

## “In Those Days There Was No King in Israel”

The range of problems in the exegesis of the book of Judges<sup>1</sup> was succinctly stated in a half paragraph by Martin Buber:

Historical scholarship, if it replaces religious concepts with profane ones, that of the repetitive falling away from God with that of a repetitive falling to pieces of a unity of people into self-willed tribes, will recognize that the age of which the Book of Judges tells stood in a fluctuating movement between tearing-asunder multiplicity and a completion-desiring unity, and in addition probably this too, that here the principle of unity of a people and that of a faith were sustained by the same powers, by the same persons. The profane-historical transcription of the sequence “apostasy-affliction-conversion-rest” reads: “apostasy-affliction-unification-rest.” But cannot it be assumed that just as at one time the believing experience of an event constituted the people, so the specific conversion to the believing experience of history again and again revived anew the power of unity in the people? That it did not prove itself strong enough gives to the Book of Judges its melancholy character, to the whole, not just to the closing section. One ought to pay attention to this character, and one will embed in it many an episode which now appears to burst strangely out of the context. How Gideon sets up an “ephod” which then becomes the centre of a service of Baal, how Jephtha offers his daughter to the God whose interpreters rebel against nothing so much as against his “Molochization,” all this stands in its place with almost symbolic importance. The tradition supplied it, but he who knew how to impose selection and arrangement upon it in such a way was a great teacher.<sup>2</sup>

Buber proceeded in that chapter to develop an analysis in terms of two “books” of Judges—the bulk of the earlier traditions in chs 1–12 (anti-monarchical) and the later literary products in chs 17–21 (pro-monarchical)

—with the Samson cycle (chs 13–16) understood as the redactional pivot. To the inevitable question of how two such different works might be brought together without nullifying the unity and credibility of the finished book, Buber's explanation wears well:

The balancing . . . depended upon an historical perspective which would be accepted by the readers of the book in so far as it was not already their own. This implicit view of history, which preserved the unity of the book while it enabled its two antithetical parts to be true simultaneously, one can perhaps formulate thus: Something has been attempted—about which the first part reports; but it has failed—as the last part shows. This “something” is that which I call *the primitive theocracy*.<sup>3</sup>

Thanks to the recent voluminous work on second-millennium treaty forms<sup>4</sup> and their ramifications for the reexamination of the biblical conquest traditions,<sup>5</sup> it now appears that the primitive theocracy was more of an institutional reality than Buber believed. It does not, however, in any way detract from the stature of his thesis to object that his analysis in Judges was too schematic and tended to obscure a much more complex redactional history, as clearly demonstrated in the studies of a number of scholars, from the earlier work of Professor Myers in *The Interpreter's Bible* to the recent work of W. Richter.<sup>6</sup> The latter has traced the rise of the book of Judges about as far as the methods of traditions-history can go, and we agree, in the main, with his results. Perhaps a chief contribution has been the demonstration that the term “Deuteronomic” is far too general at the present time for the material attributed to the various redactors. For reasons which will become clear in this paper, we have not adopted Richter's sigla for the several contributors to the book of Judges, but continue, instead, to argue for two main editorial efforts, updating an earlier “pragmatic framework” edition of material found in old Joshua-Judges epic sources. This allows for the closest possible correlation with questions about the growth of the larger historical work to which Judges belongs (not generally within Richter's purview), where the distinction must be drawn between “Deuteronomic” (i.e., Josianic) and “Deuteronomistic” (i.e., exilic) work on the historical traditions.

The second edition completed ca. 550 B.C. not only updated the history by adding a chronicle of events subsequent to Josiah's reign, it also attempted to transform the work into a sermon on history addressed to the Judean exiles.<sup>7</sup>

While the exilic work involved only minor modifications, they were skillful modifications involving, as has recently been shown, inverted use of

“holy warfare” language in the latest work on the introduction to Deuteronomy.<sup>8</sup> In the book of Judges, we will argue, the main “Deuteronomistic” contribution was to revive during the exile some previously neglected traditional units, which now provide the entire book with a tragicomic framework in chs 1 and 19–21. The result is that the book of Judges, in its finished form, begins with historical Israel starting to fall apart in the wake of initial military successes (ch 1) and ends with a very delicate, persistent ideal, Israel, reunited at last in the wake of the tragic civil war with Benjamin—that is, for thoroughly incongruous reasons (chs 19–21). Any exilic updating of a work previously organized so as to climax and end with a justification of King Josiah's program (2 Kings 22–23) would of necessity sound very different, if it were to be relevant to the new context. We suspect that it is a subtle matter, indeed, that the exilic redactor is profoundly concerned with such questions as the one raised so poignantly by Psalm 137—how to sing the Lord's song in a pagan country. The exilic redactor's answer counters the disillusionment of exile; for “comedy is an escape, not from truth but from despair: a narrow escape into faith.”<sup>9</sup>

There is a large and clear parallel in ancient Israel for the sort of exegetical activity which we claim to recognize in the final edition of Judges; it is to be seen in the poetry of the book of Job and the question of the poet's stance toward the old popular story which frames that book and Job's relation to the central concerns of the wisdom schools. In the poetry Job is anything but the model of endurance who is the center of attention in the prose story, the ideal patriarchal type who by his faithfulness enables Yahweh to win a wager. Rather, in the poetry Job is a most self-righteous man who talks himself into a dialogical stalemate. Job successfully defends the abstraction (*ʿelôh*) against all opposition, and in the process persuades himself that Yahweh (as he impulsively blurts out in 12: 7–10) is wrong about his servant Job. Job goes on, however, to be so successful against the false defenders of God that he becomes a false accuser, until at last Yahweh serves up his whirlwind (using the same “argument from nature” as did Job in 12: 7–10). Job at last gets the message, intercedes for his “comforters,” and all of them are given life. It is hard to evade the impression that the poet has expanded the venerable story of Job specifically for the benefit of hard-pressed sages, thus effectively revaluing some ancient pedagogical claims, while at the same time protecting the old prose story from a possible gross misunderstanding.

The book of Job illustrates the essential difference between types of “ancient romances” as delineated for the classical world by Ben Edwin Perry.<sup>10</sup> The prose framework belongs to the “ideal” genre, a popular story told for popular edification and delight. But the poet has broken the story

open and turned the book into an example of the "comic" genre, which was always in antiquity a much more sophisticated form, intended for more sophisticated attention.<sup>11</sup> The recognition of the poetic Job as a profoundly comic figure helps one to understand why there are no scripture quotations in the book,<sup>12</sup> except where Psalm 8 is turned inside out by the haggling of Job (7: 17-18); the story was not yet "canonical" although it was authoritative, and the poet intended to protect it from the superficial interpretation that "piety pays."

The process reflected in the growth of the book of Judges is comparable to that of the book of Job. The Josianic and Exilic redactors of Judges were confronted with collected narrative tradition that was already fixed and inviolable in all essentials. A significant difference from Job is that none of the judges (with the possible exception of Othniel in 3: 9-10) is presented as an ideal figure. Rather, they are clearly presented as historical persons whose varying Yahwistic effectiveness is evaluated in the telling of their stories. The old stories were brought together in such a way as to affirm the rule of Yahweh in the period prior to Saul and David. In themselves the stories are neither clearly anti-monarchical nor pro-monarchical (contra Buber et al.). They must be essentially pre-monarchical, but were compiled early in the monarchy as a help in understanding the new and alien political arrangements within the Yahwist state. It follows that any Josianic or exilic updating of such old epic materials, which had long since been put to historical use, would be confined mostly to the introduction and conclusion of the book.

There are three obvious exceptions. In the speech of the angel (2: 1-5), the speech of the prophet (6: 7-10), and the speech of the divine organizer of Israel (10: 11-14), we recognize intrusive elements which scholars on all hands have regarded as in one way or another "Deuteronomic." In addition to the formal continuity of the indictment speech, the clearest common denominator of these three passages is the abrupt disappointment, the unexpected reversal of pious expectations for the divine response to Israel's plea.

In 6: 7-10 the Deuteronomic prophet who arises in response to Israel's cry confronts Israel with the accusation that entangling relationships with gods of the "westerners" (Amorites in the etymological sense) explains why Israel is now repeatedly immobilized before the annual depredations of the nomadic "easterners." In 10: 11-14, using Deuteronomic logic, the divine administrator first shows how the pattern of appealing to him in hard times had become habit-forming; yet confronted with that embarrassing truth, Israelites on that occasion decided to trust Yahweh anyway and he delivered them. The third passage (2: 1-5), where an angel announces an end to the

conquest though it is in fact an incomplete conquest, sits very loosely in its context; we shall deal with it below as part of the expansions of the introduction to the period. The insertion of all three passages may be assigned to the period of Josiah, whose own reforming campaigns in the north had precisely the opposite effect of a turn for the better in Judahite national fortunes. The key to the Deuteronomic contrast between the judges, on the one hand, and Joshua-David-Josiah, on the other, is the "Book of the Law" (Josh 1: 6-8).

It goes without saying that there was in the old stories of the judges an abundance of humor to be exploited by the Deuteronomic historian in the three ironic homiletical inserts to the book. Yet Josiah's successes were short-lived. An exilic edition had to be relevant to the educated leadership of folk who were once again living in a period like that of the judges—with no king in Israel. The Deuteronomic edition had prepared the way. By a profoundly comic portrayal of the last days of the judges era (chs 19-21), the final editor taught that it was time once again to affirm the high kingship of Yahweh and for every man to do what was right as he thus discerned it.

#### DEUTERONOMIC INTRODUCTION (1: 1 AND 2: 1-5)

Preoccupation with the etiological element explaining the place name The Weepers (*hab-bōkim*) in 2: 1 by reference to "weeping" (*bōkim*) in 2: 5 has obscured a double entendre. Why were they weeping at the beginning of the unit? Clearly the unit as it now stands presupposes the frustration of the larger plan that takes place in ch 1. Yet that chapter is scarcely direct preparation for the scene of mourning that is abruptly introduced in 2: 1. We suggest that in 2: 1 "the weepers," in the view of the Deuteronomic historian, were mourning precisely because Joshua was dead and new leadership was needed. But in the view of that historian, the legitimate resumption of effective military expansion would await the establishment of the Jerusalem monarchy, the careers of David and Josiah especially; for the judges, in the Deuteronomic view, fought only defensive wars. Thus we may suspect that in a pre-Deuteronomic version of the story the angel in 2: 1 arrived only in the nick of time, perhaps to avert an oracular response to the question of 1: 1 (or a question very much like it) at an otherwise unspecified sanctuary.

On the other hand, the fragmentary speech of the envoy (beginning with a cohortative in 2: 1b which must be rendered as past tense) makes better sense as a Deuteronomic indictment of an entire epoch for its failure precisely where Josiah succeeded—that is, in the demolition of competing altars and the avoidance of entangling alliances. Our hypothesis regarding the redac-

tional history of 2: 1-5 gains further support from the scholarly consensus that identifies the "place" in question as Bethel, one of the two great royal sanctuaries of the old northern kingdom, both of which are completely devalued in the Deuteronomic history. The Bethel altar was demolished by Josiah (2 Kings 23: 15). The other great northern sanctuary was at Dan, and it comes in for devastating criticism in the Deuteronomic conclusion to the book of Judges, the supplementary material now found in Judges 17-18.

To summarize: though "every idiom" in 2: 1b-3 derives from an old epic source,<sup>13</sup> the passage sits so loosely in its context as to betray a complex redactional history. Drawn from an old source, the heavenly ambassador had announced the beginning of a new era, in response to a particular question: "Who shall go for us?" Answer: "Don't go anymore." The answer has, in turn, been reshaped as a Deuteronomic prelude to the period, anticipating the older narrative indictment of 2: 10, to be discussed in the next section of this paper.<sup>14</sup> The problem of certain northern oracles is central also to the stories of Micah's Levite (ch 17) and the migration of the tribe of Dan (ch 18), which will be discussed below as the "Deuteronomic" conclusion to the book.

#### EXPANSIONS OF A PRAGMATIC INTRODUCTION (2: 6-3: 6)

The section begins with a repetition of Joshua's death and burial notice,<sup>15</sup> after the insertion of 2: 1-5, with the result that the verbs in vss 6 f must be read as past perfect ("Joshua had dismissed," etc). The death and burial notice is followed by an abrupt statement of non-alignment with Yahweh in 2: 10 (failure to "know") out of an old epic source (cf Ex 1: 8), to which the logical sequence would be vss 20-23, that is, Yahweh's wrath explicated in terms of "broken covenant." The covenantal sense of "to know," however, appears to have been widely obscured in later years, remaining alive only in Deuteronomic and prophetic circles.<sup>16</sup> Thus the intervening vss (2: 11-19) are in essence a Deuteronomic exegesis of what is involved in a failure to "know" Yahweh. That is, to do evil was to commit a socio-political offense, where Yahweh was previously acknowledged as sovereign of the universe and of the Israelite state. The invariable concomitant of not "knowing" Yahweh was to fall into the clutches of the only alternatives (vs 11), the Canaanite god and his consorts. Conversely, each new threat in the period, as well as the rise of new Israelite leadership, was soon interpreted as Yahweh's real provision for the restoration of his realm.

This is an introduction to the period as a whole; it does not imply a cyclical view of historical process. The one element in the framework formula accompanying various pericopes that might support such a view, the state-

ment that in hard times Israelites appealed to Yahweh (3: 9, 15; 4: 3; 6: 7; 10: 10), is conspicuously absent here. The right of appeal could also be exploited (see e.g., the Amarna correspondence), as the Deuteronomic historian made explicit with his insertion of the three speeches discussed above. Here at the outset of the period nothing is permitted to detract from Yahweh's even-handed administration of the realm in the hectic period after Joshua. Judges 3: 1-6 are especially difficult. Apparently two units are involved. Vss 1-4 are used to fix the situation in the generation after the death of the older people who had participated in the conquest. They pose a question (as at the end of ch 2). Vss 5-6 (using another list of the "remaining nations") summarize the results of the test. These units may plausibly be regarded as "Deuteronomic" and "Deuteronomistic," respectively, in view of the analysis of the remainder of the framework material.

Within the body of the book, the Deuteronomic historian was, for the most part, content to leave the preformed cycle of stories intact (except for the insertion of the three speeches), with the effectiveness of the "primitive" political arrangements fluctuating throughout the period, but finally plummeting downward to the point where Samson clearly demonstrates the need for administrative reorganization, a situation which will come to a head in the careers of Eli and Samuel (1 Sam 1-3).

#### DEUTERONOMIC CONCLUSION (16: 1-18: 31)

What was the concluding limit to the Deuteronomic (Josianic) input into the book of Judges? Allowing that it is a fair summary of Deuteronomic intention to legitimize the rule of Yahweh from Moses to Josiah, the climactic use of the standard judge formula in reference to Samson (15: 20) comes into sharper focus. We suggest that the pre-Deuteronomic edition had taken up only those elements of tradition which would clarify and legitimize the use of the verb "to judge." That is precisely a sequence in which Samson at last turns to Yahweh with some sort of direct address, discovering thereby that he is going to live after all (15: 17-20). Here, significantly, there is no mention of Israelites "crying out"; rather, the problem is precisely to show Samson—given the man's reputation—as doing the sort of crying out that makes one a proper Israelite warrior and good judge material.

Against the argument that the judge formula in 15: 20 was only secondarily applied to Samson, and that his career was not within the purview of the pre-Deuteronomic work, we must emphasize the inverted use in Samson's story of so many themes in common with the other judges, but especially the Deborah-Barak material. Deborah and Barak ("Honey Bee" and

"Lightning") style themselves "lovers of Yahweh" and sing at last about erupting sunshine,<sup>17</sup> after securing a sign and presiding over the mobilization of the militia. Surely their story was for years retold alongside stories of the tragicomic hero whose name was "Man-of-Sun" (his last girl friend "Flirt"), and who once singlehandedly slew a lion and later discovered in the carcass a whole "congregation of honey bees" [*'ēdat debōrīm* (14: 8)], but chased them away, enjoyed the honey, and suppressed the sign. His "mother," like the "mother in Israel" in 5: 7, could have told him what it all meant, having received a privileged communication regarding the whole matter of his future. There are also the thirst of the non-hero at the death of Sisera (4: 19) and the last-minute enlistment of Samson (15: 18-19). Both clusters of stories stem from the life of the early popular militia with its perennial leadership and enlistment problems, and there seems to be no clear reason for not understanding chs 13-15 as part of the pre-Deuteronomistic edition.

What sort of judge did Samson turn out to be? To the redactional activity of the Deuteronomistic historian, who seldom left such questions unanswered unless his sources failed him, may be assigned the incorporation of the two Samson stories of ch 16. The incident with the Gaza girl quickly sets the stage. She was fulfilling her publicly recognized role, while the Israelite judge was not fulfilling his own publicly recognized role (16: 1-3). In the Delilah story, which follows immediately, the plot centers upon the theme of the warrior's vow.<sup>18</sup> This old story, in its fixed form, already served admirably the intention of the Deuteronomistic historian, as it told about the tragic end of Samson, but only after the Philistines had added torment to torture and Samson had cried out for Yahweh to vindicate his rule against the torturous treatment of his judge. The historian appended a repetition of the judge formula, appropriately revised in perfect tense (only here in the book): "he *had been* judge in Israel for twenty years" (16: 31).

There had been a closely comparable situation somewhere in the north (chs 17-18). Micah is clearly introduced as self-designated head of a "Little Israel" tucked away in the hills of Ephraim. This introduction balances the earlier depiction of Manoah as a loner ("from Zorah"), head of an encampment somewhere between Zorah and Eshtaol, precise location either forgotten or unimportant (13: 2 and 25). As in the Deuteronomistic supplement to Samson (ch 16), the point is made by merely appending two preformed narrative units. In the first of them (17: 1-4), the cultic opportunist's name is spelled out in full (*mīkayhū*), successfully drawing attention to its inappropriateness as a name ("Who is like Yahweh?") for a maker of "images." The second unit (vss 7-11) recounts the journey of a young aspiring

Levite to a place called Beit-Micah, where, not surprisingly, there lives a man named Micah. After vs 4 the name appears consistently in the short form. Vss 5 and 6 are, accordingly, summary and transition between preformed narrative units, apparently a pre-Deuteronomistic narrative splice. It is here that we meet for the first time the familiar title to these notes: "In those days there was no king in Israel, and every man did what was right in his own eyes" (17: 6). It was, indeed, an ironic state of affairs to the Deuteronomistic historian, and he promptly appended the story of the migration of Dan, whose very name means "judgment."<sup>19</sup> All that he needed to do was to pen a transition (18: 1a), repeating only the first half of our title, because he intended to show how Yahweh was in fact still king, although the local arrangements were in need of revision and, eventually, Davidic stability. To make a long story short, Dan unwittingly turns Micah into a Yahwist once again by depriving him of his "image" (18: 21-26), but goes on to complete the corrupting exploitation of a Levite and to commit one of the baldest atrocities in scripture, capping it off with the installation of Micah's confiscated abomination at Laish (renamed Dan), although "the house of God was at Shiloh" (18: 31). This abrupt conclusion, often recognized as a Deuteronomistic ending in Judges, balances the introduction to the same stratum (2: 1-5), which similarly serves to devalue, from the later Deuteronomistic perspective, the other famous northern sanctuary and a chief target of Josiah's reforms (see above). It is worth noting at this point how neatly ch 18 corresponds in its essentials to the Testament of Dan in Gen 49: 16-18:

Dan shall judge his people  
as one of the tribes of Israel.

Dan shall be a serpent in the way,  
a viper by the path,

that bites the horse's heels  
so that his rider falls backward.

I wait for thy salvation, O Yahweh!

#### DEUTERONOMISTIC CONCLUSION (19: 1-21: 25)

Scholarly attention to the ending of the book of Judges has too often been diverted by the problem of the introduction, without seeing both of them in balance. Thus, a residual question about the *Sitz im Leben* of chs 19-21 has never been satisfactorily answered: how was this tragically inverted account of Yahwist warfare, capped off by the intra-Israelite application

of the *herem* to the point of nearly obliterating one tribe (ch 19–20) and another entire urban center (21: 1–14) and followed by the premeditated abduction of the Shiloh maidens (21: 15–25), supposed to be relevant to anything at all? To be sure, the account of the civil war has been recognized as an invaluable source for understanding the “amphictyonic” constitution in the pre-monarchy period.<sup>20</sup> Yet the problem remains that there seems to be nothing in the chapters that is edifying to a religious consciousness, whether ancient or modern.

We submit that the final chapters of Judges present a comic resolution to the chaos of the entire transitional period from Joshua to the monarchy. There are two kinds of clues to the character of these narratives. One is a series of rhetorical observations which connect with ch 1, which will be discussed in the final section of this paper. The other clue is found in the contrasting characterizations of the two Levites who are the center of attention in chs 17 and 19; this contrast is surely to be correlated with the concern for the Levitical priests in the Deuteronomic legislation, on the one hand, and Josiah’s policies, on the other. For it seems clear enough that one of the most problematic aspects of the seventh-century reform had to do with satisfactory provisions in Jerusalem for Levites left unemployed by the demolition of outlying cult places. We suspect therefore that in ch 19 the disaster of 587 B.C. has unleashed a most surprising bit of “Levitical criticism.”

The Levite of ch 19 is already well established, and his trouble begins when his concubine goes home to Bethlehem. Thus, he is introduced in striking contrast to the aspiring young Levite from Judah who had accepted employment at Micah’s place (ch 17). The inversion of narrative elements is here a redactional key; after feasting at his father-in-law’s expense for the better part of a week, the Levite of ch 19 got a late start one afternoon. Unlike Micah’s Levite, he was not about to take his chances just anywhere, especially in Jerusalem. Rather, he intended to capitalize on the Israelite law of hospitality, even if it meant that he must trust himself to the Benjaminites (for their reputation, see especially 3: 12–30). In response to his protest about the gang-style rape and murder of his concubine, the tribe of Benjamin was very nearly wiped out.

The model for this story, as often noted, is the old story of Lot, where the local inhabitants complain, “This fellow came to sojourn and he would play the judge” (Gen 19: 9).

Thus the last Levite to appear in the judges book sets himself up as judge and rallies “all Israel.” The only other place in the book where “all Israel” appears explicitly is in the sequel to the account of Gideon’s suppression of the nomads (presented in 8: 18 as a personal vendetta, where he piously

declines their offer of kingship but demands, instead, the makings of an elaborate ephod (8: 22–26). That is, he demanded the trappings of judge, inasmuch as the ephod had tightly bound to it the “judicial ‘breastplate’” (Exod 28 and 39). And “all Israel went whoring” after Gideon’s ephod (8: 27). The bias of this pericope is perhaps another Deuteronomistic contribution.

In ch 20, Israel is again united, but for mostly odd reasons. A clear signal to the “comedy of correctness” is the opening enquiry in 20: 18, “Which of us shall go out first to attack the Benjaminites?”<sup>21</sup> Nowhere in the sources is there any evidence that oracular means were used to assign particular field obligations (on 1: 1, see below). The captains had, except on rare occasions which took everybody by surprise (Joshua at Ai; David in 2 Sam 5: 23), to devise their own strategy. Moreover, we may understand that the oracle was programmed to answer only the question that was asked; and orderly enquiry before battle called for a prior question. Not “Who shall go first?” Rather, “Shall we go or not?” (2 Sam 2: 1; 5: 19; 1 Kings 22: 6, 15; cf. 1 Kings 12: 24). It was Yahweh’s prerogative alone to declare war. We may thus understand the narrative integrity of two severe drubbings in ch 20; it was only after they got their questions in the right order and at the proper place of enquiry (before the ark of the covenant) that victory was to be expected (20: 27 ff). What a tremendous cost, this old-style Israelite unity! The narrative admits of no compassion toward the concubine. And when the possibility of reconciliation with Benjamin is at last at hand, the *herem* is revived (except for 8: 22–28, the first hint of that institution since ch 1) against Jabesh-Gilead for not sending in the expected quota of troops (21: 11). Only tardily had the combatants recognized that they were on the point of permanently rupturing the inviolable twelve-tribe organization. The ancient institutions of the Yahwist war would no longer suffice.

It is difficult, if not now impossible, to regard these chapters as anything more or less than an exilic narrator’s artful elaboration, out of the historical memory and an archaic source recounting the tragic civil war with Benjamin.

How had Israel survived? The Deuteronomistic conclusion shows how they had at last used their heads. The council of elders had thought up the kidnapping of desirable maidens at Shiloh. The implication of the fact that Shiloh’s location must be described is that the venerable amphictyonic center was not much visited by the Yahwists anymore (so that the insertion would not do exegetical violence to the picture of Elkanah as an exceptional Yahwist in 1 Sam 1). The elders will explain that no law has been violated: the elders did not take them and the kinsfolk did not grant them. ’Twas sheer grace!

"In those days there was no king in Israel. Every man did what was right in his own eyes" (21: 25). And so, by implication, can the exiled believer, and maybe better, thanks to the memory. According to Deuteronomy, Moses had presented such a mode of decision making as being appropriate prior to the conquest (Deut 12: 8), which had meant to the Deuteronomistic historian that it was most inappropriate on at least one occasion following the conquest (Judg 17: 6); but it was now in order where the pre-conquest conditions once again prevailed. Israel was to do it again—make a new beginning.

#### DEUTERONOMISTIC INTRODUCTION (1: 2-36)

Recognition of the conclusion of Judges as comedy that is yet profoundly Yahwist in its affirmation suggests a new point of entry to the bulk of ch 1. The question of the character of ch 1 has been effectively obscured by the scholarly suspicion that it presents a more reliable "minority report" to the normative conquest tradition that is preserved in the book of Joshua. Proponents of this view, however, have never succeeded in making intelligible how this could begin "after the death of Joshua," in light of 2: 8. While the theory of the reliable minority report has been effectively refuted by G. Ernest Wright as being unable to accommodate the archeological data,<sup>22</sup> the redactional integrity of ch 1 has never been satisfactorily explained.

We propose that 1: 2-36 is a redactor's attempt to provide a fresh perspective on the indictment in 2: 1-5 and the chaotic chain of events to follow. This would explain why the selection of materials in ch 1 involves doublets with Joshua 15 as well as otherwise unattested traditions. It aims to show how the situation worsened after Joshua's death, until the master plan for economic reform was at last thwarted (vss 27-35).

The key to the final edition of the introduction is, in this view, the incongruity between the answer "Judah shall go" and the question about leadership for offensive warfare in 1: 1, an incongruity which harmonizes very well with the exaggerated caricature of civil war in ch 20, where we find the same response to a similar inquiry (20: 18). In this manner, the exilic redactor affirmed, through a tragicomic narrative, how the recent demise of Judah was the end result of a process of divine discipline that had been initiated by Yahweh's will for the well-being of his people.

The only alternative to such an approach to the problem of ch 1 would be to assume that the redactor knew nothing about traditions associating historical Joshua with reforms in land tenure (which, in light of the last half of the book of Joshua, we find almost inconceivable), or else that the

redactor set out most unsuccessfully to counter such traditions (which we find implausible). Rather, in his use of older materials, he set out to frame the earlier "Deuteronomistic" edition of the book of Judges with material that shows Israel virtually "on the ropes" by the end of ch 1 and painfully but surely reassembled in chs 20 and 21.

If "tragicomic" is a fair description of the final frame of Judges, then the problem of doublets between Joshua and Judges 1 is posed in a new way, for there is no clear indication of an early (that is, pre-exilic) combination of the multifarious traditional pieces that now make up Judges 1. We suspect that the bulk of the combining and grouping of these old units stems from the same redactor as do the final chapters, where the purpose is not merely to chronicle the past but to affirm the present rule of Yahweh in the midst of chaos.

Judah sets the pace in 1: 2-7, as it will again in ch 20. In 1: 8-9, after the initial success, we are prepared for great things but are brought up short by the campaign against Debir. While our attention is momentarily arrested by Achsah (vs 15), we are presented with the peaceful performance of some Kenites for contrast (vs 16). Then the account of Judah's plundering resumes, capped by the (ironic?) summary in vs 19.<sup>23</sup>

Will Ephraim and Manasseh do better? Not much. There is a place in the Hittite country to this very day called Deception (*lûz*, "to turn aside," with devious or crafty intent), commemorating a piece of conquest by treachery. Manasseh, Ephraim, Zebulun, Asher, and Naphtali are all charged specifically with failure to carry through reforms in land tenure. Finally, as in the earlier Deuteronomistic edition, there was Dan, who could not expand into the plain because of the "westerners" there.<sup>24</sup>

Ch 1 ends with Israel in complete disarray, thus anticipating the angel's response (2: 1-5) to the premature question (1: 1).

The conclusion appears inescapable that this final redactor has indeed been taught by the Deuteronomistic preoccupation with reversals of Israelite expectations (clearest in 2: 1-5; 6: 7-10; and 10: 10-16). The last of these had made the point that crying out to Yahweh in time of crisis had become habit forming. Yet, confronted with that embarrassing truth, they decided to trust him anyway, and he delivered them. What had been true in Jephthah's day is regarded at last as truer than ever.<sup>25</sup>

#### NOTES

<sup>1</sup> It is a privilege to be able to present this essay to Professor Myers, whose fine "Introduction" and "Exegesis" of the Book of Judges in *IB*, vol. II (1953) appeared just in time to help whet my appetite, as a seminarian, for critical biblical studies and to set the basic guidelines for the investigation leading to this paper.

<sup>2</sup> M. Buber, *Kingship of God*, 3d ed., tr. Richard Scheimann (1967), p. 68.

<sup>3</sup> *Ibid.*, p. 83.

<sup>4</sup> From the pioneering studies by G. E. Mendenhall, "Ancient Oriental and Biblical Law," *BA* 17 (1954), No. 1, 26-46, and "Covenant Forms in Israelite Traditions," No. 2, 49-76 (reprinted as *Law and Covenant in Israel and the Ancient Near East* [Pittsburgh: The Biblical Colloquium, 1955], and again in *BAR* III [1970] pp. 3-53), to the excellent summary and synthesis by D. R. Hillers, *Covenant* (Baltimore, 1969).

<sup>5</sup> Again, beginning with the pace setting work of Mendenhall, "The Hebrew Conquest of Palestine," *BA* 25 (1962), 66-87, reprinted in *BAR* III (1970), 100-20. See the summary and evaluation by J. L. McKenzie, *The World of the Judges* (Englewood Cliffs, N.J., 1966), pp. 95-98.

<sup>6</sup> *Die Bearbeitungen des "Retterbuches" in der deuteronomischen Epoche*. Bonner Biblische Beiträge 21 (1964).

<sup>7</sup> F. M. Cross, Jr., "The Structure of the Deuteronomic History," *Perspectives in Jewish Learning*, vol. III (1968), p. 19.

<sup>8</sup> W. L. Moran, "The End of the Unholy War and the Anti-Exodus," *Bibl* 44 (1963), 333-42.

<sup>9</sup> Christopher Fry, "Comedy," in *The New Orpheus*, ed. Nathan A. Scott (New York, 1964), p. 286.

<sup>10</sup> *The Ancient Romances* (Berkeley, 1967).

<sup>11</sup> Fry regards the book of Job as "the great reservoir of comedy." *Op. cit.*, p. 288.

<sup>12</sup> On the importance of the absence of scriptural quotations from Job, see W. F. Albright, *Yahweh and the Gods of Canaan* (Garden City, 1968), pp. 260-61, who relates the language of Job to the non-Israelite coast of Palestine, where culture was Phoenician but the population was certainly in part Israelite. Thus there is no need to regard the poetry of Job as exilic or later in order to discern a comparable redactional context.

<sup>13</sup> M. Weinfeld, "The Period of the Conquest and of the Judges as Seen by the Earlier and the Later Sources," *VT* 17 (1967), 95, who overlooks the idiom "my covenant" in vs 1b.

<sup>14</sup> The final answer to the question of 1: 1—"Judah"—is marked by its repetition in 20: 18 as a redactor's *inclusio*, drawing the bulk of ch 1 into the latest editorial stratum of the book, to be discussed in the final sections of this paper.

<sup>15</sup> Cf Josh 24: 29-31. Only the sentence order is revised in Judg 2: 7-9, yielding a movement more appropriate to the introduction of the new epoch. The literary device of "repetitive resumption" has been studied in great detail by S. Talmon, who recognizes here a recurring literary device by which independently self-contained units were incorporated into narrative texts. Among numerous examples discussed in meetings of the Biblical Colloquium (November, 1970), Talmon included also Judg 15: 20 and 16: 31; the latter passage he regards as the contribution of the redactor of ch 16 (see below). These two examples of the repetitive resumption in Joshua-Judges also illustrate another of Talmon's observations; the redactor, when he repeats, frequently inverts elements (2: 6-9) or revises slightly (the form of verb in 15: 20 and 16: 31).

<sup>16</sup> H. Huffmon, "The Treaty Background of Hebrew *Yada'*," *BASOR* 181 (1966), 31-37.

<sup>17</sup> 5: 31, which, it appears from the singularity of the verse, was all that they sang in the narrative source, prior to the insertion of the archaic song which now fills the chapter. For the argument that names are of the essence in such narrative art, see L. Alonzo-Schökel, "Erzählkunst im Buche der Richter," *Bibl* 42 (1961), 143-72. For the theo-

political referent of the verb "to love" (*'hb*), see W. L. Moran, "The Ancient Near Eastern Background of the Love of God in Deuteronomy," *CBQ* 25 (1963), 77-87.

<sup>18</sup> As argued by Blenkinsopp, *JBL* 82 (1963), 65-76. It is not, however, merely a matter of a "broken" vow. For it is only after Samson's lighthearted recommendation of several sorts of magic that he finally tells her the truth. Yet he cannot have regarded it as the truth or he never would have told her. The Nazirite's haircut publicly symbolized his demobilization or retirement (Num 6: 13-20)—that is, Yahweh at last allowed Samson to be dishonorably discharged. The Philistines, for their part, also bungled it, for the only way to stop a man's hair from growing was to kill him. Samson could reenlist, upon proper application. Thus the theme is not so much the "broken" vow as it is the vow which was not taken seriously until it was too late.

<sup>19</sup> M. Noth, "The Background of Judges 17-18," in *Israel's Prophetic Heritage*, ed. B. W. Anderson and W. Harrelson (New York, 1962), pp. 68-85, has argued convincingly that the scandalous tone of the story is to be understood as polemic from the royal Israelite sanctuary of Dan (thus originally pre-Deuteronomic polemic), established by Jeroboam I, polemic concerned to discredit the old Danite tribal shrine. The story thus reflects a prehistory. See also A. Malamat, "The Danite Migration and the Pan-Israelite Exodus-Conquest: A Biblical Narrative Pattern," *Bibl* 51 (1970), 1-16. The story in Judg 18 is explained by Malamat as "a sort of diminutive model of a campaign of inheritance, which pattern appears on the national scale in the Exodus and Pan-Israelite conquest cycles." This story will in turn be exploited by the author of ch 19-20, where we will see Israel doing everything right, but over-doing it. Only at the end of the book are things at last done simply for the right reason (21: 25).

<sup>20</sup> M. Noth, *The History of Israel*, 2d ed., tr. P. R. Ackroyd (1960).

<sup>21</sup> The text of the battle narrative is notoriously difficult. Professor Myers found it impossible to decide between evidence of "sources" and "midrashic expansions" (*op. cit.*, pp. 814 ff). We have concluded that most of the problems can be traced to variants in oral transmission. See provisionally our notes in *VT* 16 (1966), especially 293-95. All that is finally necessary to apprehend narrative integrity in such an artificial depiction of military operations is to read the first *bél 'él* (20: 18) as a reference to the Mizpah sanctuary (and not "Bethel"), a possibility that John Gray now considers entirely plausible; see *Joshua-Judges-Ruth* (London, 1967), p. 241.

<sup>22</sup> "The Literary and Historical Problem of Joshua x and Judges i," *JNES* 5 (1946), 105-14.

<sup>23</sup> Vss 20-21, and probably vs 10, are plausibly understood as marginal annotations that have been drawn into the text.

<sup>24</sup> Cf use of "Amorites" in 6: 7-10, discussed above. 1: 36 seems to be a copyist's query based on a misunderstanding of the preceding use of "Amorite" in its original sense.

<sup>25</sup> The hypothesis of the redactional expansion of an old Joshua-Judges epic source in three main phases ("pragmatic," "Deuteronomic," and "Deuteronomistic") correlates well with the otherwise baffling conclusion of the book of Joshua, which also seems to end twice. Josh 24 recapitulates the great convocation at Shechem, where Joshua presides over a covenantal affirmation by all the tribes that have thus far participated in the Yahwist revolution in Canaan. The documentary basis for the chapter is a very old one, and many scholars see in it a reflection of the definitive emergence of the specifically Israelite amphictyony. The chapter leaves the matter of success or failure in the new experiment an open question: Will you or will you not maintain the covenant constitution? What is affirmed through the lively narrative depiction of negotiation and ratifica-

tion in ch 24 now has eloquent hortatory preparation in ch 23. But that chapter, as Joshua's "Farewell Address," is complete in itself; it is a preformed unit which has been inserted in such a way that the last two chapters of Josh are most inefficiently redundant. The most striking thing about the farewell speech is its negative expectation for the survival of the federation, spiraling downward to a devastating conclusion: "If you break the covenant . . . you will quickly vanish from the good land he has given you" (Josh 23: 16). This chapter clearly reflects Deuteronomic eloquence; yet, from the standpoint of the question about redaction, it fits best the period in which the prophecy had been fulfilled.