

The Trouble with Jephthah:
Interpreting Scriptural Narrative according to Its Contexts and Functions

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INTRODUCTION

Biblical narratives, like the Jephthah story, possess a natural multifunctionality. Form follows function, meaning, in this case, that the shape of the narrative works within its given contexts, and provides guidance for interpretation. No one doubts that the Jephthah narrative has troubles. The deeper problem for modern interpreters, Christian or otherwise, includes not adequately appreciating the residual functions embedded within the Jephthah story. To state the matter crudely: Asking the wrong questions, against different contexts with foreign agendas, partially explains the compounding of problems amongst interpretations. The present study is not going to “solve” any of Jephthah’s troubles. Rather, I have the more modest goal of sketching the story’s possible functions, with due caution, approximation, and guesswork.

The functions of the Jephthah story may be associated with, working in reverse from the “final form,” the book of Judges, the Deuteronomistic serial narrative (Joshua-Judges-Samuel-Kings), and the traditional stories of old Israel. The latter two of these are hypothetical and the specifics are contested. I am not here making a fine point which requires consent to a particular view of sources or literary development. I am using these three—one empirically verifiable (book of Judges), one theoretical but probable (Deuteronomistic History), and one real but its exact form unrecoverable (narrative Jephthah traditions)—to illustrate the kinds of functions residual in the Jephthah story as it stands. Yet, rather than work with hypothetical sources and literary complexes I will work with real, empirical forms.¹

By working with the functions of the book, the serial, and the episode, this study will show how these bear on interpretation, each in its own way. Because the forms—book, serial, episode—have survived each continues to function within the Christian Bible. Biblical narratives are multifunctional. Inadequate attention to these functions amounts to asking the wrong questions. The next section will present potential functions for the Jephthah story along with corresponding literary contexts, explaining how these guide interpretation. This will be followed by a short summary and a few implications for interpretation, including brief thoughts on how these matters bear on interpretation for preaching and teaching.

¹ Jeffrey Tigay uses empirical models to provide analogies for the viability of critically reconstructed sources. Tigay has shown in cases like the *Epic of Gilgamesh* and the Samaritan Pentateuch, both with their known source materials, how the sources were combined to produce the finished works, in order to illustrate the viability of the documentary hypothesis of the Pentateuch. See Jeffrey H. Tigay, ed., *Empirical Models for Biblical Criticism* (Eugene, Ore: Wipf & Stock, 1985) 1-95. The work on the empirical models is itself significant whatever it says or does not say about the Pentateuch. For a thoughtful critique of Tigay’s approach, see Adele Berlin, *Poetics and Interpretation of Biblical Narrative* (Winona Lake, Ind: Eisenbrauns, 1994), 111-34. The present study, while similar to Tigay’s empirical models in a certain sense, is a different approach to a different issue. I am not interested in recovering previous stages in the development of literary complexes or discovering sources. I will consider the relative functions of the Jephthah story in relation to the empirical forms themselves. To whatever extent there is significant continuity between historical narrative books of the Hebrew Bible, the literary complexes from which they were edited and redacted, and the source materials, oral and/or written, behind these said literary complexes, then the empirical forms will approximate the original functions. If this happens, fine, but it is not the point.

CONTEXTS AND FUNCTIONS

The Jephthah narrative is part of the book of Judges, the serial story from Joshua through Kings, and is itself an episode cluster. First, the Jephthah story is set in the latter half of the set of episodes concerning the so-called major judges in the book of Judges. The function of the Jephthah story depends on what one makes of the book of Judges. Taking Judges as a book is not so much about its physical qualities but speaks to the coherence, unity, and interrelationship of the narrative.² The double introduction provides literary narrative context for assessing the episodes. The first introduction (1:1-2:5) identifies the significant gap between the intentions of the conquest and situation of the tribes. The tribal failures rooted in weakness, greed, complacency, and appropriation of the native culture, establishes both continuity with the unfinished business of the book of Joshua, and the basis of the tribes' addiction to "doing evil in the eyes of Yahweh."³

The second introduction (2:6-3:6) sets up the basic narrative relationship between the episodes that follow. Specifically, the reader should expect each generation to progressively turn from the ideals of Joshua's day, following a basic pattern of apostasy, judgment, repentance, and deliverance—the Othniel story providing a basic prototype of the shape of the major judges stories. The storymakers outline the progressive generational decline:⁴ "Then there arose another generation after them who did not know Yahweh nor the works he had done for Israel then Yahweh raised up judges but when the judge died they relapsed and were more corrupt than their parents, following after other gods to serve and bowing down to them; they would not drop their deeds nor their stubborn ways" (2:10a, 16a, 19).

The sequence of major judges episodes matches the expectation of the second introduction, even to the shifts in stock formulas. Whereas the times of Othniel, Ehud, Deborah, and Gideon are characterized "the land rested X years"⁵ (3:11, 30; 5:31; 8:28) Jephthah and Samson merely "judged Israel X years" (12:7; 15:20; 16:31) apparently with no rest for the land. The absence of the stock phrase "the Israelites cried out to Yahweh" from the Samson story is even more striking (3:9, 15; 4:3; 6:7; 10:10). The Samson story thus seems a transition. Although "he judged for twenty years," whatever readers are supposed to imagine by this, his story begins like the next two—"there was a man ..." (13:2; 17:1, 6; 19:1); these last two stories being notoriously framed by "everyone did what they pleased" (17:6; 21:25) and punctuated by "in those days there was no king in Israel" (17:6; 18:1; 19:1; 21:25). Once the people cease to cry

² John Barton, "What Is a Book?: Modern Exegesis and the Literary Conventions of Ancient Israel," 1-14, esp. 2, in Johannes C. de Moor, ed., *Intertextuality in Ugarit and Israel* (Leiden: Brill, 1998).

³ All biblical translations are my own (from *BHQ* [where available] or *BHS*, and *NA27*), unless noted otherwise. For a helpful reading of the book of Judges, see Michael Fishbane, *Haftarot*, JPS Bible Commentary (Philadelphia: Jewish Publication Society, 2002), 508-13. On the unity and coherence of the Judges narrative, see Jay G. Williams, "The Structure of Judges 2.6-16.31," *Journal for the Study of the Old Testament* 49 (1991): 77-85; Yairah Amit, *The Book of Judges: the Art of Editing* (Leiden: Brill, 1999), 15-18.

⁴ I use the term storymakers to reflect the unity that readers see in writings put together by various hands over time—authors, redactors, editors, and scribal updating, as well as sources (oral and written), editions, and versions. Today's viewers easily discuss the meaning of films, as coherent narratives, which are produced by filmmakers, by which is understood an entire collaborative enterprise. The analogy between films and biblical narratives can only be used loosely because of the many and significant differences of their respective media

⁵ שָׁקֵט has the sense of *peaceful, undisturbed* (see *HALOT*), thus, primarily referring to lack of oppression.

out to Yahweh the storymakers loud silence regarding “evil in the eyes of Yahweh” begins to explain the moral disequilibrium of the final episodes. The series of “there was a man ...” stories (13:2; 17:1, 6; 19:1) lack the moral compass provided by the storymakers overt interpretation of God’s displeasure found throughout the rest of the book. The second introduction establishes, then, the narrative progression of the episodes wherein the reader watches the tribes eventually abandon even the pretense of turning to God.

The details of the dialogue between Yahweh and the people leading up to the Jephthah narrative point to concerns within the narrative development of the book. The several unique elements in Judges 10—the Israelites serving the Baals and Astartes and also the gods of several nations including Moab and Ammon (10:6); in the face of Ammonite oppression the Israelites cried to Yahweh even confessing their sin against him (10:10, 15); Yahweh at first refusing to deliver and then grieving (10:14, 16)—these elements compliment the development of moral declension through the storyline.⁶ Israel’s apostasy with the gods of the nations also fits well with Deuteronomistic concerns (10:6; 1 Kgs 11:4-8; 2 Kgs 17:8-12). Likewise the intertribal feuding of the Gileadites slaughtering of the Ephraimites builds on the tensions between Gideon and the Ephraimites (8:1-3), even while managing to cast both the Ephraimites and the transjordan Gileadites in a negative light.⁷ Finally, if the statement “and Jephthah the Gileadite died and was buried in the towns of Gilead” is original (12:7),⁸ then the dismemberment of his corpse adds to the connections with the episode of the Levite’s concubine—namely, female victims of male degeneracy, intertribal battle, young women dancing to their doom or capture, weeping over virginity or weeping over a tribe’s potential extinction, and anti-Genesis narrative outcomes (to which I will return below).

The Jephthah story fits exactly within the storyline of the book of Judges. After the disappointment of Gideon’s personal vengeance (8:19-21) and making “a snare” (8:27), and the debacle of his son (9:1-57), the reader might be expectant of a renewal under Jephthah. Jephthah’s decisive victory—a mere two verses (11:32-33)—is eclipsed almost entirely by his vow and the slaughter of the Ephraimites. The dramatic salvation of God of the first set of major judges is almost completely displaced by the moral dysfunction of Jephthah’s leadership.

⁶ See Robert B. Chisholm, Jr., *A Commentary on the Book of Judges* (Kregel, forthcoming), *ad loc.* I will cite Chisholm’s commentary by the section headings in the draft (as of early fall 2009). I wish to thank Professor Chisholm for generously allowing me to use the manuscript.

⁷ The Ephraimite slaughter functions as propaganda in the pro-Judah orientation of the book. See Chisholm, Introduction, “Does Judges Have a Political Agenda?” For discussion of various aspects of the incident, see David Marcus, “Ridiculing the Ephraimites: the Shibboleth Incident (Judg 12:6),” *Maarav* 8 (1992): 95-105; J. A. Emerton, “Some Comments of the Shibboleth Incident (Judges XII 6),” 149-57, in Andre Caquot, et al, eds. *Melanges bibliqueset orientaux l’honneur de M. Mathias Delcor* (Keuelaer, West Germany: Butzon und Bercker, 1985); E. A. Speiser, “The Shibboleth Incident (Judges 12:6),” 143-50, in J. J. Finkelstein and Moshe Greenberg, eds., *Oriental and Biblical Studies: Collected Writings of E. A. Speiser* (Philadelphia: University of Pennsylvania Press, 1967); Ronald Hendel, “Sibilants and šibbōlet (Judges 12:6),” *Bulletin of the American Schools of Oriental Research* 301 (1996): 69-75; Francis Landy, “Shibboleth: The Password,” 91-98, in David Assaf, ed. *Proceedings of the 10th World Congress of Jewish Studies, Division A: The Bible and Its World* (Jerusalem: Magnes Press, 1990), 91-98; John Ellington, “Translating Shibboleth and Sibboleth (Judges 12.6)” *Bible Translator* 41 (1990): 446. On the escalation of trouble with Ephraim from Gideon to Jephthah, see Robert H. O’Connell, *The Rhetoric of the Book of Judges* (Leiden: E. J. Brill, 1996), 202-3.

⁸ See *BHS* apparatus.

Second, the Jephthah story is set within narratives of the judges era of the Deuteronomistic Narrative (Joshua, Judges, Samuel, Kings). The Deuteronomistic Narrative as it now stands is a tetralogy or quadrilogy—the great four part serial narrative of the rise and fall of the Hebrew kingdom.⁹ The leading functions of the tetralogy are to explain the identity of the exilic community and meaning of the Hebrew kingdom.

Most of the transitions between the periods within the Deuteronomistic Narrative do not correspond with divisions between its four books. The books of Joshua and Judges neatly divide the eras of conquest and tribal leaders. The last of the judges, Samson, Eli, and Samuel, however, are presented within the “there was a man ...” series that spans the end of Judges and beginning of Samuel (Judg 13:2; 17:1, 6; 19:1; 1 Sam 1:1; 9:1). The stories of an all Israel kingdom—Saul, David, Solomon—cross the bounds of Samuel into Kings. The larger structure marks the end each period with a speech looking backward and forward, pointing toward the unity and coherence of the Deuteronomistic Narrative as whole: the conquest closed with Joshua’s speeches (Josh 23-24), the judges with Samuel’s speech and prayer (1 Sam 12), the establishment of the kingdom to the capture of Jerusalem with the covenant to and prayer of David (2 Sam 7), the rule of David and his son with Solomon’s prayer at the dedication of the temple (1 Kgs 8), and the divided kingdom by the Deuteronomistic Narrator (2 Kgs 17).¹⁰ No speech marks the final section which presents the last days of Jerusalem.

The fall of Jerusalem shattered the basic identity and outlook of any faithful remnant there may have been amongst the citizens of the kingdom in its last days. The faithful remnant, whoever it included, was plagued by impossible questions. If they were faithful to the covenant—really faithful—how could this happen? (Ps 44:17-22) If the covenant with the house David was everlasting, as is memorized in David’s own last words (2 Sam 23:5), then how could his dynasty fall? If God saved Hezekiah’s rule from the Assyrians, then how could the wicked Babylonians conquer the city of God? (see Isa 36-37; Hab 1) If God would forgive and restore, then how long would their homelessness last? (Lev 26:40-41; Deut 30:6) Hard questions are memorialized in Israel’s great poems, like “Why do you abandon us so long?” (Lam 5:20) and “How long?” (Ps 89:46).

These are the kinds of faith crises which the Deuteronomistic storymakers sought to answer in their rich, dynamic, and multilayered story. Now, I am in no way suggesting they

⁹ By Deuteronomistic Narrative I mean the books of Joshua, Judges, Samuel, and Kings as a coherent and unified serial, oriented around the covenantal concerns of Deuteronomy. See Gary E. Schnittjer, “Narrative Time in the Books of Joshua through Kings,” presented at Evangelical Theological Society, Providence, Nov 19, 2008.

¹⁰ See Martin Noth, *The Deuteronomistic History*, Journal for the Study of the Old Testament Supplement Series, no. 15 (Sheffield: Sheffield Academic Press, 1981). One of the more helpful summaries of discussion of the Deuteronomistic History is Gary N. Knoppers, *Two Nations Under God: The Deuteronomistic History of Solomon and the Dual Monarchies*, vol. 1, *The Reign of Solomon and the Rise of Jeroboam* (Atlanta: Scholars, 1993), 1: 17-56. A. Graeme Auld begins an essay entitled “What Makes Judges Deuteronomistic?” with “It just is” (120), yet he goes on to make a number of significant observations about the issue, see *Joshua Retold: Synoptic Perspectives* (Edinburgh: T & T Clark, 1998), 120-26; Auld’s essay esp. engages Mieke Bal, *Death & Dissymmetry: The Politics of Coherence in the Book of Judges* (University of Chicago Press, 1988). Also see John Barton, “Historiography and Theodicy in the Old Testament,” 27-33, in Robert Rezetko, Timothy H. Lim, and W. Brian Auken, eds., *Reflection and Refraction: Studies in Biblical Historiography in Honor of A. Graeme Auld* (Leiden: Brill, 2007); Robert G. Boling, *Judges*, Anchor Bible (Doubleday, 1975), 29-38. For numerous other references and explanation, see Schnittjer, “Narrative Time in the Books of Joshua through Kings” (see web address above).

wrote their historical narrative from scratch. Rather, the Deuteronomistic Narrative—along with the Prophets—offers a profound response to the impossible sounding questions of the exile (which I have pointed to above). The pretext of the tragic narrative is the inevitability of the fall of Jerusalem.¹¹ As the tribe of Judah had taken Jerusalem “with fire” so would Nebuchadnezzar (Judg 1:8; 2 Kgs 25:9). Why? It had to happen. Solomon anticipates the exile in his prayer of dedication. But the narrator most directly indicts Judah’s demise, first on the analogy of Israel’s fall (2 Kgs 17:19) and then definitively blaming king Manasseh in accord with Jeremiah’s oracle (23:26-27; 24:1-4; Jer 15:1-4).

How does the Jephthah story fit in the Deuteronomistic Narrative? One suggestion is that exilic readers might see that if they persist in crying out to Yahweh from their leaderless situation as did the people in Judges 10, then maybe he will send a leader like he did with Jephthah.¹² I find this suggestion doubtful, most glaringly because of the devastating intertribal conflict effected under Jephthah’s rule. I think investigating an episode according to the main lines of the serial narrative is more promising. Still, two of the biblical interpretations of the period of the judges, Samuel’s speech and Ezra’s prayer (1 Sam 12; Neh 9), see things in terms of sin, oppression, and deliverance. The latter portion of Psalm 78 also interprets the period between the exodus and the rise of David, yet without regard to the deliverers. The Deuteronomistic storymakers are concerned with more than mere deliverance.

Gary Knoppers identifies the united monarchy characterized by rest and sanctuary as central concerns of the Deuteronomistic ideology.¹³ If this is in the right direction, then the Jephthah story provides significant opportunity for reflection. Within the period of the judges (Judg 2—1 Sam 12) Jephthah’s rule breaks with the preceding narrative pattern, as noted above, with his leadership being the first of the major judges not to have brought rest to Israel (see 12:7). Jephthah’s leadership was insufficient to sooth the Ephraimites as Gideon had, the upshot of which was bloody retribution. Under Jephthah there was not peace or unity. The Jephthah story then functions in accord with the negative characterization of the covenantal Deuteronomistic Narrative.¹⁴ Jephthah’s leadership contributed to the conflicted, disequilibrium rooted in self-centered concern which marked the path from Egypt to Babylon.

Third, the Jephthah story comes from the narrative traditions of Israel.¹⁵ The source materials surviving in the Judges narrative point to their instructional function. The Jephthah story, especially its numerous problems, provides ideal prompts to reflect upon selected difficulties in the Torah, teachings and narratives. Telling the colorful story baits auditors. The

¹¹ The kingdom “history seems to move in more linear and irreversible fashion towards its catastrophic finale” (Christopher T. Begg, “The Function of Josh 7,1-8,29 in the Deuteronomistic History,” *Biblica* 67 [1986]: 322-23).

¹² See Begg, “Function of Josh 7,1-8,29,” 329.

¹³ See Knoppers, *Two Nations Under God*, 1: 6-7, 203-6.

¹⁴ Maybe it shows how wild things were on the other side of the Jordan (I am indebted to Michael Carasik for this observation). Note, however, that an allusion to Jephthah as an exemplar of faith appears in Heb 11.

¹⁵ Conjecturing about the precise form of the pre-scriptural Jephthah tradition, oral and/or written, falls outside the present study (see note on empirical forms in introduction above). Likewise, making an argument which seeks to recover the life-setting of the sources of the biblical narratives in order to support an historical or redactional theory is not a present concern. Instead, I am making educated guesses on the potential functions of the residual Jephthah traditions which remain in this episode cluster. I am supposing merely that there is continuity, at some level, between the traditions and the version of the story that is preserved in the book of Judges.

details do not answer the questions. The particularities provoke students by creating difficulties that need to be solved. The status of Jephthah's mother, and thus Jephthah's fitness for leadership in Israel, the notable historical and theological difficulties within Jephthah's message, and especially the vow and its fulfillment, each provide opportunity to negotiate particular and difficult pentateuchal contexts. These issues require answers, but they are in no case simple or definitive. Before getting caught up in the specifics I need to make two further general points regarding function.

One, the failure to adequately appreciate the instructional purpose of scriptural narrative in general and the Judges and Jephthah stories in particular partially accounts for the complex, conflicted, and inconclusive interpretive traditions. Modern academic commentaries, sharing much continuity in the case of the Jephthah narrative with their ecclesiastical interpretive predecessors, have made little progress beyond refining the typical interpretive options. Working toward history and/or theology (the leading functions of serial and book noted above) is critical, but needs to be complemented by due attention to instruction, here functioning primarily at the episode level. That some details of the Jephthah story remain irresolvable does not stem from poor narration, lost details, or an insufficient historical acumen of interpreters.¹⁶ The real issue, I think, is that the Jephthah narrative succeeds in creating instructional opportunities.

Two, while I suspect that instruction is a leading function of the traditions embedded in many scriptural narratives, I am not sure the Judges stories are typical. The humor and social sensibilities (especially with respect to gender) of the episodic materials of Judges is greater than most other biblical narratives.

The idea of humor in scripture sparks controversy particularly within western Christian traditions.¹⁷ Humor in literature takes several forms each with its own "triggers" and characteristics.¹⁸ To say that humor is "omnipresent" in Judges may be an overstatement but it points in the right direction.¹⁹ I here suggest an unscientific, subjective, partial list of humorous elements in the book of Judges: the maiming of Adoni-bezek the mutilator; Achsah's bold demands of the mighty warriors Othniel and Caleb (even funnier in the NEB); Little-calf (עגלון/*Eglon*) the Moabite king's physical appearance; the left-handed savior from the tribe of Son-of-the-Right-Hand (בנימין/*Benyamin*); the "toilet joke"; the "fat" (שמן) army marches to death (3:29); the defeat of the storm-god (Baal) worshipping Canaanites by the timid Lighting (ברק/*Baraq*), apparently by a storm from his God; Jael giving milk and covering to Sisera before driving a peg through his skull; Deborah imagining the women of Sisera imagining "two girls for every guy" (5:28-30); numerous ironies of the Gideon story like not accepting the kingship then naming his son My-father-is-king (אבימלך/*Avimelek*) (though not many of the Gideon ironies

¹⁶ Thank you to RoseLee Bancroft for help here.

¹⁷ On the problem of humor in Christianity, see Umberto Eco's novel *The Name of the Rose* (trans. William Weaver [New York: Warner Books, 1980]).

¹⁸ Humorous devices include satire, irony, ridicule, sarcasm, parody and caricature, hyperbole, meiosis (lessening), riddle, paradox, proverb, metaphor, simile, lesser to greater, rhetorical question, and counter question. These are each discussed with respect to Jesus' humorous teachings in Blayne A. Banting, "Proclaiming the Messiah's Mirth: A Rhetorico-Contextual Model for the Interpretation and Proclamation of Humour in Selected Gospel Sayings," D.Min. dissertation, Acadia University, Wolfville, Nova Scotia, 1998, 72-85.

¹⁹ Auld, *Joshua Retold*, 103.

are LOL items); Abimelech worrying about being remembered as being killed by a woman (which is how Joab and maybe David remembered it, see 2 Sam 11:21); the illegitimate son and outlaw Jephthah ruling over those who cast him out; likely infuriating the king of Ammon with “mistakes” in Jephthah’s message; the Ephraimites’ “speech impediment”; the powerful savior against the Philistines, Samson repeatedly succumbing to Philistine females, especially the sequence of entrapments by Delilah; the mighty Samson doing a lowly female job at the grinding mill (see Exod 11:5; Judg 9:53); the series of dark ironies in the two concluding stories, such as, Micah’s mother saying, “I certainly dedicate the silver to Yahweh from my hand to my son to make an idol of cast metal” (17:3); the expert left-handed slingers of the Sons-of-the-Right-Hand (בני־ימין/*Benyamin*); and the formerly morally outraged opponents of the men of Gibeah now advising them to take by force females from Shiloh. The most controversial style of humor is the alleged “ethnic humor” in the case of the Ehud narrative.²⁰

The Jephthah story, in my judgment, uses humor in several ways. These range from irony, sarcasm, and satire in the case of Jephthah’s rise to power in Gilead to mockery regarding the intertribal ridicule of the Ephraimite accent in episode of Judges 12. Parts of Jephthah’s message seem especially humorous. Whether he mistakes Chemosh as the Ammonite god because he is ignorant or is intentionally annoying, bullying, or picking a fight with the king of Ammon does not change the humor in imagining the king receiving the infuriating message. What of the vow? If Jephthah’s vow signifies stupidity or carelessness, the beginning of a smile disappears when his daughter courageously pays her life for his words.

Why would biblical narratives use humor? In the case of Jesus humor serves the ends of teaching and preaching.²¹ The use of humor in biblical instruction—whether in narrative, sermon, teaching, or prophetic oracle—while sometimes funny and entertaining, is not for the sake of amusement. The Judges traditions both entertain and instruct auditors and readers. Humor and entertaining narration are handmaidens of instruction.

It may be tempting to regard some of the humorous instructions as moralistic, like the very youth-friendly telling of Delilah’s entrapment of Samson. The larger issues of the Samson episodes, however, provoke auditors regarding a range of Torah instructions. Should a nazirite eat anything from lion carcass? Could the nazirite find any other weapon than a “fresh jawbone” (15:15) presumably of a recently deceased donkey? What are the implications of a Danite savior marrying and whoring amongst the uncircumcised?

²⁰ For discussion of humor in Judges and in the Hebrew Bible, see Ferdinand Deist, “‘Murder in the Toilet’ (Judges 3:12-30): Translation and Transformation,” *Scriptura* 58 (1996): 263-72; Marc Brettler, “Never the Twain Shall Meet?: The Ehud Story as History and Literature,” *Hebrew Union College Annual* 62 (1991): 285-304; Graham S. Ogden, “The Special Features of a Story: A Study of Judges 3.12-30,” *Bible Translator* 42.4 (1991): 408-14; Lowell K. Handy, “Uneasy Laughter: Ehud and Eglon as Ethnic Humor,” *Scandinavian Journal of the Old Testament* 6.2 (1992): 233-46; Marcus, “Ridiculing the Ephraimites,” 95-105; Dale Ralph Davis, “Comic Literature—Tragic Theology: A Study of Judges 17—18,” *Westminster Theological Journal* 46 (1984): 156-63; Yehuda T. Radday and Athalya Brenner, eds., *On Humor and the Comic in the Hebrew Bible* (Sheffield: Almond Press, 1990); Edwin M. Good, *Irony in the Old Testament* (Sheffield: Almond Press, 1981); Cheryl Exum, ed., *Tragedy and Comedy in the Bible, Semeia* 32 (1985). Also see Philip R. Davies, “The Trouble with Benjamin,” 107, in *Reflection and Refraction*.

²¹ See Banting, “Proclaiming the Messiah’s Mirth,” esp. 85-86, 122-63. Banting considers many of Jesus’ teachings as examples of humor for instructional or homiletical ends, such as, a log in one’s eye, giving a child a snake instead of fish, not giving bread to dogs, and many others running a wide range of kinds of humor (see note above for list).

Pervasive humor does not monopolize the distinctions of the Judges narrative. Judges also sports pronounced attention to the genders, challenging and/or criticizing the social status quo. This aspect of Judges is much discussed, including Jephthah's daughter as an arch-victim, martyr to male abusive tyranny.²² Judges' gender emphases are not bound by simplistic advocacy impulse, as the narration features immoral strong women, like Delilah and Micah's mother.²³ The prominent reflection on gender in ancient Israelite society fits well with both the instructional emphases of the traditions and with the prophetic-flavored critique of the Deuteronomistic Narrative, especially if the Hannah narrative is included. The establishment-critical historical narratives of the rise and fall of the Hebrew kingdom are amongst the leading distinctions of the scriptures with respect to ancient Near Eastern literature.²⁴

What are the instructional lures, designed to bait auditors into instructional investigations and conversations? I have in mind Jephthah's social status, the historical and theological details in the message, and the vow. The presentation of these, along with their particular connotations and ambiguities, in my reading represent intentional teaching goals. Auditors are expected to raise questions, voice challenges, and reflect upon interrelated webs of Torah contexts.²⁵

First, Jephthah's social status invites consideration of the Deuteronomic teaching on the "bastard" (KJV; JPS 1917) or "one misbegotten" (NJPS) or "one of illicit union" (NRSV), from the difficult term *mamzer* (מַמְזֵר). "A *mamzer* shall never enter the assembly of Yahweh, even to this one's tenth generation shall not enter the assembly of Yahweh" (Deut 23:3). Both the Septuagint and Targum Pseudo-Jonathan read *mamzer* as "son of harlotry." That Jephthah is the son of a prostitute fits the narrative of both the episode and the Judges storyline. The latter shows development from Abimelech the son of a concubine to Jephthah son of a woman of harlotry (Judg 8:31; 11:1).²⁶ The former uses Jephthah's social outcast status as a "microcosm" of

²² For various advocacy readings, see Anne Michele Tapp, "An Ideology of Expendability: Virgin Daughter Sacrifice in Genesis 19.1-11, Judges 11.30-39 and 19.22-36," 163-74, in Mieke Bal, ed., *Anti-Covenant: Counter-Reading Women's Lives in the Hebrew Bible*, Journal for the Study of the Old Testament Supplement Series, no. 81 (Sheffield: Almond Press, 1989); Barbara Miller, *Tell It on the Mountain: The Daughter of Jephthah in Judges 11* (Collegeville, Minn: Michael Glazier, 2005); Susan Ackerman, *Warrior, Dancer, Seductress, Queen: Women in Judges and Biblical Israel*, Anchor Bible Reference Library (New York: Doubleday, 1998); Phyllis Trible, "The Daughter of Jephthah: An Inhumane Sacrifice," 93-116, in *Texts of Terror, Literary-Feminist readings of Biblical Narratives* (Philadelphia: Fortress, 1984); J. Cheryl Exum, "The Tragic Vision and the Biblical Narrative: The Case of Jephthah," 66-67, in J. Cheryl Exum, ed., *Signs and Wonders: Biblical texts in Literary Focus* (n.p.: SBL, 1989). Also see note below with regard history of interpretation.

²³ The gender emphases in Judges strike me as more socially nuanced than the pro-strong female elements of the books of Esther and Judith versus the feminization of Esther's character in the Septuagintal book of Esther (Additions to Esther)—glamour obsessed, crying, fainting. While I think the main motive for revising Esther is to "fix" the theology, especially with respect to God, putting Vashti and Esther "in their places" also seems intentional.

²⁴ While I have in mind literature like the royal annals of the Mesopotamian empires, I think even the "repairing" of the traditions of the great males of Israel's traditions in Sirach 44-50 point toward the distinctness of the critical perspective of the biblical narratives.

²⁵ Susan Niditch notes rhetorical devices in the Jephthah story designed to slow the reader down and cause reflection, see *Judges: A Commentary* (Philadelphia: Westminster John Knox Press, 2008), 130.

²⁶ See Tammi J. Schneider, *Berit Olam: Studies in Hebrew Narrative and Poetry* (Collegeville, Minn: Liturgical Press, 2000), 162-65; I. Mendelsohn, "The Disinheritance of Jephthah in Light of Paragraph 27 of the Lipit-Ishtar Code," *Israel Exploration Journal* 4 (1953): 116-17.

Gilead's place amongst the tribes of Ephraim and Manasseh, at least according to Ephraim (12:4)—Jephthah, outcast from outcasts.²⁷ Yet, the details of his disinheritance go beyond this.

Jephthah's disinheritance raises more pressing questions. Does the son of a prostitute have a standing in Israel, if that is the sense of "assembly of Yahweh"?²⁸ What would it mean if the head and chieftain of Gilead is excluded from Israel? Does Yahweh select Jephthah or is he merely grieved but did not act (10:16) while the desperate people of Gilead turn to the banished fighter and his band of outlaws.

Now, I am not arguing that the Jephthah story offers a solution to the law of the *mamzer* in the form of narrative interpretation. Several interpretive "solutions" are found elsewhere in the Hebrew Bible. I consider the Rahab story a narrative interpretation of the meaning of "Canaanites" and *herem* in Deuteronomy 7, the Gibeonite deception as pointing toward the deeper spirit of obeying Deuteronomy 20, and the book of Ruth as clarifying the law excluding Moabites and Ammonites in Deuteronomy 23 (I recognize other narrative functions in each case).²⁹ I think the Jephthah story shares with these episodes an instructional function, each aimed at particular, difficult Deuteronomic laws. The difference is that while many instructional narratives point in the direction of a solution, the Jephthah story entices students to debate Torah difficulties when no solution is in view. I do not think, as might be fashionable in some circles, that the Judges storymakers are being difficult to be difficult, nor are they trying to "deconstruct" laws. Rather, the teaching function of the story is getting at perennially difficult Torah issues which must be engaged even when the ultimate outcome is not certain. Why? God has spoken. The people of God strive to interpret and obey his will, even when it's hard to understand.

Second, the historical and theological details in Jephthah's message entice auditors into a web of related Torah contexts. Jephthah rehearses for the Ammonite ruler details from Israel's travels in the wilderness presented in Numbers 20-21, 33, and Deuteronomy 2. Jephthah's message states that Israel had requested to pass through Edom and Moab as they traveled through the wilderness, but wound up going around both (11:17-18). This agrees with Numbers (20:18-21; 21:4)—though Jephthah did not mention Edom's call to arms—while both contexts sit uneasily against Moses' explanation of the people preparing to "go through the territory" of Edom (Deut 2:4), "we crossed over from" our brothers (2:8; "passed by" NRSV), and "let me pass through [Heshbon territory] ... as the descendants of Esau who live in Seir did for me and the Moabites who live in Ar" (2:27, 29).³⁰ The inner-pentateuchal difficulties have been felt since antiquity prompting, for example, a harmonization in the Samaritan Pentateuch (inserting part of Num 20:17-18 after Deut 2:7).³¹

²⁷ See O'Connell, *Rhetoric of the Book of Judges*, 188-89.

²⁸ I here concur with Tigay, that the "assembly of Yahweh" in the opening of Deut 23 refers to citizenship, see *Deuteronomy*, JPS Torah Commentary (Philadelphia: Jewish Publication Society, 1996), 209-10; also see 477-80.

²⁹ See my brief discussion of these in *The Torah Story* (Grand Rapids: Zondervan, 2006), chap 27.

³⁰ Tigay reads Deut 2:8 as the Israelites passing through Edom, "seemingly on a different occasion" than the incident referred to in Num 20:14-21; Judg 11:17, see 25. Also see 427-29 where he explains the problems of harmonistic approaches. Likewise Moshe Weinfeld notes that the reference to Israel passing through Edom and Moab in Deut 2:29 need not be seen to contradict the denunciation of Ammon and Moab in Deut 23, see *Deuteronomy 1—11*, Anchor Bible (New York: Doubleday, 1991), 171-72. Also note the thematic redactional strategy for Num 20-21 suggested by Jacob Milgrom, *Numbers*, JPS Torah Commentary (Jewish Publication Society, 1990), 463-67.

³¹ See Weinfeld, 167. J. Alberto Soggin suggests that attempts to ease the tensions can even be seen in the redaction of Numbers itself, see *Judges: A Commentary*, trans. John Bowden (Philadelphia: Westminster Press, 1981), 211.

What is the relationship between Numbers 20-21, Numbers 33, Deuteronomy 2, and Judges 11? Several studies have argued that the narration in Numbers 21 is dependent upon the others, to harmonize the apparent inconsistencies.³² John Harvey makes an argument for the priority of the Tetrateuchal narratives (Gen-Num) with respect to Deuteronomy 1-3. Yet, in the case of the traditions in Jephthah's message, he simply speaks in generalities concerning how the developments could go either way, even unhelpfully dealing with the most problematic verses for his view as interpolations.³³ If the itinerary of Numbers 33 is older, then "they camped at Iye-abarim in Moab territory (בְּנִבְוֵל מוֹאָב)" (33:44) may be read broadly as the basis of "pass through" Moab (Deut 2:27, 29) yet specifically as "they camped at Iye-abarim in the wilderness opposite Moab (עַל-פְּנֵי מוֹאָב) toward the sunrise" (Num 21:11).³⁴

The Pentateuch's wilderness itineraries with respect to Edom, Moab, and Ammon are already difficult without Jephthah's message. Thus, the historical and geographical details of Jephthah's message should motivate readers to reconsider the relationship of these contexts. The theological problems of Jephthah's message should provoke an even stronger response from student auditors, while at the same time raising questions about the reliability of Jephthah's preceding historical argument. Jephthah misstates that Chemosh is the Ammonite patron deity (Judg 11:24).³⁵ Jephthah also makes the mistake of granting credit to Chemosh (11:21-24) rather than Yahweh for giving the respective lands to Israel, Ammon, and Moab (see Deut 2:9, 19-21; cf. 2:2, 22). Or, did he? What if Jephthah's message reflects his reading of Numbers 21:29, taking Chemosh as the subject of נָתַן—thus, "Woe to you O Moab, you are destroyed O people of Chemosh, he gave his sons as fugitives, and his daughters into captivity"?³⁶

Consider how the Masoretic version of Jeremiah handles the associations between the Amorites and Moabites with respect to the transjordan land in question.

Jeremiah 48:45-46 In the shadow of Heshbon fugitives stand without strength, For fire came out from Heshbon, And flame from the house of Sihon [Num 21:28], And it has devoured the forehead of Moab [Num 24:17], And the skull(s) of the noisy ones. Woe to you O Moab, The people of Chemosh are destroyed, Taken away (לְקַחָהוּ) are your sons into captivity and your daughters into captivity [Num 21:29].

³² Maxwell Miller, "The Israelite Journey through (around) Moab and Moabite Toponymy," *Journal of Biblical Literature* 108 (1989): 577-95; W. A. Sumner, "Israel's Encounters with Edom, Moab, Ammon, and Og according to the Deuteronomist," *Vetus Testamentum* 18 (1968): 216-28; G. I. Davies, "The Wilderness Itineraries and the Composition of the Pentateuch," *Vetus Testamentum* 33.1 (1983): 1-13; John Van Seters, "The Conquest of Sihon's Kingdom: A Literary Examination," *Journal of Biblical Literature* 91.2 (1972): 182-97; John R. Bartlett, "The Conquest of Sihon's Kingdom: A Literary Re-examination," *Journal of Biblical Literature* 97.3 (1978): 347-51; Van Seters, "Once Again—the Conquest of Sihon's Kingdom," *Journal of Biblical Literature* 99.1 (1980): 117-19.

³³ See John E. Harvey, *Retelling the Torah: The Deuteronomistic Historian's Use of Tetrateuchal Narratives*, JSOTSS, no. 403 (T & T Clark, 2004), chap 1, esp. 18-19. Harvey accounts for the differences between the accounts as part of the Deuteronomistic Historian's concern for the land, namely, the nations—Edom, Ammon, Moab—possessed their lands, as did Israel, because God had granted them to them (see 28). This does not answer, however, Miller's concerns regarding the view of Moab's physical territory by the various biblical authors, which he thinks favors Num 21 as working with the other three contexts ("Israelite Journey," 577-95).

³⁴ For Num 21 and Deut 2, amongst other passages, being related to Num 33, though possibly indirectly, see brief comments in Schnittjer, *The Torah Story*, 439; and see geographical summary chart, 440-41. And see Milgrom, 175.

³⁵ Chemosh is the god of Moab and Milcom the god of Ammon. See "The Inscription of King Mesha" (c. 835 BCE) (*COS*, 2.23 [p. 138]; *ANET*, 320-21), 1 Kgs 11:7.

³⁶ See Milgrom, 182.

Numbers 21:28 For fire came out from Heshbon, Flame from the city of Sihon, It has devoured Ar of Moab, Devoured [*lords of?*] the high places of Arnon. **21:29** Woe to you O Moab, You are destroyed O people of Chemosh, He gave (נָתַן) his sons as fugitives, And his daughters into captivity to Sihon the king of the Amorites

Numbers 24:17 I see him but not now, I behold him but not near, A star will come out of Jacob, And a scepter will arise from Israel, And it will crush the skulls/territory of Moab, And destroy all the Shethites.³⁷

I acknowledge the difficulties of the Jeremiah passage, yet it relates here.³⁸ Jeremiah inserted “the forehead of Moab” from Numbers 24:17 (Jer 48:45) in place of “Ar of Moab, and devoured [*lords of?*] the high places of Arnon” (Num 21:28b). By replacing נָתַן (21:29) with לְקַחְחִי (Qal passive Jer 48:46) and by splicing a portion of Balaam’s oracle of “the star of Jacob, scepter of Israel” crushing Moab’s forehead, whether quoted or interpreted, into the song celebrating the defeat of the Amorites, Jeremiah’s oracle infers both that the land of the Amorites rightfully belonged to the Moabites, and Israel’s taking the Amorite territory indirectly signifies crushing Moab according to the word of Yahweh.

The difference is great between the interpretations of the pentateuchal contexts concerning Israel’s taking of the Amorite territory in the closing section of Jeremiah’s oracle against Moab (MT version) versus Jephthah’s message. Jeremiah’s intertextual interpretation theologically agrees with Moses’ reading in Deuteronomy 2 (cf. Deut 32:8)—namely, Yahweh not Chemosh grants each nation its lands—yet Jeremiah uses only passages from Numbers read together creatively. While Jephthah may be able defend his theology by pointing to the language of the taunt song in Numbers 21:29, he has done so at the expense of Yahweh’s sovereign will over Israel and the nations according to Deuteronomy 2. If Jephthah’s message provokes auditors to solve its problems as I am suggesting, the ending section of Jeremiah’s oracle against Moab (MT version) may be considered an answer to it, whether Jeremiah has Jephthah’s message in mind or he has come upon the pentateuchal difficulties independently.³⁹

³⁷ The MT reads קָרַקַר (the parallel then, *borders of Moab*) versus the Samaritan Pentateuch and Jer 48:45 which read קָרַקַר *skulls* (see Num 24:17 *BHS* apparatus). While not decisive, it is worth noting the frequent use of *qdqd* in battle contexts of the Ugaritic Baal myths, for example, “It struck the crown [*qdqd*] of prince [Yam], between the eyes of judge Nahar” (*CTA*, 2 iv 24-45), quoted from J. C. L. Gibson, *Canaanite Myths and Legends*, 2d ed. (T. & T. Clark, 1978 [Orig. ed. G. R. Driver, 1956]). Also see *CTA*, 3 v 32; 4 vii 4 (pp. 53, 64). For a discussion of several aspects of the textual difficulties of Num 24:17, see Timothy Ashley, *The Book of Numbers*, New International Commentary of the Old Testament (Grand Rapids: Eerdmans, 1993), 497-501.

³⁸ The complications include that this passage, and a few others of this chapter, is missing from the MT version of Jeremiah, see William McKane, *A Critical and Exegetical Commentary on Jeremiah*, International Critical Commentaries (Edinburgh: T & T Clark, 1996), 2: 1196-1201. My work to date (on chaps 1, 7, 25, 26, 36) points toward the Septuagintal version as translated from an earlier edition of Jeremiah than that represented by the MT. The discovery of fragments of Hebrew witnesses to both editions at Qumran heightens the difficult situation, see Emanuel Tov, “The Literary History of the Book of Jeremiah in the Light of Its Textual History,” 211-37, in Tigay, ed., *Empirical Models for Biblical Criticism*. Further, there are numerous additional complications with reference to the oracles of the nations being in a different arrangement and different location in the Masoretic and Septuagintal versions of Jeremiah. Solving any of these, if possible, is beyond my needs here as I am making a general observation on Jer 48:45-46 MT as it stands.

³⁹ The impetus for inner-biblical exegesis include “ambiguity or openness.” See Michael Fishbane, “Inner Biblical Exegesis: Types and Strategies of Interpretation in Ancient Israel,” 19-37, esp. 24, in Geoffrey H. Hartman and Sanford Budick, eds., *Midrash and Literature* (New Haven, Conn: Yale University Press, 1986).

The “factual errors” of Jephthah’s message, at least the ones the Ammonite king would have picked up on, may connote Jephthah as ignorant or as an uncultured, bullying tyrant. Maybe he bungled the negotiation, maybe wanted to pick a fight with the Ammonite king and used diplomatic guise to enrage him.⁴⁰ Comparing the message to the Ammonite king with his negotiations with the elders of Gilead and with the angry Ephraimites reinforces the possibility of these characteristics in Jephthah’s leadership style. Either motive adds to the humor and readerly entertainment, enriching the message’s value as an instructional lure.

Third, Jephthah’s vow, in numerous ways, provides the raciest teaching hook of the episode. The success of the vow to bait the auditor, whether intended or not, is notorious in the history of interpretation. The heinousness of the fulfillment of Jephthah’s vow matched by the apparent innocence of the daughter’s acceptance, along with numerous ambiguous and surprising textual elements, have provided a foil for voluminous, colorful readings through the ages.⁴¹ Rehearsing the normal and abnormal interpretations is not important to my thesis.⁴² The short summary is that many think he did it, and some think he did not (often seeing his daughter’s celibacy as fulfillment). For the present study important items are acknowledging that the presentation of the story invites interpretive concerns, and summarizing a few of these as they pertain to the Torah. The narration of the vow and its fulfillment, like other elements noted above, is not designed to solve interpretive problems but create instructional opportunities, maybe even spark theology and morality debates.

The vow itself invites auditors ask questions in relation to several Mosaic instructions. How come Jephthah did not substitute an animal for a dedicated human, as in Leviticus 27:1-8? Note the Targum:

Judges 11:39 And at the end of two months she returned to her father, and he did to her his vow that he vowed. And she did not know man [sic?]. And it was made a rule in Israel *in order that a man not offer up his son and his daughter for a holocaust as*

⁴⁰ For discussion regarding these possibilities, as well as reflection on ancient Near Eastern disputation forms, see Block, 359-62; K. Lawson Younger, *Judges, Ruth*, NIV Application Commentary (Grand Rapids: Zondervan, 2002), 255-59. For an interpretation of Jephthah’s message which makes favorable, good sense of all the details, see Fishbane, *Haftarot*, 239-40.

⁴¹ For select summaries of the history of interpretation of matters pertaining to Jephthah’s daughter, see George F. Moore, *A Critical and Exegetical Commentary on Judges*, International Critical Commentary (Edinburgh: T. & T. Clark, 1895), 304-5; Wilbur Own Sypherd, *Jephthah and his Daughter: A Study in Comparative Literature* (Newark, Del.: University of Delaware, 1948); David M. Gunn, “Cultural Criticism: Viewing the Sacrifice of Jephthah’s Daughter,” 202-74, in Gale A. Yee, ed., *Judges & Method: New Approaches in Biblical Studies*, second ed. (Minneapolis: Fortress, 2007); David M. Gunn, *Judges*, Blackwell Bible Commentaries (Malden, Mass: Blackwell Publishing, 2005), 133-69; Shuamit Valler, “The Story of Jephthah’s Daughter in the Midrash,” 48-66, in Athalya Brenner, ed., *Judges: A Feminist Companion to the Bible*, second series (Sheffield Academic Press, 1999); Phyllis Silverman Kramer, “Jephthah’s Daughter: A Thematic Approach to the Narrative as Seen in Selected Rabbinic Exegesis and in Artwork,” 67-92, in Brenner, ed., *Judges*; John L. 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: Eerdmans, 2007), chap 2 (“Sacrificing Jephthah’s Daughter: The Life and Death of a Father’s Only-Begotten”); Bernard P. Robinson, “The Story of Jephthah and His Daughter: Then and Now,” *Biblica* 85 (2004): 331-48; David Marcus, *Jephthah and His Vow* (Lubbock, Tex: Texas Tech Press, 1986). Also see William Dodwell, *A Dissertation on Jephthah’s Vow: Occasioned by Mr. Romaine’s Late Sermon on the Subject* (London: J. Fletcher and J. Barret, 1745); M. S. Terry, “Jephthah’s Vow,” *Methodist Quarterly Review* 55 (1873): 266-91; John R. Franke, ed., *Joshua, Judges, Ruth, 1-2 Samuel*, Ancient Christian Commentary on Scripture, Old Testament, vol. 4 (Downers Grove, Ill: InterVarsity, 2005), 136-40.

⁴² See, e.g., Moore, 299-305; Boling, 206-10; Block, 364-75; Chisholm (forthcoming) *ad loc*; Schneider, 173-83.

*Jephthah the Gileadite did. And he was not inquiring of the Phinehas the priest; and if he inquired of Phinehas the priest, he would have redeemed her with blood.*⁴³

And, if a person makes a “rash vow” could they make a sacrifice and be forgiven as in Leviticus 5:4? Jacob Milgrom affirms the rabbinic thinking that Jephthah’s vow does not fit the profile of a “rash vow,” and thus could not be annulled.⁴⁴ While appreciating the binding nature of speaking before God, the question of the potential illegitimacy of a vow against the expressed teaching of scripture still nags.⁴⁵

The similarity of context and structure between the vow of *herem* (הרם) in Numbers 21:1-3 and Jephthah’s vow (Judg 11:30-31) tempts a question.⁴⁶ Could Jephthah’s vow actually be a vow of *herem*?⁴⁷ What persons can be devoted to destruction in Leviticus 27:28-29, only enemies, or members of Israel? My thinking is that this line of questions fizzles quickly.

Since Jephthah is the head of his household, can he make a “rash vow” that must be ratified by someone else in his household, as in the case of females in Numbers 30?⁴⁸ What if his daughter had refused her father? Paul, though framing it not as a command, nonetheless, opines mutual authority between husbands and wives with respect to vows of abstinence (1 Cor 7:1-7). What does it mean that “the spirit of the Lord was upon Jephthah” (Judg 11:29) when he made the vow?

Then there are questions from silence. Did anyone challenge Jephthah and his daughter for seeking to go through with an immoral vow? Saul’s rash oath (1 Sam 14:24) which the people challenged effectively (14:45) makes a natural counterpoint.

The stories of Jephthah’s daughter and the Levite’s concubine share a similar relationship to the book Genesis, along the lines of the present proposal. When the stories of Lot’s guests and

⁴³ *Targum Jonathan of the Former Prophets*, trans. Daniel J. Harrington and Anthony J. Saldarini, The Aramaic Bible, vol. 10 (Collegeville, Minn: Liturgical Press, 1987).

⁴⁴ Jacob Milgrom contends that Lev 5:4 does not apply to Jephthah, or to Isaac who was deceived into blessing Jacob against his intention, because it was expressed verbally, see *Leviticus 1–16*, Anchor Bible (New York: Doubleday, 1991), 1: 299. *The Mishnah* presents several kinds of assumptions regarding annulling vows (see m. Ned. 2:1, 5; 3:1, etc.), even while the rabbis readily the lack of basis for their view of annulling vows. “[The rule about] release from vows [see m. Ned. 9:1ff; 10:1ff, etc.] hover in the air and have naught to support them; the rules about the Sabbath, festal-offerings, and Sacrilege are as mountains hanging by a hair, for [teaching of] Scripture [thereon] is scanty and the rules many; the [rules about] cases [concerning property] and the [Temple-]Service, and the rules about what is clean and unclean and the forbidden degrees, they have that which supports them, and it is they that are essentials of the Law (m. Hagigah 1:8), from *The Mishnah*, trans. Herbert Danby (Oxford University Press, 1933). Jacob Milgrom notes that while four kinds of vows could be annulled (m. Nedarim 3:1) Jephthah’s vow is considered binding on rabbinic grounds. See Milgrom, *Numbers*, 490; Jacob Milgrom, *Leviticus 23–27*, Anchor Bible (New York: Doubleday, 2001), 3: 2411-12. See the many proto-rabbinic stipulations in m. Nedarim. Also see b. Ta’anit 4a.

⁴⁵ Other ancients were more worried about the honor of God than the life of Jephthah’s daughter. “And God was very angry and said, ‘Behold Jephthah has vowed that he will offer me *whatever meets him first on the way*; and now if a dog should meet Jephthah first, will the dog be offered to me? And now let the vow of Jephthah be accomplished against his own firstborn, that is, against the fruit of his own body, and his request against his only-begotten. But I will surely free my people at this time, not because of him but because of the prayer that Israel prayed” (Pseudo-Philo 39:11), quoted from *Biblical Antiquities*, trans. D. J. Harrington, in Charlesworth, James H., ed., *The Old Testament Pseudepigrapha*, 2 vols. (Garden City, NY: Doubleday, 1983), vol. 2.

⁴⁶ For a comparison of the vows in Num 21:1-3 and Judg 11:30-31, see Michael Fishbane, *Biblical Interpretation in Biblical Israel* (Oxford: Clarendon Press, 1985), 204-5.

⁴⁷ See Niditch, 33-34; cf. Chisholm *ad loc.*

⁴⁸ Cf. Prov 20:28; Josh 9:19-20; Judg 21:7.

the old man of Gibeah's guests are compared, it is as though the latter embodies a terrible question of the former (Gen 19; Judg 19).⁴⁹ When Lot offered his daughters to the men of the city, what would have happened if his guests were not able to blind the men and shut the door? The fate of the Levite's concubine provides an appalling answer. Likewise, when Abraham raised his hand above his son, what if he had not heard the messenger of Yahweh or seen the ram caught in a thicket? The shared language between these contexts—the child was “the only one” (Gen 22:2; Judg 11:34), the language supplied by the narrator in the latter case—invites a morbid comparison.⁵⁰ If the reader wonders what Abraham and Isaac said in this context “fraught with background,” the exchange between Jephthah and his daughter heightens rather than satisfies the curiosity.⁵¹

SUMMARY AND IMPLICATIONS

The troubles with the Jephthah story are primarily detail ambiguities and the storymakers' ambivalence. Yet, referring to these as “problems” speaks more about the expectations and agenda of interpreters. They are problems if the storymakers were seeking to provide clarity in terms of historical and theological detail. But why would anyone think that? Are we to believe that the biblical storymakers' leading concerns are the same as ours with reference to Jephthah?

The Jephthah story displays its design according to the functions of the contexts which have come down to us. The episodic materials in the narratives of the Hebrew Bible sometimes are characterized by ambiguities along the “fault lines” of their ostensive connections with Torah traditions—laws and narratives. These ambiguities entice auditors to solve them—they are instructional hooks. The instructional impulse aligns well with the humor and gender challenges characteristic of the episodic judges era materials.

The Jephthah story stands about midway through the “period of the judges” in the Deuteronomistic Narrative, the last of the judges stories framed by the formulaic phrases introduced in Judges 2. The next stories, “judges” or otherwise, lack the formulaic structure and

⁴⁹ See Block, *New American Commentary*, 371-72; Daniel I. Block, “Echo Narrative Technique in Hebrew Literature: A Study in Judges 19,” *Westminster Theological Journal* 52 (1990): 325-41; Raymond de Hoop, “Saul the Sodomite: Genesis 18-19 and the Opening Panel of a Polemic Triptych on King Saul,” 17-26, in Ed Noort and Eibert Tigchelaar, eds., *Sodom's Sin: Genesis 18-19 and Its Interpretations* (Leiden: Brill, 2004). Also see Edward L. Greenstein, “The Formation of the Biblical Narrative Corpus,” *Association for Jewish Studies Review* 15.2 (1990): 169-70; Michael J. Smith, “The Failure of the Family in Judges, Part 1: Jephthah,” *Bibliotheca Sacra* 162 (2005): 295-96.

⁵⁰ The interconnection between Number 21 (the fiery serpent lifted up), Judges 11, and Genesis 22, forms significant intertextual connection for the lifting up of the only son of God in John 3:14-16—especially note the use of “only begotten” (Judg 11:34 LXX^{A, B}, John 3:16). See Raymond E. Brown, *The Gospel According to John*, Anchor Bible (New York: Doubleday, 1966), 1: 133; J. Duncan M. Derrett, “The Bronze Serpent,” *Estudios Biblicos* 49 (1991): 31-49, esp. 319-20; Dale Moody, “God's Only Son: The Translation of John 3 16 in the Revised Standard Version,” *Journal of Biblical Literature* 72 (1953): 213-19, esp. 217. For other comparisons between Gen 22 and Judg 11, see Phyllis Trible, “A Meditation in Mourning: The Sacrifice of the Daughter of Jephthah,” *Union Seminary Quarterly Review* 36 (1981): 59-73, esp. 63; Barry Webb, “The Theme of the Jephthah Story (Judges 10:6-12:7),” *Reformed Theological Review* 45 (1986): 40.

⁵¹ See Erich Auerbach, *Mimesis: The Representation of Reality in Western Literature*, trans. Willard R. Trask (Princeton, NJ: Princeton University Press, 1953), 12.

each begin with “a certain man” up through First Samuel 9:1.⁵² The judges period of the Deuteronomistic Narrative reflects the larger strategy of the serial to indict every period of Israel’s covenantal history with sin and rebellion. One of the leading purposes of the Deuteronomistic tetralogy is to demonstrate comprehensive responsibility for breaking the covenant through the generations. This prophetic flavored interpretation aptly fits both the Jephthah story and the larger serial narrative. The trouble with Jephthah is a textbook example of both why the covenantal people had to eventually be taken into exile, and that God is faithful to his people in spite of them. The Deuteronomistic historical narrative interpretation of Israel (and Judah) explains the identity and meaning of the people in exile, from the conquest through the times of the judges, including Jephthah, and through rise and fall of the two kingdoms.

The Jephthah narrative fits the book of Judges. The trouble with Jephthah displays a level of moral and covenantal ambiguity between that of Gideon-Abimelech and Samson. Moreover, the slaughter of the Ephraimites in the wake of Jephthah’s military success signals the fundamental breakdown in intertribal relations, whatever that might have been. The Jephthah story, in short, plays an integral role in the erosion storyline of the book framed by its two introductions and by the apostasy of its concluding episodes.

The Jephthah story displays natural multifunctionality. I will briefly note three implications that bear on the interpretation of scriptural narrative. First, methodological purity should not be purchased at the expense of exegetical viability. Many interpreters have begun to acknowledge the need for both diachronic and synchronic approaches. Both are necessary. Becoming self-conscious of the native multifunctionality of biblical narrative can allow it to be leveraged into an advantage.

By all accounts the “final form” of the long narrative books of the Christian Bible did not drop out of the sky.⁵³ The indicators of embedded sources, editorial seams, and sometimes layers, *all remain* as part of the canonical narrative books. By directing inquiry toward empirical forms—illustrated in this study as book, serial, and episode—the interpretive results can relate to these real contexts.

Second, are the book of Judges and the Deuteronomistic Narrative special cases? Yes and no. Yes, the judges and “a certain man” episodes are collectively a special case in degree and kind. The degree of humor, irony, and attention to gender are accented beyond most other biblical narratives. And, the use of teaching hooks to provoke students rather than solve interpretive issues, while not unique to these contexts, is somewhat atypical. And no, while distinct, the kinds of multifunctionality exhibited between episode, serial, and book in Judges and the Deuteronomistic Narrative are in accord with most or all of the other long narrative books of the Christian Bible.

The several serials of the Hebrew Bible—Torah, Deuteronomistic Narrative, which together comprise the Primary Narrative (that is, Gen—2 Kgs), Secondary Narrative (Chron—

⁵² The “there was a certain man” episodes in Judg 17-18, 19-21 are framed by their own formulas, as noted above.

⁵³ By “long narrative books” I am excluding the short stories, Ruth, Esther, Daniel, and Jonah, as well as the poetic-narrative, Job, and poetic-prophetic-narratives in Isaiah, Jeremiah, and the like. There are many common elements, but the functionality of these books, in their respective ways, have to be treated separately.

Ezra—Neh)—each have strong enough intentional thematic, theological, and narrative coherence to point toward specific functions, however they are interpreted. Moreover, the main bodies of these serials are episodic narratives which can be considered in their own rights. The embedded laws, genealogies, poems, and the like, require appropriate sensitivities, but they also embody contingent functions all the same.

The New Testament narratives require fuller treatment than I can offer here, but they function in many similar ways. Matthew's genealogy situates the narrative against the storyline of the Hebrew scriptures in a manner similar to the Chronicler's genealogies. Mark's brief introductory prophetic anthology and John's prologue establish the narratives that follow against theologically stylized versions of the storyline of Hebrew scriptures. Luke-Acts, while itself a multivolume narrative, is repeatedly and complementarily situated against the storyline of the Hebrew Bible by means of the narrative interpretations in the speeches of Acts.

Beyond the several serials and related long narratives of the Christian Bible are the collections of the Old and New Testaments along with the entire Bible. While the present study is focused on the multifunctionality of the organically related contexts of episode, book, and serial, these each function within the larger more diverse collections of the Christian Bible. The view of the unity and coherence of these larger collections may be of a different order, but is no less important to vital Christian faith.

Third, working along the functional axes of episode, serial, and book (or within the Old Testament or Christian Bible) offer significant possibilities for strengthening teaching and preaching from biblical narratives.⁵⁴ These five contexts each provide their own kinds of guidelines for interpretation, preaching, and teaching. The preacher, for example, could use one or more of these contexts to support different legitimate messages—each message framed against a specific empirical context. Attention to specific contexts can help the preacher avoid messages that merely use biblical narratives as pretexts for moralistic homilies.

Any narrative can serve as the basis for moralistic sermonizing. Reading the scriptures as scripture sets them apart other narratives. One way to do this is attending to biblical narrative within the empirical contexts in which they have come to us. Jephthah considered as a human may show us foolish behaviors to avoid, but no one needs the Bible for this. Here are questions which point in the direction of messages for the preacher: How does the Jephthah narrative contribute to the gospel message of the Christian Bible?, How does the Jephthah narrative inform the faithfulness of God to bring salvation to people in the Hebrew Bible?, What part does the Jephthah story play in the book of Judges?, How does the Jephthah narrative inform the identity of the exiled people and the meaning of the First Commonwealth of Israel?, In what ways does the Jephthah narrative bait believers to spar about lawful behavior, according to the Torah? These questions are neither mutually exclusive nor exhaustive. By interpreting biblical narratives, like the Jephthah story, against empirical biblical contexts preachers and teachers can strengthen the viability of the messages of their sermons and instruction.

⁵⁴ Two commentaries which, regarding the Jephthah narrative, offer significant theological-exegetical guidance to the preacher are Block's (see 375-79, 385-88) and Chisholm's ([forthcoming], see *ad loc*).