Nomos and Violence in the Story of Samson

Klaas Spronk

Introduction

In the book of Judges, we find no explicit reference to the law of Moses, but it contains all the more violence, which makes it for the modern reader a problematic book. In my contribution to the conference on the theme of nomos (the normal word for the Law of Moses in the Greek translation) and violence I wanted to show that for the author of the book of Judges in its present form it was the other way round: that it is all about nomos and that violence is more functional than problematic. During the conference, however, the concept of nomos was nuanced, especially by the paper of Viktor Ber. He introduced us to the work of Robert Cover in which this brilliant law professor (who died at the young age of 42 in 1986) makes a distinction between law and nomos. The law as we know it as a system of rules should, according to Cover, be seen as part of a normative world, which he calls nomos, in which all these rules and legal institutions interact within an overall world of ethical and cultural forces that give meaning to these rules and also make room for exceptions to these rules. For biblical scholars it is fascinating to read how Cover illustrates this with reference to stories in the book of Genesis. Apparently, he was also inspired by biblical texts—next to rabbinic sources—in the development of his theory. He points to the tension between the law given in Deut. 21:15–17 about the inheritance that should be given to the first-born son and stories about Cain and Abel, Ishmael and Isaac, and Esau and Jacob. He concludes:

What is distinctive about the biblical narratives is that they can never be wholly squared either with the formal rule—though some later rabbis tried to do so—or with the normal practice. It is tempting to reconcile the stories to the rule by creating exceptions or by positing circumstances that would remove the case from the rule. These strategies may be useful to the later legist whose concern is a consistent body of precepts. Life in the normative world of the Bible, however, required a well-honed sense of where the rule would end and why.

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3 Cover, ‘Nomos and Narrative,’ 21–22.
When I understand Cover well, it is this ‘sense’ that it is important for the right use of the laws. It is the way we can share in this *nomos*. The challenge, also in the study of biblical texts, is to investigate the relation between *nomos* and narrative, and the way they were linked together and functioned in society. Although I am aware of the fact that the views of Cover have been criticised and I, moreover, would not dare to enter the field of legal studies, I do want to take up the idea that occurs when I relate his views with what I observe in the book of Judges. It means that I probably have to rephrase the statement formulated at the beginning: the book of Judges contains no explicit reference to the Law of Moses, but its stories are full of *nomos*.

Judges and the Torah

In many ways the book of Judges is connected with the preceding book of Joshua. The first chapter of the book of Judges recapitulates the conquest of the land as told in the book of Joshua. It is often suggested that there are large differences between the two accounts and that in Judg. 1 only negative reports are given. However, a close reading and a precise comparison with the reports in the book of Joshua show that Judg. 1 primarily consists of repetitions of what was already told in the book of Joshua. It starts with positive reports about the conquest by the tribes of Judah and Joseph. Only in the second part we read of the unsuccessful activities of the other tribes, but also these have been partly reported already in the book of Joshua. The basic difference between the two books appears to be the lack of one outstanding leader following in the footsteps of his predecessor. This attracts one’s attention right at the beginning. The book of Judges opens in precisely the same way as the book of Joshua: ‘It happened after the death of Joshua/Moses.’ In the book of Joshua, it is clear that Joshua will take the place of Moses, in the book of Judges there is no candidate. Instead, the tribe of Judah is designated to go first. A second striking element in comparison with the book of Joshua is that before Joshua takes up his task, almost a whole chapter is devoted to encourage him to go in the footsteps of Moses by constantly observing the Law of Moses: ‘Only be strong and very courageous, that you may observe to do according to all the law which Moses My servant commanded you; do not turn from it to the right hand or to the left, that you may prosper wherever you go’ (Josh. 1:7). This is repeated a number of times. A similar command to a leader is missing completely in the book of Judges. One could, however, point here more positively to the fact that this does not mean that there is no communication with the God behind this Law. Already from the beginning the people not only speak to YHWH, he also answers them right away: ‘Now after the death of Joshua it came to pass that the children of Israel asked the Lord, saying, “Who shall be first to go up for us against the Canaanites to fight against them?” And the Lord said, “Judah shall go up. Indeed I have delivered the land into his hand”’ (Judg. 1:1-2).

The book of Judges presents many leaders, most of them explicitly called and installed by YHWH to liberate his people. Not all of their actions are positive. Of Gideon, it is told that at the end of his career

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4 Cf. Levine, ‘Halacha and Aggada,’ 504.
6 Translations are taken from the New King James Version.
he makes an ephod, places it in the city where he was born and thus causes idolatry (8:27). His son Abimelech leads his people into a civil war. Jephthah makes a rash vow which causes the death of his daughter and he also becomes involved in a bloody civil war. Samson does not use his power in a wise way. The book ends with another civil war. All of these are clearly negative, but we find no explicit denunciation, in contrast to what happens time and again in the following books about the kings of Israel and Judah, declaring that they ‘did evil in the eyes of YHWH’ and ‘walked in the way’ of sinful predecessors like the king Jeroboam. Instead, the people of Israel are blamed for doing ‘what is evil in the eyes of YHWH’ (2:11; 3:7, 12; 4:1; 6:1; 10:6; 13:1). In the final chapters this is replaced by the remark that ‘everyone did what was right in his own eyes’ (17:6; 21:25). Also in these last chapters we find more detailed information about the sins of the Israelites. One could even say that these stories look like narratives illustrating the Ten Commandments, as was suggested by ‘Pseudo-Philo’, the author of the Biblical Antiquities, a Jewish retelling of the Bible in the first century. To his version of the story of Judg. 17 in chapter 44 he adds a list of most of the Ten Commandments with God complaining about the people violating them. He also adds a description of the severe punishment awaiting Micah and his mother. As was noted above, such a judgment is notably missing in the stories in the book of Judges.

One can read Judg. 17–18 almost like a quiz: which of the commandments is being violated? Judg. 17:3 offers a good start. It not only refers to stealing, but as the theft concerns a son stealing from his mother it is also a violation of the command to honour your parents. To this is added that the silver is used to promote idolatry: ‘So when he had returned the eleven hundred shekels of silver to his mother, his mother said, “I had wholly dedicated the silver from my hand to the Lord for my son, to make a carved image and a molded image (פסל ומסכה); now therefore, I will return it to you.’ In the next verses we read that the son, Micah, acts as he promised. He builds a shrine and makes an ephod and idols. Anyone familiar with the book of Deuteronomy will be reminded here also of the curse in Deut. 27:15: ‘Cursed is the one who makes a carved or molded image (פסל ומסכה), an abomination to the Lord, the work of the hands of the craftsman, and sets it up in secret’ (Deut. 27:15). The correspondence between the law and the narrative is strengthened by the fact that the story in Judg. 17 began with a curse spoken by the mother.

Another text that may have been in the back of the mind of the author of Judg. 17 is Deut. 12:8–11, telling the Israelites what to do after entering the promised land:

You shall not at all do as we are doing here today—every man doing whatever is right in his own eyes—for as yet you have not come to the rest and the inheritance which the Lord your God is giving you. But when you cross over the Jordan and dwell in the land which the Lord your God is giving you to inherit, and He gives you rest from all your enemies round about, so that you dwell in safety, then there will be the place where the Lord your God chooses to make His name abide.

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The first things that strike the reader of the story in Judg. 17 is that Micah not only makes idols, but also decides to place them in his own house—not the place YHWH has chosen—with his own priest. It is not for nothing that this verse is directly followed with the remark that ‘everyone did what was right in his own eyes’ (Judg. 17:6), which repeats exactly what was written within the same framework in Deut. 12:8.

In Judg. 18, Micah and his sanctuary become part of the history of the Danites seeking for a place to live. The spies of the Danites find the sanctuary and succeed in making it their own. They also find the perfect spot to make a living for their tribe: a place called Laish with a people ‘dwelling safely’ (יושבֶּת-לָבֶטַח, Judg. 18:7), ‘quiet and secure’ (וּבֹטֵחַ, 18:7, 27). This is precisely the qualification given in Deut. 12:10 in the promise given by YHWH to his people: ‘He gives you rest from all your enemies round about, so that you dwell in safety’ (וִישַׁבְתֶּם-בֶּטַח). The contrast is telling: the Danites take from the people of Laish what had not been given to them. Unlike the other tribes the Danites had not found their place. For some reason they had not received what God had promised or they had lost it again. Now they had to take care of it themselves in a region so far north that the question comes up of whether this is in accordance with the laws of Deut. 20. Did the peaceful people of Laish belong to the Hittites, Amorites, Canaanites, Perizzites, Hivite, or Jebusites mentioned in the book of Deuteronomy as the peoples that should be destroyed? Laish is associated with the city of Sidon, which is clearly not part of the promised land. Although it is stated that Laish was far from Sidon (18:7), there is at least some reason to consider whether it would not have been more appropriate for the Danites to offer peace to the people of Laish, as commanded in Deut. 20:10 with regard to the cities outside the promised land.

Samson and the Torah

When the messenger of YHWH brings to the barren wife of Manoah the surprising promise that she will become a mother, he also gives her the following command: ‘be careful not to drink wine or similar drink, and not to eat anything unclean. For behold, you shall conceive and bear a son. And no razor shall come upon his head, for the child shall be a Nazirite to God from the womb’ (Judg. 13:4–5). The announcement that the child shall be a Nazirite calls forth the law on the Nazirite as formulated in the Torah:

Then the Lord spoke to Moses, saying, ‘Speak to the children of Israel, and say to them: “When either a man or woman consecrates an offering to take the vow of a Nazirite, to separate himself to the Lord, he shall separate himself from wine and similar drink; he shall drink neither vinegar made from wine nor vinegar made from similar drink; neither shall he drink any grape juice, nor eat fresh grapes or raisins. All the days of his separation he shall eat nothing that is produced by the grapevine, from seed to skin. All the days of the vow of his separation no razor shall come upon his head; until the days are fulfilled for which he separated himself to the Lord, he shall be holy. Then he shall let the locks of the hair of his head grow. All the days that he separates himself to the Lord he shall not go near a dead body. He shall not make himself unclean even for his father or his mother, for his brother or his sister, when they die, because
his separation to God is on his head. All the days of his separation he shall be holy to the Lord.”’
(Num. 6:1–8)

When one compares, however, the words of the angel with the words in the Torah, there appear to be some important differences. Whereas the law in Num. 6 describes being a Nazirite as a temporary state, which begins with a vow and is ended with a specific ritual, the angel suggests that it has already begun in the mother’s womb. This is reinforced by the wife of Manoah when she declares to her husband that their son ‘shall be a Nazirite to God from the womb to the day of his death’ (13:7). Another remarkable difference is that part of the commandments for a Nazirite is given by the angel also to the mother. These differences between the law in Num. 6 and the practice in Judg. 13 are usually explained as an indication that the references to a Nazirite are added later to the story of Samson and that there never has been something like a lifelong Nazirite. Be this as it may, within the present context the obligations for the Nazirite play an important role. There is a direct connection between the commandment given by the messenger of YHWH to his mother at the beginning of the story and Samson revealing the secret of his strength to Delilah at the end. Next to the mentioning of the prohibition to cut his hair and the explicit reference to the transgression of this prohibition, there is the implicit transgression of the prohibition to drink something alcoholic. Celebrating his wedding with a feast lasting seven days can hardly have gone without participating in drinking wine. The word used for the feast, מְשֶׁתֶה, is directly associated with drinking wine (cf. 1 Sam. 25:36; Est. 5:6; Dan. 1:5). Samson also transgresses the command not to eat anything unclean by eating honey from a dead and impure lion. He, moreover, also makes his mother, who had received the same command, do so by giving her and her husband some of the honey (14:9).

Within this framework it is also important to note the association with Samuel. In the story of his birth his mother Hannah makes the vow to YHWH: ‘if You will indeed look on the affliction of Your maidservant and remember me, and not forget Your maidservant, but will give Your maidservant a male child, then I will give him to the Lord all the days of his life, and no razor shall come upon his head’ (1 Sam. 1:11). In the Septuagint the parallel goes even further by adding the element of not drinking alcohol: ‘then will I indeed dedicate him to you till the day of his death; and he shall drink no wine nor strong drink, and no razor shall come upon his head’. In the Qumran scroll 4QSam it is added to 1 Sam. 1:22 that Hannah presents her son as nazir to God for the rest of his life. Also without these more explicit references it is clear that the stories of the birth of Samson and the birth of Samuel are related. Both stories begin with presenting the problem of a woman with no children. They introduce her husband with exactly the same words: ‘there was a certain man of Zorah, of the family of the Danites, and his name was Manoah (Judg. 13:2); and ‘there was a certain man of Ramathaim-Zophim, of the hill-country of Ephraim, and his name was Elkanah’ (1 Sam. 1:1). The introduction of a story with

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may seem to be very common, but it is not. Within the Hebrew Bible we only find it in these two places. In both stories the woman eventually gives birth to a son who was promised by God under the condition of keeping to a number of prescriptions. Both boys are given their name by their mother and both seem to have a bright future ahead: ‘the woman bore a son and called his name Samson; and the child grew, and the Lord blessed him’ (Judg. 13:24); ‘Hannah conceived and bore a son, and called his name Samuel, saying, “Because I have asked for him from the Lord”’ (1 Sam. 1:20); and ‘Samuel grew, and the Lord was with him and let none of his words fall to the ground’ (1 Sam. 3:19). From this point on it is not the correspondences but rather the differences that catch the eye of the reader. Whereas Samuel is an example of good leadership, as a prophet receiving and speaking the words of YHWH (1 Sam. 3:19–21) and a judge freeing the people from the Philistines and bringing peace to Israel (1 Sam. 7:13–17), Samson’s actions are dubious and without much concern for his people or respect for his God. His first recorded action is that he goes to Philistines, not to fight them but to look at their girls.

‘Now Samson went down to Timnah, and saw a woman in Timnah of the daughters of the Philistines. So he went up and told his father and mother, saying, “I have seen a woman in Timnah of the daughters of the Philistines; now therefore, get her for me as a wife.” Then his father and mother said to him, “Is there no woman among the daughters of your brethren, or among all my people, that you must go and get a wife from the uncircumcised Philistines?” And Samson said to his father, “Get her for me, for she pleases me well.”’ (Judg. 14:1–3)

With this action Samson not only seems to go against the angel’s prediction that he would make a beginning with delivering Israel out of the hand of the Philistines (13:5), but he also does not honour his father and mother, and he also violates the command given many times before not to mix with the peoples of the promised land, as stated, for instance, in Deut. 7:3–4:

‘Nor shall you make marriages with them. You shall not give your daughter to their son, nor take their daughter for your son. For they will turn your sons away from following Me, to serve other gods; so the anger of the Lord will be aroused against you and destroy you suddenly.’

The fact that Samson does not take this well-known part of the Torah seriously makes it all the more remarkable that, according to the author, YHWH is behind this action, as it is stated right after the discussion between Samson and his parents: ‘But his father and mother did not know that it was of the Lord— that He was seeking an occasion to move against the Philistines’ (14:4). YHWH’s positive attitude towards Samson is underscored right away in the next scene. When a lion attacks Samson ‘the spirit of the Lord comes mightily upon him’ (וַתִּצְלַח עָלָיו רוּחַ יְהוָה, 14:6). The same phrase is used when we are told how Samson kills thirty men in Ashkelon in order to be able to pay the men who stole the solution to his riddle (14:19) and when he kills a thousand Philistines with the jawbone of a donkey (15:14). Within the Hebrew Bible this phrase is only used here and in the first book of Samuel, in the stories about David.

\[\text{\textsuperscript{12} It is used without the } \text{יְהוָה} \text{ also in Gen. 39:2; Judg. 17:1; 19:1; 1 Sam. 9:1; 2 Sam. 21:20; and 1 Chron. 20:6. See in the discussion about the repetition of this expression as an argument in redaction critical studies: M. Leuchter, ““Now There Was a [Certain] Man”: Compositional Chronology in Judges – 1 Samuel,” } \text{CBQ} \text{ 69 (2007) 429–439.} \]

taking over the kingship from Saul. In 1 Sam. 10:6, 10; and 11:6 Saul is taken by the spirit of God; in 18:10 this becomes an evil spirit. The verses 1 Sam. 16:13–14 take a central position, describing the turning point:

‘Then Samuel took the horn of oil and anointed him in the midst of his brothers; and the Spirit of the Lord came upon David (וַתִּצְלַח רֽוּחַ־יְהוָה אֶל־דָּוִד) from that day forward. So Samuel arose and went to Ramah. But the Spirit of the Lord departed from Saul, and a distressing spirit from the Lord troubled him.’

This is only one out of many parallels between the book of Judges and the books of Samuel and Kings which make it very likely that in its present form the book of Judges was a late construct between the books of Joshua and Samuel. Many stories, persons and themes in the book of Judges function as a kind of prefiguration of what follows in the stories of Samuel and the kings of Israel and Judah. A first clear example is Deborah who looks very much like Samuel. They are the only persons in the Hebrew Bible who are both called judge and prophet and they are both associated with Rama and Bethel (Judg. 4:4-5; 1 Sam. 1:19; 3:20; 7:15-17). On the negative side one can compare Abimelech with Saul, both requesting their weapon bearer to kill him thus sparing him a dishonourable death (Judg. 9:54; 1 Sam. 31:3-4). Also, Jephthah has something in common with Saul, because the story of Jephthah’s vow, which costs him his daughter (Judg. 11:29–40) has a parallel in the story of Saul uttering a curse which would have cost him his son had not his people stopped him (1 Sam. 14). The story of the outrage in Gibea in Judg. 19 foreshadows the controversy between Saul and David, because it takes place in towns related to these coming kings. The travellers, coming from a very hospitable Bethlehem, David’s place of birth, wrongly pass by the later city of David, Jebus/Jerusalem (19:10-12), to get into trouble in Gibea, the home town of Saul. To this can be added that in 19:13 Rama is also mentioned. Within the story there is no clear reason for this, so this also seems to have been meant to relate this story to Samuel, who was born there (1 Sam. 1:19; 2:11). The action of the Levite cutting up his dead wife into twelve pieces has a parallel in the similar action of Saul cutting his oxen to pieces and sending these throughout Israel to call up the tribes (1 Sam. 11:7).

Against this background it is not inappropriate to ask with whom we have to compare Samson when it is told of him three times that ‘the spirit of YHWH came mightily upon him’: is he a prefiguration of Saul, who failed as king, or of David, the king after God’s heart because unlike Saul he kept what God commanded him (1 Sam. 13:14)? What appears to be decisive in both the book of Judges and the books of Samuel is the live communication with YHWH: asking God’s advice before acting and then also receiving a divine answer. In both Judges and 1 Samuel this is connected with the phrase שָׁאֵל בַּעֲלֵי-הָאָדָם. Within the stories of Saul and David this way of asking the will of God can be regarded as a ‘Leitmotiv.’

The downfall of Saul is connected with it, as becomes clear in the story of his attempt to make contact

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with the spirit of the dead Samuel, when it is no longer possible for him to make contact with YHWH (1 Sam. 28:6, 16). The rise to power of David on the other hand is related to his successful attempts to obtain divine advice. Good examples of this can be found in 1 Sam. 22:10, 13, and especially 2 Sam. 2:1. In the book of Judges we find the expression in asking God/YHWH who shall go up first, both at the beginning and at the end of the book (1:1: 20:18). The closest parallel with the stories of Saul and David is the scene in Judges 18:5-6, where the Danites ask and receive divine advice before starting their journey.

The stories of Samson do not contain the phrase ‘to enquire of God/YHWH,’ but the theme of live communication with God is also clearly present. One could say that it is a story of learning to pray. After a positive start with the lively communication between the messenger of YHWH and the parents of Samson and with Samson receiving the spirit of YHWH (13:25), things start going wrong when Samson only wants to follow his own feelings through what his eyes are seeing. Something similar can be observed in the story of Jephthah. There is a contrast between the positive introduction and the problems that arise as soon as the central human character has received the spirit of YHWH (11:29).

They start doing things their own way. Jephthah goes on with negotiating, just as he did before with the elders of Gilead and with the king of Ammon. Now he starts negotiating with YHWH, making a vow for which he expects a good outcome from the fight in return. The gift of the spirit apparently also does not change Samson who is primarily interested in women. The difference with the story about Jephthah is that in the end contact with YHWH is restored when Samson prays to YHWH. In fact his father Manoah gave a good example when he prayed for the return of the messenger (13:8). Samson learned to pray to YHWH at moments when he had become weak: when he was very thirsty (15:18) and when he had lost his strength and eyesight (16:28). The story shows that Samson learned that he is dependent on YHWH and also that YHWH is open to human supplication and uses imperfect men like Manoah and Samson to achieve his plans.

All of this might lead to a more positive evaluation of Samson’s life than is usually given. Instead of focussing on the fact that he has violated many laws and that he failed to end the threat of the Philistines and did not bring unity and peace to the Israelites, one can also look at the way Samson learned to pray and trust not his own power but the power of YHWH. This also means that in this story following the commandments of the Torah is subordinate to direct communication with God. We could compare it to what is said in the beginning about the difference between law and nomos, be it that in this story nomos as an all-embracing principle is replaced by a living and communicative God. This insight may also be of help to cope with the problem of ruthless violence ordered by YHWH and with the very biased image of the enemy in this part of holy scripture. It cannot and should not be denied that

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18 Cf. Exum, ‘The Theological Dimension,’ 45, which calls the motive of answered prayer ‘the key to the theological dimension of the saga’.

19 Cf. M. Morgenstern, ‘Samson and the Politics of Riddling,’ *Hebraic Political Studies* 1 (2006), 253–285, who states that we should not focus on the missed opportunity, but on the new beginning. Samson cannot be blamed for the fact that all beginnings are difficult (p. 284).
the Hebrew Bible, like other sacred texts such as the New Testament and the Qur’an, testifies of a god who seems to have no scruples in committing genocide to make room for his own people and of monotheism which does not tolerate deviating religious views and people holding on to them. Nevertheless, there are indications that the one God is broader minded in this regard than many religious hardliners see Him or would like Him to be. In the book of Judges, the fact that He uses imperfect people like Samson can be seen as such an indication, but more important than that is that the book of Judges helps us to realise that it is wise to follow the example of imperfect people like Samson never to stop communicating with God. We should leave open the possibility that God’s answer will not be: ‘kill them all,’ but something like he said to Jonah: ‘should I not pity Nineveh, that great city, in which are more than one hundred and twenty thousand persons who cannot discern between their right hand and their left– and much livestock?’ (Jon. 4:11). In the Hebrew Bible there are many such ‘cracks’ through which the light of tolerance can come in.\textsuperscript{20} In the story of Samson the crack is not large yet, but a beginning seems to have been made.

\textsuperscript{20} Cf. K. Spronk, ‘There is a Crack in Everything: Biblical Texts Questioning the Legitimation of Violence in the Name of the One God,’ \textit{Exchange} 45 (2016), 130–140.