

## THE SEDUCTION OF DINAH AND JACOB'S ANGUISH REFLECT VIOLATIONS OF CONTIGUOUS LAWS OF THE COVENANT CODE

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The Dinah narrative describes four consecutive events that echo four consecutive laws of the Covenant Code: the law of the seducer (Exod. 22:15-16), the law of the sorceress (Exod. 22:17), the prohibition of bestiality (Exod. 22:18) and the law of חרם, *proscription*.

The first part of the narrative describes the seduction of Dinah:

And Shechem the son of חמור, *Hamor*, חוי, *a Hivite*, a chieftain in the land, saw her and took her, וישכב אתה ויצנה, *and he lay with her and had intercourse with her*.

And his being cleaved to Dinah, the daughter of Jacob, and he loved הַנַּעַר, *the maiden*, וידבר על־לב הַנַּעַר, *and he spoke to the heart of the maiden* (Gen. 34:2-3).

The phrase וידבר על־לב הַנַּעַר, *and he spoke to the heart of the maiden*, corresponds to the word יפתה, *seduce*, that the Covenant Code uses to denote the seduction of the seducer:

And if a man יפתה, *seduce*, בתולה, *a virgin*, who is not betrothed ושכב, *and lie*, with her, מוהר ימהרנה, *he shall give a bridal-price to him*, for the woman.

And if the father should refuse to give her to him then he shall weigh out silver כמֹהַר הַבְּתוּלָה, *according to the bride-price of virgins* (Exod. 22:15-16).

The heart is often the object of the verb פתה, *seduce* (Deut. 11:16; 7:11; Job 31:9, 27). Hosea uses it together with the expression “speak to the heart” (Hos. 2:16), in a verse before he refers to עמק עכור, *the Valley of Achor* (Hos. 2:17), using the root עכר that Jacob uses at the end of the Dinah narrative (Gen. 34:30). When the biblical narrator says of Shechem the son of Hamor וידבר על־לב הַנַּעַר, *and he spoke to the heart of the maiden*, he implies that Shechem’s conduct did not constitute rape but was similar to that of the seducer in the Covenant Code. This explanation is consistent with one of the 32 exegetical principles of R. Eliezer the son of R. Jose the Galilean, as

Rashbam explains in Exod. 2:15, saying: "The text first makes a general explanation and then explains the details"<sup>1</sup>. The words וידבר על-לב הַנַּעֲרָה, *and he spoke to the heart of the maiden* (Gen. 34:3), are the explanation of the words וישכב אִתָּהּ ויענה, *and lay with her and had intercourse with her* (Gen. 34:2), which are the general principle<sup>2</sup>.

Many scholars consider that the sexual relationship between Shechem and Dinah is initially an act of rape. This conception is based on the fact that the Bible often uses the verb ענה to denote the degradation that occurs in sexual relationships where the woman does not desire them, as in Deut. 22:24, 29; Judg. 20:5; 2 Sam. 13:12, 14, 22<sup>3</sup>. However, the verb ענה does not mean "rape" but "have intercourse," the primary meaning being "open," a verb that also denotes the opening of the mouth when the verb signifies "call," "shout," "cry" or "sing," as Levine indicates, pointing out that "the infamous Rape of Dinah episode (Gen. 34:1ff.) is hardly that"<sup>4</sup>. Shechem's use of the word ילדה, *young girl* (Gen. 34:4), a term the bible only uses twice again (Joel 4:3; Zech. 8:5), to describe Dinah implies his recognition of the fact that after he has lain with Dinah she is no longer a בתולה, *virgin*. Because of this he is obliged to pay her father a מוֹדָר, *bride-price* (Gen. 34:12), a term that the Pentateuch uses only once again, once in the Covenant Code's law

<sup>1</sup> See Rashbam's explanation of Gen. 1:27; Exod. 19:8; 21:3; Lev. 12:2. Ibn Ezra applies this exegetical principle in his commentary to Exod. 19:9, adding that it also occurs in Exod. 2:7; 24:23, 47, 65 (see M. I. LOCKSHIN, *Rabbi Samuel ben Meir's Commentary on Exodus* [Atlanta, Georgia 1997] 27).

<sup>2</sup> The Midrash supports the view that Dinah wished to live with Shechem after he had lain with her, explaining the words "And they took Dinah from the house of Shechem" (Gen. 34:36) by saying: "A woman who has had intercourse with an uncircumcised man finds it hard to separate [from him]" (Gen. R. 80:11; see Hizquni on Gen. 34:26). R. Judah in the same Midrash says that she acted in the manner of the Canaanites, clearly regarding her to be as culpable as Shechem.

<sup>3</sup> See J. C. EXUM, *Fragmanted Women: Feminist (Sub) versions of Biblical Narratives* (Valley Forge 1993) 79.

<sup>4</sup> E. LEVINE, "Biblical Women's Marital Rights": *PAAJR* 63 (2001) 87-136, at 103-107. Levine proposes that the verb ענה denotes an act that involves opening the mouth and hence, by extension, opening of the vaginal orifice, which interestingly enough the author of Proverbs calls "mouth" (Prov. 30:20). It is possible that Ezekiel also uses the word for "mouth" as a euphemism when talking about the Israelites' פתוחין פה (Ezek. 16:63) in the context of their immorality. The word אִלְמָנָה, *widow*, may be related to the fact that a widow remains אִלְמָה, *dumb* (E. LEVINE, "Biblical Women's Marital Rights": *PAAJR* 63 [2001] 127, n. 80), a word that denotes not the dumbness of the mouth but the closure of the vagina. Margalit also notes the connection between the verb ענה and "open," saying that the use of the verb "reflects the symmetry between oral and vaginal anatomy," although he considers that the verb often denotes "open forcibly," denoting rape (B. MARGALIT, "K-R-T Studies": *UF* 27 [1995] 242, n. 32 and 284).

of the seducer (Exod. 22:6), further supporting the view that Dinah's seduction reflects that law<sup>5</sup>.

The prohibition of sorcery follows the law of the seducer:

מכשפה לא תחיה, a sorceress you shall not allow to live (Exod. 22:17)

The idea of sorcery occurs in parallel with זוננים, *harlotry*, in connection with Jezebel (2 Kings 9:22) and in the feminine personifications of Babylon (Isa. 47:9, 12) and Nineveh (Nah. 3:4), indicating that for the biblical authors it was connected with adultery and prostitution<sup>6</sup>. The way that Dinah is alleged to have acted like a whore (Gen. 34:31) therefore implies that she violated the prohibition of sorcery. Furthermore, the words לא תחיה, *you shall not suffer to live*, also appear in the law of חרם, *proscription*, forbidding the Israelites to allow any Canaanites, including Hivite like Shechem and Hamor to live (Deut. 20:16-17). The law is therefore linked to the Covenant Code's explicit reference to the law of חרם, *proscription*, in Exod. 22:19. As we shall see below, the Dinah narrative alludes to the law of חרם in Gen. 34:30 in the verse before Simeon and Levi accuse Dinah of having acted like a whore. The Dinah narrative therefore echoes the Covenant Code's prohibition of a sorceress in Exod. 22:17.

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<sup>5</sup> The other narrative in which the word מדר, *bride-price*, appears is that of David's marriage to Michal (1 Sam. 18:25), which echoes that of Dinah since in both cases the מדר, *bride-price*, involves obtaining foreskins, a price that is a ruse for killing the prospective groom. The word מדר, *bridegroom*, has an Arabic cognate *hatin*, from *hatana*, meaning "circumcise," so that the word means "one who undergoes circumcision" (N. H. SNAITH, *Leviticus and Numbers* [London 1967]; J. MILGROM, *Leviticus 1-16* [Doubleday, New York, 1991] 747; G. HEPNER, "Lot's Exodus from Sodom Foreshadows the Exodus of the Israelites from Egypt and the Passover Laws": *ZABR* 9 [2003] 1-36, 19-20). In the absence of a foreskin to offer the bride, Israelite bridegrooms offered the "foreskin" of fruit in the fourth year, a practice to which the Holiness Code alludes in the law of זבולות, *jubilations* (Lev. 19:23-25), as I have pointed out previously (G. HEPNER, "The Depravity of Ham and the Tower of Babel Echo Contiguous Laws of the Holiness Code": *EstBib* 61 [2003] 85-131, 90-94). The book of Genesis probably alludes to this law when the narrator says when describing the way that Pharaoh forcibly marries Sarai וידללו אותה (Gen. 12:15), which not only means "and they praised her" but that she was married in accordance with the rituals of זבולות.

<sup>6</sup> L. SCHWIENHORST-SCHÖNBERGER, *Das Bundesbuch (Ex 20,22-23,33)* (Berlin 1990) 329; C. HOUTMAN, *Das Bundesbuch: Ein Kommentar* (Documenta et Monumenta Orientalis Antiqui 24; Leiden 1997) 217-221; J. VAN SETERS, *A Law Book for the Diaspora: Revision in the Study of the Covenant Code* (Oxford 2003) 103-104. Houtman renders the term מכשפה, a sorceress, as "Eine Frau, die zur Unzucht verführt".

tantamount to one of sorcery. Furthermore, the words תחיה, *you shall not suffer to live*, also appear in the law of חרם, *proscription*, forbidding the Israelites to allow any Canaanites, including Hivite like Shechem and Hamor to live (Deut. 20:16-17). The law is therefore linked to the Covenant Code's explicit reference to the law of חרם, *proscription*, in Exod. 22:19. As we shall see below, the Dinah narrative alludes to the law of חרם in Gen. 34:30, and Simeon and Levi justify their extermination of the inhabitants of Shechem by asking Jacob whether they should have allowed the inhabitants to treat Dinah like a זונה, *whore* (Gen. 34:31). The Dinah narrative is therefore linked to the Covenant Code's prohibition of a sorceress in Exod. 22:17.

The Dinah narrative implies that the relationship between Dinah and Shechem is tantamount to bestiality, a vice that the Covenant Code forbids in Exod. 22:18 after the law of the sorceress:

כל־שכב עם־בהמה shall be put to death (Exod. 22: 18)

This implication is based on the fact that the name of Shechem's father is חמור, *Hamor*, because Hamor's name means "ass," as Carmichael points out<sup>7</sup>. The Hittite Code forbids bestiality, beginning and ending with these prohibitions that almost act as an inclusion. Laws §187-188 forbid bestiality with a cow and sheep, §199A with a pig and dog, §199b when an ox springs on a man and §199c when a pig springs on a man and §200A with a horse and mule<sup>8</sup>. The links between the Dinah narrative and the Covenant Code imply that Dinah and Shechem violate both Israelite and Hittite laws.

The word חמור, meaning either Shechem's father or "ass", appears 11 times in the Dinah narrative (Gen. 34:2, 4, 6, 8, 13, 18 [2], 20, 24, 26, 28), as does the name of Hamor's son שכם, *Shechem* (Gen. 34:2, 4, 6, 8, 11, 13, 18, 20, 24, 26 [2]). The way these names appear 11 times in the Dinah narrative echoes the number of times that the word אבן, *stone*, which can also mean testicle (Exod. 1:16), appears in the Jacob narrative (Gen. 28:11, 18, 22; 29: 2, 3 [2], 8, 10; 31:45, 46 [2]), describing the way that Jacob establishes a family with 11 sons in Mesopotamia in פדן ארם, Paddan-aram, which the biblical narrator mentions 11 times (Gen. 25:20; 28: 2, 5, 6, 7; 31: 18; 33:18; 35: 9, 26; 46: 15; 48: 7)<sup>9</sup>. The biblical narrator thus contrasts the threat to the integrity of Jacob's family caused by the relationship between Dinah and

<sup>7</sup> C. CARMICHAEL, *The Spirit of Biblical Law* (Georgia 1996) 52.

<sup>8</sup> Descriptions of bestiality in Mesopotamian and Ugaritic texts are limited to the realm of mythology. In the Sumerian *Ninegala Hymn* Inanna copulates with horses and in the Gilgamesh epic Ishtar makes love with a bird, lion and stallion (ANET 84, II. 48-56) while Baal copulates with a cow and fathers an ox, a heifer and a buffalo (ANET 142). The Mishnah forbids the placing of animals in inns kept by pagans since they are suspected of having intercourse with them (Mishnah *Abodah Zarah* 2:1).

<sup>9</sup> The number foreshadows the 11 sons born to David in Jerusalem (2 Sam. 5:14-16).

Shechem to the way that Jacob establishes his family in Mesopotamia<sup>10</sup> –the narrative takes place before the birth of Jacob's twelfth son, Benjamin. Interestingly, the ostensible claim of Jacob's sons to be willing to agree such intermarriage provided that the inhabitants of Shechem become circumcized also involves the use of the verb מוּל, *circumcise* (Gen. 34:15), which appears 11 times in the Covenant of the Flesh (Gen. 17:10, 11, 12, 13 [2], 14, 23, 24, 25, 26, 27). The 11-fold repetition of the word חמור, *ass*, and שכם, *Shechem*, in the Dinah narrative therefore highlights the way that Hamor and his son Shechem threaten to use intermarriage to make asses of the 11 sons of Jacob while the 11-fold use of the verb מוּל, *circumcise*, highlights the way that Dinah's brothers try to prevent this. The ritual of circumcision, which the Priestly legist says permits a non-Israelite to participate in the Passover ritual (Exod. 12:43-49; Num. 9:14), probably allowed non-Israelites to intermarry, as Milgrom has suggested<sup>11</sup>, in contrast to the Deuteronomist who forbids intermarriage in Deut. 7:3 at the beginning of a pericope that concludes with the law of חרם, *proscription* (Deut. 7:26).

Another reason why the relationship between Dinah and Shechem is bestial in nature is because Shechem and his father are Hivites (Gen. 34:2). Although the Hivites are mentioned elsewhere, including in Joshua where six Canaanite nations are mentioned 7 times (Josh. 3:10; 9:1, 7; 11:3, 19, 12:8, 24:11), they are like the Perizzites and Gergashites in that they are unknown from other sources<sup>12</sup>. The term חוי, *Hivite*, resonates with the Aramaic word חויא, meaning "snake"<sup>13</sup>. By calling the Shechemites Hivites the biblical narrator implies that Shechem has snake-like associations as well as an association with an ass<sup>14</sup>. As if to indicate that he does not accept this excuse, Adam calls Eve by a name that conflates her with the serpent! Thus

<sup>10</sup> G. HEPNER, "Verbal Resonance in the Bible and Intertextuality": *JSOT* 96 (2001) 21-22.

<sup>11</sup> See J. MILGROM, "Religious Conversion and the Revolt Model for the Formation of Israel": *JBL* 101 (1982) 169-176. Regarding the difference between the Priestly legislator and the Deuteronomist concerning intermarriage see M. DOUGLAS, "Responding to Ezra: The Priests and the Foreign Wives": *BibInt* 10 (2002) 1-23.

<sup>12</sup> See N. P. LEMCHE, *The Israelites in History and Tradition* (Westminster 1998) 126. Although a Ugaritic parallel to Gergashite has been claimed by Baker (D. W. BAKER, *Gergashitem* [Anchor Bible Dictionary 2: 1028]), other scholars cited by Lemche question his interpretation of the alleged Ugaritic parallel.

<sup>13</sup> The use of the word חוי, *Hivite*, in Gen. 34:2 to imply that Shechem the son of Hamor echoes the wordplay on the name חוה, *Eve*, that Adam gives his wife only after the serpent has caused her to eat the fruit of the forbidden tree (Gen. 3:20) (see Gen. R. 20:11; 22:2).

<sup>14</sup> Woman had made a wordplay accusing the serpent of having made an אשה, *woman*, of her, saying: "The serpent דשאני, *beguiled me*, and I ate" (Gen. 3:13).

the use of the root חוה has bestial implications not only in the description of Shechem the son of Hamor but in the description of Eve!<sup>15</sup>

While the beginning of the Dinah narrative reflects the Covenant Code's law of the seducer and its prohibition of bestiality its conclusion deals with the Covenant Code's prohibition of the law of חרם, *proscription*:

He who sacrifices to other gods יחרם, *shall be proscribed*—only to YHWH alone (Exod. 22:19).

The name חמור, *Hamor*, not only implies that Dinah violates the Covenant Code's prohibition of bestiality in Exod. 22: 18 but also that her brothers violate the law of חרם, *proscription*<sup>16</sup>. Wordplays on the name of חמור, *Hamor*, may have occurred as late as the 2<sup>nd</sup> century B.C.E., when Theodotus ascribed the foundation of Shechem to Hermes, a name that resonates with Hamor<sup>17</sup>. Stern suggests that the word חרם, *proscription*, is related to the term *bit hamri*, a sacred precinct that is defined as “sacred precinct (of Adad)” in CAD (H 70a)<sup>18</sup>, and was associated with the god Assur in the Old Assyrian period, foreshadowing the *haram* or “sacred territory” of Allah for Muslim. The word חרם may therefore be related to the word *hamri*, highlighting its links with the name of חמור, *Hamor*, whose attempt to intermarry with a daughter of Jacob involves a violation of this law in accordance with the Deuteronomic law in Deut. 7:1-3 cited above, since the Deuteronomist mentions the law of חרם at the end of that pericope, when he forbids the Israelites to bring Canaanite gods to their houses (Deut. 7:26 [2]). Jacob's sons clearly violate this prohibition after the sack of Shechem when Jacob says to them to remove the foreign gods in their midst (Gen. 35:2), after alluding to the law of חרם, *proscription*, when Jacob says to Simeon and Levi:

עכרתם, *you have caused anguish*, to me, to make me stink among the dwellers of the land amongst the Canaanite and Perizzite while I am few in number,

<sup>15</sup> The bestial nature of Dinah's relationship with Shechem the son of Hamor, and the fact that he is a חוי, *Hivite*, is one of the many reasons why Jacob refers to a נחש, *serpent*, when Jacob blesses דן, *Dan*, whose name resonates with דינה, *Dinah* (Gen. 49:17). Secondly, the word עיר, *city*, which appears as a keyword 7 times (Gen. 34:20 [2], 24 [2], 25, 27, 28), resonates with עיר, *male ass* (Gen. 32:16; 49:11; Judg. 10:4; 12:14; Isa. 30:6; Zech. 9:9), implying that the city of Shechem is not only an עיר, *city*, but an עיר, *male-ass*.

<sup>16</sup> The Deuteronomist also makes a wordplay involving the verb חרם, *proscribe*, when he describes the abode of Og, הרמון, *Hermon*, with the verb (Deut. 3:6, 8) (see S. NOEGEL, “The Aegean Ogygos of Boeotia and the Biblical Og of Bashan: Reflections of the Same Myth”: ZAW 110 [1998] 411-426, p. 418).

<sup>17</sup> M. HENGEL, *Judaism and Hellenism Revisited* (Notre Dame 2001) 15.

<sup>18</sup> See P. D. STERN, *The Biblical herem: A Window on Israel's Religious Experience* (Brown Judaic Studies 120; 1991) 211.

and they will gather against me and smite me, and I will be destroyed, together with my household (Gen. 34:30).

The verb עבר, *cause anguish*, denotes conduct that causes a violation of the law of חרם, *proscription*:

And you should particularly beware of ההרם, *that which is proscribed*, lest ההרימו, *you cause a violation of what is proscribed*, and take of ההרם, *that which is proscribed*, and place of Israel להרם, *in proscription*, ועברתם, *and cause anguish*, to it (Josh. 6:18).

The author of Joshua ends the narrative of Achan with a reference to the law of חרם, *proscription* (Josh. 7:1 [2]), leading the author of Joshua to say:

And Joshua said: Why עכרתו, *have you caused us anguish?* יעכרדיהוה, *May YHWH cause you anguish*, on this day. And all Israel pelted him with stones and burnt them with fire, and stoned them with stones.

That is why he called the name of that place the עמק עכור, *the valley of anguish*, to this day (Josh. 7:25-26)<sup>19</sup>.

The Chronicler calls Achan עכר, *Achar*:

And the sons of Carmi: עכר, *Achar*, עוכר, *the one who caused anguish*, to Israel when he committed sacrilege בהרם, *with proscribed property* (1 Chron. 2:7).

The verb עבר, *cause anguish*, denotes a violation of the law of חרם, *proscription*, in other contexts, as when Jephthah vows to offer God the first being that he meets when returning home (Judg. 11:30, 31), saying when this turns out to be his daughter:

Woe, my daughter, הכרע הכרעתני, *you have brought me to my knees*, and you have been בעכרי, *among those who caused me anguish*, for I have opened my mouth to YHWH and cannot retract (Judg. 11:35).

The vow he offers is in accordance with the Holiness Code's version of the law of חרם:

כל-חרם אשר יחרם, *every proscribed being that has been proscribed*, from mankind shall not be redeemed; he shall be put to death (Lev. 27:29).

<sup>19</sup> The name of the place where the event takes place is עמק עכור, *the Valley of Anguish*, a place to which Hosea refers in a prophecy in Hos. 2:17 (see N. H. TUR-SINAI, *The Language and the Book* [Jerusalem 1954] 2.322-323) in which he also alludes to Achan with the word כרמיה, *her vineyards*, because Achan is the son of כרמי, *Carmi*. He also alludes to Rahab when he uses the expression פתח תקוה, *opening of hope*, an expression that alludes to the תוקת חוט השני, *thread of scarlet cord* (Josh. 2:18), that Rahab hangs outside her door in order to save her life when Joshua conquers Jericho.

This law probably means that a person on whom a *חרם*, *proscription*, has been pronounced like Jephthah's daughter in Judg. 11:31 must die<sup>20</sup>, and Jephthah's anguish is due to the fact that he realizes that he must offer his daughter to God because of the law of *חרם*. Saul's son Jonathan uses the word *עכר* to denote the way that Saul causes anguish by banning all food before evening, by which time he expects to have conquered the Philistines (1 Sam. 14:29-30)<sup>21</sup>. Ahab accuses Elijah of being an *עכר*, *person who causes anguish* (1 Kings 18:17-18) because Elijah has proscribed all food in the land by swearing that no dew or rain should fall because of Ahab's sinful behavior (1 Kings 17:1). His use the verb *עכר*, *cause anguish*, implies that he considers that Elijah's oath that caused the land to suffer famine caused all food to become *חרם*, *proscribed*. Deutero-Isaiah uses the word *עכר* to describe the anguish caused by sacrifices to other gods by making a triple wordplay between the words *עכר*, *cause anguish*, *ערך*, *order*, and *כרע*, *bring to the knees* (Isa. 65:10-12). There are other places where the word *עכר* may be connected with the word *חרם*. The author of Kings says that Solomon levied a *מס-עכר* on those Canaanites who he had not destroyed by the law of *חרם* (1 Kings 9:20-21). The meaning of the term *מס-עכר* is unclear<sup>22</sup>. Garsiel suggests that the reparation offering of five golden mice that the Philistines send the Israelites when preparing to return the Ark (1 Sam. 6:4, 11, 18) is glossed as "images of mice that are destroying the land" (1 Sam. 6:5), linking the affliction with which God punishes the Philistines to the Fifth Plague, pestilence, a link that the Septuagint highlights by mentioning a plague of mice in 1 Sam. 5:6; 6:1<sup>23</sup>. I would suggest that the term should be read *מס-עכר*, *anguish levy*, denoting a levy that is a fine levied to compensate for the anguish called by the failure to fulfill the law of *חרם*.

Ironically enough, while Joshua's command that the Israelites avoid violating the law of *חרם* is the last step he steps before destroying the city of Jericho, the first step is sending spies there who stay with Rahab who is a *זונה*, *prostitute* (Josh. 2:1). There is a clear wordplay between *חמור*, *ass*, and *חרם*, *proscription*, in the Achan narrative in the book of Joshua:

<sup>20</sup> See B. A. LEVINE, *The JPS Pentateuch: Leviticus* (Philadelphia 1989, 1999); J. MILGROM, *Leviticus 23-27* (New York 2001) 2395-2396. For a dissenting view, see Ramban on Lev. 27:27.

<sup>21</sup> The language links Jonathan's sin to the Primal sin because the words *אכל אכל היום העם* *surely if the people had not eaten today* (1 Sam. 14:30), resonate with the words *האכלו* *surely God said you shall not eat* (Gen. 3:1). Since Jonathan's eyes light up (1 Sam. 14:29) after violating the law of *חרם* in the same way that the eyes of Man and Woman are opened the linkage suggests that the violation of the prohibition of eating the fruit of the forbidden tree is a violation of this law!

<sup>22</sup> See A. BIRAM, "מס עכר," *Tarbiz* 23 (1952/3) 137-142; STERN, *The Biblical Herem*, 184-185.

<sup>23</sup> GARSIEL, *The First Book of Samuel*, 51-54.



ויהרמו, *and they proscribed*, all that was in the city, from man to woman, from youth to old man, and from sheep and lamb וחמור, *and ass*, by the sword (Josh. 6:21)<sup>24</sup>.

A similar wordplay also appears in the narrative describing the way that Saul fails to fulfill the law of חרם, because the author ends the verse describing this with the word חמור, *ass*:

And now go and smite Amalek, והחרמתם, *and proscribe*, everything that belongs to him and have no pity on it, and kill every man and woman, from newborn babe to nursing infant, from ox to sheep, from camel to חמור, *ass* (1 Sam. 15:3).

When Simeon and Levi fail to destroy alien gods they violate the Deuteronomic version of the law of חרם. This law only applies to cities that are within the Israelites pale of settlement (Deut. 20:16-18), and the biblical narrator therefore makes it clear that Shechem is a city that falls within this pale even *before* Joshua's conquest:

And he acquired חלקת השדה, *portion of the field*, where he spread out his tent from the sons of Hamor, Shechem's father, for a hundred kesitahs (Gen. 33:19).

The author of Joshua confirms this:

And the bones of Joseph that they had taken up from Egypt they buried in Shechem בחלקת השדה, *in the portion of the field*, that Jacob had bought from Hamor the father of Shechem for a hundred kesitahs; and they became an inheritance for the sons of Joseph (Josh. 24:32).

The description of Jacob's purchase of Canaan therefore reflects a situation that corresponds to the historical fact that Joshua's conquest did not require any military operations in Shechem because Jacob had acquired חלקת השדה, *portion of the field*, in Shechem as part of the חלק, *portion*, in the land that is ostensibly destined to be the inheritance of all Israelites, the verb חלק being one that denotes the apportionment of land in Canaan (Num. 26:53, 56; Deut. 10:9; Josh. 14:5; 18:10; 19:51)<sup>25</sup>. Jacob's purchase of the

<sup>24</sup> The last word of this verse, חרב, *sword*, resonates anagrammatically with רהב, *Rahab*, whose rescue the author of Joshua describes in Josh. 6: 23, thus highlighting the way that the author of Joshua uses anagrammatic resonances to make his point.

<sup>25</sup> Jacob later associates possession of the city with conquest rather than purchase, using the expression בהרבי ובקשתי, *with my sword and bow* (Gen. 48:22), to denote the instruments Simeon and Levi use to circumcise the inhabitants of Shechem. חרב, *sword*, denotes the blades with which Joshua circumcises the Israelites (Josh. 5:2, 3), and קשה denotes the male member, as in Jacob's blessing of Joseph (Gen. 49: 24) and David's lament for Jonathan (2 Sam. 1:22). Jacob's language to Joseph therefore implies that the city had fallen within the Israelite pale of settlement by the time of the sack of the city but perhaps only on account of it!

city, even before its conquest by Simeon and Levi and long before the conquest of the rest of Canaan by Joshua, establishes it as an Israelite possession, thus making it subject to the severe Deuteronomic law of *חרם*, *proscription*, that applies to Canaanite cities (Deut. 20:16-18), as opposed to the more lenient law that applies to non-Canaanite cities (Deut. 20:14-15). As a result, Simeon and Levi also violate the law of *חרם* when they take spoils from Shechem and spare the lives of its women and children (Gen. 34:27-29), conduct that is only be permissible in cities that are distant from the Israelites.

From the above analysis it follows that the sin of Simeon and Levi causing Jacob's anguish is not their use of excessive violence, as is commonly thought, but the fact that they violate the Deuteronomic law of *חרם*, *proscription*. Ironically, they accuse their sister of having acted as a whore:

הכזונה, *is it like a whore*, that our sister should be treated (Gen. 34:31)?

However, it is they themselves who whore after the Canaanite gods precisely as the Deuteronomistic law in Exodus states will happen if the Israelites take any of the Canaanites' daughters for their sons:

And you take any of his daughters for your sons, *ותנו בנותיו*, *and his daughters whore*, after their gods, *והזנו את־בניד*, *and make your sons whore*, after their gods (Exod. 34:16).

The failure of Simeon and Levi to be as ruthless towards the Canaanites and their gods as the law requires leads to their whoring after the Canaanite gods, arousing Jacob's anguish. Jacob's strength comes from God and is dependent on his obedience to God's laws and violation of the Deuteronomic law of *חרם*, *proscription*, by Simeon and Levi due to their lack of ruthlessness threatens a disaster to the Israelites. Joshua warns the Israelites what will happen to them if they fail to fulfill this law:

And the Israelites will not prevail against their enemies; they will turn their backs to the enemies because they will become *חרם*, *proscribed*. I will not continue to be with you if you do not destroy *החרם*, *that which is proscribed*, from your midst (Josh. 7:12).

Joshua's statement that God will withdraw his support of the Israelites because of Achan's violation of the law of *חרם*, *proscription*, in the Valley of Achor echoes Jacob's fear that God would withdraw His support from his family after Simeon and Levi had caused him anguish by violating this law.

There are many links between the Dinah narrative in which Jacob's sons prevent a pact with foreigners after Shechem seduces Dinah and that in which Isaac makes a pact with foreigners after the near-rape of Rebekkah

(Gen. 26:1-34)<sup>26</sup>. Verbal resonances also link it to the Danite narrative in Judges 17-18:

(a) The name of דינה, *Dinah*, which the bible mentions only in Genesis (Gen. 30:21; 34:1, 3, 5, 13, 25, 26; 46: 15), resonates with the name of דן, *Dan*, which appears 10 times in the narrative of the Danites (Judg. 18:11, 12, 16, 22, 25, 26, 29 [2], 30 [2])<sup>27</sup>.

(b) The name of שכם, *Shechem*, which appears 11 times in the Dinah narrative, resonates with the name of מיכה, *Micah*, which appears 11 times in the narrative of the Danites (Judg. 18:2, 3, 4, 13, 15, 18, 22, 23, 26, 27, 31), sharing with it the letters *kaf* and *mem*. Furthermore, it should be noted that both מיכה, *Micah*, and Jeroboam, the king who builds שכם, *Shechem*, and establishes idolatry in Bethel and Dan (1 Kings 12: 29), are Ephraimites associated with Mount Ephraim (Judg. 17:1; 1 Kings 12:25).

(c) The verb דבק, *cleave*, links the two narratives:

In the Dinah בדינה נפש ויהדבק, *and his being clung to Dinah*, the daughter of Jacob, and he loved the maiden, and he spoke to the heart of the maiden (Gen. 34:3).

They had gone a distance from Micah's house and the men who were in the houses with Micah's house were mustered, וידביקו, *and they cleaved*, to the Danites (Judg. 18:22).

(d) The root חרש, *be silent*, is common to both narratives:

והחרש יעקב, *and Jacob kept silent*, till they came home (Gen. 34: 5).

החרש, *be silent*, place your hand on your mouth and go with us (Judg. 18: 19).

(e) The root כבד, *honor*, is common to both narratives:

And the lad did not delay doing the matter because he desired Jacob's daughter and he was the most נכבד, *honored*, in his father's house (Gen. 34:19).

And they turned and went and placed the children and the cattle and all הדבורה, *the honored possessions*, before them (Judg. 18:21)<sup>28</sup>.

<sup>26</sup> See M. FISHBANE, "Composition and Structure in the Jacob Cycle (Gen. 25:19-35: 22)": *JJS* 26 (1975) 15-38; *Text and Texture* (New York 1979) 40-62; G. A. RENDSBURG, *The Redaction of Genesis* (Winona Lake 1986) 56-59. The verbal resonances that Rendsburg points out include: (a) אחד העם, *one of the people* (Gen. 26:10), and עם אחד, *one people* (Gen. 34: 22); (b) רחבות, *Rehoboth* (Gen. 26: 22), and רחבה, *expanse* (Gen. 34:21); (c) אחוזת, *Ahuzzath* (Gen. 26: 26), and דאחוזו, *take possession* (Gen. 34:10); (d) ביניהנו, *between us* (Gen. 26:28), and בנותינו, *our daughters* (Gen. 34:9, 21).

<sup>27</sup> The name דינה, *Dinah*, also resonates with דינה meaning "menstruant," and may imply that Dinah's conduct made her as impure as a menstruant.

<sup>28</sup> The word כבורה, *honored possession*, appears only 3 times in the Bible (Jud. 18:21; Ezek. 23:41; Ps. 45:14).

(f) The words שלמים, *peaceful*, and לשלום, *regarding peace*, link the narratives:

These men are שלמים, *peaceful*, with us and wish to dwell in the land and travel around it (Gen. 34:21).

And they turned there and came to the house of the Levite acolyte and asked him לשלום, *regarding peace* (Judg. 18:15).

(g) The term רחבת־ידיים, *broad-reaching*, which appears only 5 times (Gen. 34:21; Judg. 18:10; Isa. 33:21; Neh. 7:4; 1 Chron. 4:40), links the narratives:

And, here, the land is רחבת־ידיים, *broad-reaching*, enough for them (Gen. 34:21).

When you come, you will come upon a people that is secure and a land that is רחבת־ידיים, *broad-reaching* (Judg. 18:10).

(h) The root בטח, *be secure*, links the narratives:

And they came to the city בטח, *unsuspecting*, and killed every male (Gen. 34:25).

When you come, you will come upon a people that is בטח, *secure* (Judg. 18:10).

(i) In both narratives the inhabitants are killed לפי־חרב, *by the sword*:

And Hamor and his son they killed לפי־חרב, *by the sword* (Gen. 34:26).

And they smote them לפי־חרב, *by the sword*, and the city they burnt in fire (Judg. 18:27).

(j) The word לוי is common to both narratives, denoting Levi in the Dinah narrative (Gen. 34:28) and the Levitical priest in the Danite narrative (Judg. 17:7, 9, 10, 11, 12, 13; 18:3, 15).

The most important factor linking the two narratives is that they both deal with similar acts of sacrilege. The main topos of the Danite narrative is the explanation how an idolatrous shrine came to be established by a Levite in Dan. Jacob's use of the word עכרתם, *you have caused anguish* (Gen. 34:30), indicates that he considers the action of Simeon and Levi to have involved a similar act of sacrilege, as explained above. By ensuring that Dinah does not marry Shechem the son of חמור, *Hamor*, Simeon and Levi as well as the other sons of Jacob ensure that the law of חרם is not violated. However, when they bring idols to Jacob's house they violate it because the Deuteronomist says:

The images of their gods you shall burn in fire. You shall not crave the silver and gold on them and take it for yourself in case you become ensnared by it because it is an abomination for YHWH your God.

And you may not bring an abomination, into your house or you will become חרם, *proscribed*, like it. You shall utterly abominate it and utterly abhor it because it is חרם, *proscribed* (Deut. 7:25-26).

In both narratives a Levite brings idols into Israel. Although Wellhausen believes that the Levite in the Danite narrative is a professional priest rather than an Israelite from the tribe of Levi<sup>29</sup>, and Amit believes that he came from the tribe of Judah<sup>30</sup>, it is likely that the author of Genesis considers him to be a priest from the tribe of Levi, like all the priests in Deuteronomy. Levi together with Simeon brings idols from Shechem into the house of Jacob, as is clear from Jacob's words to his sons after the sack of Shechem:

הסרו את־אלהי הנכר אשר בחכם, *remove the foreign gods that are in your midst*, and purify yourselves and change your garments (Gen. 35:2).

Jacob's language echoes language in the Book of Joshua, when Joshua tells the Israelites to remove idols from their midst before making the covenant with God in Shechem:

And now, הסרו את־אלהי הנכר אשר בקרבכם, *remove the foreign gods that are in your midst*, and turn your hearts to YHWH the God of Israel (Josh. 24:23).

There are other connections between the two narratives. After Jacob commands his sons to remove the idols and the earrings associated with them the biblical narrator says:

And they gave Jacob all the alien gods that were in their hands and the rings that were in their ears, and Jacob concealed them תחת האלה, *underneath the terebinth*, that was near Shechem (Gen. 35:4).

At the end of the book of Joshua, in a pericope Sperling dates to the reign of Jeroboam II (786-746)<sup>31</sup>, the author says:

And Joshua wrote these words in the record of the instruction of God and took a great stone and placed it there תחת האלה, *underneath the terebinth*, that was in the sanctuary of YHWH (Josh. 24:26).

The sanctuary that Joshua tries to sanctify by placing the record of God's instruction תחת האלה, *underneath the terebinth*, is the very one that Jacob had defiled by burying idols תחת האלה, *underneath the terebinth*. Instead of burning these idols in accordance with Deuteronomic law (Deut. 7:5, 25; 12:3) and Israelite practice (1 Kings 15:13; 2 Kings 23:6; 1 Chron. 14:12), he impugns the sanctity of the sanctuary in Shechem, implying that it was defiled from the moment of its inception! Indeed, the very word תחת האלה, *the tere-*

<sup>29</sup> J. WELLHAUSEN, *Prolegomena to the History of Ancient Israel*, trans. J. S. Black and A. Menzies (New York 1958) 130.

<sup>30</sup> AMIT, *Hidden Polemics*, 104, n. 10.

<sup>31</sup> S. D. SPERLING, "Joshua 24 Reexamined": *HUCA* 58 (1987) 119-136.

*binth*, supports this meaning since it can also mean “the goddess”<sup>32</sup>. The Dinah narrative that impugns the sanctity of Shechem is a post-exilic polemic, refuting the sanctity of this city proposed by the author of Joshua 24. The rationale for Jacob’s command that his sons remove the alien gods they have acquired in Shechem is not only to indicate proleptically that Shechem was defiled long before Joshua sanctified it, as the Midrash points out<sup>33</sup>, but to indicate that Simeon and Levi had violated the law of חרם, *proscription*, by taking Canaanite gods and their earrings into their possession, as the biblical narrator implies when Jacob uses the word עברתם, *you have caused anguish*<sup>34</sup>. When Jacob says הסרו את־אלהי הנכר אשר הם, *remove the foreign gods that are in your midst* (Gen. 35:2), he implies that his sons they have failed to destroy the Canaanite gods in accordance with the Deuteronomic law of חרם, *proscription*. Indeed, this explanation is supported by the fact that in the book of Joshua the verb הסיר, *remove*, appears in connection with החרם, *that which is proscribed*, before the narrative of Achan:

You will not be able to rise against your enemies until הסרכתם החרם, *you remove that which is proscribed*, from your midst (Josh. 7:13):

There is another verbal resonance that links the violation of the law of the law of חרם, *proscription*, by Simeon and Levi to that of Achan. After Jacob removes the gods that Simeon and Levi bring from Shechem the narrator says:

And חתה אלהים, *the fear of God*, was on all the cities that were around them (Gen. 35:5).

The word חתה appears as a keyword in Ezekiel 7 times (Ezek. 32:23, 24, 25, 26, 27, 30, 32), and otherwise only in Job 6:21; Ezra 16:3, 45. The word links the success of Jacob and his sons after Jacob removes the idols of Shechem brought by Simeon and Levi to the success of the Israelites after Joshua removes the proscribed items that Achan had hidden in the valley of Achor:

And YHWH said to Joshua: Do not fear and do not חתה, *be terrified* (Josh. 8:1).

<sup>32</sup> Jacob’s failure to burn the idols foreshadows a similar lapse on the part of David, who carries away the Philistine idols in the Plain of Perazim but fails to burn them (2 Sam. 5:21).

<sup>33</sup> Gen. R. 81:3. Zakovitch suggests that Jacob buries the idols in order to defile Shechem but does not mention the Midrash (Y. ZAKOVITCH, *An Introduction to Inner-biblical Interpretation*, Reches Publishing House [Hebrew] 1992, 30-33).

<sup>34</sup> According to Jub. 31:2 and Josephus’ Antiquities 1.342 the idols that Jacob buries are the ones that Rachel brings with her from Laban’s house. However, this interpretation fails to recognize the connection between the misconduct of Simeon and Levi and the necessity for burying the idols. The imputation cast on Rachel is ancient but false.

The word *חרם*, *terror*, not only links the violation of the law of *חרם*, *proscription*, by Simeon and Levi to that of Achan but also links both narratives to Ezekiel. Ezekiel claims that the sinful behavior of the majority of Levites disqualifies most of them from serving as priests (Ezek. 44:10, 13). Jacob disqualifies the Levites from the priesthood as a result of the Shechem episode, as indicated in Gen. 49:7. The use of the word *חרם* by the author of the Dinah narrative suggests that he shares Ezekiel's disapproval of the Levites and approves of his disqualification of the Levites from the priesthood<sup>35</sup>.

Although the book of Judith singles out Simeon for praise for his conduct in Shechem "taking vengeance on those foreigners who had stripped off a virgins veil to defile her, uncovered her thighs to shame her, and polluted her womb to defile her" (Judith 9:2), the biblical narrator regards his conduct with the same sort of displeasure with which he describes the zealous outrage of Levi's descendant Phineas when he finds the Simeonite chieftain Zimri lying with the Midianite princess Cozbi (Num. 25:6-9, 14-15)<sup>36</sup>. The biblical narrator anticipates the dispossession of the tribe of Simeon when describing the way that Joseph takes him as a hostage (Gen. 43:24). Although he returns him to his brothers (Gen. 43:23), his temporary disappearance foreshadows the permanent disappearance of his entire tribe, which suffers the greatest loss of any tribe in the census of Num. 26 following the sin of worshipping Baal-peor, falling from 59,300 men at the times of the first census in Num. 2:13 to 22,000 in the second census after the sin of Baal-peor which is led by a Simeonite called Zimri (Num. 26:14). The Deuteronomist mentions the tribe of Simeon only obliquely in Moses' blessing of the tribes in Deut. 33:1-29 where the blessing of Simeon is subsumed in the blessing of Judah. Furthermore, Moses probably makes an indirect allusion to the tribe when he says *שמע*, *hear* (Deut. 32:7), referring to *שמעון*, *Simeon*, in the blessing of Judah<sup>37</sup>, and is otherwise not mentioned. Simeon's territory was entirely within the territory of Judah, for most of its cities listed in Josh. 19:1-8 are listed in Josh. 15:26-32, 42 as belonging to the tribe of Judah and when the Israelites distribute cities to the Levites Judah and Simeon unite to give them nine (Josh. 21:9, 16), suggesting that the two tribes act as a single unit. In the book of Judges Simeon is also

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<sup>35</sup> Interestingly enough, the dispossession of Reuben described in Gen. 49:3-4 is also due to sacrilege, because the word *חללה*, *you have desecrated*, which Jacob uses to stigmatize him (Gen. 49:4), is co-terminous with *מעלה*, *you have acted sacrilegiously*. Jacob dispossesses three sons for sacrilege, making Judah, the ancestor of David, the firstborn!

<sup>36</sup> See S. C. REIF, "What Enraged Phineas? A Study of Numbers 25:8": *JBL* 90 (1970) 100-106; R. A. KUGLER, *From Patriarch to Priest: The Levi Priestly Tradition from Aramaic Levi to Testament of Levi* (Atlanta 1996) 14-16.

<sup>37</sup> Abrabanel cites this opinion but refutes it, despite the fact that it was first offered by R. Joshua of Sikhnin in Midrash Psalms 90:3.

associated with Judah (Judg. 1:3). In contrast to the Levites who redeem themselves by killing 3,000 Israelites who worship the Golden Calf (Exod. 32:26-28) the Simeonites share the disgrace caused by Zimri, the Simeonite chieftain who lies with the Midianite woman כּוּזִי, *Cozb*<sup>38</sup>, leading to his death at the hands of Phineas, a descendant of Levi (Num. 25:16), explaining why the tribe of Simeon disappears completely whereas the Levites ultimately assume ascendancy under the leadership of Zadok, a descendant of Phineas<sup>39</sup>.

The Priestly author emphasizes the fact that the Levites are “missing” when he says in a census in Numbers:

And פּקְדֵיהֶם, *their officers*, were twenty-three thousand, every male from one month and older, because they were not דִּהֲפָקְדוּ, *counted*, among the Israelites, because there was no inheritance given to them among the Israelites (Num. 26:62).

The verb פָּקַד appears 7 times in the census of the Israelites taken after the plague caused by the apostasy in Shittim when the Israelites worship Baal-peor (Num. 26:57, 62 [2], 63 [2], 64 [2]). When the biblical narrator says that the Levites were not דִּהֲפָקְדוּ, *counted*, among the Israelites he implies that they are “missing”. The author of Judges also uses the verb פָּקַד to denote the way that the Israelites do not want the tribe of Benjamin to be “missing” despite their outrageous conduct at Gibeah:

And they said: Why, YHWH, did this happen in Israel, לִדְהַפֵּק, *that there should be missing*, one tribe in Israel (Judg. 21:3)?

The Israelites prevent a disaster befalling the tribe of Benjamin similar to the one that had occurred to the Levites. Interestingly enough, the Benjaminite king whom the Israelites choose, שָׂאוּל, *Saul*, has a name that is semantically equivalent to נִפְקַד, *is missing*.

The way that Jacob dispossesses Levi together with Simeon saying אֲחַדְלֶם, *I will divide them*, not only foreshadows the dispossession of Amnon and Tamar after the rape of Tamar<sup>40</sup>, but also echoes the law in Numbers

<sup>38</sup> Indeed, Cozb's name resonates with כּוּזִי, *Chezib*, the birthplace of Shelah (Gen. 38:5), implying that she threatens the lives of the Simeonites in a manner that echoes the way that Judah considers Tamar to threaten that of Shelah (Gen. 38:13).

<sup>39</sup> Moses' hesitation to kill the Israelites who are worshipping Baal-Peor and fornicating with Midianite women is based on the fact that he himself married the daughter of a Midianite priest, as the Talmud says (bSan 82a). This would have led to a total disaster had not Phineas the descendant of Levi stepped into the breach (Num. 25:1-8).

<sup>40</sup> Zakovitch claims that the narrative of the rape of Tamar is the *Vorlage* of that of the seduction of Dinah (Y. ZAKOVITCH, “Assimilation in Biblical Narratives”, 187-192, in: J. H. TIGAY [ed.], *Empirical Models for Biblical Criticism* [Philadelphia 1987]). It is interesting to note that בָּאֵשׁ, *be offensive*, denotes the way that Jacob feels offensive after the exploits of Simeon and



that says that the Aaronites should have no חלק, *possession*, in the land of Canaan:

And YHWH said to Aaron: You shall, however, have no territorial share with them, והלק, *or any portion*, in their midst; I am חלקך, *your portion*, and your heritage among the Israelites (Num. 18:20).

The word חלק echoes the use of the word אוחלקם, *I will divide them*, when Jacob dispossesses the Levites:

אוחלקם, *I will divide them*, in Jacob,  
and I will scatter them in Israel (Gen. 49:7).

The linkage suggests that Jacob's language is an allusion to the Priestly law in Numbers. The word חלק also denotes a portion that is distributed by גורל, *lot*:

However the land יהלק, *should be divided*, בגורל, *by lot*, according to the names of the tribes of their fathers they shall inherit.  
According to הגורל, *the lot*, his inheritance תחלק, *shall be divided*, whether numerous or few (Num. 26:55-56).

The Danites send men לרגל, *to spy* (Judg. 18:14, 17), in order to obtain a portion that they have not obtained by means of the גורל, *lot*. In Gen. 49:5-7 the biblical narrator describes how Jacob dispossesses these two tribes as a result of their conduct in the Dinah narrative, preventing both from obtaining a חלק, *portion*, of land by means of the גורל, *lot*, thus further linking the Dinah narrative to that of the Danites whose aim was to obtain a גורל, *lot*, by sending men out לרגל, *to spy*. The Dinah narrative provides a rationale for the Levite disqualification from the priesthood pronounced by Ezekiel whose language the author echoes when he says that חתת אלהים, *the fear of God*, prevented the surrounding nations from harming Jacob's family (Gen. 35:5), as pointed out above.

The biblical author implies that Jacob himself commits a sin when he conceals the idols under the terebinth. The word ויטמן, *and he concealed* (Gen. 35:4), links Jacob's conduct to that of Achan when he claims to have found objects that were forbidden by the law of חרם, *proscription*, because they were טמונים, *concealed*, together with a Babylonian cloak:

And I saw among the spoils a lovely cloak of Shinar and two hundred shekels כסף, *of silver*, and a bar of gold, fifty shekels in weight. And I desired them and took them and, here, טמונים, *they were concealed*, in the earth in the middle of my tent, והכסף תחתיה, *with the silver underneath it*.

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Levi and the conduct of Absalom when he lies with his father's concubines (Gen. 34:30; 2 Sam. 16:21).

And Joshua sent messengers and they ran to the tent and here, *טמונה*, *it was concealed*, in his tent, *והכסף תחתיה*, *with the silver underneath it* (Josh. 7:21-22).

The sin of *מעל*, *sacrilege*, is one that is characteristically performed in a hidden, secret manner, the word resonating anagrammatically with *נעלם*, *concealed*, a word found 3 times in the Priestly law that describe the sin of sacrilege (Lev. 5:2, 3, 4), and in the law of the suspected adulteress whose sacrilege is *נעלם*, *concealed*, from her husband (Num. 5:13). Jacob's decision to *טמן*, *conceal*, the gods that Simeon and Levi captured from Shechem rather than burn them according to Deuteronomic law of *חרם*, *proscription*, violates this law as blatantly as Achan does in the book of Joshua. In spite of the fact that Jacob's use of the word *עכרה*, *you have caused anguish* (Gen. 34:30), indicates his awareness of the sin of *חרם* when Simeon and Levi commit it, he himself appears to commit it when he *טמן*, *conceals*, the idols rather than burning them, causing them to remain as forbidden as the objects that were *טמונים*, *concealed*, by Joshua (Josh. 7:21). While the rationale of the biblical author's description of Jacob's actions may be to indicate that Shechem is defiled when Joshua establishes a sanctuary there, as Zakovitch suggests, his violation of the law of *חרם* by failing to destroy the Canaanite gods by burning them is so extraordinary that Joseph alludes to it when he makes a cryptic use of the root *טמן*, *conceal*, when explaining to his brothers why he has returned their *כסף*, *silver*, to them:

Your God, the God of your fathers, placed for you a *מטמון*, *buried treasure*, *באמתהיכם*, *in your packs*: *כספכם*, *your silver*, has come to me. And he brought Simeon out to them (Gen. 43:23).

By using the word *מטמון*, *treasure*, which appears only 5 times in the Bible (Gen. 43:23; Isa. 45:3; Jer. 41:8; Prov. 2:4; Job 3:21), Joseph alludes obliquely to Jacob's anomalous decision to bury rather than burn the gods that Simeon, in conjunction with Levi, had introduced to his household from Shechem, thus violating the law of *חרם*. The word denotes the money Joseph had returned to his brothers before returning Simeon them, and by using it Joseph implies that Simeon is as responsible for the introduction of alien gods into Jacob's house as Levi and therefore indirectly responsible for the sin that Jacob commits when he *טמן*, *concealed*, them by burying them rather than burning them!<sup>41</sup>. Jacob's failure to burn the gods constitutes an act of sacrilege that parallels that of Simeon and Levi when they spare the lives of the women and children, fail to burn the city of Shechem and bring its idols to Jacob's home. The Joseph narrative echoes both the language in

<sup>41</sup> The word *באמתהיכם*, *in your packs*, a keyword in the Joseph narrative where it appears 15 times (Gen. 42:27, 28; 43: 12, 18, 21 [2], 22, 23; 44:1 [2], 2, 8, 11 [2], 12), also links the Joseph narrative to the Dinah narrative since part of the word resonates with the word *תחת*, *underneath*, in the expression *תחת האלה*, *underneath the terebinth* (Gen. 35:4).

Gen. 35:1-4 and Josh. 7:21-22 when it describes the way that Joseph returns כסף, *silver*, to his brothers by putting it into each brother's pack. The verb נָמַן and the preposition תַּחַת, *underneath*, is common to all three narratives, while the word כֶּסֶף is common to the Joseph and Joshua narratives<sup>42</sup>.

Although Simeon and Levi had fulfilled one aspect of the law of חָרַם, *proscription*, when they prevent the intermarriage of Dinah with Shechem, which would also have been a violation of that law, their failure to destroy the Canaanite idols in Shechem violates this law no less than their failure to kill the women and children and burn the city. The Deuteronomist implies that intermarriage is a violation of the law of חָרַם by mentioning this law in Deut. 7:26 at the conclusion of the pericope in which he forbids intermarriage<sup>43</sup>. Furthermore, Ezra forbids intermarriage because it causes mingling of "holy seed" (Ezra 9:1-2), a sin that constitutes בעל, *sacrilege*, a position the author of 4QMMT adopts in section C, citing Deut. 7:26<sup>44</sup>. Although the Deuteronomic rationale of this prohibition is to prevent idolatry (Deut. 7:4) it is also juxtaposed with the statement that Israel is an עם קדוש, *holy people* (Deut. 7:6), implying that intermarriage is itself a sacrilege, as Ezra states in Ezra 10:10. Ironically the sin that Simeon and Levi prevent Dinah from committing is comparable to the one they themselves commit when taking idols from Shechem<sup>45</sup>. Although the biblical narrator does not explicitly say that they do this he implies this when he says:

And all their wealth, all their children, all their wives they took as booty, and all that was בבית, *in the house* (Gen. 34:29).

The word בבית, *in the house*, is anomalous since the word בבתים, *in the houses*, would seem to be more appropriate. Apparently sensing the problem, Ibn Ezra, says that word refers to the private residence of Hamor or Shechem. However, the fact that the narrator chooses the singular word בית implies that he refers not to houses of individual citizens but to the temple of

<sup>42</sup> Although the biblical narrator does not say that the Canaanite gods that Jacob buries are כסף, *silver*, the book of Joshua says that Achan hides כסף, *silver*, alluding to silver gods like the ones that Jacob buries.

<sup>43</sup> The author of section C of 4QMMT uses this term to describe intermarriage, citing Deut. 7:26 (see E. Qimron and J. STRUGNELL, *Qumran Cave 4, V: Miqsat Ma'ase Ha-Torah: Discoveries in the Judean Desert X* [Oxford 1994] 131). Hayes points out that the way that 4QMMT stigmatizes intermarriage parallels the way that Ezra defines intermarriage as בעל, *sacrilege* (Hayes, *Gentile Impurities*, 2002, 87).

<sup>44</sup> See E. QIMRON-J. STRUGNELL, *Qumran Cave 4, V: Miqsat Ma'ase Ha-Torah: Discoveries in the Judean Desert X* (Oxford 1994) 131. Hayes points out that the identification of intermarriage by 4QMMT parallels the way that Ezra defines intermarriage as בעל, *sacrilege* (HAYES, *Gentile Impurities and Jewish Identities*, 87).

<sup>45</sup> It is possible that Jacob feels that intermarriage is not a sacrilege the Canaanites remove their foreskin, as the Shechemites did.

the inhabitants of Shechem, implying that Simeon and Levi, together with Dinah's other brothers, steal the Canaanite gods of Shechem from the temple in Shechem, thus violating the Deuteronomic interpretation of the Covenant Code's law of חרם, *proscription*. Their conduct therefore parallels that of the Danites when they capture Laish and persuade the Levite who had acted as the priest of the idol מִיכָה *Micah*, in the house of Micah (Judg. 17:12), to become its acolyte in Dan during the time of the בֵּית־אֱלֹהִים, *house of God*, in Shiloh (Judg. 18:31).

After the sack of Shechem, Jacob returns to Luz and renames it Bethel:

And Jacob came to Luz, which is in the land of Canaan – it is Bethel – and all the people who were with him. And he called the place El-Bethel, because God revealed Himself to him when he fled from his brother (Gen. 35:6).

The importance of the naming of Bethel is apparent from the fact that word בֵּית־אֵל, *Bethel*, is a keyword in the narrative, appearing 7 times (Gen. 35:1, 3, 6, 7, 8, 15, 16). Its importance reflects the fact that it is destined to become a cult center in the Northern Kingdom, serviced by Aaronites (Judg. 20:26) and associated with Nadab and Abijah, the two sons of Jeroboam whose names echo those of the two oldest sons of Aaron, Nadab and Abihu and whose deaths expiated the similar sin of establishing a golden calf performed by their respective father<sup>46</sup>. The naming of Dan after the Danites enter Laish parallels the renaming of Bethel, by Jacob:

And he called the name of the place Beit El; ואולם לוֹ שֵׁהָעִיר לְרֵאשֶׁנָּה, *however the name of the city had formerly been Bethel* (Gen. 28:19).

And they called the name of the city Dan after the name of their father Dan who was born to Israel; ואולם לִישׁ שֵׁהָעִיר לְרֵאשֶׁנָּה, *however the name of the city had formerly been Laish* (Judg. 18:29).

Jacob returns to Bethel after the Dinah narrative and renames it a second time (Gen. 35:15), providing a conclusion to the Dinah narrative that parallels the conclusion of the Danite narrative. Both Bethel and Dan become cultic centers after the division of the monarchy, when Jeroboam

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<sup>46</sup> Their deaths also echo that of Uzzah the son of Abinadab during the transport of the Ark to Jerusalem (2 Sam 6:3-7), the name of Abinadab echoing those of Nadab and Abihu (see R. GRADWOHL, "Das 'Fremde Feuer' von Nadab und Abihu": *ZAW* [1963-1964] 75-76: 288-295; A. ABERBACH-L. SMOLAR, "Aaron, Jeroboam and the Golden Calves": *JBL* 186 [1967] 129-140). In all narratives nakedness in the presence of the sanctuary, in violation of the prohibition in Exod. 20:23. The Israelites fear that Moses exposed his nakedness before the sin of the Golden Calf, the word בָּשָׁט, *shamefully late* (Exod. 32:1), resonating with הִתְבַּשְׁטוּ, *were ashamed* (Gen. 2:25). Philo suggests that Nadab and Abihu served God while naked (Philo, *Laws*, 2:57-58), an interpretation that is supported by a close reading of the text. Michal accuses David of dancing before the Ark while naked after the death of Uzzah (2 Sam. 6:20).

establishes golden calves in them (1 Kings 12:28-29). The Psalmist's language highlights the importance of Dan as a cultic center:

הַר־אֱלֹהִים, *the mountain of God*, is Mount Bashan,  
the mountain of peaks is Mount Bashan (Ps. 68:16).

The Song of Moses says:

Dan is a גֹּר אַרְיָה, *lion's whelp*,  
that leaped from Bashan (Deut. 33:22).

The הַר־אֱלֹהִים, *the mountain of God*, in Bashan is probably in לַיִשׁ, *Laish*, the original name of Dan since לַיִשׁ means "lion" (Isa. 30:6; Prov. 30:30; Job 4:11), and the Deuteronomist associates Dan with a גֹּר אַרְיָה, *lion's whelp*. It follows that the cultic center in Dan after the division of the monarchy centered in לַיִשׁ, *Laish*, becomes regarded as a הַר־אֱלֹהִים, *the mountain of God*, whose holiness competes with that of Jerusalem.

The link between the Dinah and Danite narratives suggests a polemical significance to the description of the role of Levi in the Dinah narrative. Since he echoes the Levite priest in the Danite narrative the linkage supports the suggestion that the words "and all that was within the house" (Gen. 34:29), refer to the seizure of Canaanite idols from a temple in Shechem. Levi's conduct in conjunction with Simeon is therefore conceptually similar to that of the Levite in the Danite narrative. While in the Danite narrative the sin of the Levite involves the retention of idols made by Israelites in the Dinah narrative, defiling the city of Dan, the sin of Levi and Simeon involves the retention of Canaanite idols, defiling the city of Shechem.

The fact that the Dinah narrative parallels the Danite narrative in Judges, highlighting the illegitimacy of the city of Shechem by implying that the terebinth in the sanctuary is associated with idols in a way that parallels the idolatry that the Danites established in Laish, makes it likely that it has a similar hidden polemic. The narrative echoes the anti-Levitical view of Ezekiel, who claims that the sinful behavior of the majority of Levites has disqualified most of them from serving as priests (Ezek. 44:10,13). Ezekiel singles out one particular Levitical family, the sons of Zadok, for its faithfulness (Ezek. 48:11) and gives them alone the rights to the office, privileges and perquisites of the priesthood in Jerusalem (Ezek. 40:45-46; 43:19; 44:15-16), demoting the rest of the Levites to second-class temple personnel under Zadokite direction<sup>47</sup>. His language that may well have inspired the Dinah narrative,

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<sup>47</sup> See P. D. HANSON, *The Dawn of Apocalyptic* (Philadelphia 1979) 226-238; S. L. COOK, *Prophecy and Apocalypticism: The Post-exilic Social Setting* (Minneapolis 1995) 109-112; G. BOCCACCINI, *Roots of Rabbinic Judaism: An Intellectual History, From Ezekiel to Daniel* (Grand Rapids 2002) 43-45.

criticizing the Judeans in Ezek. 16:44-45 with the words כַּאֲמֵהּ בַּחָהּ, *like mother, like daughter* (Ezek. 16:44)<sup>48</sup>, and comparing the conduct of Israel to bestiality (Ezek. 23:20). The linkage created by the word תַּהַר, *terror*, in Gen. 35:5 with a similar word in Ezek. 32:23, 24, 25, 26, 27, 30, 32), highlights the possibility that the narrative is influenced by the writings of Ezekiel. Whether or not this is so, it is certainly possible that the rationale of the narrative is to disparage the Levites by associating them with the infamous idolatrous practices associated with the Danites in the Northern Kingdom. While the Danite narrative does this directly by linking the idolatrous practices of a Levite priest with the Danites, the Dinah narrative does this obliquely by linking the Dinah narrative to that of the Danites by means of verbal resonances. The primary rationale of both narratives is not to attack the Danites but to besmirch the reputation of the Levites, Levi playing a negative roll in the Dinah narrative foreshadowing the negative role of the Levite in the Danite narrative while Dinah's name resonates with that of Dan. The Danite narrative is also anti-Mushite<sup>49</sup> since the author stresses that the fact that the Levite is Moses' grandson explicitly in the Septuagint on Judg. 18:30 and obliquely in the Masoretic version of that verse. The Danite narrative also links the Levite's conduct at the beginning of the narrative to that of Moses when he marries the daughter of a Midianite priest:

וַיֹּאמֶר מֹשֶׁה לְשִׁבְתָּ אִתִּי הַיּוֹם, *and Moses was content to live with the man, and he gave his daughter Zipporah to Moses.*

And she bore a son and he called his name גֶּרְשׁוֹם, *Gershom*, because he said: I was a גֵּר, *alien*, in a foreign land (Exod. 2:21-22)<sup>50</sup>.

<sup>48</sup> The Midrash also considers Dinah's conduct to reflect כַּאֲמֵהּ בַּחָהּ, *like mother, like daughter*, comparing the way that Dinah goes out to see the daughters of the land to the way Leah goes out to mean Jacob (Gen. 30:16) (Tanhuma 7; Gen. R. 80:1).

<sup>49</sup> Wellhausen considers that the Mushite priesthood descended from Moses and transmitted to Eli, Phineas, Ahitub, Ahimelech and Abiathar (1 Sam. 14:3; 22:9, 11, 20; 23:6; 30:7; 2 Sam. 8:17) (WELLHAUSEN, *Prolegomena to the History of Ancient Israel*; F. M. CROSS, *Canaanite Myth and Hebrew Epic: Essays in the History of the Religion of Israel* (Harvard 1973) 73, 195-215, 23, 234n, 237; *From Epic to Canon: History and Literature in Ancient Israel* (Baltimore 1998) 45, 57, 59).

<sup>50</sup> The language linking Moses' marriage with the daughter of a Midianite priest also links Moses to Joseph who contracts a similar marriage with the daughter of an Egyptian priest (Gen. 41:45). Both men have two sons, and it is interesting that Moses' only son who has descendants, Gershom, establishes himself in the Northern Kingdom that is largely populated by Joseph's sons. It is also interesting that Ephraim and Manasseh are assigned Levi's place when camping in the wilderness (Num. 1:32-35; see Josephus *Antiquities* 3.288), implying that the priestly author sees a correspondence between the Levi, the ancestor of Moses and his two sons, and Ephraim and Manasseh, Joseph's two sons. Conflation of the two tribes also occurs with reference to Samuel whom the author of Samuel describes as an Ephraimite (1 Sam. 1:1) whereas the Chronicler describes him as a Kohathite Levite (1 Chron. 6:18-19).

And there was a lad from Bethlehem of Judah of the family of Judah and he was a Levite and he גרשם, *sojourned there*....

ויואל משה לשבת את־הדאיש, *and the Levite was content to live with the man*, and the lad became like one of his sons.....

And the Danites established themselves the carved image, and Jonathan the son of גרשם בן־משה, *Gershom the son of Moses*, he and his sons, were priests for the tribe of Dan until the land was exiled (Judg. 17:7, 11; 18:30).

The way that the Dinah narrative alludes to contiguous laws of the Covenant Code suggests that it was written after its redaction, which may have taken place as early as the 10<sup>th</sup> century B.C.E.<sup>51</sup>, but may have been reedited in the exilic period<sup>52</sup>. It also echoes the Deuteronomic law of חרם, *proscription*, a law that is probably pre-Josianic<sup>53</sup>. It is not only a polemic against intermarriage with Samaritans, as the interpretation of the narrative in the book of Jubilees suggests (Jub. 30:1-26), but also an attempt to impugn the holiness of Shechem. Amit points out that even when the idolatry in the cities of Samaria is described at some length the author of Kings does not specifically mention Shechem (2 Kings 17:24-41), a place where Abraham and Jacob build altars (Gen. 12:6-7; 33:18-20), and that enjoyed an extra portion of holiness according to the Deuteronomic tradition Shechem (Deut. 11:29-30; Josh. 8:30-35), but rather Bethel (2 Kings 17:28)<sup>54</sup>. The way the Dinah narrative contradicts Shechem's sanctified status further supports the view that the Dinah narrative is a post-exilic polemic. The severe criticism of Levi's conduct suggests that it is a Zadokite polemic against the Levites, in contrast to the views of the Chronicler (1 Chron. 15:14; 2 Chron. 29:5; 12-15, 34)<sup>55</sup>, who like the author of the Temple Scroll<sup>56</sup> highlights the holiness of the Levites.

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<sup>51</sup> R. WESTBROOK, "What is the Covenant Code?", in: B. M. LEVINSON, *Theory and Method in Biblical and Cuneiform law: Revision, Interpolation and Development* (JSOTSup 181; Sheffield 1994) 15-36.

<sup>52</sup> For the relationship between Exod. 22:15-16 and Deut. 22:28-29, laws that both echo the Middle Assyrian Law (MAL A§55), see VAN SETERS, *A Law Book for the Diaspora* 122-125.

<sup>53</sup> STERN, *The Biblical Herem*, 110-116. Lohfink and Schmitt consider Deut. 7:25-26 to be an addition to the chapter (N. LOHFINK, "Das Hauptgebot: Eine Untersuchung literarischer Einleitungsfragen zu Dtn 5-11": AnBib 20, Rome: Pontifical Biblical Institute, 1963; G. SCHMITT, *Du sollst kein Frieden schliessen mit dem Bewohnern des Landes*" (BWANT 11; 1970) but Stern demonstrates that these verses which demand that Canaanite idols be destroyed according to the law of חרם are an integral part of Deut. 7:1-26.

<sup>54</sup> AMIT, *Hidden Polemics*, 199-200.

<sup>55</sup> G. VON RAD, *Das Geschichtsbild des chronistischen Werkes* (Stuttgart 1930) 881-119; A. C. WELCH, *The Work of the Chronicler* (London 1939) 55-67; O. EISSFELT, *The Old Testament: An Introduction* (Eng. trans., Oxford 1965) 537-538.

<sup>56</sup> See Y. YADIN, *The Temple Scroll* (Jerusalem 1983) 1.155.

The Dinah narrative should be regarded as an intrabiblical midrash comparable to the one regarding Cushan-Rishataim described by Oded<sup>57</sup> and Solomon's judgment of the two prostitutes in 1 Kings 3<sup>58</sup>. The midrash constituted by the narrative is far bolder than any of Rabbinic origins. Rabbinic midrashic exegesis involves interpretation of biblical verses and not of books, as Kugel states<sup>59</sup>, while the midrash that is the Dinah narrative echoes the Danite narrative contained in two chapters of our version of the book of Judges.

**Resumen:** El relato de la seducción de Dina está construido en torno a un núcleo de cuatro de las leyes del Código de la Alianza (Ex 22,16-19). Este vínculo implica que el disgusto de Jacob ante la conducta de sus hijos se debe a su incapacidad de cumplir la prohibición de los ídolos que recoge el Código de la Alianza en Ex 22,19. Sin embargo, ellos violan la ley deuteronomica de la prohibición al tener relaciones sexuales con algunos de los habitantes de Siquem, a pesar de su profesada antipatía hacia los matrimonios mixtos. La descripción de la forma como Leví toma los ídolos de Siquem funciona como polémica por parte de los sacerdotes aaronitas contra los sacerdotes levitas que quizá habían seguían realizando su trabajo en Siquem durante el periodo exílico, mientras que los sacerdotes aaronitas no podían ejercerlo en Babilonia a causa de la destrucción del Templo de Jerusalén. La polémica tiene su eco en Jue 17-18, que es también una *Vorlage* del relato de Dina. Ciertamente, el nombre de Dina la vincula con Dan, en cuyo territorio se estableció un culto idolátrico por un nieto de Moisés, un levita (Jue 18,30-31), todo lo cual sugiere que el relato de Dina no es sólo una polémica contra los sacerdotes levitas, sino también un midrás intrabíblico sobre Jue 17-18. La relación de Génesis 34 con las leyes bíblicas apoya la teoría de que los autores bíblicos aluden frecuentemente a leyes bíblicas, lo que implica que la alianza con los patriarcas estaba unida a las leyes bíblicas no menos de lo que lo estaba la alianza sinaítica que la sigue<sup>60</sup>.

**Summary:** The narrative of Dinah's seduction is built round a matrix of four of the Covenant Code's laws (Exod. 22:16-19). This link implies that Jacob's anguish at the conduct of his sons is due to their failure to fulfill the Covenant Code's proscription of idols in Exod. 22:19. Moreover, they violate the Deuteronomic law of proscription by having intercourse with some of the inhabitants of Shechem despite their professed antipathy to intermarriage. The description of the way Levi takes idols from Shechem functions as a polemic by Aaronite priests against Levitical priests who may have continue to function in Shechem during exile times when the Aaronite priests in Babylon were unable to do so because of the destruction of the Temple in

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<sup>57</sup> B. ODED, "Cushan-Rishataim, (Judg. 3:8-11): An Implicit Polemic", in: M.V. Fox, et al., *Temples and Tradition. A Tribute to Menahem Haran* (Indiana 1996) 89\*-94\* [Heb.] in Texts. Oded suggests that the name Cushan-Rishataim is a reference to Saul the son of Kish, while the place name Aram-naharayim (Judg. 3:8) is a reference to Rehoboth-nahar where Saul, a king of Edom, ruled (Gen. 36:37).

<sup>58</sup> G. HEPNER, "Midrash and the Elaboration of Biblical Meaning": *Judaism* 51 (2002) 432-437.

<sup>59</sup> J. KUGEL, "Two Introductions to Midrash", in: G. H. HARTMAN- S. BUDICK (ed.), *Midrash and Literature* (New Haven 1986) 77-105 at 93.

<sup>60</sup> Ver Gershon Hepner: *The Relationship between Biblical Narratives and Laws* (New York: Peter Lang, 2006) (en preparación).

See Gershon Hepner: *The Relationship between Biblical Narratives and Laws* (New York: Peter Lang, 2006) (in preparation).



Jerusalem. The polemic echoes one Judges 17-18 which is also a *Vorlage* of the Dinah narrative. Indeed the name of Dinah links her to Dan, in whose territory an idolatrous cult is established by Moses' grandson, a Levite (Judg. 18:30-31), suggesting that the Dinah narrative is not only a polemic against the Levitical priests but an inner-biblical midrash on Judges 17-18. The relationship of Genesis 34 to biblical laws supports the view that the biblical authors frequently alluded to biblical laws, implying that the patriarchal covenant was linked to biblical laws no less than the Sinaitic covenant that followed it.<sup>60</sup>