

The Contribution of Text Criticism to Literary Analysis, Redaction History, and the Study of Ancient Israelite Religion

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This paper seeks to highlight the potential contribution of textual criticism to the larger domain of biblical studies, including literary analysis, redaction criticism and the study of ancient Israelite Religion. Of course, few would deny the theoretical significance of text criticism for these disciplines. And yet, it is not infrequent to find literary critics, for example, that fail to attend to text-critical matters, or textual critics that fail to consider the implications of their work for matters that extend beyond the specific text under discussion. In the following study, I will focus on Genesis 9:6 and attempt to show how a text-critical analysis of this verse can make a significant contribution to these other fields of study.

Following the flood, God turns to Noah and his sons in Genesis 9:6 and declares, שופך דם האדם, באדם דמו ישפך, כי בצלם אלהים עשה את האדם. The most common translation of the first half of the verse is “Whoever sheds the blood of a man, by man shall his blood be shed.” It is a classic illustration of literary art in the Bible insofar as it is widely perceived as exhibiting a perfect chiasmic structure: shed, blood, man; man, blood, shed. Many scholars find in this poetic-looking style evidence that the prose narrator has incorporated into his work a very ancient law or proverb. The common translation follows the understanding that the ב of באדם is instrumental or introduces an agent. The intention of the passage is to authorize human courts to carry out the death penalty on behalf of God, following due process of the law. This is traditionally seen as reflecting a progression from the previous verse which reads,

וְאֵךְ אֶת-דַּמְּכֶם לְנַפְשֵׁיכֶם אֶדְרֹשׁ, מִכָּל-חַיָּה אֶדְרֹשְׁנָה; וּמִיַּד הָאָדָם, מִיַּד אִישׁ אַחִיו--אֶדְרֹשׁ,
אֶת-נַפְשׁ הָאָדָם.

“But your own life-blood I will demand: I will demand it of every beast; and of man, too, of every fellow man, I will demand the life of man.”

Since this preceding verse speaks of God himself demanding the lifeblood of the murder victim from his murderer, the Rabbis assumed that *that* verse addresses instances wherein no witnesses can testify to the murder. Our verse, then, deals with the cases where there are witnesses. In such cases, affirms the verse, one must not sit back and expect God to administer justice. The human court is both authorized and responsible to carry out the death penalty.

In spite of the widespread acceptance of this interpretation of our verse, it actually entails serious difficulty. First, there is no other instance of this usage of the כ within a juridical context to indicate the agent who administers punishment. Second, "באדם" is much too vague and general to convey the idea that murderers must be executed specifically by a court of law rather than, let us say, a next of kin or any individual who witnesses the murder. Third, the explanation clause at the end of the verse, “for man was made in the image of God,” relates most naturally to the simple point that a murderer must pay for his crime with his life. It relates much less naturally to the allegedly highlighted point that the execution of the murderer must be carried out specifically by man. Fourth, it seems rather strange for God to speak to Noah and his three sons about setting up a court of law to carry out the death penalty. Wouldn't it make more sense for God to wait with such a directive until a few more people fill the earth? Finally, the traditional explanation for the discrepancy between verse 5, where God himself exacts the blood of the murdered human from the hands of his murderer and verse 6, where the courts are supposedly required to do so -

that verse 5 refers to instances where there are no witnesses to the murder and verse 6 refers to instances where there are witnesses - has absolutely no foundation within the text. This fact places the entire assumption that verse 6 is discontinuous with verse 5 and speaks of courts, or of human agency of any kind, in serious doubt.

Another line of interpretation of our verse, which circumvents the above noted difficulties, takes the ב of באדם to mean “because of,” “in payment for,” as in the phrase נפש בנפש, a life for a life (Deut. 19:21). This interpretation is reflected in the NEB translation, “for *that* man, his blood shall be shed.” Following this reading, the verse does not speak specifically of humans as the authorized administrators of the death penalty. It merely proclaims that murderers must die.

However, it is strange to refer to a specific person, the murder victim, with the general term באדם, which could apply to anyone. One would surely expect something more precise, such as בנפש המת or the like. Another interpretive strategy attributed to Rabbi Yishmael, is to take דמו ישפך as its own clause and to place באדם together with the preceding words. This produces the reading שופך דם האדם באדם, דמו ישפך. The verse is then understood as prohibiting the aborting a fetus, that is, the spilling of the blood of a human that is inside another human. Though דמו ישפך indeed stands perfectly well on its own without the preceding באדם, the interpretation that this reading yields is clearly forced. On the whole, the fact that באדם can and has indeed been taken as referring to the next of kin, the court, the witnesses, the murdered individual, the crowd watching the execution, the fetus, and more, indicates that the formulation of this text is overly ambiguous and therefore problematic. The LXX and Vulgate [apparently] fail to render the word באדם altogether. And Arnold Ehrlich found the formulation באדם דמו ישפך so awkward that he simply removed באדם as a kind of dittography.

In my view, Ehrlich's extreme move is not warranted. Rather, I suggest that באדם should be vocalized as באדמה, "on the ground." As is well known, the *Matres Lectiones* were introduced into the consonantal framework of Ancient Hebrew orthography gradually and inconsistently. And there are many instances in the Bible where the final *heh* vowel is missing. Similarly, a long history stands behind the use of the closed *mem* for the final position and the open *mem* for the opening or medial position. Accordingly, I believe the verse should be read, following the parsing of Rabbi Yishmael, שופך דם האדם באדמה, דמו ישפך, "Whoever sheds the blood of man on the ground, his blood shall be shed." The word אדמה almost certainly stands behind אדם with a final *mem* in other texts as well, such as Zechariah 13:5 and Job 31:33. However, the suggestion that we vocalize באדם as באדמה in Genesis 9:6 draws its main support from Numbers 35:33. This passage reads, ולא תחניפו את הארץ אשר אתם בה, כי הדם הוא יחניף את הארץ, ולא יכופר לדם אשר שופכו, "Do not pollute the land where you are. Bloodshed pollutes the land, and atonement cannot be made **for the land on which blood has been shed**, except by the blood of the one who shed it." The Numbers passage, like our Genesis passage, belongs to the Priestly source. It gives clear expression to the same principle that bloodshed cannot be tolerated and that the murderer must die for his crime. However, it does not speak simply of bloodshed. Rather, it speaks of blood that is shed on the ground. Furthermore, it does not speak of blood that is shed on the ground with the particle that most often goes together with שפך – אל or על, but with ב (לדם בה). This corresponds to שפך דם האדם באדמה of our passage. The new reading of our passage indicates that the putative chiasmic structure was strictly the creation of the eye of the beholder. The related supposition that the biblical narrator has taken up an ancient and independent proverbial formula proves to be completely baseless. This does not mean, however,

that the passage is artless. On the contrary, it exhibits a sophisticated wordplay, which presents דם, אדם, and אדמה as three distinct elements that are all intimately related.

This reading of our Genesis passage has considerable exegetical implications that are important to draw out. First of all, the reading contributes to an understanding of the Priestly flood narrative, and the theological outlook reflected therein. The theme of our Priestly passage, the shedding of blood on the ground, links up with the P passage of Genesis 6:13, which opens the Priestly flood story. In that passage God states, קץ כל בשר בא לפני כי מלאה הארץ חמס מפניהם והנני משחיתם את הארץ, “The end of all flesh has come before Me, for the earth is filled with violence through them; and behold, I will destroy them with the earth.” God decides to destroy all flesh because the earth is full of חמס, מפניהם, *because of them*, that is, because of all flesh. He thus decides to destroy all flesh את הארץ, together with the earth which they filled with חמס. The word חמס is most often translated “violence,” but in several passages it parallels דמים, “bloodguilt.” Particularly noteworthy is the Priestly-affiliated passage of Ezekiel 7:23, which explains the arrival of the קץ, that is, the “end time,” for אדמת ישראל, the land of Israel of the times of the prophet, with the words, כי הארץ מלאה [משפט] דמים והעיר מלאה חמס, “the land is full of blood, the city full of violence.” This formulation closely parallels Genesis 6:13 כי מלאה הארץ חמס מפניהם. It thus seems that the Priestly writer in Genesis 6:13 was not merely stating, in a general sense, that society was full of violence, but more specifically that the earth or ground was saturated with bloodguilt. The arrival of the קץ of all flesh mentioned at the beginning of the verse should thus be understood in the temporal sense as the arrival of the “end time,” as in Ezekiel 7 (vv. 6—7). After generations of build-up, the earth arrived at its final saturation point of bloodguilt, requiring that the source of the bloodguilt finally be removed. This recalls the Priestly passage of Leviticus 26:34—35, which speaks of the exile of the Israelites from the land in terms of

allowing the land to make up for the accumulation of Sabbath years that generations of Israelites prevented her from observing.

The idea that it was specifically or primarily blood that was shed on the ground that brought on the flood coheres perfectly with Genesis 1:29—30 of the Priestly creation story. In this text, God declares that humans and animals must subsist on a vegetarian diet. This indicates an implicit prohibition against spilling the blood of any living creature for any purpose. Since God eventually destroyed both humankind and the animal kingdom in the flood, the clear implication of the P stratum is that they both transgressed the initial divine prohibition against spilling blood. Both people and animals shed human and animal blood, whether as an expression of violence or simply for food. This is the חמס, the bloodguilt, of “*all flesh*,” a phrase which includes animals, that brings on the flood. This bloodguilt was hardly produced by the humans and animals of the flood generation alone. In Genesis 9, following the flood, God allows for the shedding of animal blood on the ground by humans and animals, prohibiting now only its consumption by humans. The shedding of human blood on the ground, however, continues to be prohibited, and this applies to humans as well as to animals. The final stage of this progression in P is found in Leviticus 17. Here we read concerning the Israelite who slaughters a domestic animal without offering its blood on the altar, דם יהשב לאיש ההוא, דם שפך – he incurs blood guilt, for he has shed blood. Significantly, here too, the sin is comprised of the fact that he sheds the blood of the animal על פני השדה, on the ground. (The phrase על פני השדה interchanges with על פני האדמה; cf. 2 Kgs. 9:37; Jer. 9:21 with Jer. 8:2; 16:4; 25:33.) If the animal’s blood is spilt on the altar, no bloodguilt is incurred.

In sum, the concern of Genesis 9:6 with the prevention of the shedding of blood on the ground is consistent with a Priestly theme that is found in Genesis, Leviticus, Numbers and Ezekiel. The

suggested reading of Genesis 9:6 in its Priestly context indicates that P conceived of the flood as a divine reaction to the multi-generational accumulation of bloodguilt deriving from humans and animals that shed human and animal blood on the ground.

The suggestion that Genesis 9:6 refers to the spilling of blood on the ground not only contributes to our understanding of the P stratum and its version of the flood story, but also bears significance for a literary analysis of Genesis 1—9 in its final form, and for redaction-critical matters as well. I mentioned above that Gen. 9:6 highlights the interconnectedness of דם, אדם and אדמה. This echoes word plays that are prominent specifically in the preceding *non-Priestly* narratives. The connection between אדמה and אדם is highlighted in the story of the Garden of Eden of the non-Priestly stratum. We are told that האדם was created מן האדמה, dust from the ground (Gen. 2:7), and that in the beginning there was no rain since לא אדם את האדמה, there was no אדם to work the אדמה (2:6). In the non-Priestly story of the sons of gods and daughters of men we are told of the time that האדם began to multiply על פני האדמה (6:1). And in the non-Priestly section immediately preceding our passage, we read that God decided, after smelling Noah's offering, לא אוסיף לקלל עוד את האדמה בעבור האדם, he would not continue to curse the land because of man. The other word play highlighted in Gen. 9:6, between אדמה and דם, is emphasized in the non-Priestly story of Cain and Abel. Here we read of the blood of Abel that cries out from the ground: דמי אחיך צעקים אלי מן האדמה. Cain is then cursed מן האדמה אשר פצתה את פיה לקחת את דמי אחיך מידך, from the ground that opened her mouth to take his brothers blood. Only in our Priestly passage, however, do we find both word plays, that of אדמה and אדם and that of אדמה and דם, combined in a unique, triple word play. Our Priestly author is quite evidently alluding to the previous non-Priestly materials and building upon them. From this we may draw an important conclusion belonging to the realm of redaction criticism. The section of Gen. 9

allowing for the consumption of animals and prohibiting the spilling of human blood on the ground does not belong to an independent Priestly source. It belongs, rather, to a late Priestly redactor who creates a web of inter-textual links with the narrative as a whole in its final, redacted form.

Let us now examine more closely this redactor's literary work. Our passage at Genesis 9:6 appears immediately after the preceding non-Priestly passage of 8:21, wherein God decides, after smelling Noah's sacrifice, never again to curse the אדמה because of האדם, since the heart of man is evil from his youth. In its most immediate context, this passage articulates God's resolve never again to destroy the world with another flood. This divine resolve, however, raises a question, particularly in light of the acknowledgement that the heart of man is evil from his youth. If this diagnosis of mankind is indeed correct, how can God avoid bringing a future flood? Will not the earth, with the passing of sinful generations, eventually become saturated with bloodguilt again? Will there not be an unavoidable need for another release of the land from the source of its bloodguilt? In order to resolve this problem, God decides in Genesis 9 to change some of the game rules that were in force in his world before the flood. One of these was the prohibition of the spilling of animal blood. The allowance of animal bloodshed will drastically reduce the earth's bloodguilt level. Another was God's own forbearance with murderers such as Cain, whom God personally protected. Indeed, in spite of the fact that Abel's blood cried out to God from the ground, calling for justice and revenge, God declared on behalf of the murderer, "If anyone kills Cain, sevenfold vengeance will be taken upon him." In Genesis 9:6, God warns Noah and his sons that murderers like Cain will no longer be treated with similar leniency. Henceforth, whoever sheds the blood of man on the ground, his blood shall be spilt. The contrast with God's handling of the Cain and Abel incident is evident not only in verse 6's emphasis on

the spilling of blood on the ground, but also in the formulation of verse 5. Here God declares that he will demand spilt human blood מִיַּד אִישׁ אָחִיו, “from the hand of man, his brother.” This again alludes to the story of Cain and Abel, as Cain was Abel’s brother. What is more, the divine insistence that he will demand the spilt blood מִיַּד אִישׁ אָחִיו, “from the hand of the man, his brother,” echoes the divine curse of Cain from the ground that opened its mouth to take דְּמֵי אָחִיךָ מִיַּדְךָ, “the blood of your brother from your hand.” God thus declares that from now on, when the ground takes blood from a murderer’s hand, God will immediately demand recompense for that blood from the same murderous hand. This will prevent the gradual build-up of bloodguilt in the land and preclude the need for another flood.

In sum, our passage has nothing to do with the authorization of courts or humans in general to carry out the death penalty. Verses 5 and 6 constitute two parts of a unified divine pronouncement to Noah and his sons concerning God’s new mode of governance. God first declares in verse 5 that he will demand payment for the murder of a human from the hands of his murderer, and then clarifies in verse 6 what form that payment will take – the murderer will pay with his own blood. Humanity is being warned of the new consequences of the crime of murder. As the Rabbis of the Talmud stated (Sanhedrin, 56b), אין עונשין אלא אם כן מזהירין, “One cannot punish without a previous warning.”

The scholarly discussion of Genesis 9:6 generally appears within the larger context of biblical judicial law, following the assumption that it mandates the death penalty. The recognition that this assumption is false necessitates a reorientation. It seems to me that Genesis 9:6 should be situated and studied within the larger context of divine retribution. As is well known, the mechanics of God’s retribution of the wicked was subject to sustained theological reflection in ancient Israel. This issue came to a head around the time of the Judean exile and thereafter,

which is, broadly speaking, the likely historical context of our Priestly redactor (though a slightly earlier context should not be excluded). Among the divergent biblical positions on this issue, a central one is found in Exodus 34:7. This text states that God “visits the guilt of the parents upon the children and the children’s children unto the third and fourth generation.” The principle of cross-generational punishment expressed in this passage was adopted to help account for the downfall of Jerusalem. Thus, 2 Kings 23:26—27; 24:3 invokes the sins of Menasseh’s generation, particularly the spilling of innocent blood, to account for the exile. On the other hand, Deuteronomy 7:9—10 adamantly rejects this principle. It is only divine grace that is extended through the generations. As far as punishment is concerned, “He repays those who hate Him to their face, to destroy them. He will not be slack with him who hates Him; He will repay him to his face.” Ezekiel 18 similarly presents a strong rejection of the principle expressed in the proverbial complaint, “fathers have eaten sour grapes and the children’s teeth are blunted.” Somewhat different, apparently, is the position reflected in Jeremiah 31:29—30. The prophet here states that at the time of the future restoration, the fore mentioned proverb will fall into disuse. Instead, people will state, “each man dies for his sin.” Though the text is somewhat ambiguous, it apparently expresses the idea that God, in the eschatological future, will change his mode of punishment from cross-generational to immediate. In the meantime, however, the famous proverb about the sour grapes remains painfully accurate. Mention must also be made of the position that mediates between cross-generational retribution and the opposing principle that people should not be punished for the sins of others. According to this position, God indeed punishes descendants for ancestral sins, but only when the descendants are also sinners themselves. Various passages reflect this conception, such as Jeremiah 16:11—13; Isaiah 65:7 and Psalm 106.

How does Genesis 9 fit in to this context? On the one hand it affirms, with Deuteronomy 7 and Ezekiel 18, that God does not visit the sins of ancestors on later generations, at least not when it comes to murder. Whoever sheds the blood of man on the ground, his blood shall be spilt. On the other hand, it acknowledges an early era when this was not yet God's way. God indeed was indulgent with murderers and visited their sins on their descendents. This was in the ancient era leading up to the flood. Yet the generation of the flood was guilty as well, and the righteous Noah was saved from the scourge. The Priestly redactor's depiction of the divine retribution in the era of the flood is thus analogous to the mediating position according to which God punishes descendents for ancestral sins when the descendents continue in the ways of their ancestors. The distinctive element in the Priestly conception is the role of the land in carrying the guilt forward through the generations. In any event, that mode of divine retribution belongs to the mythological era of the antediluvian past. It no longer holds true. After the flood, God came to realize that man's heart is markedly evil. Delay of punishment to a future generation would serve only to encourage man's evil nature, escalate wrongdoing, and create an ever increasing accumulation of more and more guilt. Thus, after the flood, God announced to Noah and his sons his new policy of immediate punishment for the shedding of human blood. That new divine policy, we are surely meant to understand, remains in force to this very day. In contrast with Jeremiah 31, which places the divine transition from cross-generational punishment to immediate punishment in the eschatological future, the Priestly editor in Genesis 9 insists that that transition occurred long ago. Quite possibly, this insistence is indicative of a general Priestly attitude of reserve toward prophetic and popular expectations of significant future eschatological change. It is time to sum up. I have argued that Genesis 9:6 should be read as stating, *שופך דם האדם באדמה*, דמו ישפך. The passage does not mandate human courts or individuals to carry out the death

penalty. Rather, it expresses God's change in policy, after the flood, toward the murderer, and provides a warning for all would-be murderers that God will have them killed. This new understanding has significant implications for a literary appreciation of the flood story within the context of Genesis 1—9, for issues of redaction criticism, and for an understanding of the theology of the Priestly editor within the broader context of biblical deliberations on divine retribution. The implication of all this is that textual criticism should not carry out its work in isolation. It has much to contribute to literary analysis, redaction history, biblical theology and more. The more these disciplines work hand in hand, drawing upon and feeding into one another, the more we all stand to gain.