

# ISRAEL'S PAGAN PASSOVER

by

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(Under the Direction of Richard Elliott Friedman)

## ABSTRACT

The Israelite Passover of biblical depictions was just one instantiation of a ubiquitous phenomenon in the ancient Near East celebrating the arrival of the vernal equinox. The holiday develops from an exceedingly ancient custom, which long predates its purported origin at the time of Israel's exodus from Egypt. Despite this understanding, the prevailing tendency among historians has been to examine the biblical evidence of the holiday's performance within the confines of the dominating motifs of the exodus. The primary literature on the Passover celebration has been anchored to the story of Israel's exodus from Egypt since the time of the monarchy. However, compelling evidence that would suggest the Bible's exodus account was the first or only Passover story in Israel does not exist.

This dissertation seeks to identify and examine Passover ritual in the Bible beyond the traditional framework of the Exodus and will demonstrate that histories of the pre-monarchic era recorded in the books of Judges and Samuel assert a Passover, or Passover-like, festival as taking place at the Northern religious center of Shiloh. The earliest prose narrative writings of the Pentateuch, J and E sources, identify the Passover story with Israel's emergence from Egypt. Still, these exhibit awareness of what I hypothesize is a sequence of 'Passover' stories from the books of Judges and Samuel. So the Torah's

Passover is in part the result of a religious transformation attending a cultural shift from worship at Shiloh to centralization in Jerusalem.

Prior to Jerusalem's ascendancy as the center of worship in Judah, Shiloh was a hub of Israel's religious activity. The Pentateuchal sources that give us Exodus show overt concern with the affairs of the Jerusalem priestly elite of their day and embed their precepts into the narratives of establishment of the priestly houses during the period of migration from Egypt to Canaan. Shiloh's indelible history of Passover is subsumed within the motifs of the Exodus in a homogenization that takes place in order for the holiday's surviving narrative to fit a new geographical and political context.

INDEX WORDS: Passover, *Maṣṣôt*, Shiloh, Jephthah's daughter, Women in the Bible, Women's religion, Child sacrifice, Myth and ritual, Oak of Weeping, Palm of Deborah, Isaac, Rachel, Joseph, Potiphar, Benjamin, Hannah, Tamar, Judges, Samuel, E-source, the Patriarchal history, Pentateuchal source division, Eunuch, Harvest festivals, Mišpeh, New Year's festival, Fertility rituals, Motherhood.

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DEDICATION

For my daughters

עורי עורי דבורה  
עורי עורי דברי שיר

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## CHAPTER 1

### INTRODUCTION

This dissertation contains two central and complementary theses concerning the formation of the Pentateuch and the transformation of ritual narrative attending the centralization of worship in Jerusalem. The unifying focus of these theses is the origin of the Bible's holiday *par excellence*, the spring New Year's festival, Passover.

The first thesis grows out of the observation that a significant amount of the Pentateuch's E source resonates with stories found in the book Judges.<sup>1</sup> It suggests that

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<sup>1</sup> E, like J and P, was first isolated in Genesis. When Hupfeld (1853) established the presence of E on a firm basis, it enabled scholars to separate P in Genesis much more cleanly from JE. From Exodus 7 on, especially, the division of JE was confessedly uncertain (as Driver xii, 36). However, here, and in many places in Genesis, its presence was demonstrated by appeal to evidence of complications in the presentation that were best explained as arising from the combination of two parallel accounts. Only when Wellhausen demonstrated that non-P narrative in Exodus–Numbers comprised at least two sources did a consensus emerge that E stretched at least from the Patriarchs to the death of Moses. At many junctures, Wellhausen in *Composition* tries to delineate E versus J story lines but without insisting on a word-by-word separation of the two. His major aim, though, was to show that the Kuenen's hypothesis of an E continuing past Exodus 4 (for him and many others, into Joshua) was potent as an explanation of the way the Torah is. Opponents to the hypothesis of an E source, especially Paul Volz and Wilhelm Rudolph, *Der Elohist als Erzähler. Ein Irrweg der Pentateuchkritik?* (BZAW, 63; Giessen: A. Töpelmann, 1933), have failed to explain the complexity of the non-P narrative. Against them see especially Alan Jenks, *The Elohist and North Israelite Traditions* (SBLMS, 22; Missoula: Scholars, 1977) and Axel Graupner, *Der Elohist. Gegenwart und Wirksamkeit des transzendenten Gottes in der Geschichte* (WMANT, 97; Neukirchen-Vluyn: Neukirchener, 2002). The identification of E passages more specifically has been based mainly on vocabulary and cultural level. The identification of E passages in this work follows a widespread consensus. Only for a few of the texts cited herein have scholars working with the JEPD model entertained alternatives. Other texts shift with webs of references, especially before the studies of Noth and Friedman. For example, action involving the Israelite elders in Exodus 3-11 was originally assigned to J by 19th century scholars such as Kuenen and Wellhausen but are generally attributed to E today based on observations like those of Propp, *Exodus 1-18, A New Translation with Introduction and Commentary* (Anchor Bible;

the direction of influence between the sources involved is ascertainable on the basis of correlations and the contexts of their embedding. Expanding on this point, the second thesis posits an esoteric layer in the Bible's Passover complex and attempts to show its influence in the holiday's traditional depictions, formed by the 8<sup>th</sup> century at latest. A synthesis of these theories will show that the Bible's preeminent model for Passover is born out of an effort to subvert pagan<sup>2</sup> observance of the holiday.

The dominant scope of inquiry pervading treatments of Passover in biblical Israel has been preoccupied with data from within Exodus and Deuteronomy.

The hallmark *out of Egypt* scenario of Passover is developed, in part, in order to effectuate the shift away from local histories associated with peripheral religious precincts,

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New York: Doubleday, 1998) 50-52. The evolution toward the contemporary documentary assignments runs from Wellhausen and Driver through Bacon, Carpenter and Harford Battersby, and especially Martin Noth. M. Noth, *Überlieferungsgeschichtliche Studien* (2nd ed.; Stuttgart: W. Kohlhammer, 1957); *Überlieferungsgeschichte des Pentateuch* (Stuttgart: W. Kohlhammer, 1948) and its translation *A History of Pentateuchal Traditions* (Englewood Cliffs, NJ: Prentice-Hall, 1972); Baruch A. Levine, *Numbers 1-20* (Anchor Bible; Garden City, NY: Doubleday, 1993); *Numbers 21-36* (Anchor Bible; Garden City, NY: Doubleday, 2000); William Propp *Exodus 19-40. A New Translation with Introduction and Commentary* (Anchor Bible; New York: Doubleday, 2006); Hermann Hupfeld, *Die Quellen der Genesis und die Art ihrer Zusammenhang von neuem untersucht mit Tabellen über die Quellenscheidung* (Berlin: Wiegandt & Grieben 1853); Julius Wellhausen, *Die Composition des Hexateuchs und der historischen Bücher des Alten Testaments* (3rd ed.; Berlin: G. Reimer, 1899); Benjamin W. Bacon, "Pentateuchal Analysis" *Hebraica* 4 (1888) 216-243; "J E in the Middle Books of the Pentateuch. III. *From Egypt to Sinai: Analysis of Exodus xii. 37-xvii. 16*" *JBL* 11 (1892) 177-200; "J E in the Middle Books of the Pentateuch I. *Analysis of Exodus I.-VII.*" *JBL* 9 (1890) 161-200; "J E in the Middle Books of the Pentateuch. II. *Analysis of Exodus VIII.-XII. 36*" *JBL* 10 (1891) 7-130; O. Eissfeldt, *Hexateuch-Synopse. Die Erzählung der fünf Bücher Mose und des Buches Josua mit dem Anfange des Richterbuches in ihre vier Quellen zerlegt.* Leipzig: J. C. Hinrichs, 1922. Richard Elliott Friedman, *The Bible with Sources Revealed* (New York: Harper Collins, 2003).

<sup>2</sup> Herein, I use the word pagan to mean a practice or observance that is not recognized by a central authority and may be in nonconformance with the propounded tenets of such an authority, as in keeping with the sense of the Latin designation from which it derives, *pāgānus* "villager; rustic."

such as Shiloh, to galvanizing a more nationalistic, pan-tribal narrative, whose emphasis is on the ascendancy of a central shrine, Jerusalem. By retrieving themes of the New Year's celebration from a local level and combining them with the Exodus saga, the Pentateuch's authors separate the holiday from regional idiosyncrasies and reshape it to fit within the framework of an overarching national myth.<sup>3</sup>

### ***Background***

The following section provides background information on the holiday of Passover from the 9<sup>th</sup> century BCE to the 2<sup>nd</sup> century CE and the state of modern historical scholarship on the subject of its origins, history, and, development.

For centuries, scholars have widely recognized that the holiday referred to in the Bible as Passover, *pesah* (פסח) or *pascha* (πασχα), is a conglomeration of elements from an earlier ritual complex that corresponds to the annual lambing season.<sup>4</sup> The Passover of the Hebrew Bible historicizes the ancient sacrifice of the firstlings of spring's cultivated properties, grain and flock. Some have speculated that the holiday is made up of two

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<sup>3</sup> By myth I mean a traditional or legendary story, usually concerning some being or hero or event, with or without a determinable basis of fact or a natural explanation, especially one that is concerned with deities or demigods and explains some practice, rite, or phenomenon of nature. By traditional I mean related to the handing down of statements, beliefs, legends, customs, information, etc., from generation to generation, especially by word of mouth or by practice. By legendary I mean having the nature of a non-historical or unverifiable story that is popularly accepted as true. By true I mean being in accordance with the actual state or conditions; conforming to reality or fact.

<sup>4</sup> The word "Easter" is never mentioned in the New Testament. Rather, the holiday is known as *paschah*, a Graecization of the Hebrew name by which the occurrence is most commonly known, *pesah*. The term *maṣṣôt* is also employed in a rather narrow range of texts (E and Chronicles, Ezra). In addition to *pesah* the holiday is also referred to as *ḥag hammaṣṣôt*, "feast of unleavened bread," indicating a key component of the ritual meal.

independent ceremonials<sup>5</sup> that were referred to as *maṣṣot* and *pesaḥ*, emphasizing grain and lamb respectively.<sup>6</sup> The hypothetical independent ceremonials of *maṣṣot* and *pesaḥ* would have fully merged by the time of the earliest of the Pentateuch's prose narrative sources (J and E).

While the most familiar identifying term for the holiday in the Bible is *pesaḥ*, the E source never calls it by this name but instead refers to Passover as Feast of Yhwh (*ḥag lēyhwh*) or Maṣṣot (*maṣṣôt*).<sup>7</sup> Despite E's use of terminology distinct from the other sources (*maṣṣôt*, etc., contrastive to *pesaḥ*) no meaningful distinction seems to exist in the application of these terms.

Central to biblical presentations of Passover are the elements of a sacrificial lamb, the apotropaic properties of its blood, the death of the firstborn child, and a highly symbolic ritual meal in which the celebrants consume *maṣṣâ*, unleavened bread, and lamb.<sup>8</sup> The Bible reflects an already antique, customary meal of the lambing season consisting of a kid (*śeh*) from a familial caprovid flock, one kid per family (*bayit*),<sup>9</sup> and unleavened bread (*maṣṣôt*).

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<sup>5</sup> By ceremonial I mean a system of ceremonies, rites, or formalities prescribed for or observed on any particular occasion. By ceremony I mean the formal activities conducted on some solemn or important public or state occasion.

<sup>6</sup> For a comprehensive bibliography and summary of these arguments see J.B. Segal *The Hebrew Passover* (New York: Oxford, 1963) 78-113.

<sup>7</sup> E refers to the paschal lamb in Exod 12:21 *happesaḥ*, the holiday *ḥag (lē)yhwh* Exod 10:9; 13:6; 32:5; *ḥag hammaṣṣot* Exod 23.15. The term *miyyāmîm yāmîmāh* (Exod 13:10) also appears in connection with the holiday, see Chapter 2 for further discussion. See also, Alan Cooper and Bernard R. Goldstein "Exodus and Maṣṣot in History and Tradition" *Maarav* 8 (1992). Cooper and Goldstein take *maṣṣôt* to be a distinctly Northern holiday.

<sup>8</sup> A precursor to the Seder and Eucharist.

<sup>9</sup> E, J, and D sources (respectively, Exod 13:12; 34:29; Deut 15:19-20) require an offering of a first born from the familial flock. Uniquely, P does not require the paschal lamb to be the first born of its flock but rather prescribes the kid to be a year old from a familial flock of sheep or goat.

Each of the Pentateuch's sources proclaims the Exodus moment as the etiology of Passover. The holiday is presented as a reenactment of Israel's deliverance from Egypt, memorializing Yhwh's stunning defeat over the gods of Egypt and his redemption of Israel from enslavement.<sup>10</sup> The sources prescribe sacrifice of the paschal lamb to be performed in recollection of the means by which Israel averts the deadly plague against the firstborn of all the land. Yhwh sweeps through Egypt killing its entire firstborn. Israel is saved because by staining the doorposts of its houses with lamb's blood, differentiating its community from the Egyptians. It is in this way that Yhwh intervenes to ward off the plague (*mašhîr*) for them (Exod 12:22-23, 26):

When Yhwh sees the blood he will skip the entrance of the house, and Yhwh will not let the plague strike your houses.

The Torah explains the tradition of consuming *maššâ* as the ritual abstinence from leaven, mimicking its preemption by the urgency of Israel's escape from Egypt (Exod 12:34, 39). The *maššâ* symbolizes flight from oppression. In the rush to pack up and flee the Israelites take with them dough that was being prepared for baking, probably for the next day, but they do so before leavening can be incorporated (*terem yehmas*).

They baked the dough, which they brought from Egypt, cakes of *maššôt* because it had not yet been leavened; for they were thrust out of Egypt and could not delay, nor had they made for themselves any provision. (Exod 12:39)

Ostensibly, *maššâ* was made of wheat flour from the previous year's harvest and not the new ripe or immature grain. The *maššâ* in the Exodus account would have been made from stale or left-over wheat flour; the text does not specify. In the Bible's depiction, Egypt's harvestable grains are destroyed in the hailstorm of the seventh plague (Exodus 9).

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<sup>10</sup> Exod 12:12 (P); 18:8-11 (E).

The barley (*šē'ōrâ*) is ripe (*'ābîb*), and the flax (*pištâ*) is past ripe, in calyx or carolla (*gib'ōl*), when the hail batters the Egyptian landscape (Exod 9:31). Wheat (*hiṭṭâ*) and rye (*kussemet*) are not smitten because they were just beginning to break ground (*'āflôl*) (Exod 9:32). More than likely, the Bible's authors did not view the heads of the emergent grain as ideal for human consumption. Rather, the new grain was probably "the first of the firstfruits" (*rē'sît bikkūrê*) dedicated to the deity (Exod 23:19 [E]; 34:26 [J]).<sup>11</sup>

The New Testament's Gospel accounts imbue the holiday with an altogether distinct narrative. Jesus' death and resurrection replaces the *out of Egypt* motif in the Christian model of the Passover drama. Deliverance from Egypt becomes redemption of the soul. The spring holiday continues to commemorate the sacrifice of the firstborn, but a convergence of themes has taken place: Jesus stands simultaneously in place of Israel as Yhwh's firstborn and the paschal lamb. A new interpretation of the ritual meal appears in the New Testament (the Last Supper). It becomes the basis of the Eucharist. Jesus is presiding over the meal on the eve of his arrest.<sup>12</sup> The two central sacrifices of Passover acquire a single explanation. Jesus comes to represent the lamb, sacrificed in order that others may be redeemed; his blood, salvific, satisfies the need for which the paschal lamb's was once provided. The *maṣṣâ* symbolizes the body of Jesus, supplanting the interpretation of bread made in haste. The unrisen bread represents the imminence of death anticipatory of resurrection.

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<sup>11</sup> This interpretation is analogically based on the notion that the Israelites are supposed to have dedicated the firstborn of their flocks in remembrance of the smiting of the firstborn during the tenth plague (Exod 13:2), and the fact that green *maṣṣâ* would taste terrible.

<sup>12</sup> Matt 26:17-30; Mark 14:12-26; Luke 22:7-29; John 13:17-26 (absent the Eucharist).

The Passover stories of the Old and New Testaments develop in distinct historical stages in Jewish history. The sources rendering the holiday as corollary to the Israelite Exodus originate in the First Temple era, about the 10<sup>th</sup> c to 6<sup>th</sup> c BCE.<sup>13</sup> Easter is a radically altered version of this holiday, its theology distinct from its predecessor by the first century CE.

One potent interpretive catalyst driving the theological shift from Passover to Easter develops during the Intertestamental period—the correlation of the binding of Isaac, the *Aqedah*, to the Passover event. The proto-rabbinic book of the 2<sup>nd</sup> c BCE, *Jubilees*, and the 2<sup>nd</sup> c CE Rabbinic book, the *Mekilta de Rabbi Ishmael*, each relates the binding of Isaac to the Passover. *Jubilees* presents the account of the *Aqedah* with the added detail of when it occurred.<sup>14</sup> Abraham’s binding of Isaac corresponds to Passover. On the twelfth day of the first month God tells Abraham to prepare to sacrifice Isaac. This situates the demand three days before the Passover slaughter, which is at twilight after the fourteenth of the first month (Exod 12:6; Lev 23:5). It takes Abraham three days to get to the mountain of Moriah where he will perform the sacrifice (Gen 22:2). That puts the binding of Isaac on the date of the future paschal offering. The presence of *Jubilees* at Qumran and references to it by the early church fathers indicate its broad significance.<sup>15</sup>

A few centuries later, the *Mekilta de Rabbi Ishmael* picks up the theme of correlating the *Aqedah* with Passover and develops it further. In *Mekilta*, the blood on the

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<sup>13</sup> These proffer an official history of Israel’s origins. J and P are complete with creation epics; E is incorporated starting at Genesis 20; the “great ancestor,” Abraham, who may or may not be this source’s Adam, is living between Kadesh and *Sûr* residing in Gerar.

<sup>14</sup> *Jubilees* 17:15-16

<sup>15</sup> James C. Vanderkam. *The Book of Jubilees. A Critical Text*. (Leuven: Peeters, 1989) 18.

Israelites' doorposts represents the blood of Isaac.<sup>16</sup> The slaughter of the paschal lamb is meant to mimic Abraham's obedience to Yhwh and Yhwh's mercy in allowing Abraham to redeem his firstborn with a lamb as substitute. The commentary on Exod 12:13 suggests that the binding of Isaac was an essential element of Israel's survival during the last of the plagues against Egypt, the plague of death.<sup>17</sup> The significance of the event with Isaac becomes clear at the critical moment in the Exodus saga. When Yhwh sees the blood of the paschal lamb smeared upon the Israelites' *mēzūzôt* he remembers that Abraham was willing to sacrifice his beloved son (*yāhîd*), Isaac, and redeems Israel. The blood signifies their ancestor's unwavering devotion to Yhwh, protecting Israel against the *mašhî* that strikes Egypt.

The association of the *Aqedah* with the Passover holiday was embedded in the early Christian *Sitz im Leben*.<sup>18</sup> Easter emerges during a time in which the sacrifice of Isaac appears in literature to prefigure the Passover event. Isaac's blood is that which protects the Israelite firstborn in Egypt. Jesus fits into the role of paschal lamb in a distinct configuration of Passover *à la* Isaac, Abraham's beloved son whom he sacrificed. There is no way of being absolutely certain how or when the association of Isaac's sacrifice with Passover begins.<sup>19</sup>

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<sup>16</sup> Jacob Z. Lauterbach *Mekhilta de-Rabbi Ishmael* (Philadelphia; Jewish Publication Society, 1933) 1.57.

<sup>17</sup> *Mekilta de Rabbi Yishmael* 12:13.

<sup>18</sup> Shalom Spiegel *The Last Trial* (New York: Schocken Books, 1969), 81-86; Levenson, *Death and Resurrection of the Beloved Son* (New Haven: Yale University Press, 1993) 173-199.

<sup>19</sup> In his synthesis of the Passover complex, Levenson points out that the pairing of the two is hardly surprising and raises the possibility that the association of the *Aqedah* with Passover antedates the mid-second century B.C.E, questioning whether a record like Jubilees does not depend upon a still older source for the association.

### *Israel's Pagan Passover*

A series of related stories in Judges and Samuel contains depictions of a holiday celebration associated with the Northern religious precinct at the pre-Jerusalemite cult center, Shiloh. The holiday is indicated as having originated during the Judges era and is purported to have remained an active ritual into the fourth century CE.<sup>20</sup> An account of its origins is given in Judges 11, which concludes with the inception of a women's festival to honor the sacrifice of the daughter of Jephthah. The story of Jephthah's daughter depicts the foundation of the yearly festival: (Judg 11:39b-40): "it became an ordinance (*ḥōq*) in Israel, yearly (*miyyāmîm yāmîmāh*) the daughters of Israel would go to commemorate the daughter of Jephthah the Gileadite four days in the year." The basis of the commemoration is the sacrificial death of the firstborn and only child of Jephthah.

The sacrifice precipitates from an open-ended vow to Yhwh. Embattled against the Ammonites, Jephthah entreats Yhwh for aid with a precariously worded vow to offer that which meets him on his safe return home. Judg 11:30 depicts the conditions, "if you surely give the Ammonites into my hand, then the one that comes out the doors of my house to meet me upon my peaceful return from the Ammonites shall be Yhwh's, and I shall offer it up as a burnt offering." Jephthah invokes Yhwh and vows that an immolation (*ʿôlâ*) will be offered in exchange for victory—the price to be determined.

The individual who greets Jephthah is none other than his daughter, his first and only child. When Jephthah returns triumphant, his daughter comes out to meet him

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<sup>20</sup> Epiphanius of Salamis asserts that in Sebastia and Neapolis (formerly known as Samaria and Shechem, respectively) people still celebrated a yearly festival for Jephthah's Daughter well into the 4<sup>th</sup> century CE (*Panarion* 55.1.10; 78.23.6). See further, John L. Thompson, *Writing the Wrongs: Women of the Old Testament among Biblical Commentators from Philo through the Reformation* Oxford (New York: Oxford University Press, 2001), 116.

jubilantly “with timbrels and in dances” *bětuppîm ûbiměḥōlôt*. Her rejoicing suddenly turns to mourning as Jephthah reveals that he has made a vow to Yhwh. Realizing that she has been marked for death she requests a period of two months for the sake of mourning her virginity (*bětūlāy*). She and her cohort wander in the mountain country of Gilead, after which she returns and is sacrificed.<sup>21</sup>

The commemoration for the sacrifice of Jephthah’s daughter is a four-day ritual characterized by the exclusive participation of women.<sup>22</sup> This ritual context is the setting for two other stories: Judges 21 and 1 Samuel 1. Recurrence of the phrase *miyyāmîm yāmîmāh* denoting an annual occurrence as well as an emphasis on women within the ritual complex in the stories strongly suggests that the setting of these accounts is to be identified with the festival of Jephthah’s daughter in Judges 11. When these stories of Judges 11, 21, and 1 Samuel 1 are examined together with the Passover accounts in the Pentateuch, several common thematic and terminological elements emerge. These are: use of the phrases *mîyyāyîm yāmîmāh* and *bětuppîm ûbiměḥōlôt*; sacrifice of the firstborn; *zabah*; *ḥwq*; *ḥag yhwh*. The coincidence in usage with the Pentateuch is most extraordinary, considering that it is restricted to a single source, the E source.

The temporal clause indicating the holiday’s annual occurrence in Judges 11, 21, and 1 Samuel 1, *miyyāmîm yāmîmāh*, also appears in connection with Passover (Exod 13:10 [E]). Outside of the Judges and Samuel stories the phrase’s single attestation in the

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<sup>21</sup> Ibn Ezra and Kimhi purportedly interpret the biblical explanation that Jephthah “did to her as he vowed” to mean that Jephthah let her live but that she remained a virgin and was cloistered until her death from natural causes. This is noted in Maimonides’ commentary of Lev 27:9, wherein he refutes their claims. See Kimḥi to Judges 11:39; ibn Ezra’s comment is no longer extant.

<sup>22</sup> Judg 11:40.

Bible occurs in E's prescription for commemorating Yhwh's victory over Pharaoh and execution of the Egyptian first-born: "you shall keep this ordinance (*ḥuqqâ*) in its season annually (*miyyāmîm yāmîmāh*)." Compare this to Judg 11:39b-40: "it became an ordinance (*ḥōq*) in Israel, annually (*miyyāmîm yāmîmāh*) the daughters of Israel would go to commemorate the daughter of Jephthah the Gileadite..."

In addition to the use of the peculiar phrase *miyyāmîm yāmîmāh* for the festival's observance, the holiday in the Judges-Samuel accounts and Passover share the theme of firstborn sacrifice. Death of the firstborn is common to the narratives of E (Exod 4:22-23; 12:29-33; 13:1) and P (Exod 12:12-13) and the holiday represented in Judg 11:34-40.<sup>23</sup> The notion is integral to the Passover drama and is prominent in articulating its commemorating ritual. A series of miraculous exploits against Israel's oppressor occasions the escape from Egypt and sets the stage for entry to Canaan. Plagues against Egypt and the house of Pharaoh culminate in the death of the Egyptian firstborn. This is Yhwh's execution of judgment on the gods of Egypt (P, Exod 12:12).<sup>24</sup> Each household sacrifices a lamb and smears its blood upon the doorposts to protect it from Yhwh's plague. E's Passover regulation begins with Yhwh's demand "consecrate to me every firstborn; whatever escapes any womb of the children of Israel, of man or animal— it is mine." (Exod

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<sup>23</sup> It bears mentioning that while I identify Exod 13:1 as E many have attributed Exod 13:1-16 to Dtr as an insertion. See Friedman's discussion and denial of this attribution in *The Bible with Sources Revealed*, 139. The question of authorship of this single instance is really immaterial for the present discussion. It would simply mean that the trope exists in Dtr material in addition to E and P.

<sup>24</sup> Yhwh kills the gods of Egypt. See Friedman, *The Exodus* (New York: HarperOne, 2017) 182.

13:2).<sup>25</sup> Israel is to recall the death of the Egyptian firstborn in the offering of its own firstborn kin and flock (Exod 13:14-15, E).<sup>26</sup>

When your son asks you later ‘what is this?’ you shall say to him ‘with a strong hand Yhwh brought us out from Egypt, from a house of bondage. And when Pharaoh hardened to let us go, Yhwh killed every firstborn in the land of Egypt, from the first of human and the first of animal. Because of this, I am sacrificing to Yhwh every male that escapes the womb. All of the firstborn of my children I shall redeem.’<sup>27</sup>

Ritual dancing is another component central to the holiday described in Judges 11 and 21 that has a complement in the Exodus Passover story. Jephthah’s daughter is said to have gone out to meet him *bētuppîm ûbiměḥōlôt*, “with timbrels and in dances” (Judg 11:34), and, in imitation, so do the women during the celebration at Shiloh go out to dance (*lāḥûl bamměḥōlôt*, Judg 21:21). The very phrase from Judges 11, *bētuppîm ûbiměḥōlôt*, occurs in Exod 15:20. After crossing the sea, Miriam, the prophet and sister of Aaron, leads the Israelite women in a victory dance for Yhwh, *bētuppîm ûbiměḥōlôt*. On the first day of the first Passover all of the women of Israel are moved to follow Miriam’s prophetic spirit and take up song extolling Yhwh’s victory over Egypt:

Miriam the prophet, sister of Aaron, took timbrel in hand. All the women went out after her in timbrels and in dance (*bētuppîm ûbiměḥōlôt*). Miriam answered them ‘Sing to Yhwh for he has surely triumphed. Horse and rider he has cast into the sea.’

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<sup>25</sup> Repeated in Exod 22:29 without the redemption clause that follows in Exod 13:13.

<sup>26</sup> Yhwh’s firstborn is Israel in E (Exod 4:22). In P, the Levites (Num 3:12) are the replacement for Israel as Yhwh’s firstborn.

<sup>27</sup> These tones are present only in P and E (Exod 12:12-13 P, 26-27 E; Exod 13:12, 14-15, E) The concept is notably absent from J and D. These sources tie *pesah/maššôt* to the Exodus commemoration but without mention of Egyptian firstborn (J, Exod 34: 18-19; D, Deut 16:1-8).

The victory dance imagery is common enough for coincidence of the theme not to come as much of surprise; but the phrasing, the festal context, and the all-female cohort led by a woman, make for a stunning comparison. Like *miyyāmîm yāmîmāh* the expression *bětuppîm ûbiměḥōlôt* appears only in E and in Judges.

How do we interpret the coincidence of themes and language aligning the Judges/Samuel stories with Passover? Do these vastly differing depictions represent the same holiday?

The holiday in Judges and Samuel is not expressly connected with any other biblical festival and is likely a component of the observance of *pesah/maššôt* wherein women comprise the cohort of a special ritual routine. The four-day duration of the commemoration is atypical for a full festal context. No record of a four-day festival of any kind exists elsewhere in the Hebrew Bible; however, the ritual may underlie P's instruction to acquire the sacrificial animal four days prior to its slaughter. Exod 12:3, 6 stipulates a four-day period in which the paschal lamb is to be selected and held aside before its slaughter.

<sup>3</sup>On **the tenth of this month** each of you will take a lamb for the house of your fathers, a lamb per house...

<sup>6</sup>and you will have custody [it will be for you a guard] **until the fourteenth day of this month** and the whole assembly of the congregation of Israel shall slaughter it between the two evenings.

The time frame, four days, fits that which is allotted for the women's festival: the daughters of Israel would go to commemorate the daughter of Jephthah the Gileadite four days of the year (Judg 11:40).<sup>28</sup>

We know relatively little about the observance of this seemingly minor biblical holiday for Jephthah's daughter. Some have speculated that it was wholly a literary invention.<sup>29</sup> But, if it was an *actual* holiday then the similarity of the language used in the Judges stories and in the Pentateuch's Passover point to the commemoration for Jephthah's daughter being a local Northern holiday related to Passover. What makes this coincidence of language most extraordinary is that most of it is exclusive to a single source in the Pentateuch, the E source, which itself has ties to the Northern Kingdom and, in particular, to the cult at Shiloh. I would go so far as to say that the event depicted in Judges as a commemoration for Jephthah's daughter was not only an *actual* holiday, it was the predecessor of E's *ḥag hammaṣṣôt*.

E's author would have likely viewed the stories in Judges and Samuel as a relic from the defunct local center of Shiloh. These stories would have represented pagan ideas about the holiday *par excellence* of Israel. The kind of narrative transformation that we find in E's *maṣṣôt* is a response to discontinuity in the theological norms of E's world and those depicted in the era of the Judges.

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<sup>28</sup> One possible reconstruction for this coincidence is that P's four-day waiting period corresponds to the leave and return of women participating in the festivities. The lamb may have been taken upon the women's departure and offered in exchange upon their safe return home.

<sup>29</sup> Robert Boling, *Judges* (Anchor Bible, 6b; Garden City, NY: Double Day, 1974).

### *Central Concerns*

The field of biblical scholarship has yet to recognize the significance of the relationship between the three women’s holiday accounts in Judges and Samuel and the Passover narratives. The identification of this connection offers the opportunity to gain insight into a lost layer of the Bible’s Passover complex. It has the potential to inform us of a number of things beyond the formation of Passover and Easter. Since these stories are known to all of the sources of the Torah, in the end it may tell us a great deal about how they relate to one another, their interpretive differences, and the way they tell the stories for exoteric and esoteric audiences.

A preponderance of correlations exists between the *miyyāmîm yāmîmāh* stories of Judges/Samuel and those of the E source in the Pentateuch.<sup>30</sup> The correlations between E and Judges/Samuel texts are so numerous as to pique curiosity concerning the relationship of their accounts to one another. There are really only a few possible explanations for the coincidence of themes and use of identical language— it can indicate single authorship or source dependence.

The theory emerging from this study boils down to this: the related accounts of a women’s holiday that is performed “yearly” (*miyyāmîm yāmîmāh*) in Judges and Samuel are predecessors to the Passover narratives of the Pentateuch. These stories describe a female dominated portion of the Passover holiday.

The sources in which the Exodus/Passover relationship is paramount coincide with the ascendancy of the Jerusalem cult. Prior to the establishment of Jerusalem as the center

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<sup>30</sup> See Chapter 3, “The E-Source and Stories from the Book of Judges.”

of worship, Shiloh was a hub of Israel's religious activity.<sup>31</sup> E expresses concern with the affairs of the Jerusalemite priestly elite (mostly by way of polemic) by embedding its precepts into the establishment of the priestly houses during the period of migration into Canaan. Judges and Samuel, on the other hand, reflect the by-gone days of the Shilonite precinct.

The prevailing narrative of Passover was anchored to the Exodus story. However, there is no evidence to suggest that the Exodus account was the first or only story of Passover in Israel. The story of Jephthah's daughter and its related texts share many themes that resonate with the Exodus Passover story. During the Shilonite era, as for the majority of the First Temple era, the spring festival was celebrated at local sites. Judges 11 may represent an alternative etiology for the festival, one that is associated with Shiloh and the surrounding hill country of Ephraim, Manasseh, and Benjamin.

The stories combine to create a brief history of the holiday prior to the united monarchy, with regional emphases on the northern territories (Gilead, Shiloh, war between Benjamin and all of Israel). Little attention has been devoted to the connections between these stories, the continuity, or, the identity of the holiday. These stories run through a history that preserves the legacy of Northern heroes and the gruesome accounts of Israel's civil war and its aftermath.<sup>32</sup>

A trajectory of the Bible's Passover nexus with the addition of the women's holiday accounts will show that the inextricable association of Isaac and Passover in Rabbinic literature is not an innovation of the second temple era but is a revival of the latent trope

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<sup>31</sup> Jer 7:12; 26:6-9; 1 Samuel 1-6; Ps 78:67; Joshua 14.

<sup>32</sup> Judges 19-21 contain the account of Israel's civil war and its aftermath.

of the sacrifice of Isaac in connection with the Passover event. The change that takes place between Passover and Easter may be a revitalization of the latent theme of child sacrifice central to the holiday of Judges 1; 21; and 1 Samuel 1 and the *Aqedah*. Jesus fits into the role of paschal lamb in a distinct configuration of Passover with Isaac, Abraham's beloved son whom he sacrificed, as redeemer. The term describing Isaac as Abraham's "only" son in Genesis 22, *yāhîd*, the Septuagint translates as *agapēton* (ἀγαπητόν), "beloved." It is a title applied to Jesus repeatedly in the New Testament. The *Aqedah* is the story of Jephthah's daughter rewritten. Before there was Jesus there was Isaac, and before them both there was Jephthah's daughter.

Just as Passover engendered Easter— a distinct holiday— so did Passover develop from a predecessor holiday. The Exodus Passover story subsumes and transforms this regional history much in the way that the Gospel accounts transform Passover into Easter.

## CHAPTER 2

### THE *HAGGĀDŌT* OF ANCIENT ISRAEL

The earliest certain historical attestation of Passover as a national observance comes from Josiah's reign (7<sup>th</sup> c BCE). The account implies that a 'true Passover' had either never been performed in Israel until Josiah or had not been performed since the ark was in Shiloh in the days of the Judges.

There had been no such Passover as this done from the days of the Judges who judged Israel to the kings of Israel and Judah. (2 Kgs 23:22)

Josiah's reform, according to Kings and 2 Chron 35:18-19, shored up full-scale state adoption of the Passover history much as we know it today. The Israelites were slaves in Egypt. Yhwh rescued them and brought them to the land that he promised to their ancestors. Along the way, Yhwh performed miracles, displayed wondrous signs, and gave the Torah to Moses on behalf of Israel.

Report of the reform includes an intriguing back-story about the discovery of a lost book of Torah, which apparently spurred Josiah into action. During the temple's renovations, Hilkiah, the priest, claims to have found an antique book of divine instruction, *sēper hattôrâ māšā'î!* He presents the document to Shaphan, the scribe. Shaphan then takes the book to Josiah and reads it to the king. Its words deeply trouble Josiah. He says that he fears that he will suffer reprisal for previous generations that had cast aside this antique treasure to collect dust. He requests that the men enquire of Yhwh about the book.

Huldah, the prophet, delivers an oracle concerning its significance. Josiah publically reads the book and declares a covenant to Yhwh to obey the commandments thereof.<sup>33</sup>

Among the discovered commandments in Josiah's reform is riddance of cultic items associated with gods other than Yhwh, destruction of peripheral worship sites, and, a reinstitution of the Passover festival about which Josiah commands all the people to "do the Passover to Yhwh your God as is written upon this book of covenant."<sup>34</sup>

Several pieces of evidence link this "book of covenant" to Deuteronomy. The association goes back at least to the third century theologian Jerome.<sup>35</sup> Of those who made this identification in modernity, W.M.L. DeWette's has received the most attention.<sup>36</sup> DeWette argued that the *lost book* claim was in fact a pious hoax arranged to sneak a

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<sup>33</sup> 2 Kgs 23 1-3.

<sup>34</sup> 2 Kgs 23:21 wayyēšaw hammelek 'et-kol-hā'ām lē'mōr 'āšû pesaḥ lēyhwh 'ēlōhēm kakkātûb 'al sēper habbērît hazzeh.

<sup>35</sup> *Ad Deuteronomium 1:1.*

<sup>36</sup> Wilhelm Martin Leberecht de Wette, *Dissertatio critico-exegetica qua Deuteronomium a prioribus Pentateuchi libris diversum alius cuiusdam recentioris auctoris opus esse monstratur* (Jena: Etzdorf, 1805). *Beiträge zur Einleitung in das Alte Testament I. Kritischer Versuch über die Glaubwürdigkeit der Bücher der Chronik mit Hinsicht auf die Geschichte der Mosaischen Bücher und Gesetzgebung. Ein Nachtrag zu den Vaterschen Untersuchungen über den Pentateuch* (Halle: Schimmelpfennig, 1806); II. *Kritik der israelitischen Geschichte* (1807). DeWette published his treatise on the subject in *Beiträge*. Scholars have misattributed his main argument to his earlier *Dissertatio Critica*. For translation and comment of DeWette's *Dissertatio Critica* see Paul Harvey and Baruch Halpern, "W.M.L. de Wette's "*Dissertatio Critica*...": Context and Translation", in *Zeitschrift für Altorientalische und Biblische Rechtsgeschichte* 14 (2008) 47-85. For a full discussion of de Wette's contributions (and the publications in which he made them) see Halpern, *W.M.L. de Wette, Dissertatio critico-exegetica qua Deuteronomium a prioribus Pentateuchi libris diversum alius cuiusdam recentioris auctoris opus esse monstratur* (forthcoming). While it is true that de Wette debuted the suggestion in his dissertation, he withheld his main treatment for the subsequent *Beiträge* due to Vater's publication of a similar idea mere months before de Wette's submission of *Dissertatio*.

contemporary law book into the public sphere. Scholarly consensus agrees. The narrative around Deuteronomy's law code reflects the perspective of a Josianic-era priest who had ties to the old cult center of Shiloh.

If the document is a forgery its conspirators are likely among those who go to inquire of Yhwh for Josiah (Hilkiah, Shaphan, Ahikam, Akbor, and, Asayah) and the prophet Huldah herself. Each person's pedigree is stated. Hilkiah, the priest, is quite possibly the same Hilkiah identified as Jeremiah's father. Shaphan and his son, Ahikam, are grandfather and father to Gedaliah, whom Nebuchadnezzar appoints as governor. Ahikam himself is reported as protecting Jeremiah from execution (Jer 26:24). A short time after Josiah's death, during Jehoiakim's reign, a son of Akbor, Elnatan is said to have been sent to Egypt (Jer 26:23). Huldah is the wife of Shallum, son of Tikvah, son of Harhas, the haberdasher.

References to the individuals in subsequent dealings reveal them as being part of an anti-Egypt constituency. Perhaps our conspirators are thumbing noses at their detractors while disseminating the message of centralization with staunch nationalism (demolishing 'foreign' cultic items). The choice of Moses' farewell speech as the background for transmitting the Deuteronomic law code is not just an assertion of authority but is also the chance to remind its audience that Israel had once and (optimistically) for all broken free from Egyptian tyranny.

Josiah's reform makes programmatic the version of Passover based on Israel's Exodus from Egypt. It seals the deal canonically for the 'out of bondage' 'out of Egypt' motifs that we associate with the holiday story today.<sup>37</sup> It was essentially ideologically

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<sup>37</sup> 2 Kgs 23:1-3 cf., Deut 5:6; 6:12; 8:14; 13:5, 10; 26:6.

pragmatic in officially recognizing the Passover feast in Jerusalem as the sole legitimate version— which was a truly successful move in rescuing the holiday from regional variation, regulating its location, season, and story.

### *The Pentateuch's Passovers*

Let's look at how the Torah's sources vary in depicting the celebration of the festival. Observance of the festival is not centralized in pre-Deuteronomistic presentation. Sacrifice may be performed privately in the family home (Exod 12:7, P; Exod 12:22, E) or pilgrimage is made (Exod 23:14; 34:23), probably to local worship sites. Under Josiah's decree the local sites were intended to function no longer. Instead, Passover was to be held in the only place where sacrifice could legitimately be made to Yhwh, "in the place that Yhwh will choose to cause his name to dwell there"<sup>38</sup>— Jerusalem.

Prior to the Passover that Josiah implemented, the holiday's season had already been established as the mark of the vernal New Year in Pentateuchal sources, but its place on the calendar varied. J and E say simply that the holiday is to take place in the month of Abib (*lēmō'ēd ḥōdeš hā'ābīb*) and give no specific date (Exod 23:15 (E); 34:8 (J)). Some infer *ḥōdeš hā'ābīb* to mean the new moon in these contexts,<sup>39</sup> however, E's prescription for the sacrifice being performed on the eighth day after the lamb's birth seems to contradict this view (Exod 22:28-29). P places the holiday on the 14<sup>th</sup> of Nisan, lasting until the 21<sup>st</sup>, with a four-day anticipatory period leading up to the sacrifice on the first

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<sup>38</sup> Deut 16:2, 6.

<sup>39</sup> G. Beer, *Pesachim (Ostern). Text, Übersetzung und Erklärung; nebst einem textkritischen Anhang* (Giessen: Alfred Töpelmann, 1912).

day.<sup>40</sup> P's sacrifice on the first day is distinct from E's, which prescribes the feast for the final day (Exod 13:6).<sup>41</sup> A Passover 'make-up' date on the fourteenth day of the second month (Iyyar) is prescribed in Num 9:1-12 (P). The Chronicler traces this second Passover to Hezekian institution of the holiday on the 14<sup>th</sup> day of the second month (2 Chr 30:15). The time is again identified as *ḥōdeš hā'ābīb* according to Deut 6:1, which *is* likely to mean the new moon in this version of the regulation as the time of sacrifice is divorced from the firstling symbolism (below) and not contingent upon the birth of the flock. Unlike E's prescription for the sacrifice of the paschal lamb on the final day of the week, Deuteronomy situates it on the first day (Deut 16:6-8) and places the feast of unleavened bread after it.

However well recognized roasting is with the paschal sacrifice, it is only an imperative of P's Passover regulation and is not commanded in other Pentateuchal sources. E's use of the root *bšl* indicates boiling. Its moratorium on passing through the doors of the host's home once the sacrificial blood is smeared on the doorposts implies that the cooking is done indoors (Exod 12:22). As indoor cooking methods go, boiling is more common than roasting because of the amount of smoke that comes from roasting meat. D also stipulates that the sacrifice must be boiled but without restricting the meal to the private home: you will boil (*biššaltā*) and eat [the *pesaḥ* offering]<sup>42</sup> at the place Yhwh your god will choose (Deut 16:6).<sup>43</sup> P's innovation of roasting the paschal offering may arise

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<sup>40</sup> P's prescribed 11 days for Passover may be evidence of intercalation as P's solar calendar has eleven more days than the lunar year reflected in E, as Goldstein and Cooper suggest. See comments below.

<sup>41</sup> The festival (*hāg*) is the event in which sacrifice is offered according to E (Exod 23:18).

<sup>42</sup> Cf., Deut 16:6; the *zebah* here in D is referred to as simply the *pesaḥ*.

<sup>43</sup> The translation of the root *bšl* as "boil" is not standard. Rather, "roast" is preferred in most translations.

as an expansion of the JE injunction against boiling a kid in its mother's milk.<sup>44</sup> Exod 23:18-19 reads:

Do not offer (*tizbaḥ*) the blood of my sacrifice (*zibḥî*) on leavened bread (*ḥāmēš*). Let not the fat (*ḥēleb*) of my pilgrim sacrifice (*ḥaggi*) tarry until morning. The first of the firstfruits (*rē'šît bikkūrê*) of your field (*'admatkā*) you shall bring [to] the house of Yhwh your god. Do not boil (*tēbaššēl*) a kid in its mother's milk.<sup>45</sup>

Exod 34:25-26 offers a similar iteration.<sup>46</sup> Its primary variants are the substitution of *tišḥat* (34:25) for *tizbaḥ* (23:18), *šḥt* meaning to “kill” where *zḥ* means to “sacrifice” or “offer.” Also, the specification of *zebaḥ ḥag happesah* “the sacrifice of the festival of Passover” (34:25, J) appears in place of E's *ḥaggi* “my feast,” the feast of Yhwh.<sup>47</sup> The prohibitions against *ḥāmēš* (Exod 12:15; 13:3,7) and letting the ritual meal remain overnight (Exod 12:10) are characteristic elements of the *pesah/maššôt* complex.

Also in this context, the command of Exod 23:19a; 34:26a to bring “the first of the firstfruits” (*rē'šît bikkūrê*) to the house of Yhwh is curious. The terms *rē'šît* and *bikkūrîm* do not elsewhere coincide. Quite possibly the phrase represents the grain offering of

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<sup>44</sup> See Bernard R. Goldstein and Alan Cooper for further comment “The Festivals of Israel and Judah and the Literary History of the Pentateuch” *JAOS* 110 (1990) 29.

<sup>45</sup> Exod 23:19 (E); Exod 34:26 (J). The injunction against seething the lamb is often treated as a separate thought; however, its juxtaposition with the holiday suggests a correlation with, or at least makes it logically perpendicular to, *pesah/maššôt*. Other Pentateuchal sources deal with the injunction differently. P omits the prohibition on lamb in milk altogether and Deuteronomy separates it from Passover, grouping it with general dietary restrictions (Dt 14:21).

<sup>46</sup> Taken by Friedman as J, see Richard Elliott Friedman, *The Bible with Sources Revealed* (New York: Harper Collins, 2003). Note comments by B. Goldstein and A. Cooper in “Festivals” detailed below.

<sup>47</sup> There are minor syntactical and prepositional differences in Exod 34:25 and Exod 23:18. J's prepositional phrase “to the morning” (*labbōqer*) intervenes between the verb (*yālîn*) and its subject *zebaḥ ḥag happesah* (= verb, preposition, subject). E constructs its formula with the subject leading before the prepositional phrase *'ad bōqer* (=verb, subject, preposition).

*maṣṣôt*, *rē'šît bikkurê* being the heads of the new wheat that is just emerging from the ground.

The symbolism surrounding the Passover celebration in Deuteronomy, though mostly consistent with that of E and P, deviates sharply on one aspect of the ritual meal—the paschal offering. While the tradition of consuming *maṣṣâ* during the Passover week is explained as the ritual abstinence from leaven in accordance with its avoidance in the haste of Israel's escape from Egypt,<sup>48</sup> the sacrifice of the paschal lamb in Deuteronomy omits an integral aspect of its symbolism in E and P. In Exodus, the slaughter of the paschal lamb is performed in recollection of the means by which Israel averts the deadly plague that enables their escape.<sup>49</sup> Deuteronomy has no record of the death of the Egyptian firstborn. It mentions signs (*'ôtôt*), wonders (*môpētîm*), war (*milḥāmâ*), and terrors (*môrâ'im*) against Egypt (Deut 4:34) and the event of the Red Sea (Deut 11:5), but no word on the smiting of the firstborn and no reference of it in connection with the paschal offering.<sup>50</sup> Strikingly, Deuteronomy is silent on the imagery so central to the recollection of the slaughter in Egypt, ultimately distancing the firstling sacrifice from the ritual Passover meal.

### ***Origins of the Pesah/Maṣṣôt Complex***

Variation across the sources is dizzying. This is partly because, in reality, when we speak of Passover we are talking about a holiday that was based on a complex of firstling sacrifices of the vernal equinox, lamb (*pesah*) and wheat (*maṣṣôt*). These sacrifices

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<sup>48</sup> Exod 12:8-11 (P), 34-39 (E); Deut 16:3.

<sup>49</sup> E (Exod 12:21-27) and P (Exod 12:12).

<sup>50</sup> Deuteronomy treats firstling sacrifice separately from Passover: Deut 12:17; 14:23; 15:19.

probably related to the observable annual narrative of the ‘natural’ cycle of the year and were logically associated with other sacrifices and their attending phenomena. The future of flocks and crops depended on completion of sacrifices. The sacrifice at the appearance of new wheat (*maṣṣôt*) and the wheat harvest sacrifice are mutually dependent.<sup>51</sup> We see explanations for these antique rituals melded in the Pentateuch separated from the realm of natural phenomena, yet not without the residue of natural order.

Treatments of the origin and history of the *pesaḥ/maṣṣôt* complex are many.<sup>52</sup> One widely explored premise is that *pesaḥ* and *maṣṣôt* emerged independently of one another and were observed discretely for a time before their combination, which occurred for any number of possible reasons. In this regard, arguments fall along three main lines:

*Agricultural*— each holiday represents a distinct stage in cultural progression reflecting backgrounds that are either pastoral or agrarian, respectively, *pesaḥ* or *maṣṣôt*. Such is Guthe’s view in his analysis of Deuteronomy 16.<sup>53</sup> Guthe maintains that the agrarian *maṣṣôt* would have been pervasively known in Israel and Judah but that the *pesaḥ* would have been a herdsmen-only holiday. In this vein Guthe views the *maṣṣôt* festival as performed at a set time but the *pesaḥ* sacrifice as variable since it would have depended entirely upon the birth of the animals of individual flocks. Sacrifice took place on the eighth day after birth (Exod 22:29; Lev 22:27), a determining factor that was not

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<sup>51</sup> The countdown to Shavuot begins with Passover (Lev 23:15-16; Deut 16:9-11)

<sup>52</sup> For extensive bibliography and survey see J.B. Segal, *The Hebrew Passover, From the Earliest Times to AD 70* (New York: Oxford University, 1963).

<sup>53</sup> H. Guthe, “Passahfest nach Dtn 16,” in *Abhandlungen zur semitischen Religionskunde und Sprachwissenschaft, Wolf Wilhelm Grafen von Baudissin zum 26. September 1917 überreicht von Freunden und Schülern und in ihrem Auftrag und mit Unterstützung der Strassburger Cunitzstiftung* (BZAW, 33; ed. W. Frankenberg and F. Kuchler; Berlin: A. Töpelmann, 1918) 217-232.

predictable from year to year. Guthe is of the mind that the section dealing with Passover in Deuteronomy 16 was intended to extend the *pesah* ritual to a larger community and is the first source to regulate its time, the month of Abib, when most flocks give birth. He views Deuteronomy 16 as originally composed with just the *pesah* regulation and that, later, a redactor combined with it the *maṣṣôt* regulation.

*Canaanite versus Israelite practice*— Winnett suggested that *pesah* was a Canaanite holiday in origin and that gradually it merged with the Israelite *maṣṣôt*.<sup>54</sup> He bases the notion that *pesah* was not an original Israelite practice on the fact that it is not mentioned in what he refers to as the “Mosaic Ritual Decalogue” (Exod 23:10-19)<sup>55</sup> or the “Mosaic Supplementary Code” (Exod 21:1-23:9),<sup>56</sup> which have *maṣṣôt* instead. He considers Moses to have written both of these documents and assumes that the inclusion of *pesah* elsewhere is later and of Canaanite origin, encountered sometime after the settlement period. The merger of *pesah* and *maṣṣôt*, he asserts, began with Hezekiah (2 Chronicles 30) and was completed by the time of Josiah (Deuteronomy 16).

Pedersen perceives the opposite of Winnett: that *pesah* was derived from pre-exodus Israelite nomads, while *maṣṣôt* was the new grain harvest festival of Canaan.<sup>57</sup> He looks at the biblical account of Exodus 1-15 as depicting stages in a dramatic ritual routine telling the events of the actual Israelite exodus from Egypt and reflecting the culture of Israelites settled in Canaan.<sup>58</sup> In Pedersen’s view the events of Israel’s escape from Egypt

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<sup>54</sup> F.V. Winnett, *The Mosaic Tradition* (Near and Middle East Series, 1; Toronto: University of Toronto, 1949) 155-157.

<sup>55</sup> *Mosaic Tradition* 34.

<sup>56</sup> *Mosaic Tradition* 37.

<sup>57</sup> J. Pederson, *Israel. Its Life and Culture* (London: Oxford University Press, 1959) 2.384-418.

<sup>58</sup> *Israel* 397.

were re-enacted annually and culminated in the performance of the Exodus 15 paean and the women's dancing ritual.<sup>59</sup> He associates the paschal offering with a Bedouin offering, calling it "typically Israelitish" and maintaining that the tribes were communal keepers of flocks.<sup>60</sup> While Pedersen does suppose it possible that eating unleavened bread was likewise a Bedouin custom, he entertains over against this that *maṣṣôt* was in the diet of Canaanite peasants, citing Gen 19:3; 1 Sam 28:24, and was therefore Canaanite in origin.<sup>61</sup> Pedersen further says that the week-long duration of the eating of *maṣṣôt* was so significant that it indicated an independent celebration rather than the amplification of *pesaḥ*. This feast, he suggests, was in origin the barley festival. Pedersen views the antique firstling festival of Israelite nomads, *pesaḥ*, as merging with *maṣṣôt*, the holiday acquired in Canaan, simply because occurrence of their natural phenomena so closely coincided.

The arguments thus far base their reconstructions of independent observances of *pesaḥ* and *maṣṣôt* on a theory of a "nomadic," not migratory, early history, and ignore the historical prevalence of dimorphic agrarian economies, imposing an evolutionary model of social development on the holiday complex.<sup>62</sup>

Regarding the approach to determine chronological priority, the answer is opaque and the line of inquiry wrongheaded. In Israel, the lambing season with which *pesaḥ* is most closely identified naturally coincides with the emergence of new vegetation/grain,

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<sup>59</sup> *Israel* 411-12.

<sup>60</sup> *Israel* 398.

<sup>61</sup> *Israel* 399.

<sup>62</sup> Anatoli Khazanov, *Nomads and the Outside World* (Cambridge: Harvard University, 1984); M.B. Rowton, "Autonomy and Nomadism in Western Asia" *Orientalia* 42 (1973) 247-258; *Journal of the Economic and Social History of the Orient* 17 (1974) 1-30. Phillip J. King and Lawrence E. Stager *Life in Biblical Israel* (Louisville: Westminster John Knox, 2001) 112-122.

*maṣṣôt*. It seems likely that these phenomena would be simultaneously observed in the form of famine and feast. The question then becomes which form of domestication, flock or crop, came first. Both of these agricultural aspects were domesticated during the Neolithic era (PPNB) at the latest and, although the need to feed the flock with crop is perhaps a more appealing scenario, it is impossible to know with absolute certainty which aspect developed in response to the other. At this level the question is moot, as we have no idea of what sort of theological awareness would have attended the observance (which is stymieing in terms of analyzing the Passover ritual proper).

**Regional distinction**— practices in the north versus those of the south in settled Israel. This source critical approach is supported in part vis-à-vis the distribution of nomenclature used within the Pentateuch for *pesah* and *maṣṣôt*, especially the exclusive use of the term *maṣṣôt* in the earliest of the northern sources, E. The E source does not refer to the New Year's holiday as *pesah* at all, but, rather, calls it *ḥag lēyhwh* (Exod 10:9; 13:6) or *ḥag hammaṣṣôt* (Exod 23:15). Beer argues that Israel celebrated three independent spring festivals.<sup>63</sup> In the south, *pesah* was at the full moon to mark the beginning of the barley harvest season. In the north, *maṣṣôt* was at the full moon (Exod 23:15). A sheaf offering was performed not at a fixed date but when the crop reached sufficient development (Lev 23:9-12). The two full moon ceremonials are merged by the era in which P (what Beer calls P1 and P2) is written.

In their analysis of Israel's festival system, Bernard Goldstein and Alan Cooper put forth the hypothesis that one can divide the calendar into two basic "traditions" of Northern and Judean sources, (E and D, and J and P, respectively). They understand the history of

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<sup>63</sup> Beer, *Pesachim*.

the festivals in the light of the political and religious interaction between the Northern kingdom and Judah, especially during the eighth century B.C.E. They hold that the person who initially combined the two festival traditions, the redactor of J and E (RJE), was a priest related to the Shilonite line who was presiding in Jerusalem during the time of Northern suzerainty over Judah, sometime after Jehoash's conquest of Judah at the turn of the eighth century.<sup>64</sup>

In their view, RJE essentially consists of E as a supplement to J, but the material that the redactor added was probably preexistent. The Redactor "sought to blunt the Davidide thrust of the Judean "epic" by weaving Northern cult etiologies and heroes (especially Joseph and Moses) into the account," revising the story to reach its climax with the Exodus and the covenant at Sinai. In the process, the redactor imported the Decalogue and the Northern Covenant Laws into Judah, as well as the spring festival, *maṣṣôt*. *Maṣṣôt*, which they call "the foundational festival of northern national identity," prevails in the northern source, E, and is not evidently native to Judah.<sup>65</sup>

They suggest that the Judean holiday system was bifurcated and had complementary spring (*pesah*) and fall (*kippurîm*) commemorations originally celebrated on the 10<sup>th</sup> day (as in Exod 12:3) of month Two (by the Babylonian Calendar) but had no *maṣṣôt*. They appeal to two primary pieces of evidence: the apparent calendric finagling that realigned Passover to the 14<sup>th</sup> of month One (as in Exod 13:6) only to later realign it to the 14<sup>th</sup> day of month Two (Num 9:10-12).<sup>66</sup> This is how they account both for the fact

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<sup>64</sup> "Festivals" 19–31.

<sup>65</sup> "Festivals" 22.

<sup>66</sup> "Festivals" 25.

that E never refers to the New Year's *holiday* as *pesah*<sup>67</sup> and for the ostensible discrepancy between the E and P calendars that leaves a four-day period of waiting between the selection of the paschal lamb and its sacrifice. *Maṣṣôt* in E marks God's victory over death— Israel is the redeemed *běkôr* and Egypt is Death vanquished (this valence also occurs in P). Agricultural aspects are integral but not clearly ascertainable in their view. RJE, they go on to argue, harmonized J's Judean cultic calendar with E's and interwove the *maṣṣôt* and *pesah* etiologies in order to encourage the northern holiday's observance in Judah.<sup>68</sup>

Goldstein and Cooper's analysis based on the regional distribution of terminology by source presents a cogent line of argument. However, there is insufficient evidence to rule out entirely the coincidence of the ceremonials of *pesah* and *maṣṣôt* in the Northern and Southern kingdoms simultaneously, which is reflected in the law codes of Exodus 23 (E) and 34 (J). The regionally distinct uses of *pesah* and *maṣṣôt* to denote the Passover week may plausibly be considered as shorthand for a week including both ceremonial portions as opposed to a week consisting of only one ceremonial without the other.

Goldstein and Cooper suggest that the Exodus narrative can be viewed as a tripartite cultic pattern of enslavement, liberation, and celebration. They trace it to a ritual meal of the early Israelite ancestor cult,<sup>69</sup> suggesting a process of literary recasting in which elements of an underlying cultic celebration have been co-opted, adapted and

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<sup>67</sup> E only calls it *ḥag yhw* (Exod 10:9), *ḥag lēyhw* (Exod 13:6), and, *ḥag hammaṣṣôt* (Exod 23:15). The term *pesah* does appear in E; however, it is only used as a referent to the lamb sacrifice and not to the holiday itself.

<sup>68</sup> Exod 34:18, for example, comports with E's use of the term *ḥag hammaṣṣôt*.

<sup>69</sup> Alan Cooper and Bernard R. Goldstein "Exodus and Maṣṣot in History and Tradition" *Maarav* 8 (1992) 15-37.

transformed.<sup>70</sup> To this suggestion I shall add my own, that the Bible gives evidence for ritual practice of ancestral veneration in Judges 11; 21; and 1 Samuel 1 fitting Goldstein and Cooper's criteria perfectly. It is a forerunner to E's Passover story, an antique version of the New Year's celebration taking place at Shiloh.

### *The Festivals of Shiloh*

The Passover that Josiah championed is just part of the story, overlying a much more complex historical picture. We have already seen the array of variation in the Pentateuch's Passover prescriptions and have entertained briefly the notion that the Passover of these accounts stems from a melding of distinct ceremonials belonging to an overarching observance of the vernal New Year. If *pesah* and *maṣṣôt* were ever perceived in isolation from one another it was likely for a brief moment by a small number. I propose that we may consider their ceremonials as separate but complementary holiday portions integral to an encompassing commemoration of the season of the vernal equinox. The sources in which the Exodus/Passover relationship is paramount coincide with the ascendancy of Jerusalem as the primary religious precinct of the united monarchy.

If we take Goldstein and Cooper's suggestions that a redactor with ties to the Shilonite priesthood brought the E source to Jerusalem and that its Passover story is an interpretation of the celebration of the ancestor cult, then a more detailed description of the holiday's background may emerge from depictions of the celebration at Shiloh.

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<sup>70</sup> They suggest that this process is replete with polemical intent, but do not go into specifics.

While the Bible does not explicitly mention celebration of *pesah* or *maṣṣôt* at Shiloh, two accounts of a festival taking place at Shiloh warrant a closer look. These accounts end Judges and begin Samuel, joining the books together. The stories depict a *ḥag yhw*, “festival of Yhwh” (Judg 21:19) and an event in which *zebah hayyāmîm* “sacrifice of the year” is performed (1 Sam 1:3 cf., 1:21; 2:19).<sup>71</sup> They use a common temporal referent, *miyyāmîm yāmîmāh* “from year to year” (Judg 21:19; 1 Sam 1:3) to denote the annual occurrence of their holiday. They use terminology to describe the holiday that they depict that elsewhere appears in connection with Passover prescriptions of the Pentateuch.<sup>72</sup> Let us intuit that the contiguous and topically related accounts of Judges 21 and 1 Samuel 1 connect in a continuous narrative and that they speak of the same holiday separated by at least a single year or maybe more.

Judges 21 tells how the tribe of Benjamin abducted the women of Shiloh who came out in a ritual routine at the festival of Yhwh. The Benjaminite women had been wiped out during the war (Judg 21:16). The men abduct and marry women from the rest of Israel’s tribes, those who have assembled at the *ḥag yhw*, “festival of Yhwh” (Judg 21:19). Benjamin’s would-be mothers have perished at the hands of Israel’s tribal league that mustered against it. In turn, Benjamin’s remnant takes daughters from each of the Israel tribes. Following the capture of the women, 1 Samuel 1-2 focuses on a single family from

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<sup>71</sup> *zebah hayyāmîm* translates either as “sacrifice of the days” or “...the year.” The plural of *ywm* occasionally denotes the span of a year or more rather than “days.” See below for the use to *yāmîm* to mean “year.” The context of this occurrence is annual. I have chosen to reflect this in the above translation. The phrase *zebah hayyāmîm* appears once more in 1 Sam 20:6 but is set in Bethlehem rather than Shiloh.

<sup>72</sup> See below. The phrase *miyyāmîm yāmîmāh* and *zebah* are elsewhere found primarily in connection to Passover; *ḥag yhw* is used several times for Passover and is found once in connection with *sukkôt* (Lev 23:39, 41).

Mt. Ephraim [Benjamin]. The family, Elkana, his two wives Peninah and Hannah, and Peninah's children are, presumably, at the same festival some time later. Unlike Peninah, Hannah has no children. Hannah's successful attempt to entreat Yhwh to overcome her barrenness is the focal point of the story.

The accounts show particular interest in women's activities relating to the holiday. Language and themes connect this pair of stories to the festival in honor of Jephthah's daughter in Judges 11. The story of Jephthah's daughter depicts the foundation of a yearly festival that all the daughters of Israel attend (Judg 11:39b-40):

It became an ordinance (*ḥōq*) in Israel: from year to year (*miyyāmîm yāmîmāh*), the daughters of Israel would go to commemorate (*lētannôt*) the daughter of Jephthah the Gileadite four days in the year.

The basis for the women's ritual is the sacrificial death of a virgin, the firstborn child of Jephthah. The temporal referent *miyyāmîm yāmîmāh* occurs again here. Use of the term *ḥōq*, meaning "ordinance" or "statute," signifies the ritual's importance.<sup>73</sup> Passover is an eternal *ḥōq* in Exod 12:24. The verb signifying "commemorate" (*lētannôt*) is related to the root *šny* "two" (PS \**tny*) and has the nuance of "repeat" or "reenact."<sup>74</sup> Different stages in the biblical narrative, such as the daughter's emergence in dance (v.34), the

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<sup>73</sup> See entries for *ḥōq* and *ḥuqqâ* in F. Brown, S.R. Driver, and C.A. Briggs, *The Brown-Driver-Briggs Hebrew and English Lexicon: With An Appendix Containing the Biblical Aramaic* (Peabody: Hendrickson Publishers, 1996).

<sup>74</sup> The meaning of *tnh* is obscure in this and every other biblical context in which it appears. A possible cognate is found in the corresponding Ugaritic root, *tnh*, meaning to "repeat, retell." In addition to the verse here in Judges 11:40, the root otherwise appears only in Judges 5:11. However, the root *tnh* is most likely provided in Judges 5:11 as a third masculine plural Piel verb, *yētannû šidqôt Yhwh* "let them *chant* [from repeat/retell] the gracious acts of Yhwh."

acceptance of her fate (v. 36), her and her companions' wandering and wailing (vv. 37-38), and her return for sacrifice, may be intended to correlate to a reenactment ritual.<sup>75</sup>

The story of Jephthah's daughter precedes the stories of Judges 21 and 1 Samuel 1-2 and provides the social context and explanation of the holiday's celebration. Judges 21 offers scant detail of its festal context. The account's emphasis, rather, is on the post-war struggles and machinations of the tribe of Benjamin. Identification of the commemoration of Jephthah's daughter as the basis for the holiday taking place at Shiloh in Judges 21 rests on the following fact: the event's participants are exclusively female; the women engage in dance; it is a yearly occurrence. Judges 21:19-21 demonstrates:

They [the elders of the congregation of Israel] said 'Look, there is a festival of YHWH (*ḥag yhwḥ*) in Shiloh yearly (*miyyāmîm yāmîmāh*).' And they instructed the Benjaminites, saying, 'Go lie in wait in the vineyards and see; and, look, if the daughters of Shiloh come out to whirl about in dances, then come out of the vineyard and take captive for yourselves, each man his wife from the daughters of Shiloh and go to the land of Benjamin.'

The *ḥōq* in Judges 11:40 requires that all Israelite females gather annually to commemorate the daughter who first appears in the story dancing. The women's ritual of dancing at the annual festival in Shiloh alludes to the *ḥōq* of Judges 11.

The capture of the women from the festival at Shiloh was instrumental for the survival of the tribe that the civil war had brought to the brink of annihilation.

The next chapter begins with the same festival at Shiloh, at an indeterminate time. The narrative focus narrows now on one woman, Hannah, and the continuation of her line. 1 Samuel 1-2 is the birth narrative for Samuel, the prophet of Shiloh who anointed Saul

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<sup>75</sup> See additional comments below.

and David. Hannah's barrenness and her miraculous conception after vowing a solemn oath to Yhwh are central to the ensuing narrative sequence. As in Judges 11, the themes of childlessness and offering of the first-born are integral to the account. Hannah is at the festival in Shiloh when she prays for an end to her years of barrenness. She makes a vow to offer to Yhwh the child that she will conceive as a life-long Nazirite.

Many details of the holiday in these three accounts resonate with the commemoration prescribed in correlation to the Exodus Passover. These are identification of the holiday as a *ḥōq* (Judg 11:39), appearance of the phrase *ḥag yhwh* (Judg 21:19), use of the temporal marker *miyyāmîm yāmîmāh* (Judg 11:40; 21:19; 1 Sam 1:3), the identification of the sacrifice as a meat offering, *zebah* (1 Sam 1:3), and the theme of sacrifice/dedication of the firstborn (Judges 11 and 1 Samuel 1).

Judges 11 reports that it became a *ḥōq* in Israel for all the women of Israel to go commemorate the daughter of Jephthah the Gileadite. Judg 21:16-23, by all appearances, focuses on the Israelite women who are keeping this *ḥōq* and identifies the holiday as a feast of Yhwh, *ḥag yhwh* (Judg 21:19). E's Passover prescription similarly refers to the *maṣṣôt* holiday as a *ḥuqqâ* (Exod 13:10) and *ḥag lēyhwh* (Exod 13:6). In Exod 10:9 (E) Moses asks Pharaoh for permission to go out for a *ḥag yhwh*. It becomes clear from the context of the phrase's next appearance, Exod 13:6, that the *ḥag lēyhwh* in this context is Passover. While P uses the expression in reference to Passover and Sukkot within its ritual

calendar,<sup>76</sup> its use in E is restricted to *maššôt* and may represent the notion of the *holiday par excellence* in the northern source.<sup>77</sup>

Judges 11; 21; and 1 Samuel 1 each identifies the holiday by use of the temporal marker *miyyāmîm yāmîmāh*. The phrase *miyyāmîm yāmîmāh* is typically understood to mean annually, appearing in the KJV and JPS as “yearly” or “from year to year.” Repetition of the root *ywm* with modifying elements is the basis of the phrase. The root far more commonly means day, but the form in which it appears (*yāmîm*) has the meaning of “year” in addition to being the standard plural of *yôm* “day.”<sup>78</sup> Affixed to this base are preposition *min* followed by morphological doubling and the directive suffix *-āh*, hence, “from year to year.”

Despite the phrase’s translation as a general temporal marker its semantic range is quite narrow. The context of its application is exclusively festal. The Bible suffers no shortage of phrases to denote annual occurrence. The expressions “yearly” in the sense of per year *layyāmîm* (Judg 17:10); “at the end of every year” *miqqeš yāmîm layyāmîm* (2 Sam 14:26); “year by year” *šānâ bēšānâ* (1 Sam 1:7); “yearly” *šānâ šānâ* (Deut 14:22); “year after year” *šānâ ’ahārê šānâ* (2 Sam 21:1) all occur in the Bible. *miyyāmîm yāmîmāh* is the only one of these phrases consistently used in a festal context.

Application of the phrase *miyyāmîm yāmîmāh* in connection with a specific holiday occasion points to its use as a *terminus technicus*. The phrase appears in the stories of the

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<sup>76</sup> Lev 23:6 (*pesah* appearing as *ḥag hammaššôt lēyhwh*), vv. 39 and 41 (*sukkôt* as *ḥag yhwh* and *ḥag lēyhwh*).

<sup>77</sup> The exception is Exodus 32, the story of the making of the Golden Calf. When Aaron sees the newly cast molten image he declares that a *ḥag lēyhwh* is nigh. This may represent either the Passover feast that they have traveled out of Egypt to celebrate or a rival to it.

<sup>78</sup> Contexts in which *yāmîm* means “year”: Lev 25:29; Judg 17:10; 1 Sam 27:7; 2 Sam 14:26; 1 Chron 21:19.

abduction of the Shilonite women (Judges 21) and Hannah’s conception (1 Samuel 1) as a *Leitwort* signaling the occurrence of the holiday described in Judges 11. In the Torah, E uses the phrase explicitly in connection with *maṣṣôt*. Exod 13:10 contains E’s prescription for commemorating Yhwh’s victory over Pharaoh and execution of the Egyptian first-born: *wěšāmartā ’et haḥuqqâ hazzō’t lēmô’ādāh miyyāmîm yāmîmāh*, “you shall keep this ordinance according to its season annually.” The *ḥuqqâ* is to be observed during the month of *’ābîb* (Exod 13:4). In this context the phrase *miyyāmîm yāmîmāh* implies the limen between the passing year and the year to come— New Year’s.

The phrase appears in the context of a *zebaḥ hayyāmîm* “sacrifice of the year” in 1 Sam 1:3, 21, adding to the likelihood of its having a specialized semantic range. Perhaps the *zebaḥ hayyāmîm* is the original referent to the phrase *miyyāmîm yāmîmāh*. I would be remiss to omit from this discussion that the Stele of Kuttamuwa, a 9<sup>th</sup> C BCE Aramaic inscription from Zincirli (modern day Turkey, ancient Sam’al) uses a similar phrase “year to year” (*ymn lymn*) to stipulate the frequency of sacrifice to an individual requesting offerings made to his spirit.<sup>79</sup> The stele’s inscription claims that it houses the disembodied spirit (*nbš*) of Kuttamuwa who commissioned its making. It enjoins anyone in possession of Kuttamuwa’s real estate to make an offering from the land’s yield in the generations after Kuttamuwa’s death and to set aside a meat offering, the *šq*, a leg-portion, for him *ymn lymn*, “every year.”

The stele uncovered at Zincirli provides an example (in Aramaic) of an adverbial phrase articulated with *yôm* in a festal context. It seems to stipulate yearly occurrence,

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<sup>79</sup> Dennis Pardee “A New Aramaic Inscription from Zincirli” *BASOR* 356 (2009) 51-71. Seth L. Sanders “The Appetites of the Dead: West Semitic Linguistic and Ritual Aspects of the Katumuwa Stele” *BASOR* 369 (2013) 35-55.

perhaps analogous to the biblical phrase *miyyāmîm yāmîmāh*.<sup>80</sup> The inscription demands a local, ancestral offering of produce from the vineyard and from flocks. It describes a similar kind of sacrifice as the *zebah hayyāmîm* of the Bible, the major difference being that Kuttamuwa's inscription demands that his descendants or whoever else may own his property make offering to the deceased. This is not the case with the biblical *zebah hayyāmîm*, which is a sacrifice only to Yhwh.

The biblical authors who use *miyyāmîm yāmîmāh* may have chosen it to indicate the annual observance in which one offers the *zebah hayyāmîm* (as in 1 Sam 1:3, 21). *zebah* appears in connection to *pesah* severally: *zebah ḥag happesah*; *zebah pesah*; *zibḥî*.<sup>81</sup> *Pesah/maššôt* is the only identifiable festival to which the term *zebah* is applied. Of the three major festivals represented in the Pentateuchal cultic calendars of Deuteronomy (Deuteronomy 16), the Exodus Covenant Code (Exod 23:13-17 (E)) and J's Decalogue (Exodus 34) the only one that requires a meat offering (*zebah*) is Passover.<sup>82</sup>

There are only five occurrences of the phrase *miyyāmîm yāmîmāh* in the Bible. These are E's *maššôt* regulation (Exod 13:10) the aforementioned Judges/Samuel occurrences (Judg 21:19; 1 Sam 1:3; 2:19) and the sacrifice of Jephthah's daughter (Judg 11:39b-40).

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<sup>80</sup> In his commentary on the Stele, Pardee enlists help for translating the phrase *ymn lymn* from the 1 Sam 1:3 occurrences of *miyyāmîm yāmîmāh*. Pardee, "Inscription from Zincirli" 58.

<sup>81</sup> Exod 34:25; Exod 12:27; Exod 23:18.

<sup>82</sup> P is the exception. Lev 23:19 demands a *zebah šělāmîm* with Shavuot in addition to Passover.

### *His and Hers*

The aforementioned correlations between the Judges/Samuel and Exodus *pesah*/*maṣṣôt* texts point strongly to the possibility that the holiday that the story of Jephthah's daughter depicts is a version of the holiday that the Pentateuch calls *pesah* or *maṣṣôt*, but there is one obvious difference. The Passover regulations of the Pentateuch apply chiefly to the male members of the Israelite community, whereas the holiday in Judges/Samuel is for women only.

This notion of a female firstborn sacrifice may give the reader pause as the male firstling sacrifice prevails in the Pentateuch; however, as we shall see below, the Covenant Code's prescription (Exod 22:29) makes no such specification, leaving us with the possibility that there was a time in which the sacrifice could be female.

This brings us back to the question of the much-hypothesized independent ceremonials (*pesah* and *maṣṣôt*) that undergird the Pentateuch's Passover presentations. To my knowledge, in all the copious works done on the subject, no one has ever entertained the possibility of dividing the ceremonials along gender lines. Perhaps what we are seeing in the women's festival in Judges and Samuel is evidence for the Passover festival having had separate ceremonials in which the Israelite community segregated itself into male and female cohorts.

The four-day duration of commemoration in Judges 11 is atypical for a full festal context and may indicate its relatedness to another festival, completing the holiday week. Judges 11; 21; and 1 Samuel 1 do not expressly connect the holiday to any other festival; however, we can see it as a constituent of the Passover complex in which women comprise the cohort of a special ritual routine. While there is no record of a four-day festival of any

kind elsewhere in the Hebrew Bible, a residue of the ritual may be found in P's instruction to acquire the sacrificial animal four days prior to its slaughter. Exod 12:3-6 stipulates a four-day period in which the paschal lamb is to be chosen and held aside before its slaughter— on the tenth of the month the lamb is to be obtained and kept until sacrifice on the fourteenth.

Perhaps what we are seeing in the story of Jephthah's daughter is an alternative etiology for the event. One that reflects the special interests of females in the Israelite community.

The story of Jephthah's daughter leaving with her cohort to lament her impending death reflects the women's ritual narrative. The story that her father tells, that of Israel's emergence from Egypt (Judg 11:12-22), belonged to the males of the community. The *pesah* slaughter was essentially a male ritual. The language used in the Pentateuchal accounts implies that the father presided over its performance, as in "when your child [son] asks you 'what is this?' you shall say to [him]" (Exod 13:14). The emergence from Egypt was retained as the basis for the Pentateuch's Passover history, but Jephthah and his daughter faded into relative obscurity.

### *The Feminine Mystique*

Before further entertaining the possibility that the story of Jephthah's daughter reflects a component of the Passover ritual, it would be beneficial to establish the characteristics of the daughter's persona as indicated in the biblical account. If given that Jephthah's daughter is identified only through relationship to her father, we must first examine his background before we can understand hers.

Jephthah was a folkloric hero of the Transjordan, specifically identified with the territory of Gilead, in the tribes of Gad and Manasseh. The story of his military accession takes place at Mišpeh Gilead and is set generically in a time of conflict between Gilead and neighboring Ammon. Jephthah was a clan leader and judge of dubious background. The son of Gilead, the tribe's eponymous figure, his name *yiptāh*, is commonly understood as a hypocoristic theophoric, the strongest candidates for its derivation being *yiptah'el* or *yiptahyāh*, "he [the divine entity] opens [the womb]." His name insinuates the claim of Jephthah's being first-born. He was born illegitimate (*ben 'iššā zônā*). Jephthah's brothers, sons of Gilead's wife, harassed and dispossessed (*grš*) him on account of his mother, the so-called "other woman" (*'iššā 'aḥeret*).

Expelled, Jephthah falls in with the riff-raff fighters of Tov (*'ānāšīm rēqîm*). He leads their "going out" (*yš'*, meaning from the context probably marauding excursions). Evidently, he builds quite a reputation for himself, and word gets around that he is formidable. Those who have divested him end up entreating him to return for battle against the Ammonites, offering him the role of *qāšîn* (commander) among them. Jephthah assents to their request on the condition that, should he lead them to victory, he would become their leader (*rō'š*). The deal for Jephthah to become *qāšîn* and *rō'š* is made official when Jephthah speaks "all his words before Yhwh at Mišpah" (Judg 11:11). The traditional term for king, *melek*, is avoided in application to Jephthah— Judges outwardly denies a successful kingship among the Israelites prior to Saul<sup>83</sup>— but *rō'š* in this context implies rule; *qāšîn* and *rō'š* is essentially the same as saying "commander and chief."

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<sup>83</sup> Gideon rejects kingship (Judg 8:22-23) and Abimelek's attempt to rule over Shechem is cut short (Judges 9).

The story of Jephthah fits the pervasive *hero myth cycle* wherein the protagonist comes from a prominent family but loses everything; the hero endures conflict and overcomes adversity.<sup>84</sup> The most widely known cases of this motif in the Hebrew Bible are the stories of Joseph and Moses. Joseph is a particularly interesting example for us to consider here, as he is an ancestor of Jephthah, his great-great-grandfather.<sup>85</sup> Like Jephthah, Joseph had the same father as his brothers but a different mother; his brothers thrust him into exile only to later come humbly back to him for refuge. Joseph became a vizier in Egypt. Jephthah rose to Israel's highest pre-monarchic rank.

Jephthah's successful military campaign against the Ammonites hung on an open-ended vow to Yhwh. He entreated Yhwh for aid in battle with a precariously-worded vow to offer that which would greet him on his safe return home. Judges 11:30 plainly depicts the conditions:

If you surely give the Ammonites into my hand, then the one that comes out the door of my house to me upon my peaceable return from the Ammonites shall be Yhwh's, and I will offer it up as a burnt offering.

Upon Jephthah's arrival home his daughter came out of his house, greeting him in celebration. The reunion of father and daughter is the first interaction between the two in the story. Some 33 verses have gone by without mention of her. Her existence remained completely undisclosed at the time that Jephthah made the vow. Concealed until now, the

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<sup>84</sup> On the hero archetype see the following major works: Lord Raglan, *The Hero: A Study in Tradition, Myth, and Drama* (New York, Vintage Books, 1936); Otto Rank, *The Myth of the Birth of the Hero: A Psychological Interpretation of Mythology* (New York: The Journal of Nervous and Mental Disease Publishing Company, 1914); Joseph Campbell *The Hero With a Thousand Faces* (New York, Pantheon Books, 1949).

<sup>85</sup> If we put together a genealogy of Jephthah based on extant biblical genealogies we see that it consists of a line of first sons traced back to Joseph, the first born of Jacob with Rachel: Joseph, Manasseh, Machir, Gilead, Jephthah.

daughter finally emerges from the house. This is the single greatest jolt of the story. Seeing her for the first time since his vow, Jephthah, along with the audience, realizes that taking the life of his daughter is necessary to fulfill the oath. He blurts out “Aha!” at the realization, articulating the suddenness and simultaneity with which the reader and the characters experience the shocking moment. For the reader, the daughter is no sooner brought to life than her end becomes imminent and the point so clearly represented. Death is the thing for which she is made.

Seeing her for the first time since he had sworn the oath, Jephthah tears his garments, declaring:

Aha! My daughter, surely you have brought me to my knees,  
you have become my trouble. For I have opened my mouth  
to Yhwh and I am unable to turn back.<sup>86</sup>

It is notable that although Jephthah acknowledges his vow he leaves the details completely undefined. Yet the daughter seems keenly aware of her situation. She answers:

My father, you have opened your mouth to Yhwh. Do to me  
as has gone out of your mouth, because Yhwh has avenged  
you over your enemies, the sons of Ammon.<sup>87</sup>

The wording with which Jephthah reveals his vow “I have opened my mouth to Yhwh” (*pāšîti et-pî ’el yhwh*) not only suggests opening one’s mouth in a reckless speech (Job 35:16) but also furthers the mood of impending danger. The word elsewhere appears of devouring (Lam 2:16; 3:46; Ps 66:14) and is reminiscent of the ground opening its mouth to take the blood of the slain or to swallow the living. Cain is cursed from the earth which “opened its mouth” (*pāštâ ’et pîhā*) to take his brother’s blood (Gen 4:11). The earth

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<sup>86</sup> Judg 11:35.

<sup>87</sup> Judg 11:36.

opened its mouth (*pāštā hā'ādāmā 'et pīhā*) to swallow Dathan and Abiram and their lives went down (*yrd*) to Sheol (Num 16:30, 32-33; Deut 11:6).<sup>88</sup> The use of *pšh* stands out in the instance of Jephthah's vow precisely because we might alternatively expect to see *pth* instead as a play on his name, *yiptāh*. While we have come to associate Jephthah with the pyrrhic victory resulting from his ill-fated vow, the author does not emphasize that association by punning on his name at the moment of the vow's unveiling. If anything, the root *pth* is avoided at this juncture.

The daughter then goes on to ask for time to lament, never having married, before he carries out his end of the bargain.

Let this thing be done for me, let me alone for two months  
that I may go and descend upon the mountains, that I may  
weep over my maidenhood, I and my companions.<sup>89</sup>

The exchange between Jephthah and his daughter is especially terse compared to the loquaciousness in previous communications to the king of Ammon. Jephthah never informs his daughter of the nature of his vow. Her response, however, suggests that she understands her unspoken fate. She credits Yhwh for her father's victory in battle and reinforces his sense of obligation to uphold his end of the bargain. She surmises that he is not alone in bearing responsibility for complying with the vow. She assumes that she is equally bound to his word and that they must together render payment in exchange for victory. Finally, she asks for postponement of the vow so that she may "bewail" her

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<sup>88</sup> These three occurrences of the phrase *pāštā 'et pīhā* are the only in the Bible. The occurrences in Genesis and Numbers are in J. The occurrence in Deuteronomy seems to quote the occurrence in Numbers. See Friedman, *The Hidden Book* 382, 388.

<sup>89</sup> Judg 11:37.

virginity. She considers her death imminent and assumes that her chance to bear children has passed her by.

While the reader is still stunned by the consequence of her emergence, the daughter herself does not seem to be. Neither does Jephthah reveal to her the contents of the vow, nor does she inquire for information to that effect. She is incommensurately well informed nonetheless. Far from being blind to the consequences of her father's promise, the daughter knows what awaits her. The author reckons that she must be familiar with the possibility.

With a puzzling coupling of contradictory terms, she specifically asks that her father let her “go down upon the mountains” (*yāradtî ‘al hehārîm*) to bewail her maidenhood. Pairing the directional *yārad* “to descend, go down” with the notion of going up to the mountain provides an anomalous, if not completely paradoxical, statement. J. Sasson explains away the perplexing notion of moving upward by descent treating *yārad* as a biform of *rwd*, meaning “to wander.”<sup>90</sup> The greatest problem with his proposal is that the word in question, *yāradtî*, does not fit the normal pattern of a verb the type of *rwd*. Rather, the consonantal and vocalic patterns of the word in question match every other instance of *yrd* as a verb in the first-person singular perfect.<sup>91</sup> Regardless of this fact, many translations substitute “wander” *rwd* in place of “go down” *yrd*.<sup>92</sup> While these translations gloss over the matter entirely, the JPS retains *yrd* as the root in this verse and acknowledges its directional qualities. It also posits an explanation for the root's use in this passage finding a textual counterpart in Isa 15:3 with which to attest its use of going down upon an

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<sup>90</sup> Jack Sasson, *Judges* (Anchor Bible; New Haven: Yale University Press, 2014) 209.

<sup>91</sup> If the root were actually *rwd*, the I perfect form would appear as *radti*. Sasson gives no explanation of the preformative *yodh*.

<sup>92</sup> NIV and KJV use *rwd* instead of *yrd*.

elevation “on their roofs and in their streets they all shall howl, going down (*yôrēd*) in weeping (*babbekî*).”

The presence of *yrd* need not seem out of place in this turn of phrase, as it would be apt for the daughter in her circumstance. It may be metaphorical, as in the Isaiah 15 use above, or, depending upon the location of Mišpeh Gilead, it may be topographically relevant. If Jephthah’s home, Mišpeh Gilead, is in the area of the Golan then to go to the mountains of nearby Galilee would indeed require descent. On the other hand, given the nature of Jephthah’s vow, its use may lean toward the metaphorical. The root *yrd* appears more frequently than any other word in biblical literature to discuss the descent to death. Of the 379 occurrences of the root, it appears 53 times in the context of a descent to death (approximately 14%).<sup>93</sup> Numerous occasions of its use in contexts of death and mourning link *yrd* to *šē’ōl*, the biblical locale of death, and to *habbôr*, literally “the pit.”<sup>94</sup> Hannah’s prayer (1 Sam 2:6) exalts Yhwh as one who “kills and makes live, brings down to Sheol and brings up.” Jonah 2:6 likens death to descending (*yrd*) to the extremity (*qšb*) of a mountain where the bars of the earth (*hā’āreš*) close over forever (*lē’ōlām*).<sup>95</sup> At the proposed loss of his son in Gen 37:35, Jacob expects to go down (*’ērēd*) to *šē’ōl* mourning

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<sup>93</sup>See *yrd* in Avraham Even-Shoshan, *A New Concordance of the Old Testament* (Jerusalem: Kiryat Sefer, 1985). Gen 37:35; 42:38; 44:29, 31; Num 16:30, 33; 1 Sam 2:6; 1 Sam 26:10; 1 Kgs 2:6, 9; Job 7:9; 17:16; 33:24; Ps 22:29; 30:3, 9; 49:17; 55:15, 23; 88:4; 143:7; Pro 1:12; 5:5; 7:27; 30:4; Isa 5:14; 14:11, 15, 19; 38:18; 63:6; Jer 48:15; 50:27; 51:40; Ez 26:20 (x3); 31:14, 15; 32:18 (x2), 21, 24 (x2), 27, 29, 30; Ob 1:3, 4; Hag 2:22.

<sup>94</sup>Less frequently specified are *’rš* (earth), *’pr* (dust), *qšb* (extremity); *šht* (cistern). See also, Ted Lewis *Cults of the Dead in Ancient Israel and Ugarit* (Harvard Semitic Monograph, 39; Atlanta: Scholars Press, 1989) 104-126.

<sup>95</sup>Curiously the word for “extremity,” *qšb*, is a general term that, as a verb usually means “to cut off,” and does not specifically indicate a tip or base occurring nominally with mountain in this particular context. *qšb* is often translated as “base,” or “root” in this passage because it appears with *yrd*.

(*'ābēl*) after Joseph. He makes a similar statement regarding Benjamin (Gen 42:38), which his sons repeat to Joseph (Gen 44:29, 31). Behind the wording of the daughter's request is a subtle allusion to her impending fate, that she will go down to Sheol.

What the daughter did on the mountain during the interim period before her sacrifice is never expressly divulged. Only that she went up to mourn for two months with a group made up exclusively of female companions (*rē'ôtēhā*). Why two months? The explanation, as I see it, is twofold. It indicates the time of year and demonstrates the daughter's maidenhood.

Concerning the time of year, two months is approximately the interval between the appearance of wheat to its maturation and harvest. In biblical literature the appearance of wheat coincides with Passover while Shavuot commemorates the wheat harvest (Exod 9:32, 34:22). According to P and D, the amount of time between Passover and Shavuot is seven weeks (hence the name *šābu'ôt*, which means both “weeks” and “sevens”). However, in the earlier Pentateuchal sources, J and E, no such designation of time appears. In fact, E refers to the holiday with distinct nomenclature, calling it simply “harvest” (*qāšîr*) a word devoid of temporal implication.<sup>96</sup> The period between the appearance of grain and its maturation may fluctuate slightly from year to year depending upon environmental factors such as temperature and rainfall. For this reason, “two months” could just as well indicate the period of crop development as the seven weeks that the later sources P and D specify for the period between Passover and Shavuot. No other biblical holiday comes close to being two months from another. If my identification is correct then

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<sup>96</sup> Exod 23:16.

the vow and its fulfillment (that is, the daughter's appearance and her sacrifice) corresponds to the emergence of wheat and its reaping.

As for the two-month period demonstrating the daughter's maidenhood, if she were of childbearing age then this length of time would determine whether or not she was pregnant before being put to death. Were she pregnant at the time she exited the house, then she might have a suitable substitution for sacrifice, offering the child instead. Experiencing two consecutive menstrual cycles would suffice as proof to that effect one way or another. Any suspicion of the daughter's pregnancy is put to rest when she returns from the descent upon the mountains at the end of two months, as it is reported that "she had not known a man" when her father "did to her the vow which he vowed."

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At the beginning of this section I alluded to the fecundative aspect of the name *yiptāh* refers to the deity opening his mother's womb. This interpretation is representative of a consensus of scholars.<sup>97</sup> Martin Noth is the outlier here.<sup>98</sup> He suggests a peculiar identification of *yiptāh* with the meaning of the Piel despite its vocalization as a Qal.<sup>99</sup> He intuitively understands its meaning as indicating that the bearer of the name will loosen the bonds of slavery, and cites similar meaning for the personal names *yipdēyāh* and *yig'al*. Noth states that the first-born quality is reserved for the name *pētahyāh* and suggests that *yiptāh* must have its

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<sup>97</sup> Nahman Avigad, *Corpus of West Semitic Stamp Seals* (Jerusalem: The Israel Academy of Sciences and Humanities, 1997); Michael Coogan, *West Semitic Personal Names in Murašu Documents* (Missoula: Scholars Press, 1975); Frauke Gröendahl, *Die Personennamen Der Texte Aus Ugarit* (Rome: Papstliches Bibelinstitut, 1967); Frank L. Benz, *Personal Names in the Phoenecian and Punic Inscriptions* (Rome: Biblical Institute Press, 1972).

<sup>98</sup> Martin Noth, *Die israelitischen Personennamen im Rahmen der gemeinsemitischen Namengebung* (BWANT, 3/10; Stuttgart: W. Kohlhammer, 1928).

<sup>99</sup> *Personennamen* 200.

own specialized meaning. For explanation of the name *pětahyāh* Noth cites Gen 29:31 and again in 30:22, wherein God opened (*yiptah*) the wombs of Leah and Rachel.<sup>100</sup> Virtually everyone who has written on the subject of this personal name after Noth has ignored his identification in preference for the meaning Noth associates with *pětahyāh*, that it implies the bearer is the product of God having opened the mother's womb. I return to the discussion of Jephthah's name here because I see the fecundative overtone that it imparts as illuminating the symbolic implications of his daughter's death.

In the interaction between Jephthah and his daughter we have already seen that the author uses language laden with the notion of death, either the descent to the underworld (*yrd*) or opening the mouth to devour or receive the living (*pšh*). I sense that the chapter's final verse (Judg 11:40) manipulates the verbal potential of Jephthah's name, *yiptāh* "he opens" to impart a sense of motherhood for his virgin daughter. Suggesting that Israelite women customarily visit the departed, Judg 11:40 provides in its brief description a coupling of words that imbue the daughter with a maternal quality.

Known only by epithet, her forename unstated, the daughter is here called *bat yiptāh haggil'ādī*, a designation rendering "daughter of Jephthah the Gileadite." Ostensibly a nameless projection, her referent title is attended by innuendo vis-à-vis the meaning of the verb *yiptah*. As *bat yiptāh haggil'ādī* she is not just "daughter of Jephthah

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<sup>100</sup>*Personannamen* 170.

While *ptr* more commonly denotes "release" of the womb (*rhm*), this word is most often found in texts identified with the Deuteronomist. The above examples come from two distinct non-Deuteronomistic sources. Gen 29:31 refers to God as Yhwh and can be identified with J-source material while Gen 30:22 calls God Elohim and can be identified with E-source material. This may indicate that *pth* was more commonly used to demonstrate an "opening of the womb" in early Hebrew, as evidenced through its use with biblical sources that pre-date Deuteronomistic material.

the Gileadite,” but is also “a daughter the Gileadite opened” in the metaphorical sense of opening her womb. Understanding the name synonymously with the verb form provides a pun that is revealed by interpreting the phrase as verbal rather than genitival. This allows the clause to have two distinct meanings simultaneously. Instead of reading Judg 11:40 *tēlaknā bēnôt yiśrā’el lētannôt lēbat-yiptāḥ haggil’ādī*, as simply “the daughters of Israel went to commemorate the daughter of Jephthah the Gileadite,” the verse simultaneously has a meaning in which the women go to commemorate “a daughter the Gileadite opened.”<sup>101</sup> Although this interpretation produces two distinct phrases and meanings in English, these would be the same to an ancient Hebrew speaker who read the phrase.

Calling her “daughter of Jephthah the Gileadite,” at first blush directly associates the daughter to her father. However, the ulterior meaning, “a daughter the Gileadite opened,” endows her with a maternal quality that, because of the context in which it is found, is married to her oblatory death. From her statement in v. 36, in which the daughter associates her father’s battle victory with the promise he made to Yhwh, she appears to see the fulfillment of his vow—her sacrifice—as the cost for defeating Ammon. The sacrifice, therefore, preserved the life of her father, and his newly secured role as *qāšîn wērō’s*, and redeemed her community. Moreover, as her referent title implies, the sacrifice is otherwise transformative, changing the virgin daughter into a figurative mother.

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<sup>101</sup> While we might expect to see the Hebrew for a translation like this to be formed with the relative pronoun *’āšer* like *lēbat ’āšer pātaḥ haggil’ādī*, it is not necessary. See, Robert D. Holmstedt, *The Relative Clause in Biblical Hebrew* (Linguistic Studies in Ancient West Semitic, 10; Winona Lake: Eisenbrauns, 2016) 81-83. Holmstedt refers to this kind of construction as a “zero-relative” clause (typically referred to as “asyndetic” or “unmarked”). Instead of marking explicitly with a relative element this type of clause allows a null (“zero”) relative complementizer and the head and relative clause are simply juxtaposed. He has identified 298 instances of the “zero-relative” construction in the Hebrew Bible, but the Judg 11:40 occurrence is not one of them.

It is the culminating point of the story. In its intimation of fecundity, the phrase “daughter the Gileadite opened,” endows the daughter with a maternal quality, but also, by virtue of its attending the statement that the women went to commemorate her annually, the phrase suggests the intended outcome of her veneration is that she become a mother/provider to those who care for her. In this case, the community of Israelite women tended to her. Practices related to ancestral veneration ensure that the living propitiate the deceased through visitation and sacrifice.<sup>102</sup> Having a vested interest in the perpetuation of this activity, the deceased, in turn, ensures the survival and continued lineage of his or her benefactors. The notion behind veneration is that it ultimately leads to the perpetuation of the living. The living provide for the dead so that the dead will provide for the living. Thematically, the phrase “daughter the Gileadite opened,” completes the sequence of death and rebirth. Her veneration makes her the mother/provider of her community.

Through her oblatory death the daughter of Jephthah achieves two idealized and antithetical characteristics, virginity and motherhood. Although the daughter dies without having had biological children, the community of Israelite women provide for her in death with the care given to a revered ancestor. Her purported veneration gives the daughter status of great-mother. Rather than being venerated by descendants within a single lineage she becomes the focus of veneration for women of the entire Shilonite community.

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<sup>102</sup> For a recent study pertaining to ancestral veneration in the Iron Age see Rachel Nabulsi *Death and Burial in Iron Age Israel, Aram, and Phoenecia* (Piscataway: Gorgias Press, 2017) 151-162. See also Lewis, *Cults of the Dead*, 2-4 and Karl van der Toorn, *Family Religion in Babylonia, Syria, and Israel: Continuity and Changes in the Forms of Religious Life* (Leiden: Brill, 1996) 206-235. In addition, the Panamuwa and Kuttamuwa inscriptions from Zincirli, which were found in stratified archaeological contexts, provide enlightening material in this regard. For Panamuwa see Herbert Donner and Wolfgang Röllig *Kanaanäische und aramäische Inschriften 1* (5<sup>th</sup> ed.: Wiesbaden: Harrassowitz) 214. For Kuttamuwa see Pardee, “Inscription from Zincirli”.

### *The Incredible, Impregnable Daughter*

In observance of the daughter's sacrifice the women of Israel would honor her for four days every year. Put forth in a single terse phrase, *miyyāmîm yāmîmāh tēlaknā bēnôt yiśrā'ēl lētannôt lēbat-yiptāh haggil'ādî...* “from year to year the daughters of Israel went to commemorate the daughter of Jephthah the Gileadite,” or, as suggested above “they went to commemorate “a daughter the Gileadite opened,” the description leaves much unaccounted. *tēlaknā*, “they went,” indicates journey as integral to the observance. When and where the women make their journey is entirely unrepresented in this account, but the festivities are set at or near Shiloh in Judges 21 and 1 Samuel 1-2. The women may all travel together at once or go in waves by familial divisions at different times. They may go to the site of her immolation or may travel to the site of her two-month reprieve, reenacting the time of her seclusion and consoling. Given the length of their pilgrimage, it is unlikely that the women would have weighed themselves down with heavy provisions. They would have taken with them wine, flour, and oil; bread made without leaven — *maṣṣā*— would have been most practical.

The women's activities during the ritual remain secret but we can postulate that the festival performance is concerned with fertility — the issues of virginity (Judges 11), marriageability (Judges 21), and childbirth (1 Samuel 1) are central to the depictions. From the accounts of Judges 11; 21; and, 1 Samuel 1, the following details of the holiday's festivities emerge. It is a yearly pilgrimage festival that Israelite women observe for four days (Judg 11:40); it contains some element of performance ritual (presented as a reenactment of ‘true events’) in which celebration precedes mourning (Judg 11:34, 37); the

women's return to the community is marked with the offering of a sacrifice, literal or symbolic (Judg 11:40, 1 Sam 1:3, 11-28).

Following the sequence of events in the account of Jephthah's daughter, the first station of the ritual routine would involve the women's emergence in dance. Imitating the daughter's emergence from her father's house, the dancing women of Judges 21 are unwed women, participants who assume the role of Jephthah's daughter and her cohort. The detail of the women's dancing is provided through an account of the elders of Israel who instruct the Benjaminite men where to go to capture wives from the tribes of Israel, none of which would willingly give their daughters into marriage with Benjaminite men following the civil war.

They [the elders of the congregation of Israel] said, 'There is a festival of Yhwh in Shiloh from year to year which is on the north side of Bethel, east of the highway that goes up from Bethel to Shechem and south of Lebanon.' They commanded the Benjaminites 'Go and lie in wait at the vineyards, and see, if the daughters of Shiloh come out to whirl in dances, you will come out of the vineyards and snatch them each man his wife from the daughters of Shiloh and go to the land of Benjamin.'" (Judg 21:19-21)

The above excerpt demonstrates the eligibility of the women who participated in the dancing ritual. They must have been marriageable or the elders of the congregation would not have countenanced their taking. That the women who have gathered to form the ritual group are from various tribes of Israel, comporting with the statement in Judg 11:40 that all the women of Israel went to commemorate Jephthah's daughter, is indicated in Judg 21:18, cf., v. 1.

We [the elders of the congregation of Israel] are not able to give to them [the tribe of Benjamin] wives from our daughters because the children of Israel have sworn, saying 'cursed is he who gives a wife to Benjamin.'

Given Shiloh's topography, it is likely that this initial course of the ritual sequence begins in the valley and an ascent to the vineyards follows.<sup>103</sup> The ascent would mark the beginning of the mourning period and would have been when the rest of the *běnôt yiśrā'el* would join emulators of the daughter. If this holiday is related to Passover, then it is springtime; there would be no fruit on the vine as the vineyard lay bare. The eligible women would begin by joyfully dancing in wheat fields that are just beginning to break open with shoots of new grain. As their reenactment continues, all the women in the cohort would ascend to the barren vineyards and wail a tragic story of dying childless. This may be in order to ensure a bountiful crop—to induce tears from heaven to water the crops, or to gain divine favor in order to bear children. The latter is at the heart of the Hannah story, which details the nativity of her firstborn, Samuel (1 Samuel 1-2).

Hannah's story, 1 Samuel 1-2 depicts what would have been the final stage of the ritual routine in honor of Jephthah's daughter, the restoration of the female celebrants to their familial communities after the four-day festival. The notion of child sacrifice is also prominently represented in 1 Samuel 1-2. Hannah's miraculous conception after years of barrenness comes as answer to a vow in which she promises to give the child to Yhwh. If Yhwh is willing to grant progeny, *zera' 'ānāšîm*, Hannah will in return dedicate the child to serve Yhwh, ostensibly as a Nazarite.

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<sup>103</sup> Here, I imagine that the detail of the men positioning themselves in the hillside vineyards is significant, as, from that vantage point, they would have had an optimal view of the women coming out to dance in a field below. The tactic is represented in Judg 9:25.

Hannah's vow is evocative of Jephthah's. Both accounts employ the cognate accusative *yiddar/tiddōr neder* "he/she vowed a vow" and similar oath formulae with reminiscent protasis and apodosis.

Judg 11:30-31:

*wayyiddar yiptāh neder layhwh wayyō'mar 'im nātōn tittēn 'et bēnē 'ammōn bēyādī wēhāyā hayyōšē' 'āšer yēšē' middaltē bēti liqrātī bēšūbī bēšālōm mibbēnē 'ammōn wēhāyā layhwh wēha'ālīfihū 'ōlā*

Jephthah **vowed a vow** saying **if you will surely give** the children of Ammon into my hand then the one that comes out of my house to greet me upon my peaceable return from the Ammonites **shall be Yhwh's** and **I will offer it as a burnt offering.**

1 Sam 1:11:

*wattiddōr neder wattō'mar Yhwh šēbā'ōt 'im rā'ō tir'eh bā'ōnī 'āmātekā ūzēkartanī wēlō' tiškaḥ 'et 'āmātekā wēnātattā la'āmātekā zera' 'ānāšim ūnētattīw layhwh kol yēmē ḥayyāyw ūmōrā lō' ya'āleh 'al rō'šō*

She [Hannah] **vowed a vow, saying**, Yhwh *šēbā'ōt* **if you will surely look** upon the suffering of your servant and give to your servant seed of men then **I will give him to Yhwh** all the days of his life and **he will not lift** a razor upon his head.

The apodosis of Hannah's vow implies redemption "I will give him to Yhwh all the days of his life and he will not lift a razor upon his head" (1 Sam 1:11). She is promising to enlist her child as clergy, possibly rather than sacrificing him.<sup>104</sup> The couple redeems the child, presenting him to clergy service and providing a substitution offering once Samuel is weaned. Hannah refuses to return to the annual festival until the weaning period has

<sup>104</sup> The razor (*mōrā*) may evoke slitting of the throat before immolation. In Gen 22:10 Abraham reaches for the *ma'ākelet* (a butcher knife) to slay Isaac.

ended, perhaps an indication of the expiration of her child's sacrificial eligibility.<sup>105</sup> They present him to Eli, redeeming him with an offering that includes wine, flour, and a bull.<sup>106</sup>

Judges 11 articulates the program for the festivities — dancing; weeping; and, sacrifice — that we see in the combined accounts in Judges 21 and 1 Samuel 1.

### ***Summary***

So, to return to the earlier question, how can we know if the festival in honor of Jephthah's daughter is a constituent celebration of Passover? We have amassed quite a bit of circumstantial evidence for there being a relationship between the holiday that the Pentateuch identifies as *pesah* and *maṣṣôt* and the holiday that occurs “yearly” (*miyyāmîm yāmîmāh*) in Judges and Samuel — use of distinctive terminology to refer to the holiday; a four-day period of observance; ritual dancing; and, the sacrifice of the firstborn. The Exodus Passover story and the depictions of the festival of Jephthah's daughter represent all of these elements. Let's review the evidence.

***Sacrifice of the Firstborn***— The theme of sacrifice of the firstborn articulated in Judges 11 becomes central especially in E's Passover story. The notion is integral to the Passover drama and figures prominently in the articulation of its commemorating ritual.

A series of miraculous exploits against Israel's oppressor occasions the escape from Egypt and sets the stage for entry to Canaan. Plagues against Egypt and the house of

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<sup>105</sup> The child's ability to survive and thrive without a nurse to sustain it may signal the end of the expectation for sacrifice. Jephthah's daughter's consent is significant.

<sup>106</sup> A version of this motif is in Judg 13:19, the story of Samson. Until his conception, Samson's mother, like Hannah, had been barren. She encounters an angelic being who informs her that she will conceive but that the child will be a Nazarite (*nāzîr*) from the womb (*beten*). Upon Samson's birth, Manoah offers a sacrifice to redeem his firstborn.

Pharaoh culminate in the death of the Egyptian firstborn.<sup>107</sup> This is the means by which Yhwh delivered Israel from enslavement in Egypt. Yhwh brings a plague to destroy the firstborn of all of Egypt so that his firstborn Israel may be redeemed (Exod 4:22f.). In preparation for the plague, each family sacrifices a lamb, and smears its blood upon the doorposts of the house as protection (Exod 12:21-23). When Yhwh sees the blood of the lamb on the door he halts (*psḥ*, Exod 12:23, 27).

E's Passover regulation begins with Yhwh's demand "consecrate to me every firstborn; whatever escapes any womb of the children of Israel, of man or animal — it is mine" (Exod 13:2). Death of the Egyptian firstborn is recalled in the offering of Israel's own firstborn with substitution of the first of its flock (Exod 13:14-15, E):<sup>108</sup>

When your son asks you later 'What is this?' you shall say to him 'With a strong hand Yhwh brought us out from Egypt, from a house of bondage. And when Pharaoh hardened to let us go, Yhwh killed every firstborn in the land of Egypt, from the first of human up to the first of animal. Because of this, I am sacrificing to Yhwh every male that escapes the womb. All of the firstborn of my children I shall redeem.'<sup>109</sup>

The attitude represented above, that a member of the Israelite community should sacrifice the firstborn, appears again in Exod 22:29 in the Covenant Code of E. Passover is again the context.

You shall not delay your ripe fruit and your liquid; the firstborn of your children you shall give to me.

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<sup>107</sup> P and E (Exodus 12 and 13).

<sup>108</sup> The theme is present only in P and E (Exod 12:12-13 P, 26-27, E; Exod 13:12, 14-15, E). The concept is notably absent from J and D, which tie *pesaḥ/maṣṣôt* to the Exodus commemoration but without mention of Egyptian firstborn (J, Exod 34: 18-19; D, Deut 16:1-8). J either never had this theme or it ended up on the cutting room floor. There's no telling. D's omission must be deliberate as indicated by its treatment of the firstling sacrifice separately from Passover.

<sup>109</sup> Yhwh's firstborn is Israel in E (Exod 4:22). In P, the Levites (Num 3:12) are the replacement for Israel as Yhwh's firstborn.

Two notable differences distinguish the prescriptions of the Covenant Code passage and Exod 13:14-15. The Covenant Code neither includes a redemption clause nor specifies the sex of the demanded. Exod 13:12 demands that the firstborn males (*zkr*) be sacrificed and stipulates that they may redeem the firstborn of their children. The Covenant Code states only “the firstborn of your children (*běkôr bānēkā*) you shall give.” Propp and others too readily assume that the Covenant Code, like Exodus 13, means a male firstling sacrifice.<sup>110</sup> *běkôr bānēkā* is gender inclusive. Both terms have feminine complements attested in the Bible. *běkîrâ* is used to denote the firstborn who is female in Gen 19:31,33,34,37 (of Lot’s daughter); 29:26 (of Laban’s daughter, Leah); 1 Sam 14:49 (of Saul’s daughter, Merav). The plural of *bēn* means children, not just sons. This is true in general contexts (such as Gen 3:16; 6:4; 16:1-2; 20:17; 30:1, 3; 30:26; Exod 21:5; 22:23) and in contexts of a socio-political group, as in *bēnē yiśrā’el* for the Israelites, where the formula *bēnē* PN generally applies to the entire population and not just the males.<sup>111</sup>

Biblical scholars largely agree that the Covenant Code was originally an independent collection of laws drawn on and incorporated into the narrative.<sup>112</sup> E’s addition of the redemption clause and its inclusion of *zkr* specifying that the firstling sacrifice must be male clarifies the Covenant Code’s prescription. The Covenant Code’s omission of the indication that the sacrifice should be male points to a convention that the

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<sup>110</sup> William Propp *Exodus 19-40. A New Translation with Introduction and Commentary* (Anchor Bible; New York: Doubleday, 2006).

<sup>111</sup> See the entry for *bēn* in the *Brown-Driver-Briggs Hebrew and English Lexicon*.

<sup>112</sup> Wellhausen attributes its use to J in *Die Composition des Hexateuchs und der historischen Bücher des Alten Testament* (Berlin: deGruyter, 1963) 88. Pedersen asserts that JE uses the document, *Israel I-II*, 28; Friedman and Propp suggest that E uses the Covenant Code. See Friedman, *Bible with Sources Revealed*, 154, and Propp, *Exodus 19-40*, 147.

person offering the sacrifice could provide either sex. The offering could be male or female. The festival of Jephthah's Daughter is precisely to commemorate the sacrifice of the firstborn. The firstborn in this instance just happens to be female.

**Ritual Dance** — The dancing of Jephthah's daughter in Judges 11 and her imitators in Judges 21 has a complement in the Exodus Passover story. Judg 11:34 describes the fanfare with which Jephthah's daughter greets him upon his victorious return home with the phrase *bētuppîm ûbimēḥōlôt*, “with timbrels and in dance.” Exod 15.20 uses this very phrase. After the event at the Red sea, Miriam, the prophet and sister of Aaron, is said to have led the Israelite women in a victory dance for Yhwh, *bētuppîm ûbimēḥōlôt*. The women take up song to extolling Yhwh's victory over Egypt:

Miriam the prophet, sister of Aaron, took timbrel in hand.  
All the women followed her with timbrels and in dance  
(*bētuppîm ûbimēḥōlôt*). Miriam answered them (*watta ‘an  
lāhem miryām*) ‘Sing to Yhwh for he has surely triumphed.  
Horse and rider he has cast into the sea.’

Jephthah's daughter emerges to celebrate her father's victory over the Ammonites, Miriam comes out to celebrate Yhwh's victory over Egypt.<sup>113</sup> It is Miriam's first appearance in E's narrative.<sup>114</sup>

**Four Days** — For four days every year, the Israelite women were to go to commemorate the daughter of Jephthah. The four-day length of the women's holiday, atypical for a festal period, may mean that the observance was part of a longer festival week. The only other four-day period mentioned in the Bible is in the context of Passover.

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<sup>113</sup> Curiously, nothing is mentioned of Miriam ever having children.

<sup>114</sup> Some might argue that Moses' sister who hid him in the basket and sent him downstream was Miriam. This view is untenable as the girl is not named. That she is called his sister need only mean that she is a kinswoman. The account's source is J, which never mentions Miriam by name.

Exod 12:3-6 states that on the tenth of the month families are to select the paschal lamb that they will offer. They are to keep the lamb until the fourteenth day of the same month when they will slaughter it. In P's presentation this would correspond to the phases of the moon transitioning from waxing gibbous to full appearance.

The time frame fits the time allotted for the women's festival in Judges 11. One possible reconstruction for this coincidence is that P's four-day waiting period corresponds to the departure and return of women participating in the festivities. The selection of the lamb may have been made at the time that the women set out and its sacrifice performed upon their safe return home.

**Terminology** — There is no other such concentration of identical descriptive terms for different holidays in the bible as that which occurs with *pesah/maṣṣôt* and the holiday accounts in Judges 11, 21, 1 Samuel 1. The correlations are compelling. The Judges/Samuel stories use the terms *ḥōq*; *miyyāmîm yāmîmāh*, *zēbah*; *ḥag yhw* to describing their holiday. Each of these terms is used in the Pentateuch's description of the Passover holiday. These are the only two holidays that have such a correlations of terms. While the terms *ḥōq* and *ḥag yhw*, appear in conjunction with other holidays they are overwhelmingly associated with Passover. It's the convergence of the terminological evidence that matters here.

1. ***ḥōq* / *ḥuqqâ*** — Occurrences of *ḥōq* or *ḥuqqâ* identified as holidays in the Torah:  
*ḥōq*: Exod 12:24 (*pesah*); Deut 16:12 (foot festivals). *ḥuqqâ*: Exod 12:14, 17, 43; 13:10 (*pesah*); Lev 16: 29, 34 (*kippūrîm*), 31 (*šabbat*); Lev 23:14 (*pesah*), 31 (*šābû'ôt*); Num 9:3, 12, 14 (*pesah*).

2. *ḥag lěyhwh* — In Exod 10:9 (E) Moses asks Pharaoh for permission to go out for a *ḥag yhw̄h*. It becomes clear from the context of the phrase's next appearance that the *ḥag lěyhwh* in this context is Passover (Exod 13:6).
3. *zēbah* — the term, translated as “sacrifice” or “slaughter,” appears in connection to *pesaḥ* severally: *zēbah ḥag happesaḥ* (Exod 34:25); *zēbah pesaḥ* (Exod 12:27); *zibḥî* (Exod 23:18). *Pesaḥ/maṣṣôt* is the only identifiable festival context in which the term *zēbah* is applied. The term describes Elkanah's sacrifice at the festival in Shiloh.
4. *miyyāmîm yāmîmāh* — There are only five occurrences of the phrase *miyyāmim yāmîmāh* in the Bible. These are E's *maṣṣôt* regulation (Exod 13:10) and the Judges/Samuel occurrences (Judg 11:39b-40; 21:19; 1 Sam 1:3; 2:19).

***The Cumulative Case*** — No one piece of evidence makes certain the identification, rather, the convergence of *ALL* of this evidence is what makes it possible to identify the story of Jephthah's daughter as representing an alternative etiology for the *pesaḥ/maṣṣôt* complex described in the Exodus.

It is at this juncture that the evidence before us allows for making specific identification of the women's ritual as the aspect of Passover known elsewhere as *ḥag hammaṣṣôt*, the feast of unleavened bread. Why *ḥag hammaṣṣôt*? Let us consider the virgin daughter as a metaphor for the new grain that appears at Passover. The thin stalks of wheat just beginning to poke out of the ground are reaped each year before reaching their fullness, before they go to seed. This parallels the daughter who is sacrificed before she is able to bear children. The harvested wheat makes the *maṣṣâ*, which too is thin,

completely flat. It has no leaven to make it swell. *maṣṣâ* is not impregnated with leaven — it does not swell, it does not rise, it is virgin bread. The grain and its product, *maṣṣâ*, are transmuted into the story of Jephthah's daughter as the impregnable, perpetual, virgin.

But what possibilities are there pertaining to the direction of influence Judges/Samuel to E?

Is the holiday sequence related to Jephthah's daughter (Judges 11; 21; 1 Samuel 1) modeled on the Passover stories of the Pentateuch? If so, its author has taken several terms such as *ḥōq*, *miyyāmim yāmimāh*, *zēbah* to describe the holiday, and the theme of sacrifice of the firstborn, and Miriam's dancing *bētuppîm ûbimēḥōlōt* and created a women's holiday that is evocative of Passover. It just doesn't seem feasible.

The earliest sources containing an Exodus Passover event, J and E, share a number of elements with stories in Judges and Samuel; so much so that one could argue that many of the details of their narratives are derived from events in the Judges/Samuel histories. This is the topic for the next chapter, E and the Judges-Samuel history.

## CHAPTER 3

### THE E-SOURCE AND STORIES FROM THE BOOK OF JUDGES

We have looked at evidence for positing that Pentateuchal authors were aware of the etiology for the women’s festival that is found in Judges 11. In addition to the elements of the Passover narrative already discussed, the broader story of Jephthah contains several themes that have complements in E elsewhere. Genesis 22, 28, 31 and 35, all E texts, have correlates in the major Judges accounts of Deborah, Gideon, and Jephthah (Judges 5, 6-8, and 11).

The table below (3.1) shows connections in *Leitmotif* between E and accounts from Judges and Samuel (5-8; 11; 17-18; and Judges 21-1 Samuel 1-2).

Table 3.1: Correlations Between E and Judges/Samuel		
<i>Leitmotif</i>	E	Judges/Samuel
<i>nābî’</i>	Gen 20:7 Num 11:29 Num 12:6	Judg 4:4 Judg 6:8
God closes the womb	Genesis 20:18 Gen 30:2	1 Sam 1:5
Barrenness overcome God remembers	Gen 21:6 Gen 30:22	1 Sam 1
<i>šḥq</i> (without an object)	Gen 21:19	Judg 16:27 (as <i>šḥq</i> )
sacrifice/dedication of child to Yhwh <i>yḥd</i>	Gen 22:2 <i>yḥd#</i> Exodus 13	Judg 11:30 <i>yḥdh</i> 1 Sam 1:11

sand of the shore simile	Gen 22:17 Gen 41:49	Judg 7:12
when I return in peace <i>šûb bēšālôm</i>	Gen 28:21#	Judg 8:9 Judg 11:31
stolen items <i>tērāpîm</i> ; <i>keseq</i> pursuit thereof <i>hidbîq</i>	Gen 31:19, 34-35 <i>tērāpîm</i> # Gen 31:23 <i>hidbîq</i> # Gen 42:25 <i>keseq</i>	Judg 18:17 <i>tērāpîm</i> Judg 18:22 <i>hidbîq</i> Judg 17:2-3 <i>keseq</i>
Open ended curse/vow to Yhwh Mišpeh Gilead	Gen 31:32 Mišpeh Gilead# Gen 35:16b-20	Judg 11:30-35
seeing god “face to face” <i>(pānîm ’el-pānîm)</i>	Gen 32:31# Exod 33:22#	Judg 6:22
Name change	Gen 32:29	Judg 6:22
Collecting earrings <i>nzm</i>	Gen 35:4# Exod 32:2#	Judg 8:24-26
Deborah	Gen 35:8#	Judg 4*, 5
Benjamin’s Survival	Gen 35:17-18#	Judg 21:23
Rescued those who ostracized	Genesis 37, 42#	Judg 11:7
Dream about baked items	Gen 40:16-17#	Judg 7:13
God proclaims “for I will be with you” ( <i>ki-’ehyeh immāk</i> )	Exod 3:12#	Judg 6:16
<i>Yether/o</i>	Exod 3:1# Exod 4:18# Exodus 18#	Judg 8:20
<i>ḥag [lē]yhwh</i> <i>ḥaggî</i>	Exod 10:9 <i>ḥag yhwh</i> Exod 13:6 <i>ḥag lēyhwh</i> Exod 23:18 <i>ḥaggî</i> Exod 32:5 <i>ḥag lēyhwh</i>	Judg 21:19 <i>ḥag yhwh</i>

<i>hoq/huqqâ</i>	Exod 13:10 ( <i>huqqâ</i> )	Judg 11:39
<i>zabah</i> <i>zbh [lě]yhwh</i> <i>zibhî</i> <i>zabah hayyāmîm</i>	Exod 10:25 <i>zbh [lě]yhwh</i> Exod 12:27 <i>zabah (pesah)</i> Exod 18:12 <i>zbh</i> Exod 23:18 <i>zibhî</i>	1 Sam 1:21 <i>zbh [lě]yhwh</i> 1 Sam 2:13 <i>zabah</i> 1 Sam 2:19 <i>zabah hayyāmîm</i> 1 Sam 2:29 <i>zibhî</i> 1 Sam 3:14 <i>zabah</i>
<i>bêt 'ăbādîm</i>	Exod 13:3, 14	Judg 6:8
annually <i>miyyāmîm yāmîmāh</i>	Exod 13:10#	Judg 11:40 Judg 21:19 1 Sam 1:3; 2:19
Red Sea	Exod 13:18	Judg 11:16
women's performance	Exod 15:20-21#	Judg 11:39-40 Judg 21:21
<i>bētuppîm ubimēhōlô/ôt</i>	Exod 15:20#	Judg 11:34
war with Amalek	Exod 17:8-16	Judges 7
<i>massēkâ</i>	Exod 32:2-8	Judg 17:3-4; Judg 18:14-18
<i>rûah yhwh</i> upon people	Num 11:17-29#	Judg 3:10 (Othniel)* Judg 6:34 (Gideon) Judg 11:29 (Jephthah) Judg 14:6 (Samson)!
Balak, son of Zippor	Numbers 22-24	Judg 11:24
KEY	# indicates the only occurrence/s in the Pentateuch * indicates uncertain relationship to E ! indicates that the data sample stops before the following occurrences: 1 Sam 10:6, 10 (Saul); 1 Sam 11:6 (Saul); 1 Sam 16:13 (David); 1 Sam 18:10 (Saul)	

The stories of a women’s holiday in Judges and Samuel<sup>115</sup> contain many elements that correspond to stories from the Torah’s E source. Some of these connections expressly tie to the Passover in Exodus. E’s prescription for the *ḥag lēyhwh (maṣṣôt)* refers to the holiday season with the temporal marker *miyyāmîm yāmîmāh* (Exod 13:10). The descriptive phrase for the women’s dancing, ascribed to Miriam in Exodus, “with timbrels and dances” *bētuppîm ubimēḥōlōt*, is repeated in Judges in connection to a yearly festival with a ritualized reenactment commemorating sacrifice (Judges 21).

The correlations in E extend beyond the context of its Passover story to the Patriarchal narratives. The most overt correlation is the sacrifice of Jephthah’s daughter with the sacrifice of Isaac (Judges 11 and Genesis 22). The connections that tie E’s Patriarchal narratives to the *miyyāmîm yāmîmāh* sequence of stories in Judges and Samuel continue with a peculiar coincidence of themes at Mišpeh Gilead that link the figures of Jacob and Rachel with Jephthah and his daughter. The site of Jephthah’s open-ended vow is also the setting for Jacob’s unwitting curse that precipitates Rachel’s death. Joseph and Jephthah share the theme of being ostracized by siblings and returning to their rescue. If we were to trace Jephthah’s genealogy as son of Gilead (Jud 11:1), and understand Gilead as the person and not the tribal territory, and combine with it the Pentateuchal lineage of Gilead son of Machir, son of Manasseh, son of Joseph (articulated concisely in Num 36:1, P) we would find that relatedness runs even deeper. Jephthah is a descendant of Joseph, his great-great grandson.

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<sup>115</sup> Judges 11; 21; 1 Samuel 1-2.

Still more details connecting E to Judges and Samuel emerge when the scope is expanded beyond the *miyyāmîm yāmîmāh* sequence of stories. The *miyyāmîm yāmîmāh* stories are part of a larger pattern of relatedness between E and Judges and Samuel. Language and themes pertaining to Gideon are also found in E, such as the claim of a person having spoken to God “face to face” *pānîm ’el-pānîm*, which occurs only in these three instances, of Gideon, Moses, and Jacob. There is also the coincidence of the bible’s two Deborahs; Deborah, Rebecca’s wet-nurse (*mêneqet ribqâ*, Gen 35:8), and Deborah the Judge, “mother of Israel” (*’ēm bēyisrā’ēl*, Judg 5:7).

Finally, there is the Judges story of the establishment of a *pesel ûmassēkâ* (“carved and molten” icon) at Bethel and Dan (Judges 17-18), which places Jonathan, son of Gershom, son of Moses at the sites where Jeroboam later installs golden calves. Jeroboam declares, “here are your gods, Israel, who brought you up from the land of Egypt.” The people make a nearly identical statement when Aaron presents the calf (Exod 32:8). E’s Golden Calf story implicates Aaron as the original perpetrator who introduces the idolatrous act, Jeroboam’s sin, to Israel by making the *’ēgel massēkâ*. The account of the Mushite, Jonathan (Moses’ grandson), attending the shrines at Bethel and Dan and E’s account of Aaron making the golden calf are the only two in the Bible that entail the making of a *massēkâ*.<sup>116</sup>

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<sup>116</sup> Gideon melts the golden earring that his army collected from their enemies to make an ephod (Judg 8:24). Jeroboam makes two golden calves (1 Kgs 12:28). In neither of these cases does the term *massēkâ* appear.

### *The Hidden Book*

In 1999 Richard Elliott Friedman advanced his “first work of prose” hypothesis, the notion of a single-author story that spanned the historical books of the Hebrew Bible, from Genesis to Kings.<sup>117</sup> Friedman imagined the J source free from the confines of the Torah. *The Hidden Book in the Bible*, as he called it, was a sweeping prose epic, a single cohesive narrative that began with the creation of humans in the garden of Eden and continued through Israel’s history into the beginning of the Solomonic era. Friedman attempted to extract this entire story from its embedding. He identified it as the world’s oldest work of prose.

The author of J, Friedman had previously argued in *Who Wrote the Bible*, lived in Judah and was the only one of the source authors who could have been a woman, a suggestion that has enjoyed broad attention, imitated and entertained popularly by Harold Bloom.<sup>118</sup>

Friedman showed that certain stories from the Pentateuch shared themes and language that are present in Judges, Samuel, and Kings. Further, he showed the narrative continuity that exists between these texts. The similarity of J’s household narrative for Jacob and the Davidic Court History, as an example, is quite remarkable. The following

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<sup>117</sup> Richard Elliott Friedman, *The Hidden Book in the Bible* (New York: Harper Collins, 1999), p. 3; Hannelis Schulte *...bis auf diesen Tag: Der Text des Jahwisten, des ältesten Geschichtsschreibers der Bibel* (Hamburg-Bergsted: Reich, 1967); John Barton “Dating the Succession Narrative,” *In Search of Pre-Exilic Israel* (New York: T&T Clark, 2005) 95-106.

<sup>118</sup> Richard Elliott Friedman, *Who Wrote the Bible* (New York: Harper Collins, 1987) 85-87. David Rosenberg and Harold Bloom *The Book of J* (New York: Grove Press, 1991). Bloom does not credit Friedman for the suggestion. See Friedman’s review of Rosenberg and Bloom in “Scholar, Heal Thyself; Or How Everybody Got to Be an Expert on the Bible.” *The Iowa Review* 21.3 (1991).

is a synthesis of major points of correlation first exposed by Friedman's exhumation of the J text at large. It was also the subject of my Master's Thesis, which I composed in 2004 unaware of Friedman's work.

### *A Tale of Two Tamars*

In order to demonstrate the relationship between the J source and the court history of David let us focus on accounts from each corpus that show certain signs of relatedness—Genesis 38, the story of Judah and Tamar (David's ancestress), and 2 Samuel 13, the story of Amnon and Tamar (David's daughter). We will engage their peripheral stories in order to build the context needed to ascertain the significance in their individual textual embedding and in their further relatedness to each other. This will allow us in synchrony to discern the alignment of the events they depict in distinct historical eras. We will find that the similarities occur in contexts that reflect circumstances shaping the political landscape of the 10<sup>th</sup> century.

We shall begin with David's daughter, the victim of a sexual assault. The humiliation she endures is unparalleled in the Bible. Amnon, Tamar's half-sibling, rapes then discards her, and, despite knowledge of the encounter, her father does nothing. Tamar's was the rape that made ancient history. It becomes a point of descriptive reference for various breaches of conduct within Jacob's house. Several episodes from J's household narratives of Jacob resonate with and may be brought into dialogue with the account of Amnon and Tamar and with its fallout (2 Samuel 13; 16). Redolent features variously appear in the stories involving Jacob and his children,<sup>119</sup> converging at the story of Judah's

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<sup>119</sup> Genesis 34; 35; 37; 39.

liaison with his daughter-in-law Tamar.<sup>120</sup> The liaison of the Genesis Tamar with Jacob's son, Judah, results in the birth of the line that will lead to David (Ruth 4:17-22; 1 Chr 2:4-15).

Genesis' Tamar was married to Judah's eldest son, Er, who dies before the couple have children. Her father-in-law invokes the practice of levirate marriage, and her husband's brother Onan shirks the responsibility of donating his specimen by employing *coitus interruptus*. He, too, dies without siring a child with Tamar. Each death is by divine design. Er was obliquely evil, and Yhwh killed him (Gen 38:7). Onan scorned his familial duty and exploited his brother's widow, so Yhwh killed him, too (Gen 38:10). Judah's remaining and youngest son, Shelah, would be next as it pertains to the levirate. But Judah prevents Shelah from having contact with Tamar out of fear that the young man might also die. Realizing that she had been cheated, Tamar disguises herself and seduces Judah. She conceives and bears twins.

The Tamar of Genesis climbs her way up the Judahite family tree; instead of bearing children with Judah's sons, she gives birth to children that replace Judah's eldest and second born. Er and Onan are extinguished from Israel (Gen 46:12). Yhwh kills the two of Judah's sons and replaces them with children through Tamar. Their father, Judah, sires their replacements, twins Pereş and Zerah, the latter said to be the father of the Davidic line. The familiar theme of the younger supplanting the elder, as Jacob who fights his way out of the womb first, or, Judah who is fourth in line for pre-eminence and who comes out on top (Genesis 49) is at play in this account as well. Pereş is born first despite the anticipation of Zerah (Gen 38:2 8-30).

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<sup>120</sup> Genesis 38.

The coupling of David's tribal namesake (Judah) with his line's matriarch (Tamar) stands in stark contrast to Amnon's manipulation of his half-sister. The Tamar of Genesis goes from victim to victor, seeking justice for herself and ultimately gaining reward through children. As for the Tamar of Samuel, David's daughter who bears the name of his line's matriarch, the last mention of her is that she remained desolate (*šōmēmā*) in Absalom's house. In striking contrast, the Tamar of 2 Samuel 13 never redeems herself but is put in the custody of her brother and cloistered away.

The fallout from the rape of Samuel's Tamar creates conditions that put Solomon, the fourth in line for kingship, in the running to take the throne. Solomon's birth is situated amid David's seduction of Bathsheba (2 Samuel 11) and Tamar's rape (2 Samuel 13). The promise of unrelenting violence within David's house to answer the crime against Uriah signals the onset of tumult (2 Samuel 12) that is quieted with Solomon's accession (1 Kings 2:45-46).

The story of Tamar and Judah occurs between the account of Joseph and his brothers and Joseph in Potiphar's house, which, too, contain details in common with Tamar. The *kētōnet passîm*, the spectacular garment that Jacob furnishes to his favorite son Joseph (Gen 37:3), is also the kind of garment that Tamar wears as a sign of her royalty and eligibility.<sup>121</sup> Grieving her violation, Tamar rends the garment. The term is remarkable, appearing exclusively in the accounts of Tamar's rape and the brutal treatment of Joseph at the hands of his brothers. Tamar's violent coercion is reminiscent of Joseph's expulsion. Joseph's brothers strip him of his *kētōnet passîm*, ripping it in order to mock up evidence

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<sup>121</sup> The *kētōnet passîm* is what the virgin daughters of the king (*bēnôt hammelek habbētūlôt*) would wear, 2 Sam 13:18.

that will lead their father to believe that Joseph had been mauled to death by a wild animal. In the next account of Joseph, he is serving in an elite Egyptian house when he experiences an attempt at seduction that evokes Amnon's attempt to persuade his sister. Potiphar's wife pursues Joseph daily, repeatedly saying to him *šikbâ 'immî* (to paraphrase: let's have sex). Amnon tries that same unsuccessful line on Tamar, *šikbî 'immî*, in his attempt to coax her into bed. The idea of the garment comes up again as Potiphar's wife pulls Joseph's outer cloak off him trying to get him into bed.

Another text that shares points in common with the 2 Samuel 13 account of Tamar and Amnon is the Genesis 34 story of Dinah and Shechem. Dinah and Shechem have an untoward affair. Her family disapproves. Common to both accounts is the father's stayed hand in contradistinction to the brothers who seek vengeance. Jacob is silent about the matter (*heḥriš*, Gen 34:5) and David does nothing. The fathers of Dinah and Tamar are unmoved while their full-brothers react violently.

Let's consider for a moment the juxtaposition of Dinah's romancer and Tamar's rapist. Following his dalliance with Dinah, Shechem and his father make a generous offer to right the course with Dinah's family by offering marriage. They offer intermarriage, open passage to their land holdings, and a dowry of any price—exorbitance is okay.<sup>122</sup> The narrator notes that Shechem was “more honorable than any of his father's house” (v.19). Compare him to Amnon, who is ostensibly the lowest of the low in David's house—he scorns Tamar and does not do the first thing to make amends. As opposed to Shechem, a foreigner, who went to great lengths to make long-lasting relationships with Dinah and family, offering intermarriage, Amnon, Tamar's brother, categorically rejects

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<sup>122</sup> Gen 34:8-12.

the option of righting the course with her.

With Amnon and Tamar, the audience does not have just the narrator's assessment of events but is made privy to the interactions of the story's participants, entering the bedchamber alongside Tamar and witnessing the crime (2 Sam 13:8-10):

Tamar went to her brother Amnon's house—he was lying down—and she took flour, and kneaded it, and made cakes in his sight, and baked the cakes. And she took a pan [plate] and served it up before him; but he refused to eat. And Amnon said, "Have out all men from me." And every man went out from him. And Amnon said unto Tamar, "Bring the dish into the bedroom, so that I'll eat from your hand." And Tamar took the cakes that she had made, and brought them into the bedroom to Amnon her brother.

The story continues with Amnon's unseemly proposition, evocative of Potiphar's wife to Joseph (2 Sam 13:11):

And when she brought them to him to eat, he took hold of her, and said to her, "Come, lie with me, my sister!"

In reply, Tamar makes an unprecedented appeal to reason. In no other biblical story does a woman make such a cogent argument to try to thwart an attacker (2 Sam 13:13):

And she answered him, "No, my brother, do not debase me; for such a thing ought not be done in Israel: do not thou this rotten thing. And I, where will I cause my shame to go? And you, you will be as one of the rotten ones in Israel. Now, then, speak to the king; for he will not withhold me from you."

But Amnon refused to listen to her. He overpowered her, raped her, then spurned her (2 Sam 13:14-16):

But he would not listen to her voice and was stronger than she. He debased her. He laid her. Then Amnon hated her

very much; so much so that the hatred that he felt for her was greater than the love with which he had loved her. And Amnon said to her “Get up! Go!” And she said to him “There is no cause [for you to behave this way]. This evil in sending me away is greater than the other that you did to me.” But he would not listen to her.

With Amnon’s final say on the matter we understand the irreversible damage of the act, the coldness, distance, and disdain that it has brought him regarding her (2 Sam 13:17):

Send *this* out from me. And bolt the door after it.

David is angered over the matter, as is Jacob, but neither of them does anything. The brothers of Dinah and Tamar take action.

The sons of Jacob talk to Shechem and his father. They answer Shechem and Hamor deceitfully (*běmirmâ*),<sup>123</sup> saying that they will agree to the marriage arrangement that Shechem and his father have proposed on the condition that he and all of his people become circumcised in order to effect the perpetuation of their cultural heritage (Gen 34:14-17). Somehow, this seems like a good deal to Shechem, who consents without hesitation (Gen 34:18), agreeing to subject himself (and every other male of his group) to circumcision.

Shechem’s willingness to cooperate and trust in Dinah’s family backfires disastrously. Simeon and Levi lead the massacre of Shechem and all of the men of his town. On the third day after the mass circumcison, while the men of Shechem are still

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<sup>123</sup>“Deceitfully” (*běmirmâ*) is an uncharacteristically editorial comment in narration for J. It appears in Genesis 27, Isaac reveals to Esau that Jacob had come *běmirmâ* and taken his blessing. For more on the sequence of deceptions in Jacob’s household in J; see Richard Elliott Friedman “Deception for Deception,” *Bible Review* II: 1 (1986) 22-31, 68.

wincing in pain, Dinah's brothers,<sup>124</sup> Simeon and Levi, descend upon them and slay the males of the city (Gen 34:25).

Jacob is incensed when he hears what his sons have done, declaring that they have made their family reek to the other natives, the Canaanites and the Perizzites, who he fears will now gather against him to kill them all (Gen 34:30).

Compare Jacob's sons who avenge Dinah to Absalom, who in reprisal slays Amnon (2 Sam 13:23). David received an inaccurate report stating that Absalom slaughtered all of David's sons and so thinks that they are all dead (2 Sam 13:30-33); David experienced the jolt of hearing that his children were dead, that Absalom mercilessly slew the innocent with the guilty. But the report was overblown and inaccurate. Amnon, alone, had died. The other sons of David made it out of the ambush alive. Juxtapose this with Genesis 34. David only thinks that Absalom has struck with unmitigated violence. Simeon and Levi actually do it.

Absalom's reprisal marks the beginning of his revolt, the attempt to seize power from his father. In an act that typifies his scorn for David, Absalom sleeps with his father's wives during his thwarted campaign to supplant the kingship (2 Sam 16:21-22). This is reminiscent of Reuben's cuckolding of Jacob (Gen 35:22), which occurs on the heels of the episode involving his full sister, Dinah. We get the sense that things would have been a lot better if Jacob or David had done something to intervene.

The story of Dinah and Shechem makes an important point in the dynamics determining the succession of Jacob's line according to J. Genesis 49 divulges the

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<sup>124</sup> Her full, biological brothers. Dinah, Simeon, and, Levi all three share the same mother and father.

transgressions that disqualify Reuben, Simeon, and Levi as unfit for rule. Their disqualification makes way for Judah, who is the fourth in-line according to the brothers' birth order. Reuben is disqualified for going upon his father's bed (*miškēbē 'ābikā*) (Gen 49:4), which Gen 35:22 interprets as a liaison with Jacob's concubine, Bilhah.<sup>125</sup> With Reuben, Simeon, and Levi out of the way the next son in line is Judah (Gen 49:8-12) of whom the song says, "the staff shall not depart from Judah or the lawmaker from between its legs." Judah's three sons in Genesis 38 mirror his three brothers who are disqualified in Genesis 34-35 and 49. This in turn mirrors the disqualification of David's sons, Amnon, Absalom, and Adonijah (who, coincidentally, all commit sexual offenses). The offenses of Reuben, Simeon, and Levi are identical to Absalom's offenses.<sup>126</sup>

This cluster of stories in J's household narrative about Jacob, especially Genesis 34-35 and 38, is significant for understanding how J relates to the court history. It attempts to show the nascence of Judah's ascendancy as the ruling tribe in Israel, the tribe of David and Solomon, in the same way that the Davidic Court History tells the story of Solomon's accession—through the disqualification of others.

We have seen a web of stories in Jacob's household narratives that are woven from the same motifs as the Davidic Court History, a series of vignettes on related themes. One

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<sup>125</sup> We might infer that the author of J, deriving his or her prose from the narrative that the poetic section of Genesis 49 provides, linked Reuben's transgression to that of Simeon and Levi because they are so closely situated in the poetry. It is unclear if Jacob's handling of Dinah's ordeal has anything to do with Reuben cuckolding him. The propinquity of Reuben's deed (Gen 35:22) to the story of Dinah and Shechem (Genesis 34) means at least that their author allows for the possibility of their relatedness. In the poetry Reuben's offense is announced (Gen 49:3-4) before Simeon and Levi's (vv. 5-7), probably reflecting the birth order. But the author of J rearranges them in the order of the narrative sequence, possibly making Reuben's affair with his father's wife a retaliation to Jacob's inaction to Shechem's affront.

<sup>126</sup> Friedman, *The Hidden Book* 8.

can explain the correlations as the work of a single author, as Friedman argues,<sup>127</sup> or that of two different authors: where one or both are responding to each other or to an independent source. I am not entirely sure which of these scenarios is the most plausible. If we consider the possibility that two authors wrote these stories then the clusters of details in J's accounts (Genesis 34-35, 37-39) relative to the rape of Tamar (2 Samuel 13) and Absalom's revolt (2 Samuel 16) would suggest that J's account depends on knowledge of the Davidic Court History with its resonant details concentrated around a single, more compact plot.<sup>128</sup> That the details from the rather narrow narrative focus describe such a wide array of events and actors supports this view. In the relationship of these texts (Genesis 34-35; 37-39; and 2 Samuel 13 and 16), it is far more likely that the author of J drew out those details occurring in Samuel and spread them over several more plot-lines than that the author of the court history condensed Jacob's household narratives into the major rupture of David's house.

The evidence regarding the plurality of authorship is inconclusive. It is possible that the same author wrote all of these stories. If, however, more than one author wrote these—the compositional evidence points to the Court History as written first. The overall function of these stories in their narrative contexts, to promote Judah and Solomon by disqualification, suggests that they were meant to be read together, and in the order that they appear—beginning with Genesis.

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<sup>127</sup> Friedman, *The Hidden Book* 32.

<sup>128</sup> R. Kittel "Die pentateuchischen Urkunden in den Büchern Richter und Samuel" *Theologische Studien und Kritiken* 14 (1892) 44-71.

### ***Symphony #2: A Work in E Minor***

By looking closely at the similarities between J's household narratives about Jacob and the Davidic court history in Samuel we have found that they contain complementary elements that connect the stories contextually separated by hundreds of years. J offers plot developments that are key to interpreting the political context during the eras of David and Solomon. Similar types of correlations exist between the body of stories identified as E and non-Pentateuchal literature, particularly in the books of Judges and 1 Samuel.

The following analysis of aforementioned correlations between these E and Judges stories seeks to extract and examine one of the great dialogues in the making of Israel's early history. This is by no means an exhaustive study of all the parallels between E and Judges but is, rather, a report of the material as I have interpreted it to date. While the overarching question in this chapter is one of dependence, or, direction of influence between the E texts and those of Judges and Samuel (even Kings), the more narrowly focused concern of this dissertation is with the festival of Jephthah's daughter and its relationship to Passover, the holiday *par excellence* of the Torah. The general relationship between E and Judges is the background against which it becomes plausible to trace a genealogical relationship between the festival of Jephthah's daughter as reflected in Judges and E's *ḥag hammaṣṣôt* (Chapter 2).

### ***Sacrifice of the Yḥd (aka Hey, Ieoud)***

Let's begin our study of the similarities between E and Judges with the story of Jephthah's daughter and its confluence of several themes that have complements in E. These are: establishment of the holiday referred to as being observed *miyyāmîm yāmîmāh*

(Exod 13:10); sacrifice to Yhwh of one's own child (Genesis 22); and fateful words uttered at Mišpeh Gilead (Gen 31:32).

The phrase used to refer to the timing of the festival commemorating Jephthah's sacrifice, *miyyāmîm yāmîmāh*, is of particular import in E, where it appears in connection with the Passover festival. Compare the language of E's *ḥag hammaššôt* prescription (Exod 13:10) with the description of the festival in honor of Jephthah's daughter (Judg 11:39b-40):

Exod 13:10:

*wěšāmartā 'et hāḥuqqā hazzō't lēmô'ādāh miyyāmîm yāmîmāh*

you shall keep this ordinance in its season: *miyyāmîm yāmîmāh*

Judg 11:39b-40:

*wattēhî ḥōq bëyisrā'ēl miyyāmîm yāmîmāh tēlaknā bēnôt bëyisrā'ēl lētannôt lēbat yiptāḥ haggil'ādî*

it became an ordinance in Israel that *miyyāmîm yāmîmah* the daughters of Israel went to commemorate the daughter of Jephthah the Gileadite.

The death of the first-born of all of Egypt is fundamental to Pesah in E (Exod 13:12, 14-15). The element is integral and figures prominently in the articulation of the holiday's commemorating ritual. E's Passover regulation begins with the prescription:

Consecrate (*qaddēš*) to me [Yhwh] every firstborn (*bēkōr*); every escapee (*peṭer*) of the womb (*reḥem*) of the children of Israel, of man and animal, it is mine. (Exod 13:2)

When you come to the land flowing with milk and honey:

You will tell your son on that day: because this Yhwh did for me when I came out of Egypt. (Exod 13:8)

When Yhwh brings you to the land of Canaan, which he promised you and your fathers, and has given it to you:

You will pass (*wēha'ābartā*) every escapee (*peṭer*) of the womb (*reḥem*) to Yhwh. And every offspring (*šeger*) of beasts that you will have, the males, belong to Yhwh. (Exod 13:12)

Strikingly, the root *'br* in the *hiphil*, above rendered “you will pass,” is used solely of children when referring to sacrifice elsewhere in the Bible.<sup>129</sup>

2 Kings 3 aside, the child sacrifice stories in the Hebrew Bible come from the E source of Genesis 22 and from the story of Jephthah in Judges 11.<sup>130</sup> Where Abraham sacrifices his son (referred to as *yāḥîd*), Jephthah offers his daughter (referred to as *yēḥîdâ*). Occurrences of *yḥd* in the historical narratives are found only in Genesis 22 (E) and Judges 11.<sup>131</sup> The circumstances leading to sacrifice in these accounts are quite different. Ishmael ostracized and out of the picture,<sup>132</sup> God commands Abraham to sacrifice his remaining child, Isaac:

Take your son, your *yāḥîd* whom you love, Isaac, and get to the land of Moriah and offer him there as a burnt sacrifice on one of the mountains that I tell you.

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<sup>129</sup> The occurrences of *'br* in the *hiphil* in regard to human sacrifice are: Lev 18:21; Deut 18:10; 2 Kgs 18:12, 21:6, 23:10; Jer 32:35; Ez 16:25, 20:26, 31, and, 23:37.

<sup>130</sup> The reason for dismissing 2 Kings 3 from the discussion is that it is not literarily connected. The foreign king, Mesha of Moab performs the sacrifice in this section. He probably is not even sacrificing his own child but that of the King of Edom (see Amos 2:1). The offering is not made to Yhwh and does not involve Israel in any way.

<sup>131</sup> The term otherwise appears in Psalms 22; 25; 35; 68; Proverbs 4; Jeremiah 6; Amos 8; and Zechariah 12.

<sup>132</sup> Gen 21:8-21.

The sacrifice of Abraham's only heir is demanded right on the heels of his invoking Yhwh (Gen 21:33).

In contrast to Abraham, who receives an unambiguous divine command to sacrifice his *yāhîd*, God never asks for the sacrifice from Jephthah. Whereas Abraham invokes Yhwh and Yhwh tests him (*nsh, piel*), Jephthah sets the trap himself, making an open-ended vow to offer that which greets him on his safe return home. God commands Abraham to act; Abraham is ready-steady all the way, calm and collected, acting without hesitation and completely reticent. Jephthah, on the other hand, is emotional, distraught, and deeply reluctant. We may even speculate that he grants his daughter's reprieve to the wilderness hoping that she may not return to uphold her end. Jephthah ensnares himself with his own tongue. The words of his lethal vow wrap around his daughter like a noose.

The daughter herself is aware and complicit. Isaac either does not know what is going on or feigns ignorance because he needs to hear it from the old man himself. Abraham's words are tricky and say two very different things at once depending on intonation: *'ēlōhîm yir'eh lô hasśeh lē'ōlâ bēnî* "God will provide the lamb for a burnt-offering for Himself, my son" (JPS) or, as I prefer, "God will see for himself. The lamb for sacrifice is my son." It is an ambiguous statement and no doubt intended to be.<sup>133</sup> Really, we can't know how Isaac is supposed to have interpreted his father's response. Did he follow blindly or did his father's reply open his eyes to the unobscured reality that he was the intended victim? Rashi, recognizing the portmanteau nature of Abraham's

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<sup>133</sup> Richard Elliott Friedman discusses the matter of this phrase in some detail. He suggests a possible reading of "God will see to the sheep for the burnt offering: my son." in addition to those closely resembling the above. See Friedman's *Commentary on the Torah* (New York: Harper San Francisco, 2003) 74.

statement, suggests that the innuendo must have dawned on Isaac. He would have realized then that he was being set up.<sup>134</sup> In Rashi's interpretation Isaac is obedient, aware that his end is near from the time he asks the question to the time that he is bound upon the altar. But the emphasis is not on the son's obedience to the father as much as it is on the father's obedience to his god. Abraham is the one who is tested (Gen 22:1), and he complies from start to finish.

Jephthah's daughter is fully, keenly, bizarrely aware of her situation. She never asks her father to bring her up to speed on things. She doesn't have to. She knows exactly what kind of transaction her father has gotten her involved in as soon he confesses to having sworn a vow to Yhwh. The daughter consents. Explicitly. She says "do to me what has come out from your mouth" Judg 11:36 (*'ăšēh lî ka'ăšer yāšā' mippîkâ*). She requests the chance to mourn for herself, for her infecundity. She is aware of her impending fate for two months before she comes back to fulfill her duty, having remained chaste and virtuous through her time of amnesty. That's a lot of anticipation. She could have absconded permanently. Rather, she comes back and her father "did to her as he had vowed." Being the one who insists on privileging the vow to Yhwh over her own life, she is, indeed, depicted as worthy of the commemoration bestowed upon her.

The daughter's virginity is a point of preoccupation for the biblical story. Isaac too may have been a virgin, but it is not a significant point for the story. We may question later the symbolic significance of an eligible and nubile young *bat 'ādām* being offered to a male deity.

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<sup>134</sup> Rashi on Gen 22:8.

Abraham's ordeal comes after a series of unfortunate events. The text of E begins with the wife/sister episode involving Sarah and Abimelek. Abraham has just settled a dispute with his neighbor, Abimelek, purchasing Beersheba for seven ewes. Prior to that he had disowned his first-born. Abraham bought property and planted an *'ēšel* and invoked Yhwh. Yhwh answered Abraham in a big way. He "tested" (*nsh*) Abraham. Somewhere in the land of Moriah, God tells Abraham, is where the sacrifice would take place "on one of the mountains, which I will tell you." The only indications of a location for Moriah come much later than the story was drafted and should be viewed skeptically. 2 Chron 3:2 identifies the site of the Temple Mount in Jerusalem with the mountain of Moriah, though without explicitly linking it to the *Aqedah*.

The *Aqedah* is linked to the Passover sacrifice in Jewish hermeneutical literature as early as the 2<sup>nd</sup> century BCE. The book of *Jubilees*, following the Chronicler's identification of the location of Moriah as Jerusalem, calculates that Abraham set out on the twelfth day of the first month and that it took three days (cf., Gen 22:4) for him to get to the site from Beersheba. The twelfth day of the first month is three days before the paschal offering (Exod 12:6; Lev 23:5 both P), making the binding of Isaac concurrent with the appointed time of the Passover slaughter, on the evening of the fourteenth. *Mekilta de Rabbi Ishmael*, a document compiled around the 2<sup>nd</sup> century CE,<sup>135</sup> makes an equally overt connection between the *Aqedah* and Passover. When God halts from (*psḥ*) smiting the Israelite households during the plague of the firstborn, it is because he sees the blood of the paschal lamb on the Israelites' doorposts and remembers the blood of the *Aqedah* of Isaac. These interpretations can do little to tell us about the perspectives of the biblical

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<sup>135</sup> Lauterbach, *Mekhilta de-Rabbi Ishmael* 1.57.

authors, but there is something compelling in their identifications, given that the language E employs to speak of the sacrifice of Isaac so deeply resonates with language from the Judges account of the origins of the festival commemorating Jephthah's daughter. I suspect that E's author views the holiday established in Judges 11 as historically of a piece with *ḥag hammaṣṣōt* and, therefore, relates it to Passover. We shall entertain further the implications of this juxtaposition of Isaac as patron of Passover and Jephthah's daughter as the patron of *maṣṣōt* once we've had the opportunity to engage more of the interplay between E and the Judges history.

One of the stories, either the *Aqedah* or the sacrifice of Jephthah's daughter, reads to type and the other against type. Which is the archetype and which is the exception we cannot know with certainty. God "shows" Abraham where the act must occur. No site is indicated for the sacrifice of Jephthah's daughter. Practically the entire story takes place at Mispeh Gilead, and there is no reason to suggest that the sacrifice took place anywhere else, except that in Joshua 22 there is the mention of a model shrine. Joshua 22 appears to have been crafted out of a denial that Jephthah had done the deed there. It anticipates Judges 11, precluding the site from the readers' imagination. The author of Joshua 22 does not seem to want the altar of Gilead associated with the sacrifice of Jephthah's daughter.

### ***An Ironic Curse and an Ill-Fated Vow***

The site of Jephthah's vow, Mispeh Gilead, is also the setting for Jacob's unwitting curse of Rachel that results in her premature death in Genesis 35. Jephthah's fateful bargaining with Yhwh is stipulated with the condition articulated that "when I return in peace (*běšûbi bēšālôm*) from the Ammonites, that which comes forth from the doors of my house to greet me will be Yhwh's, and I will offer it up as a burnt sacrifice" (Judg 11:31).

Jacob utters the same turn-of-phrase, “when I return in peace,” entreating a safe return in exchange for allegiance to Yhwh as his god, *wěšabtí běšālōm ’el-bêt ’ābî wěhāyâ yhwh lî lē’lōhîm*, “when I return in peace to my father’s house Yhwh shall be my god.” (Gen 28:21). Rachel dies in childbirth (Gen 35:16-20). It is the moment of realization of Jacob’s rash and unspecific imprecation concluding the episode that began in Genesis 31, wherein Jacob, unaware that his wife is the culprit, curses the person who has stolen Laban’s teraphim: *’im ’āšer timšā’ ’et ’ēlōhēkā lô’ yihyeh*— “let the one with whom you find your gods not live!” (Gen 31:32). Jacob’s unwitting curse against his wife to her own father is as ironic as it is tragic. It smacks of *be careful what you wish for*.

Jacob’s curse, like Jephthah’s vow, is non-specific. He curses whoever has stolen Laban’s gods (*’ēlōhîm*).<sup>136</sup> With the same kind of ironic twist as Jephthah’s daughter emerging to become the sacrificial victim, Rachel is revealed as the subject of Jacob’s curse. Unbeknownst to Jacob, Rachel had stolen (*tignōb*) her father’s teraphim to bring with her as they fled. Jacob’s curse is realized just south of Bethel, where Rachel dies giving birth to Benjamin (Genesis 35).<sup>137</sup>

Genesis 31 also contains the place-naming episode for Mišpeh Gilead. It commemorates the resolution of conflict between Jacob and Laban after Jacob’s haphazard denial of any wrongdoing (Gen 31:32).<sup>138</sup> Slighted by his father-in-law, Jacob takes his

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<sup>136</sup> Referred to as *tērāpîm* (vv.19, 34-35) and *’ēlohîm* (vv. 30, 32).

<sup>137</sup> Just prior to this juncture in E, Deborah, Rebekah’s wet-nurse (*mēneqet ribqâ*), is introduced. The Deborah in Judges is referred to as *’ēm bēyisrā’ēl*, an attribute quite possibly reflected in E’s terse description of the nurse who suckled Jacob.

<sup>138</sup> Each one swears a conciliatory treaty of there being no ill-will between them; Laban by the god of their fathers, Abraham and Nahor, and Jacob by the *paḥad yišḥaq*. The place-name is given as *yēgar sâhādūtā’* in Laban’s Aramaic tongue. Jacob calls it *gal’ēd* (the latter indicating a stone heap (*gal*) whose piling Jacob commissions to serve as witness

wives and children and moves out of Laban's house to return to the land of his birth. They leave Laban unawares while he is out shearing sheep, getting a three-day jump on him in the headlong trip back to Bethel. Laban pursues Jacob, and he catches up to his caravan at the Mišpeh of Gilead (here referred to generically as the mountain of Gilead). He hurls a flurry of accusations at Jacob for absconding, among them being the charge of stealing Laban's gods. Incensed, Jacob protests the claim of his guilt proclaiming, "let the one with whom you find your gods not live!"

Laban searches the tents of Jacob, his wives and servants to no avail. Rachel has hidden the teraphim under her skirt and is sitting still while her father searches the premises. She apologizes for not standing to pay obeisance when he enters, explaining that she "has 'the way of women'" (*derek nāšîm lî*).<sup>139</sup> The phrase indicates either that she is menstruating or that she is pregnant, which is actually the case as we see in Genesis 35. It may be understood as a colloquialism. Rachel tells her father that she is having 'women's issues.' An oblique and, perhaps, deliberately ambiguous statement. She allows Laban to draw his own conclusion. He leaves without incident.

Laban ends his search empty-handed. He and Jacob make amends. It is not until Genesis 35 that another allusion to Laban's *tērāpîm* appears. En route from Shechem to Bethel, Jacob instructs his household to put away *'ēlōhē hannēkār* in order to prepare for

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(*ēd*) to their treaty) and *mišpeh* "for he said 'may yhwh watch (*yīšep*) between me and you."

<sup>139</sup> A similar phrase *'ōraḥ kannāšîm* is used to indicate that Sarah has stopped having her period. Her child bearing years have passed and she ceases to have *'ōraḥ kannāšîm* a "way like the women" have (Gen 18:11). The context for interpreting *'ōraḥ kannāšîm* is better established than that of *derek nāšîm*. Sarah and Abraham are elderly (*zēqēnîm*), advanced in years, (*bā'îm bayyāmîm*) and Sarah has stopped having a way like the women (*ḥādal lihyôt lēšārāh 'ōraḥ kannāšîm*).

the journey. They comply, giving him the *'ēlōhē hannēkār* which were in their possession; and Jacob in turn buries the items at an oak (*'ēlā*) near Shechem. They travel on, passing through Bethel, where Rachel experiences complications in childbirth (*wattēqaš bilidīāh* “harsh labor”). She dies just outside of Bethel, the place where Jacob had sworn to make Yhwh his god. The site of Rachel’s burial is not specified in the Pentateuch except for its being on the way to Ephrath/Bethlehem (Gen 35:19, E; 48:7, P). Ramah is a probable location (1 Sam 10:2 cf. Jer 31:15). It is no small coincidence that the exposure of *'ēlōhē hannēkār* and Rachel’s death are so closely situated. The implication is that Laban’s *tērāpîm*, too, would have been uncovered and this, therefore, ushers in the curse’s fulfillment.

### *The Mother of Israel*

The trajectory of Jacob’s travels in this Bethel to Bethel circuit may be of interest at this juncture. Jacob goes from Bethel to Haran,<sup>140</sup> where he resides for a time with his father-in-law, Laban; to Mišpeh Gilead (Genesis 31), where he curses Rachel; to Penu’el (Gen 32:23), where he encounters a divine pugilist; to Shechem (Gen 35:4), where he orders cult objects and earrings (smeltable items) to be buried; and, once again, to Bethel (Gen 35:6), where he builds the altar to Yhwh as he promised initially (Gen 28:22). Here, Deborah, the wet-nurse of Rebecca, dies and is buried under the Oak of Weeping (*'allôn bākūt*) in Bethel. This is the first time that the character is mentioned by name in the story. Otherwise the figure is mentioned vaguely as the *mēneqet* accompanying Rebecca when

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<sup>140</sup> J and E have Jacob flee to Haran, P to Paddan Aram. It is not clear to me that the version of E that we have expressly names the place in Aram to where Jacob moves. Wherever it is, it takes Laban seven days to catch up with him at Mišpeh Gilead (Gen 31: 23).

she is sent off to marry Isaac (Gen 24:59, J). And there is no mention of her in the E material at all prior to this moment.

I should return at this juncture to the fact that the Hebrew Bible has two Israelite folk figures named Deborah. These women appear in E and in Judges. The Deborah of Genesis is supposed to have been the wet-nurse for Rebecca. Presumably this means she was the woman who suckled Jacob and Esau. The Deborah of Judges 4 is a historicized depiction of the person or deity who is the focus of the song in Judges 5.<sup>141</sup> An arboreal landmark, *'allôn bākût* or *tōmer dēbôrâ*, is specified for each of the two Deborahs. The trees are situated between Bethel and Ramah (Gen 35:4-8; Judg 4:5). The remarkable propinquity of their landmarks invites comment. One suggestion from the Tosefot *Daat Zekenim* is that the death of Deborah in Genesis is mentioned because the “Oak of Mourning” is actually the site where Deborah the judge held court (*wehî yošebet taḥat tōmer dēbôrâ zehū 'allôn bākût dēbôrâ dehākā*).<sup>142</sup> We may find support for the suggestion that the trees *'allôn bākût* “Oak of Mourning” and *tōmer dēbôrâ* “Palm of Deborah” are intended to designate the same place with the Akkadian lexeme *temēru*, “bury.”<sup>143</sup> It may be that the *tōmer dēbôrâ* in Judges 4 is punning with the root *tmr* to suggest that it is the burial place of an ancestress named Deborah. The *tōmer* is one of the few details from the account that could not have been derived from Judges 5.<sup>144</sup>

The Deborah of Judges 5 is referred to as *'ēm bēyīsrā 'ēl* “mother of Israel.” (Judg 5:7) The Deborah of Genesis 35, though not the woman who gave birth to Jacob, is cast

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<sup>141</sup> See Baruch Halpern’s treatment in *The First Historians* (New York: Harper and Row, 1988) 76-99.

<sup>142</sup> *Daat Zekenim*, *Mikraot Gedolot* to Gen 35:8.

<sup>143</sup> CAD T 333b-334.

<sup>144</sup> Also, the phrase *'ēšet lappîdôt* is not derived from the poetic section.

as a figurative mother of Israel, presumably having nursed the infant patriarch. This may help explain some Rabbinic interpretations of the site at Bethel, the *'allôn bākût* being identified with both Deborah and Jacob's wet-nurse. The two women converge as *'ēm bēyīsrā'ēl*.

I imagine that the two Deborahs of Genesis 35 and Judges 4 ultimately derive from independent cultural knowledge and interpretations of the figure of Deborah from the song of Deborah in Judges 5. Genesis 35 and Judges 4 each represent the Deborah of Judges 5, but they present her in different ways. Judges 4 presents Deborah as the prophet (*nēbī'ā*) who judges at the time of the conflict. The identification of Deborah with the role of prophet may result from an interpretation of the song's line "speak a song" *dabrī šîr* (Judg 5:12), which puns on her name. The prophet of Judges 4 advised Baraq in his military campaign. Genesis 35 makes her the *mēneqet ribqâ*, Rebecca's wet-nurse, probably taking its lead from the line of the song that states that Deborah is the mother of Israel (Judg 5:7). In the patriarchal narratives of Genesis, Rebecca is Jacob's biological mother. Her nurse, Deborah, the woman who would have suckled young Israel, gets a special mention in the patriarchal history that discloses her burial (read, veneration) site. She is far removed from the judge who oversaw Baraq's military endeavor.

### ***The Trouble with Benjamin***

Jacob's curse of Rachel (Gen 31:32) extends beyond her, reaching Benjamin, too. From birth Benjamin is a pitiable, motherless son. In the throes of her dying moments Rachel pronounces him *ben 'ônî* "son of my suffering." It is a reversal of motif from the father who sacrifices the child. Rachel dies and Benjamin lives.

E's depiction of the accidental curse of Rachel has much thematically to connect it to the origin story for the festival in honor of Jephthah's daughter. Each death redounds as the unintended consequence of a haphazardly-worded oath, either declared by a husband pertaining to his wife or a father pertaining to his daughter. Each oath is spoken at Mišpeh Gilead. In each account there is memorialization. Jacob sets up a monument stone (*maššēbâ*) upon Rachel's grave (*qēbūrātāh*) (Gen 35:20). For Jephthah's daughter, it became a "statute" (*hōq*) that the women of Israel would go to commemorate her during the holiday (Jud 11:39-40).

Rachel's tragic death in the moments after having given birth to Benjamin exposes another element in the dialogue between E and Judges—the tribe of Benjamin's checkered relationship with the festival in honor of Jephthah's daughter.

The Benjaminite men's capture of the female celebrants at the festival of Yhwh in Shiloh (*ḥag yhwh bēšilō*) is depicted as a lifeline for the tribe, which has been nearly wiped out by a civil war of its own making. Reportedly, men of the town of Gibeah attacked a woman who was traveling through the area with her husband and his associate, raping and murdering her (Judges 19). Her husband, a Levite, dismembers her corpse and dispatches the remains to all the tribes of Israel as a rallying cry to bring the guilty to justice. A coalition against Benjamin, consisting of the rest of Israel's tribes, demands the arrest of the perpetrators for execution. Benjamin refuses. Instead of cooperating, it girds itself for battle. A civil war ensues. The account in Judg 20:13-21 reports several days of fighting in which Benjamin prevails before the coalition gains the advantage and very nearly extinguishes the tribe. Benjamin's cities are razed. Israel so devastates the tribe that all of

its women have died or disappeared in the process, bringing it to the brink of utter extinction.<sup>145</sup>

None of Israel's tribes is willing to marry off its daughters to Benjamin. The coalition that had formed against Benjamin made a solemn agreement to this end— (*'ārûr nôṭēn 'iššâ lēbinyāmin*) “whoever gives a wife to Benjamin is cursed” (Judges 21:18). Quite a dilemma arises as none of Israel's tribes is willing to marry its daughters to Benjamin, yet none of them wants to see Benjamin blotted out from Israel. The Israelite coalition agrees to a two-fold solution: the first part is that the inhabitants of Jabesh-Gilead, who refused to side against Benjamin, would be destroyed man, woman, and child. Only virgin women would be left alive and they would become wives for the remnant Benjaminite group. The second course of action, necessary because there were not enough eligible women of Jabesh-Gilead to suffice, is to allow Benjamin to abduct the women whom no one would betroth to them. This decision comes at a time when the “festival of yhwh,” *ḥag yhwh* (Judg 21:19), is in Shiloh and Israelite women are out to perform their rituals. Israel's elders assure Benjamin that it would be a safe course of action to seize the women who come out dancing, “the whirlers,” *hammēḥōlōt* (Judg 21: 23) and to take them as wives.

The sons of Benjamin did so. They married women according to their number from the whirlers whom they captured. And they returned to their territory, built their cities, and lived in them. (Judg 21:23)

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<sup>145</sup> On the possibility that *herem* warfare is implied here see Boling, *Judges*, 41–42; Cheryl Exum “The Centre Cannot Hold: Thematic and Textual Instabilities in Judges” CBQ 52 (1990) 430, and Gregory T.K. Wong *Compositional Strategy of the Book of Judges* (Boston: Brill, 2005) 128-129. For the systemic annihilation of living things in a *herem* situation, see Deut 13:16; Josh 6:21; 1 Sam 15:3. For the burning of cities in a similar situation, see Deut 13:17; Josh 6:24.

The women of Shiloh are probably to be understood as emulators of Jephthah's daughter, who is depicted dancing in Judg 11:34. They provide a life-line to Benjamin, filling the void left by the Benjaminite women who have perished in the war.

What should we make of the correlation between the story of Jephthah's daughter and that of Rachel, Benjamin's mother? Perhaps the relationship between Rachel and Jephthah's daughter is meant to draw our attention to this episode in which women attending the festival in honor of Jephthah's daughter, once again give life to Benjamin. The connection is one in which the mother who died giving birth to Benjamin evokes the matriarch of the festival that gave its daughters to sustain him. Rachel's untimely death while giving birth to Benjamin may symbolize the death of the women of Benjamin, its would-be mothers, during the civil war; her correlation to Jephthah's daughter may be a nod to the tribe's only means of survival.

### ***Hannah and Her Sisters***

Benjamin's abduction of the women of Shiloh is the final scene in the book of Judges. It is directly linked, chronologically and contextually, to the account of Hannah, who could have been one of those women taken. Rachel aligns not just with the figure of Jephthah's daughter (Genesis 35 and Judges 11) but also Hannah (Genesis 32 to 1 Samuel 1-2), who is depicted as a celebrant at the daughter's festival subsequent to the Benjaminite war. The phrase linking the festival in honor of Jephthah's daughter to Passover in E, *miyyāmîm yāmîmāh*, appears again, here referring to the festival that is the background for Hannah's miraculous conception (1 Sam 1:3). Like Rachel, Hannah is depicted as having

endured a period of infertility before finally bearing her firstborn. It is during the holiday festivities at Shiloh that Hannah's prayer for an end to her barrenness is answered.

Hannah is the beloved wife of Elkanah, a man from Har Ephraim. The couple is depicted together at the time of the sacrifice in Shiloh, correlating to the Passover sacrifice after the four-day pilgrimage period.<sup>146</sup> Peninah, Hannah's rival-wife, used to needle her, "making her fret over Yhwh having closed her womb."<sup>147</sup> Hannah is a dejected woman. She weeps and refuses to eat. Either oblivious to or ignoring the fact that Peninah's taunting elicits Hannah's behavior, Elkanah says to her "Why do you cry? And why don't you eat? Why does your heart grieve? Am I not better to you than ten children?" (1 Sam 1:8) There's no indication that Hannah has complained about her barrenness to Elkanah or that she blames him at all, yet he clumsily attempts to soothe her mood with assurances of his enduring adoration in spite of her inadequacies, supposing that his love should ameliorate her heartache for a child.

The barren-wife theme is played out in E's depictions of Sarah and Rachel. Jacob and Rachel are far less well behaved than Hannah and Elkanah. Rachel's infertility becomes a point of contention between her and Jacob. She becomes jealous that her sister has born children to him and makes an over the top complaint for Jacob to get her pregnant too, "or else I'll die." Her words echo forebodingly— she will indeed die giving birth. In contrast to gentle Elkanah who tries to soothe Hannah, Jacob is incensed at Rachel's complaint. He acerbically informs her that she ought not blame him for her infertility — "am I in place of God who has held back fruit of the womb from you?" (Gen 30:2).<sup>148</sup>

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<sup>146</sup> Chapter 2.

<sup>147</sup> 1 Sam 1:6.

<sup>148</sup> Variation of the phrase "am I in place of God" appears in Gen 50:19 (E).

The E material in Genesis provides very little in the way of an account of Sarah's barrenness, except for the mention that "God had held back all the wombs in Abimelek's house on account of Sarah, Abraham's wife." (Gen 20:18) The implication is that Sarah was also barren during this time. Abraham prays for Abimelek and "God healed him and his wife and servants and they bore children" (Gen 20:17).<sup>149</sup> Sarah immediately becomes pregnant.

Parallels between Sarah and Hannah are particularly striking in E. While the theme of barrenness is also represented in J, E has the added layer of donation of the miraculously born child. Samuel's mother dedicates him to Yhwh all the days of his life. He is donated, ostensibly as a *nāzîr*. Isaac, on the other hand, is brought for sacrifice with his mother nowhere in sight.

The end of Hannah's barrenness is depicted as a sort of reparation. Hannah is fervently praying at the temple when the priest, Eli, mistakes her for a drunk and sternly admonishes her. She speaks up in her defense, explaining that she is completely sober and acting in earnest: "No, sir, I am a woman of hard-spirit. Neither wine nor intoxicant have I drunk. But I have poured out my soul to Yhwh" (1 Sam 1:15). Realizing his mistake, Eli responds "May the God of Israel give you what you asked from Him" (1 Sam 1:17). Hannah conceives a child within days of her interaction with Eli.

Yhwh shut Hannah's womb (1 Sam 1:5) but remembered her (*yizkērehā*) (1 Sam 1:19), punning on the word "male" *zākār*, as if Yhwh made a male child for her. The turn of phrase "god remembered" (*wayyizkōr 'ēlōhîm*) appears in E's account of Joseph's birth

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<sup>149</sup> Note the different attitudes towards influencing God, Abraham who intercedes for Abimelek vs. Jacob who dismisses the notion that he has anything to do with the matter.

and is attended by the explanation, “and he listened (*yišma* ‘) to her and he opened (*yiptah*) her womb” (Gen 30:22). The accounts of Hannah and Rachel are the only in the Bible to use *zkr* alluding to pregnancy.

If the festival is, as I think, a time of venerating the virgin daughter who was sacrificed to Yhwh, then it must have been considered especially important for women who had not yet borne children. The probable folkloric tie between barrenness and the women’s festival was an expectation for blessing of children on the pious among the barren. Hannah prayed at the festival and vowed to give the child to God as a *měšāret* servant all the days of his life. The priest Eli notices Hannah ardently praying and misjudges her, chastising her like a rowdy drunk before realizing his mistake. To make amends, Eli blesses her saying “May the God of Israel give you what you asked from Him.” Indeed, God remembers her when she and Elkanah are intimate, and she conceives. Hannah exudes piety despite being judged as impious. She is depicted as a bereft mother, weeping for her unborn children, needled by her husband’s other wife for her lack of children. Peninah doesn’t just torment Hannah for not being able to have children; she does it at what would have been the festival for a young woman who died childless. It’s a poignant depiction. At Shiloh, Hannah prayed for a child and Yhwh answered her. Samuel is depicted in biblical literature as a preeminent figure of the emergent United Monarchy. He anoints Israel’s first two kings, Saul and David.

Unlike Hannah, Rachel is completely removed from a ritual context. She procures a medicinal herb, the mandrake, but the folk remedy appears to be unsuccessful.<sup>150</sup>

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<sup>150</sup> Gen 31:14-16. The mandrake (*dūdā* ‘) is a perennial herbaceous plant with a thick, long, root that branches in several places. The shape of the root varies and at times may resemble a human-like figure. The root contains tropane alkaloids that cause delirium when

Eventually God remembers her (*wayyizkōr 'ēlōhîm*), listened to her (*yišma ' 'ēlēhā*), and he opened her womb (*wayyiptah 'ēt-rahmāh*). There is no explanation for why God made her conceive, “removing reproach,” as she says. He just did. The same with Sarah. There is no biblical explanation of Sarah being particularly pious. The emphasis is not on the mother’s piety in E.

Perhaps Samuel and E reflect two different notions about fertility. Certainly each would say that Yhwh closes and opens the womb. But one seems to suggest that if a woman is truly good and pious, attends the yearly festival and prays, then she, too, like Hannah, will bear children; while the other seems to say that a woman does not have to go to the festival or make a vow to give Yhwh her firstborn— fertility is beyond human control.

### ***Jether son of Gideon, Meet Jethro son of Midian***

A number of elements in the Gideon/Jerubaal cycle (Judges 6-8) correlate to details in E material about Moses and Jacob. Epiphany and denial of divine election is central to accounts of the call narratives of Gideon (Judges 6) and Moses (Exodus 3). Gideon is threshing wheat at a winepress when he encounters a *mal'ak yhwh* who had come and was sitting under an oak in Ophrah, which belonged to Joash, Gideon’s father. The *mal'ak yhwh* appeared (*wayyērā*) to him and greeted him “Yhwh is with you, strong warrior.” Similarly, Jacob encounters Yhwh’s emissary in the flesh (Genesis 32).

Moses questions “who am I that I should go to Phaorah?” (Exod 3:12) whereas Gideon doubts “with what will I save Israel...” In both cases YHWH replies “because I

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consumed. The word for mandrake *dūdā*, related to “beloved” *dwd*, suggests its use as an aphrodisiac. It was probably smoked, as implied in Song 7:13. See the related entry in Michael Zohary, *Plants of the Bible* (New York: Cambridge University Press, 1982).

will be with you”, *kî ’ehyeh ’immāk* (Exod 3:12, Judg 6:16). The giving of a sign (*’ôt*) also figures in these accounts. Doubting the veracity of his election Gideon asks for a sign (*’ôt*) that God is speaking with him (Judg 6:17). The *mal’āk* instructs Gideon to bring forth a *minhâ* (food offering). Gideon prepares a kid, unleavened bread, and broth, and brings the meal out to the *mal’āk*. The *mal’āk* then instructs him to place it upon a rock. After this, he touches his staff (*miš’enet*) to the unleavened bread and meat, which is now soaked with broth, and fire comes out of a rock on which Gideon has placed the meal and consumes the food (Judg 6:17-21).

Moses, too, requiring some convincing, receives signs to assure him that he can trust Yhwh. The first is the promise of a sign to come; his return to Horeb worshipping God will be a sign for him (Exod 3:12). As the episode unfolds further, Moses witnesses immediately tangible signs. His staff becomes a snake (Exod 4:1-4), and the skin of his hand becomes white with disease and returns to normal (vv. 6-7). An additional sign of water turning to blood is promised (v. 8).

After the *mal’ak yhwh* brings forth fire from the rock to consume the meal, he disappears from Gideon’s view. The two, however, continue to talk. Finally, it dawns on Gideon that he has been speaking with a supernatural being. “Aha! Lord, Yhwh, for it is so, I have seen a *mal’ak yhwh* face to face” (*pānîm ’el-pānîm*) (Judg 6:22).

The phrase *pānîm ’el-pānîm* also recurs in accounts about Jacob and Moses. Gideon expresses the shock of having discovered that the stranger with whom he was just talking face to face (*pānîm ’el-pānîm*) is in fact a messenger of God. Jacob says this very thing about his divine encounter, and the narrator uses it to describe how Moses and Yhwh communicate (Gen 32:31; Exod 33:11, both E). The benevolent being who came to dinner

with Gideon behaves quite differently from Jacob's terrifying visitor. Jacob engages in a grueling overnight grappling match with a being, lasting until they call a truce at dawn. Unable to defeat Jacob, the being relents. He changes Jacob's name to Israel and blesses him. It is the place-naming episode for Penuel, "for I have seen God face to face (*pānîm 'el-pānîm*) and my life escaped." Gideon later exacts vengeance on Penuel, breaking down its tower and killing the people of the city (Judg 8:17). When Yhwh visits Moses in the wilderness, the people see him as a "pillar of cloud" but "he spoke to Moses face to face (*pānîm 'el pānîm*), as a man speaks to his peer" (Exod 33:10-11).

Gideon builds an altar there in Ophrah and calls it *yhwh šālôm*. Yhwh continues to speak to Gideon through the night, telling him to throw down the altars his father had built and the asherah thereof and build an altar on this place and offer a burnt offering with the wood from the asherah (Judg 6:25-26). Gideon and his men do the deed at night.

Gideon's destruction of the altar of the baal and the asherah causes quite a ruckus. Angry townsfolk call for Gideon's execution, asking his father, Joash, to turn him over to them. Joash dares any of them to make a move against his son, saying, "whoever pleads for him [the *ba'al*] will be put to death this morning" and further, "if he [the *ba'al*] is a god, let him argue for himself." Here arises another feature in common with Jacob, Gideon's father declares that his name should be changed to Jerubaal, saying "let *ba'al* argue (*yāreb*) with him." In both Gideon and Jacob's accounts the name change attends the divine encounter (each a night-time theophany) in which they see god *pānîm 'el-pānîm*, Gideon becomes Jerubaal at Ophrah, Jacob becomes Israel at Penuel.

Gideon asks for further, specific signs, the fleece and dew tests (Judg 6:36-40).

In the next scene (Judg 7:1-10), Gideon has now amassed a large posse to take on the Midianites, too large in Yhwh's estimation for them not to credit their own strength if victorious. Yhwh winnows down Gideon's troops from twenty-two thousand to ten thousand, to three hundred. He and his army stand against a multitude of Midianites and Amalekites, like locusts (*kā'arbeh*)<sup>151</sup>, whose camels were innumerable, like the sand of the sea (*kaḥôl še'al-šēpat hayyām*).<sup>152</sup> Of its attestations in the Torah the phrase "like the sand of the seashore" appears in J and E only.<sup>153</sup> We find the simile two times in E, before the great famine strikes Egypt, "Joseph gathered corn as the sand of the sea, so much that he stopped counting because it was innumerable" (Gen 41:49), and, importantly, God's promise to Abraham at the binding of Isaac (Gen 22:17).

Dreams as presage to impending doom appear in the accounts of Gideon and Joseph. Joseph's negative interpretation of the baker's dream (Genesis 40:16-17) is resonant with the account of an unnamed man who interprets the dream of a cake of barley knocking over a Midianite tent as the downfall of the camp to Gideon (Judg 7:13-14).

The story of how Gideon and his army of three hundred (Judg 8:4) take on fifteen thousand Midianite (Judg 8:10) comes next. The Ephraimites confront Gideon about his exploits. Gideon gives an account of the event. In doing so he also indirectly explains

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<sup>151</sup> Comparison of the men to locusts is comment-worthy, as it is reminiscent of the plague of locusts in the Exodus account (E).

<sup>152</sup> The feeding habits of camels and locusts mean that they are notorious crop devastators.

<sup>153</sup> There are three versions of the phrase in the Bible, two that differ in the use of the relative particle and one that omits the relative altogether. Gen 22:17 and Gen 41:49 use *'āšer* "which" whereas Judg 7:12 uses the proclitic *še*. Gen 32:13 omits the relative phrase making it a construct sequence instead *kēḥôl hayyām*.

*kaḥôl še'al-šēpat hayyām* (Judg 7:12); *kaḥôl 'āšer 'al-šēpat hayyām* (Gen 22:17 [E]; *kēḥôl hayyām* (Gen 32:13[J]), Gen 41:49 [E]). J lacks the relative pronoun in these examples. Jeremiah uses a similar expression "more than the sands of the sea" *mēḥôl yammîm* (Jer 15:18).

why Jether is unfit to succeed him, which makes way for Abimelek to take Jether's place as Gideon's heir.

The previously mentioned formula pertaining to Jacob and Jephthah containing the phrase *šûb bēšālôm* also appears in Gideon's speech in Judg 8:9.<sup>154</sup> Gideon threatens violence against the people of Penuel for refusing aid, "When I return in peace" (*bēšûbî bēšālôm*), and swears, "I will break down this tower" (Judg 8:9). The phrase is identical to Jephthah's promise "when I return in peace (*bēšûbî bēšālôm*) from the Ammonites, that which comes forth from the doors of my house to greet me will be Yhwh's and I will offer it up as a burnt sacrifice" (Judg 11:31). A variation of the phrase appears when Jacob swears allegiance to Yhwh, saying that when "I return in peace (*wēšabtî bēšālôm*) to my father's house Yhwh shall be my god" (Gen 28: 21).

On Gideon's return with captives he exacts revenge just as he said he would. He revisits the cities to parade around his captives, Zebaḥ and Šalmuna', and to get even with the bystanders who refused to take his side. When he returns to Penuel, he tears down the tower and slays its people.

Gideon finally turns his attention to his two captives, the kings of Midian, Zebaḥ and Šalmuna'. He questions them briefly, long enough to identify them as responsible for the deaths of his brothers, sons of his mother (*'aḥay bēnē 'immî hēm*: Judg 8:19). He summons his firstborn, Jether, to execute the men. The boy cannot go through with it.

Gideon and Jacob collect the gold jewelry from their crew. Gideon collects gold earrings that the Israelites had taken from the Ishmaelites (Judg 8:24) and makes an ephod (v. 27). Jacob also demands that the earrings of his people be handed over, however, he

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<sup>154</sup> Also in 1 Kgs 22:28 "if you return in peace" (*'im šôb tāsûb šālôm*).

buries the items along with foreign gods (*'ēlōhē hannēkār*) at Shechem before going to Beth El (Gen 35:4). When the people demand that Aaron make 'gods' for them, he asks that they give their earrings to be melted and cast as an icon (Exod 32:1-4).

Other Pentateuchal correlates include the coincidence of multitude of sons, the phrasing of the number of their children with the recurrence of the expression “goers out of the thigh,” (*yôṣ'ē yěrkô*), present in the story of Gideon and that of Jacob in what appears to be P (Gen 46:26) and again in R (Exod 1:5). According to Judg 8:30, Gideon had seventy sons, called “goers out of his thigh” (*yôṣ'ē yěrkô*). That exact expression (*yôṣ'ē yěrkô*) is used for the descendants of Jacob, which are sixty-six, and the number seventy is used of Jacob's family members who descend to Egypt (P, Gen 46.26-27). There is also the story of the destruction of Shechem by sons of Jacob in J and a son of Gideon. Accounts of destruction at Shechem are given for Gideon's son Abimelek (Judges 9), and Jacob's sons Simeon and Levi (J, Genesis 34).

Gideon's central claim to fame is his crushing defeat of Midian. Isn't it rather ironic, then, that E makes a point of applying language that is reminiscent of Gideon to Moses, who has family ties to Midian? Gideon's own firstborn son, Jether, shares the name with E's Midianite priest, Jethro, who is Moses' father-in-law. E is the only source that calls Moses' father-in-law Jethro. He is otherwise referred to as Reuel (Exod 2:16-18 and Num 10:29). Gideon's son, Jether was the young man who could not lift a sword against Midianite captives. Maybe in using language that evokes Gideon, and applying the name of Gideon's son in the Moses stories, the underlying purpose of E's Midianite father-in-law was to instill a sense that Jether was not wrong to relent from killing the Midianites, they are family, after all.

*The Establishment of the Molten Image at Bethel and Dan*

The Golden Calf episode of Exodus 32 may serve as a historical revision to a sequence of events detailed in Judges 17-18, which entails the establishment of the religious centers at Dan and near Bethel, and in particular the installation of a molten image (*massēkā*) at these sites.

The Judges material associates the cultic icons of Dan with an original establishment in Har Ephraim, the region in which Bethel is located, by way of a migration story involving the Danite men and a priest who is identified as Jonathan, son of Gershom, son of Moses. The Mushite Jonathan is named as priest at a locale in Har Ephraim, known as the *bêt ’ēlōhîm* belonging to Micah (Judges 17).

Leading up to Jonathan’s installation as priest, Judges 17:1-5 explains how Micah’s sanctuary came to be adorned with its cultic icons. The story opens with Micah, his mother, and a confession. It seems that someone had absconded with eleven-hundred shekels of the woman’s money. The sum of money, eleven-hundred, should strike a familiar chord. It is equal to the bounty that the Philistines each give to Delilah for Samson in the previous account (Judg 16:5). Micah confesses to having taken the silver. His mother blesses him and he returns the money. She tries to give it back to him, telling him that she had dedicated the silver for him to be used to make a “graven image” (*pesel*) and “molten image” (*massēkā*). He insists on returning the money but she sends a portion of it, two hundred shekels, to the smelter who makes the *pesel* and *massēkā*. Micah installs the items, along with *tērāpîm* and an *’ēpōd* that he had made, in his *bêt ’ēlōhîm*.

Having situated the items in the *bêt ’ēlōhîm*, Micah made his own son priest of the sanctuary, and he served as such until, one day, someone better— a professional— came

along. Part two of the story introduces Jonathan, noted as a Levite from a family of Judah in Bethlehem, and later revealed to be the grandson of Moses, who took up residence in Har Ephraim and became priest to Micah's house.

Now, sometime after Jonathan became priest for Micah's house, the tribe of Dan sent out five men to scout territory for settlement. These men lodged with Micah on their way to Laish. They took notice of Jonathan, recognizing from the sound of his voice that he was a Levite (Judg 18:3). The men move along their way without incident only later to return to plunder Micah's sanctuary during the tribe's migration en masse.

During their migration from the northern Shephelah, the Danite men kidnapped, or rather, according to the Danites, promoted Jonathan. The men reasoned with the reluctant priest, "is it better for you to be the priest of one man or to a tribe and a family in Israel?" (Judg 18:19). Not surprisingly, with five brutes bearing down on him and six-hundred more armed men standing at the gate, Jonathan saw the light and decided to take them up on their offer. To seal the deal he took the *pesel*, *massēkâ*, *tērāpîm* and *'ēpōd* and went out among the people. And so, Jonathan became priest for the tribe of Dan.

The detail at the beginning of the story that Micah had initially stolen from the silver for his icons from his mother returns with the theft of those icons. Micah's theft is repaid in kind. We have come full circle.

Micah's story may remind us of E's depiction of Rachel stealing Laban's icons. Micah takes the money that his mother had dedicated to have cast as a cultic icon. When the silver went missing the woman swore about it (*'lh*), apparently not realizing that her son took it (Judg 17:2). Rachel stole her father's *tērāpîm* (Gen 31:19). Her husband cursed her not knowing that she took it (Gen 31:32). The scene plays out a bit like Laban pursuing

his stolen *tērāpîm*. Micah and a posse of his neighbors pursue the Danite men who have stolen his personal cult. The Danites have apparently journeyed some distance before Micah catches up with them. They are far away from Micah's house by the time he has assembled a posse. Laban, too has some catching up to do. Jacob has a three-day head start. The word to "overtake" or "cling after" (*dbq, hipil*) is said of Laban and Micah in relation to Jacob and the Danites in both accounts. Laban accuses Jacob of stealing his children and his gods (Gen 31:27-30). Micah accuses the Danites of stealing his priest and gods ("you have taken the gods that I have made and the priest and gone!"). Laban and Micah each return home empty-handed.

Jonathan and his descendants were priests at Dan until the *gēlôt hā'āreš* "captivity of the land" (the time of Tiglath-Pileser). The *pesel* was at Dan for "all the days the house of god was in Shiloh." The editorial note draws our attention to the account's etiological function. It provides a background against which the reader may understand Jeroboam's revival of the cult at Dan and Har Ephraim vis-à-vis Bethel (1 Kings 12). The claim is that these sites were essentially Mushite. The *pesel* and *massēkâ* associated with Jonathan, son of Gershom, son of Moses, may be identified with Jeroboam's golden calves of Bethel and Dan.

E flatly rebuffs the claim of Mushite involvement in the original rendering of cult objects of the likes that we see in 1 Kings 12 with the account of Aaron making the golden calf (Exodus 32). Jeroboam installs the golden calves, saying: "here are your gods, Israel, who brought you up from the land of Egypt." (1 Kgs 12:28). Very similar words "these [sic] are your gods..." appear when Aaron presents the *'ēgel massēkâ*. The likeliest scenario is that Jeroboam's words are retrojected into the mouth of the people at the Exodus

golden calf scene. Where Jeroboam says “here are your gods” and is actually talking about two symbol the people use the same words when only referring to one object in the Exodus account.<sup>155</sup> The incongruous plurality ought to strike us as really odd. It stands out as an obvious allusion to Jeroboam and it exculpates the Mushite priesthood from introducing the forbidden cult objects to Israel by putting the *‘ēgel massēkâ* first into the hands of Aaron.

The Exodus golden calf scene unfolds while Moses is far away on top of Mt. Horeb. Apparently, Moses has been away for a while. The people have grown antsy in his absence and demand that Aaron make gods to go before them because they do not know where Moses, their leader, has gone (Exod 32:1).

Yhwh, incensed at Israel, tries to send Moses away so that he can destroy the people, telling Moses that he intends to make a great nation out of just him instead. Moses argues with Yhwh not to kill Israel, saying:

Remember (*zēkōr*) for Abraham, for Isaac and for Israel, your servants to whom you swore to them on yourself, and you said to them, I will make your seed numerous as the stars of the sky and all of this land that I have mentioned I will give to your seed and they will inherit it forever.”  
(Exod 32:13)

Here the resonant use of *zkr* comes in what is ostensibly E-source material. The context is intriguing as Aaron declares that the day following the making of the golden calf is *ḥag layhwh*, a phrase that is used otherwise for the sacrifice during *maṣṣôt/pesaḥ* in E

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<sup>155</sup> Exod 32:4, 8.

(Exod 32:5). It is possible that in E this holiday would have been intended as the Passover sacrifice or a rival to it.<sup>156</sup>

Moses reminds Yhwh of the promise that he made to Abraham when Abraham sacrificed Isaac (Gen 22:16-17 (E)):

On myself I swear, a declaration of Yhwh, because you have done this and not withheld your son, your /yahîd/, thus I will surely bless you and make your seed as many as the stars of the sky and the sands of the sea. And your seed shall inherit the gate of its enemies.

This must be the promise to which Moses is referring. The descendants as innumerable as the stars and sky analogy together with the phrase “on myself I swear” (*bî nišba ‘tî*) lets us remove any doubt of that. Moses reminds Yhwh of this very promise with the details that “on yourself you swore” (*nišba ‘tā lāhem bāk*) to give to Abraham “seed as the stars of the sky” (Exod 32:13). Genesis 22 is the only occasion in the Torah where the deity swears on himself.

Moses’ appeal is successful, “and Yhwh relented (*yinnāhem*) from the bad he had spoken to do to his people.”<sup>157</sup> Moses and his party come down the mountain to the sound of the people in its shouting. Joshua first identifies it as *qōl milḥāmā* the sound of war, which he corrects to *qōl ‘annôt* the “sound of singing.” They see the calf and people

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<sup>156</sup> How many days might have passed from the night they left Egypt until this point in E? P’s timeline would make this period upwards of three months after the exodus from Egypt (Exod 19:1). In JE the Israelites come to Marah after journeying in the wilderness for three days (Exod 15:22b [J]), which has following it the report of manna (Exod 16:4-5, 35b). The passage of time is next indicated with another three-day period specified: today, tomorrow and the next day. Yhwh instructs Moses to consecrate the people “today and tomorrow” for his epiphany at Sinai, on the third day (Exod 19:10-11[J]). Subsequently, Moses ascends the mountain for forty days (Exod 24:18; 34:28 [J]). Another three-day trek from *har yhwh* (Num 10:33) follows in J. There is no clear indication of how much time has lapsed in E, only J.

<sup>157</sup> Exod 32:14.

dancing (*mēḥōlōt*) and they hear singing. Singing and dancing are elements evocative of the women's holiday. The last similar such display of song and dance was at the Red Sea, where Miriam took the lead and "all the women came out after her with timbrel and in dance (*mēḥōlōt*). Miriam chanted (*ta'an*) for them 'sing to Yhwh' for he has surely triumphed, horse and its rider he hurled into the sea.'"

Having heroically intervened with god and convinced Yhwh not to wipe out Israel, Moses returns to see the calf and the dancing and, incensed, chooses to administer punishment himself. The calf never makes it into Israel. The story denies the existence of such a relic, saying that Moses destroyed it on the spot. He incinerates the calf, pulverizes its remains, and sprinkles the destroyed icon's ashes into water, which he made the people drink (Exod 32:20). Moses, then, had the camp divided into two factions, one for worshipers of Yhwh and one for everybody else. Those who were for Yhwh joined Moses. This apparently consisted of just the Levites, or at least that is all who are mentioned (Exod 32:26). He slew those who did not repent, which was no small count: three thousand men fell that day.

E's golden calf narrative mitigates the blow of the alleged Mushite role in the establishment of the cults at Bethel and Dan reported in Judges 18. Moses is absent from the camp when the golden calf is made. He intercedes for Israel when Yhwh wants to destroy them on account of their icon making. He destroyed the illicit object that Aaron made and even slew those who did not ally with Yhwh. By making Moses the hero of Exodus 32 and Aaron the calf's dubious creator, E rescues the Mushite priesthood from involvement in introducing the molten image (*massēkâ*) into Israel— a defensive stance against Judges 17-18, which traces the establishment of the sanctuaries at Bethel and Dan.

### Summary

E's accounts are replete with allusions to the Judges material. We have seen several phrases (*yḥd*; *pānīm 'el-pānīm*; *miyyāmīm yāmīmāh*; (*bě*)*súb bēsālôm*; *bētúppîm ūbiměḥōlōt*) that occur in Judges and in E **only**. The details concentrated in Judges tales are scattered extensively through stories that make up the majority of E's Patriarchal history.

Table 3.2: Distribution of <i>Leitmotif</i> from Judges/Samuel to E		
Judges/Samuel	<i>Leitmotif</i>	E
Judges 5	Deborah	Gen 35:8
Judges 6	<i>nābî'</i>	Gen 20:7 ----- Num 11:29 ----- Num 12:6
	“house of slaves” <i>bēt 'ābādîm</i>	Exod 13:3, 14
	God proclaims “for I will be with you” ( <i>kî 'ehyeh immāk</i> )	Exod 3:12
	seeing god “face to face” ( <i>pānīm 'el-pānīm</i> )	Gen 32:31 ----- Exod 33:22
	name change from Gideon to Jerubaal	Gen 32:29
	<i>rûah</i> + upon Gideon	Num 11:17-29+
Judges 7	sand of the shore simile	Gen 22:17 ----- Gen 41:49
	dream involving baked goods	Gen 40:16-17
	war with Amalek	Exod 17:8-16
Judges 8	when I return in peace <i>šúb bēsālôm</i> +	Gen 28:21+

	<i>Yeter/o</i>	Exod 3:1 ----- Exod 4:18 ----- Exodus 18
	collecting earrings <i>nzm</i>	Gen 35:4 ----- Exod 32:2
Judges 11	rescued those who ostracized him	Genesis 37, 42
	Red Sea	Exod 13:18
	Balak, Son of Zippor	Num 22-24
	<i>rûah</i> + upon Jephthah	Num 11:17-29+
	open ended curse/vow with unintended consequences	Gen 31:32, 35:16b-20
	when I return in peace <i>šûb bēšālôm</i> +	Gen 28:21+
	<i>yhd</i>	Gen 22:2
	sacrifice/dedication of child to Yhwh+	Genesis 22+ ----- Exodus 13+
	<i>bētuppîm ubimēhōlôt</i>	Exod 15:20
	women's performance+	Exodus 15+
	<i>hōq/huqqāh</i>	Exod 13:10
<i>miyyāmîm yāmîmāh</i> +	Exod 13:10	
Judges 17	stolen silver	Gen 42:25
	making of <i>massēkâ</i>	Exod 32:2-8
Judges 18	Stolen <i>tērapîm</i>	Gen 31: 19, 34-35
	pursuit thereof <i>hidbîq</i>	Gen 31: 23
Judges 21	Survival of Benjamin	Gen 35:17-18
	<i>hag [lē]yhwh</i>	Exod 10:9 ----- Exod 13:6 ----- Exod 23:18

		Exod 32:5	
	<i>miyyāmîm yāmîmāh</i> +	Exod 13:10+	
	women's performance+	Exod 15:20-21	
1 Samuel 1	<i>zebah</i>	Exod 10:25	
		Exod 12:27	
		Exod 18:12	
			Exod 23:18
	<i>miyyāmîm yāmîmāh</i> +	Exod 13:10+	
	God closes the womb	Genesis 20:18	
		Gen 30:2	
Barrenness overcome, God remembers	Gen 21:6		
	Gen 30:22		
sacrifice/dedication of child to Yhwh+	Gen 22:2+		
	Exodus 13+		
KEY	+indicates one of multiple occurrences within the data set		

The table above is a version of the one with commonalities provided at the beginning of the chapter (Table 3.1) but is sorted by Judges/Samuel chapter with the correlating E materials.

Of the material that I have identified as E a staggering number of stories have literary ties to Judges or Samuel in either language or theme (Table 3.2). The majority of E's Patriarchal narratives resonate with stories in Judges and Samuel. The greatest concentration of details comes from the story of Jephthah's daughter (Judges 11), its related accounts (Judges 21, 1 Samuel 1-2), and the stories of Gideon (Judges 6-8). The sampling

of resonant themes and phrases from Judges occurs in more than double the number of chapters in E. For the nine Judges/Samuel chapters represented there are twenty-six chapters of E. The correlations are dispersed in E.

The relative concentration of themes from several Judges stories into far more many E stories make it reasonable to postulate that the details were scattered throughout E's composition rather than gleaned from it. Linguistic differences rule out the possibility that these stories are all by one author. For example, Judg 11:39b and Exod 13:10 both refer to the holiday that will occur *miyyāmîm yāmîmāh* as an "ordinance," however Exodus uses *ḥuqqâ* while Judges uses *ḥōq*. More significant is the wording of the sand of the shore simile. Judg 7:12 uses the wording *kāḥôl še'al-sēpat hayyām* whereas Gen 22:17 (E) phrases it as *kaḥôl 'āšer 'al-sēpat hayyām*. The difference here is in the use of the particle *še-* versus *'āšer*. The distinction reflects different eras of composition, with the Judges 7 phrasing reflecting an earlier construction.<sup>158</sup>

One scenario is that E is using pre-existing stories from the book of Judges to construct the Patriarchal and Exodus narratives. Jephthah's vow and Jacob's curse share the infamous distinction of being made at Mišpeh Gilead. Both result in the death of a daughter of a primary character in the story. Both have connections to Benjamin, either as the territory or its personification. Characteristics of Joseph, who is Rachel's first born and is ostracized by brothers but is ultimately credited with saving them, are shared with Jephthah. The national matriarch of the Judges era, Deborah, the "mother of Israel" (*'ēm bēyîsrā'ēl*) is projected into the ancient past as the woman who suckled Israel, Rebekah's

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<sup>158</sup> See Robert Holmstedt, "Historical Linguistics and Biblical Hebrew" *Diachrony in Biblical Hebrew*, ed. Cynthia L. Miller-Naudé and Ziony Zevit (Winona Lake: Eisenbrauns, 2012) 97-124.

wetnurse (*mêneqet ribqâ*). Aspects of the Gideon narrative, the first documented king-elect of Israel, go into the fabric of character development for Jacob and Moses. E transforms Gideon's epiphany and altar dedication in Ophrah into Jacob's place-naming episode for Penuel. Jephthah is recast as the great Patriarch, Abraham, who heeds God's command to offer his only heir, and as Jacob, who haphazardly curses Rachel. The situations of both Jephthah's daughter and Hannah resonate in E's treatment of Rachel. Like Hannah, Rachel is a barren wife whom Yhwh remembers (*zkr*, 1 Sam 1:19, Gen 30:22). Hannah dedicates her son and delivers him to be a servant before Yhwh (*měšārēt pēnē yhwh*), emulating the sacrifice of the firstborn stipulated in E's prescription of the *maššôt* observance (Exod 13:2).

E's author also used stories from the Judges-Samuel accounts to form the stories of Moses and Miriam and Aaron. Moses' father-in-law Jethro, the Midianite, must have been intended as a slap in the face to Gideon. — Gideon's greatest triumph was defeating Midian and whose son, Jether, could not bear the burden of executing its kings. — Miriam, who led the women with timbrel and in dance at the crossing of the Sea, singing of Yhwh's defeat of the Egyptians, we may consider as either replacing or joining Jephthah's daughter as festival muse. Aaron is depicted as responsible for making the *massēkâ* in the wilderness, which may be viewed as relieving the Mushite line vis-à-vis Jonathan, son of Gershom, son of Moses, of the responsibility of having introduced the *pesel* and *massēkâ* to Israelite worship at Bethel and Dan.

This is a prime example of how the E author was able to, I shall say, "change the mind" of an inherited text. The author would not have been able to exclude the Jonathan story from the canon, but he could change its significance, without altering a word, by

making it part of a larger narrative. He was able to change the story's context by creating a counter story that undermined its significance and, very importantly, he arranged for his story to come first, thus influencing the audience's interpretation of later events. In 1 Kings 12, Jeroboam was reestablishing the cults at Bethel and Dan that, according to Judges 17-18, were each for a time under the authority of the Mushite priest Jonathan. Exodus 32 redirects that association by intercepting the establishment of cults at Bethel and Dan with a foundational narrative for the making of the *'ēgel massēkâ* during the wilderness period. The language of Jeroboam's dedication for two icons jarringly applied to one in Exodus "these are your gods, Israel, who brought you up out of Egypt" ensures that we don't miss that this is the account of the purported origin of the images that Jeroboam is reviving.

## CHAPTER 4

### THE EXODUS MATRYOSHKA:

#### A RIDDLE INSIDE A MYSTERY WRAPPED IN AN ENIGMA

Over the course of this study so far I have suggested that once upon a time in ancient Israel there was a women's festival that coincided with Passover. It was probably a version of *maššôt*. The story of its origin in Judges 11, that of a virgin female who appears only briefly before her death, was probably an outgrowth of observable phenomena—the life-cycle of wheat, which makes its first appearance at Passover and is harvested before it gives its seed.

This women's festival did not make it into the Torah. E is the only one of the Pentateuchal sources that makes allusion to the holiday. It is deemphasized in E and entirely omitted by J, P, and D. All the sources endorse a different narrative for embedding the holiday. We have looked at the E source to see the nature of its relationship to the stories about the festival and have found that E is aware of many of the stories in Judges and Samuel and regularly makes allusion to these stories.

We also looked at cases in which the author of the J source employed a similar technique of appropriating elements from stories of a later era, the Davidic Court History, in order to craft its narratives of the ancient past.

The authors of J and E drew upon the stories of Judges and Samuel in forming their Patriarchal and Exodus stories. Friedman suggests that the narrative of J would have started at Genesis 2 and ended at 1 Kings 2, it would have included many of the Judges and

Samuel stories to which E makes copious allusion, and the Davidic Court History to which E makes no allusion.

The relationship of J and E to one another may help us toward a better understanding of the *Sitz im Leben* for the transformation of the women's holiday. Did E make the first move in subverting the festival, only mentioning it fleetingly and the other authors of the Torah follow suit, not mentioning it at all? Or did E's author write after J from a time and place where its author saw need to bring the allusions into narrative?

Before we embark on addressing questions about the sequence of authorship, let's consider the fact that each of these sources provides a sort of prologue for the emergence of Israel in Canaan. They do so by first taking Israel out of Canaan down to Egypt before bringing them back to Canaan. The very first Passover, then, takes place outside of Canaan.

Before there was an Exodus from Egypt there was a Passover. So whenever the Exodus story became central to Israelite national identity all of the patriarchal liens became tied to this story.

The first allusion to the Exodus event occurs in Gen 15:13. Yhwh warns Abraham (there called Abram) "your offspring will be strangers (*gēr*) in a land that is not their own, and they will serve them (*wa'ābādūm*) and they will afflict (*'innū*) them for four hundred years." A transparent allusion to motifs of the book of Exodus, Abraham's unspecified offspring is, of course, Israel, and the land of its foretold enslavement can only be Egypt. The portent in vv. 13-16 correlates to Israel's fate in Exodus, the keystone of which is the claim of systematized Israelite oppression on the part of the Egyptian ruling class in which Israel is "afflicted" (*'innū*, Exod 1:11-12, (E); "affliction" *'ōnî*, Exod 3:7 (J), 17 (E); 4:31(E)) in a land to which Moses regards himself a resident alien (*gēr*, Exod 2:22, J; Exod

18:3, E) and from which Israel emerges four hundred thirty years to the very day of its descent (Exod 12:40-41, P). The oracle's encompassing section depicts childless Abraham receiving the presage amid divine revelation of events regarding his future offspring and the territorial acquisitions to be had (Gen 15:7-8; 18-21).

Without the reference to the Exodus motif the oracle in Genesis 15 has no central emphasis save that of attesting that various groups living within the region of the southern Levant have a common ancestor. The broad framework of Gen 15:12-17 is an oracle of ancillary themes promising descendants in abundance (vv. 4-6) and specifying the territory to be furnished for them (vv. 7-12; 17-21). Situated within is the aforementioned portion of the oracle that alludes most ostensibly to the Israelites among an unnamed, incalculable number that will belong to Abraham's line. In its entirety, Genesis 15 provides assurance that a multitude of Abraham's own offspring will succeed him and that those descendants will amass much of the land comprising the southern Levant, from the Euphrates to the northeast to the river of Egypt of the southwest.

Various interpreters have recognized the potential that Genesis 15 was augmented over the course of its existence. The section of import here, vv. 13-14, may be part of an interpolation added to the larger oracle. J is widely accepted as the basis for the larger account, with varying perspectives regarding the origin of added materials. F.M. Cross regards virtually all of the oracular section, save v. 13-16, as crafted by the author of J.<sup>159</sup>

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<sup>159</sup> F.M. Cross, *Canaanite Myth and Hebrew Epic* (Cambridge, MA: Harvard University Press, 1973) 272-273. Cross' view typifies the consensus. Note however, that it does not account for the disconnect that vv. 12 and 17 pose in regard to the time frame portrayed in the segment's opening (see below). Related to this, Cross suggests that the J tradition is a reworking of available materials, in which case the J narrative is drawn up from what would have to be the entire section, vv. 12-17, which is added into the J narrative as one entity, or this larger Genesis 15 piece may be even more composite in nature than originally

M. Noth seems to work with the same presumptions regarding J as a foundation piece and attributes the same material, vv. 13-16, to E, not as an innovation of an E author but as an overview of the entire Pentateuchal narrative perceived as utilized by E.<sup>160</sup>

The broader context surrounding Gen 15:13-16 outlines territories that will eventually belong to Abraham's heirs, aligned with boundaries during Solomonic expansion.<sup>161</sup> Being the only distinct identifiable trait of Israel's perceived historical background, without the specific reference to the Exodus the larger oracle does not allude to any particular group(s) of Abraham's descendants. Promises made to Abraham are two: offspring and land. The mention of predetermined multitudes that will be born to Abraham (vv. 5, 18-21) signifies the various peoples whose origins are traced to him as a common ancestor. The promise of land from the river of Egypt to the Euphrates would also include Edom, Moab, and Midian. Edom and Moab are territories that were aligned with Israel or under its hegemony during the expansion campaigns of Israel's short-lived united monarchy. Alongside Israel, the Edomites, too were Abraham's offspring, while the Moabites, who are said to be related, are the children of Lot's indiscretion with his own daughters (Genesis 19) and are not of Abraham's line. Jacob's twin, Esau, is considered the ancestral father of Edom. Midian, whose people are said to be the descendents of Abraham's union with Keturah (Genesis 25), also falls within the determined boundaries.

An epaneptic structure surrounds the section in question, with the dialogue in vv. 13-16 interrupting the description of events:

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thought. There is a logical break between vv. 1-7, the promissory section, and vv. 8-12, the sacrifice. Perhaps the section detailing Abraham's offering is not original to J, but incorporated with the redaction of JE, laying the framework for the addition of 13-17.

<sup>160</sup> Noth, *Pentateuchal Traditions* 236-237.

<sup>161</sup> Cross, *Canaanite Myth* 273.

The sun was about to set and a deep sleep fell upon Abram and, here, a terror, great darkness falling upon him. [Yhwh] said to Abraham “Knowing, you will know that your seed will be strangers (*gēr*) in a land that is not theirs and they will oppress (*’nh*) them four hundred years. But, moreover, the nation that they will serve I am judging and afterward they will emerge with big property. But you will go to your fathers in peace and will be buried at a good old age. And in the fourth generation they will return here for the iniquity of the Amorites is not yet complete. The sun was setting and it was dark...

The initial phrasing that introduces the section is repeated at its close, marking it as a progressive epanalepsis. Verse 12 states “the sun was about to set,” which is paraphrased and the narration resumed in v. 17 just after the allusion to the Exodus. This type of repetition surrounding an intervening element suggests a break in textual fluidity, which is sometimes indicative of interpolation.

Language referential to Israel in Egypt in Genesis 15 seems to describe events as depicted by multiple sources. Specifically, *gēr*, *’innû*, and “four hundred years”, all key details in making the Exodus allusion an effective one, each seem to be drawn from various extant sources in the Exodus account. There is also the promise that Israel will come out with “big property” *rĕkûš gādôl*, an allusion to the depiction of Israel despoiling Egypt, Exod 3:22 (J); 11:3 (E) 12:35-36 (E).<sup>162</sup>

Identifying Gen 15:13-17 as an interpolated section, Friedman suggests that this material was incorporated by the redactor of J, E, and P sources. He sees the section as drawing on language from these distinct sources in Exodus and identifies them as

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<sup>162</sup> Richard Elliott Friedman, *The Bible with Sources Revealed* (New York, NY: Harper Collins, 2003) 54.

follows.<sup>163</sup> Exodus 2:22 explains that Moses named his first-born child Gershom because Moses “was a stranger [*gēr*] in a foreign land” *gēr hāyîti bē’ereṣ nokriyyâ*. *gēr* is the word used in the J account of Moses naming his son, a distinguishing factor being the identification of Moses’ father-in-law as the Midianite priest, Reuel, versus his being named Jethro in E.<sup>164</sup> E’s depiction of the house of bondage motif describes the burden that Egyptian taskmasters, officers of corvée (*śārê missîm*), placed upon the Israelites as *’nh* (Exod 1:11-12). The *śārê missîm* is evocative of Solomon’s corvée, an institutionalized forced labor extracted from the northern tribes (1 Kgs 5:13; 9:15, 21; 12:18).<sup>165</sup> Thus, the language is consistent with the oft-opined view of the E source’s author as hailing from, and a sympathizer of, the northern tribal districts. The motif of affliction (*’nh*) does seem to appear in J (Exod 3:7). The statement, that Israel will come out with “big property” *rĕkûš gādôl* is an allusion to the depiction of Israel despoiling Egypt, Exod 3:22(J); 11:3 (E) 12:35-36 (E). Friedman points out that the word to refer to the property, *rĕkûš*, appears in P but not in his estimation in either J or E; but according to Friedman’s division, the motif appears in J and E, not P, and in the J and E accounts the word *rĕkûš* does not even appear. These, rather, use the words *kĕlê kesep*, *kĕlê zāhāb*, and, *śēmālôt*. It’s possible that this notion might be reduced to a single word (*rĕkûš*) for the sake of the oracle. The presence of this word in P does not preclude J from using it here. Finally, the four-hundred-year duration of exile from Canaan roughly corresponds, but rather loosely, to P’s record that the generation travelling from Egypt is returning to Canaan after four hundred thirty

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<sup>163</sup> Friedman, *The Bible with Sources Revealed* 54.

<sup>164</sup> This very etymology is found verbatim in Exod 18: 3, the context of which is E.

<sup>165</sup> Friedman discusses this in *The Bible with Sources Revealed* 20-21; 119.

years (Exod 12:40). The four-hundred-year connection to P is dubious. It may reflect an agreement rather than an allusion.

The specific allusion to the Exodus account in the prior section interrupts the well-matched pairing of promise for offspring (vv.4-5) and immediate fulfillment in ch. 16, transforming the general oracle into a distinct revelation emphasizing the Israelites over other groups of purported Abrahamic descent. As for its particular placement prior to the Hagar account, no doubt it is more than coincidence that has adjoined these parallels in their neighboring sequences. The pairing of these details is no arbitrary aesthetic.

Corresponding to the non-specific promise of offspring (Gen 15:4-5) is the partial fulfillment of that promise in the following section. Genesis 16 details the conditions of Abraham's first child's conception. It houses complements to the allusions to Exodus in Genesis 15. Juxtaposed against the presage that Abraham's descendants are to be "aliens," *gēr*, who will be "degraded," *'innû*, are variations of these lexemes occurring in the Genesis 16 account. Abraham's domestic situation comes to the fore with Sarah's infertility as the story's prime impetus. The developing narrative sequence unfolds with Sarah's efforts to perpetuate Abraham's line. Although her own attempts to conceive will eventually prove successful with the birth of Isaac, Sarah's delayed pregnancy impels her to assign her maidservant, Hagar, to Abraham as a surrogate for them. It is an effective endeavor that results in Hagar's pregnancy. Knowledge that Hagar has conceived and will bear a child disrupts the household dynamic, perhaps threatening the pecking order in Sarah's eyes.

Sordid relationships emerge between Abraham and the women when Sarah perceives that her authority over Hagar has diminished as a result of the situation.<sup>166</sup>

Sarah reviles Hagar, who then flees for her native Egypt. Paired with the preceding portent in Gen 15:13, the detail of Sarah's punishment of Hagar creates tension within the greater narrative scope. Abutted against the Genesis 15 oracle and redolent of its warning, Sarah's punishment of the servant Hagar is described as *'nh*, the very term used of Israel's predicted oppression in Gen 15:13. The exact nature of the punishment that Hagar endures is unclear. The root *'nh* in the Piel is used most widely to denote rape, see Deuteronomy 22:24; Judg 19:24 for representative examples. It may imply both *force majeure* and a diminishment of social and legal status, as in Deut 21:14.<sup>167</sup>

The name of Sarah's servant Hagar itself shares obvious similarity to the word in 15:13 for foreigner, *gēr*; it is in form almost identical to the Qal participle with a proclitic definite article (*ha-*) rendering a proper name that reflects the Egyptian slave's status as foreigner.<sup>168</sup> The opening lines of the sequence that follows the Genesis 15 oracle identify Hagar as Egyptian. Not only is Hagar's name suggestive of the status that the Israelites will bear while in Egypt but the setting for the portended event is also her native land.

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<sup>166</sup> When Hagar saw that she had conceived Sarah was reduced in her eyes, *tēqal gēbirtāh bē'ēnēhā* (v.4). The possible interpretations of the relationship between slave and owner and their perceived statuses within the household given this situation are varied and complex. See below for further comment.

<sup>167</sup> It also extends to generic degradation, as in Exod 22:22-23 and Lev 16:29, and, to physical enervation as in Judg 16:5-6, 19.

<sup>168</sup> I should note that the classifications of resident alien, *gēr*, and servant, *'ebed/'āmā /šiphā*, are of distinct legal categories. One should take care not to equate these but recognize that they appear together in Genesis 15. Is a *gēr* always a free person? Is it the case that a *gēr* is a free person who can be reduced to slave status, as in the case of the Israelites in Egypt?

These details correspond to *gēr* and *'nh* of Gen 15:13, which further correspond to iterations of the themes articulated with the same lexemes in Exodus.

Israel's migration to Egypt is told through a collection of materials that largely focus on Joseph's experiences (Genesis 37-50). Following the first Israelite into Egypt, these narrative sections establish conditions instrumental for further migration of Joseph's entire family, including a rather aged Jacob. We may view the Joseph material in three major sections: Joseph's expulsion, servitude and imprisonment (Genesis 37; 39-41); his accession to a position of authority in Egypt as Pharaoh's courtier (Genesis 41); Israelite settlement in Egypt (Genesis 42-50). Genesis ends with Israel's migration to Egypt and the reunification of an estranged Joseph with his father and brothers. Elapsing through multiple subsequent generations, the Exodus account that immediately follows begins with the trope of Israelite oppression in Egypt.

The only presage to the Exodus given in Genesis occurs just prior to the birth of the lineage that will deliver Joseph to Egypt in J— the Ishmaelites.

Doublet accounts in Genesis 16 (J) and 21 (E) ascribe the origins of the nomadic line of Ishmael to the coupling of Abraham and Hagar. Both versions result in Hagar and Ishmael being ostracized; the first account shows Hagar taking flight during pregnancy only to return, whereas, in the second of the two accounts, Sarah complains to Abraham so that he banishes Hagar and Ishmael. Two generations removed, a reversal of fortune finds Abraham's lineage through Hagar, the Ishmaelites, carrying off a descendant of their rival line (Gen 37:27-28; 39:1 J).

Genesis 16 cites Sarah's treatment of her pregnant maidservant as the central motive for Hagar's temporary flight. Hagar flees because Sarah afflicts (*'nh*) her. A

different account of conflict is given in Genesis 21. Whereas Sarah punishes Hagar in Genesis 16, Genesis 21 shows Sarah taking aim directly at Ishmael. Sarah is vexed at Ishmael for what she apparently interprets as an impudent gesture at the celebration in honor of Isaac's weaning. This is one of the many puns on Isaac's name in the material about him. Sarah sees Ishmael *mēṣahēq* "fooling around." Exactly what the verb means in this context is unclear. The root describing his activity has a limited range of meaning but its present context is too vague to decipher the precise nature of what Ishmael is doing.<sup>169</sup> Whatever it is that Sarah catches young Ishmael doing, it incites her to request his removal. She retaliates for the affront, denouncing the child to Abraham, who reluctantly dismisses Hagar and Ishmael. Her intent is not just retaliatory but proprietary. The issue of inheritance is clearly articulated in her complaint: "the son of this servant will not inherit with my son, Isaac." The account explains the nomadic lifestyle of the Ishmaelites: as a result of their expulsion, the Ishmaelites have no share in the land that is divided up to Abraham's descendants.

There is substantial ambiguity regarding the relationships involved here and the legal implications. The J text of Genesis 16 states that Sarah gave Hagar to Abraham *l'ē'iššā*, which can be interpreted as a wife, or, simply, a woman (read, bed-partner). The fact that Sarah reportedly gives Hagar to Abraham so that she will be "childed" through her, coupled with Sarah retaliating against being taken lightly, seems to imply the latter instance. The text admits these complexities— Sarah consults Abraham before acting. She

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<sup>169</sup> The *Qal* of this root means to "laugh." The Piel has two clear uses: to "jest" or "mock" (Gen 19:14) and lends itself to sexual euphemism (Gen 26:8), hence, "fool around." Judg 16:17 like Genesis 21 is obscure: Samson is brought out in chains to make a spectacle (*wiyśaheq*) before the Philistine thousands. What is involved is unclear from the context.

ultimately continues to act as Hagar's owner, retaining the right to punish her. Abraham defers to Sarah acknowledging her ownership, "your servant is in your hand" (v. 16).

R. Westbrook comments on a complement to this scenario in Old Babylonian contracts. CT 48 48 reports on punishment that would be rendered in the instance of a mistress being diminished in authority over her servant after having given her to her husband:

Ahassunu has adopted Sabitum daughter of Ahushina and Ahatani from her father Ahushina and her mother Ahatani. Sabitum is a slave to Ahassunu, a wife to Warad-Sin: with whom she is hostile, she will be hostile; with whom she is friendly, she will be friendly. The day she distresses Ahassunu, she will shave her and sell her.<sup>170</sup>

That the slave Sabitum may be hostile or friendly with whom she wants indicates that the slave has the liberties to consort as a free person with any one except Ahassunu; she cannot flout her mistress.

As in the above parallel, Hagar may legally be considered a free person to everyone but Sarah. Sarah's self-interest is made explicit and her authority demonstrated. The child that Hagar bears can become Sarah's own if she chooses.<sup>171</sup> We should infer from Hagar's punishment that Sarah waives her right to claim over Ishmael, as is implied from the Gen 16:12 oracle to Hagar that "[Ishmael] will be a wild ass of a man, his hand against everyone,

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<sup>170</sup> See, "The Female Slave" in *Law from the Tigris to the Tiber. Writings of Westbrook, Vol. 2: Cuneiform and Biblical Sources*, ed. Bruce Wells and F. Rachel Magdalene (Winona Lake: Eisenbrauns, 2009) 165.

<sup>171</sup> Consider the situation of levirate as an analogy to the barren wife. Here, Sarah, is parallel to the object of the levirate. She is dead in the sense of being barren and furnishes a household retainer in her place to bear a child in her name. The levirate is the male's equivalent of this practice.

everyone's hand against him, against all of his brothers he will dwell." Sarah afflicts (*'nh*) Hagar and rejects Ishmael, who remains the son of a slave.

The E text in Genesis 21 makes no claim of a marital relationship between Abraham and Hagar but may imply that a legal transfer of Hagar as a spouse has been made. Sarah brings a complaint to Abraham against Ishmael, demanding that Abraham have Hagar and Ishmael removed. The verb used in the account to 'expel' *grš* (v. 10) is used of a woman who is divorced in priestly marital regulations (Lev 21:7, 14; 22:13), while, the verb 'send away' *šlh* (v. 14) is used in technical formulae for divorce proceedings (Deut 22:19; 24). Here Sarah does not act directly other than in complaint. Abraham does the dirty work of expelling Hagar and their son.

By demanding that Abraham expel Hagar and Ishmael, Sarah is ensuring that Ishmael's rights of primogeniture are displaced, thus making way for her own child to have the primary share of inheritance.

In Genesis 37 and 39 are the initial steps that ultimately result in Israel's wholesale migration to Egypt in J. Some of the very elements central to the Hagar materials occur therein. These are, broadly, shared themes of the Hagar accounts in Genesis 16 corresponding to those involving the Ishmaelites' role in Joseph's expulsion and his service in Potiphar's house as reported in Genesis 37 and 39.<sup>172</sup> Hagar, a slave, flees oppression and gives birth to Ishmael. Two generations later, the sons of Ishmael take Joseph to Egypt (Hagar's birthplace), selling him as a slave. There, Joseph's situation evokes Hagar's.

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<sup>172</sup> Robert Alter makes a similar observation in *The Art of Biblical Narrative* (New York: Basic, 1981).

Joseph's Egyptian owner, Potiphar, is a eunuch. Potiphar's wife attempts to seduce Joseph and he flees.

***Sell the Boy. Keep the Jacket.***

Genesis 37 is a masterfully redacted piece. Motive is piled upon motive for Joseph's brothers to react against him. Jacob loves Joseph more than the rest of his sons; Joseph is the first born of Jacob's favorite wife; Jacob presents to Joseph a material sign of his favor, a remarkable garment (*kētōnet passîm*); Joseph slanders his brothers to Jacob; he boasts to his brothers and father of having experienced dreams that seem transparently egotistical. Joseph is depicted as oblivious to the retaliation that his behavior would inspire. J, E, and P materials are represented. Sources flow together almost seamlessly in this story. There are, however, a few discrepancies.

Joseph passes through two sets of hands in being sold as a slave to Potiphar in Egypt. Whereas the accounts in Gen 37:28 and Gen 39:1 implicate the Ishmaelites for purchasing Joseph from his brothers and selling him to Potiphar, Gen 37:28 (E) remarks that the Midianites/Medanites retrieve Joseph from the pit into which he was cast and sell him (Gen 37:36 (E or R)).<sup>173</sup> In J, the ironic involvement of the Ishmaelites is explicit. In E, the point is non-existent.

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<sup>173</sup> The latter of these two cases with the Medanites [sic] retrieving Joseph and selling him to Potiphar is likely the result of editing that harmonizes J with E. In J, the Ishmaelites sell Joseph to Potiphar, who sends Joseph to prison after a brief stint of servitude in his household. Potiphar is referred to as both a "eunuch of pharaoh" (*sērîs par'ōh*) and "captain of the guard" (*śar hattabbāhîm*) in Gen 37:36; 39:1. The interlude with Joseph and Potiphar's wife does not appear in E. It seems that E has Midian sell Joseph to the captain of the guard (*śar hattabbāhîm*, Gen 40:3-4), putting his servitude to the captain in the prison (consistent with the cupbearer's report of the young man who deciphered his dream described as Hebrew servant (*na'ar 'ibrî*), slave of the captain of the guard, *'ebed*

Both J and E sources explain that Joseph's brothers intend to kill him.

In E, Jacob sends Joseph to see about his brothers and the flock that are in the field. The brothers are infuriated at the sight of Joseph's approach and begin to plot against him. Resolving to save Joseph from certain death, Reuben, the eldest, steps in to defend him. He suggests that his brothers throw Joseph into a pit so that he can come back later and take him into his custody. Reuben's plan to retrieve Joseph backfires. While the brothers have stopped for a meal the Midianites retrieve Joseph from the pit. When Reuben returns to rescue Joseph from the pit he is no longer there. Reuben realizes that he will suffer blame for this and shrieks: *hayyeled 'ênennû wa 'ăni 'ānâ 'ăni-bā'*, which is best captured by paraphrase: 'The kid's gone! Now what am I gonna' do?'

In J, Joseph's brothers resolve to slaughter him and discard his body in one of the pits. The brothers insist on stripping him of the *kētōnet passîm* before killing him. Joseph is saved just in the nick of time. His brothers notice some caravanning Ishmaelites who are headed in the direction of Egypt. Judah convinces the rest of the group that it would be better to make a profit selling Joseph rather than killing him and having to conceal his blood. So, the brothers concoct a plan to make it look as though Joseph had actually been attacked by a wild animal and killed: they slaughter a goat, dip their brother's garment in its blood and then let their father draw his own conclusions when they present him with the sign of his favoritism. Meanwhile, Joseph is being hauled down to Egypt where he will become a house slave.

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*lěsar hattabbāhîm* (Gen 41:10-12)). RJE probably took the detail of Potiphar being a eunuch of pharaoh (*sērîs par 'ōh*) from J and combined it with Joseph's owner in E, the captain of the guard (Gen 40:3-4; 41:10-12).

As in the Hagar/Ishmael stories the issue of inheritance is in play in at least one version of this account. Joseph is the first born of Jacob's favorite wife, a detail represented in the Genesis 29 account (J). His birth is recorded in Genesis 30, which primarily contains E's recounting of the birth of the tribes of Israel. The account of the births of Leah's children (Reuben, Simeon, Levi, and Judah) in Gen 29:31-35 is most certainly J. Some or all of these children have apparently already been born in E, though an account is not attested in this source. In Genesis 30, Leah's son Reuben is old enough to be depicted as having amassed mandrakes during the wheat harvest. Rachel asks for access to his collection, possibly as an aphrodisiac. She procures the mandrakes at the cost of a single night with Jacob payable to Leah. Leah conceives as a result of the hire (Gen 30:16-18).

The mandrakes do not seem to have aided Rachel, but their sale works wonders for Leah. She gives birth to three more children (Issachar, Zebulun, and Dinah) before Rachel finally conceives her firstborn. When Rachel does conceive, it is because God (*'ēlōhîm*) "remembers" (*zkr*) her and "opens" (*pth*) her womb (30:22).

In E, Rachel is a practitioner of folk religion: she uses mandrakes (Gen 30:14) and steals her father's *tērāpîm* (Gen 31:19). She is the least fertile of Jacob's wives despite her appeal to folk medicine and magic. By Genesis 37 Rachel has already died. Her death is recorded in Genesis 35 (E) and is the result of an ill-conceived imprecation against her by Jacob. Jacob has unwittingly cursed her at Mišpeh Gilead, which is the site of Jephthah's open-ended vow that costs him his daughter's life (Judges 11). In both instances the utterances are ill-fated, having unforeseen and tragic outcomes. Rachel dies giving birth to Benjamin.

J's depiction of Rachel varies considerably from E's, and there is reason to question her presence and influence as a factor in the Genesis 37 account. Rachel has certainly died previously in the E account (Gen 35:16-19); however, she may still be alive, weeping for her children (cf. Jeremiah 31:15), in J's version of the story. In Gen 37:9, Joseph dreams that the sun, moon, and eleven of the stars bow down to him. When his report reaches Jacob he rebukes him saying, "Shall we, I and your mother and your brothers come to bow down to you?" Jacob's retort mentioning Joseph's mother must refer to Rachel. This leaves open the possibility that Rachel is still alive in this source. Joseph's father and brother do come to bow down to him;<sup>174</sup> perhaps originally in J his mother did too.<sup>175</sup> The prophetic nature of his dream is implied. Jacob's response, *hābô' nābô'*, "shall we indeed come?" may be intended as a pun, *bw'*, "to come" in the first plural, *nb'* has the same consonantal form as the root for prophesy, *nb'*. A similar pun in which the roots *nb'* and *bw'* appear in tandem is found in 1 Sam 9:7-9, which provides etiology of the guild *nābî'* and the etymology of its title.

The Genesis 37 passage containing Joseph's astral dream and Jacob's rebuke is identified as J,<sup>176</sup> the same source in which Rachel is depicted as Jacob's favorite wife (Gen 29:30). A woman's influence over the distribution of her husband's acquisitions for inheritance is well attested: Sarah displaces Ishmael; Rebecca promotes Israel; Bathsheba paves the way for Solomon to succeed David. If Rachel is alive at this point in J it may

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<sup>174</sup> Gen 42:6; 43:26; 47:31

<sup>175</sup> Gen 44:20 (J) refers to Rachel again. This time she is mentioned as being the mother of Benjamin. Benjamin is here called the "last of his mother's [children] (*lēbaddô lē'immô*)." It is unclear whether or not she is alive.

<sup>176</sup> This is not the consensus, Noth and Wellhausen identify this dream as E. Noth, *Pentateuchal Traditions*. Wellhausen, *Prolegomena*.

well be considered that a similar motif is at work, adding yet another motive to the brothers' already ample supply.

Resulting from their displacement at Sarah's behest, the Ishmaelites have no share in Abraham's inheritance, made explicit in E (Gen 21:10-21) and implied in J (Genesis 16:10-15). The same motives may be mirrored in Joseph's expulsion. Joseph is sold into slavery as an alternative to fratricide. The account plays on similar but transposed themes of Ishmael's expulsion. Ishmael is the eldest of Abraham's sons, divested for the sake of the younger. Conversely, Joseph's older brothers ostracize him so as to subvert his preeminence. In J the sign of Jacob's favor toward Joseph is that he cloaks Joseph in a remarkable garment, the *kētōnet passîm*, depicted as having royal significance in 2 Samuel 13. It is the garment that Tamar is wearing when her brother attacks her and is said to be associated with the virgin daughters of the king. The item is a sign of Joseph's favored status and may imply that he will inherit above his brothers.

We may view the Genesis 39 account of Joseph's servitude in Egypt as the narrative shift that begins the process foreshadowed in Gen 15:13: that Abraham's descendants will be slaves in a foreign land. Joseph's brothers sell him to the Ishmaelites in Canaan who in turn sell him to Potiphar in Egypt. The Ishmaelites deliver Joseph into a situation that mimics Hagar's. Joseph's trajectory is the reverse of Hagar's— he comes from Canaan to Egypt, she from Egypt to Canaan— but his situation as a servant is remarkably similar.

J's author has Joseph arrive in Egypt via an Ishmaelite caravan. E shows the expulsion of Hagar and Ishmael. That's the end of their story in E. Neither Hagar is mentioned afterward nor Ishmael (whose name doesn't appear in the E material that we have). The Midianites take Joseph to Egypt.

Both J and E contain scenes depicting Joseph in prison. How they get him there differs significantly. The following section pertains to another J story— Joseph in Potiphar’s house. No equivalent account of this story appears in E. In J, Ishmael sells Joseph to Potiphar (Gen 39:1). Joseph gets into an awkward situation with Potiphar’s wife. Potiphar sends Joseph to prison.

*A Case of She Said, She Said: Double-Talk with Potiphar’s Wife*

So, now in Genesis 39 (J), Joseph is a slave in Potiphar’s house Egypt. The account of Joseph with Potiphar’s wife revisits themes similar to those of the Hagar story of Genesis 16. Hagar, an Egyptian servant brought to Canaan, is a complement to Joseph, who is brought to Egypt from Canaan as a servant. Their geographical trajectories are not the only common points of their stories.

Joseph wins the favor of his owner and attracts the attention of the man’s wife. His position is congruent with Hagar’s who is presented to Sarah’s husband. Unlike Hagar, Joseph rejects Potiphar’s wife’s repeated demands and is ultimately thrown into prison for doing so. Hagar rejects the authority of Abraham’s wife. Sarah afflicts Hagar for it.

Arriving in Egypt, Joseph accedes to a position of authority as a servant in the house of Potiphar, an Egyptian officer of Pharaoh. The extent of responsibilities and the privileges that he enjoys are not made explicit. Gen 39:4 reads “Joseph found favor in [Potiphar’s] eyes and he served him and he appointed him over his house and everything that belonged to him he put in his hand.” The text is pedantically styled. Gen 39:4-6 asserts severally that Potiphar turned over to Joseph’s charge everything that belonged to him.

A hidden side of Genesis 39 is its potential as a didactic text that instructs its audience about the nature of translatability. One may interpret the allegations of Potiphar's wife (Gen 39:14-15, 17-18) two ways. We, the interpreters of these dealings, have a serious language barrier. None of us is a native speaker. Her accusation is translated for us from Egyptian into Hebrew. This chapter presents its reader with a conundrum: how is it that Joseph is jailed after being brought up on charges of attempted rape, a crime that the reader would intuit as punishable by death.<sup>177</sup> The clues provided for solving the puzzle are: Potiphar is a eunuch; Potiphar appoints Joseph as the head of his house and gives him *everything* that is his. The key to unlocking the riddle is in the *double entendre* of accusations made about Joseph by Potiphar's wife.

Joseph's eminence in Potiphar's house comes to an abrupt end when he is imprisoned after rejecting the advances of his owner's wife. The complaint that Potiphar's wife raises against Joseph is almost invariably understood as an allegation of attempted rape. In this interpretation it is assumed that the woman is lying—her allegations are false, she clandestinely sought Joseph's attentions and went into utter paroxysms when he refused her, calling all in her house to hear her speak ill of him. She lies to members of the household, saying that Joseph came to lie with her and that, when she called out loud he ran away. The reader knows that Joseph has done nothing of the sort and that he is not guilty of this allegation. Of Joseph she says to Potiphar:

*bā'-ēlay hā'ebed hā'ibrī 'āšer-hēbē'tā lānū lēšaheq bī  
wayhī kahārîmî qôlî wā'eqrā' wayya'āzōb bigdô 'ešlî  
wayyānās haḥûšāh*

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<sup>177</sup> No law codes exist to tell us how such an offense would be handled in ancient Egypt. The reader would have to assume based on his or her own understanding of the culture.

The typical rendering of which is something like...

the Hebrew servant, whom you brought to us, came to me to fool around with me, and when I screamed he abandoned his garment and ran outside

The King James version reads “The Hebrew servant, which thou hast brought unto us, came in unto me to mock me...” The JPS varies only slightly “The Hebrew servant, whom thou hast brought unto us, came in unto me to mock me...” This translation is not as straightforward as its adherence makes it seem. Arriving at this understanding requires reading the verbal sequence spliced with its subject intervening between the two primary elements *bā’-’ēlay* and *lēšaḥeq bī*. Thus, it takes *lēšāḥēq bī* as complementing *bā’-’ēlay* and rendering “he came to me to fool around with me” with the description of Joseph as *hā’ebed hā’ibrī ’āšer-hēbē’tā lānū* intervening between the two elements of the supposed single verbal clause. However, the phenomenon of nominative embedding in purpose and result clauses such as this is not common in B.H.<sup>178</sup>

The syntax of her statement does not demand the above treatment. There is another possible interpretation of her charge to Potiphar that counters the frequently read allegation of attempted rape— she is accurately depicting to Potiphar the events as they occurred; Joseph has flouted her orders. Reading the phrase without the nominative insertion into the verbal sequence, the complaint could just as well be taken to reflect Joseph’s refusal to comply with the woman’s demands. The sequence straightforwardly yields, “he came to me, the Hebrew servant whom you brought to us to fool around with me...” This translation posits *lēšaḥeq bī* as a component of the adjectival clause describing Joseph rather than part

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<sup>178</sup> See Bruce Waltke and Michael Patrick O’Connor, *An Introduction to Biblical Hebrew Syntax* (Winona Lake: Eisenbrauns, 1990); Holmstedt, *Relative Clause* 102-128.

of the independent verbal sequence. The nominative elements in full are then, *hā‘ebed hā‘ibrī ’āšer-hēbē’tā lānū lēšaheq bī*, “the Hebrew servant whom you brought to us to fool around with me,” thus explaining the purpose of Potiphar’s bringing Joseph to their home and not Joseph’s purpose for coming to the house on that particular day. Verse 18 continues, *wayhī kahārīmī qôlī wā‘eqrā’ wayya‘āzōb bigdô ‘ešlī wayyānās haḥūšāh*. Leading from the assumption that v.17 alleges attempted rape this is almost uniformly translated as “and when I raised my voice and I shouted out he abandoned his garment next to me and ran outside.” The tone of this translation is unnecessarily melodramatic. Given the more frequent uses of *qr’* as “call” or “summon,” (usually followed by *’el + PN*) or “invite” (*l’/’et +PN*) reading *’eqrā’* as “I shouted” is uncharacteristic of the verb’s more common meaning. Even more, *qr’* never means to “call for help” or “cry out” in all the prose of the Hebrew Bible. The verb *š‘q* appears in contexts of crying out in distress.<sup>179</sup> Indeed, the lexeme occurs as “call” or “summon” in this very story when she summons the men of the house to complain about Joseph (Gen 39:14)

Details that support these interpretations are two: Potiphar is a *sērīs par‘ōh*; Joseph is imprisoned, not executed. Were Joseph charged with attempted rape of a married woman he would be granted a death sentence as punishment for his crime.<sup>180</sup> This is not the case; rather, Joseph is subsequently jailed. The significance of Potiphar’s designation as a *sārīs*

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<sup>179</sup> Deut 22:27 uses *š‘q* in the context of rape.

<sup>180</sup> In “The Twofold Message of Potiphar’s Wife” SJOT (2004) 248-259, Ron Pirson makes a similar argument in which he suggests the possibility that Potiphar expects Joseph to participate in a sexual relationship with his wife as part of his serving duties. The punishment for his refusal to do so is indicative of a charge other than rape. Had the charge against Joseph been one of attempted rape then the ensuing punishment is bereft of the severity anticipated to fit the crime itself.

is in its possible meanings of officer and eunuch.<sup>181</sup> His designation as a *sērīs par‘ōh*, guardsman of pharaoh, makes him likely of the eunuch class. That the Hebrew word *sārīs* implies “eunuch” is reinforced when viewed as a cognate of the Akkadian *ša rēši*, one who is castrated as punishment for a sexual offense or as requisite for appointment in royal service.<sup>182</sup> The distinction of *sērīs par‘ōh* indicates the latter. When implemented among guardsmen in royal service, castration is for the sake of rendering the guard impotent in order to safeguard those in his protection deemed vulnerable to sexual exploitation.

The issue is further complicated by the fact that Potiphar’s wife makes two discrete allegations against Joseph. The first of the two allegations supplies more detail and is more arguably formulated as a rape charge than the previously discussed allegation (Gen 39:14-15):

*rē‘û hēbî’ lānû ‘iš ‘ibrî lēšaḥeq bānû bā’ ‘ēlay liškab ‘immî  
wā‘eqrā’ bēqôl gādôl wayēhî kēšom‘ô kî-hārîmôtî qôlî  
wā‘eqrā’ wayya ‘āzōb bigdô...*

Look, he brought to us a Hebrew man to fool around with us. He came to me to lie with me and I called in a big voice.<sup>183</sup> When he heard that I lifted my voice and I called out he abandoned his garment...

One possibility is that Potiphar’s wife makes different assertions to her two audiences— one accusing him of attempting to rape her and the other accusing him of

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<sup>181</sup> Hayim Tadmor has argued that every occurrence of *sārīs* in the Bible can be rendered eunuch rather than its more frequent interpretation as generic “officer.” See “*With My Many Chariots I Have Gone Up the Heights of the Mountains*”. *Historical and Literary Studies on Ancient Mesopotamia and Israel* (Jerusalem: Israel Exploration Society, 2011) 165-177.

<sup>182</sup> See Morris Jastrow, Jr. *An Assyrian Law Code* and Richard A Henshaw *Review: Late Neo-Assyrian Officialdom*. Note, these treatments prefer *sarsen* to *ša rēši*.

<sup>183</sup> Here the place of the purpose clause in the syntax is disambiguated and the valence of Potiphar’s wife statement to him is revealed.

insubordination. Here, as in her complaint to her husband, the emphasis is placed on Potiphar as having brought Joseph into their service. However, the differences between the reports are significant. She states that her husband brought Joseph to fool around “with us,” that Joseph “came to lie with her;” that she called in a “big voice.”

The MT reports that she summons the “men of her house” *lē’anšê bêtāh*, the male servants (Gen 39:14). The Septuagint, however, reads differently. It supply *tous ontas*, “those who were there,” possibly reflecting a graphic variation of the Hebrew recension on which it relies, one that attests *’āšer bêtāh* (“those of her house”) instead of *anšê bêtāh* (“men of her house”). This reading may be preferred based on the detail of v. 11. None of the men of the house was present at the time she approached Joseph. Gen 39:11 tells us that “there was no man of the men of the house there in the house” (*’ên ’iš mē’anšê habbayit šām babbāyit*) when Joseph went to do his work. The audience whom she summons to hear her initial charge may be the women of the house, the maidservants and any additional wives of Potiphar.<sup>184</sup>

The implication of her first statement may now be reconsidered. That Joseph was “brought to fool around with us” may imply that he is supposed to sleep with the women of the house. “He came to lie with me” may be an extension of this previous thought, reflecting the assumption that his duty was implied by his presence. The statement that she

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<sup>184</sup> An original *nšy hbyt* (“women of her house”) may have led to a correction or slip, yielding the more common *’nšy* (“men of”). The tension this created is tempered by Greek *tous ontas*, whether or not it reflects a *Vorlage* of *’āšer bêtāh*.

called “in a big voice” may be simply an assertion that she spoke loudly enough to be heard (v.15).<sup>185</sup> Potiphar’s wife called Joseph to do his duty. He flouted her authority and fled.<sup>186</sup>

It is at very least probable that Potiphar’s wife sees Joseph as an ideal candidate to sire their children. Joseph is depicted as a golden boy— he is described as *yěpēh tō’ar wîpēh mar’eh* (Gen 39:6) an all around good-looking guy whom Yhwh makes successful at everything he does, *wěkōl ’āšer hû’ ôšeh yhwh mašlîah bějādô* (Gen 39:3). He is promoted to general supervisor of Potiphar’s estate, house and field, and has caught the eye of at least one of Potiphar’s wives. And, why does Joseph refuse to lie with her? He justifies his refusal by asserting his eminence and right to anything and everything that belongs to Potiphar with her being the exception. Curiously, he does not imply that he does not have permission to sleep with her but rather that it would be an adulterous act and a sin against God, not against Potiphar.<sup>187</sup> Potiphar’s rules, religion, or morality are not at stake here, but Joseph’s are.

### ***The Migration That Led to the Affliction That Ended in the Holiday***

We should quite expect that Potiphar, as a eunuch, has brought Joseph into his house to service his wives and sire his children. The act of surrogacy is already precedent in Genesis. Most of the women in Joseph’s genealogy have resorted to using their female slaves to bear children for them, including his own mother. Joseph is in fact the first of

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<sup>185</sup> In fact, the two other occurrences of the verb *qr’* with *qōl gādōl* (1 Kgs 18:27; 2 Kgs 18:28) do not refer to calling for help.

<sup>186</sup> The Talmud expresses a surprisingly similar view in which Joseph coming to do his work is interpreted as his coming to satisfy his desires (Sotah 36b).

<sup>187</sup> The dialogue reads “He has given me everything... nothing is off-limits for me except for you because you are his wife” and is often interpreted to mean that Potiphar has withheld access to his wife.

only two children that Rachel is able to bear herself; two other children are born before Joseph through Rachel's servant Bilhah. Hagar precedes them all. As Hagar is brought to Canaan to become a surrogate for Sarah, Joseph is bought in Egypt as a surrogate for Potiphar. Thus begins the migration to Egypt.

The importance of the first installment of events pertaining to Joseph in Egypt is not limited in isolation to the narrative series about Joseph himself. Its significance is far reaching. After his initial descent, Joseph's brothers follow, and subsequent generations of Israelites are born in Egypt, thus setting the stage for events leading up to the Exodus. From this juncture, Israel maintains a continuous presence in Egypt until the Exodus.

The connections between Joseph and Hagar deserve further attention. The Ishmaelite involvement in Joseph's sale into slavery makes him the first ever *'ebed 'ibri*. He is certainly not the last. In just a few of generations the rest of the Israelites until Moses are going to share his *'ebed 'ibri* status. The first step toward Egyptian hegemony begins with the sale of Joseph into servitude in Egypt. The events thereafter are formative in establishing conditions that lead to the migration and consequential subjugation of the Israelites that will ultimately eventuate in the Exodus house of bondage motif. Marking a transitional point of development within the larger Pentateuchal narrative it is the first in a series of events that leads up to the Exodus story. Joseph's imprisonment, the result of charges raised in Gen 39:17, affords him a series of opportunities and privileges that ultimately catapult him through the ranks to a position of accession in Egypt, facilitating circumstances favorable to the familial migration to come. Joseph saves his brothers from famine, and the family migrates to Egypt. The tide turns, however, and the portent in Gen

15:13-17 comes to fruition. The entire house of Jacob migrates to Egypt and becomes enslaved.

The seamlessness with which the shift from Joseph's prominence to Israel's oppression is reported demonstrates continuity. Told without distraction or interruption Genesis ends with the report of Joseph's death. J resumes in Exodus with the report of Joseph's death, followed by Pharaoh's command that all newborn Israelite males should be thrown into the Nile. Joseph's arrival in Potiphar's house is presented as the first step in the series of events leading to the fulfillment of the oracle in Genesis 15.

The events in the Genesis 16 depiction of Abraham's household resonate with the Genesis 15 portent's depiction of events to come. The situation as foreboded is a reversal of events and circumstances that occur within Abraham's own household. A microcosm, the Genesis 16 account of Abraham, Sarah, and Hagar poses in miniature the enactment of a fundamental event in Israel's collective historical identity beginning with the story of Joseph's sale into slavery into Egypt.

The portent of Genesis 15 may indicate that the episode's purpose at this point in J's narrative arrangement is as a fitting preface to the following chapter, which contains the birth narrative of Ishmael. The first child born to Abraham, Ishmael's birth embodies the process of issuing a lineage that will ultimately come to exceed enumeration. Clearly the pinnacle of the oracle's fulfillment in the editor's estimation, the Israelites are brought into the developing narrative at a time significantly prior to their incarnation. Something very curious is accomplished in alluding to the Exodus account here. Within the promissory section the Exodus harbinger is framed as a stipulation of Abraham's descendants possessing the land promised to them. Written into the ensuing covenantal

agreement, a gift offering and the offering's acceptance, the portent is communicated between the reports of Abraham's oblation and the manifestation of divine approval, a presence of a blazing torch and smoldering kiln passing through the divided pieces that are offered.

The standard view of Gen 15:12-17 is that it is an inclusion that an editor (RJEP) supplied. This is based on narrative device, the epanaleptic structure that surrounds it, and its allusions to some ostensibly non-J material, that Abraham's descendants will be "afflicted" (*'nh*) for four-hundred years. The descendants as *gēr* in a land that is not their own correlates to Exod 2:22 (J) and Exod 18:3 (E). These are doublets explaining Gershom's name as "a stranger in a foreign land." That they will be *'nh* correlates to Exod 1:11-12 (E), which describes Israel's forced labor in Egypt. The mention of four-hundred years relates, vaguely, to P's exact "four hundred thirty years on the selfsame day." (Exod 12:41)

Perhaps informing the placement of the remarks in Gen 15:12-17 is that the inherited texts of J, E and P converge at seemingly unrelated accounts of patriarchs and rival lines, showing an intersection of disparate parts at one ultimate point—the descent into Egypt. The account of Joseph's expulsion from Canaan in Genesis 37 is peppered with Ishmaelite involvement, while his domestic service in Egypt in Genesis 39 evokes the dealings of his forerunners.

Gen 15:13, the first allusion prefiguring the Exodus, is arranged within the segment just prior to the birth of the very group who will deliver Israel into its affliction. This section of the oracle alludes to an event in which the Israelite branch of Abraham's line is said to be subject to affliction, which Hagar endures in the following chapter. It may be

that the author of Gen15:12-17, be that J or a redactor, means to point out the correlation in the larger narrative scheme between the details within the account of Abraham and Hagar and events leading to the Exodus.

In sum, among the sets of stories involving Sarah's punishment of Hagar and Joseph's transfer to Egypt circumstances are inverted. Entering Egypt as the result of slave trade, Joseph is a native of Canaan exiled to Egypt, contrastive to Hagar, the native Egyptian servant who resides in Canaan. The identification of the Ishmaelites as those who are physically responsible for transporting Joseph to Egypt, the specific regions of his transfer— his native land contrastive to the location of his exile— and the sexual acts Joseph's overseers expect of him are all details that are in some way resonant with the Genesis 16 narrative involving Hagar. A near full reversal of circumstances is accomplished. Just two generations after Ishmael is expelled, his descendants are instrumental in removing the branch of Isaac's family tree.

### *Considering the Relationship of the J and E Sources to Judges and Samuel*

Let's look comparatively at the J and E sources' stories of Joseph and Israel's migration to Egypt. J's sequence of events between Abraham, Sarah, and Hagar mirror the circumstances that take Israel to Egypt and enable their affliction. The situation in Abraham's own house becomes the catalyst driving his descendants toward the fruition of the oracle in Genesis 15. In E, the descent to Egypt does not relate to Abraham. Nothing that he or Sarah does has any effect on Joseph's migration to Egypt. Abraham's line through Keturah, Midian, retrieves Joseph and sells him in Egypt as a slave. Ishmael has no part in it.

The J and E sources also contain doublets for the following in Genesis: Joseph's imprisonment (Gen 39:20-23, J; Genesis 40, E); Joseph puts back the silver his brothers paid (Gen 42:25, E; Gen 42:27, J). Joseph's brothers bring Benjamin to Egypt (Gen 42:32-34 J; Gen 42:36, E).

At the beginning of Exodus, J has Pharaoh order that all the Israelite males be thrown into the Nile (Exod 1:22, J). Distinct from this, E has Pharaoh order that the midwives kill the males on the birthing stool (Exod 1:15-21, E). Each source has Moses telling Pharaoh that the Israelites must leave Egypt in order to celebrate a festival to Yhwh (Exod 5:1; 10:9). That festival turns out to be Passover. E makes the death of the Egyptian firstborn instrumental in Israel's escape. The J and E sources part ways here, too. J doesn't have the sacrifice of Isaac, nor does it have anything pertaining to the death of the firstborn in Egypt. Yhwh rescues the Israelites without killing Egypt's firstborn. E, on the other hand, transforms the Judges story of Jephthah and his daughter into the Genesis story of Abraham and Isaac. The interpretation found in Jubilees and Mekilta— that the *Aqedah* (the binding of Isaac in Genesis 22) is implicitly linked to Israel's redemption— may be what the author intended. In this interpretation the blood of the lamb slaughtered at Israel's exodus from Egypt is evocative of Abraham's obedience. The author of E positions the event well before the slaughter of the lamb that will thwart the plague of the firstborn. In this way it can be intuited as instrumental in saving the Israelites from the deadly plague by issuing a sign that Abraham and Sarah have already paid with their firstborn.

Consider the possibility that each of these sources knew the holiday stories of Judges and Samuel. The series of Genesis stories leading to the descent to Egypt transforms the holiday from Judges and Samuel into a unifying national narrative that

occurs before the division of Israel's tribal territories. The story takes place outside of Israel so no tribe, or alliance of tribes within Israel, has a purchase on the festival. This is distinct from the festival accounts in Judges and Samuel, which emphasize three tribes: Manasseh, via Gilead, which is Jephthah's territory (Judges 11); Ephraim, via the cult center in Shiloh (Judges 21-1 Samuel 1); and Benjamin (Judges 21). These are the tribes whose lineage purportedly goes back to Rachel. The Judges narrative depicts the women's festival as a galvanizing event for national identity. The festival in Judges 21 was the moment that all of the tribes of Israel invested in Benjamin. Israel nearly destroys Benjamin only to repopulate it with daughters from the festival. That population engendered Israel's first king, Saul, who would unify Israel's tribes into a monarchy.

J and E relate the Passover story to all of the tribes of Israel in their nascence by linking the holiday to the Patriarchal narratives, and tying those to the Exodus narrative. By reframing the holiday in Judges and Samuel, J and E deemphasize the tribes of Benjamin, Ephraim and Manasseh, distancing the holiday from Saul's rule and applying it to the people's ancient history. The residue of the Judges and Samuel reports of the festival is visible. The story of Israel's descent to Egypt represents the tribal territories directly associated with the festival of Judges and Samuel— Joseph and Benjamin. Joseph does not have a tribal territory of his own; his lot, rather, goes to his two children, Ephraim and Manasseh. Manasseh is where Jephthah sacrificed his daughter and Ephraim is where the yearly festival venerating her took place. The key figure in Israel's migration to Egypt, Joseph, is Jephthah's great-grandfather. Benjamin, the tribe that took advantage of the festival of Jephthah's daughter, too, has a role in the descent to Egypt. Joseph explicitly demands that his brothers go back to Canaan in order to bring Benjamin to Egypt.

## CHAPTER 5

### CONCLUSION:

#### THE TRAJECTORY OF THE SPRING NEW YEAR'S FESTIVAL IN ANCIENT ISRAEL

##### *The Women's Passover from Saul to Josiah*

This study began with the suggestion that before the centralization of worship in ancient Israel, men and women had separate rituals for the observance of the spring new year's festival. I suggested that *maššôt* and *pesah* corresponded to gender-specific ceremonials within a single holiday week. We looked at textual evidence indicating that several stories in the books of Judges and Samuel depict an annual women's celebration related to the holiday identified in Exodus as *pesah/maššôt*.

The festival depicted in Judges and Samuel was the portion of the New Year's event in which a cohort of Israelite women assembled for a special, four-day routine. Judges 11 identifies the festival as a commemoration for the sacrifice of the firstborn—the daughter of Jephthah. Jephthah's sacrifice eventuates in the institution of a statute that required all the daughters of Israel to attend a festival that took place for four days annually at New Year's. The festival account in Judges 11 implies pilgrimage. It was held in a secluded sphere away from the larger community.

We do not know exactly who participated or how they participated, beyond that it involved women. The holiday holds special significance for the childless: Judges 11 and 21 depict marriageable women; in 1 Samuel 1, Hannah is married but barren.

Story telling was certainly a central component of the ritual activity. It seems to have been performed to some degree through song and dance, as Miriam did at the crossing of the Red Sea and as the women of Shiloh do in imitation of Jephthah's daughter. The statute of Judges 11 specifies that participants are to go in order to "reenact" (Piel, *tnh*) the daughter's ordeal. The term resonates with Judges 5 where it connotes commemoration (Jud 5:11). There may have been a single epic depicted in stages over the course of many days or several different stories may have been told. Judges 11 intimates mourning. Are the roles that the women play imitative of the daughter's two-month mourning period with her cohort? How else might they correspond to the ritual?

Judges 11 describes an annual festival that the women of Israel attended. What might this have looked like in the context of a full festival week during the period in which its author situates it? Here is a scenario for interpretation that I see possible based on the notion of gender-specific ceremonials of the spring new year: The festival did not have a fixed date at this time. My intuition is that it began on the day that the spring flocks begin to give birth (as in E), but other possible starting points would be the appearance of a full moon or the first emergence of wheat from the ground; and occasionally all three would coincide.

If the festival began when the lambs were born, as I think is most likely, then men and women tended to the birthing and initial care of the newborn lambs and their mothers, lasting for several days. The women would then go out for a four-day period in which they would perform a ritual reenactment a story *like* that of Jephthah's daughter, a celebration in honor of a nubile female who dies before bearing children. Women would make pilgrimage, assembling at a regional site or sites. In the Har Ephraim region, the

background for the Judges-Samuel stories, they met somewhere in the vicinity of Shiloh. Perhaps the site or sites to which they traveled had identifiable landmarks. At less than ten kilometers from Shiloh, the Oak of Mourning, Deborah's burial site, is geographically possible.<sup>188</sup> From there, the burial site for Rachel, in Ramah, is less than ten kilometers.<sup>189</sup> Each route would be less than a day's hike.

Most likely the women ate *maṣṣâ*. It was probably the precursor to E's *ḥag hammaṣṣôt* (Ex 13:10). The story of Jephthah's daughter, with its first-born sacrifice and eternal virgin, delivers a potent metaphor for *maṣṣâ*—the daughter representing the unrisen bread. I have suggested that an important element of this ritual in its early stages is the metaphor of the virgin sacrifice. It is a metaphor that I think we can trace to observation of the annual wheat cycle.

The men must have held their own ritual during the women's absence. The ritual may have involved a narrative that recounted a history of Yhwh bringing Israel out of Egypt (as reflected in Jephthah's speech). Quite possibly, it was the time of the cohort circumcision ceremony. Exodus 12:44, 48 stipulates that one may partake in the Passover meal so long as he is circumcised. Joshua 3-5 also associates circumcision with participation in the Passover ritual. In preparation for the Passover holiday, Joshua orders a mass circumcision before the celebration. Propp points out that P is the first of the sources to specify circumcision for the individual, on the eighth day of his life, and that prior to this cohort circumcision was probably standard.<sup>190</sup> If circumcision was performed as soon

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<sup>188</sup> Gen 35:8.

<sup>189</sup> Gen 35:16,19; Gen 48:7, on the road to Ephrathah.

<sup>190</sup> William Propp, "That Bloody Bridegroom (Exodus IV 24-6)" *Vetus Testamentum* 43 (1993) 495-518.

as the women leave, the healing process would be far enough along for the circumcised males to join the community when the women return at the end of four days. Upon the women's return, the community celebrated with the ritual meal.

This is just a suggestion of a possible overview of a full week's festival during the time corresponding to the so-called Judges era. If the model of the week with cohort circumcision taking place during the women's absence is accurate then we have one possible explanation for the decline in emphasis on the pilgrimage. Perhaps the shift from cohort to individual circumcision, which is a textual innovation of P, allowed integration of the male and female rituals.

In the last chapter, I made a case for viewing the annual festival of Yhwh in the books of Judges and Samuel as part of an encompassing narrative that establishes the conditions creating the social context emphasized by Saul's emergence. I then suggested that the authors of J and E knew these stories and that, in writing an etiology for the festival and tying it to the Patriarchs, they represented the festival without ties to any particular tribal territory or ruling entity.

Let's review how the festival functions in the Judges and Samuel narratives. The capture of the "daughters of Shiloh," who are not just women from Shiloh but women who have come to Shiloh from all over Israel, makes plausible the claim that the Benjamin of Saul's generation was made up of a population whose members were half-Benjamin and half-another tribe of Israel. Every tribe of Israel has a relative in Benjamin because of the festival in honor of Jephthah's daughter. It is a unifying narrative reflecting the concerns of the early monarchy, bringing together all the tribes of Israel in Benjamin —whence emerged its first king. All of Israel marries into Benjamin. It is from that group that Yhwh

chooses Israel's king. Judges 19 indicts Benjamin as fiercely nativist; ruthlessly assaulting harmless transients for no discernable reason other than they are in Benjaminite territory and are not Benjaminite. They rebuff censure drawn from the other tribes, refusing to yield to outside authority. Benjamin is not extinguished—it is recreated, winnowed down to just a few men who cannot marry within their established kinship networks and must turn outward, to the rest of Israel. This is the Benjamin of Saul, which he confesses, is the smallest of the tribes. It is also the Benjamin of Samuel, born in Ramah—and his Shiloh, too. The festival serves as the backdrop to Samuel's nativity. Samuel's mother miraculously finds an end to her barrenness during the festival, conceiving her first child, the last judge, the prophet who anointed Saul as Israel's king. The festival plays an important role in the early history of Israel's monarchy, establishing the circumstances and conditions that engender kingship.

At some point this paradigm shifted. There is no mention of the women's festival after 1 Samuel 1-2. Before the Exodus myth became the programmatic story of Passover, the festival associated with the spring new year was linked to the cult center of Shiloh and embedded in a narrative that leads to Saul. The function of the Patriarchal narratives is to unite disparate local histories under a single genealogy and to separate this family from indigenous customs by bringing it through its nascence in isolation from Canaan.

We can see why the story of the festival with Jephthah's daughter as its patron could come to be viewed as less favorable to the Bible's authors. It is after all a story that endorses child sacrifice (decried by the 7<sup>th</sup> century prophets Ezekiel and Jeremiah) and encourages a potentially dangerous practice of women going away from the protection of their communities for several days. And it seems also to have been significant in

propaganda linked to a political element, Saul and his retainers, that were no longer relevant when the earliest of the Torah's sources, J and E, were written.

E's author combines aspects of the separate *maṣṣôt* and *pesaḥ* ceremonials, and in the process it subsumes the story of the women's festival from Judges and Samuel. The author takes the three main elements identifying the daughter of Jephthah in Judges 11 and transmutes them in his accounts.

E's account of the binding of Isaac, the *Aqedah* (Genesis 22), with Yhwh's demand for the offering of Abraham's *yāḥîd*, supplanted the story of the daughter of Jephthah. Shalom Spiegel suggests that the *Aqedah* of Isaac is the original etiology of Passover. He makes the case for Passover as a replacement of a ritual offering of the firstborn. Despite the multiple extra-biblical interpretations that identify Isaac with Passover, E does not explicitly make this connection. Moses reminds Yhwh of the *Aqedah* during the golden calf episode (Exod 32:13): Yhwh is ready to wipe out the entire lot of the Israelites and start over with Moses but our protagonist reminds him that it was for the sake of Abraham, Isaac, and Israel that Yhwh redeemed them from Egypt (Exod 32:11-13). E's author may intend this association to resonate with the Passover event. But the association to the Exodus holiday event is not explicit. Maybe E's author is aware of the connection of the *yḥd* sacrifice with Passover but is not making that connection explicit in order to deemphasize the element of the firstborn sacrifice of Israel's human children. In this same vein, another innovation to the *maṣṣôt* holiday that E makes is the death of the Egyptian firstborn. In Judges 11 the holiday is for the death of an Israelite firstborn. In E's Exodus account the festival is held to commemorate Yhwh's killing of the Egyptian firstborn and

redeeming of his firstborn, Israel. Through these distinctions E distances sacrifice of Israel's own offspring from Passover.

E's account of events taking place at Mispheh Gilead (Genesis 31) transforms the deed for which the place is probably most well known— its claim to fame— from the site of the accidental vow of Jephthah to offer his daughter to the place where Jacob inadvertently curses his wife Rachel. It's as if the author is saying that the famed daughter of the place was not a nubile virgin whose father vowed and delivered her to Yhwh in her immaculacy but a mother of two who, cursed by her husband, died ironically and tragically while giving birth.

Finally, E's author takes the action most identified with the daughter's sudden arrival on scene, her appearance with timbrels and with dances (*bētûppîm ûbimēḥolat*), and uses it to introduce Miriam in Exod 15:20. When Miriam leads the women percussing and dancing, she does so with the song of the Sea. The story she tells is of Yhwh's victory—the same as for the men. What, ultimately, becomes of Miriam in E's account? Yhwh struck Miriam with leprosy for issuing a challenge to Moses' authority. She and Aaron speak against Moses because he married an Ethiopian woman. Only Miriam is punished. She, the leader of the women's ritual is caught gossiping about another woman on the basis of her ethnic identity. Perhaps implying that the holiday is exclusivist. Whatever the case, Miriam endures great shame for the offense. The analogy used to explain the shame of her punishment is quite powerful— it's as if her father had spat in her face (Num 12:14).

It's as if E dismantled the festival account and scattered it in Genesis and Exodus. E's author takes apart the central components of the daughter's narrative *yāḥîd* sacrifice at Mispheh Gilead, and the ritual dancing, and disassociates them from the local legend of

Jephthah's daughter, removing them to a national historical level. E took issue with the women's festival, and with the narrative that attends it in Judges and Samuel. At the very least it may be that the author of E does not consider that the festival is mandatory for *bēnôt yiśrā'ēl*. At most, it would be that E considers it heretical and attempts to undermine it without directly addressing the institution.

The Exodus etiology ultimately subsumed the separate women's etiology for the annual festival commemorating Jephthah's daughter. The women's ritual eventually died out. But when? What happened to the festival? Why does only E allude to it? J doesn't seem to at all. P mentions four days, which corresponds to the duration of the women's festival. What was the purpose of E's Passover narrative? It doesn't give an etiology for any other holiday.

Was E's holiday account composed in an attempt to incorporate the women's festival into the ritual which the author calls *ḥag hammaṣṣôt*? It presents the women together with the males of the community. It shows only one aspect of the women's ritual in the Exodus etiology, Miriam's leading the women dancing, but it certainly does not appear that Miriam led the women for four days and it is not prescriptive in any way. And she is telling the story of Yhwh's victory just the same as Moses. There is one story for the men and the women here.

Only in E does Miriam lead the women's cohort at the Red Sea. There is no mention of her in J and no mention of the women's ritual. P mentions Miriam at her burial. D recalls Miriam only to hold her up as a warning –“remember what Yhwh your god did to Miriam on the way when you came out of Egypt” (Deut 24:9).— The warning proceeds from remarks about guarding against leprosy: “listen intently and do everything that the

Levite priests tell you. As I command them you shall do.” It refers to the scene of Miriam’s excoriation in Numbers 12 (E). Yhwh struck Miriam with leprosy for issuing a challenge to Moses’ authority. She and Aaron speak against Moses because he married an Ethiopian woman. Only Miriam is punished. It is the only mention of Miriam in Deuteronomy. By the time we get to Deuteronomy there is no trace of the women’s Passover in official state literature.

### *The Sources of the Pentateuch in Dialogue*

The most broadly shared view among source critics of the 19<sup>th</sup> and 20<sup>th</sup> century is that J came first. Wellhausen and others lay stress on what they see as primitivism in J. Their views are mostly steeped in evolutionary anthropology. Linguistically there is no evidence for a great span of time between the J and E documents. Others have based this notion on a supplementary view. Recall Goldstein and Cooper’s suggestion that RJE came together during the time of Israel’s hegemony over Judah (during Jehoash’s reign).<sup>191</sup> They speculate that E was written in response to J but that it also contained material that was far earlier than J.

It seems certain that each of the sources knew the accounts in Judges and Samuel.

Let’s consider a few possibilities:

Friedman suggests in the *Hidden Book* that a single author composed a continuous narrative that went from Genesis-Kings. The Pentateuchal source is J. But what if some of the stories that appear in the book of Judges and Samuel constituted a single cohesive narrative that J and E both knew and used as a source in crafting their independent works?

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<sup>191</sup> Goldstein and Cooper “Festivals” 19–31.

If this is the case then each of the J and E authors wrote the Patriarchal, Exodus, and Wilderness narratives as a preface to the stories of the Judges and conquest narratives—possibly drawn from a resource mentioned in Num 21:14 “the book of the wars of Yhwh.”

Did E write supplements to J that relied heavily on narrative accounts from Judges and Samuel and include many allusions to the festival? Or, was J’s author aware of E and did he use it as a source to write a Judahite history to Solomon? And, is that the reason J did not pick up the allusions to a women’s festival at Shiloh: they were not relevant for the author’s purposes?

I have found no solid evidence that would suggest an answer regarding the order of J and E’s authorship or the direction of influence of the sources. It would be nice to know the order of authorship, J to E, perhaps in order to help us explain the absence of allusion to the women’s festival in the J source versus the many allusions to it in E. Ultimately, however, the discussion of authorship is rather immaterial to the central concerns of this study, which has been more about gaining a grasp of the women’s festival and its marginalization in official Israelite literature. The festival had importance to E that it did not have for the other sources. Whether this is because the other sources take for granted a subversion that E innovated before or after J will not drastically change the outcome of the present survey.

### *A Girl with No Name: The Many Manifestations of Jephthah’s Daughter*

The patron of the annual festival in Shiloh has no given name. I would like to consider the possibility that the namelessness of the figure in Judges 11 is not a denigrating

element but reflects a reality about the festival. The primary figure of the festival is free from the limiting power of a name. She can be called, without contradiction, whatever one wants to call her. In this way, her namelessness allows her the prerogative to be any woman. She can be renamed year after year, generation after generation. Possibly the notion of the ‘Virgin Daughter of the Vernal Equinox’ starts out as an analogy to the thin stalk of wheat just beginning to poke out of the ground. Each year the wheat is reaped before reaching its fullness, before its seed reaches the ground. The harvested wheat makes the bread, which too is thin, completely flat. It has no leaven to make it swell. Like the grain that is reaped each year at Shavuot yet lives again the next spring, the daughter reappears annually in the ritual. Jephthah’s daughter is just one instantiation of this figure. Any young woman may take on her role. And so, we catch glimpses of her character in the accounts about Rachel, Miriam, and Hannah (all of whom are barren or otherwise childless women). Any woman may empathize with the role at some time in her life. For some women, the symbolic death that ends their days of embodiment as the virgin is, ironically, childbirth. That is no doubt the purpose of the festival anyway— to gain the sympathy of a maternal entity who will bless you with children.

While the festival was wiped clean from the state literature by the Josianic era, it may be that the spring women’s festival lasted for much longer in non-sanctioned worship contexts of folk-religion existing in the periphery and certainly not required as a *ḥōq* in the public religious sense as in Judges 11. We may question whether or not the many allusions to the female virgin in prophetic literature contain some indication of this figure. Jeremiah 31, in particular stands out as using language evocative of elements in the women’s festival

and Rachel, and I wonder if his words reflect that of a program vital in the minds of his audience (Jer 31:4):

Again I will build you (*'ebnēk*) and you will be built (*nibnēt*),  
virgin of Israel (*bētūlat yiśrā'ēl*). Again you will take up  
your timbrel (*tuppayik*) and you will go out in a dance  
(*bimēḥōl*), playing.

With the words “I will build you (*'ebnēk*) and you will be built (*nibnēt*)” Jeremiah is punning on the word for “son” (*ben*) in a way similar to Gen 16: Sarah says *'ibbāneh mimmennāh* “I will be built up (or “childed”) through her [Hagar].”

There are several other allusions in this chapter to “the virgin” and her dancing.

Jeremiah continues, identifying Rachel and making references to Gen 37:35. It’s a convoluted metaphor that paraphrases the words describing Jacob in Genesis but applies them to the figure of Rachel (Jer 31:15)

Thus said Yhwh ‘a voice in Ramah was heard, a lamentation,  
a bitter weeping, Rachel is weeping for her children, refusing  
to be comforted about her children because they are no more.

Jeremiah is playing on the description of Israel refusing to be comforted because he thinks Joseph is dead— Incidentally, Jeremiah seems to be drawing from a combined J and E text for his allusion. The element of “refusing to be comforted” is represented in the J account of Genesis 37 (v. 35), but the assertion that the child is “no more” belongs to Reuben, which is E (v. 30).— It is as if, in the oracle about the Ephraim’s revival, Jeremiah is talking about the festival through its patron (the virgin) and a figure identifiable with her local site (Mispeh), Rachel. They may represent very different aspects of the same figure.

If, as I have previously suggested, the women’s four-day holiday is *maṣṣôt*, the unleavened bread represents the impregnable virgin. The meal is a symbolic consuming of virgin’s body. We see a reflex of this in the Eucharist— the *maṣṣâ* represents the body

of Jesus. The daughter is transformed into the mother of Jesus, Mary, the virgin who gives birth. Her name, incidentally, is a hypocoristic variant of Miriam.

How long did the festival survive its fall from official literature? Epiphanius asserted that some version of venerating Jephthah's daughter continued into the Common Era. He claims in his 4<sup>th</sup> century work, *Panarion*, that women were still participating in such a festival.

The presence of the women's holiday in Judges and Samuel is missing from all of our historical models of Passover. In getting at the roots of the earliest Israelite Passover we have been limited to speculative anthropological models based on [agrarian nomadism], but now we may add a collection of stories that predate our earliest Passover narratives of the Pentateuch. One that offers a different etiology— the death of the firstborn virgin female. Adding these accounts to future analyses of Passover will aid the field in attaining a broader view of the holiday's development. We can see the spectrum of development from before the centralization of Jerusalem to the destruction of the Second Temple.

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