

Reading Herem Texts as Christian Scripture

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For Helen, Hannah & Samuel

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Abstract

Reading Herem Texts as Christian Scripture
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The thesis investigates the interpretation of some of the most problematic passages of the Hebrew Bible/Old Testament, i.e. passages involving the concept or practice of *herem*. The texts under consideration contain *prima facie* divine commands to commit genocide as well as descriptions of genocidal military campaigns commended by God. The thesis presents and analyses the solutions that Christian interpreters through the ages have proposed to the concomitant moral and hermeneutical challenges. A number of ways in which they have been used to justify violence and war are also addressed.

For the patristic and early medieval eras the thesis aims to be as comprehensive as possible in identifying and analysing the various interpretative options, while for later periods the focus lies on new developments. In addition to offering the most comprehensive presentation of the *Wirkungsgeschichte* of *herem* texts to date, the thesis offers an analysis and critical evaluation of the theologico-hermeneutical assumptions underlying each of the several approaches, and their exegetical and practical consequences. The resulting analytical taxonomy and hermeneutical map is an original contribution to the history of exegesis and the study of the interplay between religion and violence.

The cognitive dissonance *herem* texts cause for pious readers is introduced as an inconsistent set of five propositions: (1) God is good; (2) the bible is true; (3) genocide is atrocious; (4) according to the bible, God commanded and commended genocide; (5) a good being, let alone the supremely good Being, would never command or commend an atrocity. If proposition (4) is assumed, at least one of the deeply-held beliefs expressed in the other four must be modified or given up.

The introduction is followed by four diachronic chapters in which the various exegetical approaches are set out: pre-critical (from the OT to the Apostolic Fathers), dissenting (Marcion and other ancient critics), figurative (from Origen to high medieval times), divine-command-ethics (from Augustine to Calvin) and violent (from Ambrose to Puritan North America). A concluding chapter presents near contemporary re-iterations and variations of the historic approaches.

Extended Abstract

The thesis investigates the interpretation of some of the most problematic passages of the Hebrew Bible/Old Testament, i.e. passages involving the concept or practice of *herem*. The texts under consideration contain *prima facie* divine commands to commit genocide as well as descriptions of genocidal military campaigns commended by God. The thesis presents and analyses the solutions that Christian interpreters through the ages have proposed to the concomitant moral and hermeneutical challenges. A number of ways in which they have been used to justify violence and war are also addressed.

For the patristic and early medieval eras the thesis aims to be as comprehensive as possible in identifying and analysing the various interpretative options, while for later periods the focus lies on new developments. In addition to offering the most comprehensive presentation of the *Wirkungsgeschichte* of *herem* texts to date, the thesis offers an analysis and critical evaluation of the theologico-hermeneutical assumptions underlying each of the several approaches, and their exegetical and practical consequences. The resulting analytical taxonomy and hermeneutical map is an original contribution to the history of exegesis and the study of the interplay between religion and violence.

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The most important *herem* texts are identified as Num 21:1-3 (The Israelites vow to commit opponents to destruction in exchange for divine assistance in battle); Deut 2:32-34, 3:2-6 (The Israelites commit two kings and their cities to destruction, with divine approval and following a divine command, respectively); Deut 7:1-2 (Moses commands the annihilation of the seven Canaanite nations); Deut 13:12-16 (Moses commands the annihilation of Israelite cities espousing other gods); Deut 20:16-18 (Moses commands the annihilation of Canaanite cities); Josh 6:17.21 (Jericho devoted to destruction); Josh 8:2.22-27 (Ai devoted to destruction.); Josh 10:28-42, 11:8ff (Numerous Canaanite cities devoted to destruction); 1 Sam 15 (Saul fails to carry out the divinely commanded total destruction of Amalek).

Drawing primarily on the work of Ulrich Luz, *Wirkungsgeschichte* is understood as the effective history of texts, which includes, but is not limited to, a history of their exegesis. In addition to pre- or uncritical interpretations, the analysis of historic and contemporary Christian readings yielded three main types of approaches. The latter vaguely correspond to Roland Bainton's threefold typology of Christian attitudes to war, i.e. figurative (cf. pacifism), divine-command-ethics (cf. just war) and violent (cf. crusade). Each of these categories is marked by a characteristic hermeneutical move that either addresses the moral tension (i.e. questioning either the *prima facie* reading or our moral intuitions), or shapes the present-day application (i.e. such-and-such enemies are Amalek, the Canaanites, etc.). The various approaches are each presented in a diachronic chapter. In addition, a chapter on dissenting readings illustrates the fact that extra- and intramural criticisms have shaped the texts' ecclesial appropriation, interpretation and defence in important way. Finally, a concluding chapter shows that many of the historic approaches continue to find their practitioners today, while some new readings have also recently been developed.

Pre-critical Readings

The chapter surveys the reception of *herem* in the OT, Apocrypha, NT, Philo, Barnabas and Justin Martyr; the readings are "pre-critical" in the sense that they predate Marcion's criticism and in that they do not address the question of the morality of divinely commanded annihilation. A number of the readings are figurative (in Philo, Barnabas and Justin), but there is no indication that this allegoresis was designed to ward off criticisms or moral concerns. In other contexts, however, Philo strenuously objects to the punishment of children for the wrongdoing of their parents; this moral judgment may be behind his decision to omit certain *herem* texts from his comments and tone down others.

Dissenting Readings

Marcion of Sinope's fierce second century criticism of the Jewish Scriptures (JS) represents an important *caesura* in the reception of *herem* texts. Marcion's objections were based on what he perceived to be the irreconcilable, antithetical differences between the JS and the Gospel and Apostolikon; his solution to the hermeneutical challenge was novel and radical; he agreed with all five propositions and solved the tension by denying that the God referred to in premise 1 (i.e. God is good), is the same as the god referred to in premise 4 (i.e. the god who, according to the bible, at times commands and commends genocide). The latter is not the good and merciful Father of Jesus, but the vindictive demiurge of the JS.

Other ancient readers who rejected elements of the JS proposed another hermeneutical solution, i.e. to deny premise 2 (the bible is true); while they accepted some elements of the JS, they rejected others as false. This approach is found in the Ptolemy's letter to Flora, the Didascalia Apostolorum and the Pseudo-Clementine Homilies. Finally, some ancient readers rejected the claim that the bible is holy scripture *tout court*, e.g. pagan critics such as Celsus, Porphyry and Julian.

Figurative Readings

The first sustained comments on *herem* texts that engage directly with moral criticisms are found in Origen's twenty-six extant homilies on Joshua and his *Contra Celsum*; in them, he advocates a thoroughly typological and entirely pacifist Christian reading.

Origen interprets the commanded annihilation of the Canaanites and Amalekites as God's command to Christians to totally eradicate the vices from their souls. In subsequent reception, the identification of the seven Canaanite nations with the vices, and more specifically the seven principal vices, becomes very popular; the analysis shows that it is found in Prudentius, John Cassian, Gregory the Great, Isidore of Seville, Berthold of Regensburg and the Glossa Ordinaria.

However, the analysis also demonstrates that Origen and those who adopt his approach do not deny the historicity of the *herem* commands and narratives; rather, Origen simply insists that their Christian significance is located entirely elsewhere. In addition, Origen does at times read *herem* commands non-figuratively, and without raising moral objections or concerns.

Divine-Command-Theory Readings

Perhaps the most widely attested Christian approach addressing the hermeneutical challenge is to deny that *herem* is a moral atrocity, i.e. to call into question our moral intuitions about genocide. This approach flows from accepting propositions (4) and (5), and taking propositions (1) and (2) as normative.

The most sustained ancient exposition of this view goes back to Augustine of Hippo, in arguments largely developed in response to his contemporary inheritors of Marcion, the Manicheans. Taking the justice of God and his commands as axiomatic, Augustine concludes, on the basis of a literal reading of *herem*, that for God to command total destruction is just, and for humans to obey this, or indeed any other, divine command is just, too. The latter is a form of divine-command-ethics, the former is traditional in its assumptions, if highly problematic in its outworking. Augustine also addresses the charge of the alleged irreconcilable difference between

the Old and New Testaments, developing an understanding of both progressive revelation and accommodation. He considers a number of possible reasons for the divine extermination command, including irredeemable depravity, the paramount importance of the end and unfathomable mystery.

The majority of Augustine's remarks are made in polemical contexts, i.e. to counter Manichean or Pelagian arguments; when Augustine addresses Catholic congregations in sermons, he frequently resorts to figurative readings that resemble those of Origen, but he never calls the texts' morality or historicity into question.

Examples for arguments along the lines developed by Augustine are adduced from antiquity (John Chrysostom, Theodoret), the middle ages (Aquinas) and early modernity (Calvin).

Violent Readings

The application of *herem* texts to literal wars in which the readers of scripture are presently engaged is without doubt the most unsettling aspect of the texts' reception history, and the area of the most pressing contemporary concern. It is also, however, comparatively rare in the texts' effective history.

Applications of *herem* texts to contemporary wars are adumbrated in Ambrose and Augustine, but appear to have been infrequent and somewhat moderated in antiquity. During the medieval crusades, *herem* texts did play a role in rhetoric and practice, though an analysis of crusading chronicles, songs and sermons shows that their influence was considerably more marginal than is frequently suggested or assumed. Other examples of appeals to *herem* texts are drawn from Spanish *conquistadores* as well as English and American Puritans.

The analysis of these aspects of the texts' Wirkungsgeschichte shows that where they are read apart from an interpretive tradition (such as Origen's) that rules out any contemporary, warlike application, they can and have been instrumentalised to justify and inspire acts of unspeakable cruelty and violence. The fact that influential church fathers such as Ambrose and Augustine left the door open to such readings is shown to have borne deadly fruit.

Readings from the dawn of the Enlightenment to today

The final chapter illustrates that the historic approaches discussed above continue to have their advocates today, and presents variations and novel approaches developed during that period.

Karl Barth's twentieth century uses of *herem* texts are adduced as examples of uncritical readings. Matthew Tindal's eighteenth century criticisms echo those of ancient critics and illustrate why uncritical readings prove difficult for many contemporary readers to accept. Divine-command-theory solutions to the hermeneutical challenge continue to be put forward today (Richard Swinburne), and are sometimes combined with concepts of accommodation and progressive revelation (Eleonore Stump); a range of figurative readings also have contemporary advocates, e.g. typology (Kopsch), myth (Earl), metaphor (Moberly, McDonald) and hyperbole (Wolterstorff). Finally, some contemporary commentators attempt to make the results of historical-critical scholarship fruitful for a theological interpretation of *herem* (Seibert, Jenkins).

The conclusion briefly summarises the results of the preceding analysis and restates the choice faced by pious readers today.

0. Introduction

The present thesis investigates a theological, moral and hermeneutical challenge that can be introduced by the juxtaposition of a dictionary entry and a definition adopted by the United Nations. On the one hand, the *Theological Dictionary of the Old Testament* lists the following among the meanings of the Hebrew root *ḥrm*: “in war, consecrate a city and its inhabitants to destruction; carry out this destruction; totally annihilate a population in war.”¹ On the other, the United Nations defines “acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group,” including but not limited to “killing members of the group,” as genocide.² Based on these definitions, the biblical concept of what is sometimes called the “war *herem*” would therefore seem to be included in the United Nations’ use of “genocide.”

Taken together with the fact that, as we shall see, the HB/OT³ not only describes acts of *herem*, but also depicts God as commanding and commending the practice, this clearly presents a problem for those whose moral sensibilities have been shaped by reflection on the horrors of the Shoah (which provided the impetus for the adoption of the UN Convention cited above) and other twentieth century genocides, e.g. the ones perpetrated against the Armenians in the Ottoman Empire in 1915, or against Tutsis and moderate Hutus in Rwanda in 1994. This is true even for those who do not assign any particular religious or moral significance to the JS, simply because of the fact that hundreds of millions around the globe continue to regard them as in some sense holy writ; but it is perhaps particularly true for those who wish to continue to read these texts as holy scripture while also sharing with many of their contemporaries the profound moral intuition that genocide is morally reprehensible, an atrocity.

¹ N. Lohfink, 'Hrm', in G. J. Botterweck and Helmer Ringgren (ed.), *Theological Dictionary of the Old Testament* (Grand Rapids, MI: Eerdmans, 1974), 180-198, 181; this definition pertains to the verb in the hiphil; the definition of the corresponding noun includes “the act of consecration or of extermination and killing,” *ibid.*; some 70 of the ca. 80 occurrences of *ḥrm* in the OT are found in the context of war, cf. P. Welten, 'Bann I. Altes Testament', in H. R. Balz, et al (ed.), *Theologische Realenzyklopädie 5* (Berlin [u.a.]: de Gruyter, 1980), 159-161, 160.

² Article 2, United Nations, 'Convention on the Prevention and Punishment of the Crime of Genocide adopted by the General Assembly of the United Nations on 9 December 1948', http://untreaty.un.org/cod/avl/pdf/ha/cppcg/cppcg_e.pdf, accessed 7 August 2013

³ In what follows I will refer to the collection of scriptures that Christians call the Old Testament in four different ways, which are each designed to reflect the sense in which a particular group or groups of readers approached them; they are HB, OT, HB/OT and JS. By HB I intend to designate the scriptures written in Hebrew; OT designates the scriptures as part of an emerging or established bi-partite Christian canon; HB/OT covers both previous senses; finally, JS is used in contexts where none of the other senses would be appropriate, e.g. Marcion's who did not read the scriptures in Hebrew, nor consider them as a Christian OT.

This thesis will demonstrate that neither the tensions felt by pious readers nor the concerns by those who do not regard the JS as holy are recent phenomena; in addition, a chapter on violent readings will illustrate that the latter's worries are not entirely unjustified. Before turning to a discussion of why the historical reception of *herem* texts matters, and of the methodology I adopted, I will briefly set out the pertinent biblical texts and describe the shape of the theological and hermeneutical challenge they pose.

0.1 The texts

In this section the most important *herem* texts are set out with minimal comment, in the order in which they appear in the Christian OT canon.⁴ The vast majority of *herem* texts are found in the context of the exodus, the Mosaic proclamation of the law, and the conquest of Canaan. As we will see below, the Israelites are repeatedly commanded to annihilate the inhabitants of Canaan. In a number of texts which in canonical order precede the *herem* accounts, however, it is sometimes Yahweh himself who is presented as the agent of the Canaanites' future destruction; at other times, the latter are said to be destined to be driven out, rather than annihilated.⁵ The command to the Israelites in those canonically earlier texts is limited to destroying the Canaanite altars, and to refraining from entering into treaties or marriages with them, lest they be seduced to worship their gods.⁶ It should also be noted that Leviticus widens the moral discourse concerning the taking of the land, accusing the Canaanites of a number of sins for which the land is said to have vomited them out.⁷ A similar moral condemnation is found in a number of texts in Deuteronomy, in which book the concept of Yahweh granting land to a people and assisting them in the destruction of its previous inhabitants is also applied to other, non-Israelite peoples in the region.⁸

⁴ Texts were selected as being important based on a combination of internal and external criteria, especially the use of *חֵרֵם* in the HB and their *prima facie* correspondence to the UN's definition of genocide. Consequently, uses of *herem* other than in the context of war, such as in the semantic domains of consecration (Lev 27:21.28f; Num 18:14) and the judicial punishment for violating the first commandment (Exod 22:19), are not investigated in this thesis. In what follows, *herem* will thus be used exclusively to refer to "war *herem*," unless otherwise specified. In terms of canonical order, it should be noted, too, that since all pertinent texts are taken from the Law and the Former Prophets, their ordering in the HB is essentially the same as in the OT. Biblical quotations in English are, unless otherwise noted, taken from the *New Revised Standard Version with Apocrypha* (Oxford; New York: Oxford University Press, 1989); in this section, the English terms translating *herem* have been italicized.

⁵ e.g. Exod 23:23.28; 34:11.

⁶ e.g. Exod 23:32f, 34:12-16.

⁷ Lev 18:1-30.

⁸ For moral criticism, cf. Deut 9:4f; 12:31; 18:10-12; for the extension to other peoples, cf. Deut 2:20-22.

In addition to this more immediate context, the wider canonical background includes the divine promise of land to the patriarchs, the divine pronouncement that the iniquity of the Amorites was not yet complete in Abraham's day, and, arguably, Noah's curse on his grandson Canaan.⁹

Having briefly outlined the contours of the surrounding canonical landscape, I now turn to the *herem* texts themselves.

The first pertinent *herem* narrative in canonical order presents *herem* not as something that God commands, but as something the distressed Israelites promise Yahweh in exchange for his aid in battle:

When the Canaanite, the king of Arad, who lived in the Negeb, heard that Israel was coming by the way of Atharim, he fought against Israel and took some of them captive. Then Israel made a vow to the LORD and said, "If you will indeed give this people into our hands, then we will *utterly destroy* their towns." The LORD listened to the voice of Israel, and handed over the Canaanites; and they *utterly destroyed* them and their towns; so the place was called Hormah.¹⁰

The following two *herem* texts are found in the first Mosaic discourse of Deuteronomy. The first account reports the *herem* of the Amorite king Sihon and his people but does not explicitly relate their annihilation to a command by Yahweh:

The LORD said to me, "See, I have begun to give Sihon and his land over to you. Begin now to take possession of his land." So when Sihon came out against us, he and all his people for battle at Jahaz, the LORD our God gave him over to us; and we struck him down, along with his offspring and all his people. At that time we captured all his towns, and in each town we *utterly destroyed* men, women, and children. We left not a single survivor. Only the livestock we kept as spoil for ourselves, as well as the plunder of the towns that we had captured.¹¹

The narrative that immediately follows, however, reports both Yahweh's commendation of Israel's destruction of Sihon and his people and his command to do likewise to another people:

When we headed up the road to Bashan, King Og of Bashan came out against us, he and all his people, for battle at Edrei. The LORD said to me, "Do not fear him, for I have handed him over to you, along with his people and his land. Do to him as you did to King Sihon of the Amorites, who reigned in Heshbon." So the LORD our God also handed over to us King Og of Bashan and all his people. We struck him down until not a single survivor

⁹ cf. e.g. the promises to Abraham (Gen 12:6f, 13:14-17, 15:18-21, 17:5-8), Isaac (Gen 26:3f) and Jacob (Gen 28:13-15, 35:12); for the iniquity of the Amorites, cf. Gen 15:16; for the curse placed on Canaan, cf. Gen 9:18-27.

¹⁰ Num 21:1-3.

¹¹ Deut 2:31-35; cf. the parallel account in Num 21:19-31, which does not contain the term *herem* but simply states that "Israel put him to the sword, and took possession of his land."

was left. At that time we captured all his towns; there was no citadel that we did not take from them-- sixty towns, the whole region of Argob, the kingdom of Og in Bashan. All these were fortress towns with high walls, double gates, and bars, besides a great many villages. And we *utterly destroyed* them, as we had done to King Sihon of Heshbon, in each city *utterly destroying* men, women, and children. But all the livestock and the plunder of the towns we kept as spoil for ourselves.¹²

The following three *herem* texts, also found in Deuteronomy, all take the form of direct divine commandments, or laws. In all three cases the reason given for the annihilation command is that Israel might otherwise be seduced to follow other gods.¹³

The first text looks ahead to Israel's conquest of Canaan and commands the annihilation of its inhabitants, the "seven nations:"

When the LORD your God brings you into the land that you are about to enter and occupy, and he clears away many nations before you-- the Hittites, the Girgashites, the Amorites, the Canaanites, the Perizzites, the Hivites, and the Jebusites, seven nations mightier and more numerous than you-- and when the LORD your God gives them over to you and you defeat them, then you must *utterly destroy* them. Make no covenant with them and show them no mercy.¹⁴

The next text envisages Israel as living in the land and decrees the annihilation of an apostate, idolatrous Israelite town:

If you hear it said about one of the towns that the LORD your God is giving you to live in, that scoundrels from among you have gone out and led the inhabitants of the town astray, saying, "Let us go and worship other gods," whom you have not known, then you shall inquire and make a thorough investigation. If the charge is established that such an abhorrent thing has been done among you, you shall put the inhabitants of that town to the sword, *utterly destroying* it and everything in it-- even putting its livestock to the sword. All of its spoil you shall gather into its public square; then burn the town and all its spoil with fire, as a whole burnt offering to the LORD your God. It shall remain a perpetual ruin, never to be rebuilt.¹⁵

The third text is found in a chapter dealing with rules of warfare, and distinguishes the treatment of towns outside the promised land from those within. To the former, terms of peace are to be offered, and if they are rejected all male inhabitants are to be slain, but women, children and livestock may be taken as booty.¹⁶

¹² Deut 3:1-7; cf. the parallel account in Num 21:33-35, which does not contain the term *herem* but does report the killing of "all his people, until there was no survivor left." This total destruction is sometimes also described as the direct action of Yahweh (Deut 3:21; 31:4).

¹³ Deut 7:4-16; 13:13; 20:18.

¹⁴ Deut 7:1.2.

¹⁵ Deut 13:12-16.

¹⁶ Deut 20:10-15.

The same rule, however, does not apply to the towns of Canaan:

But as for the towns of these peoples that the LORD your God is giving you as an inheritance, you must not let anything that breathes remain alive. You shall annihilate them -- the Hittites and the Amorites, the Canaanites and the Perizzites, the Hivites and the Jebusites -- just as the LORD your God has commanded.¹⁷

The next important block of *herem* texts are narratives found in Joshua, reporting the conquest of Canaan. The first and probably most famous is the sack of Jericho, whose *herem* is commanded by Joshua:

'The city and all that is in it shall be *devoted to the LORD for destruction*. Only Rahab the prostitute and all who are with her in her house shall live because she hid the messengers we sent. As for you, keep away from the things *devoted to destruction*, so as not to covet and take any of the *devoted things* and make the camp of Israel an *object for destruction*, bringing trouble upon it. But all silver and gold, and vessels of bronze and iron, are sacred to the LORD; they shall go into the treasury of the LORD.' So the people shouted, and the trumpets were blown. As soon as the people heard the sound of the trumpets, they raised a great shout, and the wall fell down flat; so the people charged straight ahead into the city and captured it. Then they *devoted to destruction* by the edge of the sword all in the city, both men and women, young and old, oxen, sheep, and donkeys.¹⁸

The next city to be taken is Ai; at first Israel suffers a defeat because Achan had unlawfully taken from the devoted goods, i.e. from the *herem*, of Jericho. Once he and his family have been punished,¹⁹ however, Yahweh commands the destruction of Ai, this time permitting booty to be taken:

"You shall do to Ai and its king as you did to Jericho and its king; only its spoil and its livestock you may take as booty for yourselves. Set an ambush against the city, behind it." [...] When Joshua and all Israel saw that the ambush had taken the city and that the smoke of the city was rising, then they turned back and struck down the men of Ai. And the others came out from the city against them; so they were surrounded by Israelites, some on one side, and some on the other; and Israel struck them down until no one was left who survived or escaped. But the king of Ai was taken alive and brought to Joshua. When Israel had finished slaughtering all the inhabitants of Ai in the open wilderness where they pursued them, and when all of them to the very last had fallen by the edge of the sword, all Israel returned to Ai, and attacked it with the edge of the sword. The total of those who fell that day, both men and women, was twelve thousand-- all the people of Ai. For Joshua did not draw back his hand, with which he stretched out the sword, until he had *utterly destroyed* all the inhabitants of Ai. Only the livestock and the spoil of that city Israel took as their booty, according to the word of the LORD that he had issued to Joshua. So Joshua burned Ai, and made it forever a heap of ruins, as it is to this day.²⁰

¹⁷ Deut 20:16f.

¹⁸ Josh 6:17-21.

¹⁹ Josh 7.

²⁰ Josh 8:2.21-28.

The book of Joshua also contains summaries of the Israelites' campaign against five Amorite kings to the south (ch. 10) and against further kings in northern parts (ch. 11); in both cases several towns are said to have been laid waste, with no survivors being left; the term *herem* is used repeatedly, cf. e.g. these two summary statements: "So Joshua defeated the whole land, the hill country and the Negeb and the lowland and the slopes, and all their kings; he left no one remaining, but *utterly destroyed* all that breathed, as the LORD God of Israel commanded;"²¹ "And all the towns of those kings, and all their kings, Joshua took, and struck them with the edge of the sword, *utterly destroying* them, as Moses the servant of the LORD had commanded."²² The later parts of Joshua, however, indicate that the annihilation of the Canaanites was not total, a circumstance that is also apparent from the beginning of Judges.²³

The final important *herem* text is king Saul's failure to carry out Yahweh's command, relayed by the prophet Samuel, to utterly destroy the Amalekites. The canonical background to this story is the account of Israel's battle against Amalek at Rephidim, which includes Yahweh's statement to Moses, "Write this as a reminder in a book and recite it in the hearing of Joshua: I will utterly blot out the remembrance of Amalek from under heaven."²⁴ In Deuteronomy this promise of divine retribution is rephrased as a command to Israel, "Remember what Amalek did to you on your journey out of Egypt, how he attacked you on the way, when you were faint and weary, and struck down all who lagged behind you; he did not fear God. Therefore when the LORD your God has given you rest from all your enemies on every hand, in the land that the LORD your God is giving you as an inheritance to possess, you shall blot out the remembrance of Amalek from under heaven; do not forget."²⁵ While the two preceding statements speak of annihilation, neither contains the term *herem*.

In 1 Samuel, however, the term is used several times. The scene is set when Samuel gives Saul the following command, "Thus says the LORD of hosts, 'I will punish the Amalekites for what they did in opposing the Israelites when they came up out of Egypt. Now go and attack Amalek, and *utterly destroy* all that they have; do not spare them, but kill both man and woman, child and infant, ox and sheep, camel and donkey.'"²⁶

²¹ Josh 10:40.

²² Josh 11:12.

²³ cf. e.g. Josh 16:10, 17:12f; Judg 1:28-33, 2:1-3, 3:1-6.

²⁴ Exod 17:14.

²⁵ Deut 25:17-19.

²⁶ 1 Sam 15:2f.

A few verses later, the narrative continues with the partial implementation of Samuel's orders:

Saul defeated the Amalekites, from Havilah as far as Shur, which is east of Egypt. He took King Agag of the Amalekites alive, but *utterly destroyed* all the people with the edge of the sword. Saul and the people spared Agag, and the best of the sheep and of the cattle and of the fatlings, and the lambs, and all that was valuable, and would not *utterly destroy* them; all that was despised and worthless they *utterly destroyed*. The word of the LORD came to Samuel: "I regret that I made Saul king, for he has turned back from following me, and has not carried out my commands." [...] Samuel said, "Though you are little in your own eyes, are you not the head of the tribes of Israel? The LORD anointed you king over Israel. And the LORD sent you on a mission, and said, 'Go, *utterly destroy* the sinners, the Amalekites, and fight against them until they are consumed.' Why then did you not obey the voice of the LORD? Why did you swoop down on the spoil, and do what was evil in the sight of the LORD?" Saul said to Samuel, "I have obeyed the voice of the LORD, I have gone on the mission on which the LORD sent me, I have brought Agag the king of Amalek, and I have *utterly destroyed* the Amalekites. But from the spoil the people took sheep and cattle, the best of the *things devoted to destruction*, to sacrifice to the LORD your God in Gilgal."²⁷

The story ends with Samuel pronouncing the judgment that the kingdom would be taken from Saul, and the report that "Samuel hewed Agag in pieces before the LORD in Gilgal."²⁸

Finally, a similar motif is found in a narrative in which the Israelite king Ahab spares the life of king Ben-hadad of Aram only to be told by a prophet, "Thus says the LORD, 'Because you have let the man go whom I had *devoted to destruction*, therefore your life shall be for his life, and your people for his people.'"²⁹

After this concise presentation of the pertinent texts, I will now briefly set out the theological and hermeneutical challenge they pose.

0.2 The theological and hermeneutical challenge

The moral and hermeneutical difficulty *herem* texts cause for pious readers of the HB/OT can be described in terms of the following inconsistent set of propositions, i.e. in terms of propositions that cannot all be true at the same time:

- (1) God is good.
- (2) The bible is true.
- (3) Genocide is atrocious.

²⁷ 1 Sam 15:1-3;7-11a;17-21.

²⁸ 1 Sam 15:33.

²⁹ 1 Kgs 20:42.

- (4) According to the bible, God commanded and commended genocide.

This set becomes inconsistent when combined with the following proposition:

- (5) A good being, let alone the supremely good Being, would never command or commend an atrocity.³⁰

This analytical presentation of the challenge is, of course, rough and preliminary. It contains a number of ambiguities that are in need of further clarification, e.g. what is the relationship between the “God” of the first premise and Yahweh of the OT? What does it mean for the bible to be true? What if anything does premise (2) claim in terms of the historicity of *prima facie* historical narratives? Throughout the thesis, I will address these and similar questions in as far as they are relevant to actualized instances of reception; in my conclusion I will return to the hermeneutical challenge and discuss the various options and nuances that emerge from the present study of reception history.

It should also be noted, however, that even the preliminary fashion in which the challenge is stated above has not primarily been derived from contemporary philosophical considerations but has been shaped through my interaction with centuries of actualized reception, thus somewhat mitigating the risk of imposing alien criteria and concepts on texts from very different ages. Within the present thesis, the above presentation of the hermeneutical challenge essentially functions as a heuristic device that is designed to clarify the issues involved and to inform the questions that one might ask with respect to the texts’ reception. However, the analysis will not be limited to considering issues that can be framed in the terms of the dilemma.

The hermeneutical challenge as set out above is structurally the same for Jewish and Christian readers of the HB/OT. However, there is a further complication for Christians, who from the very beginning have read the JS in light of their faith in Jesus Christ, and soon began to read them through the lens of the writings that were eventually to comprise the NT. This emerging bi-partite canon brought with it additional tensions, e.g. the question of the internal coherence

³⁰ This way of framing the challenge is indebted to a similar presentation of the issue found in R. Rausser, "Let Nothing that Breathes Remain Alive': On the Problem of Divinely Commanded Genocide", *Philosophia Christi* 11.1 (2009), 27-41, 28f. In the body of the thesis I will be referring to this inconsistent set of propositions variously as the hermeneutical challenge or the framing dilemma; it is a *dilemma* in the sense that it presents the choice of either giving up at least one of the propositions or denying, against logic, that the set is inconsistent.

between divine annihilation commands on the one hand, and, on the other, say, the command by Jesus Christ to turn the other cheek and to love one's enemy.³¹

The inherent tensions outlined above do not only pose a challenge to pious Jews and Christians but also represent an opportunity for those who wish to call into question or criticise their respective faiths and scriptures; as will be seen below, critics have indeed at times seized on these texts and tensions, though possibly not as much as someone with twenty-first century sensibilities might have expected.

Finally, beyond the matter of hermeneutical tensions for "insiders" and criticisms for "outsiders," there is the question of imitating what one reads, i.e. the question of whether these texts have been read in ways that inspired, condoned or justified violence in the respective readers' present.

0.3 The method

The present thesis seeks to illuminate the issues presented above by primarily asking one question, viz. what have pious readers, more specifically pious Christian readers, made of *herem* texts?³²

As such it is an exercise in reception history, drawing its data from the inexhaustible well of "[t]he reception of the bible [which] comprises every single act or word of interpretation of that book (or books) over the course of three millennia."³³ In contradistinction to reception *tout court*, reception *history*, according to Roberts, consists "of selecting and collating shards of that infinite wealth of reception material in accordance with the particular interests of the historian concerned, and giving them a narrative frame."³⁴

Before giving an account of the criteria of selection that I have employed in this thesis, a brief summary of the historical practice of reception history will serve to place the present work in its historical context.

³¹ Matt 5:39.44.

³² The adjective "pious" is here used simply to denote those readers who read the *herem* texts as part of their holy scriptures, rather than as, say, objects of non-confessional historical enquiry.

³³ J. Roberts, 'Introduction', in M. Lieb, et al (ed.), *The Oxford Handbook of the Reception History of the Bible* (Oxford: Oxford University Press, 2011), 1-10, 1.

³⁴ *ibid.*, 1f.

0.3.1 Biblical reception history from antiquity to the Enlightenment

It is commonly acknowledged today that the recorded *reception* of the bible begins within the HB/OT itself;³⁵ another very important early form of reception is the translation of the HB into Greek;³⁶ in terms of the Christian bible, the reception of the OT in the NT marks a crucial next step;³⁷ it continues in the works of those whom later generations termed fathers of the Church, but is of course by no means limited to them; it also includes, e.g., the readings of those termed heretics or pagans by their contemporaries or later generations.

The beginnings of biblical reception *history* are also found in antiquity; in terms of Judaism, the formation of the Mishnah arguably marks the start, in the sense that the reception of the HB by prior generations of rabbis are collected in it, and are, by virtue of juxtaposition, compared and contrasted.³⁸

In terms of Christianity, Procopius of Gaza (ca. 465-529), writing in Greek, is of particular importance, since he adapted for the field of biblical interpretation the existing cultural practice “of collecting scholia on Homer and other classical texts, and making excerpts from earlier commentaries.”³⁹ While Procopius may not have been the first Christian to do so, a number of

³⁵ cf. e.g. Michael A. Fishbane, *Biblical Interpretation in Ancient Israel* (Oxford: Clarendon, 1988); Henning G. Reventlow, *Epochen der Bibelauslegung. Bd 1, Vom Alten Testament bis Origenes* (München: Beck, 1990), 11-23.

³⁶ Most of the Christians whose reception of *herem* is analysed below did not read מרחק texts *sensu stricto* at all, since they read the LXX, or the Vetus Latina or Vulgate. Where relevant, I will comment on specific Greek and Latin equivalents used by translators and commentators in the analysis below. For the LXX, Park provides the following list of equivalents: ἀνάθεμα (19/19), ἀναθεματίζω (11/11), ἀνάθημα (2/2), ἐξολέθρευμα (1/1), ὀλεθριος (1/1), ἀνατίθημι (3/6), ἄρδην (1/2), ἐξολεθρεύω (23/204), ἀφόρισμα (1/11), (θανάτω) ὀλεθρεύω (1/14), ἐξερημόω (1/18), ἀφανίζω (3/77), φονεύω (1/45), ἀφανισμός (1/48), ἐρημόω (1/53), ἀπώλεια (1/74), ἀποκτείνω (1/169), ἀφορίζω (1/85), ἀπόλλυμι (3/271). The numbers in brackets indicate the degree of correlation with the MT's use of *herem*, i.e. uses corresponding to *herem*/total uses in the LXX; Hyung Dae Park, *Finding Herem? A Study of Luke-Acts in the Light of Herem* (London: T&T Clark, 2007), 54f, and Table 3.1, 56.

³⁷ cf. e.g. Reventlow, *Bibelauslegung* 1, 52-103; H. Hübner, 'New Testament Interpretation of the Old Testament', in M. Saebø (ed.), *Hebrew Bible/Old Testament: The History of its Interpretation. Vol 1, from the Beginnings to the Middle Ages (Until 1300). Pt 1, Antiquity* (Göttingen: Vandenhoeck & Ruprecht, 1996), 332-372.

³⁸ cf. D. Kraemer, 'Scriptural Interpretation in the Mishnah', in M. Saebø (ed.), *Hebrew Bible/Old Testament* 1/1, 278-284; Reventlow, *Bibelauslegung* 1, 104-116.

³⁹ B. t. Haar Romeny, 'Procopius of Gaza and His Library', in H. Amirav and Bas ter Haar Romeny (ed.), *From Rome to Constantinople: Studies in Honour of Averil Cameron* (Leuven: Peeters, 2007), 173-190, 190; cf. also G. Emrich, 'Prokopius Von Gaza', in *Biographisch-Bibliographisches Kirchenlexikon*, Band VII (1994), Spalten 993-994, www.bautz.de. Accessed 24 August 2013.

catenae and commentaries ascribed to him have come down to us, and are important early examples of a Christian collecting and arranging prior exegetical works.⁴⁰

Among Latin authors, Isidore of Seville (ca. 560 - 636) and his *Quaestiones in Vetus Testamentum* are an early landmark. They are a florilegium drawn from a variety of earlier Christian exegetical works to which Isidore had access in Latin; for the Christian interpretation of the bible they represent, “den Übergang zu einer neuen Epoche. An die Stelle der Originalität und Kreativität...tritt nun ein bewußter Traditionalismus, dem es vor allem darauf ankommt, das exegetische Erbe aus den ersten Jahrhunderten der Kirchengeschichte möglichst umfassend zu bewahren.”⁴¹

As far as Western Christianity is concerned, this interest in being guided by the exegetical insights of earlier generations continued unabated into the Middle Ages.⁴² In Carolingian times, the method of arranging important interpretative insights in the form of *catenae* was complemented by the new one of presenting them as inter-linear and marginal glosses to the biblical text, which reached its apex in what has become known as the *Glossa Ordinaria*.⁴³

The Renaissance and Reformation emphasis on returning *ad fontes*, in turn, often brought with it a clear distinction between the authoritative biblical text and potentially fallible interpretations;⁴⁴ however, it should also be noted that Luther often happily followed Augustine, and that Calvin drew on a number of patristic exegetes, while also, importantly, feeling at liberty to disagree with them.⁴⁵ As far as I can see, among sixteenth century reformers a wholesale rejection of Patristic precedents was found only among those who modern historical scholarship tends to group together as representatives of the Radical Reformation;⁴⁶ some Lutherans, by

⁴⁰ Haar Romeny argues that Procopius' was not in fact the first Christian catena; cf. Haar Romeny, *Procopius*.

⁴¹ Henning G. Reventlow, *Epochen der Bibelauslegung. Bd 2, Von der Spätantike bis zum Ausgang des Mittelalters* (München: Beck, 1994), 117.

⁴² This is of course even more so the case for Eastern Orthodox Christianity, and also continued to be the case in Judaism; however, since the present thesis is located in the academic culture shaped by the history of Catholic and Protestant Western Europe, I will focus on this aspect of the history.

⁴³ cf. *ibid.*, 146-149; Lesley Smith, *The Glossa Ordinaria: The Making of a Medieval Bible Commentary* (Leiden; Boston: Brill, 2009).

⁴⁴ cf. e.g. the Church of England's Articles of Religion XX and XXI.

⁴⁵ D. Steinmetz, 'Calvin and the Patristic Exegesis of Paul', in D. Steinmetz (ed.), *The Bible in the Sixteenth Century* (Durham: Duke University Press, 1990), 100-118.

⁴⁶ cf. e.g. Thomas Müntzer who boldly claimed “es ist niemals mit einem einzigen Gedanken geäußert worden oder in allen Büchern der Kirchenlehrer von Beginn ihres Schreibens nachgewiesen worden, was die rechte Taufe ist,” *Protestation und Ehrerbietung* (1524), in Thomas Müntzer, *Thomas Müntzer: Schriften und Briefe* (Frankfurt am Main: Fischer Taschenbuch Verlag, 1973), 53.

contrast, went so far as to argue that preachers should always be ready to support their points by citing opinions from the church fathers.⁴⁷ Unsurprisingly, Roman Catholic exegetes were even more closely bound to the exegetical tradition.⁴⁸ In fact, some medieval catenae were reprinted into the eighteenth century in the service of Catholic polemical purposes.⁴⁹

While scepticism about tradition was thus an important but not unqualified component of the Protestant Reformation, Enlightenment thinkers took the suspicion of tradition to new extremes. According to Gadamer, the modern European Enlightenment was uniquely radical precisely insofar “sie sich gegen die Heilige Schrift und ihre dogmatische Auslegung durchsetzen mußte.”⁵⁰ The Enlightenment’s calling into question of authority went hand in hand with the development of a critical, historical method: “Was geschrieben steht, braucht nicht wahr zu sein. Wir können es besser wissen. Das ist die allgemeine Maxime, unter der die moderne Aufklärung der Überlieferung entgegentritt, und durch die sie schließlich zur historischen Forschung wird.”⁵¹

This is not the place to provide an account and analysis of the impact the Enlightenment and its historical-critical method had on the study of the bible; the pertinent point for present purposes is that in terms of academic biblical commentary, an Enlightenment approach often meant that “[t]he goal of a commentary was primarily if not exclusively to get behind centuries of accumulated Christian and Jewish tradition to one single meaning, normally identified with the author’s original intention.”⁵²

0.3.2 The recent resurgence of reception history

While the scholarly practice of reception history thus waned as a result of the Enlightenment, it has undergone something of a revival in recent years; witness, for instance, the

⁴⁷ cf. e.g. S. Hendrix, 'The use of Scripture in Establishing Protestantism. The Case of Urbanus Rhegius', in D. Steinmetz (ed.), *The Bible in the Sixteenth Century* (Durham: Duke University Press, 1990), 37-48.

⁴⁸ For examples taken from the rule of Ignatius, cf. Henning G. Reventlow, *Epochen der Bibelauslegung. Bd 3, Renaissance, Reformation, Humanismus* (München: Beck, 1997), 209f.

⁴⁹ cf. Reventlow, *Bibelauslegung 2*, 147

⁵⁰ Hans-Georg Gadamer, *Wahrheit Und Methode* (Tübingen: J.C.B.Mohr (Paul Siebeck), 1990 [6. Auflage, durchgesehen, 5. Aufl. 1986 erweitert für 'Gesammelte Werke'; 1. Aufl. 1960]), 276.

⁵¹ *ibid.*, 277.

⁵² J. Sawyer et al, 'Series Editors' Preface', in M. J. Edwards, *John through the Centuries* (Oxford: Blackwell Publishers, 2004), ix-x.

launch of four commentary series and of a monumental new theological encyclopedia, who all share an emphasis on the reception of the bible.⁵³

The editors of the *Encyclopedia of the Bible and its Reception* trace the literary-historical roots of the contemporary scholarly enterprise of reception history to late nineteenth-century *Stoffgeschichte*;⁵⁴ in terms of the theological practice, Parris highlights the influence of von Dobschütz's 1909 article "The bible in the Church," Ebeling's 1964 book *Wort Gottes und Tradition*, and Froehlich's 1977 inaugural lecture "Church History and the bible."⁵⁵

However, with respect to reception history's academic rehabilitation, and its theoretical and philosophical underpinnings, the work of Hans-Georg Gadamer is of undisputed and unparalleled importance.⁵⁶ In terms of academic biblical commentary, Brevard Childs' 1974 volume on Exodus broke fallow ground by including a section on "History of Exegesis."⁵⁷ Ulrich Luz's monumental commentary on Matthew expanded on this approach and applied it to the New Testament.⁵⁸ While fitting within Gadamer's overarching account of historical consciousness, my own approach is not heavily theory-driven and most similar to Luz's; I will therefore, in the following paragraphs, situate the present thesis by comparing and contrasting its methodology with Luz's account of his own work and a recent criticism of it.

Luz differentiates between *Auslegungsgeschichte* ("history of interpretation" in the ET of his commentary) and *Wirkungsgeschichte* ("history of the influence of the text"); in Luz's usage the former, narrower term refers to "interpretations of a text particularly in commentaries," whereas the latter designates "how the text is received and actualized in media other than commentaries--in verbal media such as sermons, canonical documents, and 'literature,' as well as in nonverbal media such as art and music, and in the church's activity and suffering, that is, in church

⁵³ cf. *Ancient Christian Commentary on Scripture* (1998-2010, <http://www.ivpress.com/accs/>); *Blackwell Bible Commentaries* (2003-present, <http://bbibcomm.net/>); *The Church's Bible* (2003-present; <http://www.eerdmans.com/Products/CategoryCenter.aspx?CategoryId=SE!CB>); *Reformation Commentary on Scripture* (2011-present, <http://www.ivpress.com/rcs/>); *Encyclopedia of the Bible and its Reception* (2009-present, <http://www.degruyter.com/view/db/ebr>).

⁵⁴ Dale C. Allison Jr., et al, 'Introduction', http://www.degruyter.com/staticfiles/content/dbsup/EBR_02_Introduction.pdf. Accessed 11 August 2013.

⁵⁵ David P. Parris, *Reception Theory and Biblical Hermeneutics* (Eugene: Pickwick Publications, 2009), xii-xiv.

⁵⁶ Gadamer, *Wahrheit Und Methode*; cf. e.g. Parris, *Reception Theory*, 32-115, and Anthony C. Thiselton, *New Horizons in Hermeneutics* (London: Harper Collins, 1992), 313-343; for an account of the way in which Hans Robert Jauss developed Gadamer's approach, cf. Parris, *Reception Theory*, 116-169.

⁵⁷ Brevard S. Childs, *The Book of Exodus: A Critical, Theological Commentary* (Philadelphia: Westminster Press, 1974).

⁵⁸ Ulrich Luz, *Das Evangelium Nach Matthäus. 4 Teilbände* (Zürich; Neukirchen-Vluyn: Benziger; Neukirchener Verlag, 1985-2002).

history.”⁵⁹ Luz prefers *Wirkungsgeschichte* to *Rezeptionsgeschichte* because the latter, he writes, “connotes for me primarily the people who receive the text, while *Wirkungsgeschichte* suggests for me the effective power of the texts themselves. For me that is what is basic.”⁶⁰ Luz also highlights the indebtedness of his approach to Gadamer’s work while acknowledging that he is “doing what Gadamer himself did not want, namely ‘enquiry into the effective-history of a particular work[;] as it were, the trace a work leaves behind.’”⁶¹

In contradistinction to Luz, Mary Callaway attempts to clearly differentiate reception history from the history of interpretation, claiming that the two are not always compatible because their “orientation is fundamentally different.”⁶² According to her definition, the latter “is indigenous to Jewish and Christian tradition,” whereas the former “has its origin in philosophy and its methods in cultural studies.”⁶³ Callaway points out that despite the breadth of genres included in Luz’s definition and practice of *Wirkungsgeschichte*, it is “limited to the *Christian* history of influence.”⁶⁴ Therefore, she concludes, Luz’s history of influence “is not really Gadamer’s *Wirkungsgeschichte* at all, because it is limited to readers in the Church.”⁶⁵ Callaway contrasts Luz’s approach with readings collected in Yvonne Sherwood’s work on Jonah, which includes uses of the narrative that are “subversive to the mainstream received Christian tradition” and encompass “anti-biblical and post-modern elements.”⁶⁶ For Callaway, history of interpretation has traditionally been pursued with a theological interest, whereby the collection of varying interpretations was based on “the underlying assumption...that those diverse readings were facets of a single Truth, and that the Author of the text was a participant in the readings.”⁶⁷ By contrast, “[t]he basic orientation of Reception History is *historical* and cultural” and combines a “mixture of historical, sociological and anthropological approaches.”⁶⁸

⁵⁹ U. Luz, 'Introduction', in H. Koester (ed.), *Matthew 1-7: A Commentary* (Minneapolis, MN: Fortress Press, 2007), 1-66, 61.

⁶⁰ *ibid.*

⁶¹ *ibid.*, 62.

⁶² Mary Chilton Callaway, 'What's the Use of Reception History? Paper presented to the SBL (2004)', <http://bbibcomm.net/files/callaway2004.pdf>. Accessed 11 August 2013, 2.

⁶³ *ibid.*, 4f.

⁶⁴ *ibid.*, 7, emphasis original.

⁶⁵ *ibid.*, 9.

⁶⁶ *ibid.*, 10f.; cf. Yvonne Sherwood, *A Biblical Text and its Afterlives: The Survival of Jonah in Western Culture* (Cambridge: Cambridge University Press, 2000).

⁶⁷ Callaway, *Reception History*, 11.

⁶⁸ *ibid.*, 12f; emphasis original.

0.3.3 *The criteria of selection*

Callaway's critique of Luz is essentially a critique of the criteria he used for selecting instances of reception to be included in his commentary. Roberts also sees the selection criteria as of paramount importance for reception history; according to him, any reception historian must chiefly answer three questions, viz. "*whose* responses do they deem to be of importance?", and "how is the choice of material to be justified, and to what end is it being marshalled?"⁶⁹

In the following paragraphs I will seek to answer these questions with respect to the present thesis.

My first interest in writing this thesis was to elucidate, by means of historical and analytical inquiry, the shape of the theological and hermeneutical problem posed by *herem* texts as briefly outlined above. As a consequence I was primarily interested in the response of those readers who read the *herem* texts as part of their holy scriptures, i.e. in readers who are "pious" in the sense that they share the assumption that (1) God is good, and (2), the bible is true.

I have further narrowed down my focus to pious *Christian* readers, and this for two reasons; first, investigating the variegated and fascinating responses of Jewish interpreters would have required time, space and competences that were not available to me in the context of this project; second, the bi-partite Christian canon contains specific hermeneutical challenges and resources that substantially differ from the context in which pious Jews interpret their scriptures, which means that a separate treatment is justified on substantive grounds.

I have, however, by no means restricted my research to reception by pious readers, but have also included readings of those who denied, say, the premise that God is good, or that the bible is true; in fact, the readings of Christian authors were often developed precisely in response to such alternative approaches and can scarcely be understood properly apart from them. It should also be noted that I did not at the outset operate with a particular definition of the term Christian in mind, beyond an acceptance of the centrality of Jesus Christ.

Even with these qualifications in place, however, the roughly 2,000 years of Christian reception of the HB/OT offer a wealth of instances of reception that are impossible to catalogue and analyze exhaustively. The most important criterion in further narrowing down which instances of reception to include was the decision to give priority to early and/or to particularly

⁶⁹ Roberts, *Introduction*, 2.

influential readings.⁷⁰ I have attempted to review all potentially relevant patristic sources, and have aspired to a similar level of comprehensiveness only for the medieval crusades; in other respects I have focused on particularly influential or illuminating readings.⁷¹

Another criterion for selection was based on the recognition that the way in which pious readers deal with violent texts in their holy scriptures is not only a hermeneutical puzzle for the faithful, but has considerably wider implications. It is relevant to note in this context that a substantial body of recent literature links monotheism, and biblical monotheism especially, to violence.⁷² In this literature, the command to commit “the other” to *herem* is sometimes cited as a particularly pertinent example of such violence.⁷³ Against this background, the biggest contemporary concern with *herem* texts arguably is the danger that they might be re-actualized, i.e. read in terms that justify genocidal violence not only in the distant Israelite past but also in the respective readers’ contemporary situation. In light of this important and pressing concern, I have also sought to include instances of reception that promoted or justified violence.

In terms of the type of material taken into consideration, then, the present thesis is an exercise in *Wirkungsgeschichte* rather than simply *Auslegungsgeschichte* (on Luz’s terms), since I have not restricted myself to the analysis of commentaries but have also included such verbal sources as polemical treatises, sermons, canonical documents, poems, songs and inscriptions, and cases of nonverbal reception such as massacres of women and children (albeit mediated through verbal records). The inclusion of discordant voices such as those of Marcion, Ptolemy, Celsus, Faustus and Mathew Tindal would suggest that “reception history” is the appropriate categorical label for the present work even on Callaway’s terms, rather than her narrower “history of interpretation.”⁷⁴

⁷⁰ This is essentially the same as Luz’s criterion no. 3, cf. Luz, *Introduction*, 62.

⁷¹ For patristic sources I consulted all pertinent comments listed under the potentially relevant verses in the various electronic volumes of the *Biblia patristica: index des citations et allusions bibliques dans la littérature patristique*. Paris: Éditions du Centre National de la Recherche Scientifique. For Augustine, whose work is not indexed in the BP, I searched for a variety of relevant lemmata in the online Giessen edition of his corpus (for details, cf. chapter 4); for the medieval crusades I carried out similar lemmatized searches in online collections and also consulted various indices (for details, cf. chapter 5).

⁷² Among the many recent contributions cf. e.g. Regina Schwartz, *The Curse of Cain: The Violent Legacy of Monotheism* (Chicago: University of Chicago Press, 1997), Jan Assmann, *Die mosaische Unterscheidung, oder, Der Preis des Monotheismus* (München: Carl Hanser, 2003) and Jan Assmann, *Of God and Gods: Egypt, Israel, and the Rise of Monotheism* (Madison, Wisc.: University of Wisconsin Press, 2008).

⁷³ e.g. Assmann, *Of God and Gods*, 113f (Deut 13:7-10), 117f (Deut 20:16f).

⁷⁴ However, my methodology is historical and analytical and does not employ sociological and anthropological approaches, which are also included in Callaway’s definition.

Finally, in this section, it remains for me to answer Roberts' final question, viz. "to what end is [the material] being marshalled."

At the most basic level, the present collection and analysis of material serves the goal of reception history as defined by Callaway, i.e. "to make readers aware of something they took for granted; to make strange what was assumed to be natural, to make local what was unconsciously taken to be universal, and to make historical what seemed timeless. The point is not to devalue tradition but to make it visible, so that we can better understand our hermeneutical situation and that of others."⁷⁵ In light of this thesis, readers of the bible -- especially but not exclusively pious readers -- should therefore be able to better understand their hermeneutical situation with respect to *herem* texts.

Second, both the non-violent figurative readings presented in the third chapter, and the violent quasi-genocidal readings in the fifth, are a testimony to the "abundance of the meaning potential in biblical texts;"⁷⁶ by the same token, they, along with the divine-command-theory approaches presented in chapter four, also afford contemporary readers an opportunity to "learn from successful and unsuccessful realizations of the biblical texts."⁷⁷

Finally, the present thesis is an historical-analytical contribution to the global discourse regarding the relationship between violence and religion, which has been steadily gaining in momentum and importance since the question rose to the fore of global consciousness on 11 September 2001.⁷⁸

0.4 Recent reception historical treatments of herem and related texts

0.4.1 The Encyclopedia of the Bible and its Reception

Several entries in the recently launched *Encyclopedia of the bible and its Reception* (EBR) touch on the topic of *herem*. The article "Ban, Banishment (H̄erem)" summarizes its occurrence in the HB/OT before tracing its reception from Second Temple to Modern Judaism (but not in Christianity or other traditions); with respect to the post-biblical reception in Judaism, the article does not discuss the moral challenge of the extermination command; however, the use of *herem*,

⁷⁵ Callaway, *Reception History*, 12f; emphasis original

⁷⁶ Luz, *Introduction*, 64.

⁷⁷ *ibid.*, 65; cf. Luz's point 2.5.

⁷⁸ Among the many publications, cf. e.g. Richard S. Hess and E. A. Martens (eds.), *War in the Bible and Terrorism in the Twenty-First Century* (Winona Lake, IN: Eisenbrauns, 2008).

from rabbinic Judaism onward, to denote banishment, and the emerging differentiation between the more lenient punishment of *niddui* (ejection) and the harsher terms of *herem* is of interest, especially as it parallels the developing use of *anathema* (one of the terms frequently used to translate *herem* in Greek and Latin versions of the HB) in the Christian tradition, and the emerging ecclesial differentiation between the more limited *excommunication* and the harsher, all-encompassing *anathema*.⁷⁹

The EBR also contains an article on Amalek and the Amalekites covering their treatment in the bible, in Judaism, literature and the visual arts; the section on Jewish reception refers to rabbinic justifications for the extermination command, which provide an interesting point of comparison to the Christian approaches that are the subject of the present thesis. In addition, some of the literature and visual arts discussed in the article are by Christian authors; however, these latter sections do not address the morality of the annihilation commands, and are thus not directly pertinent to the question in hand.⁸⁰

The EBR's article on the Canaanites is also of interest; it contains sections on archaeology, ANE and HB/OT, Judaism and film; the section on Judaism again summarizes attempts by certain rabbis to address the moral challenge of the extermination command; it also notes that in films, some of which arguably are instances of Christian reception, the Canaanites are frequently portrayed as the "quintessential 'others'", providing a "visual and moral contrast to the Israelites. They are depicted as more ornamented, more sensual, more primitive and more corrupt than the bible's ancestral heroes."⁸¹

0.4.2 Thomas Elßner

Thomas Elßner's Habilitationsschrift published as *Josua und seine Kriege in jüdischer und christlicher Rezeptionsgeschichte* retraces and analyses the reception of Joshua and his wars from antiquity to the seventeenth century;⁸² in addition to discussing the reception within the OT and

⁷⁹ "Ban, Banishment (Herem)" *Encyclopedia of the Bible and its Reception Online*. Berlin, Boston: De Gruyter. 2011. Retrieved 12 Aug. 2013, from http://www.degruyter.com/view/EBR/MainLemma_12712; "Anathema, Anathematism" *Encyclopedia of the Bible and its Reception Online*. Berlin, Boston: De Gruyter. 2009. Retrieved 12 Aug. 2013, from http://www.degruyter.com/view/EBR/MainLemma_3778.

⁸⁰ "Amalek, Amalekites" *Encyclopedia of the Bible and its Reception Online*. Berlin, Boston: De Gruyter. 2009. Retrieved 12 Aug. 2013, from http://www.degruyter.com/view/EBR/MainLemma_4302.

⁸¹ "Canaanites" *Encyclopedia of the Bible and its Reception Online*. Berlin, Boston: De Gruyter. 2012. Retrieved 12 Aug. 2013, from http://www.degruyter.com/view/EBR/MainLemma_10150.

⁸² Thomas R. Elßner, *Josua und seine Kriege in jüdischer und christlicher Rezeptionsgeschichte* (Stuttgart: Kohlhammer, 2008).

NT, Elßner offers an analysis of both Jewish and Christian reception, covering Philo, Josephus, the rabbinical tradition as well as Maimonides on the one hand, and, on the other, Clemens, Barnabas, Justin Martyr, Origen and Augustine, as well as high and late scholasticism.

The prominence of the book of Joshua with respect to *herem* means that there is a substantial amount of overlapping interest between the present thesis and Elßner's work, which has proved to be a useful guide and point of comparison. However, Elßner's exclusive focus on the person and book of Joshua also means that a number of key *herem* texts fall entirely outside the scope of his study, such as those found in Numbers, Deuteronomy and 1 Samuel; in addition, and in contradistinction to Elßner, I have chosen to also include dissenting voices, such as those of Marcion and Ptolemy, and have considered numerous instances of reception not included in his work, both in the case of authors he treats, such as Origen and Augustine, and, naturally, in areas he does not consider, such as the crusades or the Spanish conquest of the Americas. Rather than attempting to summarize Elßner's presentation and analysis of the pertinent reception history, I will throughout the thesis note where my work is indebted to his, and where my analysis differs.

0.4.3 Louis Feldman

Louis Feldman's *Remember Amalek!* attempts to do for Hellenistic Jewish exegesis something comparable to what this thesis seeks to accomplish for Christian reception, i.e. he "seeks to understand how three ancient Jewish systematic commentators on the bible [...] wrestled with the issues involved in [the divine command to annihilate Amalek.]"⁸³ To this end he examines the works of Philo, Pseudo-Philo and Josephus not only with respect to their comments on Amalek but also to other biblical passages that give rise to similar moral concerns; these include a number of additional *herem* texts, i.e. the command to annihilate the seven nations of Canaan, the utter destruction of Og and Sihon and their people, and that of Jericho. Beyond these, Feldman also considers the Great Flood, Sodom and Gomorrah, the plague on the first-born Egyptians, the annihilation of the Hivites in revenge of the rape of Dinah, the extermination of the priests of Nob and the zealous deeds of Phinehas.

With respect to the reception of *herem* the following of Feldman's results are the most pertinent: none of the three authors specifically discusses the morality of the divine command to annihilate Amalek; Josephus alone reports the command to annihilate the seven nations,

⁸³ Louis H. Feldman, *"Remember Amalek!": Vengeance, Zealotry, and Group Destruction in the Bible According to Philo, Pseudo-Philo, and Josephus* (Cincinnati, OH: Hebrew Union College Press, 2004), ix.

justifying it as necessary for the very survival of the Jewish people; none of the three find it necessary to defend the cruel treatment of Og and Sihon; with respect to Jericho, Josephus presents the actions as justified in the context of war, while Philo does not comment on it (his biblical exegesis being largely confined to the Pentateuch), and Pseudo-Philo does not specifically mention the killing of men, women and children.⁸⁴

Feldman's work thus provided a very instructive background to and point of comparison for the present thesis.⁸⁵

0.4.4 Other pertinent recent works

Todd Lake's unpublished PhD thesis "Did God Command Genocide? Christian Theology and the *Herem*" includes a lengthy section that is intended to demonstrate the different ways in which *herem* texts were read before and after what he terms "the Augustinian revolution;"⁸⁶ Lake's main conclusion is that for interpreters prior to Ambrose and Augustine "it was important to insist that such events had not occurred, [while] Ambrose was willing to accept their historicity."⁸⁷ This, he argues, was because the "Alexandrines" had assumed the immorality of *herem*.⁸⁸ As the analysis below will show, however, this conclusion lacks proper warrant and is in fact mistaken, even with respect to Origen, who was, perhaps, the ancient Christian interpreter most ready to accept the possibility of non-historical elements in the bible.⁸⁹

John Thompson's *Reading the bible with the Dead* sets out to investigate "how the church has read important but difficult parts of the bible;"⁹⁰ Thompson's interest, however, is not merely antiquarian but is aimed at an unapologetically contemporary benefit, which is based on the conviction that "the bible is better read and used when traditional commentators--the teachers and preachers of the early church, the Middle ages, and the Reformation era--are invited to join

⁸⁴ cf. the summary in *ibid.*, 217-225.

⁸⁵ cf. the brief section on Philo below, which engages with some of the same material as Feldman.

⁸⁶ T. L. Lake, "Did God Command Genocide? Christian Theology and the *Hērem*" (Boston, MA: Boston College, 1997), 19-111.

⁸⁷ *ibid.*, 62.

⁸⁸ *ibid.*, 74.

⁸⁹ Todd's argument is not helped by a number of obvious mistakes, e.g. the attribution of the same quotation once, wrongly, to Irenaeus (quoted in English), and a few pages later, correctly, to Origen (quoted in French), cf. *ibid.*, 31, 42; It would be tedious to engage with an unpublished work to the degree of regularly footnoting such and other discrepancies; I have therefore not done so.

⁹⁰ John Lee Thompson, *Reading the Bible with the Dead: What You can Learn from the History of Exegesis that You can't Learn from Exegesis Alone* (Grand Rapids, Mich: Eerdmans, 2007), ix.

us in a conversation about the meaning of Scripture for our own day.”⁹¹ The texts he discusses are grouped around three broad themes, viz. violence and abuse; domestic relations; and women in church leadership; the first category includes chapters on Jephtah’s daughter and the imprecatory psalms; *herem* texts, however, do not feature.⁹²

In addition, several commentaries in the reception-focused series mentioned above, unsurprisingly, also include excerpts and/or summaries of pertinent readings.⁹³ A number of additional recent works include pertinent sections on historical reception, but are primarily attempts to set out constructive Christian readings of *herem*; they will accordingly be discussed in chapter six as instances of Christian reception, rather than at this point. Brevard Childs’ *The Struggle to Understand Isaiah as Christian Scripture*, as its title suggests, does not address the questions of *herem* narratives; his analysis of the Christian reception of the OT book does, however, contain a number of relevant methodological observations.⁹⁴ Finally, a summary and analysis of some of the materials included in the present thesis were published in a chapter on Deuteronomy.⁹⁵

0.5 The structure of the present thesis

The first chapter briefly summarizes the reception of the principal *herem* texts within the HB/OT and the Apocrypha, in Hellenistic Judaism, in the NT and in the Christian era before the JS came under sustained criticism by Marcion.

The second chapter presents dissenting readings, i.e. criticisms of *herem* and similar texts by Marcion, Ptolemy, Celsus and others.

The third chapter traces the development of figurative readings from Origen, who deploys them in his response to the kind of criticisms presented in chapter two, to their predominance in the Glossa Ordinaria and their uses in a medieval sermon.

⁹¹ *ibid.*, 216.

⁹² *ibid.*, 33-48 (Jephtah’s daughter), 49-70 (imprecatory psalms).

⁹³ e.g., in the Ancient Christian Commentary Series, Joseph T. Lienhard (ed.), *Exodus, Leviticus, Numbers, Deuteronomy* (Downers Grove, IL: InterVarsity Press, 2001) and John R. Franke (ed.), *Joshua, Judges, Ruth, 1-2 Samuel* (Downers Grove, IL: InterVarsity Press, 2005).

⁹⁴ Brevard S. Childs, *The Struggle to Understand Isaiah as Christian Scripture* (Grand Rapids, MI; Cambridge: Eerdmans, 2004).

⁹⁵ C. Hofreiter, 'Genocide in Deuteronomy and Christian Interpretation', in D. G. Firth and Philip S. Johnston (ed.), *Interpreting Deuteronomy: Issues and Approaches* (Nottingham: Apollos, 2012), 240-262.

The fourth chapter is dedicated to an approach of addressing moral criticisms of *herem* texts that focuses on the divine command to carry out the annihilation, paired with the conviction that God is just and that, therefore, whatever he commands is also just. This view is an expression of what is commonly called divine-command-theory ethics; the chapter traces its application to *herem* texts from Augustine via Thomas Aquinas to John Calvin.

The fifth chapter focuses not on the hermeneutical challenge posed by *herem* texts, but on instances in which they have been read to inspire or justify violence; it begins with adumbrations of these themes in the works of Ambrose and Augustine and then focuses on the medieval crusades, the Spanish conquest of the Americas, and English Holy war theory and practice.

The sixth chapter presents ways in which *herem* texts have been read since the dawn of the Enlightenment; it includes dissenting readings such as those by the English Deist Matthew Tindal, presents restatements and modifications of approaches that were first developed in antiquity and the middle ages, and ends with approaches that apply historical critical scholarship to a Christian reading of *herem* texts.

Finally, there is a brief summary and conclusion.

1. *Pre-critical readings*

In this chapter I will very briefly consider the reception of the major *herem* texts, as defined and set out in the introduction, in a number of corpora that do not lie within the focus of the present thesis, i.e. within the HB/OT itself (including the so-called Apocrypha), in Second Temple and Hellenistic Jewish literature, as well as in the NT and in Christian authors before Marcion. These readings are “pre-critical” in the sense that they predate the latter’s seminal criticism and do not address *herem* in terms of a moral challenge.

The following presentation does not attempt to be exhaustive nor does it, in general, contain sustained engagement with primary sources;¹ rather, this section only provides a sketch of the texts’ reception prior to the kind of Christian reception in which I am particularly interested. It is included in recognition of the fact that “[n]o one comes to the text *de novo*, but consciously or unconsciously shares a tradition with his predecessors;”² gaining a sense of the kind of reception that preceded is therefore an important aspect of attempting to understand specific instances of reception by later, Christian authors.

In addition to the very brief overviews, the sections on Philo, *Barnabas* and Justin Martyr are somewhat more detailed and include my own analysis of primary sources; the type of readings found in them is in fact the primary way in which Origen responds to criticisms of OT warfare texts; it is of particular historical and hermeneutical interest, therefore, that, as far as we can tell, such readings were not developed in response to criticism but were already common among certain interpreters of the bible at the time when Origen took up the gauntlet thrown down by Marcion and Celsus.

1.1 Reception within the HB/OT/Apocrypha

From a historical-critical perspective, the question of what in the bible is earlier and what is later (and therefore, at least potentially, an instance of reception) requires the dating of the various sources and editorial stages, or at minimum, the determination of their ages relative to one another. This approach to biblical interpretation, however, is relatively recent and has not, to date, played a major role in interpreting *herem* texts as Christian scripture. In what follows, texts that are found “further down” in the ordering of the canon, e.g. texts in the Psalms or the

¹ I am indebted to the treatments of inner-biblical and early Jewish reception of Joshua and his wars in Elßner, *Josua*, 22-81; the reception of *herem* in the same sources in Park, *Finding Herem?*, 30-114; and the reception in Hellenistic Judaism in Feldman, *Remember Amalek*.

² Childs, *Exodus*, xv.

Apocrypha, are therefore considered instances of reception of *herem* texts that occur “further up.”

In terms of the ordering of the canon, the Latter Prophets and the Writings are to be considered first; *herem* does not constitute a distinct theme in them; however, the term is sometimes used in judgment oracles in what appears to be the general sense of complete destruction.³

In the Psalms, the conquest of Canaan and the defeat of its kings is remembered at various places: Yahweh is celebrated as having struck down many nations and killed mighty kings, Sihon, Og and all the kingdoms of Canaan, and having given their land as an inheritance to Israel;⁴ or as having driven out the nations and having planted Israel in the land, or as having given them the land as their possession;⁵ or simply as having given them the lands, or the heritage, of the nations (without reference to what happened to the land’s previous inhabitants);⁶ the Israelites, for their part, are said to have taken possession of the wealth of the peoples;⁷ however, they are also criticized for not having destroyed them, “They did not destroy the peoples, as the LORD commanded them, but they mingled with the nations and learned to do as they did.”⁸ The term *herem*, however, is used in none of these verses in the Psalms.⁹

A similar motif is found in the prayers of repentance in Ezra and in Nehemiah; Ezra addresses the situation of contemporary mixed marriages by referring back to Yahweh’s prohibition of intermarriage with the Canaanites because of their depravity; if those in mixed marriages do not separate from their pagan spouses, their goods are to become *herem* and they are to be banned from the congregation of the exiles.¹⁰ Nehemiah recounts that Yahweh gave the Israelites kingdoms and people, and they took possession of the land; he gave the Canaanites into their hands to do with them as they pleased, and they captured the land.¹¹

³ cf. e.g. Isa 34:2.5 (object: all nations and their armies; Edom), 43:28 (object: Jacob); Jer 25:9 (object: all the nations, except Babylon), Jer 50:21.26; 51:26 (object: the land of Merathaim; the land of the Chaldeans; Babylon’s entire army); Mal 4:6 (object: the land); Dan 11:44 (object: many).

⁴ Pss 135:10-12; 136:17-21.

⁵ Pss 44:2f; 78:55; 80:8.

⁶ Pss 105:44; 111:6.

⁷ Ps 105:44.

⁸ Ps 106:34f.

⁹ The verb in the final quote, translated destroyed, is שָׁמַד (LLX: ἐξολοθρεύω; Vul: disperdere).

¹⁰ Ezra 9:1-2.11f; 10:8 different words are used with respect to the goods (חֶרֶם) and the person (בְּדֵל).

¹¹ Neh 9:22-25; NB, these verses do not contain verbs explicitly denoting killing or extermination.

Within the Apocrypha the conquest of the land is referred to in Judith, where Achior, the “leader of all the Ammonites,” tells king Holofernes the history of the Jews, including, “They drove out all the people of the desert, and took up residence in the land of the Amorites, and by their might destroyed all the inhabitants of Heshbon; and crossing over the Jordan they took possession of all the hill country. They drove out before them the Canaanites, the Perizzites, the Jebusites, the Shechemites, and all the Gergesites, and lived there a long time.”¹²

In Ecclesiasticus, the standing still of the sun and the destruction of the enemies are recounted; the Hebrew version uses the term *herem*;¹³ some of the religiously motivated slayings recounted in Maccabees can also plausibly be construed as reception of *herem*.¹⁴

Finally, the reception of *herem* found in the Wisdom of Solomon emphasizes Canaanite depravity and God’s judgment to a degree that is not found in any single text of the HB:

Those who lived long ago in your holy land you hated for their detestable practices, their works of sorcery and unholy rites, their merciless slaughter of children, and their sacrificial feasting on human flesh and blood. These initiates from the midst of a heathen cult, these parents who murder helpless lives, you willed to destroy by the hands of our ancestors, so that the land most precious of all to you might receive a worthy colony of the servants of God. But even these you spared, since they were but mortals, and sent wasps as forerunners of your army to destroy them little by little, though you were not unable to give the ungodly into the hands of the righteous in battle, or to destroy them at one blow by dread wild animals or your stern word. But judging them little by little you gave them an opportunity to repent, though you were not unaware that their origin was evil and their wickedness inborn, and that their way of thinking would never change. For they were an accursed race from the beginning, and it was not through fear of anyone that you left them unpunished for their sins.¹⁵

The above instances of reception within the HB/OT/Apocrypha are, unsurprisingly, of particular importance for later Christian readings; after all, the books in which they are found were considered to have canonical authority by most Christians. In addition to these readings, Park discusses instances of reception of *herem* in the Dead Sea Scrolls and the Pseudepigrapha, but these appear to have been of only marginal if any importance for Christian reception.¹⁶

¹² Jdt 5:14-16; the emphasis is on driving out (ἐκβάλλω), but destroying (ἐξολοθρεύω) is also mentioned with respect to Heshbon.

¹³ Sir 46:46, cf. the analysis in Elßner, *Josua*, 38-48.

¹⁴ cf. *ibid.*, 61-63; However, Elßner also suggests that there is a certain moral distancing implied in the language used to describe a massacre carried out by Judas Maccabeus and his men in imitation of Joshua’s sack of Jericho (Makk 2:13-16); cf. *ibid.*, 69f.

¹⁵ Wis 12:3-11.

¹⁶ cf. Park, *Finding Herem?*, 66-98.

With respect to this thesis' framing dilemma, it is important to note that none of the above texts betray scruples of the nature expressed in the dilemma; the narrative of conquest and annihilation is reported straightforwardly, with religious exultation; while some texts highlight the "driving out" traditions more than the extermination language, this is at most a subtle toning down, and is not found across the sources.¹⁷

1.2 Reception within the New Testament

The earliest record of a specifically Christian reception of *herem texts* is found within the pages of the NT. Since there is no obvious dependence of one of these texts on another, they will here conveniently be presented in their canonical order.

1.2.1 *Luke-Acts*

Park, to whose work on inner-biblical and early Jewish reception I have referred above, recently suggested that *herem* is a major hermeneutical key to the Lukan oeuvre, "Luke seems to present the concept of *herem* as a foundation of Jesus' teaching and of Jesus' life as voluntary and mandatory *herem* to redeem his people who are supposed to be mandatory *herem*."¹⁸ The main point of Park's analysis of pre-Lukan readings of *herem* is in fact to establish this very thesis; since his argument is mostly about pre-Lukan reception and Luke-Acts, it lies outside the focus of the present thesis, which is why I will not engage with it in substantial detail.

However, it should be noted that the categories of *mandatory* and *voluntary herem*, and of *being (a) herem*, are foundational to Park's argument, and that he bases them on his canonical and reception historical reading of *herem*. For Park's analysis to be sound, therefore, at least two conditions have to be met: (1) the categories of *mandatory* and *voluntary herem*, and the concept of *being (a) herem*, must be demonstrably present in earlier sources; (2) their actual presence in, and importance for, Luke-Acts also needs to be demonstrated. At this point I simply note that I remain unpersuaded that either of these conditions are in fact met in Park's work.

There are, however, two passages in Acts that directly address the conquest of Canaan; both occur in the context of a retelling of God's deeds in the history of Israel.¹⁹

¹⁷ For a similar assessment, cf. Elßner, *Josua*, 81.

¹⁸ Park, *Finding Herem?*, 167.

¹⁹ cf. the paragraph on the reception in the Psalms above.

First, in his speech before the Sanhedrin, Stephen retraces Israel's story and speaks of the conquest in these terms: "Our ancestors in turn brought it [sc. ἡ σκηνὴ τοῦ μαρτυρίου] in with Joshua when they dispossessed the nations that God drove out before our ancestors."²⁰

Largely following the detailed analysis in Elßner, I note three pertinent points: (1) The text's focus on the tent of testimony results in Joshua being cast in the role of a *tradent* of the true faith rather than that of a conquering military leader; (2) There is no mention of the annihilation of the Canaanites; rather they are said to have been driven out (ἐξώθειν); (3) The Israelites do the dispossessing, God does the driving out.²¹

Stephen's speech thus highlights certain elements of the biblical tradition and not others.²² While it is possible to speculate that the selection of the expulsion traditions over the annihilation traditions is indicative of a (slight) discomfort with the practice of *herem*, we certainly find no explicit distancing, let alone criticism.

The second instance of reception of the conquest in Acts renders it unlikely that Luke toned down the language in Stephen's speech because of moral scruples; Paul begins his speech to Israelites and God-fearers in the synagogue in Pisidian Antioch by recounting the deeds of "the God of this people Israel." Having rehearsed Israel's deliverance from Egypt and the forty years in the desert, Paul continues, "After he had destroyed (καθελών) seven nations in the land of Canaan, he gave them their land as an inheritance."²³

The annihilation of the seven Canaanite nations is rather more clearly in view in this verse than in Stephen's speech. There is no hint, in this passing reference, of any perceived moral problem.²⁴

1.2.2 Hebrews

There are two references to Joshua and the conquest in the letter to the Hebrews.

The first is located in the context of a warning against unbelief. Following a prominent pattern found throughout Hebrews, the author contrasts the achievements of an OT figure negatively with the surpassing work of Jesus, "if Joshua had given them rest, God would not speak

²⁰ Acts 7:45.

²¹ Elßner, *Josua*, 83-87.

²² cf. e.g. "driving out" rather than "annihilation" being predicted in e.g. Lev 20:23, Deut 4:38, 18:12.

²³ Acts 13:9.

²⁴ cf. the analysis in Elßner, *Josua*, 87-89.

later about another day.”²⁵ Joshua’s work is thus presented as inferior to what is offered in Jesus; there is, however, no hint of a disapproval of the conquest *per se*. It should also be noted that readers/hearers of the letter in the original Greek would likely have noticed the homonymy between Joshua and Jesus, whose names are identical in Hebrew, Greek and Latin;²⁶ while, as we will see below, this fact was to become a very important element in later Christian reception, it is not yet developed in Hebrews.

The second reference is found in the eleventh chapter, which is “a version of the exemplary list that can be described as a *list of attested examples*.”²⁷ Following a description of the actions taken “πίστει” by the patriarchs, by Moses and by the exodus generation, the author moves on to the conquest: “by faith the walls of Jericho fell after they had been encircled for seven days.”²⁸ The placement of this episode in the list of *exempla* implies that the actions of Joshua and the Israelites at Jericho are seen not only as morally unproblematic but as exemplary. However, the focus is on the Israelites’ faith and the crumbling of the walls, rather than on the annihilation of Jericho’s inhabitants.

In the next verse, the author contrasts the prostitute Rahab with the other inhabitants of Jericho, to whom he refers as disobedient ones (τοῖς ἀπειθήσασιν). The verb ἀπειθεῖν generally designates an “unwillingness or refusal to comply with the demands of some authority”²⁹ and in the NT specifically designates disobedience with respect to God.³⁰ It thus implies moral guilt on the part of the townspeople of Jericho. It is not clear, however, what divine command they may have refused to obey. The perspective of Deut. 7:1-2 and 20:16-18 certainly does not envisage an option of Canaanite “compliance,” nor does the Jericho narrative in Joshua. It is possible, however, that the author of Hebrews inferred the possibility of salvation from the example of Rahab, who by faith received the Israelite spies in peace, with the result that she did not perish together (συναπόλλυμαι) with her compatriots.³¹

While Hebrews does not specify the way in which the other inhabitants of Jericho perished, the entire passage presupposes a high degree of familiarity with the biblical narratives. The focus,

²⁵ Heb 4:8.

²⁶ יהושע / Ἰησοῦς / Iesus.

²⁷ William L. Lane, *Hebrews 1-8* (Dallas: Word Books, 1991), 317; emphasis original.

²⁸ Heb 11:30.

²⁹ Johannes P. Louw and Eugene Albert Nida, *Greek-English Lexicon of the New Testament Based on Semantic Domains*, 2 V. (New York: United Bible Society, 1988).

³⁰ Elßner, *Josua*, 94.

³¹ Heb 11:31.

however, certainly is not on the fate of the people of Jericho; it is on the praiseworthy faith of the Israelites and of Rahab. There is, finally, no indication of any moral qualms about the *herem* of Jericho.

1.2.3 James

In the epistle of James, Rahab is again put forward as an example, here in the context of the author's argument that "faith without works is dead." He asks, "likewise, was not Rahab the prostitute also justified by works when she welcomed the messengers and sent them out by another road?"³² The focus here is solely on Rahab's works, or faith-in-action. While the term "spies" and the sending out of them by another way alludes to the potential or impending violent conflict surrounding the episode, it never really enters into view.³³ There is no indication, however, that the author felt any moral reticence concerning the wars of conquest or the *herem* of Jericho.

1.2.4 Other NT developments of the herem theme

Apart from these direct references to persons and events featured in the book of Joshua, a number of additional NT concepts and narratives can plausibly be seen as developments of OT *herem* motifs, e.g. the deaths of Ananias and Sapphira, Paul's use of anathema, and the themes of eschatological judgment and spiritual warfare. These themes would certainly be relevant to a comprehensive *Wirkungsgeschichte* of *herem* in the broadest, Gadamerian sense; however, constraints of focus, space and time preclude their discussion in the present thesis.³⁴

1.3 Philo

Philo's reception of the bible generally, or of *herem* specifically, does not of course fall directly within the purview of a study of Christian reception. However, a brief consideration of relevant aspects of his interpretative approach is pertinent for at least three reasons: First, his style of exegesis exerted a very considerable influence on the Christian interpretative tradition, especially via Clement and Origen, as well as via Ambrose and Augustine; in fact, Christians at

³² Jas 2:25.

³³ cf. Elßner, *Josua*, 94-100.

³⁴ On Ananias and Sapphira (Acts 5:1-11), cf. e.g. Park, *Finding Herem?*, 136-141; on the relationship between *herem*, excommunication and anathema, cf. e.g. the entries "Ban, Banishment (Ḥerem)" and "Anathema, Anathematism" in the *Encyclopedia of the Bible and Its Reception*; for the divine warrior motive in the NT, including in terms of spiritual warfare and eschatological judgment, cf. e.g. Tremper III Longman and Daniel G. Reid, *God is a Warrior* (Carlisle: Paternoster Press, 1995), 91-192; cf. also the use of *herem* in the context of eschatological judgment in Qumran, analysis in Park, *Finding Herem?*, 74-76.

times embraced Philo so wholeheartedly that the Byzantine Catenae quoted excerpts from his works as Φίλωνος ἑπισκόπου.³⁵ Second, his work sheds considerable light on the interpretative and apologetic strategies that a pious reader with a Hellenistic education might employ when commending certain problematic biblical texts to a wider audience. Third, Philo's work reflects contemporary criticisms of the bible by outsiders. A comparison of Philo's interpretative strategies with those of later, Christian writers can therefore contribute to an understanding of what is distinctively Christian in the various readings, and in how far their treatments reflect concerns which they shared with some of their non-Christian forbears or contemporaries.

1.3.1 'Defensive' v. 'positive' allegoresis

Any consideration of Philo's hermeneutic must include a discussion of allegoresis; however, rather than entering the theoretical debate, stretching back millennia, of what exactly allegoresis is, and when, if ever, it is an appropriate way to read texts, I will at this point simply provide a very short summary of its historical emergence. Instead of front-loading theoretical debate, I will then throughout the thesis offer analysis and comment on the use of figurative readings in the context of actual, specific instances of reception.

Allegorical interpretation or allegoresis is one of the oldest ways of reading texts non-literally, which at its most basic level simply means understanding a text as saying something other than what it seems to say.³⁶ The historical emergence of this hermeneutical practice is related to the interpretation of the classical texts of Greek culture, especially the mythological poems of Homer and Hesiod, whose religious, philosophical and moral content had become problematic for new generations of Greek thinkers. While some, like Plato, held that the classics ought to be discarded, others were instead advocating that these texts be read allegorically.³⁷

In the context of interpreting difficult, potentially offensive texts, such as *herem* narratives, however, it is vital not to lose sight of the important distinction between "defensive" and "positive" uses of allegory, i.e. between "'defensive' allegoresis (rescuing the poets and their myths from charges of intellectual naïvety and impiety) and 'positive' allegoresis (claiming the

³⁵ David T. Runia, *Philo in Early Christian Literature: A Survey* (Assen; Philadelphia: Van Gorcum; Fortress Press, 1993), 3.

³⁶ David Dawson, *Allegorical Readers and Cultural Revision in Ancient Alexandria* (Berkeley: University of California Press, 1992), 3.

³⁷ Plato's rejection of the mythical poets included a critique of allegory, cf. e.g. Plato, *The Republic*. Translated with an Introduction by Desmond Lee. (Harmondsworth: Penguin, 1974), II.376-392.

poets' authority for the interpreter's own doctrines)."³⁸ In this context, one should also be aware that for the early period of allegoresis it is in fact quite difficult to know which of the two forms was more prevalent. These two modes of allegoresis were not entirely dissimilar, however, for "[i]n either case, the underlying motive force was (and would continue to be) the cultural need to maintain the authority of the revered classics in the face of new (philosophical) traditions of thought."³⁹

A similar two-fold motivation appears to have guided the Alexandrian Jewish interpreters who, as far as we can tell, were the first to apply allegoresis to the bible;⁴⁰ in their case "the application of the text to the reader's case was so habitual and instinctive that acquaintance with the Greeks produced nothing more than refinements of a spontaneous practice."⁴¹ On the one hand, there are instances of "defensive" allegoresis, occasioned by the fact that in Hellenistic Alexandria the JS seem to have been subjected to a *Sachkritik* not dissimilar to that levelled at the epics of Homer. On the other hand, the "positive" use of allegory was designed to show that the philosophical ideas that Hellenistic Jews and their contemporaries found persuasive had already been disclosed in the ancient, sacred writing of the Jewish people. Important early examples of biblical interpretation "in a Hellenistic style" are the *Epistle of Aristaeus* and the *Fragments of Aristobulus*, but the prime exponent is of course Philo himself.⁴²

In Philo's case, criticisms of the bible certainly appear to have played a role in a number of his allegorical readings as well as having shaped the apologetic thrust of some of his less allegorical writings. However, it must again be emphasized, that irrespective of its origins, allegoresis in Philo's day was by no means always defensive.⁴³

³⁸ M. B. Trapp, 'Allegory, Greek', in S. Hornblower and Antony Spawforth (ed.), *The Oxford Classical Dictionary* (Oxford: Oxford University Press, 2012), 62-63, 62.

³⁹ *ibid.*; similarly, Dawson, *Allegorical Readers*, 12.

⁴⁰ Allegory, as distinct from allegoresis, is of course found in the OT itself, e.g. Jdg 9:7-21. On the influence of Homeric scholarship on Jewish exegesis, cf. Maren Niehoff, *Jewish Exegesis and Homeric Scholarship in Alexandria* (Cambridge: Cambridge University Press, 2011).

⁴¹ M. J. Edwards, 'Figurative Readings: Their Scope and Justification', in J. C. Paget and Joachim Schaper (ed.), *New Cambridge History of the Bible. Vol. I: From the Beginnings to 600* (Cambridge: Cambridge University Press, 2013), 714-733, 714.

⁴² cf. F. Siegert, 'Early Jewish Interpretation in a Hellenistic Style', in M. Saebø (ed.), *Hebrew Bible/Old Testament 1/1*, 130-198, 144-162; Edmund Stein, "Alttestamentliche Bibelkritik in der späthellenistischen Literatur", in: *Collectanea theologica: Societatis theologorum Polonae cura edita Varsaviae*, 16.1, (1935), pp.38-82, 4-5.

⁴³ so also *ibid.*, 5.

Since criticism of the bible was to play an important role in shaping the later Christian reception of *herem* texts, it is worth considering what kind of criticisms were levelled at the bible in Philo's day. Where he explicitly refers to critics, they appear to fall into the following three categories: believing Jews, who have what may be termed "honest questions" about problematic passages; apostate Jews, who seek to justify their apostasy by a harsh critique of their former tradition; and finally, gentiles who are intent on mocking the Jews.⁴⁴ The criticisms seem to have focused on anthropomorphisms, parallels to pagan myths, parallels to profane history and the triviality of some of the narrated events.⁴⁵ In the main, therefore, these criticisms do not seem to have been concerned with questions of morality and ethics, such as would be most relevant to the reception of *herem*.⁴⁶

The following section shows that Philo does indeed allegorize certain texts whose literal interpretation he would demonstrably have found to be problematic; it will also be seen, however, that allegoresis is neither his only approach to dealing with difficult texts, nor are his allegories necessarily inspired by criticisms.

1.3.2 *Passing over problematic texts in silence*

While, as was just noted, there is not much direct evidence for criticism of the morality of the JS by outsiders in Alexandria, some of Philo's own moral reasoning suggests that *herem* texts would have posed significant problems for him. This can be shown from two sections of *de specialibus legibus*. In the first section, Philo lays out the principle of individual responsibility and rejects the punishment of family members, especially children, for the wrongdoing of their parents as deeply unjust. In the second section, Philo offers comments on the laws of war in Deut 20 which include the command to annihilate entire populations; he decides to pass over it in complete silence.

In the first section, Philo extols the law that "fathers should not die for their sons nor sons for their parents, but each person who has committed deeds worthy of death should suffer it

⁴⁴ *ibid.*, 5-8.

⁴⁵ *cf. ibid.*; Siegert, *Early Jewish Interpretation*, 142, n62.

⁴⁶ In an early homily by a Jewish rhetorician ("Pseudo-Philo") there is evidence for criticism leveled at the Spirit's actions, viz. for not preventing Samson from sinning: *de Sampson*, 24ff, in Pseudo-Philon, *Drei hellenistisch-jüdische Predigten: Ps.-Philon, "Über Jona", "Über Jona" (Fragment) und "Über Simson"* (Tübingen: Mohr, 1980).

alone and in his own person.”⁴⁷ He roundly condemns those “cruel of heart and bestial of nature ... who either secretly and craftily or boldly and openly threaten to inflict the most grievous sufferings on one set of persons in substitution for another and seek the destruction of those who have done no wrong on the pretext of their friendship or kinship, or partnership, or some similar connexion, with the culprits.”⁴⁸

To illustrate this point, Philo describes a case involving the unjust treatment of innocent relatives of a debtor in his own day, before articulating again his strongly felt moral objection: “If they were companions in error, let them also be companions in punishment, but if they had no association with the others, never followed the same objects...why should they be put to death? Is their relationship the one sole reason? Then is it birth or lawless actions which deserve punishment?”⁴⁹ The drift of the rhetorical questions suggests that Philo is inclined to think that punishing family members for the wrongdoings of their parents or children is morally outrageous and that he expects his audience to agree with him.⁵⁰

With Philo’s insistence on individual, personal responsibility in mind, I now turn to the second section; there he comments on the laws of war in Deut 20, which, he says, demonstrate “that the Jewish nation is ready for agreement and friendship with all like-minded nations whose intentions are peaceful, yet is not of the contemptible kind which surrenders through cowardice to wrongful aggression.”⁵¹

According to Philo, the laws in question pertain to “those who renounce their alliance” and “revolt...and shut themselves up within their walls.” He also claims that the Israelites were commanded to act patiently, to “wait for a time, not letting anger have free play at the expense of reason, in order that they may take in hand what they have to do in a firmer and steadier spirit.” He highlights that an offer of peace must first be made, and that if the opponents accept it, the treaty is to be welcomed “for peace, even if it involves great sacrifices, is more advantageous than war.”⁵² Two aspects of Philo’s moral judgment are evident here: peace is to be preferred over

⁴⁷ *de specialibus legibus*, III, 29, 153; the reference is Deut 24:16. All quotations from Philo are according to Philo of Alexandria, *Philo in Ten Volumes (and Two Supplementray Volumes) with an English Translation by F.H. Colson and G.H. Whitaker* (Cambridge, MA: Harvard University Press, 1929-1962).

⁴⁸ *ibid.*, 158.

⁴⁹ *ibid.*, 165.

⁵⁰ cf. Feldman, *Remember Amalek*, 21.

⁵¹ *de specialibus legibus*, IV, 224.

⁵² *ibid.*, 219-221; no mention is made of the imposition of forced labour (Deut 20:11).

war, and decisions are to be made based on reason not on passion. In addition, the context for war he envisions is that of the breach of a treaty and a revolt, not that of conquest.

If the offer of peace is rejected, however, Philo continues

they must proceed to the attack invigorated by enthusiasm and having in the justice of their cause an invincible ally. They will plant their engines to command the walls and when they have made breaches in some parts of them pour in altogether and with well-aimed volleys of javelins and with swords which deal death all around them wreak their vengeance without stint, doing to their enemies as the enemies would have done to them, until they have laid the whole opposing army low in a general slaughter. Then after taking the silver and gold and the rest of the spoil they must set fire to the city and burn it up, in order that the same city may not after a breathing space rise up and renew its sedition, and also to intimidate and so admonish the neighboring peoples, for men learn to behave wisely from the suffering of others.⁵³

Clearly, Philo is not suggesting that Moses taught an ethic of non-violent pacifism. He speaks approvingly of a “general slaughter.” However, this violence simply amounts to “doing what their enemies would have done to them” and is limited to “the whole opposing army” (τὸν ἀντιτεταγμένον ἅπαντα στρατὸν). By contrast, Deut 20:13 requires the killing of all male inhabitants, and, in the case of Canaanite cities, of everything that breathes (Deut 20:16). Neither text in Deuteronomy, however, requires the enemy cities to be burned down.⁵⁴ According to Philo, the reason for slaughtering certain opponents is pragmatic in that it precludes renewed sedition by the offending city, and also sends a powerful signal to others who might be tempted to follow their example.

Philo then articulates a principle known today as noncombatant immunity; in line with Deut 20:13-14, but in contrast to Deut 20:16-18, he points out that women are to be spared, “married and unmarried, since these do not expect to experience at their hands any of the shocks of war, as in virtue of their natural weakness they have the privilege of exemption from war service.”⁵⁵ A little later, he adds, “When [the Jewish nation] takes up arms it distinguishes between those whose life is one of hostility and the reverse. For to breathe slaughter against all, even those who have done very little or nothing amiss, shows what I should call a savage and brutal soul, and the

⁵³ *ibid.*, 222-223a.

⁵⁴ This is only required for apostate Israelite cities, from which no booty was to be taken at all (Deut 13:16).

⁵⁵ *de specialibus legibus*, IV, 223b.

same may be said of counting women, whose life is naturally peaceful and domestic, to be accessories of men who have brought about the war.”⁵⁶

“Breathing slaughter against all, even those who have done very little or nothing amiss” is the kind of charge that moral critics might well have raised against *herem*; but of course Philo does not accuse his people (much less Moses, or God) of having a brutal and savage soul. Rather, he passes in complete silence over the *herem* verses (16-18) which follow at this point and continues his commentary with vv. 19ff, claiming that “so great a love for justice does the law instil into those who live under its constitution that it does not even permit the fertile soil of a hostile city to be outraged by devastation or by cutting down trees to destroy the fruits.”⁵⁷ While this omission of the thorniest verses is glaring for those who are familiar with the unabbreviated biblical text, it also constitutes a certain form of reception (or, more precisely, “non reception”).⁵⁸ In fact, it may well be the most widespread way in which Christians and Jews have “received” the *herem* texts over the centuries.⁵⁹

1.3.3 *Uncritical readings combined with ‘toning down’*

Despite Philo’s moral reservations about group punishment detailed in the previous section, his works contain comments on *herem* texts that do not evince the same scruples. Nevertheless, even in these instances there appears to be a slight “toning down” of the biblical texts.

⁵⁶ *ibid.*, 225.

⁵⁷ *ibid.*, 226.

⁵⁸ For an early Christian example of selective reception and non-reception, cf. e.g. Clement of Alexandria, *Stromateis*, II.xvii.88.3, in which he extols the virtues of the law of Moses, including the demand to make an offer of peace even to a hostile people (Deut 20:10) but does not mention the harsher elements of Deut 20 at all; however, at *Strom* I.xxiv.162, in the context of praising the virtues of Moses as a general (and claiming that the celebrated Greek generals of old had learnt their lessons in strategy from him), Clement does not shrink back from mentioning slaughter: “[Moses] routed and exterminated (τροπωσάμενος ἀπέκτεινεν) the enemies who had previously settled in that land by assailing them from the rough road in the desert-- this showed the quality of his generalship;” Clement of Alexandria, *Stromateis. Books 1-3*, trsl. by John Ferguson, (Washington: Catholic University of America Press, 1991), 142; 216f.

⁵⁹ This final suggestion is, of course, an argument from silence *par excellence*. It should be noted, too, that it is conceivable that Philo’s Greek text of Deut did not contain the verses commanding *herem*, in which case the non-reception (excision) would have happened at an earlier stage. However, there appears to be no evidence for such omission in any of the surviving MSS or other ancient witnesses. Furthermore, in *de specialibus legibus* Philo does not typically quote laws *verbatim* and *in extenso* but rather sums them up and rearranges them topically, a practice that lends itself to omissions. These considerations, together with the moral objections he explicitly raises against punishing children along with their parents and against killing women in war, make it much more likely that he simply chose not to mention the difficult *herem* commands. For the MSS evidence, cf. the apparatus in John William Wevers, *Deuteronomium* (Göttingen: Vandenhoeck & Ruprecht, 1977), 239f and the comments in John William Wevers, *Notes on the Greek Text of Deuteronomy* (Atlanta, GA: Scholars Press, 1995), 327ff.

In his account of the life of Moses, for instance, Philo introduces the promised land in the most innocuous of terms, describing how the Israelites “came to the outlying districts of the country in which they proposed to settle. This country was occupied by the Phoenicians. There they had thought to find a life of peace and quiet, but their hopes were disappointed.”⁶⁰ When, however, he turns his attention to the first *herem* narrative in the Pentateuch (Num 21:1-4) a few sections later, he underlines that the Canaanite king of Aram launched an unprovoked attack on the Israelites and presents the actions of the Israelites in the following way:

“The end is often determined by the beginning. Here, at the entrance of the land, let us strike terror into the inhabitants, and feel that ours is the wealth of their cities, theirs the lack of necessities which we bring with us from the desert and have given them in exchange.” While they thus exhorted each other, they vowed to devote to God the cities of the king and the citizens in each as firstfruits of the land (ἡῴξαντο τῆς χώρας ἀπαρχὰς ἀναθήσειν τῷ θεῷ τὰς πόλεις τοῦ βασιλέως καὶ τοὺς ἐν ἐκάστη πολίτας), and God, assenting to their prayers, and inspiring courage into the Hebrews, caused the army of the enemy to fall into their hands. Having thus captured them by the might of their assault, in fulfilment of their vows of thank-offering (τὰς χαριστηρίους ὁμολογίας) they took none of the spoils for themselves, but dedicated the cities, men and treasures alike (τὰς δὲ πόλεις αὐτοῖς ἀνδράσι καὶ κειμηλίοις ἀνιερώσαντες), and marked the fact by naming the whole kingdom “Devoted” (ἀνάθεμα).⁶¹

Philo here does not express any moral concerns about the events he describes; on the contrary, the Israelites are presented as acting out of deeply pious motives: “they judged it irreligious to distribute the land until they had made a firstfruit offering of the land and the cities.”⁶² For Philo, then, it is possible to conceive of the killing of human beings as a sacrifice that is acceptable to God. In addition, his reading also includes a pragmatic argument; he claims that one aim of the actions described was to strike terror into the Hebrews' opponents. This text is, to my knowledge, the first instance in which *herem* is described as an offering of first-fruits to God.

It should also be noted, however, that while the objects of *herem* are first described as “the king and those who are in the city,” the second mention is of “men and treasures.” While the biblical text at this point says nothing specifically about the fate of women and children either, Philo’s picking out of “men” is more specific and narrower than the biblical “the Canaanites...and their cities” (Num 21:3). The choice of a formulation that excludes women and children

⁶⁰ The context is Amalek’s attack on the Israelites in the desert and the ensuing battle (Ex 17:8-16); Philo, *de vita Mosis*, I, 214ff; cf. Feldman, *Remember Amalek*, 19f.

⁶¹ *de vita Mosis*, I, 250ff.

⁶² *ibid.*

constitutes a certain ‘toning down’ of the biblical account, a step that Philo may well have carried out unconsciously.

However, Philo does not seek to distance himself from the biblical account of the Israelites’ victory over king Sihon (Num 21:21-25, cf. also Deut 2:24-35):

No second battle was needed...the whole opposing force was turned to flight, then overthrown and straightway annihilated in wholesale slaughter (ἀνατραπεῖσα ἡβηδὸν αὐτίκα ἡφανίσθη). Their cities were at once both emptied and filled—emptied of their old inhabitants, filled with the victors. And, in the same way, the farm-houses of the country were deserted by the occupants, but received others superior in every way.⁶³

This appears to be a clear and unapologetic affirmation of the biblical plotline of conquest and massacre. While the object of annihilation is first somewhat narrowly described as the “opposing force” (ἡ ἀντίπαλος ἐκλίθη δύναμις) and could be construed, in modern terms, as comprising only combatants, the massacre is “from the youth upward” (ἡβηδὸν). In addition, it is left to the reader to fill in the details as to how exactly the cities and farmhouses were emptied of their previous occupants. While Philo’s paraphrase does not strictly imply that all of them were killed—they may have “deserted” their homes by escaping elsewhere—the morality of the Israelite takeover is certainly not called into question.⁶⁴

Philo thus neither explicitly approves of the killing of women and infants implied in these biblical narratives, nor does he explicitly deny that they took place. He does, however, at times choose a more restrictive form of words to designate the objects of *herem* than the biblical accounts, thus toning them down.

1.3.4 Allegorical readings

In addition to omission and toning down, Philo also uses allegoresis to interpret a number of texts about Amalek, texts that have some bearing on the topic of *herem* and total destruction. The following passage is found in the context of Philo’s allegorical reading of the phrase “I will set enmity between you and the woman” (Gen 3:16), where the woman stands for sense (αἴσθησις) fashioned out of mind (νόος; Adam), and where Philo maintains that “what pleasure (ἡδονή),

⁶³ *ibid.*, I, 261f.

⁶⁴ In a different work, Philo offers a thoroughly allegorical account of the song immediately following this passage, identifying Sihon as “the corrupter of the healthy rule of truth,” *legum allegoriae*, III, 233; cf. the analysis in Feldman, *Remember Amalek*, 174-177.

then is to sense, that passion (πάθος) is to mind.” He illustrates this claim by the following reading of Ex 17:

Moses elsewhere says, “Whenever Moses lifted up his hands, Israel prevailed, but when he dropped them, Amalek prevailed”, showing that when the mind lifts itself up away from mortal things and is borne aloft, that which sees God, which is Israel, gains strength, but when it has lowered its special powers and grown weak, immediately passion, named “Amalek,” which means “a people licking out,” will become strong: for in very deed it eats up the whole soul and licks it out, leaving behind in it no seed or spark of virtue. In keeping with this are the words “Amalek the first of the nations” (Num 24:20), because passion rules and lords it over promiscuous hordes that have drifted together without purpose or meaning. Through passion all the war of the soul is fanned into flame, and so God promises to minds to which He vouchsafes the gift of peace, that He will blot out “the memorial of Amalek from under heaven.” (Ex 27:14)⁶⁵

Amalek here stands for passion, while Israel stands for that which sees God. This allegorical reading allows Philo to avoid any discussion of the killing of women and children that would appear to be implied if “blotting out” were understood literally.⁶⁶ Philo’s conception of the “war of the soul” – in contrast to the “gift of peace” that is achieved by blotting out the memory of Israel’s enemy – will find close parallels in Origen’s exegesis of the wars of Joshua, as we will see below.

In short, Philo’s allegorical exposition of Amalek enables him to sidestep certain difficult questions; however, it is by no means clear that his use of allegory at this point is “defensive;” it could just as easily be seen as “positive,” i.e. as a device allowing him to claim that his ideas about the virtuous life of the mind are found already in Moses’ writings.

In summation, then, the first section above demonstrates that Philo would have found the wholesale killing of women and children morally problematic; he also appears to assume that God is good and that the bible is true. Put it terms of the hermeneutical challenge set out in the introduction, Philo would thus appear to assent to propositions (1), (2) and (3); the way in which he attempts to resolve this tension, or, rather, the way in which he precludes the tension from coming to the fore in the first place is never to consider the case of (4), i.e. that according to the bible God commanded and commended genocide.⁶⁷

⁶⁵ *legum allegoria*, III, 184-187.

⁶⁶ cf. *ibid.*, 21. In *de migratione Abrahami*, Philo similarly equates Amalek with a man hungering after pleasure and “lickerish” for passion, cf. *de mig. Abr.* 26, 143.

⁶⁷ Feldman also concludes that Philo does not mention the annihilation command anywhere in his oeuvre, *Remember Amalek*, 137.

Philo does, however, report massacres committed at the conclusion of (allegedly) defensive battles without any apparent moral qualms, and at times uses the language of conquest, slaughter and devotion to destruction literally and affirmingly. At the same time, he forcefully rejects the notion that children may legitimately be punished for the sins of their parents and insists that women and the guiltless should be spared in war. He also presents Israel's battles as thoroughly defensive, and extols self-control and magnanimity as virtues in war. As we have seen, the way in which Philo seeks to resolve the tensions inherent in these positions is a more or less subtle rephrasing of certain narratives and laws, and the outright omission of others.⁶⁸ By contrast, Philo's use of allegoresis in the interpretation of Amalek texts appears not to have been shaped by moral concerns or criticisms of the bible, but rather to represent a "positive" use of allegorical interpretation; at the same time, it also permits Philo to make fruitful use of a text whose literal meaning he might have found problematic.

1.4 The Epistle of Barnabas

If Philo utilized allegoresis to commend the JS to a Hellenistic audience, as well as Hellenistic philosophy to a Jewish audience, the author of *Barnabas* deploys the same method of reading in order to wrest the Holy Scriptures from the Jews and claim them as the exclusive property of the Christians.⁶⁹ *Barnabas*, a "tract in epistolary form," was probably written ca. AD 130. There is no scholarly consensus regarding its authorship and place of origin.⁷⁰ The document's overarching purpose is "der durchgehende exegetische Nachweis, dass die Schrift als die unstrittig autoritative Grundlage ... exklusiv auf Christus und die Christen weist und dass durch sie alle ihre Verheißungen erfüllt werden."⁷¹ Adopting an allegorical reading of numerous OT passages, the author of Barnabas argues for a supersessionist view, whereby the church has entirely displaced unfaithful Israel who "forfeited the covenant because of idolatry (4.8; cf. 16:1-

⁶⁸ cf. also e.g. the subtle rewriting of the account of the defeat of Sihon: *de vita* Mosis 1.258-62, and the analysis in Feldman, *Remember Amalek*, 176.

⁶⁹ While *Barnabas* shares a number of important thematic parallels with Philo's work, no direct and unambiguous link can be shown. Barnabas' exegesis often differs significantly from Philo's, e.g. when the former denies that the literal observance of the laws has any value at all (contrast *de migr. Abr.* 89-94). For thematic parallels between Philo and Barnabas cf. Ferdinand Rupert Prostmeier, *Der Barnabasbrief* (Göttingen: Vandenhoeck & Ruprecht, 1999), 121f, esp. n. 69.

⁷⁰ *ibid.*, 128, 118f; For convenience, I shall refer to the document's author simply as Barnabas.

⁷¹ *ibid.*, 87.

2), disobedience (8.7; 9.4; 14.1-4a), and ignorance (having read the Mosaic laws literally rather than 'spiritually,' as intended [10.2,9])."⁷²

Two elements of Barnabas' scriptural interpretation adumbrate important aspects of the subsequent reception of *herem* texts; they occur in a chapter in which he argues that the cross of Christ had been foreshadowed in a number of OT passages. Most importantly, commenting on Moses' renaming of Hoshea to Joshua (Num. 13:16), Barnabas perceives a particular significance in the homonymy of the OT and NT Ἰησοῦς.⁷³ In addition, he also reinterprets Yahweh's curse of Amalek in christological and eschatological terms:

Again, what does Moses say to [Ἰησοῦς] the son of Nun when he gave him his name, since he was a prophet, for the sole purpose that all the people might hear that the Father was revealing everything about his Son [Ἰησοῦς]? Moses said to [Ἰησοῦς] the son of Nun, when he gave him his name as he sent him to spy out the land, "Take a book in your hands and write what the Lord says, that in the last days the Son of God will cut off by its roots all the house of Amalek." Observe that it is [Ἰησοῦς], not a son of man but the Son of God, and revealed in the flesh by a symbol (τύπῳ δὲ ἐν σαρκὶ φανερωθεῖς).⁷⁴

By virtue of homonymy, Joshua becomes a τύπος of Jesus. While *type* here should of course not be understood in terms of the differentiation between allegory and typology as it emerged in seventeenth century Protestant orthodoxy, it is important to note that Barnabas does nowhere deny the historicity of the narrated events. What he does deny throughout, however, is that they have any enduring significance apart from their Christological interpretation; Hvalvik puts it like this, "[t]here can be little doubt that Barnabas thought the types to be historical. He certainly presupposes that the 'typical' events really happened. What is important however, is that the events in themselves were *prophetic*. And this was their only importance and meaning. They had no independent place in the history of Israel."⁷⁵ With respect to the renaming of Hoshea, this hermeneutic yields the result that "[t]he purpose of Moses' act was to reveal something about God's son. In Barnabas' view this interpretation is not a secondary reading of the text, but an unveiling of the *original* significance of what Moses did."⁷⁶

⁷² Michael W. Holmes, *The Apostolic Fathers: Greek Texts and English Translations*. 3rd Edition (Grand Rapids, Mich: Baker Academic, 2007), 372.

⁷³ cf. the comments on Heb 4:8 above.

⁷⁴ Barn. 12:8-10, Greek text and ET in Holmes, *Apostolic Fathers*.

⁷⁵ Reidar Hvalvik, *The Struggle for Scripture and Covenant: The Purpose of the Epistle of Barnabas and Jewish-Christian Competition in the Second Century* (Tübingen: J.C.B. Mohr (Paul Siebeck), 1996), 116; cf. Prostmeier, *Barnabasbrief*, 437: "Deshalb aber fehlt dem, was Moses tut, eine eigene, von dieser prophetischen Funktion unabhängige Dignität."

⁷⁶ Hvalvik, *Struggle*, 117.

In addition to the typological interpretation of this homonymy, Yahweh's command to Moses at the end of the battle against Amalek to "[w]rite this as a reminder in a book and recite it in the hearing of Joshua: I will utterly blot out the remembrance of Amalek from under heaven" (Ex. 17:14) becomes, in *Barnabas*, a prophecy by Moses that "in the last days the Son of God will cut off by its roots all the house of Amalek."⁷⁷ It seems clear that according to *Barnabas* Moses here predicts that Jesus Christ, the Son of God, will carry out an eschatological judgment. It is much more difficult, however, to determine the intended referent of the "house of Amalek." Where an earlier commentator had ventured the guess that it might be a reference to the devil, a more recent one denies that anything at all points in that particular direction.⁷⁸ Yet another commentator suggests that Amalek might refer to anything from human beings to evil in the world or to one's own sins, and that Barnabas may well be drawing a contrast between the imperfect battles of Joshua, waged with military means, and the underlying causes of these battles, which are only addressed by Jesus.⁷⁹

As we shall see below, early Christians were certainly capable of interpreting OT warfare in terms of battles against demons and the devil, and of comparing and contrasting the earthly wars the Israelites fought under Joshua with the spiritual wars Christians fight under Jesus. However, on balance, there does not appear to be conclusive evidence that *Barnabas* already represents this approach. What is certain, on the other hand, is that the Christological importance of the homonymy between the OT and NT Jesus, alluded to in Hebrews and highlighted in *Barnabas*, would be of enormous importance to many subsequent interpreters.

1.5 *Justin Martyr*

In a strictly chronological ordering, the second-century apologist Justin Martyr (d. ca. 164-67) should of course follow the section on Marcion, as Justin's writings postdate the rising to prominence of the latter, of whose activities he was aware.⁸⁰ In terms of Justin's readings of

⁷⁷ While neither the allusion/quotation in *Barnabas* nor the Hebrew or the LXX of Exod 17:14 has the technical term for *herem*, total annihilation seems to be in view here. In 1 Sam. 15 *herem* is of course expressly commanded against Amalek.

⁷⁸ Prostmeier, *Barnabasbrief*, 444, n. 51 contra Hans Windisch, *Der Barnabasbrief* (Tübingen: J.C.B. Mohr, P. Siebeck, 1920), 372; Daniélou also suggests that here "Amalek appears as a type of the powers of evil", Jean Daniélou, *From Shadows to Reality: Studies in the Biblical Typology of the Fathers*, trsl. by Wulstan Hibberd, (London: Burns & Oates, 1960 [French Orig. 1948]), 232.

⁷⁹ Elßner, *Josua*, 208.

⁸⁰ Justin mentions Marcion by name several times, and informs his readers that he has written a treatise (now lost) against his and other heresies; cf. 1 Ap xxvi and lviii; Dial xxxv in Justin Martyr, *Apologies edited*

pertinent texts, however, nothing indicates that his interpretation was developed in response to Marcion, which is why they are included in this chapter on “pre-critical” readings.

Justin does read the texts allegorically, but his allegoresis does not appear to be “defensive” at all but rather “positive;” it is not obviously designed to ward off moral criticism, but rather to read the JS/OT in a thorough-going christological way. This angle is not at all unexpected, given that within their literary context Justin’s remarks are addressed to Trypho, a Jew. The latter is unlikely to have warmed to Marcion’s point of view, but needed persuasion to see Jesus Christ in the JS/OT.

Much as the author of *Barnabas* had done before him, Justin repeatedly argues that the name of the OT Ἰησοῦς is pregnant with meaning.⁸¹ In his *Dialogue with Trypho*, Justin highlights the name change from Hoshea (Ἀυσή) to Joshua (Ἰησοῦς), insisting that it was Joshua, not Moses, who led the people into the Holy Land. However, contrasting the OT Joshua negatively with the NT Christ, Justin adds that the former Ἰησοῦς only “gave them a temporary inheritance,” while the latter, i.e. Christ, “shall give us the eternal possession.”⁸²

In a subsequent passage, Justin argues that a “sign of him that was to be crucified” is found in the “type of the extending of the hands of Moses, and of [Ἀυσή] being named [Ἰησοῦς].” In this context he applies, not unlike the author of *Barnabas*, the prophecy that God “would blot out the memorial of Amalek from under heaven” (Ex 17:14) to the NT Ἰησοῦς:

Now it is clear that the memorial of Amalek remained after the son of Nave: but He makes it manifest through Jesus, who was crucified, of whom also those symbols were fore-announcements of all that would happen to Him, the demons would be destroyed, and would dread His name, and that all principalities and kingdoms would fear Him.⁸³

In the MT and the LXX, it is Yahweh who is said one day to blot out Amalek’s memory. Having shifted the agency to Ἰησοῦς, Justin claims that a literal fulfilment could hardly have been envisaged, since Amalek’s memory survived the “son of Nave.” The fulfilment for which Justin argues instead is the victory of the crucified Christ over the demons.

with a Commentary on the Text by Denis Minns and Paul Parvis. (Oxford: Oxford University Press, 2009) and Justin Martyr, *Dialogus Cum Tryphone* (Berlin: Walter de Gruyter, 1997).

⁸¹ cf. e.g. Dial 49.7-8, 75.1-3, 89.1, 90.4-5, 111.2, 113.1-7, 135.4-5 and the analysis in Daniélou, *Shadows*, 232-237.

⁸² Dial 113, cf. Heb 4:8ff.

⁸³ Dial 131; ET Alexander Roberts et al (ed.), *The Apostolic Fathers. Justin Martyr. Irenaeus* (Buffalo, NY: Christian Literature Company, 1885 [1867]).

This passage is the first Christian reading that unambiguously interprets Israel's enemy Amalek as referring to demons. For present purposes, it is also noteworthy that Justin here uses the same verb in speaking of the demons' future destruction (ἐξολεθρεύειν) that in the LXX of Deuteronomy and Joshua most frequently translates the term *herem*.⁸⁴

In summation, then, Justin does not in these readings engage with the moral critique of Marcion, nor indeed with texts that in Hebrew contain the term *herem*. He does, however, contribute to the reception of texts relating to the annihilation of Amalek, which he is the first to explicitly apply to the destruction of demons.⁸⁵

This chapter has shown that the reception of *herem* texts within the HB/OT/Apocrypha and the NT was largely uncritical, with only minor indications of a possible toning down in certain places; there is more evidence of toning down in the works of Philo, who also strategically omits some *herem* passages and interprets others allegorically. However, neither the allegoresis by Philo, nor that by Barnabas or Justin Martyr, appear to have resulted from moral concerns about the texts, either the authors' or that of others. There also is no suggestion that these events did not in fact occur. In Philo, however, we have also found evidence that he was appalled by the concept and practice of group punishment, and that he subscribed to an ideal of noncombatant immunity.

⁸⁴ I owe this observation to Elßner, *Josua*, 216, n. 872.

⁸⁵ cf. also Tertullian's *Adversus Marcionem*, which contains the claim that that the Christ prophesied in the OT would not fight bodily wars, but destroy demons (IV.xx); in general, however, OT warfare, or *herem* specifically, does not play a major role in Tertullian's extensive response to Marcion; cf. Tertullian, *Adversus Marcionem*. Vol. 1 (Books 1-3). Vol. 2 (Books 4-5), trsl. by Ernest Evans, (Oxford: Clarendon Press, 1972).

2. Dissenting readings

The analysis of Philo's oeuvre above, especially his statements about the injustice of punishing children for the offenses of their parents, suggests that by the first century certain aspects of the JS would have become problematic for at least some devout Jews with an advanced Hellenistic education, even apart from any perceived tensions with the emerging NT.

The specific challenges these scriptures posed for Christian readers, however, were most forcefully expressed by the second century religious leader Marcion (b. ca. AD 85, d. ca. AD 160), who notwithstanding his later reputation as an arch-heretic saw himself as a pious follower of Jesus and Paul.¹ As we will see below, for Marcion the tension between the JS and teachings of Jesus and his apostle Paul were fundamental; Marcion's solution to the hermeneutical challenge was to deny that the God revealed in the two corpora was one and the same; put in terms of the framing dilemma he denied the identity of the subjects of premises (1) and (4), i.e. (1) God is good and (4) God commanded and commended genocide.

Other early interpreters attempted to reconcile tensions between elements of the JS and the emerging NT by focussing on premise (2), i.e. the assumption that the bible is true; they explicitly rejected at least some elements of the JS as false, in a hermeneutical move that has been called the "false Scripture argument."² Like Marcion these authors understood themselves as followers of Jesus and his apostle Paul, and therefore as Christians. As we shall see, however, the emerging Great Church rejected their teachings as heretical and their hermeneutics as erroneous.

Since most of the extant sources for that period have been transmitted through what became the Great Church, only fragmentary records of these dissenting approaches survive, which, moreover, are frequently only preserved in the works of their opponents; consequently, there is only a limited corpus available that can be searched for instances of reception of *herem* texts. In what follows I will therefore not only present any direct hermeneutical treatments of *herem* and related texts, but will also briefly consider what, on the basis of the extant evidence, the various hermeneutical approaches would likely have meant for the reception of *herem*.

¹ cf. B. Aland, 'Marcion (Ca. 85-160)/Marcioniten', in G. Müller (ed.), *Theologische Realenzyklopädie* 22, *Malaysia - Minne*. (Berlin [u.a.]: de Gruyter, 1992), 89-101; More recently, Moll suggested a considerably later date of birth, i.e. ca. AD 100-110, Sebastian Moll, *The Arch-Heretic Marcion* (Tübingen: Mohr Siebeck, 2010), 26, 45.

² K. M. Vaccarella, "Shaping Christian Identity: The False Scripture Argument in Early Christian Literature" (Electronic Theses, Treatises and Dissertations. Paper 4531: Florida State University, 2007).

Finally, there were of course also ancient interpreters who not only rejected the JS as false but also the emerging NT; these pagan opponents of Christianity also at times criticised the morality of the JS; their views will be presented in the final section of this chapter.

2.1 The god of the Jewish Scriptures is not good: Marcion and the Marcionites

Two aspects of Marcion's work and legacy are of particular importance for the reception of *herem* texts. First, Marcion's solution to the challenge posed by the JS was radical; he concluded that they were the revelation of a warring, cruel, wrathful demiurge, who was entirely different from the gracious, good, peaceful God revealed by Jesus Christ. Second, Marcion chose not to interpret the JS allegorically.

Marcion's criticism was a watershed moment in the reception of the OT, for in it "the discrepancy between the two Testaments had once and for all been identified as an issue, and no Christian theologian after Marcion could any longer simply proclaim their harmony without offering some sort of explanation for this contrast."³ His influence in the second century was considerable, enhanced by the fact that, a rarity among the heterodox, he founded a well organized church that in terms of influence for a season rivalled the emerging Great Church, remaining a serious competition in parts of Syria and Armenia well into the fifth century.⁴ Harnack went so far as to suggest that, for a brief time in the second century, Christians who rejected the JS may even have outnumbered those who accepted them.⁵ Marcion's influence on the Christian OT is increasingly the focus of scholarly treatments; where earlier studies tended to highlight his contribution to the formation of the NT canon, more recent ones tend to focus on the OT, to the point of suggesting that he "was responsible for [the church] retaining an Old Testament."⁶

2.1.1 The role of warfare in Marcion's polemic against the Jewish Scriptures

For present purposes it is of particular interest that in Marcion's "Antithesen bildete die Gegenüberstellung der Kriegstaten des Judengottes und der Sanftmut Jesu ein Hauptstück."⁷ Said

³ Moll, *Marcion*, 143.

⁴ Aland, *Marcion*, 98f.

⁵ So Adolf v. Harnack, *Marcion: das Evangelium vom fremden Gott. Zweite, verbesserte und vermehrte Auflage* (Leipzig: J.C. Hinrichs'sche Buchhandlung, 1924), 206, n.1.

⁶ J. Barton, 'Marcion Revisited', in J. Barton (ed.), *The Old Testament: Canon, Literature and Theology. Collected Essays of John Barton* (Aldershot, England; Burlington, VT: Ashgate, 2007), 67-82, 77; similarly Moll, *Marcion*; contrast e.g. Harnack, *Marcion*, 214f.

⁷ Adolf v. Harnack, *Militia Christi: Die christliche Religion und der Soldatenstand in den ersten drei Jahrhunderten* (Tübingen: Mohr Siebeck, 1905), 25; similarly, Gabriel E. Andrade Campo-Redondo, "Marción

Antitheses are generally held to have been Marcion's main written work, apart from his "critical" edition of the Gospel and Apostolikon.⁸ As is true for many ancients whom the church came to regard as heretics, Marcion's work has not survived independently and has to be pieced together from the writings of his opponents.⁹ The reconstruction of the antitheses therefore remains educated guesswork, making it impossible to determine precisely their original content, let alone their relative order. For example, some of the antitheses listed in Harnack's seminal monograph may actually be inspired by Marcion's thought rather than having been composed by himself.¹⁰ For present purposes, however, such source-critical questions are of secondary importance. The salient point is that from the second-century onward a significant number of those who were seeking to follow Christ (and his apostle Paul) came to the view that their teaching and example were irreconcilable with the JS.

OT warfare texts played a significant role in Marcion's views, which can be shown from Harnack's list of reconstructed antitheses. One of them (no. III) reads "Joshua conquered the land with violence and cruelty; but Christ forbids all violence and preaches mercy and peace."¹¹ A further antithesis (no. VII) is connected to Joshua and the battle against Amalek: "The prophet of the God of creation, when war came upon the people, went up to the top of the mountain and stretched out his hands to God so that he might destroy many in the battle. Yet our Lord, because he is good, stretched out His hands, not to destroy, but to save men."¹² A third antithesis (no. X), directly involves the conquest of Canaan: "The prophet of the God of Creation, so that he might destroy more of the enemy (ἵνα πολλοὺς τῷ πολέμῳ ἀνέλῃ), stopped the sun from setting until he

de Sinope a la luz de la violencia religiosa contemporánea", in: *Ilus. Revista de Ciencias de las Religiones*, 13, (2008), pp.15-33, 18.

⁸ Aland, *Marcion*, 91-93, but contrast Moll, *Marcion*, 115-118, who thinks a letter by Marcion may have been of even greater importance.

⁹ The most important ancient source is Tertullian, *Adversus Marcionem*. Among modern interpreters, von Harnack's landmark study (1921, ²1924) remains an indispensable source of information, especially since its extensive appendix contains a collection of almost all relevant ancient sources; cf. also Adolf v. Harnack, *Marcion: der moderne Gläubige des 2. Jahrhunderts, der erste Reformator. Die Dorpater Preisschrift (1870)* (Berlin; New York: de Gruyter, 2003). Harnack identified with Marcion to a degree that at times may have clouded his judgment, cf. Wolfram Kinzig, "Ein Ketzer und sein Konstrukteur. Harnacks Marcion" in G. May and Katharina Greschat (ed.), *Marcion und seine kirchengeschichtliche Wirkung = Marcion and his impact on church history: Vorträge der Internationalen Fachkonferenz zu Marcion, gehalten vom 15.-18. August 2001 in Mainz* (Berlin; New York: Walter de Gruyter, 2002) as well as Moll, *Marcion* and id., 'Marcion: A New Perspective on His Life, Theology, and Impact', *Expository Times* 121.6 (2010), 281-286.

¹⁰ cf. Harnack, *Marcion*, 87.

¹¹ *ibid.*, 89; 272*-273*; my translation; reconstructed by Harnack on the basis of Origen's homilies on Joshua, esp. homilies X.2 and XII.2.

¹² Harnack takes its text verbatim from the words attributed to Megethius in the anti-heretical *Adamantius Dialogue* I,11; *ibid.*, 90; 281*; ET in *Adamantius: Dialogue on the True Faith in God; De Recta in Deum Fide. Translation and Commentary*, trsl. by Robert A. Pretty, (Leuven: Peeters, 1997), 53.

should finish slaying those who were fighting against the people. But the Lord, because He is good, says, "Let not the sun go down upon your anger."¹³

While none of these antitheses specifically mentions the concept of total annihilation in terms of *herem*, it is arguably not far from the surface: antithesis no. III refers to the conquests of Joshua, which the bible repeatedly describes in terms of *herem*, and no. X relates to Joshua's battle against the five Amorite kings and the standing still of the sun (Josh 10). While *herem* is not mentioned in the most immediate context of this battle, it is described as "a very great slaughter...until they were wiped out" (Josh 10:20).

A further Marcionite criticism also addresses the Canaanite conquest, "Good is indeed the god of the law who disadvantaged the Canaanites to give to the Israelites their land, houses they had not built and olive trees and fig trees and vineyards they had not planted."¹⁴ Concerning this passage, Räisänen remarks that "Marcion even pays attention to what might be called the human rights of the Canaanites in this ironical comment."¹⁵ While the language of "human rights" is of course anachronistic, issues of inter-human equity and justice may well have played a substantial role in the Marcionite critique. Interestingly, however, this criticism of the Canaanite conquest does not mention the command to annihilate, or drive out, the Canaanites. Rather, it seems to be the economic injustice that is primarily in view, or the implied greed of the Israelites.¹⁶

Based on the above examples, the conclusion seems warranted that warfare in general, and the deeds associated with Joshua and the conquest of Canaan in particular, played a considerable role in the Marcionite criticism of the JS and their god. In light of today's sensibilities, however, it may appear somewhat surprising that the commands to annihilate the nations of Canaan, including women and children, and narratives of such wholesale slaughter, were not highlighted even more strongly.¹⁷

¹³ Adam. Dial. I,13; Harnack, *Marcion*, 90; 281*, ET, *Dialogue*, 55.

¹⁴ Epiphanius, *Ancoratus* 111; Harnack, *Marcion*, 281*; my translation.

¹⁵ Heikki Räisänen, *Marcion, Muhammad and the Mahatma: Exegetical Perspectives on the Encounter of Cultures and Faiths* (London: SCM, 1997), 68.

¹⁶ The allusion is to Deut 6:11 and/or Josh 24:13; cf. Exod 3:22; 11:2, 12:35; A similar concern is raised with regard to the Israelites taking the silver and golden vessels from the Egyptians at the Exodus, cf. Epiphanius, *Anc.* 110. This is a favourite Marcionite topos, which, in Marcion's antithesis is contrasted with Jesus' command to "take nothing on your journey..." (Luke 9:3). For references in Irenaeus, Tertullian, and the *Adamantius Dialogue* see Harnack, *Marcion*, 281*.

¹⁷ It should be noted, however, that absence of evidence is not, of course, evidence of absence, and that any such criticisms, if indeed they had been raised, might simply not have survived. Their relative scarcity, however, may also reflect the way in which today's sensibilities are different to those in antiquity.

2.1.2 Marcion's rejection of allegory

Marcion's rejection of the JS and their god is intimately connected with his refusal to read them allegorically. Origen describes the Pontic's hermeneutical stance as “μὴ δεῖν ἀλληγορεῖν τὴν γραφήν,” Harnack calls him a “bewußter und entschiedener Gegner der allegorischen Erklärung” and suggests that he may have set out his hermeneutical principles, including his rejection of allegory, at the beginning of the *Antitheses*.¹⁸ The question as to what came first, however, Marcion's rejection of allegory or his denial of the concordance between the JS and the Christian revelation, is somewhat intractable.¹⁹

The question of what motivated Marcion to adopt this radical position is also controversial. For Harnack, Marcion's reading of Paul was fundamental. His “Ausgangspunkt” was “in dem paulinischen Gegensatz von Gesetz und Evangelium, übelwollender, kleinlicher und grausamer Strafgerechtigkeit einerseits und barmherziger Liebe andererseits gegeben.”²⁰ Similarly, Aland, in slightly anachronistic terms, suggests that the decisive factor was “seine Bibellektüre, insbesondere die des Paulus,” where Marcion seems to have adopted the first two chapters of Galatians as an historical introduction and hermeneutical key.²¹ Focusing on the Pauline contrast between law and gospel, Marcion found it difficult to accept that the same God would have replaced the legalistic way of salvation with the one of faith. This would have meant that God was fitful and inconsistent, an unthinkable violation of contemporary philosophical conceptions of what was worthy of God, θεοπρεπές.²² On Aland's view, then, a combination of Paul and philosophy was ultimately decisive. Harnack, on the other hand, seems to lay more of an

¹⁸ Origen, *Commentarium in Evangelium Matthaei* (Lib. 12-17) (Leipzig: Teubner, 1935-37), XV.3; Harnack, *Marcion*, 87, n.1; cf. Claudio Gianotto, “L'uso delle Scritture in Marcione e negli gnostici”, in: *Ricerche storico-bibliche. L'uso delle Scritture nel I e II sec. d.c. Atti dell'XI Convegno di Studi Neotestamentari e Anticristiani* (Ciampino, 7-10 settembre 2005), 2, (2007), pp.261-273, 265f.

¹⁹ Harnack suggests the latter: “Indem Marcion sie [sc. jede allegorische und typologische Erklärung] ablehnte, war er von vornherein nicht mehr in der Lage, das AT anzuerkennen und seine Konkordanz mit der christlichen Offenbarung festzuhalten. Aber natürlich ist die Beanstandung dieser Konkordanz bei ihm das Erste und die Verwerfung der allegorischen Methode die Folge.” Harnack, *Marcion*, 87; similarly J. Barton, ‘Marcion Revisited’ (1997), but cf. Barton's agnostic stance in an updated version of the same paper published ten years later, Barton, ‘Marcion Revisited’ (2007), 75.

²⁰ Harnack, *Marcion*, 30, emphasis original.

²¹ Aland, *Marcion*, 93. It must be asked, however, in what way a reading of Paul could be termed “Bibellektüre” before Marcion's own canon project.

²² *ibid.*, 94.

emphasis on the *experience* of grace, but also appeals to philosophical presuppositions when he attributes the view to Marcion that “[n]ichts aber kann göttlich sein, was seine Geltung verliert.”²³

In a recent monograph, however, Moll challenges this traditional point of view, arguing that “it is in fact the Old Testament which forms [Marcion’s] starting point. The evil God created a miserable world with weak creatures, gave them a burdensome Law and judges them cruelly. Then Marcion’s good God enters the scene as a pure *anti-God*, with no other function than to spite the Creator and to free mankind from its horrible lot.”²⁴ Moll also insists that Marcion “has absolutely no concept of θεοπρεπές”²⁵ and rejects the view that Paul’s dialectic was fundamental.²⁶ On Moll’s reading, “[b]esides Marcion’s Biblicism, the only real premise of his theology is the fact that he had nothing but disgust and hatred for the world and for life itself [...] Having realised that the world is a terrible place, Marcion needed to blame someone for this status, and there could be no doubt that it was the Creator’s fault, a God who even admitted himself: ‘It is I who create evil.’”²⁷

For present purposes, it is not necessary to take a view on these historical questions about Marcion’s inner life and motivation. The pertinent point is that his rejection of the status of the JS as holy scripture for Christians was, at least in part, due to the tensions between JS warfare texts and NT ethics of peace and non-retaliation. While Marcion may well have shared some of the moral concerns reflected in Philo’s oeuvre, his critique thus is specifically Christian, in the sense that it is decisively shaped by his reading of the gospel and the Pauline corpus. Another major difference to Philo is that Marcion does not interpret the JS allegorically;²⁸ the biggest difference, of course, is that Marcion denies that the god who inspired the JS is good.

It should also be noted, however, that Marcion’s rejection of the JS was not complete; in some ways, he showed a remarkable respect for them. While he was, for instance, ready to reject

²³ Harnack, *Marcion*, 31.

²⁴ Moll, *Marcion*, 82f. One of Moll’s most radical proposals is the suggestion that Marcion himself did not distinguish between a *just* God (of the HB) and a *good* God (of Jesus), but between an *evil* God and a *good* God. In his view the deus iustus is a later development of Marcionite doctrine *ibid.*, 47-63.

²⁵ *ibid.*, 154.

²⁶ For Moll, Harnack’s argument that Marcion’s view of the law was similar to Paul’s (excepting Marcion’s teaching concerning two Gods) is comparable to “saying that Adam Smith’s concept of economy is close to that of Karl Marx, if one leaves aside Smith’s idea of the free market,” *ibid.*, 85.

²⁷ *ibid.*, 59; cf. Isa 45:7, a favourite Marcionite quote.

²⁸ It should be borne in mind, however, that allegoresis was, by the second century AD, not primarily a defensive hermeneutical move; rather “an aptitude to be interpreted allegorically was part and parcel of sacredness in texts,” Barton, *Marcion Revisited 1997*, 54.

many early Christian books as Judaizing forgeries and suggested that the Third Gospel and the Pauline Epistles, as they were read in the Church, contained many interpolations, he did not subject the JS to similar criticisms, but accepted them as a “wahrhaftige Darstellung der wirklichen Geschichte.”²⁹ Marcion also held that the JS contained true predictive prophecy that was yet to be fulfilled, as well as prophecies that Jesus Christ had already fulfilled; in addition, he granted that the JS included elements that the apostle (but not other Christians) was allowed to interpret typologically, and some from which Christians could learn.³⁰

In terms of the hermeneutical challenge posed by *herem* and similarly violent texts, Marcion’s approach thus may be construed as upholding all four premises (i.e. God is good; the bible is true; genocide is atrocious; according to the bible God commanded and commended genocide). Marcion is of course only too aware of the tensions and his solution is radical, i.e. he argues that the God of premise (1) is not identical with the God of premise (4); while the God of premise (1), i.e. the Father of Jesus Christ, is indeed good, the God of premise (4), i.e. the god of the Jewish Scriptures, is the demiurge, who may be just but certainly is not merciful and good. This demiurge has indeed ordered the kind of violent warfare to which Marcion antithetically opposes the teachings of Jesus and Paul.

2.2 The Jewish Scriptures are part true, part false

Another way of resolving the hermeneutical tensions of the framing dilemma is to deny premise (2), i.e. that the bible is (always) true; this was the approach taken by a number of pious readers in the second, third and fourth centuries; they had in common the wish to maintain a greater sense of continuity between the JS and the NT than Marcion had argued for, but were willing to reject parts of the JS as false in cases where they perceived there to be an irreconcilable difference between them and the teachings of Jesus. In what follows I do not wish to suggest that these hermeneutics were developed primarily to deal with *herem* or OT warfare texts; as is true for any hermeneutical approach they arose in a complex socio-religious environment and served many purposes, including that of shaping communal identities in a variety of ways.³¹ Nonetheless, these approaches represent live hermeneutical options in antiquity that could have been, and in some cases demonstrably have been, applied to the challenge posed by violent OT texts.

²⁹ Harnack, *Marcion*, 33;

³⁰ *ibid.*, 116; Barton, *Marcion Revisited 1997*, 42f.

³¹ For a recent analysis of this phenomenon, cf. Vaccarella, *False Scripture Argument*.

2.2.1 Ptolemy's letter to Flora

The text of the letter *to Flora*, written in the mid to late second century, has come down to us in Epiphanius' *Panarion*, a fourth century medicine chest designed to inoculate Catholics against the heretical positions it describes at great length.³² A scholarly consensus identifies the author of the letter with the Ptolemy mentioned by Irenaeus in *Adversus Haereses*, and takes him to have been a leader of the "Valentinian Gnostic school" at Rome.³³ While the grouping together of individuals into schools and movements (e.g. "the Gnostics") is contested and potentially misleading, it is probably fair, and important, to say of "Valentinian Gnostics" as a group that they "did not see themselves other than as Christian," considered themselves part of the one Christian church,³⁴ and held the JS to be "an inspired book."³⁵

In terms of the larger context in which Ptolemy developed his hermeneutic, Vaccarella's recent analysis suggests that he "responds to the theological competition by incorporating a version of Marcion's biblical criticism within a Valentinian cosmological system."³⁶ Concretely this means that "Ptolemy utilizes the evidence of contradictions unearthed by Marcion to demonstrate the existence and accuracy of Valentinus' views regarding the existence of a perfect god, a demiurge, and an earthly devil. Each of these figures represents the three realms of Valentinus' cosmos: respectively, the pneumatic, the psychic, and the hylic."³⁷

A detailed discussion of Valentinian theology, however, is not pertinent to the Christian reception of *herem*. In general terms, Ptolemy's hermeneutical approach to the JS appears to have been a middle position between the emerging Great Church and the Marcionites; as we have seen above, Marcion rejected the JS as antithetical to the Gospel, while authors whom the Great Church came to view as their own, such as Barnabas, held that there was perfect congruence between the two (if properly interpreted).³⁸

³² The work is found at 33.3.1-33.7.10 of Epiphanius' *Panarion* (ca. 375); Greek citations will be from *Lettre à Flora* (Paris: CERF, 1966 (2nd ed.)); ET from 'Epistle to Flora', in B. Layton (ed.), *The Gnostic Scriptures: A New Translation With Annotations and Introductions* (New York: Doubleday, 1995), 306-315.

³³ For a discussion and engagement with the recent literature, cf. Vaccarella, *False Scripture Argument*, 35ff.

³⁴ A. Pasquier, 'The Valentinian Exegesis', in C. Kannengiesser (ed.), *Handbook of Patristic Exegesis: The Bible in Ancient Christianity*. (Leiden; Boston: Brill, 2004), 454-470, 454.

³⁵ *ibid.*, 458.

³⁶ Vaccarella, *False Scripture Argument*, 77.

³⁷ *ibid.*

³⁸ cf. "una positione intermedia", Gianotto, *L'uso delle Scritture in Marcione e negli gnostici*, 269; cf. also Pasquier, *The Valentinian Exegesis*, and Robert McQueen Grant, *Heresy and Criticism: The Search for Authenticity in Early Christian Literature* (Louisville, KY: Westminster/J. Knox Press, 1993), 49-58.

Ptolemy lays out his hermeneutical approach to the JS in a letter addressed to one Flora.³⁹ In it, he rejects both the notion that the Jewish bible “has been ordained by God the father” and the claim “that it has been established by the adversary, the pernicious devil.”⁴⁰ Instead, he advocates a three-fold authorship of the law, viz. god directly (i.e. the demiurge rather than the “father of the entirety”), Moses (who accommodated the hardness of his hearers’ hearts) and “the elders” (who honour God with their lips but whose heart is far from him).⁴¹ God’s, i.e. the demiurge’s, own law is subject to a further threefold subdivision, viz. what is pure but imperfect, what is interwoven with the inferior and with injustice, and what is symbolic and allegorical.⁴²

Though Ptolemy does not in his short letter mention *herem* texts specifically, it is exceedingly likely that he would have rejected their validity for Christians, for in fact he rejects even the *lex talionis* invoked against a murderer as “interwoven with injustice,” and “a deviation from the pure law because of the weakness of those for whom it was ordained” since it is “incongruous with the nature and goodness of the father of the entirety.”⁴³ According to Ptolemy this part of the law, interwoven as it is with injustice, was completely “abolished by the savior with injunctions to the contrary...‘For I say to you (pl.), Do not in any way resist one who is evil. But if any one strikes you (sing.), turn to him the other cheek also’.”⁴⁴ Here we see that as in the case of Marcion, tensions between NT and OT injunctions play an important role in Ptolemy’s argument; but the latter’s solution to the problem has more nuances and greater complexity than the former’s radical antithesis.

Crucially, the hermeneutical key that enables Ptolemy to discern what in the JS is of lasting value and what is not, is found in the words of Jesus; he promises to prove all his claims by “our savior’s words, by which alone it is possible to reach a certain apprehension of the reality of the matter without stumbling.”⁴⁵

³⁹ probably a “female adherent of ordinary Christianity” so Layton, *Epistle to Flora*, 306; or possibly a veiled reference to the Roman church; so Grant, *Heresy and Criticism*, 50.

⁴⁰ *Ad Floram*, 33.3.2; The former position is that of the emerging Great Church, the latter arguably refers to Marcion, so Moll, *Marcion*, 17. This claim and its interpretation is, however, not uncontroversial, cf. *ibid.*, nn 32 and 33.

⁴¹ *Ad Floram*, 33.4.1-33.4.14; cf. Mark 10:5 and par; Mark 7:6 and par, quoting Isa 29:13.

⁴² *ibid.*, 33.5.1-13; for the identification of god with the demiurge in these places, cf. Vaccarella, *False Scripture Argument*, 56-58.

⁴³ *ibid.*, 33.5.5.

⁴⁴ *ibid.*, 33.6.2-3.

⁴⁵ *ibid.*, 33.3.8; <τῶν> ῥηθησομένων ἡμῖν τὰς ἀποδείξεις ἐκ τῶν τοῦ σωτῆρος ἡμῶν λόγων παριστῶντες, δι’ ὧν μόνον ἔστιν ἀπταίστως ἐπὶ τὴν κατάληψιν τῶν ὄντων ὁδηγεῖσθαι.

In summation, then for Ptolemy the “Jewish bible is seen as provisional revelation, in need of being relativized, and imperfect in some of its parts.”⁴⁶ The hermeneutical criterion that enables readers to distinguish between the various aspects of the JS are the words of Jesus.⁴⁷

If one were to attempt to apply Ptolemy’s hermeneutic to *herem* texts, several options present themselves: one could either reject them outright as an interpolation by “the elders” which reflect neither the just Demiurge nor the good Father, or see in them an accommodation to the hardness of heart granted either by Moses or by the Demiurge. In any event, they would now be abrogated by the teaching of the Saviour. An allegorical interpretation is also conceivable, though Ptolemy seems to have advocated allegoresis primarily with respect to what one might call the ritual law.⁴⁸ While it is impossible to be certain which, if any, of these approaches Ptolemy and his followers might have applied to *herem* texts, we can confidently conclude from the letter’s forceful rejection of the *lex talionis* that they would not have simply accepted them straightforwardly.

2.2.2 The Didascalia Apostolorum

Another early Christian text that deploys the false Scripture argument is the Didascalia Apostolorum (DA).⁴⁹ According to the DA, the majority of the OT Law was imposed on the Jews as a punishment for the idolatrous worship of the golden calf; the Decalogue alone is the Law of God that has continuing validity, all other laws are a temporary judgment imposed on the Jews; Christ came to fulfil the former and abolish the latter.⁵⁰

While this type of reasoning covers all aspects of OT legislation beyond the Decalogue, including, say, the various *herem* commands in Deuteronomy, the DA’s authors do not appear to have been motivated by ethical reservations about the OT. Rather, they deploy the argument in the service of combating both pagan idolatry and Jewish or “Judaising” observance of the OT

⁴⁶ Pasquier, *Valentinian Exegesis*, 459.

⁴⁷ cf. *ibid.*, 460; Vaccarella, *False Scripture Argument*, 48, 69.

⁴⁸ *Ad Floram*, 33.5.8-13.

⁴⁹ The DA likely emerged from a third-century Christian community; it is preserved in Latin fragments and a complete Syriac translation, cf. R. H. Connolly (ed.), *Didascalia Apostolorum. the Syriac Version Translated and Accompanied by the Verona Latin Fragments, with an Introduction and Notes*. (Oxford: The Clarendon Press, 1929); Arthur Vööbus (ed.), *The Didascalia Apostolorum in Syriac* (Louvain: Secrétariat du CSCO, 1979); cf. the discussion in Vaccarella, *False Scripture Argument*, 81-118.

⁵⁰ According to Vaccarella, this theme, while primarily concentrated in the 26th and final chapter, “first arises in the opening chapter and appears often throughout the other 25 chapters;” *ibid.*, 82, n.6.

“ritual law.”⁵¹ These latter practices were, according to the DA, instituted at the giving of the “Second Law,” i.e. the law that was added to the Decalogue as punishment; only after that “were animals discerned, and clean and unclean flesh; from that time were separations, and purifications, and baptisms, and sprinklings; from that time were sacrifices, and offerings, and tables; from that time were burnt offerings, and oblations, and shewbread, and the offering up of sacrifices, and firstlings, and redemptions, and he-goats for sin, and vows, and many other things marvellous.”⁵²

Accordingly, the DA is only of marginal relevance to the reception of *herem*; it does not evince moral concerns of the type pertinent to OT warfare texts. Note, too, that the DA’s approach differs markedly from Ptolemy’s hermeneutic. It does not ascribe portions of the OT to an inferior deity, or explain them as an accommodation granted by Moses or a corruption inserted by the elders; rather, it accepts the laws as having been given by the one and only God, if for the sole purpose of punishment.

2.2.3 *The Pseudo-Clementines*

A third ancient example of the false Scripture argument is found in the Pseudo-Clementine Homilies, which, along with the so-called Recognitions and brief introductory letters, are part of a complex collection of apocryphal texts that likely emanate from anti-Pauline Jewish Christian circles in the third and fourth centuries, but possibly contain earlier elements.⁵³ While questions of authorship, sources, dating etc. remain a matter of scholarly debate, the Homilies will for present purposes simply be taken as an ancient witness to a particular hermeneutical approach.⁵⁴

The Homilies include an account of (apocryphal) public debates between the apostle Peter (the spokesperson of orthodoxy) and his nemesis, Simon Magus. In these discussions, both Peter and Simon Magus are presented as sharing the view that the OT contains passages that do not accord with a Christian view of God; however, they offer radically different accounts for why this

⁵¹ cf. *ibid.*, 117f.

⁵² Connolly, *Didascalia Apostolorum*, 222.

⁵³ J. Irmscher and G. Strecker, 'The Pseudo-Clementines', in W. Schneemelcher (ed.), *New Testament Apocrypha. Volume Two: Writings Related to the Apostles; Apocalypses and Related Subjects. Revised Edition*. (Cambridge: James Clarke & Co. Ltd, 1992), 483-541, 483-492; J. K. Elliott, 'The Pseudo-Clementine Literature', in J. K. Elliott (ed.), *The Apocryphal New Testament: A Collection of Apocryphal Christian Literature in an English Translation* (Oxford: Oxford University Press, 1993), 431-438; cf. the discussion in Vaccarella, *False Scripture Argument*, 119-172.

⁵⁴ The standard critical edition is *Die Pseudoklementinen. 1. Homilien* (Berlin: Akademie-Verlag, 1992 (3., verbesserte Auflage, von Georg Strecker; [1. Aufl. 1953])); ET taken from Pseudo-Clemens, *The Clementine Homilies*, trsl. by Thomas Smith, Peter Peterson and Dr. Donaldson, (Edinburgh: T. & T. Clarke, 1870).

is the case. According to Peter, entire chapters were added to the bible, to the effect that “the Scriptures misrepresent [God] in many respects.”⁵⁵ The purpose for which these falsehoods were included in the bible is “the conviction of those who should dare to believe anything that was spoken against God,”⁵⁶ they were “permitted to be written for a certain righteous reason, at the demand of evil.”⁵⁷ Simon Magus, on the other hand, advocates a Marcionite view and attempts to “show from the Scriptures that He who made the heaven and the earth, and all things in them, is not the Supreme God.”⁵⁸

Peter’s hermeneutic, i.e. the hermeneutic endorsed in the Clementines, includes the following criterion for determining which passages are spurious and which are not: “everything that is spoken or written against God is false.”⁵⁹ Further criteria, however, are necessary to determine what counts as having been spoken “against God.” Peter offers two, one of them theological, the other exegetical.

The theological criterion is based on a mixture of traditional and philosophical considerations; according to Peter, any successful hermeneutic must begin with a proper view of God, i.e. with the affirmation that “He is the only God, and Lord, and Father, good and righteous, the Creator, long-suffering, merciful, the sustainer, the benefactor, ordaining love of men, counselling purity, immortal and making immortal, incomparable;”⁶⁰ Peter does not give a detailed account of how he arrives at these views; presumably, he does not have to do so because they are accepted by the intended audience on the strength of tradition.

However, Peter’s first criterion relies not only on Christian tradition but also on more general philosophical notions of what is worthy of God (θεοπρεπές). This is implied, for instance, in the following rhetorical questions, “If He deliberates, and changes His purpose, who is perfect in understanding? If He envies, who is above rivalry? If He hardens hearts, who makes wise?”⁶¹ In

⁵⁵ II.41.

⁵⁶ II.47.

⁵⁷ III.5; cf. Job 1-2, and Origen’s speculation above as to why certain “impossibilities” were added by the Holy Spirit.

⁵⁸ *Pseudo-Clementine Homilies* III.2, cf. also II.38-52 and III *passim*.

⁵⁹ II.40.

⁶⁰ II.45.

⁶¹ II.43.

this context Peter also poses a question that is directly relevant to the reception of *herem*: “If He loves war, who then wishes peace?”⁶²

Peter’s second criterion is exegetical, going beyond philosophical and traditional considerations. It focuses on the teachings of Christ, the true prophet whose coming Moses had correctly predicted and who came, *inter alia*, to show “what of the Scriptures are true and what are false.”⁶³ This importance placed on the words of Christ as a hermeneutical criterion closely resembles the role they play in Ptolemy’s hermeneutic.⁶⁴

When we consider how these hermeneutical criteria might have shaped the reception of *herem*, two things are of note. First, war is clearly seen as problematic, as is evident from the rhetorical question that suggests that God, who is known to desire peace, cannot simultaneously also love war.

Second, Peter concludes from Christ’s saying that “heaven and earth shall pass away but not one jot or tittle from the law shall pass away” that “the things which pass away before heaven and earth do not belong to the law in reality.”⁶⁵ Among the things Peter names as passing away are “kingdoms.”⁶⁶ While the Peter of the Clementines does not himself connect the passing away of kingdoms with the notion that divinely sanctioned wars have also passed away, it would be possible to argue, on the basis of this hermeneutical criterion, that divinely sanctioned wars (including *herem*) were functions of the earthly kingdom of Israel, which has now passed away.⁶⁷ Therefore, as divinely sanctioned wars have now passed away along with the kingdom, they are revealed by the words of Christ as never having belonged to the true ordinances of God.

2.3 The entire bible is not holy: pagan critics

From the second century onwards, certain pagan intellectuals began to take note of Christianity and its bi-partite scripture, and at times attacked the former by criticizing the latter. The earliest pertinent example of this is found in the work of the second century philosopher Celsus, whose writings have survived only insofar as they are included in Origen’s response to

⁶² II.44.

⁶³ III.49.

⁶⁴ so also Vaccarella, *False Scripture Argument*, 48, n. 59.

⁶⁵ III.51; The concept that certain laws are only valid temporarily and, therefore, do not reflect God’s true purposes, is akin to the argument about the giving of the Second Law in the *Didascalia Apostolorum*, cf. above.

⁶⁶ III.52.

⁶⁷ For an example of this type of argument, cf. in the next chapter, Origen, *Contra Celsum*, vii.26.

him. In light of Celsus' inextricable connection with Origen, his arguments will be discussed in the following chapter in the section on the latter's hermeneutic; leaving Celsus aside for the moment, then, this section gives an overview of the most pertinent contributions by other early pagan critics of Christianity.⁶⁸

The first thing pagan intellectuals often noticed about the OT was how unfavourably its style compared to the contemporary canons of good literature: "from its outset the bible's shabby literal dress made it unattractive for most pagans."⁶⁹ In terms of content, the main objections that pagan intellectuals levelled at Christianity can be grouped under three headings, viz. historical, metaphysical and ethical-political.⁷⁰ Criticism of the OT featured in all three areas: in terms of history, the OT's antiquity, cultural achievements and coherence were called into question;⁷¹ in terms of metaphysics ("das Zentrum des Kampfes"),⁷² the OT anthropomorphisms were front and centre, especially the fact that God is presented as possessing "menschliche Affekte wie Reue, Zorn, Drohungen, ja Vernichtungswillen gegen seine eigenen Geschöpfe;"⁷³ finally, in terms of political ethics, the contradictions between the ethical commandments of Moses and the teachings of Jesus were highlighted.⁷⁴

While this summary suggests a rather considerable topical affinity with the subject in hand, it should be noted that relatively little is made in surviving pagan criticisms of what today might be called the "morality of the God of the OT," and, as far as I can see, apart from one statement by Celsus, no pagan criticism survives specifically of the command to annihilate the nations of Canaan.⁷⁵

The Neo-Platonic philosopher Porphyry (234-302/5), whose *Contra Christianos* only survives in fragments, is commonly thought to have been Christianity's most able critic in the third

⁶⁸ On the reception of the OT by pagans, cf. esp. John G. Cook, *The Interpretation of the Old Testament in Greco-Roman Paganism* (Tübingen: Mohr Siebeck, 2004).

⁶⁹ W. Kinzig, 'The Pagans and the Christian Bible', in J. C. Paget and Joachim Schaper (ed.), *New Cambridge History of the Bible. Vol. I: From the Beginnings to 600* (Cambridge: Cambridge University Press, 2013), 752-774, 753.

⁷⁰ cf. the seminal article by Wilhelm Nestle, "Die Haupteinwände des antiken Denkens gegen das Christentum", in: *Archiv für Religionswissenschaft*, 37, (1941), pp.51-100.

⁷¹ *ibid.*, 59ff.

⁷² *ibid.*, 70.

⁷³ *ibid.*, 75.

⁷⁴ *ibid.*, 94.

⁷⁵ This claim is based on my analysis of pertinent collections and secondary literature, e.g. Giancarlo Rinaldi, *Biblia gentium* (Roma: Libreria Sacre Scritture, 1989); id., *La Bibbia dei pagani. 1. Quadro storico*. (Bologna: EDB, 1998), id., *La Bibbia dei pagani. 2. Testi e documenti*. (Bologna: EDB, 1998); Cook, *Interpretation*; Stein, *Bibelkritik*; Nestle, *Haupteinwände*; Kinzig, *Pagans*.

century. With the exception of his commentary on Daniel, however, in which he anticipates several results of historical-critical scholarship, not much of his engagement with the OT is extant. Since Porphyry seems to have primarily focused on probing the biblical texts for narrative inconsistencies and contradictions (e.g. between the various NT gospels), rather than on moral criticism, and since little of his work on the OT survives, it is perhaps not surprising that we have no record of him engaging with the morality of *herem*. He did, however, categorically reject allegoresis for the OT.⁷⁶

The fourth century emperor Julian “the Apostate” (332-363), on the other hand, does raise questions of morality and justice with respect to the “God of the OT” in his *Contra Galileos*.⁷⁷ Commenting on the Decalogue, he asks “Is not all this partiality? God you say is a jealous God. But why is he so jealous, even avenging the sins of the fathers on the children?”⁷⁸ With respect to the story of Phinehas, Julian is concerned by the disproportionate punishment of the many (innocent) for the guilt of the few: “was it right that on account of this one thousand, six hundred thousand should be utterly destroyed?”⁷⁹ Worrying about what the practice of *imitatio Dei* might entail, Julian asks, “But what sort of imitation of God is praised among the Hebrews? Anger and wrath and fierce jealousy.”⁸⁰ Perhaps the most pertinent remark is this criticism of Moses, “For it will be found that even the most wicked and most brutal of generals behaved more mildly (ἐπιεικέστερον) to the greatest offenders than Moses did to those who had done no wrong.”⁸¹ However, we cannot be certain what incident Julian had in mind here.⁸²

Although the emperor does not comment on *herem* specifically, he thus raises some of the very concerns that to many contemporary readers are perhaps nowhere more pressing than in the *herem* texts, viz. How can it be just to punish children for the guilt of their fathers? How can it be just to punish a very large number of people, of whom presumably many are personally innocent, for the guilt of a few? Should this type of apparently angry, wrathful, jealous behaviour be commended for emulation?

⁷⁶ On Porphyry’s reception of the OT, cf. Cook, *Interpretation*, 150-247; on his rejection of allegoresis, *ibid.*, 163-167.

⁷⁷ On Julian’s reception of the OT, cf. Cook, *Interpretation*, 248-344, esp. 291-294 (divine jealousy and vengeance) and 302-307 (Phinehas).

⁷⁸ Rinaldi, *Bibbia 2*, testimony no. 131.

⁷⁹ *ibid.*, no 148; NB: the estimate of 1,000 transgressors is not found in the bible but a concession by Julian who suggests that a smaller number is much more likely.

⁸⁰ *ibid.*, no 149.

⁸¹ cited in Cook, *Interpretation*, 307.

⁸² Cook refers to Cyril’s belief that the incident of Baalpeor (Num 25:1-11) is in view; *ibid.*

Finally, some of the criticisms reflected in Ambrosiaster's *Quaestiones and Responsiones* may have originated in pagan circles too, although we cannot now be sure of their source. No direct mention is made in these questions of the *herem* texts, but as in *Contra Galileos*, the question of the justice of God looms large: "If the judgment of God is just, why were the children of Sodom burnt together with their parents?"⁸³ "Why is it that God, who is declared to be just, has promised to visit the sins of the fathers upon their sons unto the third and fourth generation?"⁸⁴ "If (it is true that) 'The soul which sins itself shall die', why is it that Achan, the son of Carmi, sinned and thirty-six men were killed on account of him?"⁸⁵

Whatever their provenance, these quotations illustrate that serious questions about the justice of mass killings, especially of children, were expressed by ancient critics of the OT. In the passages to which the questions above refer, the killings are brought about by celestial fire and sulphur, or by plagues. However, similar moral concerns could be raised with respect to *herem*. As none of these criticisms relate directly to the topic in hand, I will, however, not review the various responses Christians gave to them.

In summation, in light of the various contributions by "dissenting readers" we can conclude with some confidence that violent, war-like texts in the OT were seen as problematic by many in late antiquity; some of the critics attempted to address the hermeneutical challenge, either by positing two different gods (Marcion), or by denying that the OT is true in its entirety (Ptolemy, Didascalia Apostolorum, Pseudo-Clementines); other critics did not attempt to solve the hermeneutical dilemma but rather sought to highlight it in an attempt to discredit Christianity altogether; some of these latter, pagan critics raised pertinent moral concerns; however, as far as we can tell, none of them did so specifically with respect to *herem*, apart from Celsus.

Having given voice to the critics, the following two chapters will present and analyse two major ways in which "ecclesial readers" responded to them;⁸⁶ first, by highlighting the texts' figurative meaning; second, by insisting that whatever God commands is *ipso facto* just.

⁸³ Rinaldi, *Bibbia* 2, no 93.

⁸⁴ *ibid.*, no 132.

⁸⁵ *ibid.*, no 240.

⁸⁶ By "ecclesial readers" I mean those whose hermeneutical approach came to be recognized as acceptable to the Great Church.

3. *Figurative readings*

This chapter presents and analyses instances of Christian reception of *herem* that emphasize the texts' figurative meaning, or meanings. As already indicated in the previous chapter, rather than offering a detailed analysis of the nature, merits and flaws of figurative readings in the abstract, I will make my comments in the context of concrete readings that pertain to the reception of *herem*.¹

The presentation of the material by type of approach, rather than, say, by chronology alone, lends itself to drawing out common patterns and discussing variations within approaches; however, in the present case it also introduces a somewhat artificial distinction; the same author may, for instance, within the same work, move seamlessly from figurative to non-figurative readings and back again; in the interest of painting as accurate a picture as possible of each interpreter, I decided to present all contributions by one author *en bloc*, placing them either in this chapter or the next, depending on what I take to be an author's predominant way of reading *herem*. This means for instance, that Origen's works, including his non-figurative readings, are discussed in this chapter, while Augustine's works, including his figurative interpretations, are discussed in the next.

The chapter begins with the seminal contribution of Origen; next, it traces the identification of the seven nations of Canaan with the seven deadly sins from Prudentius to the medieval *Glossa Ordinaria*; finally, an analysis is offered of a medieval preacher putting a figurative reading to homiletical use.

3.1 Origen

Works by Origen of Alexandria (ca. 185-253/54) are the oldest extant examples of an author writing from within the Great Church who addresses in detail the criticisms levelled against Old Testament warfare texts both by those seeking to follow Christ like Marcion and the Gnostics, and by pagan critics such as the second-century philosopher Celsus.²

Origen's approach will be examined in great detail, for two reasons. First, he dealt with the moral challenges head on and developed, defended and deployed a detailed theological

¹ For an introduction and definitions, cf. e.g. Edwards, *Figurative Readings*.

² While Origen and a number of opinions associated with his name were anathematized centuries after his death, it is commonly accepted today that Origen saw himself as, and attempted to be, a "homo ecclesiasticus," cf. e.g. H. Vogt, 'Origen of Alexandria (185-253)', in C. Kannengiesser (ed.), *Handbook of Patristic Exegesis: The Bible in Ancient Christianity*. (Leiden; Boston: Brill, 2004), 536-557, 553f.

hermeneutic to address them. Second, as will be seen in subsequent sections, his interpretation became immensely influential in the Christian tradition, to the point that in the medieval *Glossa Ordinaria* his readings provided not only the dominant running commentary on the book of Joshua, but one of his sermons was reproduced *in toto* at the book's beginning, thus providing the introduction and overall interpretive frame.

Origen's two most important works for present purposes are the *homilies on Joshua* (*homJos*) and *Contra Celsum*. Before turning to a detailed analysis of the pertinent sections in these writings, we begin by a brief analysis of the way in which Origen affirms the first two premises of the hermeneutical challenge set out in the introduction, i.e. that God is good and that the scriptures are true. While he makes the first claim in a straightforward manner, the structure of the second is more complex.³

3.1.1 Origen on the goodness of God and the truth of scripture

The goodness of God and the divine authorship of the OT and NT are part of the *regula fidei* Origen embraces as a "definite line and unmistakable rule" that must be affirmed by all Christians, a truth that "in no way conflicts with the tradition of the church and the apostles."⁴ As we will see below, these axioms underpin Origen's exegesis and theology throughout; they are set out explicitly in the relatively short list of theological non-negotiables listed in the preface to his *De Principiis*: "This just and good God, the Father of our Lord Jesus Christ, himself gave the law, the prophets and the gospels, and he is God both of the apostles and also of the Old and New Testaments."⁵

³ While the following sections are informed by and, where appropriate, interact with the considerable and growing specialist literature on Origen's exegesis, the focus will be on primary textual analysis. For recent reviews of scholarly contributions on Origen's exegesis cf. e.g. Peter William Martens, *Origen and Scripture: The Contours of the Exegetical Life* (Oxford: Oxford University Press, 2012), 6-11 and Elizabeth Dively Lauro, *The Soul and Spirit of Scripture within Origen's Exegesis* (Leiden: Brill Academic Publishers, 2005), 15-33.

⁴ *DePrinc*, I.pref. 2; The majority of the preface only survives in Rufinus' Latin translation, but is "thought by most scholars to be faithful enough to the original" P. M. Blowers, 'Rule of Faith', in J. A. McGuckin (ed.), *The Westminster Handbook to Origen* (Louisville, KY: Westminster John Knox Press, 2004), 187a-189a, 188a. On the importance of the rule of faith for Origen's exegesis, cf. also Martens, *Origen and Scripture*, 127-31, 209-12.

⁵ *DePrinc*, I.pref. 4. Clearly Marcion and his followers are in view here, whose views Origen addresses in more detail in the main body of *DePrinc.*, II.v.; the ET is taken from Origen, *On First Principles*, trsl. by George W. Butterworth, (Gloucester, Mass.: Peter Smith, 1973).

Also included in Origen's *regula fidei* is the belief that the scriptures have more than one meaning; he affirms

the doctrine that the scriptures were composed through the Spirit of God and that they have not only that meaning which is obvious, but also another which is hidden from the majority of readers. For the contents of scripture are the outward forms of certain mysteries and the images of divine things. On this the entire Church is unanimous, that while the whole law is spiritual, the inspired meaning is not recognized by all, but only by those who are gifted with the grace of the Holy Spirit in the word of wisdom and knowledge.⁶

For Origen, therefore, "the very sanctity of the scriptures authorizes and indeed entails the use of allegory."⁷ However, it is the strong claim of a plurality of senses that also makes Origen's affirmation of the truth of scripture potentially more complex. In the main body of *De Principiis*, Origen argues for the divine nature of the scriptures by reference to fulfilled prophecy and to the experience of devout readers.⁸ He then rejects the bible's interpretation according to the bare letter only, claiming that this kind of hermeneutical approach has not only led the Jews and the heretics astray, but that "even the simpler of those who claim to belong to the Church, while believing indeed there is none greater than the Creator, in which they are right, yet believe such things about him as would not be believed of the most savage and unjust of men."⁹ Their mistake is one of faulty hermeneutics: "The reason why all those we have mentioned hold false opinions and make impious or ignorant assertions about God appears to be nothing else but this, that scripture is not understood in its spiritual sense (κατὰ τὰ πνευματικά), but is interpreted according to the bare letter (πρὸς τὸ ψιλὸν γράμμα)."¹⁰

Origen then goes on to argue that the scriptures have a three-fold sense corresponding to body, soul and spirit, and to the simple, the advanced and the perfect among God's people.¹¹ In a recent monograph on Origen's hermeneutics, Dively Lauro defines the three senses of scripture as follows:

Origen views the somatic sense as the literal reading of the text that edifies the hearer by true history or moral instruction. The psychic sense is a figurative reading that speaks to the hearer's duty to live morally. [...] Finally, the pneumatic sense centers on Christ, conveying insights about the Incarnation, Church and Eschaton. While all three senses

⁶ *DePrinc*, I.pref.8; cf. e.g. Rom 7 :14; 1 Cor 12:8.

⁷ M. J. Edwards, *Origen Against Plato* (Aldershot, England; Burlington, VT: Ashgate, 2002), 126.

⁸ *DePrinc*, IV.i.1-6.

⁹ *DePrinc.*, IV.ii.1, Greek.

¹⁰ *ibid.*, 2; the Greek is quoted from Origen, *Vier Bücher von den Prinzipien* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1976).

¹¹ *ibid.*, 4, Greek.

contribute to Scripture's salvation story, the pneumatic sense somehow completes or fulfills this story.¹²

While the assumption of a plurality of meanings was by no means unusual at that period of history, Origen makes one particularly controversial suggestion in this context; he claims that "certain passages of scripture...have no bodily sense at all;" in those "we must seek only for the soul and the spirit of the passage."¹³ For, explains Origen, in order to interrupt the flow and thereby push the attentive reader to seek for deeper and more important meanings, "the scripture wove into the story something which did not happen, occasionally something which could not happen, and occasionally something which might have happened but in fact did not."¹⁴ However, lest Origen be misunderstood as denying the historicity of the entire bible, he asserts that "in regard to some things we are clearly aware that the historical fact is true," and that "the passages which are historically true are far more numerous than those which are composed with purely spiritual meanings."¹⁵

For present purposes it is of particular interest that among the brief, illustrative examples of spiritual meanings Origen offers in the subsequent section is an interpretation of the "wars of Israel" in terms of the spiritual warfare against "principalities and powers" found in the NT.¹⁶

In light of the above, it would seem possible for Origen to deny the historicity of the wars of Israel, so as to achieve a more acceptable, exclusively spiritual, sense for texts that had come under fierce criticism by this time. While certain interpreters have understood Origen along these lines, the analysis below will show that this is not in fact accurate.¹⁷

¹² Dively Lauro, *Origen's Exegesis*, 76. It has frequently been argued that it would be more accurate to say that in practice Origen usually distinguishes only between two senses (i.e. literal and non-literal), so e.g. Harl in Origen, *Sur Les Écritures: Philocalie*, 1 - 20, trsl. by Marguerite Harl, (Paris: Éditions du Cerf, 1983), 103, or Henri Crouzel, *Origen* (San Francisco: Harper & Row, 1989), 79. However, Dively Lauro has recently mounted a book-length defence of three distinct senses, arguing for the following thesis: "First, Origen does define three senses of meaning fully and clearly in theory. Second, his practice promotes them as separate senses. Third, the nonliteral, moral sense, and more specifically its practical distinction from and relationship with the other nonliteral, spiritual sense, is the key to his exegetical effort to effect Scripture's spiritual purpose of transforming its hearer in preparation for salvation." Dively Lauro, *Origen's Exegesis*, 36.

¹³ *ibid.*, 5, Greek.

¹⁴ *ibid.*, 9, Greek.

¹⁵ *ibid.*, iii.4, Greek; e.g. Origen mentions "that Abraham was buried in the double cave at Hebron, together with Isaac and Jacob and one wife of each of them; and that Shechem was given as a portion to Joseph [...] and thousands of other facts."

¹⁶ *ibid.*, iii.12, Latin.

¹⁷ contra Lake, *Did God Command Genocide?*, 34-47.

3.1.2 The homilies on Joshua

3.1.2.1 The setting

Twenty-six of the homilies Origen preached on the Book of Joshua are extant today, surviving only in Rufinus' Latin translations, generally held to be faithful.¹⁸ He delivered them in the latter part of his life to his congregation in Caesarea Maritima, where the sermons were taken down by stenographers and probably never edited by Origen.¹⁹ The likely liturgical context was a regular, possibly daily, non-eucharistic worship service at which various sections of the OT were read and then expounded by a priest. These readings appear to have been part of a *lectio continua* of entire OT books, possibly following an appointed lectionary.²⁰ The biblical text whose reading forms the basis of a given homily is not recited *in extenso*, but has to be inferred on the basis of the comments and partial quotations Origen provides in his remarks. In light of the setting it is not surprising that Origen's voice is that of a pastor of souls, his homilies being "more hortatory, much more concise, less technical, and less speculative than his commentaries."²¹

3.1.2.2 The challenges and dangers of reading Joshua πρὸς τὸ ψιλὸν γράμμα

Origen frankly admits that portions of the book of Joshua pose considerable challenges for Christian readers. In a sermon that addresses the devotion of Ai to destruction (Josh 8), he begins by saying "We plead with you, O hearers of the sacred scrolls, not to hear with disgust or distaste those things that are read because the narration of them seems to be less pleasant (minus delectabilis)."²² A little later in the same homily, he remarks "When people hear these things, it is likely they say, 'What is this to me? What does it contribute to me that those who were living in Ai

¹⁸ In what follows, the homilies will therefore be presented as reflecting Origen's thought. Even if at times one or the other element should in fact owe more to Rufinus than to Origen himself, this would not fundamentally change the analysis, as from the perspective of reception history, the precise authorship of various readings is less important than their overall shape and 'afterlife.' Based on a comparison of parallel Greek fragments preserved in Origen's *Philocalia* and in the commentaries and catenae of Procopius of Gaza, Jaubert concludes that Rufinus's translation is, strictly speaking, not so much a translation as an adaptation, a long paraphrase; however Rufinus appears to have rendered Origen's thought faithfully, his work is not "une paraphrase inexacte;" Jaubert in Origen, *Homélies sur Josué. Texte latin, introduction, traduction et notes de Annie Jaubert* (Paris: Éditions du Cerf, 1960), 82; cf. p. 68-82. In fact, "nous avons ici de bonnes raisons de croire à la fidélité substantielle du traducteur" (ibid., 9), even though "[n]ous ne serons jamais sûrs d'avoir l'expression d'Origène" (ibid., 82).

¹⁹ ca. AD 239-40, so Pierre Nautin, *Origène: sa vie et son oeuvre* (Paris: Beauchesne, 1977), 411, followed by Heither and Elßner in Origen, *Die Homilien des Origenes zum Buch Josua: die Kriege Josuas als Heilswirken Jesu* (Stuttgart: Kohlhammer, 2006), 9. Earlier scholars sometimes dated the *homJos* to the persecution under Decian (AD 250-51), e.g. Harl in *Homélies sur Josué*, 9, esp. n.3.

²⁰ cf. Nautin, *Origène*, 394-401 and Elßner, *Josua*, 226f.

²¹ Joseph Wilson Trigg, *Origen* (London: Routledge, 1998), 39; cf. Jaubert, *Homélies sur Josué*, 13.

²² viii.1; Latin according to ibid., ET following Origen, *Homilies on Joshua*, trsl. by Barbara Bruce and Cynthia White, (Washington, DC: Catholic University of America Press, 2002).

were conquered, as if similar or even mightier wars either had not been waged or are being waged?”²³ The concern at this particular point does not seem to lie in the morality of what is being related but rather in the apparently trivial nature of the subject matter and its perceived lack of relevance to the audience.

However, in a homily that addresses the submission of the Gibeonites to servitude (Josh 9), Origen comments, “Of course, it must be observed that the heretics reading this passage, those who do not accept the Old Testament, are accustomed to make a malicious charge and say, ‘See how [Iesus] the son of Nun showed no human kindness (*nihil humanitatis habuit*), so that, although permitting salvation, he inflicted a mark of infamy and a yoke of servitude upon those men who had come to him in supplication.”²⁴ One can infer that arguments of this kind carried considerable weight in Origen’s day from the statement that follows, “If the soul less instructed in the divine Scripture hears these things, it can in consequence be enfeebled and endangered, so that it may shun the catholic faith; for they do not understand their deceptions.”²⁵

In answering the various charges and criticisms, Origen’s main aim is that “when you read these things, you do not understand a Jewish or heretical sense in them.”²⁶ What Jews and heretics have in common, according to Origen, is their insistence on an exclusively literal interpretation of texts like Joshua, an approach they share with “so-called Christians who follow the Jewish interpretation.”²⁷

As to the first group, i.e. the heretics, Origen engages with their criticism at various points throughout the homilies. He describes them as “those who do not accept the Old Testament,”²⁸ or who deny that “the new things harmonize fully with the old.”²⁹ Making explicit whom he has in mind, he states “[b]ut Marcion and Valentinus and Basilides and the other heretics with them, since they refuse to understand these things in a manner worthy of the Holy Spirit, ‘deviated from the faith and became devoted to many impieties,’ bringing forth another God of the Law, both creator and judge of the world, who teaches a certain cruelty through these things that are

²³ viii.2

²⁴ x.2; Given that, as we shall see, the homonymy between the OT and the NT “Iesus” plays such a fundamental role in the *homJos*, I have attempted to reproduce some of its effects by replacing “Joshua” and “Jesus” with [Iesus] in the ET. As will be seen below, Origen sometimes but not always adds “Nave”, “dominus,” or “Christus” in order to disambiguate.

²⁵ *ibid.*

²⁶ xv.1.

²⁷ vii.5.

²⁸ x.2.

²⁹ xii.1 *quomodo ex integro veteribus nova concordant.*

written.”³⁰ Origen’s reply to this charge of cruelty, and his way of arguing for a harmony between the testaments will be analysed in the following section.

As to the second group, i.e. the Jews, the main concern Origen raises is a prudential one, i.e. their literal reading has been, he claims, prone to inspire violence. According to Origen, the problem is rooted in the Jews’ failure to discern a deeper, spiritual meaning, so that “[w]hen he who is “outwardly a Jew” reads these things, that is, someone who has the exterior circumcision in the flesh, he thinks it is nothing else but wars being described, the destruction of enemies, and Israelites conquering and seizing the kingdoms of nations under the leadership of [Jesus].”³¹ In a number of homilies, Origen claims that this hermeneutic inexorably leads to cruelty and violence, e.g. “[w]hen the Jews read these things they become cruel and thirst after human blood, thinking that even holy persons so struck those who were living in Ai that not one of them was left ‘who might be saved or who might escape.’”³² Similarly, “[w]hen that Israel that is according to the flesh read these same Scriptures before the coming of our Lord [Jesus] Christ, they understood nothing from them except wars and shedding of blood, from which their spirits, too, were incited to excessive savageries and were always fed by wars and strife.”³³ Or again, “[i]f we understand this according to the letter, it would be necessary for us to shed blood incessantly. The Jews who think that way, who are entirely ‘flesh and blood,’ become cruel and implacable, saying that a curse has been placed on those who cease shedding blood, and therefore ‘their feet are swift to shed blood.’”³⁴ As we will see below, against such a hermeneutic Origen repeats again and again that the violent OT texts must never lead Christians to engage in war against other human beings.³⁵

3.1.2.3 *The Christological lens*

As adumbrated by the author of Hebrews and developed by Barnabas and Justin (cf. above), the homonymy between the OT and the NT “Jesus” is of fundamental importance for Origen, and

³⁰ xii.3, cf. 1 Tim 6:10.

³¹ xiii.1, cf. Josh 10:28-43.

³² viii.7.

³³ xiv.1.

³⁴ xv.6, The comments are related Josh 11:2 (The Lord strengthened their hearts so that they might go out to the battle against Israel and be exterminated).

³⁵ It is difficult to ascertain exactly how Origen arrived at this recurring image of bloodthirsty Jews; little is known about the size of the Jewish community in his native Alexandria after the repression of the “great revolt of 115-17 [in which] many of the Jews of Egypt were killed.” While Origen’s comments may in part be informed by this Alexandrian background, there may also have been some relevant local memory in Caesarea itself, which had, after all, been “the scene of the imprisonments and executions of the Bar Kochba revolt.” N. R. M. De Lange, *Origen and the Jews: Studies in Jewish-Christian Relations in Third-Century Palestine* (Cambridge: Cambridge University Press, 1976), 8, 11.

it provides the very basis for the explicitly Christological reading he adopts throughout.³⁶ The first of the homilies begins in a way that sets the Christological tone for all that is to follow: “‘God gave the name that is above every name’ to our Lord and Savior [Jesus] Christ. For this ‘name that is above every name’ is [Jesus]. Because this is the ‘name that is above every name, at the name of [Jesus], every knee is bowed of those in heaven and on earth and beneath the earth.’ And because this is ‘the name above every name,’ for many generations it was given to no one.”³⁷ In fact, Origen points out, in the bible the name [Jesus] first appears in the book of Exodus. Paying close attention to the context, i.e. the battle against Amalek (Ex. 17:19ff), he concludes, “[t]hus we first become acquainted with the name of [Jesus] when we see him as the leader of the army; not as one with whom Moses joined his leadership, but the one to whom Moses granted primacy....Therefore, when I become acquainted with the name [Jesus] for the first time, I also immediately see the symbol of a mystery. Indeed, [Jesus] leads the army.”³⁸ A little later, Origen explicitly states his Christocentric approach to the book: “To what then do all these things lead us? Obviously to this, the book does not so much indicate to us the deeds of the son of Nun, as it presents for us the mysteries of [Jesus] my Lord.”³⁹

3.1.2.4 Joshua’s wars as types of the spiritual warfare of the Christian

The opening lines of a sermon that focuses on Joshua’s “wars of extermination” set out clearly the contours of the moral and theological challenge that warfare texts pose for Origen, and the structure of his response:⁴⁰

Unless those physical wars bore the figure of spiritual wars, I do not think the books of Jewish history would ever have been handed down by the apostles to the disciples of Christ, who came to teach peace, so that they could be read in the churches. For what good was the description of wars to those to whom [Jesus] says, “My peace I give you, my peace I leave to you,” and to whom it is commanded and said through the Apostle “Not avenging your own selves,” and “Rather, you receive injury,” and, “You suffer offence”? In short, knowing that now we do not have to wage physical wars, but that the struggles of the soul have to be exerted against spiritual adversaries, the Apostle, just as a military

³⁶ This “explicit christological interpretation makes [the *homJos*] untypical of Origen’s treatment of the historical books”, Karen Jo Torjesen, *Hermeneutical Procedure and Theological Structure in Origen’s Exegesis* (Berlin; New York: De Gruyter, 1986), 20.

³⁷ i.1; cf. Phil 2:9.10.

³⁸ i.1.

³⁹ i.3; In context “all these things” to which Origen refers here are the observation that the name of Joshua’s father is not usually given, and that Joshua remained inside the tent of meeting after Moses had left it (Ex. 33.11).

⁴⁰ The focal text of the homily is Josh 11:8-20.

leader, gives an order to the soldiers of Christ, saying, "Put on the armor of God, so that you may be able to stand firm against the cunning devices of the Devil."⁴¹

Origen's reasoning in this passage has three prongs: First, he accepts the scriptures because the church accepts the scriptures. They were "handed down by the apostles to the disciples of Christ...to be read in the churches." This is why his congregation in Caesarea reads the OT in Christian worship, this is why Origen is preaching on it. Second, Origen acknowledges that there is an apparent conflict between the wars recorded in the "books of Jewish history" and the ethos of peace and non-retaliation enjoined on Christians by Jesus and Paul. Third, he resolves this tension by concluding that the OT narratives must have borne the figure of spiritual wars (*figura bellorum spiritalium gererent*).

Throughout the *homIos*, Origen defends his spiritual readings by reference to the apostle Paul, in three important ways. First, he appeals repeatedly to the Pauline contrast between the letter and the spirit, and to Paul's statement about the way in which OT narratives relate to Christians; the view that "all these things that happened figuratively to those people were written for us, on whom the fulfillment of the ages has come" (1 Cor 10.11) underlies Origen's hermeneutics throughout.⁴² It is made explicit in the following passage, where after a brief summary of the literal meaning of the text Origen continues:⁴³

Indeed the historical text explains these things. But because we are now converted to the Lord, who "removes the veil from the reading of the Old Testament" and gives gifts to his servants who believe in him so that "with face unveiled they may behold the glory of the Lord," we should understand that "all these things that happened figuratively to those people were written for us, on whom the fulfillment of the ages has come." On that account, therefore, just as I have said before, let us attempt to ascend from the letter to the spirit, from the figures to the truth.⁴⁴

Second, Paul's own exegetical practice, i.e. the spiritual readings he offers for certain OT narratives, furnish Origen with examples he seeks to emulate. He specifically refers to Paul applying OT laws about oxen to apostles, and interpreting the two sons of Abraham in terms of two covenants and two peoples.⁴⁵ These examples are cited in a homily on the reading of the law by [Iesus] (Josh 9.2f), which Origen interprets as a figure for how Christians read the OT, i.e. in such a way that the veil of the letter is removed and it is understood that the law is spiritual.⁴⁶

⁴¹ xv.1; the biblical references are John 14.27, Rom 12:19, 1 Cor 6:7, Eph 6:11.

⁴² He cites it in iii.1; v.2; xiii.1; xxiv.2.

⁴³ The text in question concerns the two-and-a-half tribes in Transjordan, cf. Josh 13:15f.

⁴⁴ iii.1; 2 Cor 3:14, 2 Cor 3:18, 1 Cor 10:11.

⁴⁵ ix.8, cf. Deut 25:4, 1 Cor 9:9, Gal 4:22ff.

⁴⁶ ix.8 cf. 2 Cor 3:15, Rom 7:14.

Contrasting the Christian approach to the OT with that of the heretics on one side (they reject the OT), and that of the Jews on the other (they follow “the letter that kills”), he affirms that Christians hold fast to “the life-giving spirit.”⁴⁷

Origen sums up this view in a memorable image, “For we who are of the catholic Church do not reject the Law of Moses, but we accept it if [Jesus] reads it to us. For thus we shall be able to understand the law correctly, if [Jesus] reads it to us, so that when he reads we may grasp his mind and understanding.”⁴⁸ This dialectic between Jesus and the law has certain affinities with the role the words of the saviour play in the hermeneutic of Ptolemy and the Pseudo-Clementines; however, for Origen this does not involve criticising and dismissing portions of the OT as such, but rather seeking their proper interpretation; as we will see below, in practice that usually means interpreting the OT narratives by means of texts from the gospels or the epistles, or in terms of Christian theology more broadly.

Third, Paul’s statements about the spiritual warfare in which the Christian is involved provide the concrete NT scriptural foundation on which Origen builds his reading of the wars of [Jesus] as wars against vices and demons. Throughout the homilies, he cites what is for him a paradigmatic verse, i.e. that “our struggle is not against enemies of blood and flesh, but against the rulers, against the authorities, against the cosmic powers of this present darkness, against the spiritual forces of evil in the heavenly places.”⁴⁹

In his emulation of Pauline exegesis, Origen often follows a *then-now, they-us* hermeneutical two-step, an interpretive move that is more akin to typology than to allegory, as the two came to be defined in later ages.⁵⁰ This approach, much like the overarching Christological framework, is already spelled out in the first of the homilies. Commenting on the promise that “[e]very place on which you set the soles will be yours,”⁵¹ Origen first considers what was said to *them*, *then*: “He said this to those living at that time (illis qui tunc erant) concerning the territories of the Canaanites, of the Perizzites, of the Jebusites, and the rest of the people whose territories they seized as an inheritance after expelling the unworthy inhabitants (expulsi

⁴⁷ *ibid.*, cf. 2 Cor 3:6.

⁴⁸ *ibid.*; Origen bolsters his claim by appeals to 1 Cor 2:12f and Luke 24:27-34.

⁴⁹ Eph 6:12 cited in i.5; v.2; xi.4, xii.1; xv.1; xv.5.

⁵⁰ *pace* R. P. C. Hanson, *Allegory and Event: A Study of the Sources and Significance of Origen's Interpretation of Scripture* (Louisville, KY: Westminster John Knox Press, 2002 [1959]); for a concise critique of Hanson’s view of Origen’s alleged disregard for history, cf. Edwards, *Origen Against Plato*, 150-52.

⁵¹ Josh 1.3.

indignis habitatoribus).⁵² The next step concerns what is said to *us*, *now*: “sed nobis in his verbis quid repromittitur, videamus.” It is this, “There are certain diabolical races of powerful adversaries against whom we wage a battle and against whom we struggle in this life. However many of these races we set under our feet, however many we conquer in battle, we shall seize their territories, their provinces, and their realms, as [Iesus] our Lord apportions them to us.”⁵³

In commenting on what the promise meant for “them, then” Origen here speaks only of expulsion; in his application to “us, now” he goes on to speak of extermination: The struggle to which Christians are called is against fallen angels who incite vices such as wrath, pride, jealousy, greed, lust etc. It is a fight in which one must not be slack or negligent for, “[u]nless you gain mastery over their vices in yourself and exterminate (*exterminaveris*) them from your land—which now through the grace of baptism has been sanctified—you will not receive the fullness of the promised inheritance.”⁵⁴ However, it should be noted that in this context the Latin *exterminare* could also refer to expulsion (as suggested by its etymology) rather than annihilation,⁵⁵ for Origen goes on to say, “Within us are the Canaanites, within us are the

⁵² i.6.

⁵³ *ibid.*; By way of NT support, Origen offers the promise that the Lord Jesus will crush Satan under his feet, cf. Rom 16:30.

⁵⁴ *ibid.*

⁵⁵ We can only speculate what the underlying Greek may have been. As far as “exterminare” is concerned, mass killing has not always been the primary sense of its English cognate, either. The OED’s entry for “exterminate, v.” lists as the first of two the (now obsolete) sense “to drive, force (a person or thing) from, of, out of the boundaries or limits of (a place, region, community, state, etc.); to drive away, banish, put to flight.” The second, and only current, sense is, “to destroy utterly, put an end to (persons or animals); now only, to root out, extirpate (species, races, populations, sects, hence opinions, etc.).” As the OED also indicates, the first sense is, of course, derived from the meaning of the word’s component parts, “ex” and “terminus.” In addition, the OED claims that “[o]nly sense 1 is found in classical Latin; the developed sense 2 appears in the Vulgate, and in French;” cf. “exterminate, v.” June 2013. Oxford University Press’, <http://www.oed.com/view/Entry/66983>, accessed 24 August 2013; a parallel view on Latin usage can be inferred from the *Oxford Latin Dictionary*, which covers literature up to AD 200, and does not list annihilation as part of the term’s semantic range: “to send beyond a boundary or frontier, expel, banish. b to dismiss (an idea from one’s mind)”; cf. “exterminō”, in P. G. W. Glare (ed.), *Oxford Latin Dictionary* (Oxford: Oxford University Press, 2012). However, it should also be noted that the far more comprehensive *Thesaurus Linguae Latinae* also lists the meaning based on etymology first, i.e. “extra terminos eicere, expellere, remove, excludere,” but provides more than three times as many quotations for the secondary sense, i.e. “delere, perdere” especially in its stricter sense (i.e. “extirpare”) but also its laxer sense (i.e. “deterius facere”). The TLL includes sources well beyond the OLD’s cut-off date of AD 200, many of them ecclesiastical. The relative preponderance of quotations attesting usage in the secondary sense suggests that the use of “exterminare” in that latter sense became widespread, possibly quite quickly; cf. “extermio” in *Thesaurus Linguae Latinae* (TLL) *Online*. n.d. Berlin, Boston: De Gruyter., http://www.degruyter.com/view/TLL/5-2-13/5_2_13_extermio_v2007.xml, accessed 24 August 2013. For present purposes the ambiguity of the term in both Latin and English means that it will be necessary to determine for each context which meaning of exterminare and its cognates is most likely.

Perizzites; here are the Jebusites. In what way must we exert ourselves, how vigilant must we be or for how long must we persevere, so that when all these breeds of vices have been forced to *flee* (omnibus ...gentibus effugatis), “our land may rest from war” at last?”⁵⁶

The term “exterminare” is used again in a subsequent sermon, in which Origen favourably contrasts the exploits of [Jesus] leading the army in the promised land with the lesser victories won by the Israelites on the other side of Jordan; nothing in this sermon suggests that Origen takes these accounts as anything but historical. In addition, Origen in this passage assigns moral blame to Canaan’s pre-conquest inhabitants. Under the leadership of [Jesus], he says, “*immensae multitudines adversi exercitus prosternuntur et exterminantur omnes, qui sanctam terram in immunditiis possident, qui terram fluentem lac et mel in amaritudine malitiae detinent.*” While the first verb (prosternare) relates specifically to the “opposing army,” the second (exterminare) applies to “all who possess the holy land in impurity and who hold back in the bitterness of spite the land flowing with milk and honey.”⁵⁷ While it is conceivable that Origen here seeks to differentiate between the fate of combatants (destruction) and non-combatants (exile), a parallelism between the two verbs, and thus the intended meaning of annihilation in both cases, is more likely.

Origen’s typological *then-now* approach is clearly evident again in a subsequent sermon. He suggests that if the Old Testament tabernacle was a shadow and a type, then “doubtless the wars that are waged through [Jesus], and the slaughter of kings and enemies must also be said to be ‘a shadow and type of heavenly things,’ namely, of those wars that our Lord [Jesus] with his army and officers—that is, the throngs of believers and their leaders—fight against the Devil and his angels.”⁵⁸

Based on this reading, he challenges dissenting heretics: “Consider, ungrateful heretic, how the new things harmonize fully with the old (quomodo ex integro veteribus nova concordant). The kingdom of a holy land was promised to the old (veteribus), ‘a land pouring forth milk and honey,’ a land that was then held by sinners and the worst inhabitants and kings. [Jesus] comes into this land with the army of the Lord and the leaders of the Israelites; he subdues all, destroys (interimit) and prevails, and for the reward of victory, he receives the kingdoms of those whom he

⁵⁶ i.7; emphasis added.

⁵⁷ iii.2.

⁵⁸ xii.1, cf. Heb 8:5; Origen also appeals to Eph 6.12.

conquered.”⁵⁹ With respect to what happened “then”, Origen thus clearly affirms the plot line of conquest and destruction, and charges the previous inhabitants with being the worst sinners.

However, that was then, but now things are different:

The kingdoms of earth are not promised to you (tibi) by the Gospels, but kingdoms of heaven. These kingdoms, however, are neither deserted, nor abandoned; they have their own inhabitants, sinners and vile spirits, fugitive angels. Paul...exhorts you to the battle against those who dwell there. Just as [Jesus] said that that your war would be against the Amorites and the Perizzites and Hivites and Jebusites, likewise Paul also declares to you here, saying, “Your fight will not be against flesh and blood,” that is, we shall not fight in the same manner as the ancients fought (*non sic pugnabimus, sicut pugnauerunt antiqui*). Nor are the battles in our land to be conducted against humans “but against sovereigns, against authorities, against the rulers of darkness in this world.”⁶⁰

The reference to “sinners,” along with vile spirits and fugitive angels, as inhabitants of the kingdoms against whom Paul exhorts Christians to do battle, appears at first sight to leave open the possibility that warfare against humans is intended; but Origen, quoting Paul, immediately clarifies that this is not the case. He highlights several important discontinuities between the OT and the NT; for Christians, the referents for the promised land and enemies of God’s people, and the manner of warfare, have radically changed.

This thoroughly spiritual reading of warfare texts plays an important role in Origen’s defence of Joshua against the charge of cruelty, “But meanwhile [Jesus] destroyed the enemies, not teaching cruelty through this, as the heretics think, but representing the future sacraments in these affairs, so that when [Jesus] destroys those kings who maintain a reign of sin in us, we can fulfill that which the Apostle has said, ‘just as we presented our members to serve iniquity for iniquity, so let us present our members to serve righteousness for sanctification.’”⁶¹ In light of this claim, Origen turns the charge of cruelty on its head, “What is it then that is condemned by them in this place as cruelty? It is this, it says, ‘Set your feet upon their necks and slay them.’ But this is discovered to be humaneness and kindness, not cruelty, is it not?”⁶² Based on this reading, Origen urges his listeners to put the teaching into practice, “Would that you might be the sort of person who can set your feet upon serpents and scorpions and upon every hostile power” and “tread underfoot the dragon and lizard, the petty king who once reigned in you and maintained in you a

⁵⁹ *ibid.*

⁶⁰ *ibid.*

⁶¹ xi.6; cf. Rom 6:19.

⁶² *ibid.*

kingdom of sin. Thus, with all those destroyed who used to rule in you by the work of sin, Christ [Jesus] our Lord alone will reign in you.”⁶³

Origen offers a similar defence against the charge of cruelty in his comments on the accounts of war in Josh 10.28-43. Appealing once again to 1 Cor 10.11, he faults those who are Jews outwardly for thinking “it is nothing else but wars being described, the destruction of enemies.”⁶⁴ By contrast,

[T]he one who is “a Jew secretly,” that is, a Christian, who follows [Jesus], not as the son of Nun but as the Son of God, understands that all these things are mysteries of the kingdom of heaven. He affirms that even now my Lord [Jesus] Christ wars against opposing powers and casts out of their cities, that is, out of our souls, those who used to occupy them. And he destroys the kings who were rulers in our souls...so that...our soul may become the city of God and God may reign in it.⁶⁵

Since these texts speak of the setting free of souls oppressed by demonic forces, the heretics are entirely wrong in their charge of cruelty: “This is, therefore a work of highest compassion that the heretics accuse of cruelty; what was dimly sketched formerly by the son of Nun through certain individual cities the Lord [Jesus] accomplishes now in truth through certain individual souls of believers. So when the wicked and malicious kings...are expelled and annihilated from the souls they used to possess, [Jesus] deigns to make the souls ‘the dwelling place of God.’”⁶⁶

In the following homily, Origen again faults the Jews for their literal reading, a reading which, he claims, always led to “war and strife.”⁶⁷ He contrasts this reading “ante adventum quidem Domini Iesu Christi”, with the reading “postea...presentia domini:” “But after the presence of my Lord [Jesus] Christ poured the peaceful light of knowledge into human hearts, since, according to the Apostle, he himself ‘is our peace,’ he teaches us peace from this very reading of wars. For peace is returned to the soul if its own enemies—sins and vices—are expelled from it...when we read these things, we also equip ourselves and are roused for battle, but against those enemies that ‘proceed from the heart.’”⁶⁸ In a sense, then, the advent of Christ marks a pivot. The result is that Christians are taught the exact opposite of what a literal reading of warfare accounts might suggest, for Jesus Christ “pacem nos docet ex ipsa lectione bellorum.”

⁶³ *ibid.*, Luke 10:19, Ps 90:13.

⁶⁴ *xiii.1.*

⁶⁵ *ibid.*

⁶⁶ *ibid.*, *adumbratum prius... nunc in veritate complet.*

⁶⁷ *xiv.1.*

⁶⁸ *xiv.1*, cf. Eph 2:14; Matt 15:19.

3.1.2.5 *Herem as eradication of the vices*

While *herem* in the sense of devoting entire groups of people to destruction is in the background of much of the above, Origen addresses the concept and practice in unambiguous terms when he comments on the sack of Jericho. To begin with, Origen invokes Paul to make clear, once again, that the wars fought by Christians are exclusively internal and spiritual:

Do you wish to learn again which battles, which wars, await us after baptism? Do not learn them from me but again from the Apostle Paul, who teaches you, saying, "For our battle is not against flesh and blood, but against principalities, against powers, against the rulers of darkness of this world, against spiritual wickedness in the heavens." Those things that were written are signs and figures. "For all these things happened to them figuratively, but they were written for us, for whom the fulfillment of the ages has come."⁶⁹

Then he proceeds to press home the immediate and urgent practical application: "If therefore, they were written for us, come on! Why delay? Let us go forth to the war, so that we may subdue the chief city of this world, malice, and destroy the proud walls of sin."⁷⁰ Appealing to the words of Christ, Origen again emphasises that the Christian's warfare is internal only:

You look around, by chance for the road you must take, which field of battle to seek after. Perhaps what I am about to say will seem strange to you, but nevertheless it is true: You require nothing from without, beyond your own self; within you is the battle that you are about to wage; on the inside is that evil edifice that must be overthrown; your enemy proceeds from your heart. This is not my voice, this is the voice of Christ. Indeed hear him saying, "From the heart proceed evil thoughts, murders, adulteries, fornications, thefts, false testimonies, slanders." You see how great and what sort of army of your enemies proceeds against your heart. We must cast them out with the first onslaught; we must overthrow them with the first battle line. If we should be able to demolish their walls and strike them down to utter destruction, so that we do not leave anyone to carry back word or recover (*ad internitionem caedere potuerimus, ita ut non relinquamus ex eis, qui renuntiet vel respiret*), if none of these soon sprout up again, utterly alive in our thoughts, then through [Jesus] that rest will be given to us.⁷¹

The final sentence here quoted makes explicit how Origen reads *herem* on the basis of the words of the NT Jesus: the vices are to be so completely extirpated from the Christian's heart that they will not be able to sprout up again; the result is peace.⁷²

In a subsequent sermon that focuses on the destruction of Ai, Origen again addresses annihilation directly, asking "But let us see what is written in the following: 'And they struck

⁶⁹ v.2, Eph 6:12; 1 Cor 10:11.

⁷⁰ v.2.

⁷¹ v.2; cf. Matt 15:19; Josh 11:14; cf. also Heb 4:8.

⁷² For the theme of Joshua bringing rest to the land and the contrast with Jesus cf. Josh 11:23, Heb 4:8; for victory over the vices bringing peace to the soul, cf. Philo above.

them,’ it says, ‘with the edge of the sword until not one of them was left who might be saved or who might escape.’”⁷³

First, he distinguishes his interpretation from a literal, Jewish one and offers the by now familiar spiritual interpretation in terms of warfare against demons and vices:

When the Jews read these things they become cruel and thirst after human blood, thinking that even holy persons so struck those who were living in Ai that not one of them was left “who might be saved or who might escape.” They do not understand that mysteries are dimly shadowed in these words and that they more truly indicate to us that we ought not to leave any of those demons deeply within, whose dwelling place is chaos and who rule in the abyss, but to destroy them all. We slay demons, but we do not annihilate their essence. For their work and endeavor is to cause persons to sin. If we sin, they have life; but if we do not sin, they are destroyed. Therefore, all holy persons kill the inhabitants of Ai, they both annihilate and do not release any of them. These are doubtless those who guard their heart with all diligence so that evil thoughts do not proceed from it, and those who heed their mouth, so that “no evil word” proceeds from it. Not to leave any who flee means this: when no evil word escapes them.⁷⁴

Here again, then, *herem* is understood as a figure of the total eradication of vices. Based on this reading, Origen exhorts his congregation to put *herem* into practice:

Go, therefore, even you! Let us prepare ourselves for battles of this kind. Let us thrust Ai through with the edge of the sword, and let us extinguish all the inhabitants of chaos, all opposing powers. Would that I also, just now while I speak the word of God to you, could strike the heart of the transgressor! If I do that, it is certain that with the sword of my mouth I shall slay fornication, slay malice. I shall restrain passion. And if there are any other evil things, I shall exterminate them “with the edge of the sword,” that is, by the word of my mouth, and I shall not leave behind any “who may be saved or who may escape.”⁷⁵

Towards the end of this sermon Origen gives, in effect, a précis of his Christian hermeneutical approach to OT texts of warfare and total annihilation, viz. that total extirpation means completely rooting out all sin:

You will read in the Holy Scriptures about the battles of the just ones, about the slaughter and carnage of murderers, and that the saints spare none of their deeply rooted enemies. If they do spare them, they are even charged with sin, just as Saul was charged because he had preserved the life of Agag king of Amalek. You should understand the wars of the just by the method I set forth above, that these wars are waged by them against sin. But

⁷³ viii.7.

⁷⁴ viii.7.

⁷⁵ viii.7; Origen interprets Ai allegorically as chaos (viii.2), drawing on traditional etymologies; cf. Franz Wutz, *Onomastica sacra; Untersuchungen zum Liber interpretationis nominum hebraicorum des hl. Hieronymus* (Leipzig: J.C. Hinrichs, 1914), 139, 381. For a historical-critical suggestion along these lines, cf. Carly L. Crouch, *War and Ethics in the Ancient Near East: Military Violence in Light of Cosmology and History* (Berlin; New York: Walter de Gruyter, 2009).

how will the just endure if they reserve even a little bit of sin? Therefore, this is said of them: “They did not leave behind even one, who might be saved or might escape.”⁷⁶

In a subsequent sermon, Origen offers spiritual readings of several cities that were destroyed, e.g. Libnah, Lachish and Hebron, interpreting their destruction as their being freed from the reign of evil kings and set free to live under the laws of God.⁷⁷ He concludes that such a reading allows one to make Christian sense of *herem* texts: “I myself think it is better that the Israelite wars be understood in this way, and it is better that [Jesus] is thought to fight in this way and to destroy cities and overthrow kingdoms. For in this manner what is said will also appear more devout and more merciful, when he is said to have so subverted and devastated individual cities that ‘nothing that breathed was left in them, neither any who might be saved nor any who might escape.’”⁷⁸ One of Origen’s key interpretative rules is evident from these comments: given the inspiration of all of scripture by the one true and perfect God, such a meaning is to be inferred as is worthy of him (θεοπρεπές), i.e. one that is “religiosius et clementius.”

With this spiritual understanding in place, Origen proceeds to application. Total destruction is, again, interpreted in terms of complete sanctification: “Would that the Lord might thus cast out and extinguish all former evils from the souls that believe in him...and from my own soul, its own evils; so that nothing of a malicious inclination may continue to breathe in me, nothing of wrath; so that no disposition of desire for any evil may be preserved in me, and no wicked word ‘may remain to escape’ from my mouth.”⁷⁹

In a later sermon, Origen first claims that a thoroughly spiritual interpretation of the warfare texts is the only conceivable reason why the Christian church continues to read the “books of Jewish history”(cf. above), and then elaborates on their use for Christians, viz. that of providing a vivid example:

In order for us to have examples of these spiritual wars from deeds of old, he wanted those narrative exploits to be recited to us in church, so that, if we are spiritual—hearing that the ‘Law is spiritual’ — ‘we may compare spiritual things with spiritual’ in the things we hear. And we may consider, by means of those nations that fought visibly against physical Israel, how great are the swarms of opposing powers from among the spiritual

⁷⁶ viii.7; the moral judgment implied in the ET “the slaughter and carnage of *murderers*” is too strong for “caedes ac strages interemptorum.”

⁷⁷ For parallels of these spiritual readings cf. Wutz, *Onomastica sacra*.

⁷⁸ xiii.3.

⁷⁹ xiii.3, nullus supersit qui effugiat (cf. Josh 10:40, 8:22).

paces that are called 'spiritual wickedness in the heavens,' and that stir up wars against the Lord's Church, which is the true Israel.⁸⁰

Having established this first plank of his spiritual reading, viz. the equation of Israel's enemies in the OT with demons, Origen then proceeds to apply it to the account that "[Jesus] did to them...as the Lord had instructed him. He hamstringed their horses and destroyed their chariots by fire. And turning back at that time, [Jesus] took possession of Hazor and struck down its king with the sword and destroyed everyone who drew breath in it by death at the sword; and all were exterminated so that no one remained there who might recover."⁸¹

Turning directly to the application of the *herem* passage, Origen asks "But how shall we accomplish in ourselves even this that says, 'nothing that draws breath may be left behind?'" Again, the meaning he expounds is that of a complete eradication of the vices,

For example, if wrath rises up into my heart, it can happen that, deterred by fear..., I do not actually do works of wrath. But, it says, this is not sufficient. Rather, you must so act that not even the impulse of wrath retains a place within you. [...] And this must be perceived in like manner concerning the vice of lust and of melancholy and of all the rest. This disciple of [Jesus] must live so that nothing at all of these draws a breath in his heart, lest perchance, should the practice or thought of any petty vice remain in his heart, it become strong as time goes on, gathering strength in secret little by little, and recalls us at last to 'our vomit.'⁸²

Origen finds further support for this interpretation in the final verse of Ps 137, interpreting the "little ones of Babylon" to be dashed against the rock "to be nothing else but these 'evil thoughts that confound and disturb our heart.'"⁸³ Christians should apply this to their own lives in the following way:

While these thoughts are still small and are just beginning, they must be seized and dashed against that 'rock' who is 'Christ,' and, by this order, they must be slain, so that nothing in us 'may remain to draw breath.' Therefore, just as on that occasion it was a blessed thing to seize and dash the little ones of Babylon against the rock and to destroy evil thoughts immediately when they are first beginning, so also now it should be considered a blessed and perfect thing if 'nothing is left behind' in us that could 'draw breath' after the manner of the heathen (si nihil reliquatur in nobis gentiliter respirare).⁸⁴

A little later, Origen again repeats his reading of *herem* in terms of total sanctification: "[Jesus] came and struck down all the kings who possessed kingdoms of sin in us, and he ordered us to destroy all those kings and to leave none of them. For if someone should keep any of them

⁸⁰ xv.1; cf. Rom 7:14, 1 Cor 2:13, Eph 6:12.

⁸¹ xv.2, cf. Josh 11:8-11.

⁸² xv.3, cf. 2 Pet 2:22, Prov 26:11.

⁸³ xv.3.

⁸⁴ xv.3; cf. 1 Cor 10:4.

alive within, that person will not be able to be in the army of [Jesus]. Thus if avarice still reigns in you, or ostentation, or pride, or lust, you will not be a soldier of Israel, and neither will you fulfill the precept that the Lord gave to [Jesus].”⁸⁵ When it is said that [Jesus] “captured and destroyed all,” this means that “indeed the Lord [Jesus] has purged every kind of sin.”⁸⁶

3.1.2.6 *Variations on herem as eradication of the vices*

In one of the last extant sermons on Joshua, Origen for a moment departs from interpreting the extermination of the Canaanites in terms of the eradication of vices and, uncharacteristically, equates Israel’s enemies with sinful human beings, rather than with demons or vices. Rejecting a literal reading of the statement that the “sons of Judah were not able to dispel or destroy (disperdere vel interimere) the Jebusites, but they dwelt with them in Jerusalem up to this day,” Origen interprets it in terms of the parable of the wheat and weeds, acknowledging that it is not possible to drive out (expellere) all sinners from the Church.⁸⁷ Origen’s reading here accentuates and develops the expulsion tradition, rather than the annihilation language.

Origen expands on this line of interpretation, which is less frequent in the *homJos*, in the following section, where it is said that “Ephraim did not destroy the Canaanite who dwelt in Gezer.”⁸⁸ He says,

Ephraim means “bearing fruit.” Therefore even the one who bears fruit and grows in the faith is not able to exterminate the Canaanite, that very wicked seed, that accursed seed, that ever inconstant seed, always unsettled; for this is what the word Canaanite means. It is certain that a Canaanite always dwells with the one who bears fruit and grows; for the tumult of temptation never ceases from him. But you, if you truly bear fruit in God, and if you observe someone from such nature—restless, impetuous, excitable—know that this is a Canaanite. And if you are not able to cast him out of the Church, because the sons of Ephraim were not able to destroy the Canaanites, attend to that which the Apostle warns saying, “Remove yourself from every fellow who goes about restlessly.”⁸⁹

While the practical application here differs from total sanctification, it again precludes physical violence and the shedding of blood: excommunicate the “Canaanite” if possible; if not, remove yourself from contact with him or her. In the following section, however, Origen returns to his more usual interpretation of the enemies in terms of sinful thoughts, or vices:

I do not think anyone ever turns out to be so pure of heart that he is never defiled by the contamination of a contrary thought. Therefore, it is still certain that Jebusites dwell with

⁸⁵ xv.4.

⁸⁶ xv.5.

⁸⁷ xxi.1; cf. Josh 15:63; cf. Matt 13:29-30.

⁸⁸ xxi.2, cf. Josh 16:10.

⁸⁹ xxi.2, cf. 2 Thess 3:6.

the sons of Judah in Jerusalem. Yet we do not say these things so that we may neglect to cast them from Jerusalem; but, just as it is written, we cannot cast all out at the same time. Yet it still must be understood regarding those who bear fruit, who are called sons of Ephraim, even they must always cast out from their souls the Canaanites, those unsettled and slippery thoughts.⁹⁰

The practical application Origen emphasizes to his congregation is, in the end, again one of sanctification, “Therefore, let us entreat the Lord himself that, casting evil thoughts out of us, he may introduce good ones worthy of Jerusalem, the heavenly city.”⁹¹

While Origen does not usually interpret the destruction of enemies in terms of excommunication, the idea arises in another sermon in the context of the *herem* narrative surrounding Achan (Josh 7). Reflecting on the fate of Achan, who took what was consecrated to destruction, Origen first offers a spiritual reading of *herem* (anathema) in terms of purity: “Guard yourself against what has been declared anathema, so you do not accidentally desire it and take up what is anathema and make the camp of the sons of Israel anathema, and destroy both yourself and the congregation of the Lord.”⁹² For Christians, this means “Take heed that you have nothing worldly in you, that you bring down with you to the Church neither worldly customs nor faults nor equivocations of the age. But let all worldly ways be anathema to you. Do not mix mundane things with divine; do not introduce worldly matters into the mysteries of the Church.”⁹³

In a subsequent section, Origen considers what it means that “by one sinner wrath comes upon all the people,” and interprets this with reference to NT texts enjoining church discipline.⁹⁴ For Origen the Achan narrative speaks into situations in which “priests who have charge of the people want to seem kind toward those who sin...and refuse to correct sinners and to exclude them from the church.” Of this he asks, “What kind of goodness is that, what kind of compassion to spare one and to draw all into danger? For by one sinner the people are defiled.” In cases where sinners refuse to listen to repeated attempts at calling them to account, Origen urges, “let us use the discipline of a surgeon. If we have anointed with oil, if we have soothed with plaster, if we have softened with emollient, and nevertheless the hardness of the tumor does not yield to the medications, the only remedy that remains is to cut it away.”⁹⁵

⁹⁰ xxi.2.

⁹¹ xxi.2.

⁹² vii.4, Josh 6:18.

⁹³ vii.4.

⁹⁴ vii.6, cf. Matt 19:30, 1 Tim 5:20, 1 Cor 5:13, 1 Cor 5:5.

⁹⁵ The interpretation of anathema/*herem per analogiam* with the surgical removal of sick tissue (Origen cites Matt 5:30 in support) was destined to have a long life; cf. e.g. this comment on the annihilation

In his twenty-second homily, Origen returns one last time to the subject of extermination, weaving together three mentions of Canaanites living among the people of Ephraim into a spiritual interpretation in three stages.⁹⁶

At first, the Canaanite is indeed with us and is under tribute; nevertheless, he is neither obedient to us nor a servant. Second, the Canaanite becomes a servant and is obedient. Let us take this Canaanite to be our flesh, or those things that are of the flesh. At the beginning, the flesh is with us, that is, it has been joined to the soul. It is not obedient to it, however, except that it pays tribute, that is, it furnishes to some extent the service of acting or of moving. [...] But if thereafter we make considerable progress, the flesh becomes a servant to us and obedient, submitting to the will of the soul. [...] But the third state is that which is perfect. For if at last we come to perfection, then the Canaanite is said to have been exterminated by us and handed over to death.⁹⁷

This last stage is accomplished by mortifying the members that are on the earth (Col 3.5), and by crucifying the flesh (Gal 5.24).⁹⁸ This is the goal to which the scriptures lead the Christian: "Thus, therefore, in the third stage, that is, when we come to perfection and mortify our members and carry around the death of Christ in our body, the Canaanite is said to be exterminated by us."⁹⁹ This final reading thus summarizes what is by far the most frequent way in which Origen interprets the annihilation of Israel's enemies, i.e. the sanctification of the Christian's soul through the extirpation of sin and vice.

3.1.2.7 Other pertinent readings

In addition to the general pattern of interpretation identified above, Origen also offers a number of allegorical readings that add a considerable degree of specificity to the spiritual meanings he finds in these texts. While they do not directly deal with *herem*, they are nonetheless pertinent to the subject. Some are interpretations along the line of spiritual warfare explored above, e.g. in the first homily Origen says that Rahab is an image of the Christian's former, unconverted self;¹⁰⁰ the king of Jericho is "the prince of this world."¹⁰¹ In a later homily, Jericho is

command in a recent OT survey: "A surgeon does not hesitate to remove an arm or a leg, or even a vital organ, when life is at stake. The very existence of Israel—and ultimately the salvation of the world—depended upon Yahweh's blessing." William Sanford LaSor, et al, *Old Testament Survey: The Message, Form, and Background of the Old Testament* (Grand Rapids, MI: Eerdmann, 1996). NB, however, that Origen himself does not use the imagery with reference to the killing of human beings, but rather with respect to church discipline.

⁹⁶ xxii.1, cf. Josh 16:10; 17:13; 17:14-18.

⁹⁷ xxii.2.

⁹⁸ xxii.2.

⁹⁹ xxii.2; The opposite outcome is also possible, i.e. that the Canaanites "prevail over us and hold us fast, they may make us Canaanites from Israelites;" xxii.6.

¹⁰⁰ i.4; "Every one of us was a prostitute in his heart as long as he lived according to the desires and lusts of the flesh."

a “a figure of this world,” and the fall of Jericho is akin to the “consummation of the age.”¹⁰² In a subsequent homily, Jericho is a sign of the present age; the walls of Jericho represent the worship of idols, the deceit of divination and the dogmas of philosophers; the priests stand for the apostles, the trumpets for the gospels and the epistles.¹⁰³ Similarly, Achan’s theft of a little gold can, for Origen, hardly account for defiling so many of the Lord’s people; he thus suggests that a deeper meaning must be thought, whereby the “tongue of gold” that Achan stole refers to “perverse doctrines beautified by the assertions of a splendid discourse of philosophers and rhetoricians,” a sin of which Origen accuses Valentinus, Basilides and Marcion.¹⁰⁴

In addition, Origen offers an “etymological” interpretation of Rahab as “breadth,” or of the scarlet-coloured sign as pointing to the blood of Christ;¹⁰⁵ in the context of the sack of Ai and the killing of its king, Origen takes Ai to refer to chaos, and the king of Ai to represent the devil, who was destroyed “in a shadow” at the first coming of Christ and will be totally and perfectly destroyed at the second coming.¹⁰⁶ When it is said that Ai is burnt and rendered uninhabitable for eternity,¹⁰⁷ Origen concludes that “these things pertain more to the truth of a mystery than that of history. For it is not so much that a piece of land is forever uninhabitable, but that the place of demons will be uninhabitable when no one will sin and sin will not rule in any one.”¹⁰⁸

While these interpretations give a very specific meaning to individual aspects of the OT narrative, and thus may strike today’s readers as exceedingly fanciful, they do not, in the main, depart from the overarching scheme of Origen’s interpretation of OT warfare in terms of the Christian’s battle against demons and vices. Put in terms of the three-fold sense of the scriptures, Origen’s emphasis throughout is on the moral, psychic sense (sanctification of the soul,

¹⁰¹ i.5.

¹⁰² vi.4; When, as is the case here, Jericho functions as a figure of this world, the practical application is slightly different from the eradication of the vices within, but equally non-violent. It is to pray for the *consummatio mundi*: “But just now let us pray that he may come and destroy ‘the world that lay in wickedness’ (1 John 5.19) and all things that are in the world, because ‘everything that is in the world is the lust of the flesh, and the lust of the eyes.’ (1 John 2.19) May he destroy that, may he dissolve it again and again, and save only this one who received his spies and who placed his apostles, received with faith and obedience, in the high places.”, cf. also “At the coming of [Jesus], the walls of Jericho were overthrown; at the coming of my Lord [Jesus], the world is overcome.” (*homJos*, vii.3).

¹⁰³ vii.1.

¹⁰⁴ vii.7.

¹⁰⁵ iii.5; cf. vi.4; cf. Barn 12; Origen drew many of these interpretations from Jewish sources (e.g. Philo, a collection of onomastica sacra and contemporary Jewish interpretation) but also put a strong Christian imprint on them; cf. De Lange, *Origen and the Jews*, 112-121.

¹⁰⁶ viii.3-4.

¹⁰⁷ viii.5.

¹⁰⁸ viii.6; *magis at mysterii quam ad historiae pertinent veritatem*.

mortification of sin), but there are also instances of the spiritual, eschatological sense (e.g. the fall of Jericho as the end of the age); the ground tone of Origen's reading of Joshua is, again, predicated on the interpretation of Joshua as a type of Christ.¹⁰⁹

3.1.2.8 Summary of Origen's hermeneutics in *homJos*

Origen embraces the decision by the apostles and their followers that the Jewish Scriptures are to be read in Christian worship, and that they are inspired by the one, true and good God. He also shares with many learned people of antiquity the conviction that certain things are worthy of God, and others are not.¹¹⁰ In Origen's case, this view is not only shaped by the general philosophical background of his age, but very specifically by his reading of the NT, which renders OT warfare texts problematic.¹¹¹ Accepting the inspiration of the OT by the Holy Spirit, Origen concludes that its interpretation must be worthy of him.¹¹² Since not all the literal readings yield a theologically acceptable sense, it is a matter of orthodoxy to accept the presence of non-literal senses; literal-minded heretics are wrong, since "nolunt, sicut sancto Spiritu dignum est, intelligere."¹¹³ For Origen, by contrast, the God-worthiness of the interpretation is a sort of litmus test, e.g. "[t]hus, if in this manner we understand what is written, perhaps the reading will seem worthy of the pen of the Holy Spirit."¹¹⁴

In the *homJos*, Origen's approach to the scriptures is very much that of a pastor of souls. He firmly believes that their true interpretation will be edifying for the church, and urges "Let us see, therefore, what is indicated by all this and what the present reading may add to our edification."¹¹⁵ Both Origen as the interpreter, and his congregation as listeners, are involved in a deeply spiritual endeavour, and so he pleads with them to join him in praying that he might "unfold to you how these things are true and useful and divine, but are covered over by sacraments and wrapped up in mysteries because of the weakness of human nature."¹¹⁶

¹⁰⁹ cf. Dively Lauro, *Origen's Exegesis*, 76.

¹¹⁰ cf. e.g. Plato, *Republic*, ii.379-380.

¹¹¹ Since all the Scriptures share one and the same divine author, it follows for Origen that Scripture should interpret Scripture: "Therefore, applying Holy Scripture to itself and 'comparing spiritual things with spiritual,' let us investigate." xv.3, cf. 1 Cor 2:13.

¹¹² The concept is that of θεοπρεπές, though the word naturally does not appear in the Latin texts we have.

¹¹³ xii.3.

¹¹⁴ viii.6.

¹¹⁵ ix.1; on this aspect of Origen's hermeneutic cf. esp. Torjesen, *Hermeneutical Procedure*.

¹¹⁶ xx.4; on the profoundly personal and spiritual dimension of Origen's hermeneutic, cf. now esp. Martens, *Origen and Scripture*.

Origen's overarching approach to the "mystery" of OT warfare is to understand it in terms of the spiritual warfare of Christian believers. Within this framework annihilation stands for the total eradication of sin and vice from the Christian's heart. Time and again, Origen emphasizes that the Christian's struggle is not against fellow human beings, that it does not involve violence and bloodshed but rather spiritual disciplines.¹¹⁷

3.1.3 *Contra Celsum*

As the preceding analysis of *homJes* has shown, the criticisms of "outsiders" often played an important role in Origen's exposition of scripture in the context of Christian worship. When it comes to *Contra Celsum* (ca. 248-49), responding to criticism is both the avowed central purpose and the overarching organizing principle of his work. The polemics and criticisms to which he responds are those published under the title *Alethes Logos* (ca. AD 177-80) by the second century philosopher Celsus, one of the most significant early pagan critics of Christianity.¹¹⁸

As we will see below, Celsus' animadversions on the text resemble those of Marcion; he might also have lifted a number of his criticisms of the JS straight from the works of Philo, conveniently passing over the latter's allegorical responses.¹¹⁹ In fact, much like other ancient critics, Celsus rejects allegorical readings of the bible, while accepting them in the case of Greek religious myths.¹²⁰

While Celsus' criticisms seem to have focused primarily on Biblical anthropomorphisms and anthropopathisms,¹²¹ Origen reports at least one instance of criticism that bears on the concept of *herem*. In tome VII of *Contra Celsum*, we read of the following challenge made by Celsus:

Will they not ponder that again? If the prophets of the God of the Jews foretold that Jesus would be his son, why did he give them laws by Moses that they were to become rich and powerful and to fill the earth and to massacre their enemies, children and all, and slaughter their entire race (καταφονεύειν τοὺς πολεμίους

¹¹⁷ e.g. "Non ergo in armis pugnandum est nobis adversum hostes nostros invisibiles, sed orationibus et verbi Dei meditationibus et operibus ac sensibus rectis," xvi.5; Additional support for the view that Origen rules out any sort of participation in physical warfare by Christians can be found in the non-violent values underlying his praise of "ille qui ferrum pugnae, ferrum belli, ferrum litium numquam recepit, sed semper pacificus fuit, semper quietus et mitis, ex Christi humilitate formatus," ix.2.

¹¹⁸ Celsus' work did not survive apart from the copious extracts in Origen's response; cf. Cook, *Interpretation*, 55-149; Nautin, *Origène: sa vie et son oeuvre*, 412. Origen's *Contra Celsum* is arguably the most important apology of antiquity, next to Augustine's *City of God*, so Crouzel, *Origen*, 47.

¹¹⁹ On Marcion's influence cf. *Contra Celsum* VI.74, Harnack, *Marcion* 153; Stein, *Bibelkritik*, 23; on "loans" from Philo, cf. *ibid.*, 35, cf. also Rinaldi, *Bibbia* 1, 111 n91.

¹²⁰ Stein, *Bibelkritik*, 13f.

¹²¹ *ibid.*, 20ff.

ἡβηδὸν καὶ παγγενεὶ κτείνειν) which he himself did, so Moses says, before the eyes of the Jews? [...]

Yet his son, the man of Nazareth, gives contradictory laws (ἀντινομοθετεῖ), saying that a man cannot come forward to the Father if he is rich or loves power [...], and that to a man who has struck him once he should offer himself to be struck once again?¹²²

Celsus presents his Christian opponents with the following stark choice, “Who is wrong? Moses or Jesus? Or when the Father sent Jesus had he forgotten what commands he gave to Moses? Or did he condemn his own laws and change his mind, and send his messenger for quite the opposite purpose?”¹²³

This type of opposition between the JS and the teaching of Jesus has a Marcionite ring to it.¹²⁴ Unlike Marcion, however, Celsus is not intent on showing that the JS and the Gospel are the revelations of two opposing deities, but rather simply to point out the inconsistencies in the documents revered by his Christian opponents. For present purposes it is significant that one of the contrasts Celsus highlights is between the promise to massacre one’s enemies, including their children, and the command not to retaliate against a slap in the face.

Celsus’ fundamental argument against Christianity at this point rests on a philosophical conception of what is worthy of God. Clearly, he implies, to change one’s mind, or to forget the commands one had once given to one’s servant (i.e. to Moses) would be incompatible with being divine. Given the contradiction, either Moses or Jesus must be wrong, and the claim that both of them were inspired by the same divine being must be given up. The Christian position that both the OT and the NT are true revelations from God is thus, Celsus suggests, logically untenable.

Origen’s answer to this challenge rests, much as it does in *homJos* and *DePrinc*, on the multiplicity of meanings on which he insists, “Here Celsus, who professes to know everything, has fallen into a very vulgar error concerning the meaning of the bible. He thinks that in the law and the prophets there is no deeper doctrine beyond that of the literal meaning of the words.”¹²⁵ Showing first that even within the OT a variety of perspectives on the correlation between wealth

¹²² *Contra Celsum*, VII.18; ET: Origen, *Contra Celsum*, trsl. by Henry Chadwick, (Cambridge: Cambridge University Press, 1965); Greek: Origen, *Contre Celse: Tome IV. (Livres VII et VIII)*, ed. and trsl. by Marcel Borret, (Paris: Éditions du Cerf, 1969).

¹²³ *ibid.*

¹²⁴ The highlighting of the promise of riches and the depiction of violence in the JS parallels Marcion’s antitheses no. 3, 6, 10, 23 (Harnack’s numbering), while the antithetical NT commands echo the points made in antitheses no. 3, 6, 8, 22 and 23; cf. Harnack, *Marcion*, 89-92.

¹²⁵ *Contra Celsum*, VII.18.

and godliness are found, Origen then turns to the objection regarding the massacre of enemies, “Furthermore, concerning the promise to the Jews to the effect that they would massacre their enemies we would say that, if one reads and studies the words carefully, one finds that the literal interpretation is impossible (ἀδύνατον εἶναι τὴν ὥς πρὸς τὸ ῥητὸν ἐκδοχὴν).”¹²⁶

Origen then argues for the impossibility of the *sensus literalis* by reference to a verse in the Psalms, where “the righteous man is introduced as saying this, among other things: ‘Every morning I killed all the sinners on earth, to destroy from the city of the Lord all the workers of iniquity.’”¹²⁷ Urging Celsus to consider “the words and the intentions of the speaker (τῷ ῥητῷ καὶ τῇ διαθέσει τοῦ λέγοντος),” and to consider whether one really ought to conclude that “at no other time of day but the morning he destroyed all the sinners on earth so that he left none of them alive? And consider whether he destroyed out of Jerusalem every man whatsoever (πάνθ’ ὄντινούν ἄνθρωπον) who was working iniquity?”¹²⁸ The drift of Origen’s rhetorical questions essentially amounts to a *reductio ad absurdum* of the literal sense, thereby suggesting that it could not possibly be the intended meaning. At first sight one might of course surmise that Origen here argues for nothing more than that the texts must be taken hyperbolically; as we will see below, however, he suggests a much more elaborate spiritual interpretation.

It should be noted, too, that Origen turns to the Psalms to make his point and only applies the argument to the total annihilation surrounding the conquest of Canaan in a single phrase, i.e. “You would also find many sayings of this sort in the law, such as this, ‘We did not leave any of them to be taken alive.’”¹²⁹

Taking up Celsus’ charge that the teaching of Christ contradicts the law, Origen affirms again his dual hermeneutic, i.e. “that the law has a twofold interpretation, one literal, the other spiritual (ὁ νόμος διττός ἐστίν, ὁ μὲν τις πρὸς ῥητὸν ὁ δὲ πρὸς διάνοιαν), as was also taught by some of our predecessors.”¹³⁰

¹²⁶ VII.19.

¹²⁷ VII.19; cf. Ps 101:8.

¹²⁸ VII.19.

¹²⁹ VII.19; It is not inconceivable, however, that Celsus also referred to Ps. 101, and that Origen, our only source on that matter, simply does not make that clear.

¹³⁰ VII.20; Chadwick suggests that Philo may be in view here, *Contra Celsum*, 411, n2; cf. e.g. Philo, *de Spec. Leg.* I, 287.

Origen then addresses first the promise of wealth within the dual-sense hermeneutical framework,¹³¹ before turning to “explain the massacre of enemies”. He develops a similar spiritual warfare interpretation to the one we have seen above in the *homJos*. Constructing his argument on a reading of Psalm 101, he writes:

[I]n the words ‘Every morning I killed all the sinners on earth, to destroy from the city of the Lord all the workers of iniquity’, he allegorically calls the flesh ‘earth’, the mind of which is enmity towards God; and by ‘the city of the Lord’ he means his own soul in which was a temple of God [...]

And so He destroyed every ‘carnal mind’, here called ‘the sinners upon earth’, and destroyed from the city of the Lord in his soul all the thoughts that are ‘workers of iniquity’ and the desires hostile to the truth.¹³²

As in the *homJos*, the extirpation of enemies is interpreted in terms of eradicating sinful thoughts from the Christian’s soul; Celsus’ literal reading is dismissed as inadequate.

Next, Origen turns specifically to the question of slaughtering infants: “It is in this sense also that the righteous destroy everything remaining alive of the enemies which originate from evil, so that there is left not even an infant sin which has only just become implanted.” Origen argues for this on the basis of a spiritual reading of Psalm 137 in which the infants to be smashed are understood to be nascent sins, and the overall message is a call to entire sanctification.¹³³

On the basis of this spiritual reading, Origen concludes, “Supposing then that God does command humans to kill the works of iniquity, *children and all*, and to *slaughter their entire race*, His teaching in no way contradicts the proclamation of Jesus.”¹³⁴ What is at issue, for Origen, is what God commands now. While Origen does not deny that God commanded, in the past, the annihilation of human beings, in the present God commands the killing not of humans but of works of iniquity.¹³⁵ As we will see, Origen then goes on to argue that this does not reflect a change in God; in the past God had merely made concessions that were necessary for the survival of the Jewish state, which, by God’s providence, now no longer existed.

Origen then goes on to suggest that the texts in question may also refer to the judgment of non-believers:

¹³¹ VII.21.

¹³² VII.22.

¹³³ vii.22; cf. also above, *homJos* XXII.2.

¹³⁴ vii.22; italics Chadwick’s to mark OT quotations.

¹³⁵ Note, however, that the noun “works” is supplied by Chadwick, the Greek only has “τὰ τῆς κακίας”; Koetschau translates “Sünden,” Origen, ‘Acht Bücher gegen Celsus. Aus dem Griechischen übersetzt von Paul Koetschau. Für die BKV im Internet bearbeitet von Daniel Noti’, accessed 10 Sep 2012.

And we may also grant that *before the eyes of those* who are *Jews* in secret God brings about the destruction of their enemies and of all the works caused by evil. And we may take it that this is the meaning of when those who are disobedient to God's law and word are compared to *enemies*; for their characters are moulded by evil so that they suffer the penalties which are deserved by people who forsake God's words.¹³⁶

Origen's views on judgment are notoriously controversial and it is impossible to be certain of the exact scenario he envisages in this passage, but a reference to some kind of eschatological judgment at the hand of God appears to be intended.¹³⁷

A few sections later, Origen takes up Celsus' challenge again, and offers the following observations on the difference between Jewish and Christian praxis:

If we may say a little about the manner of life which the Jews formerly used to follow according to the prescription of the laws of Moses, and which Christians now wish to correct to conform to the teaching of Jesus (κατὰ τὴν Ἰησοῦ διδασκαλίαν βούλονται κατορθοῦν), we will observe that it did not fit in with the calling of the Gentiles that they should conduct their society according to the literal interpretation of the law of Moses, since they were subject to the Romans. Nor was it possible for the structure of life of the ancient Jews to remain without any modification if, for instance, they were to obey the form of life enjoined in the gospel. It was impossible for Christians to follow the Mosaic law in killing their enemies or those who acted illegally and were judged to be deserving of death by fire or by stoning.¹³⁸

Origen thus gives two reasons why Christians no longer observe all of the Mosaic law, one pragmatic, the other theological. First, it would have been impracticable to do so under Roman rule. Second, and presumably more importantly, the gospel rules out certain observances, e.g. being involved in the killing of others.¹³⁹ In that latter sense, the laws of Moses are in need of correction, and of being brought into conformity with the teachings of Jesus.

Origen anticipates the question as to why such apparently imperfect laws were given to the Jews in the first place. The answer is, once again, pragmatic:

Again, if you took away from the Jews of that time, who had their own political life and country (σύστημα ἴδιον πολιτείας καὶ χώρας ἔχοντων), the power to go out against their enemies and to fight for their traditional customs, and to take life, or at any time to punish adulterers or murderers or people who had committed any such crime, the inevitable consequence would have been their complete and utter destruction when

¹³⁶ *Contra Celsum*, vii.22.

¹³⁷ cf. also *homJos* VI.4 and *hom. Jer.* L.ii.11, where Origen interprets the fall of Jericho in terms of the *consummatio saeculi*.

¹³⁸ vii.26.

¹³⁹ For Origen this applies not just in war but also in the course of the judicial process.

their enemies attacked the nation, because by their own law they would have been deprived of strength and prevented from resisting their enemies.¹⁴⁰

The right to wage wars and to inflict capital punishment, argues Origen, was necessary for the survival of the Jewish nation, so long as they had their own political life and country. Now, however, things had changed: “the providence, which long ago gave the law, but now has given the gospel of Jesus Christ, did not wish that the practices of the Jews should continue, and so destroyed their city...In the same way it increased the success of the Christians...”¹⁴¹

One area in which, according to Origen, Christian practice is meant to be radically different from Jewish observance (and pagan custom) is that of military service. Origen takes this matter up near the very end of *Contra Celsum*. To the latter’s exhortation “to *help the emperor with all our power, and cooperate with him in what is right, and fight for him, and be fellow-soldiers if he presses for this, and fellow-generals with him,*” Origen replies “that at appropriate times we render to the emperors divine help, if I may so say, by taking up even the whole armour of God.”¹⁴² This, he says, comports with the apostolic commands, and is more valuable than the contribution of “soldiers who go out into the lines and kill all the enemy troops that they can.”

Instead of serving in the army, the role of Christians should be in “keeping their right hands pure and by their prayers to God striving for those who fight in a righteous cause and for the emperor who reigns righteously, in order that everything which is opposed and hostile to those who act rightly may be destroyed.”¹⁴³ Origen thus permits Christians to “get behind” the emperor, his wars and his armies -- provided that the emperor reigns righteously, and that the cause is righteous.

Even in these circumstances, however, the prayers of the Christians are not directed against people but against evil spirits, so that “we who by our prayers destroy all daemons which stir up wars, violate oaths, and disturb the peace, are of more help to the emperors than those who seem to be doing the fighting.” Thus, argues Origen, Celsus’ charge that Christians fail to serve the community falls flat: “We who offer prayers with righteousness, together with ascetic practices and exercises which teach us to despise pleasures and not to be led by them, are cooperating in the tasks of the community. Even more do we fight on behalf of the emperor.” However, service

¹⁴⁰ vii.26.

¹⁴¹ viii.26; This argument bears similarities to the criterion in the Pseudo-Clementines that infers from the passing away of certain things that they were never part of God’s true law; cf. the previous chapter.

¹⁴² viii.73; cf. Eph 6:11.

¹⁴³ viii.73.

in the army, even under duress, appears to be excluded by implication, “And though we do not become fellow-soldiers with him, even if he presses for this, yet we are fighting for him and composing a special army of piety through our intercessions to God.”¹⁴⁴

In summation, then, Origen’s answer to Celsus’ challenge initially follows three stages: First, by a *reductio ad absurdum*, the *sensus litteralis* of certain violent OT texts is shown to be impossible. Next, the double meaning of scripture is affirmed and supported by an appeal to hermeneutical tradition. Finally, the spiritual (i.e. the true) meaning of the texts in question is given in terms of a Christian allegorical reading. In addition to this spiritual reading, Origen provides a number of pragmatic reasons why violence and warfare were permitted to the Jews as temporary and necessary concessions, while they have now been forbidden to Christians, who live under the new dispensation of the gospel.

3.1.4 Origen on 1 Samuel 15

Despite all that has been said above, however, there are passages in Origen’s work in which he speaks positively of wars, and even of acts of *herem*, in a literal rather than spiritual-allegorical sense. The biblical text that is most important in this respect is Saul’s failure to fully implement the *herem* command against Amalek and his fateful decision to spare king Agag (1 Sam 15).¹⁴⁵

For example, in a sermon on Balaam’s fifth prophecy (Num 24:20), Origen traces the use of the term “Amalek” through the scriptures.¹⁴⁶ While he generally takes Amalek to represent the devil, against whom Christians are called to wage war in prayer, he treats 1 Sam 15 at some length, reporting the divine *herem* command without further comment, “Nunc ergo uade et percute Amalec et anathematiza omnia quaecumque habet, et non parcas, sed interfice omnes, a uiro usque ad mulierem, et paruulos et lactantes et tauros et greges omnium et camelos et asinos.”¹⁴⁷ He then reports, again without comment, the fact that Saul carried out the *herem* against the entire people, Agag excepted: “omnem populum eius anathematizauit in ore gladii. Et

¹⁴⁴ viii.73; For an analysis, cf. e.g. Harnack, *Militia Christi*, 70-72 and J. Helgeland, “Christians and the Roman Army from Marcus Aurelius to Constantine”, *ANRW* II.23.1 (1979), 724-834.

¹⁴⁵ The episode also features in *homJos*, viii.7, cf. above.

¹⁴⁶ On that aspect of Origen’s hermeneutics, cf. “Introduction,” Origen, *Sur Les Écritures: Philocalie*, 1 - 20, 141-45.

¹⁴⁷ *hom Num* XIX.i.7; extant only in Rufinus’ Latin translation; Origen, *Origenes Werke VII. Homilien zum Hexateuch* (Leipzig: J.C. Hinrichs, 1921).

pepercit Saul et populus regi Agag,” adding that the people also failed to devote the animals to the ban.¹⁴⁸

Nowhere in this passage does Origen indicate that he thinks this account to be non-historical, or that he finds the *herem* command morally problematic on a literal level. On the contrary, he makes it clear that he believes God himself had commanded the *herem* of Amalek and that Saul, by refusing to obey, had committed an inexcusable sin, “Deus per prophetam regi Saul praecipit ut expugnet Amalec et non parcat cuiquam ex iis, et quoniam pepercit regi Amalec Agag, offensam incurrit inexcusabilem.”¹⁴⁹

In terms of what the text means for Christian practice, Origen emphasizes, as he does throughout his oeuvre, that it calls Christians to *spiritual* warfare against the devil. However, the account in 1 Sam 15 is apparently taken as an historical record of what God actually commanded, and no moral concerns are raised concerning it.

Origen remarks upon Saul’s failure to slay Agag in a number of other contexts, too. For example, commenting on the verse “Gracious is the Lord, and just; our God is merciful”, Origen teaches that the Lord is both merciful and just since he shows mercy according to justice.¹⁵⁰ God’s mercy is different from the one Saul showed Agag, which lacked justice. Origen reaches the conclusion that there must be some mercy that is not just, on the basis that otherwise “the law would not say about some, ‘You shall show him no mercy’.”¹⁵¹ He makes a similar point in his comments on Ps 119.58, “have mercy upon me according to your word,” suggesting that Saul’s mercy on Agag was worthless (φάῦλος), since it was not according to the word of God.¹⁵² Origen also comments on the sparing of Agag in his homily on 1 Sam 28, “For actually Saul did not act upon the will of the Lord, but he treated well King Amalek who lives, for which Samuel before his final rest and upon his final departure also reproached Saul.”¹⁵³ As we have seen above, he also

¹⁴⁸ *ibid.*, 8.

¹⁴⁹ *ibid.*, 9.

¹⁵⁰ Ps 116:5.

¹⁵¹ “Selecta in Psalmos”, Origen, *Origenous ta euriskomena panta = Origenis Opera omnia* (Paris: J.-P. Migne, 1857), 1576.

¹⁵² “Fragmenta e catenis in Psalmos”, J. B. Pitra, *Analecta Sacra Spicilegio Solesmensi Parata Tom. III, Patres Anteniceni* (Paris: Ex Publico Galliarum Typographeo, 1883), 274.

¹⁵³ Origen, *Homilies on Jeremiah: Homily on 1 Kings 28*, trsl. by John Clark Smith, (Washington, D.C.: Catholic University of America Press, 1998), 324.

cites the execution of Agag as a positive example in *homJos*; however, he is quick to point out there that the meaning for the Christian is “not to reserve even a little bit of sin.”¹⁵⁴

In conclusion, then, I have found no example in which Origen explicitly denies the historicity of *herem*; rather, he often assumes it as a preamble to the spiritual reading. In addition, as seen in the preceding section, he sometimes draws lessons directly from the literal meaning, and evinces no moral concerns about it. The overwhelming majority of Origen's hermeneutical approach, however, is a figurative reading in terms of spiritual warfare and the total sanctification of the Christian's soul, a position that he often pairs with uncompromising calls for Christians to abjure all forms of violence.

Comparing Origen's readings with those of Philo, we find that the two share much in common, especially the conviction that the scriptures are to be read not only literally but, more importantly, spiritually, and that our readings ought to yield a meaning that is worthy of God. Interpreting Israel's warfare with her enemies in terms of the struggle between virtue and vice in the soul also goes back at least as far as Philo; elements of this approach had also been taken up by Christian interpreters such as Barnabas, Justin, Clement and Tertullian. Origen, however, is the first to deploy the allegorical reading as a response to moral criticism. In that, Origen's readings are distinctly Christian: he addresses the challenges that arise from the teaching of Jesus and Paul in the New Testament, highlighted by Marcion, and relies heavily on the concept that the advent of Christ represents a change in dispensation. While Origen is thus clearly indebted to Philo, the specifics of his interpretation are decisively shaped by his reading of the Pauline epistles and the gospels. Where Philo toned down or omitted *herem* passages, Origen has little choice but to address them; the consecutive public reading of Joshua on which the homilies are based combined with the criticism raised by Marcion, Gnostics and Celsus meant that he could not simply ignore them.

Expressed in terms of the framing trilemma, Origen explicitly defends premises (1) and (2), with the proviso that (2) is not always true in the historical sense (cf. the ‘impossibilities’ interwoven into the narrative by the Holy Spirit). A number of Origen's comments on warfare texts would seem to suggest that he also upholds (3), i.e. that genocide is atrocious, especially in light of NT teaching. However, that point is called into question by other instances in which he reads *herem* texts literally and approvingly. In a sense, then, Origen does not explicitly address the

¹⁵⁴ *homJos* viii.7.

question of whether God's commands and the Israelites' actions 'back then' did in fact occur and were just: he simply seems to assume that they did and they were; however, he also views them as a necessary concession, something that was bound to change with the new and better dispensation of the gospel. However, he insists in the strongest possible terms that the significance of these narratives for Christians was far removed from, even diametrically opposed to, inter-human violence and war. The purpose of these scriptures was certainly not to instruct readers about the deeds of Joshua of old, much less to inspire contemporary violence, but rather to teach the community a virtuous way of life: Jesus Christ "pacem nos docet ex ipsa lectione bellorum."

3.2 *Prudentius*

As we have seen above, the interpretation of biblical Israel's battles against her enemies in terms of a war in the soul between vices and virtues goes at least as far back as Philo. Origen developed this reading, combining it with NT texts on spiritual warfare, and applied it to the conquest narrative in Joshua, equating the Canaanites with vice. Several influential ancient Christian commentators repeated this identification, focusing increasingly on the symbolic importance of the number seven; by the eighth century, the interpretation of the seven Canaanite peoples of Deut 7:1 in terms of the seven cardinal sins had become "widely and generally held."¹⁵⁵ Aldhelm goes on to say that once Pharaoh's army (the "army of gluttony") was drowned in the Red Sea, the army of the Hebrews "gave over the seven peoples of the Canaanites--which foreshadowed typologically the seven-fold armies of the vices--to the jaws of gluttonous death by frequent destructive slaughter."¹⁵⁶

Possibly the most influential of these interpreters was the Latin Christian poet Aurelius Prudentius Clemens (348 - after 405), whose *Psychomachia*, the first entirely allegorical poem in Latin, decisively shaped the representation of the soul's moral battle in medieval art and literature.¹⁵⁷ While the *Psychomachia* does not mention the seven Canaanite nations specifically,

¹⁵⁵ Morton W. Bloomfield, *The Seven Deadly Sins; an Introduction to the History of a Religious Concept, with Special Reference to Medieval English Literature*. (East Lansing: Michigan State College Press, 1952), 78; Blomfield refers to a comment by Aldhelm of Malmesbury (ca. 639-709), "hostes qui putabantur usque ad internecionem suprema strage truciter obtruncati...septem gentes Chananaeorum, quae septenos vitiorum cuneos typice obumbrant, crebra internecionis strage ambronis orci faucibus tradidit;" in id., 'De Laudibus Virginitatis Sive De Virginitate Sanctorum', in J.-P. Migne (ed.), *Octavi Saeculi Ecclesiastici Scriptores* (Paris: J.-P. Migne, Col 0103C-Col 0162A, Col 111D-112B).

¹⁵⁶ *ibid.*

¹⁵⁷ Bloomfield, *Seven Sins*, 64.

Prudentius had portrayed them in his earlier didactic poem *Hamartagenia* as under Satan's leadership viciously attacking the people of God:¹⁵⁸

Alas, with what armed forces does the ruthless enemy press upon the race of men, with what attendant rains under his command does he wage his iron wars, with what dominion triumph over the conquered! The Canaanite rises up to his aid with close-set columns and daunting helm, shaking the weight of bristly beard on his chin and waving the hand that grasps his heavy spear. On another side in burning rage stand the army of the king of the Amorites, and the Gergashites in their thousands pour out in array and come flying over the field. Some smite from a distance, others join in close combat. See, the squadrons of the Jebusites are hot for battle; their golden weapons, dipped in serpent's blood, with death-dealing lustre glitter and gleam and slay. It is thy pleasure too, O Hittite, to arm dread companies with javelins. But the tribe of the Perizzites come at us with arrows, their courage like thine, though their weapon is unlike. Last of all the king of the Hivites brings up his regiment, wearing a scaly breast-plate of snake-skin. With these warriors to support him the perverse prince of evil overcomes weak souls, which in artless ignorance, unused to warfare, trust in a false treaty of ill-starred friendship and at first take them for allies, and so become subjects of Mammon through their love of peace. Then they are carried away to bondage, easy victims, who willingly surrender their necks to the hard yoke and of their own choice obey the insolent commands of the ne'er-do-well spirits.¹⁵⁹

The context makes clear that the enemies Prudentius is talking about are the vices; in the section just above the quoted text he lists, *inter alia*, wrath, superstition, discord, adultery and ambition, while the following section talks about Christians being enslaved by avarice and pride.¹⁶⁰

The names of the seven nations mentioned here by Prudentius occur in Deut 7:2 and Josh 11:3, though in different order. Elements of both biblical passages appear to lie behind the poem: The text in Joshua presents the nations as attacking Israel, an attack that Joshua repels and that ends with the *herem* of their cities (11:12). The language of entering into a "false treaty of ill-starred friendships," on the other hand, resonates with the prohibition of making treaties with the seven nations in Deut 7. A misplaced "love of peace" would lead Israel to show mercy, which in Prudentius' presentation would entail bondage to vice.

While Prudentius does not, in this passage, call *expressis verbis* for annihilation, the biblically literate reader would have known what the Israelites were commanded to do (Deut 7) and what faithful Joshua did in fact do (Josh 11). On this reading, *herem* would, as in Origen, be

¹⁵⁸ This didactic poem was written in ca. 400 against a Marcionite dualism. It may have been inspired by Tertullian's *Contra Marcionem*; cf. M. Lavarenne, "Notice" in M. Lavarenne (ed.), *Prudence, T. II, Apotheosis (Traité de la nature de Dieu), Hamartigenia (De l'origine du mal) / texte établi et trad. [du latin] par M. Lavarenne*. (Paris: Les Belles Lettres, 1945), vi f.

¹⁵⁹ *Prudentius*, trsl. by H. J. Thomson, (Cambridge, MA: Harvard University Press, 1949), 233-235.

¹⁶⁰ *ibid.*, 232, 235.

understood in terms of the uncompromising extinction of vice from the believer's heart. It is of note, too, that in Prudentius' poem the seven nations are aggressive warriors painted in vivid, fear-inducing terms; there is no suggestion at all that there might be women or children among them.

3.3 *John Cassian*

John Cassian (ca. 360 - ca. 430-35) decisively shaped the development of Western Christian spirituality, especially due to the popularity of his monastic writings.¹⁶¹ His Conferences were particularly influential, since Benedict of Nursia's rule called for them to be read out to monks after meal times.¹⁶² In the fifth of these "conversations," Cassian draws an explicit link between the seven nations of Canaan with what was to become the tradition of the seven cardinal vices, or deadly sins.¹⁶³ In Cassian's work, however,—as in that of Evagrius of Pontus (c.365 - c.435), whose work had profoundly shaped him—the number of the cardinal vices is eight, rather than seven.¹⁶⁴

In Conference V Cassian (in the voice of one Abba Serapion) offers a reading reminiscent of Origen's, i.e. interpreting the annihilation of the Canaanites as the eradication of vice. Setting out eight principal vices and ruminating on their inter-relatedness, he suggests ways in which the monks may combat them, recommending they focus on the one vice they find the most besetting, and turn their attention to the other vices only once the most challenging one has been defeated.¹⁶⁵ Cassian links this spiritual battle plan to Deut 7:21-23, which he quotes, ending with the promise that "the Lord your God will deliver them over in your sight, and he will slay them until they are completely destroyed (et interficiet illos donec penitus deleantur.)"¹⁶⁶ He then turns to further passages in Deut (8:12-15, 9:4-5) to emphasize the believer's great need for divine help in this battle, and the dangers of taking pride in victories won over "spiritual wickedness and carnal sins."¹⁶⁷

¹⁶¹ B. Ramsey, 'Introduction', in B. Ramsey (ed.), *John Cassian, the Conferences* (New York: Paulist Press, 1997), 5-24, 7.

¹⁶² Bautz, Wilhelm F. 'Cassianus, Mönch, Vater des Semipelagianismus', in *Biographisch-Bibliographisches Kirchenlexikon*, Band VI, Spalten 951-953, www.bautz.de. Accessed 24 August 2013.

¹⁶³ Bloomfield, *Seven Sins*, 70. For an overview of the pre-Christian roots of this idea, cf. *ibid.*, ch. 1.

¹⁶⁴ While Evagrius "certainly knew and followed Origen's spiritual interpretation of the conquest of the Promised Land," he did not link the vices to the seven Canaanite nations in the way that Cassian did; cf. C. Stewart, 'Evagrius Ponticus and the "Eight Generic Logismoi"', in R. Newhauser (ed.), (Toronto: Pontifical Institute of Mediaeval Studies, 2005), 3-34, 34.

¹⁶⁵ v.xiv.1.

¹⁶⁶ v.xiv.5.

¹⁶⁷ v.xv.

Having enumerated and described the vices, Cassian then links them directly with the seven nations and their commanded annihilation:

Hae sunt septem gentes quarum terras egressis ex Aegypto filiis Israel daturum se dominus repromittit. quae omnia secundum apostolum cum in figura contigerint illis, ad nostram commonitionem scripta debemus accipere. ita enim dicitur: *cum introduxerit te dominus deus tuus in terram, quam possessurus ingrederis, et deleuerit gentes multas coram te, Chethaeum et Gergesaeum et Amorraeum, Chananaeum et Ferezaeum, et Euaeum et Iebusaeum, septem gentes multo maioris numeri quam tu es, et robustiores te: tradideritque eas dominus tibi, percuties eas usque ad interuicem.*¹⁶⁸

Cassian not only finds a reference to seven vices in this text, but also an indication that from the basic vices spring forth a multitude of others: “plura sunt uitia quam uirtutes. et ideo in catalogo quidem dinumerantur septem nationes, in expugnatione uero earum sine numeri ascriptione ponuntur. ita enim dicitur: et deleuerit gentes multas coram te. numerosior enim est quam Israhel carnalium passionum populus, qui de hoc septenario fomite uitiorum ac radice procedit.”¹⁶⁹ In what follows Cassian illustrates this point, providing a lengthy list of vices that spring forth from the principal eight.

This section leads to a question by Abba Serapion’s interlocutor Germanus: “Why, then, are there eight vices that attack us, when Moses enumerates seven nations that are opposed to the people of Israel, and what advantage is there for us in possessing the territories of the vices?”¹⁷⁰ Serapion’s answer is two-fold: the number eight is certain;¹⁷¹ it includes as the eighth the nation of Egypt, representing gluttony, a vice that can never be totally extirpated given that the monks have to continue to eat in order to nourish the body.¹⁷² The other seven vices, however, should be eradicated (“exterminandi sunt”).¹⁷³ Again, the annihilation of the seven nations is read as the extermination of the principal vices.

Serapion then puts forward the view, already found in Origen, that “each fault has its own special corner in the heart,” and that once they are expelled “their places...will be filled by the

¹⁶⁸ John Cassian, *Conlationes XXVIII* (Vindobonae: apud C. Geroldi filium, 1886), V.xvi; The hermeneutical framework is, as so often, provided by Paul’s comments in 1 Cor 10:6.

¹⁶⁹ *ibid.*

¹⁷⁰ John Cassian, *The Conferences*, trsl. by Boniface Ramsey, (New York: Paulist Press, 1997), V.xvii

¹⁷¹ Octo esse principalia uitia quae impugnant moachum contorum absoluta sententia est, V.xviii.

¹⁷² V.xviii-xxi.

¹⁷³ V.xix.

opposite virtues,” chastity replacing lust and fornication, patience taking the place of wrath, humility that of pride, etc.¹⁷⁴

This prompts the moral question of whether the land that the Israelites took from the Canaanites, or alternatively the territory that the virtues take from the vices, is legitimately theirs. Unsurprisingly, this is the position he affirms:

When they have expelled all the passions of the heart, they must be believed not so much to have taken over others’ property as to have regained their own. For, as an old tradition teaches, when the world was divided the children of Shem were allotted the very lands of the Canaanites into which the children of Israel were led, which afterward the posterity of Ham laid hold of by violence and force, through a wicked invasion. In this it was most righteously judged by God, who expelled the ones from the foreign places that they had wickedly seized and restored to the others the ancient property of their fathers, which had been assigned to their stock at the division of the world.¹⁷⁵

This “*vetus traditio*” is found in Epiphanius, and turns the conquest of Canaan into a recovery of what had previously been stolen.¹⁷⁶ It is also noteworthy that Cassian chooses to employ the language of expulsion (*illos...expulit*), rather than annihilation. This reading comports well with what Cassian wishes to say about the virtues and the vices: “For the Lord did not assign by nature the possession of our heart to the vices but to the virtues. After the fall of Adam they were thrust out of their own region by the vices that had grown insolent---that is, by the Canaanite peoples; and when they have been restored to it by the grace of God and by our diligence and effort, they must be believed not so much to have occupied foreign territory as to have received back their own.”¹⁷⁷

In the cases above, Cassian adopts a thorough-going allegorical reading of the Canaanites and their commanded annihilation. In another context (*Conf. III*), however, he comments on the annihilation command in a more literal sense, and uses it to illustrate the compatibility of the initiating and completing grace of God on the one hand, and human free will on the other. He does so in an answer to a question, viz. “Where then is there room for free will, and how is it ascribed to our efforts that we are worthy of praise, if God both begins and ends everything in us which concerns our salvation?”¹⁷⁸ Cassian’s mouthpiece, one Paphnutius, answers that “This would fairly influence us, if in every work and practice, the beginning and the end were

¹⁷⁴ V.xxiii.

¹⁷⁵ V.xxii.2-xxiv.1.

¹⁷⁶ Epiphanius of Salamis (d. 403), *Panarion*, II.ii.66.83,3ff.

¹⁷⁷ V.xxiv.2.

¹⁷⁸ III.ix.

everything, and there were no middle in between. And so as we know that God creates opportunities of salvation in various ways, it is in our power to make use of the opportunities granted to us by heaven more or less earnestly.¹⁷⁹ Cassian grants that God's is the initiative and the bringing to consummation; however "it is in our own power to follow up the encouragement and assistance of God with more or less zeal, and that accordingly we are rightly visited either with reward or with punishment, because we have been either careless or careful to correspond to His design and providential arrangement made for us with such kindly regard.¹⁸⁰ It is in order to illustrate this human responsibility that lies between divine beginning and ending that Cassian turns to the *herem* command in Deut 7:

And this is clearly and plainly described in Deuteronomy. "When," says he, "the Lord thy God shall have brought thee into the land which thou art going to possess, and shall have destroyed many nations before thee, the Hittite, and the Gergeshite, and the Amorite, the Canaanite, and the Perizzite, the Hivite, and the Jebusite, seven nations much more numerous than thou art and stronger than thou, and the Lord thy God shall have delivered them to thee, thou shalt utterly destroy them. Thou shalt make no league with them. Neither shalt thou make marriage with them." So then Scripture declares that it is the free gift of God that they are brought into the land of promise, that many nations are destroyed before them, that nations more numerous and mightier than the people of Israel are given up into their hands. But whether Israel utterly destroys them, or whether it preserves them alive and spares them, and whether or not it makes a league with them, and makes marriages with them or not, it declares lies in their own power. And by this testimony we can clearly see what we ought to ascribe to free will, and what to the design and daily assistance of the Lord, and that it belongs to divine grace to give us opportunities of salvation and prosperous undertakings and victory: but that it is ours to follow up the blessings which God gives us with earnestness or indifference.¹⁸¹

In this passage, Cassian does not develop an allegorical reading of the Canaanites, in terms of the vices or otherwise. Rather, the point that he highlights is that Israel is given a choice, including the possibility of not utterly destroying the seven nations, of sparing them, entering into a covenant with them and intermarrying. He suggests that this latter possibility would be an example of following up God-given blessings with indifference, of not being careful to respond in the intended way.

While this specific passage does not develop an allegorical sense of the Canaanites, the Conference taken as a whole, places this reading in the familiar context of overcoming vice and increasing in virtue. The monks are encouraged to embrace three renunciations: "The first is that by which as far as the body is concerned we make light of all the wealth and goods of this world;

¹⁷⁹ III.x.

¹⁸⁰ III.xix.

¹⁸¹ III.xix.

the second, that by which we reject the fashions and vices and former affections of soul and flesh; the third, that by which we detach our soul from all present and visible things, and contemplate only things to come, and set our heart on what is invisible.”¹⁸²

In summation, then, Cassian develops further the imagery of the war between the vices and virtues, stretching back to Philo via Clement, Origen and Evagrius. He combines Prudentius’ identification of the seven Canaanite nations with the vices and Evagrius’ list of eight principal vices, giving reasons for the discrepancy in numbering. He also addresses the right that the Israelites had to the land of Canaan, i.e. the right that the virtues have to the territories occupied by the vices. Finally, he comments on a *herem* text without developing an allegorical reading, but does so in the context of moral education aimed at the ever-increasing sanctification of the soul.

3.4 Gregory the Great

Gregory I (540-604) developed the doctrine of the cardinal vices further; departing from Evagrius and Cassian, he reduced their number to seven, a decision in which the allegorical interpretation of the seven tribes of Canaan in terms of the principal vices may have played a role.¹⁸³ He also modified Cassian’s reflections on the interrelatedness of the vices, and proposed a different order. The pertinent texts are all found in Gregory’s *Moralia*, a wide-ranging commentary on the book of Job, which, while being written for monks, “achieved such general popularity that it was chiefly responsible for broadening the application of the Sins so that they were no longer considered primarily monastic but became part of the general theological and devotional tradition.”¹⁸⁴

Gregory’s treatment of the commanded annihilation of the Canaanites is unusual: while he, too, reads it in terms of the eradication of vice, he suggests that the Canaanites, i.e. the sins, that remain fulfil a positive role:

And hence when the land of promise now won was to be divided to the people of Israel, the Gentile people of Canaan are not said to be slain, but to be made tributary to the tribe of Ephraim; as it is written, *The Canaanites dwelt in the midst of Ephraim under tribute [Jos. 16,10]*. For what does the Canaanite, a Gentile people, denote saving a fault (vitium)? And oftentimes we enter the land of promise with great virtues, because we are strengthened by the inward hope that regards eternity. But while, amidst lofty deeds, we

¹⁸² III.vi; cf. also III.xxii.

¹⁸³ Bloomfield, *Seven Sins*, 72; cf. Gregory, *Moralia*, XXXI.xlv.87-90; cf. also Matt 12:45/Luke 11:26.

¹⁸⁴ *ibid.*, cf. also C. Straw, 'Gregory, Cassian, and the Cardinal Vices', in R. Newhauser (ed.), *In the Garden of Evil: The Vices and Culture in the Middle Ages* (Toronto: Pontifical Institute of Mediaeval Studies, 2005), 35-58.

retain certain small faults, we as it were permit the Canaanite to dwell in our land. Yet he is made tributary, in that this same fault, which we cannot bring under, we force back by humility to answer the end of our wellbeing, that the mind may think meanly of itself even in its highest excellencies, in proportion as it fails to master by its own strength even the small things that it aims at. Hence it is well written again, *Now these are the nations which the Lord left, to prove Israel by them* [Jud. 3,1]. For it is for this that some of our least faults are retained, that our fixed mind may ever be practising itself heedfully to the conflict, and not presume upon victory, forasmuch as it sees enemies yet alive within it, by whom it still dreads to be overcome. Thus Israel is trained by the Gentile people being reserved, in that the uplifting of our goodness meets with a check in some very little faults, and learns, in the little things that withstand it, that it does not subdue the greater ones by itself.¹⁸⁵

In this text, then, Gregory's allegorizing reflects a more positive take on the failure to eradicate all the Canaanites, i.e. exterminate all the vices. In fact, the retention of certain small faults (*vitia quaedam parva*) may have the positive effect of keeping the believer alert to the battle at hand, and of preventing pride, which for Gregory is the "*radix vitiorum*", the "*initium omnis peccati*." While Gregory does not go so far as to recommend a deliberate sparing of certain Canaanites/vices, his reading is somewhat unusual in that it assigns a positive purpose to the surviving Canaanites/sins.

3.5 Isidore of Seville

Isidore of Seville's (ca. 560-636) dogmatic and exegetical works had a considerable influence on shaping Christian dogmatics and ethics well into the middle ages.¹⁸⁶ In the *Mysticorum expositiones sacramentorum seu Quaestiones in Vetus Testamentum* he sets out to provide a figurative interpretation for texts in the Law and the historical books of the OT, not seeking to be original but rather presenting a florilegium drawn from earlier commentators, esp. Origen and Gregory the Great.¹⁸⁷

Isidore's question xvi on Deuteronomy begins with a quotation of Deut 7:1.2, which is followed by an exposition that clearly owes much to Cassian, whom Isidore credits as one of his sources in the preface: The seven nations are (sunt) the seven principal vices that each spiritual

¹⁸⁵ Latin in Gregory the Great, 'Moralium Libri, Sive Expositio in Librum B. Job', in J.-P. Migne (ed.), *Opera Omnia S. Gregorii Magni* (Paris: J.-P. Migne, 1862), 509-1060, IV.xxiv (rec xxii); ET in Gregory the Great, *Morals on the Book of Job*, (Oxford; London: J. Parker; J.G.F. and J. Rivington, 1844).

¹⁸⁶ Tenberg, Reinhard. 'Isidor, Erzbischof Von Sevilla, Heiliger', in *Biographisch-Bibliographisches Kirchenlexikon*, Band II, *Spalten 1374-1379*, www.bautz.de. Accessed 24 August 2013.

¹⁸⁷ In his preface he also mentions Victorinus, Ambrose, Jerome, Augustine, Fulgentius and Cassian; cf. Isidore of Seville, '*Mysticorum Expositiones Sacramentorum Seu Quaestiones in Vetus Testamentum*', in J.-P. Migne (ed.), *Sancti Isidori, Hispalensis Episcopi, Opera Omnia* (Turnholti: Brepols, 1850), 207-424, 209A.

soldier is advised to overcome and exterminate completely – by the grace of God.¹⁸⁸ As Cassian, so Isidore continues by explaining from the biblical text that there are more vices than there are virtues, and lists a number of additional vices that spring from the principal seven. He concludes that by wiping out these seven all others are also subdued.¹⁸⁹ Isidore also follows Cassian's remarks on the virtues replacing the opposing vices in their respective territories.¹⁹⁰

In his comments on the book of Joshua, Isidore offers a spiritual reading of the sack of Jericho based on Origen's homilies: Jericho is this world, the ark is the church, the iron trumpets are preachers, the walls of Jericho are the elation of the world and prideful obstacles of unbelief, the circumambulation with the ark is the preaching church moving about the world, the red thread is the blood of Christ. The destruction of the Jericho is the "impiorum perditio," out of which only the house of Rahab are saved, i.e. only the church.¹⁹¹

The following section, too, picks up traditional spiritual readings based on Origen: Jericho again is a "figura mundi;" Achan represents those who introduce worldly manners, practices and philosophies into the church (e.g. Arius, Marcion, Basilides); the king of Ai is the devil; their subjection to anathema means that they are cast out; that they are crushed by stones is that they are crushed by their many sins.¹⁹²

A little further on, Isidore offers a Christological as well as a Pneumatological reading of Joshua: the annihilation, or expulsion, of the Canaanites is likened to the triumph of Christ over the evil spirits of the nations caught in error, and Joshua's distribution of the land by lot is interpreted in terms of the gifts that the Holy Spirit distributes to each as he desires.¹⁹³

¹⁸⁸ Septem istae gentes septem sunt principalia vitia quae per gratiam Dei unusquisque spiritualis miles exsuperans exterminare penitus admonetur; Isidor, *Qu. in Deut* xvi.1; cf. Cassian, *Conf.*, V.xvi.

¹⁸⁹ "tamen illis septem principalibus vitiis, ex quorum natura ista procedunt, omnes protinus conquiescunt, ac perpetua pariter cum his internecione delentur." For Isidore's list of seven cf. *Qu. in Deut* xvi.3.4.

¹⁹⁰ *ibid.*, xvi.6.7; cf. Cassian, *Conferences*, V.xxiii.

¹⁹¹ Isidore, *Isos.vii*; cf. e.g. Origen, *homJos* vi.

¹⁹² ideoque abjecti sunt per anathema, et quasi acervo lapidum, ita multitudine peccatorum suorum oppressi atque extincti sunt; *ibid.*, viii.3; for the entire section, cf. Origen, *homJos* vii.

¹⁹³ Extinctis deinde, vel ejectis gentibus, Josue sorte dividit populis terram repromissionis. Ejecit ergo et Christus a facie fidelium suorum quodammodo gentes, gentilium errorum malignos spiritus, et sorte divisit terram in nobis: omnia operans unus atque idem Spiritus, ac dividens dona propria unicuique, prout vult; *ibid.*, xiii; cf. 1 Cor 12:11.

In his last question on Joshua, Isidore asks after those Canaanites that were not annihilated, and repeats almost verbatim the portion from Gregory's *Moralia* cited in the previous section.¹⁹⁴

Finally, Isidore also comments on Saul's sparing of Agag. He begins by summarizing the narrative, "Iniit iterum Saul praelium adversus Amalech, interfectisque cunctis hostibus, pepercit Agag regi, nec voluit disperdere omnia juxta praeceptum Domini, irasciturque ei Dominus. Veniens autem Samuel sumpsit gladium, et in frustra concidit Agag." Nothing here suggests that he takes the account as anything other than literal-historical, or that he has any moral qualms about it.

Isidore, however, next addresses those who would criticise the biblical account, "Quando legunt quidam in Scripturis quod sancti nulli hostium parcent, efficiunturque crudeles, et humanum sanguinem sitientes, dicunt quia et justī ita percusserunt hostes, ut non relinqueretur ab his qui salvus fieret." The problem with this view is, according to Isidore, that the critics fail to understand the texts properly, "et non intelligunt in his verbis adumbrari mysteria, et hoc magis nobis indicari, ut pugnantes adversus vitia, nullum penitus ex his relinquere debeamus, sed omnia interimere." Taken almost verbatim from Origen's comment on the sacking of Ai (Josh 8), Isidore has transferred them to this text in 1 Sam and extended the scope from Origen's "legunt Iudaei" to include any and all erroneous readers.¹⁹⁵

He continues, again closely following Origen's remarks, by saying that if believers are reluctant to extinguish the vices, they will incur guilt just as Saul did, "Nam si pepercerimus, reputabitur nobis in culpam, sicut reputatum est Saul, qui vivum servavit regem Agag. Quomodo enim quisque justus manebit, si adhuc aliquid peccati in semetipso servaverit, sicut Saul?"¹⁹⁶ And so *herem* is once again read in terms of the extirpation of the vices. For Isidore, Samuel who violently executes Agag is in fact a figure of the true saints who extirpate the vices, "At vero sancti in figura Samuelis ita saeviant super hostes suos, id est, super vitia peccatorum, ut non permittant relinqui aliquod peccatum impunitum."¹⁹⁷

This section, then, is an example of Origen's defensive hermeneutics being transferred from one *herem* text to another (from Josh 8 to 1 Sam 15), their application being extended beyond the

¹⁹⁴ *ibid.*, Ios.xviii; cf. Gregory, *Moralia*, IV.xxiv (rec. xxii) above.

¹⁹⁵ Isidore, in *Qu. in Reg.*, vii; cf. Origen, *homJos* VIII.7.

¹⁹⁶ *ibid.*

¹⁹⁷ *ibid.*; Naturally, this interpretation not found in Origen's homily on Ai.

polemical context envisaged by Origen (from Jews to all mistaken readers), and being further developed by the addition of a new allegory, that of Samuel as representing the true saints.

In summation, Isidore adds one or the other nuance to the various allegorical readings he offers, but is largely a collector and tradent of what came before him, and self-consciously so. In this he reflects a wider change in the hermeneutical climate, in which knowledge of and faithfulness to the exegetical tradition was increasingly prized over originality and individuality.¹⁹⁸

3.6 *Glossa Ordinaria*

The *Glossa Ordinaria* is arguably the high-water mark for the kind of spiritual reading of *herem* championed by Origen.¹⁹⁹ Containing Jerome's Vulgate with marginal and interlinear glosses drawn from patristic and Carolingian sources, the *Glossa* was the "ubiquitous text of the central Middle Ages;" at some point "[e]very master and library of any pretension to learning had some volumes of the Gloss."²⁰⁰ Having begun life as "an *aide-memoire* for a scholar with a trained memory" it became a "public property and a commercial success."²⁰¹ In some sense, it can even be argued that "[t]he Gloss...had become the bible;"²⁰² the exegetical extracts contained in it attained "quasi-canonical" status.²⁰³

The origin of the Gloss is found in the cathedral schools of 12th century France; its instigator was Anselm of Laon (d. 1117), whose work was continued by his "brother Ralph and by his sometime pupil or collaborator Gilbert of Auxerre."²⁰⁴ The latter "[i]n all probability...glossed the Pentateuch, Joshua, Judges, Kings, the Major and Minor Prophets and Lamentations," i.e. the texts most pertinent to the study in hand.²⁰⁵ However, it should also be borne in mind that "[t]he text of the Gloss does not remain stable."²⁰⁶ It survives in thousands of manuscripts, and there is no modern critical edition. Citations in what follows are taken from the *editio princeps*, printed by Adolph Rusch in Strasburg, probably c.1480. While this edition has certain limitations, it has the advantage of giving scholars a uniform base text from which to work, and approximately reflects

¹⁹⁸ cf. e.g. Reventlow, *Bibelauslegung* 2, 117.

¹⁹⁹ Origen himself is a major source of the *Glossa Ordinaria* for Exodus, Leviticus and Numbers, but he disappears from Deuteronomy (his homilies on that book do not survive). In Joshua, Origen is again prominent, together with Augustine and Isidore; cf. Smith, *Glossa Ordinaria*, 46ff.

²⁰⁰ *ibid.* 1.

²⁰¹ *ibid.*, 194.

²⁰² *ibid.*, 1.

²⁰³ *ibid.*, 236.

²⁰⁴ *ibid.*, 19.

²⁰⁵ *ibid.*, 28.

²⁰⁶ *ibid.*, 230.

the “text found in twelfth-century manuscripts.”²⁰⁷ Most of the interpretations of *herem* texts found in the Gloss fall into the category of non-literal readings, which is consistent with its “predominantly ‘spiritual’ agenda.”²⁰⁸

3.6.1 *Glossa Ordinaria on Deuteronomy*

The general spiritualizing tone of the Gloss can be illustrated by these examples: The marginal gloss on Deut 1:4 interprets the killing of Sihon and Og in terms of the removal of scandal and the overcoming of the squadron of vices (“remotis scandalis et superatis vitiorum turmis”), and is followed by a long citation from Isidore’s spiritual readings of the same passage.²⁰⁹ A similar interpretation is repeated in the gloss on 2:26: “Sehon diabolum significat,...Israel populum Christianum...” Similarly, the gloss on 2:33 speaks of the reign Sihon once had in “us,” reigning through “stultitia, superbia, impietas, et omnia quae diabolus suggerit.” But now, the gloss continues, the strong man is defeated and the saints are victorious over persecutors and heretics. The latter illustrates a seamless move from internal enemies (vices) to external ones (persecutors and heretics).

The first direct mention of annihilation comes in the gloss on 3:1, where Bashan stands for “turbitudo” and Og for “carnalia.” To these enemies, no terms of peace are to be offered. Rather, they must be “stormed at once and altogether avoided.” Nothing less than total annihilation is called for:

Adversus haec sic est bellandum, ut nullum relinquatur vitium. Nullum enim oportet relinqui in regno turpitudinis; debent enim turpia resecari, ut honesta et religiosa possint aedificari. In regno Sehon vel Moab non hoc praecipitur... De Basan vero, id est de turpitudine, nihil relinquimus, quia nihilo indigemus. Honestum etiam esse non potest, quod turpe est.

²⁰⁷ *ibid.* 12f; I consulted the scans of the editio princeps available at Österreichische Nationalbibliothek, <http://data.onb.ac.at/rec/AC07660442>, and the printed facsimile version, *Biblia Latina Cum Glossa Ordinaria Facsimile Reprint of the Editio Princeps Adolph Rusch of Strassburg 1480/81*. Karlfried Froehlich and Margaret Gibson (eds.) (Turnhout: Brepols, 1992).

²⁰⁸ Smith, *Glossa Ordinaria*, 236: However, the Gloss also contains interpretations of *herem* that follow a more literal approach. The marginal gloss on Num 21:1, for instance, draws on a straight-forward reading of the narrative (“ex voto victor vincitur, victi superant”) to give Christians who are defeated renewed hope: “potest enim fieri ut vincamus ubi victi sumus,” and the following gloss, on Num 21:3, repeats Augustine’s definition of anathema from his *Quaestiones*, IV.40.

²⁰⁹ In which, e.g., Sihon is the “tentatio oculorum,” or the devil appearing as an angel of light; cf. Isidore, Qu. IV.39.

As so often in the post-Origen readings, *herem* is again read as a figure for uncompromising warfare against sin.²¹⁰

The following gloss relates to Deut 3:3-7, and picks up the theme of total destruction again: the number sixty, as in the sixty cities that were destroyed, signifies perfection, Og the king of Bashan is the devil, the king of turpitude, “quia perfecte omnium vitiorum delectationem destruendam esse significat.”²¹¹ Argob signifies earthly pride. That the men, women and children were killed, but the cattle and spoil taken as plunder means that “munitione diaboli superata, quidquid in carne nostra rebelle, quidquid lascivum senserimus cum parvulis cogitationibus, zelo Dei est conterendum; quidquid autem in simplicitate puri sensus, vel membrorum ornatu, servitio Dei aptum inveniemus, reservare debemus.” The reading is again that of the war of extermination against vice, complemented here by the thought of devoting to God that which can be useful to his service.

The marginal gloss on 7:1.2 repeats almost verbatim the comments of Isidore, equating the seven nations of Canaan with the seven principal sins. It begins “septem gentes sunt septem principalia vitia, quae per Dei gratiam spiritalis miles exsuperans exterminare jubetur,” and goes on to discuss at considerable length the inter-relatedness of the various vices.²¹² The gloss on 7:26 provides an etymological definition of anathema: “Ἀπὸ τοῦ ἀναθήναι, id est, a sursum ponendo, vel suspendendo, sicut donaria in templis suspendebantur, et ab eis qui dabant alienabantur.”²¹³

All marginal glosses on Deut 20, a chapter entirely dedicated to matters of warfare, interpret the text in terms of the spiritual battle, with the exception of one, drawn from Augustine, that provides an explanation why, on the literal level, some Israelite soldiers were sent home from battle (vv. 2-8).²¹⁴ In the first of the glosses, taken from Augustine, the reader is taught

²¹⁰ cf. a similar reading in Hrabanus Maurus, *Enn. Sup. Deut* I.vii.

²¹¹ cf. “So the LORD our God gave into our hand Og also, the king of Bashan, and all his people, and we struck him down until he had no survivor left. And we took all his cities at that time—there was not a city that we did not take from them—sixty cities, the whole region of Argob, the kingdom of Og in Bashan.... And we devoted them to destruction, as we did to Sihon the king of Heshbon, devoting to destruction every city, men, women, and children. But all the livestock and the spoil of the cities we took as our plunder.” (Deut 3:3-7).

²¹² cf. above on Isidore, *Qu. Deut.* xvi, Cassian, *Conf.*, V.xvi.

²¹³ This is taken from a commentary on Deut ascribed to Haimo of Auxerre (d. c855); “that is ‘putting up’ or hanging up,’ just as garments or other things used to be hung up in the temples and so were ‘separated’ from those who handed them over.”

²¹⁴ cf. Augustine, *Quaestiones*, V.31; cf. below.

to hope in God “in spiritalibus conflictibus.”²¹⁵ In another, taken from Isidore, the need for single-heartedness in the “spiritualis militia” is underlined.²¹⁶ In a third, the battles from which soldiers may be encouraged to retreat are equated with the challenges of persecution and disputes with heretics, which are both better avoided than lost.

The only direct reference to annihilation in the marginal gloss is a brief comment on v. 16: “Nulli vitio in nostra conversatione parcendum, ne coram oculis Domini voluptatibus corrupti et abominabiles appareamus, et exultantes inimici de ruina nostra dicant: Euge, euge animae nostrae, devorabimus eum.”²¹⁷ The reading of *herem* is the familiar one of total extermination of vice, here with the added motivation of not being put to shame before God, and overcome by jubilant enemies.

The interlinear glosses on this chapter are worth considering in detail, too. In general terms the interlinear Gloss is, much like the marginal one, drawn from previous exegesis, but it “seems more likely to have been entirely written by one glossator;” overall, it has a strong “Christological flavor.”²¹⁸ While it is methodologically difficult to assess the influence of the Gloss in sermons, Smith suggests that it probably was “too tempting for a homilist too ignore.”²¹⁹ This may have been especially true for the interlinear Gloss, for “[a] good preacher could cast his eye over the interlinear Gloss and come up with an improving sermon in minutes.”²²⁰

The general tenor of the interlinear gloss on Deut 20 is to interpret the wars in terms of spiritual battles. The enemies in 20:1 are the “gentilium vel hereticorum errores”; the encouragement is needed “in spirituali bello” (20:2). However, the interlinear gloss on “proelio” (20:2) suggests that the battles are both “spirituali vel corporali;”; “today’s” confrontations are glossed “in praesenti vita,” “your enemies” are “visibiles et invisibiles” (20:3). The encouragement not to lose heart is glossed with the quotation not to fear those who can kill the body but not the soul (20:3; cf. Mt 12:28). The “adversarios” in 20:4 are “demonēs vel vicia;” that God fights for the Israelites is that he “virtutem et voluntatem dimicandi dabit.” The “duces” who address the people (20:5) are the “maiores doctores.” The men who are sent back from battle are interpreted in spiritual terms, too, e.g. the new house (20:5) is the body (corpus) in which the virtues are

²¹⁵ cf. Augustine, *Quaestiones*, V.30.

²¹⁶ cf. Isidore, *Quaestiones*, V.15.

²¹⁷ cf. Ps 35:25.

²¹⁸ Smith, *Glossa Ordinaria*, 85.

²¹⁹ *ibid.*, 233.

²²⁰ *ibid.*, 85.

being erected; a house not yet being dedicated means that the virtues have not yet been brought to completion (*virtutes ad perfectionem non duxit*).

The cities against whom the Israelites do battle (20:10) are glossed as *“conventicula hereticorum vel mundum vel exteriorem hominem qui adversantur spiritui;”* the gloss on the offer of peace suggests a number of readings: preaching; the apostolic offer of peace to a house in a town they enter (cf. Mt 10:12f); the word of peace that comes in the fellowship of faith; Christ who is our peace and has made the two one (cf. Eph 2:14). A city that opens its gates does so *“sponte,”* the gates represent *“sensus et affectus,”* the heart is opened to extend hospitality to Christ. All the people in it will be saved (a morte), and serve as forced labourers, i.e. be obedient to the preaching, do good deeds and keep the commandments. If however, they do not want to enter into a *foedus (pacis fidei)* and make war against you (*disputationis*), you should besiege them (*scripture testimoniis*). Once the victory is won by the help of God, kill all males with the sword, i.e. those who *“in errore fortes fidei resistentes”* are to be *“vigore repugnandi”* with the *“verbum dei.”* The women and children, who are to be spared, are those *“qui facile convertuntur, praedicationi acquiescent, nec veritati resistunt.”* The spoils are to be divided among the army, i.e. *“militibus Christi.”* The victory is by God’s aid, not by their own strength. The towns that are far off (20:15) are glossed *“religione diversa,”* while the towns that were given to the Israelites (20:16) are glossed *“catholicis ecclesiis.”* There are no interlinear glosses on the command to leave nothing alive, or on the seven nations.

The next interlinear gloss regards the legislation concerning trees surrounding besieged towns: the bulwarks of these cities are *“falsam philosophorum munitionem,”* they are to be besieged *“scripturarum.”* The command not to cut down fruit trees is glossed with the instruction to teach others in a spirit of meekness (Gal 6:1). The useful fruits of the trees are linked to fields of knowledge that can be beneficial, viz. *“phasicam, ethicam, logicam.”* There are other trees that are not fruit bearing, e.g. *“figmenta et voluptuosa carmina,”* that can be cut down and used to build fortifications, i.e. *“gentiles ex libris suis sunt superandi.”*

In sum, the interlinear gloss on Deut 20 presents a mixed picture: the enemies are sometimes non-human, e.g. the errors of pagans and heretics, demons and vices, or false philosophies. However, they can also be visible enemies, e.g. conventicles of heretics and worldly people, who resist the Spirit. The instruments of war against human enemies, however, are not literally violent, they are the word of God, the testimony of the scriptures; killing the recalcitrant means to vigorously resist them. The most intriguing distinction is perhaps the gloss interpreting the far-off cities (to whom terms of peace are to be offered) as *“diverse religions,”* and the cities

in the Promised Land (which are to be unconditionally devoted to destruction) as “of the Catholic Church” (20:15-16). This would seem to suggest a differentiation between the “gentilium vel hereticorum errores” (20:1), whereby the former are to be treated somewhat more leniently than the latter, with whom no negotiation may take place. However, this intriguing differentiation is not sustained consistently, as the cities named in 20:10, to whom terms of peace are to be offered, are also glossed “conventicula hereticorum.”

3.6.2 *Glossa Ordinaria on Joshua*

The Gloss on Joshua is profoundly shaped by the reading Origen developed in his homilies, of which it contains numerous lengthy extracts. Following Jerome’s translator’s prologue and a short summary statement, the first text presented to the reader, ahead of Joshua 1:1, is the complete text of Origen’s first homily, which thus provides the introduction to and interpretative framework for all that is to follow.

When it comes to the sack of Jericho, the marginal gloss interprets the city as the world, Rahab as a convert from the nations, her house as the church in which alone salvation is found.²²¹ The gloss on Josh 6:1 quotes the detailed figurative interpretation of Isidore, the gloss on 6:8 gives a similar figurative reading from Origen.²²² The latter’s interpretation of avoiding anathema in terms of not compromising with the world and not bringing pagan practices into the church is the gloss on 6:17.²²³

The interlinear gloss on Josh 6 provides a reading along similar lines: Jericho – the world; the Lord – the Father; Joshua – Christ; the king of Jericho – the prince of this world; the strong men of Jericho – demons and any worldly powers; Israel’s fighting men – preachers; six days – all the time of this present life; the seventh day – the consummation of the age spoken of in the holy scriptures; the sounding of the trumpets (v. 6) – the sounding of the trumpet at the consummation of the age, when the dead in Christ will rise first and the Lord will appear from heaven;²²⁴ the priests blowing into the trumpets (v.8) – preaching; that the city is to be anathema (v 17) – that no one should take anything in it for himself; Rahab the prostitute (v 17) – gentiles who converted to the faith, having previously whored after idols; the spies whom Rahab had saved (v 17) – preachers; the sending of these spies (v 17) – Go into all the world and preach the

²²¹ on Josh 2:16, ex *homJos* III.5.

²²² cf. above, Isidore, Qu. in Jos. VII and Origen, *homJos* VII.1.

²²³ *homJos* VII.4, cf. above.

²²⁴ cf. 1 Thess 4:16.

gospel etc.;²²⁵ the instruction to keep away from the anathema (v18) – that nothing worldly is to be brought in the church with you; the whole camp of Israel otherwise becoming liable to destruction (v18) – a little yeast leavens the whole batch of dough;²²⁶ the walls of Jericho (v 20) – the cult of idols, false divinations and such like; Rahab and her family living the midst of Israel to this day (v.25) – wild olive shoots broken off and grafted on to the root and fatness of the olive root.²²⁷

This interlinear Gloss on the sack of Jericho, with its typological reading and the glossing of events with NT texts (e.g. Mk 16:15, Gal 5:9, Rom 12:17), illustrates a general observation: "The layout of the interlinear Gloss, with its Christological readings, turns the Old Testament into the New, before our very eyes."²²⁸ Thus Joshua becomes Christ, Israel becomes the church, the risks of taking of the *herem* become the dangers of pollution by worldly things; the Jerichoite opponents become the prince of this world, demons and any worldly powers.

Origen's reading of the Achan story as a warning to priests who fail to correct unrepentant sinners and exercise church discipline is the marginal gloss on 7:1, his interpretation of the "lingua aurea" that Achan stole in terms of the enticingly beautiful but perverse writings of heretics and pagan philosophers and poets follows at 7:21.²²⁹ The following two glosses provide similar readings taken almost verbatim from Isidore.²³⁰ Origen's reading of Ai in terms of chaos (i.e. the place where the forces of darkness, headed by the devil, dwell) is included, too, as is the (feigned) flight of Joshua read in terms of a flight from the vices.²³¹

Also found are the following of Origen's pertinent interpretations: the total annihilation of enemies as the killing of demons and leaving no sin alive;²³² Joshua killing all his enemies not teaching cruelty, but foreshadowing Christ who delivers believers from the reign of sin;²³³ the destruction of various Canaanite towns not being cruelty, as the heretics charge, but rather outstanding mercy, it being truly accomplished by Christ who sets free the souls of believers from

²²⁵ Mark 16:15.

²²⁶ 1 Cor 5:6, Gal 5:9.

²²⁷ Rom 12:17; cf. The marginal gloss has an extract from Origen making the same link, cf. *homJos* VII.5, above.

²²⁸ Smith, *Glossa Ordinaria*, 85.

²²⁹ *homJos* VII.7.

²³⁰ *Qu. in Jos.*, VIII.2-3.

²³¹ *homJos* VIII.2 and VII.6.

²³² contrasted with the allegedly bloodthirsty reading of the Jews; gloss on Josh 7:24, *homJos* VIII.7.

²³³ gloss on Josh 10:15, *homJos* XI.6.

the tyranny of evil spirits;²³⁴ Christ teaching us peace through these readings of war; not all the enemies of the soul now being able to be destroyed but being annihilated at the consummation of the age;²³⁵ these wars bearing the figure of spiritual wars, as otherwise they would not have been handed down to be read in the churches;²³⁶ nothing being left alive signifying that not the slightest bit of anger, or any other vice, is to be left in us;²³⁷ Jesus having purified us from all sins, killing them all; Canaanites being hardened by God to rise up in battle against Israel in the sense that God permits, even incites opposing powers to rise up against us, for unless sins rise up to tempt us, we cannot exterminate them.²³⁸

The Glossa Ordinaria also contains comments on the non-annihilation of certain Canaanites. The first is taken from Gregory's *Moralia* and interprets the Canaanite remnant in terms of small sins that can have positive effects, in that they cause believers to maintain a certain alertness for battle, and help keep pride at bay.²³⁹ Origen's comments are also included; he interprets the same text in terms of avoiding sinners that cannot be ejected from the church, but also as wandering and slippery thoughts;²⁴⁰ Finally, we find Origen's reading of the comment that the Israelites could not annihilate certain Canaanites but enslaved them; for him, this speaks of a threefold progress towards sanctification, where annihilation represents the third stage, in which sins have been exterminated from the soul.²⁴¹

3.6.3 Glossa Ordinaria on 1 Sam 15

The Gloss on 1 Sam 15 focuses primarily on the importance of obedience and humility (contrasting Saul's pride with David's humility);²⁴² the tearing of Samuel's robe and Israel's kingdom is interpreted in terms of the passing of kingdom and priesthood from the Jews to the Christians.²⁴³ The only comment that addresses the moral challenge of *herem* is the gloss on Samuel hewing Agag to pieces (1 Sam 15:33):

Cum legunt quidam in Scripturis, quod sancti nulli hostium parcant, dicunt eos crudeles, nec intelligunt in his verbis obumbrata mysteria: ut pugnantes, scilicet, adversus

²³⁴ gloss on Josh 10:18, *homJos* XIII.1.

²³⁵ gloss on Josh 11:1, *homJos* XIV.1-2.

²³⁶ *ibid.*, *homJos* XV.1.

²³⁷ *ibid.*, XV.2-4.

²³⁸ gloss on Josh 11:19, *homJos* XV.5-6.

²³⁹ gloss on Josh 16:10; cf. Gregory, *Moralia*, IV.22 (cf. above).

²⁴⁰ cf. *homJos* XXI.2.

²⁴¹ gloss on Josh 16:14; *homJos* XXII.1-3.

²⁴² taken e.g. from Hrabanus Marus and Gregory's *Moralia*.

²⁴³ glosses on 1 Sam 15:27f.

vitia nullum penitus relinquamus. Si enim pepercerimus reputabitur nobis in culpam, sicut Sauli, qui regem Amalec vivum reservavit. Sancti vero, sicut Samuel, nullum peccatum dimittunt impunitum.

This is lifted almost verbatim from Isidore's *Quaestiones*, which, as we have seen, in turn is taken in very large part from Origen's comments on the annihilation of Ai (Josh 8:22ff).²⁴⁴ As is typical for Origen's approach, the historical narrative is not called into question *per se*; in fact it is assumed. However, the reading is thoroughly spiritual: it is the extermination of sins that this text enjoins on the Christian. It is this reading that predominates in the glosses we have reviewed.

However, while Origen's voice is dominant in the pertinent sections of the *Glossa Ordinaria* (either directly, or via Isidore, Gregory or without attribution), it should be noted that Augustine's voice has a significant presence, too. The marginal glosses on Joshua, for instance, include lengthy extracts, e.g. on the justice of one person being judged for another,²⁴⁵ on why Achan and his family were stoned rather than burnt as prescribed in the law,²⁴⁶ on the permissibility of using a ruse in a just war,²⁴⁷ on the alleged cruelty of Joshua for leaving no one alive,²⁴⁸ and on why the heart of the Canaanites was hardened.²⁴⁹ In accordance with the decision to present all readings by one author within the same chapter, I will not review the specifics of Augustine's pertinent contribution to the Gloss at this point; however, even before discussing Augustine's approach in the next chapter, it is important to note here that his approach, with its markedly different emphases from Origen's, also obtained "quasi-canonical" status in the *Glossa Ordinaria*.

3.7 Berthold of Regensburg

In a certain sense, the *Glossa* would provide a fitting end-point to our analysis of the allegorical readings that were so common in late antiquity and the middle ages. However, despite the *Glossa*'s widespread use, it was only accessible to a small, learned elite. I therefore conclude this medieval section instead with an analysis of a text prepared for popular use, i.e. a sermon. Berthold of Regensburg (c. 1210-1272) was one of the most renowned preachers of the thirteenth century (contemporary sources speak of crowds of up to 200,000 [!]).²⁵⁰ Berthold's sermon "Von Zwelf Scharn Hern Jôsuê" (in Middle High German) can be divided into four parts: (1) the premise;

²⁴⁴ cf. Isidore, *In Reg vii* and Origen, *homJos VII.7*.

²⁴⁵ gloss on Josh 7:1; Augustine, *Quaestiones*, VI.8.

²⁴⁶ gloss on Josh 7:25; Qu., VI.9.

²⁴⁷ gloss on Josh 8:1; Qu., VI.10 and VI.11.

²⁴⁸ gloss on Josh 11:15, Qu. VI.16.

²⁴⁹ gloss on Josh 11:19, Qu. VI.18.

²⁵⁰ For a brief introduction and annotated bibliography, cf. Nadja Nitzsche and Michael Dobstadt, 'Berthold von Regensburg Homepage', <http://www.berthold-von-regensburg.de/>, accessed 22 Feb 2013.

(2) summary of the OT narrative; (3) interpretation of the OT narrative and (4) application to his hearers.²⁵¹

At the beginning, Berthold sets out his premise, i.e. on the last day Almighty God will come to earth together with the saints, and the saints will judge and rule over the people.²⁵² He then prepares his listeners for the next section by claiming that through the lives of the people in the old covenant God revealed how the final judgment was to come.²⁵³

Turning to Joshua, Berthold begins by stating the christological reading he will be advocating in the third section: “Jôsuê...bediutet unsern herren Jêsum Kristum.”²⁵⁴ From this he moves on to recount God’s command to annihilate the seven nations of Canaan; they had grieved him greatly with their many sins; therefore they are to be put to death by the Israelites. Berthold retells this command with greater detail than offered in the biblical account: “unde sult sie alle ze tôde slahen, daz kint in der wiegen, daz kint in der muoter, allez samt, jungez und altez, klein unde grôz.”²⁵⁵ He then summarizes the way Joshua carried out these commands in similarly graphic terms, and paints a vivid picture of the fear that gripped the Canaanites, concluding his narration of the OT texts by summarizing the way the Gibeonites were able to escape their doom.

From this recounting of the biblical narratives Berthold then moves to explicit interpretation: “Nû seht, waz diz bediute. Daz ist diu schale ûzen; den edlen kern den wil ich iu dar nâch sagen. Die schale die nagent die juden, der kern ist uns kristenliuten zu teile worden.”²⁵⁶ Within this framework, Berthold puts forward the following reading: Joshua is Jesus Christ; he will come on the Last Day and judge the seven nations that have sinned in the land, i.e. those who have practiced the seven principal sins in holy Christendom. In his judgment, Christ will be accompanied by twelve tribes of saints, i.e. twelve categories of saints that Berthold goes on to enumerate. Judgment will be given to the saints “wan sie den almehtigen got gar zornlîche mit

²⁵¹ Berthold von Regensburg, *Berthold von Regensburg. Vollständige Ausgabe seiner deutschen Predigten. Erster Band*. (Wien: Wilhelm Braumüller, 1862), 182-195; cf. the textual notes in Berthold von Regensburg, *Berthold Von Regensburg. Vollständige Ausgabe Seiner Deutschen Predigten. Zweiter Band*. (Wien: Wilhelm Braumüller, 1880), 331-33.

²⁵² Berthold von Regensburg, *Deutsche Predigten 1*, 182f., cf. 1 Cor 6:2.

²⁵³ *ibid.*, 183.

²⁵⁴ *ibid.*, 183; Joshua signifies our Lord Jesus Christ.

²⁵⁵ *ibid.*, 184; And you shall smite them all dead, the child in the cradle, the child in the mother, all together, young and old, small and big.

²⁵⁶ *ibid.*, 185; Now see what this signifies. That is the outer husk, I will now tell you the noble core. The Jews chew on the husk, the core has become the Christians; cf. Origen’s polemic against Jewish interpretation above.

scharpfen swerten wellent rechen an den siben leien sündern.”²⁵⁷ The seven nations are “die siben houbetsünde, die siben houbetlaster.”²⁵⁸

The seven principal sins are identified as hatred and envy; wrath and bitterness; slackness in the service to God; gluttony and drunkenness; pride; unchastity; and avarice.²⁵⁹ Berthold focuses not so much on the vices themselves, but rather on those who practice them: “alle, die haz unde nît an ir herzen tragent [...] alle die bitter sint [...] die dâ an gotes dienste traeye sint [...] frezzer und übertrinker [...] alle die mit hôhvert umbe gânt [...] unkiusche liute [...] die gâtigen liute.”²⁶⁰

In this section, Berthold uses the language of annihilation and massacre chiefly to suggest that the saints will not show mercy to sinners on the Last Day, e.g. those who died as little children will return, sword in hand, to judge their father and mother and all their maids, and they will show them no more mercy; the saints are encouraged to inflict a wound that will never again heal.²⁶¹ Addressing the wrathful and bitter, Berthold warns that God in his wrath will ensure that his saints “dich erslahent êwîclîchen mit ir scharpfen swerten.”²⁶² This striking with the sword represents eternal damnation in hell for “liute, die man an dem jungesten tage verdampft unde die man verdammen sol mit rehtem urteil unde mit scharpfen swerten.”²⁶³

This reading of the Canaanites is different from the dominant reading of them as vices to be exterminated from within the Christian’s soul; they now represent seven groups of people that are to be thrust through with the sword. However, this judgment is not to be carried out here and now, it awaits the Last Day. On that day, Almighty God will say to the seven people, “Depart from me, you damned ones, with the evil devil in the eternal fire, in which you shall burn forever.”²⁶⁴

The final part of the sermon is the application in the here and now; it makes explicit the response Berthold was seeking to elicit from his hearers, whom he at this point envisages as asking him, “Owê, bruoder Berthold, wie suln wir dâ getuon unde wi wuln wir uns dâ vor

²⁵⁷ *ibid.*, 186; When they will most wrathfully [and] with sharp swords take God’s vengeance on the sevenfold sinners.

²⁵⁸ *ibid.*, 187; the seven principal sins, the seven cardinal vices.

²⁵⁹ *ibid.*, 187-194.

²⁶⁰ *ibid.*, 187, 189, *ibid.*, 190, 191, 192, 193; All those who carry hatred and envy in their hearts; all those who are bitter; those who are slack in the service of God; gluttons and drunkards; all those who walk about with pride; unchaste people; avaricious people.

²⁶¹ *ibid.*, 187.

²⁶² *ibid.*, 189; will eternally slay you with their sharp swords.

²⁶³ *ibid.*, 192; people, who will be condemned on the Last Day and who should be condemned with just judgment and with sharp swords.

²⁶⁴ *ibid.*, 194, cf. Matt 25:41.

behüeten?“²⁶⁵ Berthold presents his answer as an allegorical interpretation of the Gibeonite incident, in which the Gibeonites become examples to be followed; their old shoes are “der alte kristengloube;” old wineskins are true remorse; old clothes are honest confession; and old bread is penance to be borne by the body (e.g. fasting, prayer, vigils).²⁶⁶ Much as the fear of annihilation motivated the Gibeonites to seek peace with the Israelites, so the thought of the wrathful and terrible judgment of the Lord should inspire his hearers to make peace with God, by means of faith, remorse, confession and penance--so that they may be spared eternal damnation.

In a certain sense, then, this is an early version of a hellfire and brimstone sermon.²⁶⁷ The graphic, merciless destruction of the Canaanites becomes a terrifying shadow of the judgment on the final day, an interpretation that Origen already hints at in his reading of the sack of Jericho. What is new in Berthold is the graphic details he adds, and the foregrounding that it will be the saints that will be doing the judging. In that sense, the merciless action of the Israelite soldiers becomes an example to Christians, who will also forswear mercy out of love for God, so that “ob sie des gewalt haeten daz sie ir veter und ir müeter von der helle genemen möhten, des wolten sie niht: wan sie niht anders wellent danne daz got wil.”²⁶⁸

Figurative readings of the OT certainly did not abruptly end with the Renaissance or Reformation, nor indeed with the Enlightenment, but they became, for many, less self-evident and unproblematic. In the final chapter, I will present a number of contemporary figurative readings, illustrating the ongoing Christian practice of reading *herem* texts in this manner. For Late Antiquity and the Middle Ages, however, the following points can be made by way of preliminary summary:

First, as we have seen in the preceding chapter, the figurative reading of OT warfare and annihilation texts predates the sustained moral criticism made of these texts from the second

²⁶⁵ *ibid.*, 194; Woe, brother Berthold, how should we then act and how might we be saved ourselves from that?

²⁶⁶ *ibid.*, 194f; the old Christian faith.

²⁶⁷ cf. e.g. what is arguably the most famous sermon in this genre, Jonathan Edwards, *Sinners in the Hands of an Angry God: A Sermon Preached at Enfield, July 8th 1741. at a Time of Great Awakenings; and Attended with Remarkable Impressions on Many of the Hearers* (Boston: S. Kneeland and T. Green, 1741).

²⁶⁸ Berthold von Regensburg, *Deutsche Predigten* 1, 188; Even if they had the power to take their fathers and their mothers from hell, they would not wish to do so; for they wish only what God wishes.

century onward; there is little evidence that it originated in moral qualms of the first figurative readers, or in criticisms by outsiders, which in any event do not survive.

Second, Origen makes extensive use of figurative readings in his response to critics of OT warfare and annihilation texts, such as Marcion, diverse Gnostics and Celsus. However, there is no indication that he denies their historicity; on the contrary, he assumes it and is capable of drawing lessons for Christians also from the literal sense of the texts. Put in terms of the hermeneutical dilemma, Origen clearly affirms premises 1 and 2; his response to critics also suggests that he intuitively agrees with premises 3 and 5; however, he clearly assumes the historicity of *herem*, and therefore premise 4. In his response to Celsus he grants that otherwise problematic laws were necessitated by the constitution of Israel as an earthly kingdom. Origen's main line of defence, however, is that whatever God may have commanded in the past, whatever the Jews might have heard him say, and continue to hear him say, through the scriptures, what he communicates to Christians through the same scriptures is a morally entirely unproblematic message of total sanctification.

Third, Origen's identification of the Canaanites with the vices (adumbrated already in Philo's reading of Amalek) becomes very wide-spread; on that reading, *herem* stands for a war of extermination against sin; influential Christian authors repeat the identification so frequently that by the eighth century it is commonly accepted; the pervasiveness of this reading in the *Glossa Ordinaria* suggests that in the Middle Ages it was, perhaps, the "standard" reading among learned Christians.²⁶⁹ It should also be noted, however, that in many of these instances of reception there is no indication that the figurative reading is an attempt to respond to criticisms, or alleviate moral concerns.

Finally, in a sermon the merciless destruction of the Canaanites is interpreted in terms of a vivid foreshadowing of the torments of hell; its use is hortatory, i.e. avoid the vices lest you suffer in a similar fashion.

²⁶⁹ I first became aware of the importance of Origen's reading of *herem* for the *Glossa Ordinaria* through Douglas Earl, 'The Christian Significance of Deuteronomy 7', *Journal of Theological Interpretation* 3.1. (2009), 41-62.

4. *Divine-Command-Theory readings*

The previous two chapters presented two alternative types of approaching the hermeneutical dilemma posed by *herem* texts. On the one hand were dissenting readers, whose approaches to the dilemma involved denying that the good God of premise (1) is identical with the god of (4), who commands and commends genocide (Marcion); or denying that (2) the bible is (entirely) true (Ptolemy, Didascalia Apostolorum, Pseudo-Clementines); or rejecting the Jewish and Christian Scriptures outright (Celsus and other pagan critics). On the other hand were figurative readers, who, if they addressed the hermeneutical challenge at all, attempted to draw the sting from the dilemma by re-interpreting premise (4), i.e. that God commanded and commended genocide; while readers like Origen did not deny the historicity of (4), they effectively claimed that the literal meaning of these texts is not the one which is significant, or “counts,” for Christians.

None of the solutions reviewed so far, then, explicitly calls into question premise (3), i.e. that genocide is atrocious.¹ However, what is probably the most widely attested approach in the Christian reception of *herem* does just that: it dismisses the moral intuition that genocide is atrocious. Structurally, this view takes the goodness (and justice) of God and the truthfulness of the bible as axiomatic and combines them with a literal reading of *herem*, concluding that genocide cannot therefore be an atrocity. To cite a contemporary proponent of this view: “The issue, then, cannot be whether or not genocide is intrinsically good or evil—its sanction by a holy God settles that question. Rather, the issue has to do with the purpose of genocide, its initiator, and the particular circumstances of its application.”²

In ethical terms the views considered in this chapter are variations of divine-command-ethics,³ which address in a monotheistic framework the question famously raised by Socrates in Plato’s *Euthyphro*: “Is the pious being loved by the gods because it is pious, or is it pious because it is being loved by the gods?”⁴ The views presented in this chapter come down unambiguously on

¹ While non-critical readings should probably be taken as evidence for an implicit denial of that premise, they do not address the issue directly.

² E. H. Merrill, 'The Case for Moderate Discontinuity', in C. S. Cowles, et al (ed.), *Show them no Mercy: Four Views on God and Canaanite Genocide* (Grand Rapids, MI: Zondervan, 2003), 63-94, 93.

³ cf. the introduction and bibliography in L. Malcolm, 'Divine Commands', in G. Meilaender and William William Werpehowski (ed.), *The Oxford Handbook of Theological Ethics* (Oxford: Oxford University Press, 2007), 112-129.

⁴ *Euthyphro*, 10a in Plato, *Five Dialogues Euthyphro, Apology, Crito, Meno, Phaedo*, trsl. by G. M. A. Grube and John Cooper, (Indianapolis, IN: Hackett Pub. Co., 2009), 12.

the latter side, concluding that actions do not possess intrinsic moral value but rather derive their moral quality solely from the relevant commands of God.

This way of accounting for *herem* texts is in fact so widespread that one of its learned nineteenth century Roman Catholic defenders went so far as to claim that it is the view of the Church, and that all other views on the matter, therefore, have to be rejected.⁵ It would, naturally, be impossible to list all exegetes whose comments on *herem* fall into this category, and even if it were possible, such an exhaustive and repetitive list would make for tedious reading. Therefore, instead of briefly glossing over an unmanageable amount of reception historical data, the present chapter picks out some of the most important proponents of this view in antiquity, the middle ages and early modernity, while the concluding chapter will give examples for very recent restatements of the position. As will be seen below, divine-command theory is frequently invoked to counter criticisms of the bible, whether by Marcion and the Manicheans in antiquity, or English Deists and Enlightenment critics in more recent times. In contexts in which the authority of the OT is a shared assumption, on the other hand, *herem* texts sometimes serve as the basis by which divine-command-theory is justified and illustrated.

The following section begins with Augustine's work, which is, as so often, seminal and foundational; examples from other early commentators are provided to show that his view was neither novel nor exceptional in antiquity. Comments by Thomas Aquinas illustrate the restatement of the divine-command-theory approach to *herem* in high medieval times. John Calvin's work is picked out as an example of a seminal, early modern, Reformed approach to the issue.

4.1 Augustine

The most influential Christian exponent of interpreting *herem* texts by reference to divine-command-ethics is Augustine of Hippo (354-430), whose extensive surviving corpus contains numerous references to the command to annihilate the inhabitants of Canaan and its (partial) implementation.⁶ As is the case for theology generally, and as will be seen below, Augustine frequently develops his theological arguments, such as those on *herem*, in polemical contexts.

⁵ Laurenz Reinke, "Über das Recht der Israeliten an Canaan und über die Ursache seiner Eroberung und der Vertilgung seiner Einwohner durch die Israeliten und die verschiedenen Erklärungsversuche darüber" in idem, *Beiträge zur Erklärung des Alten Testaments* (Münster: Coppenrath, 1851), 310.

⁶ The electronic index of the *Corpus Augustinianum Gissense* comprises approx. five million (!) words (cf. Augustine, 'Saint Augustine: Opera Omnia CAG. Electronic Edition. *Corpus Augustinianum Gissense*. Edited by

Apart from pertinent polemical, moral and hermeneutical discussions, Augustine's work also contains what is to my knowledge the first linguistic and conceptual discussion of *herem* in the early church, in a passage that is not obviously shaped by polemical concerns. It is found in book four of the *Quaestiones in Heptateuchum*. Written in 419 in preparation of book fifteen and sixteen of *De Civitate Dei*, the *Quaestiones*, as well as their companion volume, the *Locutiones in Heptateuchum*, contain a series of questions and answers on the first seven books of the OT in their canonical sequence.⁷ While the *Locutiones* deal mostly with linguistic points, the *Quaestiones* usually address matters of content. Some of the questions Augustine poses remain unanswered; others are given a number of possible but competing answers; a third and final group of questions receives an unequivocal response by the bishop. While allegorical readings are sometimes suggested, by far the dominant mode of interpretation is literal. Polemical issues such as those raised by Marcion and the Manicheans are frequently in the background, though not obviously so in the following passage.

Commenting on Num 21:1-3, Augustine offers a definition of *anathema*, which here translates the Hebrew *herem* (or the LXX's ἀνάθεμα). Recounting Israel's promise that if the Lord subjects Arad to them, "I will anathematize it and its cities", Augustine remarks, "Here we have to see what 'I will anathematize' means. It means that while something is promised to God it is also considered accursed, as it is also said of this people."⁸ In the next *quaestio*, he returns to the meaning of *anathema*: "'And he anathematized him and his city: and the place was called Anathema.' This is why anathema is something detestable and abominable in our eyes. For to anathematize, or to devote something, meant that the victor was not allowed to take any of the spoils for himself, but had to vow everything to destruction."⁹

Prof. Dr. Cornelius Mayer. Basel: Schwabe, 1995.', <http://www.nlx.com/collections/11>, accessed 20 Feb 2011). Unless otherwise noted, in what follows Latin quotations are taken from the online edition of the CAG, while translations into English are my own.

⁷ cf. A. Pollastri, "Introduzione generale" in A. Pollastri and L. Carrozzi (ed.), *Locuzioni e questioni sull'Ettateuco* (Roma: Città nuova, 1997); A. D. Fitzgerald, 'Quaestiones in Heptateuchum', in A. D. Fitzgerald (ed.), *Augustine through the Ages: An Encyclopaedia* (Grand Rapids, MI; Northam: Eerdmans; Roundhouse, 2000), 692-693; G. Bardy, 'La littérature patristique des 'quaestiones et responsiones' sur l'écriture sainte', *Revue Biblique* (1932-33), Vol 41 (1932): 210-236; 341-369; 515-537; Vol 42 (1933): 14-30; 211-229; 328-352, esp. Vol 41, 515-537; W. Rüting, *Untersuchungen über Augustins quaestiones und locutiones in Heptateuchum* (Paderborn: Ferdinand Schöningh, 1916). At present, there is no English translation available for the *Quaestiones*.

⁸ Qu. IV,40; quod vovetur, et tamen pro maledicto ponitur.

⁹ Qu. IV,41; hinc ductum (sic) est ut anathema, detestabile aliquid et abominabile videatur. ut enim nihil inde victor in usus suos auferret, sed totum in poenam luendam voveret, hoc erat anathemare, quod vulgo dicitur devotare.

From today's perspective, it is particularly remarkable that Augustine discusses this passage so dispassionately, not raising any moral issues at all. This may at least partially be due to the fact that Israel was not, in this instance, commanded to carry out *herem* but spontaneously proposed to do so in exchange for divine assistance in battle. As we will see below, Augustine addresses moral objections to the practice of *herem* at various points in the *Quaestiones*, always appealing to the divine command that occasioned the action. It is not obvious, however, how such a line of thought could be applied to this instance of spontaneous *herem*, which may explain his silence at this point.¹⁰

4.1.1 *The polemical contexts*

The vast majority of Augustine's comments on *herem* texts are made in one or other of two polemical contexts, viz. his debates with the Pelagians and the Manicheans respectively. The former was an intramural controversy between Christians who each claimed to represent the Catholic position, all of whom accepted the full canonicity of the OT; at issue were questions of human nature, free choice and original sin.¹¹ In this anti-Pelagian context Augustine refers to *herem* texts to illustrate the limits of a free choice theory of sin and punishment, pointing to the generational transmission of sin, the divine hardening of human hearts and the centrality of divine commands in determining the moral quality of actions.

The controversy with the Manicheans was an entirely different matter, since what was at issue there was the very question of the inspiration and canonicity of the OT. The world faith founded by the third century Persian teacher Mani has in the past often been described as essentially an Iranian religion. However, in light of relatively recently discovered sources, it is now widely agreed that Manichaeism should be seen as rooted in a Gnostic form of Christianity.¹² Augustine was himself a Manichean "hearer" from 373 until sometime before his conversion to

¹⁰ Though cf. below for the reasons Augustine gives in *Contra Adimantum* 17.5 for reasons why the Scriptures might at times conceal the authority granted by God for certain actions; Augustine makes similarly technical comments in his remarks on Num 21:25, cf. Qu. IV,44.

¹¹ cf. e.g. Gerald Bonner, *St Augustine of Hippo: Life and Controversies* (Norwich: Canterbury, 2002) and E. TeSelle, 'Pelagius, Pelagianism', in A. Fitzgerald (ed.), *Augustine through the Ages*, 633b-640b.

¹² Johannes van Oort, "Manichäismus" in H. Betz, et al (ed.), *Religion in Geschichte und Gegenwart (RGG⁴)* (Tübingen: Mohr Siebeck, 2002), col 740; recent literature in Jacob Albert van den Berg, *Biblical Argument in Manichaean Missionary Practice: The Case of Adimantus and Augustine* (Leiden; Boston: Brill, 2010), 2-3. Among the recently discovered sources is the *Codex Manichaicus Coloniensis* published in 1970.

Christianity in 386, at which time he began to combat Manichean teachings with all the fervour of a former adherent whose once blinded eyes had now been opened.¹³

In general terms, the followers of Mani rejected the OT (with very few exceptions), and accepted parts of the New Testament that accorded with their own myth. OT warfare and violence came in for particularly severe criticism from a religion whose elite members (the 'elect') were not even permitted to pluck fruit or harvest grain, lest they kill a living organism. According to Hoffmann, Manichaeism's criticism of the bible can be summarized under the following headings: the account of creation in the OT is contradictory and wrong; the existence of ethical and material evil (*malum*) cannot be explained by reference to a single creator God; God must not be thought of in anthropomorphic terms; the so-called "just" of the OT act immorally; the OT and the NT cannot be reconciled with each other.¹⁴

Augustine's voluminous works directed against the Manicheans should probably be taken as evidence that this form of biblical criticism was in fact bearing fruit, at least in Northern Africa. Hoffmann goes so far as to suggest that "die Manichäer mit ihrer Polemik gegen das AT die Oberhand gewannen."¹⁵ Augustine himself had certainly at one point expressed a similar view of the OT: "[b]ooks 3-5 of his *Confessions* depict him as sharing fully in the Manichees' scorn for the absurdities, immoralities and crass materialism of the OT, which they insisted on reading literalistically."¹⁶ It was only when he encountered the allegorical interpretations of Ambrose, the learned bishop of Milan, that he began to see the value of the OT.¹⁷

Augustine's longest Anti-Manichean work, *Contra Faustum Manicheum*, is a point-by-point refutation of a work entitled *Capitula*, written by the Manichean bishop Faustus (c. 340 – c. 390). The *Capitula* were addressed to a convert from Manichaeism to Christianity (possibly Augustine

¹³ cf. eg. J. K. Coyle, 'Anti-Manichean Works', in A. Fitzgerald (ed.), *Augustine through the Ages*, 39b-41a.

¹⁴ Andreas Hoffmann, *Augustins Schrift "De utilitate credendi": eine Analyse* (Münster: Aschendorff, 1997), 68-104, esp. 71f. For an account of how the bible shaped Manichean Scriptures, see Siegfried G. Richter, "Die Verwendung der Bibel bei den Manichäern" in A. Mustafa, et al (ed.), *Inkulturation des Christentums im Sasanidenreich* (Wiesbaden: Reichert, 2007).

¹⁵ Hoffmann, *Augustins Schrift "De utilitate credendi"*, 84.

¹⁶ D. F. Wright, 'Augustine: His Exegesis and Hermeneutics', in M. Saebø (ed.), *Hebrew Bible/Old Testament 1/1*, 701-730, 702.

¹⁷ Augustine later developed an immense love for the Psalms, so much so that his *Enarrationes in Psalmos* are twice the length of his next voluminous work, *De Civitate Dei*. However, he continued to find other OT texts, e.g. Isaiah, exceedingly difficult; cf. *ibid.*, 703.

himself).¹⁸ A section in book thirty-two of *Contra Faustum* illustrates the formidable challenges that were being brought against the OT. Responding to the charge that the Manicheans pick and choose parts of the NT according to their own taste, Faustus basically says *tu quoque!* He accuses his Catholic opponent of pulling out a few prophecies as well as a few commandments from the OT, while omitting the rest.¹⁹ He claims to know “how many things in it horrify you and how many things in it embarrass you so much that you have long since judged in your heart that it is not free from corruption.”²⁰ He charges that “you too in your heart do not believe many things that are in the Old Testament, although you profess to accept it.”²¹ Faustus then presents a long list of morally dubious behaviour by OT patriarchs and concisely states his argument:

If [these examples] are good, why do you not imitate them? If they are evil, why do you not condemn their source, that is, the Old Testament itself? Or, if you also think that these were falsifications that were inserted into it, as we believe concerning the New Testament, we are in the same position. Stop demanding from us with regard to the New Testament, then, what you do not observe with regard to the Old.²²

Augustine’s response is unequivocal. To begin with, he firmly rejects the suggestion that he does not accept the entire OT: “We praise all the true and divine scriptures of the Old Testament, as is proper;”²³ “[w]e praise, accept, and approve all the things that were written in those books of the Old Testament as having been written with the greatest truth and the greatest usefulness for eternal life.”²⁴

In addition to this, Augustine briefly sketches out a hermeneutic of progressive revelation and spiritual fulfilment: whatever commands Christians do not today “observe from the books of the Old Testament were nonetheless appropriately commanded at that time for that people,” and “the things that we do not observe signified things that we understand and hold in a spiritual sense.”²⁵ Furthermore, argues Augustine, a change in covenant stipulations is entirely unsurprising and unproblematic, since a new covenant had been predicted in the OT itself.²⁶

¹⁸ The work “possibly dates between 398-400”, so J. K. Coyle, ‘Faustum Manicheum, Contra’, in A. Fitzgerald (ed.), *Augustine through the Ages*, 355b-356b; 356a.

¹⁹ Augustine, *Answer to Faustus, a Manichean = Contra Faustum Manichaeum*, trsl. by Roland J. Teske, (Hyde Park, NY: New City Press, 2007), XXXII.1, 409.

²⁰ *ibid.*, XXXII.2, 409.

²¹ *ibid.*, XXXII.5, 411.

²² *ibid.*, XXXII.4, 411.

²³ *ibid.*, XXXII.8, 412.

²⁴ *ibid.*, XXXII.14, 417.

²⁵ *ibid.*, XXXII.8, 412.

²⁶ *ibid.*, XXXII.9, 413.

Finally, sinful humanity is hardly in a position to criticize this change of precepts: “A sick person ought not to criticize medical knowledge if it prescribes one thing for him today and another tomorrow, while it also forbids what it had earlier prescribed. For that is the way it is with the healing of the body.”²⁷

Turning from the Old to the New Testament, Augustine rejects the suggestion that there are any contradictions in it, or that the texts had become corrupted.²⁸ He then spells out his most pertinent concern about Manichean hermeneutics, i.e. “if we believe the gospel about what you want and do not believe it about what you do not want, we now believe not the gospel but you.”²⁹ In other words, the Manicheans approach the bible “in such a way as to remove all authority from the heart of the scriptures and to make each person his own authority for what he approves or disapproves of in any scripture. That is, each person is not subject to the authority of the scriptures for his faith but subjects the scriptures to himself, with the result not that something is pleasing to him because he finds it written in their lofty authority but that it seems correctly written because it has pleased him.”³⁰ This very concern, i.e. of scripture becoming a wax nose, often shapes the discussion of *herem* to the present day.³¹

4.1.2 Augustine’s substantive response

The Manichean criticism of the OT focused on the behaviour of the OT “fathers,” and the alleged incommensurability of the OT with the NT.³² Augustine’s approach to *herem* texts addresses both types of criticism. On the one hand, he attempts to show that OT leaders such as Moses and Joshua were not acting unjustly in commanding and carrying out seemingly unjust actions such as *herem* (cf. the following three sub-sections); on the other, Augustine sets out his understanding of the ways in which the OT and NT cohere on matters such as annihilation warfare and love of enemy (cf. the fourth sub-section below.) In these polemical contexts Augustine primarily defends a literal interpretation of the texts, but also at times alludes to their spiritual, allegorical meanings. When he is addressing Christian congregations, however, it is the typological or allegorical approach that predominates (cf. the final sub-section below).

²⁷ *ibid.*, XXXII.14, 417.

²⁸ *ibid.*, XXXII.16, 418.

²⁹ *ibid.*, XXXII.16, 418.

³⁰ *ibid.*, XXXII.19, 421.

³¹ cf. eg. Eleanore Stump’s contemporary approach in the final chapter.

³² cf. Coyle, *Faustum Manicheum, Contra*.

4.1.2.1 God's axiomatic justice and human obedience

The justice of God is axiomatic for Augustine, it is something he argues *from*, rather than argues *for*. However, as we will see in the following sections, he does engage in a number of attempts to understand and explain how and why specific commands of God were in fact just. Appeals to the axiomatic justice of God are found in both Testaments (e.g. Gen. 18:25; Rom. 9:14), and are part of the bedrock of traditional Judaism and Christianity.³³

Augustine most clearly applies this axiom to *herem* texts in a section of the *Quaestiones* that deals with the book of Joshua. Commenting on the passage: "Joshua left nothing that breathes alive. As the Lord had commanded his servant Moses, and as Moses had similarly commanded to Joshua, so did Joshua. He did not fail to do anything that the Lord had commanded Moses,"³⁴ Augustine observes:

One should not at all think it horrible cruelty that Joshua did not leave anyone alive in those cities that fell to him, for God himself had ordered this. However, whoever for this reason thinks that God himself must be cruel and does not wish to believe then that the true God was the author of the Old Testament judges as perversely about the works of God as he does about the sins of human beings. Such people do not know what each person ought to suffer. Consequently, they think it a great evil when that which is about to fall is thrown down and when mortals die.³⁵

Augustine's approach here has three prongs: (1) The justice of God is assumed axiomatically. (2) The human agents (the Israelites, Joshua, Moses) are justified because they acted in response to a divine command. (3) It is suggested that capital punishment for mortals is not so severe a sanction after all (because all die anyway, see further below).

Augustine's appeal to the fundamental premise of God's justice can also be illustrated by what he says in defence of Moses in *Contra Faustum*. In response to the charge, oft-repeated in antiquity, that the Israelites committed a wrong when they despoiled the Egyptians, Augustine clearly states his fundamental axiom: God "certainly knows, not only in accord with our deeds but also in accord with the heart of man, what or from whom each person ought to suffer."³⁶ Whether one understands the reasons for the divine command or not, "one must yield to God's commands in obedience, not resist them with an argument."³⁷ Whatever was commanded "was

³³ cf. e.g. Malcolm, *Divine Commands*.

³⁴ Cf. Josh 11:14f ; Qu. VI,16.

³⁵ Qu. VI, 16; ET in Franke, *Joshua, Judges, Ruth, 1-2 Samuel*, 67.

³⁶ Augustine, *Answer to Faustus*, XXII.71, 349.

³⁷ *ibid.*

not said without reason or unjustly,” and so “Moses was not permitted to act otherwise than God said.”³⁸ God’s “governance is of course hidden but always just.”³⁹

To the anticipated objection that “we should by no means believe that the true and good God commanded such things,” Augustine responds that “[o]n the contrary, only the true and good God correctly commands such things, for he alone knows what commands each person should receive and he alone allows no one to suffer anything unsuitable.”⁴⁰ To object to this, is the sign of an “ignorant and false goodness of the human heart” which “contradicts even Christ and does not want the wicked to suffer any evil.”⁴¹ Remarkably, Augustine is quite certain that it would have been sinful for Moses and the Hebrews to have despoiled the Egyptians on their own account. However, “[t]hey did not sin by doing what God either commanded or permitted.”⁴²

Having set out this meta-ethical framework against Faustus, Augustine then applies it to “the wars that Moses waged,” who he says “was not cruel but obedient.”⁴³ This leads Augustine to conclude that “[s]landerous ignorance, therefore, criticizes Moses because he waged war. For he ought to have been criticized less if he waged war on his own initiative than if he did not wage war when God commanded him to.”⁴⁴ Augustine then highlights, once again, his belief in the providence, omniscience and justice of God; the mysterious confluence of “the hiddenness of the judgments of God” and of “acts of human will” means that only God knows “whom it benefits and whom it harms to rule or to serve or to be at ease or to die in peacetime, or, on the contrary, to be in command or to fight or to conquer or to be killed in wartime.”⁴⁵

In summation, then, starting with the premise that God is just, Augustine deduces that all God’s commands are just, and that therefore to obey any of his commands is always just, whether one comprehends the reasons for the command or not. On the human side, unquestioning obedience is what is called for, disobedience would be sinful.

Augustine’s reading of the *herem* commands, his commitment to divine-command-theory and his emphasis on human obedience lead him to chastise the Israelites in several places for not

³⁸ *ibid.*

³⁹ *ibid.*, XXII.72, 349

⁴⁰ *ibid.*

⁴¹ *ibid.*

⁴² *ibid.*, XXII.72, 350.

⁴³ *ibid.*, XXII.74, 351.

⁴⁴ *ibid.*, XXII.78, 354.

⁴⁵ *ibid.*, XXII.78, 356.

totally annihilating the Canaanites.⁴⁶ In none of these instances does he consider the morality of the command itself. He understands the *herem* commands in Deut. 7:1-3 and 20:10-17, which he quotes *in extenso*, to be fundamental, and takes them to allow for no exceptions.⁴⁷ The context of this quotation is a discussion of Josh 21:41-43, in which Augustine asks whether the Israelites can truly be said to have possessed the entire promised land under Joshua. He argues that while the Deuteronomic texts speak of seven nations, others speak of eleven (e.g. Gen 25:18-21). This latter part, he suggests, was not fulfilled until the times of Solomon.⁴⁸ Even at that time, however, to obey the divine command these nations should have been exterminated, but Solomon only reduced them to slavery.⁴⁹

Another section of the *Quaestiones* further illustrates Augustine's reading of the *herem* commands. Considering why God is said to have hardened the hearts of the Canaanites so they would meet Israel in battle (Josh 11:20), he argues that it cannot be the case that the Canaanites could otherwise have been spared, since God had already commanded his people not to leave alive a single soul. He therefore concludes that the reason God hardened the Canaanites' hearts was so that the Israelites would not disobey him, sparing them in defiance of the divine command. The righteous Joshua himself, Augustine asserts, would of course never have so carelessly neglected the divine order.⁵⁰

Augustine also addresses the hardening of the Canaanites' hearts in *De gratia et de libero arbitrio*, a work written for the monks at Hadrumentum (c.426-27), where a dispute had arisen about Augustine's apparent denial of free will.⁵¹ In this context, he attempts to show how human free will and divine causation can come together in one act: "Was it not of their own will that the enemies of the children of Israel fought against the people of God, as led by Joshua, the son of Nun? And yet the Scripture says, It was of the Lord to harden their hearts, that they should come against Israel in battle, that they might be exterminated" (Josh 11:20).⁵² In his explanation, Augustine again appeals to his fundamental premise, i.e. God's indubitable justice, and the hiddenness of his judgments.⁵³

⁴⁶ e.g. Qu. VI,20; Qu. VI,21.3.4.

⁴⁷ Qu. VI,21.2.

⁴⁸ *ibid.*, 21.3.

⁴⁹ *ibid.*

⁵⁰ Qu. VI,18.

⁵¹ G. Bonner, 'Gratia Et Libero Arbitrio, De', in A. Fitzgerald (ed.), *Augustine through the Ages*, 400b-401a.

⁵² *De gratia et de libero arbitrio*, 20.41.

⁵³ *ibid.*, sicut ipse iudicat, occultissimo quidem iudicio, sed sine ulla dubitatione iustissimo.

In the *Quaestiones*, Augustine's final comment on the failure of the Israelites to fully carry out the annihilation command is made in the context of the Angel of the Lord's rebuke in Jud 2:1-3 (which does not explicitly mention extermination). He concludes that the Israelites disobeyed either because they despised the divine command, or because they did not believe that it was possible to do what God commanded. Whatever the case may be, "sine dubio peccaverunt" – without a doubt, they sinned.⁵⁴

While Augustine's reading of the *herem* commands, especially those in Deuteronomy, leads him to criticise any departure from them as sinful, his comments on the mercy that the Israelites showed the Gibeonites (Josh 9) bring different aspects of his thought to the fore. Augustine argues that in this case God did not rebuke the Israelites for failing to carry out his annihilation command because the Gibeonites feared God and his people, and believed God.⁵⁵ He thus *de facto* allows for a response by the people dwelling in the land which rightfully occasions mercy, something which he rejects *de iure* in other places (e.g. Qu. VI,18 above). Augustine then goes on to consider the counter-factual situation in which the Gibeonites were not in fact inhabitants of the promised land and in which Israel would have sworn to exterminate them on the mistaken assumption that they were. In this case, thinks Augustine, God would have been pleased if they had relented from the vow of destruction and shown them mercy, just as David relented from his vow to kill Nabal.⁵⁶ On Augustine's view then, breaking a vow of extermination based on misperceptions would (theoretically) be permissible, while not breaking a vow of clemency, such as the one given to the Gibeonites on the basis of their deceptive ruse, was laudable (divine commands to the contrary notwithstanding). This line of thought suggests that in cases where the text of scripture would appear to allow it, Augustine personally favours the option of clemency.

4.1.2.2 What makes actions good or bad

For Augustine, then, there are certain actions that if taken on one's own accord are sinful, while the very same actions are praiseworthy if carried out in obedience to God. Referring to the despoiling of the Egyptians and the binding of Isaac, he argues that motive matters supremely: "there is a big difference whether something is done out of human greed or rashness and whether it is done in obedience to the command of God."⁵⁷

⁵⁴ Qu. VII,12.

⁵⁵ Qu. VI,13.14.

⁵⁶ QU. VI,13.

⁵⁷ Augustine, *Answer to Faustus*, XXII.74, 351.

Augustine at times appeals to the *herem* narrative in 1 Sam 15 to illustrate and emphasize this point. His main argument is that -- contrary to the opinion of some -- mercy is not intrinsically good, but rather that showing mercy in violation of God's command is in fact sinful. He makes this point in a treatise written against the deposed Pelagian bishop Julian of Eclanum, in which he attacks the latter's suggestion that pagans who show mercy have a good will, because a merciful will must be good.⁵⁸ In response, Augustine rejects the very premise that "*misericors voluntas bona est*" by appealing to the "*misericordia mala*" that Saul showed king Agag -- in spite of the divine command to devote him to destruction.⁵⁹

Augustine makes a similar point in *De anima et de eius origine*,⁶⁰ in which he attacks the position taken by one Vincent Victor, a lay convert to Catholicism from a Donatist splinter-group. In the letter to which Augustine responds, Vincent appears to have gone further than even the Pelagians were prepared to go with respect to the destiny of infants who die unbaptized, agreeing with the Catholics that infants are born tarnished by original sin (*contra* the Pelagians), but also holding that they can be justified without baptism. Vincent, says Augustine, sends them mercifully to paradise after their death and then, at the resurrection, mercifully introduces them to the kingdom of heaven itself. According to Augustine, however, this mercy is not good but rather akin to the mercy Saul showed to king Agag, whom he had been commanded to kill. It is a disobedient mercy (*inobediens misericordia*), for which Saul was justly condemned.⁶¹

The fundamental importance of right motive and proper authority is also a key component in Augustine's defence, *contra Faustum*, of "the wars that Moses waged." The latter "was not cruel but obedient," and behaved in accordance with a Christian ethic of warfare:

After all, what is blamed in war? Is it that human beings, who are going to die at some time, die so that others will be subdued and live in peace? To find fault with this is the mark of cowardly and not of religious people. The desire to do harm, cruelty in taking vengeance, a mind that is without peace and incapable of peace, fierceness in rebellion, the lust for domination, and anything else of the sort -- these are the things that are justly blamed in war.⁶²

⁵⁸ *Contra Iulianum*, composed c. 421; cf. G. Bonner, 'Contra Julianum', in A. Fitzgerald (ed.), *Augustine through the Ages*, 480a-480b; IV.3.31.

⁵⁹ *ibid.*

⁶⁰ ca. 418/420; cf. G. Bonner, 'Anima Et Eius Origine, De', in A. Fitzgerald (ed.), *Augustine through the Ages*, 22a-23a.

⁶¹ *De anima et de eius origine*, II.12.17; Augustine argues here that no unbaptized person can escape damnation on account of Adam's sin, only excepting martyrs who shed their blood for the name of Jesus Christ.

⁶² Augustine, *Answer to Faustus*, XXII.74, 351.

It is the motivation that matters, not the act *per se*. In the section following this argument, Augustine maintains that “it would take too long and is not now necessary to discuss just and unjust wars,”⁶³ but points out that “it makes a difference for which causes and under what authority people undertake the waging of war.” The most salient point for present purposes is his claim that “[i]t is not permissible, however, to doubt that it is right to undertake a war which people undertake to wage under God’s authority either to strike terror into, wear down, or subdue the pride of mortals,”⁶⁴ and that “he who wages war at God’s command [is] completely innocent in the conduct of wars! For no one who serves him can fail to know that he cannot command anything unjust.”⁶⁵

This passage from *Contra Faustum* shows that wars waged “Deo iubente” are a distinct category of *bella iusta* in the thought of Augustine, easily the most influential voice in the emergence of a Christian just war theory. The Augustinian *locus classicus* regarding just war is in fact found in the *Quaestiones in Heptateuchum*, in a discussion of the Israelite’s ruse in the battle against Ai, a Canaanite city eventually devoted to *herem* (Josh 8). In what later became “die zentrale Definition des gerechten Krieges,”⁶⁶ Augustine asserts that a war is just either because it seeks to redress injuries, or because it was commanded by God.⁶⁷

Augustine thus does not think that any warrant for total destruction was needed beyond the divine command. However, he does at one point claim, somewhat surprisingly, that the inhabitants of Jericho engaged in a hostile act against the Israelites by shutting the city gates. But this point is not designed to show that the Israelites had just cause in devoting Jericho to destruction. Rather, Augustine simply tries to make sense of the biblical claim that “the citizens of Jericho fought against you” (Josh 24.11).⁶⁸

⁶³ *ibid.*, XXII.74, 351.

⁶⁴ *ibid.*, XXII.75, 351; bellum autem quod gerendum deo auctore suscipitur.

⁶⁵ *ibid.*, XXII.75, 352; quanto magis in administratione bellorum innocentissime diversatur, qui deo iubente belligerat, quem male aliquid iubere non posse, nemo qui ei servit ignorat.

⁶⁶ Elßner, *Josua*, 206. For a discussion its influence up unto and including Hugo Grotius, cf. *ibid.*, e.g. 261-270; 273; 275; 277f; 280; 282; 284-89.

⁶⁷ Qu. VI,10.

⁶⁸ Qu. VI,26.

On another occasion, however, Augustine appeals to the “*ius humanae societatis*” to show that a war fought by Israel was just, i.e. the war against the Amorites, who had refused the Israelites an inoffensive passage, to which the “law of nations” entitled them.⁶⁹

In summation, Augustine argues that certain actions, such as showing mercy, might appear to be good but are in fact evil if they contravene commands given by God. Conversely, other actions might appear to be evil, such as preparing to offer one’s son as a sacrifice or waging a war of extermination, but are in fact good -- if commanded by God. The redress of injuries is not the only just cause for a war; a divine command also meets this condition.

4.1.2.3 Attempts at understanding how God’s *herem* commands are just

While Augustine accepts the justice of God axiomatically, he does at various points go beyond that and attempts to understand and explain why and how God’s commands are just. His approach has, in the main, two prongs: on the one hand he considers various reasons God may have had for issuing his commands; on the other he asks whether the punishments inflicted are as terrible as they may at first appear.

In terms of why God may have given certain commands that *prima face* are morally dubious, Augustine works with three broad categories. These appear most clearly in his discussion in *Contra Faustum* of the command to despoil the Egyptians. First, the Israelites’ actions may have been a punishment which the Egyptians deserved, inflicted on them because they “were sacrilegious and wicked.”⁷⁰ Second, God may not in fact have commanded the course of action but rather simply permitted it: “perhaps the Hebrews were permitted to do these things in accord with their desires and thoughts rather than ordered to do them.”⁷¹ In this case, Augustine is even prepared to concede that the underlying desire of the Israelites may in fact have been positively sinful: “perhaps they sinned by desiring such things.”⁷² Third, Augustine considers it possible that there were “totally hidden” reasons.⁷³

In principle, each of the three categories could be applied, *mutatis mutandis*, to *herem* commands: annihilation could have been decreed as a punishment for Canaanite wickedness; it could have been a concession to the sinful desires of the Israelites; or God’s true reasons could be

⁶⁹ Qu. IV,44.

⁷⁰ Augustine, *Answer to Faustus*, XXII.71, 348.

⁷¹ *ibid.*, XXII.71, 349.

⁷² *ibid.*, XXII.72, 350.

⁷³ *ibid.*, XXII.71, 349.

entirely mysterious to us. Later commentators have in fact explored each of the categories with respect to *herem*.⁷⁴

Augustine himself, however, does not seem to think of *herem* as an accommodation to Israel's hardness of heart. On the contrary, as we have seen above, he repeatedly faults Israel for their sinful proclivity to spare their enemies rather than annihilate them according to the divine command.

While in these contexts accommodation thus does not play a significant role in Augustine's approach to *herem*,⁷⁵ the other two categories, i.e. punishment and mystery, do. As far as punishment is concerned, we have seen above that for Augustine God's *herem* commands are somehow related to human sins and the suffering due to each person: those who question the commands "tam perverse de operibus Dei quam de peccatis hominum iudicant, nescientes quid quisque pati dignus sit."⁷⁶ Therefore, in a divinely commanded war, the leader of the army and the people are not so much authors of war but rather agents of divine judgment.⁷⁷

When pressed on the question for which sins exactly the Canaanites, and especially their children, were devoted to destruction, Augustine in the end emphasizes the third category, i.e. the mysterious nature of God's judgments. He discusses this question at length in an anti-Pelagian work begun in 427 and left unfinished at his death in 430: *Contra Iulianum Opus Imperfectum*.⁷⁸ The nature of original sin is of course central to Augustine's debate with the Pelagians. While Augustine appeals to the commanded extermination of the Canaanite children as a proof that original sin attaches to humans from birth,⁷⁹ Julian argues, on the basis of Deut 24:16, that it would be patently unjust to impute the sins of fathers to their children.⁸⁰ Augustine, however, marshals numerous biblical counter-examples, e.g. the Flood, the destruction of Sodom, the

⁷⁴ cf. e.g. Hubert Junker's contribution in the final chapter, which contains elements of both accommodation and mystery.

⁷⁵ but cf. below Augustine use of accommodation in *Contra Adimantum*.

⁷⁶ Qu. VI, 16.

⁷⁷ Qu. VI, 10 ; Sed etiam hoc genus belli sine dubitatione iustum est, quod deus imperat, apud quem non est iniquitas et novit quid cuique fieri debeat. In quo bello dux exercitus vel ipse populus, non tam auctor belli, quam minister iudicandus est.

⁷⁸ G. Bonner, 'Julianum Opus Imperfectum, Contra', in A. Fitzgerald (ed.), *Augustine through the Ages*, 480b-481a.

⁷⁹ *Contr. Iul. Op. Impf.*, I.4 The premise that "cum qua eum vanitate nasci" is proved, *inter alia*, by this: "in eius ultionibus legitur, iussos interimi etiam parvulos, quorum parentes ad iracundiam provocaverunt Deum, ut internitione bellica delerentur."

⁸⁰ *ibid.*, III.12.

killing of Achan's family and the killing of the Canaanites together with their children.⁸¹ Augustine then proceeds to counter Julian's reference to Deut 24:16 with his own to Deut 5:9, explaining that while the former pertains to human judges, the latter applies to the divine judge. Here again, Augustine refers to Achan's family and the children of the Canaanites in support of his point.⁸²

Finally, Julian seems to have himself chosen the example of the Canaanites as an illustration of his own understanding of individual responsibility over against Augustine's view of imputed guilt. As quoted by Augustine, Julian appears to have marshalled the (deutero) canonical book of Wisdom in his support:

For you hated those former inhabitants of your holy land because they did actions hateful to you through potions and unjust sacrifices and killed their children without mercy; you willed to destroy them by the hands of our parents in order that the latter might receive a dwelling place worthy of the children of God, which is the land more dear to you than all others (Wis 12:3-7).⁸³

For Julian, this text explains why the Canaanites deserved to be killed.⁸⁴ He mocks the reasons he suggests Augustine would have given for their deserved destruction,⁸⁵ and contrasts these with the real reason for their punishment: works done by their free choice.⁸⁶ Dismissing Augustine's view of original sin as invented by Mani, Julian underlines that the author of scripture singles out child sacrifice as the worst of the Canaanites' offences.⁸⁷

If Julian chose this text as his battleground, it was something of a gift to Augustine. The ageing bishop's premise is the familiar refrain: "the judgments of God may be diverse, and hidden, but without a doubt they are just."⁸⁸ The Canaanites shared with all humanity the contagion of natural malice (*malitia naturalis*), but were also especially accursed because of Noah's "maledictione prophetica" concerning his grandson Canaan (Gen 9:25). That this curse was passed down the generations is seen by the fact that -- according to the divine command -- the Canaanite children were to be killed along with their parents without any respect to age. No one was spared even though it had been the adults who had provoked God's anger by sacrificing their children. God expressly forbade making an exception even for the children. This is how the

⁸¹ *ibid.*

⁸² *ibid.*, III.30.

⁸³ ET Augustine, *Answer to the Pelagians, III, Unfinished Work in Answer to Julian*, trsl. by Roland J. Teske, (Hyde Park, NY: New City Press, 1999), 493.

⁸⁴ *Contr. Iul. Op. Impf.*, IV, 128.

⁸⁵ i.e., various metaphors expressing Augustine's view of original sin.

⁸⁶ *ibid.*

⁸⁷ *ibid.*

⁸⁸ *ibid.*

expression of a “seed cursed from the beginning” is to be understood, concludes Augustine.⁸⁹ Since, unlike the Manicheans, Julian accepts the authority of the OT, Augustine can press his point: “You will not dare to call the one unjust who commanded this.” The children who survived the time when child sacrifices were made were yet killed: and this not by a human infamy, but according to God’s judgment – as an accursed race.

Augustine also addresses the question of children being devoted to *herem* in the *Quaestiones*. In the absence of the anti-Pelagian polemical context, and in relation to Israelite rather than Canaanite children, his argument is somewhat different. Discussing the devotion to destruction of Achan along with his entire household, Augustine remarks that “[i]t is usually asked how it can be just that one person be punished for another’s sins, especially since the Law of the Lord says, ‘Fathers are not to be punished for the sins of their children, nor children for the sins of their fathers’” (cf. Deut 24:16).⁹⁰ His reply is fourfold, repeating familiar points but also adding the new element of solidarity: (1) God’s judgment is different from the judgment of humans, to whom the passage in Deut applies. God knows what each deserves. (2) Death is, in the end, not so dreadful a punishment for mortals. (3) The punishment teaches people about solidarity. (4) The punishment is temporal, not eternal. No one will be damned for another’s sin.⁹¹ In the following *quaestio*, Augustine asks again why Achan was punished with all that were his (*omnia quae sunt eius*). He concludes that this was done not because of a human judgment but by the prophetic spirit.⁹² He also repeats that the punishment for Achan’s children was temporal, not eternal, and adds that in God’s eyes, an early death can even be beneficial to some.⁹³ By which just judgment or mercy were the children of Achan or the thirty warriors killed, even though his sin was not theirs? The answer, Augustine avers, remains hidden in God, “in whom there is no injustice.”⁹⁴

In summation, then, Augustine on the one hand supplies reasons God may have had for ordaining wars and claims that human actors in such wars are simply ministers of God’s judgment.⁹⁵ With respect to the Egyptians he expressly suggests that they may have been judged

⁸⁹ *ibid.*, cf. Wis 12:11, “semen ab initio maledictum.”

⁹⁰ Qu. VI,8.

⁹¹ *ibid.*; [...] Poenas vero invisibiles, quae non nisi nocent, et prodesse non possunt, ita nullus Deo iudice pro alienis peccatis luit.

⁹² Qu. VI,9.3.

⁹³ *ibid.*, 9.4.

⁹⁴ *ibid.*, cf. Rom 9:14.

⁹⁵ Qu. VI,10.

for being “sacrilegious and wicked.”⁹⁶ He also agrees with Julian that Canaanite practices, such as child sacrifice, provoked God’s anger.

On the other hand, however, the commanded destruction of the Canaanite children leads Augustine to play down the aspect of wickedness and punishment highlighted in Wisdom and by Julian. Rather, he emphasises the ultimately mysterious nature of God’s judgments. In addition, he uniquely connects the annihilation command to Noah’s curse of his grandson Canaan, which provides him with an illustration of how one man’s sin can lead to the cursing and destruction of all his descendants – one of the main points he wishes to make against the Pelagians.

Finally, Augustine suggests a number of reasons why being killed in war, including a war of annihilation, is not that terrible a fate for humans to suffer. Humans are mortal and would die one day in any event (e.g. Qu. VI,8; VI,16); the punishment is temporal, not eternal (Qu. VI,8; VI,9); an early death might even be beneficial to some (Qu. VI,9). In addition, these kinds of punishment teach humans about solidarity (Qu. VI,8) and are apt “to strike terror into, wear down, or subdue the pride of mortals.”⁹⁷

4.1.2.4 *The coherence of the OT and the NT*

The above arguments address challenges that arise from tensions within the OT itself (e.g. Deut 5:9 vs. Deut 24:16), or from general questions of equity and justice. However, one of the most potent challenges to the OT has long been the allegedly irreconcilable difference between the judgmental, cruel, warring God of the OT and the meek, forgiving, loving God revealed by Christ in the NT. The most influential ancient proponent of this view was of course Marcion, whose *Antitheses* pitted OT quotations against NT texts (see chapter 2). Marcion’s influence was particularly pronounced on one of Mani’s leading disciples, Adda/Adimantus, whose polemical *Disputationes* were modelled on the *Antitheses*, and to whom Augustine responded in *Contra Adimantum*.⁹⁸

⁹⁶ Augustine, *Answer to Faustus*, XXII.71, 348.

⁹⁷ *ibid.*, XXII.75, 351.

⁹⁸ cf. e.g. Lieu’s claim that “Mani’s debt to Marcion is particularly strong” S. Lieu, ‘Manichaeism’, in S. A. Harvey and David G. Hunter (ed.), *The Oxford Handbook of Early Christian Studies* (Oxford; New York: Oxford University Press, 2008), 221-236, 228. For arguments that Adimantus is indeed Adda, cf. Berg, *Biblical Argument*, 11-23 and Nicholas Baker-Brian, *Manichaeism in the Later Roman Empire: A Study of Augustine’s Contra Adimantum* (Lewiston, NY: Edwin Mellen Press, 2009), 39-48. ET in Augustine, *The Manichean Debate*, trsl. by Roland J. Teske, (Hyde Park, NY: New City Press, 2006), 174-225. It was “probably” composed in 394, so J. K. Coyle, ‘Adimantum, Contra’, in A. Fitzgerald (ed.), *Augustine through the Ages*, 7b-8a, 7b.

In a recent analysis, van den Berg concludes that the *Disputationes* served a two-fold purpose in Manichean missionary practice: first “he intended to demonstrate the sheer inferiority of the Catholic Christian teachings by revealing the fundamental incoherence of their bipartite canon;”⁹⁹ second, he “excoriated the Old Testament because he believed that those writings were highly dangerous, because they not only stemmed from the Kingdom of Darkness, but were also inspired by the intention to retain the particles of light in the prison of the dark matter.”¹⁰⁰

In the most pertinent section of the *Disputationes* and of Augustine’s response, Adimantus pointedly contrasts the injunction to put to death the Canaanites with the command to love one’s enemy:

On the words in Exodus: If you hear my voice with your ear and do whatever I command you, I will hate those who hate you and bring sorrow to those who bring you sorrow. My angel shall go before you and bring you to the Amorites, the Perizzites, the Canaanites, the Jebusites, and the Gergesites, and you shall kill them (et occiditis illos). You shall not worship their gods, nor shall you do their works. But you shall utterly destroy them and wipe out the memory of them (sed euersione euertitis illos, et delete eorum memoriam). Against these words quoted in that way from the old books, Adimantus sets, as if contrary to them, the words of the gospel where the Lord says, But I say to you, Love your enemies; bless those who curse you; do good to those who hate you; and pray for those who persecute you (Mt 5:44).¹⁰¹

It should be noted, first, that the underlying OT text (Ex. 23:22-24) does not in fact contain the term *herem* and that neither the Masoretic text nor the ancient versions have the Israelites carrying out the extermination, but rather God.¹⁰² While Adimantus’ critique thus is not in a narrow sense a reception of *herem*, the OT concept of the divinely mandated annihilation of the Canaanites is clearly present. Adimantus could have raised essentially the same challenge had he substituted say, Deut 7:1f, for the passage in Exodus.

As we have seen above, Augustine did not make much of the concept of accommodation or progressive revelation in his comments on *herem* and war in the *Quaestiones* and in *Contra*

⁹⁹ Berg, *Biblical Argument*, 216.

¹⁰⁰ *ibid.*; This latter point illustrates that while Adimantus drew freely on Marcion’s *Antithesis*, he selected the kind of subject matter and included additional references that were specific to Manichean purposes. Adimantus also quotes liberally from the gospels of Matthew and John, as well as Luke, which also sets him apart from Marcion; cf. *ibid.*, 160.

¹⁰¹ *Contra Adimantum*, 17,1.

¹⁰² MT: והכחרתיו; LXX: καὶ ἐκτίψω αὐτούς; VUL: quos ego contribo; the LXX apparatus notes the Latin variants *contere*, *delebit* and *delebunt*, as well as the one in *Contra Adimantum* above; cf. John W. Wevers (ed.), *Exodus* (Göttingen: Vandenhoeck & Ruprecht, 1991). There exists at present no critical edition for the Vetus Latina variants of Exodus.

Faustum. In responding to the above challenge in *Contra Adimantum*, however, those very concepts form an essential part of his reply: “For the slaughter of their enemies was appropriate to a people who were still carnal, for whom the law was given like a schoolmaster, as the apostle says.”¹⁰³

However, Augustine wishes to go further than that and exempt OT saints from the category of the carnal, and so he adds the argument that their motivation for war was not sinful (cf. above *Contra Faustum*, book 22). Augustine asserts that “the intention with which those very few individuals in that people, like Moses and the prophets, who at that time were holy and spiritual men, carried out the slaughter of their enemies, and whether they loved those whom they killed, is very much hidden from the ignorant and the impious.”¹⁰⁴ Augustine then sets out to demonstrate his basic tenet that “one can inflict punishment on an enemy with love.”¹⁰⁵ To do this, he appeals, *inter alia*, to the apostle Paul, who advocated handing over a man “to Satan for the destruction of the flesh in order that his spirit may be saved on the day of the Lord Jesus”.¹⁰⁶ For Augustine, the killings ordered in the OT and criticized by the Manicheans are essentially the same thing, i.e. an “*interitum carnis*.” Paul’s example shows that it is possible to desire and advocate such an action from a motivation of love, i.e. aiming at the salvation of those whose flesh is handed over to destruction.

From the NT example Augustine concludes: “If, then, in the time of the New Testament, when love is especially commended, God casts a fear of visible punishment over carnal people, how much more ought we to understand that this was appropriate in the time of the Old Testament for that people whom the fear of the law was restraining like a schoolmaster? For this is the briefest and clearest difference between the two Testaments: fear and love; the former pertains to the Old, the latter to the New, but the two come from and are united by the most merciful dispensation of the one God.”¹⁰⁷

There is a difference in dispensations for Augustine; however, fear and love each play a role in both. It should also be noted, however, that in Augustine’s exegesis the parallel extends only to the fear that is induced in the surviving people of God. By contrast, there is no suggestion that the

¹⁰³ *Contra Adimantum*, 17,2; cf. Gal 3:24.

¹⁰⁴ *ibid.*

¹⁰⁵ *ibid.*

¹⁰⁶ *ibid.*; cf. 1 Cor 5:59.

¹⁰⁷ *ibid.*, 17,2.

motive of desiring the salvation of those killed in the NT finds a direct parallel in the motivation of those devoting the Canaanites to destruction.

In a subsequent passage Augustine explains his understanding of the benevolent ends of God, and also suggests reasons for why the loving motivation was not made explicit in the OT. The passage also alludes to the theme of Israel's enemies being wicked and justly judged:

in the old scriptures the motivation of those who imposed punishments is passed over because very few spiritual people knew from divine revelation what they were doing. After all, the people—for whom fear was useful—were subdued by a very severe command in order that, just as they saw that their wicked enemies and the worshipers of idols were given into their hands to be killed, they themselves might also fear that they would be given into the hands of their enemies if they scorned the commandment of the true God and fell into the worship of idols and the impieties of the nations. For when they sinned in a similar manner, they were punished in a similar manner.¹⁰⁸

In Augustine's eyes, an experience like this has important consequences far beyond this life: "all this temporal punishment strikes terror into weak souls in order to educate those nourished under discipline and to be able to turn them away from everlasting and indescribable punishments, because carnal human beings have more fear of the punishment that God imposes in the present time than of that which he threatens for the future."¹⁰⁹ In other words, the horrific punishment visited on Israel's enemies in some sense adumbrated the eternal judgment of hell, and was designed to instil a wholesome fear in the people of God.

Based on the above Augustine concludes, "Love can therefore be found in one who imposes punishment," a claim that he further illustrates by the experience of human fathers who restrain their beloved children. Augustine concedes that "human beings do not kill the children they love" but contrasts this with "God, who knows what punishments to give to each person, [and] punishes by death those he wants to, whether by means of human beings or by the hidden course of nature."¹¹⁰ In 1 Cor 11:28-32 Augustine finds evidence that in the NT, too, "God corrects lovingly, not only with weaknesses and sicknesses but also with temporal death (*mortibus temporalibus*), those whom he does not want to condemn with the world."¹¹¹

This should help the Manicheans "see how wicked nations could also be given into the hands of a people, who, though still carnal, were nonetheless worshipping the one God, in order

¹⁰⁸ *ibid.*

¹⁰⁹ *ibid.*

¹¹⁰ *ibid.*, 17,3.

¹¹¹ *ibid.*

to be slain by them.”¹¹² However, truly spiritual people would understand that “the plan of God does not include hatred for anyone,” since “vengeance can exist without hatred.” Only few understand this, but without this understanding anyone “who reads the books of both Testaments will certainly be buffeted by great labor and errors and think that the scriptures are contrary to each other.”¹¹³

In fact, for Augustine the killing of the Canaanites is but a specific case of the general principle frequently referred to as “love the sinner, hate the sin.” He praises those who “in sinners...hate only the sins but love the human beings” and “do not impose punishment with the bitterness of severity but with the moderation of justice.” In fact, argues Augustine, “treating the sin lightly might do more harm to the sinner than the penalty of the punishment;”¹¹⁴ a statement that, in the case of lethal punishment, only would seem to make sense against the backdrop of eternal punishment in hell.

While Augustine argues for the above in terms of a general principle, he also adds that the use of this type of lethal force requires special divine authorization: “righteous human beings did not do this except by the authority of God (nisi auctoritate diuina), for fear that anyone might suppose that now and then he has permission to kill or to take to court or to afflict with punishments whoever he wants.”¹¹⁵ Anticipating the objection that such a divine authorization is not always made explicit in the bible, Augustine retorts: “At some times the authority of God is clearly stated in the scriptures, while at other times it is concealed in order that the reader may be instructed by clear passages and be exercised by those that are obscure.”¹¹⁶

In the final section of chapter seventeen of *Contra Adimantum*, Augustine suggests that love of enemy is by no means entirely absent from the OT, which is further evidence for the agreement between the two testaments. He points to the narratives of David sparing king Saul and concludes that “David the warrior fulfilled the commandment of Christ we have received, that we should love our enemies”¹¹⁷

¹¹² *ibid.*, 17,4.

¹¹³ *ibid.*

¹¹⁴ *ibid.*

¹¹⁵ *ibid.*

¹¹⁶ *ibid.*

¹¹⁷ *ibid.*, 17,6; cf. 1 Sam 24:3-16, 26:7-16.

Augustine's response in chapter eight to Adimantus' opposition of the *lex talionis* to the gospel's command of non retaliation is also pertinent.¹¹⁸ He argues that "[i]n these two statements the difference between the two Testaments is really shown – both of which, however, have been provided by one God." Both provisions are part of a gradual, incremental work of the one God:

For, because at first carnal human beings burned to avenge themselves as if the injury about which they complained was greater than it was, it was set down for them, as the first step towards leniency, that the pain inflicted by the avenger should in no way exceed the amount of the injury received. For in that way someone who had first learned not to go beyond the injury he received might be able at some point to forgive it. For this reason the Lord, now guiding the people to the highest peace through the grace of the gospel, built another step upon this one, so that someone who had already heard that he should not impose a punishment greater than the injury he suffered would rejoice with a mind at peace in forgiving the whole injury.¹¹⁹

In addition, Augustine also seeks to demonstrate from other passages in the OT "that a limit in taking vengeance was correctly established for carnal persons and that the complete forgiveness of an injury was not only commanded in the New Testament but foretold long before in the Old."¹²⁰

Augustine also addresses the difference between the OT and NT with respect to warfare in book twenty-two of *Contra Faustum*. According to him, the reason for the difference in commands lies, once again, in the "order of the times,"¹²¹ and the fact that "the Old Testament, with its earthly promises, veiled and, in a certain sense, wrapped in deep shadows the secret of the kingdom of heaven, which was to be revealed at the proper time."¹²² In the Old Testament, "it was first seen that these earthly goods which include human kingdoms and victories over enemies, for which the city of the impious that is spread throughout the world is especially accustomed to pray to idols and demons, belong only to the power and judgment of the one true God."¹²³ However, "when the fullness of time came, so that the New Testament, which was veiled by symbols of the Old, might be revealed, it had now been shown by clear testimony that there was another life, for whose sake this life ought to be held in contempt, and another kingdom, for

¹¹⁸ *Contra Adimantum*, ch. 8; ET Augustine, *The Manichean Debate*, 185.

¹¹⁹ *ibid.*

¹²⁰ *ibid.*

¹²¹ Augustine, *Answer to Faustus*, XXII.76, 352; *eam rerum dispensationem ac distributionem temporum ordo poscebat.*

¹²² *ibid.*, XXII.76, 352.

¹²³ *ibid.*

whose sake it was necessary to endure most patiently the opposition of all earthly kingdoms.”¹²⁴ And so, “[t]he patriarchs and prophets waged wars for their kingdoms in order to show that the will of God also gives such victories; the apostles and martyrs were slain without resistance in order to teach that it is a better victory to suffer death for faith in the truth.”¹²⁵

However, there is no total discontinuity here: even “[i]n the Old Testament the prophets knew how to die for the truth”, while at the same time “Christian emperors, too, “put their complete confidence in the Christian faith and received a most glorious victory over their godless enemies, who had placed their hope in the worship of idols and demons.”¹²⁶ This last point about wars fought by Christian emperors opened the door for an extension of just war theory to a point which eventually included arguments supporting the medieval crusades as well as later extermination campaigns.¹²⁷

The fact that God commanded different actions to his ministers in the Old and New Testaments does not, however, mean that “the two Testaments are contrary to each other,”¹²⁸ as the Manicheans allege. Within the New Testament itself, argues Augustine, Jesus first sent his disciples out without purse, bag and sandals, and then, at a later stage, told them to take purse and bag, and to sell their tunic to buy a sword (Luke 22:35f). Changes in commands such as these simply reflect “God’s providence for different times.”¹²⁹ And so, if the Manicheans say that “for some hidden reason [Jesus] said this about taking a bag and a purse and about buying a sword, why do they not admit that for some hidden reason one and the same God then commanded the prophets to wage war and now forbids the apostles to do so?”¹³⁰ Here again, Augustine’s fall-back position is an appeal to mystery, undergirded by the premise of God’s indubitable justice.

Finally, Augustine summarizes his reading of the controversial texts in these words:

The ministers of the Old Testament, who also foretold the New Testament, served God by killing sinners; the ministers of the New Testament, who also explained the Old Testament, served God by dying at the hands of sinners. Yet both served the one God, who taught during different but appropriate ages that temporal goods were to be sought from him and should be held in scorn for his sake and that

¹²⁴ *ibid.*

¹²⁵ *ibid.*, 353.

¹²⁶ *ibid.*

¹²⁷ Augustine’s influence in that respect will be discussed in the next chapter.

¹²⁸ *ibid.*, XXII.77, 354.

¹²⁹ *ibid.*

¹³⁰ *ibid.*,

temporal difficulties can be imposed by him and ought to be endured on account of him.¹³¹

While Augustine thus suggests a number of reasons for the change in commands between the OT and the NT, his argument ultimately relies, again, on the premise of God's justice and Augustine's willingness to appeal to mystery when he cannot fathom a just reason for God's commands.

4.1.2.5 Augustine's spiritual readings of herem

As the previous sections have shown, Augustine is very much prepared to defend a literal interpretation of divine annihilation commands in polemical settings. However, he also at times deploys a dual sense hermeneutic in ways that are reminiscent of Origen's arguments, e.g. against Marcion or Celsus. Based on the conviction that all of the scriptures "speak of Christ" and that, with the exception of certain linking passages, they all signify some thing to come, Augustine suggests a number of pertinent figurative readings in *Contra Faustum*.¹³²

The first notable instance is found in book twelve of that work, and forms part of Augustine's answer to Faustus' claim that there are no prophecies about Christ in the OT. In response, Augustine embarks on a *tour de force* through the OT and marshals one figurative interpretation after another to show how Christ is anticipated in it. It is in this context that Joshua and Jericho are mentioned:

Let him see [Jesus] leading the people into the land of the promise. For he was not thoughtlessly called this from the beginning, but he was called [Jesus] after his name was changed in accord with God's plan. Let him see the grapes of the land of the promise hanging from the tree. Let him see in Jericho, as if in this mortal age, the prostitute; the Lord says that such persons will enter the kingdom of heaven before the proud. Through the window of her house, as if through the mouth of her body, she sends forth something red. This is, of course, to confess the sign of the blood for the sake of the forgiveness of sins so as to attain salvation. Let him see that the walls of the city, like the defenses of this mortal world, fell when the ark of the covenant was carried around them seven times, just as now through times, which slip by with the recurrence of seven days, God's covenant goes around the whole world, so that at the end of time the last enemy, death, may be destroyed, and so that a single house, that is, the single Church, may be set free from condemnation with the wicked, after having been purified from the shame of fornication through the window of confession in the blood of forgiveness.¹³³

¹³¹ *ibid.*, XXII.79, 356.

¹³² *ibid.*, XXII.94, 369; *Christum igitur sonant haec omnia*.

¹³³ *ibid.*, XII.31.

Augustine's reading of Jericho as the world, of the scarlet line as the blood of Christ and of Rahab's house as the church is, by the fifth century, traditional.¹³⁴ What stands out, in the context of the present thesis, is his explicit linking of the conquest of Jericho to the "inipiorum perditio" from which, in the end, the Church will be saved. Even though it is not spelt out in any detail, Augustine seems to take the annihilation of the inhabitants of Jericho as a typological anticipation of the eschatological judgment, both of the destruction of the final enemy and of the perdition of the wicked.

In book twenty-two of *Contra Faustum*, from which many of the quotations and arguments in the previous section were drawn, Augustine goes over the contested material twice, once interpreting it literally, i.e. "examining those deeds as if they signified nothing at all,"¹³⁵ and then a second time reading them allegorically, i.e. investigating "what the remaining deeds of Moses, the servant of God, signify."¹³⁶

In the second, shorter section, Augustine links the incident in which Moses killed the Egyptian and buried him in the sand to the view that "Christ the Lord killed the devil", whose "deadly presence now lies hidden in people who do not have a solid foundation."¹³⁷ The Egyptian treasures that the Israelites had taken might signify "certain teachings that are learnt from contact with the gentiles through useful study," or, alternatively, that "from those very gentiles, precious souls...join the people of God, so that they are at the same time set free from this world, as though from Egypt."¹³⁸ The killing of the Israelites who worshiped the golden calf "signifies the destruction of the sort of vices because of which they fell into that idolatry," and may be compared to Paul's exhortation to "put to death your members that are upon the earth" (Col. 3:5).¹³⁹ This interpretation of a massacre of humans in terms of mortifying the vices is very similar indeed to Origen's reading of *herem*.

Finally, with respect to "the wars that Moses waged" Augustine is, sadly for present purposes, brief and cryptic. He suggests that "it would take too long to consider them all" and

¹³⁴ cf. e.g. William L. Lyons, 'Rahab through the Ages: A Study of Christian Interpretation of Rahab'. *SBL Forum*, <http://sbl-site.org/Article.aspx?ArticleID=786>. accessed 27 September 2013; H. F. Stander, 'The Greek Church Fathers and Rahab', *Acta Patristica et Byzantina* 17. (2006), 37-49.

¹³⁵ Augustine, *Answer to Faustus*, XXII.70, 347; tamquam nihil significaverint facta illa.

¹³⁶ *ibid.*, XXII.89, 367; quod restat de famulo Dei Moyse, quid etiam ipsa significant.

¹³⁷ *ibid.*, XXII.90, 367.

¹³⁸ *ibid.*, XXII.91, 368.

¹³⁹ *ibid.*, XXII.92, 368.

refers the reader to what he already said about what “that war waged with Amalek foretold prophetically and what mystery it contained.”¹⁴⁰

While figurative interpretations therefore do play a role in Augustine’s defence of the OT against criticism, he is also acutely aware that the persuasive power of such readings is severely limited:

If the heretics refuse to accept these allegorical accounts..., or if they even claim that they signify nothing but what they literally sound like, there is no point in quarrelling with people who say, ‘What you say is to your taste is not to my taste,’ provided that the things that God commands are either believed or understood either to form morals and piety or to signify something in figures or to do both of these rather than none, provided at least that those things that are understood to have been said or done figuratively are referred to those same good morals and piety.¹⁴¹

This then, is Augustine’s scriptural “rule of truth;”¹⁴² in many ways it resembles the rule Origen sets out at the beginning of *De Principiis*.

The chief difference in the use Origen and Augustine make of figurative readings lies, perhaps, in Augustine’s heightened awareness that it is pointless to quarrel “cum hominibus, qui dicunt: non sapit palato meo, quod sapere dicis tuo.”

While this fact means that the specifics of figurative readings appear too uncertain to function effectively in a polemical setting, the situation in a pastoral context is quite different. And so Augustine, the episcopal shepherd of his flock in Hippo, frequently foregrounds figurative readings in his homilies. Nevertheless, even in the pastoral expositions, a straightforward reading of the narrated events continues to play an important role.

In a sermon on Psalm 135 (134 in the LXX and Vulgate), the destruction visited on the Canaanite kings Og and Sihon, for example, serves as a warning to his flock not to imitate their wickedness, lest the same fate befall them:

He smote many tribes, the ones who owned the land God intended to give to his people. He slew mighty kings: Sihon, king of the Amorites, and Og, king of Bashan,

¹⁴⁰ *ibid.*; This appears either to refer back to the general discussion of the meaning of wars in XXII.75-76 discussed above (so Teske), or to the passing comment in XII.30: “The enemy attempting to stop them in their way is overcome by Moses stretching out his hands in the figure of the cross.” Augustine gives a more developed spiritual interpretation of Amalek in certain homiletical works (e.g. *Sermon* 352.6-7; *Enarr. in Ps.* 82.7).

¹⁴¹ *ibid.*, XXII.95.

¹⁴² *ibid.*, *ea veritatis regula*.

and all the kingdoms of Canaan. The psalm relates these events briefly, but its account is confirmed by what we read in other divine books; certainly the Lord's hand was there in power. When you see what disasters were inflicted on the impious, beware lest the same things befall you. These punishments were visited upon them so that you might avoid a similar fate: you are not to imitate their wicked conduct or deserve to suffer as they did. All the same, you must notice that the Lord's scourge is used upon all flesh. Do not imagine that you go unseen when you sin; do not think your behavior is overlooked; do not suppose that the Lord is asleep. Let your mind dwell on instances of God's kindness when you recall them, but, when you remember his punishments, be afraid. He is almighty both to console and to chastise.¹⁴³

At the outset Augustine refers to fuller accounts of what happened to Og and Sihon, i.e. to narratives involving total destruction and *herem*.¹⁴⁴ According to him the Christian significance of these texts, the very reason why they are still read in church lies in their pedagogical value: "This is why it is good for us to read about such events. When a God-fearing person sees what a godless one has suffered, he must purify himself of godless irreverence, lest he too fall into like calamity and undergo the same punishment."¹⁴⁵

All of this is predicated simply on the *sensus litteralis*. A little later, however, Augustine draws out the figurative meaning of the names of Sihon, the Amorites, Og and Bashan:

He smote many tribes, he slew mighty kings. Tell us, then: Which kings, which tribes? *Sihon, king of the Amorites.* Take note of these names too, for they are pregnant with mysteries. The Lord slew *Sihon, king of the Amorites.* He slew them then, and may he slay them now in the hearts of his servants: slay them, so that the Church may no longer be tried by them. May his hand not slacken in the slaughter of such kings and such peoples, for Sihon means "temptation of the eyes," and Amorites signify "those who stir up bitterness."¹⁴⁶

The slayings of the past are understood literally, the significance for the Christian congregation to whom Augustine speaks is spiritual, and rather similar to what Origen suggested in *homJos*. Observing that "as he once performed these exploits literally, so now he performs them spiritually, thus fulfilling the prophecies he made long ago,"¹⁴⁷ Augustine goes on to point out that the ultimate tempter is none other than the devil; therefore "[m]ay the hand of the Lord slay both him and those whom he deceives: the devil, so that he may not lead them astray, and

¹⁴³ Exposition of Psalm 134.14; ET Augustine, *Expositions of the Psalms, 121-150*, trsl. by Maria Boulding, (New York, NY: New City Press, 2004), 202.

¹⁴⁴ cf. Deut 2:24-3:7 contains the term *herem*; Num 21:21-35 also describes total annihilation without using the term.

¹⁴⁵ 134.14, 203.

¹⁴⁶ 134.20, 207.

¹⁴⁷ *ibid*.

his victims, by correcting them. In each of us this king is put to death when we repudiate the pretence and love the truth.”¹⁴⁸

Slaying, then, has a two-fold meaning for Augustine: with respect to the devil it keeps him from engaging in further deception; with respect to humans deceived by the devil, it speaks of their correction and conversion.

Continuing his allegorical reading, Augustine observes, “There was another king and another tribe slain in those early days -- *Og, the king of Bashan*, and what an evil king he was! Og means “blockage”; Bashan means “confusion.” It is an evil king who blocks the path to God. This is what the devil does.”¹⁴⁹ When the devil successfully blocks people from believing in God, this will inevitably lead to their confusion on the day of judgment.¹⁵⁰

Finally, Augustine offers this allegory: “And God *slew all the kingdoms of Canaan*. The name Canaan is interpreted as ‘ready for humiliation.’ Humility, the useful kind, signifies something good, but the wrong kind of humility, better called humiliation, is a punishment.”¹⁵¹ This leads to the following interpretation, “‘Canaan’ is therefore someone who is proud now: every impious person, every unbeliever, exalts his heart in arrogance, unwilling to believe in God. But this exaltation is ready for humiliation on the day of judgment; on that day the proud one will be humbled against his will. Such persons are vessels of wrath, completely shaped for destruction.”¹⁵² Thus Augustine moves in his interpretation from the past (history, bodily) via the present Christian life (allegory, spiritual) to the final judgment (eschatology): “At the time when our fathers were led out of the land of Egypt he acted in bodily fashion, but now he acts spiritually, and his hand is at work unceasingly until the end.”¹⁵³

In his exposition of Psalm 135 (134 in the LXX and Vulgate), Augustine offers similar allegories for the names of the Canaanite kings and their kingdoms. While some details change, the application is structurally similar: ultimately these kings stand for the devil, demons and sin.

He smote mighty rulers, and slew powerful kings, for he has smitten and slain the diabolical powers too, freeing us from the molestation of those who were harming us. Sihon, king of the Amorites: “a useless plant,” or “a smoldering temptation,”

¹⁴⁸ *ibid.*

¹⁴⁹ *ibid.*

¹⁵⁰ *ibid.*, 208.

¹⁵¹ *ibid.*

¹⁵² *ibid.*, cf. Rom 9:22.

¹⁵³ 134.21, 208.

either of which is what the name Sihon means; he was king of “those who stir up bitterness,” as the name Amorites is interpreted. And Og, king of Bashan. Og’s name means “one who heaps up,” and he was king of “confusion,” which is said to be the meaning of Bashan. What else does the devil heap up but confusion? And he gave their land as an inheritance, an inheritance for Israel his servant. Those who used to be the property of the devil he made over as an inheritance for the offspring of Abraham, that is to say, for Christ.¹⁵⁴

Finally, in Augustine’s exposition of psalm 132 (131 in the LXX and Vulgate), “the Canaanites” refer to all those “who offend God.” Warning his congregation against a false, prideful sense of security, he says:

Some of Abraham’s descendants came to John to be baptized in the waters of repentance, but he welcomed them not as “brood of Abraham” but as *brood of vipers*. They were like those whose lives they were accustomed to imitate, not children of Abraham but children of the Amorites, the Canaanites, the Girgashites, the Jebusites, and of all who offended God. They were truly the children of those pagan peoples whose deeds they imitated.¹⁵⁵

The intended impact of this comparison is pedagogical, i.e. a fear of judgment that leads to a life of repentance.

In conclusion, then, the bishop of Hippo nowhere suggests that he finds the OT *herem* narratives problematic. In his sermons, he presupposes their historicity, and often draws lessons directly from the *sensus litteralis*.¹⁵⁶ However, he is also capable of interpreting the annihilated kings in terms of the devil, who is to be killed “in each one of us,” and to see the eschatological judgment prefigured in their demise; these latter readings parallel similar ones in Origen and other authors presented in the previous chapters.

4.1.2.6 Summary

Augustine is aware of *herem/anathema* as a distinct category and addresses the moral criticism levelled against the concept or practice at various points. He combines his commitment to the premises that (1) God is good, and (2) the bible is true, with a literal reading of *herem*, and therefore concludes that the killing of an entire people, including women and children, is not atrocious, thereby rejecting premise (3) of the dilemma as set out in the introduction (viz. that genocide is atrocious).

¹⁵⁴ Exposition of Psalm 134.9, 221.

¹⁵⁵ Exposition of Psalm 131.13, 163f.

¹⁵⁶ On the importance of affirming both the literal-historical and the figurative meaning, cf. e.g. Augustine’s comments on Noah’s ark in *De Civitate Dei*, xv.27.

The fundamental structure of his moral argument is divine-command-ethics, which takes for granted that God's commands are always just, and that therefore humans are always justified in obeying them. If one cannot think of a reason why a particular command of God, such as *herem*, may be just, Augustine recommends falling back onto premise (1), and affirming that God's reasons for issuing the command may well be mysterious and unfathomable to us, but are without a doubt just.

In addition, Augustine also suggests three categories of reasons why God might have commanded certain practices, such as *herem*, in the OT, viz. judgment on a depraved people, accommodation to his own carnal people, and mystery. To these categories he adds desirable parenetic effects, such as instilling a wholesome fear of God in the Israelites, a fear that might help them avoid even greater punishment, i.e. in hell. He also suggests that temporal death is not so severe a punishment for mortals, since mortality is common to them all.

In terms of the coherence of the OT and the NT, Augustine is prepared to concede a certain difference between the two, e.g. the dialectic of fear and love, carnal versus spiritual people, progressive revelation, accommodation. However, he also insists that there is much continuity, so that the Old is revealed in the New, and the New is concealed in the Old.¹⁵⁷

As we have seen in the final section, however, Augustine also offers figurative interpretations of *herem* texts, most notably in his homilies, but also in some polemical contexts. In none of these contexts, however, does he argue against an underlying literal meaning, which, as we have seen, he is prepared to defend along the lines of divine-command-ethics.

In many ways, a considerable portion of the following sections of this chapter can be seen, as so much of Western theology, as an outworking of Augustinian thought in various historical contexts, highlighting sometimes one, sometimes another component of the bishop of Hippo's seminal work.

4.2 Other Early Church examples

Before proceeding to instances of Christian reception of *herem* in later centuries in which divine-command-theory played a key role, it is important to note that Augustine's approach to these texts was by no means unique or unusual in late antiquity. To illustrate this point, I shall

¹⁵⁷ cf. Qu. II, 73; et in uetere nouum lateat et in nouo uetus pateat.

look briefly at pertinent remarks made by some Eastern and Western Christian authors who precede Augustine or are his rough contemporaries.

4.2.1 John Chrysostom

John Chrysostom (344/54-407) comments on texts involving *herem* in ways that do not directly respond to moral criticism. However, the lessons he draws from Ahab's failure to kill the king of Aram, an ἀνὴρ ὀλέθριος,¹⁵⁸ are very similar to the observations made by Augustine concerning the failure of the Israelites to fully carry out the *herem* command, and about Saul's "misericordia mala" towards king Agag. In a sermon "against the Jews," Chrysostom sums up the basic premise of divine-command-theory: "it is God's will and not the nature of things that makes the same actions good or bad."¹⁵⁹ For him, the moral drawn from 1 Kgs 20 is "[t]hat you may learn that, when God commands, you must not question too much the nature of the action; you have only to obey."¹⁶⁰

In fact,

[w]hat is done in accordance with God's will is the best of all things even if it seems to be bad. What is done contrary to God's will and decree is the worst and most unlawful of all things—even if humans judge that it is very good. Suppose someone slays another in accordance with God's will. This slaying is better than any loving-kindness. Let someone spare another and show him great love and kindness against God's decree. To spare the other's life would be more unholy than any slaying.¹⁶¹

Chrysostom's interest here is not the practice of *herem* per se, but the more general question of what makes an act good or bad. In context, he is arguing that while the fasts observed by the Jews might seem pious, they are not in fact pleasing to God since they are not observed in accordance with his commands. It is remarkable, however, that Chrysostom, despite the very violent examples he provides, does not qualify his exhortation to obey the command of God without questioning (contrast, e.g., Origen's repeated emphasis that the Christian's warfare is *solely* spiritual, cf. chapter three).

¹⁵⁸ 1 Kgs 20:42; MT: אִישׁ־חֲרָמִי

¹⁵⁹ Οὐ γὰρ ἡ φύσις τῶν πραγμάτων, ἀλλ' αἱ τοῦ Θεοῦ ψῆφοι καλὰ καὶ φαῦλα εἶναι τὰ αὐτὰ ποιοῦσι. *Adv. Iudaeos*, IV.i.6; ET in John Chrysostom, *Discourses Against Judaizing Christians*, trsl. by Paul W. Harkins, (Washington, D.C: Catholic University of America Press, 1979).

¹⁶⁰ *ibid.*, IV.ii.4.

¹⁶¹ *ibid.*, IV.i.6.

Chrysostom also makes homiletical and hortatory use of another *herem* narrative, viz. the story of Achan (Josh 7), in a sermon focussing on the reverence befitting the divine service. In it, he criticises Christians who attend pagan spectacles, or who come to church to discuss mundane affairs with their neighbours. Imagining an interlocutor who blames the bad state of public affairs on those in government, he responds that a people not only has the leaders it deserves but also that even the most godly leaders could not avert disaster if their subjects are sinful.¹⁶² In order to make this point, he retells the story of Achan, describing Joshua (Ἰησοῦ τοῦ Ναυῆ) in the by then traditional fashion as an “image and type of our true saviour Jesus Christ.”¹⁶³ In describing the *herem* command, he provides a synonym meaning “consecrate” to make clear what is meant.¹⁶⁴ When Achan takes of the consecrated booty, the Lord turns against all the children of Israel. Chrysostom emphasises that it was the sin of one individual that brought punishment on the entire people.

Having made this point, Chrysostom asks, in a passage rich with biblical allusions: “What is this, good Master? You alone are just and your judgments are right. You render to each according to his works. You have said, O friend of humans, that each shall die in his own sin, that he shall not be punished for the sins of another. What then of this your just judgment?”¹⁶⁵ It is impossible to ascertain, on the basis of the written text, for how long this question might have been left hanging in the air.

However, in the words that follow immediately in the printed text, Chrysostom makes clear that any questioning of the divine justice is purely rhetorical for him: “All your provisions are beautiful, Lord, exceedingly beautiful and in our best interest. Sin is a corruption, he says, so let him be subjected to public disgrace in the punishment, lest he corrupt everyone else.” All this serves a hortatory use: “so knowing what great a threat is posed by a single transgression, they will flee the eternal punishment brought about by a multitude [of transgressions].”¹⁶⁶

Turning to the punishment visited on Achan and his household, Chrysostom invites his listeners to consider his shameful and ruinous death. Of his stoning together with his sons and

¹⁶² *Hom. Ozias*, I.4 in John Chrysostom, *Homélies Sur Ozias*, ed. and trsl. by Jean Dumortier, (Paris: Éditions du Cerf, 1981).

¹⁶³ *ibid.*, I.5, ἰκόνα καὶ τύπον ἐπέχοντος τοῦ ἀληθινοῦ Σωτῆρος ἡμῶν Ἰησοῦ Χριστοῦ.

¹⁶⁴ *ibid.*, Ἀφιερώθη, φησίν, ἅπαντα τὰ ἐν τῇ πόλει τοῦτο γὰρ τὸ ἀνάθημα δηλοῖ.

¹⁶⁵ cf. 2 Macc 1:25, Dan 3:27, Tob 3:5, Ps 61:3; Prov 24:12, Sir 16:12.14, Isa 3:11, Jer 27:29, Lam 3:64; Ezek 18:20.

¹⁶⁶ *Hom. Ozias*, I.6.

daughters and all that was his, Chrysostom says: “This is the reward for lawlessness, this is God’s impartial punishment. Having seen this, let us consider our present troubles to be the punishment for our own sins, each day examining ourselves for any reproach. Let us attribute their cause to us, rather than to others. For the evils that befall us are not only due to the negligence of [our] leaders, but rather much more due to our own faults.”¹⁶⁷

In summation, then, John Chrysostom’s approach to *herem* closely resembles that of Augustine’s. On the one hand, his commitment to divine-command-theory entails his unreserved approval of massacres commanded by God. On the other, the main homiletical point he draws from *herem* texts is hortatory: telling his congregation to beware lest an even more severe punishment befall them.

Before Chrysostom, another revered figure of Eastern theology, Basil of Caesarea (329-379), had in fact already made somewhat similar points about *herem* narratives; he referred to Samuel’s slaying of Agag as an example of godly wrath, and suggested that the terrible end of Achan illustrates judgment that is common to all disobedience.¹⁶⁸ Unlike Chrysostom, however, Basil did not in these contexts elaborate on the wider moral questions posed by these texts, or expand on the underlying divine-command-theory.

4.2.2 *Theodoret of Cyr*

Theodoret of Cyr (393-458), finally, brings together several of the interpretive angles presented above. Considering a charge of cruelty against “the prophet” (sc. Joshua, who destroyed everyone and ordered the officers to place their feet on the defeated kings; cf. Josh. 10), he responds:

Whoever accuses the prophet accuses him who gave the order: It was he who, through Moses, the lawgiver, enjoined the slaying of every single inhabitant of that land for reaching the limit of lawlessness and committing crimes deserving of extermination. For this reason, in ancient times, he brought on the flood and wiped out Sodom and Gomorrah with fire.

The prophet also ordered the officers to place their feet on the neck of the kings so that they would grow in confidence and go to battle with greater enthusiasm. And this is just what Jesus our Lord told us to do. ‘Lo, I have given you power to walk on

¹⁶⁷ *ibid.*

¹⁶⁸ *Adversus eos qui irascuntur*, 6 in Basil of Caesarea, *Opera Omnia* (Paris: J.-P. Migne, 1857), 368; *Prologus de iudicio Dei*, 4 in *ibid.*, 661.

snakes, and scorpions, and all the might of the foe.' So, may we too put our feet on the neck of hostile spirits.¹⁶⁹

Theodoret's first move is to appeal to the divine command, which exonerates the human agent. He then gives a reason for the extermination order, i.e. judgment for lawlessness deserving of total destruction. Theodoret's comments on "reaching the limits of lawlessness" may be an allusion to Gen 15:16 (the sin of the Amorites not yet being complete). The actual wording, however, is quite different and does not suggest a direct dependence on this verse.¹⁷⁰

Theodoret then gives prudential reasons why Joshua ordered his officers to subject the enemy kings to certain humiliating treatments, viz. to keep up morale. From these comments it is clear that Theodoret took the texts literally and defended their literal meaning. However, when he draws a lesson for "us", i.e. Christians, he appeals to a command of Jesus our Lord and relates the text to the spiritual warfare of a Christian, much like Barnabas, Justin Martyr, Origen, Augustine (in his sermons), and others before him.

Having thus briefly illustrated that Augustine was not alone in bringing divine-command-theory to bear on *herem* texts, I now turn to the most noteworthy example of this approach in the Middle Ages.

4.3 Thomas Aquinas

Comments on *herem* by Thomas Aquinas (1225-1274), an author whose "influence on Christian thinking is second only to writers like St Paul and St Augustine"¹⁷¹ are of self-evident interest to reception history. While Thomas' biblical commentaries do not include works containing *herem* narratives, he refers to *herem* passages in several sections of his magnum opus, the *Summa theologiae* (ST).¹⁷² In what follows, his pertinent remarks are first briefly set out and

¹⁶⁹ *Quaestiones in Octateuchum*, q. XII on Joshua, Theodoret of Cyr, *The Questions on the Octateuch. Vol II: On Leviticus, Numbers, Deuteronomy, Joshua, Judges and Ruth*, trsl. by Robert C. Hill, (Washington, D.C.: Catholic University of America Press, 2007), 287.

¹⁷⁰ εἰς ἔσχατον παρανομίας ἑλάσαντας, cf. Gen 15:16 (LXX): οὕτω γὰρ ἀναπεπλήρωνται αἱ ἁμαρτίαι τῶν Ἀμορραίων ἕως τοῦ νῦν.

¹⁷¹ Brian Davies, *The Thought of Thomas Aquinas* (Oxford; New York: Clarendon Press; Oxford University Press, 1992), vi.

¹⁷² Latin quotations are from Thomas Aquinas, *Summa Theologiae: Latin Text and English Translation, Introductions, Notes, Appendices, and Glossaries. 61 Vols.* (London: Blackfriars in conjunction with Eyre & Spottiswoode, 1964-1981). ET, unless otherwise noted, from the more literal version in Thomas Aquinas, *'The Summa Theologica of St. Thomas Aquinas. Second and Revised Edition, 1920. Literally translated by Fathers of the English Dominican Province. Online Edition Copyright © 2008 by Kevin Knight'*, <http://www.newadvent.org/summa>. Accessed 20 Jan 2012.

analyzed in their immediate context, in the order in which they appear in the ST. At the end of the section the various points Thomas makes are then summed up together.

To place Thomas' comments in context, it should be borne in mind that he arranged the ST in three parts, of which the second is subdivided into two further parts; within this overall structure, each part is composed of *quaestiones*, which are subdivided into *articuli*. "Every 'article' follows a fixed pattern. A yes/no question is raised, giving rise to an examination of two contradictory possibilities...The development of the article's question consists of four parts that begin with fixed formulas: 1. *Videtur quod non* ... 2. *Sed contra*, the introduction to arguments or authoritative pronouncements, supporting the opposite reply. 3. *Respondeo dicendum quod*..the beginning of the master's own doctrinal explanation.... 4. Finally, Aquinas offers rejoinders to the objections that were raised at the beginning."¹⁷³ Many of the moral concerns regarding *herem* are raised in *videtur quod non* sections, while Thomas' own responses are given in the *sed contra* or *respondeo dicendum quod* sections.

4.3.1 On the judicial precepts regarding foreigners (ST I.II, qu. 105)

In the *Prima Secundae Partis*, Thomas addresses, among other things, the issue of Law. In *question* 105, he examines the reason for the judicial precepts of the "vetus lex."¹⁷⁴ In *article* 3 of that question, he asks "Whether the judicial precepts regarding foreigners were framed in a suitable manner?"¹⁷⁵ Among the possible objections to an affirmative answer, Thomas lists the following, "Further, humans are much more akin to us than trees. But we should show greater care and love for these things that are nearest to us, according to Sirach 13:19: 'Every beast loveth its like: so also every man him that is nearest to himself.' Therefore the Lord unsuitably commanded that all the inhabitants of a captured hostile city were to be slain, but that the fruit-trees should not be cut down."¹⁷⁶

The *sed contra* is a short quotation from Proverbs (8:8), "All my words are just, there is nothing wicked or perverse in them." In his own response, Thomas distinguishes between peaceful relations with foreigners, and hostile ones. Regarding the latter, he says:

¹⁷³ J. A. Aertsen, 'Aquinas's Philosophy in its Historical Setting', in N. Kretzmann and Eleonore Stump (ed.), *The Cambridge Companion to Aquinas* (Cambridge; New York, NY: Cambridge University Press, 1993), 12-37, 18f.

¹⁷⁴ S.T., I.II., q. 105, pr.; *ratione judicialium praeceptorum*.

¹⁷⁵ *ibid.*, a. 3, arg. 1.

¹⁷⁶ *ibid.*, arg. 4: *Inconvenienter igitur dominus mandavit quod de civitatibus hostium captis omnes interficerent, et tamen arbores fructiferas non succiderent*; cf. Deut 20.

In like manner with regard to hostile relations with foreigners, the Law contained suitable precepts. For, in the first place, it commanded that war should be declared for a just cause (*ut bellum iuste iniretur*): thus it is commanded that when they advanced to besiege a city, they should at first make an offer of peace. Secondly, it enjoined that when once they had entered on a war they should undauntedly persevere in it, putting their trust in God. And in order that they might be the more heedful of this command, it ordered that on the approach of battle the priest should hearten them by promising them God's aid. Thirdly, it prescribed the removal of whatever might prove an obstacle to the fight, and that certain men, who might be in the way, should be sent home. Fourthly, it enjoined that they should use moderation in pursuing the advantage of victory, by sparing women and children, and by not cutting down fruit-trees of that country.¹⁷⁷

In this initial summary of the 'laws of war' in Deut 20, Thomas skips over the verses that command the devotion to destruction of the nearby Canaanite cities (cf. Philo above). He then proceeds by responding to each of the objections he listed earlier. He explains that certain nations (Moab, Ammon, Amalek) are perpetually excluded from citizenship in Israel "in detestationem culpae praeteritae." Though the context here is not *herem*, the reason Thomas gives for punishing entire nations is nevertheless relevant: "For just as one man is punished for a sin committed by him, in order that others seeing this may be deterred and refrain from sinning; so too may one nation or city be punished for a crime, that others may refrain from similar crimes."¹⁷⁸ Punishment for past sins and the deterrent effect on others make these laws just.

It is in his response to specific objections, that Thomas then directly addresses the commanded devotion to destruction of the Canaanite cities:

A distinction was observed with regard to hostile cities. For some of them were far distant, and were not among those which had been promised to them. When they had taken these cities, they killed all the men who had fought against God's people; whereas the women and children were spared. But in the neighboring cities which had been promised to them, all were ordered to be slain, on account of their former crimes, to punish which God sent the Israelites as executor of Divine justice: for it is written "because they have done wickedly, they are destroyed at thy coming in." The fruit-trees were commanded to be left untouched, for the use of the people themselves, to whom the city with its territory was destined to be subjected.¹⁷⁹

The annihilation of the Canaanites was "propter iniquitates eorum priores," Israel's role was that of being sent as "quasi divinae iustitiae executorum."¹⁸⁰ The scriptural argument Thomas adduces is from Deut 9:5, which in the Hebrew speaks of dispossession (יָרַשׁ) rather than

¹⁷⁷ *ibid.*, co.

¹⁷⁸ *ibid.*, ad 1.

¹⁷⁹ *ibid.*, ad 4; cf. Deut 9:5.

¹⁸⁰ cf. Augustine's "minister iudicandus", Qu. VI, 10.

annihilation but is translated in the Vulgate from which Thomas is quoting as: “quia illae egerunt impie, introeunte te deletae sunt.”¹⁸¹

In summation, Thomas regards the commanded *herem* as a just punishment visited on the Canaanites. He does not entertain the possibility that Israel could have incurred guilt in acting as they were commanded, being the executor of Divine justice. In addition, Thomas also gives a prudential reason for some of the legislation under discussion, viz. deterrence.

It should be noted, too, that in this article Thomas accounts for certain laws regarding the treatment of foreigners by appealing to God’s accommodation of the sinful desires of his people Israel: “It was not the intention of the Law to sanction the acceptance of usury from strangers, but only to tolerate it on account of the proneness of the Jews to avarice.”¹⁸² Remarkably, he does not entertain the possibility of accommodation with respect to the commanded *herem*.

4.3.2 On communion with unbelievers (ST II.II, qu. 10)

In considering the question whether it be lawful to have fellowship with unbelievers, Thomas quotes parts of Deut 7:2.3 in the *sed contra*: “It is written (Deut. 7): “Thou shalt make no league with them, nor show mercy to them; neither shalt thou make marriages with them.”¹⁸³ This quotation introduces Thomas’ argument that “communication with a particular person is forbidden to the faithful, in two ways: first, as a punishment of the person with whom they are forbidden to communicate; secondly, for the safety of those who are forbidden to communicate with others.” The former, Thomas explains, does not apply to unbelievers, who are outside the spiritual jurisdiction of the church, but only to Christians who have been anathematized. The latter applies to unbelievers in general and is aimed at “simple people and those who are weak in faith, whose perversion is to be feared as a probable result.”¹⁸⁴

Thomas links this latter category with the Deuteronomic command cited in *the sed contra*: “the Lord gave this command in reference to those nations into whose territory the Jews were about to enter. For the latter were inclined to idolatry, so that it was to be feared lest, through

¹⁸¹ cf. the LXX: κύριος ἐξολεθρεύσει αὐτοὺς ἀπὸ προσώπου σου.

¹⁸² *ibid.*, ad 3; cf. Augustine, who too is willing to consider accommodation with respect to the despoiling of the Egyptians (there, too, the alleged *avaritia* of the Jews is in view), but not with respect to *herem*.

¹⁸³ ST, II.II, qu. 10, a. 9, s.c.; *Sed contra* est quod dicitur Deut., non inibis cum eis foedus, nec misereberis eorum, neque sociabis cum eis connubia; cf. Deut 7:1 (Vul) “tradideritque eas Dominus Deus tuus tibi percuties eas usque ad internicionem non inibis cum eis foedus nec misereberis earum neque sociabis cum eis coniugia filiam tuam non dabis filio eius nec filiam illius accipies filio tuo.”

¹⁸⁴ *ibid.*, resp.

frequent dealings with those nations, they should be estranged from the faith: hence the text goes on: 'For she will turn away thy son from following Me.'¹⁸⁵ However, Thomas does not in this context investigate what it meant in practice not to show mercy to the Canaanites, and the biblical quotation in the *sed contra* also leaves out the explicit extermination command.

For Thomas, then, the prudential reason for avoiding seduction is still relevant for his Christian audience. While he does not quote the OT anathema command in Deut 7:2 (i.e. extermination), he explicates the verses that follow it in terms of the NT, ecclesial anathema (i.e. excommunication).

4.3.3 On war (ST II.II, qu. 40)

Thomas takes up the question of war as part of his discussion of the virtues, notably the virtue of charity. In *article 1*, he considers and rejects the proposition that it is always sinful to wage war. *Herem* could be said to be in the background indirectly, since in his response, Thomas quotes Augustine's just war definition from the latter's *Quaestiones in Heptateuchum*, VI, 10, which addresses the ruse used in the battle against Ai, a city that was later devoted to destruction.

In *article 2*, discussing whether it be lawful for clerics and bishops to fight, Thomas mentions another narrative that contains *herem*. In his response to an objection, he argues:

Prelates and clerics may, by the authority of their superiors, take part in wars, not indeed by taking up arms themselves, but by affording spiritual help to those who fight justly, by exhorting and absolving them, and by other like spiritual helps. Thus in the Old Testament the priests were commanded to sound the sacred trumpets in the battle. It was for this purpose that bishops or clerics were first allowed to go to the front: and it is an abuse of this permission, if any of them take up arms themselves.¹⁸⁶

Priests blowing the sacred trumpets in war undoubtedly refers to the sack of Jericho. Thomas, however, does not focus on the ensuing collapse of the walls or the devotion to destruction of the town's population. Rather, conceding that "it is meritorious to wage a just war," he adds that "it is rendered unlawful for clerics, by reason of their being deputed to works more meritorious still."¹⁸⁷

¹⁸⁵ *ibid.*, ad 4; (In the bi-lingual edition; both Piana and the Leonine editions print this as the reply ad 1.).

¹⁸⁶ II.II, q. 40, a. 2, ad 2; cf. Josh 6.

¹⁸⁷ *ibid.*, ad 4.

Thomas then takes up the question of whether it be lawful to lay ambushes in war. In his *sed contra*, he again quotes Augustine on the battle of Ai, and adds that “he proves this by the authority of the Lord, Who commanded Joshua to lay ambushes for the city.”¹⁸⁸ This examples illustrates that the biblical narrative combined with divine-command-theory are the basis for Thomas’ ethical deliberation at this point.

In conclusion, Thomas’ discussion of war does not directly address the justice of *herem*. However, taking his cue from Augustine, several of the biblical examples to which Thomas appeals are in very close proximity to *herem* narratives.

4.3.4 On homicide (ST II.II., q. 64)

Some of Thomas’ remarks concerning murder, which he takes up in the course of discussing the virtue of justice, are also pertinent to the subject in hand.

In justifying the claim that it is lawful to kill sinners, Thomas argues “By sinning man departs from the order of reason (ab ordine rationis recedit), and consequently falls away from the dignity of his manhood, in so far as he is naturally free, and exists for himself, and he falls into the slavish state of the beasts, by being disposed of according as he is useful to others. [...] Hence, although it be evil in itself to kill a man so long as he preserve his dignity, yet it may be good to kill a man who has sinned, even as it is to kill a beast.”¹⁸⁹ The taking of a human life is thus justified as a consequence of sin, and involves the denial of the full humanity of the person to be killed.

Taking up the question of whether it be lawful for clerics to kill evildoers, Thomas considers the argument that doing so would be an imitation of God himself, as well as of the Levites, Phinehas, Samuel, Elijah, Mattathias and the apostle Peter (Acts 5).¹⁹⁰ In the case of Samuel, the reference is to the slaying of Agag, king of Amalek, whom Saul fails to devote to destruction but whom the prophet eventually hews to pieces.

To this argument in favour of clerics killing evildoers, Thomas replies:

God works in all things without exception whatever is right, yet in each one according to its mode. Wherefore everyone should imitate God in that which is specially becoming to him. Hence, though God slays evildoers even corporally, it does not follow that all should imitate Him in this. As regards Peter, he did not put Ananias and Sapphira to death by his own authority or with his own hand, but

¹⁸⁸ *ibid.*, a. 3, s. c.; cf. Josh 8.

¹⁸⁹ ST, II.II, q. 64, a. 2, ad 3.

¹⁹⁰ *ibid.*, a. 4, arg. 1.

published their death sentence pronounced by God. The Priests or Levites of the Old Testament were the ministers of the Old Law, which appointed corporal penalties, so that it was fitting for them to slay with their own hands.¹⁹¹

As is the case with Augustine (e.g. in *Contra Faustum* and *Contra Adimantum*), Thomas' argument here hinges, at least in part, on seeing a substantial difference between the OT and the present, Christian dispensation.

In *article 6*, Thomas considers the question of whether it be lawful to kill the innocent. The first objection he addresses is an appeal to Abraham, who was willing to kill his innocent son – and was commended for it. Ergo, it would seem that “one may, without sin, kill an innocent person.”¹⁹²

However, Thomas rejects this view, arguing that what may otherwise be sinful is just when done in obedience to a divine command: “God is Lord of death and life, for by His decree both the sinful and the righteous die. Hence he who at God's command kills an innocent man does not sin, as neither does God Whose behest he executes: indeed his obedience to God's commands is a proof that he fears Him.”¹⁹³ God as having the “dominium mortis et vitae” over all his creatures is just in commanding the killing of the innocent as well as the guilty. And human agents are justified in carrying out divine commands. This is about as clear an articulation of divine-command-theory as possible.

Thus, while Thomas differentiates between what was appropriate under the OT and what is appropriate now, and generally only considers the killing of sinners to be permissible, his reading of scripture, paired with a view of God's absolute dominion and divine-command-ethics, leads him to conclude that even killing the innocent is just – when commanded by God.

4.3.5 On vengeance (ST II.II, qu. 108)

Thomas takes up the topic of vengeance in the context of his discussion of the virtue of justice. Inquiring whether vengeance be lawful, he considers the argument that vengeance “should not be taken on the sin of a multitude.”¹⁹⁴ To this, Thomas replies:

When the whole multitude sins, vengeance must be taken on them, either in respect of the whole multitude---thus the Egyptians were drowned in the Red Sea while they were pursuing the children of Israel, and the people of Sodom were

¹⁹¹ *ibid.*, ad 1.

¹⁹² *ibid.*, a. 6, arg. 1.

¹⁹³ *ibid.*, a. 6, ad 1.

¹⁹⁴ ST, II.II, q. 108, a. 1, arg. 5.

entirely destroyed – or as regards part of the multitude, as may be seen in the punishment of those who worshipped the calf. Sometimes, however, if there is hope of many making amends, the severity of vengeance should be brought to bear on a few of the principals, whose punishment fills the rest with fear; thus the Lord commanded the princes of the people to be hanged for the sin of the multitude. On the other hand, if it is not the whole but only a part of the multitude that has sinned, then if the guilty can be separated from the innocent, vengeance should be wrought on them: provided, however, that this can be done without scandal to others; else the multitude should be spared and severity foregone.¹⁹⁵

Two of the biblical instances of vengeance that Thomas mentions here were by direct divine action (Ex. 14 and Gn. 19), but the example from Num. 25 shows that human agency following a divine command is also in view. *Mutatis mutandis*, one might apply this kind of reasoning to the destruction of the nations of Canaan. For Thomas' argument to be applicable, however, one would need to presuppose that the whole Canaanite multitude had sinned and that there was no hope of making any amends. (On this view there would therefore not have been any innocents to be separated from the wicked.)

In article four, Thomas considers whether vengeance should be taken on those who have sinned involuntarily, a proposition he denies. Among the objections he considers is the following:

It seems that vengeance should be taken on those who have sinned involuntarily. For the will of one man does not follow from the will of another. Yet one man is punished for another, according to Ex. 20:5, "I am. . . God. . . jealous, visiting the iniquity of the fathers upon the children, unto the third and fourth generation." Thus for the sin of Ham, his son Canaan was cursed and for the sin of Gehazi, his descendants were struck with leprosy. Again the blood of Christ lays the descendants of the Jews under the ban of punishment, for they said: "His blood be upon us and upon our children." Moreover we read that the people of Israel were delivered into the hands of their enemies for the sin of Achan, and that the same people were overthrown by the Philistines on account of the sin of the sons of Eli. Therefore a person is to be punished without having deserved it voluntarily.¹⁹⁶

The mention of Achan already invokes the concept of *herem*, which is specifically mentioned in a further objection:

Further, ignorance makes an act involuntary. Now vengeance is sometimes taken on the ignorant. Thus the children of the people of Sodom, though they were in invincible ignorance, perished with their parents. Again, for the sin of Dathan and Abiram their children were swallowed up together with them. Moreover, dumb animals, which are devoid of reason, were commanded to be slain on account of

¹⁹⁵ *ibid.*, ad 5.

¹⁹⁶ *ibid.*, a. 4, arg. 1; *Ergo aliquis involuntarius est puniendus*; cf. Exod 20:5, Gen 9:25, 2 Kgs 5, Matt 27:25, Josh 7, 1 Kgs 4.

the sin of the Amalekites. Therefore vengeance is sometimes taken on those who have deserved it involuntarily.¹⁹⁷

In the case of the Amalekites, the *herem* command of course also included children, whom the objector presumably would have considered invincibly ignorant *per analogiam* with the children of Sodom.

In his response, Thomas distinguishes between two ways of looking at vengeance: "First, under the aspect of punishment, and in this way punishment is not due save for sin [...]. Secondly, punishment may be considered as a medicine, not only healing the past sin, but also preserving from future sin, or conducing to some good, and in this way a person is sometimes punished without any fault of his own, yet not without cause."¹⁹⁸

Thomas then adds this qualification:

It must, however, be observed that a medicine never removes a greater good in order to promote a lesser; thus the medicine of the body never blinds the eye, in order to repair the heel: yet sometimes it is harmful in lesser things that it may be helpful in things of greater consequence. And since spiritual goods are of the greatest consequence, while temporal goods are least important, sometimes a person is punished in his temporal goods without any fault of his own. Such are many of the punishments inflicted by God in this present life for our humiliation or probation. But no one is punished in spiritual goods without any fault on his part, neither in this nor in the future life, because in the latter punishment is not medicinal, but a result of spiritual condemnation.¹⁹⁹

Replying to the first objection noted above, Thomas applies this distinction in the following way:

A man is never condemned to a spiritual punishment for another man's sin, because spiritual punishment affects the soul, in respect of which each man is master of himself. But sometimes a man is condemned to punishment in temporal matters for the sin of another, and this for three reasons. First, because one man may be the temporal goods of another, and so he may be punished in punishment of the latter: thus children, as to the body, are a belonging of their father, and slaves are a possession of their master. Secondly, when one person's sin is transmitted to another, either by "imitation," as children copy the sins of their parents, and slaves the sins of their masters, so as to sin with greater daring; or by way of "merit," as the sinful subjects merit a sinful superior, according to Job 34:30, "Who maketh a man that is a hypocrite to reign for the sins of the people?" Hence the people of Israel were punished for David's sin in numbering the people (2 Sam. 24). This may also happen through some kind of "consent" or "connivance": thus sometimes even the good are punished in temporal matters together with the wicked, for not having condemned their sins, as Augustine says (De Civ. Dei i, 9).

¹⁹⁷ *ibid.*, arg. 3; cf. Gen 19, Num 16, 1 Sam 15; cf. also Augustine, Qu. VI,8 and VI,9 above.

¹⁹⁸ *ibid.*, co.

¹⁹⁹ *ibid.*; cf. Augustine against Julian.

Thirdly, in order to mark the unity of human fellowship, whereby one man is bound to be solicitous for another, lest he sin; and in order to inculcate horror of sin, seeing that the punishment of one affects all, as though all were one body, as Augustine says in speaking of the sin of Achan.²⁰⁰

A few paragraphs further down, Thomas applies this reasoning directly to the children of Sodom, Dathan and Abiram, and to the Amalekites' animals (and presumably their children, too):

By the judgment of God children are punished in temporal matters together with their parents, both because they are a possession of their parents, so that their parents are punished also in their person, and because this is for their good lest, should they be spared, they might imitate the sins of their parents, and thus deserve to be punished still more severely. Vengeance is wrought on dumb animals and any other irrational creatures, because in this way their owners are punished; and also in horror of sin.²⁰¹

For Thomas, killing children for the sins of their parents (e.g. by devoting them to destruction), thus is just because it reflects a punishment on their parents, who deserve punishment and whose property the children are, and because it keeps the children from imitating the sins of their parents. As Augustine does against Julian of Eclanum, Thomas also points out that no person will be condemned to spiritual, as over against temporal, punishment because of the sins of another. As is the case with Augustine, however, Thomas' doctrine of original sin seems to rule out any hope that unbaptized children could go to heaven.²⁰²

In summation, then, Thomas considers the following objections that are, or could be, raised against *herem*: treating fellow human beings with less care than trees (ST II.I, qu. 105); killing innocents (ST II.II, qu. 64); punishing innocents along with the guilty (ST II.II, qu. 108); exacting vengeance on those who sinned involuntarily, including children who are invincibly ignorant (*ibid.*).

His response follows largely Augustinian lines: God as the Lord of death and life can justly order the killing even of an innocent person (ST II.II, qu. 64). A human being carrying out a divine command is *ipso facto* justified (*ibid.*), which is also the reason why Joshua was justified in laying an ambush against Ai (ST II.II, qu. 40). The reason why the Canaanite cities were not offered terms of peace and why their women and children were not spared was that the Israelites were sent to punish them for their former crimes (ST I.II, qu. 105). Vengeance may be enacted even upon the innocent in a number of circumstances and for a variety of reasons: it only involves temporal not

²⁰⁰ *ibid.*, ad 1.

²⁰¹ *ibid.*, ad 3.

²⁰² cf. e.g. ST, III.I, q. 68, a. 9, co.

spiritual punishment; it may serve to mark the unity of humankind; some innocents, such as children, are temporal goods belonging to the guilty; some sins are transmitted to others by imitation, merit, consent and connivance (ST II.II, qu. 109). Children may not only be punished in temporal matters because they are the property of their guilty parents, but also for their own good, lest they imitate their parents' sin and become deserving of even more severe punishment (ibid.).

The justice of God is axiomatic for Thomas, e.g. "God works in all things without exception whatever is right" (ST II.II, qu. 64, art. 4, ad 1), as is the truthfulness of the scriptures, e.g. "All my words are just, there is nothing wicked or perverse in them" (ST I.II., qu. 105, art. 3, sed contra). As Augustine, however, Thomas points to a marked difference between the OT and the NT with respect to laws governing execution (ST. II.II, qu. 64, art. 4, ad 1), and insists that no one is punished eternally for another's sin.

4.4 John Calvin

John Calvin (1509-1564) was arguably the most influential of the sixteenth century Protestant reformers, both as a systematic theologian and as an exegete. Calvin's comments on *herem* in the present chapter are taken exclusively from his commentary on Joshua, which was his last literary work. It was completed only months before his death and as such reflects the mature thought of its author.²⁰³ The work's nineteenth century English translator even took it to be "his dying bequest to the Church—a solemn ratification of the System of Doctrine which he had so long, so earnestly, and so successfully propagated."²⁰⁴

²⁰³ Calvin was in the habit of composing his commentaries in Latin; while there is evidence that he translated some of them himself, it is not known whether he had a hand in the French edition of the commentary on Joshua. The French and Latin versions were both published posthumously: Jean Calvin, *Commentaires de M. Jean Caluin, sur le liure de Josué* (A Geneve: De l'imprimerie de F. Perrin, 1564) and idem, *Ioannis Calvini in Librum Iosue Brevis Commentarius* (Genevae: ex officina Francisci Perrini, 1564). Untypically, the publication of the French version preceded that of the Latin; cf. Wulfert Greef, *The Writings of John Calvin: An Introductory Guide* (Louisville, KY: Westminster John Knox, 2008), 89f. It has been suggested that the order of publication indicates that Calvin may have composed the commentary in his mother tongue; so T. H. L. Parker, *Calvin's Old Testament Commentaries* (Edinburgh: T. & T. Clark, 1986), 33. However, this circumstance is probably best explained by the political exigencies of the time; so R. A. Blacketer, 'The Moribund Moralists: Ethical Lessons in Calvin's Commentary on Joshua', *Nederlands Archief voor Kerkgeschiedenis* 85.1 (2005), 149-168, 150f. For the purposes of reception history, it is not necessary to decide this question; with respect to *herem*, I have not noticed any substantial differences in the French and Latin versions. ET according to Jean Calvin, *Commentaries on the Book of Joshua. Translated from the Original Latin, and Collated with the French Edition*, trsl. by Henry Beveridge, (Edinburgh: The Calvin Translation Society, 1854 [1564]).

²⁰⁴ ibid., "Translator's Preface," vi.

Calvin's Joshua commentary contains numerous discussions of *herem*. While they add little if anything new, they deserve detailed attention, especially in light of their wide dissemination (by means of sixteenth century printing presses to twenty-first century electronic readers and web browsers), and of Calvin's importance for Protestant theology and exegesis more generally.²⁰⁵

4.4.1 Linguistic comments

Calvin clearly is aware of *herem* as distinct category, as can be seen from these linguistic remarks made in the context of the sack of Jericho:

As to the Hebrew word *חרם*, I will now only briefly repeat from other passages. When it refers to sacred oblations, it becomes, in respect of men, equivalent to abolitions, since things devoted in this manner are renounced by them as completely as if they were annihilated. The equivalent Greek term is *ἀνάθημα*, or *ἀνάθεμα*, meaning set apart, or as it is properly expressed in French, interdicted. Hence the exhortation to beware of what was under anathema, inasmuch as that which had been set apart for God alone had perished, in so far as men were concerned. It is used in a different sense in the following verse, where caution is given not to place the camp of Israel in anathema. Here its simple meaning is, excision, perdition, or death. Moreover, God destined vessels made of metals for the use of the sanctuary; all other things he ordered to be consumed by fire, or destroyed in other manners.²⁰⁶

4.4.2 Divine-Command-Theory

The morality of consecrating humans to destruction comes into view in a subsequent section, in which Calvin lays out his divine-command-theory approach:

The indiscriminate and promiscuous slaughter, making no distinction of age or sex, but including alike women and children, the aged and decrepit, might seem an inhuman massacre, had it not been executed by the command of God. But as he, in whose hands are life and death, had justly doomed those nations to destruction, this puts an end to all discussion. We may add, that they had been borne with for four hundred years, until their iniquity was complete. Who will now presume to complain of excessive rigor, after God had so long delayed to execute judgment? If any one object that children, at least, were still free from fault, it is easy to answer, that they perished justly, as the race was accursed and reprobated. Here then it ought always to be remembered, that it would have been barbarous and atrocious cruelty had the Israelites gratified their own lust and rage, in slaughtering mothers and their children, but that they are justly praised for their active piety and holy zeal, in executing the command of God, who was pleased in this way to purge the

²⁰⁵ In March 2012 more than ten different English language paperback editions, as well as an "enhanced" kindle version, of Calvin's commentary on Joshua were available for purchase on amazon.co.uk, while it is also available for free online; an illustrative if unscientific indication of its continuing influence.

²⁰⁶ *ibid.*, comments on Josh 6:17, 95.

land of Canaan of the foul and loathsome defilement's by which it had long been polluted.²⁰⁷

The pattern is a familiar one: the command of God absolves the human actors from any guilt. God himself, as the Lord of life and death, had justly doomed those nations to destruction. In addition, Calvin references Gen 15:16 in an attempt to show that God had not been exceedingly harsh with the Canaanites, but rather patient. Even the Canaanite children perished justly as members of an accursed and reprobated race; and so the slaughtering of mothers and their children – at God's command – was a praiseworthy and pious act, an act of cleansing the land from defilement.

The importance of the divine command is highlighted again in comments on chapter ten:

Here the divine authority is again interposed in order completely to acquit Joshua of any charge of cruelty. Had he proceeded of his own accord to commit an indiscriminate massacre of women and children, no excuse could have exculpated him from the guilt of detestable cruelty, cruelty surpassing anything of which we read as having been perpetrated by savage tribes scarcely raised above the level of the brutes. But that at which all would otherwise be justly horrified, it becomes them to embrace with reverence, as proceeding from God. Clemency is justly praised as one of the principal virtues; but it is the clemency of those who moderate their wrath when they have been injured, and when they would have been justified, as individuals, in shedding blood. But as God had destined the swords of his people for the slaughter of the Amorites, Joshua could do nothing else than obey his command.²⁰⁸

For Calvin, this should settle the matter: "By this fact, then, not only are all mouths stopped, but all minds also are restrained from presuming to pass censure. When any one hears it said that Joshua slew all who came in his way without distinction, although they threw down their arms and suppliantly begged for mercy, the calmest minds are aroused by the bare and simple statement, but when it is added, that so God had commanded, there is no more ground for obloquy against him, than there is against those who pronounce sentence on criminals."²⁰⁹ It should be noted that the image of Canaanites throwing down their arms and begging for mercy owes more to Calvin's imagination, or possibly to reports from contemporary or medieval massacres (see e.g. chapter four on the sack of Jerusalem in 1099), than to the biblical texts.

The importance of Joshua's motive is paramount again in comments on the following chapter:

²⁰⁷ *ibid.*, comments on Josh 6:17, 97.

²⁰⁸ *ibid.*, comments on Josh 10:40, 163.

²⁰⁹ *ibid.*

Joshua did not give loose reins to his passion, when he slew all from the least to the greatest. For there is now a distinct statement of what had not yet been expressed, namely, that Joshua faithfully performed his part, by fulfilling everything which the Lord had enjoined by Moses. It is just as if he had placed his hands at the disposal of God, when he destroyed those nations according to his command. And so ought we to hold that, though the whole world should condemn us, it is sufficient to free us from all blame, that we have the authority of God.²¹⁰

The pattern of justification remains unchanged: God has commanded the acts in question. To obey God is always just. Therefore the acts in question are just.

4.4.3 *Reasons for God's judgment*

Calvin also gives a number of reasons why the divine extermination commands had been given. First, there is judgment for sin: "from the least even to the greatest were deserving of death, because their iniquity had reached the highest pitch."²¹¹ Then, there is the holiness of the land, and the protection of God's people against being corrupted: "*First*, inasmuch as God had consecrated the land to himself, he wished it to be purged of all impurities; and *secondly*, inasmuch as he saw how prone the people were to be corrupted by bad example, he wished also to provide a remedy for this evil."²¹² Finally, the harsh punishments visited on the Canaanites were also designed to teach the Israelites a lesson: "[t]he fearful sight had at the same time the effect of striking terror, so as to prevent the Israelites from imitating the manners of nations whose crimes they had seen so severely punished."²¹³

4.4.4 *One judgment remains mysterious*

While Calvin accounts for the killing of Canaanite children in terms of their membership in an accursed race (see above), the destruction of the children of Achan, bearing the "infallible symbol of adoption," is in the final analysis incomprehensible to him. He speculates that the punishment may have been medicinal (presumably, if they were among the elect). Conversely, if they were among the reprobate, he suggests, it ultimately does not matter at which point in their lives they are judged:

If any one is disturbed and offended by the severity of the punishment, he must always be brought back to this point, that though our reason dissent from the judgments of God, we must check our presumption by the curb of a pious modesty and soberness, and not disapprove whatever does not please us. It seems harsh,

²¹⁰ *ibid.*, comments on Josh 11:12, 170. The editors here contrast Calvin's Latin and French versions: "Deum habere autorem;" "Que nous ayons Dieu pour garant et autheur (sic) de ce que nous faisons."

²¹¹ *ibid.*, comments on Josh 10:18, 158.

²¹² *ibid.*, comments on Josh 23:12, 267f.

²¹³ *ibid.*, comments on Josh 10:18, 159.

nay, barbarous and inhuman, that young children, without fault, should be hurried off to cruel execution, to be stoned and burned. That dumb animals should be treated in the same manner is not so strange, as they were created for the sake of men, and thus deservedly follow the fate of their owners. Everything, therefore, which Achan possessed perished with him as an accessory, but still it seems a cruel vengeance to stone and burn children for the crime of their father; and here God publicly inflicts punishment on children for the sake of their parents, contrary to what he declares by Ezekiel. But how it is that he destroys no one who is innocent, and visits the sins of fathers upon children, I briefly explained when speaking of the common destruction of the city of Jericho, and the promiscuous slaughter of all ages. The infants and children who then perished by the sword we bewail as unworthily slain, as they had no apparent fault; but if we consider how much more deeply divine knowledge penetrates than human intellect can possibly do, we will rather acquiesce in his decree, than hurry ourselves to a precipice by giving way to presumption and extravagant pride. It was certainly not owing to reckless hatred that the sons of Achan were pitilessly slain. Not only were they the creatures of God's hand, but circumcision, the infallible symbol of adoption, was engraved on their flesh; and yet he adjudges them to death.²¹⁴

This leaves Calvin perplexed, and leads him to conclude: "What here remains for us, but to acknowledge our weakness and submit to his incomprehensible counsel? It may be that death proved to them a medicine; but if they were reprobate, then condemnation could not be premature."²¹⁵

4.4.5 Herem and the law of nations

Calvin is more certain as to how to resolve another conundrum: the command to commit all the Canaanites to destruction, and the remarks in Joshua that not a single Canaanite city made peace with the Israelites.²¹⁶ In the context of the narrative regarding the Gibeonites, Calvin suggests that "we shall see elsewhere that the Israelites were ordered to offer peace to all, that *they* might thereafter have a just and legitimate cause for declaring war." Taken alongside the *herem* commands this poses a logical problem:

Here, however, a question arises; as the Israelites object that they are not at liberty to make any paction with the nations of Canaan, but are bound to exterminate them utterly. There is certainly a discrepancy between the two things — to exhort to submission, and at the same time refuse to admit suppliants and volunteers. But although God required that the laws of war should be observed according to use and wont, and that, therefore, peace should be offered on condition of submitting, he merely wished to try the minds of those nations, that they might bring destruction upon themselves by their own obstinacy. At the same time, it was

²¹⁴ *ibid.*, comments on Josh 7:24, 116f.

²¹⁵ *ibid.*, 117.

²¹⁶ For Calvin, the extermination command extended to every individual: "they had been simply and precisely commanded to purge the land by putting every individual to death, and to succeed to the place of those they had slain", *ibid.*, comments on 9:3, 139; "quia simpliciter et praecise mandatum fuerat ut omnibus ad unum interfectis, terram purgarent, et succederent in locum mortuorum."

intimated to the Israelitish people, that they must destroy them; and hence the conclusion necessarily followed, that those who dwelt in the land of Canaan could not be tolerated, and that it was unlawful to make a covenant with them. We shall afterwards find both things distinctly expressed, viz., that all persisted in carrying on war, because it had been the divine intention that their hearts should be hardened, and that they should perish. It was, therefore, a legitimate inference that those who were doomed to death could not be preserved.²¹⁷

So, for Calvin, at one level, the laws of just war and just cause were intended to be upheld, while at the same time the destruction of the Canaanites was a foregone conclusion. He returns to this point in a subsequent chapter and lays out the challenge:

There was not a city that made peace, etc This sentence appears, at first sight, contradictory to what is everywhere said in the books of Moses, that the Israelites were not to enter into any league with those nations, or make any terms of peace with them, but, on the contrary, to destroy them utterly, and wipe out their race and name. Seeing the nations were thus excluded from the means of making any paction, and would in vain have made any proposals for peace, it seems absurd to ascribe the destruction, which they had not even the means of deprecating, to their obstinacy.

For, let us suppose that they had sent ambassadors before them with olive branches in their hands, and had been intent on pacific measures, Joshua would at once have answered that he could not lawfully enter into any negotiation, as the Lord had forbidden it. Wherefore, had they made a hundred attempts to avoid war, they must, nevertheless, have perished. Why, then, are they blamed for not having sought peace, as if they had not been driven by necessity to fight, after they saw they had to do with an implacable people? But if it was not free to them to act otherwise, it is unjust to lay any blame upon them when they acted under compulsion in opposing the fury of their enemy.²¹⁸

He then addresses the problem by an appeal to God's wonderful providence:

To this objection, I answer, that the Israelites, though they were forbidden to show them any mercy, were met in a hostile manner, in order that the war might be just. And it was wonderfully arranged by the secret providence of God, that, being doomed to destruction, they should voluntarily offer themselves to it, and by provoking the Israelites be the cause of their own ruin. The Lord, therefore, besides ordering that pardon should be denied them, also incited them to blind fury, that no room might be left for mercy. And it behooved the people not to be too wise or prying in this matter. For while the Lord, on the one hand, interdicted them from entering into any covenant, and, on the other, was unwilling that they should take hostile measures without being provoked, a too anxious discussion of the procedure might have greatly unsettled their minds. Hence the only way of freeing themselves from perplexity was to lay their care on the bosom of God. And he in his incomprehensible wisdom provided that when the time for action arrived, his people should not be impeded in their course by any obstacle. Thus the kings beyond the Jordan, as they had been the first to take up arms, justly suffered the punishment of their temerity. For the Israelites did not assail them with hostile

²¹⁷ *ibid.*, comments on Josh 9:3, 138f.

²¹⁸ *ibid.*, comments on Josh 11:19, 173.

arms until they had been provoked. In the same way, also, the citizens of Jericho, by having shut their gates, were the first to declare war. The case is the same with the others, who, by their obstinacy, furnished the Israelites with a ground for prosecuting the war.

Augustine had already interpreted the shutting of Jericho's gates as a hostile act; however, unlike is the case with Calvin, Augustine's intention had not been to argue that the Israelites had observed the law of nations in their attack on Jericho, but was rather occasioned by exegetical necessity (cf. the comments above on Qu. VI,26).

Finally, Calvin sums up his solution to the conundrum in these words:

It now appears how perfectly consistent the two things are. The Lord commanded Moses to destroy the nations whom he had doomed to destruction; and he accordingly opened a way for his own decree when he hardened the reprobate. In the first place, then, stands the will of God, which must be regarded as the principal cause. For seeing their iniquity had reached its height, he determined to destroy them. This was the origin of the command given to Moses, a command, however, which would have failed of its effect had not the chosen people been armed to execute the divine judgment, by the perverseness and obstinacy of those who were to be destroyed. God hardens them for this very end, that they may shut themselves out from mercy. Hence that hardness is called his work, because it secures the accomplishment of his design.²¹⁹

4.4.6 *The Israelites' reluctance to carry out herem*

As Augustine does before him, Calvin criticizes the Israelites' reluctance to totally annihilate the Canaanites. Towards the end of his commentary, for instance, Calvin faults them for sparing some of their doomed enemies: "it was only a just punishment of this gross contempt that they should experience molestation and hostility from those whom they had improperly spared."²²⁰

The Israelites' propensity to clemency was the reason for the "ignominious punishment" inflicted on one of the Canaanite kings, which was designed to prevent "the Israelites from indulging an unseasonable mercy, which might have made them more sluggish or careless in executing the work of universal extermination."²²¹

Calvin makes a similar point in commenting on a subsequent chapter:

it was expedient to give an example of inexorable rigor in the person of the kings, whom the people, from a perverse affectation of clemency, might have been too much disposed to pardon. It was the will of God that all should be destroyed, and

²¹⁹ *ibid.*, comments on Josh 11:19, 174ff.

²²⁰ *ibid.*, comments on Josh 23:12, 267f. "Improperly" translates the Latin "male." The French reads: "A tort et contre leur devoir."

²²¹ *ibid.*, comments on Josh 8:29, 129.

he had imposed the execution of this sentence on his people. Had he not stimulated them strongly to the performance of it, they might have found specious pretexts for giving pardon. But a mercy which impairs the authority of God at the will of man, is detestable.²²²

These comments are reminiscent of remarks by Augustine and other early commentators concerning Saul's "misericordia mala" (cf. above).

4.4.7 How contemporary Christians should respond to herem narratives

Calvin argues that rather than doubting the justice of God's command, we should simply accept it – and examine our own sinfulness:

Though, in our judgment at least, the children and many of the women also were without blame, let us remember that the judgment-seat of heaven is not subject to our laws. Nay, rather when we see how the green plants are thus burned, let us, who are dry wood, fear a heavier judgment for ourselves. And certainly, any man who will thoroughly examine himself, will find that he is deserving of a hundred deaths. Why, then, should not the Lord perceive just ground for one death in any infant which has only passed from its mother's womb? In vain shall we murmur or make noisy complaint, that he has doomed the whole offspring of an accursed race to the same destruction; the potter will nevertheless have absolute power over his own.²²³

He revisits the meaning of the *herem* commands for contemporary Christians near the end of his commentary:

It is now proper to consider how far this doctrine is applicable to us. It is true a special command was given to the ancient people to destroy the nations of Canaan, and keep aloof from all profane defilements. To us, in the present day, no certain region marks out our precise boundaries; nor are we armed with the sword to slay all the ungodly; we have only to beware of allowing ourselves to become involved in fellowship with wickedness, by not keeping at a sufficient distance from it. For it is almost impossible, if we mingle with it, spontaneously to avoid receiving some spot or blemish.²²⁴

The contemporary application is fairly limited, then: avoid fellowship with wickedness. Calvin emphasizes that Christians are not meant to slay all the ungodly. In an earlier passage he had already warned against an overzealous imitation of Joshua: "Meanwhile, it becomes us prudently to consider what each man's vocation requires, lest any one, by giving license to his

²²² *ibid.*, comments on Josh 10:18, 158; "Or c'este une misericorde qui merite d'estre deteestee, quand elle derogue a l'autorite de Dieu, et qu'elle la deminue selon qu'il semble bon aux hommes."

²²³ *ibid.*, comments on 10:40, 163f; cf. Luke 23:31; Rom 9:21.

²²⁴ *ibid.*, comments on Josh 23:12, 268.

zeal, as wishing to imitate Joshua, may be judged cruel and sanguinary, rather than a strict servant of God.”²²⁵

In summation, then, Calvin’s approach is firmly based on divine-command-theory ethics, whereby the just commands of a just God justify any human who obeys them. Certain acts that are just if carried out in response to a divine command would be barbarous and deeply sinful without it. In terms of explaining the reasons for the divine extermination commands Calvin is less likely than some of his predecessors to invoke mystery, but rather points to reprobation, to Canaanite sinfulness having reached its apex, to the concern for the purity of the land, and to the goal of keeping Israel from being corrupted. To this he adds the wholesome terror that *herem* would have instilled in its executioners, the Israelites.

Calvin is the first of the commentators reviewed in this chapter who clearly and obviously links the judgment on the Canaanites with God’s promise to Abraham in Gen 15:16, using this link as an argument against the charge that God’s judgment was overly harsh.²²⁶ While he explains the judgment on Canaanite children by their membership in a reprobate race, the judgment on Achan’s Israelite children, who in circumcision bore the marks of adoption, is harder for him to fathom. He offers some speculative possibilities, but concedes that it is, in the end, mysterious.

The apparent contradiction inherent in offering terms of peace to a people already irrevocably doomed to destruction is resolved by an appeal to God’s providence, which works in such a way as to fulfil the purposes of God’s judgment while at the same time also ensuring that the conventional laws of just war are upheld. Calvin follows Augustine in criticizing the Israelites for not totally wiping out every last Canaanite, and picks up a tradition stretching back to Philo when he presents the total *herem* of Jericho (including of inanimate objects) as a firstfruit offering to God.

Finally, in terms of the significance of the *herem* texts for his Christian audience, Calvin emphasises the need for introspective awareness of our own sinfulness, which is deserving of

²²⁵ *ibid.*, comments on Josh 11:12, 170f.

²²⁶ To my knowledge, the earliest clear example in Christian antiquity for this reasoning is found in the *Panarion* of Epiphanius of Salamis (315-403), who says in the context of the fall of Jericho: “for their punishment was due, since the tally of the Amorites’ sins had been completed.” (bk II, 66, 82,3). The context is a Manichean challenge of the allegedly irreconcilable difference between the OT and NT teaching on the Sabbath; *herem* as such is not mentioned. Epiphanius links the Amorites’ sin to Noah dividing the earth between his three sons, and to Canaan allegedly violating the oath to respect this division; cf. Epiphanius, *The Panarion of Epiphanius of Salamis 2-3, Books II and III (Sects 47-80, “De Fide”)*, trsl. by Frank Williams, (Leiden; New York: E.J. Brill, 1994), 301ff.

God's judgment, and the importance of staying away from corrupting influences. At the same time, he also makes the point that Christians should not imitate Joshua sword-in-hand, at least not without a prudent consideration of what each man's vocation requires.

The analysis of the material above has shown that the divine-command-theory approach to interpreting *herem* texts as Christian Scripture remained largely unchanged in the millennium that separates Calvin from Augustine; as will be seen in the final chapter, an effectively unmodified approach to reading *herem* texts still has its advocates today, including prominent philosophers of religion.

Structurally, the relationship between divine-command-theory and *herem* texts is bi-directional: on the one hand divine-command-theory is used to justify the biblical *herem* narratives in the face of moral criticism; on the other, in cases where the truth of the OT is assumed (e.g. in the context of Christian preaching or of intramural debates), *herem* commands are used to argue for and illustrate divine-command-theory, i.e. to suggest that actions have no intrinsic value but derive their moral status solely in relation to the divine will. Appeals to Saul's or Ahab's "misericordia mala" are examples of this.

This reasoning may at first appear circular: *herem* narratives are held to be morally unproblematic because of divine-command-theory; divine-command-theory is held to obtain because it alone can account for the justice of the *herem* narratives (and other morally challenging biblical texts). The apparent circularity is resolved, however, by the axiomatic assumption of the first and second premises of the hermeneutical dilemma. Traditionally, the warrant supplied for these foundational beliefs has been "because the Church says so." More recently, especially among Protestants, this claim has been modified to "because the bible says so." The epistemic foundations for either variation of that claim are of course open to debate.

5. *Violent readings*

Perhaps the most pressing contemporary worry about *herem* texts is the danger that they might be re-actualized, i.e. read in terms that justify genocidal violence not only in the distant Israelite past but also in the respective readers' contemporary situation; in the words of a recent study, "the last Christian who will seek to exterminate another nation on the pretense of killing Amalekites has not yet been born."¹ Similar worries are often expressed within the context of a wider debate about the violence inherent in monotheism, especially biblical monotheism.² Common sense suggests, and psychological studies have demonstrated, that violence enshrined in holy writ shapes human responses to it.³

While a detailed treatment of the wide-ranging criticism of monotheism, or of its allegedly intrinsic connection to violence, lies outside the boundaries of the present study, I will, in this chapter, analyse examples in which Christians have indeed appealed to *herem* texts to justify, support or urge extremely violent behaviour. The framing hermeneutical dilemma does not explicitly arise in these readings; the justice of divinely mandated mass killings is implicitly assumed (most likely in a fashion analogous to the divine-command-theory approaches of the previous chapter).

The chapter begins by briefly reviewing passages in Ambrose and Augustine that arguably are Patristic antecedents of later violent readings; the next section contains a detailed treatment of the medieval crusades; this is followed by a section on the Spanish conquest of the "New World," and a treatment of the development of English holy war thought in the sixteenth and seventeenth centuries. As ever in reception history, a decision had to be made what to include from a wealth of potentially relevant material; the crusades were chosen both because they played such a prominent role in Roland Bainton's influential tripartite typology of Christian

¹ Philip Jenkins, *Laying Down the Sword: Why we can't Ignore the Bible's Violent Verses* (New York: HarperOne, 2011), 21.

² cf. e.g. Schwartz, *The Curse of Cain*; Assmann, *Die mosaische Unterscheidung*; and, on *herem* particularly, idem, *Of God and Gods*, 113-120.

³ e.g. a frequently cited study by Israeli socio-psychologist George Tamarin, which demonstrated that the positive presentation in an authoritative text such as the bible leads to dramatically increased acceptance of reported genocidal acts, compared to a presentation of the very same acts in the context of an historical account to which respondents have no religious or ethnic connection; cf. G. R. Tamarin, 'The Influence of Ethnic and Religious Prejudice on Moral Judgment [1963]', in J. Niezing (ed.), *The Israeli Dilemma* (Rotterdam: Rotterdam University Press, 1973), 183-190; cf. also the convenient summary in Michael Prior, *The Bible and Colonialism: A Moral Critique* (Sheffield, England: Sheffield Academic Press, 1997), 36-39.

attitudes to war and peace, i.e. pacifism - just war - crusade;⁴ and because they are of considerable significance in today's geo-political discourse; similarly, Spanish colonialism in the Americas played an important role in Matthew Tindal's influential Deist critique of the OT generally and of *herem* specifically; English holy war thought, for its part, is also highlighted in Bainton's seminal study. Finally, in the concluding chapter, I will suggest more recent and contemporary cases of violent reception.

5.1 Christianity and war: the beginnings

An influential historical narrative portrays early Christianity during the first three centuries as almost universally sharing a strongly pacifist theology and practice; the reign of emperor Constantine (306-337) and the emergence of Christian theologies supporting at least some wars represents, on that account, some sort of fall.⁵ While the historical reality appears to have been rather more complex, the details need not detain us here, since the reception of *herem* does not seem to have played a significant role in that development.⁶

It should be noted, however, that the OT in general, and the accounts of Joshua's warfare in particular, were of significance from very early on, as can be illustrated from the works of Tertullian. According to him, those who argued that being a Christian was compatible with serving in the army appealed, amongst other things, to Joshua's leadership of an army and the wars of the Israelite people ("agmen agit et Iesus Naue, bellauit et populus"). Tertullian, however, essentially dismisses this kind of appeal to the OT as playing around ("si placet ludere"), and opposes any service in the army, even in times of peace.⁷

While positing a simplistic dichotomy between pre- and post-Constantinian theology would therefore be inaccurate, there can be little doubt that with the changed context in which Christian theology was carried out from the fourth century onwards, new emphases and themes emerged. Without attempting to retrace this complex development in any detail, I will consider a few

⁴ Roland Herbert Bainton, *Christian Attitudes Toward War and Peace: A Historical Survey and Critical Re-Evaluation* (London: Hodder and Stoughton, 1960), esp. chapter 3, "The Origins of the Crusading Idea in the Old Testament," and chapter 7, "From the Just War to the Crusade and Sectarian Pacifism."

⁵ For a very influential statement of this narrative, cf. *ibid.*, 66-84; for a collection of "pacifist" quotations from Tertullian, Justin Martyr, Origen and Lactantius see Gregory M. Reichberg, et al, *The Ethics of War: Classic and Contemporary Readings* (Oxford: Blackwell, 2006), 62-66; for illustrations of the gradual shift of opinion in the works of Eusebius of Caesaria, cf. Louis J. Swift, *The Early Fathers on War and Military Service* (Wilmington, Del.: M. Glazier, 1983), 82-89; cf. also Helgeland, *Christians and the Roman Army*.

⁶ For a critique of Bainton's account, cf. e.g. James Turner Johnson, *The Quest for Peace: Three Moral Traditions in Western Cultural History* (Princeton, NJ: Princeton University Press, 1987), 3-66.

⁷ Tertullian, *De Idolatria*, II.19.

elements in the writings of Ambrose and Augustine that are of particular relevance to the later warlike reception of *herem*.

5.1.1 Ambrose of Milan

Ambrose of Milan (d. 397) was arguably the “the first to formulate a Christian ethic of war,” or, at the very least, “the first to attempt consciously to blend together implications drawn from Christian morality with requirements for the waging of war established in Roman practice.”⁸ Ambrose appears to have considered war against the barbarians legitimate, since they were the natural enemies of Rome; he also extended the traditional Roman rationales for war, which went back to Cicero, to include the safeguarding of Christian orthodoxy.⁹

This extension of war for religious purposes is evident in Ambrose’s influential defence of the Nicene faith, *De fide*. The work had been requested by emperor Gratian, probably shortly after the devastating defeat his uncle and co-regent Valens (an Arian) had suffered at Adrianople on 9 August 378 at the hands of the Goths (also Arians).¹⁰ Ambrose responded initially by writing two volumes, and later appended a further three upon the emperor’s request; at the bookends of the first two volumes, Ambrose casts the war enterprise in religious terms and expresses the belief that orthodoxy would lead to victory.

Setting the scene in the preface, Ambrose writes “petis a me fidei libellum, sancte imperator, profecturus ad proelium. Nosti enim fide magis imperatoris quam virtute militum quaeri solere victoriam.”¹¹ He illustrates this point with two examples, the latter of which is taken from the battle against Jericho, “Iesus quoque, filius Nave, hostes, quos totius exercitus manu valida superare non poterat, septem tubarum sacerdotalium sono vicit, ubi ‘ducem militiae caelestis’ agnovit. Ergo et tu vincere paras, qui Christum adoras, vincere paras, qui fidem vindicas,

⁸ The quotations are, respectively, from L. J. Swift, ‘St. Ambrose on Violence and War’, *Transactions and Proceedings of the American Philological Association* 101. (1970), 533-543, 533 and Johnson, *The Quest for Peace*, 54; for a convenient compilation and brief analysis of Ambrose’s comments on warfare in general, cf. also Swift, *The Early Fathers*, 96-110.

⁹ Swift, *Ambrose*, 534f.

¹⁰ For a number of arguments supporting the traditional date of composition, e.g. shortly after the battle of Hadrianople, cf. Daniel H. Williams, *Ambrose of Milan and the End of the Nicene-Arian Conflicts* (Oxford: Clarendon Press, 1995), 129, n. 8; Swift, on the other hand, seems to imply that Gratian was *en route* to support his uncle’s campaign against the Goths, cf. Swift, *The Early Fathers*, 106; Marksches argues that any date between 377 and 380 is possible, cf. “Einleitung,” in Ambrose of Milan, *De fide (ad Gratianum) = Über den Glauben (an Gratian)*. Übersetzt und eingeleitet von Christoph Marksches. (Turnhout: Brepols, 2005), 47-49.

¹¹ *ibid.*, praef. 3

cuius a me libellum petisti.”¹² Here, the sack of Jericho is no longer read in terms of a spiritual battle against the vices, or of the future triumph of the church over the world (as it had been in much of the preceding Christian reception), but rather as a paradigm for warfare against flesh and blood, with the aid of Christ and for the true faith. It should also be noted, however, that while Ambrose certainly would have been aware of the fate of the inhabitants of Jericho, their annihilation is not in view, and, as we will see below, we have no indication to think that he would have advocated a similarly exhaustive slaughter of the Goths.

Ambrose returns to this religious framing of the war against the Goths in the final section of book two, where he identifies them with Israel’s apocalyptic enemy Gog and suggests that the defeats that the Roman Empire had recently suffered were caused by heretical preaching.¹³ He concludes the book with a prayer for the orthodox emperor to be victorious. Among the imagery Ambrose uses in this final section to express Christological orthodoxy is one that harks back to Joshua’s encounter with the commander of the heavenly hosts on the eve of the battle at Jericho, which he had mentioned in the preface; the orthodox person, says Ambrose, believes Jesus to be “verum ‘virtutum dominum’ et ‘caelestis militiae ducem.’”¹⁴ Imagery taken from the account of Joshua’s battle against Jericho thus frames the first two volumes of *De fide*.

However, it would almost certainly be wrong to conclude from these allusions to Jericho that Ambrose would have condoned indiscriminate mass killings. When faced with a real life massacre, viz. the killing of several thousand inhabitants of Thessalonica in 390, Ambrose objected to it in the strongest of terms. Emperor Theodosius had apparently ordered the execution of a fixed number of the city’s inhabitants as punishment for a violent uprising; he subsequently rescinded the order, but by then it was too late.

The two main accounts of the ensuing dispute between the bishop and the emperor are found in the fifth century ecclesiastical histories of Theodoret of Cyr and Sozomen.¹⁵ In his Ecclesiastical History, Theodoret highlights the indiscriminate killing of innocents together with

¹² *ibid.*

¹³ *ibid.*, II.xvi.136-40; cf. Ezek 39:10-12.

¹⁴ *ibid.*, 143; In a later volume, Ambrose again draws a parallel between Joshua’s faith in the commander of the armies of the Lord of hosts (Josh 5:13) and orthodox faith in the Son; however, in that context he does not focus only on the victory won over Jericho, but also on the salvation Rahab; cf. *de Fide*, V, x.126f.

¹⁵ How much of these accounts is tendentious myth-making and how much is the reporting of historical fact is of secondary importance for reception history, insofar as the attitude of the “received Ambrose” is of equal interest as that of the “historical Ambrose.” The story as told by these historians became iconic, cf. e.g. Anthony van Dyck’s “St Ambrose barring Theodosius from Milan Cathedral” (ca. 1619-20) in the National Gallery, London.

the guilty at Thessalonica, “καὶ τοὺς ἄθώους μετὰ τῶν ὑπευθύνων κατέκτεινεν” and criticizes the execution order as having sprung from passionate rage rather than from reason. There were no trials, and “multitudes were mowed down like ears of grain in harvest-tide. It is said that seven thousand perished.”¹⁶

The ecclesiastical histories, however, are not our only sources for Ambrose’s criticism of Theodosius’ actions; a letter from the bishop to the emperor survives, too, in which he rebukes him, calling the events in Thessalonica unprecedented and most atrocious (*quod nulla memoria habet...atrocissimum*), and urges him to do penance.¹⁷ The specific sin of which Ambrose accuses Theodosius is that of shedding innocent blood.¹⁸

While the context of this particular massacre is that of a rebellion within the Empire, and while differences of religion played no role in it, we have reason to think that Ambrose would not have condoned a similarly indiscriminate slaughter in an external war either. In *De officiis*, he applauds Elisha for sparing and feeding the Aramean soldiers on the grounds that “it would be seemly to spare an enemy and to grant life to an adversary, when that life might have been taken had he not been so sparing.” Doing what is seemly (*quod decorum est*) also proved beneficial (*utile*); “there was far greater glory for [Elisha] in pardoning the enemy than there would have been in destroying them, and far more benefit to be gained from saving the enemy than there would have been from taking them prisoner.”¹⁹ These comments, taken together with Ambrose’s recognition of the universal aspect of the Church and the essential unity of all humankind, “should make us wary of any facile generalizations about his endorsement of the legitimacy of wars against the barbarians,” or the unsparing pursuit of such wars.²⁰

Finally, Ambrose’s works also contain a number of references to *herem* narratives that have no application to contemporary warfare. In *De officiis*, he refers to Achan’s taking of the *herem* at

¹⁶ Theodoret of Cyr, *Kirchengeschichte* (Berlin: Akademie Verlag, 1954), V.17; ET by Blomfield Jackson. *Nicene and Post-Nicene Fathers, Second Series*, Vol. 3. Edited by Philip Schaff and Henry Wace. (Buffalo, NY: Christian Literature Publishing Co., 1892.) Revised and edited for New Advent by Kevin Knight. <<http://www.newadvent.org/fathers/2702.htm>>.

¹⁷ Ambrose, Epistola 51.6 in Ambrose of Milan, *Epistulae et Acta*. 4 Vol. (Vindobonae: Hoelder-Pichler-Tempsky, 1968-1996).

¹⁸ Ep. 51.13; Sozomen similarly objects to the shedding of innocent blood.; cf. Sozomen, *Kirchengeschichte* (Berlin: Akademie Verlag, 1995), VII.25.

¹⁹ *De Officiis*, III.ivx.87f in Ambrose of Milan, *De Officiis. Edited with an Introduction, Translation, and Commentary by Ivor J. Davidson* (Oxford: Oxford University Press, 2002); cf. 2 Kgs 6.

²⁰ Swift, *Ambrose*, 535; cf. the references there.

Jericho “while the city was still burning” to illustrate the power of greed.²¹ In the same work, he also extols Joshua’s and Caleb’s willingness to face adversity for advocating an attack on the nations of Canaan despite the opposition of the other spies and the people.²² In his *Exposition of Psalm 118* (MT 119), he comments on the expression “et lege tua miserere mei,” contrasting mercy that is granted “cum iustitia sapientiaque” with Saul’s sparing of Agag; the former is said to have sinned “in ipsa misericordia.”²³ Similarly, in *De Nabuthae*, Ambrose explains that judgment fell on Ahab, not because he had unjustly taken the vineyard of Naboth, a sin for which he had repented and for which he had received the promise of forgiveness, but rather for sparing king Ben-hadad of Aram, a “vir exterminationis,” in violation of God’s command.²⁴ In none of the instances above does Ambrose discuss their morality; nothing in them suggests that he had ethical reservations about the *herem* of Jericho, the conquest of Canaan, or the commands to destroy Agag or Ben-hadad.

In summation, then, Ambrose refers uncritically to a number of *herem* texts, much like many other Christian writers before and after him. Significantly, however, he is the first church leader to appeal to the Jericho narrative with a view to encourage a Christian emperor in the war he is waging against flesh and blood enemies in his own day and age. It should also be borne in mind, however, that Ambrose nowhere advocates the indiscriminate slaughter of noncombatants. When a slaughter of innocents occurs (albeit not in the context of war but of a rebellion within the Empire), he forcefully objects to the shedding of their blood, which condemnation decisively shapes the account given by the church historians Theodoret and Sozomen.

5.1.2 Augustine

Augustine is often referred to as the father of Christian just war theory. While his influence on the Western theological and moral tradition is beyond doubt, it is important to note that Augustine never set out a comprehensive theory of just war; rather, he made his influential

²¹ *De Officiis*, II.xxvi.129 in Ambrose of Milan, *De Officiis. Edited with an Introduction, Translation, and Commentary by Ivor J. Davidson*; he also mentions the sack of Jericho *en passant* in *ibid.*, III.x.67.

²² *ibid.*, III.viii.54; cf. Num 13-14.

²³ Commenting on Psalm 119:29b; Ambrose of Milan, *Sancti Ambrosii Opera. Pars V, Expositio Psalmi CXVIII.* (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 1999 [1913]), iv.23; cf. also viii.25.

²⁴ *De Nabuthae*, 17.72, in Ambrose of Milan, *De Iacob; De Ioseph; De Patriarchis; De Fuga Saeculi; De Interpretatione Iob Et David; De Apologia David; Apologia David Altera; De Helia Et Ieiunio; De Nabuthae; De Tobia* (Vindobonae: F. Tempsky; G. Freytag, 1897); cf. 1 Kgs 20:34; אִישׁ־חַרְמִי (MT); vir dignus morte (VUL).

comments largely *en passant*, i.e. as he was remarking upon other matters.²⁵ In addition, it needs to be stressed that “his teaching on just war did not become authoritative Church doctrine until the twelfth century or later.”²⁶ For present purposes, I will focus only on two aspects of Augustine’s thoughts regarding war; significantly, they both emerge from comments on the wars of conquest under Joshua.

The first aspect concerns what is traditionally known as the *jus ad bellum*, i.e. the grounds on which a just war may be fought. Beyond restating Cicero’s “*rebus repetitis*” in terms of the somewhat wider “*ulciscuntur iniurias*,” Augustine added a further category of just wars, i.e. those commanded by God: “*sed etiam hoc genus belli sine dubitatione iustum est, quod deus imperat.*”²⁷ Not least because of Augustine’s enormous standing in the Latin West, wars commanded by God remained a distinct category in Christian just war theory at least into the 17th century.²⁸ While this aspect of exegetically-rooted moral theology is of considerable interest, it significantly exceeds the reception of *herem* specifically, and therefore mostly lies outside the boundaries of the present work.

A second aspect of Augustine’s thought, however, is more directly relevant. It concerns what is known as the *jus in bello*, i.e. the limitations placed on the prosecution of war. The important point to make here is that there is no significant *jus in bello* in Augustine. A recent commentator connects the absence of noncombatant immunity in Augustine’s thought directly to OT *herem* commands, “Augustine’s lack of concern may stem from the perspective on war found in the Hebrew Scriptures, especially Deuteronomy and Joshua, where God sanctions the annihilation of all enemy subjects in certain circumstances: it is difficult to reconcile a universally applicable principle of noncombatant immunity with God’s command to the Israelites, ‘You must not let anything that breathes remain alive’ (Deuteronomy 20:16).”²⁹

The details of Augustine’s views on the *jus in bello* are debated. On the one hand, Hartigan suggests that Augustine “presented no clear-cut argument for the protection of the innocent,

²⁵ On Augustine’s contribution and influence, cf. eg. Frederick H. Russell, *The Just War in the Middle Ages* (Cambridge; New York: Cambridge University Press, 1975), 16-27; Johnson, *The Quest for Peace*, 56-66.

²⁶ *ibid.*, 58.

²⁷ Both of these comments are made in the context of Joshua’s battle against Ai; Augustine, Qu. VI.10; cf. e.g. Russell, *Just War*, 20-22.

²⁸ For 16th and 17th century examples, cf. e.g. the section on Christian holy war below, based largely on Johnson, *The Quest for Peace*, 81-146.

²⁹ B. Perabo, ‘The Proportionate Treatment of Enemy Subjects: A Reformulation of the Principle of Discrimination’, *Journal of Military Ethics* 7.2 (2008), 136-156, 145f.

especially for the civilian innocent or noncombatant, in time of war. On the contrary, he indicates explicitly, often and in several contexts, that he is unconcerned with the fate of the innocent so far as the necessities of just war are concerned.”³⁰ On the other hand, Swift insists that Augustine does recognize the existence of innocents in war, which alone gives meaning to his condemnation of practices such as “rape, the violation of children, and the slaughter of prisoners.”³¹ Swift further suggests that Hartigan misunderstands the concept of guilt operational in Augustine’s thought, construing it in terms of a subject’s interior disposition, which is not open to human assessment. Against this view, Swift proposes the presence of an objective criterion of guilt in Augustine, i.e. the participation in an unjust war, which is accessible to prudential human judgment. From this, Swift concludes “that there are people who are identifiably guiltless in the recognizably objective sense of not being combatants (i.e. women, children, prisoners). Killing these, as Augustine makes plain, is immoral.”³²

While Swift’s view might explain certain nuances in Augustine’s thought, it should be noted that in the case of the divinely mandated wars of extermination against the Canaanites, Augustine understood the Israelites as blameless ministers of God’s just decrees; in this case, the guilt of Canaanite children and women had been established beyond doubt by the divine decree, and their execution at the hand of the Israelites was just.³³

5.2 The crusades of the Middle Ages

More than 700 years separate the writing of Ambrose’s *De Fide* from pope Urban II’s proclamation of the First Crusade in 1095. While Ambrose’s work contains the first Christian example of OT warfare texts being deployed in support of a war waged against flesh-and-blood enemies who were also branded heretics, the crusades are arguably the most notorious case of war and violence carried out by Christians against non-Christians on at least ostensibly religious grounds. This is not the place to retrace the long and complex history of the intervening centuries and the emergence of the concept of crusading; however, a few general remarks will help set the

³⁰ R. S. Hartigan, 'Saint Augustine on War and Killing: The Problem of the Innocent', *Journal of the History of Ideas* 27.2 (1966), 195-204, 203.

³¹ L. J. Swift, 'Augustine on War and Killing: Another View', *The Harvard Theological Review* 66.3 (1973), 369-383, 380. In support, Swift cites *De Civitate Dei*, I.4,5 and 7.

³² *ibid.*, 381f; in support of this claim, Swift also refers to the beginning of *De Civitate Dei*.

³³ cf. the section on Augustine in the previous chapter.

scene for the detailed analysis of the texts that are specifically relevant to the reception of *herem*.³⁴

5.2.1 What were the crusades?

The question of what in fact constitutes a crusade is debated, especially with respect to the importance accorded to the goal of liberating Jerusalem, which is judged to be essential by “traditionalist” historians.³⁵ The starting point for a “pluralist” perspective, on the other hand, is that “[t]o contemporaries...a crusade was an expedition authorized by the pope on Christ’s behalf, the leading participants in which took vows and consequently wore crosses and enjoyed the protection at home and the indulgence, which, when the campaign was not destined for the East, was equated with that granted to crusaders to the Holy Land.”³⁶ Even broader than this is the “generalist” approach, in which crusade is understood in terms of “holy war and the justification of fighting in defense of the faith.”³⁷

The majority of the material analysed in this section relates to crusades in the narrow, traditionalist sense, but sermons addressing crusades that were not to ‘the East’ are also included. For the time from the First Crusade (1095-1102) until the “maturity of crusading” (1229-c. 1291)³⁸ I have attempted to be as comprehensive as possible in the sources I searched for evidence of a reception of *herem*. The material reviewed comprises chronicles,³⁹ sermons,⁴⁰ songs,⁴¹ as well as pertinent secondary literature.⁴²

³⁴ For a persuasive account of the origin of crusading, cf. e.g. Jonathan Simon Christopher Riley-Smith, *The First Crusade and the Idea of Crusading* (Philadelphia: University of Pennsylvania Press, 1986).

³⁵ cf. G. Constable, 'The Historiography of the Crusades', in A. E. Laiou and Roy P. Mottahedeh (ed.), *The Crusades from the Perspective of Byzantium and the Muslim World* (Washington, D.C.: Dumbarton Oaks Research Library and Collection, 2001), 1-22, 12.

³⁶ Jonathan Simon Christopher Riley-Smith, *What were the Crusades?* (Basingstoke: Palgrave Macmillan, 2009), 5.

³⁷ *ibid.*

³⁸ Jonathan Simon Christopher Riley-Smith, *The Crusades: A History* (London: Continuum, 2005 [2nd ed]), 183

³⁹ *Recueil Des Historiens Des Croisades. Historiens Occidentaux. Vol 1-5.* (Paris: L'Academie Impériale des Inscriptions et Belles-Lettres, 1844-1895). Beyond the analysis of the pertinent texts quoted below, I reviewed the entries indexed under permutations of Ai, Agag, Amalek, anathema, Canaan, Canaanites, exterminare, exterminatio, Jericho, Joshua, Og and Sihon.

⁴⁰ Beyond the sermons included in the various chronicles and the individually published sermons analysed below, I consulted the following specialized monographs: Penny J. Cole, *The Preaching of the Crusades to the Holy Land, 1095-1270* (Cambridge, Mass.: Medieval Academy of America, 1991); Christoph T. Maier, *Preaching the Crusades: Mendicant Friars and the Cross in the Thirteenth Century* (Cambridge: Cambridge University Press, 1994) and *idem, Crusade Propaganda and Ideology: Model Sermons for the Preaching of the Cross* (Cambridge; New York: Cambridge University Press, 2000).

By way of general introduction, it should probably also be noted that current crusade scholarship has revised certain judgments of earlier generations and specifically called into question the thesis that the crusades were an early example of exploitative colonial expansion undertaken primarily for material gain. It has been demonstrated that piety was an important motivating factor for the crusaders, who undertook the expedition to Jerusalem at great financial cost and risk to life and limb.⁴³ While this insight is likely to contribute to a truer and more nuanced portrayal of the crusaders, it does not of course address the problem of religiously inspired violence. On the contrary, it arguably exacerbates it.

5.2.2 *The crusades and the Old Testament*

The literature on the crusades is rife with references to OT warfare; in the “single most influential study of the origins of the crusade,”⁴⁴ Carl Erdmann maintains that “[t]he first models in whose terms the religious idea of war was expressed were Old Testament figures, such as Joshua, Gideon, David, and Judas Maccabeus; throughout Christian history the military aspects of the Old Testament had a great impact.”⁴⁵ Similarly, in a chapter entitled “The Origins of the Crusading Idea in the Old Testament,” Roland Bainton suggests that “[t]he architects of the Christian crusade, therefore, drew their warrant from the books of the conquest and the Maccabean revolt.”⁴⁶ In a similar vein, a standard work on the just war in the Middle Ages claims

⁴¹ I consulted the following collections of primary texts and analyses: Joseph Bédier, *Les chansons de croisade* (Paris: H. Champion, 1909), Friedrich-Wilhelm Wentzlaff-Eggebert, *Kreuzzugsdichtung des Mittelalters: Studien zu ihrer geschichtlichen und dichterischen Wirklichkeit* (Berlin: De Gruyter, 1960), Goswin Spreckelmeyer, *Mittelateinische Kreuzzuglieder: Texte und Melodien* (Göppingen: Kümmerle, 1987), Ulrich Müller, *Kreuzzugsdichtung. 2., überarbeitete und ergänzte Auflage* (Tübingen: Niemeyer, 1979).

⁴² Beyond standard recent histories and specialized publications referenced throughout the chapter, I have particularly consulted Maria Böhmer, *Untersuchungen zur mittelhochdeutschen Kreuzzugslyrik* (Roma: M. Bulzoni, 1968), Goswin Spreckelmeyer, *Das Kreuzzuglied des lateinischen Mittelalters* (München: W. Fink, 1974), Roswitha Wisniewski, *Kreuzzugsdichtung: Idealität in der Wirklichkeit* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1984), and Ingrid Hartl, *Das Feindbild der Kreuzzugslyrik: das Aufeinandertreffen von Christen und Muslimen* (Bern: Lang, 2009).

⁴³ cf. eg Riley-Smith, *What were the Crusades?*, 55-69.

⁴⁴ J. France, 'Holy War and Holy Men: Erdmann and the Lives of the Saints', in M. Bull and Norman Housley (ed.), *The Experience of Crusading. Vol. 1, Western Approaches* (Cambridge; New York: Cambridge University Press, 2003), 193-208, 193.

⁴⁵ Carl Erdmann, *The Origin of the Idea of Crusade* (Princeton, NJ: Princeton University Press, 1977 [1935]), 273. Erdman immediately adds, “In the High Middle Ages, however, an even more important role was played by the saints to whom a special patronage of war and knights began to be ascribed.”

⁴⁶ Bainton, *Christian Attitudes Toward War and Peace: A Historical Survey and Critical Re-Evaluation*, 52

that “[t]o patristic and medieval writers the Old Testament served as an exemplary tapestry of divinely-sanctioned aggressive holy wars unrestrained by any feelings of mercy or guilt.”⁴⁷

It is a commonly held view today, finally, that the crusades represented a blending together of classical just war thought and biblical holy war traditions.⁴⁸ However, contrary to Bainton’s influential suggestion, it should be noted the crusades were not a separate category alongside pacifism and just war, but rather a sub-category of the latter.⁴⁹

In addition, Bainton’s oft-repeated suggestion that the “books of the conquest” played a decisive role in crusading ideology is not borne out by the evidence; based on a careful review of major collections of crusading sources, Douglas Earl has recently shown that the use of Joshua “was rare and generally undeveloped, especially when compared with the usage of other books such as Maccabees and the Gospels. The book of Joshua, and its interpretation in the Middle Ages was not inherent to the theology of the crusades, and there appears to be no ‘family resemblance’ that associates Joshua with the crusades.”⁵⁰ Despite the alleged absence of an overall “family resemblance,” however, the analysis below will draw on sources that Earl does not consider and show that Joshua typologies did in fact play a non-negligible role, particularly in the First Crusade.

As the preceding paragraphs illustrate, general statements about the influence of the OT on Christian attitudes towards the crusades abound.⁵¹ However, I am not aware of a comprehensive study analysing which biblical texts were most commonly used in this context, and tracing how the underlying hermeneutics changed over time.⁵² Beside’s Earl’s recent chapter on Joshua, the

⁴⁷ Russell, *Just War*, 10; cf. also e.g. Dennis Howard Green, *The Millstätter Exodus: A Crusading Epic* (Cambridge: University Press, 1966), 209-295.

⁴⁸ cf. e.g. H. E. J. Cowdrey, 'Christianity and the Morality of Warfare', in M. Bull and Norman Housley (ed.), *The Experience of Crusading. Vol. 1, Western Approaches* (Cambridge; New York: Cambridge University Press, 2003), 175-192.

⁴⁹ cf. e.g. L. Walters, 'The just War and the Crusade: Antithesis Or Analogies?', *The Monist* 57.4 (1973), 584-594; James Turner Johnson, *Ideology, Reason, and the Limitation of War: Religious and Secular Concepts, 1200-1740* (Princeton, NJ: Princeton University Press, 1975).

⁵⁰ D. Earl, 'Joshua and the Crusades', in H. A. Thomas, et al (ed.), *Holy War in the Bible: Christian Morality and an Old Testament Problem* (Downers Grove, IL: IVP Academic, 2013), 19-43, 41.

⁵¹ For general statements in addition to the above, cf. e.g. Christopher Tyerman, *God's War* (London: Penguin Books, 2007), 28-33.

⁵² Despite the undisputed importance of the OT in this epochal movement, a recent history of the interpretation of the HB/OT in the Middle Ages aimed at being comprehensive contains only three fleeting, insubstantial references to the crusades, cf. Magne Sæbø (ed.), *Hebrew Bible, Old Testament: The History of its Interpretation. Volume I from the Beginnings to the Middle Ages (Until 1300). Part 2: The Middle Ages* (Göttingen: Vandenhoeck & Ruprecht, 2000), 340, 366, 509.

closest to such an analysis is a short 1929 article examining the biblical quotations in six contemporary chronicles of the First Crusade, which highlights quotations especially from the Psalms and Isaiah, but also from Deuteronomy, Zechariah and the Gospels.⁵³ In addition, several recent monographs investigate the preaching of the crusades but do not methodically analyse the biblical texts cited and the hermeneutical moves involved.⁵⁴ It is of course far beyond the scope of this thesis to close this lacuna in research, focussing as I will much more narrowly on *herem* texts.

By way of introduction, two general hermeneutical developments should be noted. First, a tendency to identify Christendom, and more specifically the crusaders with the Israelites of old, regarding the latter as a type or foreshadowing of the former.⁵⁵ This development can be traced back to the ancient idea of the church as *verus Israel*, and, in a political sense, to certain fourth century responses to the conversion of Constantine and the gradual Christianization of the empire.⁵⁶ Its military implications became particularly important with the conversion of the warlike Germanic peoples of Europe, and the emergence of the Carolingian Empire.⁵⁷ The identification of certain Christianised peoples, and eventually, of Christendom with the OT *populus dei* was a key factor in this re-appropriation of the OT.⁵⁸ Second, this identification was further narrowed down to the crusading Christian armies in the late 11th and early 12th centuries, a step that represented “une nouveauté, d’une importance indéniable pour l’histoire de l’exégèse allégorique au Moyen Age.”⁵⁹ The fundamental change was that “l’objet de l’allégorie n’est plus le Christ, mais les chrétiens, et même une classe de chrétien, une heure précise de l’histoire de l’Eglise: les croisés, l’expédition entreprise en 1096.”⁶⁰ This is the overall context in which *herem* texts are received during the crusades.

In what follows, I will begin by looking at the Christian historiography surrounding one of the most notorious events of the crusades -- a massacre that, *prima facie*, displayed elements typical of *herem*; next I will consider the role that *herem*-related themes played in crusading songs, poems and epics; finally, I will analyse the reception of *herem* in 13th and 14th century crusading sermons.

⁵³ Pierre Alphanéry, "Les citations bibliques de la première croisade", in: *Revue de l'histoire des Religions*, 99, (1929), pp.139-157.

⁵⁴ Cole, *Preaching*, Maier, *Preaching*, Maier, *Propaganda*.

⁵⁵ cf. e.g. Alphanéry, *Citations bibliques*, 140-41.

⁵⁶ cf. e.g. the comments on Ambrose's *De Fide* above.

⁵⁷ cf. e.g. Green, *Millstätter Exodus*, 191ff, 203f; Russell, *Just War*, 28f.

⁵⁸ cf. e.g. Green, *Millstätter Exodus*, 202ff.

⁵⁹ cf. e.g. Alphanéry, *Citations bibliques*, 141.

⁶⁰ *ibid.*

5.2.3 The Jerusalem massacre 1099

When in July 1099 the crusaders finally reached the goal of their long, perilous and arduous campaign, they acted in ways that resonated with elements of one of the bible's best known *herem* narratives: just as the Israelites had done at Jericho, so the crusaders solemnly circumambulated the city before attacking it; and just as the Israelites had done at Jericho, so the crusaders killed a large proportion of the city's inhabitants, including women and children. The following section will investigate whether *herem* and/or Joshua typologies can be shown to have influenced either the practice and/or the ideology of the crusaders in this case. The analysis will consist of three elements: (1) the framing of the crusade through the seminal sermon by pope Urban II at Clermont; (2) the accounts of the circumambulation of Jerusalem on the eve of its sack; (3) the accounts of the massacre and the rationales offered for it.

5.2.3.1 Framing the crusades: Urban II at Clermont 1095

The sermon pope Urban II preached on 27 November 1095 at the council of Clermont is remembered as the event that launched the First Crusade. Five divergent versions of the speech are extant today, and its precise original content is not recoverable.⁶¹ However, from the perspective of reception history, it matters more that his speech was soon turned into "a commemorative and explanatory device."⁶² Not all crusade chronicles include an account of the sermon; those that do, however, effectively use it to set out the theological framework within which the entire crusade is understood and interpreted.

Two accounts of Urban's speech have no or only marginal relevance to the reception of *herem*. The briefest version is found in the anonymous but influential *Gesta Francorum* (ca. 1100-1101) and does not contain any OT references at all.⁶³ In the longer account of Guibert of Nogent (ca. 1104-1008, rev. 1111), Urban appeals to "the Maccabees [who] attained to the highest praise of piety because they fought for the ceremonies and the Temple."⁶⁴

Somewhat more relevant is the account by Robert of Rheims (ca. 1107) in which Urban speaks of the prospective enemies as "an accursed race, a race utterly alienated from God (gens

⁶¹ For an analysis of all five versions of the speech cf. Cole, *Preaching*, 1-36.

⁶² M. Bull, 'Muslims and Jerusalem in Miracle Stories', in M. Bull and Norman Housley (ed.), *The Experience of Crusading*. (Cambridge; New York: Cambridge University Press, 2003), 13-38, 22.

⁶³ cf. Edward Peters (ed.), *The First Crusade: The Chronicle of Fulcher of Chartres and Other Source Materials* (Philadelphia: University of Pennsylvania Press, 1998), 26 and Rosalind Hill (ed.), *Gesta Francorum Et Aliorum Hierosolymitanorum. English & Latin* (Oxford: Clarendon Press, 1962).

⁶⁴ Guibert of Nogent in Peters, *Source Materials*, here 34; ET and approximate dates in this sub-section in *ibid.*; cf. the comments in Cole, *Preaching*, 27ff.

extranea, gens prorsus a Deo aliena)" and calls on the Franks to "wrest that land from the wicked race (nefariae genti auferte), and subject it to yourselves. That land...was given by God into the possession of Israel."⁶⁵ The condemnation of a race as wicked, accursed and utterly alienated from God has a certain resonance with biblical accounts of the conquest of Canaan, as does the reference to the divine land grant to Israel.⁶⁶ However, Robert does not then turn to OT exempla to inspire the crusaders but rather to more recent ones: "Let the deeds of your ancestors move you...; the glory and greatness of king Charles the Great, and of his son Louis,..., who have destroyed the kingdoms of the pagans and have extended in these lands the territory of the holy church."⁶⁷ While Robert's version thus resonates with certain relevant OT texts, there are no direct echoes of *herem* itself.

In the account of Baldric of Dol (ca. 1108), by contrast, Urban makes explicit reference to narratives that evoke the concept of *herem*. Baldric was present at the council of Clermont but did not himself participate in the ensuing crusade; his account is heavily dependent on the *Gesta Francorum*, and his version of Urban's speech "indicates the theological rewriting and rethinking of the original sermon from a post-conquest perspective around 1108."⁶⁸

According to Baldric, Urban begins his sermon by delineating the sufferings of "our Christian brothers...in Jerusalem, in Antioch and the other cities of the East." Churches are used as stables, "the priesthood of God has been ground down into the dust." Jerusalem, the very place where "Christ Himself suffered for us," has been "reduced to the pollution of paganism." The pope then goes on to explain why this land is deservedly called holy: It is where the Saviour himself lived, as well as the Mother of God, the apostles, Stephen the protomartyr and John the Baptist. But Urban also reaches further back into biblical history: "Filii Israel ab Aegyptis educti, qui, Rubro Mari transito, vos praefiguraverunt, terram illam armis suis, Jesu duce, sibi vindicaverunt; Jebuseos et alios convenas inde expulerunt; et instar Jerusalem coelestis, Jerusalem terrenam incoluerunt."⁶⁹

⁶⁵ Robert of Rheims, 'Historia Iherosolimitana', in L'Academie Impériale des Inscriptions et Belles-Lettres (ed.), *Recueil Des Historiens Des Croisades. Historiens Occidentaux. Vol. 3* (Paris: L'Academie Impériale des Inscriptions et Belles-Lettres, 1866), 717-882, 727D, 728F; ET Robert of Rheims, in Peters, *Source Materials*, 27-28.

⁶⁶ cf. e.g. Deut 9:4-5.

⁶⁷ Robert of Rheims, in *ibid.*, 27; qui regna paganorum destruxerunt et eis fines sanctae Ecclesiae dilataverunt; *Historia Iherosolimitana*, 728C.

⁶⁸ Peters, *Source Materials*, 29; Baldric of Dol, ET August C. Krey (ed.), *The First Crusade: The Accounts of Eye-Witnesses and Participants* (Oxford: Oxford University Press, 1921), 33-36.

⁶⁹ Baldric of Dol, "Historia de Peregrinatione Jerosolimitana" in *Recueil des Historiens des Croisades. Historiens Occidentaux. Vol. 4* (Paris: L'Academie Impériale des Inscriptions et Belles-Lettres, 1866), 14E.

Here Urban clearly draws a parallel between the crusaders and the Israelites who conquered Canaan, the latter “prefiguring” the former. It is of note that an earlier English translator rendered “Jesu duce” in the above quotation as “with Jesus their leader;” while this translation is not strictly impossible, one should almost certainly render “Jesu” as Joshua.⁷⁰ As we have seen above, Joshua was traditionally referred to in early Latin sources as “Iesu Nave”, and much was made of the homonymy between him and the NT Iesus. In fact, just a few sentences later in the sermon, Urban continues the parallelism between the Israelites under Joshua and the crusaders, “[O]ppose yourselves to the Gentiles. Under Jesus Christ, our Leader, may you struggle for Jerusalem, in Christian battle-line, most invincible line, even more successfully than did the sons of Jacob of old – struggle, that you may assail and drive out the Turks, more execrable than the Jebusites, who are in this land.”⁷¹

As this second quotation illustrates, the “Jesu duce” of the Israelites of old is compared to, but also contrasted with “sub Jesu Christo, duce nostro;” similarly the Christian battle-line is compared to and contrasted with the sons of Jacob of old; the “Turks” are compared to and (unfavourably) contrasted with the Jebusites. It seems clear then that Urban here draws an explicit parallel between the conquest of Canaan under Joshua and the crusade. However, it should also be noted that no explicit reference is made, or parallel drawn, to the command and practice of *herem*. The Israelites are said to have “driven out” (*expulerunt*) the Jebusites;⁷² the crusaders are tasked to “assail and drive out” (*impugnetis et expugnetis*) the Turks.

Thus Baldric’s account does not present Urban as urging the annihilation of the Saracens; the pope does, however, draw a radical distinction between waging war against fellow Christians and those who are not: “you should shudder at raising a violent hand against Christians; it is less wicked to brandish your sword against the Saracens. It is the only warfare that is righteous, for it is charity to risk your life for your brothers.”⁷³ What makes the war righteous, therefore, is not the killing of non-Christians, but the risking of one’s life out of love for fellow believers.

⁷⁰ Krey, *Accounts*; for a similar observation, cf. Green, *Millstätter Exodus*, 260, n2.

⁷¹ *exteris nationibus opponatis; et sub Jesu Christo, duce nostro, acies Christiana, acies invictissima, melis quam ipsi vetere Jacobitae, pro vestra Jerusalem decertetis; et Turcos qui in ea sunt, nefandiores quam Jebuseos, impugnetis et expugnetis*, Baldric of Dol, *Historia de Peregrinatione Jerosolimitana*, 15A.

⁷² This assertion in fact contradicts the biblical account concerning the Jebusites, who -- despite having been subject of the *herem* command (Dt 7:1.2) -- are reported *not* to have been driven out, e.g. Josh 15:63, Judg 1:21, 1 Kgs 9:20f.

⁷³ *minus malum est in Sarracenos gladium vibrare; singular bonum est: quia et caritas est, pro fratribus animas ponere*, Baldric, *Historia*, 15C.

At the conclusion of his speech, Urban draws another typological parallel based on an OT warfare text, a text which does not itself include the term *herem* but contains God's prediction of utter destruction, a prediction that is later reiterated in terms of *herem*: the battle against Amalek.⁷⁴ Urban tells the crusaders, "Moreover, you who are to go shall have us praying for you; let us have you fighting for God's people. It is our duty to pray, yours to fight against the Amalekites. With Moses, we shall extend unwearied hands in prayer to Heaven, while you go forth and brandish the sword, like dauntless warriors, against Amalek."⁷⁵

In referring to the battle against Amalek, Urban does not call *expressis verbis* for a total eradication of the enemy. For the biblically literate, however, a designation of the enemy as Amalek might well have carried overtones of total annihilation.⁷⁶ In fact, as we will see below, one medieval chronicler refers to the commanded *herem* of biblical Amalek as an explanation for the Jerusalem massacre.

Finally, Fulcher of Chartres prefaces his own account of the first crusade (begun ca. 1101) by comparing the crusaders with the Israelites of old, including the Maccabees.⁷⁷ In his version of the speech at Clermont, Urban urges bishops and priests to call people of all backgrounds to a work of 'extermination,' i.e. "ut ad id genus nequam de regionibus nostrorum exterminandum, tempestive Christicolis opitulari satagant."⁷⁸ This results in two rather different modern translations: "to hasten to *exterminate* this vile race from our lands and to aid the Christian inhabitants in time"⁷⁹ or "to strive to help *expel* that wicked race from our Christian lands before it is too late."⁸⁰ General Latin usage is not in fact enough to determine the semantic content of

⁷⁴ cf. Exod 17:8-14; 1 Sam 15.

⁷⁵ Vos autem qui ituri estis, habebitis nos pro vobis oratores; nos habeamus vos pro populo Dei pugnatores. Nostrum est orare, vestrum sit contra Amalechitas pugnare. Nos extendemus cum Moyse manus indefessas, orantes in coelum; vos exercite et vibrare intrebidi praeliatores in Amalech gladium., Baldric, *Historia*, 15F. This division of the roles that laity and clergy are to perform in war can be traced back to the fourth century, following the conversion of Constantine; cf. e.g. Eusebius of Caesarea, *Life of Constantine* 4.56.2 and *Demonstration of the Gospel* 1.8 and Ambrose of Milan, *On Duties* 1.35.175, quoted in Swift, *The Early Fathers*, 88f, 108; In the third century, by contrast, Origen had argued that all Christians, laity and clergy alike, could at the most pray for the emperor and his just wars; in his view, the fighting was to be left to non-Christian subjects of the empire; cf. above on Origen, *Contra Celsum* VIII.73.

⁷⁶ cf. Exod 17:16, Deut 25:17-19, 1 Sam 15.

⁷⁷ Fulcher of Chartres, *A History of the Expedition to Jerusalem, 1095-1127*, trsl. by Harold S. Fink, (Knoxville: University of Tennessee Press, 1969), 58.

⁷⁸ in Fulcher of Chartres, *Historia Hierosolymitana, 1095-1127, mit Erläuterungen und einem Anhang* (Heidelberg: C. Winters, 1913), I.iii.4.

⁷⁹ Fulcher of Chartres, *A History*, 66; emphasis added.

⁸⁰ Peters, *Source Materials*, 53; emphasis added.

“exterminare” in Fulcher’s report of Urban’s speech.⁸¹ However, the immediate conjunction with “de regionibus nostrorum” suggests that a translation stressing the territorial aspect is probably along the right lines.⁸² However, since Urban is advocating war, this expulsion could reasonably be taken to imply the killing of all who would not flee or retreat.

This brief analysis of the several versions of pope Urban’s speech illustrates the general remarks made above: the identification of the crusaders with the Israelites of old played an important role in the rhetoric undergirding the crusades. However, the focus on the pertinent material in the analysis above is potentially misleading; it must also be borne in mind that this identification was only one of many theological and historical arguments put forward and cannot be shown to have played a dominant role. With respect to *herem* specifically, Urban nowhere expressly calls for the annihilation of the Saracens; however, the biblical parallels evoked in certain versions (conquest, land grant, Amalek), as well as the use of the verb “exterminare,” did conceivably carry overtones of total destruction for the biblically literate. Finally, it should also be borne in mind that all the sources cited above were written after the conclusion of the crusade. As such, they cannot provide conclusive evidence for the self-understanding of the crusaders while on crusade; at least a modest amount of *ex post facto* theologizing is likely present in all of them.

5.2.3.2 *The circumambulation of Jerusalem*

When the crusaders had finally reached the goal of their arduous campaign, they did not immediately proceed to attack the city but circumambulated it in solemn procession. Only one contemporary source explicitly draws out the parallel between the crusaders’ actions and the Israelites’ march around Jericho, but a number of today’s crusade historians agree that they acted “in clear imitation of Joshua’s at Jericho.”⁸³ This is indeed the rationale explicitly given by Guibert of Nogent, who writes in his *Gesta Dei per Francos*:

But before the attack took place, the bishops and priests directed the people who were their subjects to sing litanies, and to undertake fasts, to pray, and to give alms. The bishops remembered what had once happened at Jericho, that the walls of the perfidious city had fallen when the Israelites’ trumpets sounded, and they marched seven times around the city, carrying the sacred ark, and the walls of the

⁸¹ As noted in the section on Origen, the meaning of “exterminare” and “extermination” changed over time.

⁸² Hagenmeyer suggests that these ‘regiones nostrorum’ are the lands of Asia Minor, which had long been inhabited by Christians but were now controlled by Muslims; cf. Fulcher of Chartres, *Historia*, 135, n.18.

⁸³ John France, *Victory in the East: A Military History of the First Crusade* (Cambridge [England]; New York, NY, USA: Cambridge University Press, 1994), 17; cf. the almost identical wording in Tyerman, *God’s War*, 156.

faithless city fell down. They too circled Jerusalem in their bare feet, their spirits and bodies contrite, as they tearfully cried out the names of the saints. Both the leaders and the people came together in this time of necessity, to implore divine assistance.⁸⁴

In evaluating this evidence, it should be noted that Guibert did not himself participate in the crusade; his work largely is an expansion and theological re-working of the anonymous *Gesta Francorum* (the change in the title neatly encapsulates one aspect of his theological agenda).⁸⁵

By contrast, two eye-witnesses do not mention the parallels with Jericho in their own accounts. Peter Tudebode describes the circumambulation thus: “When our lords saw these atrocities [committed by the Saracens], they were greatly angered and held a council in which the bishops and priests recommended that the crusaders hold a procession around the city. So the bishops and priests, barefooted, clad in sacred vestments, bearing crosses in their hands, came [...] singing and praying that the Lord Jesus Christ deliver his holy city and the Holy Sepulchre from the pagan people and place it in Christian hands for His holy service.”⁸⁶ Tudebode then goes on to describe the itinerary of the procession in great detail, as well as the insults and mockeries it provoked from the Saracen defenders of Jerusalem.

Raymond of Aguilers, also an eyewitness, portrays the procession as a response to the infighting among crusading lords and to other adversities. In his chronicle, the procession is enjoined upon the crusaders in an apparition of the Bishop of Puy, Lord Ademar (the papal legate to the crusade who had died some months earlier) as a means of purgation. In a speech to the princes and the people, the proponents of the procession make the following argument: “we are not careful to reconcile the Lord to us, for we offend Him in many ways and through our evil deeds have driven him from us. Now...let each one become reconciled to his brother...After this, let us humble ourselves before God; let us march around Jerusalem in bare feet and...invoke the mercy of the Lord, so that Almighty God...may come to our aid. If we make this procession around the walls, for the honor and glory of His name, He will open the city to us and give us judgment upon His enemies and ours, who now with unjust possession contaminate the place of His suffering and burial.”⁸⁷

⁸⁴ Guibert of Nogent, *The Deeds of God through the Franks: A Translation of Guibert de Nogent's Gesta Dei Per Francos*, trsl. by Robert Levine, (Woodbridge, Suffolk, UK; Rochester, NY, USA: Boydell Press, 1997), 117-18.

⁸⁵ R. Levine, 'Introduction', in Guibert of Nogent, *The Deeds of God*, 1-19.

⁸⁶ Peter Tudebode, in Peters, *Source Materials*, 246.

⁸⁷ in *ibid.*, 253-54.

Taking the various accounts of the procession together, then, it becomes clear that the themes of penance, prayer and Christian procession predominate; they are found in all of them. By contrast, the example of Jericho is only highlighted in one account, which is known for its theologizing tendencies. However, it should also be borne in mind that Guibert of Nogent, the author of the later, more theological account had independent and direct access to participants of the First Crusade and claims that he only made additions to earlier accounts based on their testimony or on his own research.⁸⁸

On balance, it seems impossible to be certain today whether the explicit link to Jericho was made already at the time of the procession around Jerusalem or only in the historiography of the ensuing decade. This matters for the purposes of reception history only insofar as in the former case the reception of the Jericho narrative could be shown to have shaped certain actions during the crusade itself; if this cannot be demonstrated, as indeed seems to be the case, the absence of direct evidence should not of course be taken as evidence that such shaping did not occur as a matter of historical fact. However, the only assertion that can then be made with confidence is that the Jericho narrative was used by a near contemporary historian to frame certain events of the crusade, thereby investing them with particular theological significance.

5.2.3.3 *The massacre*

There is widespread agreement among medieval chroniclers and modern historians that when Jerusalem fell to the crusaders a bloodbath followed. However, in a careful and comprehensive analysis of the relevant sources Benjamin Kedar has demonstrated that the accounts vary considerably on matters of detail; the massacre is presented as “either total or well-nigh so (Fulcher, Bartolf, Albert, Guibert, Baudri) or partial (Robert). It takes place on a single day (Fulcher, Bartolf, Baudri) or on two (Guibert, Robert) or on three (Albert).”⁸⁹ Taking all the available evidence into account, Kedar concludes that a number of inhabitants did in fact survive the bloodbath, but also that the massacre was unusually extensive even by the brutal standards of the time. In addition to the slaughter in the heat of battle, i.e. immediately after the breach of the walls, there is considerable evidence that a decision was taken to kill the Saracens and Jews

⁸⁸ Guibert of Nogent, *The Deeds of God*, 25.

⁸⁹ B. Z. Kedar, 'The Jerusalem Massacre of July 1099 in the Western Historiography of the Crusades', *Crusades* 3. (2004), 15-75, 24.

who remained in the city one day (and possibly even two days) after the initial conquest, i.e. in cold blood.⁹⁰

Certain reports of the Jerusalem massacre resonate with the account of the destruction of Jericho, especially against the backdrop of the preceding circumambulation. The biblical account is brief, “et interfecerunt omnia quae erant in ea a viro usque ad mulierem ab infante usque ad senem boves quoque et oves et asinos in ore gladii percusserunt.”⁹¹ A number of eyewitnesses and other contemporary sources use similar language to describe what happened in Jerusalem in 1099. Fulcher of Chartres, upon whose use of “exterminare” in Urban’s speech we have already remarked and whose chronicle “is perhaps the most reliable of all sources for the history of the First Crusade,” concludes his description of the bloodbath in Solomon’s Temple (he estimates 10,000 casualties at that location alone) with these words: “Quid narrabo? Nullus ex eis vitae est reservatus. Sed neque feminis neque parvulis eorum pepercerunt.” As far as the rest of the city is concerned, Fulcher describes the scene thus: “Ensibus exemptis currit gens nostra per urbem; Nec cuiquam parcent etiam miserere precanti.”⁹²

The most explicit and animadverting description of the massacre is that of Albert of Aachen. It is worth quoting at some length, because it provides rare realistic detail to a discussion of *herem* and massacre, and also because it was known to many of those who in subsequent centuries justified the Jerusalem massacre on religious or other grounds. Albert describes how the crusaders turned from the massacre in King Solomon’s palace to chase the Saracens across the city: “They put to the sword great numbers of people who were fleeing in all directions on account of their fear of death.”⁹³ The formulation Albert uses here (in ore gladii percusserunt) resonates with a number of *herem* accounts in the Vulgate.⁹⁴ Ultimately, however, it probably is not specific enough to be certain as to whether or not a deliberate allusion was intended.

⁹⁰ *ibid.*, 74.

⁹¹ Josh 6:21 (Vulgate).

⁹² Fulcher of Chartres, ‘*Historia Iherosolymitana. Gesta Francorum Iherusalem Peregrinantium*’, in L’Académie Impériale des Inscriptions et Belles-Lettres (ed.), *Recueil Des Historiens Des Croisades. Historiens Occidentaux. Vol 3.* (Paris: L’Académie Impériale des Inscriptions et Belles-Lettres, 1866), 311-486, lib. I, cap XXVII-XXVIII, p 359-40; on his reliability Peters, *Source Materials*, 47.

⁹³ Albert of Aachen, *Historia Ierosolimitana: History of the Journey to Jerusalem* (Oxford: Clarendon, 2007), 430-433.

⁹⁴ The exact phrase “in ore gladii percusserunt” occurs only once in the Vulgate, describing the *herem* at Jericho (Josh 6:21). The shorter “in ore gladii” is more frequent in texts concerning warfare, and often, but by no means exclusively occurs in the context of *herem*, e.g. Deut 13:15, 20:17; Josh 10:28, 30, 32, 35, 37, 40, 47; 1 Sam 15:8.

He then describes the killing of fleeing women, and depicts crusaders as “seizing [infants who were still suckling] by the soles of their feet from their mothers’ laps or their cradles...and dashing them against the walls or lintels of the doors and breaking their necks [...] they were sparing absolutely no gentile of any age or kind.”⁹⁵ For the biblically literate this account evokes echoes of the Psalmist’s imprecation against Babylon, “*beatus qui tenebit et adlidet parvulos tuos ad petram.*”⁹⁶ While it seems likely that this parallelism would not have been lost on a pious medieval chronicler, it should also be noted that there are no exact verbal parallels between Albert’s description and the Vulgate’s wording of the psalm.

Alone among the chroniclers, Albert describes a massacre occurring, in cold blood, on the *second* day following the conquest, painting a scene that is as horrific as it is realistic and detailed:

Girls, women, matrons, tormented by fear of imminent death and horror-struck by the violent murder wrapped themselves around the Christians’ bodies in the hope to save their lives, even as the Christians were raving and venting their rage in murder of both sexes. Some threw themselves at their feet, begging them with pitiable weeping and wailing for their lives and safety. When children five or three years old saw the cruel fate of their mothers and fathers, of one accord they stepped up the weeping and pitiable clamour. But they were making these signals for pity and mercy in vain. For the Christians gave over their whole hearts to murder, so that not a suckling little male-child or female, not even an infant of one year would escape the hand of the murderer.⁹⁷

This vivid account with its focus on the victims of the killings stands in stark contrast to the brief summary statements that are usually found in biblical *herem* texts.⁹⁸

While Albert’s report of the killing of children resonates with *herem* accounts in the Vulgate as well as with Psalm 137, another biblical motif, taken from the Apocalypse, also played a considerable role in framing elements of the massacre. Many chroniclers speak in general terms of the extraordinary scale of the killing and describe some scenes in graphic detail, focussing especially on the amount of blood that was shed in the Temple of Solomon, “which is said to have reached the anklebones (Fulcher, Albert, Guibert), calves (Bartolf, Baudri), or shoe tops (Guibert), or to have formed a wave on which cut-off limbs floated (Robert),” or to have reached “horses’ knees (the leader’s letter [to the pope, CH]) or men’s knees and horses’ bridles (Raymond).”⁹⁹ The

⁹⁵ *infantes, adhuc sugentes per plantam pedis ... arreptos, muris vel liminibus ostiorum fractis ceruicibus allidentes; ... nulli prorsus etati aut generi gentilium parentes* ; Albert, *Historia*, 432-33

⁹⁶ Ps 136:9 Vulgate (MT 137:9).

⁹⁷ Albert of Aachen, as quoted in Kedar, *Jerusalem Massacre*, 22f.; cf. Albert, *Historia*, 440-443.

⁹⁸ e.g. Josh 6:21.

⁹⁹ Kedar, *Jerusalem Massacre*, 24, 18.

last formulation, i.e. “usque ad frenos equorum,” echoes a judgment scene in the book of Revelation: “et calcatus est lacus extra civitatem et exivit sanguis de lacu usque ad frenos equorum.”¹⁰⁰ Based on this parallel, some modern historians have argued that the other versions present “nothing but a downgraded version of the apocalyptic image.”¹⁰¹ Against this view, Kedar convincingly argues that the overall picture emerging from the sources make it “more likely that blood puddles ... were indeed ankle-high at some points and that the ecstatic Raymond – and only he – chose to lend grandeur to the scene by using the words of the Apocalypse.”¹⁰² If this view is correct, Raymond’s account should be seen as another example of the use of biblical phraseology in order to imbue events with theological significance.

In our analysis of the conquest of Jerusalem up to this point we have suggested a basic structural parallel between it and the battle of Jericho as recounted in Joshua, i.e. circumambulation followed by sack and massacre. However, none of the contemporary sources reviewed thus far brought any *herem* texts to bear explicitly on the massacre. In fact, only one extant contemporary source makes this kind of link explicitly; it does so in the context of providing a rationale for the massacre. A number of such justifications were offered in contemporary sources: “It cleansed the holy place of Saracen pollution (Fulcher, Bartolf, Baudri); it saved the crusaders from the fate that befell Saul for having spared Agag (Bartolf); it precluded the possibility that surviving Saracens would join an attacking Saracen army (Albert); or it was retribution for the pain, death and insults the Saracens had inflicted on the crusaders (Guibert, Robert).”¹⁰³

While several of the reasons offered in the medieval sources resonate with a number of different biblical texts concerning nations that are elsewhere commanded to be devoted to destruction, i.e. the Canaanites and Amalek, only the remarks by the anonymous chronicler often identified as Bartolf of Nangis refer to a *herem* text directly.¹⁰⁴ Bartolf’s narrative, based on the first redaction of Fulcher of Chartres’ chronicle, does not mention the procession around Jerusalem. He does, however, describe a scene of total massacre at the sack of the city: “nullusque ex eis vitae est reservatus; sed neque feminis, neque parvulis pepercerunt.” To this description, taken almost verbatim from Fulcher, he adds what he thinks was the motivation for

¹⁰⁰ Rev 14:20.

¹⁰¹ *ibid.*, 65.

¹⁰² *ibid.*

¹⁰³ *ibid.*, 25.

¹⁰⁴ For other resonances, cf. e.g. the Canaanites as defiling the land (Lev 18:25), or the annihilation of Amalek as retribution for the suffering it had inflicted on Israel (Deut 25:17-19; cf. also 1 Sam 15).

this indiscriminate killing: “memores, credo, Saul regis, qui Agag pepercit, iramque Dei incurrit et periit.” The insertion of “credo” makes it clear that Bartolf offers his own interpretation of what he concludes must have been in the mind of those who carried out the killings. To Bartolf, the best explanation is that they wanted to avoid the fury of God that befell Saul for not carrying out in full the *herem* commanded against Amalek.¹⁰⁵

These comments do not provide evidence that any of the crusaders were in fact motivated by this (or any other) *herem* text. They do, however, constitute a significant moment in the Christian reception of *herem*: here, for the first time, a *herem* text is used unambiguously to explain or justify a contemporary, real world massacre. In this context, it is important to note, too, that Bartolf’s mood at the massacre is by no means dejected; rather, immediately after its description he exults that “expurgata est civitas sancta Iherusalem ab infidelibus ea die, ad laudem et gloriam et honorem illius cuius Sepulchrum in terra gloriosum est, qui admirabili potentia et praedestinatione sua fideles suos illuc usque per marium terrarumque pericula, sui gratia, direxerat.”¹⁰⁶ The massacre is the triumphal conclusion of a mission aided by the providential power of God, a glorious cleansing of the holy city from the infidels.

This sense of pious rejoicing at the massacre does not appear to be the product of later theologizing; it is also found, e.g., in the account of the eye-witness Raymond of Aguilers, to whom we have already referred: “in the Temple and porch of Solomon, men rode in blood up to their knees and bridle reins. Indeed, it was a just and splendid judgment of God that this place should be filled with the blood of the unbelievers, since it had suffered so long from their blasphemies.” In fact, Raymond continues, “This day, I say, will be famous in all future ages, for it turned our labours and sorrows into joy and exultation; this day, I say, marks the justification of all Christianity, the humiliation of paganism, and the renewal of our faith.”¹⁰⁷

While these sentiments would likely have been as unpalatable to early Christians in the mould of Origen as they will be to many today, many of Raymond’s contemporaries seem to have shared them. In fact, according to several chroniclers, the crusaders went straight from

¹⁰⁵ If the Joshua/Jericho parallel had been foremost in his mind, he might have turned to the command in Deut 7:2, “percuties eas usque ad internicionem non inibis cum eis foedus *nec misereberis earum*” (emphasis added).

¹⁰⁶ Bartolf of Nangis, ‘Gesta Francorum Expugnationum Iherusalem’, in Anonymous *Recueil Des Historiens Des Croisades. Historiens Occidentaux. Vol. 3*. (Paris: L’Académie Impériale des Inscriptions et Belles-Lettres, 1866), 491-543, cap XXV, 515.

¹⁰⁷ Raymond of Aguilers in Peters, *Source Materials*, 260.

concluding the massacre on 15 July to a jubilant, intensely pious service of worship and thanksgiving in the church of the Holy Sepulchre. This swift transition from merciless slaughter to devout exultation has long puzzled students of the crusades.¹⁰⁸ It arguably fits remarkably well, however, within a framework of “holy war” in which the enemy is “devoted” to destruction.¹⁰⁹

Finally, while the circumambulation of Jerusalem and the ensuing massacre bear remarkable similarities to the sack and *herem* of Jericho, no extant contemporary source makes this connection explicit as such. Guibert of Nogent alone among chroniclers links the procession to the Israelite example, but draws no parallel between the *herem* of Jericho and the Jerusalem massacre; Bartolf of Nangis alone draws on a *herem* narrative to explain the massacre, but he turns to Saul’s failure to annihilate Amalek rather than to the Jericho narrative, or the other texts relating to the conquest. Finally, various sources offer a number of different religious rationales for the massacre that resonate with certain texts about the Canaanites and Amalek (cleansing, judgment, retribution), but, as far as I can see, no other direct reference is made to any of the OT extermination commands or narratives.¹¹⁰

5.2.3.4 Conclusion

Based on the above analysis of the sources regarding Urban’s sermon at Clermont, the circumambulation of Jerusalem and the massacre of its inhabitants, the following conclusions can be drawn:

First, the conquering Israelites under Joshua were one among several historical *exempla* in whose image the crusading armies were cast, an understanding that was shared by at least some of the participants in the First Crusade. Beyond the sources reviewed above, this point is further strengthened by the observation that Joshua is mentioned on the epitaph of Baldwin I of Jerusalem (r. 1100- 1118). Baldwin (who did not himself participate in the attack on Jerusalem in 1099) is there described as “dux validus patriae, consimilis Josue,” followed by a list of the territories he conquered.¹¹¹

¹⁰⁸ cf. Kedar, *Jerusalem Massacre*, 40 and *passim*

¹⁰⁹ cf. e.g. Friedrich Schwally, *Der Heilige Krieg im alten Israel* (Leipzig: Dieterich, 1901), 29-44; Gerhard von Rad, *Der Heilige Krieg im alten Israel* (Zürich: Zwingli-Verlag, 1951).

¹¹⁰ cf. e.g. the indices of the *Receuil des Historiens des Croisades, Historiens Occidentaux* (vol 1-5).

¹¹¹ II.64 in Fulcher of Chartres, *Historia*, 437.

Second, some elements of crusading rhetoric resonate with various aspects of biblical accounts of the Israelite conquest of Canaan, e.g. divine gift of the land, cleansing of the land, judgment on its wicked inhabitants.

Third, some of the biblical references are at least capable of being read as implicitly evoking the concept of *herem*, e.g. Urban's use of Amalek (in Baldric) and of exterminare (in Fulcher), as well as Guibert's mention of the circumambulation of Jericho and Albert's use of "in ore gladii percusserunt."

Fourth, there is one unambiguous case in which a *herem* narrative is explicitly used to provide the *ex post facto* rationale for the massacre of noncombatants including women and children (Bartolf's reference to 1 Sam 15).

Finally, it is important to place these observations into context. First, while Joshua clearly was one *exemplum* among others (e.g. the Maccabees, Charlemagne), the focus in this comparison nowhere appears to have been on the complete annihilation of the enemy, but rather on his leadership of the warring people of God. Second, the point of comparison in Urban's reference to Amalek (in Baldric), is not primarily a parallelism between the latter and the Saracens (though that link is made), but rather between the clergy praying with Moses on the mountain, and the crusaders fighting with Joshua in the valley. Third, while it is certainly possible to point to resonances with OT conquest accounts, the themes of love, piety and helping one's brother in need were much more prominent elements in the rhetoric and ideology of the First Crusade.¹¹² Fourth, while there is one clear example of a *herem* text being used to justify a massacre, the other suggested parallels with *herem* narratives are never made explicit in any contemporary source.

It would therefore be considerably too strong a claim to say that the massacre of the population of Jerusalem in 1099 was caused, shaped or inspired by *herem* narratives in the Old Testament. The sources simply do not bear out such a claim. What one can say, however, is that the narratives of Joshua's wars against Amalek and the Canaanites provided some of the authoritative scriptural examples in whose terms the crusaders understood themselves, and that furnished them with a framework within which they saw their warfare as pleasing to God. In addition, the *herem* narrative in 1 Samuel was available, and was indeed drawn upon, to explain and justify the Jerusalem massacre. It cannot be shown, however, that this text played a role

¹¹² cf. e.g. Riley-Smith, *The Crusades: A History*, 47.

during or immediately after the slaughter, but it certainly did so within the first decade of crusade historiography.

5.2.4 *Crusading songs, poems and epics*

Crusading ideology is reflected not only in medieval chronicles and sermons, but also in songs, poems and epics, which “presented, in a palatable way exclusive to their milieu, the doctrine, information, and propaganda that was otherwise delivered by preachers or diffused by clerks.”¹¹³ Collections of texts and analyses are available for songs written in Latin, French, Provençal and German; Latin works gradually disappear after the Fourth Crusade, while vernacular songs become more frequent.¹¹⁴ As the following section will show, some of these songs contain elements that are relevant to the reception of *herem*, e.g. a portrayal of “the enemy” in particular OT terms as well as references to wholesale massacres.

5.2.4.1 *Latin songs*

According to Spreckelmeyer’s extensive analysis, Latin crusading songs can be divided into the following three categories: *exhortations* addressed to the emperor, kings, peoples, or the public; *praise* addressed to God, individual military commanders and the crusaders; and *laments* directed to God, the sinners and the heathen.¹¹⁵ The songs most relevant to the topic in hand include all three categories; they are here presented in chronological order, clustering around the First Crusade, the Second Crusade and the fall of Jerusalem to Saladin’s forces, which eventually prompted the Third Crusade.

Songs from the First Crusade

The earliest surviving crusade song is one of the few crusading sources whose composition predates the capture of Jerusalem in 1099; an exhortation, it envisages the goal of the crusade not only in terms of the restitution of the holy places, but also the destruction of the enemy, “*Illuc debemus pergere,/ Nostros honores vendere,/ Templum Dei acquirere,/ Saracenos destruere.*”¹¹⁶

¹¹³ M. Routledge, 'Songs', in J. S. C. Riley-Smith (ed.), *The Oxford Illustrated History of the Crusades* (Oxford; New York: Oxford University Press, 1995), 91-111, 111.

¹¹⁴ *ibid.*

¹¹⁵ Spreckelmeyer, *Das Kreuzzugslied*, 61-63. Twenty-nine Latin crusade songs are found in his comprehensive collection *Mittellateinische Kreuzzugslieder: Texte und Melodien*. The approximate date and the numbering (KL 1-29) will be taken from that edition; in addition the opening line will be provided as a title, as is customary; for an alternative three-partite classification, cf. Catharina T. J. Dijkstra, *La Chanson de Croisade. Etude thématique d'un genre hybride* (Groningen: Rijksuniversiteit Groningen, 1995).

¹¹⁶ “Ierusalem mirabilis,” KL1.7, ca. 1096-1099; cf. Hartl, *Feindbild*, 53f.

While “destruere” is one possible translation for *herem*, the nature and extent of the intended destruction remains unspecified here, and nothing suggests that a specific parallel with the practice or concept of *herem* is intended.

The two other pertinent texts from the First Crusade look back at its climax; a song written to celebrate the first anniversary of the capture of Jerusalem in July 1099 glories in the bloodbath that accompanied it: “Rivi fluunt cruoris/ Ierusalem in muris,/ Dum perit gens erroris./ Ierusalem, exsulta!// Et templi pavimentum/ Efficitur cruentum/ Cruore morientum./ Ierusalem, exsulta!// Ipsi traduntur igni;/ Vos gaudete, benigni,/ Nam pereunt maligni./ Ierusalem, exsulta!”¹¹⁷

This celebration of extraordinary bloodshed in the context of Christian prayer and worship certainly is remarkable; no justification for the massacre is provided, either in terms of *herem* specifically, or of the OT generally. Instead, the preceding verses establish a close parallel between Christ’s crucifixion and the conquest of Jerusalem: both of these events, says the song, happened on the same day of the week, even at the same hour.¹¹⁸ Similarly, in the ensuing verses the result of the conquest is portrayed in Christological rather than in OT terms: Christ is now seen to reign as God.¹¹⁹ The massacre is thus imbued with religious significance not by means OT categories, but rather by NT and Christological themes.

Another song, written some years later but celebrating the same event, contains the following refrain: “Festum agitur/ dies recolitur/ in qua Dagon frangitur/ et Amalec vincitur/ natus Agar pellitur/ Ierusalem eripitur/ et Christianis redditur/ diem colamus igitur!”¹²⁰ Those who occupied Jerusalem before its capture are referred to in a variety of OT terms: Philistines, Amalek, and Hagar’s son, i.e. Ishmael.¹²¹ As we have seen above, similar references to Amalek/the Amalekites are found *inter alia* in pope Urban’s sermon at Clermont and in the justification for the Jerusalem massacre given by Bartolf of Nangis. However, nothing here suggests that the total destruction of Amalek is specifically in view; rather, the name functions as one biblical name among others for an arch-enemy. This song thus illustrates that a rich and varied tapestry of OT

¹¹⁷ “Iersuaem, laetare,” KL 2.31-33, composed for 15 July 1100; cf. *ibid.*, 58f; Spreckelmeyer, *Das Kreuzzugslied*, 204-214; cf. Hartl, *Feindbild*, 54-61.

¹¹⁸ KL 2.28-29.

¹¹⁹ KL 2.34, “quod regnat Chrisus Deus.”

¹²⁰ “Nomen a solemnibus trahit Solemniacum,” KL 5.4, ca. 1st half of the 12th c.; cf. Spreckelmeyer, *Das Kreuzzugslied*, 184-192; The song was composed for an annual liturgical celebration at the monastery in Solignac (=Solemniacum); for a brief introduction and English translation, see Peters, *Source Materials*, 307f.

¹²¹ cf. 1 Sam 1:1-5; Exod 7:8-16, 1 Sam 15; Gen 21:9-21, Gal 4:22-31.

narratives was used to colour and interpret the crusades; it should be noted, too, that the massacre in Jerusalem receives no mention at all.

Songs from the Second Crusade

The theme of utterly destroying the enemy is found in a song dated to the Second Crusade (1147-49); in her analysis of the *Feindbild* found in crusade songs, Hartl highlights the pleonasm with which the enemies' destruction is described in this song, using verbs such as "dissipere, propellere, lacerare, verberare, discerpere, percutere, perimere, mundare, frangere, urere."¹²² Some of the objects of these actions are conceptual, e.g. perfidia, morbida, sordita; others, however are persons, e.g. crusaders are enjoined "frange schismatica, ure haeretica, dissipe paganica."¹²³ However, beyond the general concept of destruction, no unambiguous links with *herem* texts can be shown in this case.

Another song, also dating to the Second Crusade, uses imagery taken from Ps 137 [136 Vul]: "Propheta teste misera/ tu Babylonis filia,/ beatus est, qui parvulos/ petre collidit tuos."¹²⁴ In light of Albert of Aachen's account of the Jerusalem massacre quoted above, it seems conceivable that the song quite literally advocates the killing of infants. However, as Hartl convincingly argues, the context strongly suggests a metaphorical reading, i.e. in terms of pagan thought. Among the reasons supporting that interpretation are the precedent of the metaphorical reading of that psalm found in the Fathers (cf. above), the presence in the song of clearly metaphorical imagery drawn from the Apocalypse, and the hope expressed for the conversion of Muslims.¹²⁵

Songs relating to the fall of Jerusalem in 1187

The final group of pertinent Latin crusading songs circle around the capture of Jerusalem by Saladin's forces on 2 October 1187, an event that was as epochal as its sack by the crusaders nearly a hundred years earlier. In "Plange, Sion et Iudaea" an unknown poet refers to the victorious enemies as Idumea, Egypt and Amalek, and then laments the result of the lost battle in these terms: "Ierusalem corruit/ Loca sancta polluit/ Proles Cananaea."¹²⁶ For the biblically literate, naming Amalek and the Canaanites, as well as their pollution of the holy land, could conceivably evoke thoughts of *herem*, but the inclusion of Idumea and Edom makes clear that a

¹²² KL 7, "Exsurgat gens Christiana," shortly before May/June 1147; cf. Hartl, *Feindbild*, 84.

¹²³ KL 7.6.

¹²⁴ KL 6.2, "Fides cum Ydolatria," shortly before May/June 1147; cf. Hartl, *Feindbild*, 70-81.

¹²⁵ *ibid.*, 72-76.

¹²⁶ KL 12.1, ca. 2 Oct 1187 - 1188; cf. also Spreckelmeyer, *Das Kreuzzugslied*, 219-228; Wentzlaff-Eggebert, *Kreuzzugsdichtung*, 174-178; Hartl, *Feindbild*, 118-125.

wider, less specific OT reference is intended. However, a massacre is indeed mentioned; this time it is the Christians who are the victims, “Christianus populus/ Mactatur ut vitulus,/ Virgo, senex, parvulus/ Ut bos immolatur.”¹²⁷ It goes without saying that the Christian author of the song does not approve.

In another lament, also a response to the events of 1187, the enemies are likened to the Moabites, Ammonites, Ishmaelites and Amalekites, thus again lumping together a number of biblical arch-enemies of Israel.¹²⁸ These enemies are again accused of massacre, indiscriminately slaughtering old and young, “Terram intrant inclitam cuncta devastantes,/ capiunt Christicolae, senes et infantes,/ et ut fere pessime sanguinem amantes,/ iugulant puerulos, dividunt pregnantas.”¹²⁹ While none of these things are inherently implausible in war, the resonances with OT judgment texts should also be noted.¹³⁰ In addition, it should also be borne in mind that, as a matter of historical fact, Saladin did not commit a massacre against the population of Jerusalem but allowed them to ransom themselves on quite generous terms.¹³¹

In yet another lament, also a response to the same events, the enemies are identified as Philistines, Canaanites, Midianites and sons of Lot.¹³² Another song, found in a chronicle on the year 1190, i.e. three years after the battle of Hattin and the loss of Jerusalem to Saladin, contains the following prayer to God on behalf of the crusaders, “Ut victores redeant/ imploremus Deum,/ ut tollant de medio/ terrae Cananaeum,/ ingressi Ierusalem/ pellant Jebusaeum.”¹³³ While Saladin’s forces are referred to here as Canaanites and Jebusites, the prayer is not for them to be annihilated but rather to be thrown out and expelled.

¹²⁷ KL 12.3.

¹²⁸ KL 11.5, “Heu voce flebili cogor enarrare,” ca. 1st half of 1188; A similar amalgamation of enemies is found in Ps 83:5-8; cf. Spreckelmeyer, *Das Kreuzzugslied*, 238-249; Wentzlaff-Eggebert, *Kreuzzugsdichtung*, 161-63; Hartl, *Feindbild*, 110-116.

¹²⁹ KL 11.7.

¹³⁰ e.g. 2 Kgs 8:12; for more on this cf. *ibid.*, 112.

¹³¹ cf. e.g. Riley-Smith, *The Crusades: A History*, 135.

¹³² KL 20.3b, “Miror, cur tepeat,” a few years after 1187; Hartl, *Feindbild*, 125-129.

¹³³ KL 19.8, “Graves nobis admodum dies effluxere,” on the year 1190; cf. Spreckelmeyer, *Das Kreuzzugslied*, 70; Hartl, *Feindbild*, 139-141.

5.2.4.2 Middle High German songs and epics

With respect to Middle High German crusade poetry, neither the collection of primary texts nor the secondary literature yielded any unambiguous references to *herem* texts. In addition, the OT in general does not play a particularly important role.¹³⁴

According to Böhmer's analysis, the main motives found in these texts are saying farewell to the poet's wife and homeland, the concern for the virtuous life of said wife, and the hope of receiving divine rewards; in addition, the various religious motives generally reproduce elements of the ecclesial crusade propaganda, integrating them fully into a knightly worldview that sees God as the supreme lord, and the crusade as the chief duty of a knight and vassal.¹³⁵

Another important and recurring theme is the sanctity of the "holy land." As we have seen above, in Baldric's account of Urban's sermon at Clermont the land's holiness had been primarily linked to NT events, but also to the OT account of God's promise of the land and the conquest under Joshua. I have found no example of the latter part being repeated in German crusading poetry; the emphasis on Palestine/Jerusalem as the place where God became incarnate, suffered, rose again and poured out the Holy Spirit, on the other hand, is pervasive.¹³⁶

Finally, one of the Middle High German sources does contain the account of a slaughter that is reminiscent of *herem*. According to one fragmentary crusading epic, an outing led by a crusader king of Jerusalem leads to a massacre among his "heathen" enemies, "do muste al in ouwe gan:/ beide wip unde kinder/ di sluc man also rinder."¹³⁷ However, no biblical justification is offered for this massacre; it is justified solely on the basis of tit-for-tat retaliation; the enemy "hete ime also me getan."¹³⁸ The work from which this quotation is taken does not, in fact, claim that the crusaders had a superior legal right to the holy land.¹³⁹

¹³⁴ A collection of 96 primarily German texts are found in Müller, *Kreuzzugsdichtung*; cf. the analysis in; Böhmer, *Kreuzzugslyrik*; Wisniewski, *Kreuzzugsdichtung*, Hartl, *Feindbild*

¹³⁵ Böhmer, *Kreuzzugslyrik*, 28.

¹³⁶ cf. e.g. the analysis of Walther von der Vogelweide's "Palästinalied" in Wisniewski, *Kreuzzugsdichtung*, 108-111; for the same theme in medieval preaching, cf. e.g. Wentzlaff-Eggebert, *Kreuzzugsdichtung*, 224.

¹³⁷ "Everyone had to perish./ Both women and children/ were slain just as cattle;" This description is found in the fragmentary crusading epic known as "Graf Rudolf;" for the context and further comments, cf. *ibid.*, 123-128, esp. 120.

¹³⁸ "had done the same to him"; *ibid.*

¹³⁹ *ibid.*, 126.

5.2.4.3 Old French songs

Of the twenty-nine Old French crusade songs written in the eleventh and twelfth centuries that Charles Bédier published and analyzed, only one contains a reference that is of (marginal) relevance to the reception of *herem*.¹⁴⁰ Bédier divides the songs into three categories, “poésies de circonstance,” “exhortations à prendre la croix...comme des sermons en vers,” and “chansons d’amour.”¹⁴¹ The two most common theological motives in the songs are the idea that since Christ suffered for us, crusaders ought now to be willing to suffer for him; and the thought that the holy land has been sanctified as the place of Christ’s birth, suffering and resurrection.¹⁴² Again, OT references are extremely rare throughout.

The one potentially pertinent reference is found in the song “Chevalier, mult estes guariz,” an exhortation to ‘accept the cross’ written ca. AD 1146 in response to the fall of Edessa the previous year, the event which occasioned the Second Crusade.¹⁴³ The enemies are presented in biblical terms, “Or vus mande que Chaneleus/ E la gent Sanguin le felun,/ Mult li unt fait des vilains jeus;”¹⁴⁴ According to Bédier the term Chaneleus is etymologically related to Lat. Chananaeus (i.e. Canaanite).¹⁴⁵ It entered popular usage, he suggests, through the influence of sermons and liturgical texts.¹⁴⁶ If this suggestion is correct, it shows that the term Canaanite became synonymous with enemy of the people of God. However, nothing in the context appears designed to evoke the concept of *herem*.

5.2.4.4 Crusading songs - conclusion

The preceding analysis of crusading songs has shown that OT references became increasingly rare over time; they play only a marginal role in Middle High German and Old French texts, where themes of courtly love become ever more important. The use of Chaneleus/Canaanite in Old French, if the etymological connection is accurate, illustrates that the term Canaanite had become a general designation for the enemy of the people of God; however,

¹⁴⁰ His collection aimed at being comprehensive; Bédier, *Chansons*, xii.

¹⁴¹ *ibid.*, ix.

¹⁴² for the latter cf. e.g. *ibid.*, 11, 113, 149f, 172, 244, 253.

¹⁴³ *ibid.*, 3-16; Bédier renders the title, “Chevaliers, vous êtes sous bonne sauvegarde.”

¹⁴⁴ *ibid.*, 9; ET: Now he tells you that the Canaanite and the people Sanguins, these felons, have played an evil game with him; cf. *ibid.*, 12 and Hartl, *Feindbild*, 93, n. 218.

¹⁴⁵ cf. Paul Meyer, “Butentrot. - Les Anchoparts. - Les Canelius” in: *Romania*, VII, (1872), pp.435-444, to which Bédier refers, *Chansons*, 13f.

¹⁴⁶ To illustrate the kind of usage he has in mind he refers to KL 12 and 19, while at the same time acknowledging that these examples themselves would be too late to account for the phenomenon; *ibid.*, 14.

the link back to specific OT narratives appears to have become increasingly tenuous; the concept of *herem* appears not to have played a significant role at all.

With respect to Latin crusading songs, written somewhat earlier, the analysis has shown that their authors at times drew upon the OT to cast contemporary events in theological terms, envisaging their Muslim opponents in the image of the OT enemies of Israel. This included peoples who according to some OT texts were subject to a divine *herem* command, e.g. the Canaanites, the Jebusites and Amalek.¹⁴⁷ However, it should also be noted that this identification with OT enemies was neither uniform nor constant, nor were any explicit references made to the annihilation commands; rather, the medieval authors drew upon a variety of different OT exemplars, several of which have no connection to *herem* at all.

In addition, a number of texts speak of the total destruction of the enemy, and even the killing of infants; however, it seems more likely that these expressions were used to denote a decisive victory (on both the material and the spiritual/intellectual plane), rather than indicate the indiscriminate slaughter and total annihilation of all enemies.

As far as real world massacres are concerned, we have found a similar attitude to that expressed in the chronicles analyzed in the preceding section: the slaughter of Muslims and Jews in Jerusalem in 1099 was the object of exuberant praise and exultation. When, on the other hand, the victims were Christian women and children, as the songs allege was the case when Jerusalem fell to Saladin in 1187, their indiscriminate slaughter was lamented and criticized.

Finally, we note the absence of certain OT themes whose presence one might have expected; there are no references e.g. to the conquest of Canaan, to Joshua, or to Saul and Agag.¹⁴⁸

5.2.5 Preaching the crusade: 13th and 14th century examples

Preaching played an important role in the genesis and dissemination of crusading ideology, beginning with Urban's sermon at Clermont and continuing throughout the period of the crusades. Successive popes commissioned individuals, and later entire orders, with "the preaching

¹⁴⁷ e.g. Deut 7:2, 1 Sam 15.

¹⁴⁸ For a fascinating discussion of the role that Joshua typology played at the court of Louis XII, cf. M. C. Gaposchkin, 'Louis IX, Crusade and the Promise of Joshua in the Holy Land', *Journal of Medieval History* 34.3 (2008), 245-274; cf. also the comments in Earl, *Joshua and the Crusades*, 37.

of the cross.”¹⁴⁹ In terms of their influence, sermons are likely to have directly shaped the views of a far greater number of people than either the chronicles or the songs reviewed above. As a leading expert in the medieval preaching of the cross suggests, “it is probably no exaggeration to say that, theoretically, the great majority of inhabitants of Europe would have had the opportunity of listening to several crusade sermons during their lifetime.” These sermons, therefore, had a considerable impact on the public perception of crusading and the crusades, and on the formation and development of medieval worldviews.¹⁵⁰ *Herem* texts appear to have played only a marginal role in these sermons.¹⁵¹ However, some extant sermons do refer to *herem* texts; these are discussed below.

5.2.5.1 *Eudes of Châteauroux, sermons against the Muslims of Lucera (1268/9)*

In 1268/9, in the aftermath of the crusades against the Hohenstaufen in Italy, pope Clement IV proclaimed a crusade for the destruction of the Muslim colony of Lucera in northern Apulia, after the colony had rebelled against Charles of Anjou.¹⁵² These were crusades in the “pluralist” sense of the term, i.e. they were wars authorized by papal promulgation, but not attempts to recover the holy sites in the East.¹⁵³ Three crusade sermons survive from this campaign, composed by Eudes of Châteauroux, the cardinal bishop of Tusculum, between February 1268 and August 1269. Eudes’ audience may have comprised both those who had already taken the cross, and those whom he tried to persuade to do the same.¹⁵⁴ There is no evidence for the success of his preaching.¹⁵⁵

Two of the sermons make extensive use of the command to annihilate the Canaanites, and the disastrous consequences of Israel’s failure to carry out these commands.

The primary biblical text of the first sermon is taken from Num 33:55, which Eudes quotes as “Sin autem nolueritis interficere habitatores terre qui remanserint, erunt vobis quasi clavi in oculis et lancee in lateribus et adversabuntur vobis in terra habitationis vestrae: et quicquid illis

¹⁴⁹ For an overview, see Cole, *Preaching*; for the role played by the mendicant orders, see Maier, *Preaching*; cf. also Maier, *Propaganda*.

¹⁵⁰ *ibid.*, 51.

¹⁵¹ In addition to the monographs and articles by Cole and Maier, I have consulted the indices of the *Receuil des Historiens des Croisades, Historiens Occidentaux* (vol 1-5).

¹⁵² C. T. Maier, 'Crusade and Rhetoric Against the Muslim Colony of Lucera: Eudes of Chateauroux's Sermones de Rebellionem Sarracenorum Lucherie in Apulia', *Journal of Medieval History* 21.4 (1995), 343-386, cf. esp. 342, 350-51.

¹⁵³ cf. Constable, *Historiography*, 12.

¹⁵⁴ Maier, *Eudes of Chateauroux's Sermones*, 354.

¹⁵⁵ *ibid.*, 375.

facere cogitaveram vobis faciam.”¹⁵⁶ The sermon itself is divided into meditations on the four main consequences of a failure to obey this divine commandment: blinding, wounding, trouble making and punishment. These Eudes applies first to the OT precedent (highlighting the prohibition to enter into a covenant with the Canaanites, Deut 7:2-4), and then to the contemporary situation, which to him is a “casus consimilis”.¹⁵⁷ Just as the Lord gave the land of Canaan to the sons of Israel, so the Lord had given the kingdom of Sicily to “magnifico Karolo,” Charles of Anjou, “ut non faceret fedus cum inimicis suis, cum Sarracenis id est, qui inter alios infideles specialius sunt.”¹⁵⁸ In defiance of God’s will, Charles had in 1266 failed to disinherit the Saracens, accepting payments and the destruction of the town’s fortifications in exchange for “the permission to continue living at Lucera and to practice their religion peacefully and without outside interference.”¹⁵⁹ To Eudes, this was an unacceptable and dangerous compromise. While Eudes clearly draws explicitly on the commanded *herem* of the Canaanites, it should be noted that he does not on this basis call for the annihilation of the Lucera Muslims, but rather for their being disinherited.¹⁶⁰

The second sermon makes essentially the same points, taking as its main text Josh 7:12-13, which explains the initial defeat of the Israelites at Ai as due to “anathema in medio tui Israel est.” The sermon itself does not initially focus on Achan, but rather draws a contemporary parallel with Jericho: “Hec ystoria parabola est instantis temporis: Dominus dedit terram Apulie nostro Iosue, id est domino Karolo. In hac terra erat quasi altera Iherico, Lucheria, habitatio et refugium Sarracenorum.”¹⁶¹ Charles is “our Joshua”, Lucera is “another Jericho.” Eudes then develops a further parallel based on God’s ordering the priests to blow their trumpets at Jericho: “id est predicatio crucis ... in qua predicatione promittebatur indulgentia omnium peccatorum.”¹⁶² Joshua is here again interpreted typologically, though not this time in terms of Charles but rather of the pope: “domini nostri summi pontificis, quem Dominus prefecit universo populo Christiano sicut quondam prefecit Iosue populo Israelitico.”¹⁶³

¹⁵⁶ *ibid.*, 376, l. 1-4; The Hebrew translated in the Vulgate as “interficere” is in fact *שׂרר*, i.e. take possession of, inherit, dispossess. The LXX translates ἀπόλλυμι.

¹⁵⁷ *ibid.*, 378, l. 60.

¹⁵⁸ *ibid.*, 378, l. 63-65.

¹⁵⁹ *ibid.*, 350.

¹⁶⁰ *ibid.*, 378, l. 66-67.

¹⁶¹ *ibid.*, 379, l. 18-21.

¹⁶² *ibid.*, 380, l. 35-37.

¹⁶³ *ibid.*, l. 43-44.

Eudes then once again criticises the arrangement between Charles and the Lucera Muslims in 1266, drawing a parallel to Achan: “aliqui cupiditate illiciti (sic) sicut Achor et filii sui furati sunt de anathemate Iherico.”¹⁶⁴ Eudes does not claim on that basis that the “Saracens” should have been annihilated, but rather driven out: “Isti Sarraceni velut anathema eiciendi erant omnino a terra, ut nullus omnino remaneret.”¹⁶⁵ Captivated by a desire for gold, silver and precious fabrics, Eudes suggests, some Christians protected the Muslims, alleging that the king would benefit if they remained in his land.¹⁶⁶ This failure to obey God’s command risks bringing the same consequences on the Christians as it did on the Israelites under Joshua, viz. to suffer defeat at the hand of their enemies. To avert this fate, “hoc anathema procul expellendum est a terminis populi Christiani.”¹⁶⁷ Inaction would pollute the Christians, in the case that “non facimus quicquid in nobis, ut hoc anathema de medio auferatur.”¹⁶⁸

Eudes next cites a NT passage to underline the need to expel the Saracens from their midst, for “a little yeast leavens the whole batch of dough.”¹⁶⁹ The final two scriptural arguments of the sermon are then both taken from *herem* texts, serving as an illustration of how dangerous it is to ignore the divine command. First, Eudes quotes from 1 Sam 15, to illustrate the consequences Saul suffered for sparing Agag and “quibusdam aliis Amalechitis.”¹⁷⁰ Next he quotes 1 Kgs 20:42f, i.e. the judgment pronounced on the king of Israel for sparing Ben-hadad, a “vir dignus morte.”¹⁷¹

From these exempla Eudes draws the following practical application:

Hac sententia videntur percelli et condemnari (sic) qui Sarracenos Lucherie dignos morte dimiserunt. Ut ergo rex Sicilie et populus eius has sententias possint evadere et penas, qui in consimilibus casibus comminantur, et etiam populus Christianus ... surgant uno animo contra eos et eradant eos de regno, ut per hoc reddant sibi Deum placabilem et ut valeant evadere pericula antedicta auxiliante Domino nostro Ihesu Christo, qui vivit in secula seculorum amen.¹⁷²

Here Eudes comes closest to calling for the annihilation of the Muslim colony: the Saracens are “digni morte,” the only way to placate God and escape punishment is to rise against them and

¹⁶⁴ *ibid.*, l. 70-71; Maier notes that the syntax of the surrounding sentence is defective and suggests that “[t]he scribe missed out something,” *ibid.*, n. II.

¹⁶⁵ *ibid.*, 380-81, l. 72-74.

¹⁶⁶ *ibid.*, 381, l. 74-76.

¹⁶⁷ *ibid.*, l. 79.

¹⁶⁸ *ibid.*, l. 90-91.

¹⁶⁹ cf. 1 Cor 5:6.

¹⁷⁰ The MS reads “Agath” not Agag, *ibid.*, 381, l. 105.

¹⁷¹ MT אִישׁ־חַרְמִי, LXX ἀνὴρ ὀλέθριος.

¹⁷² *ibid.*, 381-82, 110-117.

to erase them from the realm. In context, however, Eudes calls for the expulsion of the opponents, rather than their annihilation – provided of course that they are ready to leave rather than fight until death.

These two sermons illustrate that medieval preachers sometimes drew violent, warlike applications from the literal reading of the OT. More specifically, the concept of *herem* functions here to decry a compromising arrangement and treaty relationship with those of another faith. The Achan story is read as a warning against avarice clouding one's mind; the moral is that it is extremely dangerous to ignore the divine command to be uncompromising vis-à-vis those who stand condemned (Jericho, Agag, Ben-hadad, the Muslims of Lucera). However, while Eudes does at one point label the Saracens "worthy of death," *herem* is not in fact read in terms of a contemporary annihilation command, but rather in terms of the required expulsion of the enemies.¹⁷³ This is, however, the first unambiguous Christian example I found of a *herem* narrative being invoked as such in order to shape future war-like behaviour, rather than to provide an *ex post facto* rationale for a massacre.

5.2.5.2 Bertrand de la Tour, a model crusade sermon (early 14th century)

The thirteenth century saw the proliferation of preaching aids: "from handbooks of theology...to treatises on preaching, the *artes praedicandi*, and collections of model sermons and *exempla*."¹⁷⁴ These were all designed to achieve one of the objectives of the pastoral reforms demanded by the Fourth Lateran Council (1215), i.e. the establishment of regular, widespread and competent preaching throughout Christendom. Model sermons were usually arranged by liturgical dates, but a few collections were *ad status* sermons, i.e. sermons addressing specific social groups.¹⁷⁵ It is among the *ad status* sermons that a number of model homilies for preaching the crusades are found. Though it is impossible to say how often these model sermons may have been used for actual preaching, and how individual preachers might have chosen to develop and deliver the model sermon, they provide an insight into the crusading ideology espoused by certain religious leaders.

While the extant model sermons display a considerable variety, they share a common framework of ideas: "the idea that crusades were wars authorised and supported by God which

¹⁷³ cf. e.g. the important number of "driving out" texts concerning the Canaanites in the OT, and the remarks on Urban's sermon at Clermont above.

¹⁷⁴ Maier, *Propaganda*, 6.

¹⁷⁵ *ibid.*, 4.

could be understood as contemporary versions of Old Testament wars; the idea that participating in the crusade was a form of religious devotion which could be described in terms of a special relationship between the crusader and God or Christ; the idea that becoming a crusader was a form of conversion to a more thoroughly Christian life and one of the most efficient ways for the laity to deal with the consequence of sin.”¹⁷⁶

The first point is relevant to the reception of *herem* texts. Maier’s analysis yields the result that “[t]he two favourite Old Testament contexts serving as a foil for the crusades were the stories of the conquest of the Promised Land by the Israelites after the exodus from Egypt and the heroic fight of the Maccabees against the enemies of Israel.”¹⁷⁷ However, of the four sermons he cites to support his claim regarding the importance of the conquest, only one actually refers to conquest narratives, while the others either do not mention Canaan at all or refer to Abraham leaving his home country for the promised land.¹⁷⁸

The only model sermon that actually contains a conquest narrative is one of three crusade sermons composed by Bertrand de la Tour (b. ca. 1265), who was cardinal archbishop of Tusculum from 1323 and later also served as administrator general of the Franciscan order. Bertrand’s corpus contains over 1,000 model sermons, only three of which relate to the crusades.¹⁷⁹ The latter three “were written not only for the purpose of preachers accompanying crusade armies but also for the preaching to the members of any other army in the field. Because of this, there are no direct references to crusading in these models.”¹⁸⁰ Bertrand’s three model sermons are all structured around the theme “divine guidance in war.”¹⁸¹ The chief text for the first sermon is taken from Deuteronomy, “You will not be afraid of them, because the Lord your God is with you” (Deut 20:1); the text for the second from Chronicles, “It is not your war, but the Lord’s” (2 Chr 20:15).¹⁸²

¹⁷⁶ *ibid.*, 67.

¹⁷⁷ *ibid.*, 55.

¹⁷⁸ *ibid.*, 55, n. 33, 95-6, 137, 195; By contrast, Maier fails to list the pertinent reference in a sermon of Eudes of Châteauroux, in which the latter describes the Canaanites as squatters: “Cananeus occupaverat in qua nichil iuris habebat,” *ibid.*, 148.

¹⁷⁹ *ibid.*, 12-13.

¹⁸⁰ *ibid.*, 29 They were aimed at “Euntibus ad bellum vel pugnam, vel accipientibus crucem contra infideles,” *ibid.*, 230.

¹⁸¹ *ibid.*, 39-40, 230-249.

¹⁸² *ibid.*, 230, 236.

The third sermon is based on the verse “Raise the shield against Ai” (Josh 8:18), a verse embedded in a biblical *herem* narrative. Bertrand begins by clarifying the significance of Ai: it is a “civitas infesta contra Dominum, molesta contra Dei populum, exusta per incendium, representat infidelem populum, qui est armatus contra Dominum, preparatus contra Dei cuneum, deputatus in obrobrium, contra quod iubet Dominus levare clipeum.”¹⁸³ Bertrand reads the command to raise the shield as an allegory whose spiritual sense refers to the “encouragement of the leader, the exaltation of the cross and the threat to the enemy.”¹⁸⁴ The leader of the people should be another Joshua: “debet esse alter Iosue: corde devotissimus, mente constantissimus, in plebe amantissimus.”¹⁸⁵ The shield represents the cross, which protects the soldiers. Joshua, who perceived “the virtue of this shield did not draw back the hand holding the shield, until he had killed all the inhabitants of Ai.”¹⁸⁶ The lesson Bertrand draws from this is that “with God’s favour you will triumph today. They will have to be betrayed on account of God’s command, attacked on account of your effort, destroyed on account of their sin...it is certain with God that they will die.”¹⁸⁷

Bertrand’s confidence that God will come to the aid of his people in battle, provided that they are just, is a major theme of the OT, whose Christian history reaches at least as far back as Constantine’s “ἐν τούτῳ νίκη,” and which was popularised in medieval times by the spurious Augustinian letter *Gravi de Pugna*.¹⁸⁸ However, while Bertrand is confident that the enemies will be destroyed, there is nothing in his sermon to suggest that he was advocating the eradication of an entire people; rather, he speaks of the decisive defeat of the opposing army, thus narrowly interpreting who the enemy is that is to be destroyed. There is no indication of what today would be called ethnic cleansing or genocide.

Having summed up the main points at the end of each of the subsections above, the final summary of the reception of *herem* during the crusades can be brief:

(1) The analysis of the chronicles of the first crusade returned a number of possible allusions to *herem* texts and motives; crucially, however, it also yielded the first unequivocal

¹⁸³ *ibid.*, 242.

¹⁸⁴ *ibid.*, 245.

¹⁸⁵ *ibid.*, 244.

¹⁸⁶ *ibid.*, 245, 247; cf. Josh 7:26.

¹⁸⁷ *ibid.*, 247.

¹⁸⁸ Pseudo-Augustine, Ep. 13, cf. Russell, *Just War*, 26ff.

example in which a *herem* text was used as an *ex post facto* justification for a massacre committed by Christians, i.e. at Jerusalem in 1099;

(2) The prominence of OT motives in crusading poems and songs has turned out to significantly decrease over time; while some songs celebrate the Jerusalem massacre, no direct links to *herem* texts can be demonstrated; in addition, none of the songs call in unambiguous terms for the total eradication of all enemies, including women and children.

(3) A small number of later crusading sermons draw on the concept of *herem*; while they do not call for the total annihilation of the enemy, the sermons of Eudes of Châteauroux represent the first unambiguous example of a Christian drawing on *herem* texts qua *herem* texts as he exhorts other Christians to engage in warfare.

5.3 The Spanish Conquest of the New World (1492-1600)

This section will not attempt to present a comprehensive account of the Spanish conquest of the “New World,” nor an exhaustive review of the theological and ideological defences and criticisms of it that were put forward at the time. Rather, its aims are much more modest, viz. to see whether evidence can be found to substantiate the following charge made by Matthew Tindal, a prominent 18th century critic of revealed religion, “I question whether the *Spaniards* wou’d have murder’d so many Millions in the Indies, had they not thought they might have us’d them like *Canaanites*.”¹⁸⁹

As regards Tindal’s statement itself, it must be pointed out, on the one hand, that imagining a counterfactual of the kind it implies is very difficult indeed, i.e. it is not easy to realistically conceive of early modern European culture apart from the influence of the bible. One might also ask whether in the absence of the bible the Spaniards might have drawn upon other sources to justify their conquest, with equally bloody results.¹⁹⁰ On the other hand, it clearly matters for reception history whether they did in fact draw upon *herem* and conquest traditions to justify their actions. This section, then, is not based on an exhaustive review of primary sources, but

¹⁸⁹ Matthew Tindal, *Christianity as Old as the Creation: Or, the Gospel, a Republication of the Religion of Nature, Volume 1* (London: anon., 1730), 264; see more on his criticisms in the next chapter.

¹⁹⁰ e.g. Rome’s destruction of Carthage.

rather on such pertinent sources as are found in a recent “world history of genocide and extermination.”¹⁹¹

To begin with, Juan Ginés de Sepúlveda (1490-1573), the “major intellectual apologist for Spain’s conquest” appealed in his writings, among other things, to the judgment on sin which meant that “the Amorites and Perizzites and other inhabitants of the Promised Land were exterminated by the Children of Israel.”¹⁹² Even more important, however, is the fact that the conquest of Canaan by the Israelites provided the theological paradigm on which the Requirement (“requerimento”) was based, a document designed to cast the conquest of the New World in terms of a thoroughly just and justified action.

In 1513 one Martí Fernández de Enciso laid out the arguments for this position, suggesting that “God had assigned the Indies to Spain..., just as the Jews had been given the Promised Land.”¹⁹³ According to de Enciso,

Moses sent Joshua to require the inhabitants of Jericho, the first city in the promised land of Canaan, to abandon their city because it belonged to the people of Israel inasmuch as God had given it to them; and when the people of Jericho did not give up their land Joshua surrounded them and killed them all except one woman who had protected his spies. And afterwards Joshua conquered all the land of Canaan by force of arms, and many were killed and those who were captured were given as slaves and served the people of Israel. And all this was done by the will of God because they were idolaters.¹⁹⁴

For de Enciso, there was a contemporary parallel in that “the Pope, who now stood in God's stead, had given Spain the Indies and its idolatrous inhabitants in order that the Catholic King might introduce Christianity there.”¹⁹⁵ The king of Spain thus held just title to the New World and “might very justly send men to require those idolatrous Indians to hand over their land to him, for it was given him by the pope. If the Indians would not do this, he might justly wage war against

¹⁹¹ Ben Kiernan, *Blood and Soil: A World History of Genocide and Extermination from Carthage to Darfur* (London: Yale University Press, 2007).

¹⁹² quoted *ibid.*, 75.

¹⁹³ Lewis Hanke, *The Spanish Struggle for Justice in the Conquest of America* (Philadelphia: University of Pennsylvania Press, 1949), 31.

¹⁹⁴ quoted in *ibid.*, 32; Interestingly, this account speaks of a message sent to the inhabitants of Jericho urging them to hand over their city; this idea is found in early rabbinic reception of *herem* texts but not in the OT itself.

¹⁹⁵ *ibid.*

them, kill them and enslave those captured in war, precisely as Joshua treated the inhabitants of the land of Canaan.”¹⁹⁶

De Enciso’s argument was accepted by the court theologians, “with the proviso that those Indians who gave over their land peaceably to the King’s representative should be allowed to continue to live thereon as his vassals.”¹⁹⁷ In other words, the Indians were not to be treated precisely as the Canaanites, i.e. they were not to be subjected to total destruction -- provided they surrendered their lands. Based upon this theology, a formal document was drawn up, which came to be known as the Requirement. It enjoined on the Indians to accept two obligations; first, “to acknowledge ‘the Church as the Ruler and Superior of the whole world and the high priest called the Pope, and in his name the King and Queen Juana in his stead as superiors, lords, and kings of these islands and this Tierra Firme [sic] by virtue of said donation;’” second, “to allow the faith to be preached to them.”¹⁹⁸ The Indians were presented with the choice of either immediately accepting these terms or else facing unrelenting warfare and the enslavement of their men, women and children; for which, in the inexorable logic of the document, they had no one to blame but themselves.

Subsequently, the “Requirement was made part of the baggage that every conquistador was expected to carry with him to America;”¹⁹⁹ in practice, it was sometimes “read to trees and empty huts when no Indians were to be found. Captains muttered its theological phrases into their beards on the edge of sleeping Indian settlements, or even a league away before starting the formal attack, and at times some leather-lunged Spanish notary hurled its sonorous phrases after the Indians as they fled into the mountains. Once it was read in camp before the soldiers to the beat of the drum.”²⁰⁰ While the document was criticized and ridiculed even at the time, it certainly reflects the influence of conquest and *herem* texts on those who were intent to provide a theological basis for the *conquista*.

Having established that the Israelite conquest of Canaan provided the theological framework for the entire enterprise of *conquista*, we now turn to ask whether there are examples in which *herem* texts were drawn upon in the context of specific massacres.

¹⁹⁶ quoted *ibid.*

¹⁹⁷ *ibid.*

¹⁹⁸ *ibid.*, 33.

¹⁹⁹ *ibid.*, 35.

²⁰⁰ *ibid.*, 34.

The idea of exterminating a people for their sinfulness is found in some contemporary sources, e.g. in the rhetoric of one Vasco Núñez de Balboa, who in 1513 wrote to the Spanish king from Panama, “These Indians of Caribana have well deserved death a thousand times, because they are very bad people [...]; I do not make them slaves according to their evil breed but even order them burnt to the last, young and old, so that no memory remains of such evil people.”²⁰¹ While there is no unambiguous reference to *herem* here, the destruction even of an evil people’s name certainly resonates with Amalek texts. It should also be noted, however, that the Spanish government later withdrew their support from Balboa, and had him executed.²⁰²

Similar resonances are found in the case of Hernán Cortés, who in the course of a war against the province of Tlaxcala threatened that “if they did not now come to terms, we would slay all their people.”²⁰³ When it came to the battle, however, Cortés ordered his men to “refrain from killing women and children.”²⁰⁴ In the case of Tenochtitlan, which Cortés attacked in 1521, however, “[m]ore than six thousand of [the ten thousand inhabitants], men, women and children, perished that day, for our Indian allies, when they saw the victory which God had given us, had no other thought but to kill, right and left.”²⁰⁵ The victory is clearly attributed to God; the massacre, however, to the Spaniard’s Indian allies; no direct appeal to the scriptures is made.

Finally, it should also be noted that there were Christians who criticized all this bloodshed, most notably Bartolomé de las Casas (ca. 1484-1566), who “estimated that by 1542, ‘our Spaniards’ in the Caribbean, Mexico, and Central America had ‘devastated the land and exterminated the rational people who fully inhabited it,’ killing ‘more than twelve million men, women and children.’”²⁰⁶ While some of las Casas’ claims appear to have been exaggerated his “main charges have been proved substantially correct.”²⁰⁷ In response to such criticism, certain measures were taken to limit cruelty against the indigenous population, including a 1537 bull by Pope Paul III that “reiterated that Native Americans were rational beings with souls whose lives and property should be protected.”²⁰⁸

²⁰¹ quoted in Kiernan, *Blood and Soil*, 81.

²⁰² *ibid.*

²⁰³ quoted *ibid.*, 89.

²⁰⁴ *ibid.*, 90.

²⁰⁵ *ibid.*, 91.

²⁰⁶ *ibid.*, 77.

²⁰⁷ *ibid.*, 97.

²⁰⁸ *ibid.*

In conclusion, then, we have found substantial evidence for Tindal's suggestion that the example of the Canaanites played an important role in the Spanish conquest of the New World. That these conquests were extremely bloody is also beyond doubt; in the judgment of one contemporary historian "most of the Spanish had no genocidal motive to exterminate the Indians;" however, "genocide had occurred, as well as extermination."²⁰⁹ While the conquest and *herem* of the Canaanites clearly played a crucial role in framing the entire enterprise of conquest, we have found no unambiguous example of these texts being used to inspire a specific massacre, or of them being invoked in justification of a concrete bloodbath.

5.4 'Christian holy war' in the sixteenth and seventeenth centuries

As noted above, while the crusades were indeed thought of as "holy wars" insofar as the importance of papal authorisation and religious motives and (alleged) religious benefits were concerned, they did not represent a third category in contradistinction to pacifism and just war (contra Bainton); rather they were seen as a subcategory of the just war. The legal theory, or fiction, underlying the Requirement suggests that the same holds true for the Spanish conquest of the New World, in that it was conceived of within the framework of just war thought.

In the following section I will examine the period of the 16th and 17th centuries, during which the medieval just war theory bifurcated into what Johnson has termed "holy war" on the one hand, and "secularized just war theory" on the other.²¹⁰ Even in this case, however, "holy war" was not a distinct category but a "a movement *within* the just war tradition."²¹¹ In what follows we will consider what role if any the reception of *herem* texts played in the development of this Christian "holy war" theory.

5.4.1 Henry Bullinger

A sermon titled "On War" by the Swiss reformer Henry Bullinger (1504-1575) was "[p]erhaps the most significant source for holy war ideas in English thought in the sixteenth

²⁰⁹ *ibid.*

²¹⁰ This section is heavily indebted to his work, esp. James Turner Johnson, *Just War Tradition and the Restraint of War: A Moral and Historical Inquiry* (Princeton, NJ: Princeton University Press, 1981); *The Holy War Idea in Western and Islamic Traditions* (University Park, PA: Pennsylvania State University Press, 1997); *Ideology, Reason, and the Limitation of War; The Quest for Peace*; John Kelsay and James T. Johnson (eds.), *Just War and Jihad: Historical and Theoretical Perspectives on War and Peace in Western and Islamic Traditions* (New York: Greenwood Press, 1991); S. H. Hashmi and J.T. Johnson, 'Introduction', in S. H. Hashmi (ed.), *Just Wars, Holy Wars, and Jihads: Christian, Jewish, and Muslim Encounters and Exchanges* (Oxford: Oxford University Press, 2012), 3-20.

²¹¹ Johnson, *Ideology*, 131, emphasis added.

century.”²¹² The sermon is the ninth in the second of Bullinger’s five “decades,” an English translations of which was published in 1577, and then again in 1584 and 1587, with slight revisions.²¹³ These sermons acquired a certain degree of official status in England when in 1586 the Convocation of the Province of Canterbury, led by Archbishop Whitgift, passed the “Orders for the better increase of learning in the inferior Ministers,” mandating that “[e]very minister having cure and being under the degrees of master of arts, and batchelors of law, and not licensed to be a public preacher shall...provide a bible, and Bullinger’s Decads in Latin or English, and a paper book,” reading a chapter of the bible each day and one of the sermons each week, taking notes on each in the notebook, which notes were to be inspected every quarter.²¹⁴ Their reprint by the Parker Society in 1849 demonstrates that even in the mid 19th century Bullinger’s decades as a whole were found to “possess a peculiar claim on the regard of the members of the Church of England,” since “several of his writings...were eminently appreciated by our theologians and religious persons of the era of the Reformation.”²¹⁵

Bullinger’s sermon on war, which is one of several on the sixth commandment (Thou shalt not kill), in large part contains standard arguments of the kind magisterial reformers were making against Anabaptist criticisms, e.g. defending the right of the magistrate to wield the sword; the propriety of Christians serving as magistrates if called upon to do so; and the duty Christians owed to magistrates, e.g. rendering honour, obedience and tribute, and praying for them.

There also is a realism to Bullinger’s treatment of the horrors of war, no doubt informed by his own immediate experience of it: war is utterly terrible, and must only ever be the last resort.²¹⁶ However, the magistrate is “licensed to make war for just and necessary causes,”²¹⁷ one of these being, uncontroversially, the defence of one’s subjects or allies,²¹⁸

However there is also another category of just war for Bullinger, viz.

war upon men which are incurable, whom the very judgment of the Lord condemneth and biddeth to kill without pity or mercy. So were the wars as Moses

²¹² *ibid.*, 110.

²¹³ “Advertisement”, in Heinrich Bullinger, *The Decades of Henry Bullinger, Minister of the Church of Zurich. Translated by H.I.; the First and Second Decades. Edited for the Parker Society by the Rev. Thomas Harding* (Cambridge: Cambridge University Press, 1849), vi; I am quoting from the English version because of its importance for subsequent reception.

²¹⁴ Cardwell’s *Synodalia*, quoted in *ibid.*, vii.i.

²¹⁵ *ibid.*, vi.

²¹⁶ “On War” in *ibid.*, 373, 380f.

²¹⁷ *ibid.*, 373.

²¹⁸ *ibid.*, 376, 378f.

had with the Midianties, and Josue with the Amalechites. Of that sort are the wars wherein such men are oppressed, as of invincible malice will both perish themselves and draw others to destruction as well as themselves, with those also which, rejecting all justice and equity, do stubbornly go on to persist in their naughtiness.²¹⁹

Bullinger then applies this exegetically derived category to his own day, “Hereunto appertain the wars that are taken in hand for the defence of true religion against idolaters and enemies of the true and catholic faith.” For him this follows from the need that the magistrate defend certain goods, such as liberty and physical life, by the sword. If these relatively lesser goods are worthy of such defence, it follows, for Bullinger, that greater goods are worthy of such defence, too; and “there is nothing of more and greater weight than sincere and true religion is.”²²⁰

To this philosophical reason Bullinger adds an exegetical argument, “There is, moreover, a manifest and flat commandment of God touching this matter to be seen in Deuteronomium. For the Lord commandeth that every city, within the jurisdiction of every magistrate, which departeth from God and the worship of God, should be set on with warriors, and utterly rased, if it revolted not from idolatry betimes.”²²¹ Applying this OT precept directly to “the magistrate,” Bullinger extrapolates, “But if the magistrate be commanded to punish apostates by war, then it is lawful for him by war to defend the Church in danger to be drawn by any barbarous prince from true religion unto false idolatry.”²²² On this logic, wars in defence of true religion may be fought pre-emptively.

According to Johnson, Bullinger’s argument at this point departs from late medieval just war doctrine in four significant ways: (1) “the *state* may initiate religious wars”; (2) “he admits punitive war against the ‘incurable’”, which includes (3) an implicit “dichotomy between the righteous, who execute God’s wrath, and the unrighteous, on whom the punishment falls”; (4) the provisions that the enemies are to be “‘killed without pity or mercy’...impl[ies] the removal of the limits of the *jus in bello* [and] takes away the need for penance on the part of soldiers for the evils they have committed in wartime.” This is particularly significant in light of the fact that “[e]ach of

²¹⁹ *ibid.*

²²⁰ *ibid.*, 377.

²²¹ *ibid.*, Bullinger makes clear that he is referring to a *herem* text, “The place is extant in the thirteenth of Deut.”

²²² *ibid.*

Bullinger's points modifying Christian doctrine on war in the direction of holy war is taken up and amplified by English proponents of holy war during the next eighty years."²²³

The reception of *herem* played a major role in Bullinger's argument. As we have seen above the *herem* commanded in Deut 13:12-18 is Bullinger's principal biblical argument in support of wars waged for the defence of true religion; the reference to the war with the Amalekites and the injunction to kill "without pity or mercy" also resonate strongly with *herem* texts. Additional *herem* texts feature as illustrations of the point that war is the "scourge of God;" "For murder, idolatry, incest and detestable riot, we read that the Canaanites were rased out and cut off."²²⁴ Bullinger also concedes "that some by war have no small commodity, profit, and inestimable riches, with very little loss or no damage at all. Such was the war which the Israelites had with the Canaanites under their captain Josue."²²⁵ This, however, is not a rule, and wars should not be fought with the desire to profit from them; in fact, even holding to the true religion is no guarantee for victory in war, since God may well use idolaters to punish his own people.²²⁶

According to Bullinger, "it is not lawful to make any war, unless it be against open enemies, and wicked men that are incurable."²²⁷ If, in contravention of these criteria "the magistrate's purpose be to kill the guiltless...then this people ought not to obey his wicked commandments."²²⁸ In the pursuit of war, "the magistrate must not set their minds upon gain or pleasure;" or desire "[o]ther men's territories;"²²⁹ rather, they ought to seek "justice, public peace, defence of truth and innocency."²³⁰

There appears to be no doubt in Bullinger's mind that biblical *herem* warfare met all these standards; among the "innumerable sort of examples almost of holy and upright wars, and of excellent kings and captains" found in the word of God are "Moses and Josue [who] destroyed about thirty-nine kings; they punished severely the unspeakable wickedness of all those nations; and planted the people committed to their charge in the land which God had promised to give

²²³ Johnson, *Ideology*, 112f.

²²⁴ Bullinger, *Decades*, 374.

²²⁵ *ibid.*, 375.

²²⁶ *ibid.*

²²⁷ *ibid.*, 379.

²²⁸ *ibid.*, 373.

²²⁹ *ibid.*, 379f.

²³⁰ *ibid.*, 379.

them.”²³¹ *Herem* narratives were thus very near the core of Christian holy war doctrine as it emerged in the sixteenth century.

5.4.2 William Allen

As Johnson points out, Bullinger’s voice was not the one calling most stridently for warfare for the sake of religion in England;²³² that voice belonged, perhaps surprisingly, to a Catholic, William Cardinal Allen, whose *True, Sincere and Modest Defence of English Catholiques* was first published in 1583. Much like Bullinger’s sermons, it was re-published centuries later, in this case complete with nihil obstat and imprimatur, as well as the following commendation by Francis Cardinal Bourne, Archbishop of Westminster, “It would be difficult to exaggerate the importance of this work. It takes us at once to the very heart of the controversies which then divided, and still, unhappily, divide our country; and it makes us see again those controversies as they appeared to the eyes of those who were nearer than we are, by more than three hundred years, to the source and origin of the religious strife.”²³³

The pertinent sections are found in chapter five, “Of excommunication and deprivation of princes for heresie and falling from the Faith: speciallie, of warres for Religion; and of the Zeale of Preists [sic] of th’ old and new law in such cases.”²³⁴ Allen first cites examples of OT priests and prophets who resisted apostate or schismatic kings, including by the use of arms; he then adds that in the New Covenant priests have an even greater sovereign authority in defence of the Church and provides a list examples of clerical resistance to worldly powers that were in the wrong (e.g. Ambrose’s excommunication of Theodosius); he then concludes that “[t]here is no war in the world so just or honourable, be it civil or foreign, as that which is waged for religion; we say for the true, ancient, Catholic, Roman religion; which by the laws of holy Church and all Christian nations, is adjudged to be the only true worship of God; and unto the obedience of which all princes and people have yielded themselves, either by oath, vow or Sacraments, or every of these ways.”²³⁵ The reason for this is that “no crime in the world deserveth more sharp

²³¹ *ibid.*, 384.

²³² Johnson, *Ideology*, 114.

²³³ “Preface,” in William Allen, *Allen’s Defence of English Catholics, 1584. Vol. 1* (London: Manresa Press, 1914), vii.

²³⁴ William Allen, *A True Sincere and Modest Defence of English Catholiques that Suffer for their Faith both at Home and Abrode: Against a Felse, Seditious and Flaunderous Libel Intituled; the Execvtion of Ivstice in England.* 1584), 89.

²³⁵ William Allen, *Allen’s Defence of English Catholics, 1584. Vol. 2* (London: Manresa Press, 1914), 17; cf. Allen, *Defence 1584*, 103.

and zealous pursuit of extreme revenge (whether it be in superiors or subjects) than revolting from the faith to strange religions.”²³⁶

As Bullinger had done, so Allen turns to the *herem* texts of Deuteronomy 13 for his primary biblical warrant:

For that case also in Deuteronomy express charge was given to slay all false prophets, and whosoever should avert the people from the true worship of God, and induce them to receive strange gods, and new religions; and to destroy all their followers were they ever so near us by nature. And in the same place, that if any city should revolt from the received and prescribed worship of God, and begin to admit new religions, it should be utterly 'wasted by fire and sword.'²³⁷

For Allen, this authority to wage war in defence of the church is not limited to Christian lands, “Yea, the quarrel of religion and defence of innocency is so just, that heathen princes, not at all subject to the Church's laws and discipline, may in that case by the Christians' arms be resisted, and might lawfully have been repressed in times of the pagans, and first great persecutions, when they vexed and oppressed the faithful; but not otherwise (as most men think), if they would not annoy the Christians, nor violently hinder or seek to extirpate the true faith and course of the Gospel.” Though, Allen adds, “St. Thomas seemeth also to say, that any heathen king may be lawfully deprived of his superiority over Christians.”²³⁸

As the above examples show, in the case of both Catholic and Protestant advocates of ‘holy war’ the *herem* texts of Deut 13 play a central role.

5.4.3 William Gouge

According to Johnson, William Gouge’s 1631 treatise *The Churches Conquest over the Sword* “represents an extreme among Puritan writers;”²³⁹ his “concern is not to place limits on Christian participation in war, which is the fundamental aim of just war doctrine, but rather to prove to his readers that Christians may not in duty avoid certain wars.”²⁴⁰ Johnson identifies “two definite openings for holy war in Gouge’s position: the extraordinary war commanded by God, and the offensive war to maintain truth and purity of religion.”²⁴¹

²³⁶ Allen, *Defence* 1914, 18; cf. Allen, *Defence* 1584, 103.

²³⁷ Allen, *Defence* 1914, 18f.; cf. Allen, *Defence* 1584, 104.

²³⁸ Allen, *Defence* 1914, 22f.; cf. Allen, *Defence* 1584, 107.

²³⁹ Johnson, *Ideology*, 125.

²⁴⁰ *ibid.*, 118f.

²⁴¹ *ibid.*, 121.

Gouge's work is an exceedingly detailed exegesis of Israel's battle against Amalek (Ex 17:8-16) over almost 200 pages; the dedicatory epistle to Robert, Lord Rich, baron of Leez, and Earle of Warwick hints at the practical application Gouge has in mind, "Sir, this Treatise treateth of Warre. Your *Lordship* is knowne to be a *Man of Warre*. It setteth out *Ioshua*, a *Generall* of an undaunted spirit. Your spirit hath been proved to be such a one."²⁴² The hermeneutical framework is then spelt out in the opening lines of the Treatise: "The history of the *Israelites* in the wilderness is a visible representation of God's governing his Church in this world [marginal note: 1 Cor 10,6];" they "are to be read and heard...as presidents [sic] wherein we may learne what God expects of us, and what we may expect of him."²⁴³ The story of the battle of Amalek is "very seasonable for our times."²⁴⁴

Addressing the question "what warres may be counted just and lawfull," Gouge distinguishes between those "extraordinarily made by expresse charge from God" and "ordinary warres [that] are either defensive or offensive."²⁴⁵ Among the former are "the wars *Moses* [fought] in his time against *Sihon*, and *Og* and the *Midianites*... and the warres in *Ioshua's* time. No question must be made of them, because they had the best warrant that could be, *God's command*." It seems doubtful, however, that these comments represent an "opening for holy war," as suggested by Johnson. For Gouge continues, "If any will make those wars a pattern to root out kingdomes and nations as *Moses* and *Ioshua* did, let them shew the like warrant."²⁴⁶

Among the "ordinary warres" are offensive wars for just causes, including "1. Maintenance of Truth, and purity of Religion. This moved the *Israelites* in *Canaan* to think of making warre against their brethren on the other side of Iordan, Ios. 22.12."²⁴⁷ The biblical warrant for religious wars is thus not taken from a *herem* text; however, a *herem* passage is offered in support of another category of just offensive wars, "3. Execution of vengeance on such as have done publique wrong. This reason does God render of sending *Saul* against *Amalek*, I Sam 15.2. For such

²⁴² William Gouge, *Gods Three Arrowes: Plague, Famine, Sword. in Three Treatises. I. A Plaister for the Plague. II. Dearth's Death. III: The Churches Conquest Over the Sword* (London: Brewster, 1636), 02 (following page 176). This edition gives the publication date for "The Church's Conquest" as 1631, *ibid.*, title page following page 176; Spelling and emphasis as in the original unless otherwise noted; for improved readability I have, however, included an apostrophe in Saxon genitives.

²⁴³ *ibid.*, 177.

²⁴⁴ *ibid.*, 178.

²⁴⁵ *ibid.*, 214f.

²⁴⁶ *ibid.*, 215.

²⁴⁷ *ibid.*

a cause *David* made warre against the *Amonites*, 2 Sam 10.7.”²⁴⁸ The inclusion of the example from 2 Samuel shows that *herem* or total destruction of the enemy is not part of the comparison that is drawn at this point; the focus, rather, is on vengeance as a legitimate *casus belli*.

It should be noted, too, that Gouge sees war very much as a last resort, urging that “before men enter into warre, whether defensive or offensive, all good and faire meanes be used, to move enemies voluntarily to do what is just and equall.”²⁴⁹ Moreover, he suggests that while some offensive wars may be just, more often than not those that begin a war end up losing it.²⁵⁰

In a paragraph addressing “*the lawfulnessse of shedding blood in warre*,” Gouge argues that “*Enemies in warre may lawfully be slaine*. If God’s command, Saints’ practice, God’s approbation, and remuneration, yea and his vengeance on them that spared such enemies as should have beene slaine, be sufficient warrant, sufficient warrant is not wanting for this point.”²⁵¹ Gouge draws on *herem* texts to establish points 1, 2 and 5, i.e. God’s commands, the saints’ practice and God’s vengeance on the disobedient: “1. for precept, *Moses* from God saith to the *Israelites*, *Avenge the Lord of Midian; kill every male among the little ones, and kill every woman that hath knowne man*. And *Samuel* to *Saul*, *Smite Amalek, and utterly destroy all that they have, and spare them not, but slay both man and woman &c*. And the Lord himself, *slay utterly old and young*.”²⁵² In addition, “2. For practice, note the patterns of Abraham, and of the people of God under Moses, Ioshua, David and others guided by the Spirit of God.”²⁵³ Finally, “5. For Gods vengeance on such as did not slay those enemies that should have been slaine, there is instance in *Saul*, and *Ahab*.”²⁵⁴

In light of the biblical precedents Gouge invokes at this point, the question arises whether he advocated total, unrestrained war.

One might arrive at the conclusion that he does, on the basis of passages such as this one: “The good warrant which soldiers have for slaying their enemies in warre, giveth good encouragement to them for a cheerfull going to warre, and for valiant fighting therein.” While Gouge concedes that “[i]t is indeed a matter of pity, and it ought to move our bowels of

²⁴⁸ *ibid.*, 215f.

²⁴⁹ *ibid.*, 216.

²⁵⁰ *ibid.*, 291.

²⁵¹ *ibid.*, 292.

²⁵² *ibid.*, 292f.; margin: Num 31:3.17; 1 Sam 15:3, Ezek 9:6.

²⁵³ *ibid.*, 293; margin: Gen 14:17; Num 31:7; Josh 8:22, 2 Sam 8:21.

²⁵⁴ *ibid.*; margin: 1 Sam 15.18-19; 1 Kgs 20:42.

compassion that people should be so wicked and desperate, as to give occasion to have their blood shed,” he adds, that “the occasion being given, pity must be laid aside. [margin: Deut 13:8].” In fact, “[p]ity in this case may prove the ruine of the citie.”²⁵⁵ In light of statements like these, Johnson suggests that Gouge “glosses over the [*jus in bello*], concerning himself almost exclusively with *jus ad bellum*.”²⁵⁶

However, it is patently not the case that Gouge generally advocates wholesale destruction, or that he has no concept of the *jus in bello*. In fact, Gouge argues for the following five limits to be placed on the conduct of war, “1. Show that thou delightest not in blood. Shed no more than of necessity (through the obstinacy of enemies) thou art forced to shed. If enemies yeeld, and relinquish their hostility, spare them. Read the charge which the divine law gives to this purpose, *Deut. 20.11.*”²⁵⁷

If Gouge advocates a sparing prosecution of war against enemy soldiers, he is even clearer about what today is called noncombatant immunity: “2. Slay not such as cannot hurt thee, as weake women, aged men, and young children. This exception the Law expressly maketh, *Deut. 20.14.*”²⁵⁸

Having himself frequently referred to *herem* texts in his treatise, Gouge anticipates the following objection, “In other places God’s people are commanded to slay *men and women, infant and sucklings*, 1 Sam 15.3 Answerably the *Israelites* dealt with many of their enemies, *They utterly destroyed all, both man and woman, young and old, &c. Jos. 6.21.*”²⁵⁹

Gouge’s answer has two prongs, first “[p]articular charges make extraordinary cases: as the charge given to *Abraham* for sacrificing his sonne. Extraordinary cases are not exemplary. They are rather matters of admiration then imitation.”²⁶⁰ And second,

The people who were so to be dealt withall were by God devoted to utter destruction: Some, because their land was given by the supreme possessour of heaven and earth for an inheritance to his people. The Law therefore that speaketh of sparing enemies, hath this exception, *But of the cities of those people which the Lord thy God doth give thee for inheritance, thou shalt save alive nothing that*

²⁵⁵ *ibid.*, 294f.

²⁵⁶ Johnson, *Ideology*, 126

²⁵⁷ Gouge, *Three Arrowes*, 295.

²⁵⁸ *ibid.*

²⁵⁹ *ibid.*

²⁶⁰ *ibid.*; margin: Gen 22:2.

breatheth. Others were devoted to destruction because of their implacable hatred, unsatiable wrath, and intolerable wrongs against the people of God: as *Amalek*.²⁶¹

Having thus hedged in the biblical command of total destruction as being an extraordinary case that is not to be imitated (point 1), and given the reasons for which God had devoted these peoples to destruction (point 2), Gouge appears to allow for extreme violence against all males in some cases: “3. If enemies will hearken to no conditions of peace: but obstinately stand out to the very uttermost, in such a case saith the Law, *Though shalt smite every male with the edge of the sword*.”²⁶²

A further restraint Gouge places on the conduct of war is to avoid excessive cruelty (even though he allows torture in certain warranted cases).²⁶³ Fourthly, picking up on Augustine’s focus on right intention, Gouge says “What thou doest against thine enemies do in love. Love their persons though thou hate their practises. Pray therefore for them. Pray that God would turne their hearts, and move them to cease from their hostility, or pardon their sin. Thus pious Magistrates will pray for the salvation of their soules whose bodies they adjudge to death.”²⁶⁴ While it is easy to be cynical about the summary of this point in the margins, i.e. “Slay in love,” it is by no means clear that Gouge was not sincere in what he enjoined on Christian soldiers, and saw it as a real and significant obligation on their part. The fifth and final limit placed on the conduct of war is a warning against making the public execution of justice an occasion of executing private revenge.²⁶⁵

On the one hand, then, Gouge’s application of *herem* texts to his day and age could be read to suggest total war, “*Papists to Protestants are as Amalekites to Israelites... Their profession being palpable Antichristianisme, this their malice against us is an evidence that our Religion is true, and Orthodoxe Christianity: which may minister unto us no small comfort against their bitter hatred of us.*”²⁶⁶ Gouge’s strong sectarian convictions are evident from the fact that he ends his treatise with a long and detailed list of what to him were providential acts defending the English under the Protestant monarchs Elizabeth, James and Charles, designed to show that “God who approved our Religion, and detesteth their superstition, or rather idolatry, made all their hopes

²⁶¹ *ibid.*, 296f; margin: Deut 20:16; Exod 17:14, Deut 25:17-19, 1 Sam 15:2.3.

²⁶² *ibid.*, 296; margin: Deut 20:13.

²⁶³ *ibid.*

²⁶⁴ *ibid.*

²⁶⁵ *ibid.*, 296f.

²⁶⁶ *ibid.*, 188.

utterly frustrate.”²⁶⁷ It seems that Gouge saw the war against Rome as rooted in “God’s irreversible counsell,” decreeing “[t]he *destruction* of that great adversary of the Christian Church, *Antichrist, whom the Lord shall consume*. And there are certaine Kings *into whose heart God hath put to fulfill his will, which is, to hate the whore, to make her desolate and naked, and to eat her flesh, and to burne her with fire.*”²⁶⁸

On the other hand, however, it would not be accurate to accuse Gouge of being an unrestrained warmonger; on the contrary, he holds that “it is man’s iniquity that makes [war] a lawfull remedy, and necessary. It is directly contrary to comfortable and profitable peace, and in that respect stiled *evill*.”²⁶⁹ He goes on to give a long and detailed list “of the evils of warre”,²⁷⁰ and concludes that “[n]o true Christian can, or may delight in warre”, for “[a] true Christian’s heart is possessed by charity;” therefore, “Christians ought to be very backward to warre” and enter it only with great circumspection.²⁷¹

In accordance with the emphasis in this chapter we have focused on the way in which Gouge draws on the *herem* texts to inform his teaching on warfare in his own day. In his exegesis, he never expressly problematises the command of total destruction, working firmly within a divine-command-theory approach (cf. above on God’s commands). For him, God’s order of Amalek’s utter destruction is one of many evidences that “the *Amalekites* [were] as malicious enemies against the *Israelites* as ever were any.”²⁷²

Observing that “*God may be provoked to the utter ruine of a people*. Instance the *old world, Sodom and Gomorrah, the Amorites, Canaanites*, and other nations utterly rooted out by *Israel*,”²⁷³ Gouge suggests there might be a number of reasons for which God might arrive at this “extremity of judgment:” “1. To give instance of Gods almighty power...2. To give prooffe of the severity of his wrath... 3. To give demonstration of his patience in sparing such as stand... 4. To give evidence of the intolerableness of men’s impiety and iniquity.”²⁷⁴

²⁶⁷ *ibid.*, 359.

²⁶⁸ *ibid.*, 332, margin: 1 Thess 2:8, Rev 17:26f.

²⁶⁹ *ibid.*, 339, margin: Isa 45:7.

²⁷⁰ *ibid.*, 342-346.

²⁷¹ *ibid.*, 350f.

²⁷² *ibid.*, 183ff.

²⁷³ *ibid.*, 310; margin: Gen 6:7, 19:24f, Num 23.32, Josh 11:14.

²⁷⁴ *ibid.*, 311.

Speaking, finally, of “warre’s desolations”, Gouge opines that “[w]hen God would have the *Canaanites* and other nations whose land he had given to Israel, to be rooted out, he stirres up *Moses*, *Ioshua* and the *Israelites* under them to make warre against them.” The examples he adduces are taken both from the bible and Homer, “By warre was *Samaria*, and *Ierusalem*, ruined. So was the spacious and populous city of *Troy*. [...] Warres ordered by God are the instruments of his wrath and justice against impenitent people: in justice therefore they cause utter ruine in such causes.”²⁷⁵

In conclusion, then, Gouge accepts the *herem* texts unquestioningly and draws a plethora of contemporary applications for a variety of OT warfare texts, including *herem* texts; he does not, however, advocate the indiscriminate slaughter of women and children; rather, he expressly forbids it.

5.4.4 Thomas Barnes

The final work cited in Johnson’s analysis of English holy war doctrine is Thomas Barnes’ *Vox Belli, or an Alarum to Warre*, written with a view to “provoke *them* whom it concernes, to a readinesse to succour the distressed Church in forreine parts.”²⁷⁶ Barnes’ principal text is “Cursed be he that keepeth back his sword from bloud.”²⁷⁷ *Herem* only features incidentally: there is a possible allusion to it near the beginning, where Barnes justifies his choice of topic, “But when I considered that there are Canaanites to be smitten at home, Christians to be succoured abroad, I tooke heart to venture this field;”²⁷⁸

Later in the work, Barnes emphasises that wars must not be waged “without a just cause, and a good call.”²⁷⁹ One of the reasons for this caution is that “[t]he stretching out of the sword to bloud requires the putting on of a kind of cruelty; as we see in *Samuell*, who hewed *Agag* in pieces without any compassion.” As Barnes points out, this lack of compassion stands in stark contradistinction to the mercy that scripture enjoins everywhere else.²⁸⁰ At the same time, “to withhold the sword from bloud when there is just cause and a lawfull call, is a dangerous thing,

²⁷⁵ *ibid.*, 339; margins: Josh 12:6.7; 2 Kgs 17:6, 25:9; Ovid.

²⁷⁶ Thomas Barnes, *Vox Belli, Or, an Alarum to Warre* (London: H.L.for Nathanael Newbery, 1626), p. 2 of the dedicatory letter.

²⁷⁷ *ibid.*, 2.

²⁷⁸ *ibid.*

²⁷⁹ *ibid.*, 19.

²⁸⁰ *ibid.*, 20f. Johnson takes this section in Barnes to mean that he places “no restrictions on cruelty in war;” Johnson, *Ideology*, 128

displeasing to God, exposing to the Curse.”²⁸¹ A *herem* text serves to illustrate this point, “The example is Saul’s, who was accurst in his affaires, and had his kingdome rent from him, for sparing the life of the King of *Amalek*, when God had given him a charge to cut him off.”²⁸²

In conclusion, then, while Barnes does not advocate the wholesale destruction of enemies, he does turn to a *herem* text to illustrate what is required in the context of a just war, i.e. a laying aside of compassion and an unsparing execution of God’s charge.

5.4.5 The practice of ‘Christian holy war’ in colonial North America

An example for the violent reception of *herem* texts from Colonial North America is pertinent to Puritan holy war thought and practice. The settlers that established a colony in Plymouth in 1621 “saw the Indians not as inferior but as ‘innately fair-skinned and wholly human,’ capable of eventual civilization if they rejected the ‘Devil’s thrall.’”²⁸³ The indigenous Indians of New England, in turn, “welcomed the Pilgrims and signed a treaty with them.”²⁸⁴ When some Indians, who were known to the local tribe, the Pequots, but did not belong to them, killed some settlers, the English held the Pequots responsible. When the latter did not hand over the killers, some 90 Connecticut soldiers set out on an expedition against them. As they went, they attended church where the minister encouraged them to “make their multitudes fall under your warlike weapons;”²⁸⁵ en route to the Pequot forts the soldiers also asked the chaplain who was accompanying them to seek God’s guidance for their battle plan.²⁸⁶

Rather than immediately take on the main Pequot fort the English soldiers decided to “attack from the rear the Mystic fort containing mostly women and children.”²⁸⁷ The attack took place on 26 May 1637, in the dead of night, when the majority of the unsuspecting Pequots were fast asleep; the fort was set on fire, and the majority of the people inside burned to death. According to one of the commanding officers, one John Underhill, “Many were burnt in the fort, both man, women and children. Others forced out, and came in troops to the Indians, twenty and thirty at a time, which our soldiers received and entertained with the point of the sword. Down

²⁸¹ Barnes, *Vox Belli*, 26.

²⁸² *ibid.*, 27, margin 1 Sam 15:8.

²⁸³ Kiernan, *Blood and Soil*, 225.

²⁸⁴ *ibid.*, 227.

²⁸⁵ quoted *ibid.*, 229.

²⁸⁶ *ibid.*

²⁸⁷ *ibid.*, 230.

fell men, women and children [...] many souls [lay] gasping on the ground, so thick in some places, that you could hardly pass along.”²⁸⁸

Underhill goes on to consider the morality of the massacre, “It may be demanded, Why should you be so furious? (as some have said) Should not Christians have more mercy and compassion?” In his answer, he appeals to OT *herem* commands, “Sometimes the Scripture declareth women and children must perish with their parents...We had sufficient light from God for our proceedings.”²⁸⁹ His fellow officer, Major John Mason, also used a biblical framework to describe the massacre, “Thus was God seen in the Mount,... burning them up in the fire of his Wrath, and dunging the Ground with their Flesh: It was the Lord’s Doings and it is marvellous in our eyes.”²⁹⁰

Underhill’s comments are an unambiguous case in which a Christian appeals to a *herem* text for an *ex post facto* justification of a massacre, reminiscent of Bartolf of Nangis’ reason given for the massacre of the population of Jerusalem in 1099. However, it cannot be demonstrated that *herem* texts decisively shaped the actions themselves before or during the massacre, in that it is not clear that it was premeditated and supported by biblical references.

As the war with the Pequots wore on, however, it did become “English policy to root them out...[as] enemies of God’s people.”²⁹¹ In practice, however, it was often the case that all males were killed and women and children were sold as slaves, because the English were “loth to destroy Women and Children.”²⁹² Following a decision by Connecticut’s General Assembly “that the name of the Pequots should become extinct,” surviving Pequots were forced to no longer identify themselves by that name, and place names were also changed to eradicate any reference to the tribe.²⁹³ The official policy of the English was one of genocide for three years; during two of them, the death toll “probably exceeded 35 percent of the Pequot population.”²⁹⁴

In the case of Colonial North America, then, we have found another example of *herem* texts being invoked to justify a massacre *ex post facto*; we also found that the Puritan colonial

²⁸⁸ John Underhill quoted *ibid.*, 230f.

²⁸⁹ *idem* quoted *ibid.*, 231.

²⁹⁰ *ibid.*; cf. Ps 118:23.

²⁹¹ *ibid.*, 232.

²⁹² *ibid.*, cf. Deut 20:13f.

²⁹³ *ibid.*, 234.

²⁹⁴ *ibid.*

administration in Connecticut was for some years pursuing a policy of genocide, though we have found no evidence that this was supported by appealing to *herem* texts.

In conclusion, then, *herem* texts played an important role in the development of sixteenth and seventeenth century Christian holy war doctrine. While we have found no example of them being used to pro-actively urge the killing of women, children and other noncombatants, we did find evidence for their use as justification for a massacre committed by Puritan soldiers against the Pequot Indians in Connecticut.

At the end of this chapter on violent readings of *herem* texts from the medieval crusades to seventeenth century North America, the following conclusions can be drawn.

The OT generally, and *herem* texts specifically, provided narratives, categories and labels by which Christians understood themselves and their “enemies” (e.g. the Saracens, native Americans, Christians of other confessions); the Israelite conquest of Canaan functioned as the framework in which at least some crusaders, conquistadores and settlers understood themselves and their respective undertakings; across the board, the religious authority of the scriptural examples imbued contemporary violent practice with theological importance, even divine warrant.

In addition, some Christians at times appealed to *herem* texts to advocate violent action and war (e.g. Eudes of Châteauroux, Henry Bullinger, William Allen); however, it does not seem to be the case that any of them envisaged the total annihilation of their enemies, including women and children.

Nevertheless, *herem* texts were sometimes used to justify massacres *ex post facto* (Bartolf of Nangis, John Underhill); at the same time, it cannot be demonstrated that they shaped the planning or execution of mass slaughters.

Finally, the important question of whether religiously motivated wars were, in actual practice, any more bloody and cruel than wars waged for other purposes is beyond the scope of this study. Johnson, who has been publishing on this question for four decades, rejects “Bainton’s suggestion that holy war is characteristically ‘prosecuted unsparingly’ [...] The most ferocious bloodshed occurred in conflicts that were essentially civil wars; wars between sovereign powers tended to be more restrained.” What is more, “the religiously charged conflicts of the

Reformation also produced arguments for a righteous holy warrior, one more scrupulous and restrained than his secular counterpart.”²⁹⁵

In terms of religious justifications for war it should also be noted that “[a]fter the Peace of Westphalia (1648) brought to an end the wars of religion in Europe, the just war tradition by and large divested itself of any remaining holy war influences.”²⁹⁶ Related to this development is the fact that in the following century the use of the OT, and especially of *herem* texts, to justify colonial conquests and mass killings played an important role in moral criticisms of the bible, as we shall see in the next chapter. That development did not mean, however, that religion in general, or the bible and *herem* texts in particular, would no longer play a role in violent conflicts, as will also be illustrated.

²⁹⁵ Hashmi and Johnson, *Introduction*, 16; citing especially Johnson, *Holy War Idea*, 103-112.

²⁹⁶ Hashmi and Johnson, *Introduction*, 18; for this development see especially, Johnson, *Ideology*, 208-255.

6. Reading herem from the dawn of the Enlightenment to today

In this concluding chapter I will investigate the Christian reception of *herem* texts in more recent times, stretching from their sustained moral criticisms in the eighteenth century to Christian readings of *herem* published as recently as in 2013. Most of the readings found in that period are essentially variations on the themes laid out in the preceding chapters; some authors, however, develop traditional approaches in new ways, especially in the relatively rare cases in which they combine them with historical-critical scholarship on the OT.

No attempt was made to comprehensively catalogue, analyse and present the wealth of reception materials available for this period; rather, only a number of what seemed to me to be particularly pertinent readings were selected to illustrate the continuing influence and relevance of the various historical approaches. With the exception of Karl Barth, none of the major theologians of this period are included, for the simple reason that few, if any, have, as far as I can see, addressed the challenge of these texts directly; Barth, too, does not discuss the hermeneutical dilemma as such, but makes largely uncritical use of *herem* texts. The majority of contributors cited in this section are, therefore, otherwise relatively little-known conservative Roman Catholic or Protestant evangelical theologians; recently, however, several high-profile philosophers of religion have also begun to address the challenge.¹

In the first two sections below, I give brief examples of the uncritical use of *herem* texts and point to instances of reception that justify and potentially motivate violence, before turning to Tindal's eighteenth century criticism and the various types of responses to it and similar objections.

6.1 Uncritical readings

Karl Barth's (1886-1968) use of *herem* texts is uncritical in the sense that he does not address the hermeneutical dilemma as such. In the two sections of his *Kirchliche Dogmatik* (KD) in which he discusses 1 Samuel 15, however, he does acknowledge that, humanly speaking, the text presents major difficulties. In a section on election, Barth suggests that Saul's sins (the hasty offering in 1 Sam 13 and the incomplete execution of the annihilation command in 1 Sam 15) "eigentlich mikroskopische Sünden sind, ja daß man noch heute Mühe hat, die Sympathie und

¹ cf. e.g. contributions by Alvin Plantinga, Nicholas Wolterstorff, Eleanore Stump and Richard Swinburne in Michael Bergmann et al (ed.), *Divine Evil? The Moral Character of the God of Abraham*. (Oxford: Oxford University Press, 2010), some of which are discussed below.

Billigung zu unterdrücken, die dem gegenüber, was Saul dabei getan hat, näher liegt als das Gegenteil.”² Similarly, in a section on man’s pride and fall composed several years later, he writes, “Die *Verfehlung* Sauls, durch die er seinem Königtum selbst ein Ende macht, ist nach den beiden im Text vereinigten Überlieferungen eine äußerlich höchst geringfügige. Sie ist eine ‘läßliche’, eine durch die Umstände weithin erklärliche und entschuldigte, um nicht zu sagen: menschlich sympathische Sünde, angesichts deren man nicht wenig Lust hat, für Saul und gegen den alten Ankläger Samuel und seinen Jahve Partei zu ergreifen.”³

However, the human and divine assessments of Saul’s sins are poles apart, the sins are “mikroskopisch vor menschlichen, riesengroß und schlechthin entscheidend vor Gottes Augen.”⁴ Barth thus reads the text very much with the grain:

Die Antwort Samuels, die Antwort Gottes auf Sauls Verhalten lautet (und kein Jota ist davon zurückzunehmen): ‘Hat der Herr Wohlgefallen an Brandopfern und Schlachtopfern gleich wie am Gehorsam gegen den Herrn? Siehe, Gehorsam ist besser als Opfer, Aufmerken besser als Fett von Widdern. Denn Ungehorsam ist geradeso Sünde wie Wahrsagerei, und Widerspenstigkeit ist geradeso Frevel wie Abgötterei. Weil du das Wort des Herrn verworfen, hat er dich verworfen als König.’⁵

According to Barth, Saul’s sin in 1 Sam 15 was the following:

Saul will mit der ihn und Israel umgebenden Welt der anderen Könige und der anderen Völker und damit mit ihren Göttern – obwohl sie ihm in dem König der Amalekiter in ihrer schlimmsten Form gegenübersteht – nachdem er den Willen Gottes ihr gegenüber zu 99% erfüllt hat, einen Teilkompromiß schließen, einen kleinen *modus vivendi* finden: dem Gebot Gottes zuwider, nach welchem nur mit der völligen Ausrottung des ganzen fremden Wesens die Heiligung des verheißenen Landes zu vollziehen war.⁶

Similarly, the Israelites desired a king who would “in der kleinen Anpassung und Gleichschaltung (adaptation intellectuelle) der fremden Welt gegenüber vorangehe, die das Leben in Kanaan physisch und geistig allein möglich zu machen schien.” Thus, while Saul’s actions were “almost or entirely innocent” on a personal level, and while his attitude and approach was certainly respectable humanly speaking, it was also “genau die Darstellung *des* Königtums, das

² KD II/2 (1942), §35, “Die Erwählung des Einzelnen,” 407; all quotations are taken from Karl Barth, *Die Kirchliche Dogmatik* (Zollikon: Verlag der Evangelischen Buchhandlung, 1931-1967) in the *Digital Karl Barth Library*, <http://solomon.dkbl.alexanderstreet.com/>, accessed 3 October 2013; emphases in the original.

³ KD IV/1 (1953), §60, “Des Menschen Hochmut und Fall,” 492.

⁴ KD II/2, §35.2, 409.

⁵ *ibid.*, 407.

⁶ *ibid.*, 409f.; note that in Barth’s phraseology, the object of the intended Ausrottung is the abstract “entire foreign nature,” rather than concrete human beings.

sich dem Königtum Gottes gegenüber selbständig gemacht hat." Saul's rejection on account of these sins was, therefore, a just and necessary punishment.⁷

In KD IV/1, Barth's assessment remains largely unchanged:

Auch hier nur das, daß Saul den einen, wirklich kleinen und weder ganz unvernünftig noch ganz unförmig begründeten Kompromiß mit der Welt der anderen Könige, Völker und Götter zu schließen, diese praktisch fast bedeutungslose Anpassung und Gleichschaltung zu vollziehen für richtig hielt – und eben darin den Herrn dem Knecht, den *melek Saul* Saul dem Charismatiker einen kleinen Schritt weit vorangehen ließ. Nur das, daß er auch darin – hier nicht in Form einer Begehung, sondern in der einer Unterlassung – eben das war, was das Volk meinte und begehrte, als es nach einem König in Israel verlangte.⁸

For Barth this episode illustrates a crucial either/or: "Denn in der Frage: wer der Herr und wer der Knecht ist? gibt es kein Mehr oder Weniger, gibt es nur das Entweder-Oder. Indem Saul sich im Kleinsten verfehlt, verfehlt er sich ganz, mußte der Geist des Herrn von ihm weichen, um einem anderen bösen Geist Raum zu machen."⁹ This, for Barth, is illustrative of his description of sinful man as "*der Knecht, der Herr sein will*."¹⁰

In KD I/2 Barth had already turned to the commanded annihilation of the Canaanites to illustrate another, equally stark, either/or:

Man versteht, wenn man diese Verborgenheit des alttestamentlichen Bundesgottes bedenkt, auch dies, daß die Frage, wie sie Israel offenbar besonders in der Zeit Josuas und der Richter bis und mit Samuel gestellt war, in dem fürchterlichen Dilemma bestand: *entweder* Gottes Gegenwart, Führung und Hilfe und also Bundestreue und Gehorsam auch von seiten des Volkes – *oder* friedliches Sicheinleben in die Natur, Geschichte und Kultur des Landes: humanes Zusammenleben mit seinen Einwohnern. Oder umgekehrt gefragt: *entweder* Preisgabe des Bundes und damit Verlust der Gegenwart und Hilfe Gottes – *oder* Bruch mit aller vermeintlichen Gottesgegenwart in der Natur, Geschichte und Kultur des Landes: Bruch mit allen Konsequenzen bis zur physischen Ausrottung seiner Einwohner.¹¹

For Barth, this either/or reflects the sharp contrast between God's hiddenness in revelation with what Barth elsewhere calls "die fromme Zudringlichkeit und Sicherheit der Religion Kanaans."¹²

⁷ *ibid.*, 410.

⁸ KD IV/1, §60.2, 493.

⁹ *ibid.*

¹⁰ *ibid.*, 479.

¹¹ KD I/2 (1938), §14, "Die Zeit der Offenbarung," 93.

¹² KD I/1 (1932), §8, "Gott in seiner Offenbarung," 333.

In contradistinction to that, Barth observes

Das Alte Testament ist wie das Neue das Zeugnis von der Offenbarung, in der Gott ein *verborgener* Gott bleibt, ja gerade als der verborgene Gott sich erweist, indem er sich offenbart. In und mit der hier bezeugten Offenbarung fällt ein Urteil über die ganze sie umgebende Welt, indem Gott – hier, jetzt, so gegenwärtig – die ganze seine Offenbarung umgebende Welt als gottlos erklärt ohne Rücksicht auf das, was sie wahrscheinlich an Gottesgegenwart auch zu besitzen meinte. Und durch dieses Urteil wird diese ganze umgebende Welt als solche zum Absterben, zum Vergehen bestimmt. Hat sie eine Hoffnung, dann nicht in und aus sich selber, sondern nur im Zusammenhang mit der in der Offenbarung aufbrechenden neuen, der einzig wirklichen Gottesgegenwart. Aber sie hat zunächst keine Hoffnung. Sie muß zunächst vergehen.¹³

Barth then illustrates the radical otherness of God's revelation by contrasting it with what he imagines the Canaanite reaction to it would have been, "Befremden und Entsetzen gingen für die in Palästina ansässigen Völker, die zum Teil hochstehende Kulturvölker waren, her vor dem aus der Wüste hereinbrechenden Nomadenvolk mit seinem ersten und zweiten Gebot, obwohl es doch wirklich fraglich genug war, inwiefern dieses Volk selbst diese Gebote verstand und befolgte;" and again, "Wenn es fromme Kanaaniter gab – und warum sollte es solche nicht gegeben haben? – so muß ihnen der Gott Israels wie der leibhaftige Tod und der Glaube Israels wie die Areligiosität selber erschienen sein." While the phrase "fromme Kanaaniter" might lead one to expect a discussion of the morality of their destruction, Barth follows it with a hint at their fate, which in its brevity is at best laconic, at worst flippant, "Aber ihnen wurde zu solchen Überlegungen bekanntlich keine Zeit gelassen."¹⁴ Nothing suggests that Barth questions the morality of the physical extirpation of the Canaanites; on the contrary, this stark either/or is, for him, "exemplary" for Israel's later history.

In considering the harshness of the approach, Barth highlights its divine origin rather than playing it down, say, as a concession; Barth asks, "Ist es nationalistische Engherzigkeit, religiöser Fanatismus, Menschenhaß und Blutgier wohl gar, was diesem Volk so Stellung zu nehmen und zu handeln befiehlt?" On the contrary, "Nach dem einmütigen Zeugnis des Alten Testamentes wird es vielmehr *gegen* seinen Willen und unter zahlreichen Versuchen, seinen eigenen entgegengesetzten Willen durchzusetzen, auf diesen harten, inhumanen Weg getrieben. Es von sich aus möchte sich wohl angleichen, ein kanaanitisches Kulturvolk unter anderen werden, auch religiös offen und beweglich oder mindestens tolerant sein." But this "naturally humane" Israel is always being called back "in jene so ärgerliche Haltung des unbedingten Widerstandes." It is not

¹³ KD I/2, §14.2, 93.

¹⁴ *ibid.*; for another laconic statement on the "im übrigen nur zur Ausrottung bestimmten kanaanitischen Ureinwohner"; cf. KD II/2, §35, 393.

Israel's character but the nature of God that demands it: "Nicht seine religiös-nationale Eigenart widersteht hier – sie würde an sich gerade nicht so unbedingt widerstehen – wohl aber sein Gott, der nicht offenbar werden kann, ohne gleichzeitig verborgen zu werden. Ihm gehört das Land, und also nicht auch, sondern gar nicht den baalim. Mit der Treue zu ihm verträgt sich keine andere Treue." Israel's purpose in these actions was "dieser Welt das Ende, das über sie kommende Gericht anzeigen."¹⁵

For Barth, a similarly stark either/or exists between theological ethics and ethics in general. In KD II/2, Barth categorically rejects any apologetic that seeks to locate theological ethics in the context of general ethics in a way that grants "die theologische Ethik an einer allgemeinen Ethik messen zu müssen: darum nämlich, weil man anerkennt, daß diese ihr Richter, daß sie die Instanz sei, von der her auch für jene die Wahrheitsfrage aufgeworfen und entschieden werde."¹⁶

In meta-ethical terms, Barth affirms the supremacy of the divine command; it is central "an die faktisch bestehende Oberherrschaft des Gebotes Gottes über den ganzen Bereich der ethischen Problematik zu glauben."¹⁷ Therefore, and in contradistinction to the apologetic approach, Barth suggests that the relationship of theological to general ethics ought to be one of annexation, modeled on the Israelite conquest of Canaan:

Was der apologetischen Richtung in der theologischen Ethik bei ihrem Rekurs auf ein allgemeines sittliches Fragen und Antworten vorschwebt, das könnte nun freilich unter einer Bedingung als berechtigt anerkannt werden. Dann nämlich, wenn die theologische Ethik bei ihrer Annexion des Bereiches der allgemeinen ethischen Problematik sich so verhielte, wie die Israeliten bei ihrem Einzug in Kanaan es getan haben oder tun sollten. Nicht als in ein fremdes, ihnen nicht gehöriges Land, sondern als in das Land ihrer Väter sollten sie ja in Kanaan einziehen. Gehörte es nicht längst Jahve? Hatte er nicht eben in diesem Lande längst geredet mit Abraham, Isaak und Jakob? War es also nicht das gerade ihnen verheißene und ihnen als Jahves Volk zugehörige Land?¹⁸

According to Barth, this approach can never be used apologetically:

Beruht sie doch auf der Voraussetzung und besteht sie doch in der Bestätigung des *Rechtes* jener Annexion. Ist doch die durch die theologische Ethik angegriffene Gegenposition durchsichtig als eine in sich erschütterte Stellung und der von ihr her erhobene Widerspruch als in sich unhaltbar. Das wird sich also in dieser Beziehung auf keinen Fall ereignen, daß die theologische Ethik versuchen wird, ihrer eigenen Aufgabe das Befremdliche zu nehmen, das ihr, von dorthier gesehen, notwendig eigentümlich ist.

¹⁵ KD I/2, §14.2, 94.

¹⁶ KD II/2 (1942), §36, "Ethik als Aufgabe der Gotteslehre," 578

¹⁷ *ibid.*

¹⁸ *ibid.*, 579.

Annexion bleibt ja Annexion und wenn sie noch so rechtmäßig wäre und zu einem Friedensschluß mit den in Kanaan hausenden Völkern, ihrer Kultur und ihrem Kultus wird es nicht kommen dürfen.¹⁹

The prohibition to make treaties with the nations of Canaan (Deut 7:1f; 20:16f) is, for Barth, paradigmatic for the proper attitude towards non-theological approaches to ethics; while he does not call for the annihilation of these positions (much less that of their proponents!), the sharp either/or is again key to his theological conception; no moral concerns about the conquest or the implied destruction of the Canaanites are raised.

In summation, then, Barth turns to annihilation texts in several sections of the KD in order to illustrate the sharp either/or between God's ways and man's. While he does at times give voice to human reservations about the texts, it is precisely this kind of human reticence that for Barth brings out the texts' revelatory message. Barth thus reads the texts very much with the grain; his emphasis on the divine command in the field of ethics suggests that he may have been sympathetic to a divine-command-approach to *herem*, but he does not himself problematise and address the texts in this way.²⁰

6.2 Dissenting readings

If the examples of Barth and others show that it remains possible to read *herem* texts uncritically, this has become increasingly difficult since the dawn of the Enlightenment. The criticisms of *herem* texts by Matthew Tindal (1657-1733) were of seminal importance in this respect.

According to a recent monograph, Tindal was "probably not the most philosophically original of even the English freethinkers of his time, but he is the great representative figure who did more to make freethinking, and its associated deism, accessible to a generation more inclined than its predecessors to scepticism." By the time of his death, "he was widely accepted in England...as the 'top' freethinker."²¹ While his influence in the English-speaking world began to wane not long thereafter, he continued to make a considerable impact on the European

¹⁹ *ibid.*, 581.

²⁰ For entirely uncritical references in a recent scholarly OT introduction, cf. e.g. Tremper III Longman and Raymond B. Dillard, *An Introduction to the Old Testament* (Nottingham: Inter-Varsity Press, 2007), 129f.; Longman is of course personally aware of the challenges, cf. e.g. T. I. Longman, 'The Case for Spiritual Continuity', in C. S. Cowles, et al (ed.), *Show them no Mercy: Four Views on God and Canaanite Genocide* (Grand Rapids, MI: Zondervan, 2003), 159-187.

²¹ Stephen Lalor, *Matthew Tindal, Freethinker: An Eighteenth-Century Assault on Religion* (London: Continuum International Publishing, 2006), 1f.

continent, especially in Germany, where he influenced philosophers such as Lessing, Kant and Feuerbach, and biblical critics such as Reimarus, Strauss and Schweitzer.²² It is a measure of the influence of Tindal's 1730 magnum opus, *Christianity as Old as the Creation*, that it was the subject of an estimated 115 published replies.²³ In some sense, then, Tindal may be said to have done for the modern reception of the *herem* what critics like Marcion and Celsus had done in late antiquity: point out the moral problems and make them more difficult to ignore.²⁴

Tindal's pertinent comments are found in chapter thirteen of *Christianity as Old as the Creation*, in which he argues from the premise that "[t]he Bulk of Mankind, by their Reason, must be able to distinguish between Religion and Superstition; otherwise they can never extricate themselves from that Superstition they chance to be educated in."²⁵

Tindal argues that reason should be decisive not only in determining the kind of metaphysical interpretations one draws from scripture, but also in discerning which inter-human behaviour may be legitimately inferred from it; he argues "that if Men are not well ground in the Reason and Nature of Things, and from thence judge of their Duty, in Relation to one another; there are Things either commanded, or approv'd of in the Scripture, which might be apt to lead Men astray."²⁶

It is in the context of such potentially harmful precedents that Tindal first addresses *herem*: "WHAT Prince can ever want a Pretence of going to War, and totally extirpating those he invades; when he sees, *Saul* was commanded by God to destroy the *Amalekites, Men and Women, Infants and Sucklings, Ox and Sheep, Camel and Ass*, for an Injury done four hundred Years before? And

²² cf. e.g. *ibid.*, 150ff.

²³ *ibid.*, 17.

²⁴ The importance of ancient critics of Christianity for the criticisms that were developed from the sixteenth century onward by, e.g., French and English free-thinkers, English Deists, and various authors of the Enlightenment, is debated. Kinzig maintains that their influence was smaller than has been suggested in recent literature, W. Kinzig, 'Polemics Reheated? the Reception of Ancient Anti-Christian Writings in the Enlightenment', *Zeitschrift für antikes Christentum* 13.2 (2009), 316-350. Schröder similarly claims that the ancient critics had only a modest influence, but suggests that what use was made of them undermines the charge that Enlightenment critics of Christianity were applying anachronistic standards to the ancient texts, cf. Winfried Schröder, "Die Wiederkehr der Verfemten. Zur Rezeption von Kelsos, Porphyrios und Julian in der Aufklärung" in L. Kreimendahl, et al (ed.), *Religion im Zeitalter der Aufklärung* (Hamburg: Meiner, 2010), 29-50.

²⁵ Tindal, *Christianity as Old as the Creation*, 232-352, 232.

²⁶ *ibid.*, 262f.; cf. Origen's concern in *De Principiis* that the simple may be led astray by a literal reading.

how for sparing Agag, (whom Samuel hew'd to Pieces before the Lord;) and preserving some of the Cattle for Sacrifice, the Lord rejected him from being King."²⁷

From 1 Samuel 15 Tindal moves to the conquest of Canaan and the destruction of its inhabitants, "WOULD not People, if like the Children of *Israel*, they were destitute of an Habitation, be apt to think what the *Israelites* did, to the *Canaanites*, a good Precedent; and that they might invade a neighbouring, idolatrous Nation, that never did them the least Harm; and extirpate not only Men and Women, but even their innocent Infants; in Order to get Possession of their Country?" For Tindal, this is not a case of mere speculation; he continues, as already cited above, "And I question whether the *Spaniards* would have murder'd so many Millions in the Indies, had they not thought they might have us'd them like *Canaanites*."²⁸ Tindal's pragmatic worry about dangerous precedents, then, is grounded not in abstract musings but in historical observation.²⁹

Next to these pragmatic worries, Tindal raises the concern that the conquest of Canaan and the destructions of its inhabitants is irreconcilable with any intelligible view of natural law and the law of nations.³⁰ He makes this point by asking, "IF there's a Law of Nature, with the observing of which God can't dispense either himself, or in his Creatures [...] tell me how You can account for the Conduct of the *Jews*, in invading, and too without any Declaration of War, the *Canaanites*, a free and independent Nation, and against whom they had not the least Cause of Complaint; and on Pretence of their being Idolaters, destroying not only the Men and Women, but Infants incapable of Idolatry, or any other Crime."³¹

He then considers what justifications might be offered for these actions.

First, he mentions (but does not discuss) readings that interpret them "allegorically, or as only done in Vision."³² This suggests the combination of figurative readings, similar to those

²⁷ *ibid.*, 263f.; margins: 1 Sam 5:7; Exod 17:8; 1 Sam 15:9 etc.

²⁸ *ibid.*, 264.

²⁹ That this claim was not entirely devoid of a basis in fact can be seen, e.g., from the section on the Spanish conquest of the Americas in the preceding chapter.

³⁰ The rise to prominence of the view that natural law (*ius naturae*) should govern the relations between nations (*ius gentium*) is linked, in particular, to Hugo Grotius (esp. his *De iure belli ac pacis*, 1625); natural law thinking itself stretches back via Thomas Aquinas at least as far as Plato and Aristotle; cf. Renée Jeffery, *Hugo Grotius in International Thought* (New York: Palgrave Macmillan, 2006) and S. Pope, 'Reason and Natural Law', in G. Meilaender and William Werpehowski (ed.), *The Oxford Handbook of Theological Ethics* (Oxford: Oxford University Press, 2007), 148-167.

³¹ Tindal, *Christianity as Old as the Creation*, 271f.

³² *ibid.*, 272.

discussed in chapter three, with an outright denial of the historicity of the narratives (unlike what we found in the ancient and medieval examples).³³

Second, he discusses, and rejects, the divine-command-approach of justifying the actions; Tindal's argument focuses on the irreconcilability of any such command with the law of nature, and on the insurmountable barriers to obtaining proper epistemic warrants for believing that one had received such a command.

On the first point, Tindal remarks, "SUCH a Command is pleaded in vain, except it can be shewn, that the Thing suppos'd to be commanded is not inconsistent with the Law of Nature; which if God can dispense with in any one Case, he may in all; nor cou'd his Wisdom then prescribe any certain Rule of Conduct, either for himself or his Creatures; but all wou'd depend on an uncertain, fluctuating, arbitrary Will."³⁴ For Tindal, then, if one were to grant the possibility of a divine command that contravenes the law of nature, the consequence would be profound ethical uncertainty, morality having as its base nothing but potentially capricious voluntarism.

On the second point, i.e. the insurmountable epistemic barriers, he says, "SUPPOSE any shou'd now plead that they had a divine Commission to destroy their next Neighbours, whom the judg'd to be Idolaters, Man, Woman and Child, in Order to possess their Country; wou'd not our divines say, no Man cou'd be as certain he had any such positive Command from God; as he was, that God had forbid it him by the Light of Nature?" For Tindal, this preponderance of the "light of nature" cannot even be overcome by miracles, "since we can only know from the Nature of the Things themselves, whether Miracles are done by a good, or evil Being." On that reading, even, say, the parting of the Red Sea or the daily provision of manna, would not count as sufficient evidence to provide adequate epistemic warrant.

The epistemic tension caused by alleged divine commands that conflict with the "light of nature" is expressed again in Tindal's claim that "we are to compare what we are told of God, with what we know of him; otherwise we believe in Men, and not in God. And if the Light of Nature, (the voice of God himself) teaches us, even to Demonstration, that God is infinitely wise and good, does it not likewise demonstrate, that no Command, not stamp'd with these Characters, can come from him; much less a Command inconsistent with all those Duties that

³³ It is impossible to be certain whether Tindal actually encountered this argument in practice or only mentions it as a theoretical possibility, which he may have, in any case, thought to be rather unattractive for defenders of the bible.

³⁴ *ibid.*, 272.

Men as Men owe to one another?”³⁵ In other words, for Tindal any alleged revelation must pass a moral test, i.e. the test of being wise and good, and of being in accord with the duties humans owe one another; the content of this moral test is provided by the “light of nature,” which for Tindal is “the voice of God himself;” *herem* commands, he suggests, clearly fail the test on both counts.

Tindal then considers whether God may not “punish some wicked Nations with Death, to fright others from committing the same Crimes?” In other words, might God’s just *telos* justify the acts he commands. Tindal’s response is that if these were God’s aims, he had less morally problematic and more efficient means available to him, “God has a thousand Ways of doing this, without commanding Men to do any Thing, which, by the Law of Nature, he had forbid them; and if God design’d what he did to be a Terror to others, wou’d he not act after such a signal, and super-natural Manner, as all shou’d see it was his own doing; and the Reason of his doing: and in Order to it, distinguish between the guilty, and the innocent?”³⁶ This tension with the natural is particularly evident in the case of total annihilation, “IF God wou’d punish the Canaanites, for acting contrary to the Law of Nature; wou’d he, in Order to do this, require the Israelites to act contrary to the same Law; in murdering Men, Women and Children, that never did them the least Injury?”³⁷

In addition to these contradictions in principle, Tindal suggests that even if God were to use people to carry out his sentence, the Israelites would have been a particularly poor choice, since their situation as landless slaves fleeing Egypt would have made it very difficult indeed for them “to convince the World, that they did not act out of a private Interest; but purely to execute God’s Vengeance on an idolatrous Nation.” In addition, “Wou’d God, in such a Case, chose People as prone to Idolatry as the *Canaanites* themselves?”³⁸ Tindal’s point here is that, even if one were to admit the theoretical possibility of God using one people in judgment of another, the specifics of the Israelite conquest of Canaan make it very hard to see why God would have chosen to act in this particular way to achieve his (alleged) goals; at the same time, by painting the scenario in this way, Tindal also suggests motivations for the conquest that are less lofty than a divine command, but, to him, rather more plausible.

³⁵ *ibid.*, 272f.

³⁶ *ibid.*, 273.

³⁷ *ibid.*

³⁸ *ibid.*

The consequences of defending the annihilation command would overturn the foundations of all morality; it would make it impossible to criticize other religions on the grounds of “their commanding, or approving any Thing contrary to the Law of Nature...since it destroys all the internal Proofs of the Truth of any Religion, and confounds all the essential Marks, by which we discern Good from Evil; and supposes God may command a Son to sacrifice his Father; or to do any Thing, tho’ ever so repugnant to the Light of Nature.”³⁹

Having at some length considered the epistemic warrant that humans could conceivably have for believing that they had received a divine annihilation command, Tindal also considers the epistemic situation of the Canaanites in the biblical scenario, and the moral implications that flow from it; “IF the *Israelites* had a divine Commission to extirpate the *Canaanites*, ought not the *Canaanites* to have known it, to prevent their resisting Men acting by a divine Commission? Otherwise wou’d there not be two opposite Rights at the same Time; a Right in the *Jews* by Revelation, to take away the Lives of the *Canaanites*; and a Right in the *Canaanites* by the Law of Nature, to defend their Lives?”⁴⁰ To the objection that the standing still of the sun (Josh 10) may have been “a sufficient Proof” to the Canaanites so that “they ought to have offer’d up their Throats,” Tindal responds that this event could not have given guidance to the Canaanites for the battles that had gone before (i.e. those recorded in Josh 1-9), and that even after that event the Lord is said to have hardened their hearts.⁴¹

In summation, then, Tindal’s critique of *herem* texts is based on prudential concerns (providing a precedent for conquest and annihilation), systematic objections (irreconcilability with a notion of natural law and divine goodness), and epistemological considerations (insurmountable epistemic barriers); in addition, he questions the plausibility of the biblical accounts (God had more effective means at his disposal to achieve the alleged goals; the Israelites had more plausible motives than those alleged in scripture; justice demands that the Canaanites should have known about their commanded annihilation).

Put in terms of the framing dilemma, Tindal’s positions is concordant with premises (1), (3), (4) and (5). The presence of *herem* texts in the bible, on the other hand, is construed as a conclusive argument against premise (2), i.e. that the bible is true.

³⁹ *ibid.*, 274.

⁴⁰ *ibid.*, 274f.

⁴¹ *ibid.*, 275; margin: Josh 11:20, 3:10, 16:10, 17:12, Judg 1:19.

The number of dissenting readings of *herem* texts since the publication of Tindal's criticism in 1730 is very large indeed and keeps growing steadily.⁴² Most of these readings have echoed and continue to echo one or more of Tindal's points. Rather than attempting to provide an extensive catalogue, a few pertinent examples will be given in the footnotes to illustrate the ongoing relevance of his thought.

The question of precedent, either for historic injustice, or for contemporary violence continues to loom very large in criticisms of *herem* texts.⁴³ The irreconcilability of *herem* with natural law and with any intelligible notion of divine goodness and human justice also continues to play an important role.⁴⁴ The barriers to obtaining sufficient epistemic warrant for belief in *herem* commands remain a live issue, too, which has recently been debated in academic journals for the philosophy of religion.⁴⁵ *Herem* texts have also been the central plank of a recent philosophical challenge to the notion of biblical inerrancy (i.e. one particular way of construing our premise 2).⁴⁶

6.3 Divine-Command-Theory readings

The most substantive and detailed response to the criticisms of *herem* by Tindal and others came from the pen of one Laurenz Reinke ("the elder," 1797-1879), a Roman Catholic priest and professor of theology and oriental languages in Münster (Westphalia).⁴⁷ Reinke's 1851 treatise "Ueber das Recht der Israeliten an Canaan und über die Ursache seiner Eroberung und der Vertilgung seiner Einwohner durch die Israeliten und die verschiedenen Erklärungsversuche

⁴² One indication for that may be seen, e.g., in the fact that a search for "Canaanite genocide" on google.co.uk on 23 August 2013 yielded more than 5,300 results; a preliminary examination of a sample of these texts suggests that they represent, for the most part, either dissenting readings or responses to them.

⁴³ From a very large body of literature, cf. e.g. Prior, *The Bible and Colonialism*; J. J. Collins, 'The Zeal of Phinehas: The Bible and the Legitimation of Violence', *Journal of Biblical Literature* 122.1 (2003), 3-21; R. Warrior, 'Canaanites, Cowboys and Indians', in R. S. Sugirtharajah (ed.), *Voices from the Margin: Interpreting the Bible in the Third World* (Maryknoll, NY: Orbis Books, 2006), 235-241.

⁴⁴ On *herem* and natural law, cf. esp. James Barr, *Biblical Faith and Natural Theology: The Gifford Lectures for 1991* (Oxford: Clarendon Press, 1993), 207-221; on *herem* and goodness, cf. e.g. Rauser, 'Let Nothing that Breathes Remain Alive': *On the Problem of Divinely Commanded Genocide*; cf. also E. Fales, 'Satanic Verses: Moral Chaos in Holy Writ', in M. Bergman, et al (ed.), *Divine Evil? the Moral Character of the God of Abraham* (Oxford: Oxford University Press, 2010), 91-108.

⁴⁵ cf. e.g. J. D. Rissler, 'A Psychological Constraint on Obedience to God's Commands: The Reasonableness of Obeying the Abhorrently Evil', *Religious Studies* 38.2 (2002), 125-146; W. Morriston, 'What if God Commanded Something Terrible? A Worry for Divine-Command Meta-Ethics', *Religious Studies* 45.3 (2009), 249-267.

⁴⁶ W. Morriston, 'Did God Command Genocide? A Challenge to the Biblical Inerrantist', *Philosophia Christi* 11.1 (2009), 7-26.

⁴⁷ cf. Reinke, *Über das Recht der Israeliten*; Reinke specifically singles out Tindal on 276f., 353, 358, 360.

darüber” arguably remains the most comprehensive single-author treatment of the morality of *herem* to date.

However, Reinke’s approach is self-consciously traditional; he does not seek to develop a novel position but sets out to offer a detailed presentation and defense of the view that he finds in several church fathers (esp. Augustine) and many “eminent theologians of older and more recent times;” by design, he therefore adds little that is new to the debate, to the point of claiming that the position he defends is the one of the Church, and that other approaches and opinions are, therefore, to be rejected as unfounded.⁴⁸

In light of these facts, it would be tedious to review Reinke’s position in great detail; a sense of his style of argument can be gained from this summary of his position:

Die Israeliten haben kein menschliches Recht irgend einer Art an Canaan gehabt, sondern es durch eine göttliche Schenkung erhalten. Die Ursache, warum die Canaaniter nicht länger Besitzer des Landes bleiben sollten, lag in ihrem tiefen sittlichen Verderben, namentlich in dem Götzendienste der abscheulichsten Art, indem sie hierdurch der Vertilgung würdig geworden waren. Durch die Schenkung desselben geschah daher den Canaanitern kein Unrecht. Die Israeliten, durch welche Gott, der Herr des Weltalls, Canaan erobern und dessen Bewohner vertilgen ließ, waren Diener der göttlichen Gerechtigkeit und erfüllten durch die Eroberung des Landes und die Ausrottung der Canaaniter ein ihnen gegebenes göttliches Gebot. Der Untergang derselben durch die Israeliten war nur in der Form von dem Untergange der Bewohner Sodomas und Gomorrhas verschieden. Die Verleihung Canaans an die Israeliten war zugleich ein Act der göttlichen Gnade und der göttlichen Gerechtigkeit.⁴⁹

In terms of the overall ethical framework, Reinke’s position is squarely placed on divine-command-theory, i.e. “Gott hat diesen befohlen, also ist es gerecht.”⁵⁰ To reject this deductive argument would, for Reinke, be a sign of blindness, folly and insanity.⁵¹

While few if any have addressed the issue of the justice of the conquest of Canaan and the destruction of its inhabitants in as great a detail as Reinke, divine-command-theory approaches continue to be made along much the same lines; out of many examples, cf. e.g. Richard Swinburne’s recent contribution.⁵²

⁴⁸ *ibid.*, 310.

⁴⁹ *ibid.*, 307-10.

⁵⁰ *ibid.*, 329.

⁵¹ *ibid.*

⁵² R. Swinburne, ‘What does the Old Testament Mean?’, in M. Bergman, et al (ed.), *Divine Evil?*, 209-225.

6.4 Accommodation and progressive revelation

While the works mentioned in the previous section are essentially re-statements of older views, the following two contributions, while still functioning within an overall divine-command-theory framework, add new nuances to the discussion.

6.4.1 Hubert Junker

Hubert Junker's (1891-1971) essay "Der alttestamentliche Bann gegen heidnische Völker als moraltheologisches und offenbarungsgeschichtliches Problem" first appeared in an unpublished 1944 *Festschrift* – at the height of the Nazi extermination campaign against the European Jews.⁵³ Besides this ominous historical context, which receives no mention in the article, Junker's contribution is noteworthy for the fact that he applies the concepts of progressive revelation and accommodation to the question of *herem*; the use of these concepts by Christians stretches at least as far back as Irenaeus, but they have not played a particularly important role in the reception of *herem*.⁵⁴

According to Junker the "ban" is understood within the OT as a "religiös begründete Strafmaßnahme."⁵⁵ As an historical phenomenon, Junker argues, it need not necessarily represent a major problem for moral theology since, in terms of comparative history, it could be understood as belonging to "den allgemein verbreiteten grausamen Sitten alter Zeit." It could thus simply be seen as a "natural moral shortcoming" of Israel's that the divine revelation tolerated for a time because of Israel's hardness of heart.⁵⁶

For Junker, the theological problem arises specifically from the fact that the execution of the ban is explicitly commanded in God's name by two prophets, i.e. by Moses and Samuel. This problem would remain even if the OT accounts were not strictly historical, for what offends our religious sensitivity is the thought "daß der gerechte und gütige Gott ein so graußames Mittel zur Verwicklichung seiner Vorsehung anordnet."⁵⁷ As a Catholic theologian Junker is of course particularly familiar with natural law theory; consequently he asks, how it is possible, "daß ein

⁵³ Hubert Junker, "Der alttestamentliche Bann gegen heidnische Völker als moraltheologisches und offenbarungsgeschichtliches Problem", in: TThZ, 56, (1947), pp.74-89.

⁵⁴ Note, however, e.g. Origen's description of warfare as a concession necessary to the survival of a Jewish state (*Contra Celsum*, VI.73), and the frequent distinction between then and now, between OT and NT, e.g. in the works of Origen and Augustine analysed above.

⁵⁵ *ibid.*, 77.

⁵⁶ *ibid.*, 78.

⁵⁷ *ibid.*, 75, 78, 82.

solcher, dem natürlichen Recht widerstreitender Brauch von Moses sanktioniert und in die göttliche Offenbarung aufgenommen werden konnte?“⁵⁸

The key to solving the problem, according to Junker, lies in the ancient concept of “accommodation” (“Anpassung”). As we have seen in chapter three, Augustine had already envisaged this possibility with respect to the despoiling of the Egyptians, but did not apply it to the *herem* of the Canaanites. Junker understands accommodation in terms of what he takes to have been the view of early Christian theologians, i.e. the OT laws were in a number of ways imperfect when compared to the Christian moral law but were nevertheless given by God, who accommodated human imperfection. With that in mind, Junker defines the task of contemporary theology as explaining the concept of revelation in such a way “daß der göttliche Faktor sein Recht behält, aber auch der menschliche zu seiner Geltung kommt.”⁵⁹

Accommodation for Junker implies “daß Gott sich als Vermittler seiner Offenbarung einen Menschen aus ihrer Mitte erwählte, der mit seinem Denken und Empfinden auf ihrer Stufe stand und darum auch die göttliche Offenbarung ihnen in ihrer eigenen Sprache und Denkweise verkündete.” While God could have corrected all shortcomings in an instant, he was implementing a divine programme of education and formation (Erziehungsplan): “erst in langsamer und allmählicher Entwicklung sollte die Menschheit sich aus der Tiefe der Gottentfremdung und der sittlichen Verwilderung zu jener Höhe emporarbeiten.” There thus is an internal developmental law inherent in God’s revelation.⁶⁰

On the human side the ban is therefore “inhaltlich begründet” in the brutal war customs of antiquity and in the reckless mindset of Moses. However, Junker insists that the command of the ban must not be construed as a misunderstanding on the prophet’s part. It also really *is* the expression of the divine will for Israel. Junker suggests that this has to be affirmed on the basis of a foundational hermeneutical rule, viz. that we are to understand the expressions of Holy scripture in the way they were understood and meant by the authors.⁶¹ Junker contends that his approach allows him to give full weight to the “thus says the LORD” element of scripture, while also being able to ascribe whatever is imperfect in this revelation to the imperfection of the human tools: “Was Moses in Erfüllung seiner gesetzgeberischen Aufgabe, von Gott angeregt und

⁵⁸ *ibid.*, 83.

⁵⁹ *ibid.*, 84.

⁶⁰ *ibid.*, 85.

⁶¹ The paragon of ancient figurative reading, Origen, would of course also have affirmed this view; with the distinction that, for Origen, the intention of the author that was of interest was that of the Holy Spirit.

geleitet, aber mit Anwendung seiner eigenen Geisteskräfte und seiner Denkweise entsprechend, an Verordnungen gab, wurde damit von Gott für Israel sanktioniert.”⁶²

Having developed the concept of revelation and accommodation in this way, Junker asks whether this really exonerates God. In order to answer this question, he falls back on a traditional approach: God as creator has an unlimited right over his creatures (*dominium absolutum Dei in creaturas*), he has no need to be exonerated. The natural moral order only applies among (rational) creatures. However, Junker adds that even God himself “kann sie nicht als Rechtsordnung für die Menschen, weder für den einzelnen noch für die Gesamtheit aufheben oder abändern.”⁶³

Taken on its own, this assertion would seem to call into question whether God could have justly commanded Israel to execute the ban in (apparent) violation of the natural law, because Israel could not have been dispensed of the strictures of the natural law, forbidding such conduct. Junker maintains that Israel could only be given such a task because it did not yet sense a tension between it and its moral understanding. Once the command of neighbourly love had been clarified in the Christian revelation, such a command by God would have been impossible. Not because God would no longer have the *dominium absolutum in creaturas* but because it would have contradicted the developmental law of God’s revelation.

Positively, Junker affirms that because in God omnipotence and goodness are one, God’s action towards his creatures, taken as a whole, can only be oriented towards a goal that corresponds to his divine goodness and justice. This is true even in the case where innocent individuals are drawn into God’s judgment on a group, “weil er trotzdem ihr Schicksal, von dem ja nur die äußere Seite dem menschlichen Blick zugänglich ist, so gestalten kann, daß es aus göttlicher Weite des Blicks zum Ausdruck vollkommener göttlicher Gerechtigkeit wird.”⁶⁴ However, Junker rejects any speculation about the way in which God’s goodness and justice might be worked out in such circumstances. The point is simply to be received in faith.⁶⁵

Junker concludes that the ban is to be understood in terms of unique historical tasks given by God to Israel as a tool of his providence. Among the providential purposes God may have had

⁶² *ibid.*, 86.

⁶³ *ibid.*

⁶⁴ *ibid.*, 88f.

⁶⁵ *ibid.*, 89.

Junker suggests judgment and the protection of the true faith from infection by paganism.⁶⁶ In the end, however, there remains a deep mystery:

Warum Gott in der Geschichte seiner Offenbarung die „Herzenshärte“ der Menschen nicht nur eine Zeit lang duldete, sondern sie sogar als Werkzeug in seinen Dienst nahm, das bleibt wie die gesamte Vorsehung Gottes in ihren Fügungen ein Geheimnis, vor dem der Mensch in Ehrfurcht Halt machen muß.⁶⁷

In conclusion, then, while Junker suggests nuanced ways in which accommodation and progressive revelation may relate to scriptural *herem* commands, his ultimate appeals to the absolute rights of God *qua* creator and to the inscrutable mystery of God's ways do not significantly advance or modify the positions developed in antiquity and the Middle Ages.

6.4.2 Eleonore Stump

In a recent paper Eleonore Stump addresses the divinely ordained annihilation of Amalek (esp. in 1 Sam 15); the approach she sets out develops the concept of progressive revelation in a novel and unusual way.

At the outset Stump disavows any strategy that would reject the story as non-veridical, either by outright criticism or by radical reinterpretation (including Patristic-style allegory); both of these strategies would, for her, fatally undermine the purpose of divine revelation; they imply that “our moral intuitions are the standard by which the texts are judged. In that case, the texts do not function as divine revelation is meant to function, as a standard by which human beings can measure and correct human understanding, human behavior, and human standards.”⁶⁸

According to Stump two of the objections that are frequently made to the annihilation commands are not that difficult to solve; she finds it possible to conceive of “putatively possible worlds” in which an omnipotent, omniscient and perfectly good God might justly will the death of infants and the annihilation of an entire people, and in which he may take the wrongs committed by distant ancestors into account.⁶⁹

⁶⁶ *ibid.*, 77, 82, 89.

⁶⁷ *ibid.*, 89.

⁶⁸ E. Stump, 'The Problem of Evil and the History of Peoples: Think Amalek', in M. Bergman, et al (ed.), *Divine Evil?*, 179-197, 181; cf. the same concern expressed by Augustine, *Contra Faustum*, XXXII.

⁶⁹ *ibid.*, 183-85.

Stump then considers what to her is a more difficult question, i.e. why God “brings about the end of their existence by commanding another group of people to kill them.”⁷⁰ Again, she finds it possible to envisage scenarios where what is commanded is neither murder nor contributing to the moral corruption of the Israelites.⁷¹ The more difficult task is to ascertain what God’s aims might have been in issuing the annihilation command. If it had been annihilation, then the command was not particularly effective, and God could have much more effectively brought it about by acting without human mediation.⁷² This observation creates a problem, for “in the putatively possible world of the thought experiment God is omniscient, omnipotent, and perfectly good; and so choosing very poor means to achieve his aims is not possible for God.”⁷³

Given her premises, Stump does not conclude from this that the *herem* commands were unjust or were not in fact issued by God; rather, she suggests that God may have been more concerned with the effect of his command on the Israelites than with the annihilation of the Amalekites; “it may be that God commands them to be the agents of the destruction of the Amalekite people to bring home to them in this drastic way the importance of their relationship to God and the importance of God’s judgments, including the divinely ordained practices that distinguish the Israelite people from the surrounding peoples.”⁷⁴

However, even if it were granted that these were indeed the aims of God’s commands, the conclusion would still be that the chosen means were not particularly effective; “If God’s purpose in the story of Samuel and the Amalekites has to do with the formation of the Israelites as a people growing in their ability to be united to him, it seems that his plan is as unreliable and unsuccessful as I said that plan would be if its aim were the destruction of the Amalekite people.”⁷⁵

Having rejected all the scenarios she envisaged until this point, Stump now proceeds to make a constructive contribution; it is here that she brings to bear the concept of progressive revelation. She argues, “God can know that his plans will fail. So why would God bring a flood? Why would God give the law? Why would he ask the Israelite people to enforce it? Why would he command the Israelite people to destroy the Amalekite people? In each of these cases, what

⁷⁰ *ibid.*, 186.

⁷¹ *ibid.*, 186; 191f.

⁷² cf. the same point made in Tindal’s criticism above.

⁷³ *ibid.*, 189.

⁷⁴ *ibid.*, 190.

⁷⁵ *ibid.*, 193.

looks like a plan to grow a people into a moral and spiritual condition that will enable them to be united with God turns out to be a failure.”⁷⁶

Knowing that “we might have thought that one or more of these plans would be an efficacious way to cure the moral disorder that seems to afflict all human beings everywhere,” God “is forming a people by showing them what will *not* work to cure them of what needs to be healed in them.”⁷⁷ This happens in the context of what Junker called the divine “Erziehungsplan;” it is, according to Stump, a pedagogical principle that “learning what won’t work is sometimes an essential preliminary in the process of the discovery of what will work and of the willingness to accept it.”⁷⁸

And so, on Stump’s reading, what one may term the “learning outcome” of the annihilation command is essentially negative, but necessary; “[i]n the miserable process of formation through experience, one of the things a people can learn is what will not work to enable a people to become just, good, and loving.”⁷⁹

However, as Paul Draper points out in his response to Stump, the reasons for the divine command given in scripture radically differ from her account; on the assumption of divine authorship of the bible, this means that “God’s own explanation for her actions is woefully and needlessly incomplete and seriously misleading.”⁸⁰ For Draper, Stump’s argument also entails that “some human acts of genocide are not morally wrong.”⁸¹ Stump effectively concedes this final point in her surrejoinder by arguing that “[g]enocide, like torture, is not properly defined without reference to some intention or motivation. Where the primary aim is healing, rescue from death, there is neither torture nor genocide.”⁸²

As this final point makes clear, despite the new and creative way in which she develops the concepts of progressive revelation and accommodation, Stump’s reading, much like Junker’s, still requires that proposition (3) be given up or profoundly modified, i.e. on their readings genocide is not (always and under any circumstance) an atrocity.

⁷⁶ *ibid.*; cf. the “second use” of the law in Lutheranism, cf. e.g. article six in the ‘Concordien-Formel 1577’, <http://www.glaubensstimme.de/doku.php?id=bekenntnisse:concordienformel>, accessed 24 August 2013.

⁷⁷ Stump, *Think Amalek*, 193.

⁷⁸ *ibid.*, 195f.

⁷⁹ *ibid.*, 197.

⁸⁰ P. Draper, ‘Comments on “the Problem of Evil and the History of Peoples”’, in M. Bergman, et al (ed.), *Divine Evil?*, 198-203, 200.

⁸¹ *ibid.*, 203.

⁸² E. Stump, ‘Reply to Draper’, in M. Bergman, et al (ed.), *Divine Evil?*, 204-207, 207.

It should also be noted at this point that the argument about progressive revelation becomes substantially more complex when the historical-critical accounts of the relative age of various portions of the OT are taken into account, e.g. Wellhausen's seminal arguments to the effect that the prophets are older than the law.⁸³ These types of arguments about the dating of biblical texts, however, have until recently had relatively little impact on the reading of *herem* (and other OT texts) as Christian scripture; however, they are sometimes brought to bear in a criticism of what are considered to be naive appeals to progressive revelation.⁸⁴

6.5 Figurative readings

For the Christian interpretation of the OT in the West, Martin Luther's criticism of allegory was seminal; while he himself never gave up allegorical readings entirely, he was characteristically stark in the formulation of his criticism. In a 1540 table talk he says, e.g. "Als ich jung war, da war ich gelehrt und insbesondere, ehe ich zur Theologie kam, da ging ich mit Allegorien, Tropologien, Anagogien um und machte lauter Kunst...heute weiß ich, daß es lauter Dreck ist, den nun hab' fahren lassen...Der Literalsinn, der tut's, da ist Leben, Trost, Kraft, Lehre und Kunst drin. Das andere ist Narrenwerk, auch wenn es hoch glänzt."⁸⁵ For Luther the meaning that is theologically important is the one conveyed in "simplici puraeque et naturali significationi verborum, quam grammatica et usus loquendi habet quem Deus creavit in hominibus."⁸⁶

Luther was not alone in his criticism of allegorical fancies; in the centuries following the Reformation allegoresis fell increasingly out of favour, not least because it was perceived to fall short of the criterion of objectivity demanded by emerging standards of scientific methodology.⁸⁷ One concomitant development in the hermeneutical discourse in theology was the increasingly stark differentiation between typology (good, historical, with proper controls) and allegory (bad, unhistorical, fanciful).⁸⁸

⁸³ Julius Wellhausen, *Prolegomena zur Geschichte Israels* (Berlin: G. Reimer, 1882).

⁸⁴ cf. e.g. Eryl W. Davies, *The Immoral Bible: Approaches to Biblical Ethics* (London; New York: T & T Clark, 2010), in which Davies criticises an "evolutionary approach" to "holy war" traditions, "Nowhere in the bible can a development be discerned with envisions pacifism as the ultimate divine purpose of Israel;" *ibid.*, 40.

⁸⁵ quoted in Reventlow, *Bibelauslegung* 3, 89.

⁸⁶ in *De Servo Arbitrio* (1525; WA 18,600), quoted in Torjesen, *Hermeneutical Procedure*, 1.

⁸⁷ For a brief overview and critique of this development, cf. *ibid.*, 1-12.

⁸⁸ For a classic treatment of typology along these lines, cf. e.g. G. W. H. Lampe and K. J. Woollcombe, *Essays on Typology* (London: SCM Press, 1957). However, it should be noted that the rejection of allegory by Protestants was by no means as complete and straightforward as is sometimes suggested; cf. e.g. Brian Cummings, 'Protestant Allegory', in R. Copeland and Peter Struck (ed.), *The Cambridge Companion to Allegory* (Cambridge: Cambridge University Press, 2010), 177-190.

Nevertheless, for many contemporary readers it will, perhaps, seem natural to distinguish between figurative readings that are based on, to use Luther's terms, "grammatica et usus loquendi," and those that are not. In fact, all of the figurative readings below, except the first and most traditional one, operate with the explicit or implicit aim of reading texts in ways that accord with grammar and habitual linguistic usage, i.e. by understanding *herem* in terms of metaphor, generic conventions of hyperbole or the anthropological functions of myth; only the final two contributions, however, also make explicit theological use of archaeology and similar historical-critical disciplines.

6.5.1 *Typological readings*

I will briefly illustrate the continuing Christian practice of typological readings of *herem* texts by examples drawn from a recently published devotional work;⁸⁹ in it Hartmut Kopsch, an evangelical Anglican priest, presents the Christian life as a struggle between certain vices and their opposing virtues, viz. jealousy vs. compassion, covetousness vs. love, pride vs. humility, fear vs. faith, loudmouthedness vs. gentleness and self-control.⁹⁰ Kopsch proposes to treat certain OT texts "in a typological way" as anticipating the struggle "between the flesh and the spirit," viz.

the struggle between the Israelites—the people chosen by God who are intended to reflect the life of the Spirit—and the Amalekites, who represent the flesh. As we examine the struggle between the Israelites and Amalekites, we shall become aware of many deep-seated aspects of the flesh, and also of the way in which victories over the flesh can be achieved.⁹¹

Amalek's attack on the weary Israelites is interpreted in terms of the flesh, which attacks "at the point of our weakness, when we are off-guard;"⁹² extending the parallel, Kopsch notes: "it is the flesh which takes the initiative in the struggle against the Spirit. It was the Amalekites who attacked the Israelites, not vice-versa."⁹³

The failure of Saul to annihilate the Amalekites is interpreted in terms of a missed opportunity to demonstrate his allegiance to the Lord; Saul "was not wholehearted in his struggle

⁸⁹ cf. also the young Karl Barth, who offered a similar reading in a sermon on Israel's battle with Amalek at Rephidim: "Wir sind auch in der *Schlacht*: im Kampfe mit den Mächten der Hölle; [...] Sie heißen Selbstsucht, Hochmut und Leidenschaft, Mammon, böse Lust und Alkohol, Krieg, Hunger und Sorge, Krankheit und Tod. [...] Der Kampf mit ihnen ist unser heiliger Krieg;" Karl Barth, "2. Mose 17, 8-15, I, Safenwil, Sonntag, den 29. August 1915" in K. Barth (ed.), *Predigten* (GA I.27), 346.

⁹⁰ Hartmut Kopsch, *The Struggle: The Battle between Flesh and Spirit* (Bristol: Terra Nova Publications, 1998), *passim*.

⁹¹ *ibid.*, 25.

⁹² *ibid.*, 27.

⁹³ *ibid.*, 28.

against the Amalekites.”⁹⁴ Kopsch explains this behaviour in terms of Saul’s pride, or selfishness, or as an attempt to offer “God the best of what God hates the most—the flesh.”⁹⁵

That the Amalekites were not completely annihilated is interpreted in these terms: “The flesh itself cannot be totally destroyed in this life, but the deeds of the flesh can be put to death. Just as the flesh cannot be totally destroyed, so the Amalekites were never totally destroyed. David defeated them in battle, but there were survivors.”⁹⁶ This in turn is interpreted in terms of the life-long struggle between flesh and spirit, and put into eschatological perspective:

But a day is coming when the last battle will be fought against the flesh. All traces of the Amalekites will be wiped out from the very record of history. This is already prefigured in the complete absence of any archaeological evidence that a people named the Amalekites ever existed...The only record of their existence is in the bible. God kept his Word: The LORD said to Moses: ‘... I will completely blot out the memory of Amalek from under heaven.’ Just as God has erased the memory of the Amalekites, there is a day coming in eternity when all memory of the flesh will be gone.⁹⁷

In conclusion, while Kopsch prefers the terminology of typology to allegory, his readings are in fact very similar to Origen’s (who himself used the term allegory sparingly), both in that Origen also assumed the historical Israelite precedent and developed an extensive spiritual interpretation of it.⁹⁸ Unlike Origen, however, Kopsch does not in this work address any moral challenges connected to the prediction of annihilation, or the *herem* command given to Saul.⁹⁹ On the contrary, the alleged absence of any archaeological trace of the Amalekites is simply noted as a fulfilment of prophecy.

The lessons drawn from 1 Sam 15 focus generally on the importance of being wholehearted, of demonstrating one’s allegiance to God, of not relying on one’s flesh, and on the dangers of pride, selfishness and disobedience. However, *herem* as such is given no specific contemporary significance (e.g. in terms of a total eradication of the vices as in Origen); at the same time, Amalek’s future extermination is read in terms of the eschatological judgment and triumph over the flesh.

⁹⁴ *ibid.*, 29.

⁹⁵ *ibid.*, and 40, n. 2.

⁹⁶ *ibid.*, 33; cf. what Cassian says about gluttony never being completely destroyed.

⁹⁷ *ibid.*, 34.

⁹⁸ For the point about Origen’s sparing use of allegoria and cognates, cf. Edwards, *Figurative Readings*, 725.

⁹⁹ This seems fairly typical for the intramural homiletical use of these texts, e.g. the homilies by Augustine, Chrysostom and Barth cited above (but contrast Origen’s *homJos*).

6.5.2 Mythical readings

Another contemporary reading of *herem* that shares similarities with the ancient and medieval allegorical approach is the mythical reading advocated by Douglas Earl, whose interpretation draws on anthropological categories of cultural memory and myth.¹⁰⁰ The reading he seeks to develop is one that is fitting “with respect to the book [sc. Joshua] as an act of discourse, and to the tradition of the community that uses and develops it in juxtaposition with other ‘myths’.”¹⁰¹

On Earl’s account the world-before-the-text is what is most significant, rather than the world-of-the text or the world-behind-the text; taken “as ‘myth’ an Old Testament narrative may be understood as a particular cultural expression that testifies in an existentially engaging fashion to an imaginative world that seeks to shape the way in which the community and the individual lives, thinks and feels, especially as these relate to response to God.”¹⁰² This understanding of myth lends itself to structural-level analysis since “[t]he significance of such a narrative is located in terms of this shaping of identity, shaping that may or may not relate straightforwardly to the ‘literal sense’ of the narrative.”¹⁰³

Applying this approach to Deuteronomy, Earl concludes that *herem* “shapes attitudes towards idols – avoid idols and separate yourself from anything that is likely to lead to idolatry, with the symbol perhaps evoking a sense of conflict in the struggle to do so.”¹⁰⁴ Importantly for Earl, literal *herem* “only exists in the textual world; it is never ‘now’.”¹⁰⁵ From the perspective of neo-structuralism, the *herem* “in the ‘world of the text’ of Deuteronomy can be viewed as constructing Israel’s identity by denying the possibility of mediation between Israel and the local peoples. Any attempt to ‘mediate’ between categories results in annihilation or death, symbolizing expulsion from the community.”¹⁰⁶

Earl’s detailed reading of Joshua, especially the stories of Rahab, Achan and the Gibeonites, in turn leads him to the conclusion that “Joshua effectively ‘redefines’ what it means

¹⁰⁰ Douglas Earl, *Christian Significance*; idem, *Reading Joshua as Christian Scripture* (Winona Lake, IN: Eisenbrauns, 2010) and idem, *The Joshua Delusion? Rethinking Genocide in the Bible* (Eugene, OR: Cascade Books, 2010).

¹⁰¹ Earl, *Reading Joshua*, 237.

¹⁰² *ibid.*, 47.

¹⁰³ *ibid.*

¹⁰⁴ *ibid.*, 111.

¹⁰⁵ *ibid.*, 109.

¹⁰⁶ *ibid.*, 111.

to enact Deut 7:1-5 and 'practice' חָרַם, reconsidering the nature of Israelite identity and her perception of others."¹⁰⁷ While "Deut 7 reinforces the construction of Israel's identity in exclusivist, essentially genealogical terms (7:3)," Earl suggests that "Joshua makes problematic the nature of the separations that Deut 7 envisages [...]; read in canonical (or mythical) perspective, what Joshua represents is now interpretation of Deut 7."¹⁰⁸ In Joshua we find an "ideological 'pushing' of the underlying structures [...] to allow for the possibility of mediation and transformation of 'non-Israel' and 'Israel'", a "shift in structure that is further developed in the NT."¹⁰⁹

In light of this developing canonical perspective Earl suggests that it is "possible that the Christian significance of Deuteronomy 7 is located primarily in its importance as part of Christian 'cultural memory' in that it narrates part of the story through which Christian identity has been constructed."¹¹⁰ Tracing lines of continuity and discontinuity from Deut 7 through the NT, Earl concludes that "Deut 7 may arguably be rendered otiose in the Christian context."¹¹¹ On such a view, *herem* "as a metaphor is itself symbolically expressive of the 'oldness' of the Old Covenant, being paradigmatic of the denial of transformation and witness."¹¹² By contrast, "if one construes the text in terms of allegiance to God and the rejection of idolatry, then the text finds continuity with the Christian tradition."¹¹³

Earl's reading has affinities with the interpretation in Origen's mould, focussing as it does on the sanctifying intent of the texts, rather than on the *sensus litteralis*. In terms of addressing the moral challenge, it has affinities with approaches that insist on the stark difference between the OT and the NT (e.g. Origen and Augustine), and could also be developed within a framework of progressive revelation and accommodation.

Earl does not link his reading to any particular historical-critical reconstruction of the book's composition and first use; he does, however, argue that even if its initial use were found to have been morally problematic "this 'original intention' (i.e., as an 'instrument of coercion') need not

¹⁰⁷ *ibid.*, 200.

¹⁰⁸ Earl, *Christian Significance*, 45, 47.

¹⁰⁹ *ibid.*, 49.

¹¹⁰ *ibid.*, 52; This point resonates with Stump's approach above.

¹¹¹ *ibid.*, 59.

¹¹² *ibid.*, 55.

¹¹³ *ibid.*, 60.

be normative for later usage, usage with undergoes canonical (and indeed liturgical) transformation.”¹¹⁴

The importance of the historical question is, however, highlighted in a response to Earl’s reading of Joshua by Christopher Wright, “Unless one is prepared to say that nothing remotely like what the book of Joshua describes actually happened at all [...], then to the extent that Israel’s emergence on the soil of Canaan involved violence and destruction of *some* kind the ethical problem remains. Unless we take Joshua as entirely fictional, then it was not symbolic or allegorical Israelites who invaded (or settled, or revolted), and it was not symbolic or allegorical Canaanites who perished in the conflict.”¹¹⁵

In his response, Earl asserts that “[i]t is the *text of Scripture* that the church receives as her witness to God, *not the history of ancient Israel*.”¹¹⁶ This distinction creates room for the possibility that “*even if* there was a conquest, Joshua might be making another point entirely.”¹¹⁷ And so Earl suggests that “we read Joshua (and Deuteronomy) most faithfully when we read them symbolically as being about something other than the actual conquest of Canaan.”¹¹⁸

Settling the question of historicity is, on that reading, not necessary for discerning which reading one ought to adopt. For his part, Earl remains agnostic, “Israel clearly fought wars; presumably some were ‘just wars’, and perhaps some were not. We simply do not know - and we do not know how Israel emerged in Canaan.”¹¹⁹ The fundamental point is that “the history of Israel’s warfare (as best as we can reconstruct it) is not our witness to God.”¹²⁰

6.5.3 *Metaphorical readings*

Metaphor is a category that sometimes is thought to share the strengths of allegorical and mythical readings without some of their (alleged) drawbacks, such as the lack of controls or the de-historicizing of biblical revelation; in other words, it is thought to comport more obviously with “*grammatica et usus loquendi*.” Metaphor has recently been suggested as a category by which to make sense of *herem* in Deuteronomy, especially chapter 7. According to Walter Moberly “Deuteronomy 7 contains the fullest exposition within the Old Testament of what is

¹¹⁴ Earl, *Reading Joshua*, 234.

¹¹⁵ C. J. H. Wright, 'Response to Douglas Earl', in Earl, *The Joshua Delusion?*, 139-148, 142: emphasis original.

¹¹⁶ D. Earl, 'Response to Christopher J. H. Wright', in Earl, *The Joshua Delusion?*, 149-156, 155.

¹¹⁷ *ibid.*, 152.

¹¹⁸ *ibid.*, 155.

¹¹⁹ *ibid.*

¹²⁰ *ibid.*, 156.

arguably the single most morally and theologically problematic aspect of the Old Testament, God's command to Israel to practice *herem*."¹²¹

Moberly's central argument is that "[w]hatever the 'literal' implementation of *herem* in certain Old Testament narratives might appear to mean, and whether or not *herem* was ever actually implemented in Israel's warfare, Deuteronomy 7...presents *herem* as a metaphor for religious fidelity which has only two primary practical expressions, neither of which involved the taking of life."¹²² According to Moberly the only practical content given to *herem* in Deuteronomy 7 is the double command to abstain from intermarriage with the Canaanites, which "presupposes that life is not taken," and to thoroughly destroy their religious objects.¹²³ Suggesting that "[w]hat we have is a retention of the (in all likelihood) traditional language of *herem* but a shift in the direction of its acquiring significance as a metaphor," Moberly concludes that "[i]f this understanding is on the right lines, then the usage of *herem* terminology elsewhere in Deuteronomy ... is not a problem. For once it is grasped that the term functions as a metaphor for religious faithfulness, then all injunctions are interpreted accordingly."¹²⁴ In fact, Moberly suggests that "[i]t is likely that a grasp of the metaphorical nature of *herem* was integral both to the compilation of Deuteronomy in its present form, in which it becomes a primary interpretation of the Shema, and to the preservation and reception of Deuteronomy as Israel's Scripture within the continuing life of Judah."¹²⁵

Moberly's student Nathan MacDonald further developed this reading of *herem* in Deut 7 in his doctoral thesis. Noting that a metaphorical reading "must not be based on preference or emotional reaction to the problems of a 'literal' reading,"¹²⁶ he offers a number of exegetical observations as the basis for his interpretation: if *herem* were not to be taken as metaphorical, its significance would be limited in time (in contrast to the surrounding material in chapters six and eight); the names of the seven nations (7:1) "are not historical descriptions of the ethnic composition of Canaan;" the prohibition of intermarriage would make little sense if total

¹²¹ R. W. L. Moberly, 'Toward an Interpretation of the Shema', in C. R. Seitz and Kathryn Greene-McCreight (ed.), *Theological Exegesis: Essays in Honor of Brevard S. Childs* (Grand Rapids, MI: W.B. Eerdmans, 1999), 124-144, 134.

¹²² *ibid.*, 135.

¹²³ *ibid.*

¹²⁴ *ibid.*, 136.

¹²⁵ *ibid.*, 137.

¹²⁶ Nathan MacDonald, *Deuteronomy and the Meaning of "Monotheism"* (Tübingen: Mohr Siebeck, 2003), 111.

annihilation were envisaged; and a metaphorical reading “reduces the tensions between Deuteronomy 7 and the parallel material in Exodus 23 and 34.”¹²⁷

MacDonald goes on to suggest that “[t]he portrayal of *hērem* in Deuteronomy 7 and the rest of the book gives substance to the metaphor, and, thus to Deuteronomy’s requirement that love be shown towards YHWH.”¹²⁸ This substance involves an understanding of “devotion to YHWH” as an “act of radical obedience; an obedience that may act against natural impulses,”¹²⁹ obedience that “must occur even if this entails material disadvantage” and that “transcend[s] familial and national ties.”¹³⁰

Like Moberly, MacDonald suggests that the realization of the metaphor was twofold, in the prohibition of intermarriage and the destruction of religious paraphernalia. He concludes that “*hērem* is a powerful and evocative metaphor, and as such is a suitable negative expression of the similarly evocative expression of ‘love’”, suggesting an understanding of “devoted love as radical obedience to YHWH’s commands, as the absence of ‘abomination’, as something that must transcend human desires for wealth or family. *Hērem* also indicates the need for separation and the importance of education.”¹³¹

Moberly and MacDonald thus both argue that the intent of the author(s) / editor(s) / canonizer(s) was for *herem* to be understood as a metaphor for love of YHWH as enjoined by the Shema. The concrete application of the metaphor never had killing in view, it only envisaged abstaining from intermarriage and demolishing cult objects.

However, there are major obstacles to this view. It is by no means necessary to conclude that the command not to intermarry presupposes survivors; the choice presented by the text could just as easily be between option A (kill everyone) and option B (intermarry and be led into idolatry), with option A being commanded and option B being forbidden. In other words, the command was to kill everyone, lest you might be seduced to marry idolaters and become idolatrous yourself.

In addition, even if the metaphorical reading were found to be sustainable within the confines of Deut 7, the reader of the canonical book of Deuteronomy would form an opinion on

¹²⁷ *ibid.*, 111f.; where the language of “driving out” rather than annihilation is used.

¹²⁸ *ibid.*, 113.

¹²⁹ *ibid.*, 115, citing 1 Sam 15 as the “most striking example” of this.

¹³⁰ *ibid.*, citing Deut 13 as an example.

¹³¹ *ibid.*, 122f.

the meaning of *herem* in chapters 2 and 3 already, and neither Moberly nor MacDonald provide a convincing account of why the annihilation of Og and Sihon and their peoples should be read metaphorically. The same can be said for the *herem* passages that follow Deut 7, which explicitly state that *herem* involves killing human beings (13:15; 20:16).¹³² From a wider canonical perspective the use of the war *herem* in Numbers 21:1-3 and throughout Joshua could be added to this critique. It is thus not clear that a strictly metaphorical reading can be justified, or indeed defended, on internal textual grounds.

6.5.4 *Hyperbolic readings*

A further recent attempt to make sense of *herem* texts from a Christian perspective focuses on the book of Joshua, but is sometimes held to have implications for understanding *herem* in Deuteronomy as well. On this view, Joshua belongs to the genre of ANE conquest accounts, a genre which typically included hyperbolic descriptions of wiping out the enemy.¹³³ The reports in Joshua 1-11 should therefore be read as highly hyperbolic, not as descriptions of a literal extermination campaign. Sometimes appeals are also made to ANE archaeology, contending that Jericho and Ai, for instance, were small military forts that would have had few if any non-combatants in them.¹³⁴

Two Christian philosophers have recently argued that this reading of Joshua should also lead to a re-evaluation of the *herem* commands in Deuteronomy. The argument runs like this: "Scripture clearly indicates that Joshua fulfilled Moses's charge to him. So *if* Joshua did just as Moses commanded, and *if* Joshua's described destruction was really the hyperbole common in ancient Near Eastern warfare language and familiar to Moses, *then* clearly Moses himself didn't intend a literal, comprehensive Canaanite destruction. He, like Joshua, was merely following the literary convention of the day."¹³⁵

If this approach is thought to be successful, it reframes the moral question from God commanding genocide (in Deut) and sanctioning a genocidal military campaign (in Josh) to God

¹³² So also, Rachel M. Billings, "'Israel Served the Lord': The Book of Joshua as Paradoxical Portrait of Faithful Israel." (PhD thesis, Harvard University, April 2010), 19-25; she observes, "every use of *herem* language [in Deut] outside of ch. 7 *explicitly mentions* the slaughter of living things in association with the *herem*," 24.

¹³³ K. Lawson Younger, *Ancient Conquest Accounts: A Study in Near Eastern and Biblical History Writing* (Sheffield: JSOT Press, 1990).

¹³⁴ R. S. Hess, 'The Jericho and Ai of the Book of Joshua', in R. S. Hess, et al (ed.), *Critical Issues in Early Israelite History* (Winona Lake, IN: Eisenbrauns, 2008), 33-46.

¹³⁵ P. Copan, *Is God a Moral Monster? Making Sense of the Old Testament God* (Grand Rapids, MI: Baker Books, 2011), 182; similarly N. Wolterstorff, 'Reading Joshua', in M. Bergman, et al (eds.), *Divine Evil?*, 252.

commanding and sanctioning a decisive military victory. While the general question of divine sanction for warfare and conquest would still need to be addressed, the specific challenge of genocide would no longer arise.

However, there are significant difficulties with this approach, e.g. within certain *herem* narratives one finds the specific mention of “men, women and children” among the casualties, as well as casualty numbers that explicitly include women in the multiple thousands.¹³⁶ Even if all of these narrative texts could be explained as highly hyperbolic and in fact relating only to combatants, the retrojection from the narrative use of the term to its prescriptive use in the legal sections (Deut 7, 13, 20) presupposes a uniformity of usage across different biblical books and genres that even staunch supporters of modern canonical interpretation might find difficult to defend.

6.6 Reading herem in light of historical criticism

While the advent of historical criticism has profoundly changed the way the bible is read and studied in the academy, it remains difficult to find readings of *herem* as Christian scripture that rely on historical-critical research. Recent works by theologian Eric Seibert, however, attempt to do just that.¹³⁷

In his book *Disturbing Divine Behavior*, which is written from a Christian confessional standpoint, Seibert seeks to “to help people how to use Scripture to think as accurately as possible about God.”¹³⁸ Most of Seibert’s examples for “disturbing divine behavior” are drawn from Old Testament narratives; unsurprisingly *herem* texts feature prominently among them.¹³⁹ Seibert reviews some ancient ways of handling problematic texts; he finds typology (he mentions Barnabas) and allegory (Origen) to have been “the early church’s best way of handling disturbing divine behavior” but concludes that this way of reading is “no longer viable today,” so that other approaches need to be developed.¹⁴⁰

¹³⁶ cf. e.g. Deut 2:34, 3:6; Josh 8:25.

¹³⁷ While Seibert draws on a number of general historical-critical studies, he does not refer to the two major historical-critical monographs dedicated specifically to *herem*: Philip D. Stern, *The Biblical Herem: A Window on Israel's Religious Experience* (Atlanta, Ga: Scholars Press, 1991); Christianus H. W. Brekelmans, *De herem in het Oude Testament* (Nijmegen: Centrale Drukkerij N.V., 1959).

¹³⁸ Eric A. Seibert, *Disturbing Divine Behavior. Troubling Old Testament Images of God* (Minneapolis: Fortress Press, 2009), 5.

¹³⁹ cf. eg. *ibid.*, 24-26.

¹⁴⁰ *ibid.*, 68.

Seibert also reviews and dismisses several modern attempts at “defending God’s behavior,” including approaches that focus on what he calls divine immunity, just cause, greater good, progressive revelation, the needs of a theocratic state, and God’s permissive will.¹⁴¹ All of these deficient approaches share, according to Seibert, the same control belief: “God actually said and did what the Old Testament claims.”¹⁴² The cornerstone for this core belief is the assumption “that the Old Testament is historically reliable.”¹⁴³ For Seibert, this is where a potential solution may be found, for “[i]f one concludes that some of the events found in the Old Testament narratives did not happen as described, it opens the door to ask questions about the extent to which God was involved in them. And if it turns out that some of these events never happened at all, it stands to reason that God was not involved in them!”¹⁴⁴

Based on internal (i.e. textual) and external (i.e. archaeological) evidence, Seibert then proceeds to argue that there are “significant questions about the historical reliability of Joshua 6-11.”¹⁴⁵ This point is crucially important for Seibert’s interpretation of *herem*:

Acknowledging that there are some things in the bible that did not happen, or did not happen as described, effectively exonerates God from certain kinds of morally questionable behavior. For example, if Jericho and Ai were not inhabited when the Israelites supposedly entered the land, this means the Israelites neither conquered these cities nor slaughtered their inhabitants. Therefore, it stands to reason that God never told Joshua, “See, I have handed Jericho over to you, along with its king and soldiers,” ... or “See I have handed over to you the king of Ai with his people and you shall do to Ai and its king as you did to Jericho and its king.”¹⁴⁶

However, Seibert takes care to point out that his argument does not amount to a denial of the truth of scripture (i.e., premise 2 of the hermeneutical dilemma); for him “[t]he importance of distinguishing between ‘truth’ and ‘history’ cannot be overstated;” for “[s]omething can be profoundly true even if it is not historical.”¹⁴⁷

¹⁴¹ *ibid.*, 69-85.

¹⁴² *ibid.*, 86.

¹⁴³ *ibid.*, 87.

¹⁴⁴ *ibid.*

¹⁴⁵ *ibid.*, 101.

¹⁴⁶ *ibid.*, 113.

¹⁴⁷ *ibid.*, 120f; For a rather different assessment of the theological importance of historical criticism, cf. e.g. Karl Barth, “Man kann selbstverständlich auch bei der Lektüre der biblischen Historien nach jenen Unterscheidungen [sc. “zwischen dem historisch Nachweisbaren, dem Sagenhaften und dem in späterer synthetischer Schau bewußt Gestalteten bzw. ‘Erfundenen’”] fragen, sie auch hypothetisch vollziehen. Nur eben deren kerygmatischem Sinn, in welchem sie erzählt sind, wird man sich dann – je bestimmter man sie vollzieht und je maßgebender man sie für die Erklärung werden läßt, um so sicherer – entziehen. Um ihm gerecht zu werden, muß man nach jenen Unterscheidungen entweder noch nicht gefragt haben oder,

Seibert's constructive hermeneutical proposal is to "distinguish between the textual God and the actual God."¹⁴⁸ Seibert's preceding arguments served precisely to make this hermeneutical move possible, for "if the Old Testament's diverse descriptions of God are understood differently, not as divine self-portraits but as human portrayals of God, it is not necessary to assume that every Old Testament image of God reflects what God is really like."¹⁴⁹ He offers three reasons why this differentiation is necessary: some narrated actions of God in the OT do not seem to correspond to "God's action in the real world;" "biblical texts are products of a particular historical and cultural context;" there are "conflicting portraits of God in the Old Testament."¹⁵⁰

Seibert then applies this approach to God's command to annihilate Amalek in 1 Sam 15:1-3, offering a number of reasons why this story may not accurately reflect the actual God; from these he concludes that "God never issued this genocidal decree. Instead, 1 Sam. 15:2-3 is best understood as a literary creation designed to serve as a canvas to display Saul's "sin" in bold relief."¹⁵¹

Seibert acknowledges that the distinction between the textual and the actual God, while being "essential", is also "only a first step."¹⁵² For even if the related event is not historical, asks Seibert, "how can we be sure it does not reflect something essential about God's character?"¹⁵³ While the distinction "frees us from the need to defend all of 'God's actions' in the Old Testament", it "does not automatically enable us to determine whether a particular portrayal of God reveals or distorts God's character."¹⁵⁴

In response to this challenge, Seibert proposes a "Christocentric hermeneutic" as the criterion for determining the degree of correspondence between biblical portrayals of God and the actual God; the approach is based on the assumptions that (1) "God's moral character is most clearly and completely revealed through the person of Jesus"¹⁵⁵; and (2) God's character is

nachdem man nach ihnen gefragt hat, *nicht* mehr fragen, muß man diese Historien *noch* oder *wieder* naiv, in ihrer Einheit und Ganzheit, lesen", KD IV/2 (1955), §65, "Des Menschen Trägheit und Elend," 541; The context is a discussion of Num 13-14.

¹⁴⁸ *ibid.*, 170; Seibert credits Terence Fretheim with this distinction.

¹⁴⁹ *ibid.*, 170.

¹⁵⁰ *ibid.*, 171f.

¹⁵¹ *ibid.*, 176.

¹⁵² *ibid.*, 178.

¹⁵³ *ibid.*

¹⁵⁴ *ibid.*, 179.

¹⁵⁵ *ibid.*, 186.

consistent.¹⁵⁶ While Seibert acknowledges problems with his approach, such as that of identifying the “historical Jesus,” he nevertheless feels able to sketch out the contours of “the kind of God Jesus reveals,”¹⁵⁷ i.e. a God who is kind to the wicked, who is nonviolent, does not judge people by causing historical (or natural) disasters or serious physical infirmities; in short “a God of love.”¹⁵⁸

It is of course possible to critique the foundations and functioning of Seibert’s criterion on many levels; he himself acknowledges, for instance, a tension between the alleged nonviolence of the God revealed by Jesus and the latter’s predictions of eschatological judgment in the gospels.¹⁵⁹ However, a detailed discussion of the criterion is beyond the scope of the present study; in terms of the historic Christian reception of *herem* I simply note the structural similarities to the way in which Ptolemy and the author of the Pseudo-Clementines turned to the words of the Saviour as a hermeneutical criterion, and to Origen’s saying that the orthodox accept the law “if Jesus reads it to us.”¹⁶⁰

Finally, Seibert warns readers against rejecting the OT entirely; rather he advocates a theologically discerning reading of it. Returning again to 1 Sam 15, he reiterates the point that the genocidal command in the opening verses “does not reflect God’s true nature.”¹⁶¹ A theologically discerning reader can nevertheless find “several theologically significant ideas” in the narrative; e.g. the “danger of choosing political expediency over obedience to God.”¹⁶²

In summation, then, Seibert’s approach in *Disturbing Divine Behavior* seems to allow for an affirmation of all five premises of the hermeneutical dilemma, with the qualification that scriptural truth does not imply historicity.

In his most recent pertinent contribution, however, Seibert challenges the notion of biblical truthfulness much more directly, “the bible is not always a dependable guide ethically, morally, or theologically;” therefore, claiming “complete and absolute theological reliability” for the bible would be claiming too much.¹⁶³

¹⁵⁶ *ibid.*, 187.

¹⁵⁷ *ibid.*, 191.

¹⁵⁸ *ibid.*, 191-203.

¹⁵⁹ *ibid.*, 243-254.

¹⁶⁰ *ibid.*, 191-203; cf. Luther’s criterion “was Christum treibet.”

¹⁶¹ *ibid.*, 220.

¹⁶² *ibid.*, 221.

¹⁶³ Eric A. Seibert, *The Violence of Scripture: Overcoming the Old Testament's Troubling Legacy* (Minneapolis: Fortress Press, 2012), 160.

Seibert begins this work by reviewing the “troubling legacy of the Old Testament,” in order to argue for the importance of being an ethically responsible reader.¹⁶⁴ He proposes three rules for ethical, nonviolent readings: “reading for the love of God and others;”¹⁶⁵ reading with a “commitment to justice;” and reading with a “consistent ethic of life: valuing all people.”¹⁶⁶

He then applies these principles to a reading of the conquest narrative in Joshua 6-11 and makes the following points: (1) “calling a spade a spade: it’s genocide”; (2) the conquest did not actually happen, and this matters; however it does not solve the problem; (3) the portrayal of “virtuous violence” must be critiqued; in order to do this one should (a) highlight internal critiques of it found within the bible and (b) read the text “with the Canaanites;” i.e. see them as human beings; a critique might also include a “deconstruction” of the claim that God ordered the annihilation of the Canaanites, and calling into question the reasons that the bible advances for it (i.e. Canaanite depravity).¹⁶⁷ For Seibert, “an ethically responsible reading of Canaanite genocide demands critique rather than justification.”¹⁶⁸

As with 1 Sam 15, Seibert also suggests a positive use of the texts; unlike what had been the case with respect to the narrative in 1 Sam, however, he advocates reading Josh 6-11 primarily against the grain; the texts give rise to “a natural opportunity to talk about the way people justify moral atrocities in the name of God;” and to “reflect on the ways political leaders frequently use religion to serve their own agendas.”¹⁶⁹ An ethical reading may also be used to “facilitate constructive dialogue between the perpetrators and the victims of colonization;” finally, it could also help readers examine who the “others” are in their own thinking.¹⁷⁰ Seibert also considers Earl’s recent suggestion to read Joshua in terms of its spiritual significance (cf. above), rather than in terms of violence, observing that “[i]t is problematic to spiritualize violent texts without first critiquing the violence contained in them.”¹⁷¹

In terms of the framing dilemma it appears clear, then, that Seibert subscribes to premises (1), (3), (4) and (5); the solution he proposes lies in examining (2), the bible is true. In *Disturbing*

¹⁶⁴ *ibid.*, 1-92.

¹⁶⁵ cf. Augustine’s proposal (in *De Doctrina Christiana*) of love as a hermeneutical goal and criterion, which Seibert credits; *ibid.*, 67.

¹⁶⁶ *ibid.*, 67-69.

¹⁶⁷ cf. e.g. Matthew Tindal’s arguments to this effect.

¹⁶⁸ *ibid.*, 109.

¹⁶⁹ *ibid.*

¹⁷⁰ *ibid.*, 109f.

¹⁷¹ *ibid.*, 110.

Divine Behavior, the first step in his argument is to say that for something to be true it need not be historical, which is only a precision of the premise; the second step, however, i.e. to say that the textual God differs very significantly from the actual God is, arguably, already a denial of (2).¹⁷² The denial of (2) is made explicit in *The Violence of Scripture*, in which he rejects the complete ethical, moral or theological reliability of the bible.¹⁷³

6.7 Violent readings

Seibert's approach is in no small part motivated by violent readings of the bible; perhaps the most chilling account of a violent reception of *herem* is found in a newspaper article quoted in a recent book by historian Philip Jenkins. The context is the 1994 genocide in Rwanda, in which up to one million Tutsis and moderate Hutus were killed, often hacked to death by their neighbours; the account speaks of a Christian pastor who "compared the Tutsis to the Amalekites, and said Saul was rejected by God because he failed to exterminate all of the Amalekites. He said 'If you don't exterminate the Tutsis, you'll be rejected. If you don't want to be rejected by God, then finish the job of killing the people God has rejected. No child, no wife, no old man should be left alive.' And the people said 'Amen.'"¹⁷⁴ While I have not been able to verify this account beyond the journalistic internet article that Jenkins' quotes, it does not entirely lack plausibility; it should also be noted, however, that I have not been able to find comparable references to the use of *herem* texts in specialized studies focussing on the Rwandan genocide.¹⁷⁵

¹⁷² Seibert acknowledges that his hermeneutical approach is not compatible with certain views of biblical inspiration and authority, e.g. plenary or conceptual inspiration, but argues that it fits within a framework of what he terms "general inspiration" and "functional authority." Seibert, *Disturbing Divine Behavior*, 263-280.

¹⁷³ For a recent approach that in many ways parallels Seibert's, cf. Jenkins, *Laying Down the Sword: Why we can't Ignore the Bible's Violent Verses*; Jenkins' book, which credits Seibert in various places, includes illuminating sections on some of the texts' violent reception history and is structured around a comparison of violent passages from the bible (esp. *herem* texts) and the Quran. Jenkins proposes a similar distinction between truth and history; his hermeneutical criterion of choice is a focus on "essential ideas in the bible and the Judeo-Christian worldview;" *ibid.*, 211. How one might go about determining what the latter are, however, is of course a matter of debate.

¹⁷⁴ *ibid.*, 141. The underlying article itself is now no longer available online; when I consulted it in 2012 I attempted, unsuccessfully, to contact the Rwandan source the journalist quotes, a leader of a "charismatic" Christian church in Kigali.

¹⁷⁵ I consulted the following specifically on Rwanda: Carol Rittner et al. (eds.), *Genocide in Rwanda: Complicity of the Churches?* (Newark, UK; St. Paul, MN: Aegis ; Paragon House, 2004); S. R. Haynes, "'Death was Everywhere, Even in Front of the Church': Christian Faith and the Rwandan Genocide", in S. L. Jacobs (ed.), *Confronting Genocide. Judaism, Christianity, Islam* (Lanham et al: Lexington Books, 2008), 183-194; J. F. Moore, 'The Accountability of Religion in Genocide', in S. L. Jacobs (ed.), *Confronting Genocide. Judaism, Christianity, Islam* (Lanham et al: Lexington Books, 2008), 65-75; Linda Melvern, *Conspiracy to Murder: The Rwandan Genocide* (London; New York: Verso, 2004); Philip Gourevitch, *We Wish to Inform You that*

However, one of the most influential pieces of anti-Tutsi propaganda, the so-called Ten Commandments for the Hutus, bears striking similarities to Deuteronomy 7, while falling short of expressly calling for genocide.¹⁷⁶ Drafted by Hassan Ngeze and published in the journal *Kangura*, which he edited, the first three commandments branded Hutu men who married, had relations with, or employed Tutsi women as traitors, since the latter allegedly always acted in the service of their Tutsi ethnic group (cf. Deut 7:3f); Hutus who engaged in commercial transactions with Tutsis were equally condemned as traitors (commandment no. 4). Finally, the most frequently quoted commandment (no. 8) resonates directly with Deut 7:2 ("show them no mercy"), "Les Bahutu doivent cesser d'avoir pitié des Batutsi."¹⁷⁷

In addition to these examples from Rwanda, a collection of essays that specifically examine the putative connection between religion and genocide contains a number of references to recent violent readings of *herem* texts by a small number of Israeli rabbis, as well as a discussion of the role these texts played in massacres of indigenous peoples in colonial America; however, no contemporary examples of violent Christian readings are included.¹⁷⁸ Similarly, Michael Prior's investigation of the biblical exodus-conquest tradition on colonialism in Latin America, South Africa and Palestine, while very critical of the overall impact of the tradition, contains no examples of *herem* texts being used to advocate the annihilation of an indigenous population, or to justify massacres.¹⁷⁹ In Kiernan's recent world history of genocide, *herem* texts also do not feature after the seventeenth century.¹⁸⁰

However, this relative scarcity of recorded violent uses of *herem* texts by Christians does not mean that such readings did not occur or will never again do so; Jenkins' dire prediction, already quoted in the previous chapter, seems only too likely to be fulfilled, "The last Christian

Tomorrow we Will be Killed with our Families: Stories from Rwanda (New York: Farrar, Straus, and Giroux, 1998).

¹⁷⁶ For their influence, cf. e.g. *ibid.*, 87f.; and Melvern, *Conspiracy to Murder*, 49f.

¹⁷⁷ Hassan Ngeze, "Appel à la conscience des Bahutu", in: *Kangura*, 6, (December 1990), pp.6-8, 8.

¹⁷⁸ e.g. for a discussion of Jewish reception, cf. L. Kuper, 'Theological Warrants for Genocide: Judaism, Islam and Christianity', in S. L. Jacobs (ed.), *Confronting Genocide*, 3-33, 7-12; L. B. Glick, 'Religion and Genocide', in S. L. Jacobs (ed.), *Confronting Genocide*, 95-117, 98; Z. Garber, 'Terror Out of Zion: Making Sense of Scriptural Teaching', in S. L. Jacobs (ed.), *Confronting Genocide*, 279-289, 283-87; for North American cases, cf. C. M. Nunpa, 'A Sweet-Smelling Sacrifice: Genocide, the Bible, and the Indigenous Peoples of the United States, Selected Examples', in S. L. Jacobs (ed.), *Confronting Genocide*, 47-63.

¹⁷⁹ Prior, *The Bible and Colonialism*; Prior discusses *herem* on pp. 261-263 citing Puritan writers, and also includes a reference to the destruction of the seven nations in the context of justifying the Spanish conquest of South America, p. 61.

¹⁸⁰ Kiernan, *Blood and Soil*.

who will seek to exterminate another nation on the pretense of killing Amalekites has not yet been born.”¹⁸¹

At the end of this chapter it has become clear, then, that many of the ancient and medieval approaches to reading *herem* as Christian scripture continue to have their practitioners in our times, e.g. Barth’s largely uncritical reading in the *Kirchliche Dogmatik*, Kopsch’s devotional-allegorical interpretation, or the violent uses of *herem* texts in Rwanda. Many of the moral criticisms also continue to be re-stated; responses to the criticisms at times follow a traditional divine-command-ethics structure (e.g. Swinburne); at other times, attempts are made to combine divine-command-ethics with the concepts of accommodation and progressive revelation (Junker, Stump). Yet other approaches bring to bear the categories of myth, metaphor and hyperbole.

Perhaps the most significant innovation of the modern period is the combination of historical-critical research with an attempt to read *herem* as Christian scripture (e.g. Seibert, Jenkins). At least in the case of Seibert, however, this effectively leads to a denial of the truthfulness of scripture. Ancient critics had of course already proposed this solution as early as in the second century, and it continues to have its contemporary advocates.¹⁸² However, in light of the preceding chapters it is an open question in what sense such an approach can or should be called a Christian reading.

¹⁸¹ Jenkins, *Laying Down the Sword*, 21; already cited above.

¹⁸² cf. e.g. Harnack’s (in)famous claim “das AT im 2. Jahrhundert zu verwerfen, war ein Fehler, den die große Kirche mit Recht abgelehnt hat; es im 16. Jahrhundert beizubehalten, war ein Schicksal, dem sich die Reformation noch nicht zu entziehen vermochte; es aber seit dem 19. Jahrhundert als kanonische Urkunde im Protestantismus noch zu konservieren, ist die Folge einer religiösen und kirchlichen Lähmung.” Harnack, *Marcion*, 217; for a more recent example cf. Collins, *The Zeal of Phinehas*.

7. Summary and conclusion

Following the preceding brief overview of modern and contemporary restatements and reworkings of historic approaches, and of various attempts to make the results of historical-critical inquiry fruitful for a Christian reception of *herem*, it remains for me to briefly summarize my findings and draw some conclusions.

In the introduction I framed the hermeneutical challenge posed by *herem* texts in terms of the following inconsistent set of propositions.

- (1) God is good.
- (2) The bible is true.
- (3) Genocide is atrocious.
- (4) According to the bible, God commanded and commended genocide.
- (5) A good being, let alone the supremely good Being, would never command or commend an atrocity.

The first chapter illustrated that the reception of *herem* within the OT and NT is uncritical in the sense that it evinces no awareness of the moral challenges as they are laid out in the above propositions. In light of the canonical authority that the OT and NT have historically enjoyed among (most) Christians, it is perhaps unsurprising that a considerable portion of the Christian reception of *herem* from earliest times to the present has also been uncritical in that sense.

However, my examination of Philo's comments on the injustice of punishing children for the sins of their parents demonstrated that the specifics of *herem* commands would have raised moral concerns among some in first century Alexandria. Philo does not, however, voice concerns of this kind with respect to the bible; he either passes over problematic texts in silence, or reads them in an uncritical fashion, either literally or figuratively.

In light of what has been said above about the uncritical nature of inner-biblical reception, it is perhaps also unsurprising that the figurative readings drawn from the works of Philo, Barnabas and Justin Martyr, appear not to have been developed in response either to the authors' own moral concerns or to external criticisms. In other words, the first figurative readings of *herem* texts appear to have been instances of positive allegoresis, rather than negative or defensive.

My analysis of dissenting readings in antiquity suggested that the moral challenge posed by various OT texts was most keenly felt and strongly stated by a pious follower of Jesus and his

apostle Paul, i.e. by Marcion. In a sense, then, the explicit debate about the proper reception of violent texts found in the JS was initially an intramural Christian issue; it arose in response to the gospel and the Pauline epistles. However, those who, like Marcion, proposed to resolve the resulting hermeneutical tension by denying the identity of the God referred to in propositions (1) and (4) above were soon considered *extra muros ecclesiae* by the emerging Great Church. The same is true for those who, like Ptolemy and others, advocated the view that the OT is interwoven with much that is unjust and objectionable, i.e. those who claimed that proposition (2) is false.

By contrast, pagan critics of Judaism and Christianity seem to have made relatively little use of *herem* texts, or of JS warfare passages in general; their chief objections to the JS concerned their perceived stylistic deficiencies, their lack of antiquity, and their anthropomorphic, metaphysically inadequate depictions of God. Nevertheless, a number of pagan critics did raise pertinent objections both concerning the internal coherence of the Christian bi-partite canon, and with respect to the injustice of God's actions in parts of the JS.

Put in terms of the hermeneutical dilemma, pagan criticisms can be understood to function in the following way: if (2) is true, then (4) is also true; however, if (4) is true, then (1) is false (because (3) and (5) are true); if, however (1) is false, then Christianity is false. The fact that Christianity, at least in the form in which they found and attacked it, included the claim that (2) is true meant that Christianity was incoherent, and therefore false.

Origen's is the oldest extant, extensive response to the criticisms of OT warfare texts raised by Marcion and Celsus. He turns to the already well-established practice of reading OT warfare texts figuratively, and puts it to polemical use. The nub of his argument is that it is not the literal meaning that counts, or is significant, for Christians; the literal sense is not what Jesus says to his church through these texts. Rather, the spiritual sense is what is of importance to Christians; it is the sole reason why accounts of violence and warfare were included in the Christian canon and why they are being read in the context of Christian worship.

It is important to note, however, that Origen does not thereby deny that in the past God did in fact command warfare and annihilation; rather he appears to assume it. However, God's sanction of warfare was, for Origen, a temporary concession necessitated by the fact that Israel was constituted, for a season, as an earthly kingdom; the advent of Christ and the inauguration of the new dispensation of the gospel necessitated a change in the pertinent laws. By God's providence, his new people were no longer constituted as an earthly kingdom. The difference in God's commands between the OT and NT was, therefore, not a reflection of divine fitfulness but

appropriately corresponded to a change in the providentially arranged constitution of God's people.

Put in terms of the hermeneutical challenge, Origen expressly affirms (1) and (2). Some of his statements about the bloodthirstiness of literal readers suggests that he would also tend to agree with (3). The major focus of his reading, however, is that (4) is not the meaning of scripture that is significant for Christians; whatever God commanded in the past, he now by these texts commands the total eradication of sin, and that, and only that, is what Christians hear Jesus say to them through OT *herem* passages.

Origen's reading of *herem* in terms of the extermination of the vices became very widespread, especially by its inclusion and development in monastic devotional literature. In fact, despite his posthumous condemnation as a heretic at the fifth ecumenical council (553), Origen's voice is, by far, the dominant one in the pertinent sections of the *Glossa Ordinaria*; on that basis one can with some justification claim that his way of receiving *herem* as Christian scripture had become the dominant ecclesial reading of the Middle Ages.

Where Origen had primarily resorted to figurative readings in his defence of *herem* texts, Augustine provided an extensive justification for them on the basis of divine-command-theory. He was not alone among Christian interpreters of late antiquity in approaching the texts in these ways, and was followed by some of the most prominent theologians and exegetes in the Western tradition. His arguments are still being repeated today, effectively unchanged in their structure; put in terms of the hermeneutical dilemma Augustine rejects premise (3) on the basis that it cannot be true given that (1), (2), (4) and (5).

The Christian reception of *herem* texts has not been limited to readings that address, in one way or another, the hermeneutical challenge as laid out above; a dark and troubling aspect of their reception involves their repeated use to justify violence, injustice and oppression. While a connection between *herem* on the one side, and massacre or genocide on the other, is perhaps less widely attested than a contemporary reader might have expected, there nevertheless exists a significant nexus between *herem* texts and real-world violence that must not be ignored in a discussion of their Christian reception. This area of reception underlines how important it is that pious readers develop a responsible, adequate hermeneutic for reading these and similar texts. Some Christian interpreters such as, say, Origen in the third century and Jenkins in the twenty-first, are keenly aware of this challenge, and pointedly stress that fact throughout their own readings of *herem*.

Finally, the results of historical-critical scholarship have, for many, called into question the historicity of biblical *herem* narratives; recent approaches such as Seibert's Christological hermeneutic or Earl's mythical reading can be combined with either a firm denial of historical referentiality, or with an agnostic position about historical matters and an insistence that the texts' significant meaning lies elsewhere.

Put in terms of the hermeneutical dilemma, an approach such as Earl's allows a reader to accept all five propositions, on the understanding that the Christian significance of (4) never lies in extra-textual referentiality (whatever may or may not have transpired historically), but rather in the way the narratives are intended to shape the identity of the community that reads them as part of their canonical scriptures. This, arguably, is, in essence, the position of Origen -- combined with agnosticism about historicity.

On the basis of the preceding analysis, it seems to me that contemporary readers wishing to read *herem* texts as Christian scripture have a number of viable options.¹

The denial of (1) and/or (2) remains as possible today as it was in the second century. However, the present thesis has shown, perhaps unsurprisingly, that there is practically no historical evidence for anyone within the Great Church reading the texts in that way; this is, of course, at least partially related to the fact that history is written by the victors and the victors get to define who is "great," who is "in" and who is "out." At the same time, as I have indicated in the introduction, there is evidence that the historical practice of ecclesial readers remains of significant interest to many pious readers today, perhaps increasingly so.

It is also undeniable that the rejection of (3) remains a live option today. As I have briefly indicated above, this is the position advocated, for example, by professional Christian philosophers at some of the world's leading universities. At the same time, the moral intuition that "it is wrong to bludgeon babies" (Rausser) is so strong that many contemporary Christian readers will likely find it very difficult, if not impossible, to modify their corresponding "gut feeling," especially if they attempt to visualize what the execution of *herem* would have involved in practice (perhaps aided in this visualization by some of the more detailed descriptions of the Jerusalem massacre, or images of machete-wielding *interahamwe* in Rwanda.)

¹ For a similar assessment of the hermeneutical options, based on the contemporary philosophical debate, cf. M. Bergman et al, 'Introduction', in M. Bergman, et al (eds.), *Divine Evil?*, 7-12.

For pious readers, then, the desire to simultaneously affirm the goodness of God, the truthfulness of scripture and the atrociousness of genocide results in them having to chart a way between Scylla and Charybdis. If, on the one hand, they follow Augustine and give up their moral intuitions about genocide, they run the risk of believing “such things about God as would not be believed of the most savage and unjust of humans,” to use Origen’s phrase. If, on the other hand, they prioritize their moral intuitions over the *prima facie* meaning of the bible, they might be accused of, in Augustine’s phrase, “removing all authority from the heart of the scriptures and making each person her own authority for what she approves or disapproves of in any scripture.”

Finally there remains the option of affirming all five premises combined with either a denial of any historical referentiality or an agnostic position about matters of history. This option has obvious attractions, including for the present writer. However, it also raises thoroughly difficult questions about the nature of God’s involvement in history and about God’s self-revelation in scripture, to name but two. It is not possible, within the confines of a thesis focussing on reception history, to develop the kind of robust systematic theological framework such a reading would require. However, I am hopeful that it can be done and would like to attempt to do so in the future.

There is, in the end, then, no simple solution to the challenge these texts pose for pious readers, including pious Christian readers. One thing all readers should affirm with uncompromising clarity, however, is that any use of these texts to justify massacre, injustice and oppression is not a reading that is pleasing to God, but blasphemous.

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