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JUDGING JUDGES: A COMMENTARY OF JUDGES 19

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by
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ABSTRACT

This paper is a thorough commentary on Judges 19. It examines the past scholarship of this chapter from a literary angle as well as an historical-critical view. It presents a translation and discussion of the text as well as a discussion of characterization in the narrative. Within this thesis, I present several arguments: first, I show that the incorporation of Judges 19 into a pre-deuteronomistic collection is not unlikely. It is in fact more unlikely that Judges 19 was a late post-exilic addition. Secondly, I attribute to the Deuteronomistic Historian the anti-Saul polemic as he is presenting Judges 19 as the beginning of a new era in Israelite history. I conclude this paper by presenting and developing the relatively new theory of Ken Stone which presents the story not as a narrative concerning sex but as a narrative involving male-by-male rape for the purpose of humiliating the גרים (sojourners) who are present in the text.
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In Memoriam of

My Beloved Grandfather
Rev. Paul Hazlett

In Isaiah 6:8, it is written:

וַאֲשֶׁר עָשָׂה ה' קֶרֶם אָמָר, אֵלֶּה הַקֶּרֶם אָמַר אֱלֹהִים, וְשָׁלֹחֵנִי

for his Master, and mine.

In Luke 10:2, it is written:

'έλεγεν δὲ πρὸς αὐτούς ὁ μὲν φερισμὸς πολὺς οἱ δὲ ἐργάτοι ολίγοι

for his Master, and mine.
I. Introduction

I first began studying Judges 19 with a hope of fleshing out the character of the concubine woman; to lend her a voice and to better understand why our narrator—though surrounded by women such as Deborah and Jael—chose to give her no consideration at all. But in reading the narrative, I began to realize its great complexity. And still, after several years of research, I have only begun to scratch the surface of this fascinating Biblical narrative. Thus, I present the present project: a commentary on Judges 19.

The purpose of this paper is to act as a thorough commentary on Judges 19. While it cannot touch on all the issues presented in this passage, it shall examine this chapter exegetically, socio-critically, literarily, text critically, and theologically. It is only in the combination of all scholarly disciplines that we may come to fully realize the meaning and social background behind the present passage. I shall argue several points in this paper: the first point offers that the narrative of Judges 19 should be placed back in its original context, that is with the pre-deuteronomistic material of Judges 3-16. There is no legitimate reason to place Judges 19 with a separate redactor or to separate it as an exilic or post-exilic appendix or addition. Within the Deuteronomistic History, Judges 19-21 was used as an introduction to Saul’s heritage, as well as a preparatory opening to a new period in Israelite history. I shall also present a relatively new theory regarding the social situation presented in Judges 19. While hospitality or homosexuality are often believed to be reflected in these passages, the sexual situation is in reality a use of male passivity, that is male-by-male rape for the purposes of humiliation. Thus, the passage has nothing to do with sex or lust but rather it has to do with rape. The men of the town of Gibeah asserted their dominance over the Old Man
as well as the Levite because they are sojourners.¹ This use of rape has been a common form of control not only in the ancient Near East but throughout the world as establishing shame and dominance. These two conclusions are of critical importance when discussing and reviewing Judges 19, for they bring a new and distinctive light to the passage.

The book of Judges describes the time period between the Israelites coming into the land and finally becoming an established kingdom. Each tribe has a set geographical location in the book of Judges and the book of Joshua depicts the Israelites’ battle to control the land they believed was set aside for them. Despite their best efforts at holy war, the Philistines, the Canaanites, and several other peoples still inhabit the land. This is due to the failure of the Israelites to correctly follow the laws laid out for them for holy war.

Judges then begins with this situation. In chapter 2:11-23 the reader is told what is to come: due to their inability to rid the land of its inhabitants the Israelites will often be seduced away from YHWH by other gods (vs. 11-15). YHWH would thus hand the apostasy-committing Israelites over to an invading nation and they would be subdued (vs. 14-15). After several decades of subjugations, the Israelites would cry out to their god. YHWH, being moved to pity (vs. 18), would then raise up a judge (hence the name of the book) who triumphed in his name (vs. 16-18). This judge would return stability and autonomy to Israel until the people forget again (vs. 19). This is what is considered as the framework of Judges. Many of the narratives are housed in this

¹ It is very likely that the Levites mentioned in Judges 17-18 as well as 19-21 are not in fact the Levites we have come to know through the P text.
framework. It thus places the diverse narratives into a theological and connected whole. These narratives were probably interspersed oral stories at one time. Each tribe may have had a unique narrative about a Judge from their tribe! But this is all speculation.

Despite the probable disparate provenances of these original narratives, there can be little doubt that the compiler/redactor who brought them all together and designed the framework in which they now sit\(^2\) believed that the stories had a common thread amongst them all. That is, he intended them to be read together. Thus he gave them all a common context in the form of a framework. As we progress through the book, the framework breaks down as Israelite society breaks down; each of the stories becomes steadily more dire and perverse until it culminates in the final ending of civil war.\(^3\) As Daniel Block puts it, the “Canaanization of Israelite society was complete.”\(^4\) Judges 19 seems to be the beginning of that hasty end.

\(^2\) This may or may not have been the same compiler/redactor.


II. Translation

Judges 19: 1-30

And it was in those days that there was no king in Israel. There was a Levite man who was sojourning on the far side of the hill of Ephraim. He took for himself a wife as a concubine from Bethlehem (in) Judah.

5 Pîlegeš is a loan-word into Hebrew. Rabin in “The Origin of the Hebrew World pîlegeš” Journal of Jewish Studies 25 (1974): 353-364 hypothesized that the word could be Philistine in origin. However, it is probably Indo-European. Cf. in Greek pallakê, and in Latin as paëlex though the word concubina also exists, akin to it. While in Greek the word refers to a woman who is unmarried, coming into the Hebrew vernacular, it clearly (according, at least, to our extant texts) refers to a ‘second wife’ of some sort and we must be wary when associating all our connotations of ‘concubine’ with pîlegeš. However, because it is the most common translation and most well-known, I have continued to utilize the word ‘concubine’ to translate pîlegeš.

It is mentioned over a dozen times in the Old Testament, mostly in reference to such wealthy kings as David and Saul. See 2 Sam 5:13; 15:16; 16:21-22; 19:5; 20:3; 3:7; 21:11; 1 Kgs 11:3; 1 Chr 1:32; 2:46, 48; 7:14; 11:21; 2 Chr 11:21; Esth 2:14; Song 6:8-9 and Dan 5:2-3, 23. Other than these references, it is mentioned in patriarchal narratives: Gen 22:24; 35:22; 36:12; 25:6. In several of these references a difference is made even between a concubine and a second wife. Therefore, to translate ‘second wife’ for pîlegeš is imprecise. These types of distinctions are not fully understood. Perhaps the difference was only in the letter of the law; it may be a concubine’s family had less dowry to give, or she had less rights within the family. In many instances, they are well-respected members of the household and given a great deal of responsibility (see 2 Sam. 15:16 in particular). By definition, they are not virgins. For example, after Esther and the others within the harem spend the night with the king they are escorted to the harem of the concubines. Esther thus makes the transition from a virgin harem, to the concubine’s harem, and finally to the wives of the king. In all the above cases, the man has at least one other wife besides his concubine.

A concubine’s status in the family differs in the above accounts. The sons of the concubines of Esau were given an inheritance along with the sons of his primary wife whereas the sons of the concubines of Abraham did not receive an equal inheritance. This data, while appearing contradictory, actually is not at all. It indicates the status of a pîlegeš was entirely dependent upon her husband.

But all the above begs the question: if the Levite in our story has a pîlegeš where is his first wife? But, simply because she was not mentioned in the text does not mean she did not exist. And, for the purposes of the story, we must assume that she did indeed exist. However, she is of minor importance to the story. Due to the considerations above, the most logical assumption as to why this woman is labeled in this way is to provide a context for the later actions of the Levite, her husband. It is very possible that this woman “needed” to be a pîlegeš for the narrative’s sake, because a first wife would never have been treated (or been allowed to be treated) as carelessly as this Levite will later treat his concubine. The treatment of a pîlegeš, however, would have been entirely at the discretion of her husband.

6 Waw-consecutive of יָקַט yaqut pluperfect; often used in past-time narratives to indicate completed action. ‘He had already taken.’ Ronald William, William’s Hebrew Syntax (rev. and enl. ed.; Toronto: University of Toronto Press, 2007), 75.

This theology is clearly separate from the theology of the writer of 1 Sam 8 who very clearly states that YHWH was king over Israel, and to request an earthly king was tantamount to rejecting him. Here this writer is clearly pro-monarchical. This is contra Robert Boling, *Judges* (The Anchor Bible Commentary 6; New York: Doubleday, 1969), 273.

Qal participle of לֵו . The importance of this term will be discussed in section VIII below.

Used most often in OT to refer to the deepest recesses of a cave (1 Sam 24:4) or a house (Amos 6:10) or deep within a grave (Ezek 32:23). It is used only once more in Pss 128:3 to refer to the side of a mountain. In the psalm it seems more likely to be translated as “summit” or “highest point.” Here, it may refer to the far side of the hill-country of Ephraim or the summit of the hill-country of Ephraim. But, the word does not seem to be a specific geographic location. The LXX refers to the “thighs” of the hills of Ephraim: μήροις ὄρους Εφραίµ.

The two terms are in “genus-species” apposition as per Williams, *Hebrew Syntax*, 26. Hence the translation “a wife, (that is) a concubine.” Mieke Bal makes an interesting point in *Death and Dissymetry: The Politics of Coherence in the Book of Judges*, (Chicago: The University of Chicago Press, 1988), 81 that the girl is not ‘a concubine from Bethlehem’ as this would mean that she was already married and already held the position of concubine in Bethlehem. Rather, she is a woman from Bethlehem, who was taken to be a concubine. The phrasing here is awkward, as it is trying to tell us her status as a woman from Bethlehem, not her status as a woman in Bethlehem. He took her to be a wife, that is, his concubine. Though I certainly recognize that “wife” and “concubine” are in apposition to one another, for clarity’s sake I have translated: “a wife as a concubine from Bethlehem in Judah.”

Waw-consecutive. The Akkadian ḥēnu “to be angry” should also be considered, as the BHS suggests. See CAD Z: 85. The MT reads הָעָנָה. Despite this, most translations read: “played the harlot against him” or “was unfaithful to him” due to the use of the הָעָנָה within the remainder of the OT. It is often used in prophetic contexts referring to the manner in which Israel treats God, their father. See for instance: Gen. 34:31; 38:15; Exod. 34:16; Lev. 19:29; 21:7; 21:9; Deut. 22:21; Josh. 2:1, 6:17, 22; Judg. 2:17, 8:27, 33; 2 Chr. 21:11, 13; Isa. 57:3, Hos. 1:2 along with many other instances. In the over 60 uses of this word in the Hebrew, it always has meant “to play the harlot” or to “commit fornication.” There can be little misunderstanding as to its meaning. However, it is important to note that in none of these cases (except this one in Judges 19) is the verb used with the preposition לָע . Now, the Greek in the above instances always uses ἐνοπὸν, or just ὀποκάλυψις “to commit sexual immorality/fornication” to translate this Hebrew word. But not here in our passage.

Boling, *Judges*, 274 offers that the woman may indeed have become “angry” with her husband, but by walking out on him she has, in essence, committed adultery as Israelite law does not allow a woman to initiate divorce. But, the linguistic evidence, presented below, does not bear out this interpretation.

It is only here, in Judges 19, that the LXX does not use the standard word for the Hebrew מְנַה . Except, that is, in Judges 19. Here, Rahlfs LXX as well as Brooke and McLean’s LXX uses the LXX B (that is the Vaticanus) which translates πορνεία—which usually used to translate the Hebrew מִנַּה . It reads: καὶ ἐνοπὸς τῆς αὐτῆς ἀπεξερχόμενη “she traveled/lived apart from/journeyed away from him” (my translation). This is in fact translation the second half of the verse, that is ἡ αὐτῆς ἀπεξερχόμενη. This shows that the LXXB either has skipped מְנַה altogether or its Vorlage did not contain the detail!

Interestingly, the LXX A (that is, Alexandrinus) and LXX M (Coslinianus), as well as almost all of the cursive manuscripts, the Armenian, Syriac, the Vulgate and Ethiopic manuscripts do not skip these first couple of words, and rather reads ἔφτισεν ἑαυτήν “become angry; furious” which usually stands for the Hebrew מְנַה . Due to these translations, it stands to reason that no Greek copyist was looking at the Hebrew מְנַה. Moreover, if
Now, it was that his concubine rejected him and she went away from him to the house of her father, to Bethlehem in Judah and she was there four months.

But her husband up and went after her in order to encourage her, in order to bring her back. His servant was with him and a pair of donkeys. When she brought them [into] the house of her father and when the father of the girl saw him he was glad to meet him.

It was the woman who had committed adultery it is very unlikely that the husband would be making overtures of good will in the hopes of bringing her home to him.

But then, what were the Greek writers looking at? It seems most likely that they were looking at the Hebrew נָעַם with a final הַעַמ rather than a final הָעַמ. This would also necessitate the final vowel to change from a סֵגוֹל to a פַּתָּח. This is an easy scribal error indeed, and would be supported by the Greek translations. Thus my translation “She rejected him.” This curious independence of the woman is very interesting and flows much more into her actions: she rejected him and returned from whence she came before she married him, that is, her father’s house.

This is a very awkward phrase and is not typical of the Hebrew expression for days or months. Soggin offers an attested Palestinian vocalization which reads “and here she stayed for one year and four months.” Judges 17:10 uses יָמִים to refer to ‘year’ rather than ‘days.’ Alberto Soggin, Judges (The Old Testament Library; Philadelphia: The Westminster Press, 1981), 284. However, I believe it more likely that the sentence is simply in an awkward apposition: she stayed there many days, that is, four months” to place it in our vernacular: ‘she stayed there a whole/complete four months.’

The qerē here is לָשׁוּךְ which corrects the ketib לְשׁוּךְ. George Moore, Judges (International Critical Commentary; New York: Charles Scribner’s Sons, 1985), 274 believes that this qerē undoubtedly restores the original text. However, the motivation for changing the suffix probably arose from the need to correct the misunderstood circumstances of the text’s story. If she was the one committing fornication, it would not be he who would go to her in the attempt “to bring her back” (as the qerē reads) but rather he came due to his wife’s invitation. Her invitation was an attempt for her “to bring him back.” However, there has also been suggested that the word itself ought to be לָבַש rather than לָבַש. Thus the suffix would remain the same, the translation being: “in order to restore it (meaning, her heart)” Moore, Judges, 274. This seems unlikely because the Greek bears out the MT qerē.

For a similar construction and meaning see: Gen. 34:3; 50:21; 2 Sam. 19:7; Hos. 2:16; Isa. 40:2; Ruth 2:13. The phrase always connotes a kindly tone and, more importantly, encouragement. Thus my translation. The fact that he is making the first move to speak to her, to encourage her with the intent of bringing her back to his home indicates that he was the cause of the discord.

Hendiadys

While several Septuagint cursive readings record: ἦς εἰσῆλθεν αὐτῷ εἰς οἶκον πατρὸς αὐτῆς “she brought him into the house of her father.” (thus forcing the reader to assume that she has met him outside of the house and brings him to her father). The more major readings such as LXX A and LXX B as well as others read ἐπορεύθη ἐκ οἴκου τοῦ πατρὸς “he journeyed as far as the house of his father…” The BHS suggests that the reading probably should be ἐπορεύθη “he came.” This, however, is a very large change from the MT and we must account for how the scribe (correctly!) altered the word to reflect a clearly 2nd feminine hiphil imperfect with the 3rd masculine suffix. In fact, to reflect the Greek, we would have to remove the suffix, switch the person from female to male and change the binyān from hiphil (brought) to qal (came). It seems more likely that these separate translations simply represent different Hebrew sources as suggested in Boling, Judges, 274.
The father of the girl prevailed upon his son-in-law. It was that he remained with him three days. They ate, drank and they stayed the night there.\(^{20}\)

And it was on the fourth day, they rose up in the morning and he got up to walk. But the father of the girl said to his son-in-law, “Stay yourself with a bit of bread and after you can go.”\(^{21}\)

So they stayed. They ate, the two of them together, and drank. And the father of the girl said to the man, “Please, be willing and stay the night and please your heart.”\(^{22}\)

\(^{19}\) A slight change of the vowels here makes this word “the son-in-law” rather than “the father-in-law.” Thus, “the father of the girl prevailed upon the son-in-law.” To change this, however, would cause the מ to be superfluous, perhaps added to create the direct object of this transitive verb after he had been mis-pointed. Also, if this passage had indeed been mis-pointed, it begins to change any theories as to the source analysis of this text. The length of the title with the apposition can indicate a combination of sources. But, if the long title is in fact an effect of mis-pointing, the possibility of alternate sources disappears as stated by Boling, Judges, 274. The change here to son-in-law rather than father-in-law is upheld by the LXXA and LXX B where the subject of the verb is γαμβρός ‘son-in-law.’

We also might wonder what he is “prevailing” upon his son-in-law about. We assume he is pressuring him and encouraging him to stay since that is the mode of his encouragement in the next verses. However, it is likely also that the father is speaking on behalf of his daughter.

Prevailing upon, explaining to, encouraging, being strong over his son-in-law (used in this way in I Sam. 23:16 and Isa 41:7). This might explain, then why we do not see the resolution of the man and wife’s fight. Because it is here that the fight is resolved. The feasting afterwards is then in celebration. But just as easily, we could take the translation of Moore, Judges, 410 “detained him/held him fast…” However, the LXXA uses the verb from ειναι ευγενυτειον which means “to lead in.”\(^{20}\)

\(^{20}\) Soggin, Judges, 284 suggests that this is euphemistic for the continuance of marital relations between the concubine and the Levite. This is unnecessary, however, especially since the term נָּלָלָּל never is used euphemistically.

\(^{21}\) So begins the strange and anti-climactic (and according to Stuart Lasine, “Guest and Host in Judges 19: Lot’s Hospitality in an Inverted World” JSOT (1984): 56-57, comical) pattern of the host asking his guest to stay for a short brunch before departing, only to end with the day waning on to evening and the father insisting his guest stay the night and leave in the morning. It is possible that separate sources are indicated here due to the number of days the departure is postponed. Also note the change in the statement made by the father-in-law, from נָּלָלָל in vs. 5 to נֹּלָלִּי in vs. 6 and finally back to נָּלָלִּי in vs. 8. However, as Boling points out in Boling, Judges, 275, variation and repetition is consistent with Hebrew narrative style. Most importantly, neither the Greek nor any other variants hold any different opinion as to the number of days the son-in-law spent at his wife’s father’s house.

\(^{22}\) The similarity of vs. 6 and vs. 7 could indicate the presence of a doublet. But this is unlikely.

\(^{23}\) LXX B reads נָּלָלִּי
But when the man rose up to walk his father-in-law urged him so he remained the night again there.

On the fifth day he woke up in the morning to go but the father of the girl said, “Please stay your heart and tarry until the afternoon.” The two of them ate.

The man rose up to go, (him, his concubine and his servant), but the father of the girl said to his son-in-law, “Look, the day is sinking to evening. Please stay the night. Look, the day is declining. Stay the night here and your heart shall be pleased. Then rise early tomorrow to your road and go to your tent.”

24 Same formation and meaning used in Gen. 19:3 to refer to the pressing/urging by Lot towards the messengers to stay in his home for the night.
25 “he turned back and spent the night” most likely in a figurative meaning, that is, he spent the night again. See Moore, Judges, 412.
26 Only slightly different from vs. 5. לֶבֶן and לֶבֶן are two different words with the same meaning and they are very often used together either in poetry or prose in order to create variation. No differentiation in author or source text can be seen in this alternation of words (thanks to Dr. Aaron Rubin. Private communication).
27 יַסְתְּרִיאֵו is often used specifically in terms of sustaining the heart with food. See Gen. 18:5, Pss 104:15 and 1 Kgs 13:7. The Greek, interestingly enough, translates the word στηρίζων which is an imperative aorist active of στηρίζω. It is most commonly used to translate the Hebrew word פָּשַׁל “to place/to set.” The phrase in which this Greek word is used is “set your face towards X” See in Ezek. 6:2, 13:17, 21:2, 7:25:2, 28:21, and 38:2. Thus, here, we have this Greek word to mean “set your heart” rather than “set your face.” But the meaning is undoubtedly the same: to focus one’s attention to something, in this case, set your mind to staying. However, in this case, it is more akin to its use in Pss 104:15 in which both the Hebrew and the Greek is the same as seen here in this verse.
28 LXX A and LXX M translate the infinitive of ἀπερχόμαι where as the LXX B has πορεύθηκαί. This is a change which occurs throughout the two manuscripts. LXX A always uses this word when the LXX B uses the other. But this is a minor difference as the two are synonymous.
29 While the LXX B follows the MT text ending with ἐταξαρνοὺ ἤ δὲ τὸῦ τοῦ οὖν ἀμφώτεροι “and they both ate and drank” which recalls exactly vs. 6.
30 οὖν literally “the incline of the day” meaning “the afternoon.”
31 Again, this could be in apposition, however it is just as likely that פָּשַׁל has been mis-pointed as ‘father-in-law’ rather than ‘son-in-law.’
32 The Greek completely removes this redundant sentence.
33 The Hebrew here refers to “sinking” or “loosening.” LXX A renders the word using εἰς ἐστρέψεων κέκλικεν “the day was bending towards evening” whereas the LXX B utilizes ἐν ἀπερχόμενον ἡ ἡμέρα εἰς τὴν ἐστρέψα “indeed, the day is weakening towards evening.”
34 This sentence seems to be a doublet and thus may indicate two sources. But this is unlikely.
But the man was not willing to spend the night. So he rose up and walked. And he came as far as opposite Jebus—that is Jerusalem. With him were a pair of laden donkeys and his concubine (with him).

Since they were near Jebus and the day was coming down quickly, the servant said to his master, “Please go and turn aside to this Jeubsite city and spend the night in it.”

But his master said to him, “We shall not turn aside to a foreign city where there are no sons of Israel.” So they passed along until Gibeah.

He said to his servant, “Go and let us approach in one of the places and spend the night, in either Gibeah or in Ramah.

So they passed by and went on. As they went towards them the sun set near Gibeah of Benjamin.

They turned aside there to spend the night in Gibeah. They went and sat in the city square. But no one offered them to spend the night at his house.

35 We were not told the donkeys were “laden” when he brought them. Could there have been a dowry here? Bal, Death and Dissymmetry, 87-89 points out that there are social aspects of marriage and familial workings here in this chapter of which we are ignorant.

36 It is ironic that the MT chose the Hebrew word הָעֵד meaning “to beat down, subdue.” This renders the translation “the day was going down quickly” which is the opposite of the Greek word προβοκεῖται meaning “the day was advancing forward quickly.” But the meaning of both idioms is the same.

37 The LXX A clearly tries to copy the meaning of the MT here ἐτείνει ὁ θυσίας κατὰ Ἰςβοὺς. “Since they were ones near Jebus.” Rather than creating a “since X then Y” the LXX B creates two simple sentences without a connection using καὶ ἡ ἐνθίησεν ἐκ τῆς Ἰςβοὺς (that is, “…they came up to Jebus…”)

38 There is a very ominous feeling here. With the pausal accent after הָלֵיק for the person who knows what is to come, the meaning is very dark and ominously final. “They passed by and they went on.” One can see and feel their last chance at safety gone suddenly and finally.

39 “towards them” refers to Gibeah and Ramah.

40 This is very ominous. All of vs. 14 seems to have been written only for literary affect.
But behold! An old man came from his work from the fields in the evening. The man was from the hill country of Ephraim, he was sojourning in Gibeah (the men of the place were Benjaminites).

He raised his eyes and when he saw the traveler in the city square the old man said, “Where are you going and from whence did you come?”

He said to him, “We are passersby from Bethlehem in Judah as far as the far side of the hills of Ephraim. I am from there. And I went to Bethlehem Judah and it is to the house of the Lord that I am going, but there is no one who would gather me to his house.”

Even straw and fodder there is for our donkeys and even bread and wine there is for me, your handmaiden, and the servant with your servants. There is nothing we lack.”

And the old man said, “Peace be with you, only may all your provisions be upon me. Just don’t spend the night in the town square!”

So he brought them to his house and he mixed (fodder) for the donkeys and washed their feet and they ate and drank.

41 The text is always very careful when referring to Gibeah to make reference to the fact that they are from the line of Benjamin. This insistence of detail lends credence to the theory that there is an anti-Benjamin polemic being suggested.

42 Meanwhile, we meet a new character. This old man is of the same status as our Levite and he is from the same area. This explains why he takes it upon himself to care for our Levite and his group. But also the compassion and hospitality of the northern tribe of Ephraim is clearly contrasted with the emphasized inhospitality and coldness of Benjamin.

43 The Levite points out clearly the injustice of his situation. Since the sun is just setting, someone should have offered to take the Levite in for the night. It is vitally important that this was an injustice brought about by the inconsiderate men of Benjamin.

44 Note the concern shown here. It is exactly the same as Lot’s concern for the messengers who were in the town square. This once again exhibits foreboding. The old man knows something that the first-time reader does not. He is aware of the danger.

45 The mixing of fodder for donkeys is absent in the Greek texts. Rather, the sense is that the old man found a place to lodge the donkeys instead.
vs. 22: They were making themselves merry\(^{46}\) and See! the men of the town, the men, sons of worthlessness,\(^{57}\) were surrounding\(^{48}\) the house beating repeatedly\(^{49}\) against\(^{50}\) the door. They said to the old man, master of the house, saying, “Send out the man who came to your house”\(^{51}\) that\(^{42}\) we may know him!”\(^{53}\)

vs. 23: And the man, the master of the house, came to them and said to them, “No, my brothers, please do not do wickedly\(^{54}\) against\(^{55}\) this man who came to my house. Do not do\(^{56}\) this disgrace.\(^{57}\) Let me send them out, mishandle them,\(^{63}\) and do to them whatever is good in your eyes. But to this man do not do this disgraceful thing.”

\(^{46}\) Hiphil participle transitive with Direct Object

\(^{47}\) An extension of the explicative apposition as described in Williams, *Hebrew Syntax*, 28, so should be translated “the men of the town, that is, the men of belial” Belial being, as Williams describes, a latter term, giving the name (or extra description) of the former term.

\(^{48}\) Niphal 3rd pl. perfect of סָבַב. Niphal used as a passive, indicating that all while the men were feasting and enjoying themselves the men of the city were surrounding the house. It was a continuous and premeditated action going on for the period of time the men were making merry.

\(^{49}\) Hitpael particle with iterative meaning as in Seow, *Grammar*, 299. BDB offers “beating violently” or “beating themselves tired” demonstrating the reflexive meaning. I have kept the iterative meaning as I believe it adds to the urgency of the situation. The Greek follows the violence of this action, the LXXB using the word κροῦοντες which, besides knocking, can also indicate beating or striking.

\(^{50}\) לְ used here ‘against’ rather than the more common ‘upon’ translation to again make more clear the urgency and violent character of these men.

\(^{51}\) Purpose clause with יְהַפְּלֵים as described in Williams, *Hebrew Syntax*, 163: the men who came to your house

\(^{52}\) Purpose clause with וַ with cohortative as described in Williams, *Hebrew Syntax*, 80: Send them out to us in order that/so that we may know them. The LXX A and LXX B uses a purpose clause.

\(^{53}\) It is commonly agreed amongst scholars that a sexual meaning is to be interpreted here. The verb used in the Greek is γινώσκω which is used in extant texts to refer to a sexual knowledge.

\(^{54}\) לא negative + imperfect = negation of a specific action; Neg. Command

\(^{55}\) Adversative før as in Williams, *Hebrew Syntax*, 133 meaning “against X.”

\(^{56}\) Relative clause with יִפְלֵים functioning as the direct object of יִפְלֵים: do not do evil against the man who came to my house

\(^{57}\) Qal imperative, negative command referring to a specific deed.

\(^{58}\) BDB offers ‘wanton deed.’ This same phrase is used in 2 Sam 13:14 when Tamar is raped by her brother Amnon. Tamar also says, “Do not do this disgraceful thing!” The Greek’s τὴν ἁφορείσαντον ἔφυγεν is also the same. See the longer version of the description in vs. 24.

\(^{59}\) The Greek word for “humble” ταπείνωσα is used here, used in this same manner in 2 Sam. 13:12, as mentioned in note 52.

\(^{60}\) Note the long suffix. This may be here because the Old Man was being very explicit as to whose concubine it was.

\(^{61}\) Literally “thing of disgrace” or “deed of disgrace.”
But the men were not willing to listen to him. But the man forcefully sent out his second wife to them outside. They knew her and they continually dealt ruthlessly with her all the night until the morning. They sent her away as the sun rose.

The wife returned at the approach of morning and she fell at the threshold of the house of the man where her lord sat until the light. Her lord arose in the morning and he opened the doors of the house to proceed upon his road, and behold, the woman, his concubine, had fallen at the doorway with her hands upon the threshold.

Notice the giving of two women for the life of a single man. This is very interesting within the context of the story. It may indicate a certain amount of dependence upon the Gen. 19 narrative which did require the sacrifice of two women to save two men.

Sentence with 3 imperatives, the second being a piel imperfect ענה can indicate ‘to mishandle’ as I have translated, but also according to the BDB, afflict or to humble. I used ‘mishandle’ here as I thought it most vividly expressed the potential violent situation the women were understood to be placed in. The aim of the mob would not simply mean to humble them or their dignity. They meant surely to abuse and rape the women. ‘Afflict’ may be a better choice here, however, in the English, ‘afflict them’ sounds awkward.

Same word of unwillingness used earlier to describe the attitude of the Levite in vs. 10.

Qere is favored here. Change from בungeons to כעלות. The ‘his’ would readily be identified as the man who is taking her. But this need not necessarily be assumed. I also base this opinion on the fact that the text has been overly specific as to the old man’s title throughout this portion of the narrative. From the time he is mentioned in vs. 16 he is hardly ever referred to without his full epithet: the Old Man, the Master of the House. Since this anonymous person is only referred to as “man” (a title used to refer to the Levite) here, I assume that the character being described is the Levite and not the Old Man, the Master of the House.

Qal waw-consecutives. Verbal hendiadys. The translation literally reads: the man prevailed against his second wife and sent out [her] to the men…” With the hendiadys I have chosen the combined translation, “forcibly sent out” The text is clear that she did not volunteer herself for this and the movement was very much against her will.

Hitpael imperfect

Notice here how often the sun rising and setting has been mentioned in this passage. And here, at the story’s height we understand why it has been continuously evoked in this passage. See especially the sense of safety and danger when the sun is up and down.

The wife returned at the approach of morning and she fell at the threshold of the house of the man where her lord sat until the light.

Her lord arose in the morning and he opened the doors of the house to proceed upon his road, and behold, the woman, his concubine, had fallen at the doorway with her hands upon the threshold.
He said to her, “Rise and come” but there was no response and he took her upon his donkey and the man rose and went to his place.

He came to his house and he took a knife and seized upon his concubine and cut her into pieces to the bone, into 12 pieces and he sent her to all the territories of Israel.

It was when they all saw they said, “This has not happened and like this nothing has been seen since the day the sons of Israel were brought up from the land of Egypt until today! Put this to yourselves! Take counsel and speak!”

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74 Infinitive absolute of הָלַך
75 An interesting and disturbing contrast between the threshold—that is, the place of safety—and the outside of the doorway—that is, a place of darkness and danger. She was barely able to make it back to the house where her lord sat. She almost reached safety but could not bring herself under his roof. It is important to note the similarity to the account of Dagon in 1 Sam. 5:1-5 whose hands also fell upon the threshold. It is a sign of degradation.
76 The Hebrew does not specifically mention that the woman was dead. The LXX B makes this clear with ὅτι ηὲ νεκρῆ while the LXX A uses the phrase ἀλλὰ τεθνηκείν. This deviation may be because the Greek was following a tradition which notes her death. Or, it may be that the mere thought of the Levite possibly cutting up his concubine while she was still living was too much, and thus they added a brief result clause: “she did not answer because she was dead/had died.”
77 Only the LXX A preserves this detail of the bone. The LXX B does not have this detail. Without it the similarity to 1 Sam. 11:7 is even greater. It may be the authors of the LXX B left the detail out of their own accord in order to achieve this similarity, or it is possible that their Vorlage did not record this detail in order to clarify the perverse parody of 1 Sam. 11:7 (see footnote 77). However, this change by the LXX B writers would not be ‘out of character’ due to its slight changes to the text for clarification purposes (cf. “because she was dead” in vs. 28)
78 The verb usage is the same as in 1 Sam. 11:7 in which the newly-anointed Saul cuts up his team of oxen due to the Spirit of God working upon him. It is this similarity that has led some commentators to believe this passage deliberately evokes and (perversely) parodies the deeds of Saul. In this account, however, there is no spirit but a message may be indicated in the deed. Though it is not explicitly mentioned in the text as it is in the Samuel account, surely the meaning here is “Thus shall happen to your concubines if you do nothing!” Whether such retribution will come from the man himself or from God is not clear. But the intent is certainly there.
79 Same word used to refer to his action towards her when she was alive in vs. 25.
80 If we interpret the meaning of Levite in this passage to be the type of Levite described in the P text then this man should not have touched, let alone cut to the bone, the dead carcass of his wife. Especially without cleansing himself! This indicates that the Levite see in this text is not in fact the type of Levite we are accustomed to dealing with in the P text.
81 Mention of the earliest history of the Israelites being their exodus from Egypt is very deuteronomistic.
III. Textual Criticism

The LXXA tradition reflects a Hebrew manuscript which is now lost to us. Our extant MT has lost words here and there most likely due to scribal error. The LXXB copies these mistakes and has also a much less exact translation. The LXXA\textsuperscript{82} does its utmost to convey the direct meaning of the Hebrew verb. It would seem very likely that Origen, Christian writer and theologian of the 3\textsuperscript{rd} century AD, had this original Hebrew manuscript when writing his Hexapla. This magnificent work, of which we have no extant copies (save for some few possible fragments as well as accounts from other writers), was set out in parallel columns between the received Septuagint, the received Hebrew, a Greek translation in addition to other various Greek translations of the entire Tanakh.\textsuperscript{83}

While the LXXA and LXXB differ, they do not differ substantially. Many of the changes are predictable vocabulary alterations. None of the differences at all clarify or interpret the story. The ambiguities are not changed or fixed at all by either Greek version.

\textsuperscript{82} The connection between the LXX A and the LXX M should be noted. Here is further evidence that A and M came from the same source.
\textsuperscript{83} Joseph Trigg, Origen (The Early Church Fathers; New York: Routledge, 1998), 16.
IV. Exegetical Discussion

The Extent of Literary Commentaries

Dozens of commentaries have been written on the book of Judges. These commentaries range from theological considerations to literary to source-critical examinations of the text of Judges. Here, I would like to briefly examine a select few of these commentaries in the hope of establishing the general scholarly outlook of Judges 19. I find, however, by the end of this brief synopsis of the work of excellent scholars, that the pervading opinions regarding Judges 19 are not as well-founded nor as fleshed out as they might be.

A literary perspective does not necessarily approach the text as literature. As Brettler explains, such a definition as “literature” is anachronistic and oversimplifies the Tanakh.\(^8^4\) A literary analysis examines the book as a unified whole. Such an approach lends itself easily to the examination of overall narrative pattern, artistry, general motif, and characterization. Though scholars in this area of research readily acknowledge the integration (deletion or insertion) of prior sources into the lines of the individual text, as well as the various influences from distinct authors and redactors, literary scholars still view the text as an edited whole. The methodology utilized here is invaluable to biblical research.\(^8^5\) It uncovers various trends and motifs which historical criticism fails to do; it


\(^8^5\) Although literary study does not always reach this level of complexity and quality suggested here, see Brettler, Judges, 16.
approaches the text from a much more stable ground, working from the extant text rather than from presumed and extinct sources; and literary theory also serves to examine biblical narrative and the methods used by those ancient authors to write these compelling tales.

The following scholars examined here underline the overall coherence of the book of Judges. As Schneider states, “Despite what are considered to be later Deuteronomistic additions at the beginning and end of the book, Judges is a well-integrated theological narrative which builds its story and supports its thesis until its conclusion.” While historical-critical commentary writers and redactional scholars will insist that Judges 19-21 is a late addition to the book (as we shall discuss in detail below), these scholars still see these stories as fitting the overall pattern presented in chapter 1. After all, someone, somewhere, at some time meant this text to be read as a complete whole. Excellent work by such scholars as Susan Niditch, Gale Yee, Barry Webb, Tammi Schneider or Mieke Bal have worked to examine the story of Judges 19 within the whole context of Judges.

Schneider at first admits that this story is not like all the others as it does not have a judge and it does not follow the framework presented in chapters 1-3. However, upon a closer look at the book in its entirety, Schneider notes how the

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86 Tammi Schneider Judges (Berit Olam; Collegeville, Minn, 2000), xiii.
90 Schneider, Judges, 245-271.
91 Bal, Death and Dissymmetry.
narrative cycles are in fact retained in Judges 19, not left behind: the chapters begin with the question of leadership. Indeed, leadership and how Israel ought to be led is a major theme of the entire book. Othniel is presented as the perfect answer to this question. However, the leaders after him begin a slow march towards imperfection. There are subtle (and some not-so-subtle) changes for the worse. The cyclical stories show a very clear and steady deconstruction: from a good relationship with their god to no relationship at all in chapter 21; from stable leadership to tribal leadership which leads them into civil war; from good, righteous behavior to apostasy and sin.92

Exum underlines these downward trends by pointing out the inability of this cycle to sustain itself. Leaders begin to arise without the obligatory framework such as Shamgar, Jephthah, Abimelech and Samson. But the judges who were explicitly stated as raised up by YHWH, on the other hand, show obvious flaws of character. We diminish from the assured prophet and judge Deborah to the unsure, doubting and finally apostasy-committing Gideon. His children are entirely wiped out in war. Jephthah sacrifices his own daughter, and Samson has no children despite his many encounters with non-Israelite women. After Gideon’s ephod, Micah creates a psl and a mskh (see Judges 17:3) clearly displaying the type of apostasy mentioned in Judges 2. The final judge is completely opposite the perfect Othniel: Samson arrives without a framework, exhibits completely amoral and disinterested behavior and is completely oblivious to the holy laws he is required to follow as a Nazarite. Even the Levites, we learn

in Judges 17-20, are charlatans, liars, and unholy men. Exum describes the book of Judges as a worsening state of ignorance, cycle to cycle.\textsuperscript{93}

At last, in Judges 19, Israel has reached its lowest point: a Levite who does not follow the strict rules of his trade; an inversion of hospitality mores; the use of rape as a power symbol; a cowardly and lying Levite; a most terrible and disturbing rape and murder of a defenseless woman; a scattered and divided attempt by a tribal league to commit holy war against their own; a lying deity; and finally a similar action which the offending tribe had committed—that is, the rape of a group of women.\textsuperscript{94} At this ending point, we see that Israel, who was fighting for YHWH at the beginning of our text to clear the land of apostasy, now fights violently against one another.

The final chapters also add another sentiment: the need for a king. Monarchical leadership is emblematic of stable, centralized government worship. In this way, we can see why Judges 19-21 was placed at the end of book as it provides an excellent lead-in to the books of Samuel and Kings.\textsuperscript{95} When seen in this light, the chapter of Judges 19 fits nicely into the steady disintegration of the entire book of Judges.

Niditch has also realized the above points, however, her greatest contribution to the consideration of Judges has been her discussion of oral motif within its narratives. That the differing multiple versions of a story are not contradictory, but rather reflect the oral tradition of the times, is integral to

\textsuperscript{93} Exum, “The Centre Cannot Hold,” 416-424.
\textsuperscript{94} Ibid 427-430.
\textsuperscript{95} Schneider, Judges, xix, 285.
understanding the culture in which these narratives were told. She argues that an effort to find an “original” source is not only artificial but anachronistic. Our particular view of history is entirely unique, for within an oral culture it would be extremely rare to find such a single view of reality. The story is oral and is passed horizontally from group to group and vertically from generation to generation, both accruing and deleting, but never considered ‘true’ or ‘untrue.’ Thus, Niditch searches for the meaning of stories within a group context, interested in the concept of “religion as lived.”

Literary scholarship may also attempt, at times purposefully, to find new interpretations to the text which may never have been intended by the original author(s) or redactor(s). Such works include feminist commentaries to Judges, which, since the foundational work of Phyllis Trible, have become more and more common especially in terms of Judges 19. One such commentary edited by Athalya Brenner underlines this sort of work, trying desperately to give voice to the women abused in the text, and in this way give present-day women reading these novellas some sort of perspective into their own psyches. While some of these writers do attempt to present the “actual” historical Israelite woman in these essays, such as Cheryl Exum and Mieke Bal, others attempt to completely remove the text from its historical setting, so offended by the violent deeds of the men of the time and so moved to intercede on behalf of the misused women.

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96 Niditch, Judges, 23.
(completely ignoring the possibility that these women, if they existed, did not themselves feel mistreated or nameless). Thus they create a modern interpretation for present-day women. Koala Jones-Warsaw in Brenner’s volume attempts, for example, to find meaning in the Judges 19 narrative for black American women.\textsuperscript{101} It is at this point that we move from usable historical scholarship and into structuralist, feminist, and other such non-historical, modern, and dubiously useful scholarship. This paper, while informed by these works, does not deal with them, the author being interested in the historical approaches to Judges 19.\textsuperscript{102}

*The Extent of Historical-Critical Commentaries*

Standing opposed to a literary study, a text-critical, source-critical, redaction or historical-critical approach focuses upon the inconsistencies of the Judges book. By concentrating on doublets, repetitions and flat-out contradictions, scholars believe they have uncovered new sources, authors, and/or redactors who all have contributed to the many tellings of the Judges narratives and who have incorporated their own worldview into the text. That worldview, along with writing style and linguistic peculiarities, can then be philologically examined allowing that writer to be identified in other passages. On the whole, the foci of these studies in regard to Judges have been two-fold: 1) upon finding Judges’ place within the Deuteronomistic History and 2) understanding what portions of Judges would have fallen within the pre-deuteronomistic manuscript(s). From these two basic foci come a plethora of other questions and debates of which


\textsuperscript{102} The arguments of the other commentaries mentioned above (such as Yee, Webb, Bal, etc.) shall be discussed in due course below in section VII.
historical commentaries freely partake. The most important commentaries shall be discussed briefly here.

We shall begin with Moore’s foundational work on Judges. He begins his commentary immediately by separating Judges into 3 main parts: 1-2:5, 2:6-16:31, and 17-21. Moore uses authorial motive, the moral propounded in the tale, and the ways in which the author presents these ideas in order to determine the time period in which he wrote. Unfortunately, this method requires us to fully understand authorial motive—a motive which is itself often dependent upon the time period in which the author writes. This methodology is dangerous to use, as it puts “the cart before the horse” so to speak, creating circular reasoning. Moore utilizes such subjective criteria as motive, method and moral in order to fix a date for the text. He theorizes, for instance, that the events of Judges 18 in fact refer to the deportation from the land in 734 and the removal of the temple at Shiloh (the date of which is unknown). Thus, this addition was, Moore reasons, written by the E author in the the 8th-7th centuries. But he does not postulate simply an E author, but rather an E2 recension of this work which particularly reflect the teachings of Hosea and other prophetic movements. This type of specificity is impossible given the criteria he has posited.

As another example, Moore postulates the purpose of Judges 19-21 to be that of a midrash (though the story itself might have had archaic origins). Thus, it must have been a very late addition indeed. He assigns it to an unknown redactor of the 5th or 4th centuries or perhaps even to another later redactor. 103 This logic assumes that the Judges author was writing with the intent of addressing a post-

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103 Moore, Judges, xvi-xvii; xxix-xxxiii.
exilic Israel which can only be proven by assuming the author lived in post-exilic Israel.\textsuperscript{104} Using these methods, Moore creates a neat and simple book of Judges separated into the three sections mentioned above. The main narratives of chapters 3-16 were of J and E origin.\textsuperscript{105} But, he was the first to suggest that these stories were then sewn together by a deuteronomistic hand.

Despite the clear problems with Moore’s logic, his ideas, and especially his separation of Judges into three sections, this opinion has changed very little in the past century. Scholars continue to note his realization of the multiple introductions as well as the change of framework in 17-21.\textsuperscript{106} He calls this last section an “appendix,” an opinion recently challenged by Amit’s substantial work on the editing of Judges. The word “appendix” Amit labels as anachronistic, preferring the term “appended unit.”\textsuperscript{107}

Since this time, Noth’s work on the Deuteronomistic History\textsuperscript{108} changed little of the above opinion since Moore already agreed that the deuteronomist was the compiler of much of the extant Judges manuscript. Chapters 17-21, however, are still not given the honor of being included within the larger portion of the original Judges material. While they share the same origin as the other narratives of chapters 3-16, Moore hypothesizes that they remained unused by RJE and Dtr

\textsuperscript{104}This is not to say that this author did not live in post-exilic Israel, but Moore presents no other evidence for his conclusions.
\textsuperscript{105} He muses on the independence of the Samson cycles, and notes in particular the differences between the Gideon and Jephthah stories which “brings out the fact that these parts of the work are not entirely homogeneous.” He notes changes in points of view, phraseology, and sees repetitions and duplications which are unmistakable signs of more than one writer. See Moore, \textit{Judges}, xiii-xv.
\textsuperscript{106} \textit{Ibid} xiii-xv
\textsuperscript{108} Martin Noth, \textit{The Deuteronomistic History}. (JSOTSup Series 15; Sheffield: JSOT Press, 1991).
until rediscovered in the 6th-5th century at which time they were added in the final redaction of the book of Judges.  

This opinion is followed, almost completely, by Boling in his commentary in 1975. Calling the book of Judges “primitive by modern literary standards” he outlines the composition of the book as “blocks of successive editorial remodeling…piled around the edges of the nuclear stories.”  

Chapters 2:6-15:20 he calls the “pragmatic” section, that is (as was already assumed by Moore and Wellhausen) the original material which was free of both framework and timetable. He continues to agree with Moore even by perpetuating the hypothesis that it is J, E and a combination of both which make up this pragmatic material.  

Chapters 2:1-5; 16:1-18, 31 as well as various lengthy speeches in chapters 6 and 10 were added in the seventh century by the Deuteronomistic Historian.  

He supports this conclusion by noting that this first Deuteronomistic edition would support the reforms of Josiah as it begins, centers and ends itself with the destruction of competing shrines within Israel.  

Once again, we see the logic of Moore: establishing the meaning and purpose of the text proves the period of writing.  

The last redacted section includes chapter 1:1-36 and chapters 19-21.  

Boling notes the parallels in both: they begin in disarray and ending, Boling

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109 Moore, Judges, xxxiii-xxxvii.  
110 Boling, Judges, 29.  
111 Ibid 33-34. I do not believe, however, that this theory can be maintained. We often attribute an ancient manuscript to a particular past author, not because the evidence points to that author, but rather because the author is the only one that we know of. I find it very hard to believe that there was only the J author and the E author writing in Israel’s archaic past. The early Judges pragmatic material can easily be attributed to “unknown(s)” without detracting from the theory. Since J, E and RJE are all known authors, we should not add to their portfolio without substantial evidence.  
112 Ibid 29-30.  
113 Ibid 184-185.
hypothesizes, in a tragicomic story of reunification.\textsuperscript{114} The two stories, Boling postulates, are connected due to the similarity of the war accounts, especially in terms of the instructions for Judah (cf. Judges 1: 1-2 and Judges 20:18). Clearly, Boling follows the Cross “school” of thought in acknowledging the existence of two deuteronomistic editions (one in the time of Josiah, the other of the exilic period). Thus he finds neat places in Judges for them and establishes the meaning of the text based on this assumption. Here he separates himself from Moore, recognizing deuteronomistic tendencies of chapters 19-21.\textsuperscript{115}

The inability of 19-21 to be connected to the pragmatic collection or the first deuteronomistic portion of the book hinges upon their prominent portrayal of Judah and Benjamin. During the exile to Babylon the only tribes who remained were Judah and Benjamin (and Levi, however Boling does not mention this). Thus, the writer of 19-21, though supposedly reflecting a tribal governmental system, mentions the only two tribes who actually remain in his time. Boling offers that the writer’s purpose was to encourage his fellow Israelites. He points out in chapter 1 that the Israelites had often lived amongst foreign nations (even as they do during the Babylonian exile) and yet had kept its identity. Judges 19-21, Boling argues, stands in balance to this introduction as he pleads for an untied Israel.\textsuperscript{116} The circular reasoning used by Boling is also clear when presented in this manner. He gives no other evidence save his personal interpretation of the

\begin{flushleft}
\textsuperscript{114} Ibid 29-30; 39; 277-279.
\textsuperscript{115} A tendency recognized also by Timo Veijola who wrote on this topic shortly after Boling’s commentary: Timo Veijola, \textit{Das Konigtum in der Beuteilung der deuteronomistischen Historiographie: eine redaktionsgeschichtliche Untersuchung} (Annales Academiae Scientiarum Fennicae, Ser. B, Tom. 198; Helsinki: Suomalainen Tiedeakatemia, 1977). While they agree that chaps. 19-21 are of exilic date, they disagree as to the motivation of the deuteronomist.
\textsuperscript{116} Boling, \textit{Judges}, 277-279.
\end{flushleft}
stories to support his conclusions of exilic dating to the appended Judges 19-21. Moreover, this is a very simplistic understanding of the narrative of Judges 19-21 and takes into account none of the events of that passage save the major event of war.

Fohrer, however, disagrees with both Boling and Moore. He begins by suggesting, as they do, that it seems unlikely chapters 19-21 were a part of the original pragmatic material. But Fohrer completely denies the possibility of an archaic beginning to the narrative and completely consigns its writing to a post-exilic author. He states, “It is most unlikely that they formed part of the pre-deuteronomistic book of Judges, were omitted by the deuteronomistic revision, and later were incorporated once more.”\textsuperscript{117}

He continues in his disagreement, believing 19-21 to represent a P-influenced addition. He complicates the simplistic redaction series of Moore and Boling by adding more redaction authors to Judges. Fohrer slavishly holds any redactors to the framework and philological attributes he has assigned to them. The deuteronomist, he postulates, added the framework to the original pragmatic material, as well as the dates and years assigned to each judge. The framework, as agreed by most scholars, exhibits clear deuteronomistic theology. A second deuteronomistic redactor added the introduction in chapter 2:11-19. Since it does not happen to mention the need for Israel’s appeal, Fohrer insists that a theological change is presented here; YHWH’s intervention becomes one of grace rather than of pity. Thus, a new hand is needed to add this first introduction. Then,

it was a third hand who was concerned with connecting Judges to the book of Joshua. Thus, he added the second theological introduction of 2:6-10 and 2:20-3:6.

Fohrer postulates that the late redactors are three in number: the first post-exilic redactor added the later sections of 10:1-5 and 12:8-15. These Fohrer believes were written by the same author due to their focus on the minor judges who belonged to individual cities and districts. This, however, does not answer why these texts must be of *late* origin. The second post-exilic redactor added 17-18, a previously independent story which Fohrer postulates had a long history of transmission\(^{118}\) due to the number of doublets within its lines. Why the redactor who adds 17-18 could not have added 10:1-5 or 19-21 is not explained by Fohrer. The last post-exilic redactor decided to complete the book with 19-21, another tale with a long history of transmission. It expanded as a *midrash* and later took on an anti-Saul flare.\(^{119}\) While Fohrer’s numerous redactors may match the (slightly) changing nature and theology of the text, it completely ignores any humanity. His hypothesis slavishly holds an author to a single theme only. This is unrealistic and unnecessary, and besides this, there is little philological evidence for these separations.

Mayes continues with the above conclusions, adding to the evidence by once again underlining that fact already realized since Moore, which is that Judges 19-21 constitutes a separate tradition than the other deuteronomistic

\(^{118}\) The archaic nature of 17-21 is acknowledged by Fohrer as well as by Andrew Mayes, *Israel in the Period of the Judges* (Studies in Biblical Theology Second Series 29; Naperville, Ill.: Alec R. Allenson, 1974), 42.

\(^{119}\) Ibid 214.
version of Judges. These separate traditions, he argues, can be discerned in the account of the civil war in Judges 21 which seems to present two unique forms of the story. However, these ‘unique’ forms of the story are made on the assumption that they present different philosophical outlooks, such as an anti-monarchical or pro-monarchical opinion. But to use these opinions as criteria presents a petitio principii. Mayes also supposes that the new framework of chapter 17 establishes a connection between the story of Micah and the Levite at the Dan shrine and the narrative of the Levite from Ephraim in Gibeah and the inter-tribal war.¹²⁰

Yairah Amit in her commentary only discusses the editing of Judges. She stresses the incongruity of 19-21 to the previous narratives, its inability to act as a proper ending to the book, and its disconnection to chapters 17-18. However, her certainty in her conclusions stems from her interpretation of 19-21, much like all these authors above. Amit echoes Boling, noting that while the entire previous narratives of Judges are based upon the premise that the people have gone astray and need the Lord to deliver them, 19-21 actually supports tribal unity, the ability of the people of Israel to deliver themselves, and ought to be seen as an idealization of the tribal functioning.¹²¹ If this were true, it would certainly indicate an authorial change and the scholar would have no choice but to separate 19-21 and give its writing into the hands of a later redactor. However, this hypothesis is dubious at best.

¹²⁰ Mayes, Period of the Judges, 45-47.
¹²¹ Amit, Editing, 337-341.
Amit calls 19-21 a “‘song of praise’ to the functioning of the pre-monarchic frameworks.”\textsuperscript{122} She argues that there is no evidence that 19-21 can be seen as unsuccessful leadership by the elders of the tribes. Quite the contrary, she hypothesizes, 19-21 is an idealization of several aspects of Israelite culture including tribal government, cultic realities, and ethical sensitivity; “the incident provides an opportunity for praising the functioning of the community, the direct connection with God, and the longing for moral purity.”\textsuperscript{123}

She is preceded in this opinion by Alberto Soggin\textsuperscript{124} who wrote his commentary in the 1980’s. Also noting the estranged pro-monarchic framework beginning in Judges 17 he finds that it is ill-placed in Judges 19-21. The framework, he states most confidently, has been proven to belong to the pro-monarchic stratum of the deuteronomist (which he states to be the Deuteronomistic Historian), a theory already postulated by Moore and Boling. It is misplaced, he argues, in 19-21 since, as we saw in Amit’s synthesis above, those chapters affirm the tribal assembly and not the monarchy.

But Judges 19 is about much more than the political aspects noted by these above commentaries. Judging Judges 19 based on this one aspect is, as Brettler points out, rather “one-dimensional.”\textsuperscript{125} Judges 19 is a chapter which concerns

\textsuperscript{122} Amit, \textit{Editing}, 339
\textsuperscript{123} Ibid. Pg. 341
\textsuperscript{124} For this opinion see Alberto Soggin, \textit{Judges: A Commentary} (The Old Testament Library; Philadelphia: The Westminster Press, 1981), 280; Boling \textit{Judges}, 37-38, 294; W. J. Dumbrell, “‘In Those Days There Was No King in Israel; Every Man Did What Was Right In His Own Eyes.’ The Purpose of the Book of Judges Reconsidered,” \textit{JSOT} 25 (1983): 23-33. They all describe Judges 19-21 as a “tragicomic” version of events. But, for a person to regard these last chapters of the book of Judges as a \textit{tragicomic} version, such a man would have to have a dark sense of humor indeed! For the opposite opinion see: Niditch, \textit{Judges}, 185-194; Exum, “The Centre Cannot Hold,” 410-431.
\textsuperscript{125} Brettler, \textit{Judges}, 16.
ethnic factors and judgments; it is a story about the גרים and their place in society; a tale about power struggles; a tale about morality; about politics and about family rites and ties. The tale speaks volumes not simply on family dynamics and rape/violence towards women in the ancient world, but also equal volumes on morality and ethics, ethnic discriminations, and the rites of sojourners in ancient times. All these shall be discussed in the following sections.
V. A Brief Literary Study

Synopsis of the Story

The plot of this story is very basic but it has many parallels: our Levite begins the story humiliated, and so shall he end it; alive his concubine leaves, and dead she shall return to him; hospitality marks the beginning of his journey while an extreme lack of hospitality shall define his journey home. Chiasms (real or imagined) abound as do parallels and symmetry.

The opening does not bode well for our Levites as we find him in the midst of humiliation: his second wife has left him due to some angry quarrel. He decides to retrieve her four months after she has left him—in essence, divorced him—and so takes a servant and some donkeys and travels to her father’s home. There, the father-in-law welcomes him and they eat and drink for an extensive five days in a unique show of fatherly hospitality. This hospitality will stand in stark contrast to the other show of inhospitality later in the story. This beginning look at hospitality will enhance the perversion at Gibeah.

On the fifth day, the Levite rejects the father-in-law’s last invitation to spend the night and departs from Bethlehem, presumably knowing full well that he will not make it all the way home by nightfall. This dangerous decision seems to be given little thought, however. The middle section of the story that is verses 11-15 are wrought with foreshadowing and ominous foreboding: a last glimmer of

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126 It has been suggested that the Levite waits 4 months in order to see if his wife is pregnant. If she had been, presumably, it would mean that she had indeed had an affair and he would not have taken her back. However, so it is in the story, after four months we see she is not pregnant and thus he goes back to her father’s house to retrieve her. However, this opinion hinges on the belief that the word is znh and, as I stated above, I do not believe this is the case.

hope fades as the sun sets over Gibeah. The image is very movie-esque—dark, shadowy, and menacing, underlined by the use of the pausal accent in vs. 14. Thus, they travel on and they enter the town square of Gibeah, waiting for someone to take them in.

Meanwhile, an old man comes back into town from his work in the evening. He, like the Levite, lived in Ephraim, and is a sojourner in Gibeah. When he meets the Levite our main character explains to him (untruthfully) where he has come from and where he is going and sweetens the offer by explaining that housing them will require no trouble as they have provisions for themselves and their donkeys. Most importantly, what they require is protection as travelers could often be in danger in a new place without a protector. The old man takes them in, insisting that they cannot stay in the square overnight. He knows full well what might happen to them—though the Old Man probably did not expect the extreme violence which will ensue. But, once again, this urgency is portentous.

After eating and drinking, all the men of the town, called יַעֲנוֹגָר sons of worthlessness, come and bang on the door and demand to rape the Levite who came that evening. These ‘sons of worthlessness’ do not refer to a gang of ruffians, or a small group of men looking for their kicks on a Friday night. The text is very clear that the designation ‘sons of worthlessness’ include all the Benjaminite men of the city. Once again, humiliation is in store for our Levite. He is being threatened with rape by these men, whose intention is to bring shame

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128 Note the similarity to Gen. 19: Lot, the man who lodges the messengers, is a sojourner within the city of Sodom. In the same way, the writer makes this old man who will house the Levite and his concubine and servant, a sojourner in the city of Gibeah. This designation is key to the events which unfold in the story. It is because of these men’s status as sojourners and foreigners in the city that they are taken advantage of by the men of the city.
upon him and to put him in his place as a foreigner in their city.\textsuperscript{129} Rather than give them his male guest, the Old man, the Master of the House, offers them his virgin daughter and the Levite’s (very un-virgin) concubine.\textsuperscript{130} This offer of his own flesh-and-blood in place of his guest underlines the guest/host phenomenon which is often singled out in this chapter.\textsuperscript{131} However, often overlooked, in making this proposal the man is also exchanging an ‘unnatural’ sexual drive\textsuperscript{132} for a more ‘natural’ sexual drive. The men of the town refuse but before the negotiations can be taken any further the Levite forcefully thrusts out his own concubine and she is raped until the morning when, at first light, she is let go. (Presumably) She dies with her hands upon the threshold.

The Levite gets up the next morning and walks out the door. The author is clear the Levite has not altered his morning routine due to his use of the same verbs used earlier in the chapter. He has arisen to begin again on his journey, presumably expecting to find his concubine still outside after the night’s ordeal. But it is obvious that even he had not expected the sons of worthlessness to do more than rape her. In fact, he expects her not only to be alive but also be able to get up and walk several miles. When he realizes she is dead he shows no sign of

\textsuperscript{129} For a more detailed examination see section VIII-IX.

\textsuperscript{130} Note the offering of two women for one man. This writer felt a need to give two woman in order to copy the actions of Lot from Gen. 19. Besides the concubine, he scrambles to find another woman. Thus he writes that the old man has a virgin daughter. However, as Lasine notes, this act by the Old Man actually turns the hospitable act of Lot (who is willing to give up his own daughters) into inhospitality as he rushes to find another woman to offer (as if, as Lasine notes, following a script). His eye falls upon the Levite’s concubine. The offer of your guest’s second wife is in fact and inversion of the guest/host relationship supposedly present in this passage. To believe that the offer of the wife instead of the husband is an hospitable act is to entirely miss the point of this passage which is to show an inverted and unrighteous world without a King and without the guidance of YHWH. See Lasine, “Guest and Host,” \textit{JSOT} 29 (1984): 37-41.

\textsuperscript{131} Lasine notes with an excellent perception the topsy-turvy and inverted nature of the guest/host relationship here by comparing its usage to Genesis 19. See \textit{Ibid} 37-41.

\textsuperscript{132} “sexual drive” here is not meant to describe lust or sexual desire but rather the drive to use sex as a form of power.
grieving. This is a distinct difference from the beginning of the story in which he was prepared to “speak to her heart” and “bring her back” to himself. Now she has been permanently taken from him and the text describes neither his feelings nor his thoughts on the issue. Instead, he picks her up—clearly becoming unclean in the process—and takes her home. At the end of this story, the Levite finds himself humiliated through the raping of his concubine. Upon arriving at his home, the Levite takes up a knife and severs the limbs of his wife (again making himself unclean) to the very bone and sends them without a message to the 12 tribes. Seeing the bits of carcass, the 12 tribes realize that nothing like this has happened before. They are on new ground. In this mindset they gather in horror with the aim of making a decision.

*Depth in the Midst of Simplicity: Characterization*

In certain respects, the tale of Judges 19 is a simple tale. The simplest, one could argue, in all the book of Judges, and perhaps even in the entire Old Testament. At least with Othniel, Ibzan, Elon the Zebulunite, and Abdon we are told their names and their heritage if not the specific actions performed by them.

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133 Lasine shows, however, that the author is not silent with regard to the Levite’s callousness toward his concubine. In fact, his use of irony serves to condemn the Levite’s actions (and the actions of all Israel) in the strongest of arguments. See Lasine, “Guest and Host,” *JSOT* 29 (1984): 41.

134 According to Lev. 21:1-3, 11 which states that a priest cannot defile himself with a dead body except for immediate family. The text specifically mentions the wife as an ineligible candidate. Vs. 11 instructs a Levite to never enter the place of a dead body. Our Levite not only makes himself unclean, but more importantly, *he does not purify himself*. It is noteworthy that the above passages apply to priests and not necessarily to all Levites. However, the Levite states that he is on his way to the Temple of the Lord in vs. 18. Is he describing himself as a priest? Is he going there to fulfill priestly duties? Either way, since touching and severing his dead wife’s body, he now cannot enter there.

135 See Ken Stone *Sex, Honor and Power in the Deuteronomistic History* (JSOTSup Series 234; Sheffield: Sheffield Academic Press, 1996), 81-82.
At least we know that Shamgar killed 600 Philistine warriors with the jawbone of an ox. It is not much, but it is something.

Judges 19 gives us none of the above facts. Details provided in a single verse in the case of these other judges are entirely absent in the whole of 30 verses of chapter 19! The narrative of the story can be told in a few sentences, especially since there are neither names nor lineages to add. The simplicity of the narrative is almost comical and its silence is provoking.

But this paper gives proof that this simplicity is deceptive. While the narrative itself is indeed simplistic and no argument can be made otherwise, it hides a great depth within its crude and “primitive” lines. Biblical narrative on the whole is considered to be very sparse, giving dialogue and information only where absolutely necessary and providing underlying motivation almost never. Characters are rarely described in terms of look, dress, or unique characteristics. Yet, scholars of literary study and narrative have found that within this deceptively rudimentary material, Biblical writers have created a vividness unmatched in writing. So vivid, in fact, that these characters continue to speak from beyond the grave to whole groups of people who live in a world which has changed in unimaginable ways. They are more vivid, in fact, than most characters written at this time or in subsequent periods.

Alter, in particular, mentions Homer’s characterization, though certainly any Mesopotamian example could also be given. While Homer describes his

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136 Names, for instance are entirely absent from Judges 19, as are genealogies, and any reference of judges and how long they ruled. This type of simple information is given in single verses or groups of no more than 5 verses in, for example, 10:1, 3-5.
137 This “primitive” narrative was described as such by Boling, Judges, 29.
characters’ complexity and their attitudes, motivations and inner hearts with painstaking detail, he may use a single epithet throughout the narrative to describe them. Their personalities, while comprehensive, are absolute. Examples include laughing Aphrodite, resourceful Odysseus, or god-like Achilles. Consider the descriptions of Gilgamesh, Ishtar, or Marduk. Aspects of their characters are revealed, however once revealed, they do not change. Biblical characters are very different. Their very characters and aspects change, develop, and evolve. And not always for the better. They’re mutability and their complexity as people is truly unique. Moses, David, Ruth, or even Jepthah (a relatively unknown character with only 40 verses to his name) cannot have such epithets as those given in Homer because their characters are changeful and complex. David is not always resourceful; not always honest; not always a good king. Thus, there cannot be a single epithet to describe him. In this way, Biblical characters are more profound, their traits as unpredictable and as imperfect as real people.  

The methods Biblical authors use to make this complexity are many. In regards to this story, we shall examine the use of silence and epithets to show how this author made his characters as complex, imperfect, and as variable as those with names and with genealogies. Let us begin with the use of silence.

Selective silence can create a greater depth because it provides the narrator several different ways of exploring characters and character development. Utilized by a 3rd person narrator it may also be called “omniscient selectivity.” The narrator, while omniscient, selectively reveals details concerning a character.

to his readers in the mouths and actions of others. As important as what is said or done by characters is in fact what is not said. Silence indeed speaks. Alter describes three means of establishing character through this use of ‘selective silence’: a ‘low end,’ a ‘middle way,’ and a ‘top way.’ This continuum, he explains, is based upon “an ascending order of explicitness,” a “scale of means” by which character may be expressed.

The “lower end” is a realm of uncertainty in which the reader’s personal interpretations must be brought into play. In this narrative method, only the actions or appearance of a character are expressed. Neither dialogue nor omniscient details are given to the reader to describe the internal motivations or opinions of our character. The “middle way” may be described as a method used by the author as a means to improve his characterization. The author writes the information given by the narrator with discretion, selectively providing information through the direct speech of either the character himself or others. Alter describes the duties of the reader at this point: “...[this writing] leads us from inference to the weighing of claims. Although a character’s own statements might seem a straightforward enough revelation of who he is and what he makes of things, the biblical writers are quite aware...that speech may reflect the occasion more than the speaker...with the report of inward speech, we enter the realm of relative certainty about character...though we may still feel free to

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139 Alter, Art, 115-117.
140 Ibid 116.
141 It must be understood as well that there will be interpretations which shall be completely lost to us. For example: what does it mean to be from the far side of the hills in Eastern Kentucky, with all the stereotypes and clichés which such a thing evokes? These types of interpretation will be lost to us, but it is important to remember that they did in fact exist.
question the motive behind the intention.” This middle way is in fact the most difficult because it involves the reader’s personal interaction with the characters and the text. But the characterization relies upon that interaction to provide its depth. The final, “top” of this continuum involves no selectivity on the part of our writer. The narrator explicitly states the personality, motivation, or meaning of our character. We may be certain of the true nature of our character, although that character is still free to change and alter himself and/or his motivations. Although reader interaction is still required, as Alter states, “biblical narrative…may choose for its own good purposes either to explain the ascription of attitude or to state it badly and thus leave its cause as an enigma for us to ponder.”

In Judges 19, as often in other narratives, the writer does not confine himself to a single method. Rather, he elegantly and maturely combines these techniques of “selective omniscience” in order to provide depth and continuity throughout his story, discriminately handing out details like bread crumbs to his avid and hungry readers. Examining Judges 19 in this light—that is, in the light of this new understanding as to the precision and genius of its writer—we shall uncover new secrets and depth as to the characters within the ample silence of Judges 19.

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142 I use the term “narrator” and “writer” interchangeably while well-aware of the research done by literary scholars on the difference between the two.
143Alter, Art, 117. This becomes a much more complex process as we begin to ask ourselves “which narrator” or “which writer.” We must take care to precisely assign narrative technique to each different source writer so that their intentions may be made more clear to us. This type of literary criticism must be studied in great depth. In this paper, I shall be sure to keep this fact in mind, as the story of Judges 19 has been utilized for different purposes several times. See section VII.
We are introduced first to a man from the tribe of Levi. He is a sojourner in the hills of Ephraim. There is no dialogue until the Levite has done a great many actions (that is, following the ‘lower’ end of Alter’s narrative continuum): his concubine (another character to whom we shall return in due course) has become angry with him and left; he has waited four months and she has not returned; he journeys to Bethlehem in Judah with a servant and two donkeys in order to “speak to her heart” and “bring her back”; he meets his father-in-law with open arms; he does not speak to his concubine; he revels in merry making and freely partakes in the hospitality offered him, and yet at other times staunchly refuses the hospitality offered. Here we see the extreme selectivity of the narrator: indeed, it is on the “low” end of Alter’s continuum and thus our interpretation of the Levite’s actions depends entirely on our understanding of his behavior throughout the whole text.

In the beginning our Levite seems the more injured and pitiable party and his persona is one of compassion and kindness. His wife has left him for some unknown reason and now he, desperately perhaps, is traveling a long way from his home in order to retrieve her and speak kindly to her. In reality, there is actually a great deal about our Levite which is missing: if the pilegeš is his second wife, where is his first? For what reason would a woman leave her husband, her only safety and security? Why does he feel that he must take the initiative and apologize? Why wait four months, and is this (oddly) specific detail too much time or too little?

144 Andrew Mayes, “Royal Ideology,” *Biblical Interpretation* 7 (2001): 244
His life is mysterious to us and undoubtedly this was purposeful as it leaves his character ambiguous. The reader does not know what to expect from this dark, opaque man. Is he honest? Is he cruel? Will he reflect the typical apostasy characterizing the entire book of Judges? Most importantly, does his character match the duties and actions unique to the Levitical class? These are but some of our initial questions. However, by the end of the text we are surprised and sadly disappointed to realize that he is not honest. In fact, he is a merciless coward. He is a liar. He is not the compassionate man who went out to seek his wife’s heart. Looking at the Levite throughout the remainder of the narrative one must question whether his reasons for wanting to “bring back” his wife were entirely honorable. But those reasons are forever lost to us, if they ever existed at all.

As he comes to the house of his father-in-law, although at first he seems to accept hospitality, he is anxious to get on his way. Though he does not speak at all, one can feel almost a begrudging acceptance towards the father-in-law’s hospitality due to the amount of dialogue needed to force him to stay. Indeed, it takes two intercessions per day for the father-in-law to convince his son-in-law to remain. Here the author has used the “middle way” discussed by Alter. The writer uses what other people say concerning the Levite in order to color our opinion of him. At last, unconcerned with either his or his wife’s security, the man decides foolishly to travel so near to dark. He knows he will not reach his home before dark. He does not know what town he will stay in.\(^\text{145}\) His rash behavior places

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\(^{145}\) Notice in vs.11-13 in which he and his servant discuss where they ought to stay. There are choices of several cities. Gibeah is the final unfortunate decision.
himself and the people with him in danger. His lack of foresight will eventually cost his wife her life.

While he, his wife, and his servant sit in the town square another man from Ephraim comes and discovers them there. The Levite, in order to increase his chances of finding shelter for the night, adds to his story and embellishes his character: he went to Bethlehem in Judah and is traveling back to Ephraim in order to go to the House of the Lord; they have fodder and food for their donkeys and themselves and so they would be no trouble at all to house; thus it is the Benjamites who are guilty and inhospitable since none of them would take him in for the night. He refers to his people as the handmaiden and the servant of his potential host, honey-coating his reasons for traveling and sweet-talking the Old Man.\textsuperscript{146} However, his plan succeeds. The Old Man, knowing full well the danger which might await the man if he slept in the town square, and more hospitable than the Benjaminites, leads the travelers to his house.\textsuperscript{147}

When men come in the evening to take the Levite, and as the Old Man tries to reason with them, the Levite panics. In intense fear for his own dignity, he forcibly takes his wife and puts her outside before the Old Man has finished his negotiations. There is not even an indication that the men of the town wanted the concubine! His actions are not motivated by the desires of the crowd. It is only his own fear which causes him to do such a heartless thing. His cowardice is later


\textsuperscript{147} Note that the Old Man is a sojourner in the town, he is not a Benjaminite himself. This surely speaks to the view of the author towards Benjaminites. It is also unclear what the Old Man fears if the Levite and his companions sleep in the town square. But, like Lot in Genesis 19, the Old Man forebodes some ill if the people do not have a protector in the town. This also speaks concerning the author’s feelings toward Gibeah.
underlined in 20:5 when he describes the intentions of the crowd: he recalls there that the men wanted to kill him. This is not the case. Indeed, to kill him would entirely defeat their purpose for being there (see section IX). He makes no mention of the negotiations of the Old Man on his behalf. He then says that while the men desired to kill him they raped his concubine. But if his story is true, then one wonders how his concubine got outside of the house? How did the men, who were surrounding the house, reach her? And if they reached her, why is the Levite not dead himself? While the facts are mostly true he omits a great many details; namely that it was he himself who subjected his concubine to the torture which she endured. Once again he bends the truth, just as he did before to the Old Man, in order to make his own case look better.\(^\text{148}\) This cowardice is unseemly.

Lastly, no mention is made of the fact that this Levite has touched, indeed not only touched but dismembered to the bone, a dead woman. Like Samson the Nazarene (chapters 13-16) who followed none of the laws and guidelines of that title, this Levite has committed a gross act of impurity from which he does not cleanse himself.

In this brief discussion of the use of narrative silence in order to flesh out character, we have seen this Levite change from a man who seemed compassionate and perhaps pitiable to a man who is both a liar and a coward; entirely a victim of his own lack of foresight and ruthlessness; impure in habit, cunning in nature, and who finally disappears into oblivion as the tribes take on this “righteous” cause. Slowly the narrator has developed this Levite’s character using silence and revelation through action and dialogue.

\(^{148}\) Lasine, “Guest and Host,” 49.
There is one more character who deserves our attention in this examination of “selected silence” and that is the woman. She has but a few actions and no dialogue. People speak *about* her but never *to* her. Her actions, however, reveals a character completely contrary to her later treatment! And the juxtaposition is truly unique.

When looking at the woman in this story, many critics have entirely overlooked her nature in the attempt to give her a voice and come triumphantly to her aid. Consider Matthews’ words: “She is a victim whose only attempt to assert her independence was thwarted by her father, her husband, and the failure of the citizens of Gibeah to carry out their proper role as host.”

What this author and others like him have failed to realize is this lack of a voice is in fact the use of selective silence on the part of the writer. Her actions speak loudly, in fact, of her independent nature. The story begins with her choosing to leave her husband’s house and return to the home of her father. Why she did this is not clear. We are only told that she was angry with him. She has essentially given up her rights as a wife, her security, her protection and any dowry which might have come with her. Besides this, a woman could not divorce her husband. The return to the father’s home is a sign that she has completely severed her relationship with him, and this

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149 Matthews, “Hospitality and Hostility,” 10. He echoes the opinions of: Susan Niditch, “The ‘Sodomite’ Theme in Judges 19-20,” *CBQ* 44 (1982): 371; see also the words of Cheryl Exum, *Fragmented Women: Feminist (Sub)versions of Biblical Narrative* (JSOTSUp 163; Sheffield: JSOT Press, 1993) 176, “The anonymity of the woman who is gang-raped in Judges 19 encourages readers not to view her as a person in her own right.” Or Trible, *Terror*, 80-81 “Of all the characters in scripture, she is the least. Appearing at the beginning and close of a story that rapes her, she is alone in the world of men. Neither the other characters nor the narrator recognizes her humanity. She is property, object, tool and literary device. Without name, speech or power, she has no friends to aid her in life or mourn her in death. Passing back and forth among themselves, the men of Israel have obliterated her totally.”
entirely of her own volition! Her bravery and presence of mind in this action is truly extraordinary.\textsuperscript{150}

When her husband comes to her father’s house it is she who brings him into the home.\textsuperscript{151} If this woman were truly subjugated, and completely dejected at her treatment then how strange is this behavior of which we have no other example in the entire Old Testament? Other strong, well-known, and independent women of the Torah have not even done this. Normally, when the woman is met first, and a desire is expressed to enter the father’s house, the woman will return home and the brother or the father himself will go out to meet the guest. A woman does not show a man into her father’s home.\textsuperscript{152} Our concubine’s actions here exhibit a male role and also indicate that she has forgiven her husband, else she would not have shown him into her father’s home. She is the only subject of the leaving and returning; it is entirely in her hands, not in the hands of the men who surround her. She is neither helpless nor voiceless! Indeed, her actions speak louder than her words!

Her emerging proud and brave character makes her treatment in the story even more poignant. Despite her activity and her deeds up to this point, she is still beaten down in every way by the society around her. The tragedy is felt even more once the reader realizes the type of woman who has been lost and abused.

We may consider her a martyr—like the daughter of Jephthah before her\textsuperscript{153} this concubine is a true heroine who accepts her fate rather than preserving herself.

\textsuperscript{153} Judges 11:34-40, especially vs. 36.
VI. Source Criticism

Up until this point I have spent little time in the discussion of source criticism. Literary analyses, while helpful in discovering potential insights into the psyche of our author and his possible ways of fleshing out his characters, is not always as sensitive to redactional changes.

The Judges 19 narrative has not gone through many identifiable redactional changes. However, the core story—the fairytale—has been used for many different purposes through time, though that changing purpose has not left many linguistic markers. A type-story can have many different meanings and many different uses through time. These different purposes can still be seen amidst the extant account of Judges 19.

Judges 19 comes to us as a complete, albeit simplistic, written manuscript. Indeed, it is a literary unity. Not that this type of unity is difficult with such a story; it is a type-story, the details are fixed. It is only the who and the where which the author may change to suit his needs. Linguistically there is much to suggest unity: first of all, the language of Judges 19 is far too consistent and common to hypothesize different authors. The verbal forms of škm, qwm, lwn, šth, ′kl and hlk are continuously used to refer to the journeying, the staying overnight, the rising up, the waking up early, etc. The same combination of these verbs occur in verses 3, 5, 7, 9, 27 and 28. Note the pattern of eating and drinking in such verses 4, 6, 8, and 21.  

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154 Alter, Art, 47-62.
155 For the purpose of this “economically chosen language” see: Niditch, Susan, “‘Sodomite’ Theme,” Catholic Bible Quarterly 44 (1982): 366.
word choice.\textsuperscript{156} After staying at his father-in-law’s house, his morning routine is always described with יִשְׂפֹּר in verses 5-9. This pattern is used no less than 5 times! The words of the father-in-law also change little and the phraseology hardly at all. He always insists that the Levite stay to make his heart glad, to eat and to drink and later to leave. While this can be seen as doublets of the same scene, this is very unlikely. Moore calls it “redundant and confused.”\textsuperscript{157}

But this is not the case. The story is perhaps bizarre with its thorough portrayal of fatherly hospitality, but this is used literarily to stand in contrast to the inhospitality in Gibeah. It also serves, as above, to elaborate upon the character of our Levite. The ‘seizing’ of the concubine by her husband is copied in vss. 25 and 29. The epithets of each character can be completely relied upon not to change.

This type of evidence makes it very clear that this passage is a unified whole and written by a single author. Its coherence is, in fact, quite impressive.

\textit{The Effect of Epithets}

I do not think that the use of epithets in this tale is a result of the narrator’s attempt to symbolize graphically the disintegration of culture and tribal ties at this time.\textsuperscript{158} The theory comes with little evidence save our own literary savvy and opinion. The answer as to why epithets are used here requires us to ask what epithets bring to a tale that specificity does not?

\textsuperscript{156} For this use of repetition to create ambience, a passage of time, hospitality contrast etc. in biblical literature see: \textit{Ibid} 366-377; Susan Niditch and R. Doran, “The Success Story of the Wise Courtier: A Formal Approach,” \textit{JBL} 96 (1977): 179-193.

\textsuperscript{157} Moore, \textit{Judges}, 405.

Epithets give temporal vagueness to a narrative. They can be used anytime and anywhere and about anyone. Names such as “Lot” or “the messengers” can easily be added, or the tale can remain opaque—the unnamed man could be the foreigner who just passed through; he could be your friendly neighborhood Levite! The point is that the hearer does not know the true identity. Thus the moral becomes true for all identities. It is ironic that the lack of specificity of the protagonists and antagonists is in fact what creates the universal moral. And the story becomes not only applicable to anyone but also to any time. Thus, this narrative may have many meanings throughout time, and would be as at home at the end of Judges as it would have been at the beginning of Judges, or at the end of Samuel, or in the midst of Genesis…it can be used anytime, anywhere, for a variety of purposes.

Thus our story becomes the ultimate moral tale. And where names are inserted, to be sure, therein lies at least one explicit purpose to the story. Specificity, in a tale of obscurity, has deep meaning. Thus, within the Judges 19 tale, geography becomes of ultimate importance. Bethlehem and Gibeah are both specifically mentioned. The story makes a particular point of telling the reader in vs. 16 that אֱלֹהֵי בֵיתַ יַם אֱלֹהֵי בֵיתַ יַם “the men of the place were sons of Yamin.” However, in vs. 22, these same men are given a specific name or designation בני בליאל “sons of Belial.” It thus becomes obvious that one of the purposes of the narrative is to create an insult toward the tribe of Benjamin. The

insult becomes even clearer as a play on the name of the tribe. No longer are they
descended from a son of Jacob. They are descended from sons of depravity.¹⁶⁰

This hatred of the tribe of Benjamin could stem from this ancient civil
war. Perhaps it was even told as a recruitment story or a story spread by the very
tribal council we see at Mizpah in order to legitimize the war effort. But however
this may be, the ethnic discriminations against Benjamin are clear in this
narrative, and probably this is closest to its most original purpose.

A political polemic is an easy jump once the ethnic discrimination of
Benjamin has been established. It is this political purpose which I would attribute
to DtrH and thus it shall be discussed in section VIII below.

¹⁶⁰ In order to retain this insult it is necessary to retain also the genitival construct. We should not
translate “worthless men” as per Niditch, Judges, 188 or “local hell-raisers” as per Boling, Judges,
276.
VII. Judges 19

VII.a Judges 19 as a part of Judges

First and foremost in this section, we must discuss the effects of New Criticism and Formalism. Rarely allowing for authorial intent, these approaches look at a biblical book as a whole. While source critics search particularly for authorial intent, variant sources and their “original meanings,” they can often overlook the meaning of the text as a whole. At some point in time someone edited the text in order to be read and interpreted as a complete work, despite its sordid and variant past. When applying these methods, however, the book of Judges is particularly difficult. The book is made up of several forms of writing with several different original meanings in its chapters. But even Judges was, at its end, meant to be read as a unified whole. As Alter notes: “The new literary perspective…does argue in a variety of ways that scholarship, from so much over focused concentration on the seams, has drawn attention away from the design of the whole.” Therefore, what was the intent of these final redactors? And what was the interpretation by the readers? These complexities must be considered when dealing with any text.

Gale Yee recently published a set of essays specifically deal with this topic. She suggests that Judges is to be understood in an economic light. Josiah’s reforms attempted to implement a centralized bureaucracy in the midst of a tribal/familial mode of production. This subversion of tribal ties came as a result of the past dominion of the Assyrian empire. Josiah sought to stabilize and unite

Israel and with this end in view he began to abolish shrines, implement centralized worship, taxation, and the writing of such “propaganda” books as Judges, which was an attempt to solve the dilemmas created during this ideological change. Note the consistent breakdown of tribal leadership, especially in the last chapters of Judges which both involve the humiliation and moral failure of the Levitical class.163

David Gooding, however, moves away from this polit/economic theory proposed by Yee. He sees the book of Judges as a well-planned theological and literary whole. Written like a large chiasm, the major stories at the beginning and end mirror one another like dark parodies, leaving Gideon vacillating (as he irritatingly does) in the middle, betwixt the two. The double introduction of holy war against the surrounding nations at the direction of an involved deity is mirrored by the double ending of holy war against a tribe of Israel at the (dishonest) indirection of an uninvolved deity. Gooding argues for the completeness of the book of Judges, denying that Judges 19-21 was appended to the book.164

Despite this type of ‘whole book’ connection,165 it has long been agreed upon by scholars that, at the very least, Judges 19-21 is part of a late addition to the rest of Judges. A brief synopsis of the general opinions of several scholars is considered in section IVb. Even Martin Noth, who formulated the theory of the

164 David Gooding, “The Composition of the Book of Judges,” Eretz-Israel 16(1982): 70-79. See also Dumbrell, “‘In Those Days There Was No King’” JSOT 25 (1983): 25. Boling, Judges, 36-38 also notes this unity, however, both Boling and Dumbrell stress that Judges is an editorial unity,
165 For other observations concerning the whole book of Judges see Webb, Judges.
Deuteronomistic History in his foundational book *The Deuteronomistic History*, gives Judges 19-21 only a footnote in which he states that it is a late addition. No other consideration is given to it.\(^{166}\) Wellhausen notes an incredible incompatibility between Judges 17-18 and 19-21. In fact, he exclaims that there does not exist such an incongruity in religious history in the entire Old Testament.\(^{167}\) He goes on to say that Judges 19-21 exhibits exemplary behavior on the part of the tribal leadership. He also makes an argument for the possible P influence in this section. With the mention of “the congregation of the community of Israel” and the name of Phinehas the grandson of Aaron the influence of P becomes more likely. However, he also notes that there is no mention of the tent of meeting which is the clearest marker of a P author. Thus, he hypothesizes that Judges 19-21 is an intermediate between Dtr and P.\(^{168}\)

Amit shares the opinion of Wellhausen, arguing that 17-18 was meant to be the ending to Judges because it follows the criteria given in chapters 1-2 more ably than 19-21. Amit stresses even more than Wellhausen the excellence with which the tribal council is portrayed, calling it a “song of praise” to pre-monarchic leadership.\(^{169}\) She also points out that Judges 19-21 is not in keeping with the immediate context of the book of Judges, but rather looks toward the larger theme of the book of Samuel. The story does not fit with the Judges cycle presented in chapters 1 and 2, it is not in correct chronological sequence, and it

\(^{166}\) Noth, *Deuteronomistic History*, 77 note 2 “It is recognized that Judg. 17-21 was not part of Dtr.’s work but was added later.”


\(^{168}\) Ibid 235-237.

\(^{169}\) Ibid 339.
does not follow thematically from 17-18 (though she has little explanation as to why).

Lastly, Amit argues that there is clear redaction in the story of 19-21 in order to integrate this post-exilic annexation with the remainder of Judges. First and foremost, the framework, which thematically is integral to Judges 17-18, has very little meaning in Judges 19-21. The redactor was attempting to clumsily stitch the two stories together by adding the framework of one to the other. In addition to this, Judges 19-21 forms a pseudo-circular close to the book. The redactor has attempted to bring the story “full circle”; but, Amit says, the circles do not fully meet. The author tries to incorporate aspects of the larger narrative (such as those themes and events mentioned by Gooding or Dumbrell) however Amit insists that the circular pattern always fails. For example: 20:18, while in language resembles 1:1-2, in actual occurrence it does not. The people inquire of YHWH who shall go up, and he answers “Judah” just as in 1:1-2, however it goes on to say, “the people of Israel” arose and encamped rather than the tribe of Judah alone. As Amit states, the redaction is a failure, “…this artificial connection only deepens the tensions that are revealed, both in the development of the plot and in the construction of its meaning.” Thus, appending Judges 19-21 to the end of Judges 18 was performed by creating a circular pattern which might fit with the remainder of the book, and lastly in combining the framework from Judges 17-18.  

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170 This insistence on an entire Israelite community rather than individual tribal communities in 20-21 is one reason a post-exilic redactor is assumed.  
171 Amit, Editing, 336-357.
While her insights are interesting, Amit fails to give a reason as to why a redactor would redact back to Judges as well as forward to Samuel. She has excellently recognized the importance of this narrative within the broader narrative scheme extending into Samuel which is discussed below in section VIIb. It is indeed looking forward. But then to suggest that the story is also being appended backwards seems to defeat the object. Amit is not clear as to whether or not these changes were made perhaps by more than one redactor, each with a separate motive.

After examining all these theories concerning Judges 19-21 it is clear to this writer that the basic theory must be questioned. I would like to present another proposal than the others given here. I believe it is clear from Amit that the framework itself is a late addition to the narrative. This does not necessitate the narrative to be a late addition. As first suggested by Moore, I believe the narrative of Judges 19-21 to in fact be archaic in its origin. The arguments as to why Judges 19-21 cannot be a part of the original Judges 3-16 material has been presented above, however, those arguments are less than convincing. I admit that I also shall give only basic arguments as well, and this study ought not to be considered an exhaustive examination of this possibility. I wish to examine the logic behind this viewpoint. It is not as impossible as these other scholars have made it seem that Judges 19-21 can in fact connect to the pre-deuteronomistic material of Judges.

VII.a.i Why Judges 19-21 Can Have Its Place with the Rest of Judges

Judges 19-21 does not differ dramatically from Judges 3-16. This is the first flaw with the arguments mentioned above. It is with very narrow vision that
we approach the book of Judges. Due to the types of stories recounted and
because of the deuteronomist’s purpose in adding his framework, we assume that
the original purpose for the pre-deuteronomistic author was also to recount the
doings of the judges of Israel. This, however, it is not necessarily the case. Boling
in fact makes the argument that these stories originally began as Israelite epic and
were originally interpreted as positive portrayals of their characters.\textsuperscript{172}

These pragmatic stories can still be seen in our extant version of Judges
because the deuteronomist did not change the original narratives in any great way.
He merely added a stable framework by which to link the narratives and by which
to stress his kerygma. Thus, it is most likely that with the deletion of the
framework from this book we come as close as possible to the pre-
deuteronomistic pragmatic\textsuperscript{173} material, what is found? It is found that very few of
the Judges narratives in fact fit a particular mold which includes the mention of a
judge or deliverer.\textsuperscript{174}

Gideon’s story in 6:11-18 does not match the brevity of the previous
accounts. It includes stories about Gideon’s own doubts (6:17-21; 36-40), an
angel who comes down and calls Gideon individually (6:11-21), and a battle to
deliver, not simply a single tribe, but all Israel (chap. 7), and Gideon’s own failure
by making the ephod is underlined (8:24-27); Abimelech (Judges 9) was not a
judge at all but a self-proclaimed ruler who fought in a minor civil war; Jephthah,
though he did “judge” Israel for a number of years, was not explicitly raised up by

\begin{footnotes}
\item[172] Boling, \textit{Judges}, 30-31.
\item[173] Used by Boling, \textit{Judges}, 30 to refer to a “didactic collection of [early Israelite epic] stories” put
together just prior to the deuteronomistic additions (e.g. framework)
Peckham, \textit{History and Prophecy} (Garden City: Doubleday, 1993), 545; B. S. Childs, \textit{Introduction
\end{footnotes}
God but rather by men (Judges 11:12:7); Judges 5 is a poem and not a narrative at all; Shamgar “delivered” Israel, he did not judge.

The stories actually connect in the following fashion: first, they all take place during the period after the entry into the land and before the monarchy. Second, the narrative follows the exploits of a single character—usually a judge, but as shown above, this need not always be the case—and proceeds to describe the situations surrounding him. These situations land him in national centre stage, causing a ruckus throughout Israel. Judges 19 in fact matches this pattern.175 Our Levite finds himself in a situation which very quickly involves all Israel. Up to this point, the reader has been subjected to the multitude of failures and successes of many men of all the different tribes: Benjamin, Asher, Nephtali, Ephraim, Zebulun, Issachar, Dan, Gilead, clans of Reuben, Manasseh, Judah and even a Kenizzite (and not all of them in the form of judges). Now we see the exploits of a character of Levi’s stock.176

Looking over these diverse narratives—some long, some shorter, some well-developed while others are seemingly no more than short folktales—it seems clear the purpose of the original pragmatic material was not to recount the judges of Israel, but rather quite simply to present a history (with use of epic, oral narratives) of Israel’s time during the ‘judges period’ (already a biased and anachronistic name of a period of history. Such a title assumes the time period is qualified only by the presence of judges/deliverers). If this is the case, the

176 The question of why some tribes may have been (purposefully?) left out is an intriguing question, and there should be some line of inquiry into this issue. However, the question is well outside this thesis.
incorporation of Judges 19-21 is not only possible but very likely. The absence of a civil war (and the folktale concerning its cause) would be strangely conspicuous in such a document. This would account for the use of archaic names and genealogies of Phinehas (20:28) and Jonathan (18:30) in this text.

This is by no means conclusive evidence. It is not meant to be. It is merely meant to explain that Judges 19-21 does not need to be considered a late edition. It can very easily be considered a part of the original pre-deuteronomistic material. Given the way by which the deuteronomist utilized the narrative, it seems clear enough that it was there already and he had to find a way to work it into his kerygma.

But if Judges 19-21 in fact does fit with the remainder of Judges 3-16 why is there a marked change in the framework used for this narrative?

VII. b Judges as a Part of the Deuteronomistic History

In chapter 17 there is a sudden switch of the framework which has been used throughout Judges 3-16. Rather than mention of the people doing what is evil in the eyes of YHWH, the framework changes to: "in those days there was not a king in Israel." This occurs in 17:6, 18:1, 19:1 and 21:25. The sentiment expressed here is a large change; though note it does not necessarily contradict the previous frameworks. It merely stresses the importance of a monarchy, and insists the reasons the people are going astray is not necessarily because of the surrounding nations but rather because they have no central form of government, and by extension, we cannot help but imply, there no central form of worship—a major result of Israelite kingship. The result is still
the same, that is, אִישׁ תְּחִרְשׁ בֵּיתֵי יְשַׁעֵהוּ “every man did what was straight/right in his own eyes.” This framework curiously echoes the original framework of chapter 2 which says that people continued to do evil in the eyes of God. The new framework of Judges 18-21 is close to the original but it is not quite right. The emphasis switches from “the eyes of God” to the “eyes of men.”

But the meaning, at its core, is the same. The writer is accusing the people of Israel of doing improper things. The full phrase of אִישׁ תְּחִרְשׁ בֵּיתֵי יְשַׁעֵהוּ occurs only twice: in 17:6 and in 21: 25, the last verse of the last chapter.

It is thus, in this very contrived manner, that the stories are “bookend-ed” purposely by these phrases. As Amit points out, in the center of these two individual stories there is a smaller, more simplified framework and at the story’s beginning and end the entire whole is encapsulated with the larger framework. 177

However, it is very important to note that in each of the four cases, the framework is inserted in an extremely truncated and awkward fashion. Indeed, the framework is found awkwardly sitting in the middle of the Micah narrative. With its addition to the beginning of chapter 19 it causes the sentence to have a double phrase—an awkward beginning indeed. If the framework were not there, Judges 19 and Judges 18 would begin fluidly. Without losing any meaning, their beginnings would mimic Judges 13 as well as 1 Samuel 1:1. 178

177 Amit, Editing, 351

178 Indeed, as often noted, the framework of Judges 19-21 is not needed and does not serve to summarize the essential characteristics of the story. See Mayes, “Royal Ideology,” Biblical Interpretation 9.3 (2001): 254-255; Noth, “The Background of Judges 17-18” in Israel’s
It is also noteworthy that the meaning of the framework does not find itself explained nor exemplified within the stories themselves. The stories do not need the framework, but more importantly, the framework does not need the stories either. They do not elucidate each other. Just as the stories prove the point of the framework of Judges 3-16, so we should expect the stories of Judges 17-21 to do the same with its framework. Instead we see (and feel) a disconnect. The framework is sorely out of place.

It is my opinion that this framework was added deliberately by the deuteronomistic historian. The framework fits his overall theology and the history which he is relating. I agree here with Amit, that Judges 19 actually looks forward towards Samuel; that it fits not within the smaller motif of Judges but rather within the larger theme of Israelite history. But Amit misunderstands the use of the framework due to her conclusion that the new framework was originally a part of Judges 18. As mentioned above, she believes the framework is added in order to append the story onto Judges. Instead, I am proposing that the framework was added to both Judges 17-18 and 19-21. This was done not to connect it to the previous narratives but rather to connect it to the narratives to follow and to introduce a new theme and a new time in the history of Israel. That is, the coming (and preparation for) a monarch.

179 Contra Robert Miller, “Deuteronomistic Theology,” Old Testament Essays 15 (2002): 411-416. He argues that the author of the text points out with subtlety that “retributive theology”—typical of the Deuteronomist—is in fact Canaanite, and this type of behavior and theology is caricatured throughout the book. It is my opinion, however, that he has mistaken the unrighteousness of this time period for parody and caricature. This anti-Deuteronomistic attitude actually supports the Deuteronomistic authorship of Judges: This was a time of unrighteousness; of acting completely contrary to the way YHWH intended for his people to behave. Therefore, a Deuteronomistic book, in the time of the Judges, would be anti-deuteronomistic in the exact ways which Miller notes.
As noted above, once an anti-benjaminite function is attributed to our tale (a meaning which was established when the story was originally written), it is a simple matter to make out of it an anti-Saul polemic. Within this type-story we suddenly have detailed geographical references. As argued above in section VI above, specificity is of great importance in a tale of epithets. The specifics in this story refer clearly to Saul: Gibeah, Saul’s birthplace, Mizpah, the place where Israelites congregated to condemn Benjamin and in order to proclaim Saul king, Rimmon, where both Saul and his 600 men as well as the 600 fleeing Benjaminites stayed in safety (1 Sam. 14:2; Judges 20:45), and Ramah, the city of Samuel. Amit also shows with great precision how several of these sites are superfluous and geographically dubious, thus their mention can only be for the writer’s own purpose and not simply a part of the general narrative.

Within this narrative Saul’s lineage will also be revealed to us. The men of Gibeah abducted women of Shiloh and here are Saul’s origins. Here also is the importance to the Deuteronomistic Historian (DtrH). In establishing the character of Saul, a character which is excellently developed in Samuel in ways the Chronicler does not, the import of this story becomes paramount. It is placed by DtrH at the end of Judges, despite the problems associated with its placement.

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183 Problems pointed out by Amit, *Editing*, 310-311. This is not to say that Judges 19-21 does not fit comfortably at the end of Judges, as is pointed out by many literary critics and some source critics. This connection is mentioned in section IV above.
because of its easy lead-in to Samuel and its relation to Saul. Judges 19-21 should be considered a beginning to the book of Samuel. The preparation by the Deuteronomistic Historian for Saul begins very early. So he uses and interprets these stories in a way they were never originally meant.

Originally, without the framework placed there by the Deuteronomist, and without the anti-Saul polemic, this story could not stand on its own. It had to be coupled with the events in chapters 20-21. It explained the purpose of the civil war, no more. And, as mentioned above, it was included in Judges because it was an integral point in that time period. However, with the introduction of the framework, the story becomes an important narrative independent of its context by which to introduce the monarchy. No longer does this narrative only serve as an introduction to the tribal war. Now, its purpose is two-fold in the scheme of the Deuteronomistic History. Not only does it underline the unrighteousness of the Israelites during this time (as the entire book of Judges demonstrates), but it also serves as the introduction to the events leading up to Saul’s genealogy. The framework also connects the book to Samuel and prepares the reader to begin thinking and interpreting in terms of kingship; we are entering the monarchy; look at how bad things are; with Saul they will not be much better. With the added short, intrusive framework, a new chapter is about to be revealed in Israel’s

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184 For a more fascinating and extended look at how these last chapters of Judges relates to the stories of Saul and David in Samuel and Kings, indeed, as the stories here stand as protases to those events in the reigns of these kings and thus form a larger literary motif within the Deuteronomistic History see Satterthwaite, “‘No King in Israel,’” Tyndale Bulletin 44 (1993): 86-88.

185 This opinion is contra Mayes, “Royal Ideology,” Biblical Interpretation 9 (2001): 254 who argues that Judges 19 originally stood as an independent tale and only later came to be secondarily added to the 20-21 tribal warfare narrative. However, the possible purpose of this story as an independent narrative is not described by Mayes.
history. A king is about to be introduced and here is his beginning. Israel is found at its lowest point in the midst of civil war, without a centralized worship, without single leadership. A leader is coming, and he is a result of the ungodliness of these chapters. So the reader is prepared for Saul.


VIII. Importance of גרים

Our main character in Judges 19, as well as the Old Man who takes him in, is described as a gēr. To understand the significance of this designation in terms of our narratives we must examine the early law codes which mention the gērim. Their rights, their expectations, and their duties in the Israelite society must be determined, both during the time of the writing of the Genesis story and also during the time of the Judges authorship. This may seem to be out of the scope of this paper, however, my purpose is to present a complete background of these tales in order to understand their purpose. And surely there is nothing more vital to the correct interpretation of a story than to be fully aware of the meaning of its vocabulary and the designations put in place by the author himself.

A sojourner was an individual who settled in a land not his own. It is within the Israelite laws that we see the most distinct differences between the alien and the citizen. There are several distinct law sections within the Torah, each offering differing opinions concerning the rights of the sojourner. For example, it is in the deuteronomic laws that the difference between an immigrant and a citizen is clearly defined as a class distinction. This differs from the information given to us within the Holiness Code, other parts of various Priestly laws, or the Covenant Code.

188 Already we have the first big debate regarding the definition of the gērim. It is possible that later in Israelite history (during the time of Deuteronomic Law, not before) the gērim would have included the Levites, a tribe who did not inherit a portion in the land, thus he must settle as a gēr. Indeed, in our story we see a Levite who does not describe himself as a gēr but does describe himself gar-ing. But in Leviticus and Numbers there is no indication of this. Levites do not begin to be associated with the gērim until Deuteronomy. Johannes Pedersen, Israel: Its Life and Culture, (vol. 2; South Florida Studies in the History of Judaism; Georgia: Scholars Press, 1993).

189 Approximately Lev. 17-25. To see several debates on where the Holiness Code begins and ends see: J. Milgrom, “Hr in Leviticus and Elsewhere in the Torah,” in The Book of Leviticus.
The term was first translated by the King James as “stranger.” Moses’ famous line, “I am a stranger in a strange land” involves the gēr terminology. Now, however, the term is much more commonly translated as “sojourner.” More fitting than ‘stranger,’ it conjures an image of traveling, however it does not seem to imply the second-class status these travelers very probably felt when they came to their new homeland. It also has no nuance concerning why they travel. Indeed, to call a person a sojourner almost indicates that they are roaming (specifically not settling) simply because of their own wander-lust. This was most likely not the case in the ancient Israelite world when these law codes were made. The term also puts much more emphasis on the traveling aspect of their identity rather than on their settling aspects—and it was their very settling in the Israelite homeland that places them in the jurisdiction of Israelite law in the first place.

The term gēr is also sometimes translated as “foreigner” in, for instance, the JPS translation. This is entirely incorrect. There were at least two separate words which would more aptly be translated ‘foreigner’ and they had distinct and

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190 ‘Other priestly codes’ consist of passages within Leviticus not included in the Holiness Code, and numerous Numbers passages. The various laws that I cite may not be a part of a distinct chunk of ‘Law Code.’ They may simply be distinct laws sprinkled amongst other laws in Leviticus and Numbers. I will still refer to these as “codes.” To refer to passages in Leviticus and Numbers as “other priestly codes” does not hypothesize a connection between the Leviticus sections and the Numbers sections; it does not suggest the same author of Numbers and Leviticus. The authors of these sections were distinct, and the sections are distinct, but they clearly fall within the same P “school” as the common language used clearly indicates.

191 Approximately Exod. 21-23

defined differences.\textsuperscript{193} The translation also insinuates that a gēr must be foreign. This is also an incorrect assumption. To be sure, they often were. But, another Israelite simply living in a city or tribe other than the one in which he was born and/or raised would constitute a sojourner.\textsuperscript{194} For example, Levites (such as our Levite in Judges 19) very often could be considered ‘sojourners’\textsuperscript{195} and the author of the Deuteronomistic Law Code placed the sojourner and the Levite in the similar category of an individual who needed specialized charity. As in English only an immigrant can immigrate, only a gēr can gar.

‘Immigrant’ has been suggested recently for a more apt definition.\textsuperscript{196} In English, this term has the proper nuance we are seeking as translators. It involves both the stigma which very likely applied as well as the difficult circumstances under which the person was probably forced to leave their old home region to settle in their subsequent (and perhaps even despised) settlement in their new home region. It conjures the image of a small family trying to eke out a living in less than favorable circumstances in a land not their own. They would have struggled with language barriers, cultural obstacles, as well as racial stereotypes and discrimination. This should be the image of the gērim in our minds when they are mentioned in the Tanakh.

\textsuperscript{193} See בֶּן גֶּרֶן “son of a foreigner” in Lev. 22:25 and Ex. 12:43. Even compare in Exod. 12:48-49 that a sojourner is allowed to partake of the Passover meal with the Israelites given he and his household are circumcised. This clearly shows that the sojourner was not seen as a foreigner but rather as a potential citizen of the community, albeit not native. The class of the גֶּר received even less protection under the law than a sojourner; see also עִירָיָן “the foreigner” (the same root as used in Exod. 12 and Lev. 22) in Deut. 23:21.

\textsuperscript{194} Christiana van Houten, The Alien in Israelite Law (JSOTSup Series 107; Sheffield: JSOT Press, 1991). See also, for instance, Judg. 19:16.

\textsuperscript{195} Judg. 17:7; 19:1.

\textsuperscript{196} Spina, “Israelites as Gērim,” 321-35; Houten, Alien, 46.
There are few reasons that might compel a group to willingly uproot and move to a place in which they have no (or few) connections, and to where they have no social nor judicial protection. As Spina puts it, the gērim are a people “no longer directly related to their original social setting and who have therefore entered into dependant relationships with various groups or officials in a new social setting.”

This was an extremely vulnerable position. Therefore, more often than not, their motivations were as extreme as their movement. It is most likely that those under the social class of gērim were constrained by their circumstances. Spina postulates famine, social conflict, war, and crime to be possible reasons for a movement, all of which would place them under the term ‘refugee.’ His theory is well established by Biblical stories. Israel itself is repeatedly referred to as “gērim” within Egypt, traveling there originally to escape famine in their own land of Canaan. Abraham sojourned all throughout the Levant, but it took a direct command from God for him to do it. In Israel during the time of Solomon, Chronicles records there being 153,600 gērim in the land, all of whom were then conscripted. In Genesis 26: 6-7, Esau leaves the land in which he and his brother are sojourning so that he might sojourn in some other land. Here, family strife and space were the motivating factors. The Levites sojourn only because they were not given an inheritance in the land. They were forced to sojourn.

197 Spina, “Israelites as Gērim,” 323.
198 Gen. 12:10; 47:4; Pss. 105:23 record Abram making the same trek as well as Isaac his son to the land of Abimelek in Gen. 26: 3, 11. Israel as a whole is often referred to as gērim including such verses as: Deut. 10:18-19; Exod. 23:9, 22:20; Lev. 19:33-34; Gen. 15: 13; 20:1; 23:4.
199 2 Chr. 2:16.
Due to the specific laws within the various law codes enumerating such behaviors which should not be done to the sojourner, we can reason that such acts were, in fact, being committed. They were probably swindled, treated as second-class citizens, not given charity, not allowed to participate in feast days or religious days, and they did not receive the full benefit of the justice system. But in no place is their status as second-class citizens so underlined than in the stories of Judges 19 and Genesis 19. Indeed, the evil which occurs there, at its heart, is because the men involved were sojourners within a city not their own.

In the story of Genesis 19 Lot is only in danger from the men who are outside his home when they remember that he himself is an immigrant in their midst! At that point they are angry with him—an immigrant—who would presume to judge them. At that point, they vow to do worse to him than they would have to his visitors (see Gen. 19: 9). Lot, at that point, has risen above his status. He cannot sit in judgment over the people of the village because he is of second-class citizenship there. Thus, they seek to remind him of his position in their midst.

In the story of Judges 19, the Old Man is Lot. The men of Benjamin show their lack of respect for this immigrant in their midst by daring to bang on his door and demand his guests! These ‘sons of worthlessness’ do not respect the

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201 Exod. 22:20; 23:9; Deut. 24:14  
202 Lev. 19:33-34; 24:22  
203 Lev. 19:9-10; 23:22; Deut. 14:29; 24:19-22  
204 The Covenant Code makes it clear that immigrants should be able to partake in festivals, the Sabbath and passover: Exod. 12:19, 48-49; 20:10; Lev. 16:29; 17:8-15; Num. 9:14; 15:14-16; Num. 19:10; Deut.16:11-14; 26:11-13  
protection this man is giving to his visitors. They feel able to challenge his
authority in this area. It can be postulated that if a person who was legitimately
from the city of Gibeah had taken the visitors under their protection, they would
not have been challenged in such a way. But these men are sons of worthlessness;
one who do not obey the law. The law clearly states that immigrants are to be
respected, to not be harmed and to be judged as citizens. But this is the time of the
judges—a time when every man does what is good in his own eyes. And there is
no king to uphold these laws. By threatening to mistreat his guests, these men are
in essence also disrespecting the host who has chosen to take the guests in. A
shame is put upon the host because he was not able to protect them.
IX. To Know a Man: what was really going on at Gibeah?

There is clearly a lapse in the modern critic’s understanding. We often have trouble interpreting aspects of tales, and we must assume that it is our distance from the event which has caused this misunderstanding. The people of the time most likely understood the situation much more fully. The scene at Gibeah is no exception. The modern scholar is clearly missing some type of societal understanding. Too often, terms such as ‘sodomy,’ ‘hospitality,’ and, more recently, ‘homosexual rape’ is used to describe the actions of the men of the city of Gibeah. Homosexuality is indeed forbidden in ancient Israelite law. But this is not applicable here. The act in Judges 19 (and, for that matter, Genesis 19) is not a homosexual act. It is an act of rape, and should not be confused with any other sexual act.

The question here becomes why these men are in such a frenzy for (what seems to be) homosexual relations? Are all the men in town homosexual, and thus desperate to find solace for their passion, not otherwise given expression? This seems unlikely, for all the men in town come out “from the ends, the young men and the old,” and if this is the case, all the men are homosexual and thus could find ample sources of expression amongst themselves. Could it be that the men in town were lacking women to enjoy sex with and thus were overcome with passion.

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206 However, this theme of hospitality so commonly touted by scholars today actually originates with Jerome’s Latin mistranslation of the text. Thanks to Dr. Paul Harvey for pointing out this observation to me.

207 Lev. 18:22; Deut. 22:9-11; For a good summary of this opinion of homosexual rape; hospitality; or homosexuality see: Fields, Sodom and Gomorrah. See also any of the works present in my bibliography. This is the pervading opinion amongst scholars.

208 For this use see Niditch, “‘Sodomite’ Theme,” 367-369.

209 Arguing against the use of terms such as “homosexual rape” and proving its offensive quality see Michael Carden, "Homophobia and rape in Sodom and Gibeah: a response to Ken Stone." JSOT 82 (1999): 83-96.
and desire? Unlikely, since they not only refuse the women offered but later abduct wives for themselves from Shiloh. How is it that the mob is so narrowly interested? If their desire is only for sexual satisfaction why not call out for the Old Man, or the Levite’s servant? When viewed from simply a sexual angle, the situation makes little sense.

This is because the story has nothing to do with sex. The story is speaking of rape, an action based not on sexual desire but rather on domination and subjugation. Thus, the male-by-male rape exposed in Gibeah is not homosexuality (and should not be confused as such) but rather as battle for power; a claim to superiority. Male-by-male rape accuses the object of male passivity and was used as a way to assert dominance over the victim, shaming him and his family. This idea first started to be considered by Susan Niditch210, however, it was fully developed by Ken Stone211 and this section is an extension of his basic proposal.

It is only within the past two decades that this specific purpose of sex has been studied by ethnographers in Arab-speaking countries and also Turkey. Both Arab men and Israelite men were interviewed concerning their own ‘homosexual’ encounters in their country. In all the stories told, there is a common theme: there is a striking difference, both in the eyes of the men participating and in the eyes of all society, between the penetrator and the receiver. The penetrator remains un-shamed by the action. Indeed, he is usually married with children, refuses to admit enjoyment of the action (though the physical manifestation of enjoyment occurs),

210 Niditch, “‘Sodomite’ Theme,” 367-369.
may accept money for the sex, and will only penetrate, never receive—nor is the penetrator ever expected to do anything else. The penetrator is always the penetrator; the receiver is always the receiver no matter the situation, no matter the personal feelings. Indeed, one Israeli man explained his surprise to the ethnographer upon arriving in Berlin, “…no clear separation existed between men who fuck and men who get fucked; [I was amazed] that these are not two separate worlds.” The man admits it took him a long time to be comfortable in both positions.  

In Arab societies, this type of penetrator/penetratee relationship is used often to bring another man down, or to prove inferiority. This was noted by anthropologists in several different cultures including Latino, Northern African and Muslim cultures, and was referred to by Boswell in his 1990 article as the “penetration principle.” In the same way that women are penetrated and traditionally ‘on the bottom,’ boys are most commonly receivers—the youngest-born boys especially. The Islamic scholar Arno Schmitt describes the shared feelings of Islamic men concerning ‘homosexual’ relations saying, “A man should not allow others to fuck him. Otherwise he loses his name, his honor, that is, if others know it and are known to know…There is a clear rule: You cannot be


214 For a psychological analysis concerning the younger boys and why they are predisposed for, and even sold into, this lifestyle, see Schmitt, Arno, “Different Approaches to male-Male Sexuality/Eroticism from Morocco to Usbekistan,” in *Sexuality and Eroticism Among Males in Moslem Societies* (Harrington Press: New York, 1992), 3.
fucked. But what this really comes down to is: saying of somebody that he has been fucked disturbs social relations.”

This stigma, that is, this ‘disturbance of social relations,’ attached to the penetratee is clear in several of the statements by eye-witnesses, such as this one describing two men he had known: “At school we had a boy…whose older brother was known as ‘the fucked one.’ Although he was a good pupil and excellent in sports, we did not consider [him] a real man…In East Jerusalem I know of another man, whose father was fucked before getting married. When the son first heard of it, he immediately cut off contact with his nearly 60-year-old father.” There is a sense of crime being committed, however, the penetrator is not to blame. Indeed, it is the penetratee’s fault for allowing himself to be penetrated! And for a different man, a public humiliation occurred at the telling of his encounter: “While eating, Amar (the penetrator) told the other men that he had fucked me three times in order to humiliate me. They started laughing at me. I felt very embarrassed and uncomfortable. For a long time I did not dare to walk near that snack bar anymore.” Once again, we can see the humiliation is all the more poignant when, as Schmitt says, “if people know and are known to know.”

Sa’ul is a penetrator, and refers to those whom he penetrates in the feminine. He would never touch another man’s genitals, and would beat them if they ejaculated in his presence during the action. He says this is because he is not “like that” and took a great deal of pride in the fact that he would never, ever become a penetratee. In yet another story, David, an Egyptian Jew, was a receiver,

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but the man who was penetrating could not perform. After some time, “I then decided to put my finger into his [anus], and he came almost immediately. He was very insulted and angry…then I apologized…telling him how masculine and manly he was…he said that I should never assume that he would let anybody fuck him.” And one last story of Haim, a South-American Jew who attracted Palestinians. He was gang raped by three men. He had refused verbally their first offers of sex, but they followed him into a dark alley. He then resigned himself to his fate. He expressed a wish to be penetrated by the younger one first, the younger being the more beautiful but, “the older one said that was not normal: he had the right to be the first…I did not agree, but I soon realized that there was no choice…first the oldest, then the one in the middle, the youngest was last. Then the oldest said he wanted to fuck me again. Probably he wanted to show how masculine he was.”

Once again, these stories serve to point out that the penetrator’s sexuality is never in question, nor is his manhood. It is always the penetrated one who is shamed by this action. And that shame can be the intention of the penetrator, or that shame is often the result of the action if it becomes public.

More than this, however, a common theme can be seen amongst penetratees: they are often the minority. Whether the minority is simply in terms of being the youngest boy in a family, or the minority in a political sense. Many of the penetratees were Jews living in predominately Arab countries. Jews were not sought after as penetrators because those men being interviewed stereotyped

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216 These quotations can be found in Sofar, “Testimonies,” 105-121.
them as ‘less-masculine’ than Arab men who are “larger, very masculine and hairy.”

This practice is not new, for it is documented in early 19th century sources and even earlier (before medieval times) in the Arab world. As for the Mediterranean as a whole, we may look briefly at this principle as it existed in the Roman and Greek worlds:

A citizen’s body was sacrosanct, however a slave’s body had no rights and belonged entirely to his master. It was not only practiced but expected that Roman masters would use their slaves (both male and female) for sexual gratification. Called concubinus or deliciae the sexual role played by each party was meant to mirror the power differential. These rules are seen most clearly in comedies or ‘tongue-in-cheek’ comments, which finds its humor in the inverse of roles. See, for instance Seneca or Martial, the first making reference to a slave who was “a man in the bedroom, a boy in the dining room” and Martial teasing that a man’s anus is as sore as his slave boy’s penis. While participating in the passive role was not necessarily considered “unnatural” behavior, as Williams says, the “prime directive” of masculinity is to give the appearance of always playing the penetrative role. This supports the claim by Schmitt that the problem is not in

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219 The practice does not necessarily exist in the western world, however there are numerous modern examples in the U.S. that express the opinion that the penetrator’s sexual preference need not be questioned since they are the stronger and the more masculine while the penetrated is weaker and doubtful in his heterosexuality. One needs only to observe our society to observe these biases.
221 For the Latin see Craig Williams, Roman Homosexualities (Oxford: Oxford University Press, 1999), 30 note 95.
being the passive partner, but rather people knowing that you have played the passive role. In Roman culture masculinity was of supreme importance,\textsuperscript{222} and basic to this abstract concept was \textit{virtus} and \textit{imperium}, which refers to the dominion of a superior over inferiors. The word could refer to magistrates over the people, all the Roman people over foreign subjugated territories or masters over women and slaves. The worst insult for a man would be to be called “soft.” One of the many ways this accusation could be given was if the man could be shown to play a passive sexual role. The power and masculinity found in penetration is seen no more clearly than in the graffiti found in Pompeii, or in the smallest statue of a protection deity, placed in gardens, who threatened to rape men, boys, girls, and thieves. Priapus was a “patron” of masculinity.\textsuperscript{223} Labels for a penetrated man must not be confused with a \textit{Cinaedus}, a term includes men who prefer penetration and specifically choose the role of women. \textit{Impudicus} is a better term, which refers to an “unchaste” person, once again the importance of reputation is brought to the forefront, as in the case of Julius Caesar whom the elder Curio called “every woman’s man and every man’s woman.”\textsuperscript{224}

Greek culture had similar ideas concerning this penetration principle. As John Winkler put it, “Of all the meanings and facets of sexual behavior that might be singled out for special attention the Greeks insistently focused on the dominance and submission, as constituted by phallic penetration…”\textsuperscript{225} To be acted upon in a sexual manner was expressed with the passive participle

\begin{itemize}
\item \textsuperscript{222} \textit{Ibid} 17; chapter 4
\item \textsuperscript{223} \textit{Ibid.} 18-21
\item \textsuperscript{224} \textit{Ibid.} 172
\item \textsuperscript{225} John Winkler, \textit{The Constraints of Desire: the Anthropology of Sex and Gender in Ancient Greece} (Routledge: New York, 1990), 11.
\end{itemize}
aphzodisiazomenoi. Winkler is very careful to express the true nature of the penetration principle saying, “The quite different fact of male desire to be penetrated simply could not be accommodated as a legitimate actor’s role in the public sexual categories…In other words, male pleasure at penetration is a social, but not a sexual, impossibility. Honor, not erōs, is offended.”226 As in Rome, a Greek citizen’s body was untouchable. To manhandle that body, sexually as well as in other ways, was tantamount to challenging their social standing. The passiveness in sexuality was supposed to be enjoyed by women, however the portrayal of a male receiver was not one of expressed pleasure. A blank stare, upright posture and a flaccid penis are the ‘proper’ way for a passive erōmenos to appear to his male lover. Thus to behave in a manner contrary to these standards is to leave oneself open to being labeled as a kinaidos.227

But these practices and opinions were surely not confined to Greece and Rome. Mesopotamia assuredly was not ignorant of other forms of sex, either male/female, male/male, female initiated/male, or even man/animal.228 Guinan, in her article concerning Homoeroticism during the Bronze/Iron Age perceptively observes how sexuality and the social realm in the ancient world could be affected by each other, as evidenced most clearly by the sex omens of the šumma ālu:

“Assymetries of gender derive from dominant institutions and they are held in place by the logic of binary symbolism. Binary classifications of hierarchy (domination/subordination), sex

228 See the sex omens within the šumma ālu. Though these sex omens may have been hypothetical situations, the Mesopotamians at least conceived of their existence. For a short summary of the various sections of these sex omens see Ann Guinan, “Auguries of Hegemony: The Sex Omens of Mesopotamia,” Gender and History 9(1997): 462-479.
(male/female), gender (masculinity/femininity), and sexuality (penetration/receptivity) become conflated and the resulting conceptual structure does not distinguish between the variable components. As a result the social and political world becomes suffused with gender and sexual meanings. As long as this conflation is institutionalized by culture it appears natural and inevitable."

These sex omens are especially useful examining the sex taboos or sex rewards of the culture. Particularly, we may examine Omen 16:

If a man has sex *per anum* with his social peer, that man will become foremost among his brothers and colleagues.\textsuperscript{230}

There is a pun here with *quinnatu* and *kinātu* (that is ‘anus’ and ‘peer’ respectively). This shows clearly that the man that is able to penetrate the *quinnatu* of his *kinātu* will achieve social success\textsuperscript{231}. Now whether this was because the other man was negligent in his guard and thus the dominant man was able to take or steal from him as exampled above in modern Middle East societies, cannot be deduced from this omen.

There are Middle Assyrian laws dealing with male by male penetration discussed by Guinan in her article. One deals with the man who would lie concerning his colleague saying, ‘Everyone penetrates you.’ Guinan notes that the verb used usually refers to male/female relationships in which the male is the active participant while the female is the passive recipient. Thus, the colleague has been given the feminine role as the passive partner. Guinan also mentions that the verb is iterative which usually indicates promiscuity, but in this case may be

\textsuperscript{229} Ibid. 464.  
\textsuperscript{230} Guinan’s translation in *Ibid. 469* from C. J. Gadd Cuneiform Texts from Babylonian Tablets in the British Museum, vol. 39, plates 44–6, omen 16.  
\textsuperscript{231} *Ibid.* 470.
considered a male’s ‘promiscuity,’ that is, his choice to be penetrated rather than to penetrate. This is considered a grave insult and one that requires proof.\textsuperscript{232}

Guinan mentions one more Assyrian law which is critical to our discussion here. The law states that the penetration of one equal male by another equal male is forbidden and the punishment is severe. There is much discussion surrounding this law by modern scholars. But it is at least clear that the penetration of equals was not considered licit. This is quite interesting, for it supposes then that the penetration of unequals might then be considered appropriate. But it is the punishment of this action that speaks most clearly: If this has occurred, the penetrator is himself penetrated (lowering his status in the eyes of the community, and by the same token, placing the him in the same receptive/passive/derogatory position he placed his equal in) and he is castrated (forever keeping him in this passive/receptive stage). This shows clearly the social stigma that was placed upon those who were in the receptive role (i.e. eunuchs, which the penetrator has now become).\textsuperscript{233}

Here in Judges, I believe, can be seen an attestation of these practices and taboos in Israel. Penetration was being used even in early Iron Age (and probably Bronze Age) Mesopotamia in order to classify within the social sphere. If, in Mesopotamia and Assyria, as Guinan so unequivocally states in the quote above, the sexual and social realms were linked, why would they not also be in Israel which, especially in the Judges era, was similar in practice to its neighbors?

\textsuperscript{233} Ibid. 470.
In Judges 19 both the Levite and the Old Man are immigrants. The men of the town neither respect the Old Man’s right to protect his guests, nor do they respect the travelers through their town. To the sons of Belial, though they are all Israelites, the Levite is a foreigner on their soil. That is to say totally subservient; that is to say complete outsiders to the society in which they find themselves. It is vitally important to the men of Gibeah that their status be enunciated by a most cruel form of abuse, proving to the penetrators that their manliness and their superiority is well in hand, and to the penetrated ones that their inferiority and shame is clear. And this will not be a lonely act. Everyone will know it, which (as we noted above) enforces the stigma. Notice that the entire town comes out to publicly expose this action. The purpose of this mob was to publicly expose the act about to be done.

The similar episode in Genesis 19 sheds more light on this concept: after Lot has argued with the men of Sodom. But it is only after he has judged their actions and after the men point out that he himself is a sojourner in their midst that they change their desire. Now, they want Lot, for he had overstepped his bounds as an immigrant amongst them. He has dared to judge them and he requires some discipline. Thus would Lot bring upon himself the fateful disgrace of being raped by, not just one, but probably several other men in public viewing. This would put him in the position of a women or, worse, an effeminate man.

In the same way, the Old Man is challenged due to his unequal status. The people do not care that he is housing these guests. The Old Man is but a sojourner! It clearly does not matter if his honor is wounded by the abuse of his
guests. The Levite himself is a sojourner, but not in Gibeah. He is only a visitor there. It is unclear whether the men of the town desire to ‘put him in his place’ because they know he is a sojourner elsewhere or simply because he is a visitor in their city. Either way, his shame and humiliation are assured.

Thus, the “good in their eyes” which Gibeah commits here is not one of homosexuality but rather the sin of the use of a sexual act in order to shame and disgrace a foreigner. It may be called the most severe form of xenophobia and inhospitality.

One cannot help but wonder if it was this very humiliation which made sojourning so dangerous, and why there had to be made a rule in Israelite society to protect sojourners. This, most likely, was a common way to enforce superiority upon another. If they come and live in your midst, they must know and remember that they are the outsider—and what better way to make this known but to forcibly rape them in the midst of others?

Thus, I am proposing that this was not an unheard of action in the Middle East during this time. It most likely was a general practice, and this is why sojourners needed protection from others. Yahweh forbade this type of mistreatment of travelers (as well as other comparatively more mundane forms of abuse and inhospitality). But Israel, as we see later in the Judges account, once again, did not listen. They succumbed to the ways of those about them in many things. The incident in Gibeah showed that in their treatment of travelers, they once again have forgotten their laws and followed the sinful ways of the peoples at their borders.
X. Conclusions

This thesis has been too short to touch upon all the issues and features of Judges 19. But I have tried to present a semi-comprehensive analysis of the passage. The major arguments presented in this paper have been the following:

1) The author of Judges 19 was not incapable of creating characterization. Rather, he used selective silence in an effort to create, in fact, quite complex characters within his narrative. The Levite, while at first appearing to be kindly and compassionate, is in fact a cruel, and malicious coward who lies whenever it is convenient for his own purposes. His motivations are dubious at best. His concubine wife is, contrary to many present feminist commentaries, not poorly represented but rather clearly portrayed through her actions. She is a strong, independent woman who often plays the male role.

2) Judges 19 may be considered a part of the original pre-deuteronomistic portion of Judges. The reasons for considering it to be post-exilic are fallacious in their argument and their logic. There is in fact little evidence to point the narrative in any direction. It is more likely that Judges 19-21 was a part of a pre-deuteronomistic group of narratives, the main purpose of which was to recount the historical (or semi-historical) events of that time.

3) I believe it very likely that it was the deuteronomistic historian who added both the framework as well as the anti-Saul polemic within the story. This was done because he was using the Judges 19-21 narratives
to usher in a new period of Israelite history, that is, the period of the monarchy. The use of this narrative to flesh out the heritage of Saul, as well as to prepare the reader for the coming of Samuel was integral. These are transitional narratives.

4) The sexual event in the story in fact has nothing to do with sex.

Instead, it is a story concerning male-by-male rape used for the purposes of humiliating a sojourner and visitor in their city. Through this action, the tribe of Benjamin has placed itself in the basest of positions so that the foreign city of Jebus seems preferable. This type of rape was used throughout the Mesopotamia, the Greek, and Roman worlds in order to shame the penetratee while also accruing respect and control for the penetrator.

Before concluding this presentation, however, there is one more aspect which must be considered, and that is the theological interpretation of the modern reader. Despite the scholarly answers given to the questionable events in this chapter, they are still disturbing images. Within this story—a story being written in a book of faith and often being read by people of faith—one cannot help but wonder where the Israelite god is during this horrendous affair? Sodom committed the same action and he destroyed it promptly with fire. In Gibeah, on the other hand, he stands by as a helpless woman is gang raped. The fact is, he is not present for a great deal of the book of Judges. His spirit comes upon people, his messengers speak, but he himself is uncomfortably silent. The abuse of the
woman here calls faith into question due to the lack of response from a just and wise deity.

Despite scholarly answers to all the questions concerning the text and how it is interpreted, we cannot help but appear callous in the face of horrendous description. And it is due to the lack of clarity by scholars, that this tale as well as the tale of Genesis 19, continues to be misinterpreted by the vast majority of readers. There is not only scholarship within the biblical text but also great humanity and it has been my sincere hope that this paper has been able to capture both.
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