in 1 Kgs 15:18. Identifying the Rimmon proposed here with Ṭab-Rimmon of the

Bible would indicate that the first element of his name, which is present in the Bible, was deleted when it was inscribed on this stela. The preceding patronym of this inscription provides a good example of the use of the shortened royal name like this. ʿIdr is the name of that king, but we know from Assyrian inscriptions that his full name was Adad-ʾIdri.³⁹ While a hypocoristicon would not seem unusual here in view of the fact that the name of the preceding king has also been shortened, the difference in the case of Rimmon is that it is the theophorous element which remains. Examples of this type of hypocoristicon are also known, however, as is demonstrated in the case of Hadad of Edom in 1 Kgs 11:14-21 and with Baal who was the king of Tyre contemporary with Esarhaddon and Ashurbanipal of Assyria.³¹ It has been proposed that *ia-ū-a/ia-a-ū*, the name of the king of Israel on the Black Obelisk and in the Annals of Shalmaneser III, which has generally been taken to be Jehu, is a hypocoristicon of the Yahwistic theophorous element, but this is doubtful.⁴¹ A fuller discussion of hypocoristic names of non-royal persons with many examples can be found in F. L. Benz' study of the Pheonician and Punic onomastica.⁴²

The presence of a second patronym here would have been consonant with a common practice for which there are various parallels. Three generations of kings—the acting king and two of his predecessors—are listed in the Ammonite inscription of Amminadab,⁴³ in the Phoenician inscriptions of Kilamuwa and Yehawmilk⁴⁴ and in the Aramaic inscription of Barrakkab.⁴⁵ Without attempting to survey the volume of parallels available from Mesopotamia, one might note the three generations listed in texts from Tiglathpileser I and Shalmaneser III.⁴⁶

An additional reason why one might expect the Melqart Stela to have listed a second patronym is the space intervening between Damascus in the middle of the second line and the title of the king of Aram at the beginning of the third line. Given the parallels already cited from stelae of a similar type, one would ordinarily expect this space to have been filled by another personal name rather than by a further contribution to a string of titles. The syntax of the second line proposed above appears unusual, for one would not ordinarily expect a personal name to be in construct with a place name, as we have here with “ʿIdr of Damascus.” When personal names were designated with regards

to place of origin, gentilic endings were generally used. The alternative to the gentilic was to insert a title in construct with the place name after the personal name, i.e., "X the king of Y" or "X the man of Y."⁴⁷ One way to solve this problem would be to suggest, as Cross has done,⁴⁸ that a *yod* follows the *qop* of "Damascus" and thereby making of this place name a gentilic. I do not see that letter, however, and the space for it is also in question. I prefer, therefore, to retain the more difficult interpretation of "ʿIdr of Damascus" and would offer an alternative explanation for it.

Both the genealogy and titulary of this inscription have been abbreviated. Of its three royal names only one, Bar-Hadad, looks fairly complete. Its titulary contains only two titles, both different, for its three kings. Contrast this situation with the Siran Inscription, for example, where a full genealogy and titulary are given:

Amminadab, king of the Ammonites,
son of Hiṣṣalʿel, king of the Ammonites,
son of Amminadab, king of the Ammonites.⁴⁹

The formulaic character of Bar-Hadad's inscription should be taken into account in evaluating its abbreviated genealogy and titulary. It is not truly poetic in nature but it is quasi-poetic in structure, as we have attempted to point out in the arrangement of the transcription and translation above. Incomplete parallelism is common in poetry and could also, therefore, be expected in a formulaic statement like this. I would suggest that is what is present here: incomplete parallelism in a formulaic statement in which the full names and titles were to be understood throughout the genealogy. This can be seen best by reversing the genealogy in translation:

(Ṭab-)Rimmon, (king of Damascus,) king of Aram,
(Hadad-)ʿIdr, (king) of Damascus, (king of Aram),
Bar-Hadad, (king of Damascus, king of Aram).

Thus Bar-Hadad, who has no titles directly connected with his name, is understood to possess the titles of his predecessors even though they are not directly juxtaposed with his name. One could

understand his patronyms as parenthetical and take the title of the king of Aram as his, but that would leave Rimmon without any title. Thus it is best to take that title as shared by all three generations. It belongs to Ṭab-Rimmon because it is most directly connected with his name and it belongs to Bar-Hadad by right of descent and on the basis of incomplete parallelism in a formulaic statement. This also provides an explanation for the unusual syntax of "ʿIdr of Damascus," for it suggests that what was meant to be understood here was "ʿIdr (king of) Damascus."

The genealogy and titulary of the kings of Aram and Damascus recorded in 1 Kgs 15:18 bear a resemblance, one generation removed, to the genealogy and titulary of the Melqart Stela:

Melqart Stela	1 Kgs 15:18
Bar-Hadad,	Ben-Hadad,
son of (Hadad-)ʿIdr, (king) of Damascus,	son of Ṭab-Rimmon,
son of (Ṭab-)Rimmon, king of Aram.	son of Hezion, king of Aram,
	who dwelt in Damascus.

The patronyms in 1 Kgs 15:18 probably are more directly parenthetical than they are on the Melqart Stela, but turning the phrase about dwelling in Damascus into an epithet and transposing it to follow Ṭab-Rimmon would align these genealogies and titularies in a similar pattern. The repetition and distribution of these titles has been complicated by the fact that two titles were involved. One refers to the seat of the royal residence of these kings, and the other describes their claim, real or potential, to hegemony over greater Syria.⁵⁰

The name ʿIdr in this inscription can readily be equated with ʿIdri in the name Adad-ʿIdri who is known from the annals of Shalmaneser III as a participant in various events in the west from 853 to 842. At first glance the correspondence of these two names would appear to identify the ʿIdr of this inscription with Ben-Hadad II who is known from both the Bible and the Assyrian annals. That identification would make the son who erected this stela Ben-Hadad III. As Cross has emphasized, "he can be fitted into the sequence of kings of Damascus at no other point."⁵¹ The case for this identification, however, is not quite so straightforward as it might first appear.

The first matter that should be mentioned here is the different names given to the principal king of Damascus during this period by our sources. From 1 Kings 20 to 2 Kings 8 he is referred to as Ben-Hadad (II) while Adad-ʾIdri is the name by which he is known from the Assyrian annals. This difference has been discussed by various commentators, but only inconclusive results have been reached.⁵² The best current explanation for this difference probably is that Ben-Hadad was his throne name while Adad-ʾIdri was his personal name.⁵³ Both names share the same divine element and the shift from a servant to a son of Hadad could have involved some aspect of the Aramean theology of kingship, though this point is still obscure. Regardless of the reason adopted to explain this difference in names, it is obvious historically that both the Bible and the Assyrian annals referred to the same individual since his death and Hazael's succession are referred to by both.⁵⁴

The distinction between Ben-Hadad I and Ben-Hadad II should be emphasized. Crucial here is 1 Kgs 20:34 where, after his defeat and surrender, Ben-Hadad (II) vowed to Ahab, "the cities which my father took from your father I will restore; and you may establish bazaars for yourself in Damascus, as my father did in Samaria." Since the establishment of markets in Samaria could only have taken place after Samaria was founded by Omri (1 Kgs 16:24), the reference to the Ben-Hadad in the time of Baasha prior to Omri's reign (1 Kgs 15:18) should refer to the father of the Ben-Hadad who vowed his vow to Ahab in 1 Kgs 20:34. The attempt to explain this statement concerning Samaria away as merely referring to the capital of Israel before Samaria was built is unsatisfactory, because it would mean that Ben-Hadad referred to Samaria when he really meant Tirzah.⁵⁵ So inaccurate a statement of past relations would have made a poor prologue to the re-establishment of commercial relations. In accordance with good Semitic usage, Ben-Hadad's reference to Ahab's "father," from whom his father took away towns, should refer to Baasha as a predecessor of Ahab in office rather than to Ahab's actual father, Omri. No conflicts between Damascus and Israel are recorded during the reign of Omri, but the towns and territory that Ben-Hadad I conquered from Baasha are recorded in 1 Kgs 15:20. Thus the political, military and commercial factors involved in a comparison of 1 Kgs 15:18-20 with 1 Kgs

20:34 all argue in favor of distinguishing between Ben-Hadad I in the earlier passage as a contemporary of Baasha and Ben-Hadad II in the latter passage as a contemporary of Ahab and his successors.

It is unusual to have two kings in succession who bore the same name. In Babylon and Assyria there are no examples of such a succession prior to the Persian period,⁵⁶ and there are no examples of this among the kings of Israel and Judah. Given the number of names the king carried in Egypt, the picture is more complicated in that locale.⁵⁷ Allowing for such a qualification, however, it may be noted that there were a number of cases during the Middle Kingdom and the New Kingdom in which a pharaoh bore the name of his immediate predecessor.⁵⁸ The classic case of this is, of course, the 20th Dynasty in which nine kings in a row bore the same nomen of Rameses (III-XI). Given the same qualifications about the use of a nomen and prenomen in the Hellenistic period, this was also a common practice among the Seleucids and a consistent practice among the Ptolemies.⁵⁹ Thus parallels in which two kings in succession bore the same name, as it is necessary to posit here, are only approximate and not precise.

Although it appears to be unusual to have two kings in succession who bore the same name, nevertheless that is what our sources appear to indicate. The fact that both of these Ben-Hadads bore the same name raises the possibility, by analogy, that more than one king of Damascus bore the name of ʿIdr or Adad-ʾIdri. Since Ben-Hadad I and Ben-Hadad II bear the same name in the Bible, it is reasonable to suggest they could have borne the same personal name, Adad-ʾIdri, the name we find for Ben-Hadad II in the Assyrian annals. With the assumption of this parallelism of names proposed here, we can formulate a different correspondence between the names found in the Bible, the Melqart Stela and the Assyrian annals. This can be outlined as follows:

<i>1-2 Kings</i>	<i>Melqart Stela</i>	<i>Assyrian Annals</i>
Ben-Hadad I	ʿIdr	[Adad-ʾIdri (I)?]
Ben-Hadad II	Bar-Hadad	Adad-ʾIdri (II)

From this arrangement it is suggested that the 'Idr of the Melqart Stela could have been Ben-Hadad I just as well as Ben-Hadad II. If the reconstruction of the name of Rimmon at the end of the second line is correct, it would confirm this arrangement. Even if this reconstruction is not correct, however, I would still suggest that this arrangement is a reasonable one that makes good sense out of the kings listed on this stela.

Finally, something should be said about the historical circumstances which led to the erection of this stela. It was found near Aleppo in northern Syria, but it was erected there by a king of Damascus in southern Syria. This may well have been a reason for the employment of the title "king of Aram" in this inscription. A recurring historical circumstance which forced Ben-Hadad II to lead his armies into central and northern Syria on four occasions during the last decade of his reign was the repeated invasion of this territory by the armies of Shalmaneser III of Assyria. According to the dates connected with these events in Shalmaneser's annals, such campaigns were conducted in 853, 849, 848 and 845.⁶⁰ Ben-Hadad II died shortly before a fifth campaign in 841, so he did not have to face the Assyrians on that occasion. The Melqart Stela could have been erected in the aftermath of any of the four campaigns the Assyrians conducted in Syria between 853 and 845.

I personally prefer to connect it with the first campaign in 853, as an aftermath of the battle near Qarqar. Part of the reason for that preference has to do with the actions of Aleppo, near which this stela was erected, during the course of that campaign. The first city of Syria that Shalmaneser approached after crossing the Euphrates was Aleppo. Aleppo chose to submit and pay tribute to Shalmaneser rather than to attempt to fight off his forces. Thereafter Shalmaneser turned south and fought his way through the territory of Hamath in central Syria which did not submit to him. It was near Qarqar in the territory of Hamath that the forces of the western coalition finally engaged the Assyrians in combat.

Shalmaneser, quite naturally, claimed a great victory over his foes. It is unlikely that this claim is true, for several reasons. First, the Assyrians did not campaign farther south or collect further tribute after that battle, which would have been the logical consequence if they had won. Second, the Assyrians did not even return to this area until four years later, as they

campaigned closer to home from 852 to 850. Third, when the Assyrians did return to Syria it took them four more campaigns—in 849, 848, 845 and 841—to undercut the power of Damascus in the area, and even in 841 they were not able to conquer Damascus itself. For these reasons it seems likely that the western coalition defeated the Assyrians in 853 rather than the reverse.

If the troops of the western coalition did defeat the Assyrians at Qarqar in 853, what did they do after they defeated them? The logical course of action would have been to have pursued them as they retreated northwards, at least as far as the Euphrates. If Ben-Hadad II and his fellow kings and troops did follow this course of action, they would have ended up in the vicinity of Aleppo. Thus far they had good reason to give thanks to Hadad for the victory which he had given them over their enemy. Having arrived in the vicinity of Aleppo, they could have turned their attention to that city since its inhabitants had been disloyal to their western neighbors because they submitted to Shalmaneser without a battle. Whether Ben-Hadad II attacked Aleppo at this time or not we cannot tell because we lack Aramaic sources which refer to these events, but it is possible. On the other hand, the inhabitants of Aleppo could have submitted to Ben-Hadad II at this time just as well as they did to Shalmaneser shortly before. In any event, Ben-Hadad II had at least two good reasons for erecting his stela there in 853.

NOTES

1. M. Dunand, "Stèle araméene dédiée à Melqart," *Bulletin Musée du Beyrouth* 3 (1939): 65-76.
2. W. F. Albright, "A Votive Stele Erected by Ben-Hadad of Damascus to the God Melcarth," *BASOR* 87 (1942): 25-26.
3. *Ibid.*, 26-27.
4. M. F. Unger, *Israel and the Arameans of Damascus* (Grand Rapids: Zondervan, 1957): 56-57; F. Rosenthal in *ANET*²: 655. For the most recent acceptance of Albright's interpretation of this text, see J. C. L. Gibson, *Textbook of Syrian Semitic Inscriptions, II. Aramaic Inscriptions* (Oxford: Clarendon, 1975): 1-4.
5. Namely, that the Ben-Hadad of 1 Kgs 15:18 and 20:1ff. is the same individual; cf. Albright, "A Votive Stele" (N 2): 27.

6. F. M. Cross, "The Stele Dedicated to Melcarth by Ben-Hadad of Damascus," *BASOR* 205 (1972): 36-42.
7. *ANEP*: 170, no. 499.
8. S. A. Birnbaum, *The Hebrew Scripts, II: The Plates* (London: Palaeographia, 1954-1957): no. 010. Two additional photographs of this stela have been published: D. W. Thomas, ed., *Documents from Old Testament Times* (London: Nelson, 1958): pl. 15; and H. Klengel, *Geschichte und Kultur Altsyriens* (Heidelberg: Schneider, 1967): pl. 40. The photograph in Thomas' work shows one letter of the controversial second line better than the other photographs of it, but in general it does not offer much assistance because it was taken at a greater distance than the photographs of Pritchard and Birnbaum. Klengel's work is not available to me.
9. Cross (N 6): 37-39.
10. *Ibid.*, 40-42.
11. *Ibid.*, 37-39.
12. *Ibid.*, 40. This is open to question because we lack other mid-ninth century references to Damascus in Aramaic. Cross himself has cautioned, "One must note also that the Old Aramaic inscription from Zinjirli, *KAI* 215:18, has *dmšq* not *zmšq* where otherwise *ḏ* is consistently represented by *z*." *Ibid.*, n. 17.
13. Birnbaum (N 8): no. 010.
14. Cross (N 6): 38.
15. *Ibid.*, 39.
16. *Ibid.*, 41, n. 19.
17. Gibson, (N 4): 1-4.
18. *KAI*, no. 201.
19. *Ibid.*, Bd. 2: 204.
20. S. Segert, *Altaramäische Grammatik* (Leipzig: VEB, 1975): 492; R. Degen, *Altaramäische Grammatik* (Wiesbaden: Steiner, 1969): 8.
21. E. Lipiński, *Studies in Aramaic Inscriptions and Onomastics I* (Leuven: Leuven Univ., 1975): 16.
22. *Ibid.*
23. *Ibid.*
24. *Ibid.*, 18-19.
25. Albright (N 2): 25-26.
26. Cross (N 6): 37-39.
27. Cf. *ANET*²: 278-281. The Monolith Inscription is the text of greatest importance in this series as it describes the Battle of Qarqar in greatest detail. The Monolith Inscription was originally published in hand copy by H. C. Rawlinson in his work, *The Cuneiform Inscriptions of Western Asia* (5 vols.; London: Bowler, 1861-1884): 3. pls. 7-8.
28. Lipiński (N 21): 16.
29. Gibson (N 4): 3.
30. I. O. Lehman, "A Forgotten Principle of Biblical Textual Criticism Rediscovered," *JNES* 26 (1967): 93-101; W. Watson, "Shared Consonants in Northwest Semitic," *Biblica* 50 (1969): 525-533.
31. Lehman (N 30): 94-100.

32. Watson (N 30): 525-527.
33. *Ibid.*, 526-528.
34. *Ibid.*, 528-533.
35. J. Friedrich, *Phönizisch-Punische Grammatik* (2nd ed.; AnOr 46; Rome: PBI, 1970): 39, n. 2.
36. F. I. Andersen, "Moabite Syntax," *Or* 35 (1966): 99.
37. Watson (N 30): 530.
38. For convenience of reference I have marked the lines of the text in my translation. However, due to the necessity of altering the word order from the original to conform to English syntax, the divisions are sometimes not strictly accurate.
39. See the references cited in n. 27 above.
40. For Ashurbanipal's reception of tribute from Baal of Tyre, see M. Streck, *Assurbanipal und die letzten assyrischen Könige bis zum Untergang Ninevehs* (3 vols.; Leipzig: Hinrichs, 1916): 2.49. For an English translation of this text see *ANET*²: 297. For Esarhaddon's treaty with the same king, see D. J. Wiseman, "The Vassal-Treaties of Esarhaddon," *Iraq* 20 (1958): 1-100.
41. P. K. McCarter, "'Yaw, Son of 'Omri': A Philological Note on Israelite Chronology," *BASOR* 216 (1974): 5-7.
42. F. L. Benz, *Personal Names in the Phoenician and Punic Inscriptions* (Studia Pohl 8; Rome: PBI, 1972): 232-235.
43. H. P. Thompson and F. Zayadine, "The Tell Siran Inscription," *BASOR* 212 (1973): 10.
44. *ANET*²: 654, 656.
45. Gibson (N 4): 79.
46. *ANET*²: 275-276.
47. The cases of "X the king of Y" are too numerous to require mention. For cases of "X the man of Y," see *KAI* 40:2; 55:2; 57:1; 65:11 and 116:3.
48. Cross (N 6): 39.
49. Thompson and Zayadine (N 43): 10.
50. In this connection note Zakir's identification of Ben-Hadad III as the king of Aram when he led the northern coalition against him (*KAI* 202A:4). Barga'yah's treaty with the king of Arpad is also stated to be a treaty with all (upper and lower) Aram (*KAI* 222A:5-6). The title is well suited to Ben-Hadad II as leader of the western coalition that fought against Shalmaneser III.
51. Cross (N 6): 40.
52. E. Kraeling, *Aram and Israel* (New York: Columbia Univ., 1918): 75-76; Gibson (N 4): 4.
53. Although this was only one of the solutions to this problem that Gibson discussed (*ibid.*), and he favors another one, it seems to be the most reasonable interpretation to me.
54. 2 Kgs 8:15 and *ANET*²: 280.
55. This was Albright's proposal to harmonize 1 Kgs 20:34 with his theory that the Ben-Hadad of 1 Kgs 15:18 and the Ben-Hadad of 1 Kgs 20:1ff. were the same individual; cf. "A Votive Stele," (N 2): 27.
56. For the kings of Assyria and Babylon see J. A. Brinkman's chronological

tables in A. L. Oppenheim, *Ancient Mesopotamia: Portrait of a Dead Civilization* (Chicago: Univ. of Chicago, 1964): 335-347. Artaxerxes III Ochus followed Artaxerxes II Memnon as the first Persian king who bore the same throne name as his predecessor.

57. On the royal titulary in Egypt see A. H. Gardiner, *Egyptian Grammar* (3rd ed.; London: Oxford Univ., 1957): 71-76.

58. Regardless how many Inyotefs and Mentuhoteps there were in the 11th Dynasty, all of the Inyotefs preceded all of the Mentuhoteps. In the 12th Dynasty, Sesostris III followed Sesostris II and Amenemhet IV followed Amenemhet III. In the 18th Dynasty Thutmose I, II and III ruled successively and Amenhotep IV followed Amenhotep III. For tables listing the pharaohs, see A. H. Gardiner, *Egypt of the Pharaohs* (New York: Oxford-Galaxy, 1966): 430-453. To understand the full significance of the successive use of such names, one needs to know the names of the other sons of these kings and such information is still fragmentary.

59. For the Seleucids: Antiochus I Soter—Antiochus II Theos, Seleucus II Callinicus—Seleucus III Soter, Antiochus IV Epiphanes—Antiochus V Eupator and Antiochus VI Dionysus—Antiochus VII Sidetes. Oppenheim (N 56): 341-342. For the Ptolemies: Ptolemy I Soter through Ptolemy XI Auletes, followed by Cleopatra and her husbands.

60. For the texts see the references in n. 27 above. For a discussion of this historical period see W. W. Hallo, "From Qarqar to Carchemish: Assyria and Israel in the Light of New Discoveries," *BA* 23 (1960): 33-61, reprinted in *Biblical Archaeology Reader 2* (1964): 152-188. Note especially pages 159-162.

ON M. H. POPE'S *SONG OF SONGS* [AB 7c]

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This review is guided by the venerable premise that serious works of scholarship deserve—indeed demand—serious considerations and responses. For better or worse, however, this genre of literature, to which the following exercise belongs, almost always exaggerates criticism at the expense of praise and encouragement. For this reason, I should like to make it clear at the outset that future research into the Song of Songs can scarcely progress without frequent recourse to Marvin Pope's recent contribution.

Within this gargantuan addition to *The Anchor Bible*, we have one of the finest commentaries on the Canticles ever presented to a modern audience. An amazingly learned mind has gathered evidence far and wide, has unlocked the secrets of words scarcely attested in the Semitic lexicons, has given generous space to the opinions of others, and has often succeeded in perceptively locating the right idiom with which to convey a Hebrew expression.

But, as these creative activities were turned into the finished product that is now under review, no boundaries, either spatial or temporal, seem to have been set to limit the gathering process. As a result, the literatures from the earth's four corners were considered legitimate sources of evidence. In attempts to calibrate the precise meaning of individual words and expressions, previous discussions are repeated at lengths which often

rival those of the original formulations. Such luxuries might be afforded on occasions when it is crucial to support a debatable rendering. But we meet with them repeatedly, even when they are culled from the brinks of scholarship. I believe that judicious editing of these excesses, either by Pope or by his editors, would have spared the readers much toil and would have helped them focus on the more important cruxes within the Canticles. It would, moreover, have prevented a serious tendency to trivialize by giving equal attention to problems and solutions of differing merits and importance. Certainly, an editor should have advised against an inclination—more legitimate in a classroom or among friends—to indulge in a sense of humor that is decidedly personal (e.g. at pp. 111, 247, 326, 347 etc.), to elaborately recall anecdotes that have little to do with the task at hand (e.g. at pp. 115, 123, 125, 126 etc.), to undertake irrelevant discussions (e.g. at pp. 504-505; 553-554), and to enter into *non-sequiturs* (e.g. at pp. 379, 382, 401-402, 414). The last often take shape in the form of a chinese-box, e.g., within pp. 307-318. There, the word “black” launches discussions which successively broach such disparate topics as “Cushites,” “black Jews in America,” “Dark-eyed beauties,” “black-goddesses,” “Chemosh,” “Black Rocks,” “Mecca,” “Hittite Goddesses,” and “Kali” (cf. pp. 379, 382, 417).

Then too, there is the matter of photographs and line drawings. I believe that Pope is badly counseled in this respect by his editors and by The Anchor Bible. What are we to make of all these representations of sexual acts frozen at one moment or another? Surely even the most victorian among us must realize that ancient Near Eastern folk were endowed by their creator with penises and vaginas and that, either guided by duty or driven by instinct, these organs occasionally disobeyed the laws of gravity, if not decency, in order to mingle in the most impossible of angles. While a few of these photos and sketches reproduced in this volume will undoubtedly be welcomed for their application in highlighting certain passages of the Song of Songs (e.g. pl. III, VII, perhaps even XI and XII), the majority can hardly be thought of as complementing the words of the Hebrew poet. Some are definitely chosen to please a very singular sense of humor (e.g., IV-VI); others, if intended to flesh a poetic verse, are either absurd (p. 457; pl. IX), grotesque (pl. X), or simply

kitschy (pl. XIV). The cover design, against which, I am told, even the author objected, might easily serve to sell Sealy-posturepedic mattresses.

But these objections to what I consider excesses of well-intended purposes, are plainly minor in importance. I hope that they might help reshape a second edition. In the following lines I will entertain considerations that are more substantial. These will deal with matters of translating and interpreting the Song of Songs. Appended to these remarks will be suggestions towards alternate understanding of the meaning and purpose of individual words and expressions.

Pope presents his translation of the Song of Songs on pp. 1-13. In general, this rendering reads very smoothly, and has definite advantages over previous attempts. Pope commendably breaks the Hebrew verses into short stanzas, so that even the longest does not contain more than 6 to 8 English words. The vocabulary chosen is that of contemporary American. For obscure reasons, however, Pope does resort to an occasional “o’er” (2:8d), “Methinks” (7:9a) and to the recurrent “hark” and “lo.” An occasional line is incomprehensible or unidiomatic (e.g., 5:9) or too apocopated to make sense in English (e.g., 2:4b).

The Song of Songs, as any biblical scholar knows, poses many translational problems. Within its relatively brief span of almost 120 verses, the text bristles with vocabulary unattested elsewhere in the OT and scarcely found in other Semitic languages. Verbal forms seem to defy the contexts in which they are set. Most troublesome to the translator is an abundance of sequences, each of which is made up of individually coherent images which, however, rarely build up into an identifiable whole. The longest of these is to be found in chapter 5. The extent of this particular sequence, even when defined by the most broadminded speculation, is limited to fifteen verses (vv 2-16). The majority of these units of expression, however, are all too brief. Moreover, it is not uncommon that the boundaries of these units are impossible to chart. At the risk of anticipating other points of discussion, let me choose vv 2-4 of the first chapter with which not only to highlight the difficulties that are experienced by the translator, but also to present some criticism of Pope’s approach to solving them.

1:2 *yīššāqēni minnāšiqōt pihū*
kī-ṭōbīm dōdēkā miyyāyin
 3 *lārē^aḥ šāmānēkā ṭōbīm*
šemen tūraq šāmēkā
^ʿ*al-kēn ʿālāmōt ʾāhēbūkā*

Most renderings divide 1:2-3 into two poetic units (henceforth, I shall follow Pope's numbering and subdivision of verses). Thus an unemended version, e.g. *JPSV*'s (1969) rendering, would read as follows: "Let him give me of the kisses of his mouth! / For your love is more delightful than wine." and "Your ointments yield a sweet fragrance, / Your name is like finest oil— / Therefore do maidens love you." Pope, who is very much aware of the syntactical difficulty caused by the preposition *lamed* when attached to *rē^aḥ*, takes his cue from a statement of Albright who, "on the basis of Ugaritic solves the difficulty simply by connecting this line [3a] with the preceding and construing *lērē^aḥ* as parallel to the preceding *miyyāyin*" (p. 300). Thus Pope divides the same verse into four units: "Let him kiss me with his mouth's kisses! / Truly, sweeter is your love than wine, / Than the smell of your precious oil. / Turaq oil is your name. / Therefore girls love you."

In reading this translation, one notes that Pope has (a) left forlorn 2a; (b) incongruously paralleled the sweetness of love's wine to the smell of oil; (c) permitted a statement on the swain's name to float with no verse to depend on; and (d) declared maidens to be in love for no reason. Note also that Pope makes no distinction between *lā* and *min*. Despite recent opinions (bibliography in O. Loretz, *Das althebräische Liebeslied* [AOAT 14/1; Neukirchen-Vluyn: Butzon & Bercker Kevelaer, 1971]: 4 n. 4), *lamed* is hardly attested as a comparative preposition. All in all, it seems to me that this is not an improvement on past translations.

I certainly do not have the answers to the difficulties contained in these particular verses. Below, I will offer a suggestion that might point to alternative renderings; but I will be quick to urge: *caveat lector*. I do want to take this occasion, however, to reflect on two points which grow out of the above examples. First, I would suggest that the problems of the Song are not ones that will simply yield to philological acuity, but are ones that must also be

approached from literary and aesthetic directions. Thus, even the most tested of Semitists, in which ranks I unhesitatingly would place Marvin Pope, will occasionally find his inexhaustible philological resources to be of minimal help.

At the outset we might admit that the task of any translator of the Canticles is not merely to transmit to those to whom Hebrew is inaccessible a *precise* English equivalent of the Hebrew original. To do so would be to present them with fragmentary and hyperbolic descriptions. Rather, a translator is also charged with alerting his readers to those qualities of the Song which have made these poems transcend their narrow and specific origins—those qualities which make them some of the finest verbal expressions of physical (and spiritual) love. What we seek, therefore, is not necessarily a rendering in which the resources of each Semitic language are brilliantly exploited to duplicate, word for word, the vocabulary of the ancient Hebrew poet. Rather, what we ought to have is a translation which would approximate the nuances and the ambiguities of the Hebrew original. In short, if any translation of the Song of Songs is to succeed in conveying the shimmering quality of these Hebrew poems, we ought to be less ready to pin down our poet, forcing him to tell us exactly what he meant. I will amplify on this thought by turning to another passage drawn from Pope's translation and, at the same time, broach the second point I wish to make.

For the sake of this argument, let me grant that Pope's philology is faultless and that his understanding of the vocabulary found in 7:3ab is sound. Let me accept his urgings that *šorrēk* means "your vulva," (pp. 617-618), that *sahar* means "turned" (pp. 618-619), that *ʾal* should be considered as a particle of emphatic negation (p. 619), and that *mezeg* is a "spicy mixture" (p. 620). His translation, "Your vulva is a rounded crater; / May it never lack punch!" would still, in my opinion, be insensitive. For what this rendering achieves is not faithfulness to the *erotic* quality of the passage, but one which has opted for a *pornographic* interpretation of the Canticles. The reader of this English translation, especially one who cannot dare to plunge into the formidable array of proof-texts and comparative Semitic found in the commentary, would have little choice but to accept that the Hebrew poet did not want his

audience to climb anatomically a few centimeters upwards in order to find spiked wine in the *navel* (the usual understanding of *šorrēk*). Additionally, in view of the double meaning of the English word "punch" ("mixed, spiked drink" as well as "a thrusting, perforating blow with the fist") Pope's choice of vocabulary turns lurid a passage that might have been merely descriptive.

This is not to insist that the ancient Hebrew poet was free of prurient inclination and that it would never occur to him to write unchaste lines, but that, by his translation, Pope has given the reader of *The Anchor Bible* little choice in deciding the issue. A more sensitive approach, in my opinion, would have been to retain a more ambiguous rendering *in the main body of the translation* and to reserve *for the commentary* an explanation that touches on the *double-entendres* conveyed in the text. Indeed, while Pope's commentary will repeatedly show a tendency, perhaps legitimate in some moments, to overemphasize the sexual connotations of the Hebrew vocabulary, even the translation will sporadically exhibit this startling lack of discernment between eroticism and pornography (e.g., his highlighting the word "hand" in 5:4a by placing it between quotes; his insistence on translating *ʿap* in 7:9d as "vulva").

I believe that this is not a minor issue. For the Hebrew poet (better perhaps: the editor and redactor of these Hebrew poems) was above all extremely subtle. Even his frequent changes in subject matters, his bewildering stylistic changes, his willingness to leave unfinished some physical descriptions, his leaps from one context to another, and his changes of focus—all these resulted from the deliberate literary device of stitching together disparate and fragmentary poems (perhaps even incipits of such poems), ones which may have originated in differing circles and at different periods. Because of this apparent lack of thematic cohesion and contextual progression, the poet succeeded in giving his audience and readers a wide latitude for understanding individual passages and for interpreting his message. Perceived from this angle, any search for the Hebrew poet's own sense of symmetry (cf. pp. 40-54), one which would decode a pattern behind the seemingly haphazard structure of the Song, is bound to be fruitless and unconvincing.

These thoughts permit me now to turn to Pope's formidable

"Introduction" and "Bibliography." The last is divided into three segments. One which collects the "Texts and Versions" of the Song of Songs, to which are added a limited bibliography that immediately pertains to each (pp. 233-236; note, however, the subheading "Targum" is missing from p. 234); another which has a liberal selection of commentaries and homilies published before 1800 and arranged chronologically (pp. 236-251); and a third which has a generous listing of books and articles, written after 1800. This reviewer wishes publicly to thank the author for this selfless expression of devotion to the literature in behalf of the reader and future researcher.

The bulk of the "Introduction," which by itself spans almost two hundred pages, deals with the literary and interpretive history of the Song (pp. 40-229). So developed and complete is Pope's recounting of the last topic that it might well be lifted out of its present covers and given separate publication. Two chapters within this treatise contain topics original to this commentary. The first, "The Song of Songs and Women's Liberation" (pp. 205-210), is devoted largely to an issue raised by Phyllis Tribble. Pope's opinion on the matter is stated on p. 210: "With regard to the Song of Songs she is certainly correct in recognizing the equal and even dominant role of the female and the absence of male chauvinism or patriarchalism." I would just like to object that love poetry, especially in its erotic variety, can hardly be dissected in search of social roles. Therefore, the Song would be the last context whence one should develop theses on women's liberation and the Bible. The last chapter, called "Love and Death" (pp. 210-229), contains Pope's own contribution to the interpretation of the Canticles. I shall return to this particular topic as I survey the interpretive history of the Song.

Despite its comparatively small size, the Song of Songs has elicited an unabating volume of secondary literature. Basically those interested in trying to deal with its contents can be divided into two main groupings. One grouping may be called "literalist," the other "allegorical." The first includes a limited number of interpretive avenues by which to remain faithful to the explicitly erotic vocabulary employed; the second, infinitely variegated in its presentations, seeks to unravel a hidden agenda behind the surface of the text. Pope's sympathy is made clear at the outset: "The trouble has been that interpreters who dared acknowledge

the plain sense of the Song were assailed as enemies of truth and decency. The allegorical charade thus persisted for centuries with only sporadic protests" (p. 17).

For me, what is most troubling about such a statement is its sure sense of what the Song is *not* about. I also find a certain amount of irony in the fact that, as Pope will strive to give us "the plain sense of the Song," he will constantly turn to the myths of Canaan, Mesopotamia and Egypt to buttress his remarks, ignoring the possibility that, in themselves, myths are but variant forms of allegory. Additionally, as it shall be soon noted, Pope's own understanding of the purpose of the Song can in no way be considered "literalist" merely because he is bolder than others in locating sexual organs in the text. Indeed, once any student of the Canticles begins to read a scenario into the text, or proposes a practical purpose for which the poems were destined, as Pope clearly does, then that interpreter can no longer be considered a "literalist." As far as I can note, true literalists have rarely belonged to the circles of biblical scholarship; rather, like Goethe and Herder, they have been humanists and "belles-letttrists." This is not accidental, of course, for it is the biblicists who are most concerned with examining the reasons behind the inclusion of the Song within the canon. And, even if some of them have shown little sympathy with the allegorists and have, consequently, espoused the theory that the Canticles was but a collection of love songs (e.g., Gordis), they too have seen some didactic purpose behind its preservation within the Old Testament.

It is also not accidental that what I consider to be "true literalists" among biblicists can be counted on the fingers of one hand (e.g., most recently, John B. White, *A Study of the Language of Love in the Song of Songs and Ancient Egyptian Poetry* [SBLDS 38; Missoula: Scholars Press, 1978]). But while their *literary* contribution to the general theme of love and erotic literature, especially that from the ancient Near East, can be considerable and perceptive, their interpretive analysis of the Song as a biblical text is often sterile and rarely instructive. This is because the literalist's approach is limited to finding parallels for erotic poetry among sundry cultures and to collecting and categorizing topoi that are shared with the biblical example.

The so-called allegorical interpretation has certainly fallen on bad times nowadays. Two of its multifold variants, that the love

expressed in the songs is that of God/Christ for Israel/the Church are venerable interpretations, dating from the earliest moments of biblical exegesis. While for us such views may seem redolent with piety and sometimes embarrassingly sectarian, it should nevertheless be stated that there is nothing in them that goes against the Old Testament grain. Israel's great prophets, Hosea, Jeremiah, Isaiah and Ezekiel, have each occasionally found allegory to be a perfectly reasonable vehicle by which to impart God-given pronouncements. In this light, Pope's use of the term "charade" in the judgment quoted above is definitely ill-advised. On the other hand, one could definitely object to this interpretation—as indeed to any interpretation—that presents itself as the *only* valid interpretation of the Canticles or could properly balk at accepting one that seeks to account for every passage in the Song as belonging to a specific interpretation. Therefore, I see absolutely no reason why one must espouse either one interpretive cause to the exclusion of another or why one must maintain a consistent explanation for each and every passage of the Canticles. Indeed, I find much that is admirable in the approach of Ibn Ezra (cf. pp. 103-105), who found it plausible to read the Song at multiple levels without unduly prejudicing one approach at the expense of the other.

Pope's narrative on the variations that the allegorical theme took throughout history makes fascinating reading (pp. 89-210). Despite the maze of opinions recorded in these pages, one can make the following observations. While the basic God/Christ-Israel/the Church scheme was maintained, ostinato-like, throughout the centuries by lesser minds within Judaism and Christianity, more vigorous and original interpretations were constantly promoted by intellectuals eager to use the Canticles to buttress new currents of theological and philosophical thinking. Moreover, these allegorical reinterpretations did not depend on sectarian considerations, but found acceptance at moments of intellectual ferment with little regard either to national demarcations or to religious persuasions. Thus, it could be noted that during the early centuries after Christ, gnostic understandings were read into the Song; in the Age of Chivalry, at a time when writings such as *Tawak al-hamamah* were appreciated, a more cosmopolitan interpretation was highly regarded in some quarters; a mystical interpretation was favored in the 12th and

13th centuries, while a more "rational" approach, in praise of wisdom, circulated in the later Middle Ages and the Early Renaissance. It must be admitted, however, that some exegeses were peculiar to diaspora Judaism, as it attempted to deal with the horrors of the *gālūt*, and that others were found only in Christianity, as it sought to find biblical prognostications of the triumph of Protestantism or, in one startling case, of Britannia.

Because of its variety, flexibility, adaptability and manifold permutations, the allegorical approach to interpreting the Song of Songs has thus lasted for at least two millennia, attracting to its cause some of the best minds from both faiths. Pope believes that these same qualities "contributed to its progressive discredit and almost complete desertion" (p. 90). This opinion might find acceptance if one were to adopt a strict definition of the term "allegory." But if one considers it as merely a convenient term for an approach that is antithetical to the "literalist" mode of interpretation, then it would be easily perceived that almost all other approaches—the so-called "dramatic," "cultic," "wedding week," "humanizing," as well as Pope's own "funerary"—are themselves allegorizing, being rooted in a process that tries to *secularize* the theological symbolism permeating the allegories of the Synagogue and Church Fathers. The impulses behind such non-literalist contributions have rarely originated in a desire to "read" the text as it is written (for as stated above, this would be a rather limiting pursuit for those interested in biblical rather than merely literary scholarship), but in the hope of adequately recreating a context in which the poems first circulated and explaining the purpose which they fulfilled within Israelite society.

To develop such an observation adequately would require many pages. For the purpose of this essay, let me focus on three of the non-literalist understandings of the Canticles.

The (melo)dramatic reading of the Song arose in the late 18th and early 19th centuries during the first moments of the Romantic movement, at a time when the "pastoral" as a theme in literature was regaining favor. By keeping whole the venerable allegory of the religious leaders, but also by substituting human protagonists—Solomon as the lover rather than God/Christ; the Shulamite as the beloved rather than Israel/the Church—and by shifting the stage into an earthly, palatine setting, a secular

meaning was promoted for the Canticles. But it should be noted that the two interpretations *equally depended on regarding the Song as complete and on presuming that its contents retained all the ingredients necessary to permit a successful interpretation*. It was but a matter of time before the dramatic elements were accentuated by introducing Dodai, Solomon's rival for the attention of the Shulamite. The scene was shifted from a palace to a bucolic setting. It is curious to note that this "secularizing" scenario was adopted by some biblicists who found it, nevertheless, necessary to reinterpret the whole as an allegory(!) of the tensions created between the Northern and Southern kingdoms. That the "melodramatic" interpreters found it also necessary to shift passages around in order to fulfill the aims of their script need not concern us here. We might only note at this point that, as it lost its romanticizing—if not sentimentalizing—clientele, the melodramatic interpretation no longer received the attention it once attracted. More damaging for its cause was the fact that it could not compete with its own by-product, a presentation which sought its evidence in the literature of Israel's neighbors.

Beginning with the latter half of the 19th century, translation of Egyptian, Mesopotamian, Canaanite and Hurro-Hittite texts began to revolutionize our knowledge of ancient Near Eastern societies. Early in the 20th century the speculations began which ultimately led to what is now called the "cultic" interpretation of the Song. Although at least two major phases can be distinguished in its evolution, this particular school also depended on the earlier allegorical approach, in that the Hebrew God was replaced by a pagan deity, Tammuz-Adonis. Tammuz was "recovered" as the prototype of the lover who, in Hebrew circles, had been secularized into the figure of Solomon. The Shulamite was likewise regarded as a humanized Ishtar/Astarte. The setting was no longer the palace, but the temple. Some held that this building was located in either Canaan or Mesopotamia, and that the liturgy that went on within was imported together with the Song into Israel. Others found it more likely that these activities occurred in Jerusalem itself, at a time when the Hebrews had not committed themselves so wholeheartedly to Yahweh. An enormous amount of energy was expended in detailing the manner in which the vocabulary of the Canticles betrayed its foreign origins.

The second phase of the cultic interpretation began with the publication of Sumerian texts, mostly dated to the late Old Babylonian period, but generally understood to reflect the practices that occurred during the Neo-Sumerian empire centered at Ur (2100-1960 B.C.). What makes these texts more appealing to those sympathetic to the "cultic" presentation is the fact that the figure of the lover is here not reserved for a deity, but applied to an actual, living, historically attested, albeit deified, king. Thus, according to this pattern, the characterization of Solomon as a lover can be considered as belonging to efforts within Hebraic circles to establish for him the paradigmatic quality of a perfect lover. Seen from this perspective, it becomes totally unnecessary for those who would promote this interpretation to show that the activities attributed to Solomon had historical bases, just as it would be irrelevant, even foolish, for anyone to try to establish the historical facts behind the legend of George Washington and his cherry tree when its only point is to praise him for his attachment to truth.

If shorn of its sensationalist, often sexually lurid, detail, one can extract some valid points from the second phase of this interpretation. It would not, of course, permit speculation on the setting or the occasion for all those erotic moments, but it might allow us to understand the reasons which impelled a poet to idealize one aspect of human relationships by attributing its glorious moments to characters of paradigmatic virtues.

Pope's contribution to the discussion is, I believe, but a variant of the last interpretation, but one which takes its cue from its Tammuz-Adonis phase. His setting is a Hebrew society that has been totally assimilated to its Canaanite-Phoenician milieu. The ritual is no longer one that occurs in a temple, but one which allegedly occurs in a *bêt-marzē^ah*. The last is interpreted as a funerary establishment where participants gathered to celebrate Love even as they lament the departure of a dearly beloved. But the protagonists of Pope's reconstruction seem endowed with an excess of libido which, to mention only the healthier activities, leads them to perform sodomy, bestiality and infanticide. It is never made clear why these celebrants seem to have so few inhibitions even as they mourn their dead. Rather, evidence is drawn from sources as late as the Patristic period to convince any skeptic who may not acknowledge these hedonistic moments

in Israel's past.

It may be that Pope, as he indicated on pp. 228-229, will need more space in which to argue his case. As it now stands, however, his reconstruction is the least convincing part of his commentary. Rather than presenting closely argued assessments of the evidence—an approach that is necessary to defend such a bold thesis—Pope seems content to pile up data that are often incongruous in content and certainly uneven in reliability.

It seems fair to state that Pope's thesis is anchored in two passages of the Song. The most crucial of these occurs at 8:6. "The setting of Love and Passion," states Pope on p. 210, "in opposition to the power of Death and Hell in 8:6c,d is the climax of the Canticle and the burden of its message: that Love is the only power that can cope with Death." That this opinion goes somewhat counter to Pope's own conclusion concerning the lack of discernible progression or development within the Canticles (pp. 40-54) and that, consequently, it would be impossible to declare any of its passages to be the "climax," is not regarded as a difficulty. Nor is it seen as objectionable that (a) the precise meaning of *ki 'azzā^h kammāwet 'ahābā^h* is still a subject of legitimate debate; and (b) in the whole history of Jewish mourning practices the Song (to my knowledge) was never excerpted or invoked at funerals.

The second context allows Pope to expand his investigations and to collect his evidence extra-biblically. "The unique term 'house of wine' in *Song of Songs* 2:4 [*bêt hayyāyin*] is manifestly an elliptical expression for 'house of the drinking of wine,' as in Esther 7:8, since a musty wine cellar would hardly be an appropriate setting for the activity envisaged," declares Pope (p. 221). To a lesser extent, he also suggests that 2:5, which speaks of the beloved as requesting raisin cakes and apples, is also suggestive of "orgiastic revelry" (p. 222). Pope attempts to make a case for the occurrence, in the ancient world as well as in Israel, of a "sacred meal with ritual drinking of intoxicating beverage, music, song, dance, and sexual license" (p. 210). But his evidence is untrustworthy. I find it as dubious to arrive at such a conclusion on the basis of a few seal impressions and other forms of graphic representation as to make sweeping declarations on the mores of present-day Americans on the basis of *Hustler* or (even worse) *TV Guide*. I cannot for a moment

accept as uncritically as Pope obviously does (pp. 211-214; 220-221) the testimony of religious antagonists as they describe the excesses of their enemies. I think it might be fair to insist that before such a panurgic reconstruction of an important religious practice is promoted by modern scholarship, at least *one piece of direct evidence* should be called upon to flesh out any theory. Were we to find in Ugarit or any other ancient site an *administrative* tablet—mythological texts being usually extremely unreliable as guides to actual practices—which would have any of the following lines: “One virgin for defloration; one baby for infanticide; one youth for sodomy; one dog for bestiality; one prostitute to perform fellatio; one homer of choice excrement; destined for the funeral of Such-and-Such. Dated; sealed,” then indeed Pope’s reconstruction would begin to find vindication.

Pope makes much out of the material he collects on the *marzēah*. Even if it is granted that his appreciation of the nature of that institution is correct, it has to be observed that, especially since the word does not occur in the Canticles, its pertinence to this book will depend on the acceptability of his declaration that “The ‘Marzēah (sic) House’ is . . . virtually synonymous with the ‘Banquet House’ *bēt mišteḥ*” (p. 221) which, through the intermediary of Esther 7:8, is linked to *bēt hayyāyin* of Canticles 2:4. Finally, I seriously doubt that orgiasts, involved as they are likely to be in their overindulgences, will take time out to describe their partners with the sensitivity and tenderness exhibited in the Song.

While I am hardly convinced by Pope’s interpretation of the Canticles, I nevertheless find it easy to recommend this commentary, especially to the reader of *MAARAV*, who is likely to have some knowledge of the points at issue and who does not mind some idiosyncracies in a truly extraordinary contribution to the scholarship on the Song of Songs. Below, I shall make a few comments on details of the translation. These remarks will, for convenience, refer to the Song according to Pope’s versification and will refer to the page of the commentary section in which the particular point is first broached.

1:1 *ḏāšer* (p. 295). Although the relative *še* is used throughout the Song, *ḏāšer* may have been purposely employed in this verse to further the assonance in a line that repeatedly clusters the consonants *šin* and *reš*. Dismissing this verse as *secondary*, as

Pope does, implies that we know what is *primary* in the Canticles. 1:3a *lārēah* (p. 299). See above.

1:3b *šāmēkā* (pp. 300-301). Read perhaps, *šm<n>k* (= *šam-nākā*, better perhaps *šāmānēkā*), a reading that is, admittedly, infinitely less interesting than the MT, one that may not be encouraged by Qoh 7:1a (*tōb šēm miššemen tōb*), but one which has the virtue of resolving the problem of 3b: “Because of the fragrance of your precious oil—it [i.e., your oil] being of Turaq quality—therefore do girls love you.”

1:3c *‘ālāmōt ḏāhēbūkā* (p. 301). In view of the importance of 8:6c,d (*kī ‘azzāh kammāwet ḏahābāh*) to Pope’s thesis, it might have been interesting to point to the Rabbinic understanding of this verse (**al-kēn ‘al māwet ḏāhēbūkā*), which links Death and Love in the same line (references in J. Goldin, *The Song at the Sea* [New Haven/London: Yale, 1971]: 116).

1:5d *kiri‘ōt šālōmōh* (pp. 319-320). Pope accepts a widely adopted vocalization which turns the last vocable into *šalmāh*, an Arabian tribe cited in Assyrian, South Arabic and later Jewish sources, but not in the OT. It may be, however, that the poet was much more ambitious in his parallelism than this emendation assumes. While a rendering Salmah may satisfy a linking with Qedar of 5c, I think it possible, if not more probable, that we have here two separate and complementary similes: Black . . . like the tents of Qedar,” and “comely . . . like the pavilions of Solomon.” Furthermore, the poet may have taken the occasion to pun on *kiri‘ōt* which, aurally at least, may suggest *rē‘āh/ra‘yāh*, ‘friend, companion.’ In this context, note how this chapter repeatedly returns to vocabulary that contains the consonants *reš* and *‘ayin*: *tir‘ēh* (v 7); *rə‘ī, rō‘īm* (v 8); *ra‘yātī* (v 9). It seems to me, therefore, that the beloved is challenging the girls from Jerusalem (courtesans?) by declaring that she may be as black as a Qedar tent, but/and she is as beautiful as any of Solomon’s companions (if *yəri‘ōt* is seen as a word that not only parallels *ḏohōlē* but also suggests *ra‘yāh*).

1:6e *karmi šelli lōḏ naḏartī* (p. 326). Since an interrogative *he* is not always necessary to form a question, this line may be understood rhetorically, “Have I not guarded my own vineyard?” thus responding affirmatively to the beloved’s ability to guard her vineyard. Seen from this perspective, Pope’s argument that the maiden is proudly proclaiming her loss of virginity may be

needless.

1:9a *sūsātī* (p. 336). The choice of this peculiar form may be guided by a euphonic desire to have a sequence of words with *-tī* (*sūsātī . . . dimmitīk ra'yātī*).

While one might be better advised not to be drawn into a discussion which tries to give sense to a lovely Hebrew simile by alluding to evidence found in dingy Egyptian tombs of the New Kingdom (p. 338), it might be pointed out that this particular mare seems much too well outfitted (1:10-11) to act merely as a decoy for rutting stallions. At any rate I would take "Pharaoh" here to be somewhat equivalent to our "Rockefeller"; i.e., the mare was the best that was available.

1:9b *dimmitīk* (p. 341). Pope errs when he states that the description in lines 10-11 refers to "an Egyptian war horse," since the suffix in those lines is that of the feminine singular, and Pope had just finished telling us (p. 338) that only stallions were hitched to chariots.

(p. 356). The *ēnayim rakkōt* of Leah (Gen 29:17) is likely to be a euphemism for describing an ugly girl, and may have nothing to do with the weaknesses or diseases of her eyes. There is some irony in the fact that Jacob ends up marrying her because *his* eyes could not see her when she was brought into his tent.

Excursus. Chapter 2 allows a glimpse of a method by which a series of individual units could be linked into a whole which, despite the diversity of its content, nevertheless gives the impression of cohesion. Units that contain words shared with other units are linked together, thus leaving the impression that a development is taking place from one unit to another. As stated above, this type of compilation cannot be regarded as ultimately contributing to an overall pattern (cf. pp. 40-54, in particular the discussion of the work of Kessler and Exum), since it seems content with allowing the poetry to flow freely from one unit to another. In this short discussion the terms "lover" will be used for the male, "beloved" for the female.

v 1. The beloved calls herself *šōšannat hā'āmāqīm*, "lotus of the valley." In itself this verse may have stood independently either as an extremely brief, self-praising poem, or, more likely, may have been an incipit to such a poem.

v 2. The lover's use of the term *šōšannāh*, 'lotus,' gives the poet the opportunity to link this verse to the preceding one. See

also below, on v 17.

v 3. This verse is linked with the preceding one, not only by virtue of the fact that both are similes introduced by *kap*, but also by balancing the lover's *kēn ra'yātī bēn habbānōt* (v 2) "So is my darling among girls," with the beloved's *kēn dōdī bēn habbānim*. This unit is actually quite long, ending in v 4. That the two verses may have been independent, however, cannot be ruled out, since the theme of "protection" (*bašillō himmadtī wayāšabīf* [v 3] // *wadiglō 'ālay 'ahābāh* [v 4]) fuses the ideas in both verses rather well.

v 5. Appended to the previous statement of the beloved, this verse shares with it the substantives *tappūah*, which opens v 3, and *'ahābāh*, which closes v 4.

v 6. This verse seems to me quite independent. It does not follow previous sequences nor is it easily placed with the following ones. This verse and the one following are almost identical to two others found in 8:3-4. Therefore, the possibility is strong that vv 6-7 functioned as a unit before the Song's last redactor/compiler/poet used them in their present context. It may also be a conscious act on the part of this same artist that, whereas in chapter 2 this unit (vv 6-7) follows a context (v 5) in which the lover brings the beloved to a tavern, in chapter 8 the almost identical unit (8:4-5) is placed after a declaration (v 3) that has the beloved bringing the lover to her mother's home in order to drink wine.

v 7. This verse contains vocabulary identical to that found in 8:4 and 3:5. Some linkage is achieved with previous lines by means of *'ahābāh*. (In 8:4, the linkage with succeeding materials is obtained by use of the verb *'rr: tā'irū / tā'ōrarū* of 8:4 and *'ōartikā* of 8:5.)

The allusion to *bišbā'ōt 'ō bə'aylōt haššādēh* in 2:7 is an occasion for the poet to introduce a unit of two verses (8-9) which describes the lover by means of capriolic imagery. The unit is introduced by *qōl*, 'voice, sound,' a *leitwort* which allows the unit to *overlap* materials which stretch into v 14. A further overlap into v 17, the last verse of this chapter, is achieved by placing poetry between 9a-b ("My love resembles a buck / Or a young stag") and 17c-d ("Turn and be, my love, / Like a buck, or a young stag"). Within these verses, a number of poetic fragments, incipits, or short poems are assembled.

v 9c-e. These lines introduce material which seems to be a favorite theme in love poetry: the lover who comes near his beloved, but remains hidden to spy on her movements, or to incite her love (3:1-4; 5:2-7).

Within vv 10b-c and 13c-d invitations to the beloved to join the lover and a description of spring's awakening are to be found. The manner in which nature regenerates itself is highlighted not only by reference to activities which occur as this process unfolds, but also by the use of three verbal sequences in which the first of two verbs shades the meaning of the other: *ʿānā* . . . *wəʿāmar* in 10a is not "spoke and said" (p. 364), but "kept on telling me"; *qūmi-lāk* . . . *ūlākī-lāk* in 10b-c/13c-d is not "Arise . . . come" (pp. 364-365), but "Begin to come"; *ḥālap ḥālak-lō* in 11b is not just "over, gone" (p. 365), but "has spent itself." Finally, the word *ʾereṣ*, 'land, earth,' emphasizes the linking of two activities that take place during spring, one which involves plants (v 12a), the other birds (v 12c). The two activities are further linked by the word *zāmīr*, which means both 'pruning' (referring back to plants) and 'singing' (referring forward to birds). C. H. Gordon, in a forthcoming review of the same book for the *JAOS* calls this "Janus Parallelism."

v 14. This verse returns to the description of the bride, connecting with the above by means of reference to *qōl*, 'voice.' I cannot explain the introduction of v 16 here. Whereas the call in v 16 for mutual belonging seems perfectly set into the context of 6:2-4, here it can only have been invoked as a coda to material that had begun by referring to "lotuses" (1b). Similarly, lines c and d of v 17 may have been recalled to give continuity to the descriptions that were begun in v 9. The material in a and b allows the poet not only to end his compilations of the preceding verses, but to prepare for the "nocturne" that begins in chapter 3.

2:5a *sammākūni* (p. 378). Pope is too kind in treating Hirschberg's obscenity (*not* eroticism). As a matter of fact, almost every one of Hirschberg's opinions, cited by Pope (index, p. 706, s.v.), is concerned with emendation or distortion that betrays puerile interests.

2:6 (p. 385). Pope is to be commended for his repeated insistence not to tamper with the text on the basis of meter. To expunge or alter vocabulary and morphemes *metri causa* is an academic exercise that almost always reduces the genius of

Hebrew poetry by eliminating those inspired "irregularities."

2:9 (p. 392). The point of 2:9 is not that the lover is a peeping Tom, but that he is inviting the beloved to share the glory of nature in spring.

3:6 (p. 427). The dictionaries derive *abacus* from Greek *abax*, 'slab.'

3:7-8 *hinnēh miṭṭātō* . . . (p. 431). Of interest in this context is the oracle concerning Esarhaddon, lines 16-26 (*ANET*³: 450), "Fear not, Esarhaddon! I, the god Bel, speak to you. The beams of your heart I strengthen, like your mother, who caused you to exist. Sixty great gods are standing together with me and protect you. The god Sin is at your right, the god Shamash at your left; sixty great gods stand round about you, ranged for battle." This motif, then, may have originated in a non-erotic context and was introduced into the Song because of its interest in Solomon and his deeds. I cannot quite see why Pope chose this passage to launch into a discussion on castrati, transvestites and other members of the "third sex."

4:8a *ʾitti* (p. 474). There is no need to emend this word to *ʾēti*, 'come.' It makes perfect sense that the lover is inviting the beloved to join him. Moreover, if one accepts the emendation, there might be a surfeit of verbs of motion: *tābōʾi*, *tāšūri*.

4:16b (p. 498). The verb *bōʾ* alone never has a sexual sense; *bōʾ el/ʿal* does.

5:2a etc. *ʾāni yāšēnā* . . . (p. 510). With regard to this, the longest sequence in the Song, I would like to dispute Freehof's contention that it must necessarily reflect a dream rather than an actual experience. C. R. Baskervill has written a very interesting article on "English Songs on the Night Visit" (*Publication of the Modern Language Association* 36 [1921]: 565-614) describing a practice that was deeply rooted in Europe as far back as the medieval period, if not earlier. One night before marriage, a highly conventionalized custom was reenacted in which (a) the groom stealthily arrives at the future bride's window; (b) raps on it and asks to be admitted; (c) the girl refuses, citing her parents as her reason for her failing nerves; (d) the groom threatens to leave; (e) the girl capitulates. It is assumed that in some areas the future couple did take their own pleasure at that point. In New England, however, the sweethearts, fully clothed, "bundled" together. The Sumerian material discussed by Pope (pp. 515-

516) would indicate that the gods did take part in a playlet reminiscent of the Night Visit.

5:4a *yādō* (p. 517). Even if the sense 'penis' is given to the word *yād* in Hebrew, Pope's understanding that "coital intromission" (p. 519) is taking place seems definitely premature. Given the circumstances—the lover is outside; the beloved is inside, still in bed, still fully clothed—it would have been remarkable for that "hand" to attain the goal to which Pope thinks it is reaching.

6:4a *kātiršā^h* (p. 559). Pope would have been better advised to have heeded Freedman's warning about emending the text to *tiršē^h* (p. 560). Not only is the parallelism between Jerusalem and Tirzah excellent (both with *kap* prefixes!), but I doubt that the *Qal* of *rāšā^h* could have the sense that Pope proposes for it.

7:1a *šūbī* (p. 596). I do not quite see the virtue of emending to *šābī* (from *yšb*) and understanding this well-known verb by its Arabic (not Hebrew) meaning 'to leap.' How is "leap, leap," better than the usual rendering "return, return"?

7:3 (p. 617). The point here is not which part of the anatomy, the belly or the vulva, can hold more liquid, but that its *shape* is that of a crater. I must also point out at this stage, after reading over 600 pages of commentary, that Pope does have a predictable propensity to favor the sexual meaning of an Arabic word over any of its more innocent possibilities. For anyone who is not reared with Arabic as a mother tongue, and who accepts Pope's nuances for its vocables, it must seem impossible for Arabs to conduct mundane conversations since almost all their vocabulary appears to be so single-mindedly, and dreadfully, sexual.

8:2b *tāmmādēnī* (p. 658). There is nothing to be gained by restoring a whole line on the basis of an emendation which, although defensible, is not necessary.

8:8-9 (p. 681). The import of these lines would seem to be that if the girl remains chaste, she shall be honored; otherwise, she will be killed (either trampled upon by means of a board or placed in a coffin). But it may be that one should avoid being too literal with this type of literature.

NOTES ON THE ARAMAIC FRAGMENTS OF ENOCH FROM QUMRAN CAVE 4

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INTRODUCTION

After many years of waiting we finally have before us J. T. Milik's edition of the Aramaic fragments of the Books of Enoch from Qumran Cave 4.¹ Though the starting point of the book is clearly the publication of the surviving Qumran Aramaic fragments of 1 Enoch and related Enochian literature, quantitatively most of the book is taken up with a variety of other related items, such as a reconstruction of the missing portions of the "original" Aramaic text on the basis of the later versions (pp. 139-339), literary problems of the Books of Enoch (pp. 1-69), and even medieval artistic representations of the Enochian motives in Anglo-Saxon manuscripts (p. 212). While one must marvel at Milik's patience in putting together the hundreds of scraps of text, as well as his command of both Semitic and classical languages, and his wide erudition, it seems to me that the main and declared object of the book, viz., the publication of the Aramaic fragments, was occasionally obscured along the way.²

The surviving Aramaic fragments of the Books of Enoch are unfortunately pitifully small, as can best be seen from a glance at Milik's diplomatic transcription of the text (pp. 340-362) and the plates at the back of the book. A comparison with the total

compass of the work as preserved in the Ethiopic version has shown that only about 5 percent of the original Aramaic text has survived.³ In view of this, it seems to me that Milik's wholesale reconstruction of complete lines in very badly broken passages on the basis of the Ethiopic and Greek translations⁴ are for the most part superfluous and sometimes misleading.⁵ To judge from the photographs,⁶ Milik's attempt to squeeze every ounce out of the text has led him occasionally to see letters where they do not exist and to read extremely broken letters as if they were certain or nearly so.⁷

The following notes will be restricted to the surviving Aramaic fragments⁸ and will deal with them topically in an attempt to act as a corrective for some of the excesses of Milik's edition.⁹

THE ARAMAIC TEXT

In the volume before us, Milik has published fragments of 11 different manuscripts of the Books of Enoch (4QEn^{a-e}; 4QEnastr^{a-d}).¹⁰ In addition, portions of related materials from four manuscripts of the Book of Giants (4QEnGiants^{a-c:e}) are also given.¹¹

The following table summarizes Milik's dating on paleographic grounds of the twelve manuscripts published here in their entirety.

Manuscript	Date
En ^a	First half of 2nd cent. B.C.E.
En ^b	Middle of 2nd cent. B.C.E.
En ^c	Last third of 1st cent. B.C.E.
En ^d	Last third of 1st cent. B.C.E.
En ^e	First half of 1st cent. B.C.E.
En ^f	Third quarter of 2nd cent. B.C.E. ¹²
En ^g	Middle of 1st cent. B.C.E. ¹³
Enastr ^a	End of 3rd/beg. of 2nd cent. B.C.E.
Enastr ^b	Early years of 1st cent. C.E.
Enastr ^c	Middle of 1st cent. C.E.
Enastr ^d	Second half of 1st cent. B.C.E.
EnGiants ^a	Last third of 1st cent. B.C.E. ¹⁴

READINGS IN THE TEXT

In the framework of this article, it is not possible to deal with all the cases in which Milik's readings are suspect.¹⁵ This will only be possible when better photographs are available,¹⁶ and in the context of the definitive edition of the text. The following are some selected observations.

P. 142 (Plate I)

Line 6: [גברו]תה; Read: [גבור]תה

Line 7: קצו[ת]ת ארעה . . . קצו[ת]ת ארעה Traces of the uncertain *taw* are hardly visible on the photograph, and the correct restoration is most probably *qšwy*.¹⁷ Since the singular of *qšwy* is *qšh*, the correct restoration of the verb in this line is *wyzw*[^h] (f. pl.).

P. 146 (Plate II)

Line 4: [ו]עננה This word is all that is found on a small fragment which Milik has placed here. Since the verb in this line is m. pl. (*špkyn*) and thus does not agree with the sg. subject,¹⁸ the placement is probably incorrect.

Line 13: ביום Milik's assumption that this is a mistake for *bpwm* is unlikely, since this word is elsewhere in Qumran Aramaic always written *pm* and was most likely pronounced [*pi/em*].¹⁹

P. 150 (Plate III)

Line 19: קשרין This reading is certainly incorrect as a glance at the plate will show. The first letter is a clear *waw* and not a broken *qop* as the dot in Milik's edition is intended to indicate. Furthermore, *qšr* is a Hebrew root and does not occur in Aramaic, which employs *qtr* (e.g., Dan 5:12).²⁰ Finally, Milik's translation "conspired" (past tense, even though he reads the verb as a participle!) is implicitly based on a specialized meaning of this root in Biblical Hebrew (see the references in *BDB*: 905). Read instead: ושריו "and they began."

P. 162 (Plate V)

Line 5 (top of page): יתה On the doubtfulness of this reading, see below, n. 115.

P. 165 (Plate VI)

Line 2: והוויא As can be seen from the plate, the correct reading here is והוויא (cf. 166:21a: [*h*]w^w). Translate "and it came to pass."²¹

P. 193 (Plates XII, XIII)

Line 5: חזיון This form is Hebrew. However, since En^c does not graphically distinguish between *waw* and *yod*, read here instead: חזווין, the pl. abs. of חזו. Similarly, read in lines 8 and 13: חזווה, rather than חזויה.

Line 8: Restore here [והוית ממלל] instead of [ושרית למללה].²²

P. 204 (Plate XIV)

Line 3: שריוא While it is difficult to tell from the plate, a better reading would certainly be שרייא/ה, i.e., a 3rd f. pl. form in agreement with שן “sheep,” a collective noun, which is f. pl. (cf. 205:8: שן שרית). In accord with this and since *waw* and *yod* are indistinguishable in the script of En^c, read שגארהין rather than שגארהון (204:5) and לרירהין rather than לרירהון (204:6).

Line 3: לאתם[מיה] The restoration here of an otherwise unattested ^o*Itpa'al* form without metathesis on the basis of the traces of the letters is highly improbable.

Line 6: לרירהון There is no *yod* after the *res* (see the plate). Read (cf. the first note to line 3) instead: לרירהין.

Line 7: אש[ח]ו This very uncertain reading is highly unlikely since the common Aramaic root is *nks* while the root *shḥ* is essentially Hebrew.²³

P. 209 (Plate XV)

Line 17: בל This reading is doubtful since the tops of both letters are in fact broken, a fact not indicated in the text. The first letter could easily be a *mem*, while the traces of the second letter seem to indicate *lamed*.

P. 210 (Plate XV)

Line 28: יסוף Read: יסיף.²⁴

P. 222 (Plate XVII)

Line 26: אכום In spite of Milik's transcription, practically nothing remains of this word in the text itself. To judge from the other Aramaic dialects, the expected form would be איכום.

P. 232 (Plate XVIII)

Line 19: רחוק Read: רחיק.²⁵

P. 266 (Plate XXII)

Line 25: [ש]בועין שני Milik's translation “many weeks” (p. 267) is grammatically impossible since this would suppose a pl. noun with a sg. adjective. Read instead: [ש]בועין שגו “the weeks were many.”

P. 279, iii (Plate XXVI)

Line 1: [אשל]מת Read instead: [אשל]ם. In spite of Milik's note (p. 282), there is no clear-cut case in Aramaic where *šmš* is feminine.²⁶

P. 288 (Plate XXVIII)

Line 17: ומתכ>נסין Milik's correction here is based on the parallel passage (289:6). However, this assumes the existence here of an Aramaic root *kns* which is difficult.²⁷ Coming after צפנין, “they hide,” מתכסין is most likely from the root *ksy* (^o*Itpa'al*). The *nun* in the parallel is probably the result of dissimilation.

P. 296 (Plate XXIX)

Line 2: עשב ארעא ועא While a form such as עא is theoretically possible by dissimilation from the unattested עע*, the well-attested later form of this word is אע.²⁸ Moreover, the translation “tree”²⁹ is impossible since אע means ‘wood,’ while אילן is employed for ‘tree.’³⁰ Read instead: יעא and translate: “the grass of the earth sprouted.”³¹

P. 305

Line 21: ושלחוהו Read in accordance with Aramaic grammar: ושלחוהי.

ORTHOGRAPHICAL AND GRAMMATICAL REMARKS

The Books of Enoch are unique among the Qumran Aramaic material in that fragments of a large number of different manuscripts of a single work copied at different periods have survived. These fragments have been dated, as noted above, by Milik from the end of the 3rd century B.C.E. to the beginning of the first century C.E. Thus we have before us the oldest Aramaic manuscripts from Qumran.³² The grammatical importance of these texts cannot be overstressed. By relying on the independent paleographical data we have a *terminus ad quem* for dating grammatical features found in them a century earlier than previously possible.

The most interesting of all the published manuscripts is certainly 4QEn^a, dated paleographically to the first half of the 2nd century B.C.E. and written in a vulgar, semi-formal archaic script. In many features it differs markedly from all the other manuscripts of Enoch, which are more or less linguistically

homogeneous. The following orthographical and grammatical features in this manuscript may be noted:³³

1. Indication of final [ā] is nearly always *-h* in the determinate state (11 versus 3 with *-*),³⁴ and always so with the feminine ending,³⁵ infinitives of the derived conjugations,³⁶ 3rd m. sg. pf. of III-*y* verbs,³⁷ and 1st sg. independent pronoun,³⁸ the 1st pl. pronominal suffix,³⁹ adverbs⁴⁰ and the 3rd f. pl. pf.⁴¹

2. Original *šin* is always spelled with *samek*.⁴²

3. Original *haf^cel*⁴³ and *hitpa^cal*⁴⁴ forms occur without *he*.

4. Second pl. verbal⁴⁵ and second and third pl. pronominal forms⁴⁶ are spelled defectively.

5. *ʔAlep* is elided in verbal and nominal forms.⁴⁷

6. *Nun* is dissimilated in I-*n* verbs (one example).⁴⁸

7. Specific 3rd f. pl. forms are employed in the pronoun and the verb.⁴⁹

8. The pl. demonstrative pronoun is spelled *ʔlyn* (150:13), not *ʔln*.

9. The 3rd m. pl. independent pronoun is *ʔnwn* (150:13), not *hmnw(n)*.

10. The relative pronoun is nearly always *dy* (150:5,14; 157:8; 158:11), only once *d-* (146:11).⁵⁰

11. Original short *u*-vowels are never represented in the orthography.⁵¹

A comparison of the traits listed here with those of 11QtgJob—on linguistic grounds the earliest Aramaic composition from Qumran published to date⁵²—gives mixed results. The two are in agreement on points 2, 6, 7, 8 and 11. 11QtgJob seems to be earlier, however, in points 3, 5, 9 and 10. The orthographic usages (points 1 and 4) are peculiar to 4QEn^a and are difficult to characterize. While the extensive use of *he* for final [ā] is common both earlier in the Hermopolis Papyri⁵³ and later in Galilean and Samaritan Aramaic,⁵⁴ it is rare in the other Official and Standard Literary Aramaic material.⁵⁵ As to the defective spellings with final *nun* in the 2nd m. pl. and 3rd m. pl. pronominal forms, these forms are employed exclusively in the Hermopolis Papyri⁵⁶ and occasionally so—even in the 2nd m. pl. pf.—in the Official Aramaic of Egypt.⁵⁷ The Biblical Aramaic and standard Qumran Aramaic orthography employs *plene* spellings with *waw* in all these cases.⁵⁸

In sum: The morphological features of 4QEn^a indicate that it

should be placed somewhat after 11QtgJob. Because of the paleographical dating of 4QEn^a (1st half of the 2nd century B.C.E.), this would then place 11QtgJob earlier than hitherto assumed. On the other hand, the archaic orthographical features which this manuscript shares with the Hermopolis Papyri would seem to suggest an earlier date. Alternately, we may have in 4QEn^a a local Palestinian orthography which was employed in the earlier copies of Enoch, but which was displaced in the later ones by that of Standard Literary Aramaic.

The following remarks dealing with specific words follow the order of the text.

P. 142

Line 4: ררה [להרן] Milik's statement (p. 144) that *hdn* is the Eastern Aramaic form of the demonstrative pronoun is incomprehensible to me, since in fact, this is the common form in the western dialects⁵⁹ and does not occur at all in the East.

P. 145

Line 1: בִּסְרָבִן Note the use of the 3rd f. pl. pron. suffix *-n* for earlier *-hn*, *-hyn* which is generally employed in the 4QEn manuscripts.⁶⁰ Similarly, עגננן (229:1) with the ending *-wn* for *-hwn*. Both of these forms are common in Middle Western Aramaic.

P. 146

Line 4: מיבישין The spelling with *yod* for *šawā³ mobile* is certainly rare at this period, though more common in later Rabbinic manuscripts.⁶¹

P. 150

Line 16: והויה במנן The following are the other definite examples of *hwy* + the participle from all the 4Q Enoch texts:⁶² הוּו מתילדין (150:17); הוּו דמא (201:28); באש לחוּו (210:27); לחוּו ברין (218:2); הוּו שפיך (237:2:20); חוּו משתפך (237:3:20); הוּוית חוּו (238:18); לחוּו עקרין (265:14); חוּו משקין (304:7); ידיע לחוּו (315:6).

P. 167

Line 26: די פרזל חרבן די פרזל The following are the other definite examples of *dy*-phrases in the 4Q Enoch material:⁶³ חוּוון דרגוּו (193:5); קניא טביא די בשמא (201:24); דְכר די ען (222:26); פתיָה די ארעא (224:29); קצא דין דינא (229:2); פתיָה די ארעא (270:21).

P. 194

Line 23: לביא While Milik is certainly correct in seeing here the abs. form of the word *byt*, the unusual spelling with *-y* for [ay] should be noted, since this combination is generally employed at Qumran for final [ī].⁶⁴ Another example of this orthography is apparently found in אחזיאת "I was shown" (201:27,30).⁶⁵

P. 200

Line 30: ׀ן This form is exclusively employed in the 4Q Enoch texts, never *dnh*.⁶⁶

P. 209

Line 21: יליד A number of additional perfect forms of the *Pe^cil* are found throughout the 4Q Enoch texts: בציר (284:7); כסית (238:15); לקיה (284:9); פתיחו (238:17); קטילו (Milik reading: קטילו; 312:3); שכירו (240:2); שפיד (237:2:20).

P. 238

Line 18: עד ארעה חפית The conjunction *ḥd* is employed in the 4Q Enoch texts in general without *dy* (cf. 240:3; 241:21; 315:12).⁶⁷

Line 19: קאמין The spelling here with *ḷalep* conforms with the *katib* in Biblical Aramaic.

P. 269

Line 16: יכל ישמע As in Official Aramaic,⁶⁸ *ykl* (impf.) is followed by a verb in the impf. and not by the infinitive.⁶⁹

P. 294

Line 4: רמי In spite of the fact that the use of *yod* for [ē] in the *Pe^cal* participle of a III-*y* verb is unique in this text,⁷⁰ this explanation is preferable to Milik's contention that this form is a *Pa^cel* or *Pu^cal* perfect.

CORRECTIONS TO THE ENGLISH TRANSLATION

Since for most of the texts only a few letters or words have survived on each line, we generally lack an original Aramaic context to guide us in translating the texts. As a result, much of Milik's translation depends on his reconstructed Aramaic text or, in the final analysis, on the Greek or Ethiopic versions. In the following notes, no regard will be paid to Milik's translation of the reconstructed text, but corrections will be offered for the extant material.

P. 142

Line 7: קצו[ן] ארעה . . . קצו[ן] ארעה . . . קצו[ן] ארעה; read: . . . ארעה . . . קצו[ן] ארעה. In his note (p. 145), Milik claims that the phrase should be understood as "the totality of the creatures, especially men, living on earth." Instead, translate simply, as in Biblical Hebrew, "the ends of the earth," i.e., the whole world.

P. 146

Line 11: לעלם דעלמין This cannot be translated as Milik does "for ever and ever" (p. 147), for which Aramaic employs *l'lmyn* (e.g., Dan 2:4) and *ḷm* (cf. line 16). Translate instead: "[and understand that God who lives] forever, who has since time immemorial done all these deeds."

Line 12: עברכנן Milik translates "your works" (p. 147), but this is hardly likely to be a defective spelling for the pl. Translate instead: "your action."

Line 13: רברבן וקשין Milik translates "great and hard (words)" (p. 147). The adjectives here do not necessarily refer to words, since the f. pl. is commonly used in Aramaic (and in Hebrew) to express an undefined subject (e.g., *ḥašḥān*, **māsattārān* in Biblical Aramaic).⁷¹ Translate instead: "great and serious (matters/things)."

P. 171

Line 15: לכל ׀דרר דריא מן עלמ[א] Milik's translation "for every generation of generations which are from eternity" (p. 172) is literal and clumsy. Translate simply: "forever, since the beginning of time." The reason for the scribal correction from *ldr* to *lkl dr* here is unclear, since the common biblical phrase *ldwr* (*w*)*dw*⁷² (once even *ldwr dwrym* [Isa 51:8]) was most likely known. The usage here is unusual in that it refers to past and not future time, hence the addition of *mn ḷm*.

P. 193

Line 8: ומוכח Milik understood this word as a noun ("reprimand"), but the form *mwkḥ* can only be interpreted as a participle. Translate: "[And I was speaking]⁷³ words of truth and vision, and (I was) reprimanding the heavenly watchers."

P. 194

Line 23: ארבקת Translate: "I was brought near" (*ḶAp^cel* pass.) instead of Milik's "I drew near" (p. 196).

P. 205

Line 9: ולאעקת ימא Milik's translation "and punishing (every-

one) who swore" is difficult to accept unless we emend the text, since the relative pronoun (*mn*) *dy/d-* is missing. Unfortunately, this verse is missing in the Ethiopic version, and the translation remains uncertain.

P. 210

Line 27: מן דר יבאש בכדן ובאש להוא Milik translates: "generation after generation would do evil in this wise, and evil would be (more and more)" (p. 210). Translate rather: "One generation will do more evil than a (previous) generation in this manner, and it [i.e., the generation] will be evil." The term *bʿš* here is a participle and hardly a noun, as it is construed by Milik.⁷³

Line 28: ובאישתה⁷⁵ ורשעה יסיף⁷⁴ וחמסא יכלא מן ארעה Milik (who reads יסוף) translates: "and evil and wickedness should come to an end, and violence should cease from the earth." This is hardly likely since it assumes that *yswp* (3rd m. sg.) has two nouns (*bʿysth*, *rsʿh*) as its subjects. Rather, both verbs (*ysyp*, *yklʿ*) are transitive.⁷⁶ Translate instead: "he will destroy evil and wickedness and restrain violence from the earth."

P. 229

Line 1: והא אלן This does not mean "And behold, these are," but rather "And these are."⁷⁷

P. 238

Line 21: ירו מין Milik's translation "sank into the waters" (cf. his note on p. 240) is impossible since the root *pyr* does not occur in Aramaic, and its meaning in Hebrew is 'throw,' not 'sink.' The text may also be read ירומ, but I cannot suggest a plausible restoration or translation.

P. 270

Line 23: והיכה אנון סמכין Milik translates: "or how it [i.e. the heavens] is supported," as if this were a passive construction. Rather, the root *smk* has the meaning here of 'rest, lean upon.' Translate: "how it rests/leans upon (it)."

P. 296 iii

Line 4: ובאותה בים[מא] Milik translates: "in the same day" (p. 297), apparently understanding Hebrew(!) *wth* as if it were Aramaic. The reading of the first word here is clear, but I cannot offer a translation for it.

P. 313

Line 7: ול[א]תנשון (!) The basis for Milik's translation, "will not be spared," is not given in the notes and is unclear to me. We

probably have here the common Aramaic root *nšy* (*ʿItpaʿal*), 'to forget.' Translate: "They will not be forgotten."

P. 315

Line 12: עד רפאל מטה Translate: "Until Raphael has arrived,⁷⁸ rather than Milik's "until the coming of Raphael."

PROPER NAMES

On pp. 152-154, Milik tabulates the names of the angels mentioned in the 4Q Enoch texts, gives their transliterations in the versions and translates them. Translations of those names which differ from those of Milik are offered here:⁷⁹

1. שמי חזה "The name saw" (cf. biblical שמירע)
7. דניאל "God is my judge"
8. זיקיאל "God is my lightning flashes"
9. ברקאל "God is my lightning" (cf. the transliteration Βαρακηλ)
11. חרמני The Aramaic transliteration of this name should be "Ḥermānī," not "Ḥermoni."
15. שמיאל "God is my sun."
16. שהריאל "God is my moon"
17. תמיאל "God is my perfection"
18. מוריאל "God is my mountain"
19. ימיאל "God will adjure me" (cf. the transliterations Ἰουμηλ, Ἰωμειηλ, *Yomyáʿel*).

On p. 313, note to line 6, Milik cites from unpublished manuscripts of 4QEnGiants^{b,c} references to גלגמיש/ם, i.e., Gilgamesh, the ancient king of Uruk. This is quite interesting, and one hopes the texts will be published in the near future. Milik is, however, incorrect in his statement that this is the only mention of Gilgamesh outside of cuneiform literature. It was pointed out long ago that he is also mentioned in a list of ancient kings in Syriac in the scholia of Theodor bar Kōnī.⁸⁰

THE VOCABULARY

The vocabulary of the Books of Enoch and the Books of Giants is included in an extensive glossary (pp. 367-397),

which, in addition to the Aramaic words, give the reader at a glance the equivalents in the Greek and Ethiopic versions. Unfortunately, three faults have combined to hamper its effectiveness severely and to render its use, without checking every reference both in the texts and in the plates, extremely tenuous.

The first and most serious fault concerns the reliability of the readings. Many words which are entirely Milik's reconstructions are included in the vocabulary. While this is occasionally indicated by square brackets,⁸¹ in most instances these words are printed without any indication of the fact that they are restored.⁸² Only somewhat less serious is the lack of indication of broken and damaged letters. In many instances, all of the letters of a word may be broken to such an extent that the probability of the reading is not much greater than a mere reconstruction.⁸³ Secondly, no grammatical analysis whatsoever is given in the glossary to guide the reader. Thirdly, no English translation is given to explain the words, some of which are homographs. While one might have assumed that Milik has relied on the reader's knowledge of Ethiopic and Greek, this cannot be said for those words where no later version has survived.

Clearly, a reworking of the glossary to eliminate such faults should be part of a new edition of the text. Until such an edition is produced, the list below may be employed.

Several points of difference between Milik's and the following list should be noted:

1. All words which are listed by Milik but which are not given here are in my opinion either non-existent in the text or so badly broken that no reliable reconstruction is possible.

2. One reference only to the texts is given to provide the reader with a reliable occurrence for each form.

3. When more than one spelling or meaning occurs in the text, each is documented.

4. Differences of opinion between myself and Milik concerning the lexical analysis as well as other matters relating to the lexicon have been discussed in the notes.

5. Proper names have been excluded.

6. Vocabulary from other Qumran texts that figure prominently in Milik's discussion have also been listed. In all such cases the text from which a given term is taken is noted in parentheses.

LEXICAL LIST

- א אב (6Q8) father (300:4)
 אבד *Pe'al* to be lost (260:21)
 אבדן destruction (175:6)
 ארין בארין, ארין then (146:14; 244:2)
 או or (270:20)
 אוש ?⁸⁴ (307:8)
 אזל *Pe'al* to go (289:6; v. *hwk*)
 אח brother (305:15)
 אחרי⁸⁵ following (260:24)
 אחרן other (293:3)
 אחת ? (306:3)
 אילן tree (189:7)
 איתי particle of existence (266:26)
 אכל *Pe'al* to eat (308:6)
 אלו behold (308:3)
 אלן, אלן⁸⁶ these (146:11; 222:24)
 אלף *Pa'el* to teach (150:15)
 אם mother (235:10)
 אמר *Pe'al* to say (218:2)
 אמר ram (241:20)
 אנה I (142:4)
 אנן they (m.) (150:13)
 אנןא we (204:2)
 אנן them (f.) (150:15)
 אנן/ון⁸⁷ grief, complaint (229:4)
 אנם *Pe'al* to force (307:9)
 אנף (pl.) face (311:1:3)
 אנש, אנש⁸⁸ man (229:1; 205:10)
 אנ[תה] (pl. נשין)⁸⁹ woman (207:27; 150:14)
 אנתן, אנתן you (m. pl.) (194:18; 146:7)
 אסור bond (315:14)
 אף even (201:26)
 ארבע four (288:14)
 ארו⁹⁰ behold (190:19)
 ארח (pl. cstr. ארחת) road (224:30; 270:25)
 ארך, ארך- length (270:21)
 ארכה ? (306:3)
- ארע earth (175:12)
 אש⁹¹ foundation (265:14)
 אתי *Pe'al* to come (305:21)
 אתר place (243:16)
- ב
- ב- in (passim)
 באיש bad, evil (315:14)
 באישה, באישה⁹² evil (n.) (210:28; 237:19)
 באש⁹³ *Pe'al* to be evil (210:27 [2x])
 בגל *Pa'el* ? (205:9)
 בנע *Pa'el* ? (205:9)
 בכרי⁹⁴ (conj.) because, since (288:15)
 בכרי (prep.) because (288:16)
 בהשה(?)⁹⁵ shame (260:25)
 בון *Itpoel* to look at closely (184:20)
 בחר *Pe'al* to choose (150:14)
Itpoel to be chosen (265:12)
 בטן *Pe'al* to be pregnant (150:16)
 בי: ביא (cstr. בית) house (194:23; 229:1)
 ביני- between (244:2)
 ביר⁹⁶ pit (266:21)
 בכי *Pe'al* to cry (312:6)
 בלחוד⁹⁷ (pl. cstr.) alone (294:6)
 בני *Itpoel* to be built (266:18)
 בעי *Pe'al* to ask (146:7)
 בעל possessor (307:5)
 בצר *Pe'il* to be small (284:7)
 בר (pl. בנין) son (210:30; 206:21)
 בר field (307:8)
 ברא מן except (184:24)
 כרי *Pe'al* to create (193:12)
 כרך *Pe'al* (pass. ptcp.) blessed (218:2)
 ברכה blessing (189:7)
 ברם but (307:4)
 בשם spice (201:24)
 בשר flesh (307:4)
 בתר⁹⁸ after (266:19)

ג

גבורה⁹⁹ power (307:3)
 גבר man (313:7)
 גוא within (238:17; 238:14)
 גזירון ? (193:14)
 גלי *Pa^cel* to reveal (170:5)
 Itpa^cal to be revealed (266:19)
 גלגל disk (284:9)
 גזן gardener (304:7)
 גרב north (285:6)

ד

דבק¹⁰⁰ *Ap^cel* (pass.) to be brought
 (194:23)
 דבר *Pe^cal* to guide (292:6)
 דבר ? (294:3)
 דגל sign (146:2)
 דוח (2Q26) *Ap^cel* to rinse (334:1)
 דון¹⁰¹ *Pe^cal* to judge (189:2)
 Itp^cel to be judged (229:2)
 דוק¹⁰² *Ap^cel* to look (157:6)
 דור *Pe^cal* to dwell (289:4)
 דחל *Pe^cal* to fear (305:20)
 די relative particle (150:14;
 146:4)
 דין law (218:2)
 דיר shed (245:3)
 דבר ram (241:16)
 דלק *Pe^cal* to burn (304:10)
 דם blood (157:7)
 דמו image (294:5)
 דמי *Pe^cal* to be similar (201:28)
 דין¹⁰³ this (204:3)
 דנח *Pe^cal* to rise (of the sun) (266:25)
 דקק *Pa^cel* to crush (232:16)
 Ap^cel to crush (201:29)
 דר generation (210:27)
 דרום south (288:15)
 דרח *Pe^cal* to rise (288:18)
 דרך *Pe^cal* to tread (185:27)
 דרע arm (307:3)

ה

הא behold (244:2)
 הרר splendor (316:2)
 הוא he (288:15)
 הוי *Pe^cal* to be (296:1:4)
 הוך *Pe^cal* to go (260:20; v. זל)
 היא she (229:6)
 ה¹⁰⁴היך how (193:11)
 ה¹⁰⁵היכה how (270:23)
 היכל temple (266:18)
 הלא further (201:25)
 הן if (306:8)
 הפך *Itp^cel* to be overturned (205:10)

ו

ו and (passim)

ז

זוי corner (269:18)
 זון¹⁰⁶ *Pe^cal* to tremble (142:7)
 זיקה* (pl. זיקין) spark, flash
 (194:20)
 זמן time (229:2)
 זנו prostitution (315:9)
 זעק *Pe^cal* to call, shout (306:6)
 Pa^cel to call, shout (229:4)
 זרח *Pe^cal* to shine (<Heb.) (289:7)
 זרע *Pe^cal* to sow (296:2)

ח

חביב beloved (193:16)
 חבל *Pa^cel* to damage (315:11)
 חבר *Itp^cel/Itpa^cal* to be associated
 with someone (175:9)
 חבר friend (311:3:2)
 חבדן¹⁰⁷ spell-binding (157:1)
 חר one (192:1)
 חדר chamber (238:17)
 חרש month (<Heb.) (295:1)

חוי *Pa^cel* to tell (305:13)
 Ap^cel to tell (209:26)
 חזו¹⁰⁷ (det. חזוה, pl. חזוון) vision
 (193:8; 194:5; 193:5)
 חוי *Pe^cal* to see (193:5)
 Ap^cel to show (209:26)
 Itp^cel to be seen (288:16)
 חזיר pig (224:28)
 חזוה, חזוה (1Q23)¹⁰⁸ animal (307:8;
 302:4)
 חיי *Ap^cel* to revive (285:2)
 חיל strength (307:3)
 חכמה wisdom (265:13)
 חלד ? (306:5)
 חלה valley (220:5)
 חלם *Pe^cal* to dream (304:3)
 חלה *Pe^cal* to cross (306:5)
 Ap^cel (pass.) to be made to pass
 over (232:21)
 חלק portion (193:12)
 חמישי fifth (280:6)
 חמס violence (157:8)
 חמרה (1Q23) donkey (302:2)
 חמש five (279:5)
 חסן strength (307:3)
 חסר *Pa^cel* to lack (294:3)
 חפי *Pe^cal* to cover (243:15)
 Pe^cil to be covered (238:15)
 חרב* (pl. חרבנן) sword (167:26)
 חרבן destruction (288:14)
 חרטמו sorcery (157:2)
 חרם *Ap^cel* to be bound by an impre-
 cation (150:3)
 חרש¹⁰⁹ spell (170:2)
 חרת passage (279:2)
 חשבון¹¹⁰ number (203:24)
 חשוד darkness (232:21)

ט

טב good (232:18)
 טבע *Pe^cal* to sink (238:19)
 טור mountain (201:27)
 טל dew (203:26)
 טמה¹¹¹ uncleanness (146:13)

טמי *Itpa^cal* to be defiled (308:1)
 טמר *Itp^cel* to be hidden (284:9)
 טעי *Pe^cal* to go astray (205:8)

יבל *Hap^cel* to transport (194:21)
 (pass.) to be transported (232:18)
 יבש *Pa^cel* (pass.) to be withered
 (146:4)
 יד hand (266:17); יל¹¹² (prep.) to-
 ward (232:21)
 ירי *Hap^cel* to admit (305:15)
 ידע *Pe^cal* to know (204:4)
 יחב *Pe^cal* to give (243:18; v. ntn)
 Itp^cel to be given (266:17)
 יום day (292:4)
 יכח *Ap^cel* to reprimand (193:8)
 יכל *Pe^cal* to be able (204:2)
 ילד (6Q8) *Pe^cal* to give birth (300:6)
 Pe^cil to be born (209:21)
 Itp^cel to be born (150:17)
 Ap^cel to beget (308:3)
 ים sea (150:21)
 ימי *Pe^cal* to swear (150:5)
 ימם day (278:2)
 ייעי¹¹³ *Pe^cal* to sprout (296:1:3)
 יצבה truth (264:20)
 יקר honor (171:15)
 ירוק green (146:9)
 ירח month (288:18)
 ירי¹¹⁴ ? (238:21)
 ית object particle (162[top]:5)¹¹⁵
 יתב *Pe^cal* to sit (193:6)

כ

כ like (294:5)
 כא here (305:20)
 כבד¹¹⁶ deception (210:30)
 כדי when (201:29)
 כדן in this manner (229:2)
 כוי *Pe^cal* to burn (185:26)
 כוכב star (157:3)

יכחרה¹¹⁷ together (150:3)
 כחל כוחל- antimony (167:28)
 כל כול all (146:4; 185:28)
 בלי *Pe^cal* to cause to cease (210:28)
 בן so (289:5)
 [כנס]¹¹⁸ *Itpe^cel* to be gathered together (289:6)]
 כנף wing (150:20)
 כנש *Pe^cal* to be gathered together (193:6)
 כסי *Pa^cel* (pass.) to be covered (238:5)
Itpa^cal to be covered (288:17)
 כסף silver (167:27)
 כען now (210:29)
 כף rock (204:3)
 כרסא chair (200:27)
 כרה *Pe^cal* to cut off (189:3)
 כשפו [כ] sorcery (157:2)
 כתב *Pe^cal* to write (194:19)
Pe^cil to be written (210:27)
 כתב writing (194:19)
 כתל wall (194:25)

ל

ל- to (238:15)
 לא negative particle (150:18)
 להנ therefore (142:4)
 לוח tablet (314:6)
 לוט *Pe^cal* to curse (146:14)
 לוט curse (146:16)
 לות towards (241:17)
 לחץ *Pe^cal* to oppress (241:18)
 לילא night (279:6)
 לקח¹¹⁹ *Pe^cil* to be taken (284:9)
 לית¹²⁰ (לא אית- <) there is not (146:14)

מ

מה what (167:27; 285:3)
 מאה* (dual מאתינ) (1Q23) hundred (302:2)

מאין¹²¹ (289:5)
 מאן body, utensil (289:7)
 מבול flood (237:3:3)
 מדבר desert (306:5)
 מדנה east (201:30)
 מרע מנרע knowledge (265:13; 193:12)
 מות *Pe^cal* to die (229:4)
 מות death (305:22)
 מזרח east (<Heb.) (289:7)
 מטי *Pe^cal* to reach (315:12)
 מטר rain (296:i:2)
 מין¹²² water (241:19)
 מלי *Itpa^cal* to be filled (157:8)
 מלה* (pl. מלין) word, thing (193:9)
 מלך king (150:2)
 מלל *Pa^cel* to speak (193:7)
 ממר¹²³ word, speech (146:12)
 מן who (229:6)
 מן מנ- from (146:5; 232:21)
 מנו¹²⁴ who (270:22)
 מסורה¹²⁵ station (184:19)
 מער period (295:1)
 מערב west (289:4)
 מעשר tithe (296:ii:3)
 מרא master (171:14)
 מרזב sluice (238:16)
 משחה measure (296:ii:2)
 מתל parable (263:18)

נ

נא¹²⁶ particle of entreaty (210:29)
 נגב¹²⁷ south (285:8)
 נרר¹²⁸ *Pe^cal* to flee (of sheep) (304:4)
 נהור light (284:9)
 נוח *Pe^cal* to rest (260:16)
 נור *Ap^cel* to cause to shine (278:4)
 נור fire (194:22)
 נזח *Pe^cal* to move (296:ii:4)
 נזק *Ittap^cal* to be damaged (218:1)
 נחל wadi (201:25)
 נחש *Pe^cal* to divine (170:3)
 נחת *Pe^cal* to descend (305:16)

Ap^cel to cause to fall (296:i:2)
 נשל (2Q26) *Pe^cal* to lift up (334:2)
 נכסין (pl.) possessions (266:17)
 נן fish (150:21)
 נפיל giant (308:2)
 נפל *Pe^cal* to fall (194:27)
 נפק *Pe^cal* to go out (278:4)
 נצב *Itpe^cel* to be planted (189:8)
 נצבה plant (263:19)
 נרד [נ] nard (232:18)
 נשי *Itpa^cal* to be forgotten (313:7)
 נשר eagle (306:4)
 נתן *Pe^cal* to give (311:3:4; v. *yhb*)

ס

סוף *Pe^cal* to be completed (240:3)
Ap^cel to destroy (210:28)¹³⁰
 סוף end (266:26)
 סחור around¹³¹ (194:22)
 סחר *Pe^cal* to make a circuit (194:22)
 סלק *Pe^cal* to go up (229:4)
 סמך *Pe^cal* to lean upon¹³² (270:23)
 ספר scribe (305:14)
 ספר book (193:9)
 סרך order (145:1)

ע

עבר *Pe^cal* to do, make (266:26)
Itpe^cel to be done (229:3)
 עבר עובר act (265:14; 184:18)
 עבר *Pe^cal* to pass (266:24)
Ap^cel (pass.) to be carried over (232:20)
 עגל calf (241:12)
 ענן *Pe^cal/Pa^cel* to imprison (313:7)
 ענן incarceration (229:1)
 עד (prep., conj.) until (229:2; 304:9)
 עוד still (193:14)
 עולה iniquity (189:3)
 עוק *Ap^cel* to cause distress (205:9)
 עין eye (193:4)
 עיר watcher (175:6)

על על- upon (184:16; 193:6)
 עלא above (194:21)
 עלה leaf (146:5)
 עלוי upon (312:4)
 עלים child (210:30)
 עלל *Pe^cal* to enter (284:8)
 עלם world (146:16)
 עלעול whirlwind (306:4)
 עם עם- with (284:9; 238:15)
 עמוד column (200:29)
 עמל labor (150:18)
 עמן ? (307:5)
 ען (collective, f. pl.) sheep (222:26)
 עני ? (313:5)
 ענן cloud (146:4)
 עסרי tenth (150:9)
 עפר dust (146:8)
 עקר *Pe^cal* to uproot (265:14)
 עקר root (304:8)
 ערב *Pe^cal* to set (of the moon) (284:8)
 ערב (f.) boat (238:14)
 ערר onager (222:28)
 ערמלי naked (235:11)
 עשב grass (296:i:3)
 עשר עסר ten (222:27; 150:10)

פ

פחת pit (229:1)
 פיל elephant (238:21)
 פלג half (284:8)
 פלט *Pe^cal* to escape (189:5)
 פלפ [פ] pepper (232:18)
 פרדס garden (232:21)
 פרוז iron (167:26)
 פרח *Pe^cal* to fly, hover (238:20)
 פרש explanation (289:2)
 פרשגן copy (314:3)
 פשר *Pe^cal* to explain (305:14)
 פתח *Pe^cil* to be opened (238:17)
Hitpe^cel to recover one's eyesight¹³³ (243:17)
 פתי breadth (270:21)

צ

צבֹּחַ thing (316:4)
 צָבִי *Pe'al* to desire (204:6)
 [צָרִינָה] antimony (167:28)
 צָרִיב wilderness (243:16)
 צָרִי *Pe'al* to pray (315:15)
 צָמַח *Pe'al* to flourish (285:3)
 צָמִיד bracelet (167:27)
 צָפוֹן north (201:30)
 צָפֵן *Pe'al* to hide (289:6)
 צָפֵר mastic (232:18)
 צָרָה figure (270:22)

ק

קָבַל *Pe'al* to accuse, bring suit (229:4)
 קָבַל *Pe'al* to wane (279:iii:3)
 קָדִים east (285:4)
 קָדִישׁ holy one (229:5)
 קָדַם קודם, קדמי, קדמי before (305:15; 316:2; 146:7; 193:8); לקדמין first of all (285:7)
 קָדְמִי first (266:24)
 קָדֵשׁ holy place (307:6)
 קָוֹבֵל so that (193:13)
 קָוֵי *Pa'al* to wax (284:8)
 קוּם *Pe'al* to arise (266:15)
 קוּמָה *Itpa'al* to exist (146:5)
 קוּזְמִי cinnamon (201:25)
 קָטַל *Pe'il* to be killed (312:3)
 קָטַל *Pa'al* to kill (230, n. to line 4)
 קוֹל voice (170:6)
 קַלְפִּיָּה*135 (pl. קַלְפִּיָּין, קַלְפִּיָּין) peel, bark (201:29; 232:16)
 קַנָּה reed (201:23)
 קָנִי *Pe'al* to acquire (266:17)
 קָנִי fixed time (266:23)
 קָצָה*136 (pl. קָצוּיָין) end (294:5; 142:7)
 קָרַב battle (307:4)
 קָרְדָּמֹן cardamon (232:18)
 קָרִי *Pe'al* to read, call (210:27; 285:8)
 קָרִיב close (285:6)

קִישׁוּמָה, קִישׁוּמָה, קִישׁוּמָה truth (266:15; 266:22; 189:4)
 קִישׁ hard, difficult (146:13)
 קִישׁוּמָה righteous (266:16)

ר

רָאֵם, רָאֵם mountain goat (223:27; 243:19)
 רָאֵשׁ head (204:3)
 רָב great, ancient¹³⁸ (194:28; 235:10); nominative pl. רָבִיבִי¹³⁹ (150:13); adj. pl. רָבִיבִין (146:13)
 רָבִי greatness (218:2)
 רָבִי *Pe'al* to grow (285:3)
 רָבִיעִי fourth (188:25)
 רָגִז anger (193:5)
 רָגַל foot (238:12)
 רָדַף *Pe'al* to pursue (243:14)
 רוּחַ spirit (229:3)
 רוּם height (270:23)
 רִז¹⁴⁰ secret (157:5)
 רִחִיק¹⁴¹ far (232:19)
 רָחַק *Ap'al* (pass.) to be transported afar (232:20)
 רָחַשׁ *Pe'al* to swarm (285:3)
 רִיקָן empty (284:9)
 רָמִי *Pe'al* to throw (238:12)
 רָמִי *Pe'il* to be thrown (266:21)
 רָפִי¹⁴² *Pa'al* to heal (285:2)
 רָשִׁיעַ evil one (266:16)
 רָשָׁע¹⁴³ evil (210:28)
 רָרַחַת¹⁴⁴ (6Q8) *Pa'al* to tremble (300:3)

ש

שָׁנָה large number (204:5)
 שָׁנִי *Pe'al* to become many, large (316:10:2; 146:15)
 שָׁנִי many (232:20; 266:25; 157:7)
 שָׁהַד witness (265:12)
 שִׁבָּה old age (189:6)

שָׁכַר¹⁴⁵ *Pe'il* to be closed (240:2)
 שָׁמְאֵל left (285:1)
 שָׁמַח *Pe'al* to be happy (<Heb.) (206:20)
 שָׁפַע *Pe'al* to be sufficient (308:5)
 שָׁתוּ winter (296:i:4)

ש

שָׂרֵי remainder (279:ii:5)
 שָׁבֹועַ week (266:15)
 שָׁבִיעַ one seventh (284:8)
 שָׁבִיל¹⁴⁶ path (199:1)
 שָׁבַע seven (238:16)
 שָׁהוּיָה¹⁴⁷ desert (306:5)
 שָׁוִי *Pe'al* to be equal (280:7)
 שָׁחַ *H/Ap'al* to find, be able¹⁴⁸ (305:13; 146:8)
 שָׁחַן¹⁴⁹ eyebrow (193:4)
 שָׁלַח *Pe'al* to send (305:21)
 שָׁלַם *Pe'al* to rule (279:iii:4)
 שָׁלְמָן ruler (305:16)
 שָׁלְמָן [ש] authority (295:2)
 שָׁלַם *Pe'al* to be complete (288:14)
 שָׁלַם *Ap'al* to complete (292:5)
 שָׁלַם ? (280:7)
 שָׁלַם peace (146:14)
 שָׁלַק *Pe'al* to heat up (146:7)
 שָׁם (pl. cstr. שָׁמַחְתִּי) name (207:26; 295:5)
 שָׁמַיִן heaven (266:23)
 שָׁמַע *Pe'al* to hear (269:16)
 שָׁמַשׁ sun (279:iii:2)
 שָׁנָה (pl. שָׁנִין) year (146:11; 146:6)
 שָׁנָה sleep (304:4)
 שָׁנִי *Pe'al* to be different (209:18)
 שָׁעִי (6Q8) *Itpa'al* to tell (300:5)
 שָׁפִיר beautiful (165:3)
 שָׁפַר *Pe'al* to pour (146:4)
 שָׁפַר *Pe'il* to be poured (237:2:20)

שָׁפַר *Itpa'al* to be poured (237:3:20)
 שָׁקִי *Ap'al* to water (304:7)
 שָׁקַע *Pe'al* to sink (238:19)
 שָׁקַר lie (264:25)
 שָׁרִי *Pe'al* to dwell (307:6)
 שָׁרִי *Pa'al* to begin (166:18)
 שָׁרִי *Itpa'al* to become strong (307:5)
 שָׁרֵשׁ (6Q8) root (309:1)
 שֵׁשׁ six (279:12)
 שֵׁשִׁי *Pe'al* to drink (166:25a)
 שֵׁשִׁית one sixth (296:ii:6)
 שֵׁשִׁיתִי sixth (294:2)

ת

תּוּב *Pe'al* to return (150:2)
 תּוֹר ox (238:13)
 תַּחַת (pl. cstr.) under (220:3)
 תַּיִשׁ (1Q23) he-goat (302:3)
 תַּלַּג snow (194:24)
 תַּלִּיתִי third (188:25)
 תַּלַּת three (146:6)
 תַּמְהָה *Pe'al* to wonder (221:8)
 תַּמְהָה (6Q8) wonder (300:6)
 תַּמְיִנִי eighth (266:15)
 תַּמְנֵי there (200:28)
 תַּמְנֵי eight (150:12)
 תַּנָּה here (306:7)
 תַּנִּין second (264:25)
 תַּנִּינֹת second time (306:7)
 תַּקוּף strength (307:3)
 תַּקִּיף strong (223:29)
 תַּקֵּן *Pe'al* to settle down (241:4)
 תַּקֵּף *Pe'al* to be strong (316:9:4)
 תַּרְיִן (f. תַּרְיִינִין) two (279:7; 146:6)
 תַּרְעַת gate (279:iii:2)
 תַּשְׁעִי one ninth (296:ii:3)
 תַּשְׁעִינִי ninth (150:8)
 תַּשְׁעִינִי ninth (279:iii:4)

NOTES

1. J. T. Milik, *The Books of Enoch, Aramaic Fragments of Qumran Cave 4* (Oxford: Clarendon, 1976). Though nowhere stated, the present edition is meant to be a preliminary publication of Enoch fragments from Qumran Cave 4, and the final edition—which will presumably contain additional material left out here (see below, n. 4)—will appear in a future volume of the DJD series. References to Milik's book are given according to the page and line numbering of the main text edition only.

2. Milik has published over the years several preliminary publications which have now been reworked and incorporated into the book. For a list of them, see J. A. Fitzmyer, "The Contribution of Qumran Aramaic to the Study of the New Testament," *NTS* 20 (1973-74): 405-406, nos. 35-47. In addition, he has also included some fragments of the Enochian literature which were not originally identified as such and were published originally in DJD I and III; see Milik's index, p. 413.

3. This has been demonstrated by E. Ullendorf and M. Knibb in their highly critical review of Milik's book; see *BSOAS* 40 (1977): 601-602.

4. On the question of whether the Ethiopic version was translated from the Aramaic original or through a Greek intermediary, see E. Ullendorf, "An Aramaic 'Vorlage' of the Ethiopic Text of Enoch?" *Atti del convegno internazionale di studi etiopici, Accademia nazionale dei Lincei, Problemi attuali di scienza e di cultura* 48 (1960): 259-268, and Ullendorf's rejoinder to Milik's opinion on the subject (p. 88) in his review (N 3). This subject will be treated in Knibb's forthcoming critical edition of the Ethiopic Enoch to be published shortly by Oxford (N 3).

5. A complete listing of Milik's erroneous translations would be excessive here. The following are a few examples of restored words in incorrect Aramaic: עללו, read עלו (157:8); ובמחזאמו, read ובמחזייה (204:6); למהב, read למתן (220:1); ארתשנאו (222:26), this reading based on the highly doubtful restoration הרת[שנאו] (241:17); למנקש, read להקשה (224:29).

6. Unfortunately, the relatively high quality of reproductions given by the Oxford University Press in the DJD volumes has not always been maintained here, and some plates (e.g., XXIII, XXVII) are unclear. Milik also utilized earlier Palestinian Archaeological Museum (PAM) photographs (see, e.g., p. 141; 206, n. on line 11)—presumably made in the 1950's before the texts themselves had deteriorated—which contain letters now not visible on the published plates.

The following are the PAM numbers of the original negatives and the numbers of the corresponding plates in Milik's edition:

Plate	PAM
1-5	42-227; 42-228
6-9	42-231
10-15	42-229; 42-230
16-17	42-233
18-20	42-232

21-24 42-237; 42-238
25-27 42-235; 42-236; 42-234

The reason for the absence of a one-to-one correspondence is that some of the fragments were later rearranged in light of their later identification. It should be noted that on some of the original photographs (e.g., 42-234) there are additional fragments which were not published in the book. (I would like to thank Florentino Garcia, who is currently preparing an edition of the Qumran Aramaic texts for inclusion in the Spanish edition of the Dead Sea Scrolls, for having communicated to me the above information and for having put the photographs at my disposal.)

7. In view of Milik's great experience in dealing with Qumran manuscripts, this statement is made, of course, with all due caution. Since the originals have greatly deteriorated over the years, an autopsy would be of little value. The criticism here lies in the fact that many of Milik's restorations are based on questionable readings of broken letters, thus introducing a double uncertainty factor (see now the remarks of G. W. E. Nickelsburg in his review of Milik's book in *CBQ* 40 [1978]: 414-415).

One of this writer's pet peeves about the manner of editing Qumran texts is the completion of broken lines in the same typecase as the surviving text. The simple expedient of either underlining the reconstruction or utilizing a different typecase would greatly improve the presentation of the material. Here, of course, Milik is in good company, but the basic confusion still remains.

8. A word may also be in order here concerning the line numbering employed by Milik. The various manuscripts have been published separately and each column has been given a designation. Thus, 4QEn^e 4 iii 20 is line 20 of the third column of the fifth manuscript of 4Q Enoch. In the glossary, in addition to this designation the page numbers of both the restored and diplomatic editions are given in parentheses (e.g., 243/359). An additional element of confusion for the reader lies in the fact that Milik has also numbered each column according to the chapter and verse of the Ethiopic Enoch, e.g., 89:26-30. However, in his translation, only this latter numeration has been employed.

9. The following additional reviews and articles have come to this writer's attention: J. Barr, *JTS* 29 (1978): 517-530; S. Brock, *JJS* 29 (1978): 98-99; T. W. Fauxman, *Biblica* 52 (1977): 432-436; P. Grelot, *RB* 83 (1976): 605-618; J. Licht, *Kiryat Sefer* 52 (1977): 148-152; J. Barr, "Aramaic-Greek Notes on the Book of Enoch (I)," *JSS* 23 (1978): 184-198; M. Black, "The Apocalypse of Weeks in the Light of 4QEn^e," *VT* 28 (1978): 464-469; J. A. Fitzmyer, "Implications of the New Enoch Literature from Qumran," *Theological Studies* 38 (1977): 332-345; J. A. Fitzmyer and D. J. Harrington, *A Manual of Palestinian Aramaic Texts* (BibOr 34; Rome: PBI, 1978): 64-79; J. C. Greenfield and M. E. Stone, "The Enochic Pentateuch and the Date of the Similitudes," *HTR* 70 (1977): forthcoming; J. C. Greenfield and M. E. Stone, "The Books of Enoch and the Traditions of Enoch," *Numen* (forthcoming); M. E. Stone, "The Book of Enoch and Judaism in the Third Century B.C.E.," *CBQ* 40 (1978): 479-492.

10. Where is 4QEnastr^a? On p. 273 Milik quotes several words from this

manuscript, but the text itself is nowhere to be found in the book. Was it assigned to someone else for publication? If so, Milik has not told us. If not, why was it not published here?

11. Only 4QGiants^a is published in its entirety with plates. The MSS of 4QEnGiants^{b-c:e} will be published by Starcky and Strugnell and are only partially quoted; however, since no plates are given for them, it is impossible to check the reliability of the readings. On the fragments of the Book of Giants which were originally published in DJD I and III, see above, n. 3.

It may be worthwhile pointing out here that several small portions of otherwise unpublished Aramaic texts from Qumran are quoted in Milik's notes: 4QTobaram^a (pp. 163, 186, 191); 4QTobaram^b (p. 197); 4Q246 (pp. 60, 213); 4QTestLevi^a (pp. 23, 263); 4QmNoah (p. 56).

12. This manuscript was written by the same scribe who wrote 4QTestLevi (p. 244).

13. For a table of letters from this manuscript by F. M. Cross, see DJD II: 73.

14. This manuscript was written by the same scribe who wrote En^c (p. 310).

15. As to his restorations, see above, n. 5.

16. See above, n. 7.

17. See 11QtgJob 13:5 and the discussion in M. Sokoloff, *The Targum to Job from Qumran Cave XI* (Ramat Gan: Bar Ilan, 1974): 121.

18. The basis for Milik's statement (p. 148) that 'nn here is a "collective subject" escapes me.

19. See Sokoloff (N 17): 123.

20. This root is the cognate of Hebrew *qsr* (see C. Brockelmann, *Grundriss der vergleichenden Grammatik der semitischen Sprachen* [2 vols.; Berlin: von Reuter und Reichard, 1908]: 1.154).

21. Cf. Milik's second explanation (p. 168). Consonantal *waw* is represented here by double *waw* as occasionally elsewhere in Qumran texts. See E. Qimron, "A Grammar of the Hebrew Language of the Dead Sea Scrolls" (Diss. Hebrew Univ., 1976): 52.

22. See below, p. 205.

23. The only Aramaic attestation for *šhṭ* is in Babylonian Aramaic where it is most likely a loan from Hebrew.

24. See below, p. 206.

25. See below, n. 141.

26. The form *hṛtyh* is a pl. determined form. As for the phrase 'lt *šms*' which Milik quotes from an unpublished fragment of Enastr^b (p. 289), we will have to wait until a photograph is available.

27. Note that 4QEn^c employs the regular Aramaic root *knš* (193:6). Aramaic generally employs only *knš*, while *kns* is the regular Hebrew root. The only references to *kns* in Aramaic are from Jewish Aramaic texts; cf. M. Jastrow, *A Dictionary of the Targumim, the Talmud Babli and Yerushalmi, and the Midrashic Literature* (rpt. New York: Pardes, 1950): 650. However, an examination of Jastrow's references reveals the following: 1. For nearly all of the examples quoted from the late Targums to Psalms, Esther and Chronicles, there are variants with *knš*. 2. The usage 'to marry' is a semantic development of a

particular Hebrew legal usage of *kns* (Jastrow: 649). In fact, the examples quoted from *Y. Erub.* 21b are in the text of a legal document. 3. The example from *Ps.-J. Gen* 18:3 is based on *B. Šabb.* 127a and is clearly an artificial usage based on the Hebrew phrase *hknt* 'wrhym "taking in of guests"; 4. The example from *Y. Sanh.* 23c, line 48, *dkns* (*Qal!*) is also corrupt. The previous line has the expected *d^{cl}*. Moreover, the word *dkns* is not found in the more correct parallel in *Y. Hag.* 78a.

28. So in Biblical Aramaic (e.g., *Ezra* 5:8).

29. Milik incorrectly translates "trees" (p. 297).

30. See 296:5.

31. For the phrase, cf. Peshitta to *Gen* 2:5: *wklh 'sb' dhql' 'dkyl' 'p' 'y^c*.

32. 1QapGen has been dated paleographically to the end of the 1st century B.C.E.—first half of the 1st century C.E. (See J. A. Fitzmyer, *The Genesis Apocryphon of Qumran Cave I* [2nd ed.; Rome: PBI, 1971]: 15). 11QtgJob has been dated similarly to the 1st century C.E. (See J. P. M. van der Ploeg and A. S. van der Woude, *Le Targum de Job de la Grotte XI de Qumran* [Leiden: Brill, 1971]: 2-3). Of course, it does not follow that these compositions are later than Enoch, but only that later copies have survived.

33. The order of presentation followed here is approximately that used to describe the language of 11QtgJob in Sokoloff (N 17): 9-24, where the comparative material may be found.

34. *drh* (142:4); *[r]bh* (142:5,6); *'rsh* (142:7); *'nnh* (146:4); *'ylnyh* (146:9); *'bdyh* (146:10,11); *mlkh* (150:2); *hrsh* (150:15); *hms* (157:8). But: *'r^c* (146:3; 157:5); *'ns^š* (150:18).

35. *slqh* (146:7); *šnh* (146:11).

36. *'lph* (150:15); *lqlh* (150:19).

37. In the name *šmy hzh* (157:1).

38. *'nh* (142:4; 162:5).

39. *klh* (150:2).

40. *klh* (142:3); *khdh* (150:3).

41. *hwyh* (150:16).

42. *ysgyn* (146:15); *'s^l*, *'syry*, *try^c[r]* (150:9); *'sr* (150:10 [2x]; 11 [2x]); *sgy* (157:7).

43. *'hrm[w]* (150:3,5); *'dyq* (157:6).

44. *'tmlyt* (157:8).

45. *šnytn* (146:12).

46. *lkn* (146:6,14); *'ntn* (146:7,12); *'bdkn* (146:12); *'tmtkn* (146:13); *ywmykn* (146:14); *'bdnkn* (146:15); *klhn* (146:4,9; 150:1,3); *mnhn* (150:16).

47. *mmrh* (146:12); *'tmtkn* (146:13); *lmkl* (150:21); *'mbd* (157:5).

48. *ynpq* (142:5).

49. *'nyn* (150:15); *'srkn* (= *srkhn*) (145:1); *hwyh* (150:16); *ysgyn* (146:15).

50. The form read by Milik *d^{cl}* (146:4) is not visible on the photograph. The relative pronoun *dy* predominates also in the other manuscripts. The other definite examples of *d-* in the 4QEnoch texts are: 185:25 (2x); 193:5; 229:6; 266:15; 289:5.

51. *hⁿk* (corrected to *hⁿwk*) (141:1); *kl*, *kl-* (142:3; 146:6[2x],17; 150:1,2,3,

14; 158:21); *ynpq* (142:5); *bd-* (145:1; 146:10,11,12[2x]); *qdm̄yh* (146:7); *tm̄kn* (146:13); *bd̄nkn* (146:15).

52. The approximate date of the composition in the opinion of both the original editors and the present writer is the second half of the 2nd century B.C.E.; cf. *Le Targum* (N 32): 4; Sokoloff (N 17): 25.

53. See E. Bresciani and M. Kamil, *Le lettere aramici di Hermopoli, Atti della Accademia Nazionale dei Lincei, Classe di Scienze e Morali, Series VIII*, vol. 12/5 (1966): 368; E. Y. Kutscher, *Israel Oriental Studies* 1 (1971): 103-104.

54. See E. Y. Kutscher, *Studies in Galilean Aramaic* (Ramat Gan: Bar Ilan, 1976): 16.

55. Sokoloff (N 17): 9-10, and the literature cited there.

56. See E. Y. Kutscher, *A History of Aramaic*, Part I (Jerusalem: Academion, 1972): 75, 77 (Hebrew).

57. *Ibid.*; also P. Leander, *Laut- und Formenlehre des ägyptisch-aramäischen* (Göteborg: University of Göteborg, 1928): 47.

58. For Biblical Aramaic, see H. Bauer and P. Leander, *Grammatik des biblisch-aramäischen* (Halle: Niemeyer, 1927): 70, 75, 175; for Qumran Aramaic, see Sokoloff (N 17): 173-174.

59. See, e.g., G. Dalman, *Grammatik des jüdisch-palästinischen Aramäisch* (2nd ed.; Leipzig: Hinrichs, 1905): 113-114.

60. There are no other examples of the 3rd f. pl. pronominal suffix in 4QEn, but cf. the examples of the 3rd m. pl. spelled *-hn* (above, n. 47).

61. See J. N. Epstein, *מבוא לניסוח המשנה* (Jerusalem: by author, 1948): 1243.

62. For the comparative material from Official and Qumran Aramaic see J. C. Greenfield, *IEJ* 19 (1969): 200-201; Fitzmyer (N 32): 222-223; Sokoloff (N 17): 124-125.

63. For the comparative material in Official and Qumran Aramaic, see M. Z. Kaddari, "Construct State and *di*-Phrases in Imperial Aramaic," *Proceedings of the International Conference on Semitic Studies* (Jerusalem: Israel Academy of Sciences and Humanities, 1969): 102-115; Sokoloff (N 17): 189. Because of the extremely fragmentary nature of the 4Q Enoch texts, a statistical comparison with the construct phrases would not be very meaningful.

64. See E. Y. Kutscher, *The Language and Linguistic Background of the Isaiah Scroll (IQIsa^a)* (Leiden: Brill, 1974): 178-182.

65. For the original [ay] in the 1 sg. of the III-y verbs, cf. *bēnaytāh* (Dan 4:27).

66. For the other Qumran Aramaic material see Sokoloff (N 17): 121 and note 1; for the significance of *dn*, see E. Y. Kutscher, "The Language of the Genesis Apocryphon, A Preliminary Study," *Scripta Hierosolymitana* 4 (1957): 4, 17.

67. See Sokoloff (N 17): 129.

68. See, for example, the cases cited in *DISO*: 107.

69. Elsewhere in Qumran Aramaic the impf. plus infinitive is employed. Cf. *ykwlwn P̄sywth* (1QapGen 20:19); *P̄ ykwl . . . l̄šly* (*ibid.* 20:22); *tkwl l̄m'bd* (11QtgJob 37:4).

70. For similar spellings in 1QapGen, see: Sokoloff (N 17): 12, n. 2.

71. Clearly, in the verse *pum m̄mallel rabr̄bān* (Dan 7:8), "words" are meant, but this derives from the meaning of the verb.

72. On this phrase and its Ugaritic parallels, see M. Dahood, "Ugaritic-Hebrew Parallel Pairs," in *Ras Shamra Parallels* I (ed. L. R. Fisher; Rome: PBI, 1972): 294-295; cf. also *im dār wēdār* (Dan 3:33; 4:31).

73. For my proposed explanation, see above, p. 200.

74. For the reading *ysyp*, see above, p. 200. For the use of *swp* (*ʿApʿel*), cf. 11QtgJob 18:9; 21:2; for *kly* (*Peʿal*), cf. *ibid.* 24:8.

75. The nominal form is *bʿyśh* (see line 28).

76. This syntactic construction is common in Biblical Aramaic (see Bauer-Leander [N 59]: 336, 343), but less so in Qumran Aramaic (see Sokoloff [N 17]: 188).

77. Aramaic *hʿ lyn* is the earlier form of *hlyn*. The correct meaning of the similar *hʿ lh* in the Elephantine Papyri was first pointed out by E. Y. Kutscher, "New Aramaic Texts," *JAOS* 74 (1954): 235.

78. See above, p. 212.

79. The numbers are those in Milik's list.

80. See M. Lewin, *Die Scholien de Theodor bar Kōnī zur Patriarchengeschichte (Genesis XII-L)* (Berlin: Mayer und Müller, 1905): 2, 25. The correct identification of the corrupted form of the name was made by Th. Jacobsen, *The Sumerian King List* (Chicago: University of Chicago, 1939): 89, n. 128.

81. E.g., the entry *אורכ* (p. 369).

82. E.g., *ברא* (146:5; p. 371 in the glossary); *טורי* (201:26, p. 378 in the glossary); *למעבר* (150:23, p. 386 in the glossary). The number of examples which are quoted by reference but exist only in Milik's reconstructions is even larger. E.g., *ארע* (158:19, p. 369 in the glossary); *ר* (185:30, p. 372 in the glossary); *להל* (201:23, p. 375 in the glossary); *חרב* (171:10, p. 377 in the glossary); *עד* (194:23, p. 387 in the glossary); *שעה* (157:8, p. 393 in the glossary).

83. E.g., in the entry *הל*, all the examples are uncertain: *הל* (190:9); *הל* (189:5); *הל* (302:22:2); *הל* (295:3).

84. Milik translates "multitude" (p. 308). As far as I know, no such noun occurs elsewhere in Aramaic, and the meaning which Milik attributes to it here is apparently based on the verbal root found in Babylonian Aramaic (Jastrow [N 26]: 35).

85. Not *hr* (Milik, p. 367). The form *hry*—also spelled *hryy*—is well known from the Middle Western Aramaic dialects, e.g. Galilean Aramaic (Dalman, *Grammatik* [N 58]: 124) and Christian Palestinian Aramaic (F. Schulthess, *Lexicon Syropalaestinum* [Berlin: Reimer, 1903]: 6).

86. On the significance of the two spellings, see Sokoloff (N 17): 21 and n. 4.

87. This word is not known to me from the other Aramaic dialects, and hence the correct spelling here cannot be definitely established.

88. Listed by Milik, s.v. *נש* (pp. 368-369).

89. Listed separately by Milik (p. 386).

90. On this word, see Sokoloff (N 17): 109-110.

91. Not šh (Milik, p. 370). On this word, see Sokoloff (N 17): 147.
92. Listed separately by Milik (p. 371), but most likely a defective spelling.
93. The two entries for $b\text{š}$ given by Milik (p. 371, top) should be combined.
94. On the significance of $b\text{dy}$ and $b\text{dyl}$, see Sokoloff (N 17): 23, 145.
95. The reading $b\text{šh}$ is quite possible.
96. Listed by Milik, s.v. $b\text{wr}$ (p. 371).
97. Listed by Milik, s.v. $h\text{wdy}$ (!) (p. 376). See Sokoloff (N 17): 135.
98. Listed by Milik, s.v. tr (p. 370).
99. See above, p. 199.
100. The use of dbq as the equivalent of $m\text{ty}$ is found elsewhere in Qumran Aramaic (cf. Fitzmyer, *Genesis Apocryphon* [N 32]: 231).
101. Listed by Milik, s.v. dyn (p. 373). On dwn in Middle Western Aramaic, see Sokoloff (N 17): 141-142.
102. This is the earliest attestation of this common Middle Western Aramaic verb (see e.g., Jastrow [N 26]: 288; Z. Ben-Hayyim, *The Literary and Oral Tradition of Hebrew and Aramaic amongst the Samaritans*, II/2 [Jerusalem: Academy of the Hebrew Language, 1957]: 593, lines 3-4; Schulthess, *Lexicon* [N 85]: 43). 11QtgJob 25:3, etc. employs skl (šlpa').
103. See above, p. 204.
104. This word is missing in Milik's Glossary.
105. On this word, see Sokoloff (N 17): 149.
106. For the justification of listing this entry, s.v. $zyqh$, cf. Sokoloff (N 17): 165-166.
107. Milik (p. 376) has erroneously divided this word into three entries (hzw , $hzyh$ [!], and $hzyw$ [!]; see above, p. 200).
108. Listed by Milik, s.v. hwh (p. 376). I have preferred here the *plene* spelling, employed also in Biblical Aramaic.
109. The entries $hrš$ and $hršh$ given by Milik (p. 377) should be combined. The form $hršh$ (150:15) is emphatic, while the second reference given (166:19) does not exist (see Plate VI).
110. This form would seem to be a Hebrew loan since the later Aramaic dialects only have $h\text{wšbn}$. (The Official Aramaic spelling $hšbn$ is, of course, inconclusive.) Cf., however, the Biblical Aramaic pair $dokrān$ — $dikrōn$ (Bauer-Leander [N 59]: 53).
111. Listed by Milik, s.v. tm^h (p. 378).
112. On this preposition, see: E. Y. Kutscher, "Language" (N 66): 32.
113. For the reading y^{c} instead of Milik's w^{c} (listed by him [p. 386] s.v. the non-existent c), see above, p. 201.
114. See above, p. 206.
115. While the letters yt appear on Plate V, fragment 1, the context is completely broken away, and thus the existence of the object particle there is doubtful. For a summary of the material on yt - in Qumran Aramaic, see Sokoloff (N 17): 163, 188.
116. This word occurs in the expression $wl^p bkdbyn$ (also found in 1QapGen 2:6,7) and is the forerunner of the expression $wl^p bkdy$ in the Babylonian Talmud.

117. Listed by Milik, s.v. hd (p. 376).
118. For kns (289:6), see above, p. 201.
119. Noteworthy is the survival of the root lqh in Qumran Aramaic, found otherwise only in Ancient and Official Aramaic (see: *DISO*: 139).
120. As Milik has pointed out (p. 141), the form $lēt$ for the original $l^p \text{y}ty$ was previously known only from the Middle Aramaic dialects. The unusual defective spelling l has now turned up also in the 5th cent. C.E.(?) Targumic fragment on papyrus from Egypt containing a rendering of the Song of the Sea (Exodus 15), published by Y. Yahalom in *Tarbiz* 47 (1978): 178-184 (nos. 3-4).
121. This word was corrected in the parallel (p. 288) by the ancient scribe to $mn^p n$, $mn^p yn$. Whatever its exact meaning is here, it is certainly incorrect to equate it with the Hebrew $m^p yn$ 'whence' (Milik, note on p. 291) and then to translate it "there" (ibid., p. 289).
122. Listed by Milik, s.v. my (p. 383).
123. Listed by Milik, s.v. $m^p mr$ (p. 383). The spelling without alep (as in the infinitival form in Ezra 5:11) is the only one attested in the 4Q Enoch texts.
124. Milik's explanation of this form as being derived from $mn h\text{w}^p$ is certainly incorrect as may be easily seen from the fact that mnw is followed in the text by $h\text{w}^p$, e.g., $wmnw h\text{w}^p kl^p n\text{w}^p s$ (270:22). Rather, this seems to be a longer (and more archaic?) form of the interrogative pronoun which was pronounced [$*mannā$]. Aside from our text, this form is attested for Official Aramaic in the ideogram MNW in both the Middle Persian inscriptions (see P. Gignoux, *Glossaire des inscriptions pehlevies et parthes* [London: Lund Humphries, 1972]: 29, 58) and in Book Pehlevi (see H. S. Nyberg, *A Manual of Pehlevi*, II [Wiesbaden: Harrassowitz, 1974]: 116; E. Ebeling, *Mitteilungen der vorderasiatisch-ägyptischen Gesellschaft* 14/1 [1941]: 56); cf. also the form $man-nu$ in the Aramaic incantation text from Uruk (see Cyrus H. Gordon, "The Aramaic Incantation in Cuneiform," *AFO* 12 [1937-39]: 107, lines 19-20).
125. For the meaning of this word, see Milik's discussion on p. 187. On the use of the root msr in Aramaic, see Z. Ben-Hayyim, "מסורה ומסורת" *Leshonenu* 21 (1957): 283-292.
126. The pronunciation of this word in Aramaic is not [$nā$] as stated by Milik (p. 180), but [$nē$] (see Sokoloff [N 17]: 146).
127. This entry is missing in Milik's glossary in its proper place, since it was entered incorrectly as gnb (!) (p. 372).
128. Listed by Milik, s.v. nwd (!) (p. 385).
129. This form supports the proposal to read $*mthnzq$ in Ezra 4:13 (see: W. Rudolph, *Ezra und Nehemia* [HAT 20; Tübingen: Mohr, 1949]: 39).
130. For this form, see above, p. 206.
131. In the expression $shwr sh[wr]$. This expression, long known from the later Targumim, now occurs also in 4QtgLev 16:18 (See *DJD* VI: 87; J. A. Fitzmyer, "The Targum of Leviticus from Qumran Cave 4," *MAARAV* 1 [1978-79]: 5-23).
132. For this translation, see above, p. 206.
133. The verb is used together here with the subject yn , 'eye.' In the Middle Aramaic dialects and in Mishnaic Hebrew, the verb is used alone without the

subject in the same meaning (see: Jastrow [N 26]: 1251; C. Brockelmann, *Lexicon Syriacum* [2nd ed.; Halle: Niemeyer, 1928]: 617).

134. Listed by Milik, s.v. *qbl* (p. 390).

135. Milik gives an unattested sg. form *qlp* (p. 391). For the sg. form *glyph/qlph*, cf. Jastrow (N 26): 1377, 1381 and Brockelmann (N 133): 670.

136. The two entries for *qsh* given by Milik should be combined. For the pl. form *qšwy-*, see above, p. 199.

137. The spelling *ʔm* occurs also in 11QtgJob 32:8.

138. Milik points out in his note (p. 236) that this meaning for *rb* occurs in the other Aramaic dialects, especially in Palmyrene (see esp. the detailed discussion of H. Ingholt, "Some Sculptures from the Tomb of Malkū at Palmyra," *Mélanges offerts à Kazimierz Michalowski* (ed. Marie-Louise Bernhard; Warsaw: Panstwowe Wydawnictwo Naukowe, 1966): 470-476. This meaning seems to be the key for the correct understanding of *rb* in the Givat ha-Mivtar Inscription (see J. Naveh, "An Aramaic Tomb Inscription Written in Paleo-Hebrew Script," *IEJ* 23 [1973]: 82); *ʔnh ʔbh br khnh ʔlʕz br ahrn rbh*, i.e., "... Aharon [=the first high priest], my distant ancestor."

139. Milik incorrectly lists this form under a non-existent sg. *rbn* (p. 392). The form *rbn* listed in the dictionaries of Jewish Aramaic means 'our teacher'; see E. Y. Kutscher, "הארמית של השומרונים" *Tarbiz* 37 (1968): 403-404. The pl. *rbynm* 'Rabbis' (sg. *rb*) is very common in Palestinian Amoraic texts and *rabbānē* (sg. *rabbā*) occurs in Syriac (Brockelmann [N 133]: 706).

140. Printed incorrectly after *rḥš* (p. 393).

141. All the forms listed by Milik, s.v. *rḥwq* (p. 393) should be included here.

142. This root occurs in Aramaic otherwise only in Aḥiqar (lines 100, 154) and was replaced in the later dialects by the Akkadian loan *ʔsy*.

143. Listed incorrectly in Milik's Glossary, s.v. *ršʕh* (p. 393). The fact that it appears in context with two other determined nouns (*bʔyštḥ*, *ḥmsʔ*) indicates that the *he* in *ršʕh* is the mark of determination. Aramaic *ršʕ* may possibly occur in 11QtgJob 24:2.

144. This verb is incorrectly listed by Milik, s.v. *mrt(!)* (p. 384).

145. This spelling is a pseudo-correction for the historically correct *skr*. On this same phenomenon in Biblical Hebrew, see J. Blau, *On Pseudo-Corrections in Some Semitic Languages* (Jerusalem: Israel Academy of Sciences and Humanities, 1970): 120-125.

146. Printed incorrectly in the glossary before *šbyʕ* (p. 394).

147. Listed by Milik, s.v. *šhwy(n)*. (An alternative reading here is *šhyyh*.) On this word see Sokoloff (N 17): 150.

148. This meaning of *škḥ* (*HʔApʕel*) is common in Middle Aramaic and is found elsewhere in Qumran Aramaic in 1QapGen 21:13 (see Fitzmyer [N 32]: 4Q Enoch texts).

149. The rare word *škn* 'eyebrow, eyelid,' occurring also in Rabbinic sources, has been discussed by S. Lieberman ("Torah Shelemah," *JQR* 36 [1946]: 323, n. 61), with references to the texts. On the basis of the reading in *Y. Yebam.* 3a (line 60), according to ms Leiden (quoted by Lieberman), we should restore here: *יני [תלית] לשכני עיני*.

CORRIGENDA TO MAARAV 1/1

Page 42, line 17—for kernal read kernel

Page 62, note 76, line 5—for *mwter* read *mater*

Page 67, line 3—for dreusas read dresses

Page 70, line 26—for as read has

Page 72, line 11—for confirmed read conformed

Page 75, note 5, line 9—for vollständige read vollständige

Page 77, note 21, line 1—for textual read textuel

Page 78, note 23, line 2—for *Studien* read *Studiën*

BOOKS RECEIVED

MAARAV lists here all books received which are within our publishing purview or which the editors deem may be of interest to our readership. The appearance of a book in this section neither assures nor precludes its review in a subsequent issue.

KOCHAVI, M., et al., *Aphek-Antipatris 1974-1977 The Inscriptions*, Tel Aviv: Tel Aviv University Institute of Archaeology, 1978. Pp. iv + 60 + 4 plates. \$5.00.

TUTTLE, G. A., ed., *Biblical and Near Eastern Studies. Essays in Honor of William Sanford LaSor*, Grand Rapids: Eerdmans, 1978. Pp. xii + 300. \$15.00.