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Sin and Atonement: Lessons from the Pentateuch

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This essay explores atonement in the Pentateuch, focusing especially on Exodus–Numbers. Because the means of atonement differs according to the category of sin being addressed, I begin by describing the number and nature of these categories. I then consider which categories may be atoned for by means of sacrificial atonement, which categories may be atoned for by other means, and what lessons about sin and atonement are being communicated in each instance.

Key Words: atonement, sin, high-handed sin, unintentional sin, intentional sin, sacrifice, Num 15:30–31, biblical theology

INTRODUCTION

Growing up, I held to a fairly straightforward understanding of how atonement for sin worked in the OT: when Israelites committed sin, they would bring a sacrifice, confess their sin, and be forgiven. But then I began to read the OT more carefully and realized that, while this understanding was true for many passages, there were several others for which it was not. In Num 14, the Israelites are forgiven a great sin without making any sacrifice. The same happens again in Exod 32–34 and Num 16. And Num 15 mentions certain sins—“high-handed” sins—for which forgiveness by sacrifice is not possible (vv. 30–31).

The goal of this essay is to begin to develop an understanding of sin and atonement in the OT that has room for the types of passages noted above. I will not address the entire OT’s teaching on sin and atonement but focus on the Pentateuch, particularly on Exodus through Numbers, because this portion forms the foundational understanding of sin and atonement on which the rest of the Bible builds, and this portion also provides the highest concentration of material on matters related to sin and atonement as well as the most explicit discussions of it.¹

After a brief definition of the terms *sin* and *atonement*, I first consider sin and atonement from the perspective of sacrifice and argue that there

1. For a recent survey of sin in the OT as a whole, see Mark J. Boda, *A Severe Mercy: Sin and Its Remedy in the Old Testament* (Siphrut 1; Winona Lake, IN: Eisenbrauns, 2009).



EISENBRAUNS

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are three different categories of sin: unintentional sins, intentional but not (necessarily) high-handed sins, and high-handed sins. The differences between these three categories are identified, not only in relation to one another, but especially in relation to sacrificial atonement, which applies to the first two categories but not the third.

I next consider sin and atonement from a nonsacrificial perspective, arguing that the third category of sin may indeed be atoned for apart from sacrifice, while also pointing out that this atonement is often accompanied by some form of discipline.

Along the way, I highlight five different lessons that come to the fore in terms of sin and atonement. These lessons are then collected and put in a logical order in the conclusion of the essay, where the implications for the current church are briefly considered.

SIN AND ATONEMENT DEFINED

It will be helpful to begin with a brief definition of what I mean by the terms *sin* and *atonement*. By *sin*, I mean any contravention of the LORD's law, a contravention that naturally leads to rupture in the sinner's relationship with the LORD. In this regard, sin is destructive; it leads to disharmony. By *atonement*, I mean the process or event that leads to repairing and restoring that relationship between the sinner and the LORD. In this regard, atonement is restorative; it leads to peace. In either case, my focus is not on the rupture and repair of sin in human relationships—as important and related as that topic is—but the rupture and repair of sin in a person's relationship with the LORD.

So just how does this repair happen? How is atonement for sin made? At first glance, the answer seems obvious. In fact, Num 15 is explicit: if the sin is unintentional, it is atoned for by means of sacrifice (vv. 22–29), but if it is high-handed, sacrificial atonement is impossible (vv. 30–31). Case closed.

Or is it? If this is the case we make, we are immediately confronted with a whole host of questions: Does this mean atonement for high-handed sins was not possible at all? How does this square with Num 14, where the people of Israel seem to have committed a high-handed sin and yet also experience some level of atonement? And what is high-handed sin anyway? Is it simply an intentional sin? If so, what about texts that say sacrificial atonement can in fact be made for intentional sins, such as withholding testimony (Lev 5:1) or using the LORD's name in a false oath (5:20–26[6:1–7])? And if it is not simply an intentional sin, what exactly is it?

In order to answer such questions, it will be helpful to think in terms of two different spheres of atonement found within the OT. In the first sphere, sin and atonement are viewed from the perspective of sacrifice, while in the second they are not.

SIN AND ATONEMENT FROM A SACRIFICIAL PERSPECTIVE

When looking at sin and atonement from the perspective of sacrifice, Num 15 is a natural starting place, because it identifies two different types

of sin and how sacrificial atonement relates to each. The first type is unintentional sin, which may be atoned for by means of sacrifice;² the second type is high-handed sin, for which sacrificial atonement is impossible.

Also if one person sins *unintentionally* (בְּשִׁגְגָה), then he shall offer a one year old female goat for a purification offering. The priest shall make atonement before the LORD for the person who goes astray when he sins unintentionally, making atonement for him that he may be forgiven. . . . But the person who does anything *with a high hand* (בְּיָד רָמָה), whether he is native or an alien, he is blaspheming the LORD; and that person shall be cut off from among his people. Because he has despised the word of the LORD and has broken his commandment, that person shall be completely cut off; his sin will be on him. (vv. 27–28, 30–31; cf. vv. 22–31 as a whole)

<i>Atonable by means of sacrifice:</i>	<i>Not atonable by means of sacrifice:</i>
unintentional sins	high-handed sins

We will consider unintentional sins and high-handed sins in turn.

Unintentional Sins

Three closely related terms describe unintentional sin: the noun שִׁגְגָה (Lev 4:2, 22, 27; 5:15, 18; 22:14; Num 15:24, 25 [2×], 26, 27, 28, 29; 35:11, 15), the verb שָׁגָג (Lev 5:18; Num 15:28), and the verb שָׁגָה (Lev 4:13; Num 15:22). While some of these terms can be used elsewhere to describe intentional sin (Ps 119:21, 118), Leviticus and Numbers use them to describe unintentional sin in particular. This is evident from the simple fact that sins that are committed בְּשִׁגְגָה have to be “made known” (הוֹדִיעַ) to the sinner (cf. Lev 4:22, 27 with 4:23, 28), naturally implying that the sinner was unaware of doing wrong (and thus obviously had no intention to do so). Indeed, Lev 4:13 describes a case where the congregation of Israel “sins unintentionally (שָׁגָה)” because a material fact is “hidden” (נִעְלָם) from their eyes (cf. 5:18). Due to this lack of knowledge, the sin was obviously unintentional.³

How does one sin “unintentionally”? There are at least two possible scenarios.⁴ In the first, sinners are aware of a law but somehow not aware they are breaking it, as is the case with the person who unintentionally

2. The sacrifices in view here are not scheduled but are prompted by the sin itself and made on behalf of an individual; see Lev 4 and 5 for examples. It is this type of sacrifice I have in mind when describing “sacrificial atonement.” It may be contrasted with the scheduled sacrifices made on behalf of the community in Lev 16, for which see p. 476 n. 23.

3. See also Num 35:11, 15, which uses בְּשִׁגְגָה to describe the person who kills another by accident, as might happen by dropping a heavy item on someone without having seen him or her (35:23; cf. Deut 19:4–5). Unlike the murderer, who kills another intentionally (35:16–21), the person identified in 35:11 and 15 had no intention of killing at all; it was manslaughter (unintentional killing) and not murder (intentional killing).

4. See also Baruch A. Levine, *Leviticus* (JPS Torah Commentary; Philadelphia: Jewish Publication Society, 1989) 19; Jacob Milgrom, *Leviticus 1–16: A New Translation with Introduction and Commentary* (AB 3; New York: Doubleday, 1992) 228.

kills another (Num 35).⁵ In the second, sinners are not even aware of the law to begin with, and therefore do not realize their actions are wrong. In either scenario, however, the sin is unintentional.

At the same time, lack of intent does not mean the sinner is automatically excused. Sins of this sort are comparable “to ‘strict liability offenses’ in the modern legal spheres of torts and criminal law, for which liability is imposed even when there is no fault involving unlawful intent.”⁶ The LORD therefore prescribes how unintentional sinners may achieve atonement: by presenting the appropriate sacrifice to the priest, by which “the priest will make atonement for them and they will be forgiven” (4:20; see also 4:26, 31; 5:10, 13, 16, 18; Num 15:25, 28).⁷ By means of sacrifice, atonement is made for the inadvertent sin, and sinners stand forgiven before the LORD.⁸

What must not be missed is that this atonement takes place when a sinner brings the sacrifice *the LORD has prescribed*, which is to say that sacrifice is able to achieve atonement—and the forgiveness that results—because the LORD grants that it may. This is as it should be: in human relationships, the offending party has no right to demand forgiveness; he or she is dependent on the offended party to grant it. So too with the LORD: sinners have no right to demand his forgiveness; they are dependent on him to grant it. This is in fact what the LORD has chosen to do by offering the sinner the opportunity of sacrificial atonement. He is not obligated to make such atonement and forgiveness available; he has chosen to do so as an act of his gracious love. This is the very point he drives home in Lev 17:11, the *locus classicus* of sacrificial atonement: “for the life of the body is the blood, and *I myself* have given it (אֲנִי נָתַתִּיר) to you on the altar to make atonement for your lives, for it is the blood, by means of the life, [that] makes atonement.” The pronoun “I” (אֲנִי) is unnecessary here and serves to underscore the LORD’s action in sacrificial atonement.⁹ Schwartz captures the implications clearly:

5. See p. 469 n. 3 above. Commentators have suggested various other possibilities, such as not realizing it was the Sabbath and performing work, not realizing one was unclean and eating from a fellowship sacrifice, or not realizing one was unclean and failing to undergo the necessary purification rites. More current examples are not hard to find. Gane suggests the following: “overlooking signs and so unwittingly driving the wrong way down a one way street, missing a stop for a toll ticket, or starting to enter a restroom designated for the opposite gender—all of which I have done at least once; absent-minded professors like me are inadvertences waiting to happen!” (Roy Gane, *Leviticus, Numbers* [NIV Application Commentary; Grand Rapids: Zondervan, 2004] 98).

6. *Idem*, *Cult and Character: Purification Offerings, Day of Atonement, and Theodicy* (Winona Lake, IN: Eisenbrauns, 2005) 204.

7. There is one example of unintentional sin that may not be forgiven by means of sacrificial atonement, namely, manslaughter (Num 35:9–15, 22–25). The reason for this appears to be that the inadvertent sin in this instance is so serious that not even animal sacrifice can atone for it: only the blood of the slayer or the death (and therefore blood?) of the high priest will do (vv. 32–33).

8. A separate question relates to why sacrifice is able to achieve atonement. See discussion in my *Sin, Impurity, Sacrifice, Atonement* (Sheffield: Sheffield Phoenix, 2005) 163–82.

9. Cf. Joüon §146a(3).

What our clause does, in its unique, metaphorically graphic way, is to take a set phrase, the “placing” of the blood on the altar, and to reverse the conceptual direction of the action: “It is not you who are placing the blood on the altar for me, for my benefit, but rather the opposite: it is I who have placed it there for you—for your benefit.”¹⁰

And this leads to the first lesson about sin and atonement, namely, that atonement for sin is rooted in the gracious activity of the LORD, who provides the means by which atonement can be made. Atoning sacrifices were indeed something the Israelites gave to the LORD, but they could only do so because of his initial grace in granting sacrifice as a means of atonement. The LORD’s gracious action is of course amplified once we get to the NT, for in the OT the Israelites still provided their own sacrifice, whereas in the NT it is the LORD himself who does so: “But God demonstrates his own love for us in this: while we were yet sinners, Christ died for us!” (Rom 5:8). OT or NT, however, the point remains the same: atonement is rooted in the gracious activity of the LORD, who provides the means by which it can be made.¹¹

High-Handed Sins

The second type of sin that Num 15 identifies are those committed “with a high hand” (בְּיָד רְמָה, v. 30). In stark contrast to unintentional sinners, high-handed sinners had no recourse to sacrificial atonement at all; they were

10. Baruch J. Schwartz, “The Prohibitions Concerning the ‘Eating’ of Blood in Leviticus 17,” in *Priesthood and Cult in Ancient Israel* (ed. Gary A. Anderson and Saul M. Oylan; Sheffield: JSOT Press, 1991) 51.

11. This point is further underscored in Lev 17:11 by the use of the phrase לְכַפֵּר עַל-נַפְשֹׁתֵיכֶם. It is commonly agreed that the verb כָּפַר in this phrase is strongly characterized by the sense “ransom” (Levine, *Leviticus*, 115; idem, *In the Presence of the Lord: A Study of Cult and Some Cultic Terms in Ancient Israel* [Studies in Judaism in Late Antiquity 5; Leiden: Brill, 1974] 67–68; Milgrom, *Leviticus 1–16*, 707–8; idem, *Leviticus 17–22: A New Translation with Introduction and Commentary* [AB 3A; New York: Doubleday, 2000] 1474; Schwartz, “Prohibitions,” 55 and n. 1; Gordon J. Wenham, *The Book of Leviticus* [NICOT; Grand Rapids: Eerdmans, 1994] 115; Philip J. Budd, *Leviticus: Based on the New Revised Standard Version* [The New Century Bible Commentary; Grand Rapids: Eerdmans, 1996] 248). This finds support in the fact that the phrase לְכַפֵּר עַל-נַפְשֹׁתֵיכֶם occurs in only two other instances (Exod 30:15–16; Num 31:50) and has the meaning ‘to ransom your lives’ both times. As noted by Milgrom (*Leviticus 1–16*, 708), this is especially clear in Exod 30, where the phrase לְכַפֵּר עַל-נַפְשֹׁתֵיכֶם (vv. 15–16) is parallel to the earlier phrase כָּפַר נַפְשׁוֹ (v. 12), “a ransom for his life.” This is especially significant in light of how the term “ransom” (כֶּפֶר) is used:

a כֶּפֶר is a legally or ethically legitimate payment that delivers a guilty party from a just punishment that is the right of the offended party to execute or to have executed. The acceptance of this payment is entirely dependent upon the choice of the offended party, is a lesser punishment than was originally expected, and its acceptance serves both to rescue the life of the guilty and to appease the offended party, thus restoring peace to the relationship. (Sklar, *Sin, Impurity, Sacrifice, Atonement*, 60)

The implication for this verse is clear: sacrificial atonement is a gracious provision of the LORD himself to guilty sinners so that they may continue in relationship with him.

instead to be “cut off” (כָּרַת) from their people, a terrible fate, implying at the least that they were excommunicated from the people of God, and at the most that death itself would soon come on them.¹² The relevant verses (vv. 30–31) read as follows:

וְהִנָּפֵשׁ אֲשֶׁר־תַּעֲשֶׂה בְיַד רָמָה מִן־הָאֲזִיחַ וּמִן־הַגֵּר אֶת־יְהוָה הוּא מְגַדֵּף וְנִכְרַתָּה הַנָּפֵשׁ
 הַהוּא מִקְרֵב עִמָּה: כִּי דִבַּר־יְהוָה בָּזָה וְאֶת־מִצְוָתוֹ הִפְרָה תִּכְרַת תִּכְרַת הַנָּפֵשׁ הַהוּא
 עֲוֹנָה כָּה:

But the person who does anything with a high hand, whether he is native or an alien, he is blaspheming the LORD; and that person shall be cut off from among his people. Because he has despised the word of the LORD and has broken his commandment, that person shall be completely cut off; his sin will be on him.

But what exactly qualifies as a “high-handed” sin? We may answer by considering the phrase itself as well as the phrases that surround it.¹³

The Phrase בְּיַד רָמָה

The syntagm *יד + רום* is used with two different ranges of meaning. In the first, it expresses “triumph” over an enemy. In these instances the “hand”—which stands metonymically for the “power” or “strength” of the person¹⁴—is “lifted up” in victory, is “triumphant”: “Your hand *will be triumphant* (תָּרַם יָדְךָ) against your adversaries, and all your enemies *will be cut off*” (Mic 5:8[9]). The phrase is used similarly in Deut 32, where the LORD holds back from executing full judgment on Israel lest their enemies wrongly conclude, “Our hand *is triumphant* (נִדְיִינוּ רָמָה), and the LORD has not done all this” (v. 27b). It is likely that Exod 14:8 and Num 33:3 also belong here, both of which describe Israel going out from Egypt with a “triumphant hand” (בְּיַד רָמָה).¹⁵

12. The most recent discussion is found in G. Thomas Hobson, *Cut Off From (One’s) People: Punitive Expulsion in the Torah* (Ph.D. diss., Concordia Seminary, 2010).

13. For summaries and critiques of various other positions, see Gane, *Cult*, 205–11; idem, “Numbers 15:22–31 and the Spectrum of Moral Faults,” in *Incios, paradigmas y fundamentos: Estudios teológicos y exégeticos en el Pentateuco* (ed. G. Klingbeil; River Plate Adventist University Monograph Series in Biblical and Theological Studies 1; Libertador San Martín, Entre Ríos, Argentina: Editorial Universidad Adventista del Plata, 2004) 149–56, esp. pp. 150–54.

14. For this use of יָד see Exod 14:31; Josh 8:20; cf. BDB, 390.2.

15. A few versions and commentators have taken “hand” in these last two verses to refer to the LORD’s hand, so that Israel is going out “under/by [the LORD’s] uplifted/mighty hand” (so Luther, Good News Bible; see further references in C. J. Labuschagne, “The Meaning of *b^ᵛyād rāmā* in the Old Testament,” in *Von Kanaan bis Kerala: Festschrift J. P. M. van der Ploeg* [ed. W. C. Delsman et al.; AOAT 211; Neukirchen-Vluyn: Neukirchener Verlag, 1982] 144). Most versions and commentators, however, understand “hand” to refer to the Israelites’ hand, in support of which Labuschagne notes: (1) when the LORD’s activity is being described, the usual phrase is “by a strong hand” (בְּיַד חֲזָקָה) Exod 13:9; Deut 6:21; 7:8; etc.); and (2) the Israelites are the most immediate grammatical subject in these verses (ibid., 145–46). In either case, the syntagm still represents the triumph accomplished in battle.

In at least one other instance, however, this syntagm expresses “defiance” or full-scale “rebellion” against another: “Then Jeroboam the son of Nebat, an Ephraimite of Zeredah, Solomon’s servant, whose mother’s name was Zeruah, a widow, also *rebelled* (וַיִּרְבֵּם יָד) against the king. Now this was the reason why he rebelled (וַיִּרְבֵּם יָד) against the king” (1 Kgs 11:26–27a). The word “also” in v. 26 is significant, because it puts Jeroboam in the same category as Hadad and Rezon, both of whom are described as an “adversary” (שֹׁטֵן) to Solomon (vv. 14, 23). Clearly, Jeroboam stands in complete opposition to Solomon, defiantly rejecting his rule. It is this second use of the syntagm that best fits the context of Num 15:30: “But the person who commits sin *defiantly*.”¹⁶ The sense is that a person sins not simply intentionally but defiantly, as an apostate rebel against the LORD, rejecting his rule as one might reject the rule of an earthly king.

Understanding the syntagm to have this second range of meaning not only fits contextually but it is also supported by the negative connotations surrounding the root רוּם in similar contexts. In particular, words built on this root are often used in phrases describing those who have rejected covenant living and thereby the covenant LORD. In the wisdom literature, for example, those who have “lifted up eyes” are ruthlessly wicked: “There is a kind—oh how lofty are his eyes (מִדָּה־רָמוּ עֵינָיו)! And his eyelids are raised [in arrogance]. There is a kind of [man] whose teeth are [like] swords and his jaw teeth [like] knives, to devour the afflicted from the earth and the needy from among men” (Prov 30:13–14). Not surprisingly, then, “lifted up eyes” are listed as one of seven things that the LORD hates (Prov 6:17) and are described elsewhere simply as “sin” (Prov 21:4). Similarly, those with a “lifted up heart” (רוּם + לִבָּב) are those who “forget (שָׁכַח) the LORD [their] God” (Deut 8:14).¹⁷ Significantly, the verb *forget* is used in many places in Deuteronomy and elsewhere to describe those who have rebelled against the LORD or his covenant (Deut 4:23; 6:12–14; Judg 3:7; 2 Kgs 17:38; Prov 2:17; Isa 17:10; Jer 18:15; Hos 2:15[13]). In Deut 8 in particular, it is used two other times, clarifying that those who “forget” the LORD are those who do “not keep his commandments and his ordinances and his statutes” (v. 11) and who “go after other gods and serve them and worship them” (v. 19). In short, words built on the root רוּם are frequently used in various phrases to describe those who are apostate and have rejected the LORD.¹⁸ This further supports understanding the phrase “with a high hand” in Num 15:30 to belong to the second range of meaning identified above, namely, to refer to those who are in defiant rebellion against a king. This understanding is further confirmed by the phrases in vv. 30–31 which more explicitly define what a high-handed sin is.

16. Lit., “But the person who commits/does with a high hand (וַיִּרְבֵּם יָד אֲשֶׁר־תַּעֲשֶׂה בְיַד רָמָה).” Context is clear that it is doing “sin” that is in mind here. Cf. also v. 27 (בְּשֹׁטֵן + חָטָא) with v. 29 (בְּשֹׁטֵן + עָשָׂה).

17. See also Hos 13:6: “As [they had] their pasture, they became satisfied, and being satisfied, their heart became lifted up (וַיִּרְבֵּם לִבָּם); therefore they forgot me.”

18. See also the use of רוּם in 2 Sam 22:28 (// Ps 18:27); Ps 75:5–8 (4–7); Isa 2:11–17.

Further Explications of “High-Handed Sin” from
Numbers 15:30–31

To begin, the high-handed sinner in Num 15 is also described as “blaspheming the LORD” (אָת־יְהוָה הוּא מְגַדֵּף; v. 30).¹⁹ The verb גָּדַף appears only six other times, once with humans as the object (Ps 44:17[16]) and five times with the LORD as object (2 Kgs 19:6, 22 [// Isa 37:6, 23]; Ezek 20:27). In each of these latter instances, it is used to describe a blatant rejection of the LORD as God. In Ezek 20, we read that the forefathers of Israel “blasphemed” the LORD by acting treacherously (מַעַל) against him (v. 27), in particular, by gross idolatry: “they saw every high hill and every leafy tree, and they offered there their sacrifices and there they presented the provocation of their offering” (v. 28a). This same type of rejection of the LORD as God is also seen in 2 Kgs 18–19, where the LORD states that the messengers of Assyria and their king have “blasphemed” him (19:6, 22). The messengers, for example, proclaim that no god, including the LORD, is able to rescue from the king of Assyria (18:32–35). Especially significant is the LORD’s rebuke to Sennacherib, king of Assyria: “Whom have you reproached (תִּרְפֹּתָ) and blasphemed (וּגְדַפְתָּ)? And against whom have you raised (תִּרְיִמוּתָ) [your] voice, and haughtily lifted up (וַתִּשָּׂא מְרוֹם) your eyes? Against the Holy One of Israel!” (2 Kgs 19:22 [// Isa 37:23]). Not only does this passage describe Sennacherib’s full-scale rejection of the LORD with the verb גָּדַף but it also uses the strong verb “reproach” (תִּרְפֹּתָ) to describe this rebellion, as well as the verb הָרִים and the noun מְרוֹם (thus providing two more instances in which words built on the root רוּם are used in the context of a full-scale rejection of the LORD).

Second, the person in Num 15 is also described as one who has “despised the word of the LORD (דְּבַר־יְהוָה בָּזוּה) and broken his commandment (וְאֶת־מִצְוֹתָו הִפִּיר)” (v. 31).²⁰ Elsewhere, those who “despise” either “the LORD” or his “word” are those who sin flagrantly and grossly against the LORD. For example, Eli and his sons take the very best that the Israelites offer, thus “despising” the LORD instead of “honoring” him. This calls for the LORD’s sure judgment: “Therefore the LORD God of Israel declares, ‘I did indeed say that your house and the house of your father should walk before me forever’; but now the LORD declares, ‘Far be it from me—for those who honor me I will honor (כִּי־מְכַבְּדֵי אֶכְבֹּד), and those who despise me (וּבִזְי) will be lightly esteemed’” (1 Sam 2:30). Similarly, the people of Judah despise the word of the LORD through gross rebellion and are sent into exile: “The LORD, the God of their fathers, sent [word] to them again and again by his messengers, because he had compassion on his people and on his dwelling place; but they kept mocking the messengers of God, despising (וּבִזְיִם) his words and scoffing at his prophets, until the wrath

19. Note the fronting of אָת־יְהוָה, emphasizing that this offense is against the LORD himself.

20. Note again the fronting of the noun phrases: these are *the* LORD’s commands that have been disregarded and violated.

of the LORD arose against his people, until there was no remedy" (2 Chr 36:15–16).²¹

"Despising the LORD" is paralleled in Num 15:31 by "breaking his commandment" (וְאַתְּ מִצְוֹתָו הִפַּר). This phrase is used only one other time (Ezra 9:14), again in the context of a severe breach of covenant loyalty. In Ezra 9, Ezra is confessing the sin of the people who have intermarried with non-Israelites. In this midst of his confession he asks, "shall we again break your commandments (לְהִפָּר מִצְוֹתֶיךָ) and intermarry with the peoples who commit these abominations? Would you not be angry with us *to the point of destruction, until there is no remnant nor any who escape?*" (v. 14). The severity of the punishment he mentions is obviously due to the severity of the sin that has been committed. Indeed, in other places where a punishment of utter destruction is mentioned, the people have sinned by completely rejecting the LORD (Exod 32:7–10; Num 14:11–12).

Finally, the penalty for those who sin with a "high hand" is being "cut off" (כָּרַת; Num 15:30b), which at the least refers to excommunication from the people of God and at the most to death itself.²² Significantly, when this penalty is mentioned elsewhere, it is stipulated for the following types of sins: misuse or desecration of holy items associated with the altar or tabernacle (Exod 30:33, 38; Lev 7:20, 21, 25, 27; 17:10, 14; 19:8; 22:3) or desecration of the tabernacle itself (Num 19:13, 20); committing sexual sins, which defile the land and for which the nations were expelled (Lev 18:29; 20:17, 18); idolatry and sorcery (Lev 17:4, 9; 20:3, 5, 6); and failure to keep the Sabbath (Exod 31:14 [cf. Num 15:32–36!]), the Passover, the Feast of Unleavened Bread, or the Day of Atonement (Exod 12:15, 19; Lev 23:29; Num 9:13).

Why do these sins call for such severe penalty? Perhaps because they are so inextricably linked with rejecting the LORD of the covenant in a full-scale manner. To misuse or desecrate holy items associated with the altar or tabernacle or to desecrate the tabernacle itself was to show utmost disregard for the LORD's holiness and sovereignty. Similarly, to defile the land by means of the same sexual sins for which the nations were expelled was to align oneself with the very objects of the LORD's judgment and declare allegiance to them instead of the LORD. Idolatry and sorcery, of course, were explicit and outright rejections of the LORD. As for the Sabbath, it was to be a "perpetual covenant" with Israel, in which they imitated their maker (Exod 31:16; cf. Isa 56:4, 6). Failure to celebrate it was again a rejection of the Lord of this covenant. Likewise, the Passover and Feast of Unleavened Bread commemorated the foundational act by which the LORD entered into covenant relationship with Israel, namely, his delivering them from Egypt. Not to celebrate these feasts was to disregard completely the foundation of the covenant and the one who rescued them from bondage (it would be comparable to a Christian refusing to celebrate the Lord's Supper). Finally,

21. See also 2 Sam 12:9–10; Prov 14:2; Mal 1:6–9.

22. See above, p. 472 n. 12.

the Day of Atonement was necessary in order to address the sins and impurities of the Israelites, thus enabling covenant relationship with the LORD to continue. Those who refused to observe this day were in effect denying the holiness of the LORD with whom they were in covenant relationship and refusing to “humble themselves” before him (Lev 23:29). In sum, where the “cutting off” penalty is prescribed elsewhere, it is prescribed for flagrant and defiant sins that were full-scale rejections of the LORD himself.

All of this evidence leads directly to one conclusion: the person who sins with a high hand is doing so defiantly as one who has completely rejected the covenant Lord himself. In short, it is the defiant sin of an apostate that is in view, sin for which no sacrificial atonement is possible.²³

23. It may be noted that there is some debate on how to understand the sacrificial rites of the Day of Atonement (Lev 16), which are said to atone for the impurities and sins of the Israelites (vv. 15–19, 30, 33–34). In particular, Lev 16 does not appear to qualify the type of sin being atoned for, which seems to put it at odds with Num 15:30–31. Some approach this by arguing that the text simply assumes that the sins being described here are unintentional (e.g., A. Noordtziij, *Leviticus: Bible Students' Commentary* [trans. Raymond Togtman; Grand Rapids: Zondervan, 1982] 166). Verse 16, however, seems to point to a more comprehensive understanding of the sins being atoned for. It not only uses two different terms to describe the sins for which sacrifice atones (תַּשָּׂאֵת הַפֶּשַׁע, תַּשָּׂאֵת הַחַטָּאת), but it prefaces the second with “all” (לְכָל־חַטָּאתָם), “with regard to all their sins”), suggesting that it is describing a maximal set, not a minimal one. Indeed, the two terms for sin that are used recall to mind Exod 34:7, which uses the same (עָשָׂה) or similar (חָטָא, cf. תַּשָּׂאֵת) terms, along with וַיִּצַּח, to underscore the comprehensive nature of the forgiveness of the LORD, the one “who forgives iniquity (וַיִּצַּח), rebellion (עָשָׂה) and sin (חָטָא).” (If it is doubted that Exod 34:7 is underscoring the comprehensive nature of the LORD’s forgiveness, it need only be mentioned that this is the text that Moses appealed to when asking forgiveness for the Israelites’ high-handed rebellion [Num 14:18].)

A more straightforward approach is simply to understand that atonement is made for all types of sin on this day for the penitent. This is a common, even traditional view (cf. references in Gane, *Cult*, 233 n. 50), even though not all holding it would distinguish sins into the exact three categories used below (see pp. 478–480). It would also be important to add, in light of the discussion above, that this understanding of Lev 16 would not preclude possible discipline from the LORD for high-handed sin (a point anticipated in *b. Yoma* 86a), though it would assume that even with this discipline the repentant sinner would be assured that relationship with the LORD would continue. Of course the biggest problem with this approach is that it seems at direct odds with Num 15:30–31. Two comments may be made in response. First, Num 15:30–31 is speaking with reference to individual sacrifices for high-handed sin prompted by the sin itself, not communal sacrifices for sin that are scheduled as fixed rites of the ritual calendar. It is the possibility of the former Num 15 is denying, not the latter. Second, it is important to note both the similarities and differences Lev 16 has with other texts that address high-handed sin (Exod 32:1–34:28; Num 11:1–3; 14:1–35; 16:1–17:15[16:1–50]; 21:4–9; 25:1–13). Like these other texts, Lev 16 also underscores that the LORD is “compassionate and gracious, slow to anger, and abounding in lovingkindness and truth . . . the one who forgives iniquity, transgression and sin” (Exod 34:6b–7a). As a result, he is quick to extend atonement to penitent sinners (16:29)—even high-handed sinners—by means of the work of a mediator on the sinner’s behalf. Indeed, it is no surprise that Lev 16 highlights the role of the high priest (vv. 32–33), because he functions here—as elsewhere (Num 17:6–15[16:41–50])—as that mediator for sinful Israel. Unlike these other texts, Lev 16 involves sacrifice, is a scheduled part of the ritual calendar, and assures atonement from the very beginning (there is no “perhaps”; Exod 32:30). Taken together, these similarities and differences mean that Lev 16 is in a class of its own, and yet a class that underscores in a powerful way the merciful nature of the LORD, who would rather

Examples of High-Handed Sin

The narratives of Exodus to Numbers provide several examples of this type of sin.²⁴ We are of course looking for places where sin is committed that is not only intentional but a full-scale rejection of the LORD and for which sacrificial atonement does not appear to be an option. The examples come in the form of corporate sin as well as individual sin.

In terms of corporate sin, the most evident example comes from the chapter immediately preceding Num 15. In Num 14, the people of Israel refuse the LORD's command to enter the promised land, deny his ability to make good on his covenant promises, and express their desire to return to slavery rather than continue in relationship with him (vv. 1–3). Not surprisingly, this rejection of the LORD is described as “rebelling” (מָרָד; v. 9), a word used elsewhere to refer to those who reject the rule and authority of a king (Gen 14:4; 2 Kgs 18:7). It is also described as a “spurning” (פָּרַץ) of the LORD (v. 11), a word used elsewhere to describe those who completely reject him (Deut 31:20 [parallel to “turning to other gods” and “breaking the covenant”]; Isa 1:4). This is indeed nothing less than apostate rebellion, and the promised consequence of this sin is severe: the LORD would immediately strike them with pestilence and disinherit them as a people (14:12). Significantly, sacrificial atonement is never considered to be an option for the Israelites. Other examples of such corporate sin would include the idolatry of Exod 32:1–10 and Num 25:1–5 as well as the large-scale complaining and revolt of Num 11:1–3; 17:6–15 (16:41–50); and 21:4–9. In each case, the sin is characterized by an outright rejection of the LORD, is met with dire consequences, and is not atonable by means of sacrifice.²⁵

In terms of individual sin, the immediate context of Num 15 again provides an evident example of high-handed sin, namely, the man who gathers wood on the Sabbath (15:32–36). This passage appears to have been placed immediately after the description of high-handed sin in order to provide an example of it.²⁶ To understand the nature of the offense

have his people's repentance than their death, and who therefore provides this day as an opportunity for his people to “turn from [their evil] ways and live” (Ezek 18:23; cf. 18:32; 33:11).

24. Naturally, the laws do as well, perhaps especially laws that prescribe *kareth* as the penalty (Exod 30:33, 38; Lev 7:20; 18:29; 23:29; etc.). My focus will be on the narratives, however, as these provide a fuller context in which to consider how atonement relates to these types of sins.

25. See further discussion below, pp. 485–490.

26. So also C. F. Keil, *Commentary on the Old Testament: Pentateuch* (vol. 1; Grand Rapids: Eerdmans, 1971) 103; George Buchanan Gray, *Numbers* (ICC; London: T. & T. Clark, 2001) 182; A. Noordtzijs, *Numbers* (trans. Ed van der Maas; Grand Rapids: Zondervan, 1983) 139; Gordon J. Wenham, *Numbers: An Introduction and Commentary* (TOTC; Downers Grove, IL: InterVarsity, 1981) 131; Eryl W. Davies, *Numbers* (NCB; Grand Rapids: Eerdmans, 1995) 158; Timothy R. Ashley, *The Book of Numbers* (NICOT; Grand Rapids: Eerdmans, 1993) 291; Dennis T. Olson, *Numbers* (Interpretation; Louisville: Westminster John Knox, 1996) 96; Dennis R. Cole, *Numbers* (NAC; Nashville: Broadman & Holman, 2000) 254; Gane, *Leviticus–Numbers*, 622. Milgrom (*Numbers* [JPS Torah Commentary; Philadelphia: Jewish Publication Society, 1990] 125) appears to distinguish this from a high-handed sin, though it seems he is forced to do so because

properly, it is important to remember that the Sabbath was nothing less than the sign of Israel's covenant relationship with the LORD and that he had set apart the Sabbath day as holy, a day on which absolutely no work was to be done (Exod 31:13–17). As a result, the man gathering sticks was committing an act of rank apostasy, denying the LORD's covenant as well as profaning that which he had set apart as holy. Sacrificial atonement was again not an option here; instead, the LORD directed that the man be stoned to death (v. 35). Another example of such individual sin would be the man who blasphemed the name of the LORD by cursing it (Lev 24:10–16), again resulting in death (v. 23), with no option of sacrificial atonement.²⁷

In short, whether committed corporately or individually, sins committed with a high hand are committed by those who have rejected the covenant and the Lord thereof. To use the language of government: the person doing these things is committing nothing less than high treason. Sacrificial atonement is not an option for such a sinner, and this in turn leads us to the second lesson about sin and atonement: it is the offended party's prerogative whether to grant or deny atonement. To return to the language of government: the King of heaven is not obligated to guarantee a means of atonement for those who commit treason against him. For those who sin unintentionally, the King has indeed made such a means of atonement available in sacrifice, but not for those who sin with a high hand. Indeed, if we specify this second lesson in terms of sacrificial atonement in particular, we can do no better than Gane: "Sacrificial כפר is a privilege granted by YHWH, not an inalienable right."²⁸

Intentional but Not (Necessarily) High-Handed Sins

At this point, a certain tension arises that may be expressed with two related questions: Are all sins either unintentional or high-handed? Is it possible to have sins that are committed intentionally but that are not committed as defiant apostate rebels? The text appears to answer "No" to the first question and "Yes" to the second. At least two sins are described which are neither unintentional nor (necessarily) high-handed, and each of them may be atoned for by means of sacrifice. They are as follows:

1. Lev 5:1: A person who has knowledge related to a crime fails to come forward and testify as a witness, thereby denying—or

he sees the *kareth* penalty as something that is always carried out by the LORD (ibid., 405–8; idem, *Leviticus 1–16*, 424, 457–60) which obviously does not happen here. This understanding of the *kareth* penalty, however, is incorrect, as suggested by Exod 31:14 (for details see my *Sin, Impurity, Sacrifice, Atonement*, 19).

27. For the way in which this too was an act of rebellion against the LORD see Jay Sklar, *Leviticus: An Introduction and Commentary* (TOTC; Downers Grove, IL: InterVarsity, forthcoming) esp. comments on vv. 13–14.

28. Gane, *Cult*, 204.

- at least delaying—justice. The sinner must bring a purification offering (5:6).²⁹
2. Lev 5:20–26[6:1–7]; Num 5:5–8: A person swears a false oath and so profanes the LORD’s holy name. The sinner must bring a reparation (guilt) offering (Lev 5:25[6:6]; Num 5:8b).³⁰

29. Some would place Lev 5:4 in this camp as well (Adrian Schenker, “Interprétations récentes et dimensions spécifiques du sacrifice hattât” *Biblica* 75 [1994] 66, 69; Gane, *Cult*, 210), though this is unlikely. The verse addresses those who take a rash oath. When Israelites swore an oath they invoked the LORD’s name, asking him to bring judgment on them if they were lying or failed to keep the promise of the oath (Gen 31:53; Exod 22:11; Num 5:12–27). Failure to keep an oath was thus to profane the LORD’s name (Lev 19:12), since it was tantamount to saying the LORD was unable to judge effectively. Godly Israelites therefore kept their oaths. In this case, however, the oath has been “hidden from him” (וְנִסְתָּר מִקֶּנֶן), meaning that the sinner forgot it and thus failed to keep it (cf. vv. 2–3). This is no surprise: rash oaths are often spoken in the heat of the moment and can quickly (and easily) be forgotten. In any case, it means that the sin was not intentional, but unintentional, as in vv. 2–3.

30. It is generally agreed that Num 5:5–8 is addressing the same situation as Lev 5:20–26[6:1–7] (with the added provision—v. 8—of what to do if the offended party is no longer living). So Milgrom, *Numbers*, 34; Wenham, *Numbers*, 78–79; Ashley, *Numbers*, 111; Davies, *Numbers*, 46; Baruch A. Levine, *Numbers 1–20: A New Translation with Introduction and Commentary* (AB 4; New Haven, CT: Yale University Press, 2008) 187, 190. There are some differences between the two texts (see summary in Ashley, *Numbers*, 111–12), though these differences are not relevant to the point at hand, namely, that the same intentional sin is being described and that sacrificial atonement is possible by means of a reparation offering in each instance. As noted below (“Why Does Numbers 15 Only Mention Two Categories of Sin?”), it is particularly significant that Numbers is aware of this category of sin, especially as this relates to the question of why Num 15 mentions only two categories of sin, not three.

Note that the sin, swearing by a false oath, is described as a “breach of faith against the LORD” (וְנִסְתָּר מִקֶּנֶן בְּיְהוָה) (5:21[6:2]; cf. Num 5:6). While some have argued this is because sinning against another person is equivalent to sinning against the LORD (R. K. Harrison, *Leviticus: An Introduction and Commentary* [TOTC; Downers Grove, IL: InterVarsity, 2008] 73), it is better to understand the sin as being “against the LORD” because the guilty party has misused the LORD’s holy name by swearing a false oath (an obviously intentional act). Two factors support this approach. First, the primary way ancient Israelites maintained their innocence was by taking an oath. In so doing, they would swear their innocence and invite the LORD to bring some sort of calamity or punishment on them if they were guilty (Num 5:16–22, esp. vv. 21–22). Naturally, this could be abused, and people could lie under oath (Hos 10:4). This law is for just such a case. Second, because the LORD’s holy name was invoked in the oath (Jer 5:2), to swear falsely was to profane his name and so profane the LORD himself (19:12; cf. Exod 20:7). The sinner was, in effect, using the LORD’s name to accomplish evil. In short, swearing falsely was not simply one sin among many here (so RSV), but the major “breach of faith against the LORD” that called for the reparation offering. The NRSV on Lev 5 captures the sense well: “When any of you sin and commit a trespass against the LORD by deceiving a neighbor in a matter of a deposit or a pledge, or by robbery, or if you have defrauded a neighbor, or have found something lost and lied about it—if you swear falsely regarding any of the various things that one may do and sin thereby” (vv. 2–3, emphasis added).

It is possible that Lev 19:20–22 also belongs here, though the presence of several rare words in this passage, combined with a less-than-full understanding of all the rituals surrounding Hebrew courtship and marriage, have led to extensive debate on this passage’s interpretation (see discussion in Gordon P. Hugenberger, *Marriage as a Covenant* [Grand Rapids: Baker, 1998] 284–88, esp. pp. 286–88). As a result, it is difficult to determine the precise nature of the sin and therefore whether it was done intentionally or not. For example, if the sin is

It is evident that these sins are not unintentional: the words built on the roots *שגג/שגה* and the phrases *וְלֹא־יָדָע* and *וְנִעְלָם מִמֶּנּוּ*—at least one of which is used in every other case in Lev 4–5 to indicate inadvertent sin (Lev 4:2, 13, 22, 27; 5:2, 3, 4, 15, 17)—are conspicuously absent from each of these pericopes. What is more, the very nature of these sins requires that the person knew they were sinning when the act was committed.³¹ But it is also evident that these sins are not “high-handed”: the language of Num 15:30–31 that describes high-handed sin is also missing from these pericopes, as is its penalty (*kareth*), and, most significantly, sacrificial atonement is prescribed to deal with them.³² In short, along with unintentional sins and high-handed sins, there is another category that we may label “intentional but not (necessarily) high-handed sins.”

<i>Atonable by means of sacrifice:</i>	<i>Not atonable by means of sacrifice:</i>
unintentional sins intentional but not (necessarily) high-handed sins	high-handed sins

We may of course ask what distinguishes these from high-handed sins, and various answers to that question have been given.³³ Perhaps the most that

simply related to the act of sex, it was obviously intentional, but if it is related to the act of sex with a woman who has been pledged to another man (see Hugenberger, *Marriage*, 286–88; Sklar, *Leviticus*, on 19:20–22), then it is conceivable the first man was not aware of her status, making the sin unintentional.

31. Cf. the earlier description of unintentional sin (pp. 469–470): “There are at least two possible scenarios. In the first, sinners are aware of a law but somehow not aware they are breaking it, as is the case with the person who unintentionally kills another (Num 35). In the second, sinners are not even aware of the law to begin with, and therefore do not realize their actions are wrong. In either scenario, however, the sin is unintentional.” Neither of these scenarios would apply in Lev 5:1, 20–26[6:1–7]; Num 5:5–8. True, the sinner’s primary motivation in these instances may not have been to commit sin (see the approach of Schenker and Gane in n. 33 below), but the sin was committed intentionally nonetheless.

32. See pp. 481–484 below for how one then deals with the fact that Num 15 only lists two categories, not three.

33. With regard to Lev 5:1, 20–26[6:1–7] and Num 5:5–8, at least three main approaches may be identified. Ashley has argued that the deciding factor for high-handed sin is the presence or absence of repentance. In this understanding, the sins of Lev 5:1 and 5:20–26[6:1–7] have been repented of whereas high-handed sins have not (Ashley, *Numbers*, 288). But if repentance were the deciding factor, one would expect that those who sinned with a high hand—such as the wood-gatherer in Num 15, or the Israelites in Exod 31 and Num 14—would have simply been urged to repent and offer a sacrifice. This does not take place, nor is there any hint that it was a possibility.

A second approach, which is really a qualification of the first, is taken by Milgrom. He argues that the deciding factors for high-handed sin are the absence of repentance as well as the public (as opposed to secret) nature of the sin. In this understanding, high-handed sins are those that are done “brazenly” and “publicly” (Milgrom, *Leviticus 1–16*, 369), while sins such as those in Lev 5:1 or 5:20–26[6:1–7]—which at times do appear “brazen” (*ibid.*, 295)—are done secretly and are repented of (*ibid.*, 295, 369–70; Milgrom, *Numbers*, 125). This approach could explain why sacrifice was not an option in places like Exod 31 or Num 14 (because these were public sins) and could also explain why it was an option in Lev 5:1 (because this was presum-

can be said with certainty, however, is that high-handed sins are definite signs of apostate rebellion, whereas these sins—for whatever reason—are not. Of course, like any sin, they could be committed as apostate rebels; hence the label “intentional but not (*necessarily*) high-handed sins.”³⁴ Nonetheless, the category remains: there are some sins that can be committed intentionally and yet can be forgiven by means of sacrificial atonement.³⁵

ably a private sin). It could also explain why sacrifice was an option in at least some instances of Lev 5:20–26[6:1–6] (because it is possible that only the oath-taker knew his act was wrong, meaning the sin was secret), though it would seem in other instances the person wronged by the oath would be fully aware that the oath-taker was lying (meaning the sin was not secret). This is evidenced by the description Milgrom himself gives of the types of wrong that the oath-taker lied about, most of which involved the direct knowledge of the person wronged (Milgrom, *Leviticus 1–16*, 336–37; this vacates his later claim [*ibid.*, 370] that only the oath-taker knew the oath was fraudulent.)

A third approach is that of Adrian Schenker (“Das Zeichen des Blutes und die Gewißheit der Vergebung im Alten Testament,” *MTZ* [1983] 205; “Interprétations,” 65–66, 69) and Gane (“Numbers 15:22–31 and the Spectrum of Moral Faults,” 154–56; *idem*, *Cult*, 202–13), who argue that the deciding factor for high-handed sin is the intent with which the sin was committed. Repentance is certainly necessary for achieving the benefits of sacrificial atonement, but it is intent, not the presence or absence of repentance, which qualifies a sin as high-handed (so Gane, *Cult*, 210–11). To be specific, high-handed sin is not simply committed intentionally but brazenly, as a sign of apostasy against covenant faith. (Similar to Milgrom, Schenker also stresses the public nature of the sin [“Das Zeichen,” 205; *idem*, “Interprétations,” 65], though Gane sees the distinction between public and private irrelevant in determining whether a sin is high-handed [“Numbers 15:22–31,” 155; *idem*, *Cult*, 211].) Support for this is found primarily in the fact that Num 15:30–31 does not simply say that the person “sins”—which by itself is sufficient to imply intent—but that he or she sins “with a high hand”, a phrase that qualifies the intent as especially strong and defiant (*ibid.*, 209). As applied to Lev 5:1 and 5:20–26[6:1–7], Schenker and Gane hold that the sins described there are certainly intentional but not considered high-handed—that is, done with brazen intent—because of mitigating factors (Schenker, “Interprétations,” 66; Gane, *Cult*, 211). Unfortunately, Schenker is not forthcoming with what these factors might be. Gane suggests that 5:1 is in some way associated with forgetfulness (*ibid.*, 211) or “the potential risks and/or conflicting interests involved in testifying” (*ibid.*, 212), but does not provide an explanation for 5:20–26[6:1–7]. Various explanations for both texts, however, are possible. With 5:1, it is possible the witness does not come forward because of being “influenced by friendship or shame or fear” (Milgrom, *Leviticus 1–16*, 294), and similar motivations—especially shame and fear—may have also prompted the false oath of 5:20–26[6:1–7]. In any case, we are still left with a question: if intent is the deciding factor, how were the Israelites—who were the primary ones who would carry out the “cutting off” penalty (see Hobson, “Cut Off,” 201–4)—supposed to discern the intent with which someone committed an offense? This question does not disprove this approach but shows again the need for some qualification. Perhaps the severity of the sin also came into play, so that some sins—such as those subject to the “cutting off” penalty elsewhere (see above, pp. 475–476)—were considered severe enough that they were automatic signs of apostasy, whereas others were either considered less severe (and thus not automatic signs of apostasy) or whose severity could be lessened through mitigating circumstances (as long as repentance was present to demonstrate the sinner was not an apostate rebel). Even here, however, it seems we are dependent on the text to identify which sins would fit into this “less severe” or “mitigatable” category (cf. Gane, “Numbers 15:22–31,” 155).

34. The sin of swearing a false oath, for example, is not necessarily high-handed (Lev 5:20–26[6:1–7]) but certainly could be (Zech 5:3–4; Mal 3:5).

35. Provided, of course, that the sacrifice was accompanied by confession of sin and a repentant heart (Lev 5:5; Num 5:7; see Gane, *Cult*, 211).

This of course leads to an obvious question: if this category exists, why does Num 15 not mention it?

Why Does Numbers 15 Only Mention Two Categories of Sin?

Scholars have answered this question in many ways, though the answers fall into two main camps. In the first camp are those who understand that Num 15 intended to present a comprehensive list of sin categories; in the second camp are those who do not.

Those who understand Num 15 to present a comprehensive list are faced with a problem, namely, how to fit what appears to be three categories of sin into the two categories of Num 15. One approach to this is simply to reduce the number of categories from three to two, thus avoiding the problem from the start. This is done by redefining “unintentional” sin so that it includes the first two categories of sin (“unintentional” and “intentional but not [necessarily] high-handed”). Harris, for example, notes that words built on the roots שגג/הגה, when used outside the Pentateuch, are usually translated with words such as to “err,” “go astray,” “wander,” or “stagger.”³⁶ He states that the notion of “intent” is not at issue in these instances and then concludes that it must not be in the pentateuchal references either.³⁷ He therefore prefers to translate words built on these roots with “‘goes astray in sin’ or ‘does wrong’ or the like. In Num 15:22–29 the translation ‘wrong’ or ‘wrongly’ or ‘in error’ will better replace [NIV’s] ‘unintentional’ or ‘unintentionally.’”³⁸ In this way, the first and second categories are collapsed into one.

<i>Atonable by means of sacrifice:</i>	<i>Not atonable by means of sacrifice:</i>
sins in which one goes astray but not in a high-handed way	high-handed sins

There are two problems with this approach. First, it makes a linguistic mistake by reading the use of the word group in nonpentateuchal contexts onto the pentateuchal texts instead of starting with the use of the word group in the Pentateuch itself. As noted above, the pentateuchal contexts make clear that this word group refers to sins committed without any intent at all. Second, it does not account for the fact that words from the שגג/הגה word group are carefully avoided in the three contexts where it is obvious the sin has been committed with intent. The initial problem therefore remains: How does one reconcile the two categories in Num 15 with the three categories assumed elsewhere?

36. R. Laird Harris, “Leviticus” in *Expositor’s Bible Commentary*, vol. 2: *Genesis–Numbers* (ed. Frank Ely Gaebelein et al.; Grand Rapids: Zondervan, 1990) 547.

37. At least not in Lev 4–5 and Num 15. He does grant the sense of “unintentional” in Num 35:11–22 but would prefer translating “inadvertently” or “by mistake” (548; it may of course be noted that even these phrases are simply another way of saying that the sinner did not intend to commit a sin).

38. Harris, “Leviticus,” 548.

Those in the second camp avoid this problem for the simple reason that they do not understand the categories of sin mentioned in Num 15 to be comprehensive.³⁹ There are at least two lines of support for this. First, the possibility of this approach is supported by the simple observation that Num 15:22–31 is not comprehensive in other aspects related to sacrificial atonement, most notably, its failure to make any mention of the reparation offering, and this despite the fact that at least two texts in Numbers—5:5–8 and 6:12—either cite or assume the reparation offering in contexts of sacrificial atonement for sin.⁴⁰ Second, the likelihood of this approach is supported by the fact that one of these texts—Num 5:5–8—demonstrates that Numbers was aware of the second category of sin, namely, intentional sin for which sacrificial atonement was still possible.⁴¹ Unless we want to argue that Num 15 is unaware of, or doing away with, either the reparation offering or the second category of sin—and I am aware of no commentator who takes this approach—it seems fairly safe to conclude that Num 15 is not attempting to be comprehensive, not only in terms of its approach to the types of sacrifices that can accomplish atonement, but also to the types of sins for which sacrificial atonement may be made. For whatever reason—and we will return to possible explanations immediately below—it chooses to mention only the first and third categories of sin even though it was surely aware of the second (Num 5:5–8).

So why mention only two categories of sin, not three? The beginning of the answer is found by noting that Num 15:22–31 is underscoring the extreme danger of high-handed sin. There are three points of support for this. First, it describes high-handed sin no less than three different ways, each of which would signal great danger to any Israelite who did these things: “he is blaspheming the LORD (הוא מְגַדֵּף)”; “he has despised the word of the LORD (דָּבַר־יְהוָה בְּזָה)”; “he has broken his commandment (וְאָת־מִצְוֹתָו הִפָּר)” (vv. 30–31).⁴² Second, it mentions the penalty that results three different times: “that person will be cut off from his people (וְנִכְרְתָהּ)”; “that person shall be completely cut off (הִכְרַתְתָּ מִכָּרְבֵּךְ עַמֶּיךָ)”; “that person shall be completely cut off (הִנָּפֵשׁ הָהוּא)”;⁴³ “his sin will be on him (עֲוֹנָה בָּהּ)” (vv. 30–31). Finally, the discussion of high-handed sin is directly followed by a pericope recounting the story of an Israelite who apparently commits this sort of sin by

39. See especially Gane (*Cult*, 211–12), who provides an initial argument in support of reading Num 15 this way. The discussion that follows above builds on Gane’s approach.

40. Num 5:5–8 does not explicitly mention the type of offering that is brought, though it is generally agreed the “ram of atonement” in v. 8 is a reference to the reparation offering (Milgrom, *Numbers*, 34; Davies, *Numbers*, 46–48; cf. Lev 5:20–26[6:1–7]). Num 6:12 requires a Nazirite to bring a reparation offering if he has sinned by inadvertently desecrating his consecrated status (see Milgrom, *Numbers*, 47).

41. See previous note as well as p. 479 n. 30 above.

42. Note in particular how the noun phrase is fronted each time, thus underscoring the wrong against the LORD: “The LORD he is blaspheming! The word of the LORD he has broken! [The LORD’s] commandment he has broken!”

43. Note the infinitive absolute here for emphasis.

profaning the Sabbath.⁴⁴ No sacrificial atonement is even considered for the man; he is instead stoned to death. All three observations indicate that the pericope is underscoring the extreme danger of high-handed sin.

Given this focus, why mention only two categories of sin, not three? At least two different but complementary reasons suggest themselves. First, to make the contrast between the first and third categories—and especially the danger of the third—all the greater. Black looks blacker when placed beside white, not beside gray.⁴⁵ By contrasting the sins at the high-handed end of the spectrum (which may not be forgiven by means of sacrificial atonement) with the unintentional sins at the opposite end of the spectrum (which may freely and fully be forgiven by means of sacrificial atonement), Num 15 sends a strong and clear message. Negatively stated: Make sure your sins are never at the high-handed end of the spectrum! Positively stated: Any sin you do commit should be at the unintentional end of the spectrum!⁴⁶ In either case, category three sins are to be avoided at all costs.

This leads to the second reason Num 15 does not mention the middle category of sin, namely, to underscore its danger. Simply stated, it is not the unintentional sinner who is in danger of apostasy, but the intentional sinner. The step from the second category of sin to the third is deceptively short and very quick and easy to take.⁴⁷ Lev 5:20–26[6:1–7] affirms that swearing an oath falsely may not necessarily be a sign of apostate rebellion, but Zech 5:3–4 and Mal 3:5 affirm that it can be. Num 15 may therefore be omitting the second category to underscore that it is already far too close to the third, far too dangerous to be involved in, and therefore not an option the believer should even consider to be on the table. Stated differently, from the perspective of sacrificial atonement, it is true that category two sins are at the same end of the spectrum as category one sins:

<i>Atonable by means of sacrifice:</i>	<i>Not atonable by means of sacrifice:</i>
category one and two sins	category three sins

But from the perspective of apostasy, category two is in a far more ambiguous position between category one sins and category three sins:

44. See above, p. 477 n. 26.

45. So also Gane (*Cult*, 212):

the unique pronouncement regarding defiant sins (vv. 30–31) appears to be the main thrust of this legislation, which is placed between narratives of communal rebellion recorded in chs. 14 and 16 and immediately preceding a narrative concerning an inexcusable offense committed by an individual (15:32–36). In this context it makes sense that the inadvertent-defiant opposition in vv. 22–31 would be contrastive (rather than necessarily comprehensive) in order to emphasize the gravity of the covenant-defying “high-handed” category.

46. Which of course could only be done by making sure one never sinned intentionally.

47. This is the very reason the LORD commands such stringent measures when the first sign of sin appears: gouging out the offending eye, cutting off the offending hand (Matt 5:29–30). Just as a small rudder can eventually turn a large ship completely off its course, a small sin can eventually turn the most ardent believer away from the LORD.

<i>Not apostate sin:</i>	<i>Not (necessarily) apostate sin:</i>	<i>Apostate sin:</i>
category one sins	category two sins	category three sins

And this means that category two sins—like those in category three—are also to be avoided at all costs.

In short, whether for the first reason above or the second reason just stated, or both, the end result is the same: the middle category is not mentioned in order to encourage Israel to stay as far away as possible from category three sins. And this leads to the third lesson the Pentateuch teaches about sin and atonement: when thinking of sin, it is wisest to think in terms of only two categories—unintentional sins (category one) and apostate sins (category three)—and to avoid at all costs committing sin that falls outside the first category, be it apostate (category three) or simply intentional (category two). Of course, this two-category approach is not to be applied woodenly in every situation, as Leviticus and Numbers themselves make clear by the inclusion of the middle category. But there are times in the life of the people of God—especially when living faith is on the wane (cf. Num 14!)—when this approach is especially necessary in order to make crystal clear that there are not three paths in life, but two: a broad path, leading to hell, and a narrow path, leading to heaven. The broad path is paved with stones of apostate sin, all of which are intentional, and this in turn means that intentional sins, of whatever type, are to be avoided as though hell itself hung in the balance—because in fact it does. Indeed, this is the very reason the Lord took such a hard line against sin: “If your right eye causes you to sin, tear it out and throw it away. For it is better that you lose one of your members than that your whole body be thrown into hell. And if your right hand causes you to sin, cut it off and throw it away. For it is better that you lose one of your members than that your whole body go into hell” (Matt 5:29–30). It is with very good reason that Jude commands believers to “hate even the garment polluted by the flesh” (Jude 23).

We may summarize two of the main arguments above as follows. First, within the sphere of sacrificial atonement, there are three categories of sin: unintentional, intentional but not (necessarily) high-handed, and high-handed. Second, sacrificial atonement is available for the first two but not the third. This second point leads to a natural question: Does this mean the one who has committed high-handed sin has no hope of atonement at all? The answer is “No,” or at the least, “Not necessarily.” Even a quick perusal of Exodus–Numbers makes clear that not every instance of high-handed sin is met with the punishment it deserves and that some measure of atonement—even for high-handed sins—can be achieved. But how? This leads us to consider sin and atonement from a nonsacrificial perspective.

SIN AND ATONEMENT FROM A NONSACRIFICIAL PERSPECTIVE

As we enter the sphere of atonement by means other than sacrifice—the sphere in which atonement for high-handed sin is possible—it is necessary

to begin with a disclaimer: for the one who is unrepentant, whose hand is still raised against the heavens, no atonement is available, sacrificial or otherwise. One does not excuse traitors who are actively undermining the kingdom; one executes them. To state this positively: confession and repentance are always a necessary precursor to atonement, sacrificial or otherwise.⁴⁸

But assuming this repentance takes place, how is atonement for high-handed sin achieved? And how do the results differ, if at all, from atonement achieved by means of sacrifice? We may answer these questions by comparing seven different narratives involving high-handed sin and atonement, namely, the narratives of the golden calf (Exod 32:1–34:28), the people’s complaining at Taberah (Num 11:1–3), the people’s rebellion after the spies’ report (Num 14:1–35), the people’s rebellion with Korah and company (Num 16:1–17:5[16:1–40]), the people’s rebellion after the death of Korah and company (Num 17:6–15[16:41–50]), the people’s rebellion after setting out from Mount Hor (Num 21:4–9), and the people’s idolatry at Shittim (Num 25:1–13).⁴⁹ Comparison of these narratives reveals four striking similarities.

First, as I already mentioned, each tells the story of the Israelite community’s committing a high-handed sin. In Exod 32:7–9, the LORD describes their sin in terms that make it clear the people have abandoned faith in him:

48. In a sacrificial context, see Lev 5:5; 16:21, 29 (implied; cf. 1 Sam 7:6; Dan 9:3–5); Num 5:7. Sacrificial texts—which are often economic in detail to begin with—do not always explicitly mention confession, though it is undoubtedly assumed. For example, Lev 5:20–26[6:1–7] does not explicitly mention confession, though the parallel text of Num 5:5–7 makes the assumed confession explicit (see p. 479 n. 30 for the relationship of these two texts). For confession and repentance in a nonsacrificial context, see Exod 32:25–28 (implied); Lev 26:40–41; Num 21:7; 25:6 (implied). (For nonsacrificial contexts outside of the Pentateuch, see the repeated calls of the prophets: 1 Sam 7:3; Isa 1:16; 55:7; Jer 25:5; Ezek 14:6; 18:30; Joel 2:12–14.) In some narrative contexts, the focus is so strongly on the role of the mediator that the people’s repentance is not explicitly stated, e.g., Num 14; 16:1–17:15[16:1–50]. Even here, however, the text makes clear that the people’s rebellious action of stoning Moses is interrupted by the appearance of the glory cloud (Num 14:10; 17:7[16:42]), which elsewhere leads the people to humble—even fearful—reverence before the LORD (Exod 20:18–21), and which presumably happens here as well (cf. Num 16:19 with 16:23–27a).

49. These are the seven clearest instances in Exodus–Numbers in which the people sin in a high-handed way, are threatened with—or begin to experience—the judgment of the LORD, but then experience some level of atonement before him that mitigates the stated penalty and does not involve sacrifice. Num 20:8–13 is similar, insofar as the sin of Moses and Aaron appears to be high-handed in nature (cf. 20:12 with 14:11), and relationship with the LORD continues without sacrifice. It differs, however, in that there is no mitigation in the stated penalty, nor does the language of atonement or forgiveness appear (making it difficult to know if or how atonement relates to the sin). Lev 26:14–45 is also similar to the above texts, describing a time when Israel will commit high-handed sin in the future and will suffer as a result (vv. 14–39) but will experience renewed relationship with the LORD, again without sacrifice (vv. 40–45). In this way, it confirms that atonement for sin—and high-handed sin in particular—is possible without sacrifice, though it is not specific enough in terms of how this happens to make solid conclusions with reference to the topic at hand (see Boda, *A Severe Mercy*, 82–85, for further discussion). For Num 12, see the following note.

Go down at once, [Moses], for your people, whom you brought up from the land of Egypt, have corrupted themselves. They have quickly turned aside from the way which I commanded them. They have made for themselves a molten calf, and have worshiped it, and have sacrificed to it, and said, "This is your god, O Israel, who brought you up from the land of Egypt!" . . . I have seen this people, and behold, they are an obstinate people!

Numbers 14 is similar, where the LORD responds to the people's rebellion by asking, "How long will this people spurn me? How long will they not believe in me, despite all the signs which I have performed in their midst?" (v. 11). In the two stories found in Num 16:1–17:15[16:1–50], though the people grumble publicly against Moses and Aaron (16:19; 17:6[16:41]), it is clear that this grumbling is nothing less than "gathering together against the LORD" (16:11) and "spurning" him (16:30). Similarly, in Num 21 the people are said to speak not only against Moses but also against the LORD (vv. 5, 7), while Num 11, though not as explicit, suggests the people were again complaining against the LORD (v. 1).⁵⁰ And in Num 25, the people are said to have "play[ed] the harlot with the daughters of Moab . . . bowed down to their gods . . . [and] joined themselves to Baal of Peor" (vv. 1–3). In all seven instances, the Israelites are squarely in the category of high-handed sin against the LORD.

Second, in all seven narratives the deserved consequence is a punishment fit the crime: they have rejected the LORD as their king, so he will reject them as his people. To be more exact: they have not simply rejected the King of heaven, but raised their hands in rebellion against him, and can now expect the punishment that kings execute on rebels, namely, removal from the kingdom.⁵¹ In Exod 32, the LORD tells Moses, "Now then let me alone, that my anger may burn against them, and that I may destroy them; and I will make of you a great nation" (v. 10). His posture is the same in Num 14, where he says to Moses, "I will smite them with pestilence and dispossess them, and I will make you into a nation greater and mightier than they" (v. 12). In Num 16:1–17:15[16:1–50] he twice warns Moses, "Get away from among this congregation that I may consume them instantly!" (17:10[16:45]; see also 16:21). And in Num 11 and 21, the LORD begins to decimate the people by means of fire (11:1) and poisonous snakes (21:6), while in Num 25, he commands for the execution of the idolaters (vv. 4–5) and sends a plague among the people (vv. 8–9).

Third, in each narrative, the LORD'S total rejection of the people is avoided because of the actions of a mediator on the Israelites' behalf, a

50. It is possible that Num 12 should be read in the same way, though the chapter itself does not make the same explicit connection with rebellion against the LORD. If Num 12 is placed here, then the story line it follows is similar to Num 14:1–35: Miriam's place in the people of God will continue, though she will experience a form of mitigated punishment.

51. This is no surprise, because Num 15:30–31 states that the high-handed sinner will be "cut off," that is, removed from the covenant people of God through either exile or death; see p. 472 n. 12 above.

mediator who effects atonement so that the LORD's relationship with his people can continue. In Exod 32, Num 11, 14, and 16:1–17:5[16:1–40], the threatened penalty is avoided because of Moses' prayers for the people (Exod 32:11–14; Num 11:2; 14:13–20; 16:22); in Num 17:6–15[16:41–50], it is Aaron's priestly intercession by means of incense that prevents the entire people from being destroyed (v. 11[16:46]); in Num 21, it is Moses' prayers for the people that leads to a means by which the people can be saved (vv. 7–9); and in Num 25, it is the action of Phinehas, who publicly executes an idolatrous Israelite, that results in the plague being checked (v. 8). That atonement has been achieved in these instances is evident not only from the fact that the relationship between Israel and the LORD continues, but also from the specific language used in four of these texts. In Exod 32, Moses makes clear that he is going to the LORD on Israel's behalf to attempt to "make atonement" for their sin (אַכַּפְּרָה בְּעַד חַטְאֵתְכֶם; v. 30). In Num 17, the text explicitly states that Aaron "made atonement for the people (וַיִּכַּפֵּר עַל־הָעָם)" (v. 12[16:47]), while Num 25 does the same with regard to Phinehas, who "made atonement for the Israelites (וַיִּכַּפֵּר עַל־בְּנֵי יִשְׂרָאֵל)" (v. 13). Finally, Num 14 uses the verb "to forgive" (סָלַח)—a verb strongly associated with atonement elsewhere⁵²—to describe what Moses is asking the LORD to do (v. 19) and what the LORD in fact does (v. 20).

It may be noted here that the LORD would not have been unjust to dispossess his people at any of these points; he was in no way obligated to grant atonement. That he does underscores that he is indeed "compassionate and gracious, slow to anger, and abounding in lovingkindness and truth . . . the one who forgives iniquity, transgression, and sin" (Exod 34:6b–7a). And this leads to the fourth lesson about sin and atonement, namely, atonement for sin is possible because of the LORD's proclivity to extend mercy; he does not treat his people as their sins deserve. It is not simply that atonement is rooted in grace (lesson one); it is that his very nature is to extend that grace because of his mercy. Yes, it is true he warns his people that he "visits the iniquity of fathers on the children and on the children's children to the third and fourth generations" (Exod 34:7b), but even in doing so he contrasts these few generations to "thousands" for whom he "keeps lovingkindness" and whose "iniquity, transgression, and sin" he so readily forgives (Exod 34:7a). In wrath, he not only remembers mercy (Hab 3:2) but he is lavish with it, and the biblical writers celebrate this—and cling to it—time and again (Deut 4:31; 2 Chr 30:9; Pss 86:5; 103:8–14; 130:3–4; Joel 2:13).

But this mercy does not mean that sin can be taken lightly, and this leads to the fourth similarity between these texts. Growing up, I would have expected the fourth similarity to be something like this: "And they all lived happily ever after." That is to say, atonement had taken place,

52. This verb appears most frequently in the context of sacrificial atonement, where the results of this atonement are described with some variation of the phrase "And the priest will atone for him and he will be forgiven (וַיִּסְלַח לוֹ)" (see Lev 4:20, 26, 31, 35; 5:10, 13, 16, 18, 26[6:7]; 19:22; Num 15:25–26, 28).

meaning they were forgiven, meaning that full restoration of relationship had happened, meaning that there would no longer be any negative consequences.⁵³ This expectation, however, would be completely wrong. Yes, by all means, atonement had taken place, meaning that they were forgiven, meaning that full restoration of the relationship had happened, but this did *not* mean that there was an absence of negative consequences. The fourth similarity—at least for three of these stories—is that while the full extent of the deserved consequence is avoided, and while Israel’s relationship with the LORD continues, some element of discipline nonetheless occurs.⁵⁴ We read in Exod 32 that “the LORD smote the people because of what they did with the calf which Aaron had made” (v. 35). In Num 14, the LORD declares that he has forgiven the people (v. 20), but also that there will be consequences for their sin: “Surely all the men who have seen my glory and my signs, which I performed in Egypt and in the wilderness, yet have put me to the test these ten times and have not listened to my voice, shall by no means see the land which I swore to their fathers, nor shall any of those who spurned me see it” (vv. 22–23; see also vv. 26–35). And in Num 21, the consequences of sin continued to break out among the people (vv. 6–9). As for Num 11, 16:1–17:15[16:1–50], and 25, there are no ongoing consequences of sin that are identified as happening after the atoning act, perhaps because the consequences experienced before the act were deemed suitable enough (11:1; 17:12–14[16:47–49]; 25:4–5, 7–9) or because the guilt was seen to rest primarily with others who did indeed experience punishment (16:20–35). In any case, it is clear that even after atonement has been made, the sinner may experience discipline in the form of negative consequences.⁵⁵

Does the existence of this sort of discipline in some way vacate God’s mercy? By no means. It must be remembered that the discipline is exercised in the context of a relationship that continues between Israel and the LORD, a relationship that Israel does not deserve and that the LORD, in perfect justice, could have severed completely. That he does not—that

53. As one who grew up in the context of North American evangelicalism, it had been emphasized to me—and rightly so!—that Jesus has paid the penalty for all our sins and will indeed forgive any sin confessed to him (1 John 1:9). But there was not always a corresponding emphasis on the fact that the LORD “disciplines those whom he loves” (Heb 12:6), nor that this discipline can be experienced by members of the church who persist in sin (1 Cor 11:29–30; Jam 5:16). When a focus on forgiveness is combined with a lack of teaching on discipline, it is one short step to concluding—or at least to feeling—that forgiveness means there will be no discipline whatsoever.

54. This will make sense to most parents, who routinely forgive their children and yet still administer discipline as well. This is also why the word *discipline* is used here instead of *penalty*, because discipline indicates the presence of ongoing relationship (a parent disciplines children), whereas penalty does not (a judge hands down a penalty). See Heb 12:4–11.

55. With sacrificial atonement for category one and two sins, however, there is no evidence that an accepted sacrifice is followed by discipline. It appears that the sacrifice alone was discipline enough (Lev 4:1–5:19; 19:21–22), or the sacrifice together with the prescribed penalties was discipline enough (5:20–26[6:1–7]; Num 5:5–8).

he chooses to discipline instead of to reject outright—is one further sign of his mercy.⁵⁶

And yet it must also be emphasized that discipline still occurs, which leads to the final lesson about sin and atonement: atonement guarantees that relationship with the LORD will continue, not that his discipline for sin will be avoided. Of course, should the LORD so choose, discipline need not follow. That is the prerogative of the offended. But there is no guarantee of this, and sometimes the discipline can be severe indeed. It must not be forgotten that the first generation of Israelites died on the east side of the Jordan, not the west.

CONCLUSION

In the above, I have made two major arguments. First, with regard to categories of sin, there are three that may be identified: unintentional sin, intentional but not (necessarily) high-handed sin, and high-handed sin. The third category differs from the first two in that sins in this category are clear signs of apostasy. Second, with regard to atoning for these sins, there are two perspectives to consider. From the perspective of sacrificial atonement, the first two categories of sin may be atoned for, the third may not. From the perspective of atonement by other means, the third category of sin may also be atoned for by means of a mediator's action on the sinner's behalf, though further discipline may result even after the atonement has been made.

In arguing for the above, I have also noted five lessons to be gleaned concerning sin and atonement, in particular, how atonement relates to the different categories of sin. These lessons may now be rearranged in a logical order.

1. It is the offended party's prerogative to grant or deny atonement for sin, whatever category that sin may belong to. The offending party receives this atonement not as a right but as a gift.
2. In the realm of sacrificial atonement, which addresses unintentional sins (category one) and intentional but not (necessarily) high-handed sins (category two), atonement is rooted in the gracious activity of the LORD, who provides the means by which atonement can be made, namely, sacrifice.
3. In the realm of atonement by other means, which addresses high-handed sins (category three), atonement is a sign of the LORD's proclivity to extend mercy, to treat sinners not as their sins deserve.

56. Cf. Heb 12:5–8: "And have you forgotten the exhortation that addresses you as sons? 'My son, do not regard lightly the discipline of the Lord, nor be weary when reproved by him. For the Lord disciplines the one he loves, and chastises every son whom he receives.' It is for discipline that you have to endure. God is treating you as sons. For what son is there whom his father does not discipline? If you are left without discipline, in which all have participated, then you are illegitimate children and not sons."

4. The third lesson is qualified by the fourth, namely, atonement in nonsacrificial contexts guarantees that relationship with the LORD will continue, not that his discipline for sin will be avoided.
5. This in turn means, when thinking of sin, it is wisest to think in terms of only two categories—unintentional sins (category one) and high-handed ones (category three)—and to avoid at all costs committing sin that falls outside the first category, be it high-handed (category three) or simply intentional (category two).

The above means that Israelites were to have looked at atonement as an amazing testimony to the grace and mercy of a God who is “compassionate and gracious, slow to anger, and abounding in lovingkindness and truth, who keeps lovingkindness for thousands, who forgives iniquity, transgression and sin” (Exod 34:6–7a). At the same time, this grace and mercy did not nullify that he is also a God who “by no means leaves the guilty unpunished” (Exod 34:7b), particularly with respect to high-handed sin. This in turn means the Israelites were to regard high-handed sin as their worst enemy, staying as far away from it, and from any type of intentional sin at all, as though their lives depended on it—because in fact they did.

Christians who read the above words will of course recognize that these dual themes—wonder at the gracious and merciful atonement of the LORD and hatred of the sin that would lead us away from him—were not only to characterize the Israelites but are also to characterize us. The NT writers marvel again and again at the grace and mercy of the LORD, who offers atonement to us in his son (Rom 5:6–8; 8:32; Gal 1:4; 4:4–7; Eph 1:3–8a; 2:4–5; 1 Pet 1:3–5; 1 John 4:9–10). And yet they warn again and again of the dangers of sin and the consequences awaiting those who indulge in a life of it (Matt 5:29–30; 1 Cor 11:27–30; Gal 5:19–21; Heb 10:26–29; Rev 2:5, 16, 22–24; 3:3). The challenge the church has faced through the ages has been to hold these two together. When it has put too much weight on the LORD’s grace and mercy at the expense of sin’s danger, it produces those who cease to “strive . . . after the holiness without which no one will see the LORD” (Heb 12:14). When it has put too much weight on sin’s danger at the expense of the LORD’s grace and mercy, it produces those who seek to have “a righteousness of [their] own derived from the law” (Phil 3:9). But when it holds these two together, it produces those who “offer [their] bodies a living and holy sacrifice, acceptable to God,” not that they might earn his favor, but in response to the unspeakably wonderful mercies he has shown them already in the atoning work of his son Jesus Christ (Rom 12:1).

On the Meaning of זַעֲקַת מוֹשֵׁל in Qohelet 9:17b

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In this article, I suggest that זַעֲקַת מוֹשֵׁל is a metaphoric idiom derived from the loud shouts requesting a supplicant's recognition in a ruler's public appearance. Consequently, זַעֲקַת מוֹשֵׁל indicates a particular kind of a "loud voice." This meaning establishes a clear and apt contrast between דְּבַרֵי נַחַת and זַעֲקַת מוֹשֵׁל, and between חֲכָמִים and כְּסִילִים in the two cola of Qoh 9:17.

Key Words: Qohelet 9:17b, communication with royals, audience

INTRODUCTION

Qohelet 9:17, which reads

דְּבַרֵי חֲכָמִים בְּנַחַת נִשְׁמָעִים מִזַּעֲקַת מוֹשֵׁל בְּכִסְיָאִים:

has been considered by many commentators to be a typical saying of the wisdom tradition (Siegfried, Haupt, McNeile, Barton, Gordis, Crenshaw, Whybray, Murphy, Lohfink, et al.). It seems to be speaking favorably of wisdom and has been considered connected to v. 16 by theme and the shared word נִשְׁמָעִים. This connection is, however, problematic. Krüger notes that

The statements in vv. 16bβ–17 seem at first to contradict both what precedes and one another. In opposition to v. 16bβ, were not the words of the poor man heard nevertheless (at least by the king)? And if, as v. 16bβ asserts, they were not heard, is not the assertion of v. 17a—that words of the wise are heard—untenable in this kind of generality, since the poor man was also a wise man (v. 15a)?¹

Much exegetical effort was devoted to understanding the phrase בְּנַחַת נִשְׁמָעִים in 9:17a. The hemistich is ambiguous about whether the words of the wise are spoken calmly or are heard calmly. Murphy felt that it is more likely the former.² Whybray observes:

1. Thomas Krüger, *Qohelet: A Commentary* (trans. O. C. Dean Jr.; Minneapolis: Fortress, 2004) 180.

2. Roland E. Murphy, *Ecclesiastes* (WBC 23A; Dallas: Word, 1992) 97.

As Kroeber and Lauha have pointed out, נְשָׁמְעִים may mean not *heard* but 'are (more) worth hearing': cf. the corresponding use of the Niphal participle נִחְמָד, 'desirable' in Gen. 3:6. . . . If this is so the phrase should be translated: 'Wise men's words (spoken) in calm are worth hearing rather than . . .'. This avoids the otherwise curious emphasis on the *hearing* of their words rather than on their being *spoken*.³

Gordis breaks up the phrase בְּנִחָת נְשָׁמְעִים, attaching the first word to the first hemistich and the second word to the second hemistich. He says:

נחת, which has the disjunctive accent, Tiphha, is to be construed with דברי and rendered 'the words of the wise spoken quietly' (cf. בשוכה ונחת "quietness," Isa. 30:15), thus constituting a contrast with זעקת (Ibn Ezra, Wright). For this reason the interpretation of the phrase as "heard with pleasure" (Rashi) is unacceptable.⁴

Hertzberg observes that Gordis extracts a useful meaning, "nur sollte er sich für dieses Verständnis nicht auf den Disjunctivus Tiphcha berufen und den Zaqeph vorher und den Atnach hinterher behandeln, als seien sie gar nicht da! Auch muß er zu den drei ersten Worten dann 'spoken' ergänzen."⁵

The phrase זעקת מושל in the second hemistich has been generally accorded less attention than the phrase בנחת נשמעים of the first hemistich. This does not seem to be justified because of the symbiotic relation between the two parts of the verse and the intrinsic difficulty of v. 17b. The problems associated with v. 17b can be sensed, for instance, in the NJPSV rendition of v. 17: "Words spoken softly by wise men are heeded sooner than those shouted by a lord in folly."⁶ This beautiful translation unfortunately cannot be anchored in the MT. Consequently, the NJPSV felt obliged to add a note for 17b, "Lit. 'than the scream of a lord in [manner of the] fools,'" which implicitly or explicitly emends the MT by adding 'manner of the' and understands the ב of בכסילים as "of the." Obviously, 9:17b presented some challenges to the authors of the NJPSV.

Clearly, the מ of מזעקת indicates that the proverb in v. 17b presents a comparison between wise words said in a certain manner and words expressed in some other manner, affirming that the former is better. Barton says that the proverb is: "a strong contrast between the quiet strength of wisdom and the loud pretense of sham."⁷ The saying appears to be structured as a *Gut Spruch*, in a variant format of the basic ranking "better is

3. Roger N. Whybray, *Ecclesiastes* (NCB; Grand Rapids: Eerdmans, 1998) 149.

4. Robert Gordis, *Koheleth, the Man and His World: A Study of Ecclesiastes* (3rd ed.; New York: Schocken, 1968) 312.

5. Hans W. Hertzberg, *Der Prediger* (KAT 17/4; Gütersloh: Mohn, 1963) 183. Fox suggests moving the disjunctive (אתנחתא) to בנחת. See Michael V. Fox, *A Time to Tear Down and A Time to Build Up* (Grand Rapids: Eerdmans, 1999) 300.

6. LXX has the plural "rulers" (ἑξουσιαζόντων), perhaps harmonizing with the plural חֲכָמִים.

7. George A. Barton, *A Critical and Exegetical Commentary on the Book of Ecclesiastes* (Edinburgh: T. & T. Clark, 1908) 165.

a than b," one of many sayings of this sort scattered in the book (Qoh 4:3, 6, 9, 13, 5:4, 7:1–3, 5, 8, 9:16, 18).⁸ However, what are *a* and *b* in this case? Does Qohelet compare דְּבָרֵי with וְעֵקֶת? חֻכְמִים with מוֹשֵׁל? חֻכְמִים with כְּסִילִים? חַת with וְעֵקֶת?

Rightly did Elster observe that "In V. 17. scheint es schwerig, den Gegensatz der beiden Versglieder recht aufzufassen."⁹ For sorting out the comparison, we have first to understand what וְעֵקֶת מוֹשֵׁל means. The purpose of this article is to argue that וְעֵקֶת מוֹשֵׁל is a metaphoric idiom derived from the loud shouts requesting a supplicant's recognition in a ruler's public appearance. Consequently, וְעֵקֶת מוֹשֵׁל indicates a particular kind of "loud voice." This understanding, as we shall see, depends to some degree on whether v. 17 should be perceived as an independent proverb or as being contextually linked to vv. 13–16.

ANALYSIS

Ibn Ezra (1093–1167) gives no less than four different interpretations of v. 17, trying to resolve the apparent contradiction between vv. 16 and 17.¹⁰ Unfortunately, it is not clear from these explanations what וְעֵקֶת מוֹשֵׁל כְּסִילִים means. Rashbam (1085–1174) continues the image of v. 14–15 also in v. 17.¹¹ In his view, דְּבָרֵי חֻכְמִים = דְּבָרִים חֻכְמִים, "words of wisdom," and "they describe the words of the מַסְכֵּן חָכֵם. The מוֹשֵׁל is the king described in v. 14 and the כְּסִילִים are his army, named so because they cannot outsmart the מַסְכֵּן חָכֵם. However, in that case v. 17 would just repeat the story in vv. 14–15. Qara (second half of 11th to the beginning of 12th century) also looks at v. 17 in the context of the siege described in vv. 14–15. He understands כְּסִילִים as being the group to which the commander (מוֹשֵׁל) belongs.

8. Many assume that טובים is implied before מן as in 4:17.

9. Ernst Elster, *Commentar über den Prediger Salomo* (Göttingen: Verlag der Dieterichsche, 1855) 116. Elster suggest a twofold comparison: "Man muss erwägen, dass der Gegensatz ein doppelter ist, einmal de Gegensatz der Weisheit und Thorheit, sodas der Gegensatz der besonnenen Ruhe und lärmenden Geschrei's. Diese letzteren Bestimmungen warden nun aber so vertheilt, dass das eine ausgesagt wird von denen, die den Weisen hören ihm nachfolgen, das andere aber von den Thoren selbst, so dass denen, welche die Worte des Weisen mit besonnener, aufmerksamer Ruhe anhören, das lärmende Geschrei des Thoren, mit dem er Anderen ungestüm Befehle giebt, entgegengesetzt wird." Such an overburdening of a common proverb is unlikely, and as we shall see unnecessary.

10. Taken literally, vv. 16 and 17 appear contradictory. Many commentators deal with this contradiction. For instance, Wildeboer says: "נִשְׁמָעִים vielleicht nicht: sie warden angehört, sondern sie machen sich hörbar, warden laut." See D. Gerrit Wildeboer, "Der Prediger," in *Die Fünf Megillot* (ed. D. Karl Marti; Leipzig: Mohr, 1898) 155. More recently, Isaksson suggested that in v. 17 נִשְׁמָעִים might have the meaning "worth hearing." Cf. Bo Isaksson, *Studies in the Language of Qoheleth* (Studia Semitica Uppsaliensia 10; Uppsala: Uppsala University Press, 1987) 98. This sense for נִשְׁמָעִים, which has been previously suggested (Reynolds, Durell, Hodgson, Spohn, Knobel, Herzfeld, et al.), would force understanding the same word in close proximity as having two different meanings. The potential contradiction between vv. 16 and 17 is not the subject of this article.

11. Sara Japhet and Robert B. Salters, *The Commentary of R. Samuel Ben Meir (Rashbam) on Qoheleth* (Jerusalem: Magness, 1985) 113.

This silly commander shouts and gives orders, but they do not resolve the crisis; only the clever stratagem of the wise, spoken softly, does it.¹²

Sforno (c. 1475–1550) understood the verse in a military context. A commander, who unrushed makes his plans before the battle, would be listened to, more so than one who shouts at his soldiers who fight foolishly and in disorder. However, the Hebrew Bible never associates military command with wisdom, nor does unrushed planning necessarily guarantee the obedience of the troops.

Hakohen also takes *דְּבָרֵי חֲכָמִים* as equal to *דְּבָרִים מְחֻכְמָמִים*, “words of wisdom, clever words” (Exod 23:8; Deut 16:19; see Rashi and Targum there), and explains that even though these words are not heeded immediately, they are slowly accepted and eventually adopted in entirety. In Hakohen’s view, *בכסילים* = *בדברי כסילים* = *בדברי כסילות*. It seems as though he felt that *זַעֲקַת מוֹשֵׁל* is obvious.¹³

Ginsberg considers *מוֹשֵׁל* an adjective describing the noun *זַעֲקָה*, that is, *זַעֲקַת מוֹשֵׁל* = “an authoritative shout.”¹⁴ The authoritative commanding shouts of the fools do not mask the folly of the commands. The proverb would then essentially say that “sound reason” is better than “sound volume.” Unfortunately, nowhere in the Hebrew Bible does *מוֹשֵׁל* occur in this function and the form of the construct precludes it.

Modern exegetes usually understood *מוֹשֵׁל בכסילים* in 9:17b as referring to (a) foolish ruler, (b) most foolish of people, (c) ruler among fools, and (d) ruler over fools.

Foolish Ruler. For instance, Ginsburg translates 9:17b “than the shouting of a foolish ruler.” He relies on the Septuagint (*ἐξουσιάζοντων ἐν ἀφροσύναις* = “rule in folly”)¹⁵ and the observation that the *בְּ* prefixed to nouns gives them sometimes the force of adjectives (Pss 54:5, 118:7, Job 24:13).¹⁶ In Ginsburg’s view, *דברי* contrasts with *זַעֲקָה*, and *חכמים* contrasts with *מוֹשֵׁל בכסילים*. Similarly, Elster says: “Viele Ausleger nehmen *מוֹשֵׁל בְּכִסִּילִים* ‘Herrscher unter Thoren’ in dem Sinne: ‘thörichter Herrscher’. Diese Bedeutung ist allerdings sprachlich zulässig (vergl. Richt. 11,35. Hiob 24,13. Ps. 54,6).”¹⁷ Obviously, the authoritarian *מוֹשֵׁל* introduces an imbalance into the contrast. It is difficult to perceive this interpretation of the proverb as reflecting reality. The words of a ruler, whether loud or subdued, clever or foolish, have to be executed. There cannot be any comparison with an authoritarian ruler. The proverb loses its logic and generality in such circumstances.

12. Berthold Einstein, *R. Josef Kara und sein Commentar zu Kohelet* (Berlin: Mampe, 1886) part B, 41.

13. Jacob Hakohen, *דברי חפץ* (Vilnius: Fin, 1864) 33.

14. H. Louis Ginsberg, *Koheleth* (Tel Aviv: Newman, 1961) 118. Thus: *מוֹשֵׁל מוֹשֵׁל מוֹשֵׁל* – *בכסילים* – *מוֹשֵׁל שהכסילים זועקים בקול נגיד ומצווה*

15. Note that the Septuagint considers *בכסילים* an abstract, which is not attested in the Hebrew Bible. Graetz suggested the emendation *כסילות* for overcoming this difficulty. Cf. H. Graetz, *Kohelet oder der Salomonische Prediger* (Leipzig: Wintersche Verlag, 1870) 116.

16. Christian D. Ginsburg, *Cohelet, Commonly Called the Book of Ecclesiastes* (London: Longman, 1861) 433. The Peshitta also renders *מוֹשֵׁל בכסילים* “a ruler who is a fool.”

17. Elster, *Commentar*, 116. Among those who adopt this interpretation are Geier, Patrick, Knobel, Noyes, Heiligstedt, Graetz, et al.

Most Foolish of People. For instance, Jastrow and Barton translate מושל בכסילים “an arch-fool.”¹⁸ Unfortunately, neither of these scholars provides any support for this translation. Nowhere in the Hebrew Bible does the participle מושל have the meaning “arch” or “super.”

Ruler among Fools. The literal rendering of 9:17b, “rantings of the ruler among fools” (Vulgate, Siegfried, Hengstenberg, Wright, Zapletal, Gordis, Crenshaw, Murphy, et al.), alludes to a situation that is hard to perceive, in which מושל is an actual ruler, as Delitzsch says “d.h. ein solcher welcher unter Thoren die Stellung des obersten einnimt.”¹⁹ More recently, Longman suggested that the contrast in 9:17 is “not only with fools but with a leader among fools. In other words, there is a relative advantage to any words from the wise, even when compared with a leader of fools.”²⁰ However, מושל never means in the Hebrew Bible “leader.”²¹ Murphy seems to be emphasizing that the ruler is not necessarily foolish. He is just ranting among the fools.²² Similarly, Fox makes the distinction that

מושל בכסילים is not an immediate constituent of the sentence, a single phrase describing a kind of ruler, a “ruler among fools” (thus Delitzsch, Barton, Gordis, etc., comparing 2 Sam 23:3 and Prov 30:30). Rather, “among fools” is adverbial to נשמעים “are heard”; hence: “. . . more than the shout of a ruler (is heard) among fools.”²³

In this case, the comparison loses its direction and makes בכסילים superfluous.

Wilbeboer suggested that 9:17b refers to a tumultuous meeting of the commander of the city with the council of elders. He says: “Mit dem Herrscher unter Thoren wird der Befehlshaber der Stadt in der Ratsversammlung der Stadtältesten gemeint sein, wo alles in ratloser Angst schrie und lärmte.”²⁴ This explanation links our proverb to the preceding text (vv. 13–16), where there is no indication of any dispute among the city leadership. Rulers might have recognized the intimidatory value of a loud voice. People might have seen rulers shouting at underlings. But such experiences were not frequent enough to form a basis for a proverb, nor would they serve as an apt contrast to the first part of the verse.

If we assume that מושל means “ruler,” it is not obvious that this ruler is necessarily foolish, though he might be ranting. Stuart notes: “This prince, by the way, is himself supposed to be one of the fools; for otherwise the point of the discourse would vanish. But the outcry which this מושל makes, shows

18. Morris Jastrow Jr. *A Gentle Cynic, Being a Translation of the Book of Koheleth* (Philadelphia: Lippincott, 1919) 233 n. 151; and Barton, *Ecclesiastes*, 168.

19. Franz Delitzsch, *Die Poetischen Bücher Des Alten Testaments, Hohes Lied und Koheleth* (Leipzig: Dörffling und Franke, 1875) 360.

20. Tremper Longman, *The Book of Ecclesiastes* (NICOT; Grand Rapids: Eerdmans, 1998) 236.

21. The Hebrew Bible uses נהג for “leading” (Isa 11:6; Ps 80:2).

22. Murphy, *Ecclesiastes*, 100. Murphy explains: “The advice of sages is rated higher than the ranting of an official who has to deal with fools (the meaning is not that the official is the prime fool).”

23. Fox, *Time to Tear*, 300.

24. Wilbeboer, *Prediger*, 155.

that he belongs to the fools.”²⁵ However, we face difficulties with this interpretation even if we assume that the ruler *is* foolish. In a comparison of a person with the wise, only the person’s foolishness should matter, not his rank or status. Why then did Qohelet use מושל? Is it axiomatic that fools would prefer words of wisdom rather than the rantings of their own?

Ruler over Fools. Already the Targumist considered מושל בכסילים “a wicked ruler over fools” (גברא רשיעא דהוא שליט על שטיין). More recently, for instance, Zer-Kavod takes מושל בכסילי as equal to כמפקד על כסילים.²⁶ Similarly, Perry renders “screaming of the king of fools.”²⁷ Seow suggested that “The author contrasts the calm words of the wise in 9:17, not with the loud rantings of fools in general, but specifically with the ‘ruler among fools’—that is, the one who rules over fools (those of the little town!) and is the chief of them all.”²⁸ Hitzig noted that “unrichtig ist die Uebers.: ein Herrscher über Thoren, denn dadurch würde eine hier für den Sinn völlig überflüssige Bestimmung in dem Text gebracht, auch über den Charakter des selbst nichts ausgesagt.”²⁹

Unfortunately the position “king of fools” is not attested anywhere in the ancient Near East. Obviously, it is possible that a ruler can command troops that are not well trained, or have only primitive abilities. However, such special cases cannot serve as the basis for forming a proverb.

The sample of translations that were presented implicitly draw on the case described in 9:13–16 and consequently consider מושל to be an actual ruler.³⁰ As Seow says,

Although the text does not say so explicitly, the reader knows that this axiom about the words of the wise is also relativized by the example in 9:13–16: the words of the particular wise person were not heeded. Having stated the reality in 9:16, the author is simply returning to the principle once again in 9:17, but he repeats key terms in v 16 to highlight the contradiction.³¹

However, Zapletal noted that “‘Der Oberste unter den Toren’ wird von vielen für den Befehlshaber der Stadt gehalten: sicher scheint es mir nicht zu sein.”³² Krüger observes that

25. Moses Stuart, *Ecclesiastes* (New York: Putnam, 1851) 256–57. Cf. also Charles, H. H. Wright, *The Book of Koheleth, Commonly Called Ecclesiastes* (London: Hodder & Stoughton, 1883) 416–417.

26. Mordechai Zer-Kavod, קהלת, in *חמש מגילות* (Jerusalem: Mosad HaRav Kook, 1973) 61.

27. T. A. Perry, *Dialogues with Kohelet, the Book of Ecclesiastes* (University Park: Pennsylvania State University Press, 1993) 148;

28. Choon-Leong Seow, *Ecclesiastes: A New Translation with Introduction and Commentary* (AB 18C; New York: Yale University Press, 2008) 322.

29. F. Hitzig, *Der Prediger Salomo's* (Leipzig: Hirzel, 1883) 283.

30. James L. Crenshaw, *Ecclesiastes* (Westminster: John Knox Press, 1987) 167. Crenshaw says that the expression does not refer to an “arch fool,” but instead it indicates an actual ruler. He sees the king or ruler being surrounded by fools. Cf. James L. Crenshaw, *Urgent Advice and Probing Questions: Collected Writings on Old Testament Wisdom* (Macon, GA: Mercer University Press, 1995) 226.

31. Seow, *Ecclesiastes*, 322.

32. Vincenz Zapletal, *Das Buch Kohelet* (Freiburg: Gschwend, 1911) 206.

The term ‘ruler’ (מוֹשֵׁל) in v. 17b by no means has to designate the ‘great king’ of the example story of 14–15: ‘מוֹשֵׁל and שְׁלִיט are broad concepts that would fit the widest variety of high officials, civilholders (such as tax leaseholders), military officers and even religious authorities.³³

While in principle that is true, the comparison here with the authoritative wise would naturally limit the extent of these concepts to the higher strata of rulers. Indeed, Krüger proposes that v. 17 could point to the hearing that the “poor wise man” received with the “great king.”³⁴ Barton rightly noted that 9:17–10:3 “are interpolations of the *Hokma* glossator, suggested by the ‘wise man’ of the closing incident of the section.”³⁵ More recently, Ogden argued that

ix 17–18 is not fundamentally linked with the preceding. It certainly does not arise from the observation in ix 13–15, though one should observe that its similarity in other respects with ix 16 is the most likely explanation for its juxtaposition to it. What ix 17 does is to move the discussion in quite a new direction—it upholds the value of wisdom together with its vulnerability to even a small measure of folly. This latter is a theme not met before in quite this way.³⁶

From this perspective, assuming 9:17 to be a proverb, the various interpretations of 9:17 are not satisfactory, because they assume an actual ruler but do not clearly convey an image that could obviously serve as a basis for the general statement. Is there a ruler among fools? What is so special about his ranting? Is he loud, rude, incoherent, unmannered, and so on? Of what significance is the ranking מוֹשֵׁל in comparison with the wise?

SOLUTION

Understanding מוֹשֵׁל in Qoh 9:17b as an indication of a ranking of some sort, or as an actual person, leads to untenable meanings. We suggest that the idiom מוֹשֵׁל וְעֵקֶת מוֹשֵׁל has been derived from the loud voice that was used to attract the attention of the ruler and thus being recognized as that of a supplicant in a public appearance or public audience of the ruler. Obviously, rulers or people of high standing were naturally distanced from the public for security reasons and for sake of distinction and authority, as they are to this day. However, in all cultures rulers also recognized that such

33. Krüger, *Qohelet*, 180. Cf. also Norbert Lohfink, “*melek, šallî und môšêl bei Kohelet und die Abfassungszeit des Buchs,*” *Bib* 62 (1981) 535–43.

34. *Ibid.*

35. Barton, *Ecclesiastes*, 165. Similarly, Ginsberg felt that “the material in ix 17 – x 19 is merely ‘a block of associative digressions’” (“The Structure and Contents of the Book of Koheleth,” in *Wisdom in Israel and in the Ancient Near East* [ed. M. Noth and D. Winton Thomas; SVT 3; Leiden: Brill, 1955] 143 n. 3). See also K. Galling, “Kohelet-Studien,” *ZAW* 50 (1932) 276–99; H. Odeberg, *Qoheleth: A Commentary on the Book of Ecclesiastes* (Uppsala: Almqvist & Wiksell, 1929) 83–85.

36. Graham Ogden, “Qoheleth ix 17 – x 20: Variations on the Theme of Wisdom’s Strength and Vulnerability,” *VT* 30 (1980) 31.

distancing cannot be absolute.³⁷ The ruler has to allow occasional breach of the “majestic distancing” for promoting his paternal image. These breaches in the ancient Near East most often occurred in a ruler’s public audience, where any supplicant could directly ask the ruler to hear his/her case, circumventing the lengthy legal process.

Levinson notes that Israelite and Near Eastern royal ideology shared the notion that the god grants the king special judicial insight and because of the divine endowment of judicial wisdom, a primary duty of the monarch was to administer justice. In particular, he was responsible for ensuring the socially marginalized equal access to legal protection. Hearing himself the cases of the widow and the orphan, the king indirectly stood in for the adult male missing from their family units. Levinson says:

This commitment of the king to protect the widow and the orphan by hearing their cases was a widely distributed Near Eastern topos found in diverse literary genres. . . . The positive duty of guaranteeing due processes to the socially marginalized (the widow, the orphan, and the poor) by personally hearing their plea has a negative corollary: to extirpate injustice.³⁸

The Hebrew Bible attests to rulers’ engagement in public audiences for dispensing judgment and justice. An extreme case of this practice is Moses’, who sat as a magistrate from morning until evening (Exod 18:13) to administer justice and teach the law (Exod 18:15–16). Jethro suggested to him a decentralized system of justice that assures justice but limits the ruler’s exposure to the public and direct communication with it. Jethro’s reform, however, ceased to be operational once the Israelites settled in their land. Thus, a number of judges (Deborah, Tola son of Puah, Jair the Gileadite, Jephthah the Gileadite, Ibzan of Bethlehem, Elon the Zebulunite, Abdon son of Hillel, and so on) probably served as unofficial rulers dispensing justice personally to those who came to them.

Samuel held public audiences on an annual basis at four fixed locations, in which he served as a judge (1 Sam 7:16–17). As he grew old and could no more execute this function, the Israelite recognized the need for a king. Their primary interest in kingship was judicial, וְשִׁפְטָנוּ מִלְכֵנוּ (1 Sam 8:20), as was the case among the other nations in the Near East. It is inter-

37. Linda T. Darling, “‘Do Justice, Do Justice, for That Is Paradise’: Middle Eastern Advice for Indian Muslim Rulers,” *Comparative Studies of South Asia, Africa and the Middle East* 22/1–2 (2002) 3–19. Darling illustrates the concern of Near East rulers with making themselves accessible to ordinary citizens. While Darling’s paper deals with a later period, it is clear that notions such as “circle of justice,” typically expressed in the saying “There can be no government without men [soldiers], no men without money, no money without cultivation [or prosperity], and no cultivation [or prosperity] without justice and good administration,” draws on ancient lore. See Bernard Lewis, *Islam: from the Prophet Muhammad to the Capture of Constantinople* (2 vols.; New York: Harper & Row, 1973) 1:185.

38. Bernard M. Levinson, “The Reconceptualization of Kingship in Deuteronomy and the Deuteronomistic History’s Transformation of Torah,” *VT* 51 (2001) 514–16.

esting to note that the list of hardships imposed by royalty, which Samuel spells out to the Israelites, includes also royal unresponsiveness to peoples' shouts והוא מלפני מלככם (1 Sam 8:18). However, use of the idiom עור אל-המלך (2 Sam 19:29) indicates that Israelite kings maintained public accessibility to them (2 Kgs 14:5, 2 Sam 15:2, 1 Kgs 3:9) and that the custom of public audiences was practiced by rulers of various ranks (Prov 29:26).

Some details of the procedures that were followed in a royal public audience can be deduced from the case of the wise woman from Tekoa (2 Sam 14:4–21). In 2 Sam 14:4, the woman says something to the king to be recognized (ותאמר האשה התקעית אל-המלך).³⁹ Perhaps she said (or shouted) “[Listen] to me King!” (אלי המלך).⁴⁰ Once recognized, she prostrates on the ground in a bow (ותפלה על-אפיה ארצה ותשתחו) and cries “Help, O King!” (הושעה המלך). In 2 Kgs 6:26, we find הושעה אדני המלך . . . ראשה צעקה, using the same phrase as that used by the wise woman from Tekoa. It is thus possible that both appearances of ותאמר in 2 Sam 14:4 are shouts, which would be reasonably required in an audience hall filled with people and at a distance from the king.⁴¹ The idiom לצעק אל-המלך is used apparently for a plea in a loud voice to a king in 2 Kgs 8:4, since the King is engaged in a discussion with someone else. It is thus conceivable that there existed an idiom זעקת המלך or צעקת המלך for a loud shout.

While the quoted instances are from an earlier period than that of Qohelet, it is likely that the tradition of directly approaching the ruler persisted. Little is known of Judea in the Ptolemaic times. Hellenistic Egypt, however, was a land of legal pluralism. The division of the power of jurisdiction between Greek courts for Greeks and Egyptian courts for Egyptians lay at the center of the judicial organization fashioned by Ptolemy II Philadelphus about 270 B.C.E. It can be surmised that a similar arrangement existed in Judea. Most of the Jews in Judea lived in small villages, a situation which was congenial to direct access to the ruler, when he visited these sparsely populated areas, or even in Jerusalem.

These considerations lead us to conclude that the circumstances in a public appearance or audience of a ruler necessitated the raising of one's voice to be heard and consequently recognized as a supplicant, whose case

39. Many manuscripts and printed editions have ותבא instead of ותאמר. Cf. LXX, Peshitta, Targum, and Vulgate. Most printed editions have ותאמר.

40. There are many cases in the Hebrew Bible in which a ם is missing at the end of a word. For instance, Jud 17:2 ואתי (Kethib), ואת (Qere); 2 Sam 23:37 נשאי (K) but נושא (Q); 1 Kgs 14:1; 2 Kgs 4:16, 23; 8:1; Jer 4:30 אתי (K) but את (Q); 2 Kgs 4:2 לכי (K) but לך (Q); 2 Kgs 4:4 שניכי (K) but שניך (Q); 2 Kgs 4:7 נשיכי (K) but נשיך (Q); 2 Kgs 4:7 בניכי (K) but בניך (Q); 2 Kgs 4:23; Jer 31:2 קראתי (K) but הלכת (Q); 2 Kgs 23:10 בני (K) but בן (Q); Jer 2:33 למרתי (K) but למרת (Q); Jer 3:4 קראתי (K) but קראת (Q); Jer 4:19 שמעתי (K) but שמעת (Q); Jer 10:17; 22:23 יושבתי (K) but יושבת (Q); etc.

41. Cf. 1 Kgs 20:39. Kimḥi takes the second ותאמר as referring to the shout requesting recognition. He says: “and when she entered she said ‘Save, O King!’ in the manner of those that shout”. See Rainer Albertz, “צעק, ‘To Cry Out,’” *TLOT* 3:1090–91. To “cry out” to the Lord (צעק/זעק) has especially the promise of positive reaction from God. Compare, for instance, Exod 2:23–24; 3:7, 9; Deut 26:7; Jud 3:19, 15; 4:3; 6:6–7; 10:10, 12; 4:1; 1 Sam 7:8; 12:10.

should be considered.⁴² The loud voice used to shout “מושל, מושל” led to the formation of the idiom זעקת מושל, which metaphorically means “loud voice,” that is, a loud voice as one used to shout מושל in a public appearance or audience.⁴³ Unfortunately, Biblical Hebrew does not distinguish between “זעקת מושל!”, the second word being what is being shouted, and זעקת מושל, the second word identifying the person doing the shouting. The distinction between the two has to be discerned from the context. Contextually, taking זעקת מושל as “shout of the ruler” is problematic; on the other hand, the meaning “the shout ‘ruler!’” makes for a cogent text.

The suggested interpretation of זעקת מושל opens for reconsideration the meanings of similarly structured phrases: זעקת דל (Prov 21:13), צעקת צעקת דל (Job 34:28), צעקת עניים (Ps 9:13; Job 34:28), זעקת שבר (Isa 15:5), צעקת שבר (Jer 48:5), זעקת חבלים (Ezra 27:28), זעקת סדם ועמרה (Gen 18:20), and צעקת הרעים (Jer 25:36).

It is notable that the accent favors the reading זעקת מושל, rather than מושל בכסילים.

CONCLUSION

Rulers, in particular on public occasions, had to use a loud voice to reach the masses. Austin says,

That loudness of voice gave extraordinary advantage to a popular orator in ancient times, we might easily imagine. All are not judges of fine composition, nor all capable of estimation the just weight of argument. But on public occasions, men can be influenced only by what they hear: and vociferation has these advantages, that it suffers nothing to be lost, and that by its apparent sincerity, it imposes on the vulgar understanding. . . . The sound of a powerful human voice is imperious and awful; and we find it often used to terrify, as well as to convince.⁴⁴

This perception, as well as the proximity of vv. 13–16, might have led to the understanding of מושל as being that of a leader doing the shouting. Unfortunately, such a view distorts the balance in the *Gut Spruch* expressed in 9:17, which should be viewed unrelated to the preceding unit.

We have suggested that מושל should be considered a title used in addressing a ruler when vying for his attention. The frequent need to shout to a person of authority, who by protocol and for security reasons, was kept at a distance from the public led to the formation of the metaphoric idiom זעקת מושל, which is like, for instance, the current English idiom “catching the Speaker’s eye” in the British Parliament.

42. Crenshaw, *Ecclesiastes*, 167. Crenshaw notes that “The verb זעק occurs frequently with reference to the anguished cry of persons in distress.” This characteristic would aptly fit the situation of a public audience with a ruler.

43. Note the idiom לזעק אל המלך (2 Sam 19:29) for asking a favor from the king.

44. A. M. Austin, *Chironomia* (London: Cadell & Davies, 1806) 30.

I render 9:17 “Words spoken softly by the wise are heeded, more than the loud voice of the operator.”⁴⁵ This translation makes eminent sense and establishes a clear and apt contrast between דְּבַרֵי נְחִת and זַעֲקַת מוֹשֵׁל and between חֲכָמִים and כְּסִילִים in the two cola of Qoh 9:17.⁴⁶

45. Aron Pinker, “A Reevaluation of the *Kesil’s* Image in the Book of Qohelet,” *SJOT* 25 (2011) 49–74. I argue that “Qohelet revels in describing the oppositeness of the wise (חכם) and fool (כסיל), urging the young to make a choice between these opposites. How should this advice be understood? Obviously, the derogatory terms כְּסִיל, כְּסִילִים, כְּסִל, סְכָל, סְכָל, and סְכָלוֹת = סְכָל, used in the *Book of Qohelet* with reference to a person acting unlike a חכם, cannot refer to mental deficiency, which is irreversible. It is suggested that a useful approach would be to understand the broad notions of ‘foolishness’ and ‘wisdom’ in the narrower confines of ‘trial-and-error problem-solving’ on the one hand, versus ‘insight-and-theory problem-solving’ on the other. All the juxtapositions of ‘foolishness’ and ‘wisdom’ in the *Book of Qohelet* can be cogently understood assuming that the חכם is a ‘contemplator, meditator’ and the כסיל is an ‘operator, activist’” (p. 49).

46. E. W. Hengstenberg, *Commentary on Ecclesiastes* (Philadelphia: Smith, English, & Co., 1860) 221. Hengstenberger and others (Targum, Vulgate, Rashi, Rashbam, Rambach, Michaelis, Hitzig, Siegfried, Ogden) connect בְּנִחָת נִשְׁמָעִים “heard in quiet,” that is, without interruption, but this understanding is against the accent, which places a disjunctive *tipcha* at בְּנִחָת, and disrupts the contrast in the proverb.