

**THE RELATIONSHIP BETWEEN APOSTASY IN JUDGES AND LACK
OF KINGSHIP IN LIGHT OF DEUTERONOMY**

by

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DECLARATION OF ORIGINALITY

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CHAPTER 1: INTRODUCTION

1.1 Introduction and Relevance

In this dissertation I will explore the relationship between the apostasy in the book of Judges and the lack of kingship in the book of Deuteronomy. I will argue that the lack of worship in Judges is directly related to a decline in socio-economic problems in Deuteronomy, including landlessness, food insecurity, poverty and inequality. I will further expound that these self-same problems are faced by our nascent democracy in South Africa, highlighting our need for God.

The way to social cohesion with God and His people is clearly shown in Deuteronomy and to some degree in the 8th century prophets (Brueggemann 2002:3–29). Part of this work will argue that devotion to the covenant with YHWH promises to bring cohesion and solidarity with YHWH and his people, as well as “God’s gift of Land¹”, which ultimately brings security in many ways with God. However, the broken covenant with YHWH leads to “loss of land²” which in attendance brings about insecurity and other socio-economic problems and will inevitably have people move toward a state of dismay and inequality.

1.2 Background

I would like to argue that there has not been adequate work on the aforementioned themes from an Old Testament perspective. Thus this work, in whole or in part, will contribute to the broader research in the field of the Old Testament on apostasy which results into deteriorating socio-economic conditions. By extrapolating the themes of apostasy, ideology, poverty and landlessness in Judges and its relationship with Deuteronomy, I will argue that socio-religious cohesion is attainable in working toward future studies in the socio-economic discourse in South Africa.

1.3 Problem Statement

How does apostasy in the absence of monarchy in Judges and to some extent in Deuteronomy impact on socio-economic issues? The analysis of the apostasy and monarchy in Judges and Deuteronomy that ultimately manifest in worsening socio-economic issues are not so pellucid and therefore do not always translate into a uniform path in the Old Testament, but it

¹See Brueggemann (2002:46).

²See Brueggemann (2002:108).

is the intention of this paper to make this clearer. It should be borne in mind that total security and faithfulness to God in the Old Testament does not always translate into cohesion, and part of the balance and limitations to this research is to show this, too. But I will argue that in the study of apostasy in Judges in relation to Deuteronomy, socio–religious and economic standing are inevitably linked.

This research project will also be asking questions such as: What leads to the paradigm of Israel’s apostasy in Judges? What is the relationship between apostasies from Judges in relation to texts in Deuteronomy? What did security under God mean in the Old Testament? What is the relationship between social issues and cohesion? These questions lead to the topic under scrutiny. This will contribute to knowledge surrounding the connections between apostasy and monarchy in Judges and Deuteronomy, related to concerns such as ideology, land, inequality and socio–religious cohesion.

1.4 Aims and Objectives

The objectives of this research are:

- I.** Formulating the research framework, including explaining concepts.
 - To set out the research.

- II.** Establishing a paradigm of apostasy concerning the judges cycle.
 - To apply structural analysis in the societal breakdown of Israel.

- III.** Examining the relationship between the apostasy in Judges and Deuteronomy.
 - To understand how apostasy can either create or destroy religious and economic cohesion.

- IV.** Summarise scholarly debates surrounding Deuteronomy, Judges and monarchy.
 - To understand the corpus of views on the history of Deuteronomy.

- V.** Aiding the interpreter, so as to understand issues of cohesion in Deuteronomy concerning God’s intention for his people.
 - To analyse the context of social challenges.

VI. Investigating Deuteronomy 15 as a useful resource from which to gain insights.

- To exegete Deuteronomy 15.
- To contribute to the discussion around socio-economic conditions.

VII. Exploring the relationship between Judges, Deuteronomy and South African issues.

- To highlight issues in South-Africa.
- To link the South African issues with issues in Judges and Deuteronomy.

VIII. Synthesising the research with the analysis, hypothesis and concluding remarks.

- To synthesise data.
- To apply the hypothesis and the research problem.

1.5 Methodology

This research will mainly be qualitative and literature study. This means that I will explore commentaries on the background and connection to apostasy that leads to social insecurity in Judges and Deuteronomy, including analysing the history and theology of these biblical texts. Books and articles on the socio-economic circumstances of Israel will also be studied in an attempt to map a positive discourse for South Africa.

In reading Deuteronomy 15, a theological-ethical approach will be employed. The observation of the seventh year in Deuteronomy will be closely examined in theological and ethical terms. Given that the seventh-year legislation appears in Exodus, Leviticus and Deuteronomy, this study prefers to refer to the seventh year either in Exodus, Leviticus or in Deuteronomy rather than the seventh year in the Bible.

The approach discernible in Deuteronomy might not necessarily be identical with that seen in the other books. Along with the seventh-year legislation, the concept of brother in this text will also be examined. The use of a theological-ethical method does not necessarily exclude the historical and the literary-critical methods. Each method asks particular questions which another method might not necessarily ask. Particular questions expect particular answers and thus one reaches particular conclusions.

In other words, each method probes the text uniquely, so that they complement one another. To enrich the analysis further, the historical and the literary–critical methods will also be utilised.

1.6 Hypothesis

The relationship between apostasy in Judges and lack of kingship in Deuteronomy illustrates the crises of a malfunctioning Israelite social context. It further informs an understanding of malfunctioning leadership regarding the socio-economic context in South Africa. Themes of apostasy in the book of Judges, and a lack of proper kingly worship as ascribed in Deuteronomy heightens the relationship of social decline. This theme helps the reader to understand the social decline in South Africa where socio-economic inequality challenges are concerned. Also the South African socio-economic challenges can be appropriated by taking seriously and observing true religious worship, which include exploring the idea of brotherhood/sisterhood and blessing found in Deuteronomy and in the Pentateuch at large.

1.7 Chapter Divisions

Chapter 1: Introduction

It will contain the background of this research. This includes the research problem with associated questions that concern the problem, research approach, hypothesis and the different chapter divisions employed in this study. Furthermore, the introduction will explain key concepts within the research framework.

Chapter 2: Apostasy in Judges

This chapter will bring into focus how the apostasy in the book of Judges has contributed to the decline of God’s people, religiously and otherwise.

Chapter 3: Link between Judges and Deuteronomy

This chapter will summarise the state of research on the subject of monarchy, apostasy and other related concepts that will reveal connections with the book of Judges.

Chapter 4: Implications of pro–monarchy and anti–monarchy

This chapter will outline the debates around apostasy and monarchy within the context of Judges and Deuteronomy and how it should be interpreted.

Chapter 5: Deuteronomy's socio-economic ideology and the people of God

This chapter will help interpret the interrelatedness between Israel's ideology and the inequality and lack of cohesion in Deuteronomy, despite God's intention for his people to flourish.

Chapter 6: Socio-economic issues in Deuteronomy

This chapter will exegete Deuteronomy 15 in order to provide useful insights that can be guiding principles for addressing socio-economic inequality in post-apartheid South Africa in the next chapters.

Chapter 7: Relationship between the socio-economic conditions in Deuteronomy, Judges and South Africa.

This chapter explores the socio-economic conditions of South Africa in relation to the texts in Judges and Deuteronomy. It will include a brief historical overview to the South African socio-economic situation and how it has affected the presented context.

Chapter 8: Conclusion

This will be the summary of the research and will provide insights that have been gained in the previous chapters. This will include comments on the approaches that have been used, adding scholarly input. I will conclude by answering the research's hypothesis, as well as by making final remarks.

1.8 Orthography and Terminology

1.8.1 Orthography

The biblical quotations applied in this research will be taken from the *New International Version* (NIV) Bible Translation. This will include references for biblical abbreviations. Other Hebrew resources, such as the *Biblia Hebraica Stuttgartensia* (BHS), as well as *The Septuaginta* (LXX) for any Greek inserted texts, will come from *Novum Testamentum Graece*'s 27th edition (NA27).

Throughout this work, headings, sub-headings, bibliography nouns and verbs will start with capital letters and prepositions. In addition, it goes without saying that definite articles will also be written in small letters and footnotes will be applied. When it comes to the referencing style, this research will make use of the Harvard referencing system.

1.8.2 Terminology

Terminologies used in this research are as follows:

Deuteronomic: Pertaining to the book of Deuteronomy.

Deuteromistic: Pertaining to the writing of Dtr and the writings in DtH.

Dtr/Deuteronomist History: The hypothetical theologian who collated, edited, shaped and authored DtH.

Higher Criticism: The attempt to reconstruct the original form(s) of the text without manuscript evidence, based only on evidence internal to the text e.g. spelling, lexical data, phraseology, compositional markers, editorial comments, etc.

Historical/Source Criticism: A form of higher criticism. The attempt to reconstruct the original sources from which a text is compiled. Associated with Wellhausen's documentary hypothesis (JEPD).

Lower/Text Criticism: The attempt to reconstruct the original form(s) of the text based on manuscript evidence.

Tradition Criticism: A form of higher criticism. The attempt to reconstruct the oral or cultic traditions that lie behind the eventual composition of certain text.

Urdt: The earliest (ur) core of Deuteronomy, containing primarily the legal code (Deut 5–26) prior to the work of DtH.

God's Promises and Covenant Fulfilment: The covenant is viewed as a treaty between suzerain and vassals, with the Torah as the stipulations (terms) of the agreement. The Former Prophets depict the blessings and curses of Deuteronomy as both successively coming true.

Restricted devotion to YHWH: The covenant is focused on defining the nature of the relationship with YHWH. Prohibitions against idolatry: 'Hear, O Israel: YHWH your God YHWH is one.' God is God alone.

Innermost reverence: Deuteronomy insists on the centralisation of worship 'in the place that the LORD your God will choose'.

Justice: Special concern for the poor, for widows and the fatherless – and even love for 'the stranger'.

Covenantal Addresses: Leaders make calls to covenant faithfulness at key points: Joshua's farewell speech (Josh 23); Samuel's speech after accepting the request for a king (1Sam 12); Solomon's temple dedication (1Kgs 8).

Land and Exile: Gaining and losing land bookends the collection.

Henotheism: There are many gods, though they are territorial (Judg 11:21–24). But God is active in territories outside of Israel (e.g. Egypt; even Sinai, his mountain, is not within Canaan itself). The setting of Mt Carmel is a conscious clash of henotheism (Baal's land) with monotheism (is Baal a god at all?). 1Kings 8: God is not contained in temples (and surely, by extension, in lands). How should we see the land? Canaan is not God's home; it is the place that he has sanctified for his presence with his people. In other words, exile is not one of the curses, it is *the* curse – the end of the covenant relationship.

Repetition: This is a key means of emphasising a point or highlighting an important theme. These are the stories of repetitious events:

1. Israel rebels against God.
2. An enemy moves in and oppresses them.
3. Israel cries out to God for deliverance.
4. God raises up a judge who frees them from their enemies.
5. There is peace while the judge lives, but after he or she dies, Israel returns again to the start of the cycle.

The regularity of the cycle is meaningful in itself, demonstrating how prone people are to forgetting God and what He has done for us in the past.

Synecdoche: Synecdoche is a device in which a part of something is supposed to stand for the whole, or the whole is used for a part. Judges uses its characters as synecdoches. The judges who gradually become worse and worse leaders of their people stand symbolically for the whole nation, which is descending into lawlessness and idolatry. Gideon, at the centre of the book, is the half-willing opponent of Baal. Gideon, after much patient coercion on God's part, eventually decides to trust God and is triumphantly vindicated. Yet as soon as God's faithfulness is powerfully shown, Gideon immediately stumbles into the snare of idolatry again. Similarly, at the end of the cycles of judges stands Samson, the ultimate picture of wayward Israel.

Chiasm: Each element leading to the central event will have a matching partner in the elements leading away from the centre, according to our paradigm. The second thing that a

chiasm highlights is the differences between the first set of parallel stories and the second set. In other words, we see whether there is any development from the start of the chiasm to the end.

CHAPTER 2: APOSTASY IN JUDGES

2.1 Introduction

Judges 2 introduces an initial, complex construction of the paradigm. Webb (2008:121) recognises the insight the reader is given into the mind of the LORD, “Clearly 2.6–3.6 is more than an outline of what follows,” since, notably, “it is not presented with the authorial detachment of a mere plot summary”³. Those elements of Chapter 2 are repeated through the major judge episodes, which demonstrate the fact that a framework has been established. Klein considers the paradigm to be described in 2:16–19⁴. However, such a reading does not account for the contribution of Judges 2:11–15, which seems inextricably linked⁵ and, I would argue, includes paradigmatic elements that feature in later narratives, but are not to be found in 2:16–19⁶. Nevertheless, a break between verse 15 and 16 is easily discerned⁷ and we will therefore deal with each section individually. For the sake of completeness, we would read 2:1–5 as setting up the coming judge narratives, but as needing explanation, in particular with regards to the LORD refusing to break the covenant (2:1), but justifying his parallel refusal to drive out the nations (2:3). This explanation is seen in the narration that follows: the narrator brings Joshua's generation to an end (which is why he picks up on the fathers through verses 11–20) and builds to a climax in 2:20–21, which repeats those early elements of the covenant and the implications on surrounding nations. See diagram below:

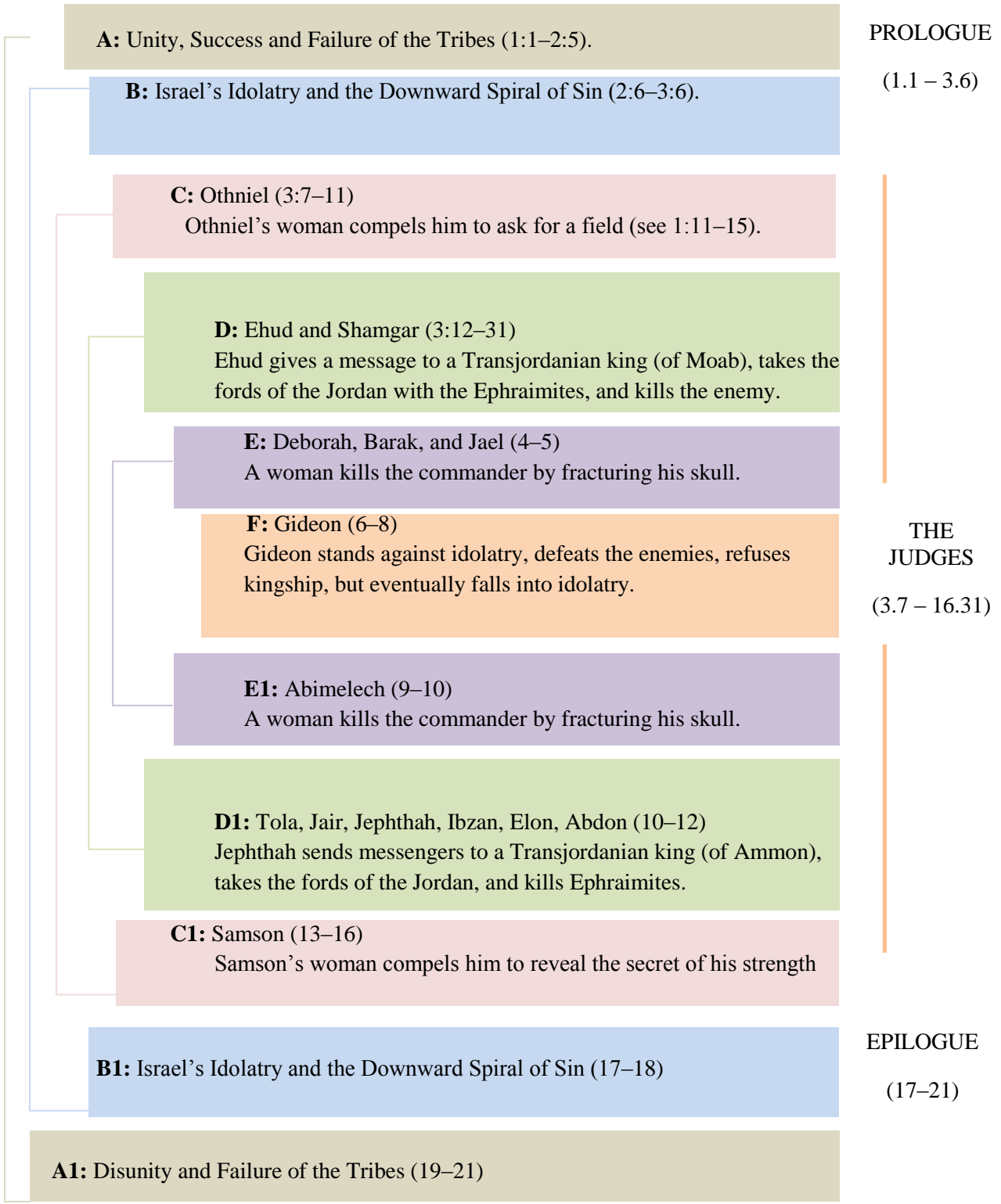
³ See Webb (2008:121).

⁴ Klein (1989:14–15) identifies three paradigms; “major”, “minor” and “resolution”. The reader will see the focus of this dissertation the themes of the “major” Judges paradigm will be explored.

⁵ See the parallel elements of “saving and selling” in Judges 2:14,18; serving and bowing to other gods (2:11-19), comparison to fathers (2:12-19) as well as the verbatim repetition of 2:14 and 2:20.

⁶ Therefore the LORD sold his people into the hands of the enemies (2:14) because their evil has come up before him (2:11). This is the start to every major judges account right through to chapters 17–21 with the possible exception of Abimelech.

⁷ The reader will see “paragraph-breaks”. But for the analysis in this work the reader will see significance of these breaks because they contribute to the structural analysis of the judges paradigm.



Structure to the book of book of Judges

2.2 Structural framework

The Othniel account has been described as the framework “dramatised” (Klein 1989:14) and as the reader will see, the episode constitutes almost pure framework and can easily be demarcated as 3:7–11. Here are some examples of the structural framework of the text for how the reader should see textual framework of the Judges.

2.2.1 Narration framework elements

The examination of the narration frameworks to the Judges cycle. This will include the analysis of the elements of how evil provokes anger from YHWH in relation to Israel as it plunged into despair (2:11-15). In the first section, a chiasm can be found⁸ which functions to explain and justify the anger of the LORD against the Israelites:

A 11 And the people of Israel did what was **evil**⁹ in the sight of the LORD and served the Baals.

B 12 And they abandoned the LORD, the God of their fathers, who had brought them out of the land of Egypt. They went after other gods, from among the gods of the **peoples who were around them**, and bowed down to them.

C – And they **provoked the LORD to anger**.

D – – 13 They **abandoned the LORD** and

D' – – **served the Baals** and the Ashtaroth

C 14 So the **anger of the LORD was kindled** against Israel,

B and he gave them over to plunderers, who plundered them. And he sold them into the hand of their **surrounding enemies**, so that they could no longer withstand their enemies.

A 15 Whenever they marched out, the hand of the LORD was against them for **harm**, as the LORD had warned, and as the LORD had sworn to them. And they were in terrible distress.

⁸ Block (1999:124-127) disagrees with the structural analysis outline in this work because he feels it has been heavily paraphrased. Webb (2012:121) on the other hand finds a complex set of parallels in verses 11–13, where he aptly describes “a detailed exposition of the formula, 'the Israelites did הָרַע (that which was evil) in the eyes of YHWH' ” (Webb 2008:123).

⁹ In v11 and v15, רַע is the root word here. It is a masculine noun, the definite object, whereas in v15, it has a feminine ending. “Some feminine abstract nouns are formed by adding the feminine ending to an adjective or to a participle רַעָה” (Joüon & Muraoka 2009:465). Also see Webb (2008:110) who carves out a different structure; however his key undergirded investigation suggests the same “play of these words”.

This chiasm reveals a number of framework elements. The section begins with the refrain with which the reader will become all too familiar as it recurs through all the major judge narratives, “The people of Israel did what was evil in the sight of the LORD”. This line is echoed perfectly in the Othniel narrative (3:7), without the object in marker in 6:1 and then with a slight variation in word order in 3:12, 4:1, 10:6 and 13:1 (which are the same). Block (1999:147) further notes that the line “reflects the profound influence of Deuteronomy on the author”, citing Deuteronomy 4:25, 9:18, 17:2 and 31:29. Deuteronomy 31:29 is particularly notable because in it Moses expresses concern that after his death, Israel will turn from the path which he commanded. This is exactly what we see happening immediately after the death of Joshua.

The kindling of the LORD's anger¹⁰ will also be reiterated¹¹, as will the consequence of this anger¹² and the “terrible distress” in which the Israelites find themselves¹³.

Further, this chiasm shows the movement of the surrounding nations from being “peoples around them” to becoming “enemies around them” as the LORD hands Israel over in his anger at her forsaking him and we realise that the LORD is their ultimate enemy when they anger him.

2.2.2 Elevate the Judges

Judges 2: 16-19 notify the reader how YHWH's anger for Israel moves him to raise judges. I believe this will ultimately prove that he is their “true judge” and king.

¹⁰ The exact phrase is “the LORD's anger burned against Israel”.

¹¹ The Othniel account (3:8) the repetition is verbatim; also in Jephthah's account (10:7). In the same broad section, this line is also paralleled a few verses down (2:20).

¹² Both the verbs to give (i.e. to give over) נָתַן and to sell (into the hands of) מָכַר recur through the various narratives. The former in 6:1, 6:13, 13:1 and the latter in 3:8, 4:2, 10:7. These verbs are used the other way around as the LORD hands Israel's enemies into her hands. “The verbs ‘to give’ and ‘to sell’ are both commercial expressions used of transferring ownership of property, including cattle and slaves,” which I believe is “remarkable” since this is precisely what the LORD forbids Israel from doing in Lev 25:42 (Block 1999:147).

¹³ Seen once, but in the exposition of the Jephthah account becomes clearer in 10:9.

From verses 16–19, the reader can deduce the following arrangement:

H1 16 Then **the LORD raised up judges**, who **saved them** out of the **hand of those who plundered** them.

A 17 Yet they did not listen to their judges, for they **whored** after **other gods** and **bowed down** to them.

B They soon **turned aside** from the way in which **their fathers** had walked, who had **obeyed** the commandments of the LORD,

H2 and **they did not** do so.¹⁴

H1 18 Whenever **the LORD raised up judges** for them, the LORD was with the judge, and **he saved them from the hand of their enemies** all the days of the judge.

X *For the LORD was moved to pity by their groaning because of those who afflicted and oppressed them.*

B 19 But whenever the judge died, they **turned back** and were more **corrupt** than **their fathers**,

A going after **other gods**, **serving** them and **bowing** down to them.

H2 **They did not** drop any of their practices or their stubborn ways.

Here the reader sees the LORD's answer to Israel's "terrible distress" (2:15). The section (2:16-19) has two parts which have parallel opening and closing elements (H1 and H2). There is progression from the first, in which the judge who is raised up is the one who saves, to the second, in which it is clear that the LORD is the one who acts. There are no repetitions of the line "the LORD raised up judges". However, the raising up of a "deliverer" does occur¹⁵. It is noteworthy, though, that the heading of these parallel sections draws attention to the raising of the judge: the reader will discover as the reader move through the episodes that the most significant variation is in the raising of the judge. Though the wording of the LORD being "with the judge" does not get picked up, the concept is frequently alluded to¹⁶, not to mention

¹⁴ This verse is typically explained as a "late insertion" because it "interrupts the flow of thought and casts the rulers in the roles of spiritual reformers," a theory Butler (2009:128) rebuts. In this structure, the repetition makes sense in terms of the construction of a paradigm: the parallels suggest that 2:17 is after the death of the judge.

¹⁵ Proceeding from Othniel (3:9), the "deliverer" Ehud is raised (3:15).

¹⁶ "That Deborah speaks through the Spirit is shown in 4.9 ... where she speaks with accurate foreknowledge and gives YHWH full credit". Klein (1989:41) argues that there are some omitted

the Spirit's coming on the judge. Finally, when considering the Israelites' refusal to drop their evil practices and obey the commandments of the LORD, in the early narratives this does not seem to be the case. However in later narratives starting from Gideon, the reader sees a marked decline before the episode is concluded. Gideon goes on a personal vendetta, makes an ephod (indicative of the Golden Calf), sets himself up as king (by having a son named Abimelech), both he and his son engage in civil war and Abimelech's narrative concludes with God returning Abimelech's evil to him. Jephthah is remembered for his "tragic vow", but his episode ends with the harrowing fulfilment of his command to slaughter Ephraimites. Samson's narrative ends in self-destruction as a consequence of consistently evil decisions on his part (marriage outside of Israel, telling Delilah the secret of his strength and a marked absence of rescuing Israel from Philistine oppression).

Chasing after other gods (A) the reader will see again in Othniel and discuss there¹⁷. The Israelites' turning away (B) finds little parallel, with the one exception being Gideon's death¹⁸. There is one new element in the second section, though: the LORD's response of pity at the Israelites' groaning (X). Webb does not believe that this is the equivalent of crying out¹⁹, but at the very least we can note that the LORD is being moved to pity is tied to the

rudiments in this account of Deborah as judge that are optimistically inferred, Furthermore, the "angel of the LORD" are introduced to Gideon and Manoah, signifying that YHWH might be present here.

¹⁷ The Gideon account speaks to this idea of whoring in 8: 27 and 8: 33. Ironically this is emphasised in the story of Eglon in 3:14 where Israel serves other gods through this King.

¹⁸ "turned again and whored after the Baals and made Baal-berith their god" in 8:33 is evident. Seemingly the reader might not see a contrast here as they measure to their way of their forbearers. Conversely, in the beginning of the account of Gideon, it is very apparent that an analogous comparison comes through with how he cooperates with YHWH in the form "the angel of the LORD" (6:13).

¹⁹ "The statement, 'the Israelites cried out to YHWH', does not occur here in a striking omission in view of its repeated and conspicuous [sic] occurrence in similar circumstances in subsequent chapters" (Webb 2012:124). He argues that "Groaning cannot simply be equated with 'crying out to YHWH' here, especially in view of the precise formula used elsewhere in the book. Another example of this I believe can be lifted and inference can be drawn from Exod 2:23 "groaning" (קָרָא) and "crying out" (קָרָא) does not mean the same thing."

raising of the judges²⁰. There is passing mention of the judge's death (B)²¹ but, conspicuous by its absence is the peace in the land which features in the early narratives. interact

2.2.3 Unfolding drama

It was the Othniel narrative (3:7-11) that first provoked my thought along these lines for the simple reason that the narrative is so bare of detail²². The “skeletal” nature of this pericope led Block (1999:149) to explain it as functioning “as a paradigmatic model against which the rest must be interpreted.” Webb (2008:127) notes, “extensive re-employment of terminology and formulas introduced in 2.11–19” and so regards Othniel as “the embodiment of an institution; all the key words applied to judgeship in chapter 2 are applied to Othniel here, and his career conforms to the paradigm given there.”

The account is indeed unadorned: it begins with the Negative Evaluation Formula²³ (as in 2:11), and ends with a forty-year rest and Othniel's death. That the notice of peace is followed by the announcement of the judge's death will vary in later narratives and is worth noting in brief. Early narratives drop the formula for the judge's death. As in 2:12, they abandon the LORD and turn to other gods (Baals and Asheroth) and, as in 2:14 and 20, the anger of the LORD burns against them. Just as chapter 2 indicates, when Israel *serves* the gods of those around her (2:11), God gives her into the hands of those around her (2:14) and, here, in an ironic twist, Israel *serves* them (3:7–8) for the period of oppression (in this case, eight years). All of these elements have been identified. The Othniel account structures the formulaic elements to produce this irony, but the reiteration of elements from chapter 2 without any historical data emphasises the framework nature of this account. Further evidence of a framework account is the enemy king's name: after a discussion about possible identities,

²⁰ The reader sees the crying as instrumental in moving YHWH to setup a new judge, example in the Othniel account the cry of distress is linked to the raising of a judge (3:9).

²¹ It is interesting, though Othniel conforms here, the other judges like Ehud and Barak don't die immediately but only later. But more interestingly when they eventually die there is a clear downward spiral: it begins with recording Gideon dying at a “good old age”, whereas Jephthah dies a death that signifies unrest in the land. Then almost in a suicidal fashion, Samson and Abimelech die in shame.

²² “The story of victory is told with no action verbs, no characterisation, no narrative tension that has to be resolved, and no climax” (Butler 2009:64). I believe this is to highlight the framework of the judges found in chapter 2.

²³ See Block (1999:147–148) for the significance of this phrase.

Butler (2009:67–68) seems to capture the effect, humorously translating the name Cushan–Rishathaim as “Double Trouble”.

Webb (2012:136) identifies two new elements: the cry of Israel and the coming of the Spirit. Both of these, however, seem to be adequately explained as expositions of parallel elements in 2:18. I find two other elements worth noting: the first is that Othniel judged, while the second is the Death Formula²⁴. The reader sees the former in evidence because from 2:16–18 the verb associated with judges has been *יָשַׁע* (save) but now the reader sees that judges also *יָדַן* (judge). The reader sees the latter in evidence because, unlike 2:19, the judge's death is not followed by corruption, but rest in the land. In 2:11, the start of the paradigm is Israel's evil. Thus 3:12 may incline the reader to think that accounts bleed together, but it seems more likely at this stage that the reader is to think well of the judge system – c.f. 8:33 (if Abimelech is considered a part of the Gideon pericope, then the Abimelech account is an extreme dramatisation of this). Rest in the land is unexpected; Israel is failing to possess the land and reference to it has been largely negative (2:2) – which chapter 1 has outlined as a failure), but here the reader sees a glimmer of God's faithfulness to his covenant promises in the context of disobedience.

2.3 Outline of apostasy

In explaining the apostasy of Israel, the reader will now see a structure with clear elements emerge²⁵ in the context of chapter 2 – 3 in Judges:

	Explain	Embellish
A	“The people of Israel did what was evil in the eyes of the LORD” (2:11)	“The people of Israel did what was evil in the eyes of the LORD” (3:7)
B	Going after other gods (2:11–13) ²⁶	Going after other gods (3:7) ²⁷

²⁴ See Block (1999:147-148)

²⁵ I have used “paradigm” and “framework” in the same way that, while scholars such as Klein (1989:14) and others uses similar descriptions which I also used to some extent.

²⁶ “served the Baals” (2:11,13), “abandoned the LORD” and “went after other gods” (2:12,13) are generalisations.

C	“The anger of the LORD burned against them” (2:14)	“The anger of the LORD burned against them” (3:8)
D	“He sold them into the hand of ... enemies” (2:14)	“He sold them into the hand of [enemy]” (3:8)
E		“... and they served [enemy] [x] years” (3:8)
F	Groan at affliction and oppression (2:18) ²⁸	“... the people cried ...” (3:9)
G	“The LORD raised up judges, who saved them out of the hand of plunderers” (2:16,18)	“The LORD raised a saviour who saved them, [judge’s name]” (3:9)
H	“LORD was with the judge... all the days of the judge” (2:18)	“The Spirit of the LORD was upon him” (3:10) ²⁹
I	“He saved them from the hand of their enemies” (2:18)	“The LORD gave [enemy] into his hand” (3:10) ³⁰
J		“So the land had rest [x] years ” (3:11)
K	Judge dies (2:19)	“Then [judge] died” (3:11)
L	Turning back to corrupt ways (2:17,19)	

²⁷ Highlighting that “They forgot the LORD their God and served the Baals and the Asheroth” (3:7).

²⁸ Due to the causal particle the element of G comes in a logical sequence.

²⁹ “judging” and “saving” Israel can be ascribed to parallelism, and not as an additional element in the outlook of apostasy.

³⁰ “Going out to war” and “the judge's hand prevailing” is parallel to Israel’s defeat coming in the form of “his hand” (3:10).

Holding the framework sections against one another, the Othniel account is seen to be more specific, including names and periods of oppression and rest. The paradigm of chapter 2 includes the turning back to corruption (emphatically, since it is included in the parallel) and yet, it is only mirrored in the Gideon episode. Between each episode, there is evidently turning back. Therefore chapter 2 simply draws our attention to Israel's apostasy and forces the reader to realise that when “the people of Israel did what was evil in the eyes of the LORD”, it was because they had turned in apostasy from the way of their fathers. In addition, both the framework sections closely link evil in the eyes of the LORD to idolatry. As each episode begins, therefore, the reader realises that the people of Israel have apostatised in that they have rejected the rule of the LORD in favour of other gods. The framework prepares readers to read through a lens of apostasy, against which the narratives function as a warning. As one approaches the narrative of Judges, the progression outlined in this paradigm is to be expected, though it may go unstated and will certainly undergo evolution. Deviance from it calls for closer analysis.

2.3 Affect to apostasy

2.3.1 Ehud

Moving from the paradigmatic Othniel account, element (A) ushers in the first non-paradigmatic episode, that of Ehud. The skeletal Othniel narrative generates anticipation to see the framework in action with an heroic judge raised up, valiantly saving Israel. The expectation is fulfilled: the LORD strengthens an enemy against Israel in implicit anger against them. In response to Israel's cry, the LORD raises a “saviour”³¹ whose saving activity is, as hoped, fleshed out with the end result being, as with Othniel, peace in the land. As the premise is fleshed out, we start to see the paradigm at work. In this account, there is little variation. Save the actual saving from Moab's hand. It is worth noting in brief the near verbatim repetition of “the LORD raised up [for them] a deliverer” (3:15)³², echoing Othniel's

³¹ The word “deliverer” finds meaning in its root *ישׁוּעַ* (to save) and so “saviour” could also be inferred here.

³² “For the sons/people of Israel” in 3:9, and “to them” a deliverer is given in 3:15. This is a small and very insignificant difference to the meaning of the framework.

raising (3:9). This will become significant in the coming narratives where there is variation on this issue.

In 2:12–14 the parallel between the gods of the people around Israel and the enemies surrounding them. The start of the Ehud account continues this play by having the LORD strengthening Eglon – the “calf”³³, the king of Moab, against them. The riddance of Eglon’s reign under which the people of Israel “served Eglon ... eighteen years” is, therefore, in some way parallel to the turning from serving the gods of surrounding peoples (who they also עָבְדוּ - serve). Ehud succeeds in bringing Israel out of oppression (3:30) and, implicitly, out of idolatry³⁴. Lack of variation gives hope that on this occasion, Israel can be rescued from oppression and return to the LORD. Moab is left embarrassed (3:25 – בּוֹשָׁם) and humiliated (3:30 – כִּנְיָעָה) and Israel has peace in the land. The narrative links foreign oppression to idolatry and does so by alluding to the Golden Calf, heightening its evil, thus warning against apostasy, but providing hope of rescue.

2.3.2 Deborah/Barak

That two of the central roles in this account are occupied by women and that feminist readings are on the rise has meant that the Deborah account³⁵ has received renewed attention in recent times³⁶. One of the first difficulties interpreters face upon reading this account is the identity of the judge: Deborah, Barak and Jael each seem to play a significant role. The description of Deborah “judging” in Judges 4:4 has typically resulted in her being considered the “real judge” (McCann 2002:49). We shall see, however, that the paradigm will indicate the identity of the judge and, by extension, will point out apostasy. It is typical to find Deborah identified as the judge because she ruled in Israel for some time. Block (1999:193–197) lists a number of anomalies in this theory and suggests we instead understand rule as

³³ Interestingly the Moabite king’s was עֶגְלָאֵל. This is similiar to what the “Golden Calf” in Exod 32 was עֶגֶל.

³⁴ There is a strong connection between 2:17, i.e. Israel disobeys her judges and how she spiritual into spiritual dismay.

³⁵ The argument I sustain here is that the real judge here, however for fluency of the readers reading, arguments will be around “Deborah’s account.”

³⁶ See Webb (2012:37) who asserts that, “Judges, precisely because it does feature so many women, has proven to be a particularly fruitful field for feminist study.”

“govern” in Deborah's case. I agree with this reading because she seems to take on a role of more of a governor and not a judge per say.

The chief variation³⁷, then, is in the raising of the judge. Rather than the expected “the LORD raised a deliverer” as seen in Othniel and Ehud, we find Barak raised by an emissary of the LORD, a prophetess, by the words “Go” and “I will give him into your hand”. The assurance of the enemy being given into his hand is repeated as Deborah sends Barak into battle and the LORD orchestrates victory against Sisera on the field (4:14–15). The raising is, then, no longer abstract. Though it is not the LORD who raises Barak, but he put forward a representative, who is Deborah the prophetess. This should not be viewed as less involvement from the LORD as the progression is certainly towards increased involvement in terms of the Spirit's activity on the judges and the amount of divine contact. In the case of the prophets, Ehud is raised by the LORD, but Deborah acts as the Lord's mouthpiece; the Gideon account has a prophet and Gideon meets the angel of the LORD; the Jephthah account has reduced interaction, although there is dialogue with the LORD directly and Samson is raised in an annunciation type–scene which features the LORD's angel.

Rather, Barak is the first judge to have his raising narrated, however uninspiring his response is. Entirely unlike Ehud, who single-handedly guts the enemy king, Barak is afraid to venture onto the battle field without Deborah accompanying him. The result of this cowardice is the glory of the victory going to Jael (4:9). This faithlessness is a form of apostasy as it represents mistrust in the LORD. Completely absent from this account is the use of the term “deliverer” – a surprising detail in light of the fact that Othniel and Ehud each get called a “deliverer” as they are raised. Even Shamgar is said to have “delivered” Israel. There is variation even in the refrain of 4:23 in which God instead humiliates Israel³⁸. Apostasy in the Ehud account was in Israel, apostasy in the Deborah account is now in the judge who does

³⁷ “Our expectations of a formulaic framework in Judges 4 are not realised. Most formulaic elements are missing: divine anger, weakness, divine opposition, provision of leadership, human deliverance, divine presence, divine compassion and the death report, while the land–rest or tranquility formula is attached to chapter 5,” (Butler 2009:82). However this view falls short to recognise that the triad is assumed implied “divine anger” and the “provision of leadership”. Therefore Butler ignores the systematic reading into a paradigm.

³⁸ See the refrain in 3:30, 8:28, 11:32; it is an indictment on Israel.

not “deliver”. The warning against apostasy is constructed here by demonstrating that Barak misses glory because he does not put faith in the LORD.

2.3.3 Gideon

As in the other accounts, Gideon’s begins in apostasy, but his is the first to evince relapse back into it. This is in direct connection with the rulership of the LORD. Gideon is offered rulership (8:22–23) which he turns down with his ironic rejoinder, “The LORD will rule over you,” and suspiciously proceeds to name his son “Abimelech” (i.e. “my father is king”). Of note in this account, however, is certainly the astonishing fall from the glory days of his rising and hewing down of the Asherah pole and altar to Baal to his construction of an ephod that becomes a snare to Israel. “Gideon presents an ambiguous turning point in the book³⁹,” (Exum 2000:586).

The chief variation is again in the raising. “The sons of Israel are not immediately sent a deliverer, a judge; they are sent ‘a man, a prophet’. This recalls Judges 4.4, in which Deborah is introduced as ‘a woman, a prophetess’ ” (Klein 1989:50). Unlike Deborah, however, the prophet does not come to raise a judge. Rather, he comes to condemn. Klein (1989:50) argues that the similarity to Deborah heightens expectations of this prophet. Instead of raising a judge though, the prophet's speech climaxes in, “But you have not obeyed my voice” (6:10). Where the prophet raised the judge in Deborah's account, there is a step of removal in the Gideon account. Again, Klein (1989:66) notes that, “The next step involves an interesting reversal: Gideon is not ‘raised up’; YHWH comes (down) to him” (Klein 1989:66). Indeed, the angel of the LORD comes to Gideon (6:11–12) and raises him in a way that again reminds the reader of Deborah. “Go ... and save Israel from the hand of Midian” (6:14) parallels the “Go ... I will give him into your hand” (4:7) of the Deborah episode. The variation in the raising is two-fold: first, it begins with a threat and second, it involves a third⁴⁰ party: the angel of the LORD (just as we saw Barak's raising narrated, involving a second party: a prophetess). Like Barak, Gideon hesitates to do what the LORD wants of him

³⁹ See Exum (2000:586) in summarising Gooding’s presentation in “Composition”.

⁴⁰ God is absent in this episode, but he is very much present behind the scenes.

and similarly, the consequences come at the end of the narrative when Israel does not “show steadfast love to the family of Jerubbaal” (8:35)⁴¹.

Gideon certainly functions as a “pivotal judge”⁴². After his victory against the Midianite army, Gideon chases after the fleeing kings of Midian. In Gideon's call, the emphasis is strongly on the presence of the LORD; until the end of chapter 8, the LORD is active in assuring Gideon and “[setting] every man's sword against his comrade” (7:22) in the Midianite camp. In marked contrast, in chapter 8 mention of the LORD is noticeably absent from Gideon's claim in 8:7 and his lip service in 8:23 (neither of which constitute the LORD's activity). Webb (2012:219) notes this feature, “In contrast to the first movement, YHWH has not been depicted as having any involvement in any of Gideon's actions.” Apostasy here is Gideon's removing himself from the LORD's involvement. Coupled with this is the first hint in the book of unresolved strife within Israel (8:4–9,13–17)⁴³ and abject regression into idolatry as Gideon constructs the ephod. “The promise of violence against the men of Succoth is worrying; they are, after all, fellow Israelites” (Webb, 2012:216). The construction of the *ephod* has echoes of the Golden Calf incident⁴⁴ and is clearly an act of apostasy.

Kingship is brought into view by Israel's request that Gideon should rule over them (8:22). Webb (2008:159) remarks that, “The issue of kingship figures much more prominently in the Gideon episode and its sequel than it has done in previous episodes. For the first time the institution of kingship is experimented within an Israelite context and the result is disastrous.” Gideon himself demonstrates awareness of the rejection of the LORD that his rulership would represent (8:23). In the end, though, this does not deter him. Elsewhere Webb (2012:219) notes, “how king-like Gideon himself has become in his own eyes and in the eyes

⁴¹ This should be credited. Therefore, similar to Barak, he loses out on deterring the people of Israel from idolatrous worship. This can be squarely put on his inability that stems from leaving a lasting mark; which includes not allowing the people to forget YHWH and all that he has done for them (8:34–35).

⁴² According to Waltke and Yu (2007:592), “D. W. Gooding, Alexander Globe, J. P. Tanner and Barry Webb all see Gideon as the centre of the chiasmus”.

⁴³ With all Gideon's inability, he does resolve very diplomatically the relationships of Ephraim.

⁴⁴ The word *Ephod* becomes a snare to Israel. This illustrates Israel's apostasy (Satterthwaite 2005:586).

of his followers,” as early as 8:18. Of course, it is highly ironic that Gideon should be offered rulership on the basis of having “saved [Israel] from the hand of Midian” (8:22) when the LORD had explicitly whittled down Gideon’s army “lest Israel boast over [him], saying, ‘My own hand has saved me’” (7:2). It is the power associated with kingship that Gideon exercises as he pursues Zebah and Zalmunna (8:9, 16–18, 18–21) and as he requests the spoils of gold (8:24)⁴⁵ and in so doing, it is the kingship of the LORD that he is rejecting. The withdrawal of the LORD is paralleled in the progression seen in Gideon's raising. While the LORD's presence was sure at the start of the account, there is a dramatic reversal at the conclusion.

In chapter 2, we were primed with the menacing assurance that Israel was quick to “[turn] back and [become] more corrupt than their fathers” (2:17,19) and at the start of the Gideon account, Israel was reminded, “you have not obeyed my voice” which mirrors the angel’s words in chapter 2, but leaves out the judgement, “their gods shall be a snare to you” (2:3). The disastrous resolution to this narrative is anticipated in the raising of Gideon and the reason for the downfall is Israel's functional rejection of the LORD's kingship over them. The people are depicted as rejecting the LORD in favour of human leaders. In the Deborah account, Barak’s failure did not end in relapse, but the Gideon account concludes with Israel in disarray once more. The downward spiral has reached a new low. Israel’s rejection of the LORD's rule will inevitably result in the failure of their own leaders and the warning of the Gideon account is that the absence of monarchy leads to the denigration of Israel choosing to do what they think is right in their own eyes⁴⁶.

2.3.4 Jephthah

Analysing the Jephthah episode is unexpectedly intriguing. It is unusual first because of its verbose adherence to the paradigm and second, because of its deviation, which will illustrate

⁴⁵ If the reader considers the phrase “royal treasure” it is based on several: Boiling (2005:161) on one hand argues that “Gideon refused the offer of a throne in Israel, but demanded all the trappings of judge”. Block (1999:299) on the other hand writes, “It appears the Israelite offer of kingship to Gideon simply seeks to formalise *de jure* what is already *de facto*.” Meaning Gideon wanted submission from the men of Israel in a different form, that “by requesting gifts from each of his men... [and they] Gladly surrendering a share of their loot, they confirmed their status as his vassals.”

⁴⁶ The question of Israel’s apostasy remains, “How will Israel break out of this cycle?” (Exum 2000:582). The answer to that I think will become apparent as the cycle erupts, herein the reader will begin to see an answer to this complex question.

just how far down the spiral of apostasy Israel has come. Surprisingly, we are first confronted with conformity to the paradigm. As expected, element A begins the account in 10:6. After this, however, still in 10:6, we see a rambling rendering of element B; in 10:7, we find element C; and in 10:9, we find Israel “terribly distressed”⁴⁷. These are the only explicit occurrences outside of the framework narratives⁴⁸, where we also find the second occurrence of the verb (to sell – מָכַר). Knowledge of the paradigm indicates something unusual is taking place. We may initially be inclined to argue that the elements’ absence from other accounts indicates the fact that they are not paradigm elements. Such an argument fails to account first for the fact that these elements are firmly embedded in the framework passages and second, for the uncanny appearance of all these elements in a single pericope. Instead, we should assume that, as paradigm elements, they are implicit in the other accounts and our question should rather be as to the effect produced by verbose inclusion of elements that were satisfactorily implied in previous episodes.

Klein (1989:84) recognises that the author “invokes the major apostasy paradigm”, but she misses paradigmatic insights because she assigns Jephthah to “a combination major–minor pattern” (1989:83). Similarly, Block (1999:342) believes that the Jephthah narrative is “best interpreted in comparison with and in contrast to the notes on the ‘secondary governors’”. The argument for Jephthah being a minor judge is based on his position between five others and the variance from the framework in his account. position

From what we have seen, however, it is clear that this would be to overlook what is a strong reference to the major judge paradigm. Rather than argue that Jephthah – the only judge perfectly to echo the first six elements, as well as the reference to the “terrible distress” – is not a part of the major judge paradigm, let us consider the possibility that verbose echoing heightens our expectation of conformity and, in turn, a judge who will fulfil the paradigm. In other words, this repetition of elements causes us to expect the cycle to churn on as it always has, thereby highlighting variation.

⁴⁷ Interestingly this is not listed as an element, but it does appear in the argument of apostasy 2:15. I think the reader will see that the repetitive function of this especially in Othniel’s account will not give added significance to chiasm representation from Judges 2:11–15.

⁴⁸ Anger from the LORD is repeated 10:7, which leads to terrible distress in 10:9. Signifying that Israel pursued foreign gods. In comparison, 10:6 corroborates to the location in the framework of apostasy.

Based on the strict adherence to the paradigm thus far, the reader would surely be expecting that, “When the people cried out to the LORD, the LORD raised up a deliverer for the people of Israel, who saved them,” (3:9) or that he in some way commissioned a judge, “Go ... I will give him into your hand” (4:6–7). Instead, however, we encounter the first divergence from the formula: a discussion ensues between the LORD and Israel in which he refuses to save them. “Save” (נִשָּׁר) is perhaps, the keyword here: Israel has already had what they are looking for: the LORD had been performing the role of a judge, but Israel apostatised. The paradigm we have seen demonstrates the fact that the LORD has been their judge⁴⁹. There are, indeed, stylistic similarities to 2:1–5 and 6:7–10 (Block 1999:346), in that these cases also involve interaction with the LORD in which reference to the exodus is made. There are significant differences as well, though: both of the other accounts include concerns about the land and involve the “bringing up” out of Egypt. Neither makes use of the term נִשָּׁר and considering its regular use in the Jephthah account, it seems likely that we are to recall the paradigm and realise the LORD's fulfilment of it and the depth of Israel's rejection.

Israel's problem, therefore, persists. Their response was to admit their sin and ask for rescue (10:15) and to “put away the foreign gods from among them and serve the LORD” (10:16). Israel's response is strikingly absent from the paradigm elements. Initially, we may consider it a positive change – not even the paradigm describes spiritual reform. Perhaps the LORD's response has prompted them to turn in repentance. Webb (2012:254) highlights the reversal in 10:16 from 10:6, specially noting the object of the verb עָבַד and remarks that many interpreters believe that “this implies that YHWH now accepts Israel's repentance as genuine”. In contrast, however, he explains that “there are at least two problems with this: it does not take sufficient account of what YHWH has just said in verses 11–14, nor of the precise terms in which his response is described in verse 16” (Webb 2012:255). In the context of a downward spiral, Israel's מַלְאָכָה (toil) is “a completely apt term to describe Israel's desperate attempts to get YHWH to help them” (Webb 2012:256). The consequences of Israel's apostasy are now coming to fruition.

Israel now finds herself on the receiving end of rejection with the absence of element G, though the opening of the narrative primed us to expect the paradigm. The new raising

⁴⁹ The reference to “the LORD the Judge” (11:27), is irony set against the backdrop of Gideon's account, where Gideon says “The LORD will rule over you” (8:23).

formula in the cases of Barak and Gideon is in the form of the LORD (by proxy) commanding, “Go ... and I will give him into your hand” (4:6) or “Go ... and save Israel” (6:14)⁵⁰. In Jephthah's account, however, we find the elders of Gilead saying “Come ... be our leader” (11:6). The offer becomes more enticing in 10:8 “The leaders of Gilead now use the word שָׂרָא, the same term that appeared in their original, general offer (see 10:18). In their initial offer to Jephthah, they had simply invited him to be their קִצְּצִינִי. When he resists, they must offer him a more attractive reward – rulership over the region.” Jephthah's judgeship, if it can be so named, does not end with rest in the land as all the previous accounts have⁵¹ and the *Tranquility Formula* (Block 1999: 147-148) is now reduced to “Jephthah judged Israel six years.” In addition, the period of relief in the Tranquility Formula is for the first time shorter than the period of oppression (6 years to 18 [12:7, 10:8]).

Finally, the mere foretaste of intra-Israelite tension in Gideon is dwarfed in the face of Jephthah's massacre of fellow Israelites (12:6). The accelerating downward spiral has reached a new low: in apostasy they have rejected God; now God in turn rejects them. The Israelites' solution is to raise their own leader, which ends in the slaughter of their countrymen. Behind the scenes, the driving element in all this has been a single insistent refrain: “The people of Israel again did what was evil in the sight of the LORD”.

2.3.5 Samson

The attentive reader of Judges will have noticed the decay of the judge paradigm, noticing the raising element evolve in each account, from the plain statement, “The LORD raised a deliverer,” with Ehud, to the climactic Jephthah account in which the LORD refuses to raise a judge. The cycle anticipated in 2:18–19 has come to fruition in a terrible way. Commenting on 2:18–19, Exum (2000:582) suggests, “Already the implicit question becomes, how will Israel break out of this cycle?” This remains the question as the Samson narrative is approached; Israel's judges have grown progressively worse and since Jephthah, the LORD has refused even to give her a judge, though she cries out to him. The situation is dire – it has reached this point not only as a result of the apostasy of Israel, but also that of her leaders.

⁵⁰ The repetition is clearly evident here.

⁵¹ See, Webb (2008:125) suggest that, “The Abimelech narrative reads as a continuation of the Gideon narrative.”

In spite of the situation, Israel has not “dropped any of [her] practices” and the reader is greeted by the *Negative Evaluation Formula* (Block 1999:147-148), but surprisingly the *Divine Committal Formula* (Block 1999:147-148) is cut short this time. Greene (1991:56) believes that, “This interaction with the context raises the expectation of a repetition of the rest of the pattern.” The simple existence of the paradigm prepares us to expect a number of elements, but perhaps the curtailing of this formula anticipates the imminent deviation: the alarming absence of the cry of distress. “If in the Jephthah story, the people repent, but YHWH rebuffs their appeal for help (10:10–16), in the Samson story a curious kind of reversal occurs. For the first time in the Judges cycle, the Israelites do not cry out, yet God intervenes spectacularly” (Exum 2000:591). Greene (1991:57) continues, “The absence of ‘cry’ draws attention to the extraordinary grace of YHWH who intervenes, unbidden, to save his people”⁵². The question then becomes: Could this divine intrusion enable Israel to escape the cycle brought on by her apostasy? The nature of the cosmic intrusion is significant. It is in the form of what Alter (1983:6) calls, “the annunciation type–scene”. If we had expected national implosion after reading the Jephthah narrative, the reader may now expect Samson to be Jesus. Samson is raised in the manner of the patriarchal children: Isaac, Jacob and Joseph, and at the end of his raising, “the LORD blessed him” (13:24) – reminiscent of the patriarchal promises.

Where expectation had reached an all-time low, we now expect all of Israel's problems to evaporate as the miraculous birth of “a Nazirite to God from the womb” is promised to a barren and childless woman. The emphasis of the passage is certainly on the child’s being set apart for God.

In spite of Samson's extraordinary raising, however, “the deuteronomistic framework breaks down altogether” (Exum 2000:591). Element I is totally missing from this account as is the humiliation/subduing of the oppressor⁵³ the 40-year oppression is double the length of Samson’s 20-year judgement period; and again, the account does not conclude with rest. Block (1999:149) explains this paradigmatic breakdown in the following way: “The

⁵² If the reader considers Greene’s (1991:57) view here, where he nullifies the individual level of this framework, however his argument does not hold water because it is based on an *either or argument* in relation to crying of both characters that is clearly evident elsewhere in the account of the judges.

⁵³ From the episode of Ehud the rival is always being subdued: 3:30 - 11:32 etc.

progressive disintegration of the literary form reflects what is happening in Israel as a whole.” Far from being Jesus, in Samson’s depiction the paradigm of perpetual mercy is thrown into disarray.

Parallel to this societal breakdown, the Samson narrative introduces a new element. When Samson goes down to Timnah, he sees a woman who is “right in his eyes” [14:3,7] (Boiler, 2005: 229). This phrase will be explored later in this dissertation; its meaning can be seen in juxtaposition to the phrase it comes to replace: “evil in the eyes of the LORD”. In the words according to Butler (2009: 332), “The very thing which Samson pursued was what the deity had explicitly forbidden the Israelites through the text, intermarriage.” Paradigmatic breakdown and his personal destruction come as a result of his apostasy.

2.4 Conclusion

In Judges 2.6–3.6, societal breakdown and the failure of Israel’s judges is linked to Israel’s insistent return to doing what is evil in the LORD’s sight. Samson pontificates the evidences of the kind of apostasy and as a result his judgeship just like the other judges to a degree, will come to a grotesque end. The answer to Exum’s earlier question about how Israel is to escape the cycle will not simply be divine intervention. More than this though, many commentators following Webb recognise that is not easily answerable. Webb (2008:179) writes “[that the] history recapitulates that of Israel as a whole in the judges era, especially in his *nazir* (separate) status, [who] is going after foreign [gods], and [her] calling upon YHWH.” But ultimately Israel's story ends in death: though “set apart from the womb,” Israel’s continued apostasy leads to a tragic conclusion. God chose Israel from all the nations of the earth as his treasured possession and forged her into a nation. Israel, however, goes after foreign gods and rejects her calling, choosing, instead, the path of apostasy.

This conclusion to the judge’s narratives also demonstrates the inevitable failure of Israel’s leaders that comes as a consequence of Israel repeatedly turning against the LORD. This functions as a rebuke to Israel and a warning against idolatry and rejection of the LORD’s rule and prepares the reader for the ultimate failure of the monarchy.

CHAPTER 3: FRAMEWORK OF JUDGES AND DEUTERONOMY: APOSTASY AND MONARCHY

3.1 Introduction

In this chapter, I have chosen to apply the framework of the book of Judges in establishing issues of monarchy, apostasy and the relationship between the two that has powerfully influenced how scholars today have interpreted the book of Judges (Davis 1986:34–50).

3.2 Gratuitous traits

For much of the last century, scholars working within the book of Judges have been primarily concerned with determining the underlying sources within the book. Recent scholarship, however, is not as concerned with the sources per se, but rather the overall meaning of the book as it stands. This is not to say that the modern interpreters have dismissed the importance of the source material of the book, but rather that the hypothetical source reconstructions have taken a back seat to the literary analysis of the text, which is considered to be a more worthwhile endeavour. The focus has shifted from trying to understand the varying sources and what they were individually trying to communicate, to determining what the final edition of the book communicates (Diffey 2013:19).

3.3 Root of the problem

During the late 19th century and into the middle of the 20th century, the focus of the book of Judges in scholarship has been to divide out and ascertain the multiplicity of sources (Moore 1895: xv–xxxvii). This is a primary feature in most commentators within this period. A brief look at a handful of the more influential commentators will suffice to show the general trend of Judges scholarship at that time. Budde (1897), however, believed there to be at least nine distinguishable sources within the book, most of which came from the already “established” Pentateuchal sources. Similarly, Nowack (1902) recognised eight different sources that were largely drawn from Pentateuchal criticism. All of these gave primacy to a deuteronomic redactor who has shaped the final work. Burney, while using the same sources as Moore, Nowack and Budde, departed from their theory of a deuteronomic redactor, while maintaining the source-critical method. He believed that the editor of Judges did not know Deuteronomy (Burney 1920:xi).

Though there is some variation in the sources that are distinguished by these scholars and their versification does not always match the same source material, they are all primarily

concerned with an analysis that recognises different sources that have been patched together to form the book (Driver 1889:258–270).

3.4 Reformation of Deuteronomistic History

According to Diffey (2013:20), the study of Judges shifted in 1943 with the publication of Noth's *Überlieferungsgeschichtliche Studien*. Noth's work did not move the trend of study away from source-critical concerns, but shifted the focus by establishing a consensus of one Deuteronomistic author (not just another redactor) in the books of Joshua, Judges, Samuel, and Kings. I believe this proposal caused a shift away from viewing Judges in light of Pentateuchal sources. This means Noth's study of Judges was analysed in light of the Deuteronomistic History, where he saw the Deuteronomist as shaping a complex history.

Noth's work paved the way for a dramatic shift in thinking about the "period of Judges" (Wong 2006:1–10), moving the emphasis from multiple, fractured sources to one main authorial/editorial source. On the other hand, Michelson (2011:1–5) argues that all of this is much less prevalent because of the notorious difficulty of the book of Judges and how it relates to deuteronomistic history. Central to his view is that the Deuteronomistic History is ambivalent towards monarchy through mimetic rivalry, scapegoating, sanctioned violence and sacral kingship.

Notwithstanding this, Noth's theory has still gained wide acceptance, although it has gone through several modifications, according to Cross (1973:274–289). Some of these are more specific to the book of Judges. The two most prominent of these are the works of Richter and Boling. The understanding of a Deuteronomistic historian helped to pave the way for the next trend in scholarship.

3.5 Expansion and ascendancy of approaching the idea of monarchy

With the rise of canonical and literary criticism, the trend in the study of the book of Judges moved away from a focus on the diachronic to a synchronic approach to the book (Webb 2012:35–37). Lilley's (1967:94–102) article, *A Literary Appreciation of the Book of Judges*, is considered by many to be a turning point. Lilley starts his article from an "assumption of 'authorship'" (Lilley 1967:94–102). He goes on to discuss how the purpose of the book is bound up in authorship. He did not think that the issue of authorship ruled out the possibility of additions or later editing; instead, he preferred to examine the "maximum" rather than a

“minimum.” He opted to focus on the certain, final form of the text instead of a hypothetical reconstruction (Diffey 2013:22).

It goes without saying that in the past few decades, the synchronic approach to the book has taken over. Wong (2006:10–16) discusses three types of synchronic studies within the book of Judges: (1) short literary studies that argue that the current literary form of the book displays unity; (2) in-depth explorations of particular narrative units that show unity of the parts in light of the whole (Alter 1990:47–56); and (3) larger whole–book treatments that involve literary analysis.

This does not, however, mean that everyone has viewed the book from a synchronic perspective. There has been a handful of recent critics from the synchronic perspective (Guest 1998:43–61). Guillaume is one of these critics who believes that the reason for these studies, including his own, is to strike a middle ground. He notes this point by writing that after “the excesses of diachronic exegesis, and after the healthy reaction of synchronic exegetes who study the text as it now stands, the author believes that it is now possible to steer a middle course” (Guillaume 2004:385). One of the critiques that has been levelled against synchronic studies of the book of Judges is that there is no general agreement among those who use the synchronic approach concerning the rhetoric of the book (Wong 2006:16). Synchronic treatments, however, have tended to agree on the view of rhetoric/ideology of the monarchy that is presented within the book of Judges. However, very interestingly, Wong seemingly criticises the synchronic scholarship and himself for often arriving at different conclusions because they tend to offer a different explanation on how this school arrives at the theory of monarchy.

Before we continue our study of apostasy and monarchy in Judges, we need to examine the theory behind the source material of this book.

3.6 Inclination in the study of monarchy in Judges

The ideology of monarchy in the book of Judges has long been debated. Many have considered the theology of the book to be centred on the idea of monarchy (Brettler 1989:395–418) while others have seen the book as anti–monarchial (Talmon 1986:3952). Still, some have considered it as both pro- and anti-monarchial, where multiple sources are stitched together (Buber 1973:46–93). Some such as Drumbell (1983:23–33) have gone even

further in his claim that it is inappropriate to speak of a single ideology of monarchy in the book of Judges.

3.7 Beginning source-critical views on kingship in Judges

The early study of kingship was dominated by the view that there were differing sources with opposed ideologies joined together. Wellhausen (1957:239–240) and others espoused this view about the books of Judges through Kings. This view of differing sources is captured most clearly in the leading commentaries of our time. For example, anti-monarchial sources originate from one source and the pro-monarchial sources stem from another. These sources inevitably serve as explanations for the seemingly pro-monarchial and anti-monarchial tensions within Judges. Other examples of sources during the time of Wellhausen can be ascribed to reflect this same basic approach to the text, with minor differences found mainly in the identification of authorship of the respective sources. As a result of this, the presentation of a more unified Deuteronomistic History changed the landscape of how texts with an ideology of monarchy were approached (Diffey 2013:24–25).

3.8 Deuteronomistic History and kingship in Judges

The ideology of kingship was an important concern within Noth's understanding of the Deuteronomistic History. The discussion of an ideological viewpoint of kingship was not focused on the book of Judges. Instead, certain passages in the books of Samuel and Kings were given importance. This discussion, however, affected the understanding of kingship inherent within the book of Judges. Noth believed that kingship was viewed negatively within the Deuteronomistic History. This was largely a comment on the ending of the book of Kings, whereas Von Rad (1953:90–91) disagreed with Noth's general conclusions concerning kingship. Out of this tension, other studies arose that advocated a double redaction of the Deuteronomistic History that accounted for the differing ideologies (especially those concerning kingship).

The most significant contribution to this discussion was the idea of two editions or a double redaction of the Deuteronomistic History. This argued that the first edition was composed during the time of Josiah and was pro-monarchial in support of his reforms. The second edition "retouched or overwrote the deuteronomistic work to bring it up to date in the Exile, to record the fall of Jerusalem and to reshape the history, with a minimum of rewording, into a document relevant to exiles for which the bright expectations of the Josianic era were

hopelessly past” (Cross 1973:285). This second edition then accounts for the more anti-monarchial texts.

3.9 Contemporary fresh appraisals on Judges and monarchy

The body of monarchial ideology in the book of Judges displays an uneasy tension between pro-monarchial and anti-monarchial texts. Another view is that the book of Judges is to be viewed as an apology for the monarchy. This is the majority view. There still remains minor dissent against this view (Diffey 2013:26).

3.10 Pro-monarchial/anti-monarchial tension.

Some recent studies see a tension between texts concerning the monarchy in the book of Judges. This discussion is represented in the works of Buber and others. Buber’s viewpoint is that the refrain, as it appears in the epilogue, is pro-monarchial. His explanation is that the epilogue of the book is pro-monarchial, but the body of the book, most notably the Gideon and Abimelech narratives, are written as an anti-monarchial political declaration (Buber 1973:77).

The majority of recent interpreters have viewed the book from a more synchronic perspective. These studies have tended to view the book of Judges as an apology for the monarchy. Cundall (1970:178) set the trend for much of the monarchial understanding of the book. His article suggested that the dating of the “first edition” of the book of Judges was in the early monarchial period during the reign of David or Solomon. He thought that the pro-Davidic sentiment of the book proved the life-setting of the book to be in the early monarchial period. He argued that Judges was written to validate the monarchy by comparing it to the disordered pre-monarchial period⁵⁴. The question I would ask here is, Why would this be a necessary evil?

In other words, if the book is pro-Davidic, then one has to come to the conclusion that it perceives monarchy in two ways. First, the sum of space that is given to the tribe of Judah is undeniably large. One therefore has to view Judah in a positive light in order to understand the point the author is making. Second, as compared to the favourable depiction of the tribe of Judah, the other tribes are portrayed as failures. This is not bad in and of itself because here, too, the author is providing a moral commentary. Cundall affirms this in his summary, driving the point home even more. He notes that the bulk of the book, which encompasses the

⁵⁴ See Cundall (1970:179–180).

cyclical description of the Judges, is crammed with unanswered struggles. The struggles are best clarified when they are fulfilled within the Davidic monarchy. Leadership is critical here. With this affirmation, I agree that he argues within the tight confines of stories of the judges cycle, including their corruption, and in turn Israel proves to be deficient in her choice of leaders, ultimately suffering decline as a nation. All of this finds its antithesis within the Davidic monarchy that comes later. This is evident in the text itself and argued in the paradigm of chapter 2 (Cundall 1970:80).

The subject matter of the epilogue of the book illustrates the evil and anarchy of the epoch of the Judges and the lack of a strong, centralised authority, in particular through the refrain that “there was no king”. This is joined with the repetitive mentions of Bethlehem, the city of David. Therefore, there can be no defiance against these sections of the text that are written and preserved in such a way to promote the Davidic standard and show clear ideals for pro-monarchy which, I would argue, does not come with unsolicited intentions. This is also affirmed by others such as Davis (1978:19–23), and Mullen (1984:33–54), who both provide a large-scale synchronic reading of Judges concerning monarchy and apostasy. However, despite the works of the above scholars, there are some who have challenged this line of argument.

3.11 A fresh approach to pro-monarchial views

The modern opponent to the pro-monarchial perspective in the book of Judges can be ascribed to Niditch. She (2009:59) offers one of the few treatments of monarchy within the book of Judges that questions the pro-monarchial majority opinion. Her argument advances in three ways. First, she claims that the Deuteronomistic History has a variety of different voices, which suggests ambivalence. Second, she does not believe that those who promote a pro-monarchial position have looked closely enough at the body of the book. Third, the stories of the judges are presented as epic tales of political creation and the judges are seen as heroes⁵⁵. This idea highlights that the proposal of monarchy in Judges is multifaceted and unsure. Although this might be valid to some extent, however, I do believe that this view has not taken into account recent interpretations of the text as growing consensus that the book should be viewed as pro-monarchial.

⁵⁵ See Niditch (2009:61).

3.12 Gideon's response and Jotham's fable

Both Gideon's response and Jotham's fable have been key passages in the discussion of the ideology of monarchy in Judges. While I agree that the book has been largely viewed as pro-monarchical, these texts have posed the greatest challenge to that view. There are four major arguments in opposition to Gideon's response and Jotham's fable in relation to a monarchical perspective. Many works discuss these passages within the larger context of the monarchy in Israel (Diffey 2013:31). Other categories can be ascribed to those works that discuss these passages within the context of Judges. These studies are largely monographs on Judges that address Gideon's story and Jotham's fable in some fashion. Then there are categories within major commentators who have published on the entire book of Judges. Some of these categories address the subject of monarchy with a different slant. It seems reasonable to state that this falls outside of the immediate framework of this thesis. However, categories of research that treat either Gideon's response or Jotham's fable independently of the surrounding context of the book are relevant to this chapter and the thesis as a whole as they highlight Israel's apostasy and socio-economic decline⁵⁶. Insofar as these arguments are largely confined within this research topic of favouring monarchy related to the aforementioned works, I deem it necessary to ignore discussions that oppose this idea. A brief treatment of this is outlined below.

3.13 Scholarly overviews concerned with monarchy

Martin Buber is one of the most commonly referenced sources in discussions surrounding the book of Judges. Buber claims that there are clear anti-monarchical passages in Judges. He believes that Gideon not only declined the offer of kingship, but that when declining it he was making a strong anti-monarchical statement. Buber (1973:59) seems to be the authority on Gideon's language and is the most referenced source in regard to the anti-monarchical view of Judges and Deuteronomy. His argument is solely around Gideon's response when he analyses Gideon's intention "to withhold the rulership over this people" (Buber 1973:59). This is to say that Buber does not just view Gideon as turning down the offer of kingship, but as saying that kingship is an illegitimate institution.

Soggin's (1967:36–37) treatment of the monarchy and his discussion surrounding Gideon's response comes in the form of an accusation. He argues that Gideon's reaction was theologically motivated. This is to say that Gideon's words contain the sentiment that

⁵⁶ See Diffey (2013:31).

theocratic rule cannot co-exist within a monarchical system. Therefore Gideon's response to the men was not just a rejection of their offer, but a rejection of the institution of kingship.

Ishida (1977:1), on the other hand, highlights Gideon's doubt when he asserts: "[Gideon's response] preserves the basic problem of the origin of kingship in Israel" (Ishida 1977:1). He believes that Gideon's reaction is secondary to the Gideon cycle and that it is uncertain as to whether he actually established a monarchy. Furthermore, he firmly attributes Gideon's response to a set of theocratic concerns when he notes that "[the idea of] a monarchy, would encroach upon the kingship of YHWH over Israel" (Ishida 1977:185). For Ishida, Gideon's response is in line with theocratic principles as he believes the rule of YHWH was never intended to co-exist with the rule of a human king.

Crüsemann (1996:20–42) advances the position that the anti-monarchical sentiment in Israel was much earlier, in around the 10th century, than the previous consensus led by Wellhausen (1963:222–223) who saw this sentiment as a later development in Israelite history. Crüsemann believes that the anti-monarchical sentiment expressed in various texts of the book of Judges was present from the time of the formation of the Israelite state under the monarchy. And he also believes that Jotham's fable was used as a denouncement of the monarchy. I think for Crüsemann, the whole Gideon–Abimelech narrative was redacted by an anti-monarchist.

Gerbrandt (1986:124), in commenting on the history of interpretation of the judges' cycle, notes that, "As a rule it has been assumed that 8:23 is a clear rejection of the offer of kingship," (Gerbrandt 1986: 124). Kingship is not only refused, but there is also a declaration against the institution of monarchy: "That Judges 8:22–23 reflects anti-kingship sentiments needs to be admitted... Gideon's answer assumes that YHWH, and man as king cannot both rule at the same time"⁵⁷. His explicit view here is a theological declaration that YHWH alone can be king and that within theocracy, there is no room for a human king.

Müller's (2004:29ff) view concerning Gideon's response can be squarely framed around the development of human and divine kingship. He also identifies specific layers of redaction in order to discern when anti-monarchical sentiments were in attendance within ancient Israel. It is no surprise, therefore, when contra Crüsemann, he asserts that anti-monarchical sentiment was not present until later Deuteronomistic strata.

⁵⁷ See Gerbrandt (1986:126).

Of all of the interpretations above, Gnuse has provides one of the most unusual. He believes that the narrative of Judges concerning Gideon's response indicates that Gideon did become king (Gnuse 2011: 75). This view stems from comparing Gideon's life to the law of the king in Deuteronomy 17. However, it serves as a condemnation of Gideon as it means that Gideon's words and actions can only be explained as antithetical in nature. In other words, Gideon showed that he accepted the monarchy by his actions, but his words were unequivocally anti-monarchial. I would also agree with this view.

Lorberbaum's (2011:17) view of monarchy takes a similar position to that of Buber when considering the monarchy. He discusses the possibility of an anti-monarchial book within the larger framework of a pro-monarchial work. Interestingly, he notes that the book is finally anti-monarchial when he asserts that "a human king is the antithesis of the kingship of Heaven" (Lorberbaum 2011:17). I believe this view is incoherent and inconsistent with previous views, but also it does not consider the whole narrative, nor does Lorberbaum try to frame it within the context of the entirety of the book.

While each of the scholars above is largely dissimilar and offers a different standpoint on passages in Judges, there are two visible commonalities which I cannot deny. First, for some of the larger overviews of monarchy, Gideon's response is presumed to be anti-monarchial (Diffey 2013:40). However this is not a feature of Müller and Crüsemann, which are distinct because they emphasise anti-monarchial texts. Second, all the other scholars (except Soggin) generally attribute Gideon and most related passages surrounding him as primary texts on kingship within the book of Judges.

3.14 The essential nature and basis for a historical interpretation

There have been several proposed life-settings for the composition of the book of Judges which I think are undeniable, but very few that are well supported as well as O'Connell (1996:305–306) identifies nine possible settings for the writing of the book: (1) sometime during 1 Samuel 1–12 before Saul's monarchy fell into disfavour; (2) during the events described in 2 Samuel 1–4 when David reigned in Hebron (1011–1004 BC); (3) a time subsequent to David's rule over Israel from Jerusalem (post-1004 BC); (4) after the division of the monarchy when Jeroboam I set up alternative worship sites in Dan and Bethel (post-931 BC); (5) after Tiglath-pileser III's campaign in 734 BC; (6) after the fall of Samaria in 722 BC; (7) during the pre-exilic period subsequent to Josiah's reforms (a Deuteronomic

redaction); (8) after the exile and deportation to Babylon in 587 BC; (9) during the post-exilic period of the 5th or 4th centuries BC (a later Deuteronomic redactor) (O’Connell 1996:305-306).

I would like to argue based on the above historical setting that, first, all illuminating and sequential references must be taken into account. Second, the situation projected must defend a monarchical position in general and a pro-Judah stance in particular (Chisholm 2014:66). Third, the projected setting accounts for polemics against both the tribes of Benjamin and Ephraim. I will argue that a composition during the time of David’s reign in Hebron best fits both the sequential notes and the ideological position presented within the framework of Judges and Deuteronomy and its history⁵⁸.

3.15 Ideological considerations

There are three things that must be accounted for when discussing how the ideological content of the cycle of Judges and Deuteronomy supports a proposed life-setting. Butler (2009:xxii) affirms this by claiming that it is critically important to interpret monarchy in order to make sense of those arguing for a strong anti-monarchical stance. First, the book of Judges obviously appeals to a pro-monarchical position. Second, the burden of leadership falls on the tribe of Judah. Third, beyond the pro-Judah slant there is a general anti-Northern polemic, which manifests itself particularly against the tribes of Benjamin and Ephraim (Diffey 2013: 88). These ideological considerations will be discussed briefly below.

3.16 Pro-monarchical/pro-Judah material

The book of Judges has been written largely with monarchy in mind. Traces of this generic pro-monarchical sentiment and specific pro-Judah sentiment are both apparent within the narrative.

3.16.1 Pro-monarchical material

The book of Judges supports a general pro-monarchical position. It does so in two primary ways: first, through the refrain that is repeated four times at the end of the book (17:6; 18:1; 19:1; 21:25); and second, through the presentation of the judges within the main section of the book. This is to say that both of these show support for the monarchy by contrasting it with the chaotic pre-monarchical period (Diffey 2013:88–89). The most clear pro-monarchical statement in the book is the refrain at the end that laments the lack of a king. This refrain

⁵⁸ See O’Connell (1996:305-306), where I based these arguments on.

appears four times in slightly different forms: “In those days there was no king in Israel. Every man did what was right in his own eyes” (Judg 17:6); “In those days there was no king in Israel” (Judg 18:1); “And it happened in those days that there was no king in Israel...” (Judg 19:1); and finally in Judges 21:25: “In those days there was no king in Israel. Every man did what was right in his own eyes” (Dumbrell 1983:22–33; Wong 2006:191–224; Niditch 2009:181–182; Diffey 2013:88-89).

While the refrain appears in slightly different forms, the common thread is that presence or absence of the kingship is the major difference between the time of the writing of the book and the time of the judges. I believe it is safe to assume within reason that with the idea of kingship in the minds of the people, they are less likely to do what is right in their own eyes, which leads to apostasy. However, this is also often an argument made by the proponents of the anti-monarchial scholars as the evidence of absence of kingship (Diffey 2013:88-90).

The judge’s cycle also contributes to the pro-monarchial sentiment in Judges. This material is, however, much more indirect, hence establishing a paradigm in chapter 2. Cundall (1970:179) notes two different ways in which the body of the book highlights the problems natural in the time of the judges that would be resolved under a strong monarchial system. First, the picture of Israel is of “a country that was sadly divided and vulnerable” (Cundall 1970:179). There is no time in which all of Israel is united against a common enemy. In fact, a league of six tribes is the largest mentioned in the entire book (Judg 5:14–18). The picture provided is not only of a divided Israel, but the deliverer accounts also show that the peace that was won by the various judges was short-lived. The description of the land is that it is “wide open to an invader.” Second, the judges themselves are depicted in a way that leaves much to be desired. This shows that leadership has become a “desperate problem” (Cundall 1970:179–180).

Both the refrain and the cycle of deliverers imply the need for a stronger, more centralised government than the period of the judges provided. This is noted by Cundall (1968:281–304) who writes, “It is obvious that he [the editor] regarded the evils noted in the earlier period as due to the absence of the strong, centralised authority of the monarchy” (Cundall 1968:281–304). This argument could be used as an appeal for the tribes to unite under Davidic rule during the time of the civil war between the houses of David and Saul (2 Sam 3:1).

3.16.2 Pro-Judah material

Not only does the book appear to take a pro-monarchial attitude, but the stress on leadership, as Butler (2009:xxii) notes, falls on Judah. Several scholars have observed this emphasis on Judah (O'Connell 1996:59). Wong (2005:85) notes that pro-Judah material appears in two major ways within the book of Judges. First, it appears through plain references to the tribe of Judah that portray Judah positively. Second, it can be seen implicitly through the polemic against other tribes, especially Benjamin and Ephraim.

According to Gurewicz (1959:38), the explicit references to Judah are largely found in Judges 1. These references are largely positive and indicate that YHWH chose the tribe of Judah to lead the conquest (1:2) and that YHWH was with them (1:19). Besides the references to Judah in Judges 1, the first judge mentioned within the book is Othniel. Thus Judah seems to have pride of place there as well. In both the first chapter and in the body of the book, there is a comparison between the tribe of Judah and the other tribes. This comparison is favourable to the tribe of Judah. Further discussion of each of these observations will be given in the next chapter, showing how these aspects display the monarchical ideology of the book. The significance of this pro-Judah ideology for the life-setting of the book is that it makes most sense in a time when there is a need to justify the Judean monarchy. This material would make good sense at the beginning of the Judean monarchy under the early reign of David. The two tribes that are contrasted most clearly with the tribe of Judah are Benjamin and Ephraim (Gurewicz 1959:38).

3.17 Anti-Benjamite polemic

Several scholars believe that an anti-Benjamite polemic pervades Judges and that the presentation of the tribe, as compared with the tribe of Judah, is the most important ideological consideration in the book. Discussions of this polemic are present in the works of Cundall 1970:178–181; Davis 1978:34–36; Amit 1999:341–350; O'Connell 1996:320–322 Brettler 1989:395–418; Schwab 2011:22–24). The anti-Benjamite polemic is seen in all three sections of the book. Each of these will be briefly discussed below to determine if these can help to identify a life-setting for the book.

The tribes of Judah and Benjamin are found alongside each other throughout the book, beginning with the introduction. In the first chapter, Judah is portrayed as faithful in obtaining their allotment (Judg 1:1–20), while the other tribes fail to drive out the inhabitants

of the land (Judg 1: 21–36). The first tribe to be mentioned in this failure is the tribe of Benjamin and their failure is specifically contrasted with Judah’s success. In 1:8 Judah drives out the inhabitants of Jerusalem, but in 1:21 Benjamin fails to drive out the Jebusites from Jerusalem (Schwab 2011:22–23). These two tribes are discussed alongside each other both in the body of the book, with the presentation of Othniel and Ehud, and in the epilogue.

The next occasion is in the body of the text. The author presents the first two judges, Othniel from Judah and Ehud from Benjamin. It has been noted by some that Othniel’s judgeship is paradigmatic or ideal. In contrast, Ehud’s characterisation is somewhat odd. First, he is left-handed, but from the tribe whose name means “son of the right hand.” Also, he is portrayed as both devious and as an assassin (O’Connell 1996:99–100). While this side-by-side presentation does serve to heighten the comparison between the tribes, the clearest anti-Benjamite polemic appears in the epilogue of the book (Dragga 1987:39–46).

The most explicit anti-Benjamite polemic appears in the final chapters of the book. This polemic, however, is not just a generic anti-Benjamite polemic, but it is specifically targeted at the person of Saul. This polemic has been more thoroughly discussed in the work of Amit. Amit (1999:341–350) notices four major connections between Judges 19–21 and Saul. First, there is the connection of several places, particularly Gibeah, Jabesh-Gilead, Ramah and Mizpah. Along with these connections, Amit also notes that roughly 25 percent of the references to Benjamin as a tribe or tribal area are found in these three chapters. The second connection between Saul and these chapters can be observed through the description of the Levite in Judges 19. Both the Levite and Saul had a pair of donkeys (Judg 19:3 and 1 Sam 9:3). There is also the presence of an old man from the hill country of Ephraim who is hospitable (Judg 19:6 and 1 Sam 9:22–26). Both the Levite and Saul had servants who gave them good advice (Judg 19:11 and 1 Sam 9:6–8). And both Saul and the Levite cut something into pieces to draw Israel into war. The Levite cut up his concubine (Judg 19:29) and Saul cut up oxen (1 Sam 11:7). Third, both narratives contain motifs connected to war. Both Saul’s army (1 Sam 11:7) and the army gathered against Gibeah (Judg 20:1) are described “as one man.” There are also large troop numbers (Amit refers to them as exaggerated) that gathered. And the Ark is mentioned (Judg 20:27–28 and 1 Sam 14:18). And fourth, there is a strong contrast between the exemplary hospitality of Bethlehem (to be associated with David) and the negatively depicted hospitality of Gibeah (to be associated with Saul).

Brettler (1989:408–415) rightly comments on this contrast by stating, “These multiple correspondences are too numerous to be coincidental” (Brettler 1989:408–415). While not all of the correspondences alleged by Amit and Brettler are strong, there are some, especially Amit’s first and second points, which are quite striking.

As can be seen from the above, there does seem to be a polemic against the tribe of Benjamin that is present within each section of the book of Judges. A polemic against Benjamin would be most naturally situated within the early period of the monarchy and quite possibly during the time of the war between the house of Saul and the house of David, referred to in 2 Samuel 3:1. Brettler, however, has argued that a later date for the book’s origin is compatible with a primary polemic against the tribe of Benjamin. He notes five reasons why this is so. First, Saul gained early and widespread popularity. This can be seen especially in statements like those found in 1 Sam 10:24 where Saul is said to be “unrivalled” and the people shout, “Long live the king.” Second, the long and difficult war between the houses of David and Saul showed that Saul still had a contingent of followers. Third, the genealogy of Saul is found preserved in 1 Chronicles 8:33–40, possibly because Saul was still seen as the rightful ruler. Fourth, within the genealogy, one of Saul’s descendants is named Melek (1 Chr 8:35). Fifth, within the book of Esther, the hero is a Benjamite descendant of Saul. While Brettler’s points should be taken seriously, they do not negate the possibility of an early date, nor would a later date explain the need for a well-structured anti-Benjamite polemic (and particularly an anti-Saul polemic) like the time period portrayed in 2 Samuel 1–4.

One particular connection between the material in the book of Judges and the material found in the early chapters of 2 Samuel, and thereby David’s early reign, is the instruction to Judah by YHWH to “go up” against Benjamin (Spronk 2009:144). This command appears in Judges 20:18, 23 and 28. The same language is used of David in 2 Samuel 2:1, with reference to the cities of Judah and in 2 Samuel 5:19 with reference to the Philistines. There is a further connection with early Davidic rule because in 2 Samuel 2:1, David is ultimately directed to Hebron, which can be connected to Judges 1:2, where Judah is told to “go up” and ultimately gains Hebron (Judg 1:12). Rake (2006:100) believes that Judges 1 and 2 Samuel 2 and 5 reflects a correspondence between Judah’s rise in Judges and David’s rise in Samuel.

3.18 Anti-Ephraimite polemic

It has been widely argued that there is an anti-Ephraimite polemic within the book of Judges as well. The heart of this polemic is found in chapters 9 and 17–18 and usually associates the material in these chapters with a polemic that is specifically aimed against Jeroboam. This material is used to promote a time of composition for the book after the divided monarchy or after the fall of Israel or Judah (Diffey 2013:92–93).

According to some scholars, the anti-Ephraimite polemic serves as a, if not *the*, primary ideological factor in deciding the message and I can only agree with this claim. This is exemplified in the work of Butler as outlined above, which sees the Ephraimite material as more important than other chronological or ideological material for determining the meaning of the book.

Similarly, Sweeney (1997:528) sees the polemic against Bethel and Ephraim as a pervasive polemic that “permeates the entire book” (Sweeney 1997:528). He notes that the pattern of apostasy and deliverance found in Judges 2:11–23 reflects that found in 2 Kings 17. The formula found within the narrative of each major judge, namely that the people of Israel did what was evil in the eyes of YHWH, matches the statements found throughout the books of Kings to describe the evil kings of Israel and Judah. While both of these observations are important in linking a largely anti-Ephraimite polemic to the remainder of the Deuteronomistic History, Sweeney states that “most importantly, Judges points to the role that Ephraim and Bethel play in the Canaanisation of Israel” (Sweeney 1997: 527). Sweeney (1997:527) outlines how Joshua the Ephraimite and the northern tribes were not able to drive out the Canaanites in Judges 1–2. This is contrasted with Judah, who was able to drive out the people of the land. Then, through the body of the narrative (which he identifies as Judg 3–21), Ephraim is considered the troublesome tribe. He notes that Ephraim and Bethel are the focal point for Israelite deterioration throughout the book.

Throughout the narrative, the tribe of Ephraim and the sanctuary at Bethel are portrayed as causes in the deterioration of Israel. Ephraim and Bethel are the starting place of tension and conflict among the tribes, as Deborah is unable to unite the tribes against a common enemy, Abimelech pushes the country into civil war at Shechem in his quest for kingship, Ephraim threatens war against Gideon and carries out the threat against Jephthah when each judge

chooses not to give the tribe a leading role in war, Ephraim/Bethel is the source of the idolatrous sanctuary at Dan, and Bethel is the site where the tribes choose to attack Benjamin.

3.19 Conclusion

I have demonstrated in this chapter that there is a clear relationship between monarchy and apostasy pertaining to the life-setting of the book of Judges and Deuteronomy. This includes those protractors that claim otherwise. More importantly, this framework also makes sense within the ideological material found within the book of Judges, where the tribe of Judah is idealised to the detriment of other tribes, primarily Benjamin and Ephraim. This again has shown hallmarks of pro-monarchy.

CHAPTER 4: PRO- VERSUS ANTI-MONARCHIAL IDEOLOGY OF MONARCHY?

4.1 Introduction

The previous chapter has established the obvious issue of ideology of monarchy in the book of Judges and within the Deuteronomistic History, which included discussions over the past several decades from various entities (Brettler 1989:395–418; Cundall 1970:178–181). However, admittedly some have also considered the theology of the book to be anti-monarchial (Talmon 1986:39–52). Still others have considered it as both pro- and anti-monarchial (multiple sources stitched together). There has been one recent defence following none of the aforementioned positions, which is set out by Drumbell (1983:23–33). He has gone even further and claimed that it is inappropriate to speak of a single ideology of monarchy in the book of Judges. I will explore these views below.

4.2 Prologue: (1:1–3:6)

The prologue to Judges elevates the tribe of Judah above the other tribes of Israel. No convincing consensus exists as to where the demarcation of the introduction of the book ends. Main frameworks that take centre stage in this non-consensus outlook can be outlined as followed: 1:1–2:5; 1:1–2:23; or set 1:1–3:6. Majority discussions lie within chapters 1:1–3:6 (Block 1996:75–76). Block's argument is founded on the fact that these introductory chapters of Judges function as an appendix. Nevertheless, this argument comes against the backdrop of his extrapolation of Judah being faithful, or at least more faithful, in their conquest of the land than most other tribes. It has been established that pro-Judah is associated with the Judges (Diffey 2013:114). The establishment comes across through different places of interest from the tribe of Judah in the prologue. These include the liberty that Judah enjoys in the introduction. Next is the issue of the positive portrayal of the faithfulness of Judah. This is heightened by the inactive campaigns of the other tribes who are unfaithful to YHWH. Then, Caleb rises from Judah as competent, with Othniel following suit. The positivity is closely related to how Judah is presented as the well-intended and chosen tribe in the narratives of Joshua. And ultimately the sound contrast to prove that Judah is elected to show faithfulness is evident in the books of Judges and Joshua (Diffey 2013:114).

4.3 Language in favour of Judah

The reader will see that language for or against is important against the backdrop of Judah. “The major theme of this section is the supremacy of Judah. The text concentrates on Judah (Jdg 1:20-36 verses concern Judah), and the narrative is shaped to glorify the tribe” (Brettler 1989:402). Clearly, the amount of freedom given to Judah is to undeniably exalt their status as a tribe. To glorify Judah is evident in the author’s treatment of the narrative and the words he uses. It is evident that Judah’s purpose to lead is far greater than what a superficial reading would allow. The writer lays his intention bare so as not to hide his goal of having Judah at the forefront right at the start. Thus, to deny the author’s intention is to deny his conclusions found in a text such as in Joshua chapter 1. The author’s intention leads to the telling question, “If Joshua is dead, who will lead Israel?” (Diffey 2013:115) I would answer this question undeniably in the affirmative. It seems to be obvious that Judah will emerge as Israel’s true leader because they were set aside to do so.

4.4 Valuable dependability of Judah

If one has to weigh up the language of Judah being Israel’s leader it makes sense that they are given the allotted space, it does not outweigh the prominence attributed to it, especially as Judah compares to the other less favourable tribes of Israel. Examples are numerous, but here follow a few: YHWH hands the land to Judah by driving out the Canaanites and Perizzites (1:2; 1:4). He fights for them as he detains Jerusalem in the lowland (1:8–9). Diffey (2013:115) makes it clear that YHWH is Judah’s forerunner in ways that are unbelievable. So again, the author in Judges is not at all apologetic to bring to light how his writing is structured because if he is to communicate a firm statement about YHWH and his relationship with Judah, then the reader has to know the outright favouritism Judah enjoys.

If the reader is not convinced about the apparent favouritism of Judah, the author will make this clearer by illustrating how YHWH did not favour the other nations. The author draws the reader’s attention to what I call the undeniable hypothesis of Yahwestic absence. This can be illustrated in the text by asking the following question: what does YHWH do for Judah that he does not do for every other nation? For example, no nation other than Judah could drive out the inhabitants of the land (see Jdg 1:21–34). Benjamin, Manasseh, Ephraim, Zebulun, Asher and Dan could not drive out the other nations the way Judah could with the help of YHWH. This is a stark contrast for what is highlighted in relation to the language used for the tribe of Dan. Judah is said to drive out the inhabitants of the hill country in 1:19, whereas Dan

is driven into the hill country. The Dan statement then provides a perfect contrast to conclude this section that YHWH favors Judah at the expense of the other nations (Diffey 2013:115).

The term אָפּוּל (meaning “apology”) serves as an inclusion to frame the prologue (1:1–3:6). Thus, the northern tribes are grouped together with “the house of Joseph” (O’Connell 1996:60). O’Connell also notes that, to be given a label like “the house of Joseph”, implies that the tribe of Benjamin will be left desolate. He expresses the devastating words of being orphaned like this, “This leaves the intervening portrayal of Benjamin (1:21) conspicuously isolated from both tribal entities – a phenomenon that rhetorically parallels Benjamin’s portrayal in Judges 19–21, where this tribe is isolated as the object of ‘all Israel’s’ holy war” (O’Connell 1996:60–61). Serving as a backdrop to the action is YHWH’s love for Judah: when he comes alongside them, he drives out the foreign nations from Israel’s land, something he does not do for the other tribes. This frames Judah in a positive privileged light and the other tribes negatively. In other words, it would appear that YHWH only values Judah’s relationship with him and will go at great length to show it. Judah is therefore pronounced to be YHWH’s cherished “son”. But if favoritism alone does not add salt to the wound of being called an orphaned “son”, I would like to draw the attention of the reader to YHWH being very antagonistic towards that orphaned son (the other tribes of Israel).

A further comparison with Judah is made implicitly through the similarity of accounts in 1:4–7, where Judah defeats Aboni–Bezek, and 1:22–26, where the house of Joseph encounters the unnamed man from Luz. I would like to advance the argument that the style and content of these two tales invite evaluation on multiple levels, based on the following points. First, there is a difference in the status of the adversary (Adoni–Bezek, whom Judah fought against). Second, the actions of Judah and the tribes of Joseph are different. Third, the fortune of the Adoni–Bezek is different (Block 1999:104). Within the framework of Judges 1, this deviation between Judah and the northern tribes widens to the point of folding. Judah emerges as the one tribe that faithfully destroy the Canaanites, in marked contrast to the failed attempts of Joseph. Therefore I cannot but agree with Block, who affirms this, when he asserts that, “[the] spiritual Canaanite Luz is allowed to continue” (Block 1999:104).

The tribe of Judah is also contrasted with other tribes. A more explicit comparison exists between Judah and Benjamin. Judah captured Jerusalem in 1:8, Benjamin could not keep the Jebusites out of the city (Judg 1:21). Weinfeld (1993:389–390) notes that Judah is

intentionally compared to Benjamin: “It seems, furthermore, that the passage in Judges 1 has been written with the desire to glorify the tribe of Judah against a background of disgrace that the other tribes suffer, especially the tribe of Benjamin (the tribe of Saul), which did not succeed in driving out the foreign inhabitants of Jerusalem which was conquered for Benjamin by the Judahites” (Weinfeld 1993:389–390). This argument is advanced on the basis of Benjamin’s demise in Judges 1:4–7. I am convinced that all of this are to draw the attentive reader’s attention to the fact that the comparisons between Judah and Benjamin serve to foreground the tribe of Judah.

Judges makes a further geographical argument within the prologue (1:1-3:6) that highlights the tribe of Judah at the expense of the other tribes. According to Younger (1995:80), “Judges 1 uses its south-to-north geographic arrangement of the tribal episodes in order to foreshadow the geographic orientations of the Judges cycle in 3:7–16:31” (Younger 1995:80). I am convinced that the geographical arrangement propagated by Younger highlights the movement of the plot within the book. Also, the geographical arrangement can be traced from both a literary and a moral framework (Biddle 2012:21–24) which I will explore later.

According to Klein (1988:212–213), Judges 1 in particular, is distinct from the time-norm found in the body of the work and serves to indicate the main action that will follow. The moral framework illustrates a moral decline within the other Israelite tribes, apart from the tribe of Judah. Younger portrays that this moral decline is shown in two primary ways. First, it is shown through the use of the verb יָשַׁב (Younger 1995:83). Judah is not said to live (יָשַׁב) among the Canaanites, but the tribes of Benjamin, Manasseh, Ephraim, Zebulun, Asher and Naphtali are said to live with the Canaanites. The second way that the moral decline of the tribes can be seen, is through a comparison between Judges 1 and the presentation of the tribal plot in Joshua 13–19. It is difficult to disagree with Younger (1995:83) when he notes that it “becomes evident that the narrator of Judges 1 has structured his account to emphasise this moral decline when it is compared to the narration of the tribal allotments in Joshua 13–19” (Younger 1995:83). For this reason I am convinced that the moral framework goes hand-in-hand with the literary framework in order to contrast the tribe of Judah with the other tribes by presenting a gradual belittling of tribal morality along the south-to-north movement of the narrative. This is undergirded by the comparisons of Judah and those made about the other tribes, which leads to pro-Judah ideology in the prologue, including the lack of leadership

within the other tribes, whereas Judah has both Caleb and Othniel as able leaders (Diffey 2013:117–118).

4.5 Caleb as leader of Judah

One of the main distinctions of the tribe of Judah in Judges 1 is the presence of individuals, who are capable leaders. There are no individuals singled out from any other tribe. Frolov (2013:48) asserts that “arguably the most important, and certainly most fundamental, aspect of Judah’s superiority highlighted by Judges 1:1–26 is the presence of a responsible and effective individual leader within its ranks.” The intention highlights four important aspects of the presentation of Caleb and Othniel. First, from the presentation of the conquest in Judges 1, Caleb’s offering of his daughter as a reward for the captivity of Debir serves to continue the Judahite campaign in the south. Along with this, the differences between the description of Caleb (Judg 1:10–15, 20) and Joshua (15:13–19) serve to highlight the selflessness of Caleb. In the Joshua text, Caleb seems to attack Debir to expand his possessions, but in Judges he does not seem to have anything to gain from capturing of the city. Based on these two texts I disagree with Frolov when he notes, that Caleb is presented as a selfless leader of Judah and parallels his selflessness to that of Judah leading all of Israel. But, I do agree with him when the presence of the leadership of Caleb in Judah shows a “total lack of anything resembling it in the house of Joseph” (Frolov 2013:49). All of this to say, I am convinced and agree with this idea, that Judah’s continued victory is the result of the actions of Caleb. The small victories, that the house of Joseph experience, seem to be fortunate coincidences and not the result of strong leadership. But, then the reader experience the presence of individual leaders from Judah moving towards the ultimate objective in giving credibility to the pro-Judah stance to a more specific pro-davidic stance. This pro-davidic support can be detected through the specific comparison with the tribe of Benjamin in 1:21, which “calls into question the claims of the Davidites’ rivals from the Benjamite dynasty of Saul” (Frolov 2013:50). Lastly subtle differences between Judges 1:12–15 and Joshua 15:16–19 contain both monarchic and Davidic connotations (Diffey 2013:120).

While Frolov only draws attention to Caleb, it is noteworthy that there is another able leader who is identified from the tribe of Judah as argued from previous chapters of this work. Othniel serves as Israel’s first, and he was probably the best judge. The question of who will lead after the death of Joshua appears to be answered not only generally in the tribe of Judah, but more specifically with individuals who are capable of leadership in Judges.

4.6 Moses and Joshua as predecessors of Judah

Pro-Judahite content can also be found in the election of Judah to go up into the land and lead the other tribes in battle. Numbers 27:15–23 outlines Joshua’s role as successor to Moses and his duty to go in and out before Israel, presumably in battle. Weinfeld (1993:388) notes that according to this tradition, “Joshua initiated the war of conquest at God’s command” (Weinfeld 1993:388). But after Joshua died, who would lead the people in this manner? While Judges 1:1–2 is not clear what medium Israel used to inquire of YHWH, the consensus is that in Judges 1:1 it is an oracular inquiry along the lines of Numbers 27:21. With Joshua dead, Judah is presented as the leader of Israel and a successor of Joshua, just as Joshua was presented as the successor of Moses. Butler (2009:19) notes that after Joshua’s death, “one would expect the answer to the question of who will lead Israel to be an individual. The narrator’s unexpected answer names a tribe, not an individual”.

As mentioned earlier, however, there were capable individual leaders within the tribe of Judah. Judah is not just pictured as the successor to Joshua: but on two separate occasions in Judges 1, Moses is mentioned. These mentions of Moses “assert Judah’s continuity with the founder of the Hebrew faith” (Stone 2012:225). So Judah is presented as the successor to Joshua and there is a narrative sense of Mosaic approval. While it is clear from this text that the tribe of Judah is called to lead, according to Diffey (2013:120-121), Judah’s leadership can be seen even more clearly by comparing the conquest accounts concerning Judah in the prologue of Judges with their parallel texts in the book of Joshua. From this analysis I would want to argue that, insofar as the relationship between the text of Joshua-Numbers discourse and that of the Judges text, one can safely conclude that the author of Judges demonstrates a theological desire to elevate Judah (Diffey 2013:120–121).

4.7 Judges 1 and the book of Joshua

Some texts in the prologue of Judges, which highlight the tribe of Judah the most, are those that correspond with texts in the book of Joshua. Some passages in Judges 1 have parallel texts in the book of Joshua, while others portray a continuation of the conquest that texts in Joshua present as incomplete. On the importance of these, Wong (2006:47) states that “the full rhetorical significance of certain episodes in the prologue and epilogue can simply not be grasped apart from an awareness of their dependence on the book of Joshua”. The cursory reading of Judg 1 and the book of Joshua are closely parallel and complementary passages, I am convinced that these give away different authorial intentions or what Younger (1994:207)

describes as a “re-presenting” of Joshua. When compared, the presentation of the events in the book of Judges highlights the tribe of Judah. It does this through an understanding of the multi-stage model of the conquest, which regard Joshua’s campaigns as incomplete (Joshua 23:4, 7, 12). As noted by Amit (1999:143), “the chapter is presented as a complementary sequel”. This is why the reader will hopefully have seen the relationship with the different connections between Judges 1 and the book of Joshua: Judges 1:9 and Joshua 10:40; 12:8; Judges 1:10–15, 20 and Joshua 15:13–19; and Judges 1:21 and Joshua 15:63.

Having said this, I will also outline other correspondences between the book of Joshua and Judges 1 that do not deal with Judah. These include Judges 1:27–28 and Joshua 17:11–13; Judges 1:29 and Joshua 16:10; and Judges 1:34 and Joshua 19:47. These passages will fall out of the immediate framework of this thesis. Some is convinced that Judges 1:4–7 corresponds to Joshua 10:1–5 due to the similarity of the names Adoni-Bezek and Adoni-Zedek, as well as the mention of Jerusalem (Weinfeld 1993:390–391; Auld 1984:134–35; Burney 1920:4–6). Similarly, Stone (1988:224–225) argues that Judges 1 intentionally evokes Joshua 10 and the Adoni-Zedek story in order to highlight Judah, which the reader has seen above. The point here, I would like to make, is that the reader sees Judah as victorious in a similar manner to the victory in Joshua 10. According to Diffey (2013:121) who advances even though it would appear that Judges and Joshua seem to be separate discourses’ that are concerned with different people, he believes that it still contains significant shared wording and themes to affirm the aforementioned points around Judah.

The following reasons can be cited to prove this point further. Judges 1:9 presents Judah as fighting against the Canaanites who were living in the hill country, while Joshua 10:40 and 12:8 attribute this campaign to all of Israel under the leadership of Joshua (Diffey 2013:122–123). Here the book of Joshua attributes a campaign to Joshua or all of Israel. The book of Judges, however, attributes the success of that same campaign to the tribe of Judah.

Pro-Judahic discourse and ultimately the pro-monarchical view can further be advanced by a few more examples that the reader may find in Judges 1:10–15, 20 and Joshua 15:13–19. According to Wong (2006:47–74) and Stone (1988:196–214), Judges 1 seems to present these events as occurring after the death of Joshua: it is difficult to date these passages (Judg 1:1). In the Judges text, Judah is given the credit for smiting three sons of Anak: Sheshai, Ahiman and Talmai. In the Joshua text, Caleb is given the credit for driving these three

brothers out of the land (Brettler 1989:400). This is to say that, even though the Judges text removes this narrative from the battle context of the book of Joshua and introduces the reader to the first judge, Othniel, who will be on display again in Judges 3. From chapter 3 Othniel is presented as the ideal judge within the body of the book. Through all of this, the author of Judges highlights and emphasises the tribe of Judah. These accounts should be seen as complementary to the leadership of Judah and not contradictory to Othniel's rule in particular (Diffey 2013:123–124).

Another parallel between the text of Judges 1 and the book of Joshua is seen in the description of Jerusalem, found in Judges 1:21 and Joshua 15:63. In the Joshua text, the failure to capture Jerusalem fell upon the tribe of Judah, while in the book of Judges, the blame for Jerusalem was placed squarely on the tribe of Benjamin. Judges 1:8 describes the capture of Jerusalem by Judah. Judges 1:21 begins the litany of failure by describing Benjamin's loss of a city that Judah had already captured. An opponent of the anti-monarchical view comes in the form of Lindars (1995:47), who notes that while Joshua 15:63 puts Jerusalem within Judah's territory, Joshua 18:16, 28 places Jerusalem within Benjamite territory. He continues that the reader would first have to ascribe the responsibility of Jerusalem to Benjamin and in comparison with the Ehud narrative, Jerusalem does not even feature.

As far as the positive proclamation of a pro-monarchical (Judahic discourse) view with its accompanied parallel texts, Amit (1999:146–147) notes that these provide insights below: (1) Judah is the tribe that is chosen by God to fight against the Canaanites (Amit, 1999:146); (2) the conquests that are attributed to Joshua are seen as being accomplished by Judah; (3) Judah is to be seen as the cooperative tribe through its work with Simeon; (4) Benjamin is held responsible for the loss of Jerusalem, while Judah is presented as blameless in this regard; (5) the one text that could be viewed as negative towards Judah (1:19) gives a justification for their non-action. On these insights I agree with Stone (1988:214) when he aptly notes, "The text presents a successful, unified Judean campaign with a strong implicit nod in the direction of the Davidic tradition, in contrast to the failed efforts of Benjamin and the northern tribes" (Stone 1988:214). The conclusion that can be drawn from the parallel and complementary passages is that "the tribe of Judah enjoys an extensive presentation and positive characterisation in the exposition as compensation for its limited appearance throughout the book" (Stone 1988: 147). In the interests of sketching a balanced framework

of both the pro-monarchical and the anti-monarchical views, I admit that, one possible significant problem with the unified Judean campaign can be summed-up, as the portrayal of Judah in Judges 1:19.

4.8 Enactment of Judah in Judges 1:19

While Judges 1 portrays the tribe of Judah in a favourable light, verse 19 has been largely interpreted as a negative comment, showing Judah's failure to possess the valley due to the Canaanites having iron chariots, "The LORD was with the men of Judah. They took possession of the hill country, but they were unable to drive the people from the plain, because they had iron chariots". However, the reader can view this observation critically because this text just serves to present Judah in a realistic light, and does not view the tribe as perfect, but faithful. Stevenson (2002:50) strongly denies that Judah's faithfulness serves as a legitimate excuse to justify Judah's inability to take the valley. There are reasons why I have difficulties with Stevenson and his interpretation of Judges 1:19. Each of these difficulties helps to maintain an overwhelmingly positive portrayal of Judah throughout Judges 1. Stevenson's framework might be interpreted as weak for at least two reasons. First, Joshua does not accept the excuse of iron chariots in Joshua 17:18. Second, iron chariots were not a problem for Israel in Judges 4:12–16. Further complications arise in interpreting this text. Each of these difficulties helps to maintain an overwhelmingly positive depiction of Judah throughout Judges 1. For example, verse 18 states that Judah captured the Philistine cities of Gaza, Ashkelon, and Ekron, while verse 19b states that Judah was not able to take the valley (Diffey 2013:125–126).

In the same vein other scholars find difficulty with the very same verses 18 and 19b irrespectively, as "completely contradictory". This difficulty is further complicated by the variant reading of verse 18 in the LXX, which indicates that Judah did not capture the Philistine cities, in contrast to the reading of the MT. Scholars, who advance this view, is represented by Cundall and Lindars who prefer the LXX reading at this point (Wong 2006: 149). However, while I do not fully agree with this view, I am more inclined to pledge allegiance to an argument summarised by Boling (1975: 149), who argues that there is "no way of explaining this divergence [between the LXX and MT] except to posit genuine traditions reflecting somewhat different concerns" (Boling 1975:149).

The “deviations of the LXX are easily explained as a secondary adaptation, thus the MT is to be maintained as the original reading” (Weinfield 1993:395). Multiple arguments for maintaining the reading of the MT have been given: the LXX seems to have understood verse 18 to contradict verse 19, which led to a “correction” of the text (Weinfield 1993:395). Similarly, Frolov (2007:133) argues that this seems to be the attempt of the LXX, but that verse 19b should retain the reading of the MT. The parallel between Judges 1:18 and Joshua 15:45–47 suggests the accuracy of the MT (Mullen 1984:49). The reading seemingly contradicts the pro-Judah sentiment found throughout the chapter (O’Connell 1996:445). Frolov (2007:133) notes the circularity of this argument. While this argument should not be used alone, it can fit within a larger argument in favour of the MT. It is difficult to understand verse 19a, which states that YHWH was with Judah, if it is sandwiched between two texts that show the failure of Judah. The third difficulty is, that it is hard to reconcile verse 19a with 19b. The statement made in 19a that YHWH is with Judah, does not lead smoothly into a statement about Judah’s failure to capture the Philistine territory that had already been apportioned to them in Joshua 15:45–47 (Frolov 2007:133). I would like the reader to consider this line of argument. However I am convinced that it lacks substance because this view can be aligned with what might be called a complex paradox “and we are left to wonder what, precisely, it signifies” (Webb 2008:109). Block (1999:100) has asked, “Why is YHWH’s presence cancelled by superior military technology?”. Butler (2009:26) and Olson (1998:739) engage in this same kind of questioning with, “Why was an ‘obedient’ Judah unable to carry out victory thoroughly if God was with the tribe?” The answers to these questions turn into speculation, and at best imploring the technique of guessing that Judah must have done something wrong. There seems to be, however, a better solution that understands verse 19b within the broader context (Butler 2009:26; Block 1999:100). Similarly, Lindars (1995:45) oddly states that “the whole point of the verse is to explain Judah’s failure without casting doubt on YHWH’s assistance” (Lindars 1995:45). A statement like this is helpful, but it still does not unequivocally make the point that within the context of Judges 1, where YHWH’s leadership of and presence with Judah has up to this point been associated with victory.

However, Driver (1892:202) explains grammatically that the construction in Judges 1:19 implies that the conditions for Judah’s capturing of the valley were altogether out of the question. Frolov (2013:48) expands on this idea by noting that this text conveys the notion of

prevention and that a representative translation would be something like, “And YHWH was with Judah, and it dislodged (only) the highlanders, since the lowlanders are not to be dislodged” (Frolov 2013:48). The point remains that YHWH favors Judah outright.

If the reader considers the reading in the MT the following reasons can be highlighted: the description of the inability to remove residents of the other tribes; the reading of 1:19b as a prohibition is consistent with Judges 3:3, which says that the lords of the Philistines were left to test the Israelites (Frolov 2013: 84); and there are two places where the author of Judges 1 removes יכלו from a text he has taken from Joshua (Judges 1:21 and Joshua 15:63; Judges 1:27–28 and Joshua 17:11–13) in which “he shows himself capable of altering the infinitive to produce a correct finite form” (Frolov 2013: 33). Thus, it would seem odd that an incorrect form would occur here, since this is also a text that parallels Joshua 17:16–18 (Stone 1988: 218). There does not appear any substantial reason for deviating from the MT, which seems to align with the correct use of finite to sustain with the ideological underpinnings of the rest of the passage.

When one interprets Judges 1:19, which is about the location of the valley the following becomes apparent: עמק (1:19b) is somewhat difficult to identify. If the location of this valley is in Judah, then it can probably be identified as the coastal plain or the Shephelah. Drews (1989:15-23) makes a link between this text and Joshua 17:16–18. Here Joshua encourages the tribes of Joseph to overcome despite the iron chariots of the Canaanites (Drews 1989: 15–23). Wong (2006:49) strongly argues that this parallel is used to belittle Judah and notes that “what this link seems to highlight is Judah’s failure to live up to its full potential” (2006: 49). Wong’s interpretation assumes, however, both the reading of the LXX and the author of Judges using the text of Joshua to portray Judah in a negative manner, something that has not been done up to this point.

There are a school of thoughts that is convinced that the connection to Joshua 17:16–18 instead serves to lighten a further negative assessment of Judah. Hamilton (2004:102) is convinced that the parallel between these passages also means that these two texts refer to the same valley. Hamilton (2004:102) asserts that if “Judges 1:19b is alluding to Joshua 17:16–18, then it is simply saying that the Judahites failed to take an area that was far beyond their own borders, hardly a damning indictment” (Hamilton 2004:102). Similarly, Stone (1988:217) points out that “if the writer of Judges 1 is alluding to Joshua 17, then the Judean

failure is mitigated a second time by placing the locale of their failure far beyond their own borders”. There seems to be a parallel between Judges 1:19 and Joshua 17:16–18 and that parallel seemingly places uncertainty on the location of the valley. This connection does not necessitate an understanding of the valley being the same valley as referenced in Joshua 17. Furthermore, the identification of the valley being in the north does not even seem likely. The exact identification of the valley is not clear from verse 19, but it is likely to be found on the coastal plain from the context of verse 18.

At first glance, Judges 1:19 may seem to indicate a negative comment on Judah near the end of a long list of accomplishments. This interpretation, however, seems to be mistaken because it stands at odds with the surrounding context of verses 18 and 19a, requires an emendation of the MT and the connection to a similar text in Joshua 17 casts doubt on the actual location of the valley (Frolov 2008:322). Instead, I am convinced that the reading of the text as it stands indicates that it was not for Judah to take the valley. This interpretation makes sense of Judges 3:1–3, which states that the coastal plain was left by YHWH to test Israel, if the valley referred to in 1:19 is indeed the coastal plain. The understanding of verse 19b as a prevention also makes sense if, as some have argued, the valley that is referred to in this verse is the one linked with the parallel text in Joshua 17, which is located in the north. All of these points highlight the difficulty of interpreting Judges 1:19 and making fundamental conclusions. Instead, it appears that this verse is in line with the ideological theme of the remainder of the chapter, which highlights the faithfulness of the tribe of Judah (Frolov 2008:322). To wrap up the point here, is to say that Judah is never viewed as negative. Frolov (2008: 322) argues that the failure to remove the Canaanites is blamed on the northern tribes through the use of an activist loop within the narrative which gives further substance to the above point.

4.9 Judges cycle: (2:11–19)

In Judges 2:11–19, the cyclical pattern for the body of the book is introduced. In this cycle, the key formulaic statements that encompass the narratives of the body are presented (Greenspahn 1986:386–388). This pattern concludes Israel’s apostasy (2:11–13), YHWH’s anger and punishment of Israel (2:14–15) and YHWH’s deliverance of Israel through the raising of a judge (2:16–19 see Younger 2002:87–91) as outlined in chapter 2 of this dissertation. From the presentation in this section, there is the prospect that the cycle will be unfailingly repeated throughout the book. But, as Exum (1990:412) notes, “Although we are led to expect a consistent and regular pattern, what happens is that the framework itself

breaks down...the political and moral instability depicted in Judges is reflected in the textual instability [of the cycle]”.

The repetition of formulaic statements breaks down within the narrative framework of the accounts of the judges, thus giving the sense that the narrative breaks down. The cycle as presented in the introduction of this dissertation also presents the hopelessness of the situation of the judges in verses 18–19 where it reads, “Whenever YHWH raised up judges for them, YHWH was with the judge and he saved them from the hand of their enemies all the days of the judge.. But whenever the judge died, they turned back and were more corrupt than their fathers, going after other gods.” As these verses show, the leadership of the judges was not a lasting solution to the problem of Canaanisation. Block (1999:132) notes this when he writes that verse 19 “is crucial for interpreting the following narratives. Israel is depicted as increasingly Canaanised, spiralling downward into worse and worse apostasy” (Block 1999:132). Even before the main narrative begins, the outlook on the presentation of the period of the leadership of the judges seems to be gloomy.

4.10 Body of the book of Judges (3:7–16:31)

According to Diffey (2013:132) the prologue of the book of Judges is not the only section that contains a pro-Judah and pro-monarchial outlook; the body of the book proves this as well. The pro-Judah perspective is revealed in the movement of the Book of Judges from south to north, where the southern leader is pictured ideally and each ensuing leader is pictured as progressively more disappointing. Therefore the body of the Book of Judges shows a pro-monarchial outlook through its representation of foreign kings. The representation of these foreign rulers serves as the antithesis of what a ruler should be like (Diffey 2013:132).

4.11 Progression of Judges

There is a growing consensus that the general movement of the book of Judges can be seen in the movement of the location of the Judges, starting in the south with Othniel, who was from the tribe of Judah, and ending in the north with Samson, who was from the tribe of Dan (Brettler 2002:404). This proposal seems plausible, even though Samson’s birthplace was in Zora, which was located in the original Danite allotment in the south, since the perspective of both the author and the reader would locate Dan in the far north (Brettler 2002:404). This view is advanced by Brettler (2002:404) who posits that while the Samson episode took place

in the south, the ancient reader would have associated Samson with the tribe of Dan, who had long since been north. In fact, by the time of the writing of the book of Judges, the tribe of Dan would already have been located in the north for at least a few generations. “This hypothesis would work with almost any dating of the book of Judges, even if one presupposes a rather early Davidic-Solomonic time frame” (Diffey 2013:132–133).

According to Younger (1994:216-221) it becomes clear from the epilogue of Judges that Dan had moved from their original portion quite early and that the author and even the ancient readers of the text would correlate the tribe of Dan with their far northern settlement. The movement in the body of the book follows the same basic pattern from south to north as found in Judges 1 (Younger 1994:216–221). In the same way, the other tribes are set in coincidence with the tribe of Judah. This is coupled with the negative presentations of the judges from the other tribes. Therefore, the narrative flow of Judges does not seem to be solely restricted to a geographical movement, but rather there seems to be a progression in the sinfulness of each successive judge as outlined in chapter 2. While the south-to-north movement does appear, the more important concern is the contrast between the tribe of Judah and the other tribes. So Brettler (2002:405) notes, “The geographical pattern noted by Malamat needs to be joined with observations concerning the behaviour of the major judges as they move from south to north” (Brettler 2002:405). This is why it is difficult to disagree entirely with O’Connell (1996:80) who writes, “The deliverer accounts have been arranged within the book of Judges to advance the compiler/redactor’s tribal-political concerns. Yet... one should be able to discern from each account what concerns the compiler/redactor was attempting to address by means of plot structure and characterisation” (O’Connell 1996:80).

However, a contrasting view exists in the form of Nelson’s opinion (2007:347–364) on the minor judges, where he points out anti-monarchial constructions at play. He writes, “The list of the so-called minor judges is not based on any historical source or archival record, but originated as an anti-monarchic scribal construction composed in the territory of the Northern Kingdom... It is modelled on the scribal conventions for summarising royal succession that appears in the regal formulas in the book of Kings. It reveals an anti-monarchic ideology” (Nelson 2007:347–364). On the other hand, I have illustrated that the view of Nelson can be contrasted with views of the judges as positive, not negative.

The paradigm of general moral and spiritual decline in the book of Judges is fundamental to, “Othniel as almost an idealised judge and Samson as a debauched self-centred individual”. I agree with Diffey (2013:134) here that Othniel is described as the supreme judge in many ways, for the following reasons. First, the Othniel cycle is much more compact than that of the other major judges (Gunn 1987:112). The brevity of Othniel’s cycle serves to cement this judge already introduced in Judges 1 (Amit 1999:162). The conciseness of the narrative also portrays Othniel as plain (Frolov 2013:102–103). These highlights, that Othniel is contrasted with the increasing length of the other judges’ narratives in comparison, is to illustrate how different and less “wayward” his actions might be. Gunn (1987:113) further asserts, that the rhetorical effect of presenting Othniel as plain “makes all the colourful details of the other cycles, including even the most commendable feats of the deliverers featured in them, look like creases in the narrative, suggestive of difficulties, snags and lack of effectiveness” (Gunn 1987:113). The brevity of Othniel’s narrative helps to present him as an ideal deliverer. It cannot be a coincidence like in Judges 1, which Othniel is from the tribe of Judah. While this is implicit within the narrative, it would be difficult for the reader to dismiss Othniel out of his chosen tribe.

Another reason seems to be that Othniel is presented as an ideal judge “a reservoir of formulae” (Amit 1999:162). While the Othniel cycle is short, it contains the largest number of formulaic statements in the entire book. Othniel’s cycle uses more key phrases and formulaic statements than any other judge, which is all the more apparent due to the brevity of the account (Hamilton 2004:113–114). The point of connection here is for the reader to see the faithfulness of Othniel as the deliverer from Judah, who serves as the “evaluative profile by which to assess 3:12–16:31” (Stone 1988:289). This becomes apparent when Othniel defeats Cushan-Rishathaim single-handedly. While he certainly did not act alone in an absolute sense, all of the action in the narrative is presented in the third person singular, highlighting his actions (Frolov 2013:102–103).

Based on these reasons Othniel, the judge from Judah, is viewed by the author of Judges in a positive light, whereas each subsequent judge is progressively more sinful (Oded 1996:89–94). The judges’ cycle then culminates with Samson, who seems to be the most degenerate judge of all the judges. Accordingly, O’Connell (1996:11) writes, “As to Judges’ idealisation of a type of leader distinct from that modelled by non-Judahite deliverers of Israel, it may be inferred that the portrayal of pre-monarchial leadership among the deliverer accounts in

Judges serves as a foil to the ideal of kingship to which it is implicitly contrasted in Judges' double dénouement (17:6a; 18:1a; 19:1a; 21:25a)" (O'Connell 1996:11). In saying this, O'Connell is stating that the non-Judahite deliverers are all foils of what true leadership should look like, and which will come later, namely David. Therefore Othniel becomes all the more attractive as a superior judge. Brettler affirms O'Connell assertion by claiming, "The author/editor has edited or written stories to indicate the superiority of Judah at the expense of the north" (Brettler 2002:408). Thus it would seem plausible that this polemic against the Northern Kingdom indicates that the idea of northern leadership is to be viewed as a failure when set against the backdrop of anticipated monarchy.

4.12 Uncovering of foreign kings

Beyond the narrative flow of the book and the clear presentation of the supremacy of the tribe of Judah, it seems appropriate to make one further point concerning the relationship between the book of Judges and the idea of kingship. O'Connell (1996:11) notes, "As to Judges' idealisation of a model kingship distinct from that of foreigners, it may be averred that the deliverer accounts portray foreign kings in such a way as to make them objects of satire" (O'Connell 1996:11). The examples of this phenomenon can be seen by the reader throughout the text of Judges (O'Connell 1996:11). They include the characters of Adoni-Bezek, Cushan-Rishathaim and Eglon while the remainder of the foreign kings found in the book of Judges are representatives of this idea. These foreign kings are portrayed in a mocking fashion: Adoni-Bezek and the fate that he suffered is similar to the 70 kings whose toes and thumbs he cut off, Cushan-Rishathaim (meaning of his name and Eglon with his unusual obesity and his greed for a bribe). These kings represent pagan kingship at its worst. Thus, these kings serve as negative examples, much as the northern Israelite leaders in the book of Judges highlight what the true king should be like. O'Connell (1996:11) further notes that "the re-contextualisation of these stories into Judges' dual framework heightens their ridicule of foreign kings by their contrast with the frames' glorification of YHWH" (O'Connell 1996:11). Not only does it seem appropriate to contrast these kings with the glorification of YHWH, but also with the ideal kingship that seems to be supposed of the Judahite king.

4.13 Negligible Judges

Almost any literary understanding of the book of Judges including the author of this work has struggled with how to empirically account for the minor judges. This struggle is captured

well for the reader by Brettler who writes (2002:114), “I do not see how the minor judges fit in, and can only offer one of the standard biblical scholarship answers – it was traditional material than an editor included, or someone inserted it after the book already took shape – but these answers are not verifiable and are not really satisfactory” (Brettler 2002:114). This view by Brettler gives credence to how one may or may not treat the minor judges.

While there is some difficulty in understanding how the minor judges fit in within the overall structure of the book, I would like to point the reader to one suggestion that is promising in shedding light in solving this dilemma. Olson (2004:206), who advocates for a similar overall structure to the book of Judges that has been proposed here, is convinced that the minor judges show the same moral and spiritual decline as the major judges. He infers that the notices of the minor judges occur at three pivotal moments within the narrative and that these “correspond to the three stages in the decline of the major judges” (Olson 2004:206). Shamgar is portrayed as successful and is shown with the early judges who are sketched as successful. Tola and Jair are presented after the transitional Gideon cycle. They are portrayed as rising up to deliver Israel, “but the narrator provides no indication that Jair accomplished anything for the well-being of Israel” (Olson 2004:206). Like Gideon and Abimelech, both Tola and Jair seem to focus on themselves and their possessions. The third group of minor judges occurs with the final judges Jephthah and Samson, who are sketched as failures. Likewise, the minor judges are not presented as either delivering Israel or really having any beneficial effect on the life of Israel. Their judgeships are also relatively short, which is similar to the short judgeships of the later major judges (Globe 1990:242–243).

Nelson (2007:354) notes a number of other royal features in the presentation of the later minor judges. This might be insignificant to the reader, but I find the analysis very promising, where the minor judges even though Nelson propagates an anti-monarchical view when it comes to the judges’ cycle (Nelson 2007:355–356). Nelson is convinced that the presentation of these minor judges implies an anti-monarchical ideology because he asserts that “these six luminaries judged in direct succession, even though this is not explicitly stated, and that they judged the inclusive entity ‘Israel’, even though only local data is general for each. They judged Israel outside royal structures, built alliances based on kinship and achieved a stable and orderly sequence of leadership without primogeniture or dynastic succession” (Nelson 2007:362–363).

Frolov (2007:98) agrees with Nelson (2007:362-363) concerning the monarchical framework of these minor judges, but is not convinced that they are used to promote an anti-monarchical agenda. I do not agree with Frolov's analysis of Nelson on this viewpoint. Instead, Frolov (2007:98) states that these narratives show "that while politically stable central government is definitely a godsend, rotation of power between tribes can ensure its continuity only for a limited time" (Frolov 2007:98). I am convinced that Nelson's claim, however, seems quite forced in several areas, most clearly because it is not apparent that the minor judges led in succession (Younger 2002:43; Block 1999:338). Nelson's view of the minor judges seems to suggest that they portray different views towards the institution of monarchy which the reader may find attractive, but I am not convinced. Because, if the reader considers a straightforward reading of the narrative, it becomes fairly apparent that these minor judges along with the major judges progressively depreciate morally and seem to have more care for their own self-interest than any communal interest (Younger 2002:42).

4.14 Epilogue (17:1–21:25)

The conclusion of Judges would serve as the clearest indication of the pro-monarchical stance of the book, as well as the clearest apology for monarchy. While the introduction (1:1-3:6) and body (3:7-16:31) are more implicit, the conclusion is very explicit in making this point. This pro-monarchical standpoint is apparent for a few reasons (Diffey 2013:140). First, a king was anticipated, as shown by the refrain that there was no king in the land. Second, a cutting polemic against Benjamin is given. Third, there is a portrayal of the tribe of Levi that anticipates a time and a leader who will bring a central place of worship (Diffey 2013:140–141).

4.15 Exhortation

The anticipation of a king is most clearly seen in the book of Judges through the exhortation that in those days there was no king in Israel (17:6; 18:1; 19:1; and 21:25). This exhortation appears four times in the epilogue to the book of Judges and it is phrased in two basic forms. All four of the exhortations express the same sentiment that "in those days there was no king." Two of these exhortations, however, make a further statement by adding, "Every man did what was right in his own eyes". These exhortations appear in the context of the epilogue, where the anarchy of the book of Judges is at its height. But, they do not seem to be solely reflecting upon the contents of the epilogue; instead, they are reflecting on the entirety of the book and serve as the interpretive key that longs for the monarchy. Therefore the tentative

reader stands on solid ground to deduce that Judges is pro-monarchical because this theme can be deduced from a clear pattern that is able to unravel progressively throughout the book of Judges.

Views surrounding the book of Judges and the Deuteronomistic History as anti-monarchical, in their refrain are without a doubt pro-monarchical. In my opinion the heightened moral decline of Samson alludes to this concession. Accordingly, Brettler notes, “The appendixes implicitly yearn for an era when there is kingship, when the people will do hayyāšār, ‘what is pleasing’” (Brettler 2002:409). The refrain indicates that the content of the epilogue is not extraordinary, but that it is normative (Webb 2008:426–427).

Trible (1984:84) confirms that, “The lack of a king is a licence for anarchy and violence. So the editor uses the horrors he has just reported to promote a monarchy that would establish order and justice in Israel. Concluding not only this story but the entire book of Judges with an indictment, he prepares his readers to look favourably upon kingship” (Trible 1984:84). The refrain is not the only interpretive framework at play here, because kingship relates to the book as a whole. I am therefore convinced that there exists a clear relationship between the refrain and the contents of the book of Judges as well as that of the epilogue, that it underscores a pro-monarchical outlook.

4.16 Conclusion

Based the texts from the book of Judges and others texts alike, scholarly discussions and the exhortation in this chapter, I am convinced that the reader is presented with a positive ideology in the book of Judges. Thus, this climactic exhortation longs for a stabilised time when everyone will not do what is right in his own eyes, but what is right in the eyes of YHWH and the king, and when there will be a leader, a leader who will rule Israel legitimately and justly (Diffey 2013:142). Therefore one cannot entirely rule out a single ideology of monarchy in the book of Judges.

CHAPTER 5: SOCIO–ECONOMIC CONTEXT IN THE OLD TESTAMENT AND DEUTERONOMIC LAW

5.1 Introduction

This chapter explores the Book of Deuteronomy with the intention of placing the focal text, Deuteronomy 15, into perspective. This will be done by exploring the ancient Near Eastern context, the Israelite context and the context specific to Deuteronomy 15. The outline of the structure is presented, culminating in distinguishing the Deuteronomic Code which is compared with the Covenant Code and the Holiness Code. A conclusion synthesises the discussion.

5.2 Historical background

5.2.1 Ancient Near East (ANE)

The year of remitting debts and releasing slaves is not peculiar to ancient Israel only (cf. Walton 2009:449-450), but is characteristic of the whole ancient Near East. The sabbatical year tradition was generally established throughout the ancient Near East (Biddle 2003:255). Mesopotamian monarchs often proclaimed “releases” which commemorated the beginnings of their reigns or other significant occasions. However, they were not expected to do so and the terms of the release were different (Buddle 2003:256). In the edict entitled “An Edict of *Ammi – saduqa* (1646 – 1626 BC) of Babylon” which is a covenant code like that of Deuteronomy, the Babylonian king calls for leaving crops to grow freely and unharvested so that they can be gathered by the poor, in order that the poor may have something to eat (Biddle 2003:256). In the edict, the king further remits the debts of tenant farmers, shepherds, soldiers, fisherman and the *mushkenu* – an Akkadian term which designated a particular socio-economic class (Biddle 2003:256).

The edict further commands that “no one should make demands on the houses of the soldier, fisherman or the *mushkenu*” (Biddle 2003:256). This might refer to officials going to houses of those who have not paid their taxes or are indebted to the monarchy. Thus, the code forbids creditors from pursuing the payment of debt after the decree has been issued (Walton 2009:185). In other ancient Near Eastern law codes such as the Code of Hammurabi, the rulers, landowners, aristocracy, priests and military leaders benefited materially over the poor and disadvantaged (Adeyemo 2006:230). This is indicative of the fact that, although the remitting of debts and releasing of slaves was widespread throughout the ancient Near East,

the one practised in Israel was distinct because it was not commissioned by man but by God. In Canaan, the gods maintained the social, political and economic status quo (Hoppe 2004:9).



Figure. 1: Diorite Stele Containing Hammurabi's Lawcode (C18th BC)⁵⁹

Hammurabi's code also contains several examples of governing the rate of interest, to the point that it even prescribes forfeiture of the investment should the creditor charge an interest rate of more than 20 percent (Walton 2009:185). Those who sought credit were usually farmers who experienced a bad harvest. As a result, they had to incur debt in order to provide food for the coming year and to have supplies for planting the following year's produce (Walton 2009:185). The continuation of this cycle would put the farmer in such debt that the sale of his family and himself into slavery would be inevitable (Walton 2009:185). Hammurabi's code also called for the freeing of enslaved children and women after three years had passed (Walton 2009:186).

5.2.2 Ancient Israel (c. 1400 BC)

The economy of ancient Israel was based on agriculture. An Israelite family would have a plot of land where they grew their crops and raised their livestock in order to provide the family with food and clothing. Most early Israelites – before the monarchy – were subsistence farmers (Hoppe 2004:8). This means that they were able to grow just enough crops to feed themselves, their families and their livestock, and enough to provide seed grain

⁵⁹ See Alamy 2018 at (<http://www.alamy.com/stock-photo/hammurabi-steele.html>).

for the following growing season. Also included in their crops was the portion they had to set aside for their tithes and sacrifices. These were intentional in order to secure a blessing from the LORD (Hoppe 2004:8). Given this way of life, occurrences such as drought meant that the farmer was in danger of famine since subsistence farming did not produce surpluses which could keep the farmer through a challenging year.

For an early Israelite subsistence farmer, drought was not the only threat to productivity. Illness and injury would occasionally prevent the farmer from working his fields and tending his flocks (Hoppe 2004:8). In such events, the agricultural yield would be low. The difficulties not only emanated from the land, but also from the socio-economic structures of the land of Canaan. The city-state governments of the mid-8th century Canaan, taxed the peasants and the payment of these taxes took the form of labour – both obligatory and optional (Hoppe 2004:8). When peasants worked for the state, in building projects or for the military, they were unable to work their land. Thus, the requirement for the peasants to give a particular portion of their harvest was a severe hardship upon injury, since their farming did not produce the surpluses which made paying taxes possible (Hoppe 2004:9).

Conditions would sometimes make it impossible for peasants to pay taxes. As a result, they would become indebted to the extent that they would have to inevitably sell their children into slavery. In other circumstances, they would sell their land to pay off their debt (Hoppe 2004:9). The peasants would then be reduced to poverty due to the lack of access to a means of food production. Thus, the city-states of mid-8th century Canaan were responsible for poverty creation in Canaan (Hoppe 2004:9).

In Israel, land that was worked was understood as a gift from God, as an inheritance which the LORD God gave to His people upon their entry to the Promised Land. This land was also meant to be an inheritance for a clan or family (tribe), which could be passed down to succeeding generations (Hoppe 2004:9). This status was threatened by the political, social and economic systems which the city-states of Canaan maintained. Some of the threats came through Israel's contact with minority Canaanite tribes, which were not completely subdued during Israel's conquest of the Promised Land. One of these nations which posed a real threat to Israel was the Philistines. From the 11th century BC, this group began to occupy the southern areas of the coastal plain. They also expanded eastwards and to the north into

territories occupied by Israelites (Hoppe 2004:10). This led Israel to the decision that having a king with an army will be a necessity to address this threat.

According to 1 Samuel 8:10–18, a monarchy is not what Israel needed because a monarchy is characterised by hierarchical structures which reinforce class structures and create a *status quo* where “the rich rule over the poor and the borrower is slave to the lender” (Hoppe 2004: 10). With the establishment of the monarchy, the land was no longer understood to be a gift from God, but the possession of the king. Peasants were able to maintain their own land as long as they were able to pay their taxes (Hoppe 2004:11). Otherwise, they lost their land to their creditors due to extortionate interest rates, high taxes and a crooked judicial and political system. The situation was further exacerbated by occurrences such as droughts, wars and sickness, which potentially saw families entering into a cycle of debt (Hoppe 2004:12). Israel’s class structure and her misdealing appropriation of debt and other vital resources were due to the fact that there were no controls, intervention or measures on lending and borrowing. Thus, the system could exploit the vulnerable members of society – that is, the poor. The monarchical systems could not address the stark socio-economic inequality since it was the monarchical hierarchical structures which inherently maintained the *status quo*.

5.2.3 Deuteronomy

According to Wittenberg (2009:89), when Josiah’s father died, he was only eight years old. Nevertheless, the people of the land made him king and for many years thereafter, all the power was in their hands. Describing them, Tatum (2000:1027), argues that they were the general citizenry that championed traditional Yahwism which guarded the syncretistic tendencies of the royalty. However, he remarks that some scholars note a recurrent struggle in Judean history between the centralising policies of the Davidic monarchy and the traditional decentralised polity of the old tribal league (Tatum 2000:1027). According to Wittenberg (2009:89), over 30 years later, when Josiah was killed, the tribal league still exerted influence. They made the younger son Jehoahaz king, passing the elder son Jehoiakim. They formed a coalition with the scribes and priests and planned reforms; Deuteronomy is a foundational document of those reforms. Wittenberg (2009:89) argues further that in Deuteronomy, the function of law to constitute a society and give it an identity, is discernible.

Wittenberg continues to make important remark with regards to Israel's society and the law: "In contrast to all other ancient Near Eastern peoples, society is not constituted around the monarchy, but around the people of Israel". In this scenario, a covenant was concluded with the people, who are the addressees of Deuteronomy by YHWH distinct from priests and Levites. Wittenberg (2009:89-90) describes the reformers as the free land-owning population of Judah who took control during the reign of the young Josiah. One of the themes that became dominant is an ethic of brotherhood, as the community of God implied the concept of equality (Wright 2012:175). He further identifies the ideal of the Deuteronomic reformers as "one YHWH – one place of worship – one people of God" (Wittenberg 2009: 94).

Exploring the full implications and meaning of the Deuteronomic legislation on the tithe, Wittenberg reveals information that is very much relevant for the examination of Deuteronomy 15. He reveals that before the Deuteronomic legislation, the tithe was in the form of a state tax⁶⁰. It was collected by the state. During the post-exilic period, the tithe was collected at the temple. However, in the Deuteronomic legislation (Deut 15:1-3) it is consumed by the owner sharing with the poor.

In Deuteronomy, the focus is on ordinary people and the poor (Kessler 2008:103-107). Even more interesting for this discussion is the social reality that prevailed when the Deuteronomic reformers ensued with the formulation of the legislation. In Wittenberg's own words: "The social crisis which had undermined the fabric of the free peasant community in Israel and Judah since the mid-8th century and which had called forth the prophetic indictments of Amos, Micah and Isaiah, had reached an advanced stage after a century of Assyrian domination at the beginning of the reign of Josiah. In this situation, the reformers were intent on finally putting a stop to the disastrous deterioration of the social situation of the poorer members of the peasant community" (Wittenberg 2009:94). This meant that a society whose innate responsibility was to display its wisdom turned into a society that was embattled by abuse, wickedness and slavery (Deut. 4:6-8).

By examining the tithe, Wittenberg illustrates the implications and meaning of the legislation of the Deuteronomic reformers, which also gives background to Deuteronomy 15, which is

⁶⁰ "The tithe as a royal tax was not only used by the early monarchy under Solomon (it was one of the reasons for the early rebellions), but also much later" (Wittenberg 2009:91).

discussed in the next chapter. First, the state tax is stopped and replaced by the tithe as envisaged by the Deuteronomic reformers. The tithe was redirected so that it benefited its owner. But, this phenomenon was also attached to the worship of God. The primary beneficiary was extended by including Levites, who do not have an inheritance. A further extension was instituted that every third year the tithe was distributed in the villages because some were not able to go to the central place. The Levites, the resident aliens, the widows and the orphans were the beneficiaries.

In Wittenberg's (2009:95) words, "this extension shows a remarkable departure from the basic regulation in that every third year the tithe is to be paid directly to the socially deprived groups (i.e. those without landed property) in the gates of the towns as the places of public gatherings and local court proceedings". The reformers formed a social safety net. This social safety net was made effective by linking the tithe year with other poverty-alleviation laws. The first is the year of release of debts in the seventh year (ch 15:1 – 11). The release of slaves immediately follows the law of debt release (ch 15:12 – 18) (Wittenberg 2009:95). This forms the background to our focal text: Deuteronomy 15. Remembering that the aim of this chapter is to place Deuteronomy 15 in context, this is clearly shown by McConville (2002:257) when he says: "The laws of release are obviously closely related to the law of the tithe, which began to provide a structure in Israel for maintaining a balance and equity in society, and especially for giving access to the wealth of the land to those who had no property rights of their own". Therefore I believe that the laws of release now address the same issue from another angle.

It is also proper to indicate here that this is what makes Deuteronomy 15 attractive for an analysis of a South African socio-economic inequality situation. I now move to the law of Israel found in Deuteronomy 5 commonly referred to as the "*Ten Words*" through which the reader will make sense of the foundation of YHWH's heart for his nation. However, this foundation will also be the measurement to which the reader will see how Israel's decline in worship to YHWH led to not observing the social requirements in their law.

5.2.4 Excursus: Deuteronomy and ancient vassalage treaties (covenant)

Comparison between the form of ancient vassalage documents (ANE) and Deuteronomy (Kline 1963:9-10; Brown 1993 [BST]):

Preamble	“These are the words of...”
Historical Prologue	Recent history which led up to the formation of this vassalage arrangement. Eg: a report of how the vassal was defeated in battle. Gives a historical context to the treaty.
General Stipulations	A statement of the substance of the future relationship. How is the vassal supposed to think of and refer to their suzerain? It is always intimately related to the antecedent history described in the prologue.
Specific Stipulations	Specifically, what are the obligations of the vassal (tribute)? What are the obligations of the suzerain (protection)?
Divine Witnesses	Various deities called to witness the treaty.
Blessings and Curses	Relating specifically to the maintenance and breach of the covenant that has been made.

Structure of Standard ANE Treaties

The rediscovery of treaties of the great kings of Near Eastern antiquity has been widely exploited by biblical scholarship in the last few years. It has been generally recognized that certain adjustments are required in the negative judgments which control modern studies in the area of Old Testament history and higher criticism, but it does not yet seem to have been appreciated that in these treaties the modern biblical critic has a tiger by the tail. The significance of the treaties for subjects like the beginnings of the canon of Scripture and the authenticity of the Pentateuch as well as the historicity of various covenants recorded in the Bible can hardly be overestimated (Kline 1963:7).

Preamble	Deut 1:1-5
Historical Prologue	Deut 1:6-4:49
General Stipulations	Deut 5-11
Specific Stipulations	Deut 12-26
Blessings and Curses	Deut 27-28
Divine Witnesses	cf. Deut 30:19, 31:19, 32:1-43

Structure of Deuteronomy

There are both similarities and differences between the Hebrew Decalogue (including Deuteronomy) and law collections in other ANE cultures in terms of both structure and content. The 10 words are apodictic in nature (prescriptive, acontextual, and not specifying a penalty), whereas most ANE law codes, along with most of the Biblical legal material, is casuistic (case law with both regulation and penalty). However, ANE covenant treaties often feature sections outlining covenant obligations in apodictic fashion (cf. Walton 2009:449-450) which lends further weight to the idea that the book of Deuteronomy reflects the form expected of ANE covenant treaties.

In most ANE cultures the king embodied the law. The Babylonian king Hammurabi, for example, can be seen here meeting “face-to-face” (cf. Deut 5:4) with the god Shamesh to receive the law now written on the stele below the image. Although ANE cultures commonly thought of the law as preceding from and upholding the divine order, the king himself was part of that order, and hence the *giver of* and *above* the law. By contrast, Israel’s law subordinates any future king to the legal code (cf. Deut 17:18-20). Moses’ law comes from Yahweh; and neither Moses nor any ruler is above it (Walton 2009:450).

However, it is the *content* rather than the *existence* of the decalogue that makes Israel distinctive. The first commandment is very unusual: for the most part ANE cultures were polytheistic, however various degrees of monotheism are attested for short periods in Egypt, and in Syria and Anatolia there is evidence of periods of aniconic worship. But the sustained centrality of monotheism to Israelite theology is both striking and unique amongst ANE cultures. Similarly, the concept of Sabbath is entirely without parallel in the ancient world. Various cultures were organised around the new moon (i.e. in periods of a month), or around the seasons. The concept of the *week* seems to be an Israelite innovation; along with the idea that one day should be periodically set aside for rest (Walton 2009:450).

According to Walton (2009:449-450) Deuteronomy 5 records the opening words of Moses’ second address to Israel on the plains of Moab, before crossing the Jordan into Canaan. This address is much longer than the first, and comprises the bulk of the book (Deut 5:1-28:68). Chapters 5-11 set out the fundamental principles that determine the covenant relationship between Yahweh and Israel, while the remainder of the address (chapters 12-26) stipulates the detailed situational law that will govern the people’s life in the land. Moses first address (Deut 1-4) had alluded to the law that Moses is about to ‘explain’ (cf. Deut 1:5), but it mainly

served to induct this new generation of Israel into the shared history and identity that will define them, and to relate them to Yahweh, the law giver. It is in this address, beginning with the ten words, that Moses explains the law in detail. Chapter 5 fits within the section of the address that deals with the fundamental principles of the covenant relationship (Redd 2016:141-144).

According to McConville (2002:124) “We have here the clearest expression in Deuteronomy of one of its main contentions, namely that Israel in all its generations stands in principle once again at Horeb, confronted with the covenant demands as if about to be given for the first time” (McConville 2002:124). Chapter 5 of Deuteronomy is structured around the 10 words (5:6-21), which are framed on either side by an explanation of the concept and necessity of mediation:

5:1-5 Immediacy and Mediation at Horeb.

5:6-21 The Ten Words.

5:22-31 Mediation at Horeb.

[5:32-6:3]

The central section of Chapter 5 is set apart from 5:1-5 and 5:22ff both grammatically and thematically. It is grammatically differentiable because 5:1-5 and 5:22-31 records Moses’ voice in the narrative present at the sermon at Moab, while 5:6-21 records Yahweh/Moses’ voice in the narrative past at Horeb. It is thematically distinguishable because both 5:1-5 and 5:22-31 deal with the tension between immediacy and mediation of the law, and how the people relate to it, while 5:6-21 is the law, the ten words itself. The ten words are therefore framed by a theology of mediation, which should be taken into account in their interpretation. The exhortation to ‘hear’ typically introduces important sections of Moses’ addresses (cf. 4:1, 6:3, 9:1, [20:3], 27:9), and is a structural marker indicating the importance of what follows, in this case the 10 words (Redd 2016:141-144).

The next section which examines the relationship between what is called the “three great legal codices” (Crüsemann 1996:8).

5.2.5 Three Great Codices

This discussion departs from a remark by Frank Crüsemann on the Pentateuch. He states: “The Pentateuch, the new entity, did not come into being as a law book simply by using older material, but rather by juxtaposing totally unbalanced, even contradictory documents from different epochs” (Crüsemann 1996:9). He argues that the Covenant Code, Deuteronomic Code and the Holiness Code, all found in the Pentateuch, “could not have been intended as simple expansions of their respective older forms, they could only be replacements” (Crüsemann 1996:8). However, before I compare the law codices, it is imperative to quickly locate the Deuteronomic Code which forms our focal text. As it was indicated in the first chapter, the literary approach assists to further the discussion.

Deuteronomy comprises of 34 chapters. Using a broader demarcation, the book can be broken down as follows: historical prologue (chs 1:1–4:43); the Law (chs 4:44–28:68), blessings and curses (chs 29:1–30:20) and a conclusion (chs 31:1–34:12). Our interest is in the Law section: Deuteronomy 4:44–28:68, specifically chapters 12–26, which is referred to as the Deuteronomic Code. This Deuteronomic Code was probably compared with the other two codices in the Pentateuch: the Covenant Code and the Holiness Code. The comparison itself is not of interest to this research, but is just to show that there are different codes and to indicate why I chose this particular code for analysis.

The first two important differences are the time of origin and the compilers of these codes. The Covenant Code (Exod 20:23 – 23:19) is the oldest of the Pentateuchal codices. Crüsemann suggests that the development of the Book of the Covenant (Covenant Code) should not be separated “too far from the events of 722 BC” (Crüsemann 1996:197). He also suggests that it originated in the royal court with its schools of scribes and jurists (Crüsemann 1996:166).

The Covenant Code is followed by the Deuteronomic Code (Deut 12–26). As argued above, this code is placed in the time of King Josiah and probably has been compiled by the people of the land. The youngest code is the Holiness Code (Lev 17 – 26). This code Crüsemann places approximately at the end of the exile and the beginning of the post-exilic period. It originated out of the priestly circles. First, the time settings of these codes are different. That implies the conditions out of which they originated which prompted their particular emphasis might be similar, but not the same. Because of space constraints, this issue will not be pursued further.

The Deuteronomic Code came from the ordinary people, the people of the land (Ska 2006: 39-40). The Holiness Code came from the priestly circles. These are different centres of power which might have similar interests, but not the same interests. In the words of Jean-Louis Ska (2006:40), “On the one hand, many of the legislative and narrative texts are quite similar and, on the other hand, they contain undeniable differences” (Ska 2006:40). The current analysis is to justify two things: the choice of Deuteronomy instead of Exodus and Leviticus on the one hand, and the method chosen to examine Deuteronomy 15 on the other. In examining the issue of the tithe, I am of the opinion that it may not be resolved by a biblical-theological approach, but by an ethical approach. In the Old Testament, one finds more than one perspective on any given issue which is the case in point with the issue of the tithe here in Deuteronomy.

This research chooses Deuteronomy as the text because I am convinced that the issue of socio-economic inequality can better be addressed by the theological-ethical perspective of Deuteronomy 15. The perspective of Deuteronomy 15 seems to be more compatible with the socio-economic problems in South Africa as perceived by this research. To demonstrate this claim, let us take the issue of slaves as example. In the Covenant Code, Exodus 21:7, it is stated that “and if a man sells his daughter as a slave woman, she will not go out as male slaves go out”. It is explicitly stated that the release of males and females will not be on the same terms. In the Deuteronomic Code, Deuteronomy 15:12 and 17, it is said, “if your relative who is a Hebrew *man* or a Hebrew *woman* is sold to you, and he or she has served you six years, then in the seventh year you shall send that person out free... And to your female slave you shall do the same”. To take to heart the above texts as examples of the state of our beloved country one has to conclude that the society described in the discourse of Exodus-Deuteronomy has an over-bearing relationship with South African society, in how women are treated as modern day “slaves”. It can be said that South Africa is a country full of violence particularly where women are concerned because they end-up being playthings of men. In a country where woman should demand the protection of men, but they seem to be constantly exploited. Women are not honoured by what seems to be a very much patriarchal society.

In the Holiness Code, Leviticus 25:39–55, the year of release is the Jubilee. If one compares Exodus on the one hand and Deuteronomy and Leviticus on the other, one finds that female slaves are more disadvantaged than males slaves in Exodus. In Deuteronomy, they get the

same treatment in terms of their release. If one compares Leviticus on the one hand and Deuteronomy and Exodus on the other, one finds that in Leviticus it takes 49 or 50 years to be released, while in Deuteronomy it takes seven years. This is seven times more. This research fully agrees with Crüsemann that these differences are of great consequence for a slave.

If one were to assume that all be equal during the time of the Exodus-Deuteronomy discourse, and if one were to ask a female slave whether she wants to be released on the seventh year as Deuteronomy states or whether she does not want to be released like a male slave as Exodus states, it would be fairly ominous not to expect her to choose to be set free within the conditions set out in the Deuteronomic Code. Likewise, if any slave were to be asked whether they want to be released in the seventh year as Deuteronomy and Exodus state or in the 49th year as Leviticus states, I think they would choose the seventh year as outlined in Deuteronomy and Exodus. For slaves, I am of the opinion, Deuteronomy seems be the best choice. This should be enough to show why this research chooses Deuteronomy.

5.2.6 Disobedience to God’s covenant means disobedience to his law

According to Clements (2001:20) there are three central realities in Deuteronomy, namely, “one nation, one land, one law” (Clements 2001:20). The reader may see that the idea of Yahweh having a relationship with only ‘one nation’, Israel, the ‘law’ was available to them to regulate such a relationship (Clements 2001:18) and consequently that leads to ‘land’ access (2001:20). It becomes evident if the reader takes this angle the interconnection between ideas of “one nation, one land and one law” goes hand in hand with the theme of covenant, which is the prevailing ideology in Deuteronomy Miller (1990:11-12), as seen in the above sections of this chapter. So, the reader cannot study the book of Deuteronomy without considering the idea of covenant.

There are “dangers of not heeding to the law [or covenant]” (Clements 2001: xiv). Here the curses of Deuteronomy 27 and 28 are in view. Having said that, Miller (1990) warns the reader not to reduce the book of Deuteronomy only into a “policy document”. However, the reader might also note that even though Miller warns against the extreme interpretation of Deuteronomy, the laws in the book are so comprehensive that one can hardly ignore them as illustrated in the comparison of the tables aforementioned. They include even laws on

sacrifices, laws of how to take care of your “brother”, the poor, foreigner etc (Miller 1990:114).

In Deuteronomy, those who have a covenant with Yahweh must obey his law such as Decalogue and Shema (Miller 1990:114). These even include the dietary laws but such laws are beyond the scope of my research. According to Clement (2001), there are also laws about sacrifice, holiness and worship for the reader to take note. In essence the reader’s attention are drawn to what Eichrodt (1961:232-239) succinctly summarise this section as YHWH demanding “*hesed* [loyalty] from Israel but more importantly he also pledges loyalty to Israel because he has chosen them as a nation. On the other hand the idea of *berit hesed* [loyalty to each other] is also a fundamental idea in Deuteronomy. Therefore I believe the reader should hold these two ideas in view when proper worship according to his covenant and law are demanded by YHWH.

5.2.7 Relationship between law, land and ancient Israel

The reader’s attention is now moved towards seeing the relationship between community, law, land and how ancient Israel flourished. Wright (1990:1) writes extensively on how land and property were “primarily a family affair in Ancient Israel” (Wright 1990:1). I think the reader is made aware that land specifically and property in general was never attributed to only benefit only the individual but rather that of a ‘family’ or better put, to benefit community. Here the reader also needs to take note that Wright (1990:1) is not arguing for the contemporary idea of family, i.e. “nucleus family” but rather more for an “extended family”, which interestingly included slaves. According to Wright (1990:1) family or household was “an integral part of Israel’s land theology” (Wright 1990:1). This means that the relationship between households, law and land must be seen by the reader as inseparable in the context of Ancient Israel’s societal makeup and laws.

If in fact this was so as outlined by Wright, the questions still remain whether individuals owned land or not? Who owned land in Ancient Israel? Was there a concept of private ownership?

According to Brueggemann (2002:177) and Deist (2000:142) who weighs in on these questions, he both seems to agree that “land was owned and belonged to the entire community”. This is to say that ownership came in the form of communal ownership of land in Ancient Israel. Deist (2000:142) goes on to state very emphatically that he does not believe

that there was even any private ownership of land or farm in Ancient Israel. I think Deist might be stretching this idea but to rebut this would be to digress from my intended research which I would be useful for a later study.

Nevertheless, Brueggemann (2002:177) tends to be non-dogmatic on hold the above view tightly because he does attribute the case of Naboth who owned an inherited land. This I believe can be ascribed to private ownership to some degree; even though Naboth might still have the responsibility to share his land with other community members. But largely Brueggemann (2002:177) points out that ‘clans’ and ‘households’ had their share of the community land and this was the norm in Ancient Israel. This means that all land (*nahala*) (Wright 1990:6) belonged to the whole community and all its ‘clans’ and ‘households’ were granted a share (cf. Deist 2000:144). I think the reader can deduce the fact that land was shared was mostly communal, but even when there were possible individuals who owned it, they would still have to share it within their community they find themselves, and this makes rational sense. So the question in this section is answered for the reader but more importantly, the underlined discourse seems even more obvious, which is that YHWH and his law share the importance of land distribution so that Ancient Israel communities may benefit and flourish. Hence, Deist (2000:144) argues an even more fundamental issue which is that those who share land are tied to one another in a way that they would not have imagined. This brings to bear for the reader the idea of cohesion amongst ‘brothers’. “They belong to each other and stick to each other” (Deist 2000:144). In contrast, Deist (2000:144) would argue that to say “we do not share with you” is to refute and reject an important human tie and cohesion with others.

Private ownership is never normative for Ancient Israel, and I would like to further convince the reader of this (cf. Wright 1990:66; Deist 2000:144). Specifically, Wright (1990:66) points out that “private property ownership was a late development with the rise of individualism and commerce”, while Deist (2000:144) argues that it was in “Persian-Hellenistic times that property was sold by deed and for money” (Deist 2000:144). This cements the idea that Ancient Israel did not know this and that private property ownership and selling one’s property especially permanently (Brueggemann 2002a:178), was a later development.

Land regulations and working land was YHWH's way of strengthening family bonds, I think. Hence, when they worked the land and it was able to produce crops they could easily share food and resources from the land (cf. Deist 2000:145).

I am convinced that the reason why Ancient Israel did not favour any private ownership of land, can be ascribed to heightening the societal relationship Israel were to have with YHWH. Deist (200:145) agrees with this idea that land described YHWH's intricate relationship with Israel. This is to make the reader aware that land ownership strengthened religious solidarity with YHWH. So, land distribution guaranteed Israel's cohesion with 'brother' as in with their society as well as cohesion with Yahweh. Hence, for Brueggemann (2002a:183), when YHWH gives the commandment 'Do not covet' as a law he is really "concerned with land polity", so that it does not block cohesion on the aforementioned levels. Therefore I hope the reader finds that land as an entity can amazingly bring about profound socio-economic and religious cohesion.

5.2.8 Food security within a community

What is it like living the good life in Ancient Israel? Dever (2012:191) writes expansively on how good of a life Ancient Israelites live, that he argues that life under the covenant and law of YHWH was never associated with poverty. Dever (2012:191-193) uses archaeology to prove to the reader that the good life for ancient Israel was a far-fetched idea. This I think is highly believable based on 8th century prophetic texts such Micah "Owning one's house and fields" (Mic 2:2), "No one seizes one's fields or property" (Mic 2:2), "Enjoying one's gardens" (Mic 7:14), "Gathering summer fruits" (Mic 7:1), "Eating and drinking" (Mic 6:14). Dever (2012:192) argues that these prophetic texts in particular and prophetic literature in general illustrate "visions of good life" (Dever 2012:192). I also think Deuteronomy 8 is another great example of this, "land of wheat, barley, vines, fig trees, olives, lacking nothing" (Dever 2012:192). Other prophetic literature such as, Isaiah's text that says "They shall build houses and inhabit them, they shall plant vineyards and eat their fruit" is also in view here. According to Dever (2012:193) this can also be directly linked to Amos and Micah's idea of the good life.

In terms of the social order of Ancient Israel in relation to the good life? Dever (2012:187) points out that in Ancient Israel existed "a family based social structure". I believe this is to say that family order was the basic unit and very much normative to their society. Hence, Dever

(2012:187) argues that the term “family of Judah” should be implored rather than the term “tribe of Judah” (Dever 2012:187). I think this is deliberate on the part of Dever so that emphasis is given to the family as the basic unity of Ancient Israel’s social structure. But the reader also needs to note that Dever (2012:187) ascribe the ‘good life’ to “clan oriented” living (Dever 2012:187). This is not to say, I think, that he believes clan and family are mutually exclusive, rather he actually holds the two together. This just means that Dever (2012:187) understands the family in terms of clans.

Dever (2012:188) further goes on to say that “baking bread, spinning and weaving were commonplace domestic activities” (Dever 2012:188), so as to emphasize that if the family came together as intended by YHWH’s laws, the good life would be easily attainable.

Archaeology also seems to affirm the idea of a good life in Israeli society. Dever (2012:193) lists “the waving process, the wooden beam of the loom, yarn, the warp threads, the shuttle, and the carding of the wool”, and “farmers, ploughers, planters, sowers, reapers, winnowers, shearers, wine traders” (Deist 2000:157), all activities and functions illustrate what the good life came to be if everybody in the family and society came together to serve one another and ultimately God. For Dever (2012) if this is done right it was almost a guarantee to a ‘good life’. I am thoroughly convinced by Dever’s idea of a good life in Ancient Israel, because not many things can go wrong when society pulls together and looks after each other in order to create a heavenly living or more aptly put by Dever a socio-religious cohesion (cf. Dever 2012:193).

So as to convince the reader that the good life in a clear social under YHWH’s law brings about a harmony and a kind of a social cohesion amongst the Israelites and with YHWH (Dever 2012:193).

5.3 Conclusion

This chapter intends to put our focus text, Deuteronomy 15, into perspective. The chapter started with the date and the author of the Book of Deuteronomy. I have aligned myself with the seventh-century view that places the time of this book during the reign of King Josiah. The compilers were thought to be probably the people of the land who coronated eight-year-old Josiah (Sonnet 1997:259). I then proceeded to examine the historical context of the year of remitting debts and releasing slaves.

It became clear that the year of remitting debts and releasing slaves is not peculiar to ancient Israel only, but is characteristic of the whole ancient Near East. I also explored the agricultural economy and the monarchical politics of ancient Israel which created conditions of enslavement for those who were unfortunate not to prosper economically. Lastly, with regards to the historical background, I explored the context of the book of Deuteronomy. The people of the land who wanted Josiah to be their king formed a coalition with the scribes and priests and planned reforms. Deuteronomy then became a foundational document of that reform party.

Unlike in the other ancient Near Eastern nations, the year of remitting debts and releasing slaves became an act of obedience to God and not a prerogative of the king. Given that Israelite kings also contributed in the enslavement of people because of debts, the people of the land took the initiative to address socio-economic inequality. The reformers formed a social safety net which they made effective by linking the tithe year with other poverty-alleviation laws. The law of the tithe provided a structure for maintaining a balance and equity in society, and especially for giving access to the wealth of the land to those who had no property rights of their own. The laws of release that will be discussed in the following chapter address this issue from another angle. This is the theological-ethical context of Deuteronomy 15 that will be examined in the next chapter.

CHAPTER 6: SOCIO–ECONOMIC ISSUES IN DEUTERONOMY 15

6.1 Introduction

Through this research project, I have posited that the laws of YHWH put in place of a system for keeping checks and balances and equity in society, particularly access to the wealth of the land to the landless. I will now explore Deuteronomy chapter 15 in addressing this issues stated in the research problem of this project.

Access to the wealth of the country for the majority of South Africans is a serious socio-economic problem, hence the importance of Deuteronomy 15 in this research. This chapter will provide insights for the next chapter's discussion and final remarks thereafter. This chapter will provide the reader a summary of Deuteronomy 15. It will be followed by an exegetical analysis. Finally, the reader will be pointed toward a conclusion that brings the discussion of this chapter to an end.

6.2 Summary of Deuteronomy 15

This summary is based on Brueggemann's (2001:163–164) outline of the text. Without explaining or elaborating, verse one abruptly states the basic command that remission of debt shall be practised every seven years (v1). The first few verses of Deuteronomy 15 embark on how it should be implemented. The implementation is as follows: Every person owed by a neighbour shall cancel the debt. The debt shall not be demanded from the neighbour, who is also a brother, because the release by the LORD has been officially announced. It can be demanded from foreigners, but not from a brother. If what the LORD says is strictly obeyed and all the commands are carefully done, there will be no poor among the Israelites because the LORD their God will bless them as he promised them, and they shall lend to many nations, but they shall not borrow, and they shall rule over many nations, but they shall not be ruled over (Deut 15:2–6).

As if there is resistance to the radicalism of the provision, a persuasive appeal follows in the next five verses. It is commanded that, should a brother in the community become poor, others should not make as if they do not see, but must lend enough to the brother according to his needs, whatever those needs may be.

They should be careful that they do not consider that the seventh year is near and be annoyed by the poor brother and not help. If that be the case, the brother might cry to the LORD

against them and therefore they would be guilty of sin. They should give freely without grudging and the LORD will bless them for that in everything they do. Because there will always be poor in the land, they are commanded to freely give to their brothers, to the needy and to the poor in the land (vv7–11). The next six verses shift from the cancellation of debts to the release of slaves. If a brother or a sister is bought, he or she shall serve six years and go free in the seventh year.

When a slave is released, the former owner shall take from the flock, out of the threshing floor and the winepress and provide for the former slave as the LORD blessed him. This command is issued because the slave owner was also once a slave in Egypt and the LORD redeemed him. However, if the slave does not want to go, the owner shall mark him or her in the ear and keep him or her forever. These instructions should be carried out in the same manner for both male and female slaves (vv12–17). The last verse appeals to slave owners that it should not be difficult for them to carry out this instruction because the slave worked for him six years at a cost of half an employed person. The LORD God will bless those who carry out this instruction (v18) (Brueggemann 2001:163-164).

6.3 Exegetical Analysis

6.3.1 Dealing with debt (verse 1)

According to Brueggemann (2001:164), this verse is based on the system of debts that was in operation. Debtors who could not pay back their debts paid with their labour power. The bigger the debt, the longer the period of labour. Those who owed very big amounts could work forever. An important remark that Brueggemann makes is that this system is not very different from contemporary practice. He supposes that the seventh year as a cut-off date might have been selected in line with the Sabbath cycle of seven (Brueggemann 2001:164). What is noteworthy about this verse is that it brought about a limit to servitude linked to debt.

6.3.2 Procedures of dealing with debt (verses 2–6)

After a shocking announcement, an explanation and persuasion are given so that the audience can make sense of this system and cooperate. McConville (2002:258) argues that what is stated in verses 2 and 3 develops the law in Exodus 23:10–11, which commands that in the sixth year the land shall not be worked, so that the poor may eat and what they leave, the beasts of the field may eat.

The law is developed so that procedures relating to debt can be dealt with according to the spirit of the seventh year. He then says if this particular issue was not illuminated in Exodus, Deuteronomy made it clear (McConville 2002:258–259). Brueggemann (2001:164) takes note of the neighbour and brother vocabulary and argues that it is meant to remind the reader that the creditor and the debtor are members of the same covenant community and therefore there is a relationship between them. The regulation therefore is in the interests of enhancing the Israelite community (Brueggemann 2001:164). However, the differentiation between the Israelite and the foreigner is a matter of concern, but it is also a topic on its own and therefore there will be no further discussion on it. Verse four motivates why this regulation is necessary. The verse states that if the regulation is carried out, there will be no poor people in the community.

As noted above, this verse “holds out the Deuteronomic ideal that there shall be no poor” (McConville 2009:259). If the Israelites keep this commandment, the LORD will bless them as he promised them. There will be such abundance that they will lend to many nations and not borrow. They will rule over many nations, but not be ruled. All this will happen because there will be no poor in their midst because they have taken care of their poor first as God commanded.

6.3.3 Misappropriation of dealing with debt (verses 7–11)

This section is addressing the unfortunate reality that people are very prone to unethical behaviour. Given that the payment of debts is allowed within the six years before the “LORD’s release”, they might want to lend to their brothers amounts proportional to the number of years remaining before it is the year of release. When the year of release approaches, they might be hostile to the needy and not lend because they avoid losing. The explanation given reveals the narrow-mindedness of this attitude and gives a broader perspective. If the needy does not get help, he or she will cry to the LORD. If that happens, the one who did not help will be guilty of sin. Most importantly, the author of Deuteronomy states that the reason behind rich people’s wealth is because God has blessed them. God blesses them because they help the poor. No help for the poor, no blessing from the LORD. In other words, to have depends on giving. In Brueggemann’s (2001:166) words, “generosity to the neighbour will result in greater generosity from YHWH. Generosity evokes generosity” (Brueggemann 2001:166). In verse 11, those who have are warned that they should always be prepared to give because the poor will always be there.

Verse 11 has mistakenly been interpreted by some as opposite to verse four, which says there will be no poor. It has been interpreted as meaning that the existence of the poor is a fact of life and thus should be accepted. Gottwald expresses this misinterpretation as follows: “Those who oppose helping the poor often give as a reason that ‘the poor will always be with you,’ and do so with the confidence that because poverty cannot be ended, it is not worth even trying. Most of those who cite this nostrum are aware that it comes from the Bible and thus are certain that it bolsters, even endorses, their dismissive attitude toward relief for the poor” (Gottwald 2014:196). He further explains: “What the year of release describes is not an unchanging situation in which poverty either is or is not present, but rather a moral imperative: because some people will always be falling into poverty for one reason or another, the plight of the poor must be alleviated because it is the command of God that no one in the community should be left in poverty. Thus, contrary to the popular abuse of the text, it does not counsel fatalistic acceptance of poverty as a social given, but insists on the eradication of poverty wherever it rears its ugly head because of circumstances beyond the control of the poor” (Gottwald 2014:197).

Using Goldingay’s insight, McConville explains that “the holding out of the ideal in the midst of a more realistic set of proposals belongs to... Deuteronomy’s ‘pastoral strategy’” (McConville 2002:261). Let us conclude this section with a lament by Jeffries M Hamilton (1992:222a): “It is to be regretted that this law and its New Testament citation has been taken over the centuries to be licence for neglect of the poor. That history of misappropriation and misinterpretation cannot determine our understanding of the *shemitta* law, however. Indeed, to do so robs the law of a great deal of its weight and urgency, and causes us to overlook the rhetorical mastery with which the law was given” (Hamilton 1992a:222).

6.3.4 Laws on dealing with debt and wealth (verses 12–17)

The main points of this section can be outlined as follows: (1) The time of service is six years, (2) the released slave should not go away empty-handed, (3) it should be remembered that they were slaves in Egypt, (4) what applies to men must apply to women as well. The spirit behind this section can be more appreciated in comparison with other parallel laws. This has already been alluded to in the previous section. Ska (2006:40–45) discusses the comparison of this law with the parallel laws in Exodus and Leviticus extensively.

On the terms of service, Deuteronomy agrees with Exodus on six years. Leviticus points the release to 49 years. For a slave, 49 years is a veritable lifetime. Describing this situation, Crüsemann (1996:285) says “this shifted freedom into ‘never-never land’” (Crüsemann 1996:285). In verse 13, the master is required to give generously to the released slave. McConville describes this verse as “the heart of Deuteronomic law. It is expressed in terms that stress the dignity of the person being released” (McConville 2002:263). Brueggemann (2001:167) perceives it as “redistribution of wealth from those who have amassed it to those who have none. The tradition knows unambiguously that a person without economic resources is not a full, functional member of the community and will not enjoy the dignity and security to which such a companion is entitled” (Brueggemann 2001:167).

Lastly, Deuteronomy “connects the law regarding slaves to the experience of the Exodus, that is, to salvation history (15:15). Just as the Israelites were slaves in Egypt and were liberated by YHWH their God, so they must now liberate their own slaves...” (Ska 2006:43). The call to remember is not only asking for mercy for the slave, but to do as it was done to them (Craigie 1976:239).

6.3.5 Limitation on acquiring wealth (verse 18)

This concluding verse is a final appeal to the masters to obey the LORD’s commandment. Brueggemann (2001:168) senses “resistance to this radical economic provision”. According to him, “the resistance is for the obvious reason that the statute rigorously limits how creditors may treat debtors, and thereby ‘takes money out of their pocket’. The God of the covenant requires such limits on money making” (Brueggemann 2001:168). With this final appeal to masters, I will proceed to the theological and ethical analysis of this chapter.

6.4 Theological Analysis

The ideal of this programme of reforms were “one YHWH – one place of worship – one people of God”. Of the three themes mentioned, chapter 15 can be categorised under the theme of “one people of God”. However, the social reality of the time was very different from this vision. In the previous chapter, I stated that the release laws in chapter 15 were part of the social safety net that started with the ordinary tithe every year at the temple.

Every three years, it was a tithe year which was to be distributed in the villages. After two tithe years came the seventh year, a year of release. “Provisions for the forgiveness of debt and manumission of slaves in chapter 15 are framed by the provisions regarding the tithe

(14:22–29). Both bring significant relief from traditional burdens for farmers and tie them to the central shrine” (Crüsemann 1996:225). It is within this larger programme of reforms that chapter 15 should be understood.

It might be proper to introduce the discussion on the theological-ethical analysis with a quotation from McConville (2006:266): “It is clear from a reading of the prophets that the oppression of the poor was a problem in Israel, just as much as other parts of the ancient world. The laws of debt release and slave release aim to eradicate such inequities” (McConville 2006:226). Robert Wafawanaka (2014:118) makes a statement that draws a picture of how serious this problem can be when he says “oftentimes the poor are struggling against systems designed to keep them in perpetual poverty” (Wafawanaka 2014:118). McConville (2006:266) further indicates that in their aim of eradicating the suffering of the poor, the theological basis of these laws is “the ‘brotherhood’ of Israelites in a community that owes its existence to its deliverance by YHWH from slavery in Egypt” (McConville 2006:266). In Deuteronomy 15, the word “brother” is used seven times and a related word “neighbour” is used twice. Verse two states that “he shall not exact it of his neighbour, his brother...” The neighbour here is used as a synonym of brother and thus heightens the sentiment in the text. The theological essence of this designation lies in the covenant that God made with the Israelite community.

According to Brueggemann (2001:164), both terms refer to “fellow membership of the covenanted community who participate in the socio-economic experiment that is Israel. Creditors have a relationship to debtors in this community that transcends shared economic reality. Among members of this community, economic realities are not definitional; rather, what is definitional is a common memory of the Exodus, a common blessing in the land and a common allegiance to the God of Exodus and the land” (Brueggemann 2001:164). This fits within the broader programme mentioned above whose ideal is “one YHWH – one place of worship – one people of God” (Brueggemann 2008:94). The word “brother” contributes to the spirit behind the formation of one people of God.

According to Hoppe (2004:31), by naming the unwillingness to aid the poor a sin (ch 15:9), “Deuteronomy asserts that Israel’s relationship with God was reflected in the kind of relationship that existed among the Israelites themselves” (Hoppe 2004:31). The concept of brother therefore carries with it a theological obligation to God and an ethical obligation to

the other brother. Ska argues that the Deuteronomic Law is more theological than the Covenant Code. Comparing Deuteronomy 15:12–18 and Exodus 21:2–11, he observes that Deuteronomy mentions God three times (ch 15:14, 15,18), mentioning blessing twice and connecting “the law regarding slaves to the experience of the Exodus, that is, to salvation history” (15:15).

Concerning the Exodus and the blessing, Wittenberg (2009:97) says, “The addressees of Deuteronomy should constantly remember that the liberation from Egyptian bondage through the exodus is a gracious gift of YHWH. The same applies to the blessings derived from the fields through the present ownership of the land” (Wittenberg, 2009:97). Starting with the blessing, it is interesting to note that Deuteronomy changed how blessing should be expected. Crüsemann (1996:225-226) observes that “in Deuteronomy, blessing, which was probably always expected to come from adapting to sacral temporal rhythms, is connected with the observance of social laws” (Crüsemann 1996:225–226). Hoppe notices that the Chronicler supposed that the relationship between Israel and God was influenced by how the Israelites worshipped, while Deuteronomy emphasises the moral aspect of life with God.

Deuteronomy envisages a socio-economic situation characterised by an equitable distribution of resources and saw it as achievable (Hoppe 2004:31). Of the Exodus, Hoppe puts it nicely when he says that perhaps Deuteronomy perceived slavery as an embarrassment, given that the God of Israel had freed slaves. To have this institution in existence was in conflict with this godly idea of freedom (Hoppe 2004:29). Overall, Deuteronomy puts much emphasis on the dignity of all people and maintains that a right relationship with God depends on how the marginalised are treated. Of utmost importance, Deuteronomy sees the issue of poverty as a problem that should not be handed to marketplace forces to solve it, but rather a conscious and intentional intervention should be made.

6.5 Conclusion

This chapter undertook a theological-ethical analysis of Deuteronomy 15. I started by giving a summary of the text. I then did an exegetical analysis, looking at the verses of the pericope. I went on to examine the theological themes of the text and their ethical implications. It is clear that this chapter cannot be understood in isolation. Deuteronomy 15 forms part of a social safety net created by the reform party which was intent on finally putting a stop to the disastrous deterioration as would have been seen in the book of Judges when there was no

king, so that the social situation of all members of the Israel's community might be uplifted. It might be worth concluding with some remarks from Brueggemann concerning this text.

Brueggemann (2001:169) asserts that the economic perception of brotherly/sisterly community proposed in this text is contradictory to the more traditional economic practices in which the practices of debt slaves were deeply ingrained. He further argues that this vision is contradictory to the present ideology of the "free market" and privatisation without obligation to the neighbourhood or maintenance of the social fabric (Brueggemann 2001:169). With the insights gleaned here, the work proceeds to the next chapter which will examine the South African context.

CHAPTER 7: RELATIONSHIP BETWEEN SOCIO-ECONOMIC ISSUES IN DEUTERONOMY AND SOUTH AFRICA

7.1 Introduction

The previous chapters have been a foreground to this chapter. The first chapter was an introduction, outlining the research question, the hypothesis and suppositions of this project. These are to be applied and tested here and the concluding chapter after this. The research question has been twofold. On the one hand, how can a text like Deuteronomy 15 help us develop an economic system which will address socio-economic issues in South Africa and also act as a catalyst to reconciliation between locals and foreigners and social cohesion in general? On the other hand, considering the fact that, according to the 2001 census, almost 80% of South Africans profess to belong to the Christian faith (Stats SA 2012:71), what is the role of the church and to what extent should the church be involved in the reconstruction and reconciliation in our country? According to Barolsky (2012:195) if these issues are not addressed social cohesion which is linked to social justice and nation building is at stake.

This research aims to provide useful insights that can be guiding principles for addressing socio-economic issues in post-apartheid South Africa. It also presupposes that poverty is a sin against God and against humanity. I have based this point of view on the assumption that human beings were created in the image of God and were blessed by Him, male and female, as Genesis 1:26–28 informs us.

This chapter examines the socio-economic conditions of South Africa. I will base my analysis on the insights that transpired from previous discussions in this thesis. I will start by briefly giving a historical background to the South African socio-economic situation because I am aware that one cannot fully understand the post-1994 era without some background what the country was like before the dawn of democracy, “fairness and equity in terms of access to and participation in the political, socio-economic and cultural aspects of society” (The Presidency 2004:iv).

Specifically, the research will examine the Native Land Act of 1913, the Job Reservation Act of 1954 and the Bantu Education Act of 1953. The discussion will move to present its assessment of the current South African socio-economic situation, using the insights obtained from analysing Deuteronomy 15. This assessment will be justified by examining the

Marikana incident and the Fees Must Fall movement. Suggestions to uplift the poor and unemployed along the lines of Deuteronomy 15 will be presented.

7.2 South Africa before 1994

A definition that seems to capture some of the important aspects of apartheid is given by South African History Online (SAHO):

Translated from the Afrikaans meaning “apartness”, apartheid was the ideology supported by the National Party (NP) government and was introduced in South Africa in 1948. Apartheid called for the separate development of the different racial groups in South Africa. On paper it appeared to call for equal development and freedom of cultural expression, but the way it was implemented made this impossible. Apartheid made laws, forced the different racial groups to live separately and develop separately, and grossly unequally too. ... More than this, apartheid was a social system which severely disadvantaged the majority of the population, simply because they did not share the skin colour of the rulers. Many were kept just above destitution because they were ‘non-white’ (SAHO 2016: online).

Having given an overview of apartheid, the discussion will focus on three apartheid laws to enhance the quality of the discussion. The legislation the reader shall look at is the Native Land Act of 1913, the Job Reservation Act of 1954 and the Bantu Education Act of 1953.

7.2.1 The Native Land Act (1913)

In a White Paper for Local Government, Bangiso Mhlabeni reflects on the impact of the Native Land Act on local government. He states that the Native Land Act is a law which was passed in 1913 by the Union government which preceded the National Party government. It was later called the Bantu Land Act and subsequently, the Black Land Act.

Its purpose was to distribute land along racial lines and it remained the basis of apartheid until the 1990s. “The Land Act, together with subsequent legislation, effectively reserved 87% of the country for whites” (Modise & Mtshiselwa 2013:3). It prevented the majority of South Africans from land ownership. It led to serious socio-economic inequality and continued the landlessness of the African majority. Mhlabeni and Mtshiselwa (2013:4) states, “The fact that so little land was available for African occupation in general meant that large informal settlements, known as squatter settlements, developed in and around most

towns and cities” (Mhlabeni & Mtshiselwa 2013:4). The Land Act further led to another act called the Group Areas Act of 1950. This act brought about well-developed white residential areas and poorly developed black residential areas, with the consequence that informal settlements or shack-dwelling proliferated. These homes were without electricity, sanitation, refuse removal and clean running water.

If there had to be a residential area for black people, it would be built some distance from the white residential area. To legally own land, Africans had to seek permission to occupy land in the rural areas. The law prevented Africans from using land as security for loans for development. Africans could legally reside in the cities and towns only temporarily because they were meant for white people only. Commenting on the South African land issue, Leopo Modise and Ndikho Mtshiselwa (2013:4) argue: “In the South African context, dispossession of land has played and, dare we say, still plays an important role in impoverishing black South Africans” (Modise & Mtshiselwa 2013:4)

The Native Land Act of 1913 deprived the majority of black South Africans of the right to productively own land for their economic wellbeing and sustainability” (Modise & Mtshiselwa 2013:1). To conclude, Mhlabeni states that “the National Party government developed the concept of allocating resources such as general infrastructure, education and jobs on a racial basis, and formalised it into law (Modise & Mtshiselwa 2013:6). This takes us to the implications of another devastating racial law, the Job Reservation Act.

7.2.2 The Job Reservation Act (1954)

According to G Alexander *et al* (2010:46), acts like the Job Reservation Act of 1911 and 1926 racially excluded black people from certificated skills. According to this act, some jobs were strictly reserved for white people.

When a black person was allowed to occupy a job which is not traditionally for black people, the authority and remuneration that went with the job were dropped (Alexander *et al* 2010:46). Referring to the Colour Bar Act of 1926, Mahlangeni (2013:6) asserts: “This legislation was placed formally into law during the Pact Government from 1924 to 1928. It did to urban Africans what the 1913 Land Act did to rural Africans. It placed an almost absolute barrier to economic advancement for Africans, and advantaged Whites by eliminating competition from Africans” (Mahlangeni 2013:6).

Diana Viljoen and Tshediso Joseph Sekhampu (2013:732) maintain that one reason poverty is so widespread today among black workers is the institutionalisation of job reservation in the past. Not only did the Job Reservation Act exclude black people from skilled and semi-skilled work, it also differentiated the wage levels between black and white workers for the same job. They assert that at the heart of poverty in urban South Africa lies the unequal racial wages and poor mobility in occupations (Viljoen & Sekhampu 2013:732). The next and the last example to add political context to my research is the Bantu Education Act.

7.2.3 The Bantu Education Act (1953)

Pam Christie and Colin Collins (1982:60) say Bantu education was a new ideology introduced into black schools in the pursuance of the apartheid policies. They comment that “blacks would be taught not merely the value of their own tribal cultures, but that such cultures were of a lower order and that in general the blacks should learn how to prepare themselves for a realistic place in white-dominated society, namely, (at that point in time) to be ‘hewers of wood and carriers of water’” (Christie & Collins 1982:60). The seriousness of this act is captured in Jane Gool’s (1966:1) statement that: “Perhaps the greatest crime that can be inflicted on any people is to strike a blow at its youth – the most defenceless. Bantu Education in South Africa does precisely that. The Bantu Education Act was passed in 1953, five years after the National Party, under Verwoerdian control, came to power. It was designed with only one purpose in view, namely, to deprive the most vulnerable sector of the population – the African child – of obtaining a modern, free and enlightened education” (Gool 1966:1).

Without lingering too long on this issue, it is clear, as with the other two laws, that this act was intended to further the interests of apartheid. These acts were selected to give more insight into apartheid South Africa. Let us now move on to examine post-1994 South Africa.

7.3 South Africa after 1994

When the African National Congress (ANC) won the first democratic elections in 1994, the expectation was too high that it would be able to quickly reverse the status quo. In the introductory chapter, I specified that this project will look at socio-economic inequality in terms of poverty. I also presented prevailing poverty in South Africa as the background to this research project. I would now like to examine two events that might enrich our understanding of contemporary South Africa. The first incident is the Marikana massacre of

16 August 2012 in which the police opened fire on striking platinum miners in the North-West province, killing 34 and seriously wounding 78 men. The second one is the Fees Must Fall movement, which began on university campuses in October 2015.

In an abstract, Peter Alexander (2013:605) says, “Marikana has revealed structures unseen in normal times” (Alexander 2013:605). Later in the paper, he lists other issues that were otherwise not taken note of at the time, but which strikers brought up in subsequent interviews: “While low pay – and associated inequality and injustice – was the focus of the strike, workers raised other grievances in interviews. These included danger, with risks intensified by pressure to work in hazardous locations; the arduous character of work, which often, because of production targets, included shifts lasting 12 hours or more; doubled-up bodies endlessly shaken by heavy drills; artificial air full of dust and chemicals; high levels of sickness, including TB; and managers (often white) who were disrespectful and adversarial. In many cases, workers were caught in a debt trap, leading to forced deductions from wages and payments to micro-lenders and lawyers that left some workers paying 15 times the value of their original loan” (Alexander 2013:607).

Of the Fees Must Fall movement, a similar scenario can be outlined. Starting with the Rhodes Must Fall movement, which campaigned in early 2015 for a statue of arch-colonialist Cecil John Rhodes to be removed from the University of Cape Town, Saalem Badad (2016:12) says: “There was disenchantment with the continuing presence on the campus of the statue of Cecil John Rhodes. Rhodes Must Fall was, however, a metaphor for dissatisfaction with a much wider set of issues, expressed in demands related to the ‘decolonisation of the university’, the highly skewed social composition of the academic work force and especially the professoriate (the dearth of black South African scholars) and institutional culture. Also a target of the student protests was the UCT policy of outsourcing that was instituted under [UCT chancellor] Mamphela Ramphele in the late 1990s. At Rhodes University, the Rhodes So White movement raised a similar set of issues. There, ‘we can’t breathe’ was an allusion to a supposedly suffocating institutional culture. The Open Stellenbosch movement added the question of racism more directly, and together with the protesters at the University of Pretoria, that of language policy” (Badad 2016:12).

As Alexander (2013:610) argues, these incidents are catalytic in raising an array of other issues that have hitherto been lying dormant. For example, Alexander says that when the

strikes in 2012 spilled beyond the mining industry and reached the farms in the Western Cape, a trade unionist declared: “Marikana has come to the farms!!!” (Alexander 2013:610). In discussing these incidents, I wish to show that South Africa has to a limited extent tried to reverse the legacy of apartheid, but there are significant levels of dissatisfaction over the pace of change. The events that take place in our communities reveal the things we ignore in normal situations. Badad (2016:19) comments on Fees Must Fall: “First, the protests were a dramatic reminder of unfinished business in higher education, and forcefully placed on the agenda key issues: the ‘decolonization of the university’, the social composition of academic staff, institutional culture, the inadequacy of state funding of higher education, the level and escalation of tuition fees, student debt, and the question of free higher education. It is not necessary here to set out the views, and demands of the protestors on these issues” (Badad, 2016:19).

Both Alexander and Badad make commentaries about the actions of Marikana and Fees Must Fall respectively. Alexander (2013:615) asserts: “In my view, Marikana’s underlying causes are more fundamental. They are about generalised socio-economic inequalities that have been allowed to persist following the end of apartheid (reflected in the ‘rebellion of the poor’, as well as rebellion among workers)” (Alexander 2013:615). Likewise, Badad (2016:8-9) comments as follows on Fees Must Fall: “For education to become more equitable and contribute effectively to social justice in South Africa, there have to be bold and purposeful social justice-orientated policies and initiatives in other arenas of society. As noted, the ANC government’s post-1994 economic policies have not been orientated towards, nor have they laid the basis for, fundamentally addressing inequality, even if there have been some pro-poor social policies geared towards addressing certain dimensions of poverty” (Badad 2016:8–9).

Let the reader conclude this sub-section with a quotation from Modise and Mtshiselwa (2013:1) when they say, “One would suspect that the legacy of socio-economic injustice which was possibly inherited from the Native Land Act of 1913 continues to haunt the majority of black South Africans. Although we may not appreciate such a suspicion, the fact that an estimated 4.35% of white people are poor, compared to 61.4% of black South Africans (Stats SA 2012:71), points to the direction of our suspicion. The challenge of poverty is a disturbing reality in South Africa” (Modise & Mtshiselwa 2013:1).

7.4 Socio-economic conditions in South Africa and Deuteronomy 15

The above discussion shows that socio-economic inequality in South Africa remains a problem. This section will use Deuteronomy 15 to make sense of the socio-economic conditions in South Africa. Let us start with this observation from Wittenberg (2009:100), who says: “Deuteronomy is a legal document from a historical context that is long past. It can therefore not be literally binding on Christians in the 21st century. Nevertheless, it opens up new perspectives which are also relevant for ethical reflection on Christian giving even today” (Wittenberg 2009:100).

The point of departure is the historical context of Deuteronomy 15. As we indicated in the previous chapter, Israel during the time of Deuteronomy was engaged in a process of constituting a new society and giving itself an identity. In contrast to all other ancient Near Eastern peoples, this society was not constituted around the monarchy, but around the people of Israel (Wittenberg 2009:89). After 1994, South Africa also engaged in a process of constituting a new society and becoming a rainbow nation. Describing the challenge of dealing with the debt and slave systems that seem to have prevailed when the Deuteronomic reform programme started, Wittenberg (2009:94) argues that this social crisis undermined the fabric of the free peasant community in Israel and Judah. It has been condemned by Amos, Micah and Isaiah and by the beginning of Josiah’s reign, it had reached an advanced stage.

However, “the reformers were intent on finally putting a stop to the disastrous deterioration of the social situation of the poorer members of the peasant community” (Wittenberg 2009:94). Brueggemann (2001:168) notes that the resolve of Deuteronomy 15 to eliminate a “permanent underclass that is hopelessly and perpetually in debt” is radical and crucial “in the larger pattern of the “sabbatical principle” of Israel’s social ethic”. He also observes that “it is a contradiction of the more conventional economic assumptions and practices that recur in every society” (Brueggemann 2001:168). Maybe, as Badad has already indicated, South Africa needs to take a cue from Deuteronomy 15 and take a resolve that is radical and crucial to deal with her socio-economic evils, namely inequality, poverty and unemployment.

Now it is important that we bring forward the theological bases for the stand that Deuteronomy 15 took. First, Israel is reminded that as people of the covenant, they are all brothers and sisters. The text does away with the designations of debtor/creditor, slave/master and man/woman and replaces them with brother and sister. How people categorise

themselves has a bearing on how they treat one another. With racial and class distinctions so entrenched in South Africa, this theological basis can be of great help for improving socio-economic relations. Christian believers of all sectors should understand the meaning of this proposition. It can also help in instilling a sense of generosity. Second, God is a liberating God. He liberated Israel from Egypt. In return, they have an obligation to liberate their brothers and sisters who are indebted and enslaved to them.

Is it not a contradiction and an embarrassment that the subjects of a liberating God be indebted and enslaved? Deuteronomy 15 affirms that it is service and obedience to God to liberate those brothers and sisters who are indebted and enslaved. From the time of British colonialism to apartheid, different sectors of South African society have been subjected to subjugation of some sort and the LORD liberated them. In return, as Deuteronomy 15 suggests, they also have an obligation of releasing those brothers and sisters who for whatever reason, happen to be under subjugation of whatever kind. Lastly, Deuteronomy 15 bases its stance on debts and slaves on the blessing that God bestowed and continues to bestow to the covenant community.

A remarkable observation is made by Crüsemann (1996:225-226) posits that in Deuteronomy blessing, which was expected to come from participating in the cult, is attached to observing the social laws (Crüsemann 1996:225–226). In fact, Deuteronomy emphasises the social laws. Interpreting the theme of blessing, McConville argues that, in fact, Deuteronomy is not propagating welfare, but ensures that all members of the Israelite community participate fully in the enjoyment of God's blessing. People of faith in South Africa, of all persuasions, need to be enlightened about this truth. When we obey these instructions, Deuteronomy assures us that there will be no poor in our midst.

7.5 Conclusion

This work started by outlining the course of the whole discussion in the first chapter. In the chapters which followed, I attempted to show that socio-economic issues in the Judaic system did not make it easy for the lower social classes. With its vision, Deuteronomy committed itself to changing that situation by designing a social safety net by linking the tithe year with other poverty-alleviation laws, including the debt release and the slave release laws. In chapter five, I investigated how Deuteronomy motivates these laws theologically and ethically. I concluded that by using the themes of brotherhood, Exodus and blessing,

Deuteronomy 15 acts to persuade the Israelites to obey these social laws. I also explored how these themes make sense of the current South African socio-economic situation.

Throughout this work, the reader was again reminded about the research question, the hypothesis and the supposition of this thesis and I alluded to responding to them in this conclusion. I then gave a brief outline of the South African historical background prior to 1994 by looking at the Native Land Act, the Job Reservation Act and the Bantu Education Act. That was presented as the backdrop of the post-1994 context of South Africa. I then examined the current socio-economic conditions by examining the Marikana massacre and the Fees Must Fall movement. These happenings were assessed in order to establish whether socio-economic inequality is still a serious problem in the democratic South Africa. The conclusion was that it is still a serious problem. The theological themes of Deuteronomy 15, namely, brotherhood, Exodus and blessing, were brought into focus to understand the South African challenges of poverty, inequality and unemployment. The conclusion was that if we understand and obey these themes, there will be scope to address these issues.

This leaves me with task of responding to the research question, the hypothesis and the supposition, which I will address in the next chapter.

CHAPTER 8: CONCLUSION

8.1 Introduction

The research question asks: how does the apostasy of God's people, in the absence of monarchy in Judges and Deuteronomy, interact with the socio-economic issues of South Africa? By analysing the context and doing an exegetical study of Deuteronomy 15, I would like to explore a possible economic system based on Old Testament principles that can to some degree, I believe, address the socio-economic inequalities in South Africa. The answer lies perhaps in taking seriously the themes of brotherhood, including highlighting the plight of foreigners and all the related covenant blessing that the text purports. In embracing these themes, like Deuteronomy 15 does, we need to put emphasis on their social implications without abandoning their religious implications. With God being the true monarch of his people, Deuteronomy puts God at the centre and thus God made a covenant with his people who are all to be brothers and sisters. God who liberated Israel from Egypt is a liberating God and so we need to liberate others.

8.2 Synthesis

God blesses his people, so Christians all are entitled to the enjoyment of God's blessings as opposed to the route that Israel chose, which apostasy was. These theological themes are a matrix of an economy that has an obligation to the neighbourhood and to the maintenance of the social fabric (Brueggemann 2001:169). Deuteronomy 15 promises a community without the poor and landless if we obey. Verse 11 is misinterpreted by those who refuse to accept what these propositions mean, that there will always be the poor and landless among God's people, therefore poverty cannot be eradicated. This idea actually avoids obligation to the community God has in view. Deuteronomy maintains that poverty can be eradicated. We must remember, such a thought pattern is too radical to be gladly accepted. There will be resistance, but it is not only radical, but crucial, making resolution important.

The 8th century prophets are consistent in their condemnation of injustice and apostasy which South African society may glean from. Israel's divine law had many provisions and protections within it to ensure that the poor had a way of looking after some of their own needs, and it also made sure that any person who became indebted would be freed from debt after a certain period of time. Consider the following examples:

When you reap the harvest of your land, do not reap to the very edges of your field or gather the gleanings of your harvest. Do not go over your vineyard a second time or pick up the grapes that have fallen. Leave them for the poor and the alien. I am the LORD your God. (Lev 19:9–10)

At the end of every seven years you must cancel debts. This is how it is to be done: Every creditor shall cancel the loan he has made to his fellow Israelite. He shall not require payment from his fellow Israelite or brother, because the LORD's time for cancelling debts has been proclaimed. You may require payment from a foreigner, but you must cancel any debt your brother owes you. (Deut 15:1–3)

In spite of these and many other laws that protected the welfare of the vulnerable, Israel and Judah had failed to care for the needy and the divide between rich and poor, which was already evident in David's time (see the example of Nabal and Abigail), appears to have grown.

There is evidence in Kings of a large divide between rich and poor. On the one hand, the poor were in such a state of desperation that even their children could be seized as slaves in order to pay for debts (for example, see 2 Kgs 4:1). On the other hand, there were people of large houses and estates; the woman who hosted Elisha (also in 2Kgs 4), who was able even to build on a room for his occasional visits, serves as an example of this.

Prophets such as Amos criticised those in the Northern Kingdom for their oppression of the poor. Amos 2 describes some of the abuses, including parading their ill-gotten gain in the worship of their idols:

This is what the LORD says: "For three sins of Israel, even for four, I will not turn back my wrath. They sell the righteous for silver, and the needy for a pair of sandals. They trample on the heads of the poor as upon the dust of the ground and deny justice to the oppressed. Father and son use the same girl and so profane my holy name. They lie down beside every altar on garments taken in pledge. In the house of their god they drink wine taken as fines." (Am 2:6–8)

'Using the same girl' may relate to the use of sex in Baal worship, although it is possible that this refers to the sexual abuse of girls taken as slaves. Garments taken in pledge were meant

to be loaned back to the one who used it as a security deposit because it was his last means of shelter. Keeping the garment not only contravenes the law in Exodus 22:25–27, but it also represents lack of care for the poor. The fact that their lack of care for the poor is paraded before their altars (with Amos suggesting sexual immorality in worship too) confirms their total, blind hypocrisy.

Amos 5 mentions the subversion of law by dishonesty and bribery:

You who turn justice into bitterness and cast righteousness to the ground... you hate the one who reproves in court and despise him who tells the truth. You trample on the poor and force him to give you grain. Therefore, though you have built stone mansions, you will not live in them; though you have planted lush vineyards, you will not drink their wine. For I know how many are your offences and how great your sins. You oppress the righteous and take bribes and you deprive the poor of justice in the courts. (Am 5:7, 10–12)

Amos 8 accuses the rich of dishonest dealing in business, too: filling measuring containers with as little as possible, charging as much as possible, using scales that measure incorrectly and mixing sweepings into the wheat to increase its weight, all the while begrudging the religious holidays, because they prevented trade and slow down their cash flow:

Hear this, you who trample the needy and do away with the poor of the land, saying, “When will the New Moon be over that we may sell grain, and the Sabbath be ended that we may market wheat?” – skimping the measure, boosting the price and cheating with dishonest scales, buying the poor with silver and the needy for a pair of sandals, selling even the sweepings with the wheat. (Am 8:4–6)

The ideal existence in Israel was usually described as each family living under their vine and their fig tree. In other words, they would live in peace and sufficiency in their family’s inherited land. The prophets, such as Isaiah and Micah, criticise elders and landowners for oppression of the poor, and ruining this ideal of each householder working his own inherited land. This is seen in the following example:

The LORD enters into judgment against the elders and leaders of his people: “It is you who have ruined my vineyard; the plunder from the poor is in your houses. What

do you mean by crushing my people and grinding the faces of the poor?” declares the LORD, the LORD Almighty. (Isa 3:14–15)

Ezekiel 22 recounts a horrifying list of offences and abuses, taking aim specifically at the “princes” of the south. It is the wealthy once again who are held responsible for the state of Israel’s society and religion, and for the coming judgment upon the land.

It is not especially strange that the wealthy should be singled out for accusations of exploitation, seeing as justice can become a tradable commodity in societies that are becoming corrupt. However, given that wealth is also presented as a blessing from God in the Old Testament, and seeing as we know from practical experience that the poor are quite capable of evil and the rich are not always corrupt, we do need to think more carefully than merely classing the rich as basically wicked and the poor as basically righteous. Nevertheless, the rich are most blameworthy in the prophets’ analysis of Judahite and Israelite society because in the absence of the state-run welfare schemes of today, it was left to the citizens to look after one another. The rich had the resources to help those that were poor and defenceless (as the law encouraged them to do), but instead they used their money to exploit the legal system and abuse those very people.

Archaeology tells us that early Israelite settlements contained houses of more or less the same (modest) size, which suggests that society was not heavily stratified (divided into different strata or layers) according to class. How did Israel slump from a seemingly egalitarian society to one worthy of the prophets’ harsh criticisms? Kessler (2008:103–117) describes in *The Social History Of Ancient Israel: An Introduction* how two people who were once on a similar social footing might have been thrust in opposite directions with regard to wealth and status. The transition might take place as follows:

1. In an agricultural society, there is always the risk of crop failure, which can leave one unable to feed one’s family or to sow crops the following season. Those who fail one season are forced to borrow from those who succeed.
2. If the borrower is unable to earn enough to repay the debt in the given time, he is forced to borrow a larger amount in order to cover the original debt and the new shortfall. Eventually he is trapped in an irreversible debt overload.
3. With massive debt and no seed to sow, the borrower can only secure loans by means of security deposits, which would have included family possessions, land or even

family members. If the borrower cannot honour the loan, the deposit is kept as payment. This means that the lender would now possess his own land, plus the land of the borrower, and perhaps even the borrower and his family as slaves. Where there was previously equality of status, the one is now rich and the other landless and poor.

4. The more the rich succeeded in this tactic, the more they had to lend, and the greater the power they were able to wield over the vulnerable (Kessler 2008:103-117).

This was one way in which a nation of equals that once even conceived of her king as a “brother Israelite” stratified into classes and grew in inequality. The upper class held the majority of the land and the lending power, and this power offered them the means by which they could use tough economic times to secure their neighbour’s property and even their “brother Israelites” and their families as slaves.

2 Kings includes some examples of the stages described above. In 2 Kings 4, a widow asks Elisha for help because her late husband owed money and the lender has come to collect. Her sons are to be the repayment:

The wife of a man from the company of the prophets cried out to Elisha, “Your servant my husband is dead, and you know that he revered the LORD. But now his creditor is coming to take my two boys as his slaves.” (2 Kgs 4:1)

In 2 Kings 6 there is the strange story in which Elisha miraculously causes an axe-head to float so that the man who lost it in the water is able to retrieve it:

As one of them was cutting down a tree, the iron axe-head fell into the water. “Oh, my LORD,” he cried out, “it was borrowed!” The man of God asked, “Where did it fall?” When he showed him the place, Elisha cut a stick and threw it there, and made the iron float. “Lift it out,” he said. Then the man reached out his hand and took it. (2 Kings 6:5–7)

The story is odd because it seems an inconsequential thing to have merely lost an axe and not really worthy of the exercise of supernatural force. The story concerns a man among the company of prophets, and so perhaps the importance of the story is merely that God concerns himself even with the little things that trouble his people. However, the story may have added importance because of the fact that the axe was borrowed, which may well indicate that the

borrower was unable to afford his own tools, and now would have been more deeply indebted to the owner of the axe. In a society in which the rich were being chastised for exploiting every advantage over others, who knows how serious the implications of losing the axe might have been for that man? Either way, the story illustrates that God is concerned with the poverty and struggles of his people.

8.2.1 People of the land

The “people of the land” is a phrase that appears frequently in Scripture. While the phrase often simply means that a whole nation is in view, this is not always the case. Especially in connection with the kingdom of Judah, it seems to represent a section of the population and not all of it. For example, this group is contrasted with the people “of the city” in the execution of Athaliah:

And all the people of the land rejoiced. And the city was quiet because Athaliah had been slain with the sword at the palace. (2 Kgs 11:20)

Perhaps Scripture uses “the people of the land” merely to refer to a general tendency within the nation. However, some commentators believe that this was a particular social class within Judah, probably of powerful rural land-owners. Kessler (2008:108–117) points out that these people were actively involved in the crowning of kings and they were long-standing supporters of the Davidic dynasty (see 2 Kgs 11:14 and 21:24). Five princes of Judah are said to have been given wives from this group, which would suggest marriage alliances being made with a powerful community. Finally, the “people of the land” are also condemned for exploiting the poor in Ezekiel 22:29, which fits well with the suggestion that they are a social group, and not the whole nation.

Kessler (2008:108-117) also perceives in Scripture the mention of other social classes in Judah. There is a powerful group of officials who are also involved in royal marriage alliances (1 Kgs 4:11, 15; 2 Kgs 24:8, cf. Jer 36:12); there is also “the elite of the land” and “the poor of the land”. Even some of the priestly class were said to be land-owners during the monarchy (1 Kgs 2:26; Am 7:17). All of these groups had a role to play in the politics of Judah.

The prophets were operating in a society that had become stratified into classes and they had witnessed exploitation and mistreatment that deeply violated the covenant. A society that was

supposed to display its wisdom by means of the just laws that governed it (Deut 4:6–8) was instead characterised by wickedness, slavery and abuse.

The written law was supposed to be independent of the king and it was supposed to stand above the king. It was meant to be the definitive basis for Israel's community, regardless of who was in power. The independence of the law demonstrated that it was God, in fact, who was really the king and Israel's human kings ought to have stood as defenders of justice, ensuring that the law was upheld. The increasing indignation of the prophets, both in addressing the kings and the people at large, shows how much Israel and her kings failed to keep the social justice written in the law. Once warning after warning had fallen on unhearing ears, the warnings of exile became threats of exile. As the exiles drew nearer, rather than encouraging repentance that might avert the disaster, the prophets increasingly spoke of new hope once their punishment was over.

As upholders of the covenant, a major role of the prophets was to warn the nation that they were in danger of the threatened curses falling upon them. In the previous section, we saw Elijah declaring drought that lasted for over three years. This was both a personal assault upon Baal, the supposed storm god, but also one of the covenant curses listed in Deuteronomy 28. Chief among the threats pronounced by the pre-exilic prophets was that of exile. Look at the following examples:

Woe to those who rise early in the morning to run after their drinks, who stay up late at night till they are inflamed with wine. They have harps and lyres at their banquets, tambourines and flutes and wine, but they have no regard for the deeds of the LORD, no respect for the work of his hands. Therefore my people will go into exile for lack of understanding; their men of rank will die of hunger and their masses will be parched with thirst. (Isa 5:11–13)

When the priest Pashhur son of Immer, the chief officer in the temple of the LORD, heard Jeremiah prophesying these things, he had Jeremiah the prophet beaten and put in the stocks at the Upper Gate of Benjamin at the LORD's temple. The next day, when Pashhur released him from the stocks, Jeremiah said to him, "The LORD's name for you is not Pashhur, but Magor-Missabib. [Magor-Missabib means terror on every side.] For this is what the LORD says: 'I will make you a terror to yourself and

to all your friends; with your own eyes you will see them fall by the sword of their enemies. I will hand all Judah over to the king of Babylon, who will carry them away to Babylon or put them to the sword. I will hand over to their enemies all the wealth of this city – all its products, all its valuables and all the treasures of the kings of Judah. They will take it away as plunder and carry it off to Babylon. And you, Pashhur, and all who live in your house will go into exile to Babylon. There you will die and be buried, you and all your friends to whom you have prophesied lies (Jer 20:1–6).

Blow the trumpet in Zion; sound the alarm on my holy hill. Let all who live in the land tremble, for the day of the LORD is coming. It is close at hand – a day of darkness and gloom, a day of clouds and blackness. Like dawn spreading across the mountains, a large and mighty army comes, such as never was of old nor ever will be in ages to come. Before them fire devours, behind them a flame blazes. Before them the land is like the garden of Eden, behind them, a desert waste – nothing escapes them. They rush upon the city; they run along the wall. They climb into the houses; like thieves they enter through the windows. Before them the earth shakes, the sky trembles, the sun and moon are darkened, and the stars no longer shine. The LORD thunders at the head of his army; his forces are beyond number, and mighty are those who obey his command. The day of the LORD is great; it is dreadful. Who can endure it? (Joel 2:1–3, 9–11)

They will not remain in the LORD's land; Ephraim will return to Egypt and eat unclean food in Assyria. (Hos 9:3)

This is what the LORD says to the house of Israel: “Seek me and live; do not seek Bethel, do not go to Gilgal, do not journey to Beersheba. For Gilgal will surely go into exile, and Bethel will be reduced to nothing ... Therefore I will send you into exile beyond Damascus,” says the LORD, whose name is God Almighty.” (Am 5:4, 5, 27)

In this, the prophets are following the example of Moses, the prophet *par excellence*. In Deuteronomy 28, Moses describes the curses that will befall the nation if they live in

disobedience and rebellion, and exile takes place among them. Verse 49 is one of many such warnings in this chapter:

15 However, if you do not obey the LORD your God and do not carefully follow all his commands and decrees I am giving you today, all these curses will come upon you and overtake you: ... 49 The LORD will bring a nation against you from far away, from the ends of the earth, like an eagle swooping down, a nation whose language you will not understand, 50 a fierce-looking nation without respect for the old or pity for the young.

Most of us have an emotional attachment to our homelands and we would be sad to leave, but being relocated overseas holds no real terror. For some, it might even sound like a welcome adventure. For these kinds of reasons, it can seem strange to us that exile is the worst punishment that God offered. The reason why exile was so serious is that exile is a reverse of the Exodus. Deuteronomy 28 itself makes this point:

He will bring upon you all the diseases of Egypt that you dreaded, and they will cling to you... Just as it pleased the LORD to make you prosper and increase in number, so it will please him to ruin and destroy you. You will be uprooted from the land you are entering to possess. Then the LORD will scatter you among all nations, from one end of the earth to the other. There you will worship other gods – gods of wood and stone, which neither you nor your fathers have known. Among those nations you will find no repose, no resting place for the sole of your foot. The LORD will send you back in ships to Egypt on a journey I said you should never make again. There you will offer yourselves for sale to your enemies as male and female slaves, but no one will buy you. (Deut 28: 60–68)

They were not merely being chased from their land, they were being chased from the Promised Land. Just as the Promised Land represented the restoration of Eden – relationship with God as his chosen people in a land that he had prepared – exile represented the utter destruction of all of these blessings. It is a repeat of Adam's eviction from Eden and the installation of avenging angels to guard the entrance. Exile is an enactment of God's banishment of his people from his presence.

As I mentioned before, according to the 2002 census, almost 80% of South Africans profess to belong to the Christian faith (Stats SA 2012:71). What, therefore, is the role of the church

and to what extent should the church be involved in the reconstruction and reconciliation in our country as we move in the direction of addressing the aforementioned inequalities? This should not only extend to our citizens, but also to those who belong to the African diaspora who are also our neighbours. To respond to this, one needs to know the primary sources of power in a secular world. It is wealth on the one hand and numbers of supporters on the other. If one has one of these, it is a vital resource to change society. The first one the church does not have. The second one the church has, but it is so fragmented that the reader might perceive it as ineffective.

The church thus needs to become more unified if it wants to be a force to be reckoned with. The church has a mandate to be the salt and the light of the earth, so involvement is a key mandate. Deuteronomy and the Old Testament's prophet's call are very clear, as surveyed in this whole dissertation as well as in this chapter, and that is for Israel to go back to their roots, which is to a more socially-orientated obedient in worship to YHWH their king. Deuteronomy provides us with a formula to conceptualise a possible economic policy that could address social inequality if the reader and other stakeholders such as Governmental stakeholders were to take note. In this way, my hypothesis has been affirmed. Lastly, my presupposition that poverty, landlessness, social classes and are sins against God and against humanity has also been affirmed by Deuteronomy 15:9, which states that if we pretend not to see the poor, they will cry to God against us and we will be guilty of sin.

8.3 Hypothesis

The relationship between apostasy in Judges and lack of kingship in Deuteronomy illustrates the crises of a malfunctioning Israelite social context. It further informs an understanding of malfunctioning leadership regarding the socio-economic context in South Africa. Themes of apostasy in the book of Judges, and a lack of proper kingly worship as ascribed in Deuteronomy heightens the relationship of social decline. This theme helps the reader to understand the social decline in South Africa where socio-economic inequality challenges are concerned.

Also the South African socio-economic challenges can be appropriated by taking seriously and observing true religious worship, which include exploring the idea of brotherhood/sisterhood and blessing found in Deuteronomy and in the Pentateuch at large.

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