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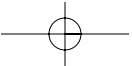
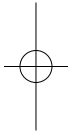
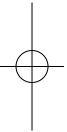
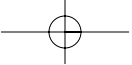
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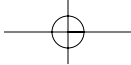
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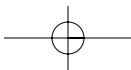
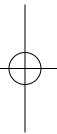
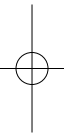




# FINDING *HEREM*?

A Study of Luke-Acts in the Light of *Herem*

HYUNG DAE PARK



Published by T&T Clark International

*A Continuum imprint*

The Tower Building, 11 York Road, London SE1 7NX

80 Maiden Lane, Suite 704, New York, NY 10038

[www.tandtclark.com](http://www.tandtclark.com)

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British Library Cataloguing-in-Publication Data

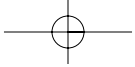
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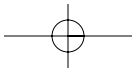
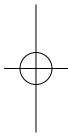
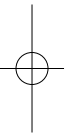
ISBN-13: 9780-567-04550-8 (hardback)

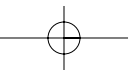
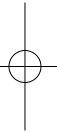
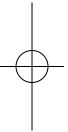
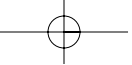
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*To my parents and mother-in-law*





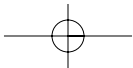
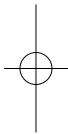
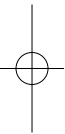
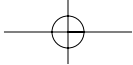
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## PREFACE

This book has to do with certain theological and ethical questions on the Bible: Why should Jesus die on the cross? Is there any direct background to it in the Old Testament? How can the killing of every people in the promised land be understood by and applied to Christians? What does the death of Ananias and Sapphira mean? Can we argue for the unity of the Bible even in terms of the genocidal war in Joshua? What are the similarities and differences between *herem* in the Old Testament and *Jihad* in Islam? So I would like to recommend this book to those who are interested in Jesus' death on the cross on the academic level, to those who feel that God in the Old Testament is different from God in the New Testament, and also to those who want to find a biblical idea on the current issue, the worst acts of terrorism.

This book is a revised work of my PhD thesis, 'Finding מִרְחָק?: A Study of Luke-Acts in the Light of מִרְחָק', supervised at London School of Theology (LST) and submitted to Brunel University in August 2005. In relation to the revision, I should thank Prof. Loren T. Stuckenbruck, the external examiner, for his invaluable comments, especially on Chapter 3.

A lecture on Joshua taught by Dr K. Lawson Younger Jr at Trinity Evangelical Divinity School in 2002, 'Advanced Hebrew Exegesis', made me start connecting מִרְחָק with Luke-Acts. At that time, after finishing my ThM thesis, I was struggling with some hard passages in Luke-Acts – Judas' death, the Ananias and Sapphira story, radical discipleship, etc. Through the lecture an idea hit me: 'The *herem* idea might shed light on the hard passages!'

In fact, *herem* is one of the topics that Christians seek to evade because it looks so severe and cruel and sometimes selfish. However, if one examines every aspect of it carefully, one may know that it is built on God's love towards his people and his people's love towards God. Interestingly, the last word of Malachi is מִרְחָק, and the last verse of Malachi is connected with John the Baptist in Luke 1.17. At this point, we see a possibility of linking מִרְחָק with Luke-Acts.

In comparison with the original thesis, this book has a quite reduced Introduction and does not include many footnotes in the following chapters. Nevertheless, most of the main text has been preserved only with stylistic changes.

I thank Dr David W. Pao, Dr Eckhard J. Schnabel and Dr Robert W. Yarbrough for their help and encouragement when I prepared a proposal

for the thesis. Further, my most sincere thanks are due to Rev. Dr Steve Walton because I could not have finished the research without his excellent supervision, granted through praying for my studies and my family, through giving sincere and swift responses to my papers, through guiding me to the British New Testament Conference (BNTC), the Annual Seminar on the Use of the OT in the NT, and the Tyndale Fellowship (TF). Also, I thank Dr Conrad Gempf for his interest in my studies as the second supervisor. On my part, his opinion on the thesis has been very significant because he is known as a Jewish and Christian scholar of Luke-Acts.

Further, I cannot forget Prof. Loveday Alexander's positive encouragement after my reading a paper at the BNTC Acts seminar in 2004; Prof. Max M. B. Turner's warm encouragement after my presenting of a paper at the NT Research Student Conference at LST in 2004; and Dr T. Desmond Alexander's kind encouragement after my reading a paper at the TF Biblical Theology Study Group in 2005. Special thanks are due to those who proofread my thesis – Dr Helen Wright, Dr Sue Sainsbury and Dr Jenny Read-Heimerdinger – and to Rebecca Vaughan-Williams, Commissioning Editor for this series.

I express my great thanks to my mentors, especially Jin Ae Kim, Young Ja Kim and Rev. Yong Kirl Song, who have shown me how to follow and serve Jesus. And I owe a considerable debt of gratitude to the Christians in certain churches: Songjung Jeil Church (Kwangju), Daehakchon Church (Seoul), Hebron Presbyterian Church (Chicago), Korean Ealing Church (London), Eastbury Church (London), Emmanuel Church (London). And I am grateful for the scholarship from the Laing fund.

My parents, Bong Ju and Bu Deuk (Kim) Park, and my mother-in-law, Sun Hee Kim, and my sisters and their husbands should get my warmest thanks for their financial and prayer support. And I would like to express my deepest appreciation to my angel, (Sarah) Kang Nye, who always supports and encourages me and also during my research bore a son, Jusung David, and a daughter, Juhee Joy, and to my lovely first daughter, JuEun, for her love, patience and obedience.

Hyung Dae Park, *Autumn in 2006,*  
*at Ezra Bible Institute for Graduate Studies in Korea*

## ABBREVIATIONS

## 1. Bible

*Old Testament (OT)*

Gen.	2 Chron.	Dan.
Exod.	Ezra	Hos.
Lev.	Neh.	Joel
Num.	Est.	Amos
Deut.	Job	Obad.
Josh.	Ps. (pl. Pss.)	Jon.
Judg.	Prov.	Mic.
Ruth	Eccl. (or Qoh.)	Nah.
1 Sam.	Song (or Cant.)	Hab.
2 Sam.	Isa.	Zeph.
1 Kgs	Jer.	Hag.
2 Kgs	Lam.	Zech.
1 Chron.	Ezek.	Mal.

*New Testament (NT)*

Mt.	Eph.	Heb.
Mk	Phil.	Jas
Lk.	Col.	1 Pet.
Jn	1 Thess.	2 Pet.
Acts	2 Thess.	1 Jn
Rom.	1 Tim.	2 Jn
1 Cor.	2 Tim.	3 Jn
2 Cor.	Tit.	Jude
Gal.	Phlm.	Rev.

2. *Second Temple Jewish literature*

1 <i>En.</i>	1 ( <i>Ethiopic</i> ) <i>Enoch</i>
1 <i>Esd.</i>	1 <i>Esdras</i>
4 <i>Bar.</i>	4 <i>Baruch</i>
1 <i>Macc.</i>	1 <i>Maccabees</i>
2 <i>Macc.</i>	2 <i>Maccabees</i>
3 <i>Macc.</i>	3 <i>Maccabees</i>

<i>4 Macc.</i>	<i>4 Maccabees</i>
<i>Abr.</i>	<i>De Abrahamo</i>
<i>Ant.</i>	<i>Antiquities of the Jews</i>
<i>Apion</i>	<i>Against Apion, or Contra Apionem</i>
<i>Bar.</i>	<i>Baruch</i>
<i>CD</i>	<i>Damascus Document</i>
<i>DSS</i>	<i>Dead Sea Scrolls</i>
<i>Det. Pot. Ins.</i>	<i>Quod deterius potiori insidari soleat</i>
<i>Deus Imm.</i>	<i>Quod Deus sit immutabilis</i>
<i>Ep. Arist.</i>	<i>Letter of Aristeas</i>
<i>Flacc.</i>	<i>Against Flaccus, or In Flaccum, or Contra Flaccum</i>
<i>Fug.</i>	<i>De fuga et inventione</i>
<i>Jdt.</i>	<i>Judith</i>
<i>Jos. Asen.</i>	<i>Joseph and Asenath (or Aseneth)</i>
<i>LAB</i>	<i>Liber Antiquitatum Biblicarum</i>
<i>Leg. Gai.</i>	<i>Legatio ad Gaium</i>
<i>Life</i>	<i>Life of Josephus, or Vita Josephi</i>
<i>Liv. Proph.</i>	<i>Lives of the Prophets</i>
<i>Mut. Nom.</i>	<i>De mutatione nominum</i>
<i>Pss. Sol.</i>	<i>Psalms of Solomon</i>
<i>Sir.</i>	<i>Sirach</i>
<i>Somn.</i>	<i>De somniis</i>
<i>Spec. Leg.</i>	<i>De specialibus legibus</i>
<i>Sus.</i>	<i>Susanna</i>
<i>T. Jos.</i>	<i>Testament of Joseph</i>
<i>T. Jud.</i>	<i>Testament of Judah</i>
<i>T. Levi</i>	<i>Testament of Levi</i>
<i>T. Sim.</i>	<i>Testament of Simeon</i>
<i>Vit. Mos.</i>	<i>De vita Mosis</i>
<i>War</i>	<i>The Jewish War, or De Bello Judaico</i>
<i>Wis.</i>	<i>Wisdom of Solomon</i>

### 3. Bibliographical Abbreviations

<b>AB</b>	Anchor Bible
<b>AGJU</b>	Arbeiten zur Geschichte des antiken Judentums und des Urchristentums
<b>AnBib</b>	Analecta biblica
<b>APOT</b>	R. H. Charles (ed.), <i>Apocrypha and Pseudepigrapha of the Old Testament in English</i> (2 vols; Oxford: Clarendon Press, 1913)
<b>BCTP</b>	de Moor, J. C., et al. (ed.), <i>A Bilingual Concordance to the Targum of the Prophet</i> (Leiden:

## Abbreviations

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	Brill, 1995–2003)
BDAG	Walter Bauer, William F. Arndt, F. William Gingrich and Frederick W. Danker, <i>A Greek–English Lexicon of the New Testament and Other Early Christian Literature</i> (Chicago: University of Chicago Press, 3rd edn, 2000) [See also BAGD for 2nd edn]
BDB	Francis Brown, S. R. Driver and Charles A. Briggs, <i>A Hebrew and English Lexicon of the Old Testament</i> (Oxford: Clarendon Press, 1907)
BDF	Friedrich Blass, A. Debrunner and Robert W. Funk, <i>A Greek Grammar of the New Testament and Other Early Christian Literature</i> (Cambridge: Cambridge University Press, 1961)
BETL	Bibliotheca ephemeridum theologiarum lovaniensium
BHS	<i>Biblia hebraica stuttgartensia</i>
Bib	<i>Biblica</i>
BibOr	Biblica et orientalia
BJS	Brown Judaic Studies
BN	<i>Biblische Notizen</i>
BSac	<i>Bibliotheca Sacra</i>
BZ	<i>Biblische Zeitschrift</i>
CBQ	<i>Catholic Biblical Quarterly</i>
DCH	Clines, D. J. A., <i>The Dictionary of Classical Hebrew</i> (5 vols; Sheffield: Sheffield Academic Press, 1993–2001)
DJD	Discoveries in the Judaean Desert
DSS	Charlesworth, J. H. (ed.), <i>Dead Sea Scrolls</i> (Princeton Theological Seminary Dead Sea Scrolls Project, 1, 2, 4A, 4B, 6B; Tübingen: JCB Mohr, 1994, 1995, 1997, 1999, 2002)
DSSC	Abegg, M. G. with J. E. Bowley and E. M. Cook and in Consultation with E. Tov, <i>The Dead Sea Scrolls Concordance, Volume one: The Non-Biblical Texts from Qumran [Part One &amp; Two]</i> (Leiden: Brill, 2003)
DSSSE	Martínez, F. G., and E. J. C. Tigchelaar, <i>The Dead Sea Scrolls Study Edition</i> (2 vols; Leiden: Brill, 1997–8)
EBib	Etudes bibliques
EHAT	Exegetisches Handbuch zum Alten Testament
EKKNT	Evangelisch-Katholischer Kommentar zum Neuen Testament
EncJud	<i>Encyclopaedia Judaica</i>

## Abbreviations

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GAP	Guides to Apocrypha and Pseudepigrapha
HALOT	Koehler, L., W. Baumgartner, and J. J. Stamm, <i>The Hebrew Aramaic Lexicon of the Old Testament</i> (trans. and ed. under the supervision of M. E. J. Richardson; 5 vols; Leiden: Brill, 1993–2000)
HAR	<i>Hebrew Annual Review</i>
HAT	Handbuch zum Alten Testament
HDR	Harvard Dissertations in Religion
HSM	Harvard Semitic Monographs
HTKNT	Herders theologischer Kommentar zum Neuen Testament
HTR	<i>Harvard Theological Review</i>
HUCA	<i>Hebrew Union College Annual</i>
ICC	International Critical Commentary
JBL	<i>Journal of Biblical Literature</i>
JPTSup	<i>Journal of Pentecostal Theology</i> , Supplement Series
JSHRZ	Jüdische Schriften aus hellenistisch-römischer Zeit
JSJ	<i>Journal for the Study of Judaism in the Persian, Hellenistic and Roman Period</i>
JSNT	<i>Journal for the Study of the New Testament</i>
JSNTSup	<i>Journal for the Study of the New Testament</i> , Supplement Series
JSOT	<i>Journal for the Study of the Old Testament</i>
JSOTSup	<i>Journal for the Study of the Old Testament</i> , Supplement Series
JSP	<i>Journal for the Study of the Pseudepigrapha</i>
JSS	<i>Journal of Semitic Studies</i>
JSSR	<i>Journal for the Scientific Study of Religion</i>
JTC	<i>Journal for Theology and the Church</i>
JTS	<i>Journal of Theological Studies</i>
KAT	Kommentar zum Alten Testament
LCL	Loeb Classical Library
LSJ	H. G. Liddell, Robert Scott and H. Stuart Jones, <i>Greek–English Lexicon</i> (Oxford: Clarendon Press, 9th edn, 1968)
MeyerK	H. A. W. Meyer (ed.), <i>Kritisch-exegetischer Kommentar über das Neue Testament</i> [sometimes referred to as KEK]
NA <sup>27</sup>	Aland, B., et al. (eds), <i>Novum Testamentum Graece</i> (Stuttgart: Deutsche Bibelgesellschaft, 27th edn, 1993).
NCB	New Century Bible
NICNT	New International Commentary on the New Testament
NICOT	New International Commentary on the Old Testament

## Abbreviations

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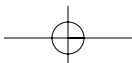
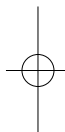
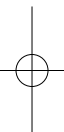
NIDOTE	Willem A. VanGemeren (ed.), <i>New International Dictionary of Old Testament Theology and Exegesis</i> (5 vols; Grand Rapids: Zondervan, 1997)
NIGTC	The New International Greek Testament Commentary
NovT	<i>Novum Testamentum</i>
NovTSup	<i>Novum Testamentum</i> , Supplements
NTD	Das Neue Testament Deutsch
OBO	Orbis biblicus et orientalis
OTG	Old Testament Guides
OTL	Old Testament Library
OTP	James Charlesworth (ed.), <i>Old Testament Pseudepigrapha</i>
PVTG	Pseudepigrapha Veteris Testamenti graece
RevQ	<i>Revue de Qumran</i>
RNT	Regensburger Neues Testament
SBLDS	SBL Dissertation Series
SBLRBS	SBL Resources for Biblical Study
SBLSCS	SBL Septuagint and Cognate Studies
SBLSP	SBL Seminar Papers
SNTSMS	Society for New Testament Studies Monograph Series
SP	<i>Sacra Pagina</i>
STDJ	Studies on the Texts of the Desert of Judah
SUNT	Studien zur Umwelt des Neuen Testaments
SVTP	Studia in Veteris Testamenti pseudepigrapha
TDNT	Gerhard Kittel and Gerhard Friedrich (eds), <i>Theological Dictionary of the New Testament</i> (trans. Geoffrey W. Bromiley; 10 vols; Grand Rapids: Eerdmans, 1964–)
TDOT	G. J. Botterweck, H. Ringgren and H.-J. Fabry (eds), <i>Theological Dictionary of the Old Testament</i>
THKNT	Theologischer Handkommentar zum Neuen Testament
ThWAT	G. J. Botterweck and H. Ringgren (eds), <i>Theologisches Wörterbuch zum Alten Testament</i> (Stuttgart: W. Kohlhammer, 1970–)
TLG	Thesaurus Linguae Graecae CD-ROM E (Irvine: University of California, 2000).
TNTC	Tyndale New Testament Commentaries
TOTC	Tyndale Old Testament Commentaries
TWOT	R. Laird Harris, Gleason L. Archer, Jr and Bruce K. Waltke (eds), <i>Theological Wordbook of the Old Testament</i> (2 vols; Chicago: Moody Press, 1980)
TynBul	<i>Tyndale Bulletin</i>



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*Abbreviations*

<i>UBSGNT</i>	United Bible Societies' <i>Greek New Testament</i>
<i>VC</i>	<i>Vigiliae christianae</i>
<i>VT</i>	<i>Vetus Testamentum</i>
<i>VTSup</i>	<i>Vetus Testamentum</i> , Supplements
<i>WBC</i>	Word Biblical Commentary
<i>ZAW</i>	<i>Zeitschrift für die alttestamentliche Wissenschaft</i>
<i>ZNW</i>	<i>Zeitschrift für die neutestamentliche Wissenschaft</i>



## Chapter 1

### INTRODUCTION

According to Bovon, who summarizes ‘the ethics of the community’ in Luke-Acts within four categories (viz. ‘perseverance, poverty and the sharing of goods, brotherly communion, and prayer’),<sup>1</sup> from 1950 to 1983 there were not many studies which contended with the ethical aspect of Luke-Acts in the light of the OT law.<sup>2</sup> Even after the main theological weight in considering Lukan writings has moved from historical facts to ethical elements, the study of the ethics of Luke-Acts is fundamentally still not likely to go beyond the four categories.<sup>3</sup>

Böhlemann, who writes on the ethics of Luke, says: ‘A human being is freed [from sin] not through the law and the fulfilment of ethical norms but through the grace of God which is realized in the gospel of Christ (cf. Acts 13.37-39). After this release from sin, the person can do ethically good works in the eyes of the law and God.’<sup>4</sup> Even though he can be right, he does not handle the relationship between the ethics of Luke-Acts and the OT law.

Some studies also consider the ethical side of Luke-Acts under the title of NT ethics. These, however, do not deal with the ethics of Luke-Acts in relation to the OT law even though some treat the law in the ethics of Lukan writings or consider Lukan allusion to the law. Sanders ignores most ethical parts of Luke-Acts, not to mention the function of the law as regards ethics.<sup>5</sup> Schrage sees the ethics of the NT, including Luke-Acts, from the perspective of the double law of love which originates from the OT law, but on which the OT law itself is not focused.<sup>6</sup> Regardless

1. F. Bovon, *Luke the Theologian: Fifty-five Years of Research (1950–2005)* (Waco: Baylor University Press, 2nd rev. edn, 2006), pp. 435–57.

2. In this book, the ‘OT’ is used as a Christian designation for the ‘Hebrew Bible’.

3. See Bovon, *Luke*, pp. 496, 543–53.

4. P. Böhlemann, *Jesus und der Täufer: Schlüssel zur Theologie und Ethik des Lukas* (SNTSMS, 99; Cambridge: Cambridge University Press, 1997), p. 212 (author’s translation).

5. J. T. Sanders, *Ethics in the New Testament* (Philadelphia: Fortress, 1975), pp. 36, 39, 40.

6. W. Schrage, *Ethik des Neuen Testaments* (Grundrisse zum Neuen Testament, 4; Göttingen: Vandenhoeck and Ruprecht, 1982), pp. 10, 20, 55, 69, 155–6.

of his proclaiming the importance of considering the OT for NT ethics, the ethics Hays describes in relation to Luke-Acts have to do with the economic side and are not linked with any OT law except Deut. 15.4-5, 7-8.<sup>7</sup>

### 1. Of the Law of חֵרֵם

Greenberg defines חֵרֵם as ‘the status of that which is separated from common use or contact either because it is proscribed as an abomination to God or because it is consecrated to Him’.<sup>8</sup> The OT contains some different categories of the root חֵרֵם, according to Lisowsky.<sup>9</sup> The verbal form meaning ‘to banish’ or ‘to devote’ or ‘to be devoted to destruction’ occurs 51 times.<sup>10</sup> Amongst such usage, only three occurrences have the hophal meaning ‘to be devoted to destruction’: Exod. 22.20 [22.19, MT, LXX];<sup>11</sup> Lev. 27.29; Ezra 10.8. The stem of the others is the hiphil and Lisowsky categorizes only two amongst them as meaning ‘to devote’: Lev. 27.28 and Mic. 4.13. The noun חֵרֵם, meaning ‘ban or devoted thing’, appears 29 times only in the singular form.<sup>12</sup>

For a basic study of חֵרֵם, Greenberg’s article is useful in that he tackles the topic both biblically and historically in relation to the Jewish understanding.<sup>13</sup> Further, Lohfink’s article is helpful in that he lists related studies and examines OT usage, ancient parallels and diachronic development.<sup>14</sup> Moreover, it is worth mentioning Lilley’s suggestion that we should see non-military usage as well as military applications in order to understand the concept of חֵרֵם.<sup>15</sup> His example of non-military usage is

7. R. B. Hays, *The Moral Vision of the New Testament* (Edinburgh: T&T Clark, 1996), pp. 309, 122–3.

8. M. Greenberg, ‘HEREM’, in *EncJud* 8 (Jerusalem: Encyclopaedia Judaica, 1972), pp. 344–55 (344). Similarly C. F. Keil and F. Delitzsch (*Commentary on the Old Testament in Ten Volumes, Volume I: the Pentateuch* [trans. J. Martin; Grand Rapids: Eerdmans, 1988], p. 485) defines חֵרֵם as ‘that which is taken away from use and abuse on the part of men, and surrendered to God in an irrevocable and unredeemable manner, viz. human beings by being put to death, cattle and inanimate objects by being either given up to the sanctuary for ever or destroyed for the glory of the Lord’.

9. G. Lisowsky, *Konkordanz zum Hebräischen Alten Testament* (Stuttgart: Deutsche Bibelgesellschaft, 1993), pp. 531–2, 1608.

10. For the occurrences, see Lisowsky, *Konkordanz*, pp. 531–2.

11. In this book, ‘LXX’ refers to the oldest Greek translation of the Hebrew Bible. The texts we use are A. Rahlfs’ eclectic edition (*Septuaginta* [Stuttgart: Deutsche Bibelgesellschaft, 1979]) and the Goettingensis Septuagint critical editions (*Septuaginta: Vetus Testamentum Graecum Auctoritate Academiae Scientiarum Gottingensis Editum* [Göttingen: Vandenhoeck and Ruprecht, 1974–99]).

12. See Lisowsky, *Konkordanz*, p. 532.

13. Greenberg, ‘HEREM’, pp. 344–55.

14. *TDOT* V, pp. 180–99.

15. J. P. U. Lilley, ‘Understanding the Herem’, *TynBul* 44 (1993), pp. 169–77.

mainly in Lev. 27.20-29, which is applied to Ezra 10.8; Exod. 22.20; and Deut. 13.12ff.<sup>16</sup> In addition, Emery's recent article on חרם in the Pentateuch shows a general understanding of חרם.<sup>17</sup>

There are two noticeable monographs on חרם. One was written by Brekelmans.<sup>18</sup> According to him, the war in Num. 21.1-3 initiated by the command of the military leader is the most important event in understanding the law of חרם. This is because the Deuteronomistic historian edited the texts [Deuteronomy, Joshua, Judges, Samuel and Kings] in light of the war חרם found in Num. 21.1-3. Brekelmans considers the law of חרם not as God's order but as the product of a meditation on the war חרם in Num. 21.1-3, which results from 'the strong social dependence of the old Israelite life and thought and God's absolute sovereignty over all creatures'.<sup>19</sup> In addition, he disregards חרם in Lev. 27.21, 28; Num. 18.14; Ezek. 44.29 as being of the Priestly source. Brekelmans' approach is still employed by some scholars who attempt to explain חרם.<sup>20</sup>

The other monograph is Stern's.<sup>21</sup> He sees the biblical חרם in terms of Ancient Near Eastern literature and especially of the Mesha Inscription. Through analysis of the Ancient Near Eastern literature, he finds a positive side of חרם, which is 'sacred', with supportive evidence within 'the personal names scattered across the Semitic languages, including Hebrew'.<sup>22</sup>

Through the Mesha Inscription, he arrives at 'the hypothesis that the חרם represented the attempt to bring moral and physical order to the universe of the group that resorted to it' and interprets the biblical חרם in relation to 'a way of achieving moral and physical order in the world' (p. 219). On the basis of this interpretation, he tackles the war-חרם. It is interesting that he links the Nazirites with חרם (pp. 127-8, 220) and that he stresses the connection between חרם and idolatry particularly when dealing with Deuteronomy 7, 13, 20. He considers the חרם related to the priesthood, which he categorizes as '[t]he economic side of חרם', as a developed form inserted later (p. 221).

16. Lilley, 'Herem', p. 173.

17. A. C. Emery, 'Hërem', in *Dictionary of the Old Testament: Pentateuch* (ed. T. D. Alexander and D. W. Baker; Leicester: IVP, 2003), pp. 383-7.

18. C. H. W. Brekelmans, *De Herem in het Oude Testament* (Nijmegen: Centrale Drukkerij, 1959).

19. Brekelmans, *Herem*, pp. 169-70 (author's translation).

20. E.g. Y. Hoffman, 'The Deuteronomistic Concept of the Herem', *ZAW* 111 (1999), pp. 196-210; M. G. Brett, 'Genocide in Deuteronomy: Postcolonial Variations on Mimetic Desire', in *Seeing Signals, Reading Signs: The Art of Exegesis: Studies in Honour of Antony F. Campbell, SJ for his Seventieth Birthday* (ed. M. A. O'Brien and H. N. Wallace; London: T&T Clark International, 2004), pp. 75-89.

21. P. D. Stern, *The Biblical Herem: A Window on Israel's Religious Experience* (BJS, 211; Missoula: Scholars, 1991).

22. Stern, *Herem*, pp. 5-17, 219-20.

In spite of two monographs and many articles, it is hard to find any works that discern themes related to חרם in terms of the whole OT. So it is necessary to find the related themes by analysing all the OT occurrences of the root חרם.

## 2. Methodological Issues

For this study, it would be appropriate to explore intertextual allusions and echoes in order to examine whether the law of חרם found in the OT is also in Luke-Acts.<sup>23</sup>

### 2.a. Finding and Confirming Intertextuality in Luke-Acts

In his *Echoes of Scripture in the Letters of Paul*, Hays suggests seven plausible criteria with which to analyse Paul's hermeneutic approach and logic and to evaluate the extent of his allusions: 'availability, volume, recurrence, thematic coherence, historical plausibility, history of interpretation and satisfaction'.<sup>24</sup>

In order to consider the adaptability of Hays' method to this study, we may need to investigate Hays' reflection in relation to Luke-Acts.<sup>25</sup> His reflection focuses on 'a narrative', 'proclamation' to 'the eschatological community, and 'the metaphorical relation between the text and our own reading of it'.<sup>26</sup> First of all, nobody, not even those such as Parsons and Pervo who argue for a narrativial disunity in Luke-Acts,<sup>27</sup> is likely to disagree with the opinion that Luke-Acts is a narrative. Moreover, the consideration of the narrator's concern about the readers and their context in Luke-Acts is well explained by Sheeley and Tannehill.<sup>28</sup>

23. For quotations, allusions and echoes, see S. Moyise, 'Intertextuality and the Study of the Old Testament in the New Testament', in *The Old Testament in the New Testament: Essays in Honour of J. L. North* (ed. S. Moyise; JSNTSup, 189; Sheffield: Sheffield Academic Press, 2000), pp. 18–19.

24. R. B. Hays, *Echoes of Scripture in the Letters of Paul* (London: Yale University Press, 1989), pp. 29–32. For further mention of the criteria, see R. B. Hays, "'Who Has Believed Our Message?': Paul's Reading of Isaiah", in *New Testament Writers and the Old Testament* (ed. J. M. Court; London: SPCK, 2002), pp. 46–70 (53–62).

25. For 'intertextual studies' in relation to Luke-Acts, see K. D. Litwak, *Echoes of Scripture in Luke-Acts: Telling the History of God's People Intertextually* (London: T&T Clark International, 2005), pp. 25–30.

26. Hays, *Echoes*, pp. 183–6.

27. M. C. Parsons and R. I. Pervo, *Rethinking the Unity of Luke and Acts* (Minneapolis: Fortress, 1993).

28. See S. M. Sheeley, *Narrative Asides in Luke-Acts* (JSNTSup, 72; Sheffield: Sheffield Academic Press, 1992), pp. 183, 185; R. C. Tannehill, *The Narrative Unity of Luke-Acts* (2 vols; Philadelphia: Fortress, 1986–90), p. 4.

Furthermore, most scholars may agree with the conviction that the NT, including Luke-Acts, is written for the eschatological community called the Church.<sup>29</sup> What is more, according to Smith, who examines the use of Acts with respect to its canonical function, there is a metaphorical relationship between the text and our own reading of it. He indicates the wide usage of Acts in the debate concerning the canon and Church authority against false teachings, arguing that Acts was used 'for the unity of the developing canon and the legitimacy of the episcopacy' from Irenaeus to Bede.<sup>30</sup> Thus, his stance towards the canonical position of Acts can provide a basis for applying the ethics of Luke-Acts to the modern church.

At the same time, there are two elements which encourage this study in scrutinizing Luke-Acts in terms of finding intertextual echoes and allusions. According to O'Day, '[t]his understanding of textual interrelationships dominated studies of the relationship between the Hebrew and Christian canons until the second half of the twentieth century'.<sup>31</sup> Moreover, the intertextual method has surely been sharpened and enriched through and beyond the period when historical criticism flourished. Many of the studies we have highlighted are a fanfare to a newly developed intertextuality. Another element that encourages the use of intertextuality for an examination of Luke-Acts is found in a remark by Robbins, who introduces his methodology as 'socio-rhetorical criticism',<sup>32</sup> and whose method Moyise identifies with 'postmodern intertextuality'.<sup>33</sup> Robbins writes,

Acts is an ideologically driven account that appeared near the end of the first century and that now stands alongside the account that emerges from all the voices available to us in the discourse of New Testament literature. Putting the material in the rest of the New Testament on an equal playing field with Acts can give us a fascinating and fuller understanding of the multiform face of Christianity during the first century.<sup>34</sup>

According to this opinion, our study could shed light on NT ethics.

29. E.g. J. T. Carroll, *Response to the End of History: Eschatology and Situation in Luke-Acts* (SBLDS, 92; Atlanta: Scholars, 1988).

30. D. E. Smith, *The Canonical Function of Acts: A Comparative Analysis* (Collegeville: Liturgical, 2002), p. 60.

31. G. R. O'Day, 'Intertextuality', in *Dictionary of Biblical Interpretation* (ed. J. H. Hayes; Nashville: Abingdon, 1999) I, pp. 546–8 (547).

32. V. K. Robbins, *The Tapestry of Early Christian Discourse: Rhetoric, Society and Ideology* (London: Routledge, 1996), p. 241.

33. S. Moyise, 'Intertextuality' p. 425.

34. Robbins, *Tapestry*, pp. 190–1.

## 2.b. Further Reflections on Method

As regards Hays' method, certain weaknesses have been identified by scholars.<sup>35</sup> In order to overcome some of the main weaknesses, this study will carefully look at almost all the extrabiblical materials to check if there is any idea of the law of  $\square\Gamma\Gamma$  within them. Given that some parts belong to the same period as Luke-Acts, use of these materials will allow this study to overcome a critique of Hays' diachronic approach. Further, we will try to find the themes related to  $\square\Gamma\Gamma$  on the basis of the OT.

If there is a distinction between Hays' method and that of this study, it may be in relation to the starting point of the texts. Hays begins with the target text to establish what echo or allusion can be found in relation to the OT. He then inspects the intertextual echoes. However, this study will start by understanding the concept of  $\square\Gamma\Gamma$  in the OT and then inspect the intertextual echoes or allusions between the OT and the target text. Our primary target text is Luke-Acts. However, there is another target text, viz. Second Temple Jewish literature. First, we will examine the echoes and allusions between the OT and Second Temple Jewish literature (Chapter 3), and then those between the OT and Luke-Acts (Chapter 4). We cannot disregard any influence between Second Temple Jewish literature and Luke-Acts but in order to find basic echoes or allusions of the concept of  $\square\Gamma\Gamma$  in Luke-Acts we will deal with the topic in this way. Nevertheless, the consequence of this study may indeed show the similarities and dissimilarities between Second Temple Jewish literature and Luke-Acts in terms of  $\square\Gamma\Gamma$  (see Chapter 4, section 6).

35. See C. A. Evans and J. A. Sanders (eds), *Paul and the Scriptures of Israel* (JSNTSup, 83; Sheffield: Sheffield Academic Press, 1993).

## Chapter 2

### HEREM IN THE OLD TESTAMENT

In order to recognize the Lukan understanding of  $\text{הָרַם}$ , in this chapter we will analyse what  $\text{הָרַם}$  is, how it has been applied in the OT, and whether any new issues arise in the process of applying the law of  $\text{הָרַם}$  to historical events and biblical prophecy in the OT. The result may inform us of crucial elements of  $\text{הָרַם}$  and help us find allusions or echoes of  $\text{הָרַם}$  in Second Temple Jewish literature and Luke-Acts.

For that purpose, we shall endeavour to read the OT as presented, as Luke might have read it. From such a perspective, it is expected to see the OT as a whole text without any question about its historicity. With respect to the whole NT, Marshall says, ‘The point may be made that the NT authors *thought* that they were respecting the context and original meaning [of the OT], since they would have argued that the meaning which they found was the meaning which God intended.’<sup>1</sup> Further, as Barrett states, Luke’s ‘citations imply beliefs about the authority of the text cited’.<sup>2</sup> Hence, we do not focus on historical-critical questions but, rather, scrutinize the text itself to define  $\text{הָרַם}$  and to see what issues arise in relation to  $\text{הָרַם}$ . Since the Hebrew text is much clearer than the LXX in finding where  $\text{הָרַם}$  occurs, for the text we shall use *BHS* in the order of the Pentateuch, the former prophets, the latter prophets and the writings.<sup>3</sup>

In analysing the root  $\text{הָרַם}$  in the OT, we basically translate it as ‘separation’ or ‘separate’ or ‘separated [from common use or contact to the Lord]’ on the basis of Greenberg’s definition of  $\text{הָרַם}$ .<sup>4</sup> This is in order to avoid giving any special meaning before analysis. Stern starts by dividing  $\text{הָרַם}$  into ‘consecration-to-destruction’, ‘consecration-through-destruction’ and ‘destruction-through-consecration’.<sup>5</sup> However, we consider this kind of division before investigation as potentially adding a wrong meaning to  $\text{הָרַם}$ .

1. I. H. Marshall, ‘An Assessment of Recent Developments’, in *It Is Written: Scripture Citing Scripture* (ed. D. A. Carson and H. G. M. Williamson; Cambridge: Cambridge University Press, 1988), pp. 1–21 (8) [italics original].

2. C. K. Barrett, ‘Luke/Acts’, in *It Is Written* (ed. Carson and Williamson), pp. 231–44 (231).

3. Cf. B. S. Childs, *Introduction to the Old Testament as Scripture* (London: SCM, 1979), pp. 8–13.

4. Greenberg, ‘HEREM’, p. 344.

5. Stern, *Herem*, p. 1.

## 1. חָרַם in the Pentateuch

In Genesis, חָרַם does not appear. After the exodus of the Israelites, it appears in the process of making a covenant between the people and the Lord in Exodus. Thereafter it appears in the last part of Leviticus, in the two parts of Numbers and in the three parts of Deuteronomy.

## 1.a. Exodus

The root חָרַם first appears in Exod. 22.20 [22.19, MT]: 'Whoever sacrifices (אִזְבַּח) to gods, other than the Lord alone, shall be separated (חָרַם).' In this verse, it is not clear who shall make the person be separated. Basically, the Israelites may be responsible for doing it according to the context of 20.1–23.33, in which their duty is written down. This law of חָרַם is mandatory, and the hophal stresses the passive state of the person who sacrifices to other gods.

The Lord speaks the law of חָרַם in 22.20 as a part of his commandments, which he gives for the first time to the Israelites at Sinai, after the Ten Commandments are given in 20.1-17. When the Lord gives the law of 20.22–23.33, Moses is alone on the mountain and the Israelites are waiting for him to receive God's commandments. This happens because the Israelites are afraid to listen to the Lord's word directly (20.18-19). After this law is spoken, the covenant between the Lord and the Israelites is made in 24.1-8.

How important is the חָרַם law in 22.20 in the context of making the covenant? In that it is the law on 'other gods', the חָרַם law given for the covenant is relevant to 'other gods' which is a major element of the law in Exodus which the Lord gives to the Israelites.

First, this law can be directly linked to the first commandment in 20.3: 'You shall have no other gods before me.'<sup>6</sup> The Lord is first of all concerned about 'other gods' in the Ten Commandments. His concern continues in the second commandment. In 20.4-5, he forbids them to make (עָשָׂה), worship (שָׁחָה) and serve (עָבַד) idols, which are an example of 'other gods'.<sup>7</sup> At the same time, 'the Lord your God' is stressed in 20.2, 5, 7, 10, 12, 19 as a counterpart of 'other gods'.

Second, the law on 'other gods' is also stressed in 23.13, 20-33, the last part of the covenant document. In 23.13, the Lord commands the Israelites that the names of 'other gods' are not to be remembered among them. In 23.24, the Lord forbids worshipping (שָׁחָה) and serving (עָבַד) 'their gods'. In 23.32, the Lord does not allow the Israelites to make a covenant with 'their gods'. The covenant document ends with this sentence: 'if you serve (עָבַד) their gods, it will surely be a snare to you' (23.33b).

6. D. E. Gowan (*Theology in Exodus: Biblical Theology in the Form of A Commentary* [Louisville: Westminster John Knox, 1994], p. 180) connects Exod. 22.20 with the first and second commandments.

Third, the Israelites sin against the חרם law while Moses is receiving the law on the mountain (Exod. 32). Their sin is related not only to the first and second commandments,<sup>8</sup> but also to the law of חרם. Their sin could be described in the light of both these laws. Under the leadership of Aaron, they make (עשה) the idol calf in 32.1, 4, 8, 20, 23, 31, 35 (2x) and worship (שחד) it in 32.8. They sacrifice (זבח) to the idol calf in 32.8 (cf. 22.20).<sup>9</sup> According to the law of חרם in 22.20, the Israelites should have been חרם. However, the Lord does not use the term חרם in 32.10a: 'Now let me alone, that my anger may burn against them and I may destroy (בלה) them'. Rather, he 'leaves open a possible escape' by 'making a promise to Moses almost identical in wording to the original promise to Abraham in Gen. 12.3'.<sup>10</sup>

Lastly, when the Lord renews the covenant in 34.1-35, he stresses the law about 'other gods' once more in vv. 11-17. He emphasizes that they should not make (עשה) molten gods (v. 17), nor worship (שחד) any other god (v. 14), nor sacrifice (זבח) to other gods (v. 15). Especially, in this passage worshipping other gods is called 'committing fornication (זנה)' (vv. 15, 16 [2x]).<sup>11</sup>

To sum up, the law of חרם in Exod. 22.20 has an important position within the law in Exodus in terms of the law concerning 'other gods', even though it appears only once. The Lord's very first and last stress is given to the law against 'other gods' in the covenant document in 20.1-23.33 and he emphasizes it again in 34.11-17. Moreover, the first sin of the Israelites in 32.1-35 after making the covenant with the Lord is connected with חרם. Hence a paraphrase of Exod. 22.20 could be as follows: the Israelites should worship only the Lord but if anyone among them sacrifices to other gods, thus transgressing against the most important law, the Israelites have to 'separate' the person by his/her being put to death.

### 1.b. Leviticus

In Leviticus, the root חרם appears towards the end in 27.21, 28-29. חרם in 27.21, namely 'as a separated field' (כשדה החרם), can be understood in terms of a more general statement in 27.28-29. The noun חרם is present three times as the subject in this phrase. One verb has the hiphil stem (יחרם) and another the hophal stem (יחרם). Hence this phrase includes all the varieties of grammatical forms of חרם found in the OT.

7. R. W. L. Moberly (*At the Mountain of God: Story and Theology in Exodus 32-34* [JSOTSup, 22; Sheffield: JSOT, 1983], p. 49) insists on 'a close connection between the first two commandments'.

8. So also Moberly, *Mountain*, p. 96.

9. The last sin of this generation is also the same as this sin, the first sin after making a covenant with the Lord. See Num. 25.1-2.

10. Moberly, *Mountain*, p. 50.

11. In Exodus, this word appears only in these two verses.

Kalisch separates 27.28 from 27.29, saying, ‘the first of the vows [is] of private individuals surrendering persons to the service of the Temple, and the second [is] of the *cherem* executed by the authorities on public grounds’.<sup>12</sup> Further, Driver and Brekelmans connect Lev. 27.29 with Exod. 22.20, rather than with Lev. 27.28, on the basis of the hophal stem.<sup>13</sup> However, Lev. 27.29 is seen as an attachment to the previous verse which can be applied to the ‘separated’ person. כִּלְ-חֵרֶם strongly connects 27.28 with 27.29, not to mention the context.

This passage occurs in the context of Leviticus 27, which summarizes both how the Israelites give somebody or something to the Lord and how their giving should be dealt with. According to Wenham, who connects each subsection of Leviticus 27 with the rest of Leviticus, Leviticus 27 ‘recapitulates and reminds us of the great themes that have engaged our attention in the rest of the book’.<sup>14</sup> In this context, חֵרֶם looks like the strictest form of giving to the Lord, demanding complete giving and the giver’s perfect faithfulness. Any person, animal or field ‘separated from common use or contact to the Lord’ cannot return to the original giver. There is no way of being sold or redeemed or ransomed.<sup>15</sup> The term ‘however’ (אָיִן) in v. 28 stresses that, in contrast to the firstlings of unclean animals, any חֵרֶם should be separated without selling or redemption.

In this sense, even though Milgrom considers חֵרֶם as a kind of limitation ‘on consecrated objects’,<sup>16</sup> חֵרֶם could be seen as a climax of Leviticus 27. Before the חֵרֶם is dealt with in vv. 28-29, the field, which is not redeemed after being consecrated or cannot be redeemed because it has been sold, is referred to as ‘like a separated field’ in v. 21. Further, the extent of devotion increases up to חֵרֶם and then decreases. Furthermore, in v. 28 there is an expression which includes all the categories in this chapter, viz. ‘from everything that belongs to him, namely from person or animal or inherited field’.

In comparison with חֵרֶם in Exod. 22.20, in which the law is mandatory, since anyone who worships other gods must be ‘separated’, חֵרֶם in Lev. 27.28-29 is voluntary חֵרֶם, since the person makes the ‘separation’. The former חֵרֶם is initiated by God but the latter is initiated by human owners. In the former, only people are the object of the ‘separation’ whereas in the

12. M. M. Kalisch, *A Historical and Critical Commentary on the Old Testament with a New Translation: חֵרֶם-Leviticus; Part II Containing Chapters XI to XXVII, with Treatises* (London: Longmans, 1872), p. 633.

13. S. R. Driver, *The Book of Leviticus: A New English Translation* (Leipzig: J. C. Hinrichs, 1904), p. 104; Brekelmans, *Herem*, p. 53.

14. G. J. Wenham, *The Book of Leviticus* (NICOT; London: Hodder and Stoughton, 1979), p. 343.

15. R. D. Nelson, ‘Herem and the Deuteronomy Social Conscience’, in *Deuteronomy and Deuteronomical Literature* (ed. M. Vervenne and J. Lust; BETL, 133; Leuven: Leuven University Press, 1997), pp. 39–54 (45 n. 27).

16. J. Milgrom, *Leviticus: A New Translation with Introduction and Commentary* (AB, 3; 3 vols; London: Doubleday, 1991–2001), p. 3:2367.

latter, every category, viz. people, animal or inherited field, can be its object. In terms of the subject of the sentence, the former hides it by using a passive construction and alludes to the Israelites in the context but in the latter the subject is referred to as 'a person' (שׂוֹמֵר) in v. 28.

In addition, the קָדֹשׁ in Lev. 27.28-29 is characterized as 'most holy' (v. 28). This feature is applied to the tent of meeting, its equipment, sacrificial offerings and a place in the OT. Interestingly, in Leviticus the phrase 'most holy' is primarily used to refer to the sin and guilt offerings (6.25 [6.18, MT]; 7.1; 10.17; 14.13) and the portion of the grain, sin and guilt offerings given to the priest (2.3, 10; 6.17 [6.10, MT], 29 [22, MT]; 7.6; 10.12). Hence we may say that this voluntary קָדֹשׁ has the same characteristic as the offerings and the portion of them given to the priest. This feature of voluntary קָדֹשׁ as 'most holy' is connected with Num. 18.14, in which קָדֹשׁ is mentioned in the context of the 'most holy' offerings and the 'most holy' portion of them given to the priest (18.9).

To sum up, the law of קָדֹשׁ in Lev. 27.28-29 reveals some characteristics of קָדֹשׁ. First, it is the strictest form of offering. There is no way of substitution, redemption or ransom. Second, there is voluntary קָדֹשׁ initiated by human owners in addition to mandatory קָדֹשׁ initiated by God such as Exod. 22.20. In view of this fact, it may be implied that voluntary קָדֹשׁ has to be separated only by the owner in order to be lawful. Third, every קָדֹשׁ, at least voluntary קָדֹשׁ, is characterized as 'most holy'.

### 1.c. Numbers

In Numbers, קָדֹשׁ appears in two parts of the book. One is in a law in 18.14, and another an application of it in 21.2, 3.

Numbers 18 is composed of the duty of priests and Levites (vv. 1-7) and the means to support them (vv. 8-32).<sup>17</sup> In the context of speaking to Aaron, Moses says in 18.14, 'All the separated things in Israel shall be yours'. This קָדֹשׁ may be voluntary קָדֹשׁ in that it is a kind of offering. In fact, the phrase כָּל־קָדֹשׁ־יִשְׂרָאֵל reminds us of Lev. 27.28-29 where that expression appears three times.<sup>18</sup> In Lev. 27.28-29, all the voluntary קָדֹשׁ has already been explained. This may be the reason why the principle of receiving this קָדֹשׁ is given simply in Num. 18.14. Some scholars suggest a similar connection between Lev. 27.28-29 and Num. 18.14.<sup>19</sup> In Num. 18.14 the Lord states that all the voluntary קָדֹשׁ belongs to the priests. The priest can take only a priestly portion of offerings, firstlings and tithes. However, the priest can use all the voluntary קָדֹשׁ in its entirety.

17. E. W. Davies, *Numbers* (NCB Commentary; Grand Rapids: Eerdmans, 1995), pp. 183-4.

18. In the OT, this expression is used only five times: in Lev. 27.28 (2x), 29; Num. 18.14; Ezek. 44.29.

19. See Davies, *Numbers*, p. 189; G.J. Wenham, *Numbers: An Introduction and Commentary* (TOTC; Leicester: IVP, 1981), p. 144; etc.

In connection with Lev. 27.28-29, Milgrom explains how to deal with 'all the חרם' in Num. 18.14 as follows: 'Herem may never be redeemed: Herem land belongs permanently to the sanctuary; herem animals, if pure, must be sacrificed on the altar and, if impure, become – like land – the permanent property of the sanctuary; and herem persons (i.e., certain prisoners of war) must be killed.'<sup>20</sup>

However, his explanation of the animals is dubious. The law of חרם does not distinguish between the pure animal and the impure (cf. Deut. 13.15 [13.16, MT]; 20.16). Moreover, in Josh. 6.21 the clean animals, oxen and sheep, are treated in the same way as the unclean donkeys. Furthermore, חרם cannot be used as a sacrifice for the sake of human beings because it has become completely the Lord's.<sup>21</sup> Hence it is incorrect to specify how to deal with חרם in the way Milgrom does. According to Lev. 27.28-29 and Num. 18.14, we know only that people considered as חרם must be killed and that all the voluntarily 'separated' should be used only for the priests.

Likewise, the law of חרם in Num. 18.14 makes it clear that all the חרם voluntarily 'separated from common use or contact to the Lord' belong to the priests as a means to support their service at the sanctuary.

Other occurrences of the root חרם are in Num. 21.1-3 with the hiphil form. The Israelites' 'separation' of Hormah with a vow may be 'a reaction to the initial capture of some Israelites', as Nelson states.<sup>22</sup> As the Israelites are mourning for Aaron (20.29),<sup>23</sup> the king of Arad fights against Israel and takes some of them captive (21.1). This event doubtless should make the Israelites remember their defeat in Num. 14.45 where the Amalekites and the Canaanites come down and defeat them, pursuing them as far as Hormah. The previous defeat and the present captivity may drive them to make a vow of חרם.

This חרם is not mandatory but voluntary, initiated by the Israelites. Listening to their prayer of voluntary חרם, the Lord 'hands over' the Canaanites to them (21.3) which means the Israelites have the right to handle the people and their property. As a result, the Israelites make the Canaanites and their towns חרם (21.3), following their vow in 21.2. This certainly means killing the people to make the Canaanites 'separated'. However, what else does it mean? It might indicate that the Israelites put all

20. J. Milgrom, *The JPS Toral Commentary, Numbers* (Philadelphia: Jewish Publication Society, 1990), p. 428.

21. So also Nelson, 'Herem', p. 47-8.

22. Nelson, 'Herem', p. 48.

23. Some commentators have doubts about the original position of this passage in Numbers, in terms of the literary and geographical context (Davies, *Numbers*, p. 212; B. A. Levine, *Numbers 21-36: A New Translation with Introduction and Commentary* (AB; London: Doubleday, 2000), pp. 79-80). However, in relation to Num. 33.37-41, we can be sure that this passage is positioned correctly. See Wenham, *Numbers*, p. 154; Milgrom, *Numbers*, pp. 463-7; etc.

the property found in the towns into the sanctuary for the priests. The land could not be lawful, voluntary  $\square\text{ר}\text{ר}$  at this stage because the Israelites have not yet obtained it as an inheritance. Their vow related to the people and their towns in 21.2 substantiates this situation, too.

With regard to this scenario, their handling of the people and their property is different from that in the three wars in Num. 21.10-35 and 31.1-54. The former situation concerns wars with Sihon and Og.<sup>24</sup> The Israelites kill all the people and take the land (21.24, 34-35), which finally becomes the inheritance of two-and-a-half tribes (32.1-42). The taking of the land is based on the Lord's affirmation in 21.34. The priests and Levites do not get any portion of it in Moses' time. Under Joshua's supervision, they get ten towns from the two-and-a-half tribes (Josh. 21.27, 36-39). In the latter situation there is a war with the Midianites. Here the priests receive one-thousandth of the animals, and the women who have not known man intimately, and the Levites get one-hundredth of them (Num. 31.25-30).

To sum up, in Num. 18.14 we find a basic principle of voluntary  $\square\text{ר}\text{ר}$  whereby everything voluntarily 'separated from common use or contact to the Lord' is given to the priests to support their service at the sanctuary. Then, in 21.2-3 we see an example of a lawful voluntary  $\square\text{ר}\text{ר}$  in Hormah, which may imply that the Israelites put all the property in it into the sanctuary for the priests.

#### 1.d. Deuteronomy

The root  $\square\text{ר}\text{ר}$  at first appears in Deut. 2.34; 3.6 (2x). As Moses reiterates the wars against King Sihon of Heshbon and King Og of Bashan in 2.26-3.7 he identifies the wars in terms of  $\square\text{ר}\text{ר}$ , using the hiphil of  $\square\text{ר}\text{ר}$  in 2.34 and 3.6 (2x). The people are all killed but all the animals and the plunder of the towns are kept as spoil for the Israelites (2.34-35; 3.6-7).

This kind of handling is the same as the law of  $\square\text{ר}\text{ר}$  in Deut. 7.1-26 and 20.16-18 which teaches the Israelites how to deal with the seven nations. Eventually, the two wars become a pre-existing example of the law of  $\square\text{ר}\text{ר}$  on the seven nations since the wars are against the Amorites,<sup>25</sup> one of the seven.<sup>26</sup> Moreover, the Israelites do as they have to do to the seven nations in 7.2, 26 and 20.17 and receive the land as inheritance. Furthermore, in his final speech, Moses encourages the Israelites on the basis of what the Lord does to Sihon and Og (31.4).

24. In Deut. 2.34 and 3.6, Moses identifies these wars in terms of  $\square\text{ר}\text{ר}$ . In addition, in Josh. 2.10, Rahab reiterates the fact that the Israelites make Sihon and Og 'separated'.

25. Sihon and Og are identified with the Amorites in Num. 21.13 (2x), 21, 25, 26, 29, 31, 32, 34; 22.2; 32.33; Deut. 1.4; 2.24; 3.2, 8; 4.46, 47; 31.4. Further, the Amorites are the first nation among the seven nations that the Israelites have to meet after their exodus from Egypt (Deut. 1.7, 19, 20, 27, 44).

26. See Exod. 23.33; 33.2; 34.11; Num. 13.29; Deut. 7.1; 20.17.

In Deut. 2.31 and 3.2, Moses stresses that the Lord hands (נָתַן) Sihon, Og and their lands over to the Israelites (cf. Num. 21.34). Then, the Israelites render all the people, ‘men, women and children’ (Deut. 2.34; 3.6) ‘separated’, surely by killing them. The spoils are taken by the Israelites (2.35; 3.7) but are not put into the sanctuary for the priests. In this sense, this חָרַם can be categorized as mandatory חָרַם initiated by God and would be a good example of it.

In the first and last part of Deuteronomy 7, חָרַם appears twice as a verb in v. 2 and twice as a noun in v. 26. In 7.2, it is stressed that the Israelites should make the seven nations separated (חָרַם וַיַּחַרְרֵם) when the Lord hands (נָתַן) the seven nations over to them in the promised land. The hiphil infinitive absolute with the hiphil imperfect may indicate an affirmation, ‘the most straightforward role for an infinitive absolute’.<sup>27</sup> Hence it can be translated as ‘you should surely make them חָרַם’.

In 7.26, Moses warns the Israelites not to bring the silver or the gold, which is used to make images of the seven nations’ gods, into their house because it is חָרַם: ‘Do not bring an abhorrent thing into your house, or you will be the separated thing (חָרַם) like it. You must utterly detest (שִׂקֵּץ וְשָׂקַץ) and abhor (וְרָעַב וְרָעַב) it, for it is the separated thing (חָרַם)’.<sup>28</sup> In the second sentence, the piel infinitive absolute with the piel imperfect form is used twice. This expression indicates a special emphasis on the expected attitude of the Israelites towards this ‘separated’ thing.

Moses’ commandment in Deut. 7.2, 26 is on the basis of Exod. 22.20 because the seven nations are identified as idol-worshippers in Deut. 7.4-5, 16, 25-26. So, it is implied that חָרַם in 7.2, 26 is based on the Lord’s commandment and identified with mandatory חָרַם. Moreover, we should pay careful attention to the phrase ‘just as the Lord your God has commanded’ in 20.17. It indicates that the commandment of making חָרַם the seven nations in Deuteronomy 7 is recognized as the Lord’s.<sup>28</sup> In this sense, this חָרַם can be called mandatory חָרַם initiated by God, not by humans.

This fact becomes clearer when we think about the connection of Deuteronomy 7 with the law on other gods in Exodus. This connection has already been suggested by some scholars. Weinfeld compares Exodus 23 with Deuteronomy 7.<sup>29</sup> Tigay insists that Deuteronomy 7 ‘is based on the covenant documents in Exodus 23:20-33 and 34:11-16’.<sup>30</sup>

27. B. K. Waltke and M. O’Connor, *An Introduction to Biblical Hebrew Syntax* (Winona Lake: Eisenbrauns, 1990), p. 585.

28. In Joshua, the same phenomenon occurs. In 10.40 and 11.20, this commandment is identified as the Lord’s. In 11.12, it is called Moses’ commandment.

29. M. Weinfeld, *Deuteronomy and the Deuteronomistic School* (Oxford: Clarendon, 1972), p. 46 n. 2.

30. J. H. Tigay, *The JPS Torah Commentary, Deuteronomy: The Traditional Hebrew Text with the New JPS Translation* (Philadelphia: Jewish Publication Society, 1996), p. 84.

At the same time, חרם in Deuteronomy 7 reveals two characteristics of mandatory חרם. The object of the חרם in Deut. 7.25-26 is called an ‘abomination, abhorrence’<sup>31</sup> ‘to God and his people’.<sup>32</sup> This feature is also referred to in the חרם in 13.14 [13.15, MT] and 20.18. In the analysis of Lev. 27.28-29, we concluded that every חרם, at least voluntary חרם, is categorized as ‘most holy’. Now, however, we have to consider only voluntary חרם as ‘most holy’, for Moses is not likely to command his people to detest something which is most holy, nor to consider it as abhorrent. Thus, it is implied that voluntary חרם is most holy but mandatory חרם is abhorrent. Another feature is that those who take mandatory חרם become חרם which is surely mandatory ‘separation’ (Deut. 7.26).

Through Deut. 7.1-26, Moses commands the Israelites to make חרם the seven nations and their idols, namely idol-worshippers and the idols. There is no mention of animals or spoils in this passage, but it can be inferred from 20.1-18 as to how to deal with them. In 20.14, Moses permits the Israelites, in a war against any town, to take as their booty ‘the women, the children, livestock and everything else in the town, in other words, all its spoil’. Then, he gives an exception: this is ‘the towns of these peoples that the Lord your God is giving you as inheritance’ (20.16). They must not allow ‘all who breathe’ (כָּל־נְשָׁמָה) to continue to live.<sup>33</sup> ‘All who breathe’ may indicate the people of the seven nations because, after commanding, ‘Do not let all who breathe remain alive’ (20.16), Moses adds, ‘You shall surely make them separated (הַחֲרִים תַּחֲרִימֵם) – the Hittites and the Amorites, the Canaanites and the Perizzites, the Hivites and the Jebusites – just as the Lord your God has commanded’, in 20.17.<sup>34</sup> Therefore, it is likely that the law of חרם in Deut. 7.2 and 26 applies only to people and idols. The Israelites can take animals and other spoils as their booty. In comparison with Exod. 22.20, in which the object of mandatory חרם is only human beings, Deuteronomy 7 shows that idols also can be the object of mandatory חרם.

Deuteronomy 13, which, according to Braulik, can be seen as ‘paraphrases of the beginning of the Decalogue’,<sup>35</sup> mentions how to deal with those Israelites who tell or entice people to worship other gods, or have been enticed to worship them. If prophets or those who divine by dreams say, ‘Let us follow other gods and serve (עבד) them’, they shall be put to death

31. HALOT IV, p. 1703.

32. BDB, p. 1072.

33. In the LXX, πᾶν ἐμπνέον is used for כָּל־נְשָׁמָה and ἐμπνέω is employed only for people in the other occurrences, Josh. 10.28, 30, 35, 37, 39, 40; 11.11 (2x), 14; Wis. 15.11.

34. J. A. Thompson (*Deuteronomy: An Introduction and Commentary* [TOTC. London: IVP, 1974], p. 223) understands 20.16 and 20.17 together as ‘[n]one of the inhabitants was to be kept alive’. In addition, our understanding is supported by Josh. 10.40; 11.11, 14.

35. G. Braulik, ‘The Sequence of the Laws in Deuteronomy 12–26 and in the Decalogue’, in *A Song of Power and Power of Song: Essays on the Book of Deuteronomy* (ed. D. L. Christensen; Winona Lake: Eisenbrauns, 1993), pp. 313–35 (324).

because they try to turn (נָדַח) the Israelites away from the way the Lord commands (Deut. 13.1-5 [13.2-6, MT]). Anyone who entices the Israelites to serve (עֲבַד) other gods shall be stoned to death (13.6-11 [13.7-12, MT]).

Then, Deut. 13.12-18 [13.13-19, MT], which can be connected with Exod. 22.20, states that when scoundrels have enticed the inhabitants of a town to serve (עֲבַד) other gods, the inhabitants, after careful inquiry and investigation, have to be separated (הִחָרַם) together with everything in the town. The 'everything in the town' includes 'animals' (Deut. 13.15 [13.16, MT]) and 'all of its spoil' (13.16 [13.17, MT]).

At first, the commandment of חָרַם in Deut. 13.15 shows that anything can be the object of mandatory חָרַם. Then, when we compare the חָרַם law of 13.12-18, which is applied to the Israelites, with the law of חָרַם in 7.2, 26; 20.17 applied to the seven nations, we recognize that a stricter law of חָרַם is applied to the Israelites than to the seven nations. The law of חָרַם applies even to 'animals' and 'all of its spoil' in relation to the Israelites but only to people in respect of the seven nations.

To sum up, in Deuteronomy we see mandatory חָרַם, which first appears in Exod. 22.20, embedded in a specific context. First, we see mandatory חָרַם applied to the seven nations. Moses considers the wars against King Sihon of Heshbon and King Og of Bashan as mandatory חָרַם (Deut. 2.34; 3.6). The Israelites should make the seven nations mandatory חָרַם (7.2, 26). This command is recognized as the Lord's command in 20.17. It is said in 7.26 that those who take mandatory חָרַם will become mandatory חָרַם. According to 20.16-18, people and idols are the object of mandatory חָרַם in relation to the seven nations.

Then, as regards the Israelites, it is commanded that the Israelites should make idol-worshippers among them mandatory חָרַם in Deut. 13.12-18. In this case, everything belonging to the idol-worshippers has to be mandatory חָרַם.

Furthermore, all these situations of mandatory חָרַם are characterized as 'abhorrent' in Deut. 7.25-26; 13.14; 20.18, which is in contrast to the characteristic of voluntary חָרַם, 'most holy', in Lev. 27.28.

### 1.e. Summary

Throughout this section, we find that there is both mandatory and voluntary חָרַם in the Pentateuch. The former is initiated by God and the latter by human beings.

The law of mandatory חָרַם is stated in Exod. 22.20; Deut. 7.2, 26; 13.15, 17; 20.17. This is especially related to other gods. Anyone who sacrifices to other gods faces mandatory 'separation' (Exod. 22.20). In the case of the seven nations, the inhabitants and their idols face mandatory 'separation' (Deut. 7.2, 26; 20.17). All the people, animals and things face mandatory 'separation' in respect of the Israelites (Deut. 13.15, 17). This חָרַם is characterized as 'abhorrent', and the Israelites have to abhor it. One example appears in Num. 21.21-25, supported by Deut. 2.21-3.7.

The law of voluntary חרם appears in Lev. 27.28-29 and Num. 18.14. It is completely given to the Lord without any way of selling, redemption or ransom and is most holy (Lev. 27.28). People who are separated as this חרם have to be killed (27.29). In relation to animals, we do not know exactly whether they have to be killed or not. In any case, they, along with other things, will be given to the priests to support their service at the sanctuary (Num. 18.14). An example of this kind of חרם appears in Num. 21.1-3, in which the Israelites make some Canaanites and their towns voluntary חרם.

To categorize חרם, Stern uses the expressions, 'war-חרם' or 'peace-חרם' or 'priestly-חרם' or 'secular חרם' or 'sacred חרם'.<sup>36</sup> This is not only complicated but also a mixed categorization. For instance, the חרם in Num. 21.1-3 can be linked with his 'priestly-חרם' as well as 'war-חרם'. What is more, according to Greenberg's definition, the word 'secular' is incompatible with חרם, which is 'separated from common use or contact'.<sup>37</sup> Hence the division between 'secular חרם' and 'sacred חרם' is not fitting.

Greenberg primarily uses the term 'the *herem*' from the beginning to the end and uses the expression 'the enemy *herem*' to refer to *herem* on the seven nations.<sup>38</sup> This usage seems not to be a systematic clarification.

In comparison with Stern and Greenberg, our categorization of חרם in terms of voluntary חרם (initiated by human beings) and mandatory חרם (initiated by God) is good enough to classify the law and application of חרם simply and systematically. Furthermore, the characteristics of both 'abhorrent' of mandatory חרם and 'most holy' of voluntary חרם, fit Greenberg's definition, '... either because it is proscribed as an abomination to God or because it is consecrated to Him'.<sup>39</sup>

## 2. חרם in the Former Prophets

All the books in the former prophets contain the root חרם. Joshua has it 27 times, Judges twice, Samuel eight times, and Kings three times.

### 2.a. Joshua

Joshua has חרם 27 times and reveals how the law of חרם in the Pentateuch is applied to the seven nations and some Israelites. Before that application, the book of Joshua shows that Rahab understands the Israelites' taking of the land of Sihon and Og in terms of חרם in 2.10, as Moses does in Deut. 2.34 and 3.6. This is important when we remember that the war against

36. Stern, *Herem*.

37. Greenberg, 'HEREM', p. 344.

38. Greenberg, 'HEREM', p. 348.

39. Greenberg, 'HEREM', p. 344.

Sihon and Og is a good example for showing what the Israelites have to do to the seven nations in the promised land and in encouraging them to do it (Deut. 31.4).

The application of the law of  $\square\text{ר}\text{ר}$  to the seven nations starts with Jericho. According to Deut. 7.2, 26 and 20.17, only people and idols in Jericho have to be mandatory  $\square\text{ר}\text{ר}$ . However, a strange thing happens. Joshua commands that 'the city and all that is in it shall be the thing separated to the Lord ( $\square\text{ר}\text{ר}$ )' except Rahab and all who are with her in her house (6.17). This is not the Lord's order.<sup>40</sup> In advance of Joshua's command, the Lord says to Joshua, 'See, I have handed over ( $\text{נָתַן}$ ) to you Jericho, its king and warriors' (6.2). In other words, he reminds Joshua of the law of  $\square\text{ר}\text{ר}$  on the seven nations in Deut. 7.2, 26 and 20.17 so that he may make the people and their idols separated as mandatory  $\square\text{ר}\text{ר}$ . So, it would be sufficient for Joshua only to follow the law of  $\square\text{ר}\text{ר}$  on the seven nations.

However, Joshua commands the Israelites to make everything 'separated', even though according to Deut. 20.14-18 the Israelites could enjoy the spoils of the war in Jericho like the other wars in Joshua, with a warning that if they take a  $\square\text{ר}\text{ר}$  the camp of Israel would be  $\square\text{ר}\text{ר}$  (Josh. 6.17-18). This warning echoes, and can be based on, Deut. 7.26.<sup>41</sup> Then, he adds an order to bring into the treasury of the Lord all silver and gold and vessels of bronze and iron, saying they are holy to the Lord (Josh. 6.19). As a result, the Israelites make  $\square\text{ר}\text{ר}$  'all in the city from men and women, from youth to old people, and from oxen and sheep to donkeys by the edge of the sword' (6.21). They burn down the city and everything in it and put 'only the silver and gold, and the vessels of bronze and iron into the treasury of the house of the Lord' (6.24).

Joshua's command surely includes not only mandatory but also voluntary  $\square\text{ר}\text{ר}$ .<sup>42</sup> On the one hand, those people killed are seen as mandatorily

40. Contra D. E. Fleming, 'The Seven-Day Siege of Jericho in Holy War', in *Ki Baruch Hu: Ancient Near Eastern, Biblical, and Judaic Studies in Honor of Baruch A. Levine* (ed. R. Chazan, W. W. Hallo and L. H. Schiffman; Winona Lake: Eisenbrauns, 1999), pp. 211–28 (214); J. A. Fitzmyer, *Commentary on the Acts of the Apostles: A New Translation with Introduction and Commentary* (AB, 31; London: Doubleday, 1998), p. 319.

41. So also J. S. Kaminsky, 'Joshua 7: A Reassessment of Israelite Conceptions of Corporate Punishment', in *The Pitcher is Broken: Memorial Essays for Gösta W. Ahlström* (ed. S. W. Hollway and L. K. Handy; JSOTSup, 190; Sheffield: Sheffield Academic Press, 1995), pp. 315–46 (331).

42. J. F. D. Creach (*Joshua* [Interpretation: A Bible Commentary for Teaching and Preaching; Louisville: John Knox, 2003], pp. 64–5) considers both Deut. 7.2, 26; 20.16-20 and Lev. 27.28 in relation to '[t]he notion of the ban in Joshua 6'. G. Mitchell (*Together in the Land: A Reading of the Book of Joshua* [JSOTSup, 134; Sheffield: Sheffield Academic Press, 1993], p. 64) describes this fact as follows: 'the idea of an offering is hinted at and there is possibly a notion of punishment'. Moreover, L. D. Hawk (*Joshua* [Berit Olam Studies in Hebrew Narrative and Poetry; Collegeville: Liturgical, 2000], p. 102) rightly states, 'Joshua then decrees that the plunder is holy and sets it apart for YHWH's treasury, echoing the language of Lev 27:28-29.'

'separated' following the Lord's (and also Moses') commandment in Deut. 7.2, 26 and 20.17. On the other hand, oxen, sheep and donkeys could be taken as spoils according to 20.14, 16-18 but are probably separated to the Lord as voluntary 'separation'. The things put into the treasury of the Lord also could be taken as spoils by the Israelites (20.14, 16-18) but are voluntarily 'separated'. They are called 'holy to the Lord' (Josh. 6.19) not 'abhorrent', which also implies that they are voluntary  $\square\text{ר}\text{ר}$ . They are put into the Lord's treasury certainly to be used by the priests according to Lev. 27.28 and Num. 18.14. Joshua's decision as the leader of the Israelites to make the animals and properties voluntary 'separation' seems to be lawful because they can belong to the Israelites as spoils.

Why does Joshua do it? Voluntary  $\square\text{ר}\text{ר}$  will mean his complete devotion to the Lord. But what is his motive? Is it on account of the Lord's tremendous help? Perhaps it is not, because that kind of help continues to be given from the Lord. For instance, the Lord hears Joshua's prayer to make the sun stop, which is reckoned as the most significant instance of help from the Lord (Josh. 10.12-14), but there is no voluntary 'separation' after that war, only mandatory 'separation'. Joshua follows only the law of mandatory  $\square\text{ר}\text{ר}$  on the seven nations (10.20, 34-37). Furthermore, why does Joshua make the animals and properties in Jericho voluntary  $\square\text{ר}\text{ר}$ ? Perhaps we should think of Jericho as the first fruit of the promised land, as some scholars suggest.<sup>43</sup> Nevertheless, the animals and the movable properties are not offered as first fruits but as voluntary 'separation' according to the way they are handled. Further, donkeys cannot be offered as firstlings.

At the same time, Joshua orders the Israelites not to make Rahab and all who are with her in her house mandatory 'separation' but, rather, to keep them alive ( $\text{ר}\text{ר}\text{ר}$ ) (6.17). Then he specially commands the two men to bring them out (6.22). This order is fulfilled (6.23, 25a). What is more, it is written that 'she lives in Israel to this day' (6.25b). In fact, those who should have been mandatory 'separation' have been spared. The reason given is 'because she [Rahab] hid the messengers Joshua sent to spy out Jericho' at the risk of her own life (6.25c; cf. 2.1-21). As Fleming contends, 'the book of Joshua never indicates any divine disapproval, and Rahab's good fortune is only portrayed as the fruit of her surprising adherence to Yahweh's cause, against her own people'.<sup>44</sup> Therefore, here we see a possibility of redemption of God's mandatory 'separation'. In contrast, according to Lev. 27.28, there is no way of substitution, redemption or ransom, in relation to voluntary 'separation'.

43. Josephus, *Ant.* 5.26 and *War* 4.459; J. Calvin, *Commentaries on the Book of Joshua* (trans. H. Beveridge; Grand Rapids: Eerdmans, 1949), p. 95; Greenberg ('HEREM', p. 347) says, 'This *herem* [Josh. 6.17-19] has the character of a firstfruits offering'. So also Mitchell, *Together*, p. 61; Creach, *Joshua*, p. 63.

44. Fleming, 'Siege', p. 216 n. 16; *contra* L. D. Hawk, *Every Promise Fulfilled: Contesting Plots in Joshua* (Literary Currents in Biblical Interpretation; Louisville: Westminster, 1991), p. 74.

In connection with this kind of voluntary חָרַח, Achan's story follows in Joshua 7. 'The Israelites acted unfaithfully in regard to the voluntarily separated thing (חָרַח): Achan ... took some of the separated thing (חָרַח); and the anger of the Lord burned against the Israelites' (7.1). The Lord says to Joshua, 'I will not be with you any more, unless you destroy (שָׂמַד) the חָרַח' (7.12) and commands him to burn the person who has the voluntary חָרַח, along with all that he has (7.15). The 'separation' Achan takes is classified at first as voluntary 'separation' but later as a kind of mandatory 'separation' which, initiated by God, has to be destroyed.

For this reason, it is appropriate that Joshua handles this problem in the same way as Deut. 13.12-18,<sup>45</sup> the law of the mandatory חָרַח on the Israelites. A slight difference between the law and the sentence is to kill Achan and the living things which belong to him by stoning rather than by the sword (Josh. 7.25). Achan becomes mandatory חָרַח because of his taking of voluntary חָרַח. So, the Israelites do not put the things Achan takes into the sanctuary but, rather,<sup>46</sup> burn them.

Here we must pay attention to Joshua's warning that if the Israelites take a חָרַח, the camp of Israel will be חָרַח (6.18. cf. Deut. 7.26). Also we must note the statement in Josh. 7.1 that the Israelites act unfaithfully in regard to the 'separation'. According to Joshua's warning, all the Israelites should have been mandatory 'separation'. Nevertheless, the Lord reduces the object of mandatory 'separation' from all the Israelites to Achan and all that he has.

After Achan's story, all the occurrences of חָרַח except the last one are connected with the law of mandatory חָרַח on the seven nations in Deut. 7.2, 26; 20.17. In relation to חָרַח, Josh. 8.26; 10.1, 28, 35, 37, 39, 40; 11.11, 12, 20, 21 all stress Joshua's obedience to the law of mandatory חָרַח on the seven nations. An outstanding feature is the way he deals with certain kings. Joshua hangs (הָלַח) the king of Ai on a tree until evening and lets his corpse be taken down (יָרַד) from the tree at sunset and buried (8.29). This sort of handling applies to King Adoni-zedek of Jerusalem, King Hoham of Hebron, King Piram of Jarmuth, King Japhia of Lachish and King Debir of Eglon (10.26-27). According to 10.28-30 and 38-39, Joshua dealt with the kings of Jericho, Makkedah, Libnah and Debir in the same way.

45. So also Hawk, *Promise*, p. 78; Mitchell, *Together*, p. 75.

46. In the LXX, the Israelites' burning and stoning of them are omitted. In the MT, both are mentioned. It is possible that the LXX omits their action of casting stones on them to prevent a repetition because the same content occurs in the next verse. The variant in the MT is preferred by Kaminsky ('Joshua', p. 319, n. 13) and R. D. Nelson (*Joshua: A Commentary* [OTL. Louisville: Westminster John Knox, 1997], p. 98).

Joshua's hanging of the nine kings on trees until sunset alludes to Deut. 21.22-23 where Moses commands the Israelites not to leave any person's body hung on a tree overnight.<sup>47</sup> Rather, the person should be buried that same day.

Then, the last occurrence of חרם is used by Phinehas and ten chiefs of Israel (Josh. 22.13-14) in order to remind the two-and-a-half tribes, who receive their inheritance beyond the Jordan eastward, of Achan's sin in 22.20. Between Joshua's obedience and the warning of Phinehas and the ten chiefs, the Israelites' failure to keep the law of mandatory חרם on the seven nations appears in 15.63; 16.10; 17.12. This is in terms of their failure to drive out the nations and their lifestyle from among the Israelites and in 19.47 it appears in terms of the Danites' strange solution to their failure.

To sum up, Joshua is important in showing the application of the law of חרם both to the seven nations and to the Israelites. Achan is an example among the Israelites, since he becomes mandatory חרם by taking voluntary חרם.

In particular, we see both the mandatory and voluntary laws of חרם applied in Joshua 6-7. To the city of Jericho, Joshua applies the law of חרם in Deut. 7.2; 20.16-18 and Lev. 27.28-29 or Num. 18.14. Concerning Achan, Joshua seems to follow not only the Lord's command in Josh. 7.15 but also the law of חרם in Deut. 13.12-18. Especially, on the basis both of Joshua's warning in Josh. 6.18, which echoes Deut. 7.26, and of the destruction of Achan and all that he has, we ascertain no redemption of voluntary חרם, which is revealed in Lev. 27.28-29. Furthermore, we find a theme related to חרם, that is, anyone who takes voluntary חרם becomes mandatory חרם with the voluntary חרם. In addition, no redemption of voluntary חרם in Lev. 27.28-29 is seen again in that the voluntary 'separation' Achan takes becomes mandatory 'separation' with Achan and all his possessions. Now, the theme is called 'voluntary חרם becoming mandatory חרם'.

What is more, Rahab and her family in the Jericho account reveal the possibility of redemption from the Lord's mandatory חרם which denotes that action based on faith in the Lord is a reason for redemption from being mandatory חרם.

## 2.b. Judges

In Judges, the root חרם appears in 1.17 and 21.11 within both the introduction in 1.1-3.6 and the conclusion 17.1-21.25.

47. OT scholars see this allusion: Hawk, *Joshua*, pp. 28, 130; J. Gray, *Joshua, Judges, Ruth* (NCB Commentary; Basingstoke: Marshall Morgan and Scott, 1986), p. 94; T. C. Butler, *Joshua* (WBC, 7; Waco: Word Books, 1983), p. 87; M. H. Woudstra, *The Book of Joshua* (NICOT; Grand Rapids: Eerdmans, 1981), p. 143; J. A. Soggin, *Joshua: A Commentary* (OTL; London: SCM, 1972), p. 105.

In 1.1–2.5, the Israelites' failure to keep the Lord's commandment, especially the law on mandatory  $\square\Gamma\Gamma$  on the seven nations, is displayed. After Joshua's death, their failure becomes more serious compared with Joshua 15–19 and it develops to an extreme stage.<sup>48</sup> Judah and Simeon experience both success and failure in keeping the Lord's order and as a result of their failure they cannot drive out the inhabitants of the plain because of the chariots of iron (1.3–20). For Benjamin, Manasseh, Ephraim and Zebulun, it is pointed out that they do not drive out the nations and, instead, that the nations live among them (1.21–30). For Asher and Naphtali, it is stressed that they do not drive out the nations and that they live among the Canaanites, the inhabitants of the land (1.31–33). The Danites are oppressed by the Amorites and cannot come down to the plain (1.34).

The first appearance of  $\square\Gamma\Gamma$  occurs in the explanation of Judah and Simeon's success. 'Judah went with Simeon his brother, and they defeated the Canaanites living in Zephath and made it separated ( $\square\Gamma\Gamma$  יָבֵדוּ); so the name of the city is called Hormah' (1.17). After this success in keeping the law on mandatory  $\square\Gamma\Gamma$ , the Israelites' failure is described in 1.19b–36. Then, in 2.1–5 it is revealed that this failure will be connected with 'other gods': 'their gods shall be a snare to you' (2.3), as has already been prophesied in Exod. 23.33; 34.12; Deut. 7.16; Josh. 23.13.

In Judg. 2.6–3.6, the Israelites' serving other gods is emphasized 'much more directly'<sup>49</sup> 'from the point of view of Yahweh'.<sup>50</sup> Their idolatry is closely connected with the repeated phrase 'the evil in the sight of the Lord' in 2.11 which is used as an explicit marker to show a new unit in 3.7, 12; 4.1; 6.1; 10.6; 13.1,<sup>51</sup> on the basis of verbs linked with idolatry in Exodus. These are:  $\square\Gamma\Gamma$  ('worship') used in 2.12, 17, 19 (cf. Exod. 20.5; 23.34; 32.8; 34.14),  $\square\Gamma\Gamma$  ('commit fornication') in 2.17 (cf. Exod. 34.15, 16 [2x]) and  $\square\Gamma\Gamma$  ('serve') in 2.11, 13, 19; 3.6 (cf. Exod. 20.5; 23.24, 33). Through these expressions, we recognize that idolatry is pointed out as the Israelites' essential sin in Judges.

After the main body in 3.7–16.31,  $\square\Gamma\Gamma$  appears in 21.11 within the conclusion. Younger helpfully compares the introduction with the conclusion in light of  $\square\Gamma\Gamma$  as follows:

48. K. L. Younger, Jr ('Judges 1 in its Near Eastern Literary Context', in *Faith, Tradition, and History: Old Testament Historiography in its Near Eastern Context* [ed. A. R. Millard, J. K. Hoffmeier and D. W. Baker; Winona Lake: Eisenbrauns, 1994], pp. 207–27 [220–1]) compares 'the four-stage moral decline in Judges 1' with 'the allotments of Joshua 15–19' with special reference to two verbs,  $\square\Gamma\Gamma$  and  $\square\Gamma\Gamma$ .

49. B. G. Webb, *The Book of the Judges: An Integrated Reading* (JSOTSup, 46; Sheffield: Sheffield Academic Press, 1987), p. 121.

50. Younger, 'Judges', p. 222. He gets this idea from L. R. Klein (*The Triumph of Irony in the Book of Judges* [JSOTSup, 68; BLS, 14; Decatur: Almond, 1988], p. 13), who insists that 'its [of the book of Judges] point of view shifts between Israel and Yahweh' in Judges 1–2.

51. See Webb, *Judges*, pp. 124–5.

*Herem in the Old Testament*

23

- A Foreign wars of subjugation with the *herem* being applied (1:1–2:5)
  - B Difficulties with religious idols (2:6–3:6)
  - B' Difficulties with religious idols (17–18)
- A' Civil wars with the *herem* being applied (20–21)<sup>52</sup>

If the occurrence of the term in 1.17 presents an example of Judah and Simeon's success among the many failures of the Israelites, that in 21.11 explains how every Israelite does 'what is right in his own eyes'. This is a main theme of the concluding part,<sup>53</sup> perceived through an event that involves all the Israelites.

The sin in Gibeah perpetrated against a Judahite concubine of a Levite causes war between the Benjaminites and the rest of the Israelites because the Benjaminites reject the demand to hand over (נָתַן, 20.13) the wicked men so that they may be put to death and so consume the evil from Israel (19.1–20.14). Because of this war, only six hundred Benjaminites remain. Thus a solution to the difficult situation of the expected disappearance of the Benjaminites and the oath of the Israelites (namely 'No one of us shall give his daughter in marriage to Benjamin' [21.1]) is suggested: to make the inhabitants of Jabesh-gilead, who do not come up in the assembly, separated (תִּפְרָדוּ יָבוֹשׁ, 21.11) with the exception of young virgins who have never slept with a man (20.15–21.11).

This חָרַם is not mandatory חָרַם initiated by God. In relation to 20.37b and 48, the deeds of the Israelites against the Benjaminites look like an application of the law of mandatory חָרַם to the Israelites in Deut. 13.12–18. However, the sin of the inhabitants of Jabesh-gilead is not a sin on account of which the law of mandatory חָרַם has to be applied. Furthermore, the Lord does not command it. Hence it is voluntary 'separation' initiated by human beings. However, the Israelites do not follow the law of voluntary חָרַם in Lev. 27.28–29 and Num. 18.14. Rather, they kill only 'every male and every woman that has lain with a male' (Judg. 21.11). Young virgins are neither killed nor given to the sanctuary for the priests, but given to the Benjaminites for marriage. Therefore, this is unlawful voluntary חָרַם. The last sentence concerning this event may imply such unlawfulness: 'In those days there was no king in Israel; each one did what was right in his own eyes' (21.25).

To sum up, the first use of חָרַם in Judges clearly shows how the Israelites fail to keep the Lord's command in the light of חָרַם and how their failure to keep the law of חָרַם causes their sin to be closely linked with serving other gods from the beginning to the end. Then, the second use reveals an example of unlawful voluntary חָרַם. Consequently, it is shown in Judges that the Israelites fail to keep the law with respect both to mandatory and to voluntary חָרַם.

52. Younger, 'Judges', p. 224.

53. Cf. 17.6; 18.1; 19.1; 21.25. So also Webb, *Judges*, pp. 181–2.

## 2.c. Samuel

The root  $\text{חָרַם}$  appears as the noun in 1 Sam. 15.21 and as the verb in 15.3, 8, 9 (2x), 15, 18, 20. In fact, it appears only in this chapter in Samuel. Hence the concept of  $\text{חָרַם}$  surely plays a major role in the entire chapter.<sup>54</sup>

Through the prophet Samuel, the Lord commands Saul to attack Amalek and to make ‘all that belongs to him ( $\text{כָּל־אֲשֶׁר־לּוֹ}$ ) separated ( $\text{יַחַדְרַתְּמֵהֶם}$ )’ (15.3). According to the usage of  $\text{כָּל־אֲשֶׁר־לּוֹ}$  in Josh. 7.15, 24, we may deduce that the Lord demands that all the people, the animals and the spoils of Amalek be made ‘separate’. This  $\text{חָרַם}$  is categorized as mandatory ‘separation’ because the Lord initiates it. Saul is the Lord’s agent in fulfilling it. Amalek and all that belongs to him can be considered as abhorrent.

In 1 Sam. 15. 8-9, however, it is reported that Saul ‘separates’ all the people except King Agag of the Amalekites and that Saul and the Israelites do not ‘separate’ the best of the sheep and of the cattle and of the fatlings, and the lambs and all that is valuable but, rather, all the despised and worthless animals. Then, Saul uses the root  $\text{חָרַם}$  in 15.15, 20 to insist that he has obeyed the Lord’s order, and Samuel in 15.18 to remind Saul of the Lord’s commandment.

The handling of Amalek is the same as the law of  $\text{חָרַם}$  in Deut. 13.12-18 applied to the Israelites.  $\text{חָמַל}$  (‘spare’) in 1 Sam. 15.3, 9, 15 and in Deut. 13.8 [13.9, MT] also seems to show the relation between this command and Deut. 13.12-18. However, in relation to the category of the object, it is difficult to connect this command with any part of the law of mandatory  $\text{חָרַם}$  in the Pentateuch, since Amalek is neither one of the seven nations nor the Israelites. Amalek is a type of new category where the law of mandatory  $\text{חָרַם}$  is applied.

Moreover, why does the Lord order such a command as that of 1 Sam. 15.3? The Lord provides a link between his command and Exod. 17.14; Deut. 25.17-18 in terms of the reason for his instruction, which is specified in 1 Sam. 15.2: ‘for what Amalek did, for the assault he made upon them [the Israelites] on the road when they came up out of Egypt’. Regarding the Lord’s command, Stern understands this link ‘in terms of world order’.<sup>55</sup> His argument is based on a similarity between *Enuma Elish* and the song in Exod. 15.1-18,<sup>56</sup> and on  $\text{זָנַב}$  (‘smite’) in Deut. 25.18.

Stern’s understanding is indeed possible. However, we consider the text itself to point to a different theme which is Saul’s failure to keep the law of  $\text{חָרַם}$ . In relation to  $\text{חָרַם}$ , Saul’s kingship reminds us of the same failure in Judges since ‘in those days there was no king’ (17.6; 18.1; 19.1; 21.25). The Lord appoints Saul to be ‘king over his people Israel’ through Samuel; this is the reason why the Lord’s command is given to Saul (1 Sam. 15.1). The

54. So also F. Foresti, *The Rejection of Saul in the Perspective of the Deuteronomistic School: A Study of 1 Sm 15 and Related Texts* (Roma: Edizioni Del Teresianum, 1984), p. 120.

55. Stern, *Herem*, p. 178.

root מלך is an important word in 1 Samuel 15, used for Saul in vv. 1, 11 (2x), 17, 23, 26, 35 and for Agag in vv. 8, 20, 32.

In addition to Saul's kingship, two expressions used for Saul stress his failure to keep the law of חרם. One expression is the word 'eyes'. According to 14.36, 40, Saul is the king to whom the Israelites give the authority to do whatever seems good in his eyes (בְּעֵינָיו). Samuel also focuses on the fact that the Lord anoints Saul king over Israel when Saul thinks of himself as being small in his own eyes (cf. בְּעֵינָיו, 15.17). This word 'eyes' is connected with 'what is right in his own eyes' (הַיָּשָׁר בְּעֵינָיו) in Judg. 17.6; 21.25.

The other expression is found in 'the evil in the Lord's eyes' (הָרַע בְּעֵינֵי הַיהוָה, 1 Sam. 15.19). This explains Saul's sin. In fact, in the Pentateuch and Judges, it is identified with idolatry, which is referred to as the main reason for mandatory חרם.

Samuel's speech in 15.22-23a also points to the fact that failure to keep the law of חרם can be linked with idolatry, which is a main teaching of Judges. In v. 22, he states that no sacrifice can satisfy the Lord's command and compares obedience with 'burnt offerings and sacrifices', 'sacrifice' and 'the fat of rams'. In giving a sacrifice, the worshippers are to have their portion (except the part offered to the Lord and given to the priests), even though there is no portion for the worshippers in the case of burnt offerings. However, the thing 'separated from common use or contact to the Lord' cannot be used for a sacrifice because it is the Lord's. Hence there is no portion even for the priests since the Lord commands Saul to make all that belongs to Amalek mandatory חרם. In this sense, Gunn is wrong when he says, 'when the best of the livestock has been sacrificed the devotion to destruction of all Amalek will be complete'.<sup>58</sup>

Furthermore, in 15.23a Samuel compares Saul's sin with divination (קְסָם)<sup>59</sup> and idolatry (תְּרָפִים).<sup>60</sup> The event in 28.7-25, in which Saul urges a medium (אֹוֹב)<sup>61</sup> to practise divination (קְסָם, v. 8), reminds us of Samuel's comparison. Furthermore, the Philistines' fastening of Saul's body to the wall of Beth-shan (31.10) recalls the nine kings whom Joshua hangs on trees until sunset. In this way, Samuel's speech in 15.22-23a reveals the fact that failure to keep the law of חרם can be linked with idolatry. This is seen through both the unacceptability of Saul's explanation in terms of sacrifice and what his disobedience to the law of חרם is like.

56. Stern, *Herem*, p. 172. So also S. B. Parker, *The Pre-Biblical Narrative Tradition: Essays on the Ugaritic Poems Keret and Aqhat* (SBLRBS, 24; Atlanta: Scholars, 1989), p. 131.

57. Stern, *Herem*, p. 174.

58. D. M. Gunn, *The Fate of King Saul: An Interpretation of A Biblical Story* (JSOTSup, 14; Sheffield: Sheffield Academic Press, 1980), p. 48.

59. Divination is prohibited in Deut. 18.10 (2x), 14.

60. תְּרָפִים indicates idols in the OT.

61. The law prohibits mediums in Lev. 19.31; 20.6, 27; Deut. 18.11.

In relation to Samuel's speech in 15.22-23a, Grønbæk insists that '[s]o it is also quite clear that the passage in vv. 22-23a shows a completely new idea and one which is irrelevant for the rest of the account'.<sup>62</sup> On the contrary, some scholars try to elucidate the relevance of 15.22-23a in the context of the rest of the chapter. Foresti does it in terms of '[t]he linguistic connections between vv. 22-23a and vv. 20f. and their logical interdependence',<sup>63</sup> and Long adds to Foresti's argument 'thematic continuity' in terms of שְׂמֵא with קָרָה and 'the issue of sacrifice' in 15.15, 21.<sup>64</sup> In addition to the arguments of Foresti and Long, when we consider the relationship between Judges and this chapter as well as between the law of חָרַר and idolatry, we can satisfactorily understand this account.

To sum up, the Lord commands Saul as King of Israel to make Amalek 'separated'. Even though Amalek is neither one of the seven nations nor the Israelites, the Lord has reason for this commandment which goes back to Exod. 17.14 before the time when the Israelites made a covenant with the Lord in Exodus 20–24. They attack the Israelites. The fact that Saul is King of Israel appointed by the Lord makes it understandable for the Lord to command him to make Amalek חָרַר, at least for the sake of punishment or revenge, or as an action for the recovery of world order according to Stern. Finally, this command is special in respect of the category of the object, even though it can be understood in terms of Saul's kingship and has a continuity with the previous law of חָרַר in Deut. 13.12-18.

Saul fails to follow the Lord's command completely. He explains the failure in terms of sacrifice. However, according to the characteristics of חָרַר, it cannot be compatible with sacrifice. Samuel explains it in 1 Sam. 15.22 and then he says that Saul's failure to keep the law of חָרַר is like idolatry (15.23a). Saul's idolatry really happens in 28.7-25. The hope for a king in Judg. 17.6; 18.1; 19.1; 21.25 collapses in 1 Samuel 15 since Saul, the King of Israel appointed by the Lord, fails to keep the law, even the law of חָרַר considered as very important in the context of covenant in the Pentateuch.

#### 2.d. Kings

The first occurrence of the root חָרַר in 1 Kgs 9.21 is related to Solomon. He makes the descendants of the seven nations, whom the Israelites fail to make separated (לְהַחְרִימָם), 'a slave force' (מִסְעֵבֶד (מִסְעֵבֶד) in Josh. 16.10 is linked with the Ephraimites' failure to keep the law of חָרַר. Solomon is an 'offspring' after David (2 Sam. 7.12), has 'a wise and discerning mind' which is given by the Lord (1 Kgs 3.12), and receives from the Lord the

62. J. H. Grønbæk, *Die Geschichte vom Aufstieg Davids (1. Sam. 15–2. Sam. 5): Tradition und Komposition* (Copenhagen: Prostant Apud Munksgaard, 1971), p. 58 (author's translation).

63. Foresti, *Rejection*, p. 35.

64. V. P. Long, *The Reign and Rejection of King Saul: A Case for Literary and Theological Coherence* (SBLDS; Atlanta: Scholars, 1989), p. 151.

promise that the Lord will establish his royal throne over Israel forever if he keeps the law (9.3-5). In spite of these auspicious circumstances, Solomon follows the example of the failure of the Ephraimites in the time of Joshua.

Nelson considers Solomon's use of the descendants of the seven nations 'as another example of Solomon's wise piety, as obedience to the law (Deut. 20:10-11)'.<sup>65</sup> However, 20.10-11 is not applied to the seven nations, but to other nations who submit to the Israelites peacefully.<sup>66</sup> So, Solomon does not follow the law of  $\square\text{רר}$  in 20.16-17 and 7.1-26. Rather, he uses the descendants as a slave force to build the house of the Lord, his own house and many cities (1 Kgs 9.15-19). Solomon's failure to follow the law of  $\square\text{רר}$  in 9.21, according to Walsh, takes '[g]rammatically' the main position in 9.15-25.<sup>67</sup> Furthermore, it shows that: 'To enslave these peoples [the seven nations] rather than eliminate them is to disobey Yahweh and run the risk of being led into idolatry, the very sin against which Yahweh has just warned Solomon in 9:6-9.'<sup>68</sup>

Solomon's idolatry appears in 11.1-8. His wives, when he is old, turn his heart after other gods (11.4) and he follows Astarte and Milcom (11.5). He does 'evil in the sight of the Lord' (cf. 1 Sam. 15.19) in 1 Kgs 11.6 which is an expression repeated throughout Kings (28 times). Then he builds a high place for Chemosh and Molech in 11.7. Finally, he does the same as 'all his foreign wives, who sacrifice to their gods ( $\text{לְאֱלֹהֵיהֶן}$ )' in 11.8; this is the sin mentioned in Exod. 22.20. What is more, the repeated term 'detestable idol' ( $\text{שִׁקְצָה}$ ) in 11.5 and 7 (twice) alludes to the command to 'detest' ( $\text{הִשְׁקִצְנוּ שִׁקְצָה}$ ) an abhorrent thing in Deut. 7.26.

King Solomon fails to follow the law of  $\square\text{רר}$  and is doomed to worship idols. In fact, the Lord warns Solomon about this beforehand in 1 Kgs 9.6-9. He tells Solomon not to serve ( $\text{עֲבַד}$ ) and worship ( $\text{שָׁחָה}$ ) other gods in 9.6, 9, which is the warning from Exodus 20 as we have seen. Further, the phrase 'turning aside from following me' ( $\text{שׁוֹב הַשְּׁבוּן ... מֵאַחֲרַי}$ ) in 1 Kgs 9.6 alludes to the Lord's regret in 1 Sam. 15.11: 'I regret that I made Saul king, for he has turned aside from following me ( $\text{שָׁב מֵאַחֲרַי}$ )'.<sup>69</sup> The Lord warns Solomon not to act like Saul.

Within its context, Solomon's failure is compared with an action brought about by Pharaoh in 1 Kgs 9.16. Pharaoh captures Gezer, burns it down, and kills the Canaanites living in the city, the descendants of those whom the Ephraimites fail to drive out but make 'a slave force' in Josh. 16.10. Finally, he gives it to his daughter. This is an action, which, if Solomon were to have

65. R. D. Nelson, *First and Second Kings* (Interpretation: A Bible Commentary for Teaching and Preaching; Louisville: John Knox, 1987), p. 64.

66. M. Cogan (*1 Kings* [AB, 10; London: Doubleday, 2001], p. 303) mentions this point.

67. J. T. Walsh, *1 Kings* (Berit Olam Studies in Hebrew Narrative and Poetry; Collegeville: Liturgical, 1996), p. 122.

68. Walsh, *Kings*, p. 125.

embraced it, would be to follow the law of חָרַם in Deut. 7.1-26; 20.16-17 and to recover from the Ephraimites' failure.

The second occurrence of חָרַם in 1 Kgs 20.42 is related to Ahab. After he makes a treaty with Ben-hadad and lets him go (20.34), a member of a company of prophets says the following words to Ahab: 'Thus says the Lord, "Because you sent away out of [your] hand the man of my חָרַם (חֵרֶם), your life shall be for (תַּחַת) his life, and your people for (תַּחַת) his people.'" 'The man of my חָרַם' refers to Ben-hadad.

Several questions need to be considered here. First, what does 'my חָרַם' mean? Up until this text, making something or somebody 'separated from common use or contact to the Lord' is an action done by humans, namely by those who receive the command of the Lord to do it or by those who want to do it voluntarily. According to Waltke and O'Connor, the 'my' of 'my חָרַם' is 'abstract subjective genitive' and thus 'my חָרַם' can be translated as 'the man I had determined should die (lit., man of my devoting to a consecrated death)'.<sup>70</sup> Hence 'my חָרַם' means something or somebody that the Lord decides to make 'separated' to himself.<sup>71</sup> In that case, it is mandatory 'separation' initiated by God.

Second, does the Lord command Ahab to make Ben-hadad 'separated'? Long says that Ahab 'has disobeyed a command to devote all battle spoils to Yahweh'.<sup>72</sup> However, there is no command to make Ben-hadad and the Arameans 'separated' in 1 Kings 20. Even though we translate אָסַר in 20.14 as 'clinch', like Gray,<sup>73</sup> it cannot be a command of making them 'separated', but of putting them to death. The expression 'to hand over to you' (20.13, 28) also cannot indicate a חָרַם command. Even though in Josh. 6.2 the expression can mean that kind of command on the basis of Deut. 7.1-26 and 20.16-18 where the command to make the seven nations 'separated' is given, the Arameans are not one of the seven nations whom the law commands the Israelites to make 'separated'. As Walsh states, Ben-hadad may be 'Yahweh's personal possession entrusted to Ahab for temporary safekeeping'.<sup>74</sup> Therefore, we can say that the Lord does not command that Ben-hadad and the Arameans be 'separated' to the Lord.<sup>75</sup>

69. So also G. H. Jones, *1 and 2 Kings, Vol. I: 1 Kings 1-16:34* (NCBC; London: Marshall, Morgan and Scott, 1984), p. 211.

70. Waltke and O'Connor, *Introduction*, p. 144.

71. It is unnecessary to define this חָרַם as 'net' like P. D. Stern ('The *herem* in 1 Kgs 20,42 as an Exegetical Problem', *Bib* 71 [1990], pp. 43-7 [45]) because we can explain this חָרַם in terms of 'separation', which is the consensus among scholars.

72. B. O. Long, *1 Kings: with an Introduction to Historical Literature* (FOTL, 9; Grand Rapids: Eerdmans, 1984), p. 221.

73. J. Gray, *1 and 2 Kings: A Commentary* (London: SCM, 2nd edn, 1970), pp. 419, 425. So also Stern, '*herem*', pp. 45-6. אָסַר is usually translated as 'tie', 'bind' or 'imprison'.

74. Walsh, *Kings*, p. 312.

75. Similar views are held by Stern, '*herem*', p. 44.

Third, why does the Lord resolve to make Ben-hadad ‘separated’? The answer may be detected in the reason why the Lord hands over the Arameans to Ahab: that is caused by the Arameans’ insistence, ‘The Lord is a god of the hills but he is not a god of the valleys (עַמְקֵי)’ (20.28). This saying ‘echoes the ancient concerns of Judges 1:19’ according to Nelson.<sup>76</sup> The Lord’s resolution of 1 Kgs 20.28 can be understood in the context of Judg. 1.16-19 in that Judah, which is the most successful tribe among the Israelites in keeping the law of חָרָה in Judges 1, fails to drive out the inhabitants of ‘the valley’ (עַמְקֵי). Further, prophets announce in 1 Kgs 20.13, 28 that through handing over the Arameans the Lord wants to teach Ahab that the Lord is Yahweh. So God’s initiating of the separation of Ben-hadad seems to occur because the Arameans despise God and because God wants to show Israel who God is.

Fourth, why does the Lord not command Ahab to make Ben-hadad ‘separated’? Ahab seems not to deserve to receive the command. At first, from the beginning he does ‘evil in the sight of the Lord’, and he does ‘more than all who were before him’ (1 Kgs 16.30). This description of Ahab echoes the repeated expression in Judges and reminds us of Saul’s and Solomon’s sin in 1 Sam. 15.19 and 1 Kgs 11.6. Ahab serves (עָבַד) and worships (שָׁחָה) Baal (16.31). According to his sin, he has to be mandatory חָרָה.

Moreover, Elijah’s claim that Ahab is ‘the troubler (עָבַר) of Israel’ (18.17-18) can be connected to Achan who brings trouble (עָבַר) on the Israelites (Josh. 7.25; cf. 6.18).<sup>77</sup> The reconstruction of Jericho in 1 Kgs 16.34, which can be linked with Ahab according to both Walsh and Jones, also reminds us of the connection of Ahab with Achan.<sup>78</sup>

Furthermore, in 20.4 Ahab says the following to Ben-hadad: ‘As you say, my lord, O king, I am yours, and all that I have.’ In terms of his expression, Ahab seems to separate himself and all that he has to Ben-hadad. Ahab, who has this kind of mind, may not be the appropriate candidate to receive an order of the Lord’s חָרָה.

What is more, the expectations, which could be held concerning Saul or Solomon, are difficult to hold about Ahab because he is not an anointed king like Saul and has no kind of promise such as Solomon receives.

Fifth, what does the prophecy in 20.42b imply? One of the prophets says to Ahab that ‘your life shall be for (תַּחַת) his life, and your people for (תַּחַת) his people’ (20.42b). This judgement is based on Ahab’s own judgement on

76. Nelson, *Kings*, p. 132.

77. This idea is found in I. W. Provan, *1 and 2 Kings* (New International Biblical Commentary; Peabody: Hendrickson, 1995), p. 153; Gray, *Kings*, p. 392.

78. Jones (*Kings*, p. 300) thinks that the reconstruction ‘was undertaken with Ahab’s authority’, following A. Sanda (*Das Erste Buch der Könige* [EHAT, 9; Münster: Aschendorffsche, 1911], p. 411), who says, ‘Hiel probably took action at Ahab’s command’ (author’s translation).

the prophet, 'So shall your judgement be; you yourself have decided it' (20.40).  $\text{בְּתַחֲתֵי}$  in v. 42b may mean 'in exchange for' or 'instead of'.<sup>79</sup> Does this mean that the 'separated' thing can be substituted or ransomed? Through Lev. 27.28-29, it is revealed that the important characteristic of voluntary 'separation' is that there is no way of substitution, ransom or redemption. However, it is said that Ahab's life will be in exchange for the man of God's 'separated one' and the lives of Ahab's people for the people of the man of God's  $\text{חֲרָם}$ . Here, we see a possibility of ransoming God's mandatory  $\text{חֲרָם}$ .

Lastly, what relationship does the  $\text{חֲרָם}$  in 1 Kgs 20.42 have with previous occurrences? In terms of the Lord's resolution to hand over the Arameans to Ahab (20.28), it is connected with  $\text{חֲרָם}$  in Judg. 1.17. Further, even though the expression 'to hand over to you' (1 Kgs 20.13, 28) may not indicate a  $\text{חֲרָם}$  command to Ahab like that in Josh. 6.2 to Joshua, it could denote the Lord's intention to  $\text{חֲרָם}$  according to its usage in Deut. 7.2, 16, 23, 24; 20.16 and Josh. 6.2. Furthermore, the falling ( $\text{נִפְלַ$ ) of the wall ( $\text{הַחֹמָה}$ ) of Aphek on twenty-seven thousand Arameans in 1 Kgs 20.30 echoes the falling ( $\text{נִפְלַ$ ) of the wall ( $\text{הַחֹמָה}$ ) of Jericho in Josh. 6.20. Both may be the Lord's special action to help his agents.

To sum up, the Lord resolves to make Ben-hadad 'separated' to himself. However, Ahab does not deserve to receive the commandment to do it because of his idolatry and mind-set. Actually according to the law of  $\text{חֲרָם}$ , he should be made mandatory  $\text{חֲרָם}$ . Nevertheless, through his prophet the Lord says to Ahab that he hands over the Arameans into his hands. However, Ahab makes a treaty with Ben-hadad and lets him go. Then, a judgement falls on Ahab which he cannot resist because it is based on his own judgement. Eventually, a possibility of ransoming God's mandatory  $\text{חֲרָם}$  is revealed.

The third occurrence of  $\text{חֲרָם}$  in the book of Kings is in 2 Kgs 19.11 and is used by Sennacherib in his letter to Hezekiah. The letter is a summary of Rabshakeh's previous speech in 18.19-25 and 28-35. In 18.19-25, he tells the Israelites not to trust in both Egypt and the Lord. In this passage, 'to trust' ( $\text{בָּשַׁח}$ ) in vv. 19, 20, 21 (2x), 22, 24, is the main concept. In 18.28-35, he emphasizes that the Lord cannot save ( $\text{נִצַּל$ ) the Israelites from his hand. In this passage,  $\text{נִצַּל}$  is the main verb (vv. 29, 30 [2x], 32, 33 [2x], 34, 35 [2x]). In 19.10-13, the letter can be summarized by these two terms,  $\text{בַּח}$  in v. 10 and  $\text{נִצַּל}$  in vv. 11, 12.<sup>80</sup>

Sennacherib's insistence that the kings of Assyria make all lands 'separated' (19.11) may imply that he plans to make Jerusalem 'separated' to his gods, not to the Lord. He insists that the Lord tells him to destroy ( $\text{שָׂחַרַה}$ ) Jerusalem

79. See TWOT II, p. 968.

80. So also B. S. Childs, *Isaiah and the Assyrian Crisis* (SBT, 3; London: SCM, 1967), p. 98; D. N. Fewell, 'Sennacherib's Defeat: Words at War in 2 Kings 18.13-19.37', *JSOT* 34 (1986), pp. 79-90 (85).

(18.25). This may be ‘an idea current in Assyrian political thought’<sup>81</sup> or one important argument for the claim in 18.19-25.<sup>82</sup> However, the truthfulness of Sennacherib’s claim is doubtful because it is not correct to consider Hezekiah’s reform (18.3-4) as a sin against the Lord (18.22). Hence, his insistence in 19.11 may be compared with ׀׀׀ in the Mesha Inscription, line 17,<sup>83</sup> even though it is suggested that the Assyrians do not have this kind of policy.<sup>84</sup> Stern’s translation of a part of the inscription is as follows:

14. ... And Kemosh<sup>85</sup> said to me, ‘Go, seize Nebo from Israel,’  
 15. So I went at night and I attacked it from the break of dawn until noon when  
 16. I seized it and I slew everybody (in it) – seven thousand m(e)n, b(o)ys, ladies, gi(rl)s,  
 17. And maidens – for to the warrior Kemosh I devoted them. I took from there  
 18. t(he vessel)s of YHWH and I dragged them before Kemosh. ...<sup>86</sup>

Here Mesha writes about his ‘separation’ of Nebo to Kemosh by killing everybody in it. Therefore, we call this kind of ‘separation’ ‘pagan ׀׀׀’ in that it is not connected to the law of ׀׀׀ at all. Neither the Lord commands the kings of Assyria to do this, nor do they make the lands ‘separated’ to the Lord voluntarily.

Here, the issue of salvation from pagan ׀׀׀ is raised. Can Jerusalem be saved and not ‘separated’ to foreign gods? The angel of the Lord kills 185,000 in the camp of the Assyrians (19.35) and the Lord says to Hezekiah, ‘I will save (נצל) you and this city out of the hand of the king of Assyria’ (20.6).

To sum up, in Kings, first of all, we see Solomon’s failure in light of the law of ׀׀׀ in 1 Kgs 9.21. Second, in 20.42 we see the possibility of ransoming God’s mandatory ‘separation’. This is a very impressive possibility when we think about the characteristics of voluntary ‘separation’ in Lev. 27.28. Here, we discover another reason for exemption from mandatory ‘separation’ in addition to action taken because of faith in the Lord, which is substitution. Third, in the context of 2 Kgs 19.11 we encounter the theme that the Lord saves his people from being ‘separated’ to other gods.

81. M. Cogan and Hayim Tadmor, *II Kings* (AB, 11; New York: Doubleday, 1988), p. 232.

82. See Hobbs, *Kings*, p. 258.

83. This idea is proposed by Hobbs (*Kings*, p. 277).

84. T. R. Hobbs (*Kings*, WBC, 13; Waco: Word Books, 1985), p. 277) says that Assyrian policy ‘was to take prisoners and loot from the captured towns and cities’. So also see Cogan and Tadmor, *Kings*, p. 235. This policy is revealed in 2 Kgs 18.31-32.

85. J. C. L. Gibson (*Textbook of Syrian Semitic Inscriptions I* [Oxford: Clarendon, 1971], p. 81) says, ‘Ashtar . . . seems to have been identified or fused with Chemosh [Kemosh] in the worship of the shrine at Kerioth, where Mesha received the command to attack Nebo.’

86. Stern, *Herem*, p. 55.

## 2.e. Summary

In the former prophets, we see חרם applied in a diversity of ways. Mandatory 'separation' appears in Joshua many times. Among them, in relation to Jericho, both mandatory and voluntary חרם are combined. The people of Jericho are mandatorily 'separated', and the others are voluntarily 'separated'. Achan becomes mandatory חרם by taking voluntary חרם. However, Rahab and her family are exempt from mandatory חרם on account of her acting out of faith in the Lord. Therefore, acting out of faith in the Lord is counted as a reason for redemption from mandatory חרם.

In Judges, we also see mandatory and voluntary חרם; the term occurs once in the introduction and once in the conclusion. Both show clearly the Israelites' failure to keep the חרם law. Then, 1 Samuel 15 and 1 Kgs 9.21 make clear the absence of any hope that a king could be found from within the kings who would keep the law of חרם; this is especially true of Saul and Solomon, in spite of the expectation found in Judges.

Further, we find the possibility of redemption of the Lord's mandatory חרם in 1 Kgs 20.42 and the Lord's salvation of his people from 'separation' to other gods in 2 Kgs 19.11. Particularly, 1 Kgs 20.42 shows another reason for not facing mandatory חרם, which is being substituted by other persons.

## 3. חרם in the Latter Prophets

The root חרם continues to be used in the latter prophets. Isaiah has it five times, Jeremiah four times, and Ezekiel once. Among the books of the twelve minor prophets, Micah, Zechariah and Malachi have one usage each.

## 3.a. Isaiah

חרם occurs five times in Isaiah. The first occurrence in 11.15a, 'The Lord will make the tongue of the sea of Egypt separated (הַיָּם יִחַרְדּוּ)', is in dispute because of a possible textual variant, חרריב. The LXX translates יִחַרְדּוּ as ἐρημώσει, and the Syriac version, the Targum and the Vulgate seem to be similar to the LXX.<sup>87</sup> On the basis of these versions, some scholars suggest text-emendation from הַיָּם יִחַרְדּוּ to הַיָּם יִחַרְדּוּ meaning 'dry up'.<sup>88</sup>

However, there are strong objections to the emendation.<sup>89</sup> According to the law of חרם in Lev. 27.28 and Deut. 13.12-18, from which it can be inferred

87. Cf. J. D. W. Watts, *Isaiah 1–33* (WBC, 24; Waco: Word Books, 1985), p. 178.

88. O. Kaiser, *Isaiah 1–12: A Commentary* (OTL. London: SCM, 1972), pp. 163, 166; J. N. Oswalt, *The Book of Isaiah* (NICOT; 2 vols; Grand Rapids: Eerdmans, 1986–98), p. 1:285 n. 7; etc.

89. G. R. Driver, 'Studies in the Vocabulary of the Old Testament. II.', *JTS* 32 (1931), pp. 250–7 (251); D. Barthélemy, *Critique Textuelle de l'Ancien Testament 2; Isaïe, Jérémie, Lamentations* (OBO, 50/2; Göttingen: Vandenhoeck and Ruprecht, 1986), pp. 85–6; etc.

that anything or anybody can be made both mandatory and voluntary חָרַם, 'the tongue of the sea of Egypt' can be 'separated' to the Lord. This is mandatory 'separation' initiated by God. The Lord will make 'the tongue of the sea of Egypt' mandatory חָרַם because it is an 'obstacle' to saving his people.<sup>90</sup> Even though the background to this event is provided by Exodus 14–15, it is an eschatological event, and 'the tongue of the sea of Egypt' implies any kind of obstacle to the Lord's saving of his people.

יְשׁוּעָה ('salvation') may show the relationship between Exodus 14–15 and Isaiah 11–12. The Lord's action to save his people is identified with this term in Exod. 14.13 and 15.2. In addition, this term is used in the context of giving thanks to the Lord for his salvation in Isa. 12.2 (twice), 3 right after 11.15–16, in which two idealized images show how the Lord saves his people. In 12.6, the people whom the Lord will save are called the 'inhabitant of Zion' (יֹשֵׁבֵת צִיּוֹן). Hence in 11.15 we can find the Lord's salvation of the inhabitants of Zion through making the sea of Egypt mandatory חָרַם.

Therefore, text-emendation from הַחֲרִיבִים to הַחֲרִימִים is unnecessary. And, as a result, a new theme that the Lord saves his people by making something mandatory 'separation' is raised in Isa. 11.15a.

The second occurrence of חָרַם has to do with 'all the nations' (כָּל־הַגּוֹיִם) and 'their army' (צְבָאָם כָּל) in 34.2. The Lord will make them separated (הִחָרַמְתִּים). 'All the nations' could include Israel or a part of Israel according to the usage of גּוֹי in 1.4; 9.2; 26.2, 15.<sup>91</sup> However, 'their army' may not include her. This is on the basis of the usage of צְבָא in 29.8 in which is shown how the Lord will handle 'all the nations that fight against (הַצְּבָאִים) Mount Zion'.

This is mandatory 'separation' initiated by God. The Lord will not charge this to others but will do it himself. The day when this 'separation' happens may be called the Day of the Lord, which is the eschatological day (13.2–16; 24.1–23; 34.8). The reason for this 'separation' can be found in the previous chapters in terms of all the nations' wrongdoing; this is introduced as idolatry, prostitution, arrogance, sin, evil, wickedness, iniquity and transgression. At the same time, according to 34.8, this 'separation' will happen for the sake of Zion.

To make all the nations mandatory 'separation' is linked with the salvation of the Lord's people (35.1–10). The people whom the Lord will ransom and who will come to Zion are identified with 'the redeemed' (גְּאוּלָּיִם) in 35.9

90. See E. J. Young, *The Book of Isaiah: the English Text, with Introduction, Exposition, and Notes* (2 vols; Grand Rapids: Eerdmans, 1965–9), pp. 1:399–400; J. A. Motyer, *The Prophecy of Isaiah* (Leicester: IVP, 1993), p. 126.

91. The consensus among scholars is that 'all the nations' in this verse does not include Israel. Some plainly indicate it, such as Young (*Isaiah*, p. 2:428). Others imply it, for instance, Oswalt, *Isaiah*, p. 1:608; B. S. Childs, *Isaiah* (OTL; Louisville: Westminster John Knox, 2001), p. 253.

and ‘the ransomed’ (פְּדוּיִים) in 35.10. According to the usage of the two words in Isaiah, both ‘the redeemed’ and ‘the ransomed’ may not be limited to the Israelites but also include some people from among all the nations. ‘The redeemed’ in 59.20 and ‘the ransomed’ in 51.11 come to Zion, and the nations are portrayed as coming to Mount Zion in 2.2-4; 27.13; 56.6-8.

According to Josh. 6.17, 22-25; 1 Kgs 20.42, mandatory ‘separation’ can be compatible with redemption and ransoming even though voluntary ‘separation’ cannot (Lev. 27.28; Joshua 7). The פָּרַח of all the nations in Isa. 34.2 is linked with some redeemed and ransomed people in 35.9, 10. On the one hand, this ‘separation’ is for the salvation of ‘the redeemed’ and ‘the ransomed’, which would be connected with the theme in 11.15, and shows a more developed theme, viz. the Lord’s salvation through making some people mandatory ‘separation’. On the other hand, in respect of that part of ‘all the nations’, who will be redeemed and ransomed, this ‘separation’ has the same theme as that in Josh. 6.17, 22-25 and 1 Kgs 20.42; this is the possibility of redemption of the Lord’s mandatory פָּרַח.

The third occurrence of פָּרַח is related to Edom in Isa. 34.5. Edom is called the Lord’s ‘separated’ thing, namely ‘my פָּרַח’ (פָּרַח־יָמִי), a phrase also used to indicate Ben-hadad in 1 Kgs 20.42. Even though Edom is suggested as a symbolic representative of ‘all the nations’ that hate Israel,<sup>92</sup> we cannot help thinking of the use of Edom as emphasizing that the prophecy in Isa. 34.2 will make no exception. First, the fact that Edom’s sin is not mentioned beforehand may indicate that even without such a mention, he is not exempt from becoming mandatory פָּרַח. Second, the description in 34.5-15 shows clearly that Edom will meet the same fate as the other nations described in the previous chapters (cf. 34.11-15 with 13.20-22 and 14.22-23). Third, the fact that Edom is not exempt from becoming mandatory פָּרַח is important because the Edomites are the descendants of Esau, Jacob’s twin brother.

In this sense, the פָּרַח of Edom is one example of the ‘separation’ in 34.2 regarding ‘all the nations’. It is mandatory ‘separation’ which is initiated and will be completed by the Lord. This will happen in the future, on the Day of the Lord (34.8) just as the ‘separation’ in 34.2. The use of ‘my פָּרַח’ increases the thematic connection between 1 Kgs 20.42 and Isa. 34.5. Moreover, the פָּרַח in 11.15 and 34.2 may express the theme of the Lord’s salvation through making some mandatory פָּרַח, and in 34.2, that of a possibility of the redemption of mandatory פָּרַח, in connection with 35.9-10.

The fourth occurrence of פָּרַח in 37.11 is similar to that in 2 Kgs 19.11 which has only one word (פָּרַח) more than Isa. 37.11. In Isaiah, unlike 2 Kings, Sennacherib’s claim in 36.10 that the Lord commands Sennacherib to destroy Jerusalem would be supported by Isa. 10.5-6 in which the Lord commands

92. F. Delitzsch, *Jesaja* (Giessen: Brunnen, 3rd edn, 1984), pp. 356-9. So also M. Pope, ‘Isaiah 34 in Relation to Isaiah 35, 40-66’, *JBL* 71 (1952), pp. 235-43 (243); Motyer, *Isaiah*, p. 268; Oswalt, *Isaiah*, p. 1:610.

Assyria, the rod of his anger, to take spoil and to tread a godless nation (Judah) down like the mire of the streets. However, the Lord does not command him to make Jerusalem 'separated'. Further, as we have seen in the context of 2 Kgs 19.11, Hezekiah's reform of Isa. 36.7 could not be a reason for the Lord's command to destroy Judah and Jerusalem.

The  $\square\text{ר}\text{ר}$  in Isa. 37.11 expresses the theme (like 2 Kgs 19.11) that the Lord saves his people, who trust in him, from being 'separated' to other gods (cf. Isa. 37.36). In the context of Isaiah, this idea can presage the next step. In 34.2, it is proclaimed that all the nations will be mandatory 'separation'. In 34.5, it is added that even Edom will be included in all the nations. Then, there could be some question as to whether Israel can be exempt from being mandatory 'separation'. In 37.11, it is shown that the people who trust the Lord are saved from being 'separated' to other gods.

Nevertheless, in Isa. 43.28, the fifth occurrence of  $\square\text{ר}\text{ר}$  makes it clear that Jacob also has to be mandatory 'separation'. The Lord says, 'I delivered ( $\text{נָתַתִּי}$ ) Jacob to the separated thing ( $\square\text{ר}\text{ר}$ ), and Israel to reviling.' The sin of Jacob/Israel may cause this. In Isaiah, Israel's wrongdoing is highlighted more than that of all the nations, viz. idolatry, prostitution, arrogance, sin, evil, wickedness, iniquity and transgression.

Because of his wrongdoing, especially idolatry, it is fitting that Jacob has to be mandatorily 'separated' according to Exod. 22.20. However, there is a transition between Isa. 43.22-28 and 44.1-8 in which Jacob's redemption is promised. How is this possible? Smart insists, 'There is no break between chs. 43 and 44',<sup>93</sup> but he does not mention a specific bridge. Koole finds that 'there are signs of hope' in 43.28.<sup>94</sup> Even though he does not specify the 'hope', that he seems to have in mind  $\square\text{ר}\text{ר}$  is evidenced in his words: 'Because Israel had not brought true sacrifices to God, vv. 22ff., she had to be "sacrificed" herself.'<sup>95</sup> However, it is doubtful that his explanation is good enough to show 'hope', for  $\square\text{ר}\text{ר}$  cannot be used as sacrifice.

The motif of the redemption of mandatory  $\square\text{ר}\text{ר}$ , which starts with Josh. 6.17, 22-25; 1 Kgs 20.42, is clearly used for Jacob/Israel in Isa. 43.28. In Isa. 11.15, it is prophesied that the Lord will save Israel (Ephraim and Judah) by making the tongue of the sea of Egypt mandatory 'separation'. This verse deals with the salvation of Jacob through making something mandatory 'separation'. Then, the motif of the redemption of mandatory  $\square\text{ר}\text{ר}$  is revealed in 34.2, 5 in connection with 35.9-10. In the context of 37.11, it is revealed that the Lord saves Jacob from being 'separated' to other gods. In 44.6, it is

93. J. D. Smart, *History and Theology in Second Isaiah: A Commentary on Isaiah 35, 40-66* (Philadelphia: Westminster, 1965), p. 109.

94. J. L. Koole, *Isaiah III: Volume 1/Isaiah 40-48* (Historical Commentary on the Old Testament; Kampen: Kok Pharos, 1997), p. 338.

95. Koole, *Isaiah*, p. 353.

proclaimed that the Lord redeems Jacob who has to be mandatory עֲרֵם (43.28). How is this possible? We can find a clue in ‘the servant of the Lord’.

Regarding Isaiah 53, Childs says,

The forgiveness comes from the suffering, innocent servant who gave his life according to the plan of God to release the guilt of his people. The servant did not ritually obliterate the sin – there is no parallel to the scapegoat – rather the terminology is that he ‘bore’ or ‘carried it’ (*ns*, *sbl*). ...

Yet the point of the Isaianic text is that God himself took the initiative in accepting the servant’s life as the means of Israel’s forgiveness.<sup>96</sup>

Redemption of mandatory עֲרֵם, without sacrificial worship but on the basis of substitution of the servant of the Lord for it, reminds us of 1 Kgs 20.42. There, it is proclaimed that Ahab shall be for Ben-hadad, the Lord’s עֲרֵם, and God’s initiative calls to mind mandatory ‘separation’ to save his people such as that seen in Isa. 11.15. To summarize, the servant of the Lord might become mandatory ‘separation’ to save his people who have to be mandatory ‘separation’ because of their sin. In Isaiah 53, there is no usage of עֲרֵם but we consider this possibility on the basis of redemption of mandatory עֲרֵם and God’s initiative.<sup>97</sup>

This possibility is supported by 65.10: ‘... the Valley of Achor (עֲמֹק עֵבֹר) [shall become] a place for herds to lie down, for my people who seek me’. ‘The Valley of Achor’ in Josh. 7.24, 26 is an outstanding symbol of the mandatory ‘separation’ of the Israelites. However, it is prophesied that this place will be for the Lord’s people who seek him. This could be possible on the basis of the ministry of the servant of the Lord. According to Beuken, Isaiah 65 can be closely linked to Isaiah 53 in terms of the servant/servants theme.<sup>98</sup> Moreover, his argument based on ‘seed/offspring’ (עֵרֵב) in 53.10 helps us connect Isaiah 43–44 with Isaiah 53 and 65 as follows:

43.28	Jacob as עֲרֵם
44.3	Jacob’s seed (עֵרֵב)
53.10	The Servant’s seed (עֵרֵב)
65.9	Jacob’s seed (עֵרֵב)
65.10	the Valley of Achor

Jacob is proclaimed as mandatory עֲרֵם in 43.28. His redemption can be seen clearly in his ‘seed’ in 44.3. And it is said that the ministry of the servant of the Lord will produce fruit, that is, his ‘seed’ (53.10). Then, right before

96. Childs, *Isaiah*, p. 418.

97. This interpretation may be helpful to understand Isaiah 53.

98. W. A. M. Beuken, ‘The Main Theme of Trito-Isaiah “The Servants of YHWH”’, *JSOT* 47 (1990), pp. 67–87 (76–81).

mentioning 'the Valley of Achor' in 65.10, the Lord says, 'I will bring forth seed (עֲרֵב) from Jacob'.<sup>99</sup>

To sum up, in Isaiah we find several themes in respect of חָרַם. First of all is the theme of the Lord's salvation of his people through making the tongue of the sea of Egypt mandatory חָרַם in 11.15. Then, in 34.2, 5 and 35.9-10, we find the theme that all the nations have to be mandatory חָרַם because of their sins even though some of them will be redeemed. Likewise, Jacob/Israel has to be mandatory חָרַם in 43.28. However, in connection with 44.1-8; 53.1-12; 65.10 we recognize that she may be redeemed through mandatory חָרַם of the servant of the Lord. This possibility seems to shed light on another reason for redemption of mandatory חָרַם which is the servant of the Lord's mandatory חָרַם. In the meantime, in 37.11, we see that any attempt to make the people, who trust the Lord, 'separated' to other gods will fail.

### 3.b. Jeremiah

In Jeremiah, the root חָרַם occurs in 25.9; 50.21, 26; 51.3. The first occurrence has to do with all the nations except Babylon. In 25.9, the Lord declares that he will make 'all the nations' (כָּל־הַגּוֹיִם) separated (הַחֲרַמְתִּי). These 'nations' in 25.9, 11, 13, 15, 17 are specified in 25.18-26. The outstanding feature in comparison with Isaiah, in which the חָרַם of all the nations is dealt with in Isa. 34.2 and 5 before that of Jacob/Israel in 43.28, is to focus on the latter rather than the former. In the list of Jer. 25.18-26, 'Jerusalem and the towns of Judah, its kings and officials' are mentioned first. Likewise, in Jeremiah before 25.9, only Judah's sin is emphasized. After Judah's sin is pointed out in chapters 2-24, it is summarized in 25.1-7 as follows: Judah does not listen to the Lord's word but does serve (עֲבָד) and worship (שָׁחָה) 'other gods' (אֱלֹהֵי אֲחֵרִים) (25.6). They break the covenant that the Lord makes with their ancestors when the Lord takes them by the hand to bring them out of the land of Egypt (31.32). According to Exod. 22.20, this is the sin which can lead them to be mandatory חָרַם.

This חָרַם in Jer. 25.9 is mandatory 'separation' initiated by God. King Nebuchadnezzar of Babylon is the Lord's agent to fulfil this (25.9). Before the fulfilment is described in chapters 37-39, the hope of redemption and ransom is presented in chapters 30-31. This presentation is similar to that in Isa. 35.9-10 in that on the eschatological day, the Lord will ransom (פָּדָה) and redeem (גָּאֵל) Jacob (Jer. 31.11)<sup>100</sup> and in that the redeemed and ransomed will come to Zion (31.6, 12). On that day, the Lord will 'make a new covenant with the house of Israel and the house of Judah' (31.31). This

99. The same theme as Isa. 65.10 appears in Hos. 2.17, in which it is declared that the Lord will make the Valley of Achor 'a door of hope'.

100. פָּדָה appears only in 15.21 and here in Jeremiah and גָּאֵל in here and 50.34.

eschatological חָרַם of the Israelites can be linked with Jacob's mandatory חָרַם in Isa. 43.28.

The other occurrences of חָרַם in Jeremiah are connected with the 'separation' of Babylon in 50.21, 26; 51.3. In 50.21, the Lord commands someone<sup>101</sup> to make 'the land of Merathaim' and 'the inhabitants of Pekod' separated to the Lord (חָרַם יְהוָה). According to Holladay, both Merathaim and Pekod are 'Babylonian names representing Babylon'.<sup>102</sup> Indeed, they may indicate some regions or people of Babylon. At the same time, Merathaim has the meaning of 'double rebellion', and Pekod 'punishment' or 'visitation'.<sup>103</sup> In 50.26, the Lord commands some<sup>104</sup> to make 'the land of the Chaldeans' (50.25) separated to the Lord (חָרַם יְהוָה). In 51.3, the Lord says that the whole army of Babylon will be separated to the Lord (חָרַם יְהוָה) by 'foreigners' or 'winnowers'<sup>105</sup> (51.2).

This חָרַם is based on Babylon's wrongdoing: idolatry in 50.38, arrogance in 50.24, 29-32, iniquity in 51.6 and sin in 50.14. It is mandatory 'separation' initiated by God, who commands it three times. The 'separation' of Babylon is connected with the 'redemption'<sup>106</sup> of the Lord's people, who are called 'lost sheep' in 50.6 and 'a hunted sheep' in 50.17 within 50.2-20. The Lord says that there will be no iniquity in Israel, and that none of the sins of Judah shall be found (50.20).

In Jeremiah, like Isaiah, we find the theme of mandatory חָרַם of all the nations and the redemption of the Lord's people from it.

### 3.c. Ezekiel

In Ezekiel, the root חָרַם appears once in 44.29b: 'All the separated things in Israel shall be theirs (יְהוָה לְהֵם בְּיִשְׂרָאֵל)'. The third person plural pronoun, the only difference between the above and Num. 18.14, indicates the Zadokite priests of Ezek. 44.15. Num. 18.14 is addressed to Aaron and his sons, the recipient(s) of the 'separated' thing but Ezek. 44.29 to the giver of it, probably 'Israel'.<sup>107</sup> The speaker is the Lord in both verses.

101. In translation 'someone' is employed because the verb has the form of the masculine singular imperative.

102. W. L. Holladay, *Jeremiah 2: A Commentary on the Book of the Prophet Jeremiah Chapters 26–52* (Hermeneia; Minneapolis: Fortress, 1989), p. 418.

103. See A. O. Bellis, 'Poetic Structure and Intertextual Logic in Jeremiah 50', in *Troubling Jeremiah* (ed. A. R. P. Diamond, K. M. O'Connor and L. Stulman; JSOTSup, 260; Sheffield: Sheffield Academic Press, 1999), pp. 179–99 (185–6); etc.

104. Here the verb has the form of the masculine plural imperative.

105. The Lord will send 'foreigners' (חָרְמֵי) in 51.2 and these foreigners are certainly receivers of the Lord's command in 51.3. Some commentators read this word as 'winnowers' (חָרְמֵי). See R. P. Carroll, *Jeremiah: A Commentary* (OTL; London: SCM, 1986), p. 838.

106. M. Kessler, 'The Function of Chapters 25 and 50–51 in the Book of Jeremiah', in *Troubling Jeremiah* (ed. Diamond, O'Connor and Stulman), pp. 64–72 (69).

107. W. Zimmerli, *Ezekiel 2: A Commentary on the Book of the Prophet Ezekiel Chapters 25–48* (Hermeneia. Philadelphia: Fortress, 1983), p. 461.

The structure of Num. 18.1-32 is similar to that of Ezek. 44.16-31. Ezek. 44.16-28 mentions the duty or regulations of the priests like Num. 18.1-7 and Ezek. 44.29-31 talks about the means to support them as in Num. 18.8-32.

As we have seen in Num. 18.14, this חָרַח is voluntary 'separation' initiated by human beings. In comparison with Num. 18.14, Ezek. 44.29 stresses the giver rather than the receiver. For this reason, Ezek. 44.29 seems to combine Num. 18.14 with Lev. 27.28 in which the giver of all the voluntary 'separation' is emphasized.

This happens in 'a vision of Yahweh returning to his temple and establishing his residence in his city in the midst of his people' as seen in Ezekiel 40-48.<sup>108</sup> It is significant that the law of חָרַח continues even at this stage of the 'ideal restoration program'.<sup>109</sup> The law of voluntary חָרַח does not disappear but it is prophesied that it will restart as originally expected.

Mandatory חָרַח is not stressed in Ezekiel. In Ezekiel, Israel is accused often of abhorrent idolatry. 'The abhorrent thing' (תּוֹעֵבָה), which characterizes mandatory 'separation' in Deut. 7.25-26; 13.14; 20.18, appears 43 times in Ezekiel in connection with Israel.<sup>110</sup> Hence it would be natural for Israel's 'separation' to be proclaimed. However, this never happens.

A central theme of Ezekiel gives a strong hint why, in spite of Israel's abhorrent sin which must lead her to be mandatorily 'separated', only Israel's voluntary 'separation' appears within the ideal scheme in chapters 40-48. Joyce sees the combination of 'divine initiative' and 'human response' in Ezekiel, primarily on the basis of 18.31 and 36.26.<sup>111</sup> According to him, 'the promised restoration is to take place in spite of Israel's unworthiness' on the basis of 'the gift of a "new heart" and a "new spirit" (36.26-27; cf. 11.19)'.<sup>112</sup> In other words, the 'separation' in 44.29 is voluntary 'separation' based on the Lord's gift.

In Ezekiel, we find that voluntary חָרַח appears in the eschatological community of the Lord's people on the basis of his gift.

### 3.d. Micah

In Mic. 4.13, the root חָרַח appears. The subject of חָרַחְתִּי (I will make their wealth separated') is identified by some scholars as the second person

108. D. I. Block (*The Book of Ezekiel: Chapters 25-48* [NICOT; Cambridge: Eerdmans, 1998], p. 494) thus summarizes Ezekiel 40-48 likewise.

109. This is the expression of S. L. Cook, 'Innerbiblical Interpretation in Ezekiel 44 and the History of Israel's Priesthood', *JBL* 114 (1995), pp. 193-208 (1995).

110. 58% (43/74) of the OT occurrences of this word appear in Ezekiel.

111. P. Joyce, *Divine Initiative and Human Response in Ezekiel* (JSOTSup, 51; Sheffield: Sheffield Academic Press, 1989).

112. Joyce, *Initiative*, pp. 125, 127.

feminine singular. They think of הָיָה- as the old second person feminine singular form<sup>113</sup> and see ‘daughter Zion’ as the subject.<sup>114</sup> If they are right, this הָיָה is voluntary הָיָה.

Others construe הָיָה- as the perfect first person singular form but think that this form is not suitable for this verse because the Lord will not make something ‘separated’ to himself.<sup>115</sup> However, when we consider the expression ‘my הָיָה’ (הָיָה־יָמִי) in 1 Kgs 20.42 and Isa. 34.5, it is not impossible that the Lord makes something ‘separated’ to himself. If הָיָה- is the first person singular form, this הָיָה is mandatory ‘separation’ by the Lord.

Further, the previous verb (הָיָה־קָוָה) does not use, so called, the old second person feminine singular form. So we may say that it is appropriate to think of הָיָה- as the first person singular form.

Hence this הָיָה is closer to mandatory ‘separation’ than to voluntary ‘separation’. It will happen at the ‘eschatological’ day.<sup>116</sup> When we think that ‘many people’ are compared with ‘daughter of Zion’, they are similar to ‘all the nations’ of Isa. 34.2 who have to be mandatory ‘separation’. Thus, in Mic. 4.13, the Lord declares that he will make ‘separated’ even all the wealth of ‘many people’ who should be mandatory ‘separation’.

In relation to Mic. 7.2, most OT scholars translate הָיָה as a noun, ‘a net’ or ‘nets’ or similar words.<sup>117</sup> Wolff translates Mic. 7.2d as ‘one brother hunts the other to death’ and says that ‘it is thought of only as a reciprocal annihilation’.<sup>118</sup> Rudolph sees הָיָה as הָיָה and attaches it to v. 3 and translates it as ‘the plans’.<sup>119</sup>

Hillers and McKane consider the translation ‘ban or destruction’ as a possibility.<sup>120</sup> In relation to ‘a net’, Hillers says that ‘[m]any delete, as producing a metrically over-long line, or prefer a different sense; already √ [Aquila] and Φ [Symmachus] (cf. The V [Vulgate]) have ἀναθεματι (connected with הָיָה ...)’.<sup>121</sup> According to McKane, ‘Vulg. (*ad mortem venatur*), Pesh.

113. See J. M. P. Smith, *Micah, Zephaniah and Nabum* (ICC; repr., Edinburgh: T&T Clark, 1959 [1911]), p. 99; C. S. Shaw, *The Speeches of Micah: A Rhetorical-Historical Analysis* (JSOTSup, 145; Sheffield: Sheffield Academic Press, 1993), p. 129 n. 1; etc.

114. See Smith, *Micah*, p. 91; etc.

115. See J. L. Mays, *Micah: A Commentary* (OTL. London: SCM, 1976), p. 107; etc.

116. See W. McKane, *The Book of Micah: Introduction and Commentary* (Edinburgh: T&T Clark, 1998), pp. 140–41.

117. B. Renaud, *La Formation du Livre de Michée: Tradition et Actualisation* (Paris: J. Gabalda et Cie, 1977), p. 346; etc.

118. H. W. Wolff, *Dodekapropheten 4: Micha* (BKAT, 14/4; Neukirchen-Vluyn: Neukirchener, 1982), pp. 174, 180 (author’s translation).

119. W. Rudolph, *Micha-Nabum-Habakuk-Zephania: mit einer Zeittafel von Alfred Jepsen* (KAT; Gütersloh: Gerd Mohn, 1975), pp. 121, 121–2 n. 2 (author’s translation).

120. According to D. Giesen (*TDOT V*, pp. 199–203 [203]) van der Woude interprets *herem* as ‘destruction’. A. S. van der Woude (*Micha* [Nijkert: Callenbach, 1985], p. 244) prefers that interpretation because of הָיָה (‘hunt’).

121. D. R. Hillers, *Micah: A Commentary on the Book of the Prophet Micah* (Hermeneia; Philadelphia: Fortress, 1984), p. 84 n. f. So also Wolff, *Dodekapropheten*, p. 175 n. 2c.

(*L'bdn'*), Targ. (לגמירא) have taken חרם as “ban”, “destruction”, rather than “net” and have not preserved the figure of the hunter and the net.<sup>122</sup>

There is a consensus among the lexicons of categorizing חרם in Mic. 7.2 as ‘a net’.<sup>123</sup> What is more, most of the English versions of the Bible translate it using ‘net’. New Living Translation does not use the word ‘net’ but, rather, ‘trap’, thus translating Mic. 7.2b as ‘[t]hey are all murderers, even setting traps for their own brothers’, as Wolff did. So, we examine Mic. 7.2d in the next chapter.

### 3.e. Zechariah

In Zech. 14.11, the root חרם appears: ‘And they shall dwell in it;<sup>124</sup> there will be no separated thing (חרם); Jerusalem shall abide in security.’ This will happen at the eschaton (cf. 14.6, 8) when ‘the Lord will become king over all the earth’ (14.9).<sup>125</sup>

The חרם of Jerusalem as a town could be linked with Deut. 13.12-18 where mandatory ‘separation’ of a town in Israel is dealt with, and indicates mandatory ‘separation’ connected with sin, especially idolatry. The cessation of mandatory ‘separation’ in Jerusalem along with Ezek. 44.29, in which it is revealed that voluntary חרם will exist in the eschatological community of the Lord’s people on the basis of his gift, composes a whole picture of the eschatological day; namely, on that day, there will be only voluntary חרם in Jerusalem, not mandatory חרם.

With the possibility of Jerusalem as חרם, the phrase ‘in security’ (בְּבִטָּחָה) reminds us of Jerusalem at the time of Hezekiah which is about to be ‘separated’ to other gods by Sennacherib. Jerusalem is delivered because Hezekiah and its inhabitants trust (בְּבִטָּחָה) the Lord as we have seen in 2 Kgs 19.11; Isa. 37.11 (cf. 2 Chron. 32.14).

Therefore, the cessation of the חרם in Jerusalem does not mean ‘no more war’, as Smith thinks.<sup>126</sup> It means no more rebellion, idolatry and sin in Jerusalem which results in no more mandatory חרם of Jerusalem.

122. McKane, *Micah*, p. 209.

123. TWOT I, p. 325; TDOT V, pp. 182, 188, 200, 202; HALOT I, p. 354; DCH III, p. 319.

124. For C. L. Meyers and E. M. Meyers (*Zechariah 9–14: A New Translation with Introduction and Commentary* [AB; London: Doubleday, 1993], p. 448) this plural subject may ‘refer to the multitudes that will live in Jerusalem’. M. F. Unger (*Zechariah: Prophet of Messiah’s Glory* [repr., Grand Rapids: Zondervan, 1970 (1963)], p. 260) identifies it with ‘[t]he redeemed and restored people of Israel in kingdom status’.

125. According to Meyers and Meyers (*Zechariah*, p. 448), Zech. 14:6-11 deals ‘with Jerusalem’s eschatological landscape’.

126. R. L. Smith, *Micah–Malachi* (WBC, 32; Waco: Word Books, 1984), p. 288.

## 3.f. Malachi

The last word of Malachi is חָרַם in 4.6 [3.24, MT]: ‘He [the prophet Elijah] will turn the hearts of the fathers to the children and the hearts of the children to their fathers lest, when I come,<sup>127</sup> I smite the land as a separated thing (חָרַם).’

This חָרַם is mandatory ‘separation’ initiated by God. The Lord will send the prophet Elijah so as not to make the land mandatory ‘separation’. ‘The land’ may include the inhabitants of the land on the basis of ‘the parallelism between אֶרֶץ, “land” (3.24c) and אֲבוֹתַי / בְּנֵי, “fathers, children” (3.24a, b).<sup>128</sup> Elijah is generally viewed as ‘the forerunner of the Messiah’<sup>129</sup> because, according to Kaiser, he is ‘the head of the prophetic order’ and ‘a reformer’.<sup>130</sup> The mission of the prophet Elijah in this passage echoes the situation of 1 Kings 18<sup>131</sup> and is connected with that of John the Baptist in Luke 1.17.<sup>132</sup>

In Mal. 4.4-6 [3.22-24, MT] three points are stressed: ‘the law of Moses’ in v. 4, ‘the prophet Elijah’ in v. 5 and ‘the day of the Lord’ in v. 5. ‘The law of Moses’ may be the guide book for the Lord’s people and ‘the prophet Elijah’ likewise a guide for them.<sup>133</sup> With the help of both, the Lord wants his people not to be mandatory חָרַם. With respect to חָרַם, ‘the law of Moses’ defines the law of חָרַם and shows each example of mandatory and voluntary חָרַם. Malachi ends with a strong warning of mandatory חָרַם. This may be the reason for the changed order of the verses in the LXX, which makes 4.4 the last verse, to offer ‘a gentler ending to the book’.<sup>134</sup>

## 3.g. Summary

Isaiah and Jeremiah proclaim mandatory ‘separation’ of all the nations including Israel and develop the motif of the redemption of the Lord’s people, the possibility of which starts in Joshua and Kings. Thus they draw a picture of the Lord as the redeemer of mandatory ‘separation’ as well as the Lord as the initiator of it. In Isaiah, we see the servant of the Lord as a possible foundation for the redemption of mandatory חָרַם. Ezekiel, in spite

127. For the translation, ‘when I come’, see B. Glazier-McDonald, *Malachi: The Divine Messenger* (SBLDS, 98; Atlanta: Scholars, 1987), p. 257; Tanakh.

128. So also Glazier-McDonald, *Malachi*, p. 258; Smith, *Micah–Malachi*, p. 342.

129. P. A. Verhoef, *The Books of Haggai and Malachi* (NICOT; Grand Rapids: Eerdmans, 1987), p. 345. According to Glazier-McDonald (*Malachi*, p. 270) ‘Elijah is the forerunner of the יְהוֹשֻׁעַ.’

130. W. C. Kaiser, *Malachi: God’s Unchanging Love* (Grand Rapids: Baker, 1984), p. 108.

131. So also D. L. Petersen, *Zechariah 9–14 and Malachi* (OTL; London: SCM, 1995), p. 230.

132. See J. G. Baldwin, *Haggai, Zechariah, Malachi* (TOTC; Leicester: IVP, 1972), p. 252; Kaiser, *Malachi*, p. 108.

133. Kaiser, *Malachi*, pp. 106–7.

134. Petersen, *Zechariah*, p. 227.

of the Israelites' idolatry, does not focus on the mandatory חרם of them but the voluntary חרם of the eschatological ideal community based on the Lord's gift, a new heart and a new spirit. Micah portrays the mandatory 'separation' of many people's wealth by the Lord or his agent; this will happen at the eschatological day. Zechariah emphasizes that at that day there will be no mandatory חרם in Jerusalem. Lastly, Malachi reveals that it is necessary for the prophet Elijah to be sent lest the land of the Lord's people should be mandatory חרם.

The prophetic writings give an outline of the eschatological day. At that day, the Lord or his agent will make all the nations and their wealth mandatory חרם. However, in Jerusalem/Zion there will be no more mandatory חרם but, rather, only voluntary חרם on the strength of the Lord's gift and possibly on the basis of mandatory 'separation' of the servant of the Lord. For this, the Lord will send the prophet Elijah.

#### 4. חרם in the Writings

From the Psalms to Esther, the writings do not contain the root חרם. However, the last three books do have it: Daniel once; Ezra (and Nehemiah) once; and Chronicles four times.

##### 4.a. Daniel

In Dan. 11.44, חרם appears: 'But reports from the east and the north will alarm him, and he will go out with great fury to destroy and to make many separated (לְהַחְרִים).'<sup>135</sup> The third person singular 'he' is diversely identified with Pompey, Antiochus, Antichrist or simply reflecting 'the utilization of scriptural phraseology'.<sup>135</sup> Regardless of 'his' identity, this verse is connected with 2 Kgs 19.7 and Isa. 37.7 on the basis of 'rumour' (שְׁמוּעָה)<sup>136</sup> and with 2 Chron. 20.23 on the basis of the two infinitives, לְהַחְרִים and לְהַשְׁמִיד.<sup>137</sup>

His intention of making many 'separated' is related to pagan חרם because his objective is not to 'separate' them to the Lord. According to Dan. 11.45, however, his intention will fail.

135. J. E. Goldingay, *Daniel* (WBC, 30; Dallas: Word Books, 1989), p. 305. For a summary, see E. Lucas, *Daniel* (AOTC, 20; Leicester: Apollos, 2002), pp. 292–3.

136. See N. W. Porteous, *Daniel: A Commentary* (OTL. London: SCM, 1965), p. 170; Lucas, *Daniel*, p. 291; etc.

137. See J. A. Montgomery, *The Book of Daniel* (ICC; repr., Edinburgh: T&T Clark, 1964 [1927]), p. 466.

## 4.b. Ezra

A serious sin is reported to Ezra by the leaders in Ezra 9.1-2.<sup>138</sup> The people of Israel, the priests and the Levites take daughters of the peoples of the lands as wives for themselves and for their sons. The sin is identified as ‘acting unfaithfully’ (מַעַל) in 9.2, 4; 10.2, 6, 10, which is applied to the Israelites in Josh. 7.1 and to Achar in 1 Chron. 2.7, and categorized as ‘the abhorrent thing’ (תּוֹעֵבָה) in 9.1, 11, 14, which is the characteristic of mandatory חָרֵם in Deut. 7.25-26; 13.14; 20.18. Ezra’s torn robe (מַעַל יָרֵי, 9.3, 5) seems also to stress the sin מַעַל.

After Ezra’s response to this report in 9.3–10.1, a solution is suggested in 10.2-4. Then, a proclamation is made by ‘the leading priests, the Levites and all Israel’ (10.5) to give notice that all the returned exiles should assemble at Jerusalem and that if anyone does not come within three days, all his movable property<sup>139</sup> shall be separated (חָרַם) in accordance with the decision of the leaders and elders. Furthermore, he himself shall be separated from the congregation of the exiles (10.7-8).<sup>140</sup> Not Ezra but the congregation of the exiles is the subject of this proclamation.<sup>141</sup> Even though Ezra has the authority to punish people with death, banishment,<sup>142</sup> confiscation of possessions or imprisonment (7.26), he does not do it. The expression ‘in accordance with the decision of the leaders and elders’ about the first penalty for non-attendance stresses again the initiative of the congregation.

The fact that the congregation has the initiative shows that the first suggested penalty is a lawful voluntary חָרֵם. It is voluntary ‘separation’ because human beings have the initiative and it is lawful because the congregation will make their own property ‘separated’ to the Lord, surely to be used by the priests (Num. 18.14). Keil rightly insists on ‘its appropriation to the benefit of the temple’ on the basis of Lev. 27.28.<sup>143</sup> Blenkinsopp points out

138. מְשִׁרְיִים (‘the leaders’) in 9.1, 2; 10.8 seems to indicate the leaders of the priests, the Levites and the other Israelites according to the context and the usage of the word in Chronicles. See J. Blenkinsopp, *Ezra–Nehemiah: A Commentary* (OTL; Philadelphia: Westminster, 1988), p. 190.

139. The property (רְכוּשׁ) in Ezra 1.4, 6; 8.21; 10.8 is ‘various forms of movable property’, according to C. L. Rogers and W. T. Koopmans (*NIDOTE* III, 1121). On the other hand, W. Thiel (*ThWAT* VII, 518) suggests a possibility that this word includes even the house, ‘if not even a type of ritual dispossession of the whole property including possession of land is intended’ (author’s translation).

140. בָּרַל (‘be separated’) is a key concept in Ezra 6.21; 9.1; 10.8, 11, 16 (cf. 8.24). For the meaning of this separation, see W. Horbury, ‘Extirpation and Excommunication’, *VT* 35 (1985), pp. 13–38 (20).

141. See L. W. Batten, *The Books of Ezra and Nehemiah* (ICC; repr., Edinburgh: T&T Clark, 1949 [1913]), p. 342; etc.

142. G. J. Blidstein (‘ATIMIA: A Greek Parallel to Ezra X 8 and to Post-biblical Exclusion from the Community’, *VT* 24 [1974], pp. 357–60) connects banishment with the second penalty of non-attendance in 10.8, translating לְשִׁרְשֵׁי into the Greek ἀτιμία.

143. C. F. Keil, *The Books of Ezra, Nehemiah, and Esther* (trans. S. Taylor; Edinburgh: T&T Clark, 1873), p. 128.

that 'it was destined to become property of the temple, as is explicitly noted at 1 Esd. 9:4 and Josephus (*Ant.* 11.148)'.<sup>144</sup> Blenkinsopp might be referring to two Greek words, ἀνιερωθήσονται of 1 Esd. 9.4 and ἀφιερωθησομένης of *Ant.* 11.148.

This proclaimed penalty eventually does not happen because 'all the people of Judah and Benjamin assembled at Jerusalem within the three days' (10.9). However, both the penalty and the result of the proclamation show clearly that the congregation has a passion for keeping the law of the Lord. Further, this voluntary חרם reminds us of the picture of Ezek. 44.29, the voluntary חרם in the ideal eschatological community of the Lord's people, even though it would not be a completed form.

#### 4.c. Chronicles

In 1 Chron. 2.7, 'Achar' (עָכָר) instead of 'Achan' (עָכָן) in Joshua 7 is introduced as 'the troubler of Israel, who acted unfaithfully in regard to the separated thing to the Lord'. 'Achar' is very probably a wordplay echoing עָכָר in Josh. 6.18; 7.25 (2x) and 'the Valley of Achor' (עֵכּוֹר עֵמֶק) in 7.24, 26.<sup>145</sup> Another difference between 1 Chron. 2.7 and Joshua 7 is that the sin מַעַל ('act unfaithfully') is applied to the Israelites in Josh. 7.1, but in 1 Chron. 2.7 to Achar. In Joshua 7, the sin starts as that of the Israelites and ends as that of Achan. In Chronicles, it starts as that of Achar and ends as that of the Israelites.<sup>146</sup> In relation to the sin of מַעַל, Achar is, consequently, the starting point of the whole picture of Chronicles whereby the Israelites sin against the Lord. This is a special feature of Chronicles because the sin מַעַל does not appear in Samuel and Kings. The Chronicler seems to emphasize that the Israelites' destruction is based on the sin in regard to the law of חרם. This feature could be an example to reveal *The Persuasive Appeal of the Chronicler* by Duke even though he does not mention this.<sup>147</sup>

In 2.3–4.23,<sup>148</sup> the mention of Achar gives a clue as to why David, the ideal king, does not come from Zerah. Nevertheless, the Lord's grace through David is revealed in that Heman and Ethan, two sons of Zerah, are appointed as temple musicians in 15.19.<sup>149</sup>

After the genealogy of Judah in 2.3–4.23, the descendants and inheritance of Simeon are generally explained in 4.24–33. Thereafter, specific people and

144. Blenkinsopp, *Ezra*, p. 190.

145. R. S. Hess, 'Achan and Achor: Names and Wordplay in Joshua 7', *HAR* 14 (1994), pp. 89–98.

146. In Chronicles, מַעַל appears repeatedly (17 times).

147. R. K. Duke, *The Persuasive Appeal of the Chronicler: A Rhetorical Analysis* (Bible Literature Series, 25; Decatur: Almond, 1990), p. 149.

148. This passage deals with Judah's genealogy, particularly with Zerah in 2.6–8, Perez in 2.5 and 2.9–4.20, and Shelah in 4.21–23.

149. In 1 Kgs 4.31 [5.11, MT], four sons of Zerah are described as wise.

their episodes, maybe two ‘unknown events’,<sup>150</sup> are presented. The first episode reports, after mentioning the names of thirteen Simeonite leaders (4.34-41),<sup>151</sup> that they make the inhabitants in Gedor separated (גִּדְרוּ) in the days of King Hezekiah of Judah and settle there. In 4.42-43, then, it is said that five hundred Simeonites, with four people mentioned as their leaders, smite (נָכַח) the remnant of the Amalekites in Mount Seir.

The second occurrence of גִּדְרוּ appears within the first episode (4.41). The great increase of the thirteen clans mentioned causes a need for other pastures for their flocks. They find rich and good pasture in Gedor and make ‘their tents and the Meunites’ גִּדְרוּ. According to the context, this ‘their’ may indicate ‘the former inhabitants’ of 4.40, who belong to Ham,<sup>152</sup> so it could refer to ‘Egyptians, Ethiopians or even Canaanites’ (1.8; cf. Gen. 10.6).<sup>153</sup> If they are the Canaanites, this episode draws a positive picture of the Simeonites in terms of the law of גִּדְרוּ and, on the one hand, can be compared with Judges 1 where Simeon, with Judah, is described as the one who keeps the law best among the Israelites. In Judg. 1.19c, Judah’s failure is presented but there is no mention of Simeon’s failure in Judges 1. Hence, if the former inhabitants are the Canaanites, it may be implied that the failure of Achar, a Judahite, is reported in 1 Chron. 2.7 but the success of some Simeonites in 4.34-41.

On the other hand, if they are not the Canaanites, this episode could be linked with that of the Danites in Judges 18 and may draw a negative picture of the Simeonites. Since the Meunites do not belong to the Simeonites, this גִּדְרוּ might be an unlawful voluntary גִּדְרוּ. In addition, the event concerning the Danites has to do with idolatry. Johnstone suggests a parallel between 1 Chron. 4.40-41 and Judges 18.<sup>154</sup> This episode does not make clear whether the Hamites belong to the Canaanites nor does it mention any idolatry of the Simeonites. Hence, in relation to the Hamites, we do not know exactly what kind of positive or negative aspect the episode has.

Only through the second episode in 1 Chron. 4.42-43 may it be implied that the first episode is positive rather than negative. The second episode echoes the Lord’s commanding of Saul to make the Amalekites mandatory גִּדְרוּ in 1 Samuel 15. The term גִּדְרוּ in 1 Chron. 4.41 also helps to remind us of the commandment. Some people, who take part in the first episode, go

150. R. Braun, *1 Chronicles* (WBC, 14; Waco: Word Books, 1986), p. 68.

151. See S. Japhet, *I and II Chronicles: A Commentary* (OTL; London: SCM, 1993), p. 124.

152. A. B. Ehrlich (*Randglossen zur Hebräischen Bibel: Textkritisches, Sprachliches und Sachliches* [Hildesheim: Georg Olms, 1968], p. 329) proposes the change of אֹהֶל יָהוּם (‘their tents’) to אֹהֶל יָהָם (‘the tents of Ham’), which is considered as a ‘very attractive’ proposition by Japhet, *Chronicles*, p. 125.

153. Braun, *Chronicles*, p. 67. So also E. L. Curtis and A. A. Madsen, *The Books of Chronicles* (ICC; Edinburgh: T&T Clark, 2nd edn, 1952), p. 116.

154. W. Johnstone, *1 and 2 Chronicles, Vol. 1: 1 Chronicles 1–2 Chronicles 9, Israel’s Place among the Nations* (JSOTSup, 253; Sheffield: Sheffield Academic Press, 1997), p. 70.

to Mount Seir and smite the remnant of the Amalekites. In relation to 1 Samuel 15, this event is surely positive for the Simeonites. Moreover, the same expression שָׁב ('dwell') and עַד-יְהוּם הַיּוֹם ('to this day') in 1 Chron. 4.41, 43 may imply that two episodes are intended for the same purpose, viz. presenting recommendable episodes such as Jabez' story in 4.9-10.

Therefore, it is implied that the former inhabitants might belong to the Canaanites and that this חָרַח in 4.41 could be categorized as mandatory 'separation' based on the law of חָרַח upon the seven nations in Deut. 7.2, 26; 20.17.

The third occurrence of חָרַח happens in the time of Jehoshaphat who is a very important king in Chronicles with David, Solomon and Hezekiah in terms of 'much space' being allotted to him, as Beentjes states.<sup>155</sup> The Moabites and Ammonites and with them some of the Meunites come against Jehoshaphat for battle (2 Chron. 20.1).<sup>156</sup> In moments of crisis, he trusts and prays to the Lord (vv. 1-12). The Lord answers through Jahaziel, a Levite (vv. 13-17). Then, Jehoshaphat, all Judah and the inhabitants of Jerusalem worship the Lord and the Levites praise him (vv. 18-19). The next day the Lord's command is positively obeyed by the king and the people (vv. 20-21). The moment the singers appointed by the king sing and praise, the Lord sets ambushes against the Ammonites, Moab and Mount Seir (v. 22).<sup>157</sup> Here 'ambushes' (מְצֻרֵי־יָם) are suggested as supernatural forces, in terms of 'the Lord' as the subject in v. 22 and on the basis of the Lord's promise in v. 17: 'This battle is not for you to fight'.<sup>158</sup> At the same time, they are thought of as 'human beings' on the basis of the usage of the term in the OT.<sup>159</sup> However, the other occurrences are different from this verse in that elsewhere human beings carry out the ambush. Thus, it would be more plausible to consider 'ambushes' as supernatural forces.

The first action of the Lord's ambushes is connected with חָרַח. The Ammonites and Moab stand to make 'separated' and destroy (שָׂמַד) the inhabitants of Mount Seir (v. 23). The ambushers, the Lord's agents, act through them. The use of שָׂמַד ('destroy') with חָרַח stresses the completeness of חָרַח (cf. Deut. 7.4, 23, 24; Josh. 7.12). This may be categorized as

155. P. C. Beentjes, 'Tradition and Transformation: Aspects of Innerbiblical Interpretation in 2 Chronicles 20', *Bib* 74 (1993), pp. 258-68 (258).

156. In Hebrew, the last denotes 'some of the Ammonites' (מִן־הָאֲמֹנִיִּים). However, it is not plausible that 'some of the Ammonites' follow 'the Ammonites'. Further, the LXX translates it into ἐκ τῶν Μωαβίτων. In this sense, all the commentators consider מִן־הָאֲמֹנִיִּים as 'some of the Meunites', for example, Japhet, *Chronicles*, p. 786; H. G. M. Williamson, *1 and 2 Chronicles* (NCB Commentary; London: Marshall, Morgan and Scott, 1982), pp. 293-4.

157. 'The Meunites' mentioned in v. 1 are identified as 'Mount Seir' in vv. 10, 22 and as 'the inhabitants of Mount Seir' and 'the inhabitants of Seir' in v. 23.

158. See W. Rudolph, *Chronickbücher* (HAT, 21; Tübingen: J. C. B. Mohr, 1955), 261; etc.

159. S. Japhet, *The Ideology of the Book of Chronicles and Its Place in Biblical Thought* (Frankfurt: Peter Lang, 2nd edn, 1997), p. 131; etc.

mandatory חרם because God has the initiative. The Lord specially completes this scheme of חרם through supernatural forces, even though human beings are used in the process. According to the general principle of mandatory 'separation' decreed in Deut. 7.1-26 and 20.16-18, it is no problem that Jehoshaphat and his people take the booty (v. 25). The purpose of this mandatory 'separation' is to save the Lord's people who trust him. As a result, the theme raised in Isaiah, that the Lord saves his people by making something or somebody mandatory חרם, reappears.

Scholars generally connect this text with Exod. 14.10-14, 20, 28, 30.<sup>160</sup> In addition, it will be necessary to think about the theme, viz. the Lord's salvation of his people by making some mandatory חרם. The connection of Isaiah 11-12 with Exodus 14-15<sup>161</sup> supports this thematic link between Isa. 11.15 and 2 Chron. 20.23. Like Exod. 14.13; 15.2; Isa. 12.2 (2x), 3, the Lord's action to save his people is identified with שׁוּתָה ('salvation') in 2 Chron. 20.17.

The last occurrence of חרם in 2 Chron. 32.14 appears within King Sennacherib's insistence on the Lord's impotence to save his people in 32.9-18 which is connected with 2 Kgs 18.13-19.13 (cf. Isa. 36.1-37.13). The two important terms in the latter passage (בטח and נצל) also occur in the former as follows: בטח in v. 10 and נצל in vv. 11, 13, 14 (2x), 15 (2x), 17 (2x). In v. 14, synthetically composed of 2 Kgs 18.29, 35; 19.10, 11, and 12, Sennacherib insists that his fathers make the nations separated (הַחֲרִימוּ); this is a similar statement to that in 2 Kgs 19.11. As we have seen in 2 Kgs 19.11 and Isa. 37.11, this חרם is an unlawful and pagan חרם because the nations do not belong to Sennacherib's fathers and because the kings of Assyria do not make the nations 'separated' to the Lord.

In relation to pagan חרם, the context shows the issue raised in 2 Kgs 19.11, which is whether the Lord's people can be saved and not 'separated' to foreign gods. The Lord sends an angel who cuts off all the mighty warriors and commanders and officers in the camp of the king of Assyria (2 Chron. 32.21a; cf. 2 Kgs 19.35). Then, in 2 Chron. 32.22, the Chronicler summarizes this event as follows: 'the Lord saved Hezekiah and the inhabitants of Jerusalem from the hand of Sennacherib king of Assyria and from the hand of all'. This is a clear summary which reveals the issue, related as it is to the Lord's saying to Hezekiah in 2 Kgs 20.6: 'I will save you and this city out of the hand of the king of Assyria.'

In Chronicles, we encounter four occurrences of חרם. In 1 Chron. 2.7, Achar is presented as the initiator of the deep-seated problem of the Israelites in the light of חרם. Then, an unknown event concerning the Simeonites is reported in 4.41 in a positive rather than a negative way. In 2 Chron. 20.23,

160. G. N. Knoppers, 'Jerusalem at War in Chronicles', in *Zion, City of Our God* (ed. R. S. Hess and G. J. Wenham; Grand Rapids: Eerdmans, 1999), pp. 57-76 (70, 73); etc.

161. See 3.a.

the Lord is described as saving his people who act upon their belief in him by making some people mandatory חָרַם. Lastly, in 32.14, it is reported that the Lord saves his people on the brink of their being made 'separated' to other gods. The cases in 2 Chronicles, according to Duke's 'major purpose of the narrator', rightly show 'blessing for Israel', which may be given to those who seek the Lord 'wholeheartedly'.<sup>162</sup> The Lord saves his people by making their enemies mandatory חָרַם and by preventing them from being pagan חָרַם.

#### 4.d. Summary

In the writings, certain themes from the prophets reappear. In Dan. 11.44 and 2 Chron. 32.14, first, the failure to make the Lord's people unlawfully 'separated' to pagan gods is dealt with; this appears in 2 Kgs 20.42; Isa. 37.11. Second, the salvation of the Lord's people by making some mandatory 'separation' occurs in 2 Chron. 20.23; this is dealt with in Isa. 11.15. Third, voluntary 'separation' in Ezra 10.8 offers a taste of the ideal eschatological community; this appears in Ezek. 44.29 (cf. Zech. 14.11). Also, we may identify such an aspect in the mention of the Meunites in 1 Chron. 4.41 who are seen as mandatorily 'separated' by the Simeonites.

### 5. Conclusion

In this chapter we have analysed the OT of *BHS* to find out what חָרַם is, how it has been applied, and whether any new issue arises in the process of applying the law of חָרַם.

What is חָרַם? It refers to action to separate the field, animal or people from common use or contact to the Lord and to the 'separated' things. Two different kinds of חָרַם can be categorized on the basis of the law of חָרַם in the Pentateuch. One is mandatory חָרַם. This is initiated by God<sup>163</sup> and its main feature is abhorrence.<sup>164</sup> It can be lawful only when it follows the Lord's commandment. People as mandatory חָרַם are put to death. What belongs to them depends on the Lord's command. The main reason to be made mandatory 'separation' is idolatry. Parenthetically, the attack upon God's people (1 Sam. 15.2-3), despising him (1 Kgs 20.42) and being an obstacle to saving his people (Isa. 11.15) can also be valid reasons.

<sup>162</sup> Duke, *Appeal*, p. 149.

<sup>163</sup> Exod. 22.20; Deut. 2.34; 3.6; 7.2, 26; 13.12-18; 20.16-18.

<sup>164</sup> Deut. 7.25-26; 13.14; 20.18.

Mandatory **חֵרֵם** is applied to the seven nations of the land of Canaan,<sup>165</sup> to Amalek,<sup>166</sup> to Ben-hadad, an Aramean,<sup>167</sup> to Babylon,<sup>168</sup> to Edom,<sup>169</sup> even to Israel<sup>170</sup> and eventually to all the nations.<sup>171</sup> Not only people but also properties can be the object of mandatory **חֵרֵם**.<sup>172</sup>

The other kind is voluntary **חֵרֵם**. It is initiated by human beings. It is most holy and never able to be substituted or redeemed or ransomed (Lev. 27.28). It can be lawfully given only when the owners make what belongs to them voluntary 'separation' to the Lord. Any thing or living creature can be 'separated' to the Lord (Lev. 27.21, 28). After it is given to the Lord, every voluntary **חֵרֵם** has to be put into the sanctuary to support the priests (Num. 18.14; Ezek. 44.29b). People as voluntary **חֵרֵם** have to be put to death (Lev. 27.29). In the OT, it is difficult to understand how to conceive of people as voluntary **חֵרֵם** because they have to be put to death and also put into the sanctuary (Lev. 27.28-29; Num. 18.14). Animals could either be killed or not (Lev. 27.28). Furthermore, they could be used whether alive or dead. Other properties would be put into the sanctuary for the priests (Lev. 27.21, 28; Num. 18.14; Josh. 6.19, 24; Ezek. 44.29b).

Voluntary **חֵרֵם** is applied to the Canaanites in the Negeb (Num. 21.2, 3), to the moveable properties in Jericho (Josh. 6.18 [2x]; 7.1 [2x], 11, 15; 22.20; 1 Chron. 2.7) and to the inhabitants of Jabesh-gilead (Judg. 21.11). The leaders of the exiled community intend to apply it to the moveable properties of the person who does not join the community meeting within three days (Ezra 10.8) but this application does not happen (10.9). Indeed, it is rarely applied.

Two instances of voluntary **חֵרֵם** are connected with lawlessness. In Jericho, the Israelites (Josh. 7.1, 11, 12 [2x], 13 [2x]) and Achan (Josh. 7.1, 15; 22.20; 1 Chron. 2.7) act unfaithfully in regard to voluntary **חֵרֵם**. Also, it is unlawful for the Israelites to make the inhabitants of Jabesh-gilead voluntary **חֵרֵם** (Judg. 21.11).

In connection with mandatory **חֵרֵם**, three essential issues are raised in the process of its application. The first issue is that it could be redeemed. Rahab and her family are redeemed (Josh. 6.17, 22-25). As a matter of fact, the Israelites' failure to make the seven nations mandatory 'separation' delays **חֵרֵם** of the seven nations. Eventually, all the nations including Israel are

165. Deut. 2.34; 3.6 (2x); 7.2 (2x), 26 (2x); 20.17 (2x); Josh. 2.10; 6:17, 18 (2x), 21; 8.26; 10.1, 28, 35, 37, 39, 40; 11.11, 12, 20, 21; Judg. 1.17; 1 Kgs 9.21; 1 Chron. 4.41.

166. 1 Sam. 15:3, 8, 9 (2x), 15, 18, 20.

167. 1 Kgs 20.42.

168. Jer. 50.21, 26; 51.3.

169. Isa. 34.5; 2 Chron. 20.23.

170. Deut. 13.15, 17; 7.12 (2x), 13 (2x); Isa. 43.28; Mal. 4.6.

171. Isa. 34.2; Jer. 25.9.

172. Deut. 13.15, 17; 1 Samuel 15; Isa. 11.15; Mic. 4.13.

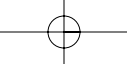
doomed to be mandatory חרם (Isa. 34.2; 43.28; Jer. 25.9). However, the whole theme of Isaiah and Jeremiah implies that the Lord's people, and some of all the nations doomed to be mandatory חרם, will be redeemed at the eschatological day. This is also supported by Ezek. 44.29b, in which mandatory חרם does not appear in spite of Israel's idolatry mentioned repeatedly, and by Zech. 14.11, in which it is pointed out that at that eschatological day there will never be mandatory חרם in Jerusalem, the city of the Lord's people.

The second issue is related to how mandatory חרם could be redeemed. In terms of Rahab and her family, Rahab's action based on her faith in the Lord makes their redemption possible (Josh. 2.1-21; 6.17, 25). Further, mandatory חרם could be redeemed through substitution by a ransom. Ahab and his people become a ransom for Ben-hadad, God's mandatory חרם, and his people (1 Kgs 20.42). In Isaiah, in relation to the servant of the Lord, this kind of ransom could be seen (Isa. 43.28; [44.1-8; 53.1-12; 65.9-10]). What is more, some mandatory חרם is initiated to redeem other mandatory חרם. The mandatory חרם of the tongue of the sea of Egypt in Isa. 11.15 is related to the redemption of the Lord's people. The חרם in Isa. 34.2, 5 could be regarded as this kind of mandatory חרם on the basis of 35.1-10. In Jer. 50.21, 26; 51.3, the mandatory חרם of Babylon is also linked with the redemption of the Lord's people called 'lost sheep' in 50.6 and 'a hunted sheep' in 50.17. The mandatory חרם of the inhabitants of Edom in 2 Chron. 20.23 also happens to redeem the Lord's people who trust in him. In addition to the redemption of the Lord's people through a ransom and mandatory חרם, in Ezekiel we can indirectly find the Lord's gift, namely 'a new heart' and 'a new spirit' in 36.26, as one method to redeem the Lord's people who also have to be mandatory חרם.

In conjunction with the second issue, we may consider the third: when can mandatory חרם be redeemed and when can it not? First, in Joshua we realize that action based upon faith in the Lord could be a reason for redemption from being mandatory חרם. The case of Rahab and her family illustrates this (Josh. 6.17, 22-25). Second, mandatory חרם can be redeemed when the Lord redeems it. This is simple and reasonable because the Lord initiates mandatory חרם. The case of Ben-hadad shows that mandatory חרם could be redeemed by a ransom. Two things support this second point. One is the Lord's salvation of his people through making something or somebody mandatory חרם (Isa. 11.15; 2 Chron. 20.23). The other is a function of the servant of the Lord as a ransom in Isaiah probably for mandatory חרם.

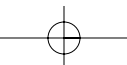
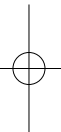
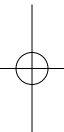
In relation to both kinds of חרם, there are two things that deserve to be mentioned. One is that voluntary חרם could become mandatory חרם. Achan's story shows this. Achan takes certain things out of being voluntary חרם but the result is that he, what belongs to him and what he takes become mandatory חרם (Josh. 7.1, 15, 24-26).

Another is linked with the picture of the eschatological time. Through the latter prophets, we may draw a picture of that time in terms of חרם. At that



time, the Lord will make all the nations except his people, even including their wealth, mandatory חרם (Isa. 34.2; Jer. 25.9; Mic. 4.13). However, there will not be mandatory חרם any more in his people's city (Zech. 14.11) but only voluntary חרם (Ezek. 44.29b). For this time, the Lord will send the prophet Elijah so as not to make the land mandatory חרם (Mal. 4.6 [3.24, MT]), which could be connected with John the Baptist in Luke 1.17.

Apart from mandatory and voluntary חרם, there is a kind of pagan חרם in 2 Kgs 19.11; Isa. 37.11; Dan. 11.44; 2 Chron. 32.14. All the passages except Dan. 11.44 indicate one event – Sennacherib's insistence that the kings of Assyria make all lands 'separated'. It could not be an example of the law of חרם but reveals an important issue: that the Lord has power to save his people from being 'separated' to other gods. Dan. 11.44 shows an eschatological picture in relation to pagan חרם which will fail.



## Chapter 3

### HEREM IN SECOND TEMPLE JEWISH LITERATURE

In this chapter, we will carefully look at certain Second Temple Jewish materials to consider whether the themes of the law of **חֶרֶם**, which we have found in the OT, are detected within them. As Second Temple Jewish literature we will consider the Hebrew, Aramaic and Greek writings starting from the books known as the Apocrypha, the documents found in the Dead Sea caves, the so-called Pseudepigrapha, the works of Josephus and Philo.<sup>1</sup> Through this synchronic approach, this study will look for any possible development of the application of the law of **חֶרֶם** among the Second Temple Jewish communities.

Each section of this chapter will be arranged in the order of mandatory, voluntary and pagan **חֶרֶם** and each part of the sections will be examined in the light of law/instruction, historical event and eschatological picture.

Of significance are the places where the term **חֶרֶם** appears in the Hebrew and Aramaic literature. In the case of the Greek writings, the Greek words employed in the LXX in relation to **חֶרֶם** can be basically used to locate the concept of **חֶרֶם**.<sup>2</sup> The analysis is designed to identify any continuity or discontinuity of **חֶרֶם** and its associated themes between the OT and these writings. Moreover, it will be helpful to see in the following chapter what similarities or differences there are between Luke-Acts and these writings in terms of the concept of **חֶרֶם**.

#### 1. **חֶרֶם** in the Apocrypha

The books called the Apocrypha are usually thought of as written in the intertestamental period and are considered to reflect traditions that developed out of the Scriptures.<sup>3</sup> Further, the fact that all the three uncial manuscripts,

1. We take this order of texts because the Apocrypha seem to reflect the concept of **חֶרֶם** more than the others and, then, in the order of the DSS, the Pseudepigrapha, Josephus and Philo. Further, the present structure of the Apocrypha, the DSS and the Pseudepigrapha is based on a convenient way these writings are being discussed today.

2. The concept of **חֶרֶם** refers to the four categories of **חֶרֶם** and the five related themes. See Table 4.2.

3. E.g. D. A. deSilva, *Introducing the Apocrypha: Message, Context, and Significance* (Grand Rapids: Baker Academic, 2002), p. 16.

Codices Sinaiticus, Vaticanus and Alexandrinus, have both a Greek translation of the OT and also the Greek Apocrypha not only supports a close relationship between the Apocrypha and the OT but also gives us a useful method of examining the Apocrypha on the basis of the way the Greek equivalents for  $\square\aleph\aleph$  are employed in the LXX. Moreover, the analysis of the Greek Apocrypha can be easily compared with that of the NT, which also reflects traditions that developed out of the Scriptures, because the Apocryphal books and the NT were circulated in the same language during the first and early second centuries.

According to Ferguson, the Apocrypha includes 1 Esdras, 2 Esdras, Tobit, Judith, Additions to Esther, Wisdom of Solomon, Sirach (Ecclesiasticus), Baruch, Letter of Jeremiah, Prayer of Azariah and Song of the Three Young Men, Susanna, Bel and the Dragon, Prayer of Manasseh and 1–2 Maccabees.<sup>4</sup> NRSV adds 3–4 *Maccabees* and Psalm 151 to Ferguson's list by the name of the Apocryphal/Deuterocanonical books. We will examine the Apocrypha which the NRSV adopts.<sup>5</sup> The exception will be with regard to 2 Esdras because the Greek translation, not to mention the Hebrew text, of 2 Esdras has not survived.<sup>6</sup>

The LXX uses ten words for  $\square\aleph\aleph$  of the MT: *ἀνάθεμα*, *ἀνάθημα*, *ἀναθεματίζω*, *ἀπώλεια*, *ἀπόλλυμι*, *ἀφορίζω*, *ἐξολέθρευμα*, *ὀλέθριος* and *ἄρδην*. Out of the ten words, only three are used for the verbal form of  $\square\aleph\aleph$ : *ἀνάθεμα*, *ἀναθεματίζω* and *ἀπόλλυμι*. In addition to these three, the verbal form is mainly parallel to *ἐξολεθρεύω*, and to *ἀνατίθημι*, *ἀποκτείνω*, *ἀφανίζω*, *ἀφανισμός*, *ἐξερημόω*, *ἐρημόω*, *θανάτω* *ὀλεθρεύω* and *φονεύω*.

The nineteen Greek equivalents used in the OT LXX ('the Greek equivalents')<sup>7</sup> can be categorized as four groups, A, B, C and D, according to the extent of their connection to  $\square\aleph\aleph$  in the OT. We evaluate their extent in terms of the percentage of each equivalent. The higher the percentage is, the more the Greek equivalent could be connected with  $\square\aleph\aleph$ . Each group will be arranged at first according to the percentage and then according to the occurrences of 'the Greek equivalents' in the OT LXX.

The five equivalents, *ἀνάθεμα*, *ἀναθεματίζω*, *ἀνάθημα*, *ἐξολέθρευμα* and *ὀλέθριος*, are 100 per cent linked with  $\square\aleph\aleph$ ; this implies an absolute

4. E. Ferguson, *Backgrounds of Early Christianity* (Grand Rapids: Eerdmans, 2nd edn, 1993), pp. 414–22.

5. For the reason for adopting the list of NRSV, see deSilva, *Apocrypha*, p. 19.

6. According to J. H. Charlesworth (ed.), *OTP* [2 vols; London: Darton, Longman and Todd, 1983–5] 1, p. 519, '[a] tiny scrap of papyrus found at Oxyrhynchus, dating from about the fourth century (Poxys 1010), preserves the text of 15:57–59.' However, the text belongs to 'the relatively clear Christian expansions to 4 Ezra (so-called 5 and 6 Ezra)': J. H. Charlesworth, *The Old Testament Pseudepigrapha and the New Testament* (repr., Harrisburg: Trinity Press International, 1998 [1985]), p. 36.

7. Henceforth, 'the Greek equivalents' refers to these nineteen Greek equivalents for  $\square\aleph\aleph$  employed in the OT LXX.