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„Juda wird aufsteigen!“: Untersuchungen zum ersten Kapitel des Richterbuches

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The highly readable and very thorough analysis of Judg 1:1–2:5 puts an understanding of the difficult chapter at the transition from the Hexateuch to the other historical books on a new foundation. The analysis was presented as a doctoral thesis in Göttingen under the supervision of Rudolf Smend, and the author’s studies with Thomas Willi have also clearly left their mark. Other important contemporary discussion partners were A. Graeme Auld, Uwe Becker, and Erhard Blum, while among past scholars the author is indebted to Gottlieb Ludwig Studer, Karl Budde, and, of course, Albrecht Alt.

One of the most important sources for Alt’s construction of the early history of Israel was the so-called *negative Besitzverzeichnis* in Judg 1:21, 27–35, that is, “the list of notes which place on record the failures of the tribes in their attempt to settle Canaan” (thus A. G. Auld’s translation). It is from the settlement geography indicated there that the cultural and religious antagonism between Israelites and Canaanites, which for Alt was fundamental, can most clearly be deduced. The idea of a northern and a southern cordon of “Canaanite” city-states has its textual basis here. The *Verzeichnis* or “list” genre seemed to speak in favor of the source’s reliability. An additional point was the contrast to the idealized presentation of the settlement in the book of Joshua. However, this judgment has always come up against the fact that the text of Judg 1 as a whole is evidently late,

since it presupposes the secondary separation of the books of Joshua and Judges. An early date for the *Verzeichnis* can be assumed only if Judg 1 is viewed as “a conglomerate of fragments of early tradition” (74, quoting M. Noth). The *negative Besitzverzeichnis* would in its present context have to be a reused stone from an earlier building—a *spolium*, as Matthias Köckert aptly calls it. To prove or disprove this is a task not so much for form and genre criticism as for an enquiry that would examine the literary coherence of the whole.

The result of this examination is negative. According to Mareike Rake’s investigations, there can no longer be any question of a *Verzeichnis*, or list, in the more precise sense. “No two of these notes are constructed alike” (30, quoting A. G. Auld). “This is not a register and not a list; it is a narrative” (34, quoting S. Mowinckel), a tale that gives the impression of being late and imaginatively conceived. What proves to be a key is that large parts of the *Verzeichnis*, but not all, have word-for-word correspondences in the book of Joshua (Judg 1:21, 27–29, 34–35 par. Josh 15:63; 17:11–12; 16:10 and 19:47–48 LXX). The individual facts prove to be differentiated (59–60). In the case of Jerusalem, which, according to Judg 1:21, was not taken, Josh 15:63 must be given priority, in Rake’s view. The change of subject from Judah (Josh 15:63) to Benjamin (Judg 1:21) is supposed to free Judah from the reproach of incomplete settlement (42). On the other hand, in the case of the cities that were not taken by Manasseh (Judg 1:27–28 par. Josh 17:11–12) and by Ephraim (Judg 1:29 par. Josh 16:10), Judg 1 must be assigned priority, with the proviso that Judg 1:27 has evidently been influenced to some extent by Josh 17:11.

These observations show that the *Verzeichnis* is not a literary unity. There can no longer be any question of a previously existing tradition. This is all the more the case since the final section of the *Verzeichnis* (Judg 1:30–33) has no parallels in the book of Joshua. It is not that these verses have, perhaps, been left out; they have been added to Judg 1 later. This can be deduced from the fact that the comment about the forced labor in verse 35b relates to the house of Joseph—that is to say, it joins factually on to verse 29. It is above all the section of the *negative Besitzverzeichnis* in which “the highest degree of stereotype can be established” and where the “asyndesis at the beginning of the verse” most readily suggests “the style of documentary lists” (61), which is probably also the latest.

With this interpretation, Judg 1 drops rapidly through many centuries—from the period of the settlement to the middle of the Persian era. The redaction-history coordinates permit no alternative. The possible reason would also accord with this period. “The programmatic separation from the country’s previous inhabitants as well as the Judah-Joseph antagonism ... suggest an interpretation which brings us to the historical situation of Judah in the Persian era” (142). Judges 1 reflects the consolidation of Judah, as well as the separation from the country’s non-Judean inhabitants and the accompanying dispute

with the former northern kingdom. This historical setting makes it possible to explain many details in the difficult chapter. At the same time, it is also a temptation to overinterpretation.

Before the chapter was extensively expanded, it concentrated, essentially speaking, on two complexes: verses 1–21 talk about Judah, verses 22–36 (without vv. 30–33) about “the house of Joseph.” Here the southern and northern kingdoms can be recognized, as well as their successors, the provinces of Yehud and Samaria. They are put in order of precedence, Judah being given priority. The chapter is divided from the beginning into these two halves, for the Joseph part could not exist without a preliminary text, while the Judah part demands a continuation. It begins with the question: “Who shall go up *first* for us?” At the same time it shows “that Judah ... [is thought of] as the representative of all Israel” (76).

The Judah half in itself includes several “crass contradictions” (74, quoting G. L. Studer), which can be explained only by historical development. The text is even heterogeneous in several places and must have grown up in a series of steps. The most glaring case is the conquest of Jerusalem, which in verse 8 is attributed to the Judeans and is supposed to have been successful, while in verse 21 it is put down to the Benjaminites, who are supposed to have failed. Another example: according to verse 18, the Judeans conquered Gaza, Ashkelon, and Ekron but, according to verse 19b, were unable to drive out the inhabitants of the plains. The details are so difficult that Rake does not claim that to have arrived at a clear solution. At the same time, she has succeeded in arriving at important insights. Here parallels in the book of Joshua have again proved helpful. The conquest of Kiriath-sepher by Othniel in Judg 1:12–15 has been taken over from Josh 15:15–19. This can be seen from the role of Caleb (80–81), whose sudden appearance in Judg 1:12 can only be explained on the basis of Josh 15:13–14, where the conquest of Hebron is ascribed to him, while according to Judg 1:10–11 it is in the hands of Judah. However, since Rake sees Judg 1 as having priority in the case of Judg 1:10–11 (par. Josh 15:13–14), the relationship is not a simple one here either.

As a help, one can try conversely to arrive at an essential minimum form for the text (83–90; see appendix, 156). For this, verses 1aβγג, 2a, 4a, 5–6, 8b, 10a, 11, 19, 21 come into question. The Judeans enquire of Yahweh and are told that Judah should go forward. They subjugate the Canaanites. At Bezek there is a battle with Adoni-bezek. He flees, but the Judeans pursue him and cut off his thumbs. Then they burn his city. The conquest of Hebron and Debir follows, and finally of the whole mountain region. Only Jerusalem is left, which the Benjaminites fail to conquer.

On the side of the house of Joseph, Rake leaves verses 22a, 23b–26, 27a*, b, 29, 34a, 35 as belonging to the original text: the people of the house of Joseph also set off into the mountains and attack Bethel. But they can only conquer the city through cunning, by persuading one of its inhabitants to show them a way of access. As a reward, they let him go, so that he can found a new city “in the land of the Hittites.” Manasseh, as part of the house of Joseph, does not expel the inhabitants of Dor, Ibleam, and Megiddo, and Ephraim does not drive out the inhabitants of Gezer. The Danites are forced into the mountains by the Amorites. Finally, the men of Joseph are subjected to forced labor by the Canaanites.

The contradiction between the extent of the promised land and the actual area in which the Israelites settled according to Judg 1 can be explained in two ways. Understood in a favorable sense, the claim is that these areas are also part of the land that Yahweh promised the Israelites, even if they are (still) inhabited by non-Israelites. Understood in a sense detrimental to the Israelites, they are being reproached with having failed to fulfill the command to annihilate the previous inhabitants. The incompleteness of the occupation then becomes a variant of the prohibition of alliance and intermarriage (cf. Judg 2:2). It is this latter interpretation that determines Rake’s picture. I am not sure that it is entirely justified.

Rake sees the statement in 1:21 that the Benjaminites were unable to conquer Jerusalem as an accusation “that they have failed to implement the annihilation of the Jebusites commanded in Deut 7:1” (39). But Deut 7:1 mentions the Jebusites only as part of the stereotyped list of peoples, and their annihilation is not commanded but is promised as an act on Yahweh’s part. Rake also interprets the way in which Bethel is conquered as infringing the prohibition of alliance: the people of the house of Joseph persuade an inhabitant of the city to betray the way in and afterwards let the traitor escape so that he can even found a new “Canaanite” city. But in order to interpret verses 22–23 in this sense, Rake has to mutilate the text: “And the house of Joseph went up [they also, against Bethel; and Yahweh was with them. And the house of Joseph sent to spy out] against Bethel.” According to Rake, the parts of the text in brackets, that is, the equating with Judah (“they also”), the help of Yahweh, and the obvious link with the spies in Josh 2, were added later. This analysis ignores the indication given by the doublet in verse 23. This shows that the join is rather to be found between verses 22 and 23: “And the house of Joseph went up, they also, against Bethel; and Yahweh was with them. [*And the house of Joseph sent to spy out against Bethel...*].” The spy episode *as a whole* constitutes the addition. But the earlier text must have read: “And the house of Joseph went up, they also, against Bethel; and Yahweh was with them, and they smote the city with the edge of the sword” (vv. 22, 25aβ). The circumstance that the house of Joseph resorted to a trick

cannot be interpreted as an infringement of the prohibition of alliance; it must be read just as positively as in the case of Jericho, which provided the model.

With this premise, the incomplete conquest of the land must also be interpreted, contrary to Rake's view, in favor of the Israelites. The incompletions in the settlement are simply an inescapable expedient so that the following (earlier) historical account can still make sense. "If Jerusalem had already fallen completely into Jewish hands in the course of the occupation, David's move against the former Jebusite city would have become superfluous" (41). Exactly! That applies not only to Josh 15:63, as Rake concedes, but also to Judg 1:21, especially since in Judg 1 the relation to David's conquests is obvious. At that time every reader would have seen Judg 1:1–2 as a reference to 2 Sam 2:1. For a similar reason Ephraim could not be permitted to have conquered Gezer (Judg 1:29, cf. 2 Sam 5:25; 1 Kgs 9:16).

All the information about the forced labor has also to be interpreted in favor of the Israelites. Rake suggests interpreting the phrase **כבד יד** in verse 35b in the sense of "slow to move." That would mean: because the house of Joseph was militarily inactive instead of advancing against the Canaanites, it became subject to Canaanite forced labor. But this interpretation is untenable, as other uses of the phrase show (see esp. 1 Sam 5:6). Even though the highly abridged statement leaves room for interpretation, it must have been the hand of Joseph that lay heavy *upon the Canaanites*, so that *they* became subject to forced labor. No other interpretation is possible. This brings verse 35b into accord with the notes about forced labor in verses 30b β , 33b and especially verse 28, where Solomon probably provided the model (cf. 1 Kgs 9:21).

This does not mean that I would dispute that the assertion of Judah's precedence is an important aim in Judg 1, but the stress is given rather through the sequence of the events, and it is not necessarily linked with discrimination against the house of Joseph. For the title of her book, Rake has taken God's words in verse 2: "Juda wird aufsteigen!" = "Judah shall rise up," but the Hebrew **יְהוּדָה יַעֲלֶה** must in fact be translated "Judah shall go up."

Of great interest are the insights Rake has arrived at with regard to Judg 2:1–5 (102–24). Following Erhard Blum, she shows that the angel scene is related not to Judg 1 but to Josh 1–11. The whole intermediate text proves to be later, including above all Judg 1. The center of the angel's speech is the prohibition of alliances with the indigenous people. The comparison with Deut 7 and Exod 34 leads to the surprising conclusion that Judg 2 may well represent the earliest version of this prohibition. Judges 2 also provides the earliest instance of the instruction to destroy the altars of the previous inhabitants, and in Rake's view it has been taken over from there to Deut 7:5; Exod 34:13; Deut 12:3; and 2 Kgs

23:14. As Judg 2:1–5 developed, the accusation was then added and, in a third step, the resulting punishment: Yahweh refused to drive out the previous inhabitants.

On the basis of Judg 2:1–5, it is possible to define more precisely the connection between the books of Joshua and Judges as well as their separation. Judges 2:1 links on to the note about the release of the people in Josh 24:28, “for in the narrative context the arrival of the **מלאך יהוה** presupposes the audience of the assembled Israelites” (127). In verse 6 the note is repeated in order to provide the link. It is only much later that the death of Joshua is repeated in Josh 24:29–31, following Judg 2:7–9. The present end of the book of Joshua marks the end of an epoch. “At the end of Josh 24 the ... intention to construct a historiographical and literary continuity between the periods of Joshua and the Judges has apparently given way to the attempt to construct as definite a demarcation as possible between an era of salvation marked by faithfulness to YHWH and the succeeding fateful history of apostasy” (131).

Judg 1:1 presupposes the death of Joshua according to Josh 24:28–31. Has the basis of the chapter therefore “been written basically in connection with the separation of the books” (131)? Unlike A. G. Auld, Rake shrinks from this radical conclusion and explains the time indication—“After the death of Joshua”—as a later addition. But this is of course no more than a possibility; there is no formal argument for it. I am doubtful as to whether the textual sequence Josh 24:28–Judg 1:1a β makes good sense: “So Joshua sent the people away, every man to his inheritance. And the people enquired of Yahweh, ‘Who shall go up first for us against the Canaanites, to fight against them?’” Why is Joshua suddenly missing, so that the Israelites are compelled to question Yahweh directly? To me the unavoidable conclusion would seem to be that the very basis of Judg 1 is already bound up with the redactional process in which the Hexateuch and the book of Judges were separated.

The conclusions that ensue are breathtaking, for Rake must surely be right (contrary to Auld and others) in contending that Judg 1 was for the most part the source text for the Joshua parallels, not vice versa. The tribal concept in Josh 13–22 did not exist at the time when the books were separated. The same is probably true of large parts of the picture of the history of God’s people drawn by the book of Numbers. Judges 1 is instead most closely related to the non-Priestly sections of the book of Genesis. There too the land is presented as being settled by the Canaanites (see Gen 12:6; 13:7; 24:3, 37; 34:30; 50:11), there too the precedence of Judah is stressed (Gen 37:26–27; 38; 43:3–5, 8–10; 44:14–34; 46:28), and it is there that the term “the house of Joseph” (Gen 50:8) originates. The erroneous hypothesis that Judg 1 belongs to the source J (Wellhausen, Eduard Meyer, Stade, Budde) was not merely a postulate but could be based on observation.

The book of Judges and the period of the judges are two different things, as a study of Judg 1:1–2:5 best shows. The era of the judges as “historiographical construction” (134) only begins after Joshua’s death, Judg 2:7–9. It is conceived from the outset as a bridge between the era of the settlement and the period of the monarchy (135). Recently the view has become prevalent that this bridge was not already formed by the redaction of the Deuteronomistic History but that the book of Judges was inserted at a later point (R. G. Kratz, E. Aurelius, and others). Rake also maintains this position but does not help to make it more probable, for the settlement is also a historiographical construction and not an “original account” (135). What (literary) end could it have had without the era of the judges?

The impressive synthesis with which Rake concludes her study shows rather the exact opposite, that it was only through the distinctive form later given to the era of the judges that a caesura was made, dividing the epochs of the hexateuchal era of salvation from the historical time of Israel, a caesura that in the course of theological reflection came, step by step, to be increasingly marked. Judges 1 becomes “the unsuccessful sequel to the settlement,” “the idea of the uncompleted settlement ... [becoming] the negative aetiology of the era of the Judges” (140). Nevertheless, the text remains ambivalent—it is precisely that which makes it so difficult and so interesting, for the references to David’s conquests form a direct bridge to the (positively interpreted!) era of the monarchy: “With Judg 1*, Judah’s history ... leads from the settlement by way of the era of the Judges directly to the Davidic monarchy” (141). With the introduction secondarily put in front of the book, the period of the judges was marked an epoch of apostasy and at the same time blotted out of history.

With her distinctive picture of the literary history of Judg 1, Mareike Rake has succeeded in making a new beginning in this stony and often-ploughed field. Her study offers highly important stimuli for work on the redaction history of the book of Judges, as well as for research into the Hexateuch and the Deuteronomistic History, and will fundamentally influence further work.